



Board Direction

Ref: PL08.247102

The submissions on this file and the Inspector's report were considered at a Board meeting held on December 7th, 2016.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, generally in accordance with the Inspector's recommendation and based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Remove condition number 16, and

Amend condition number 8 as follows:

Condition 8:

- (a) The activity shall not proceed without a valid licence under the Air Pollution Act being in place.
- (b) The licensee shall, within three months of the date of grant of this permission, install and maintain in a prominent location on the site a wind sock, or other wind direction indicator, which shall be visible from the public roadway outside the site.
- (c) All operations on-site shall be carried out in a manner such that air emissions and/or odours do not result in significant impairment of, or significant interference with amenities or the environment beyond the site boundary and at odour sensitive locations.
- (d) The applicant shall comply with all of the conditions set out in the licence issued under the Air Pollution Act.

Reason: In the interest of public health and to prevent pollution.

REASONS AND CONSIDERATIONS

Having regard to the nature and extent of the proposed development, the planning history of the site, the documentation on file including the technical reports submitted by the applicant and carried out on behalf of the planning authority, and the submissions from the EPA, it is considered that condition 8 as attached by the planning authority primarily relates to the type of odour abatement system required in this facility. The Board considered that the most appropriate mechanism to determine the type of odour control technology is through an Air Pollution Licence application which is required for the proposed development and further considered that the inclusion of condition 8 as amended is appropriate. It is therefore considered that the amendment of Condition No. 8 would be in accordance with the proper planning and sustainable development of the area.

Having regard to the requirement for an Air Pollution Licence application as required under the amended Condition number 8 the Board did not consider that Condition No. 16 is necessary and considered that the removal of Condition No. 16 would be in accordance with the proper planning and sustainable development of the area.

Board Member: _____ Date: December 21st, 2016
Nicholas Mulcahy