

An
Bord
Pleanála

Board Order
ABP-321713-25

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 2460299

Appeal by Peter Sweetman, Wild Ireland Defense CLG, PO Box 13611, Bantry, County Cork against the decision made on the 19th day of December 2024 by Kerry County Council to grant permission, subject to conditions, to Roadstone Limited care of MKO Planning and Environmental Consultants of Tuam Road, Galway for the proposed development.

Proposed Development: Retention of an existing water recycling system and associated works, comprising: (A) Four number concrete settlement tanks, (B) 2.35 metres high paladin fencing surrounding tanks, (C) wash in ramp, (D) access stairs and prefabricated gantry, (E) chambers and underground pump to water storage tank. The gross area of the proposed works subject of this retention planning permission application is 923 square metres at Killarney Roadstone Quarry, Killarney, in the townland of Clasheen, County Kerry.

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Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the objectives of the Kerry County Development Plan 2022-2028, and to the established use of the site, it is considered that the development proposed to be retained, subject to compliance with the conditions set out below, would be in compliance with the provisions of the current development plan, would not affect the amenities of the area, and would be acceptable in terms of environmental sustainability. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment – Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of identification of the European site which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans and projects, on this European site in view of the site's conservation objectives, and concluded that a Stage 2 Appropriate Assessment is not required.



Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received by the planning authority on the 28th day of November 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority within three months of the date of this Order and the development shall be retained, carried out and completed in accordance with the agreed particulars.

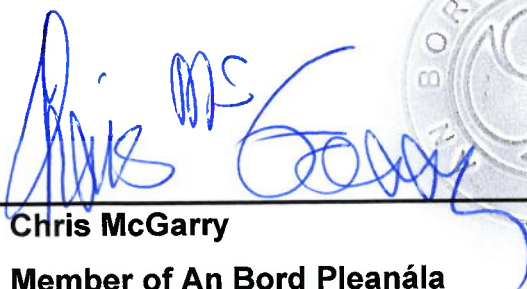
Reason: In the interest of clarity.

2. The developer/operator shall comply with the following:
 - (a) No polluting matters including sediment laden waters shall be discharged directly or indirectly to any waters from the development.
 - (b) The storage of any fuel/oil/chemicals shall be appropriately bunded and the developer shall ensure that no oil, grease or other objectionable matter is discharged into any soakaway, drain or watercourse.
 - (c) A suitable spill-kit shall be maintained on-site to deal with any spillages potentially arising at the facility. The kit shall include an adequate supply of containment booms and suitable absorbent material to contain and recover any spillage at the facility. Once

used, equipment shall be disposed of at an appropriate facility. All personnel on-site shall be made aware of the location and proper use of this material.

- (d) All waste material generated on-site shall be stored in the dedicated waste storage area prior to the off-site removal to an authorised waste facility or transfer to an authorised waste collector. Receipts shall be retained on-site for all waste material removed from the site and made available for inspection upon request by the planning authority.
- (e) The burning or burial of waste at the site is prohibited.
- (f) Any and all hazardous waste generated from the development shall be disposed of in an environmentally safe and appropriate manner and in accordance with the requirements of the appropriate legislation. All records relating to same shall be made available for inspection at the site office at all times.

Reason: In order to protect the environment.


Chris McGarry

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

Dated this  day of  2025.