Validation Checklist

Lodgement Number : **LDG-075421-24**
Case Number: **ABP-321022-24**
Customer: **Peter Sweetman**
Lodgement Date: **09/10/2024 11:24:00**
Validation Officer: **Daniel O'Connor**
PA Name: **Galway County Council**
PA Reg Ref: **2460013**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Appeal**

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm PA Case Link	Confirmed-Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
3rd Party Acknowledgement	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes
Valid Lodgement Channel	Yes

BP01

BP05

Digital BP07

Run at: 09/10/2024 17:29

Run by: Daniel O'Connor

Lodgement Cover Sheet - LDG-075421-24

ABP-321022-24
DD-020010-24

An Bord Pleanála

Details

Lodgement Date	09/10/2024
Customer	Peter Sweetman
Lodgement Channel	In Person
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-075421-24
Map ID	
Created By	Anthony Kelly
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	2460013

Categorisation

Lodgement Type	Appeal
Section	Processing

PA Name	Galway County Council
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Paid	220.00
Refund Amount	

Observation/Objection Allowed?	
Payment	PMT-058802-24
Related Payment Details Record	PD-058664-24

Decision - grant with cons

Decision date - 12/9/24

LD - 9/10/24

Appeal

Run at: 09/10/2024 14:47

Run by: Anthony Kelly

PA Case Details Manual	
PA Case Number	
PA Decision	
PA Decision Date	
Lodgement Deadline	
Development Description	
Development Address	

Appeals Type	

Run at: 09/10/2024 14:47

Run by: Anthony Kelly

AN BORD PLEANÁLA
LDG- 075421-24
ABP-
09 OCT 2024
Fee: € 220.00 Type: CQ
Time: 10:55 By: HAND

PETER SWEETMAN

An Bord Pleanála, 64 Marlborough Street, Dublin 1

07 APPEAL RE 2460013 GALWAY COUNTY COUNCIL

REG. NO.	2460013
DESCRIPTION	for the development of a quarry for the extraction of sand in a phased basis over an area of c. 6.2 ha by an average depth of 3m from existing ground levels. The development will consist of: i. Installation of a processing plant and associated components; ii. Stockpiling of topsoil removed during quarrying for future implementation of a restoration plan; iii. Construction of a refuelling area; iv. Installation of a site office (30 sqm); v. Installation of a wastewater holding tank (63.6 sqm); vi. Installation of a weighbridge and wheel wash; vii. Installation of a new site entrance along with road reprofiling works on the L2232; viii. Installation of a groundwater well; ix. Provision of drainage infrastructure including a new hydrocarbon interceptor and surface drains on hardstanding; x. All associated site development and operational works; and xi. Site restoration following the cessation of sand extraction works. Permission is sought for an operational lifetime of 10 years. The Planning Application is accompanied by an Environmental Impact Assessment Report and Natura Impact Statement
ADDRESS	Lomaunaghbaun, Tuam, Co. Galway
APPLICIANT	Newtown Farming Ltd

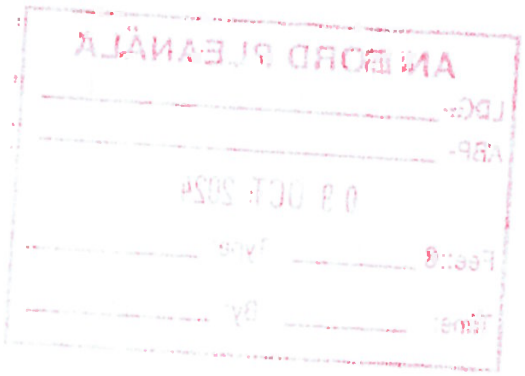
1. I request that An Bord Pleanála carry out an Appropriate Assessment which would comply with the judgement in CJEU Case 258/11 states at 44 (a development which had a significant effect on the same SAC (Lough Corrib) as this one.

"So far as concerns the assessment carried out under Article 6(3) of the Habitats Directive, it should be pointed out that it cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned."

2. I request that An Bord Pleanála preform an assessment of the proposed development rather than of the EIAR / NIS.

The planner states,
"The Planning Authority are generally satisfied with the content of the NIS but consider that a site layout plan which clearly details the location of the various mitigation measures would be helpful in order to assist the Planning Authority on reaching a final determination with regard to AA."

Generally, is not compatible with 'removing all reasonable scientific doubt'



4. (a) All environmental mitigation and monitoring measures identified within the Natura Impact Statement and Environmental Impact Assessment Report and shall be implemented in full, save as may be required in order to comply with other conditions attaching to this order.

This condition does not comply with "*must contain complete, precise and definitive findings*"

3. As the document under 'NIS' on the statuary website is titled 'APPENDIX 1 HYDROGEOLOGY CHAPTER'

No assessment as required under The Water Frameworks Directive has been carried out.

4. Further Information was submitted which included mitigation measures for the environment and new plans, reports and maps. The information was significant and section 35 should have applied. A further public notice and consultation period on the RFI submitted is required by law.

Peter Sweetman

Peter Sweetman
PO Box 13611 Bantry Co Cork

Rialtas Áitiúil Éireann
Local Government Ireland

Submission No.: 150000011337

Date of Issue:
06/02/2024 09:53am

THIS IS AN IMPORTANT DOCUMENT

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANALA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

Galway County Council

PLANNING APPLICATION REFERENCE No: 2460013

A submission/observation in writing, has been received from PETER SWEETMAN on 04/02/2024 in relation to the above planning application.

The appropriate fee of €20 has been paid. (Fee not applicable to prescribed bodies)

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001 and will be taken into account by the planning authority in its determination of the planning application.

Yours faithfully,
Galway County Council