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13/04/2022

File Ref: PL 21/236

Carraroe & District Regeneration Assoc
c/o Patrick Benson, Honorary Secretary
Carraroe, Co. Sligo

Re: **Planning & Development Act 2000 (as amended)**
Application by: Lagan Materials Ltd., c/o Tim Paul, SLR Consulting, Unit 7,
Dundrum Business Park, Windy Arbour, Dublin 14, D14 N2Y7

A Chara,

I wish to inform you that by order dated 12/04/2022, Sligo County Council decided to **REFUSE PERMISSION** to Lagan Materials Ltd., for development consisting of the recommencement of quarry operations within previously permitted quarry extraction area (c. 10.9ha), deepening of the previously permitted quarry area by 2 no. extractive benches from c. - 21m OD to -50m OD, recommencement of aggregate processing (crushing and screening) within the existing processing area, located to the east of the local road that bisects the site, provision of a settlement lagoon (c. 2,830m²), provision of a 2 no. wheelwashes, provision of a double stacked portacabin office; provision of a wastewater treatment system, additional stockproof/trespass proof boundary fencing, all within an application area of c. 22.5 hectares. The Planning application is accompanied by an Environmental Impact Assessment report (EIAR) and a Natura Impact Statement (NIS) at Aghamore Near, Aghamore Far and Carrownamaddoo townlands, Co. Sligo. I attach copy of Council's decision.

Any person has the right of appeal to An Bord Pleanála against the Council's decision on the application. Any such appeal must be addressed to: The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1, and should include the appellants name and address, details of the nature and site of the proposed development, the name of the Planning Authority, the Planning Register No. and the applicant's name and address. The appeal must be received by An Bord Pleanála within four weeks beginning on the date of the Council's decision. If no such appeal is lodged within the statutory period the grant of permission will issue as soon as may be after the expiry of the appeal period.

The full grounds of appeal and supporting material and arguments must be submitted from the start. The correct fee (see over) must also be enclosed. If an appeal does not meet all the legal requirements, it will be invalid and cannot be considered by the Bord.

Guide to Fees payable to An Bord Pleanála

This guide does not purport to be a legal interpretation of the fees payable to the Board. Further information in respect of fees can be obtained from the Board by contacting it at 64 Marlborough Street, Dublin 1. Tel: 01 8588100 email: bord@pleanala.ie or at www.pleanala.ie

SCHEDULE 1 – MATTERS CONSIDERED

Having regard to the following:

- the provisions of the Sligo County Development Plan 2017-2023
- the DoECLG Quarries and Ancillary Activities Guidelines for Planning Authorities (2004)
- the resource-based nature of the proposed development and the receiving landscape
- the history of material extraction and the planning history on the overall quarry lands
- the Appropriate Assessment Screening Report relating to the proposed development
- the Environmental Impact Assessment Report & Natura Impact Statement (as updated) relating to the proposed development
- the mitigation measures proposed to curtail the potential impacts of the development
- the reports of Environmental Scientist and Roads Engineer
- the submissions made by DAU, Irish Water, Inland Fisheries Ireland, An Taisce and HSE.

SCHEDULE 2 – REASONS FOR REFUSAL

1. On the basis of the information provided with the planning application, the Planning Authority is not satisfied that the proposed development either individually, or in combination with other plans or projects would not adversely affect the integrity of Lough Gill Special Area of Conservation ((Site Code) 001976), and in view of the conservation objectives of this site. The Planning Authority notes, in particular, the unsatisfactory information in relation to the impact of reduced groundwater resulting from dewatering arising from the proposed development and the potential for contamination of the site as a result of the proposed development and which it has not been adequately demonstrated can be mitigated. In such circumstances, the Planning Authority is precluded from granting permission.
2. Having regard to the nature, scale and extent of the proposed development, including the inadequacy of detail to mitigate against effects of the proposed development on the environment, in particular water quality, it is considered that in the absence of adequate information and proposals to address same, the proposed development would be prejudicial to public water supplies sourced from Lough Gill. The proposed development would therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

Appeals/Referrals under Planning Acts	Fee
<p>(a) Appeals against decisions of Planning Authorities Appeal</p> <p>(i) 1st party appeal¹ relating to commercial development² where the application included the retention of development.</p> <p>(ii) 1st party appeal relating to commercial development (no retention element in application).</p> <p>(iii) 1st party appeal non-commercial development where the application included the retention of development.</p> <p>(iv) 1st party appeal solely against contribution condition(s) – (2000 Act⁵ section 48 or 49).</p> <p>(v) Appeal following grant of leave to appeal.</p> <p>(vi) An appeal other than referred to in (i) to (v) above.</p> <p>(b) Referral.</p> <p>(c) Reduced fee for appeal or referral (applies to certain specified bodies).</p> <p>(d) Application for leave to appeal (section 37(6)(a) of 2000 Act).</p> <p>(e) Making submission or observation (specified bodies exempt⁶).</p> <p>(f) Request for oral hearing under section 134 of 2000 Act.</p> <p>Note: The above fee levels for planning appeals and referrals remain unchanged from those already in force since 2007 (but note the addition of NIS in (i) and (ii) above).</p>	<p>€4500 or €9,000 if an EIS³ or NIS⁴ involved</p> <p>€1,500 or €3,000 if EIS or NIS involved</p> <p>€660</p> <p>€220</p> <p>€110</p> <p>€220</p> <p>€220</p> <p>€110</p> <p>€110</p> <p>€50</p> <p>€50</p>
<p>Substitute Consent Part XA of 2000 Act</p>	<p>Fee</p>
<p>(a) Application for leave to apply for substitute consent.</p> <p>(b) Application for substitute consent.</p> <p>(c) Request for oral hearing under section 177Q of 2000 Act.</p>	<p>€3,000 except no fee where previous permission set aside by Court decision.</p> <p>Similar to fee for application to Planning Authority.</p> <p>€50</p>
<p>Strategic Infrastructure Development</p>	
<p>(a) Application for Strategic Infrastructure Development⁷ under Planning and Transport (Railway Infrastructure) Acts.</p> <p>(i) Application under section 37A, 182A or 182C of 2000 Act or section 47 of Transport (Railway Infrastructure) Act 2001.</p> <p>(ii) Application under section 181A of 2000 Act.</p> <p>(iii) Road Authority application under section 49 or 51 of Roads Act 1993.</p> <p>(iv) Application by Local Authority under section 175 or 226 of 2000 Act.</p> <p>(v) Application for compulsory acquisition of land (section 214, 215A or 215B of 2000 Act) relating to (i), (iii) or (iv) above.</p> <p>(b) Making submission or observation (specified bodies exempt⁶).</p>	<p>€100,000</p> <p>€60,000</p> <p>€60,000</p> <p>€30,000</p> <p>As (i), (iii) or (iv) above.</p> <p>€50</p> <p>€4,500 (€3,500 refunded if not more than 1 meeting held)</p> <p>€50</p> <p>€30,000</p>

(c) Request for pre-application consultations, section 37B, 181C or 182E of the 2000 Act or section 47B of Transport (Railway Infrastructure) Act 2001.	
(d) Request for an oral hearing under section 134 of 2000 Act.	
(e) Request for alteration under section 146B of 2000 Act.	
General	
(a) Request for scoping of an EIS.	€5,000
(b) Submission of EIS following request from Board.	€1,500
(c) Submission of NIS following request from Board.	Commercial development €1,500 Non-commercial development €220
Water Pollution/Water Services Act	Fee
Fees under section 66 of Water Services Act 2007 and section 8 of Water Pollution Act 1977, as amended.	
(i) Appeal.	€500
(ii) Reduced appeal fee.	€220
(iii) Submission/Observation.	€50
(iv) Request for Oral Hearing.	€50
Fees under section 20 of the Water Pollution Act 1977 (as amended). ⁸	€126
(i) Appeal.	€63
(ii) Reduced appeal fee (applies to certain specified bodies ⁶).	€38
(iii) Submission/Observation.	€63
(iv) Request for Oral hearing	
Air Pollution Act⁹	
Appeal.	€60
Submission/Observation.	€10
Request for Oral Hearing.	€60
Building Control Act 1990 (as amended)	
Appeal.	€500

¹ An appeal made by the person by whom the planning application was made.

² Commercial development includes residential development of 2 or more houses.

³ Environmental Impact Statement.

⁴ Natura Impact Statement.

⁵ 2000 Act means Planning and Development Act 2000 as amended.

⁶ A list of these bodies is available from the Board.

⁷ Where cost recovery applies fees are offset against costs incurred.

⁸ The Board's power to set fees does not cover fees relating to appeals under section 20 of the 1977 Act and these fees remain as set by Ministerial Regulation. In these cases the reduced fee applies to certain prescribed bodies.

⁹ The Board has no power to amend existing fees under the Air Pollution Act and these fees remain as heretofore as set by Ministerial Regulation.

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Karen Kennedy

VP Siobhan Gillen
Administrative Officer
Planning