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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: UD20248**

**WHEREAS** a question has arisen as to whether -

- (a) the continuation of existing quarry operation including extraction and sale of quarried material, is operating in accordance with pre-63 authorisation, and
- (b) the continuation of quarrying at the extremity of the landholding (circa five hectares) is in accordance with its pre-63 authorisation,

at Meenderrygamph, Gweedore, County Donegal, and is or is not development or is or is not exempted development:

**AND WHEREAS** the said question was referred to An Bord Pleanála by Donegal County Council on the 1<sup>st</sup> day of April, 2023:

P.C.

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

- (a) Sections 2 and 3 of the Planning and Development Act, 2000, as amended,
- (b) the planning authority's determination under section 261A(4)(a) of that Act,
- (c) the nature and extent of the original extraction area and the scale of the activities undertaken at the quarry site post circa 2005, including extraction to the south of the original extraction area and construction of direct access to the regional road, and
- (d) the pattern of development in the area which includes an active quarry adjacent to the site and the Fawnboy Bog/Lough Nacung Special Area of Conservation (Site Code: 000140):

**AND WHEREAS** An Bord Pleanála has concluded that -

- (a) the continuation of existing quarry operation including extraction and sale of quarried material from the circa 1.5 hectare extraction area on the northern part of the site as depicted in the Site Location Map (April 2022), is in accordance with its pre-63 authorisation, and
- (b) the continuation of quarrying at the extremity of the landholding, outside the boundary of the circa 1.5 extraction area and construction of access road from the regional road, is not in accordance with its pre-63 authorisation:

f.c.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that, at Meenderrygamph, Gweedore, County Donegal,

- (a) the continuation of existing quarry operation including extraction and sale of quarried material, is operating in accordance with pre-63 authorisation, is development and is exempted development, and
- (b) the continuation of quarrying at the extremity of the landholding (circa five hectares) is not in accordance with its pre-63 authorisation, is development and is not exempted development.

*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *01* day of *August* 2023.

