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## **Planning and Development Acts 2000 to 2018**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: QSP31**

**Application for Substitute Consent** by Martin Mannion care of Paul Neary of Stonehall, Foxford, County Mayo in accordance with section 177E of the Planning and Development Act, 2000, as amended by the insertion on section 57 of the Planning and Development (Amendment) Act, 2010, as amended.

**Location of Quarry:** Lettershea, County Galway.

## **Decision**

The Board, in accordance with section 177K of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, decided to **GRANT** substitute consent in accordance with the following conditions.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- the provisions of the Planning and Development Acts, 2000 to 2018, and in particular Part XA,
- the provisions of the Planning and Development Regulations 2001, as amended,
- the 'Quarries and Ancillary Activities, Guidelines for Planning Authorities' issued by the Department of the Environment, Heritage and Local Government, April 2004,
- the provisions of the Galway County Development Plan 2015-2021,
- the remedial Natura impact statement submitted with the application for substitute consent, as revised in the course of the application, and supporting documentation, in particular the 'Additional Information' received by An Bord Pleanála on the 2<sup>nd</sup> day of June, 2017,
- the report and the opinion of the planning authority submitted under Section 177I of the 2000 Act, as amended, and the applicant's response to this,
- the submissions and observations made in accordance with regulations made under section 177N of the 2000 Act, as amended,
- the nature of the development the subject of this application for substitute consent, and the planning history of the site,
- the pattern of development in the area, and the proximity of the site to the European sites, and

- the reports of the Board's Inspector.

### **Remedial Appropriate Assessment (Screening)**

The Board adopted the Screening Assessment carried out by the Inspector which concluded that the following European Sites are those for which a Stage II remedial Appropriate Assessment is required, and that significant effects on any other European Sites can be ruled out:

Twelve Bens/Garraun Complex Special Area of Conservation (Site Code number 002031),

Connemara Bog Complex Special Area of Conservation (Site Code number 002034),

Connemara Bog Complex Special Protection Area (Site Code number 004181).

### **Remedial Appropriate Assessment (Stage II)**

The Board noted that the development was not directly connected with or necessary to the management of a European Site. Having regard to the nature, scale and extent of the subject development, the remedial Natura impact statement submitted with the application and as further revised on the 20<sup>th</sup> day of November, 2013, and on the 7<sup>th</sup> day of August, 2015, and the mitigation measures contained therein, the 'Additional Information' received by An Bord Pleanála on the 2<sup>nd</sup> day of June, 2017, the other submissions on file and the Inspector's assessment, the Board completed a remedial Appropriate Assessment of the effects of the development on the aforementioned European Sites. The Board concluded that, on the basis of the information available, the subject development, either individually or in combination with other plans and projects, would not have adversely affected the integrity of the above listed European Sites or any other European Site, in view of the sites' Conservation Objectives. In reaching this conclusion the Board adopted the Inspector's report dated October 2017.

## CONDITONS

1. (a) This grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála with the application for substitute consent and in the further particulars submitted to An Bord Pleanála on the 20<sup>th</sup> day of November, 2013, the 7<sup>th</sup> day of August, 2015, and the 2<sup>nd</sup> day of June, 2017, except as may otherwise be required in order to comply with the following conditions.  
  
(b) This grant of substitute consent relates only to development undertaken on a quarry area of 1.9 hectares (as per Site Location Map received by An Bord Pleanála on the 20<sup>th</sup> day of November 2013), and does not authorise any future development, including excavation, on this site.

**Reason:** In the interest of clarity.

2. (a) All mitigation measures identified within the revised remedial Natura impact statement (received by An Bord Pleanála on the 7<sup>th</sup> day of August, 2015) and associated documentation shall be implemented in full, save as may be required to comply with the conditions set out below.  
  
(b) The Water Management Plan set out in the Additional Information report received by An Bord Pleanála on the 2<sup>nd</sup> day of June, 2017 shall be implemented within six months of the date of this Order.

**Reason:** In the interest of the conservation of the environment and of European Sites.

3. A management plan for control of invasive species, including a timetable for implementation, shall be prepared by a suitably qualified person and submitted to the planning authority for written agreement within six months of the date of this Order.

