

TIPPERARY COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000, (as amended)

NOTIFICATION OF DECISION TO GRANT PERMISSION WITH CONDITIONS

TO: Miltown Composting Systems Ltd
Miltownmore
Fethard
Co. Tipperary

Ref No. 17600372

Application Received: 11/04/2017, 16/6/2017 & 31/10/2017

In pursuance of the powers conferred upon them by the above mentioned Acts, Tipperary County Council has by Order dated 19/12/2017 decided to grant you PERMISSION for development of land namely:- **an increased throughput of organic waste material at the existing Miltown Composting Ltd. facility. The proposed planning consists of an increased throughput which will also require a review of the facility's EPA Waste Licence (Reg. No. W0270-01). The application is accompanied by an Environmental Impact Statement at Miltownmore, Fethard, Co. Tipperary.**

FOR THE REASON(S) STATED IN SCHEDULE 1 AND SUBJECT TO THE CONDITION(S) STATED ON SCHEDULE 2 (1 TO 2, PAGES 1 TO 1)

If there is no appeal against the said decision, a Grant of PERMISSION in accordance with the Decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala. (See Footnote).

It should be noted that until a Grant of a Permission has been issued the development in question is NOT AUTHORISED.

The applicant is advised that unless the development described above is carried out within five (5) years from the date of Grant of PERMISSION, planning permission will cease to have effect. See Section 40 of the Planning and Development Act, 2000.

FOOTNOTE: An appeal against a decision of a Planning Authority under the Planning and Development Acts 2000 - 2010 may be made to An Bord Pleanala, 64 Marlborough Street, Dublin 1 (Tel. (01) 8588100). All Appeals either by the applicant or a third party must be received by An Bord Pleanala within four weeks beginning on the date of the making of the Decision by the Planning Authority. Appeals posted within the permitted period but received after the latest date will be invalid. (Note: Where the latest date for receipt of an Appeal falls on a day when the offices of the Board are closed (Week-Ends, Public Holidays, etc.), the latest date for receipt will be the next day on which the offices are open).

An appeal must be made in writing and be accompanied by (a) the name and address of the applicant, (b) the subject matter of the Appeal, (c) the full grounds of appeal and the reasons, considerations and arguments on which they are based, (d) the appropriate fee as set out on attached schedule, and (e) in the case of a third party appeal, the acknowledgement from this Planning Authority of receipt of submissions/observations made by the third party. Any appeal which does not meet all the legal requirements will be invalid and cannot be considered by the Board. Further details are available on the Board's Website www.pleanala.ie

A commercial development means development for the purposes of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.

N.B. An appellant is not entitled to elaborate upon or make further submissions in writing in relation to the grounds of Appeal unless requested to do so by the Board.

Signed on behalf of the said Council


for Director of Services

Date: 19th December, 2017

Tipperary County Council

Schedule of Conditions – File Reference Number 17600372

SCHEDULE ONE

It is considered that the development complies with the policies and objectives of the South Tipperary County Development Plan 2009, 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 TWO

1. (a) Save where modified by the following conditions, the proposed development shall be retained, carried out and completed in accordance with the drawings and documentation submitted with the planning application on the 11/4/2017 as amended by the plans and particulars received on 16/6/2017 and 31/10/2017 as further information and revised public notices of the submission of significant further information received on 31/10/2017 in response to a Further Information Request issued on 2/6/2017.

(b) The proposed mitigation measures as set out in the submitted Environmental Impact Statement submitted with the application and further information received on 16/6/2017 shall be fully implemented and complied with.

(c) The annual throughput of organic waste material on the site shall not exceed 50,000 tonnes per annum.

REASON: To clarify the terms of the permission.

2. No ventilation, air conditioning or other mechanical equipment shall be erected on the external walls or roof of the building other than those detailed on the submitted plans, save with the prior consent of the Planning Authority or the prior grant of planning permission.

REASON: In the interest of residential and visual amenity.