

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/686

Appeal by Finnegans Sand Limited care of MKO Planning and Environmental Consultants of Tuam Road, Galway in relation to the inclusion of special contribution condition number 13 by Galway County Council in its decision made on the 21st day of March, 2023.

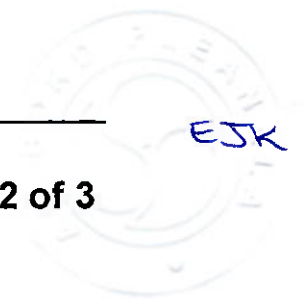
Proposed Development: Extension of an existing quarry to facilitate the extraction of sand and gravel and all associated site works. The proposed quarry extension is located on lands to the west of the existing quarry and the additional extraction area amounts to an area of approximately 2.7 hectares (extractable area - 2.6 hectares). The duration of the planning permission sought coincides with the expiry of the extant quarry planning permission (ABP.07.QD0016) 63 metres to which the proposed development is ancillary. The upgrade of 112 metres of existing access track. The provision of 63 metres of new access track with ancillary passing bay area at Knockaunnagat, Dunmore, County Galway as revised by the further public notices received by the planning authority on the 25th day of January, 2023.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, based on the reasons and considerations under, directs the said Council, under section 48 (13) of the 2000 Act, to REMOVE condition number 13 and the reason therefor.

Reasons and Considerations

Having regard to the Galway County Development Plan 2022-2028, and the Development Contribution Scheme 2016 for Galway County Council, the Board considered that the additional special contributions for inter alia quarries do not explicitly support long term maintenance of public infrastructure and, as such, a contribution was therefore not justified in this particular application.



In disagreeing with the Inspector, the Board did not concur with their interpretation of the Development Contribution Scheme 2016 for Galway County Council concerning its general lack of provision for maintenance of public infrastructure. The Board considered the provision of the passing bay by the applicant and the planned closure of the quarry by November 2026. In such circumstances, the Board considered an additional special contribution for long term maintenance of roads was not justified when considering the criteria set out in Part 2 of the Scheme.



Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *1st* day of *May*, 2024