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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 18/1289**

**APPEAL** by Patrick Foran of Knockeen, Castleisland, County Kerry and by others against the decision made on the 10<sup>th</sup> day of September, 2019 by Kerry County Council to grant subject to conditions a permission to Roadstone Limited care of SLR Consulting Ireland of 7 Dundrum Business Park, Windy Arbour, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Erection and operation of an asphalt plant (stack height 20 metres), to include a recycled asphalt products (rap) plant and associated aggregate storage bays and storage area, all within an application area of circa 1.7 hectares at Ballyegan Quarry, Ballyegan, Castleisland, 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**

Having regard to the location of the proposed asphalt plant in close proximity to residential properties, and to the lack of adequate information presented in terms of capacity of the plant, the quantities and source of aggregate required to service the plant, and vehicular movements that would be generated, the Board is not satisfied that the proposed development would not seriously injure the amenities of properties in the vicinity by reason of noise and general disturbance, or that the proposed development would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**John Connolly**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**