



An
Bord
Pleanála

Board Order
ABP-313921-22

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/457

Appeal by the Connemara Environmental Action Association CLG care of FP Logue of 8/10 Coke Lane, Dublin against the decision made on the 30th day of May, 2022 by Galway County Council to grant subject to conditions a permission to M + M Caireal Teoranta care of Earth Science Partnership (Ireland) Limited of Tonranny, Westport, County Mayo in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of an area of 400 square metres which was subject to extraction of rock at Ballynahallia, Moycullen, County Galway.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to:

- (a) the extent of the proposed development, specifically the small scale of rock extraction,
- (b) the location of the site within a quarry, which is largely screened from view within the wider landscape, and its location within an area where quarries are prevalent,
- (c) the separation distance to Moycullen Nursing Home, Moycullen GAA pitch and residences in the vicinity,
- (d) the minimal traffic impacts arising from the proposed development, and the duration over which material was removed (that is, eight months),
- (e) the limited blasting (that is, two number blasts) used to extract the rock, which is unlikely to have resulted in any significant impact on Peregrine Falcons within the quarry,

- (f) the occurrence of the works during the day, which would limit disturbance to bats from artificial light, including Lesser horseshoe bats, should they have been present within the quarry during the course of works,
- (g) the source of extracted rock from the vertical sections/faces of the quarry, as opposed to the surface where Limestone Pavement is present, and the extent of Limestone Pavement which may have been removed relative to the extent of Limestone Pavement in the vicinity, the loss of Limestone Pavement would not have been significant,
- (h) the provisions of the Galway County Development Plan 2022-2028, including Objective MEQ 2 (Protection of the Environment) and DM Standard 18 (Extractive Development), and
- (i) the conclusion of the Appropriate Assessment Screening undertaken by the Board,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenity of property in the area, would not negatively impact the visual amenities of the area, would not result in significant traffic impacts in the vicinity, and would not have a significant impact on the environment, on ecology, or on European sites in the vicinity. The retention of the development would, therefore, be in accordance with the proper planning and sustainable development of the area. The Board was satisfied that a grant of retention permission for the proposed development would be consistent with national climate ambitions and with the relevant provisions of the Climate Action Plan 2024. Furthermore, the Board has performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low

Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Act 2021.

Appropriate Assessment Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European site.

In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion in the Inspector's report of the 18th December, 2024 in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of potential significant effects of the proposed development, either individually or in combination with other plans or projects on these European sites in view of the sites' Conservation Objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on European sites: Lough Corrib Special Area of Conservation (Site Code: 000297), Lough Corrib Special Protection Area (Site Code: 004042) or Ross Lake and Woods Special Area of Conservation (Site Code: 001312), or any other European site, in view of the sites' Conservation Objectives.

This screening determination is based on the following: the small scale of rock extraction in the overall context of the quarry site which could not have generated pollution potential of a magnitude that would have significantly affected European sites that may be indirectly connected by ground water flows in the wider area. Any minor impacts that may have been generated would have been of a low level, temporary in nature and quickly dissipated within the wider groundwater system. Such impacts alone or in combination with other projects would not have had potential to result in significant effects

on ground water dependent habitats or species that rely on those habitats in view of the conservation objectives of Lough Corrib Special Area of Conservation (Site Code: 000297), Lough Corrib Special Protection Area (Site Code: 004042) or Ross Lake and Woods Special Area of Conservation (Site Code: 001312).

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details with the planning authority and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development hereby permitted for retention is as described in the public notices and indicated on Drawing No. RP – 110 – 00, submitted to the planning authority on the 6th day of April 2022. No other works/development is hereby authorised by this grant of permission for retention.

Reason: In the interest of clarity.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within three months of the date of this Order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Tom Rabbette

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 7th day of Jan. 2025.

