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**Planning and Development Act 2000, as amended**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 2460099**

**Appeal** by An Taisce against the decision made on the 16<sup>th</sup> day of April, 2024 by Kerry County Council to grant subject to conditions a permission to Sunville Construction Limited in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention permission to retain previously quarried area of 2.20 hectares together with associated structures and Permission for continuation of aggregate processing activities within retained site at Rossacroo Wood, Crohane, Clonkeen, Killarney, County Kerry.

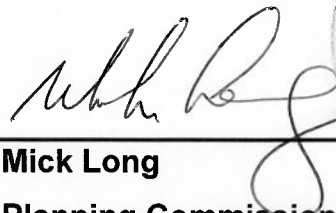
## **Decision**

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

## Reasons and Considerations

1. Having regard to the documentation provided with the application, to the observations made on site by the Commissions' Scientist and Ecologist incorporated into the Inspector's report, to the most recent water quality sampling results available for the River LOO\_010 and to the absence of any water quality monitoring data for the watercourse which flows through the site (piped) which is a tributary of the River Loo, the Commission cannot be satisfied that the proposed development and development proposed to be retained, individually or in combination with other plans and projects would not be likely to have a significant effect on the Killarney National Park, McGillicuddy's Reeks and Caragh River Catchment Special Area of Conservation (site code: 000365) in view of the site's conservation objectives. The Commission cannot therefore be satisfied that a remedial Natura Impact Statement is not required. In such circumstances, the proposed development would not comply with Objective KCDP 11-2 of the Kerry County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.
2. Having regard to the documentation provided with the application, to observations made on site, to the most recent water quality sampling results available for the River Loo\_010 (IE\_SW\_22L040400) and to the absence of any water quality monitoring data for the watercourse which flows through the site (piped), the Commission cannot be satisfied that the proposed development and development proposed to be retained would not result in the risk of qualitative deterioration of the River Loo\_010, either on a temporary or permanent basis. The proposed development and development proposed to be retained would, therefore, be contrary to

Development Plan Objective KCDP 13-1, which seeks to ensure compliance with the Water Framework Directive, and to the proper planning and sustainable development of the area.



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**Mick Long**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 28<sup>th</sup> day of January 2026.