



An
Coimisiún
Pleanála

Commission Order
PL-500662-GY-26

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 2560750

Appeal by Joe McHugh and by Mortimer Quarries Limited against the decision made on the 17th day of December, 2025 by Galway County Council to grant subject to conditions a permission to Mortimer Quarries Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Continued use of the existing quarry (granted under Planning Register Reference Number 06/2275 and An Bord Pleanála Register Reference Number PL07.222783), including drilling, blasting, crushing, processing, and stockpiling of materials within a total site area of 15.09 hectares to the permitted depth of 33 metres OD. Continued use of existing permitted structures and facilities, including: Weighbridge and wheelwash with side and overhead spray bars. Office and staff facilities building and carpark provision (Reference 17512). Asphalt plant (Reference 15104), concrete batching plant (Reference 20419), maintenance shed (Reference 141295), aggregate shed, ESB substation (Reference 191964), crushing and screening plant, and stock bays (Reference 062275 and 21442). Associated site infrastructure. Construction of a new quarry storage yard (circa 1.09 Hectares) to the east of the existing quarry. Relocation of the existing permitted sheds (Plan Reference File Number 21442) to an area beside the proposed storage

yard area. Importation of soil and stone (both waste and non-waste) for site restoration purposes and selected construction and demolition waste for recycling to preserve natural aggregate resources, subject to the necessary authorisations. The proposed development will facilitate the continued operation and restoration of the site, with the operational life of the quarry ceasing upon resource exhaustion, followed by restoration to agricultural and natural uses using imported material. The proposed development is within an overall application area of circa 16.3 hectares and is for a total period of 35 years (comprising an operational period of 33 years followed by two years for restoration), all at Cartron, Belclare, County Galway. The application was accompanied by an Environmental Impact Assessment Report (EIAR).

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

The Commission performed its functions in relation to the making of its decision, in a manner consistent with the Climate Action and Low Carbon Development Act 2015, as amended; the Climate Action Plan 2024 and Climate Action Plan 2025, and had regard to the following:

- (a) the National Planning Framework (First Revision), which provides that aggregates and minerals extraction will continue to be enabled where this is compatible with the protection of the environment in terms of air and water quality, natural and cultural heritage, the quality of life of residents in the vicinity, and provides for appropriate site rehabilitation;

- (b) the National Biodiversity Action Plan 2023-2030;
- (c) the Quarry and Ancillary Activities, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2004;
- (d) Environmental Management Guidelines, Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA, 2006;
- (e) the provisions of the Galway County Development Plan 2022-2028;
- (f) the nature of the site and surrounding area;
- (g) the nature and scale of the development proposed;
- (h) the planning history of the site;
- (i) the Environmental Impact Assessment Report (EIAR), and all other information received in connection with the application and the appeal, and
- (j) the submissions on the file, including the contents of the appeal and the response to the appeal.

Appropriate Assessment Screening

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information in the application, the Commission concluded, in agreement with the recommendation of the Planning Inspector, that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Lough Corrib Special Area of Conservation (Site Code 000297), Lough Corrib Special Protection Area (Site Code 004042), Shrute Turlough Special Area of Conservation (Site Code 000525), Mocarha Lough Special Area of Conservation (Site Code 001536), or Cloughmoyne Special

Area of Conservation (Site Code 000479) in view of the conservation objectives of these sites and is, therefore, excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- the nature of the works and processes;
- the location of the site, distance from nearest European site and lack of connections; and
- predicted noise levels shown in the assessment of noise within the Environmental Impact Assessment Report.

Environmental Impact Assessment

Having regard to the examination of environmental information provided in respect of the proposed development, in particular the Environmental Impact Assessment Report (EIAR) and the supplementary information provided by the applicant, the submissions from the planning authority, prescribed bodies and third parties in the course of the application/appeal it is considered that the main significant, direct, indirect and cumulative effects on the environment, with the implementation of proposed mitigation measures are:

Land/Soil/Geology:

Loss of bedrock. This impact cannot be mitigated; it is the purpose of the development. The excavation of bedrock itself is not a significant quantity in relative regional/national terms and has positive impacts in terms of population (employment) and material assets (construction). It has positive indirect effects.

Air:

Extraction, blasting, crushing and screening of aggregates, the operation of the concrete batching plant and asphalt plant and the transport of products will

result in vibration, air overpressure, noise and emissions of dust/fine particulate and combustion gases containing pollutants. Mitigation measures will suppress dust emissions reducing these to site to within acceptable limits. The asphalt plant will be required to comply with conditions of its Air Emissions Licence. Noise control measures and blasting protocols will mitigate against impacts from noise and vibration.

Water:

Pollutants potentially entering groundwater. Hydrocarbon and hazardous material storage protocols, water quality management, adherence to Waste Facility Permit (WFP-G-21-0007-02) will mitigate risk to groundwater. Excavation will not be below the water table or intercept groundwater.

The assessments provided in the individual EIAR chapters are satisfactory to enable the likely significant direct environmental effects arising as a consequence of the proposed development to be satisfactorily identified, described and assessed. The Commission is satisfied that the Environmental Impact Assessment Report (EIAR) has adequately addressed the indirect effects of the proposed development on the receiving environment and the Commission is satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment.

Conclusions on Proper Planning and Sustainable Development

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the policies and objectives of the Galway County Development Plan 2022-2028, would not seriously injure the visual or residential amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and would not be likely to have a significant detrimental effect on ecology or protected species, or significant effects on the environment.

The Commission noted the established use of the subject site and agreed with the Inspector that the current use is not unauthorised and further noted that the proposed development relates to the continuation of use of an existing permitted quarry within a site area of 16.3 hectares, and extraction area of 15.09 hectares, and that the proposal did not include any increase in the area of operations. The Commission considered that it was appropriate to grant permission for a period of 20 years, and also considered that, together with the mitigation and monitoring measures to be implemented, as referred to in the Applicant's Environmental Impact Assessment Report, the issues raised by the third party Appellant regarding impacts upon the amenities of properties in the vicinity, could be adequately addressed by way of conditions, including conditions for the appropriate monitoring and reporting of dust, noise, water and traffic levels, as anticipated by the 2004 Quarry and Ancillary Activities, Guidelines for Planning Authorities. It was also considered appropriate for the Commission to apply a condition requiring advance notice of blasting, to residents within a distance of 700 metres, having regard to the pattern of development in the area including several residential properties situated to the southeast of the subject site.

Having regard to the totality of the information on the appeal file, the Commission did not consider it appropriate to accede to the Applicant's request to permit a daily operational maximum of 130 HGV movements, based on the Applicant's stated desired operational flexibility. The Commission noted that the Applicant's traffic modelling referred to in the Traffic and Transport Assessment, and also in Chapter 13 of the submitted Environmental Impact Assessment Report, was based on an estimated average of 47 laden HGVs (94 HGV roundtrips) per weekday, plus staff and service vehicles and, on that basis, the Commission was not satisfied that an increase in permission from 94 trips to 130 trips, was warranted. The Commission agreed with the Inspector that an increased permission limit of up to 130 HGV trips, was not environmentally justified, given the lack of assessment of impacts on air and noise and residential amenity from such a

level of increased frequency of traffic movements. Moreover, having regard to the environmental information submitted with the application, the Commission did not share the opinion of the Inspector that flexibility of up to 10% on daily volumes, would be appropriate, and the Commission therefore determined that the permission should be limited to 94 trips (47 trips each way) per day.

Neither did the Commission accept that a condition requiring the Applicant to submit an annual report to the planning authority, of details captured from an independent automated traffic counter, would be overly onerous, or would give rise to the publication of commercially sensitive details. The Commission shared the opinion of the Inspector that a condition of this nature is commonly attached to quarry permissions and, having regard to the proximity to dwellings to the entrance to the access lane, the Commission agreed with the Inspector that such information should be collated and available for inspection on an ongoing basis by the planning authority on request, and should also be submitted to the planning authority annually, for ease of monitoring.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 24th day of October 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) Permission is granted for a period of 20 years from the date of this Order.
- (b) All extraction, processing, loading, concrete batching and asphalt production shall cease, and all plant shall be removed from site within 20 years of the date of this Order.
- (c) Restoration of the site shall be completed within 22 years of the date of this Order unless, prior to the end of that period, planning permission is granted for the continuance of use.

Reason: In the interests of orderly development and to ensure the appropriate restoration of the site.

3. (a) The developer shall ensure that all mitigation and monitoring measures set out in the Environmental Impact Assessment Report submitted with the application, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.
- (b) A single schedule of Monitoring and Mitigation Measures shall be compiled and submitted to the planning authority within one month of grant of permission.
- (c) The developer shall appoint an Ecological Clerk of Works with suitable ecological and construction expertise to oversee the mitigation measures contained in the Environmental Impact Assessment Report.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

4. (a) Extraction depth shall not exceed 33 metres Ordnance Datum.

(b) No extraction shall take place below groundwater flow system.

(c) There shall be no dewatering of groundwater at the site.

Reason: In the interest of clarity, to ensure the overall development is carried out on a phased basis, and to protect groundwater in the area.

5. All surface water shall be disposed of within the site and shall not be discharged onto the public road or the adjoining property.

Reason: In the interests of road safety and to reduce the risk of water pollution.

6. Settlement pond(s) shall be cleaned out at monthly intervals. Details of the proposed use, handling, and destination of the removed silt shall be submitted to, and agreed in writing with, the planning authority prior to the continuation of the development under this permission of development.

Reason: In the interest of surface water drainage, to reduce the risk of water pollution, and to ensure the efficient operation of the settlement ponds.

7. The septic tank and percolation area shall be maintained in accordance with the standards set out in the document entitled Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) – Environmental Protection Agency, 2021 (or any updated version). Maintenance records shall be submitted annually as part of monitoring arrangements.

Reason: In the interest of public health.

8. (a) The quarry, and all activities occurring therein, shall only operate between 0800 hours and 1800 hours, Monday to Friday and between 0800 hours and 1400 hours on Saturdays.
- (b) Truck loading activities may be undertaken between the additional hours of 0700 and 0800, Monday to Saturday inclusive. No activity shall take place outside these hours or on Sundays or public holidays.
- (c) A specific time extension for evening deliveries for regional roads (no drilling/blasting involved) and for limited supervisory access not associated with quarrying/ processing activity shall be allowed for asphalt operation hours until 2000, Monday to Friday inclusive. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: In order to protect the amenities of property in the vicinity.

9. (a) The total number of Heavy Goods Vehicle (HVG) traffic movements serving the site each day shall not exceed 47 two-way movements (94 trips) calculated as a rolling calendar-month average.
- (b) An independent automated traffic counter (ATC) shall be installed at the point where the quarry access road T – junctions with the private road. Records shall be collated on a monthly basis and made available for inspection by the planning authority or a member of the public on request. Records shall include:
- (i) Direction of trip- inbound/outbound.
 - (ii) Vehicle description.
 - (iii) Nature of load, if any.
 - (iv) Purpose of trip.
 - (v) Daily tabulation
 - (vi) Monthly tabulation and average daily movements per month
- (c) A report on above traffic counts shall be submitted annually to the planning authority on the anniversary of the date of grant of planning permission.
- (d) A designated quarry haulage route regarding generated HGV traffic movements to and from development shall be facilitated from the strategic network R333, and via the link road LP 2112 to the quarry development access road.

Reason: To limit the volume of Heavy Goods Vehicle (HGV) traffic to and from the site, having regard to the modelling carried out within the TTA, in the interests of traffic safety and residential amenities.

10. (a) Sight distance triangles shall be maintained and kept free from boundary walling, vegetation, or other obstructions that would reduce the minimum visibility required.
- (b) The developer shall install "Stop" signage and line marking in accordance with the Traffic Signs Manual (TSM) as amended to the Quarry private road junction with the L-2112.
- (c) The installation of advanced warning road sign "W170" and supplementary plate "Quarry Ahead" shall be installed per the materials and specifications in accordance with the DoT Traffic Signs Manual and positioned on each approach of the Quarry entrance at a location within the L-2112 public road margin, details of which shall be agreed with the planning authority, within a period of six months from the date of this Order.

Reason: In the interests of road safety and proper planning and sustainable development to the area.

11. (a) All HGVs departing the quarry shall do so via a wheel-wash.
- (b) All loads of dry fine materials shall be sprayed with water or covered prior to exiting the quarry.
- (c) During dry weather conditions, all roads within the site shall be sprayed with water at least three times a day.

Reason: In order to prevent dust emissions, in the interest of amenity and traffic safety.

12. The total dust emissions arising from on-site operations shall not exceed 350 milligrams per square meter per day, averaged over a continuous period of 30 days (Bergerhoff Gauge) when measured as deposition of insoluble and insoluble particulate matter at any position on the boundary of the quarry. Monitoring results shall be submitted to the planning authority on a quarterly basis per year, within 3 (three) weeks of the conclusion of each quarter, or as otherwise agreed in writing with the planning authority.

Reason: To control dust emissions arising from the development and in the interest of the amenity of the area.

13. (a) Activities at the site shall not give rise to noise levels off-site, at noise sensitive locations, which exceed the following sound pressure limits (L_{aeq},T):
- (i) Day 55dB(A)L_{aeq} (30 minutes) (0800 hours to 1800 hours).
 - (ii) Night 45dB(A)L_{aeq} (30 minutes) (1800 hours to 0800 hours).

Noise levels shall be measured at the noise monitoring locations the final details of which shall be agreed in writing with the planning authority, within six months of the date of this Order.

- (b) Monitoring results shall be submitted to the planning authority on a quarterly basis per year, within 3 (three) weeks of the conclusion of each quarter, or as otherwise agreed in writing with the planning authority.

- (c) There shall be no tonal or impulsive noise at noise sensitive receptors during night-time hours due to activities carried out on site.

Reason: To protect the residential amenities of property in the vicinity.

- 14. (a) Unless otherwise agreed in writing with the planning authority, blasting operations shall occur a maximum of 12 times per annum. Blasting shall not occur more than once per week.
- (b) Blasting operations shall take place only between 1000 hours and 1700 hours, Monday to Friday, and shall not take place on Saturdays, Sundays or public holidays.
- (c) The developer shall give 24 hours written notice of intention to blast to all residences within 700 meters of the site.
- (d) An audible alarm for a minimum period of one minute shall be sounded before each blast. This alarm shall be of sufficient power to be heard at all such dwellings. When blasting operations are complete, an 'all-clear' siren shall be sounded.
- (e) Vibration levels from blasting shall not exceed a peak particle velocity of 12 millimetres/second, when measured in any three mutually orthogonal directions at any sensitive location. Blasting shall not give rise to air overpressure values at sensitive locations which are in excess of 125 dB (Lin)max peak with a 95% confidence limit. No individual air overpressure value shall exceed the limit value by more than 5 dB (Lin).

- (f) Monitoring results for each blast (groundborne vibration and air overpressure) shall be submitted to the planning authority on a quarterly basis per year, within 3 (three) weeks of the conclusion of each quarter, or as otherwise agreed in writing with the planning authority.

Reason: In the interest of public safety and residential amenity.

15. The development shall be operated and managed in accordance with an Environmental Management System (EMS), which shall be submitted by the developer to, and agreed in writing with, the planning authority, within six months of grant of planning permission. This shall include proposals for the following:

- (a) the suppression and monitoring of on-site noise.
- (b) the on-going monitoring of sound emissions at noise sensitive locations in the vicinity.
- (c) the suppression and monitoring of dust at prior agreed locations and on the access road.
- (d) the storage of all fuels and lubrication in fully bunded storage areas and measures to deal with accidental spillage.
- (e) Details of safety measures for the land above the quarry, to include warning signs and stock-proof fencing.
- (f) Management of all landscaping, with particular reference to enhancing the ecological value of the woodland/grassland in buffer areas.
- (g) Monitoring of ground and surface water quality, levels and discharges.

- (h) Details of site manager, contact numbers (including out-of-hours) and public information signs at the entrance to the site.

Reason: In order to safeguard local amenities.

16. (a) The developer shall monitor and record groundwater, surface water flow, noise, and dust deposition levels at monitoring and recording stations, the location of which shall be agreed in writing with the planning authority within six months of grant of planning permission. Monitoring results shall be submitted to the planning authority on a quarterly basis per year for groundwater and surface water flow, within 3 (three) weeks of the conclusion of each quarter, or as otherwise agreed in writing with the planning authority.
- (b) On an annual basis, for the lifetime of the facility (within two months of each year end), the developer shall submit to the planning authority five copies of an environmental audit. Independent environmental auditors approved of in writing by the planning authority shall carry out this audit. This audit shall be carried out at the expense of the developer and shall be made available for public inspection at the offices of the planning authority and at such other locations as may be agreed in writing with the planning authority. This report shall contain:
- (i) A written record derived from the on-site traffic counts of the quantity of material leaving the site. This quantity shall be specified in vehicle movements and tonnage.
 - (ii) An annual topographical survey carried out by an independent qualified surveyor approved in writing by the planning authority. This survey shall show all areas excavated

(and restored where applicable). On the basis of this, a full materials balance shall be provided to the planning authority.

- (iii) A record of groundwater quality measured at monthly intervals.
 - (iv) A written record of all complaints, including actions taken in response to each complaint.
- (c) All incidents where levels of noise or dust exceed specified levels shall be notified to the planning authority within two working days. Incidents of surface or groundwater pollution or incidents that may result in groundwater pollution, shall be notified to the planning authority without delay.
- (d) Following submission of the audit or of such reports, or where such incidents occur, the developer shall comply with any requirements that the planning authority may impose in writing in order to bring the development in compliance with the conditions of this permission.

Reason: In the interest of protecting residential amenities and ensuring a sustainable use of non-renewable resources.

17. The developer shall submit annually for the lifetime of the permission, a map and aerial photograph of the progression of the phased development of the quarry and of the quarry perimeter, surveyed against established perimeter beacons, the form and location of which shall be agreed in writing with the planning authority prior to continuation of works in accordance with this permission.

Reason: In order to facilitate monitoring and control of the development by the planning authority.

18. Restoration shall be carried out in accordance with a revised restoration plan, which shall include existing and proposed finished ground levels, including sections through the site (NW-SE and SW-NE at 100 meter intervals) landscaping proposals including a schedule of species for planting, any proposals for re-use of the quarry and measures to ensure public safety therein, and a timeframe for implementation.

The plan shall be prepared by the developer, and shall be submitted to, and agreed in writing with, the planning authority within six months of grant of planning permission.

Reason: To ensure the satisfactory restoration of the site, in the interest of visual amenity, and in the interest of clarity.

19. Within six months of grant of planning permission, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory restoration of the site in the interest of visual amenity.

20. The developer shall pay to the planning authority a financial contribution 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 continuation of the development under this permission 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. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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.



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

Dated this 7th day of August 2026