

An
Bord
Pleanála

Board Order
ABP-312502-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 21/1199 (Listowel)

APPEAL by McSweeney Brothers Quarries Limited care of SLR Consulting Ireland of 7 Dundrum Business Park, Windy Arbour, Dublin against the decision made on the 14th day of December, 2021 by Kerry County Council to refuse permission for the proposed development.

Proposed Development: Recommencement and continuation of quarrying activities on the overall site of 3.3 hectares to include crushing, screening and processing of rock, and all ancillary site works for a six-year period.

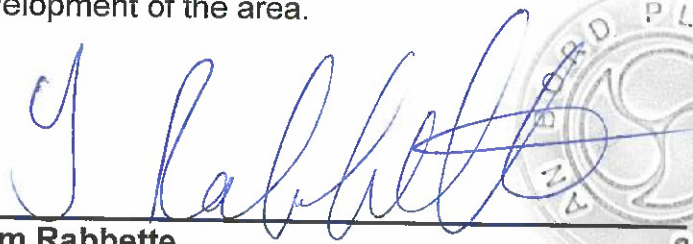
Permission for blasting and washing of aggregate. Portacabin (40 square metres), weighbridge and wheelwash. Installation of a packaged wastewater treatment system and polishing filter, all at Farranastack Townland, Lisselton, County Kerry.

Decision

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

Reasons and Considerations

1. Notwithstanding the proposals to provide four number passing bays on the L-6012 Local Road, the Board is not satisfied that the local road network has capacity to accommodate, in particular, the HGV traffic associated with the proposed development. It is further considered that the existing road pavement and material in its makeup is not sufficient to accommodate the traffic associated with the proposed development. The proposed development would, therefore, endanger public safety by reason of traffic hazard and an obstruction to road users, and would be contrary to the proper planning and sustainable development of the area.
2. The Board is not satisfied that the receiving waterbody, the Kilmulhane Stream, has the assimilative capacity to receive and transfer the water discharge proposed from the site, in addition, the proposed receiving waterbody is a tributary of the Casheen River, a transitional waterbody, which is currently classified as being of poor water quality status. Having regard to the foregoing, the Board is not satisfied that the proposed discharge would not be injurious to the receiving waterbodies. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Tom Rabbette

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 27th day of Sept. 2023.