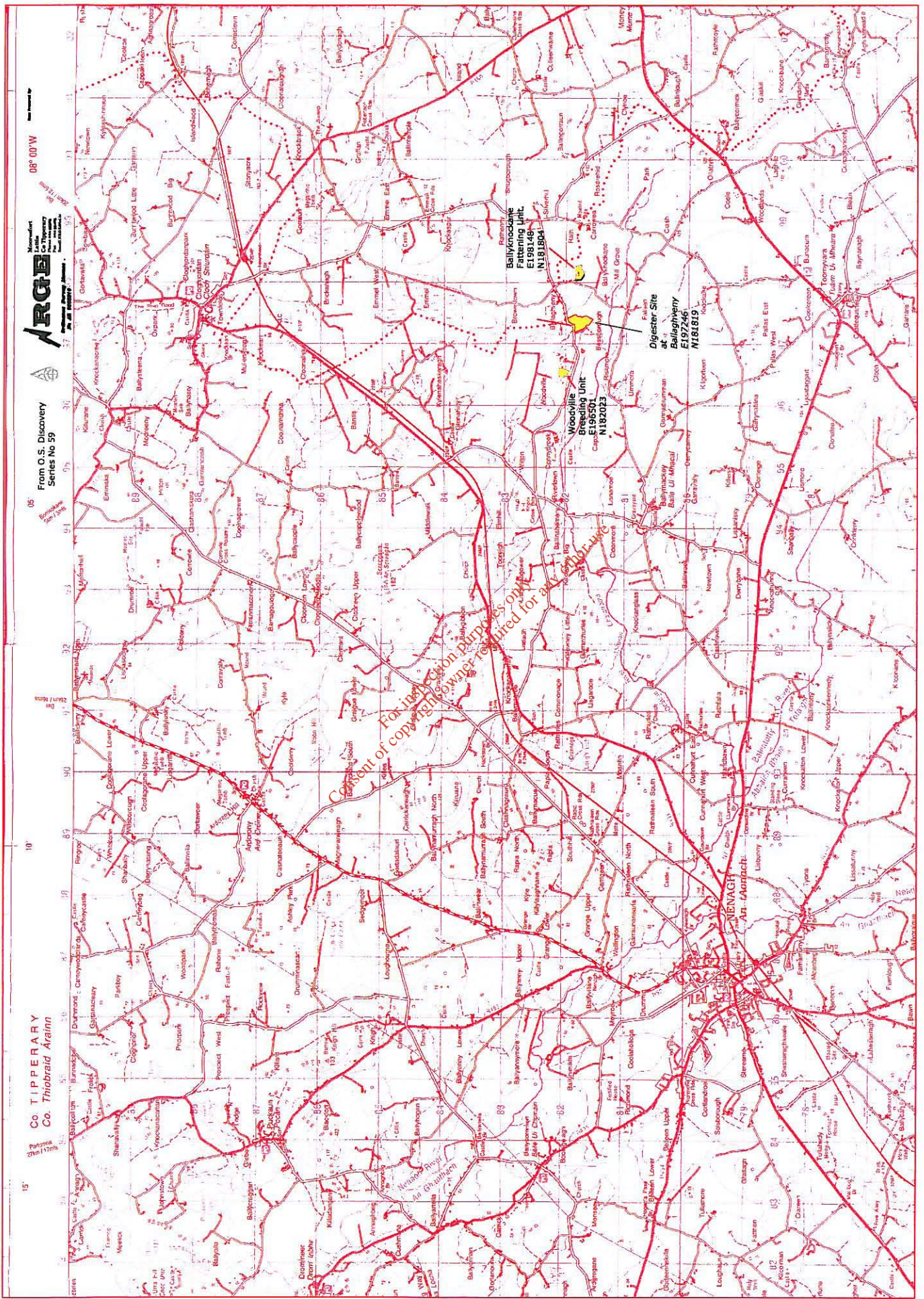


APPENDIX NO. 1

SITE LOCATION MAP SCALE 1:50,000

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From O.S. Discovery
 Series No 59

Co. TIPPERARY
 Co. Thiobraid Árann

APPENDIX NO. 2

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SITE PLANS WITH BOUNDARIES IN RED

WOODVILLE PIGS LTD IPPC LICENSE REVIEW
F.I. RESPONSE JUNE 2010

APPENDIX NO. 3

AN BORD PLEANALA
DECISION 22.226891

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NRGE Limited,
Moorefort,
Lattin,
Co. Tipperary.

22 JUL 2009

Appeal Re: Construct a primary and secondary digester with gas holder with all associated site works to process pig manure and other organic material to produce renewable energy and fertilizer and 2 grain stores. Ballaghveny, Ballymackey, Nenagh, Co. Tipperary.

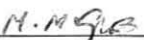
Dear Sir/Madam,

An order has been made by An Bord Pleanála determining the above-mentioned appeal under the Planning and Development Acts 2000 to 2007. A copy of the order is enclosed.

In accordance with section 146(3) of the Planning and Development Act 2000, the Board will make available for inspection and purchase at its offices the documents relating to the appeal within 3 working days following its decision. In addition, the Board will also make available the Inspector's Report and the Board's Direction on the appeal on its website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In cases where a grant of (full) planning permission is notified by the Board, it is policy to include a copy of the Department of the Environment and Local Government's Leaflet PL11 - *Guide to the Building Control System* and a copy of the Health and Safety Authority's leaflet *Safety and Health on Construction Projects - The Role of Clients* with the notification. These leaflets are issued at the request of the above bodies.

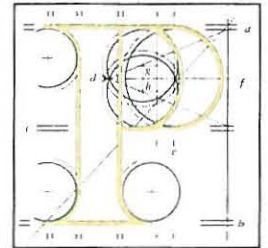
Yours faithfully,


Mary McGrath,
Administrative Assistant.

Encl:

BP 100LN.ltr

An Bord Pleanála

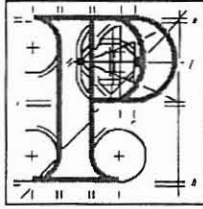


64 Sráid Maoibhride,
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email: bord@pleanala.ie

64 Marlborough Street,
Dublin 1.

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2007

North Tipperary County

Planning Register Reference Number: 07/510108

An Bord Pleanála Reference Number: PL 22.226891

APPEAL by Joseph Guerin of Cappa, Ballymackey, Nenagh, County Tipperary against the decision made on the 14th day of November, 2007 by North Tipperary County Council to grant subject to conditions a permission to Tipperary Milling Company Limited care of NRG Limited of Mooresfort, Lattin, County Tipperary in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a primary and secondary digester with gas holder, a gas purification system, four number feedstock storage tanks, hot water storage tank, a five span shed as plant house, two number premix concrete reception tanks, two number covered engineered storage basins, two number grain stores, a Fiber store, weighbridge, an entrance and associated site works, processing of pig manure and other organic material to produce renewable energy and fertilizer at Ballaghveny, Ballymackey, Nenagh, County Tipperary, as amended by the further public notice received by the planning authority on the 26th day of September, 2007.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

03

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the facility which relates mainly to agriculture, to the location of the site in relation to the source of agricultural raw materials (animal slurry) to be treated at the facility, to the brownfield nature of part of the site and to the integration of energy use into the facility, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health or pose an unacceptable risk of environmental pollution and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the further submission received from the applicant in response to the Board's section 132 notice, taken with the Environmental Impact Statement and further information submitted to the planning authority, addressed the concerns regarding the environmental impact assessment and noted that the facility licence required from the Environmental Protection Agency would establish suitable limits on environmental emissions and necessary monitoring arrangements. The Board noted that the Inspector was generally satisfied with the principle of the development and the location of the facility vis a vis the source of raw materials.

CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 20th day of September, 2007 and the further information received by An Bord Pleanála on the 20th day of November, 2008, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

CB

2. Construction of the facility shall not commence until the applicant has received an appropriate licence from the Environmental Protection Agency to govern the operation of the facility.

Reason: In the interest of orderly development and of environmental protection.

3. The site entrance shall be constructed in accordance with the plans and particulars submitted to An Bord Pleanála on the 20th day of November, 2008, and the entrance works and associated landscaping shall be completed prior to any other construction activities on site. Full details of the entrance design including road markings, paving materials, boundary treatments and signage shall be submitted to the planning authority for written agreement prior to commencement of construction.

Reason: In the interest of traffic safety and orderly development.

4. (a) The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to the planning authority for agreement before development commences. The scheme shall include a timescale for its implementation.
- (b) An earth berm shall be constructed in the north eastern corner of the site with a view to screening the facility from the nearby dwellings. This berm shall be approximately 60 metres in length running generally north-west south-east in direction and shall be four metres in height. The berm shall be planted with an appropriate mix of species to provide visual screening of the site. Full details of the berm including construction and landscaping shall be submitted to and agreed with the planning authority prior to commencement of construction on site and the works shall be completed in the first phase of construction.

Reason: In the interest of residential amenity and visual amenity.

5. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed buildings and details of all boundary treatment and fencing shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of visual amenity and orderly development.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to commencement of construction a comprehensive surface water management plan for the entire site and full details of the disposal methods for domestic wastewater from staff facilities shall be submitted to the planning authority for written agreement.

Reason: In the interest of orderly development and environmental protection.

7. Prior to commencement of development, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of amenities and public safety.

8. All service cables associated with the proposed development shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

9. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of landscaping of site required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the landscaping. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to the Board for determination.

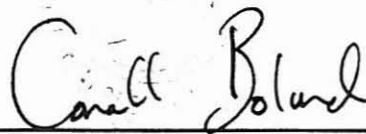
Reason: To ensure the satisfactory completion of the landscaping.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

11. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2)(c) of the Planning and Development Act 2000 in respect of road improvements on the local access roads to accommodate related HGV traffic. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.



**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this 21st day of January 2009.

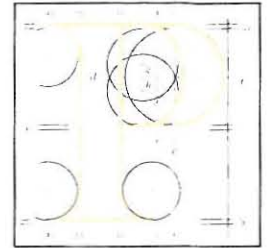
APPENDIX NO. 4

PLANNING & CONDITIONS FOR PIG FATTENING UNIT

*For inspection purposes only.
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Our Ref: PL 22.226887
P.A.Reg.Ref: 07/51/0106
Your Ref: Woodville Pig Farms Limited,

An Bord Pleanála



NRGE Limited,
Main Street,
Ballyporeen,
Co. Tipperary.

Appeal Re: Demolish 11 no. old fattening houses, construction of 3 no. new pig fattening houses and all associated site works.
Ballyknockane, Ballymackey, Nenagh, Co. Tipperary.

Dear Sir/Madam,

An order has been made by An Bord Pleanála determining the above-mentioned appeal under the Planning and Development Acts 2000 to 2007. A copy of the order is enclosed.

In accordance with section 146(3) of the Planning and Development Act 2000, the Board will make available for inspection and purchase at its offices the documents relating to the appeal within 3 working days following its decision. In addition, the Board will also make available the Inspector's Report and the Board's Direction on the appeal on its website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In cases where a grant of (full) planning permission is notified by the Board, it is policy to include a copy of the Department of the Environment and Local Government's Leaflet PL11 - *Guide to the Building Control System* and a copy of the Health and Safety Authority's leaflet *Safety and Health on Construction Projects - The Role of Clients* with the notification. These leaflets are issued at the request of the above bodies.

Yours faithfully,

Erica Kearns
Administrative Assistant

Encl:

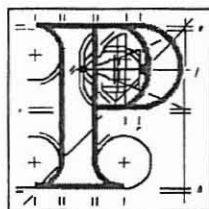
BP 100LN.ltr

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An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2007

North Tipperary County

Planning Register Reference Number: 07/51/0106

An Bord Pleanála Reference Number: PL 22.226887

APPEAL by Joseph Guerin of Cappa, Ballymackey, Nenagh, County Tipperary against the decision made on the 14th day of November, 2007 by North Tipperary County Council to grant subject to conditions a permission to Woodville Pig Farms Limited care of NRG of Mooresfort, Lattin, County Tipperary in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The demolition of 11 number old pig fattening houses and the construction of three number new modern pig fattening houses and associated site works at Ballyknockane, Ballymackey, Nenagh, County Tipperary.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

5

REASONS AND CONSIDERATIONS

Having regard to the existing use of the site as a pig rearing installation located in a rural agricultural area, to the scale of the proposed development which does not intensify the overall numbers of animals to be stocked and to the proposed improvements in overall site infrastructure, it is considered that, subject to compliance with the conditions set out below, which include the requirement for an Integrated Pollution Prevention and Control licence to be in place for the facility prior to commencement of development, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience of road users and would not be prejudicial to public health or pose a threat of environmental pollution. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the existing use of the site, the nature of the proposed development (which would not intensify the level of activity but would lead to improvements in the standard of the facility) and the environmental requirements that would be implemented on site under the Integrated Pollution Prevention and Control licensing regime. The Board also noted that an outline of land banks serving the facility had been provided and that the spreading of effluent from the facility would be controlled under separate legislation.

CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by the planning authority on the 20th day of September, 2007, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The development shall not commence until an Integrated Pollution Prevention and Control licence is in place for the facility, and that this is confirmed in writing by the planning authority.

Reason: In the interest of orderly development and of environmental protection.

3. Prior to commencement of development, the following shall be submitted to the planning authority and agreed by them in writing:
- (1) Details of the sampling chamber for clean water.
 - (2) Details of the pumping system for transfer of pig slurry from pig houses to the storage lagoon.
 - (3) Nutrient management plans.

Reason: In the interest of orderly development and environmental protection.

4. Prior to commencement of construction of the development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

5. All service cables associated with the proposed development shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

6. The site shall be landscaped in accordance with a scheme of landscaping, including boundary and hedgerow treatments, details of which shall be submitted to the planning authority for agreement before development commences. The scheme shall include a timescale for its implementation.

Reason: In the interest of visual amenity.

7. Prior to commencement of development, the developer shall submit a construction and demolition waste management plan to the planning authority for agreement prepared in accordance with the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects published by the Department of the Environment, Heritage and Local Government in July, 2006. This shall include details of wastes to be generated during site clearance and construction phases and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provisions of the Waste Management Plan covering the Midlands Region.

Reason: In the interest of orderly development and sustainable waste management.

8. Prior to commencement of development the developer shall submit, and obtain the written agreement of the planning authority to, a plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

Reason: To provide for the appropriate management of waste and, in particular, recyclable materials, in the interest of protecting the environment.

9. Prior to commencement of development, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including hours of operation, noise management measures, phasing and protection of watercourses.

Reason: In the interest of amenities and public safety.

10. Any damage to the public road outside the site arising from construction works shall be made good by the developer at his own expenses in accordance with the requirements of the planning authority.

Reason: In the interest of orderly development.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission

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**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this 26th day of August 2008.