



Planning Appeals
Commission

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Your Reference: 7139

Our Reference: 2015/A0028 and
2015/A0029

Date: 17 May 2016

Dear Sir

APPEAL: Tyrone Sand & Gravel
Enabling works relating to J/2011/0272/F and retrospective permission to retain settlement ponds, stockpiles of gravel, and other associated works.
Old Bridge Road, Victoria Bridge, Strabane - 2015/A0028

APPEAL: Tyrone Sand & Gravel
Westerly extension (retrospective) to existing sand pit and proposed proximate south-western extension to existing pit to provide for extraction of sand and gravel, and full restoration of site. Works also include: retrospective retention of mobile washing plant, crushing plant and mobile screener, removal of unauthorized static washing plant, replacement of unauthorized office with new office block, new toilet block, realignment of internal haul roads and staff parking.
Old Bridge Road, Victoria Bridge, Strabane - 2015/A0029

I refer to the Commission's letter of 11 April 2016, a copy of which is attached.

That letter, in relation to appeal 2015/A0028 (application J/2012/0390/F) required the Appellants under Regulation 6(2) of the Planning (EIA) Regulations (NI) 2015 to advise the Commission in writing as to whether or not they accepted the determination that the application is an EIA application and propose to submit an Environmental Statement. The Appellant's response, as required by Regulation 6, was to have been made within four weeks of the letter's date - that being the 9 May 2016.

Your e-mail sent on 12 May 2016 was not received within the required 4 week period. That being so Regulation 16(3) insofar as substituted by Regulation 6 takes effect. Where the applicant does not inform the Commission in writing Regulation 16(3)

States that the permission sought shall be deemed to be refused at the end of the relevant four week period.

Accordingly the application the subject of appeal 2015/A0028 is deemed refused.

In relation to appeal 2015/A0029 (application J/2011/0272/F) the Appellants are asked to advise the Commission within 14 days of the date of this letter as to whether they wish to proceed with this appeal on its own. If they do the Commission will commence the process of advertising the Further Environmental Information that was not so advertised by the Department of the Environment.

Yours faithfully

Yvonne Adgey
Case Officer

ENC - Copy of the Commission's letter dated 11/4/16

cc - Derry & Strabane District Council
