

TIPPERARY COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000, (as amended)

NOTIFICATION OF DECISION TO GRANT PERMISSION
WITH CONDITIONS

TO: Milltown Composting Systems Ltd
N.R.G.E.
Mooresfort
Lattin
Co. Tipperary.

Ref No. 14600521

Application Received: 16/12/2014, 4/6/2014 & 20/7/2015

In pursuance of the powers conferred upon them by the above mentioned Acts, Tipperary County Council has by Order dated 12/8/2015 decided to grant you PERMISSION for development of land namely:- **to construct an enclosure over the reception yard, relocate communication masts, extend 3 no. agricultural amendment stores, incorporating existing staff facilities and associated site works. The development forms part of lands on which a Waste Licence currently operates at Milltownmore, Fethard.**

FOR THE REASON(S) STATED IN SCHEDULE 1 AND SUBJECT TO THE CONDITION(S) STATED ON SCHEDULE 2 (1 TO 5, PAGES 1 TO 2)

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.

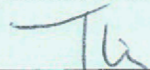
FOOTNOTE: An appeal against a decision of a Planning Authority under the Planning and Development Acts 2000 - 2010 may be made to An Bord Pleanala, 64 Marlborough Street, Dublin 1 (Tel. (01) 8588100). All Appeals either by the applicant or a third party must be received by An Bord Pleanala within four 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: 12th August, 2015

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SCHEDULE ONE

It is considered that the development complies with the policies and objectives of the South Tipperary County Development Plan 2009 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 carried out and completed in accordance with the drawings and documentation submitted with the planning application on the 16/12/2014, as amended by the plans and particulars received on the 4/6/2014 and 20/7/2015 as significant further information.

(b) This grant of permission does not extend to the proposals to extend the buildings labelled as Slatted Cattle Shed on the site plan drawing No. 032-01 C

(c) This permission does not permit any increase in waste volumes above existing permitted levels that can be accepted at the Composting Facility.

REASON: In the interest of proper planning and sustainable development.

2. Surface water run-off shall not be allowed to discharge onto the public road or to adjoining properties. All clean uncontaminated surface waters shall be collected and disposed as per details submitted.

REASON: To avoid interference with other properties and to prevent damage to the public road with consequent traffic hazard.

3. All oxidisable and galvanised surfaces of the development shall be painted a dark green matt colour or other dark colour approved by the Planning Authority in writing prior to commencement of development and the surface shall be maintained in a neat, tidy and painted condition at all times.

REASON: In the interest of visual amenity.

4. (a) All aspects of this Archaeological Condition are to be carried out in advance of development works commencing at this site in order to facilitate the appropriate excavation and post excavation analysis of all archaeological remains on the site. The development can only proceed once all archaeological features have been recorded and excavated according to best practice and the relevant post-excavation analyses have been carried out. The development may proceed once the Department of Arts, Heritage and the Gaeltacht and the Planning Authority have received the final Archaeological Excavation Report and written permission to commence works has issued.

(b) The applicant is required to employ a suitably qualified licenced Archaeologist to carry out the following on the site, please allow 4/5 weeks to facilitate the processing of an Archaeological Licence. No groundworks are to take place on the site in the absence of the archaeologist and advance written notice regarding commencement of works shall be submitted to the Department of Arts, Heritage and the Gaeltacht.

(c) Those areas where possible archaeological features have been identified shall be opened mechanically under archaeological supervision to facilitate recording and hand excavation of all subsurface layers/features- where such archaeological features/deposits cannot be preserved in-situ. All archaeological features and deposits shall be fully archaeologically recorded and excavated by hand according to Best Archaeological Practice. A strategy for environmental sampling, finds retrieval/conservation and subsequent publication of results shall be submitted to the Department of Arts, Heritage and the Gaeltacht

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as part of the Method Statement for the issuing of either an extension to the existing Licence 15E0124, or the issuing of a new licence (as per requirements of the Department of Arts, Heritage and the Gaeltacht. Please ensure that as part of this strategy that an appropriate timeframe is applied that will allow for delays/constraints arising from the possible discovery of additional deposits /features associated with Recorded Monuments TS 069-059 Ringfort and TS 069-082 Road/Trackway.

(d) If significant archaeological features are discovered during the course of archaeological excavation, works on site shall stop pending further advice from the Department of Arts, Heritage and the Gaeltacht. Please note that this may result in redesign to allow for preservation in situ and/or additional excavation.

(e) Development works may only precede once items a)-d) above have been completed, and an Archaeological Excavation Report has been received by the Department of Arts, Heritage and the Gaeltacht and the Planning Authority and written permission to commence development works has issued. Please note that further archaeological mitigation may be required on review of the Excavation Report.

In this instance, the developer shall be prepared to be advised by the Department of Arts, Heritage and the Gaeltacht with regard to any further mitigation action e.g. redesign to allow for preservation in situ and/or excavation. The applicant/developer shall facilitate the archaeologist in recording any material found. The Department of Arts, Heritage and the Gaeltacht and the Planning Authority shall be furnished with a report describing the results of the monitoring.

REASON: To ensure the continued preservation (either in-situ or by record) of places, caves, sites, features or other objects of archaeological interest.

- 5 Prior to the 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 2015-2019 made under Section 48 of the Planning and Development Act, 2000 (as amended). The amount of the development contribution under this condition is €19,117.56 which is calculated as follows:

Class	Rate 2015 per sq m	Area sq m	Total
4	€22	868.98	€19,117.56

REASON: It is considered reasonable that a contribution be made in accordance with the Tipperary County Council Development Contributions Scheme 2015-2019 made under Section 48 of the Planning and Development Act 2000 (as amended).

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