

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Galway County

Planning Register Reference Number: QSP70

An Bord Pleanála Reference Number: 07.SU.0086

APPLICATION FOR SUBSTITUTE CONSENT by James G. Walsh care of Shane Joyce of Beach Road, Clifden, County Galway in accordance with section 177E of the Planning and Development Act, 2000, as amended.

LOCATION OF QUARRY: Laughil Townland, Moycullen, County Galway.

BOARD 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 2015, and in particular Part XA,
- the 'Quarries and Ancillary Activities, Guidelines for Planning Authorities', issued by the Department of the Environment, Heritage and Local Government, in April 2004,
- the provisions of the current Galway County Development Plan,
- the remedial Environmental Impact Statement submitted with the application for substitute consent, and documentation on file generally,
- the submissions made in accordance with regulations under section 177N of the Planning and Development Act, 2000, as amended,
- the report and the opinion of the planning authority under section 177I of the Planning and Development Act, 2000, as amended,
- the report of the Board's Inspector, including in relation to potential significant effects on the environment ,
- the planning history of the site, and the pattern of development in the area.

Environmental Impact Assessment

The Board considered the nature, scale and location of the development, the remedial Environmental Impact Statement submitted by the applicant, the documentation submitted with the application generally, the submissions on file, the registration history of the subject site, and the Inspector's report. The Board completed an Environmental Impact Assessment in relation to the development in question and concluded that the remedial Environmental Impact Statement submitted identified and described adequately the direct and indirect effects on the environment of the development that had taken place. The Board considered that the Inspector's report was satisfactory in addressing the environmental effects of the development, and adopted her analysis and conclusions in this regard. The Board was, therefore, satisfied that the subject development would not be likely to have had or have a significant effect on the environment.

Conclusion

Having regard to the acceptability of the environmental impacts, as set out above, it is considered that the subject development would not be likely to have had or have significant effects on the environment. The subject development, therefore, is not contrary to the proper planning and sustainable development of the area.

CONDITIONS

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, 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, as described in the application, and does not authorise any future development, including any further quarrying or any further excavation, on the subject site.

Reason: In the interest of clarity.

2. Within three months of the date of this order, the developer shall remove all existing obsolete machinery and plant from the site, and shall notify the planning authority in writing when this has been carried out.

Reason: To ensure the protection of the environment.

3. Within six months of the date of this order, the developer shall submit to, and agree in writing with, the planning authority a programme for the implementation of a surface water management system to manage flows arising within the site, as a result of the past operation of the quarry, and shall implement the agreed programme in accordance with a timescale that may be specified by the planning authority.

Reason: To ensure the protection of the environment.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.