

Planning and Development Acts 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 2560316

Appeal by Isertkelly Limited against the decision made on the 4th day of September 2025 by Galway County Council to grant, subject to conditions, a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: for a period of 25 years for the continued operation and expansion of an existing quarry at this site (site area 12.66 Hectares) for extraction of limestone rock. The proposed development will increase the extraction area to a total of 10.565 hectares (additional volume to be extracted = 1.33 million m³ approximately) and will include the crushing, screening/processing of rock from the site using mobile plant. The development will include the removal of all existing temporary buildings from the site and replacement with permanent structures including the following: site office 104 square metres, weigh bridge office 16 square metres, maintenance shed 483 square metres. Other works will include the installation of a fuel tank including refueling pad and petrol interceptor, construction of carpark/ lorry parking, installation of signage, street lighting and fencing. The site perimeter will include landscaped soil berms to screen the site. On completion of extraction the site will be restored to a natural habitat, at Isertkelly North, Kilchreest, Loughrea, County Galway.

Decision

Having regard to the nature of the conditions 8, 16 and 17, the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE conditions numbers 8 and 16 and the reasons therefor, and AMEND condition number 17 so that it shall be as follows for the reason set out.

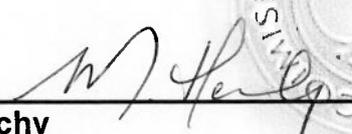
17. The developer shall pay to the planning authority a financial contribution of €143,442 (one hundred and forty three thousand, four hundred and forty two euro) in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Reasons and Considerations

Having regard to the nature of the conditions the subject of the appeal, the Commission is satisfied that Condition number 8 relates to an uncosted unspecific project, which fails to meet the 'specific exceptional costs' test required for Special Development Contributions, and furthermore in the absence of such specific information, considers that such funding for local road improvement works is already provided for under the Galway County Council Development Contribution Scheme 2016 (revised with effect from August 1st 2019). In relation to Condition 16, the Commission considers that the condition is not specifically provided for under Section 34 (4) of the Planning and Development Act and, being an uncosted sum not shown to be specifically relevant to the development, would place an unreasonable burden of indefinite duration on the developer. The Commission, therefore, directs the planning authority to remove condition 8 and condition 16.

In relation to Condition number 17, the Commission, having regard to the assessment of the Planning Inspector considered that the contribution applied was not determined fully in accordance with the Galway Development Contribution Scheme. The Commission, therefore, directs the Council amend Condition 17 to reflect the amount of €143,442. See table in appendix 1 for details of calculations.



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 18th day of February 2026.

Appendix 1

		Rate	Basis	Total	Relevant Total
Area to be extracted (hectares)	7.4 hec	€18,292 per hectare	Area as per EIAR p 8 Rate: DCS p 3	€135,360	€135,360
Volume to be extracted (m3)	1.33 million m3	10 cent per m3	Volume stated in development description Rate: DCS p 3	€133,000	
Buildings			DCS p 3 point (vi)		€8,082
site office	104 m ²	€11 per sq m	Group 3 Office < 1000 sqm. Sub area 2	€1,144	
weighbridge office	16 m ²	€11 per sq m	Group 3 Office < 1000 sqm. Sub area 2	€176	
maintenance shed	483 m ²	€14 per sq m	Group 1 Industry General. Sub area 2	€6762	
Total					€143,442

