



An
Bord
Pleanála

**Board Direction
ABP-311900-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/05/2022.

The Board decided, as set out in the following Order, that

WHEREAS a question has arisen as to whether:

- (i) The continuation of existing quarry operation including extraction, processing and sale of raw and processed material, is operating in accordance with its pre-64 authorisation and is or is not development and is or is not exempted development, and
- (ii) The continuation of quarrying to the extremity of the current landholding (2.53ha), abutting a European site Cloghernagore Bog and Glenveagh National Park Special Area of Conservation (site code 002047) is in accordance with its pre-64 authorisation and is or is not development and is or is not exempted development.

AND WHEREAS Donegal County Council requested a declaration on this question under the provisions of section 5(4) of the Planning and Development Act 2000 (as amended) on the 8th day of November 2021.

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2 and 3 of the Planning and Development Act, 2000, as amended,
- (b) The Board's previous decision under QV05E.QV0189 signed on the 10th day of March 2014,
- (c) The nature and scale of the activities undertaken at the quarry site subsequent to the Board's decision on the 10th day of March 2014, and
- (d) The pattern of development in the area which includes an active quarry adjacent to the site and the proximity of Cloghernagore Bog and Glenveagh National Park Special Area of Conservation to the immediate east of the site.

AND WHEREAS An Bord Pleanála has concluded that:

- (i) The continuation of existing quarry operation, within a site area of 2.068ha, including extraction, processing and sale of raw and processed material, is in accordance with its pre-64 authorisation.
- (ii) The continuation of quarrying to the extremity of the current landholding (2.53ha), abutting a Natura 2000 site, is not in accordance with its pre-64 authorisation, by virtue of the nature and extent of works outside of the established boundary of the quarry.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that:

- (i) The continuation of existing quarry operation, within a site area of 2.068ha, including extraction, processing and sale of raw and processed material, is operating in accordance with its pre-64

authorisation and development and is not exempted development,
and

- (ii) The continuation of quarrying to the extremity of the current landholding (2.53ha), abutting a European site Cloghernagore Bog and Glenveagh National Park Special Area of Conservation (site code 002047) is in not accordance with its pre-64 authorisation, is development and is not exempted development.

Board Member:



Patricia Calleary

Date: 03/05/2022

