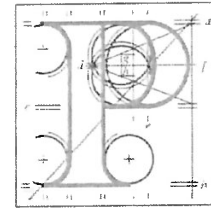


Our Case Number: ABP-318082-23



**An
Bord
Pleanála**

Donegal County Council
Planning Department
County House
The Diamond
Lifford
Co. Donegal
F93 Y622

Date: 16 October 2023

Re: Application for Substitute Consent for the continuation of existing quarrying works, consisting of the extraction and grading of stone for the building industry, and all associated site development works. Drumbeagh, Mountcharles, Co. Donegal.

Dear Sir / Madam,

An Bord Pleanála has received an application for substitute consent under section 177E of the Planning and Development Acts 2000 to 2018.

Please note that this application has not yet been validated and further documents may issue to you when validated. Please find enclosed two copies of the application, one of which in accordance with article 229(2) of the Planning and Development (Amendment) (No.3) Regulations shall be made available by you for public inspection / purchase at your offices during the currency of the application. Please ensure that this letter is also available for inspection.

Please forward to the Board within a period of 4 weeks from the date of this letter, the following documents:

1. A certified copy of the notice served under section 261A.
2. A copy of all submissions and correspondence received by the Planning Authority in respect of this quarry, both in response to the public notice of the Authority under Section 261A (1), and at any time before the publication of this notice.
3. A complete copy of all of the information, including any reports prepared by, for and on behalf of the Planning Authority in respect of this quarry, and any drawings, maps, photographs or legal documentation (e.g. ownership details) upon which the determination/decision was based.
4. Where the quarry and/or the overall landholding that is the subject of the determination/decision had any planning history, full documentation (including all documentation from the applicants, all planning and other technical reports on the applications, any third party submissions and submissions from any prescribed bodies, and certified copies of Manager's Order etc., where relevant) and all post-decision

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correspondence (including any drawings and other documentation in respect of compliance with conditions) in each case.

5. Where the quarry and/or the landholding that is the subject of the determination/decision was the subject of any enforcement, full details and all documentation in respect of all enforcement files. (All documentation, including photographs of inspections, maps and drawings on any such file is required, though the names and addresses of any persons making complaints on the enforcement files may be blacked out, if considered necessary for reasons of confidentiality). If there are no such files, the Planning Authority is asked to formally confirm that this is the case.

6. All documentation in relation to the registration of the quarry under Section 261 (including any submissions made to the Planning Authority from persons other than the quarry owner/operator).

Where any planning history file under item 4 above was the subject of appeal to An Bord Pleanala that was not subsequently withdrawn, it will be sufficient in such instances that the Planning Authority indicate the particular PA file reference and also the Board's file reference, and provide only any post decision documentation.

Section 177I (1) of the Planning and Development Acts 2000 to 2017 requires you to submit to the Board a report within 10 weeks of receipt by you of an application for substitute consent. The report shall include the items set out in section 177I (2)(a), (b), (c), (d) and (e). In this regard the Board notes that recent Ministerial Guidelines to planning authorities under section 28 of the Planning and Development Act 2000 (as amended) (circular letter PL 8/2013) indicates that planning authorities should complete and return this section 177I report to the Board within three weeks of receipt of a copy of the application from the Board.

Separately your attention is drawn to section 177M of the Act. It is open to the planning authority to make a submission to the Board setting out your costs incurred during the course of consideration of the application. This submission is without prejudice to the decision of the Board and should be made not later than 2 weeks after the submission of report of the planning authority.

A copy of the planning authority report should be placed on the public file.

Thank you for your co-operation in this matter. If you have any queries please contact the under signed.

Yours faithfully,



Aisling Reilly
Executive Officer
Direct Line: 01-8737131

SC07