

File With

SECTION 131 FORM

Appeal No

PL-500662-GY-26

Defer Re O/H

☐

Having considered the contents of the submission dated/received **20/02/2026** from **Mortimer Quarries Ltd.** I recommend that section 131 of the Planning and Development Act, 2000 be/ not be invoked at this stage for the following reason(s):

No new planning issues

Section 131 not to be invoked at this stage

☒

Signed

Daniel O Connor

EO

Section 131 to be invoked — allow 2/4 weeks for reply

☐

Date

20/2/26

Signed

SEO/SAO

Date

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

EO

Date

Signed

AA

Date

David Behan

From: Peter Kinghan <pkinghan@quarryconsulting.ie>
Sent: Friday 20 February 2026 10:23
To: Appeals2
Subject: Response to Third-Party Appeal – PL-500662-GY-26 (Plan File Ref. 2560750) – Mortimer Quarries Ltd., Cartron, Belclare, Co. Galway
Attachments: 260220.62.01.ACP Third Party Appeal Response.FINAL.pdf

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Dear Secretary / Case Officer,

We act on behalf of Mortimer Quarries Ltd. in relation to Galway County Council Plan File Ref. 2560750 and the third-party appeal under reference PL-500662-GY-26.

Further to your correspondence dated 29 January 2026, please find enclosed the Applicant's Response to the Third-Party Appeal.

Enclosed:

1. Response to Third-Party Appeal (Mortimer Quarries Ltd.) – dated 20 February 2026 (PDF)

Yours faithfully,

Peter Kinghan
Chartered Mineral Surveyor
Chartered Geomatics Surveyor
Registered Valuer (MSCSI MRICS)



Unit 3, Cedar Crescent, Cedar Park, Westport, Co. Mayo, F28 PN47.

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Tel: + 353 86 1712218

20th February 2026

The Secretary
An Coimisiun Pleanála
64 Marlborough Street
Dublin 1
D01 V902
Email: appeals@pleanala.ie

Our Ref: 62.01.Mortimer Quarries Ltd.

Dear Sir / Madam

RE: RESPONSE TO THIRD-PARTY APPEAL PL-500662-GY-26

We act on behalf of Mortimer Quarries Ltd., Cartron, Belclare, Co. Galway in relation to the decision of Galway County Council (Planning Authority) under Plan File Ref. No. 25/60750 and the related third-party appeal PL-500662-GY-26.

In response to the third-party appeal referenced in your correspondence dated 29 January 2026, we acknowledge the concerns raised and address them below, providing clarification on the key points.

1) PLANNING STATUS / “UNAUTHORISED” ALLEGATION

- The quarry has operated for decades initially as a pre-63 entity and then under PL07.222783 (06/2275) an application for continued use under Section 261(7), with subsequent complementary permissions for related downstream manufacturing, ancillary plant and facilities. Galway County Council has regulated and audited the site throughout; there is no enforcement finding declaring any aspect of the operation unauthorised.
- References to historic “pre-commencement” conditions (e.g. drainage plan, bond/special contribution) do not evidence non-implementation. A Drainage Management Plan was submitted (including under Further Information (FI) for 17/1083) and a maintained Environmental Management System (EMS) has governed site controls and reporting for years (noise/dust/water monitoring, bunding, spill response, audits). Indeed, the term pre-commencement cannot reasonably apply where continuance of use to an existing authorised operation is the scope of the grant.
- The special contribution under PL07.222783 (06/2275) was superseded and discharged under later consent [Plan File Ref. No. 15/104] (as set out in the compliance audit submitted in

with multi-camera inspection, rejection/quarantine protocols, segregation, and recovery method statements.

- Storage/handling of imported materials occur within dedicated managed areas. Long-running surface- and groundwater monitoring shows no evidence of contamination.
- Unsuitable loads are refused and recorded; permitted wastes are traced via collection permits and dockets.
- Separation of non-waste and waste resource streams is certain through use of designated areas for each.
- All of this is regulated and licenced by Galway County Council through both the Article 27 process and the continued issue of valid Waste Facility Permits for the site.

4) TRAFFIC

The EIAR traffic assessment (Chapter 13, incl. paras. 13.20–13.21 and Table 13.5) identifies an estimated average weekday flow of 94 two-way HGV movements for the assessed scenario. This is an average weekday estimate used for impact assessment purposes, not a proposed fixed daily cap.

Traffic effects are governed by vehicle movements (in/out), not tonnes. Two-way movements inherently include outbound and inbound trips, and operational backhauls (e.g., outbound product with inbound permitted material on return legs) are normal and do not increase annual intensity beyond that assessed—rather, they reflect how movements occur in practice.

Accordingly, the appropriate control mechanism is the approach set out in the applicants first party condition appeal: monitoring via ATC, compliance demonstrated as a rolling calendar-month average consistent with the EIAR, together with a daily operational maximum of 130 two-way HGV movements to accommodate short-term variability without increasing overall traffic intensity.

5) AA SCREENING

Materials placed to ground for restoration are restricted to inert materials only. Non-inert C&D streams are not deposited to ground; they are handled under the Waste Facility Permit (WFP) for processing/recycling and exporting off-site.

Pathways

- **Surface water:** There is no routine off-site discharge of water; intermittent rainfall/run-off is retained and managed on site in accordance with the established drainage arrangements and EMS controls.

- Environmental Monitoring (dust, noise, surface water, groundwater): long-running records show no contaminant trend indicating any linkage to European sites; monitoring continues and is reportable to the Planning Authority.

Having regard to:

- (i) inert-only restoration;
 - (ii) absence of routine off-site discharge;
 - (iii) established EMS/WFP controls and long-running monitoring; and
 - (iv) the absence of a viable source–pathway–receptor linkage,
- the project, alone or in-combination, is not likely to have significant effects on any European site. Appropriate Assessment is not required.

6) AMENITY (HOURS, NOISE, DUST, LIGHTING)

The quarry operates subject to established and enforceable amenity controls. Compliance is demonstrated through routine monitoring and audit records, and is supported by embedded mitigation measures for hours of operation, noise, dust and lighting.

- Hours: The quarry adheres to permitted hours. CCTV gate footage (rolling ~2-month retention) and weighbridge logs can be made available to the Planning Authority to verify start/finish times. The weighbridge records are audited as part of the required AER.
- Noise: Biannual compliance monitoring shows levels within limits; mitigation includes rubber lining at drop points, plant maintenance and alarm management.
- Dust: Monthly Bergerhoff monitoring at boundary locations demonstrates compliance with the 350 mg/m²/day guideline. Controls include road/stockpile damping, wheel-wash use at exit, and sheeting/dampening of fine loads prior to departure.
- Lighting: External fittings are full-cut-off LED to minimise spill/glare; the applicant accepts a condition to that effect.

7) GROUNDWATER BASELINE AND PROTECTION

The appellant's hydrograph shows water levels in an existing on-site abstraction well, not a purpose-built monitoring borehole. Readings are influenced by many factors (intermittent pumping/usage, well construction/screen depth, local recharge within the quarry, and historic datum handling noted in the REIS). Those levels do not demonstrate that the quarry operates below groundwater. Similarly when any water supply well is used to supply water, there will be fluctuating water levels recorded during spot measurements.