

File With _____

SECTION 131 FORM

Appeal NO: ABP 319224-24Defer Re O/H ☐Having considered the contents of the submission dated/ received 20/1/25
fromPatricia Murphy I recommend that section 131 of the Planning and Development Act, 2000
be/~~not be~~ invoked at this stage for the following reason(s): No new planning issuesE.O.: Daniel O'ConnorDate: 22/1/25

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached
submission

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

CORRESPONDENCE FORM

Appeal No: ABP 319224-24

M _____

Please treat correspondence received on 21/1/25 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP 233. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

Amendments/Comments

Patricia Murphy's response to S131notice

4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☒D O ConnorEO: Daniel O ConnorDate: 21/1/25Plans Date Stamped ☐Date Stamped Filled in ☐AA: Farla B. B. B.Date: 22/01/2025

From: Trish Murphy <trish_murphy75@hotmail.com>
Sent: Monday 20 January 2025 10:29
To: Appeals2
Subject: Letter of Objection ABP-319224-24. Planning Authority Ref No. 2360266
Attachments: Kilsaran letter - January 14th. 2nd Appeal (1).docx

Caution: This is an External Email and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir/ Madam,

Please find enclosed my letter of objection to the above mentioned Case Number and Planning Authority Reference Number.

I trust everything is in order and thank you for allowing me the opportunity to add to my objection of March 4, 2024. I would be extremely grateful if you would add this objection to my previous one so the Board can have a full idea of my concerns.

If there is anything further that you need please do not hesitate to contact me.

Kind Regards.

Patricia Murphy

ABP-319224-24

Planning Authority Reference Number: 2360266

Secretary,
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Submitted by Email: appeals@pleanala.ie

Patricia Murphy
2801 Seaview Road
Victoria, British Columbia
V8N 1K9

January 17, 2025

Re: Appeal of Development of quarry and associated works. Decision made by Kildare County Council Planning Permission Reference 2360266. Applicant: Kilsaran Concrete Unlimited Company

Dear Sir or Madam,

I am responding to your letter of December 20th, 2024, in which you asked for submissions to be made to the ABP-319224-24 and Planning Authority Reference Number: 2360266 prior to the deadline of January 22, 2025. I am responding by email as directed by you in your letter dated March 12, 2024. Thank you for the opportunity to continue to provide further observations to this appeal and to add to my initial objections made on March 4, 2024.

Having read the documents that you kindly forwarded to me with your recent letter, I find that nothing in said documents changes my opinion on this appeal and so would once again like to object to this appeal and the original application made by the applicant, Kilsaran Concrete Unlimited Company ("Kilsaran").

I would like to take this opportunity to share my concern that the Kildare County Council have made an error in granting permission. Kildare County Council had refused an earlier application, Planning Ref 2283. In this new application there is no significant difference with the exception that as there is no sand or gravel left in the quarry it is now going to be the import of 35,000 tons of sand, aggregate to this quarry every year together with the extraction of 250,000 tonnes of limestone every year.

There will be nothing left whatsoever of this once beautiful hill and farmland when it is finally done.

Impact on Roads L5002 and Surrounding Lands:

The L5002 and L5001 are a single lane carriageway. This road is simply not wide enough to allow two large HGVs to pass each other. Even driving an ordinary car, one must mount the verge to get by. During the Spring and Summer seasons, it is often impossible to see what is coming around various bends on the road. This road is also used by school buses every morning and evening. Even with the widening done by Kilsaran, it is still dangerous and should a school bus meet one of the HGVs at certain bad turns it is not safe to try to pass.

There will be trucks bringing the sand and aggregate into the quarry, the aggregate processed from the rock extracted from the quarry going out as well as the ready-mix concrete trucks. I have asked these questions before and will take this opportunity to ask once again.

- Will Kildare County Council be informed of how many trucks go in and out every day?
- What is the number of trucks and load within those trucks that have been approved under the applicant's permit conditions?
- What are the monitoring measures that will be put in place to ensure any conditions are met?
- How will unsafe practices by Kilsaran truck operators, or their subcontractors be addressed by Kildare County Council? Should local residents inform Gardai of such incidents directly?
- What about the weight on and damage to the road surface of these trucks going in and out?

Bringing in 35, 000 tons of sand and aggregate is a new addition to this quarry and as such loading up the road even more. Fully loaded trucks will be passing each other more frequently than before. The residents and rights-bearing landowners who live on this road and rely on it for transportation and recreation, will not be able to walk, bike, run or wheel a buggy safe.

Kilsaran themselves have said the road will need to be strengthened for the number of trucks and extra traffic this proposed extension is going to generate. There are sections of the road that are extremely narrow, and not all consent has been given by third party landowners for widening.

Water Pollution of the River Boyne, Annagh Stream and an Unnamed Stream:

The new entrance is intended to allow trucks to come in of the L5002 so they do not have to wait on the public road. The land that this new road and waiting area is on is boggy and there is a small unnamed stream and dropping well that runs from this area beneath the road and on to my land, on the other side, the river Boyne side.

Recently, Kildare County Council sent someone out to clear that stream, having not asked for my permission to enter my property or complete this ground disturbing work. I have questions that require immediate response prior to the consideration of this appeal, please.

- How was this work prioritized by Kildare County Council?
- When was it approved and who initiated it?
- In what public meeting minutes and/or documents can I find this work included for approval?
- What consent should be granted to rights-bearing landowners for this work to be carried out on private land?
- What, if any, permits were required and obtained to complete works in a riparian habitat and watercourse under Irish and EU protection and preservation?
- Why was the clearing of this stream, a riparian habitat, carried out when it has not been done by Kildare County Council at any other time in the last the 75-year period and there have been drainage or stormwater (e.g., flooding) issues in this area during that time?

These questions are vitally important for my awareness and your consideration as this stream is opposite the new quarry entrance. This stream flows from the Kilsaran Quarry site and joins the Annagh Stream further down my second field and then enters the river Boyne. I am sure you can appreciate why I am deeply concerned about this. I am concerned that my enshrined rights as a landowner and the environment are not being protected as per the Kildare County Council's mandate.

Impacts to the River Boyne:

One of the main reasons the first application PI.22/83 was refused was the high risk of pollution to the river Boyne. Even without going below the water table the water in the river Boyne was reduced from Good at Ballyboggan Bridge (above the quarry) but only Moderate at Ashfield Bridge (below the quarry). Kildare County Council concluded that the pollution of the water had come from the Kilsaran Quarry as it was the only one between both monitoring spots. The pollution was deemed to have come from the quarry into the Annagh stream and into the river Boyne. Kilsaran proposes to monitor the water in the Annagh Stream and has moved the entrance further North on the site to help keep the Annagh Stream clear. If this unnamed stream flows into the Annagh Stream (in my field) then monitoring must be done at the point where the Annagh Stream joins the river Boyne as well as by the Quarry.

I am sure you are aware of the importance of the river Boyne. It is considered a Special Area Conservation (SAC). When the first application was refused (Planning 22/83) Kildare County Council felt it was at risk of not meeting its objective of Good Status under the Water Framework Plan 2023-2029 which seeks to protect Kildare's rivers, streams and watercourses and ensure they can provide suitable habitats for fauna and flora while Objective B1045 seeks

to ensure that run off from developments does not result in deterioration of downstream watercourses. The river Boyne supplies the various towns downstream, including Trim, Navan, Drogheda and all the smaller villages in between. Millions of Euros have been spent on it in recent times to have it reach a 'good' status' and in accordance with EU directives.

Ireland is currently in the unenviable position of having to pay billions of Euros to the EU because of the poor state of many rivers and lakes. In 2019 the Irish Government declared a climate and biodiversity emergency. Six years later a figure of 38% of lakes in Ireland being polluted was reported in the media in highlighting this situation. Clearly the climate and biodiversity emergency has not been adequately dealt with. It is vitally important that the river Boyne be kept in good condition and even allowing for the potential of pollution at any stage along its journey is not acceptable.

Staying with the water topic, no adequate answer has been given to the issue of use of water and the potential for the drying up of wells on farms and homes in the vicinity. While monitoring said wells is always advisable and on a frequent basis, what happens if they do dry up. Kilsaran in their initial application (PI 22/83) which was refused said they would truck water into affected farms and homes if that did happen. That is simply not good enough. Leaving animals to stand in fields with no water is inhumane, while a truck, water and driver are found. It could take hours or days. These are the situations that make headlines around the country.

There will be an increase in particulates, dust, dirt as a result of the limestone extraction which is increasing to 250,000 tonnes per year. I expect there will also be an increase in blasting which is unbearable. What are the figures on how much blasting will be done in order to extract 250,000 tonnes of limestone every year for the next 10 years. Can the figures be provided to show how much blasting will be done in days, months or years? Will farms and homes in the area be provided with notification of when blasting will occur? Blasting will also have an effect on livestock, in particular, horses, of which there are some on farms close by.

I have stated in my previous letter of objection that this continuation of use of this quarry is too much for the ordinary citizens to bear. 25 years is long enough to have to put up with noise, pollution of both air and water and diminished use of the road and countryside.

Kilsaran currently have another quarry recently opened just 1 km away. Why allow this company to bring sand and gravel into a quarry they have already depleted when they have a new one in operation. How do we ensure that sand and gravel from the new Quarry is not trucked into the Kilrathmurray/Kilrainey quarry as it would have to enter from the left-hand side of the entrance. This is not currently allowed. It is important that it stays that way.

Roadstone has reopened its quarry 3 kms away also. How is it possible that one area of North Kildare is subjected to such destruction of its land and air? Has any one person in Kildare County Council thought of the effects of removing millions of tonnes of sand and gravel from the concentration of quarries in one area? The water, air, noise, traffic pollution that is a constant source of distress to ordinary citizens that must live and use this road every day?

Kilsaran have said that following the expiration of 10 years the land will be restored and returned to beneficial agricultural and ecological after uses? I would like more specific details on what this entails.

What enforcement rules and regulation do Kildare County Council apply to such sites?

What monitoring is done of the surrounding lands and roadways of the site to ensure they have not been polluted or degraded as well as the site itself.

We are all aware of empty quarries filled with stagnant water around the country where people can drown as has happened in recent years?

You already have my previous objection on file, and I would appreciate if you would add this letter to it. If you need a new copy, I can forward one to you.

Thank you for taking the time to read this letter and I look forward to a favourable outcome from An Board Pleanála.

Yours sincerely,

Patricia Murphy

PAPER COPY.
ORIGINAL Emailed.

ABP-319224-24

Planning Authority Reference Number: 2360266

Secretary,
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Submitted by Email: appeals@pleanala.ie

Patricia Murphy
2801 Seaview Road
Victoria, British Columbia
V8N 1K9

AN BORD PLEANÁLA	
LDG-	
ABP-	
21 JAN 2025	
Fee: €	Type:
Time: 8.44	By: Post

January 17, 2025

Re: Appeal of Development of quarry and associated works. Decision made by Kildare County Council Planning Permission Reference 2360266. Applicant: Kilsaran Concrete Unlimited Company

Dear Sir or Madam,

I am responding to your letter of December 20th, 2024, in which you asked for submissions to be made to the ABP-319224-24 and Planning Authority Reference Number: 2360266 prior to the deadline of January 22, 2025. I am responding by email as directed by you in your letter dated March 12, 2024. Thank you for the opportunity to continue to provide further observations to this appeal and to add to my initial objections made on March 4, 2024.

Having read the documents that you kindly forwarded to me with your recent letter, I find that nothing in said documents changes my opinion on this appeal and so would once again like to object to this appeal and the original application made by the applicant, Kilsaran Concrete Unlimited Company ("Kilsaran").

I would like to take this opportunity to share my concern that the Kildare County Council have made an error in granting permission. Kildare County Council had refused an earlier application, Planning Ref 2283. In this new application there is no significant difference with the exception that as there is no sand or gravel left in the quarry it is now going to be the import of 35,000 tons of sand, aggregate to this quarry every year together with the extraction of 250,000 tonnes of limestone every year.

There will be nothing left whatsoever of this once beautiful hill and farmland when it is finally done.

Impact on Roads L5002 and Surrounding Lands:

The L5002 and L5001 are a single lane carriageway. This road is simply not wide enough to allow two large HGVs to pass each other. Even driving an ordinary car, one must mount the verge to get by. During the Spring and Summer seasons, it is often impossible to see what is coming around various bends on the road. This road is also used by school buses every morning and evening. Even with the widening done by Kilsaran, it is still dangerous and should a school bus meet one of the HGVs at certain bad turns it is not safe to try to pass.

There will be trucks bringing the sand and aggregate into the quarry, the aggregate processed from the rock extracted from the quarry going out as well as the ready-mix concrete trucks. I have asked these questions before and will take this opportunity to ask once again.

- Will Kildare County Council be informed of how many trucks go in and out every day?
- What is the number of trucks and load within those trucks that have been approved under the applicant's permit conditions?
- What are the monitoring measures that will be put in place to ensure any conditions are met?
- How will unsafe practices by Kilsaran truck operators, or their subcontractors be addressed by Kildare County Council? Should local residents inform Gardai of such incidents directly?
- What about the weight on and damage to the road surface of these trucks going in and out?

Bringing in 35, 000 tons of sand and aggregate is a new addition to this quarry and as such loading up the road even more. Fully loaded trucks will be passing each other more frequently than before. The residents and rights-bearing landowners who live on this road and rely on it for transportation and recreation, will not be able to walk, bike, run or wheel a buggy safe.

Kilsaran themselves have said the road will need to be strengthened for the number of trucks and extra traffic this proposed extension is going to generate. There are sections of the road that are extremely narrow, and not all consent has been given by third party landowners for widening.

Water Pollution of the River Boyne, Annagh Stream and an Unnamed Stream:

The new entrance is intended to allow trucks to come in of the L5002 so they do not have to wait on the public road. The land that this new road and waiting area is on is boggy and there is a small unnamed stream and dropping well that runs from this area beneath the road and on to my land, on the other side, the river Boyne side.

Recently, Kildare County Council sent someone out to clear that stream, having not asked for my permission to enter my property or complete this ground disturbing work. I have questions that require immediate response prior to the consideration of this appeal, please.

- How was this work prioritized by Kildare County Council?
- When was it approved and who initiated it?
- In what public meeting minutes and/or documents can I find this work included for approval?
- What consent should be granted to rights-bearing landowners for this work to be carried out on private land?
- What, if any, permits were required and obtained to complete works in a riparian habitat and watercourse under Irish and EU protection and preservation?
- Why was the clearing of this stream, a riparian habitat, carried out when it has not been done by Kildare County Council at any other time in the last the 75-year period and there have been drainage or stormwater (e.g., flooding) issues in this area during that time?

These questions are vitally important for my awareness and your consideration as this stream is opposite the new quarry entrance. This stream flows from the Kilsaran Quarry site and joins the Annagh Stream further down my second field and then enters the river Boyne. I am sure you can appreciate why I am deeply concerned about this. I am concerned that my enshrined rights as a landowner and the environment are not being protected as per the Kildare County Council's mandate.

Impacts to the River Boyne:

One of the main reasons the first application Pl.22/83 was refused was the high risk of pollution to the river Boyne. Even without going below the water table the water in the river Boyne was reduced from Good at Ballyboggan Bridge (above the quarry) but only Moderate at Ashfield Bridge (below the quarry). Kildare County Council concluded that the pollution of the water had come from the Kilsaran Quarry as it was the only one between both monitoring spots. The pollution was deemed to have come from the quarry into the Annagh stream and into the river Boyne. Kilsaran proposes to monitor the water in the Annagh Stream and has moved the entrance further North on the site to help keep the Annagh Stream clear. If this unnamed stream flows into the Annagh Stream (in my field) then monitoring must be done at the point where the Annagh Stream joins the river Boyne as well as by the Quarry.

I am sure you are aware of the importance of the river Boyne. It is considered a Special Area Conservation (SAC). When the first application was refused (Planning 22/83) Kildare County Council felt it was at risk of not meeting its objective of Good Status under the Water Framework Plan 2023-2029 which seeks to protect Kildare's rivers, streams and watercourses and ensure they can provide suitable habitats for fauna and flora while Objective B1045 seeks

to ensure that run off from developments does not result in deterioration of downstream watercourses. The river Boyne supplies the various towns downstream, including Trim, Navan, Drogheda and all the smaller villages in between. Millions of Euros have been spent on it in recent times to have it reach a 'good' status' and in accordance with EU directives.

Ireland is currently in the unenviable position of having to pay billions of Euros to the EU because of the poor state of many rivers and lakes. In 2019 the Irish Government declared a climate and biodiversity emergency. Six years later a figure of 38% of lakes in Ireland being polluted was reported in the media in highlighting this situation. Clearly the climate and biodiversity emergency has not been adequately dealt with. It is vitally important that the river Boyne be kept in good condition and even allowing for the potential of pollution at any stage along its journey is not acceptable.

Staying with the water topic, no adequate answer has been given to the issue of use of water and the potential for the drying up of wells on farms and homes in the vicinity. While monitoring said wells is always advisable and on a frequent basis, what happens if they do dry up. Kilsaran in their initial application (PI 22/83) which was refused said they would truck water into affected farms and homes if that did happen. That is simply not good enough. Leaving animals to stand in fields with no water is inhumane, while a truck, water and driver are found. It could take hours or days. These are the situations that make headlines around the country.

There will be an increase in particulates, dust, dirt as a result of the limestone extraction which is increasing to 250,000 tonnes per year. I expect there will also be an increase in blasting which is unbearable. What are the figures on how much blasting will be done in order to extract 250,000 tonnes of limestone every year for the next 10 years. Can the figures be provided to show how much blasting will be done in days, months or years? Will farms and homes in the area be provided with notification of when blasting will occur? Blasting will also have an effect on livestock, in particular, horses, of which there are some on farms close by.

I have stated in my previous letter of objection that this continuation of use of this quarry is too much for the ordinary citizens to bear. 25 years is long enough to have to put up with noise, pollution of both air and water and diminished use of the road and countryside.

Kilsaran currently have another quarry recently opened just 1 klm away. Why allow this company to bring sand and gravel into a quarry they have already depleted when they have a new one in operation. How do we ensure that sand and gravel from the new Quarry is not trucked into the Kilrathmurray/Kilrainey quarry as it would have to enter from the left-hand side of the entrance. This is not currently allowed. It is important that it stays that way.

Roadstone has reopened its quarry 3 kms away also. How is it possible that one area of North Kildare is subjected to such destruction of its land and air? Has any one person in Kildare County Council thought of the effects of removing millions of tonnes of sand and gravel from the concentration of quarries in one area? The water, air, noise, traffic pollution that is a constant source of distress to ordinary citizens that must live and use this road every day?

Kilsaran have said that following the expiration of 10 years the land will be restored and returned to beneficial agricultural and ecological after uses? I would like more specific details on what this entails.

What enforcement rules and regulation do Kildare County Council apply to such sites?

What monitoring is done of the surrounding lands and roadways of the site to ensure they have not been polluted or degraded as well as the site itself.

We are all aware of empty quarries filled with stagnant water around the country where people can drown as has happened in recent years?

You already have my previous objection on file, and I would appreciate if you would add this letter to it. If you need a new copy, I can forward one to you.

Thank you for taking the time to read this letter and I look forward to a favourable outcome from An Board Pleanala.

Yours sincerely,

Patricia Murphy

