



An  
Bord  
Pleanála

## Inspector's Addendum Report ABP-316226-23

### Development

Extraction of rock from an area consisting of 1.9 hectares which was previously subject to rock extraction. The duration of the proposed works is over a 25 year period. The application is accompanied by a Natura Impact Statement (NIS).

### Location

Lettershea, Clifden, Co. Galway.

### Type of Appeal

Third Party.

### Planning Authority

Galway County Council.

### Planning Authority Reg. Ref

221176.

### Appellant(s)

Dan O'Hara Ltd.

### Planning Authority Decision

Grant Permission.

### Inspector

Stephen Rhys Thomas.

## 1.0 Preliminary

- 1.1. This report has been prepared pursuant to a Board Direction (reference number BD-016225-24) dated 3<sup>rd</sup> May 2024, that seeks an addendum report to be prepared, as follows:

*The Board decided to defer this case and request Inspectorate Division to undertake an Environmental Impact Assessment Screening Determination. The Board also request Inspectorate Division to provide an Addendum Report incorporating any updates or revisions to the Inspector's Report and Appendix 1 as a result of the Screening Determination.*

- 1.2. The Board decided that the file be referred back to the Inspector to carry out an Environmental Impact Assessment Screening Determination and provide, if necessary, an updated report and appendix 1.

## 2.0 EIA Screening - Assessment

### 2.1. Introduction

- 2.1.1. In this, my updated report, I have confined myself to an assessment of the Section 7A Information submitted by the applicant and I carry out the necessary steps regarding EIA Screening.
- 2.1.2. The Board will note that the main purpose of screening is to ensure that proposed developments likely to have significant effects on the environment are subject to EIA. This should also ensure that EIA is not required for developments that are not likely to have significant effects on the environment. The Board have noted that the applicant has submitted Schedule 7A information and thus an EIA screening determination must be carried out.

### 2.2. EIA Preliminary Examination

- 2.2.1. EIA Pre-Screening (EIAR not submitted), I have made minor amendments to the table originally included at appendix 1 of my initial report, dated 1 December 2023.

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<b>Proposed Development Summary</b>	Extraction of rock from an area consisting of 1.9 hectares which was previously subject to rock extraction. The duration of the proposed works is over a 25 year period.			
<b>Development Address</b>	Lettershea, Clifden, Co. Galway.			
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	✓	
		<b>No</b>		
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>				
<b>Yes</b>			EIA Mandatory EIAR required	
<b>No</b>	✓	Yes, the development is of a class specified in Part 2, but it does not exceed the threshold.	Proceed to Q.3	
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>				
		<b>Threshold</b>	<b>Comment (if relevant)</b>	<b>Conclusion</b>
<b>No</b>	✓	Extractive Industry, part (b) Extraction of stone, gravel, sand or clay, where the area of extraction would be greater than 5 hectares.	Application area amounts to 1.9 Hectares already in receipt of Substitute Consent. The total quarry amounts to 3.8 Hectares of which 1,9 Hectares represents the application area. Having regard to the nature and scale of the proposed development it is considered that the issues arising from	No EIAR required, however, the applicant has submitted Section 7 A documentation and a Preliminary Examination is therefore required

			the proximity/ connectivity to European Sites can be adequately dealt with under the Habitats Directive (Appropriate Assessment) as there is no likelihood of other significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.	
<b>Yes</b>				Proceed to Q.4

<b>4. Has Schedule 7A information been submitted?</b>		
<b>No</b>		
<b>Yes</b>	✓	<b>Screening Determination required</b>

2.2.2. This application concerns a sub-threshold development (i.e. development that is of a class), and Schedule 7A information has been submitted by the applicant, the Board must carry out a screening determination – Article 109 (2B)(a) Planning and Development Regulations 2000 (as amended) refers.

### 2.3. **Screening Determination**

I have included a full screening determination at appendix 1 of this addendum report. I have considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report is not therefore required.

### **3.0 Conclusion**

- 3.1. The outcome of the screening determination process finds that the need for an EIAR to be submitted to support this application is not necessary. Based on the findings concerning EIA screening, I am satisfied that the outcome of the screening determination process does not alter the conclusions reached in that of my initial report and I still recommend that permission should be permitted.

### **4.0 Recommendation**

- 4.1. I recommend that planning permission should be granted subject to conditions, for the reasons and considerations as set out in the Inspector's Report dated 1 December 2023.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Stephen Rhys Thomas  
Senior Planning Inspector

14 May 2024

## Appendix 1

### EIA Screening Determination Form

#### A. CASE DETAILS

**An Bord Pleanála Case Reference - ABP-316226-23**

##### Development Summary

Extraction of rock from an area consisting of 1.9 hectares which was previously subject to rock extraction. The duration of the proposed works is over a 25 year period.

##### Yes / No / N/A

##### Comment (if relevant)

1. Was a Screening Determination carried out by the PA?

Yes

EIA not required

2. Has Schedule 7A information been submitted?

Yes

3. Has an AA screening report or NIS been submitted?

Yes

NIS

4. Is an IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?

No

5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA

Yes

County Development Plan was subject to :  
Strategic Flood Risk Assessment  
Strategic Environmental Assessment Report  
SEA Environmental Report Appendix III - Non-Technical Summary  
SEA Statement  
Consolidated Natura Impact Report  
AA Conclusion Statement with Determination

#### B. EXAMINATION

Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures

Is this likely to result in significant effects on the environment?  
Yes/ No/ Uncertain

**proposed to avoid or prevent a significant effect**

(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)

**1. Characteristics of proposed development** (including demolition, construction, operation, or decommissioning)

**1.1** Is the project significantly different in character or scale to the existing surrounding or environment?

No. This is an established rock quarry.

No

**1.2** Will construction, operation, decommissioning or demolition works causing physical changes to the locality (topography, land use, waterbodies)?

No. The extraction works will take place within the envelope of the existing quarry.

No

**1.3** Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?

Standard quarrying techniques are proposed and will result in the export off site of materials/minerals.

No. The quarry will be subject to a restoration plan at the end of the operational phase.

**1.4** Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?

Yes. The quarrying activities will require the storage and use of hydrocarbons (fuels) for powering plant and machinery and other chemicals. such materials required or produced.

No. A limited amount of fuels and chemicals will be stored on the overall landholding within appropriately bunded tanks, with procedures in place in case of spillage.

**1.5** Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?

Yes. Dust is the principal pollutant release.

No. Dust generation and control measures are proposed, these are industry standard measures that involve sprinkler systems to

<b>1.6</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No discharge of pollutants to ground or surface waters. Water management systems are already in place.	suppress dust emissions and monitoring to ensure appropriate levels are maintained. No
<b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes. Noise and vibration emissions from routine blasting and on site processing.	No. Measures in place to ensure emissions are kept within appropriate parameters.
<b>1.8</b> Will there be any risks to human health, for example due to water contamination or air pollution?	Noise, vibration and dust during operation. Mitigation measures proposed and submitted.	No
<b>1.9</b> Will there be any risk of major accidents that could affect human health or the environment?	No risk of major accidents given the controlled nature of project.	No
<b>1.10</b> Will the project affect the social environment (population, employment)	Will result in a very localised and minor increase in employment during operation.	No
<b>1.11</b> Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No.	No
<b>2. Location of proposed development</b>		
<b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: a) European site (SAC/ SPA/ pSAC/ pSPA) b) NHA/ pNHA c) Designated Nature Reserve	The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it	No



d) Designated refuge for flora or fauna  
e) Place, site or feature of ecological interest,  
the preservation/conservation/ protection of  
which is an objective of a development plan/  
LAP/ draft plan or variation of a plan

was concluded that it may have a significant effect on the Connemara Bog Complex SAC (site code 002034), Connemara Bog Complex SPA (site code 004181) and The Twelve Bens/Garraun Complex SAC (site code 002031). Consequently, an appropriate assessment was required of the implications of the project on the qualifying features of those sites in light of its conservation objectives.

Following an appropriate assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects, would not adversely affect the integrity of the European Site Connemara Bog Complex SAC (site code 002034), Connemara Bog Complex SPA (site code 004181) and The Twelve Bens/Garraun Complex SAC (site code 002031) or any other European site, in view of the site's conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects. This is consistent with the findings of the submitted NIS

<p><b>2.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?</p>	<p>No, refer to question 2.1 above. An Ecological Assessment found no evidence of protected, rare or threatened mammal species.</p>	<p>No</p>
<p><b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>No. A Visual Impact Assessment was carried out and the quarry is visible from a number of viewpoints. Planting and restoration works will integrate the development during operation and at the close of operations, the Landscape and Restoration Plan refers</p>	<p>No</p>
<p><b>2.4</b> Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p>No other such resources not already outlined by the submitted NIS on or close to the site.</p>	<p>No</p>
<p><b>2.5</b> Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>Site is not located within a flood zone. No surface water features in the vicinity of the site.</p> <p>Hydrological Assessment has been submitted and shows that there will no impacts to surrounding surface or groundwater resources. A Water Discharge Licence has been granted by Galway County Council, ref W/500/21.</p>	<p>No</p>

<b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?	No evidence of these risks.	No
<b>2.7</b> Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	The N59 passes by the quarry site and is the main road route between Clifden and Galway. A Traffic Impact Assessment Report was submitted and concluded that the traffic movements generated by the operation will not significantly impact the capacity of the route. Transport Infrastructure Ireland concerns were addressed by the further information submitted during the application process.	No
<b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	Site adjoins upland and farmland areas with minimal residential development. Nature of development such that would not negatively affect these uses.	No
<b>3. Any other factors that should be considered which could lead to environmental impacts</b>		
<b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No. There no similar developments in the vicinity of the site.	No
<b>3.2 Transboundary Effects:</b> Is the project likely to lead to transboundary effects?	No	No
<b>3.3 Are there any other relevant considerations?</b>	No	No
<b>C. CONCLUSION</b>		
<b>No real likelihood of significant effects on the environment.</b>	✓	EIAR Not Required

**Real likelihood of significant effects on the environment.**

EIAR Required

**D. MAIN REASONS AND CONSIDERATIONS**

Having regard to:

- (a) The nature and scale of the proposed development, at 1.9 Hectares which is significantly under the threshold in respect of Extractive Industry, part (b) Extraction of stone, gravel, sand or clay, where the area of extraction would be greater than 5 hectares,
- (b) The location of the site on lands that are currently occupied by a working quarry, and the existing pattern of development in the vicinity,
- (d) The location of the site outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended) and the absence of any relevant connectivity to any sensitive location,
- (e) the separation distance between the site and any known Archaeological Protection zone,
- (f) the guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003), and
- (g) the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report is not therefore required.

**Inspector** \_\_\_\_\_

**Date** \_\_\_\_\_

**Approved (DP/ADP)** \_\_\_\_\_

**Date** \_\_\_\_\_