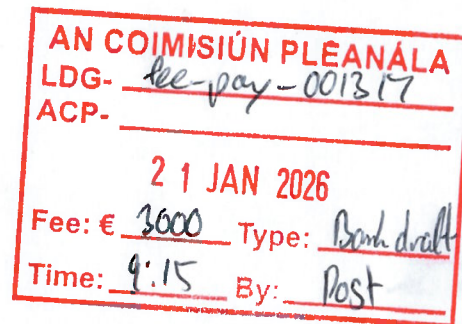


20th January 2026

The Secretary
An Coimisiun Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Our Ref: 62.01.Mortimer Quarries Ltd.

Dear Sir / Madam



FIRST-PARTY APPEAL (CONDITION ONLY)

PLANNING AUTHORITY: GALWAY COUNTY COUNCIL

PLANNING REF: 25/60750

APPELLANT: MORTIMER QUARRIES LTD, CARTRON, BELCLARE, CO. GALWAY

SITE: CARTRON, BELCLARE, CO. GALWAY

CONDITION APPEALED: CONDITION 6(I) (HGV TRIP LIMIT)

RELATED DOCUMENTS: EIAR CHAPTER 13 (TRAFFIC), ESP. PARAS. 13.20–13.21

INTRODUCTION AND SCOPE

This first-party appeal is under Section 37(1) of the Planning and Development Act 2000 (as amended), concerning Condition 6(I) of the permission to continue operating an existing quarry and associated facilities at Cartron, Belclare (PLANNING REF: 25/60750).

Quarry Mineral Consulting Limited, Unit 3 Cedar Crescent, Westport, Co. Mayo act on behalf of the appellant Mortimer Quarries Ltd., Cartron Belclare, Co. Galway.

The appeal focuses solely on the wording and impact of Condition 6(I) (daily HGV trip cap). Condition 6(II) (ATC and annual reporting) is generally acceptable and has been retained with clarifications in our proposed wording below. Condition 6(III) (haul route) is accepted as-is.

THE IMPUGNED CONDITION

6. (i). *The quarry shall operate to its present output, whereby Quarry traffic movements of existing access shall not exceed the permitted annual generated trips as stated within EIAR Chapter 13 – Traffic, sub section 13.26, Table 13.5 Trip Generation insofar the total number of two-way HGV traffic movements serving the site each permitted day shall not exceed 94 trips.*

(ii) *An independent automated traffic counter (ATC) shall be installed at a point where the quarry access road T – junctions with the private road, whilst such records shall be made available for viewing in the form of a monitoring report including all dates of operations which shall be submitted to the planning authority on each anniversary from date of grant of permission for the duration of the permitted Quarry license.*

(iii) *A designated Quarry haulage route regarding generated HGV traffic movements to and from development shall be facilitated from the strategic network R333, and via the link road LP 2112 to Quarry development access road. Reason: in the interest of road safety.*

WHY THE CONDITION IS INAPPROPRIATE

Condition 6(i) incorrectly turns an EIAR average into a fixed daily maximum. Chapter 13 of the EIAR presents 94 two-way HGV trips as an *estimated average weekday flow* for the 300,000 TPA aggregate scenario (paras. 13.20–13.21)—not as a strict cap. Imposing a cap:

- Misinterprets the EIAR's intent, removing needed day-to-day flexibility without environmental justification;
- Is not tied to any network capacity threshold, safety trigger, or environmental limit—thus failing tests of necessity and proportionality;
- Departs from standard practices (throughput/average controls plus monitoring and management) and could penalise harmless short-term variations (such as those caused by weather or client scheduling) that do not change annual intensity.
- Operationally, the asphalt plant can lawfully operate until 20:00 (Cond. 3 of Ref. 15/104). Evening dispatches using pre-stockpiled aggregates may cause minor daily variation without increasing annual intensity or impact; a rigid daily cap restricts this legal flexibility unnecessarily.

Commercial sensitivity (Condition 6(ii)): The applicant is concerned about routine submission of detailed ATC datasets to the public planning file. We propose on-site retention with inspection by the Planning Authority on reasonable notice, ensuring transparent oversight while protecting commercially sensitive logistics.

PROPOSED REPLACEMENT WORDING

We respectfully ask that Condition 6(I) be replaced as follows (retaining 6(II) with clarifications):

- **6(I) Traffic Intensity (Consistent with EIAR):**
 - A. The development will operate within the traffic movements assessed in EIAR Chapter 13—specifically, an estimated average of 94 two-way HGV movements per operational weekday, calculated as a rolling calendar-month average (excluding non-operational days).
 - B. To facilitate operational flexibility while ensuring environmental protection, a daily operational maximum of 130 two-way HGV movements is set.
 - C. If monitoring under Condition 6(II) indicates a material and persistent risk of exceeding the monthly average or daily maximum, the operator must implement traffic-management measures (e.g., dispatch smoothing) and report these actions to the planning authority.
- **6(II) Monitoring and Reporting (ATC):**
 - A. An independent automated traffic counter (ATC) shall be installed at the point where the quarry access road T-junctions with the private road. ATC records shall be retained on site for a minimum of five years and made available for inspection by the Planning Authority at the quarry offices during normal business hours upon reasonable notice.

(Condition 6(III) remains unchanged.)

CONCLUSION

As written, Condition 6(i) misinterprets the EIAR and imposes an overly restrictive control that is neither necessary nor proportionate. The proposed replacement (average + daily cap + ATC with clear definitions and action triggers) is specific, enforceable, protective of the environment, and consistent with both the EIAR and normal operations.

Mortimer Quarries Ltd.
Planning Application Cartron, Belclare, Co. Galway

We therefore request that the Board amend Condition 6(i) as above and replace Condition 6(ii) with the inspection-based wording set out. All other conditions are accepted.

Yours sincerely

Peter Kinghan.

Peter Kinghan
Chartered Mineral Surveyor

Cc. Mr. Trevor Mortimer
Enc. Fee of € €3,000