

An  
Bord  
Pleanála

## Board Order ABP-314861-22

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: 21/1284**

**Appeal** by Gertie Gardiner of Mullafarry, Killala, County Mayo and by John Gardiner of Mullafarry, Killala, County Mayo against the decision made on the 23<sup>rd</sup> day of September, 2022 by Mayo County Council to grant subject to conditions a permission to Mullafarry Quarry Limited care of Earth Science Partnership (Ireland) Limited of Tonranny, Westport, County Mayo.

**Proposed Development:** A 1.0 hectare extension to an existing authorised quarry comprising the extraction of material by blasting means down to a level of -2.0 metres OD; transportation of extracted material to the existing quarry for processing; landscaping and restoration of the site upon completion of works and all associated ancillary facilities, all at Mullafarry and Cloonawillin, Killala, County Mayo as revised by the further public notices received by the planning authority on the 29<sup>th</sup> day of August, 2022.

## **Decision**

**REFUSE permission for the above proposed development for the reasons and considerations set out below.**

## **Reasons and Considerations**

1. Having regard to the water management system that the applicant submitted to the Board under further information, it is considered that the applicant has failed to demonstrate how this water management system would be compatible with the on-going infilling of inert waste permitted under planning register reference number 21/342 in the existing quarry. Furthermore, it is considered that, in the absence of up-to-date water quality data on the water discharging from the existing quarry, the efficacy of the water management system to discharge to quality standards has yet to be fully demonstrated by the applicant. In such circumstances, it would be premature to grant planning permission for the proposed extension to the existing quarry, as to do so may jeopardise the quality of water downstream from it, which would be contrary to the proper planning and sustainable development of the area.

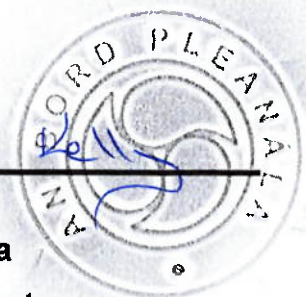
2. On the basis of the information provided with the planning application and the appeal, and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development, individually or in combination with other plans or projects, including in particular the on-going infilling of inert waste permitted under planning register reference number 21/342 in the existing quarry, would not be likely to have a significant effect on the Killala Bay/Moy Estuary Special Area of Conservation (Site Code: 000458) and the Killala Bay/Moy Estuary Special Protection Area (Site Code: 004036) in view of the sites' Conservation Objectives.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board**



Dated this *17<sup>th</sup>* day of *June*, 2024.