



Planning and Development Acts 2000 to 2018

Planning Authority: Kerry County Council

Planning Register Reference Number: 17/14

APPEAL by Protect Caragh Lake Group care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 30th day of November, 2017 by Kerry County Council to grant subject to conditions a permission to Michael F. Quirke and Sons care of OES Consulting of Anfield House, Baldonnell Business Park, Naas Road, Dublin.

Proposed Development: The extraction of aggregate in a 14.38 hectare extension, to an existing quarry, and removal of same unprocessed aggregate to the existing quarry for processing. The processing infrastructure will remain in the existing quarry, and only one excavator and one articulated dump truck will work in the extension area, which is the subject of this planning application, all at Glannagilliagh, Caragh Lake, Killorglin, County Kerry.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. On the basis of the submissions made in connection with the planning application and the appeal, and in the absence of a Natura Impact Statement, the Board is not satisfied that the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment Special Area of Conservation (Site Code 00365), and Castlemaine Harbour Special Area of Conservation (Site Code 00343) in view of the conservation objectives for those sites. In such circumstances, the Board is precluded from giving further consideration to a grant of planning permission.

2. The proposed development is situated in a Rural General area in close proximity to Lough Caragh, which is located within an area designated as a Rural Prime Special Amenity Area in the Kerry County Development Plan 2015-2021. Notwithstanding the history of sand and gravel extraction in the area, it is considered, on the basis of the submissions made in connection with the planning application and the appeal, that the proposed extension to the south and south-west would seriously injure the rural and tourism amenities of the area and the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.