

TIPPERARY COUNTY COUNCIL
Planning Report

Planning & Development Acts 2000 as amended
Planning & Development Regulations 2001 as amended

Planning Ref.:	20550
Applicant:	Starrus Eco Holdings
Application Type:	Permission
Development Address:	Ballybeg, Littleton
Proposed Development:	An increase in the annual waste intake from 45000 tonnes/year to 80,000 tonnes; (2) single storey extensions to the east and west of the existing building (having a combined floor area of 6,083m ²), (3) relocation of existing firewater lagoon (324m ²), (4) construction of new firewater lagoon (401m ²) and all associated site works and services to accommodate the biological treatment of the additional organic residues and production of compost. The existing biological treatment process is carried out in accordance with an Industrial Emissions Licence granted by the Environmental Protection Agency. An Environmental Impact Assessment Report (EIAR) shall be submitted with this planning application.
Date of Site Visit:	12/06/2020
Site Notice:	Adequately displayed

1. SEE PREVIOUS PLANNERS REPORT

Further information was requested on 28.07.2020 and a response to the further information requested was submitted by the applicant on 23.04.2021 as set out below:

- 1) *The Planning Authority notes that the development on site has not been carried out in accordance with planning permission 07511853. The applicant is advised that the Planning Authority is not favourably disposed to granting planning permission on sites that are subject to unauthorised development. Having regard to these concerns, the applicant is requested to submit proposals to regularise the situation and in particular in relation to developments outlined below*
 - a) *The Planning Authority notes that the main building/ facility on the site has been constructed substantially larger than permitted and as such has not been constructed in accordance with planning permission 07511583 and is therefore considered to be non-compliant.*
 - b) *The planning authority notes firewater lagoons on site not constructed in accordance with planning application 07511853.*
 - c) *It is noted that a number of unauthorised structures have been erected on site including steel containers/sheds and a biofilter condensation tank.*
 - d) *The location of the portocabins and office buildings site is not in compliance with planning permission 07511853*

MC
Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus
Eco Holdings - grant.docx

- e) Effluent from the welfare facilities on site is not in compliance with Condition 14 of planning permission 07511853

The applicant is requested to submit proposals for the regularisation of these elements. The applicant is also requested to submit a detailed justification for the increase in building size, and in particular, outline any changes in processes or activities which gave rise to the necessity to increase the building size.

Advice Note: The applicant is advised that in the event that the developments outlined above may require an EIAR, the Planning Authority may be precluded from determining the application.

In response to item no 1 (a), (b), (c) and (d) the applicant has submitted an application for the retention of the structures on site. It is noted that a recommendation to grant permission for retention of these structures issued on 10.06.2021.

In response to item no. 1(e) the applicant has submitted alternative proposals for effluent treatment which includes for the collection of wastewater in a sealed tank, the contents of which are removed and fed into the composting process. It is noted that this arrangement is authorised by the EPA under licence. The Planning Authority consider such proposals to be acceptable.

- 2) Having regard to Article 94 (d) of the Planning and Development Regulations 2001 (as amended), which states that:
An EIAR shall take into account the available results of other relevant assessments under European Union or national legislation with a view to avoiding duplication of assessments and shall contain—
(d) a reference list detailing the sources used for the descriptions and assessments included in the report, and
(e) a list of the experts who contributed to the preparation of the report, identifying for each such expert—
(i) the part or parts of the report which he or she is responsible for or to which he or she contributed,
(ii) his or her competence and experience, including relevant qualifications, if any, in relation to such parts, and
(iii) such additional information in relation to his or her expertise that the person or persons preparing the EIAR consider demonstrates the expert's competence in the preparation of the report and ensures its completeness and quality.

The applicant is requested to submit comprehensive details in relation to all contributors to the preparation of the EIAR in accordance with Article 94 (d) of the Planning and Development Regulations 2001 (as amended)

In response to item no 2, the applicant submitted detailed responses in relation to sources who contributed to the preparation of the EIAR report, identifying experts and their relevant experiences for the following:

- Site layout and building design
- Climate
- Traffic
- Water
- Land and geology
- Noise and air quality
- Biodiversity
- Population and human health
- Archaeology, architectural and cultural heritage
- Material assets and resource consumption.

The response to item no. 2 is considered adequate

3 It is considered that the EIAR as submitted is inadequate in terms of the information contained therein, and in particular does not comply with the requirements in relation to Schedule 6 of the Planning and Development Regulations, and in particular in relation to the following:

- a) Description of mitigation measures envisaged in order to avoid, reduce and if possible remedy significant adverse effects: It is considered that the information contained within the EIAR in relation to nuisance, in particular odour and noise are inadequate. The EIAR states that noise levels regularly exceed limits and has attributed this to traffic for the most part. The applicant is requested to outline if any noise is attributable to activities on the site at noise sensitive locations. The applicant is also requested to submit comprehensive details of odour assessment and proposals to negate against odour nuisance arising from increased activity on the site. The applicant should also consider cumulative significant effects of the development in combination with neighbouring developments.

In response to item no 3(a), the applicant states that in relation to noise impacts, a survey was carried out to comply with the requirements of the EPA licence.

Tables 6.1 to 6.6 of the Environmental Noise report showed no tonal or impulsive noise were audible from the facility and the consultants deemed that the facility noise did not constitute a nuisance as the dominant noise source is traffic from the local road.

Section 10.4.2 describes the odour impact assessment completed in compliance with the EPA licence and refers to measures in place to ensure waste activities do not give rise to negative impacts on air quality, including odours. The applicant further states that the odour control system will be upgraded to accommodate the extension of the processing areas and associated increase in the volumes of odorous air that must be treated, including increasing the air extraction capacity, installing additional ducting and increasing the size of the biofilter. The upgrade will be designed to achieve a biofilter odour removal efficiency of in excess of 90% and comply with the emissions limits specified in the EPA licence.

It is noted that the EPA is the competent authority for regulating emissions from the existing and proposed activity and ensuring that operations do not result in off-site nuisance.

- b) The application does not adequately explore alternatives in relation to the proposed development. It is noted that while alternatives have been explored in relation to the location of the proposed development, no consideration has been given in relation to alternatives having regard to the following: project design, technology, location, size and scale and the interactions of same. The applicant is requested to submit information in order to address the inadequacies as outlined above.

In response to item no 3(b), the applicant refers to section 3.3 of the EIAR and states that the existing and proposed site layout and design comply with best practice and that the development already meets both regulatory consents and operational experience have identified the most effective measures to anticipate, avoid and mitigate significance environmental effects.

In relation to size and scale, the current proposed development involves an increase in processing capacity size and scale and during proposals these were assessed.

- 4 A Construction Environmental Management Plan (CEMP) shall be submitted to Planning for consideration and approval. Such CEMP shall take into account proposed mitigation measures submitted as part of the planning application process. The CEMP shall be accompanied with, and reference to, illustrative/annotated drawings/details of sufficient detail as would facilitate the construction of the works with due regard to environmental considerations.

In response to item no 4, the applicant has submitted a preliminary CEMP

- 5 Having regard to the increased surface water which will be generated on site, the applicant is requested to submit a surface water management plan detailing how surface water will be managed having regard to the increased surface water run-off from the proposed building on site, together with the existing hardstanding area. The submission should include a detailed assessment of the potential impact on

the Ballyley River, both in terms of quantitative and qualitative changes, resulting from the increased discharge of surface water.

In response to item no 5, the applicant submitted a surface water management plan. It is noted, in relation to the operational phase, certain prevention and mitigation measures are required under the current EPA licence. In relation to the construction phase, measures are outlined in the CEMP, an updated version of which, will be submitted for written agreement prior to commencement of development.

6. It is a requirement under the EU Habitats Directive for a screening process to be undertaken to determine if an assessment of the impact of the proposed development on the integrity of the SAC/SPA is required. The applicant is **therefore**, requested to engage the services of a suitably qualified ecologist to carry out an impact assessment of the proposed development on the water quality of the Ballyley River and Lower River Suir SAC (taking account of the increased surface-water run-off from the site) to enable the Planning Authority to carry out the necessary screening requirement. The assessment should be carried out having full regard to the Habitats Directive and the 'Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities' document. The assessment should address potential impact during construction and post construction with any recommended mitigation measures. A Natura Impact Statement may be required.

In response to item no. 6, the applicant stated that an Appropriate Assessment screening report is attached in appendix 8 of the EIAR.

2. INTERNAL & PRESCRIBED BODIES REFERRALS

District Engineer: Report from District Engineer. No issues arising in relation to sightlines or drainage. Report on further information requests that a condition relating to surface water be attached to any grant of permission

Environment & Waste Mgt, further information requested in relation to Effluent treatment at the plant and requirement for a CEMP. No report to date on further information received,

Chief Fire Officer, no report at time of writing

HSE, no objection subject to conditions

EPA:

Report received from EPA. Confirmation that Acorn Recycling Limited, Ballybeg, Littleton, Co. Tipperary was issued a Waste Licence (Register No: W0249-01) on the 09/10/2009 The site is licensed for the below listed activities

11.1,	The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required.
11.4(b)(i)	Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, (other than activities to which the Urban Waste Water Treatment Regulations 2001 (S.I. No. 254 of 2001) apply): biological treatment; when the only waste treatment activity carried out is anaerobic digestion, the capacity threshold for this activity shall be 100 tonnes per day

The licence was transferred from Acorn Recycling Limited to Starrus Eco Holding Limited on 12/06/2019. In accordance with the 2013 amendment of the EPA Act and Waste Management Act and to give effect to the Industrial Emissions Directive, the licence was amended on the 27/11/2015 to incorporate the requirements of an Industrial Emissions Licence.

MC
Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus Eco Holdings - grant.docx

Submission outlines that the EPA licence for the development may need to be reviewed or amended to accommodate the changes proposed in the planning application. Should a licence review application be received by the Agency, all matters to do with emissions to the environment from the activities proposed, the licence review application documentation and EIAR will be considered and assessed by the Agency

Contents of internal report are noted.

1. OTHER OBSERVATIONS/SUBMISSIONS

12 no. submissions were received in relation to the proposed development as set out below:

- a) Cllr. Sean Ryan, Church View, Littleton. Concerns raised in relation to the following:
 - Capacity and quality of existing roads – not able for increased traffic
 - Dangerous driving conditions during winter when road not salted
 - Inadequate sightlines at the proposed development site
 - Existing issues relating to odour from the site
 - Health implications of odour from the site
 - second recycling facility in the immediate area – cumulative impact of extension
 - health of workers at neighbouring recycling facility
 - justification for the proposed waste intake
 - possible non-adherence of existing facility with EPA licence
- b) Catherine Dempsey, Ballybeg. Concerns raised in relation to the following:
 - Capacity and quality of existing roads – not able for increased traffic
 - Dangerous driving conditions during winter when road not salted
 - Inadequate sightlines at the proposed development site
 - Existing issues relating to odour from the site
 - Health implications of odour from the site
- c) Jackie Cahill, T.D. Concerns raised in relation to the following:
 - Capacity and quality of existing roads – inadequate for increased traffic
 - Dangerous driving conditions during winter when road not salted
 - Inadequate sightlines at the proposed development site
 - Existing issues relating to odour from the site
 - Health implications of odour from the site
 - second recycling facility in the immediate area – cumulative impact of extension
 - health of workers at neighbouring recycling facility
 - justification for the proposed waste intake
 - possible non-adherence of existing facility with EPA licence
- d) Ann Morris, St. Bridgets Terrace. Concerns raised in relation to the following:
 - Existing issues relating to odour from the site
 - Health implications of odour from the site, e.g. COPD
 - Impact on quality of life e.g. cannot open windows, kids cannot play outside etc
 - Capacity of existing roads – inadequate for increased traffic
 - Increased dangers relating to additional traffic
- e) Bernie Morris, Derrynaflan Drive. Concerns raised in relation to the following:
 - Existing issues relating to odour from the site
 - Health implications of odour from the site, e.g. headaches, nausea,
 - possible non-adherence of existing facility with EPA licence

- f) Residents of Ballybeg (including Ivers, Donoghues, Doyles and Delaneys). Concerns raised in relation to the following:
- Existing issues relating to odour from the site
 - Health implications of odour from the site, e.g. stress, anxiety
 - Impact on Children
 - Increased dangers relating to additional traffic
- g) Ann and Sharon Ralph, Ballybeg. Concerns raised in relation to the following:
- second recycling facility in the immediate area – concerns over cumulative impact of 2 facilities in close proximity
 - justification for the proposed increased waste intake
 - Existing issues relating to odour from the site
 - Health implications of odour from the site
- h) Patricia Ralph, Ballybeg, Littleton
- Existing issues relating to odour from the site
 - Need for checks for air pollution, soil checks and radon gases
 - Hours of operation
- i) Paudie and Karen Fitzprick. Concerns raised in relation to the following:
- Existing issues relating to odour from the site
 - Potential impact on future business
 - Capacity of existing roads – inadequate for increased traffic
 - Increased dangers relating to additional traffic
 - Odours from uncovered lorries travelling to site
 - Issues raised with EPA including odour
- j) John Hayes. Concerns raised in relation to the following:
- Impact on community especially children and the elderly
 - Existing issues relating to odour from the site, including lingering of odour from lorries going to site
 - Impact on quality of life e.g cannot have outdoor activities
 - possible non-adherence of existing facility with EPA licence
- k) Sharon Morris. Concerns raised in relation to the following:
- Existing issues relating to odour from the site
 - Health implications of existing odour including headaches, stress etc and impact on her son e.g. respiratory conditions
 - Capacity of existing roads and increased dangers relating to additional traffic
- l) Martin, Judy & Aine Graham. Concerns raised in relation to the following:
- Existing issues relating to odour from the site
 - Health implications of existing odour
 - Capacity of existing roads and increased dangers relating to additional traffic
 - Road conditions during winter – icy roads, not salted by Co. Co.
 - Problem with horses along the road at present

All submissions have been considered and planning related matters have been taken into account during the assessment of the application.

2. REPRESENTATIONS

None

3. PLANNING POLICY OVERVIEW

MC
Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus
Eco Holdings - grant.docx

North Tipperary County Development Plan 2010-2016, As Varied

Policy LH1: Landscape Management and Protection

It is the policy of the Council to facilitate new development which integrates and respects the character, sensitivity and value of the landscape in accordance with the designations of the County Landscape Character Assessments (or any review thereof).

Policy LH5: Biodiversity, Trees and Habitats

It is the policy of the Council to conserve, protect and enhance the county's bio-diversity, including trees and hedgerows, in accordance with the County Biodiversity Plans and the standards set out in this Plan (as varied) and any review thereof.

Policy LH16: Archaeology and Cultural Heritage

It is the policy of the Council to safeguard sites, features and objects of archaeological interest, including monuments on the Sites and Monuments Record (SMR), the Record of Monuments and Places (as established under Section 12 of the National Monuments (Amendment) Act, 1994) and archaeological remains found within Zones of Archaeological Potential (ZAPs) located in historic towns and other urban and rural areas. In safeguarding such features of archaeological interest, the Council will seek to secure the preservation (i.e. preservation in situ or in exceptional circumstances preservation by record) and will have regard to the advice and recommendation of the Department of Arts, Heritage and the Gaeltacht.

Where developments, due to their location, size or nature, may have implications for archaeological heritage, the Council may require archaeological assessment to be carried out. This may include for a requirement for a detailed Visual Impact Assessment of the proposal and how it will impact on the character or setting of adjoining archaeological features. Such developments include those that are located at or close to an archaeological monument or site, those that are extensive in terms of area (1/2 ha or more) or length (1 kilometre or more), those that may impact the underwater environment and developments that require an Environmental Impact Statement.

Policy TI12: Noise Emissions

It is the policy of the Council to ensure that new development does not result in significant noise disturbance and to ensure that all new developments are designed and constructed to minimise noise disturbance in accordance with the provisions of the Noise Action Plan 2013, the Development Management Standards set out in Chapter 10 and relevant standards and guidance that refer to noise management.

Policy ED9: Enterprise in the Open Countryside

It is the policy of the Council to support and facilitate the provision and/or expansion of appropriate small scale rural enterprise in the open countryside within residential sites and in vacant or derelict buildings. Development proposals will be required to meet the following criteria:

- a) The development shall not have an adverse impact on the residential, environmental and rural amenity of the area;
- b) Any new structure shall be of a scale appropriate to the size of the site, and be sited and designed to ensure it does not detract from the rural setting and landscape character of the area.
- c) The development shall comply with the development management standards set out in Chapter 10.

Where the enterprise or activity develops to a scale that is inappropriate by virtue of activity or size in its rural context, the Council will seek to encourage its re-location to a more suitable location on zoned land within towns and villages.

Policy ED10: Non Conforming Uses

It is the policy of the Council, where commercial/industrial/agricultural enterprises exist as non-conforming but long established uses, to support their continued operation and expansion provided

MC

Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus
Eco Holdings - grant.docx

such does not result in; loss of amenity to adjoining properties, adverse impact on the environment, visual detriment to the character of the area or creation of a traffic hazard.

Policy TI10: Southern Region Waste Management Plan

It is the policy of the Council, to implement the policies outlined in the Southern Region Waste Management Plan 2015-2021 (or any amendment thereof) and to ensure that waste disposal facilities are in compliance with all appropriate waste management legislative requirements

Policy LH6: Natura 2000 Sites and Protected Species

It is the policy of the Council to ensure the protection, integrity and conservation of existing and candidate Natura 2000 sites and Annex I and II species listed in EU Directives. Where it is determined that a development may independently, or cumulatively, impact on the conservation values of Natura 2000 sites, the Council will require planning applications to be accompanied by a Natura Impact Statement in accordance with 'Appropriate Assessment of Plans and Projects, Guidelines for Planning Authorities', (DEHLG 2009) or any amendment thereof.

Policy TI12: Noise Emissions

It is the policy of the Council to ensure that new development does not result in significant noise disturbance and to ensure that all new developments are designed and constructed to minimise noise disturbance in accordance with the provisions of the Noise Action Plan 2013, the Development Management Standards set out in Chapter 10 and relevant standards and guidance that refer to noise management.

Chapter 10 – Development Standards

The standards set out in Table 10.4 shall apply for industrial developments.

Table 10.4 Minimum Standards for Industrial Developments

Access	Multi-unit developments shall have a single access. Access roads shall have a minimum carriageway width of 7.5m with 1.3m wide grass strip and 2m wide footpath(s).
Site Layouts	Adequate space shall be provided for the loading and unloading of goods and the manoeuvring of vehicles within the site. Turning space shall be provided for 15 metre articulated vehicles and 9 metre fixed axle vehicles. A building line set back of at least 12 metres from estate roadside boundaries shall be provided.
Design Scheme	Multi-unit industrial proposals shall submit a detail design scheme; to set out proposed design approach and materials and finishes to be applied throughout the entire scheme. The design scheme shall ensure that the overall development implements a uniform/complimentary approach to design and finishes.
Boundary treatment/ Landscaping	A comprehensive boundary treatment and landscape plan providing for details of uniform approach to boundary treatment and planting shall accompany applications. Existing trees and hedgerows shall be incorporated where practicable and new planting shall utilise trees and shrubs that are indigenous to the area. All services shall be laid underground.
Use	Full details of the proposed use, including industrial processes involved, any toxic materials, chemicals or solvents used, shall be submitted with the planning application if known. Changes in use may require the grant of a new planning permission in accordance with the Planning & Development Regulations, 2001 (as amended).
Storage of Goods & Fuels	Goods, including raw materials, manufactured goods, packaging, crates etc., shall be stored or displayed only within the enclosed factory or industrial unit area behind the front building line. All over-ground oil, chemical storage tanks shall be adequately bunded to protect against spillage. Adequate storage to facilitate the segregation & storage of waste materials at source shall be provided.

MC
 Z:\Groups\Planning\Development Management\Planning Applications\2020\20550\20550 - Starrus
 Eco Holdings - grant.docx

Signage	Within the curtilage of industrial estates, signage shall be restricted to a single sign identifying all occupiers of the site at the entrance and to fingerpost signs at junctions throughout the estate where the Council considers such necessary.
---------	---

It is the policy of the Council to implement the policy objectives of the Waste Management Plan for the Midlands Region 2000.

4. **PLANNING APPRAISAL**

a) **Policy Compliance**

The application relates to an extension to a permitted enterprise in the Open Countryside. As set out in Policy ED10: Non Conforming Uses, it is the policy of the Council, where commercial/industrial/agricultural enterprises exist as non-conforming but long established uses, the Planning Authority will support their continued operation and expansion provided such does not result in; loss of amenity to adjoining properties, adverse impact on the environment, visual detriment to the character of the area or creation of a traffic hazard.

It is noted that the planning permission for the existing facility on site was granted on 5th November, 2008. A notification of a decision to grant permission for retention of unauthorised and non-compliant structures on site issued on 10th June, 2021.

Construction Environmental Management Plan (CEMP):

The CEMP for the development has been submitted as further information which includes mitigation measures to avoid risk of fuel spill, impacts on air quality during construction etc.

An EIAR has been submitted with the application as follows:

Climate

The proposed development will have direct and indirect impacts on the production of greenhouse gases. The emissions from the plant, from vehicular traffic to the plant etc will result in increased carbon emissions. Also the loss of 0.8ha of willow on site will reduce carbon capture by approximately 0.1 tonne carbon, however the composting process undertaken on site results in a substantial reduction in methane generation during the breakdown of organic wastes. (it is noted that methane is 34 times for detrimental to the environment than carbon dioxide produced from the composting process.

Traffic

During the operational phase it is estimated that the proposed development will result in an additional 20 trips per day on the local road network however the traffic levels will remain well below the capacity of the road/junction capacity, at only about 5% of total capacity. The proposed development will result in a temporary increase in traffic during construction.

The Traffic and Transport Assessment which accompanies the planning application concludes that the predicted increase in traffic volumes can be accommodated, both by the road junction and the wider road network. Report from the Municipal District does not raise any concerns in relation to road capacity, sightlines etc.

Land and Geology

The land take for the building will result in the loss of approximately 0.8ha willow. The soils excavated during construction will be reused for landscaping on the site. The construction phase will not impact on bedrock.

Water

MC

Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus Eco Holdings - grant.docx

The ground water flow direction at the site is to the south, with the nearest domestic well situated approximately 1.1km to the north. The surface water from the hardstanding areas on site, together with the rain water from the building feeds into the field drain to the west of the site via silt trap and oil interceptor. The drain joins a tributary of the Ballyley River and joins the river approximately 750m west of the site. This river forms the Breaghagh River further downstream before flowing into the Drish River. In the case of a fuel spill the drain is fitted with a shut off valve to allow water to be diverted to a firewater retention pond on site. The applicant has submitted a surface water management plan. It is noted, in relation to the operational phase, certain prevention and mitigation measures are required under the current EPA licence. In relation to the construction phase, measures are outlined in the CEMP, an updated version of which, will be submitted for written agreement prior to commencement of development.

Biodiversity:

With the exception of trees, habitats inside the site are not species diverse and are of low ecological value. The proposed development will result in the loss of 80m of tree line and 920sqm amenity grassland, together with 8018sqm willow. The applicant has stated that a bat survey will be carried out prior to commencement of development

Air:

The EPA licence requires that particulate, dust, odour and microbial monitoring be carried out and that results indicate that current operation do not result in a significant source of emissions. While there is a potential for dust and emissions during the construction stage, it is stated that mitigation measures as set out in the CEMP will ensure works do not result in significant adverse impacts on air quality. Similarly as the development will be operated in accordance with the EPA Industrial Emissions Licence, it is concluded that the operational phase of the development will not result in significant adverse impacts on air quality

Noise:

It is noted that the closest residential properties to the development are 300m east of the site and 432m to the north-west. As the development will be operated in accordance with the EPA Industrial Emissions Licence, it is required that annual noise surveys will be carried out and specific noise limits will be adhered to. It is noted that surveys completed between 2010 and 2019 recorded day and night time noise levels in excess of the day time limit however it is stated that the dominant day and night time noise sources is traffic on the local road, L4401. It is stated that noise from the facility was not audible in the day or night time with the exception of faint intermittent noise from fans and a diesel engine. It is concluded that the operational phase of the development will not result in significant adverse impacts on noise levels.

Furthermore, it is stated that mitigation measures as set out in the CEMP will ensure works do not result in significant adverse impacts on noise levels.

Landscape and Visual Impact:

The proposed development will be set within an existing working landscape with low sensitivity. The existing willow plantation and established planting on site will provide screening. The EIAR states that additional boundary landscaping will not be required

Population and Human Health

The proposed development may give rise to impacts on human health by virtue of increased exhaust fumes, odour, dust, pest/vermin etc. However it is stated that adherence to the CEMP and EPA licence will ensure that no negative impact will arise. Furthermore, the submitted Traffic and Transport Assessment does not anticipate any impact on the local road network.

Archaeology, Architecture and Cultural Heritage

There are no archaeological, architectural or cultural heritage features within the site, and therefore there are no anticipated impacts in this regard.

Material Assets and Resource Consumption

MC

Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus
Eco Holdings - grant.docx

The proposed development will not impact on any local resources, e.g. private wells etc. It is anticipated that the potential for nuisance etc will be dealt with under the terms of the EPA Industrial Emissions Licence.

EIA Conclusion:

I have considered the EIAR and all submissions/ observations received which are relevant to impacts on the environment, inspected the site, and have considered the direct, indirect, and cumulative effects of the development on the environment. Having regard to the above, I am of the opinion that the documentation submitted by the applicant provided information that was reasonable and sufficient to all a reasoned conclusion, taking into account current knowledge and methods of assessment and that same is up to date at the time of making the decision. I believe that the direct and indirect effects on the environment of the proposed development have been identified and described. It is my view that the potential impact of the proposed development can or cannot be adequately mitigated and is likely to result in a significant impact on the environment.

b) Services:

Roads: existing access, no change proposed. Report from District Engineer confirmed no issue with sightlines or drainage on the site. A condition should be attached in relation to surface water management

Water Supply: existing water supply.

Waste Water Treatment: applicant has stated that effluent from the site is stored in an underground holding tank and the contents are transferred by vacuum tanker to the waste intake area for composing (Section 4.7 of EIAR submitted with the application). The applicant has stated that current arrangements are acceptable to the EPA under licence.

Surface Water: drainage on site via land drains fitted with oil interceptor, silt trap

c) Part V: Part V is not applicable.

d) Appropriate Assessment (AA):

An Appropriate Assessment Screening Report was undertaken on the proposed development to assist the competent authority in undertaking an Appropriate Assessment of the proposed development, as required under Article 6 of the EU Habitats Directive. The proposed development has been screened as to the requirement for AA and it has been determined that AA is not required

e) Flood Risk;

There is no evidence of Flood Risk on site.

5. FURTHER INFORMATION

Clarification of Further information is not required

6. DEVELOPMENT CONTRIBUTIONS

Development Contributions will be levied in accordance with Class 8 of the Tipperary Development Contribution Scheme 2020 in relation to the single storey extensions (measuring 6083sqm) as set out below:

Class 8	(€ per sq. m.)	Floor Area (sq. m)	Total Cost
Industrial	€23.00	6083	€139,909.00

Formatted Table

MC

Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus Eco Holdings - grant.docx

7. **CONCLUSIONS/RECOMMENDATION**

Having examined the plans and particulars submitted with the planning application and the foregoing matters, it is recommended that permission be granted subject to conditions as set out below:

SCHEDULE:

SCHEDULE A

The EIAR and all submissions/ observations received which are relevant to impacts on the environment, inspected the site, the direct, indirect, and cumulative effects of the development on the environment have been considered. Having regard to the above, it is considered that the documentation submitted by the applicant provided information that was reasonable and sufficient to enable a reasoned conclusion, taking into account current knowledge and methods of assessment and that same is up to date at the time of making the decision. It is considered that the direct and indirect effects on the environment of the proposed development have been identified and described and that the potential impact of the proposed development can be adequately mitigated and is not likely to result in a significant impact on the environment.

It is considered that the development complies with the policies and objectives of the North Tipperary County Development Plan 2010 (as varied) and that the development does not have an adverse impact upon the character of the area or the amenities of adjoining properties.

SCHEDULE B

1. Save where modified by the following conditions, the proposed development shall be carried out and completed in accordance with the drawings and documentation submitted with the planning application on the 04.06.2020 including the contents and mitigation measures set out in the Environmental Impact Assessment Report, and further information submitted on 23.04.2021 in response to a Further Information Request issued on the 28.07.2020
Reason: To clarify the terms of the permission and in the interest of proper planning and sustainable development.
2. All surface water runoff from roofs, driveways and paved areas shall be collected and disposed of within the curtilage of the site by means of soakaways designed in accordance with BRE 365 Standards. Surface water runoff shall not be allowed to discharge onto the public road or adjoining properties.
Reason: To avoid interference with other properties and to prevent damage to the public road with consequent traffic hazard.
3. No signs, symbols, nameplates or other advertisements shall be erected externally on the buildings or on site save where a grant of planning permission has been obtained from the Planning Authority or An Bord Pleanala.
Reason: In the interest of proper planning and visual amenity.
4. Waste shall not be accepted on site outside the hours of 07.30 – 19.30, Monday to Saturday inclusive.
Reason: To protect the residential amenities of the surrounding areas
5. Any materials or wastes associated with the development shall be stored internally.
Reason: In the interest of appearance and amenity.

MC

Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus Eco Holdings - grant.docx

6. Prior to development commencing on the site a Construction Management Plan for the proposed development shall be submitted for the written agreement of the Planning Authority. Same shall include measures to manage and dispose of Construction and Demolition Wastes arising from the development.

Reason: In the interests of orderly development

7.

a) The developer shall ensure that all demolition/construction works on site are carried out in a manner such that noise and dust emissions do not result in significant impairment of, or significant interference with, amenities or the environment beyond the site boundary.

b) The developer shall ensure that material from the site is not spread or deposited on the public roadway and shall maintain the roadway in a clean, tidy and safe condition. Any damage to or interference with the roadside drainage shall be made good without delay at the developers expense, to the satisfaction of the Local Authority.

c) No construction or demolition activity giving rise to noise audible from the nearest habitable dwelling shall be carried out on Sundays, Bank Holidays or Public Holidays.

d) From Monday to Friday, all construction and demolition activity giving rise to noise audible from the nearest habitable dwelling shall be restricted to the hours between 8.00a.m. and 6.00p.m. (inclusive) and to the hours between 8.00a.m. and 2.00pm (inclusive) on Saturdays (excluding Bank/Public Holidays).

Reason: To prevent a noise nuisance or traffic hazard arising from the implementation of the permission

8. Prior to commencement of development, a payment of a financial contribution shall be paid to the Planning Authority in respect of public infrastructure and facilities benefiting development in the administrative area of Tipperary County Council that is provided, or intended to be provided, by or on behalf of the Authority in accordance with the terms of the Tipperary County Council Development Contributions Scheme 2020 made under Section 48 of the Planning and Development Act, 2000 (as amended). The amount of the development contribution under this condition is €139,909.00 which is calculated as follows:

Deleted: Within one month of the date of this order

Class 8	(€ per sq. m.)	Floor Area (sq. m)	Total Cost
Industrial	€23.00	6083	€139,909.00

Reason: It is considered reasonable that a contribution be made in accordance with the Tipperary County Council Development Contributions Scheme 2020 made under Section 48 of the Planning and Development Act 2000 (as amended).

District Planner: _____

Date: 14/06/2021

Senior Executive Planner: _____

Date: 14/06/2021

TIPPERARY COUNTY COUNCIL

Planning Report

Planning & Development Acts 2000 as amended
Planning & Development Regulations 2001 as amended

RECOMMENDATION ON PLANNING APPLICATION

Planning Ref.: _____ 20550
Applicant: _____ Starrus Eco Holdings

Application Type: _____ Permission

Development Address: _____ Ballybeg, Littleton
Proposed Development: _____ An increase in the annual waste intake from 45000 tonnes/year to 80,000 tonnes, (2) single storey extensions to the east and west of the existing building (having a combined floor area of 6,083m²), (3) relocation of existing firewater lagoon (324m²), (4) construction of new firewater lagoon (401m²) and all associated site works and services to accommodate the biological treatment of the additional organic residues and production of compost. The existing biological treatment process is carried out in accordance with an Industrial Emissions Licence granted by the Environmental Protection Agency. An Environmental Impact Assessment Report (EIAR) shall be submitted with this planning application.

Decision-maker's written statement on EIA/AA

It is noted that the Environmental Impact Assessment and the Appropriate Assessment carried out by the District Planner and has been endorsed by the Senior Executive Planner and reported on in the reports dated 14/06/2021 has been carried out giving full consideration to the Environmental Impact Statement submitted with the application on the 04/06/2020, further information submitted on the 23/04/2021, all submissions and observations validly made in relation to the environmental effects of the development.

It is considered that the reports dated 14/06/2021 contain a fair and reasonable assessment of the likely significant effects of the development on the environment.

The assessment as reported is accepted as the assessment of Tipperary County Council.

Signed: _____ Date: _____

Director of Services

MC
Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus Eco Holdings - grant.docx

**HABITATS DIRECTIVE ASSESSMENT SCREENING REPORT
FOR PLANNING APPLICATIONS**

Planning Application Ref. No.: 20550

(A) DESCRIPTION OF PROJECT AND LOCAL SITE:	
Site location:	Ballybeg, Littleton, Co Tipperary
Proposed development:	Permission for increase in volumes of waste and 2 no. single storey extensions
Site size:	3.58ha
Floor Area of Proposed Development:	6083sqm
Is the application accompanied by EIS	no
(B) IDENTIFICATION OF THE RELEVANT NATURA 2000 SITE(S):	
Natura 2000 site(s) within 15km and distance to same:	SAC 002162 River Barrow And River Nore SAC 002137 Lower River Suir
Sites within the zone of influence:	
Conservation objectives/qualifying interests of the site and the factors that contributes to the conservation value of the site: (which are taken from the Natura 2000 site synopses and, if applicable, a Conservation Management Plan: (all available at www.npws.ie) (ATTACH INFO if necessary)	<i>This section is to be completed with respect to the Natura 2000 site within the zone of influence</i>
Key Environmental conditions to support site integrity.	n/a

MC
Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus
Eco Holdings - grant.docx

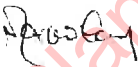
--	--

(C) POSSIBLE IMPACTS ARISING FROM THE PROJECT:		
Consider the potential for direct impacts on habitats <i>Consider proposed developments within 200m of the SAC/SPA</i>		Y/N and Comment
1.1	Could the proposed project give rise to direct loss of habitats for which the SAC/SPA is designated, or other habitats occurring within the SAC/SPA?	N
1.2	Could the proposed project give rise to increased human usage/access to the site, which could potentially cause deterioration of certain habitat types eg woodlands, wetlands or riverbanks. Consider proposals for development of a large scale within 1km of sensitive woodlands eg large scale residential development or hotels. Consider proposals for the development of paths or cycleways along the river.	N
1.3	Does the proposed project involve development of drainage systems? If yes, could this cause drying out of wetland or woodland habitats within the SAC/SPA?	N
Consider the potential for impacts on water quality within the SAC/SPA <i>Consider all proposed developments within the catchment of the SAC/SPA</i>		Y/N and Comment
2.1	Are there any rivers, streams or drains connecting the proposed development site and the SAC/SPA? If yes, consider whether there is potential for construction related impacts on water quality.	N
2.2	Would the proposed project result in surface water or other discharges to rivers, streams or drains directly connected to the SAC/SPA? If yes, consider whether the discharges could give rise to increased eutrophication or other pollution risk within the cSAC/SPA. Consider whether increased surface water discharge could give rise to increased risk of downstream storm water surges.	N
2.3	Would the proposed project require an industrial waste water discharge license? If yes, consider the potential impacts of the discharge on water quality in the SAC/SPA.	N
2.4	Is the proposed project located within a flood zone? If yes, consider whether there is potential for construction or operational related impacts on water quality in the SAC/SPA; consider whether the proposed project increases flood risk elsewhere in the catchment and particularly the cSAC/SPA; or increases the risk of stormwater surges downstream.	N
2.5	Are the proposals for waste water treatment in compliance with EPA requirements?	EPA CoP
2.6	Could the proposed project contribute to cumulative negative impacts on water quality? Consider the current status of the freshwater system (see www.wfdireland.ie).	N
2.7	Would the proposed project involve dredging (construction or ongoing maintenance related)?	N

MC
Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus
Eco Holdings - grant.docx

Consider potential for impact on species		Y/N	and
		Comment	
<i>Freshwater Pearl Mussel</i>			
3.1	Protection of this species will be achieved by the protection of water quality (see section 2 above), by the protection of river habitats (see section 1 above), and by the maintenance of free passage for fish.	N	
<i>Freshwater Crayfish</i>			
3.2	Protection of this species will be achieved by the protection of river habitats (see section 1 above).	N	
<i>Fish species including Salmon, Lamprey spp. and Twaite Shad</i>			
3.3	Protection of these species will be achieved by the protection of water quality (see section 2 above), by the protection of river habitats (see section 1 above), and by the maintenance of free passage for fish.	N	
<i>Otter</i>			
3.4	Would the proposed project result in any interference with river banks within the SAC/SPA?	N	
3.5	Would the proposed project result in increased levels of disturbance to the habitat of the Otter?	N	
<i>Bats</i>			
3.6	Would the proposed project involve the removal of trees, hedgerow or woodland?	N	
3.7	Does the proposed project involve the repointing of old bridges or the restoration or demolition of old buildings or other structures?	N	

D) NPWS ADVICE:	
Summary of advice received from NPWS:	NONE

(E) SCREENING CONCLUSION:	
Screening concludes that : (Tick <input checked="" type="checkbox"/> the appropriate box A, B or C)	
A) Appropriate Assessment is not required because the project is directly connected with or necessary to the nature conservation management of the site.	
B) No potential for significant effects therefore Appropriate Assessment is not required.	<input checked="" type="checkbox"/>
C) Significant effects are certain, likely or uncertain. (In this situation seek a Natura Impact Statement under Section 177T(5) of the Act from the applicant or reject the project. Reject if too potentially damaging or inappropriate.)	
Name:	
Position: District Planner	Date: 14.06.2021

MC
Z:\Groups\Planning\Tipperary\Development Management\Planning Applications\2020\20550\20550 - Starrus
Eco Holdings - grant.docx

Tipperary Planning Authority - Viewing Purposes Only!

For inspection purposes only.
Consent of copyright owner required for any other use.