

# Appeal Decision

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**Appeal Reference:** 2022/A0027  
**Appeal by:** Ardstraw Quarries Ltd  
**Appeal against:** The refusal of full planning permission  
**Proposed Development:** Retrospective application for extraction of basalt within existing quarry, retention of processing plant, weighbridge, site offices and access road including a lateral extension incorporating wheel wash, realigned quarry access road, landscaping and full site restoration.  
**Location:** Keady Quarry, 121 Broad Road, Limavady  
**Planning Authority:** Causeway Coast and Glens Borough Council  
**Application Reference:** LA01/2018/0570/F  
**Procedure:** Informal hearing on 13<sup>th</sup> January 2023  
**Decision by:** Commissioner Kenneth Donaghey, dated 4<sup>th</sup> April 2024

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## Decision

1. The appeal is allowed and full planning permission is granted, subject to the conditions set out below.
2. In reaching this decision I have, as required by the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2019, taken into consideration all of the environmental information presented in relation to the appeal proposal which includes the Environmental Statement, its appendices and addendums.

## Reasons

3. The main issues in this appeal are whether (i) a valid fall-back position exists, (ii) the development negatively impacts on the safety and convenience of road users and (iii) the development adversely affects the amenity of surrounding residents.
4. Section 45 (1) of the Planning Act (Northern Ireland) 2011 states that regard must be had to the local development plan (LDP), so far as material to the application, and to any other material considerations. Where regard is to be had to the LDP, Section 6 (4) of the Act requires that the determination must be made in accordance with the plan unless material considerations indicate otherwise. The Northern Area Plan 2016 (NAP) acts as the LDP for this area as Causeway Coast and Glens Borough Council has not yet adopted a plan strategy. The appeal site is in the countryside, outside of any settlement limit and within Binevenagh Area of Outstanding Natural Beauty (AONB).
5. The extraction of minerals is considered within the NAP. It states that “in determining planning applications, the need for the mineral resource will be

balanced against the need to protect and conserve the environment, taking into account all relevant environmental, economic and planning considerations". The NAP also directs that "proposals for extraction of all minerals will be determined in accordance with prevailing regional planning policy, currently set out in the MIN policies of the Planning Strategy for Rural Northern Ireland (PSRNI)".

6. As well as planning policies the NAP also directs to the Minerals Resource Map of Northern Ireland which was launched by the Environment Minister and the Minister of Enterprise, Trade and Investment in May 2012. The map was produced to provide a tool to assist future decisions on a county-to-county basis in relation to the continued supply of minerals and in the protection of the environment. The Mineral Resource Map indicates Keady Quarry as 'Mineral Workings'.
7. Paragraph 6.148 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) states that minerals are an important natural resource and their responsible exploitation is supported by Government. It further states that the minerals industry makes an essential contribution to the economy and to our quality of life, providing primary minerals for construction, such as sand, gravel and crushed rock, and other uses, and is also a valued provider of jobs and employment, particularly in rural areas. Paragraph 6.150 states that while minerals development delivers significant economic benefits, there are also a number of challenges arising from this form of development which fall to be addressed through the planning system. The effects of specific proposals can have significant adverse impacts on the amenity and wellbeing of people living in proximity to operational sites.
8. The SPPS is no more prescriptive than the mineral policies contained in the PSRNI on the issues raised in this appeal. In light of the transitional arrangements set out within the SPPS, the retained policy provisions of the PSRNI therefore remain applicable to the appeal before me.
9. The appeal site comprises a historic basalt quarry which is accessed from a small rural road referred to in some of the submitted documentation as Keady Road which links the Broad Road and Ringsend Road. Keady Quarry is situated around 4km to the east of Limavady on the western flanks of Keady Mountain. The lands surrounding the quarry comprise of open moorland to the east and deciduous woodland to the west.
10. The appeal site comprises around 4.8ha of upland. A significant volume of material has been removed from the site leaving a large western facing quarry face which comprises two distinct benches which are being worked in an easterly direction. The total height of both benches from the quarry floor is around 30 metres. The quarry floor sits around 20 metres above the level of the road. The access road to the quarry floor snakes directly north, then south (to account for this rise in gradient). The office and weighbridge which comprise part of this appeal are positioned at the point where the internal access road meets the working quarry floor.
11. Planning permission for the extraction of minerals at this site was granted through planning application B/1978/0124/F. There was no dispute that much of the area from which mineral had been extracted lay outside of the bounds of this approval. The appellant argues that this approval has been properly implemented and

represents a viable fall-back position. The Council are of the view that as commencement of the approval has not been demonstrated through an appropriate statutory mechanism, such as a Certificate of Lawfulness of Proposed Use or Development (LDC), then it cannot be considered as being properly implemented. Accordingly, they aver that the approval does not represent an appropriate fall-back position. The only information in respect of this approval which was presented by the parties was the decision notice and the site location map showing a red outlined area. At the hearing the Council confirmed that this was the only information which it possessed in respect of this approval.

12. Both the appellant and the Council agreed that the particular test for establishing an appropriate fall-back position is set out in the case of *Gambone v Secretary of State for Communities and Local Government [2014] EWHC 952 (Admin)*. It is the view of the Council that this case sets out three specific elements which must be considered to determine the weight afforded to a particular fall-back position.
  - Whether or not the way in which the land may be developed is a matter which amounts to a material consideration,
  - Where there is a greater than theoretical possibility that the development might take place, and
  - The scale of harm that would arise.
13. The Council consider that the appellant has not demonstrated compliance with the criteria above based on the assertion that the area which has been extracted from the existing quarry lies almost wholly outside the red line of the B/1978/0124/F approval. The Council consider that only the access road and a small section of lands wherein extraction has occurred are within the 1978 approval. Therefore, they have taken the view that this casts doubt on whether the 1978 approval was ever implemented. If not, it is the Council's view that the approval has expired and no lawful consent exists for quarrying at the site.
14. The Gambone case indicates that there should be a greater than theoretical possibility that the fall-back development might take place. This is further qualified by Hickinbottom J. in stating that "*The prospect of the fall-back position does not have to be probable or even have a high chance of occurring; it has to be only more than a merely theoretical prospect. Where the possibility of the fall-back position happening is 'very slight indeed' or merely 'an outside chance, that is sufficient to make the position a material consideration. Weight is, then, a matter for the planning committee*".
15. The Council refer specifically to the case of *Saxby v Secretary of State for Environment, Transport and the Regions and Westminster City Council [1998] EWHC Admin 462* to argue their position. The Saxby case held that in the scenario where a particular statutory mechanism existed to determine whether a proposed use or operation requires planning permission, then an applicant could not expressly require the authority to make a formal determination of whether planning permission was required. This specifically considers an instance when a statutory mechanism is being sidestepped where a formal determination is required.
16. The appellant has provided a significant volume of case law to demonstrate that the position of the Council in regard to their application of Saxby is incorrect. The

Council disagrees. The assessment of whether a fall-back position exists in the particular evidential context of this appeal does not, in my judgment, necessarily depend on the existence of an LDC. As a material consideration in the appeal, I am content to assess the evidence which the appellant has submitted which, it is argued, demonstrates that there is a fall-back position which should be given determining weight. This is discussed below.

17. The case of *Malvern Hills DC v SSE & Barnes Co* [1982] JPL 439 has been provided by the appellant to demonstrate his case that the threshold that constitutes a material start in respect of the winning and working of minerals is relatively low. The appellant has also referred to the acknowledged principle in *Thomas David (Porthcawl) Ltd v Penybont Rural District Council* (1972) which established that when development consists of mining operations, every shovelful extracted is a mining operation constituting a separate act of development.
18. By the Council's own admission there have been works carried out within the red line of the 1978 approval including the construction of the access. A small portion of the existing quarry face also lies within the red line of the approval and there has been a significant amount of extraction of hard rock in the vicinity of the site. Whilst there are significant mineral reserves remaining within the 1978 permission which have not yet been won, the appellant is of the view that there is no technical obstruction to them being extracted.
19. Two sworn affidavits have been provided by the appellant from the owners and operators of the quarry. Mr Daniel Moore was the quarry manager from 1973 until 2001 and Mr Shaun James Mullan was a director of the company which owned the quarry, B. Mullan and Sons (Contractors) Ltd, from 1979 until 2019. Both sworn affidavits refer to the operation of a hard rock quarry at the site from 1979. Mr Shaun Mullan who appeared at the hearing stated that material was extracted from the area of the 1978 approval in order to create the access road. He advised that he then moved outside of its scope due to the particular quarrying techniques used at that time and to work a vein of good quality basalt.
20. The appellant has also provided several pieces of correspondence from the Council dating from August 2016 – May 2019. These letters allege that the appellant had been engaging in quarrying activity out with the bounds of the 1978 approval. In addition to the letters, the Council provided a geometrically corrected orthographical image stating that "the only permitted area within the site is that within the red line as per the attached ortho image". The appellant argues that the Council were satisfied at this point, that the 1978 approval remained extant.
21. It is clear from the evidence presented that a hard rock quarry has been in operation in the location of this site for a significant period. The affidavits and associated verbal evidence given at the hearing demonstrate that quarrying has been taking place in the general location of the site. However, the evidence lacks sufficient detail to fully satisfy me that the works were within the bounds of the 1978 approval. Furthermore, the physical impact of the quarrying upon the landscape at the site demonstrates that only minimal works were undertaken within the bounds of the 1978 approval. I have not been furnished with persuasive evidence to demonstrate that these works were completed in compliance with the 1978 approval. Whilst an access was created through the approved site, I have not been persuaded that this was carried out for the purposes of implementing the

permission. The appellant's fall-back position relies primarily on demonstrating if a historic approval has been properly commenced. All in all, the evidence does not conclusively demonstrate that the previous approval has been commenced. Accordingly, I place limited weight upon the appellant's fall-back position.

22. In any event, this appeal seeks retrospective permission for the extraction of basalt within the quarry which covers the extent of the area which was won and worked without consent, as well as a lateral extension to the west. The Council offered no objections to the principle of the development. The Council's objections are in respect of the access to the development namely where the Keady Road meets the Ringsend Road. It is the appellant's view that the improvement to the of splays onto the Ringsend Road cannot be required as they are considerably beyond the point at which the access for the development meets the public road. The appellant has provided appeal decisions 2012/A0264 & 2013/A0113 in support of their view that Policy AMP 2 of PPS 3 can only be applied where the access meets the public road. The appellant is of the view that the policy text restricts the application of the policy to development proposals involving direct access, or the intensification of the use of an existing access, onto a public road. It is then argued that the policy cannot be applied beyond the point where the access meets the public road.
23. The Council argue that the last bullet point of Policy AMP2 allows for consideration to be given to the standard of the existing road network together with the speed and volume of traffic using the adjacent public road and any expected increase. The Council contend that in applying this part of the policy, they are entitled to seek improvements to junctions beyond the point where the access meets the public road.
24. Policy AMP 2 relates to the creation of direct accesses or the intensification of existing accesses onto the public road. In this instance the appellant has provided sufficient visibility at the direct access onto the public road. Whilst the suitability of the wider road network is a factor in considering the acceptability of the access arrangements, to insist on visibility splay and forward sight distance improvements at the junction of Keady Road and Ringsend Road goes beyond the requirement of Policy AMP 2 as this is far beyond the point of direct access from the appeal site onto the public road.
25. Notwithstanding the above, the existing visibility standards at the junction of Keady Road and Ringsend Road should be considered to ascertain the suitability of the wider road network to accommodate the proposed development. The Council have stated that visibility splays of 2.4 metres by 160 metres are required in both directions as well as a forward sight distance of 160 metres. They further state that a visibility splay of 2.4 metres by 60 metres is available in the western direction and 2.4 metres by 40 metres is available in the eastern direction. This differs significantly to the appellants assessment (2.4 metres by 86 metres is available in the eastern splay and 2.4 metres by 160 metres is available in the western direction).
26. From my own assessment, the Keady Road joins the Ringsend Road at a long, straight part of the road and the public verge is substantial in both directions. However, the level of the road rises to the west which creates a small crest approximately 260 metres from the junction. There are a series of telegraph poles

along the eastern verge of Ringsend Road which are set approximately 1.5 metres back from the edge of the public road on the verge. The roadway rises gradually as it moves past the junction with Keady Road to another small crest which is approximately 80 metres to the east of the junction. After this crest, the roadway rises gently again for approximately 250 metres.

27. The visibility from the junction is not curtailed by any physical roadside item or structure, nor is it impeded by the curvature of the road. Instead, the small crest to the east of the junction reduces the visibility and forward sight distance to a limited extent. Much of the traffic from the development which would be utilising this junction would be larger articulated vehicles which would be collecting or removing minerals from the site. The Transport Assessment Form (TAF) which accompanied the ES details that there will be 48 return lorry journeys made to the site each week. The larger Heavy Goods Vehicles (HGV) which are used to remove material from the quarry by their nature, have a driving position which is higher than the average car or van. Therefore, the impact of the small crest upon visibility at this junction would not significantly affect drivers of the larger HGV vehicles which would be used to servicing the quarry.
28. Fall-back position aside, there have been vehicle movements associated with a quarry at this junction for a significant number of years. Furthermore, this is a junction of two public roads rather than a direct private access onto a public road, which is regularly used by all types of vehicles without restriction. While the submitted evidence records two road traffic collisions at this junction in the period 2017-2020 none involved HGVs. The TAF states that there will be 5 car driver journeys to the site per day associated with the quarry. This volume of car traffic is not significant so, in my judgment, it would not lead to an unacceptable level of intensification at this junction. Drivers of smaller vehicles may experience a slight reduction in visibility due to the topography of the roadway, however this is not significant as borne out by my on-site observations. Therefore, I consider that the standard of the existing road network is suitable for the proposed development. The Council's reasons for refusal in relation to this issue are not sustained.
29. Third parties consider that the appeal development has a significant impact upon the amenity of surrounding residents by way of noise nuisance. Parties advised that the intensity of use at the quarry has been much reduced over recent years but that any further approval would lead to an increase in the intensity of works. The Environmental Statement (ES) which accompanied the application contained a chapter which addressed noise emissions from the development. This was assessed by the Environmental Health Department (EHD) within the Council who found the methodology and conclusions of the report to be acceptable. I was not presented with any technical evidence to suggest that this report, or the analysis of it by the Council's expert department, was flawed.
30. I was presented with specific circumstances in respect of noise which detailed the impact of quarrying at the appeal site upon a young dependant of a third party who is visually impaired. The level of impairment is such that the party is being taught to use echolocation and other techniques to navigate day to day life. I was advised by the party objecting that the impact of noise upon this young person would be significantly more profound than it would be on residents who have full sight. This young person relies upon hearing to interact and navigate their surroundings in the absence of sight. The party objecting advised that this was why he chose to locate

to this quiet countryside location. I was told that sudden loud noises or an elevated background noise are likely to cause fear and anxiety to this young person. I was not advised of any particular noise limits which are applicable to parties with a visual impairment. EHD suggest an upper noise limit of 40dB which is around 10dB above the recorded background noise level. However, at the identified third party location the noise levels from the development are predicted to be well below this level. Whilst there are elevated noise levels from the development throughout its hours of operation, I do not consider that these are significant enough, even to more sensitive residents, to sustain an objection that warrants a refusal on this discrete ground.

31. EHD have suggested particular measures which should be conditioned as part of any approval, these include;
- an overall noise limit of 40.2 dB,
  - acoustic quilting to be used to screen noise from the pre blasting drilling rig,
  - opening hours of 7am – 5pm,
  - allowances for an upper daytime noise limit for an 8-week period only to allow for blasting and preparatory works, and
  - stipulations for existing plant.

At the hearing parties agreed that a condition requiring further site monitoring in the event of a justifiable complaint was appropriate.

32. Third parties to the appeal raised the impact of the development upon private and public water supplies. Objectors stated that a blasting incident at the site in November 2016 had damaged and disrupted private water supplies. Parties advised that whilst this issue has now been resolved, the possibility remains that private water supplies may be impacted upon by further blasting at the site. The ES provided with the planning application indicates that the objector who was primarily affected by the disruption shall be connected to the mains water system at the developer's expense. This removes the reliance on a private water supply for any parties which may be further affected and can be adequately conditioned. The objectors' concern in relation to this matter are not sustained.
33. The wider effects of blasting at the site were also raised by third parties as having a significant impact upon their amenity. Parties alleged that they have suffered property damage because of the blasting. They also allege that the blasting has a significant impact upon residential amenity by way of noise and dust impacts. Any blasting at the site must be carried out in compliance with limits set by separate statutory regimes. The ES states that the blasting will be subject to strict vibrational and air pressure limits which will reduce the risk of any damage to properties in the vicinity. Blasting will be carried out approximately once every six weeks. Due to the controlled nature of the blasting and the limited frequency, it is unlikely that any impacts will be of such a magnitude or frequency to unacceptably impact upon the amenity of the residents at nearby properties. Furthermore, the frequency and magnitude of blasting at the site can be restricted to an acceptable level by an appropriate condition. The objectors' concern in relation to this matter are not sustained.
34. Third parties raised the possibility of land slide or land slippage because of the quarrying activity and the blasting at the site. It was specifically indicated that part

of the public road and private laneway were erected upon historic spoil heaps that may be prone to slippage in the event of blasting or overuse by heavy vehicles. The Council advised that this issue was assessed by Geographical Survey (NI) who did not raise any concerns in respect of land slippage. Furthermore, the ES contains a geotechnical report and a drainage report, both of which address the issue of land slippage. These sections conclude that the risk of land slippage is minimal and is not exacerbated by the development. The point raised by the objectors was theoretical in nature and was not substantiated by any technical reports or surveys. The drainage report advised that run off from the site should be restricted to the 'Green field run off rate' to further reduce the risk of landslide or slippage, this can be adequately conditioned. Thus, I attribute more weight to the ES and the position of the statutory agency which has responsibility and expertise in such matters. The objectors' concerns in respect of this matter are not sustained.

35. Third parties also raised the potential impact of the proposal upon an adjacent scheduled monument. Keady Burial Cairn (LDY010:007) is located to the southwest of the existing quarry face. An archaeological report was submitted as part of the ES. This recommended a 50-metre buffer between the monument and the workings of the quarry. The report has been supported by NIEA Historic Environments Division who agree that a 50-metre buffer is acceptable in order to protect the character and integrity of the scheduled monument. I have not been provided with any expert opinion or further evidence to rebut the position taken by NIEA Historic Environments Division. Whilst the required buffer is shown on the plans for the development, it can also be enforced by a condition of approval. Therefore, the objectors' concern in respect of this matter are not sustained.
36. Third parties expressed concern at the presence of fuel at the site and the possibility of a spillage and resultant environmental impacts. The appellant advised that the environmental measures for reducing the risk of pollution are within the submitted Environmental Management Plan (EMP) which can be adequately conditioned. The Council considered this EMP to be adequate to reduce the risk of pollution incidents and provided a condition in respect of it. The Council also provided a condition requiring a 10m buffer between any refuelling area and any watercourse or drainage system. The stated conditions provide sufficient protection to the surrounding aquatic environment from accidental pollution and would be necessary.
37. As the Council's reasons for refusal and the concerns of the objectors have not been sustained, the appeal is allowed subject to the following conditions.

## **Conditions**

- (1) The Environmental Management Plan (EMP) and the Restoration Plan (Drawing 09 Rev 2, date stamped 7<sup>th</sup> August 2019) shall be implemented in accordance with the approved details and all works on site shall conform to the EMP and Restoration Plan unless otherwise agreed in writing by the Planning Authority. Annual reports detailing the results of the monitoring of target habitats by a competent ecologist for the first 5 years following commencement of works must be submitted to the Planning Authority within 6 months of the end of each reporting year.



- (2) A suitable buffer of at least 10 metres must be maintained between the locations of all refuelling, storage of oil / fuel, concrete mixing and washing areas, storage of machinery / spoil / material etc. at construction / operational / decommissioning phases and all watercourses, as well as the surface water drainage system.
- (3) Prior to discharge to watercourses, any surface water generated during the construction, operation and decommissioning phases of development must first pass through appropriate treatment such as sediment traps and hydrocarbon interceptors. The maximum discharge leaving the site must be the equivalent of the 'Green-field Runoff' rate.
- (4) The quarry shall only operate between the following hours:-  
Monday – Friday: 7am – 5pm  
Saturday: 7am – 1pm  
And at no times on Public Holidays & Sundays.
- (5) Noise from the quarry activities shall not exceed 40.2dB(A) Leq, 1hr (free field).
- (6) In the event of increased temporary daytime noise, noise levels shall not exceed 70dB(A)Leq (free field) for periods up to a maximum of 8 weeks in any one 12 month period at the nearest noise sensitive receptor(s).
- (7) Acoustic screening such as an acoustic quilt shall be placed close to the drilling rig when in operation in preparation for blasting.
- (8) Any installed replacement plant must not exceed the noise levels for existing plant. A post installation survey shall be undertaken to verify compliance with the quarry noise limit of 40.2dB(A)Leq, 1hr(free field).
- (9) Within 28 days of the receipt of a written request from the Planning Authority following a complaint which it judges to be reasonable from an occupant of a dwelling relating to noise from the quarry, the quarry operator shall, at his or her expense, employ a suitably qualified and competent person to undertake a noise test at the complainant's property to assess the level of noise immissions from the quarry and submit the results of the test including all calculations, audio recordings and the raw data upon on which it was based to the Planning Authority. The test results shall be submitted to the Planning Authority within three months of the date of the written request, unless otherwise agreed in writing with the Planning Authority.
- (10) Blasting shall only take place once every two months and shall only be undertaken between the hours of 8am and 5pm Monday to Friday. No blasting shall take place at weekends or on public holidays. Unless otherwise agreed in writing with the planning authority.
- (11) The maximum satisfactory magnitude of vibration with respect to human response shall not exceed 10ppv mm/s and air overpressure shall not exceed 128dB.
- (12) No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant

and approved by the Planning Authority. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

- (13) Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities - Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

This decision approves the following drawings:-

<b>Drawing Number</b>	<b>Drawing Title</b>	<b>Scale</b>	<b>Date received by Council</b>
01	Site Location Plan	1:2500 @ A3	2 <sup>nd</sup> May 2018
02	Proposed Site Layout	1:1000 @ A3	14 <sup>th</sup> May 2018
03	Existing Site Layout	1:2000 @ A3	2 <sup>nd</sup> May 2018
04	Phase 1 Extraction Plan	1:2000 @ A3	2 <sup>nd</sup> May 2018
06	Phase 2 Extraction Plan	1:2000 @ A3	2 <sup>nd</sup> May 2018
07	Phase 3 Extraction Plan	1:2000 @ A3	2 <sup>nd</sup> May 2018
08	Cross Sections	1:2000 @ A3	2 <sup>nd</sup> May 2018
09 Rev 2	Restoration Plan	1:2000 @ A3	7 <sup>th</sup> August 2019
10	Restoration Plan Sections	1:2000 @ A3	2 <sup>nd</sup> May 2018
11	Wheel wash plan	NTS	14 <sup>th</sup> May 2018
12	Mobile crushing & screening plant general arrangement	NTS	14 <sup>th</sup> May 2018
13	Weighbridge Office & Store	NTS	14 <sup>th</sup> May 2018
14 Rev 1	Ringsend Rd Visibility Assessment	1:500 @ A1	8 <sup>th</sup> April 2019
15 Rev 1	Ringsend Rd Proposed Layout	1:250 @ A1	8 <sup>th</sup> April 2019
16 Rev 1	Quarry Access 1 of 2	1:250 @ A1	8 <sup>th</sup> April 2019
17 Rev 1	Quarry Access 2 of 2	1:250 @ A1	8 <sup>th</sup> April 2019

## **COMMISSIONER KENNETH DONAGHEY**

Note: The validity of this decision may be challenged by applying to the High Court for a Judicial Review. This must be done promptly and in any event within three months of the date of this decision.

**List of Appearances**

Planning Authority:- Mr S Mathers (Causeway Coast and Glens Borough Council)  
Ms E Olphert (Causeway Coast and Glens Borough Council)  
Mr G Doherty (Causeway Coast and Glens Borough Council)  
Mr A Gillen (DFI Roads Service)

Appellants:- Mr W Orbinson KC  
Ms Nicole McAlorum (Carson McDowell Partnership)  
Mr T Beattie (6West)  
Mr J Hurlstone (Hurlstone Partnership)  
Mr Aidan Harley (Ardstraw Quarries Ltd)  
Mr Dermot Harley (Ardstraw Quarries Ltd)  
Mr B Mullan  
Mr S Mullan

Third Parties:- Mr W Stewart (Keady Residents Association)  
Mr N Bateson (objector)

**List of Documents**

Planning Authority:- "A" Statement of case and appendices  
"A1" Rebuttal to cost claim

Appellant(s):- "B" Statement of case and appendices  
"B1" Statement of case summary report  
"B2" Legal submission and cost claim

Third Parties:- "C1" Statement of Case and appendices (Mr N Bateson)  
"C2" Statement of Case and appendices (Mr W Stewart  
Keady Residents Association)