



**An
Bord
Pleanála**

**Memorandum for Appeal File:
ABP-321915-25**

To: Barry Devine, Senior Administrative Officer, Processing Section
From: Pierce Dillon, Senior Administrative Officer, Legal Affairs.
Regina Fitzgerald, Executive Officer, Legal Affairs
Re: Peter Sweetman (Connemara) v An Bord Pleanála.
Date: 6th March, 2025

The Board's decision on an application for Substitute Consent, reference no. 07.SU.0038 has been quashed by the Courts and remitted back to the Board for a fresh determination.

The file has been reactivated and a new file no. ABP-321915-25 has been assigned. ICT has been informed and the Board's website has been updated accordingly.

A new file cover has been inserted over the old file cover (thereby maintaining the old file cover as a record).

The Order perfected on the 29th October, 2024, states that the matter be remitted for further consideration and determination in accordance with law. It is considered appropriate to remit this Substitute Consent application back to the point in time, prior to its allocation to the Inspectorate.

Documentation produced after this date on substitute consent application, SU0038 has been removed and placed on the Board's legal file.

All participants to the appeal should be advised of the quash and remit of the Substitute Consent application and invited to make any further submissions they may have on the application and on the updated Galway County Development Plan 2022-2028, now in force, under s131. A copy of the High Court Order to be enclosed with the letters.

In this case, the PA issued a notice under s261A(3)(a) instructing the owner/operator to apply for substitute consent and that the application be accompanied by a

remedial EIS and a remedial NIS, please arrange for all relevant documents to be uploaded to the Board's website.

Please note that S126 letters issued under the original case file number.

Upon completion of the above process, the file should be forwarded to the Director of Planning for further processing of this case.

Without prejudice prototype s131 notice has been prepared and is attached hereunder.

The reactivated file is now submitted to Processing Section in accordance with the terms of the Court Order.

ABP-321915-25 Draft S.131 Notice to all participants -

, 2025

I have been asked by An Bord Pleanála to refer to the above-mentioned appeal bearing reference number ABP-321915-25.

An Bord Pleanála had previously made a decision on this Substitute Consent application by order dated 28th November, 2014 and under appeal reference number 07.SU.0038. That decision was quashed by order of the High Court and the case was remitted by that Court back to An Bord Pleanála for a new decision. A copy of the High Court order is attached to this letter for your information.

Having regard to the foregoing the appeal has now been reactivated.

Having regard to the High Court Order in this case, the quashing of the previous Board decision and the passage of time, the Board considers that it is appropriate in the interests of justice to now request you under section 131 of the Planning and Development Act 2000 to make any further general submissions/observations you may have on the planning application the subject of this appeal and on the updated Galway County Development Plan 2022-2028.

Any such submissions that you may have in response to this notice must be received on or before _ _ _ _ _

The Board cannot consider comments that are outside the scope of the matters in question. Your submission in response to this notice must be received by the Board not later than **5.30 p.m. on the date specified above.**

If no submission or observation is received before the end of the specific period, the Board will proceed to determine the appeal without further notice to you, in accordance with section 133 of the 2000 Act.

