Validation Checklist

Lodgement Number: LDG-070505-24

Case Marber: ABP-319224-24
Custo Ar: Patricia Murphy and Larry Murphy

Lodgement Date: 07/03/2024 11:21:00 Validation Officer: Daniel O'Connor PA Name: Kildare County Council

PA Reg Ref: 2360266

Case Type: Normal Planning Appeal PDA2000

Lodgement Type: Appeal



Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
3rd Party Acknowledgement	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes
Valid Lodgement Channel	Yes
	•

BP01M to appellant with receipt and copy of all other appeals enclosed

12/3/24 D.C.

Run at:

11/03/2024 10:12

Run by:

Daniel O'Connor

Lodgement Cover Sheet - LDG-070505-24

Details

Lodgement Date	07/03/2024
Customer	Patricia Murphy and Larry Murphy
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	rl521364044ie

DO-018371-24



Lodgement ID	LDG-070505-24
Map ID	
Created By	Andrea Caraus
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	2266, 66

A Name	Kildare County Council
Sase Type (3rd Level Category)	

Observation/Objection Allowed?	
	PMT-054908-24
Related Payment Details Record PD-054780-24	PD-054780-24

Fee and Payments

Appeal Processing

Categorisation

Lodgement Type

Section

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

Appeal

Check Validates of Acknowledgements + Address of Apellant

Run at: 07/03/2024 11:31

Run by: Andrea Caraus

Appeals Type

PA Case Details Manual	
PA Case Number	
PA Decision	
PA Decision Date	
Lodgement Deadline	
Development Description	
Development Address	

Run at: 07/03/2024 11:31 Run by: Andrea Caraus

The Secretary
An Board Pleanala
64 Marlborough Street
Dublin 1
D01 V902

March 1st, 2024

2801 Seaview Road Victoria British Columbia V8N 1K9

А	N BORD PLEANÁLA
LDG	070505-24
ABP	
	0 7 MAR 2024
Fee: €	230.00 Type: pro
Time:	10:11 By: reg post

Re: Appeal of Decision of Kildare County Council Planning Permission Reference 2360266 Applicant: Kilsaran Concrete Unlimited Company

Dear Sir or Madam,

We are writing to appeal the Decision of Kildare County Council to grant Kilsaran Concrete Unlimited Company (the Applicants herein) permission to carry out quarry development and associated works at Kilrainy and Kilrathmurray townlands, Clonard, Co. Kildare pursuant to Planning Permission reference 2360266. The decision of Kildare County Council was made on the 13th of February 2024.

We wish you to know that we objected to this Application on numerous grounds and to also inform you that a previous Application was brought by the Applicants, Application No. 2283 which was denied by Kildare County Council.

The Applicants have been operation this quarry and associated works for over 25 years and during that time no information was ever supplied to the residents of R148 with regards to any monitoring, notice of accidents, spills etc. The residents were required to accept trucks going up and down the road all day every day of the week and a half day on Saturday. To now have the potential for another 10 years should this application be allowed is just too much.

We own 30 acres of land directly across from the current gates of this Sand Pit and land is also bordered by the Annagh Stream that runs past the quarry and onto our land. It is this stream that eventually flows into the River Boyne. Should pollution or contaminants be washed into the Boyne it will go through our land first.

Schedule 1 - Considerations and Reasons on which this Decision is based as required By Article 31 of the Planning and Development Regulations 2001 (as amended).

The Kildare County Council have decided to grant approval subject to the Applicants being compliant with the conditions attached as they feel it would not seriously injure the amenities of the area or of the property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

We find this not to be true.

The value of the land will most certainly be affected and property owners will have their homes affected. How can allowing a quarry to continue operating not affect the value of the surrounding area? We would ask you to find anywhere in the Republic of Ireland, where having a quarry continue its operations did not have a detrimental effect on the physical structure of properties as well as the financial value.

They say amenities will not be affected. The continued use of the R148 Road by trucks coming and going, loaded down with sand, gravel and blocks from 7.00 am – 6.00 pm 5 days a week and half a day on Saturday will have an enormous effect on the ability of anyone to use the road. How can you honestly think a person can ride a bike, go for a run or walk, take a baby out for a walk in a buggy and not risk their life. How can other motorists going to work in the mornings, parents taking their children to the local school 3 kilometers away not be impeded by the constant truck and quarry pit traffic.

Having trucks driving past with dust, particulates, dirt, sand, blowing around also affects the air one is breathing and can cause all sorts of respiratory illnesses, particularly for children and the elderly.

Schedule 2 – Conditions to Apply. The development shall be operated and Managed in accordance with the Environmental Management System (EMS) Submitted to the Planning Authority on 15th December 2023. The reason given: In the interest of environmental protection.

Kildare County Council has imposed certain conditions and specifications. They have allowed for continued use for another 10 years and with two years for the restoration and remediation of the site to its former state.

Why is it being allowed at all? Surely if all the sand and gravel have been removed from this site what advantage to the area and surrounding households is to be gained from having 35,000 tonnes of aggregate, sand brought in from other locations every year. There is no material benefit whatsoever to the environmental area of the quarry, to flora, fauna, water, citizens, roads, rivers

and streams by allowing it to continue. The only benefit is monetary to the Applicants. Kildare County Council by requesting 3,539,605.82 euros contribution will also benefit. Who stands to lose the most? The local residents, the rivers, streams, the roads and the environment of the area in general.

Kildare County Council have also asked for a sum of money to be set aside in trust for remediation of the quarry to its pre-quarry state. We would urge you most strongly, if you grant approval, this sum of money be confirmed and set in escrow before work commences. Similarly the 3,539,605.82 Euros be received before work commences. There are too many abandoned quarries, mines etc. left by companies, who for one reason or another walk way from proper clean up and leave it in the hands of the local authorities and taxpayers.

Kildare County Council have requested numerous monitors and continuous monitoring of the air, water, noise, pollution, ground water, wastewater, the amounts of materials brought in and removed. That is all very admirable and completely necessary.

However, this monitoring is to be done by the Applicants themselves. How can this be acceptable? There is no independence, no third party with no vested interest group doing the monitoring? This is a situation akin to a fox guarding the hen house. Completely and utterly unacceptable in this era of environmental awareness and responsibility for the care of our countryside.

People's lives are at risk here from poor water quality, dangerous road conditions and poor air quality.

This monitoring needs to be verifiable by independent, Kildare County Council approved expert companies with good environmental credentials. It needs also to be readily available to the public and interested public parties.

If you are going to allow the Applicants to continue to destroy the countryside you can at least allow the citizens to know what is going on in their locale.

However, We would urge you to make a careful consideration on this application and to give our appeal your due diligence.

Ireland is very fortunate to have a wonderful countryside. I would urge you not to be the ones that allowed it to be destroyed.

We will look forward to hearing from you in due course.

Yours sincerely,

Patricia Murphy

Patricia Murphy

Larry Murphy

Address In word like 19 act in my objection to Planting Application to 2050;266 for the evidentium of word for the part in my objection to Planting Application to 2050;266 for the evidentium of word for the part in my objection to Planting Application to the summy objection of Committee United States of the Committee United States of Committee United States of the Comm		100
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		the constant promote and the County to becoming a vast quarry. Thank you for taking the

relation to application

e Number	2360266
me	Unlimited Company Kilsaran Concrete
dress	Kitrainy and Kitrathmurry Townlands, Clonard, Co. Kildate A83 DW26

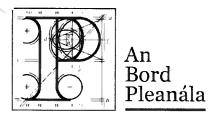
Acknowledgement of manifold authension on a planning application

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Planning Appeal Form

Your details

Your full details:

1.

	(a)	Name	Patricia and Larry Murphy
	(b)	Address	2801 Seaview Road, Victoria, British
			Columbia.V8N 1K9
	151607220		
\ge	nt s	details	
2.	Age	ent's details (if app	plicable)
2.			
2.	If ar	agent is acting for	you, please also provide their details below. If you
2.	If ar	agent is acting for	
2.	If ar	n agent is acting for not using an agent	you, please also provide their details below. If you, please write "Not applicable" below.
2.	If ar	n agent is acting for not using an agent	you, please also provide their details below. If you, please write "Not applicable" below.
2.	If ar are (a)	n agent is acting for not using an agent Agent's name	you, please also provide their details below. If you, please write "Not applicable" below. N/A

Appellant's details (person making the appeal)

Postal address for letters

	During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)					
	You (the appellant) at the address in Part 1	✓	The agent at the address in Part 2			
ta	ils about the propo	sed	development			
4.	Please provide details about	the pla	nning authority decision you wis	h to		
		include	e a copy of the planning authority			
(a)	Planning authority					
	(for example: Ballytown City Council)					
	(for example: Ballytown City Council) Kildare County Council					
	Planning authority register reference number					
(b)	Planning authority register	refere	nce number			
(b)	Planning authority register (for example: 18/0123)	refere	nce number			
(b)		refere	nce number			
	(for example: 18/0123)					
(b)	(for example: 18/0123) 2360266	lopme	nt			

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Please find attached letter detailing the grounds for our appeal.

Supporting material

- **6.** If you wish you can include supporting materials with your appeal. Supporting materials include:
 - photographs,
 - plans,
 - surveys,
 - drawings,
 - digital videos or DVDs,
 - technical guidance, or
 - other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **rnust** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You must make sure that the correct fee is included with your appeal.
You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the "yes, I wish to request an oral hearing" box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the "No, I do not wish to request an oral hearing" box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing



NALA has awarded this document its Plain English Mark Last updated: April 2019.

