

Mary Tucker

From: Legal Affairs
Sent: Tuesday 13 July 2021 13:08
To: Mary Holohan; Muiriosa Cassells; Mary Tucker
Cc: Caitríona Holland
Subject: GL0889 Behan
Attachments: QD06S QD003 Behan Quarry 2021.pdf

Hi Mary/Muiriosa

Please see email forward to legal. The Board decision in QD0003 was quashed along with SU0068 following JR proceedings. It was anticipated that a new SU application and s37L application would be lodged with the Board and I can see from Plean IT that a number of extension of time applications were made

Currently there are two live applications - ABP-310466-21 and ABP-310461-21. I believe that the attached correspondence may be in relation to those cases. Please note that in the second last paragraph they state that they have attached private correspondence not to be published.

Please return to legal if not for processing section.

Regards,

Regina

From: Appeals2 <appeals@pleanala.ie>
Sent: Monday 12 July 2021 13:36
To: Legal Affairs <legalaffairs@pleanala.ie>
Subject: FW: QD06SQD003 High Court

From: John Hanlon <johnhanlon@sturdyproducts.com>
Sent: Monday 12 July 2021 12:43
To: Appeals2 <appeals@pleanala.ie>
Subject: QD06SQD003 High Court

Good morning please see the attached Thanks you



Kind Regards,
John J Hanlon,
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Thank you for reading this boring, but necessary, information.

Hanlon Family

**"Druim Aoibhinn"
Windmill Hill,
Rathcoole,
Co. Dublin,
Ireland.**

An Board Pleanala
64 Marlborough Street
Dublin 1
D02V902

11-July 2021

Re; Retention and expansion at Behan's Quarry Rathcoole.QD06S QD003 Quashed Decision by High Court

Dear Sirs,

I am an interested party to the continuous development at Behan's Quarry at "Windmill Hill Rathcoole. I live in the nearest house to the activates of the quarry and I have lived there for over 40 years, the lands which I own have been in my family for over 200 years.

As you can see from the attached I have equestrian interests on my holding and keep and rear Sports Horses.

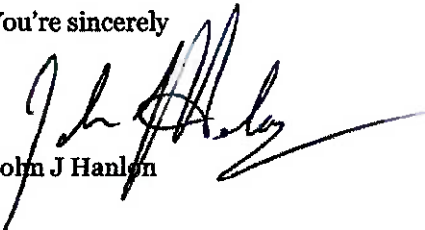
Regrettable we find ourselves in a difficult situation. In that Larry and Mary Behan are our next door neighbours and we enjoy a good friendly lifelong relationship with them, they are good neighbours. Unfortunately their family business is not only a cause of annoyance to our standard of living, but it continuous to case damage and is damaging to the welfare of our animals.

There is little point in me listing all the aspects of damage that this continuous development is imposing on our lives. These are well documented by others over the years. However at this stage we feel that we must call a halt to unauthorised development, and the damage it causes. The continuous development which has no regard to the residences and farmers in the area is unacceptable.

From the attached photos of the development from 1985 to date shown how this has effected the area. Also I attach some private (not to be published correspondence on the matter). One small saving grace is the existence of the old Windmill Stump a "Listed" Structure, this has prevented the expansion still further in the direction of our house.

We would ask that the Board take these matters into consideration and the standard of living for the residences and our Livestock above the Commercial interests of their business. We object to any further expansion and the retention of any unauthorised development at this quarry.

You're sincerely


John J Hanlon

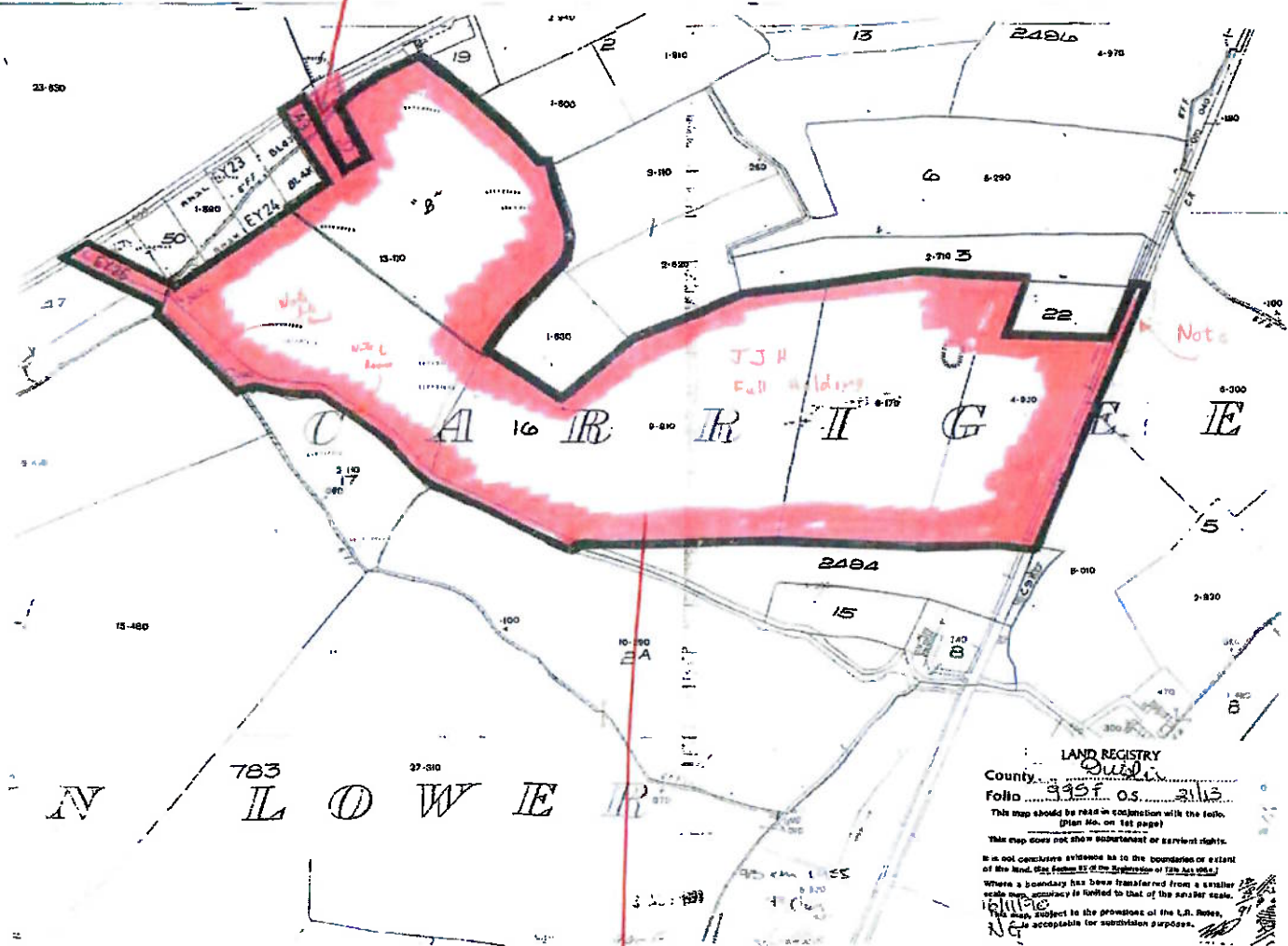
Phone ; 00-353-1-4580973

email; johnhanlon@sturdyproducts.com

Mobile ; 00-353-87-2580977

o Windmill Stump

J. J. Hanlon House



JS Hanlon - Equestrian facility



A Flavour of the internal and external damage, caused by constant Blasting. No one Blast may be above the permitted level however on a weekly basis the constant Blasting caused damage over time

Hanlon Family

"Druim Aoibhinn"
Windmill Hill,
Rathcoole,
Co. Dublin,
Ireland.



L Behan & Sons
Windmill Hill,
Rathcoole,
Co Dublin.

4-11-2015

Re Quarry activity at Windmill Hill Rathcoole

Dear Larry,

It is with great reluctance that I write to you regarding your quarry activity at Windmill Hill. As you know over the past 35 years we have been great neighbours to each other and we have tried to work with you in not objecting to any of your activities or planned activities over the years.

I appreciate and acknowledge that some 15 years ago when your activities caused damage to our house that together we worked out an amicable solution and you funded the remedial and repair works. Since then we have not objected to any of your plans or activities. On a number of occasions I have approached you directly about the severity of the Blasting and in particular the level of dust being created. On each occasion you assured me that remedial action would be taken, and while some may have been taken the action was short lived and matters returned quickly to as before.

As you know you have continued to expand your operation, and reviewing the aerial maps it shows the extent of the expansion. Your operation now covers over 300% that which it was in 1989. Most of the expansion is in the direction of our house. As you know our house is the closest house to the Quarry, yet we have been the least vocal or complaining on the matter. Unfortunately with your continued expansion the quarry activity now extends to such an extent that it is now within 100 Meters of our front gate. To make matters worse some of the veins of rock which are being quarried extend directly under our house.

I am writing to you as I am genuinely concerned on a number of matters and I believe unless immediate action is taken more irreversible damage will be done.

As you know our house was built in 1978 and thankfully is a solid block construction with all internal walls also block. To give you a flavour of the damage and problems we are encountering I set out here in bullet point some of the issues;

- **Blasting;** The severity of the Blasting and the proximity of it now regularly causes pictures to fall from our walls, ornaments to fall and break from shelves etc etc., not to mention the frightening effect it has on ourselves, children (whom Pauline cares for) and visitors whom are not accustomed to the blasting
- **Blast Damage,** as can be seen from the attached sample of photographs the blasting has and continues to cause cracking in the walls. The house as mentioned is constructed since 1978 and the foundations extend some 8 feet below the ground so settlement at this stage cannot be a contributing factor. The cracking was repaired in the past but now is appearing where joints are ridged e.g adjoining walls, tiling, in corners, etc. This in turn results in leaks to the house and through showers etc. We continuously have these repaired on a bi-yearly basis.
- **Dust,** this is now such a nuisance and health factor it is an ongoing problem, This year after a two year respite (due to the recession) we had again to pressure clean the drive way, to give you an idea of the extent of the problem, it took 3 men two full days with pressure washers to clear the dust just from the drive way. We removed over 1 ton of dust and silt. Last week we again cleaned the gutters the second time this year and removed 6 buckets of silt. As you know all our rain water is drained to soak pits and I suspect that these once again are becoming silted up. The gully traps despite being cleaned three times a year are blocked each time. The Dust has lodged in all crevasses on the roof valleys and tile edges and causing moss to grow. This despite the fact that you replaced the tiles only 15 years ago. The Frost will now cause the moss to freeze and may cause cracking of the roof tiles.
The dust is at such an extent that on any dry or sunny day we can no longer sit in the garden, Photographs will show the layers of dust that compile on deck tables, chairs, cars etc over a four day period. It is impossible to dry clothes in the garden as if the weather is good the Dust appears at its worse. The dust is a continuous health hazard and we can no longer leave windows open on a clear day. I appreciate that you also live nearby, however your house is a further distant than ours from the source and is down wind, it is also at a lower level and is surrounded by trees.

Phone ; 00-353-1-4580973

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Hanlon Family

**"Druim Aoibhinn"
Windmill Hill,
Rathcoole,
Co. Dublin,
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- **Dust in the fields.** The level of dust falling across the fields is very apparent by just walking some 50 meters through the grass and you will see the state of your shoes. This also causes problems with our horses, We cut hay and all the hay has to be washed before feeding to the horses to avoid respiratory problems. I could go on regarding this, but you know well from your own land the effect of the dust.
- **Drilling ;**In recent months it appears that in addition to the blasting , extraction is now being achieved by drilling and this is impact type drilling . It starts most mornings at 6.30 and continuous throughout the day unabated. As mentioned above it appears that because our house is constructed across some veins which are being drilled the impact is more severe than in other areas. This continuous thumping is untenable, you may not be aware of the fact as you are away a lot and it is unheard in your house
- **Water table.** Your quarry is now less than 100 M from our well and this will I fear affect the water table. We have enjoyed ample water supply for over 35 years and have never had supply problems , however we are now very concerned as we have been advised of other neighbouring wells experiencing problems

Larry I could go on with many other aspects of the effect the Quarry activities are having on our life and home. At this stage can we ask that you revert to us with details of plans and proposals for the future with some form of guarantee that the current situation will be rectified and addressed?. I would ask that you engage with your professionals in compiling a response and that whatever guarantees which you will give us will be fully backed, legally and financially, to ensure we are protected.

At the outset I explained my reluctance in writing this due to the fact that on a personal basis you are great neighbours, however the quarry activities are now beyond the tolerable state, and I fear for our future health and property. I hope you can understand our situation.

I look forward to hearing from you

Kind Regards

John J Hanlon

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Windmill Stump

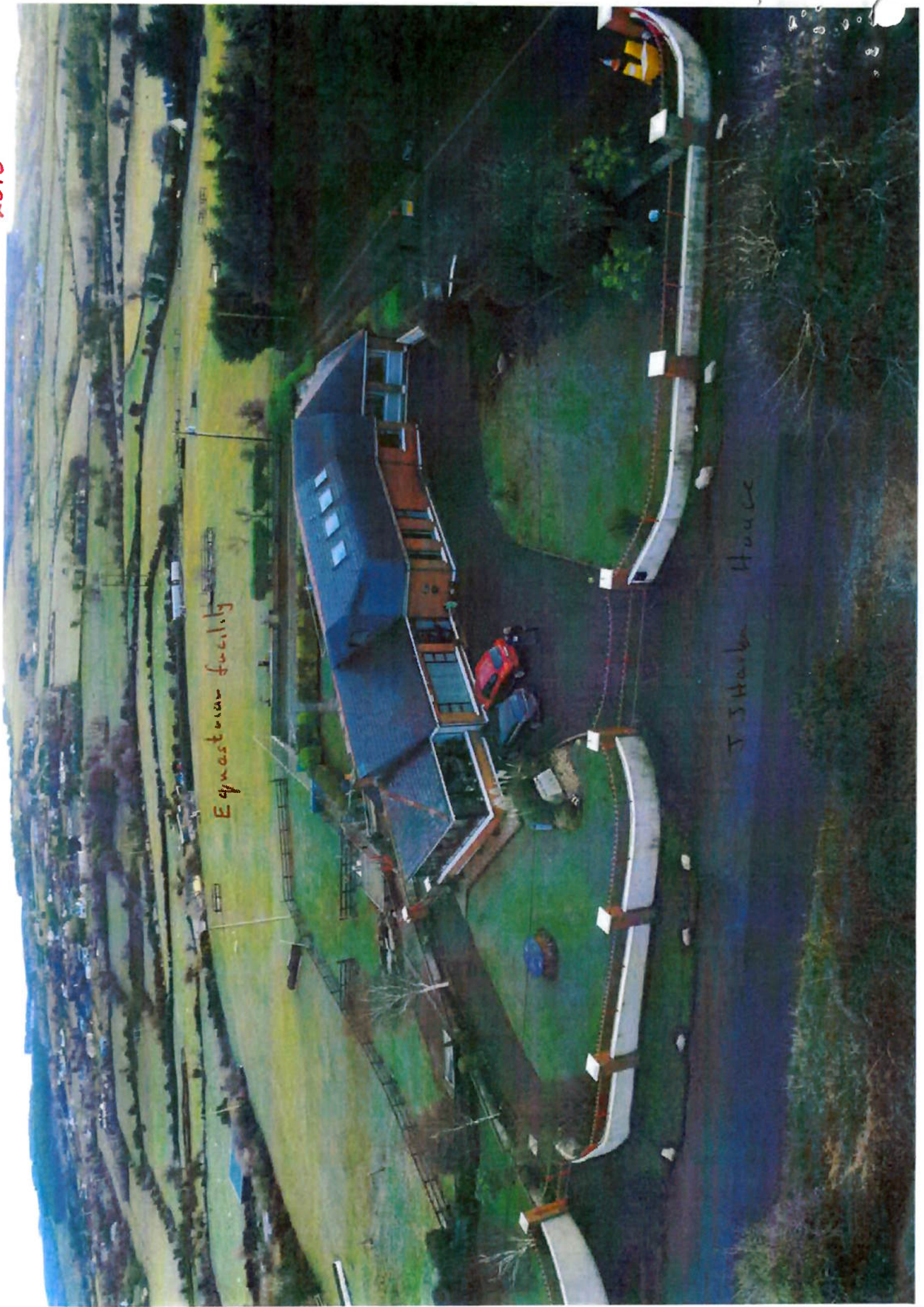
JSH House

2016

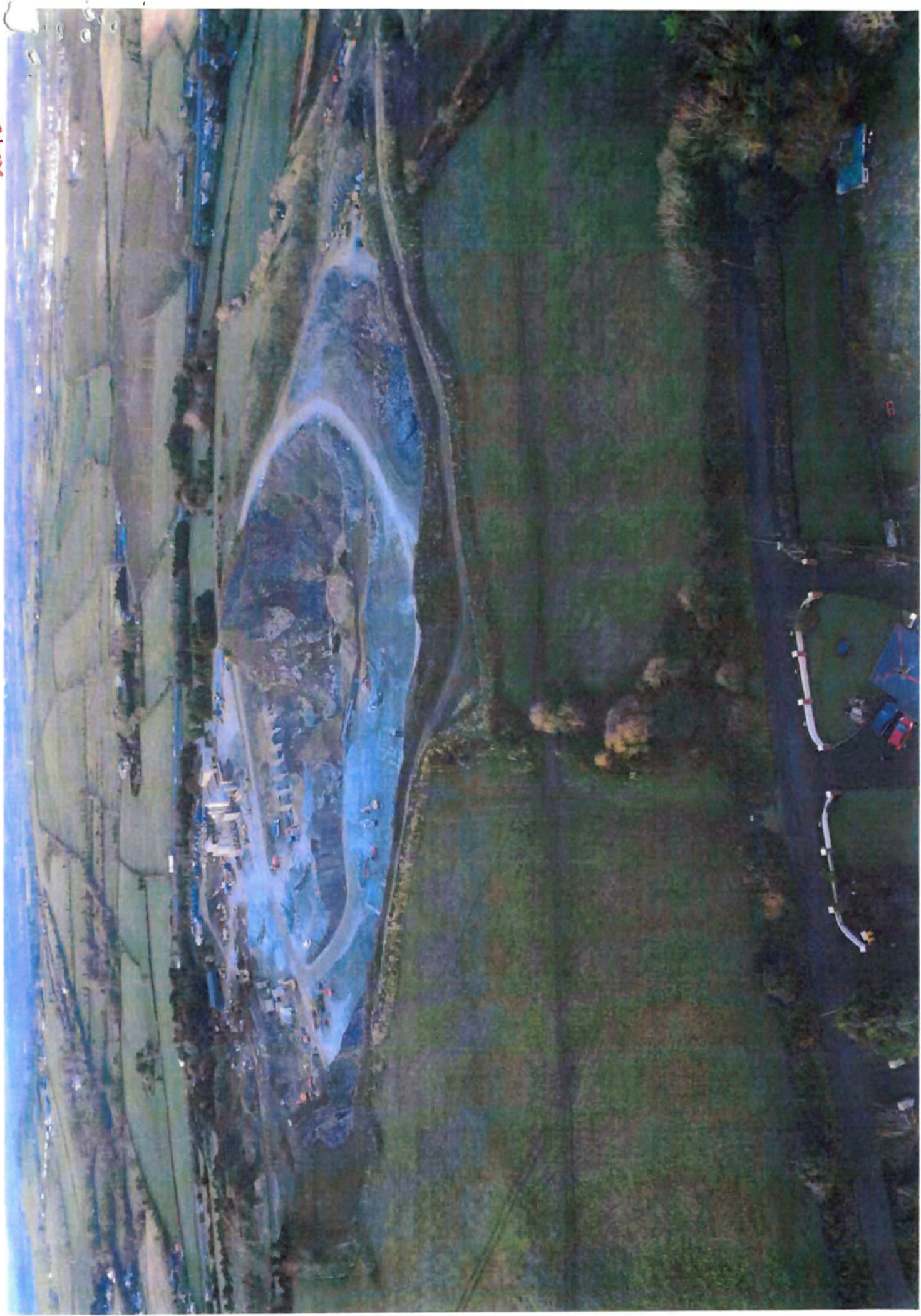


EQUESTRIAN

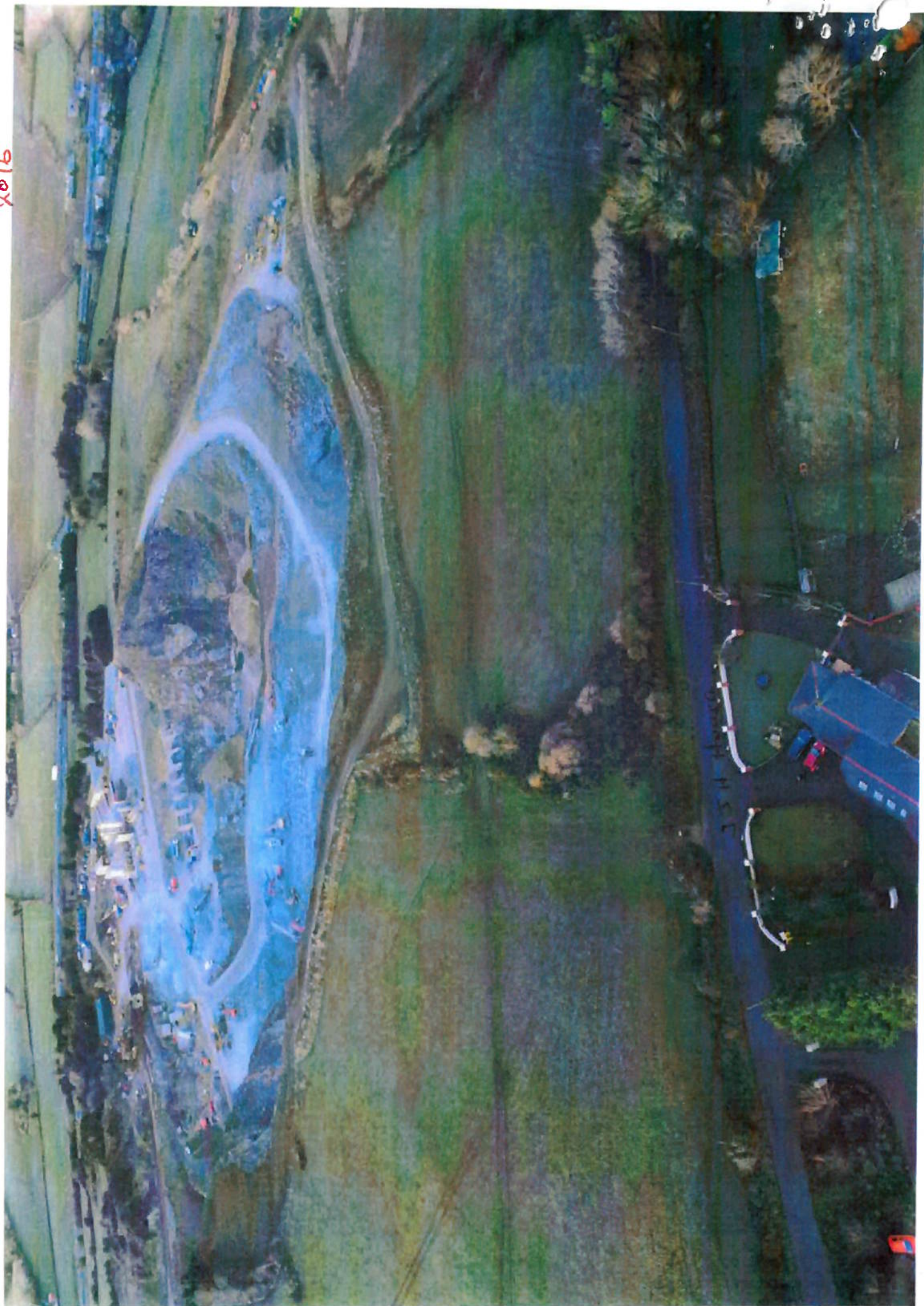
2016



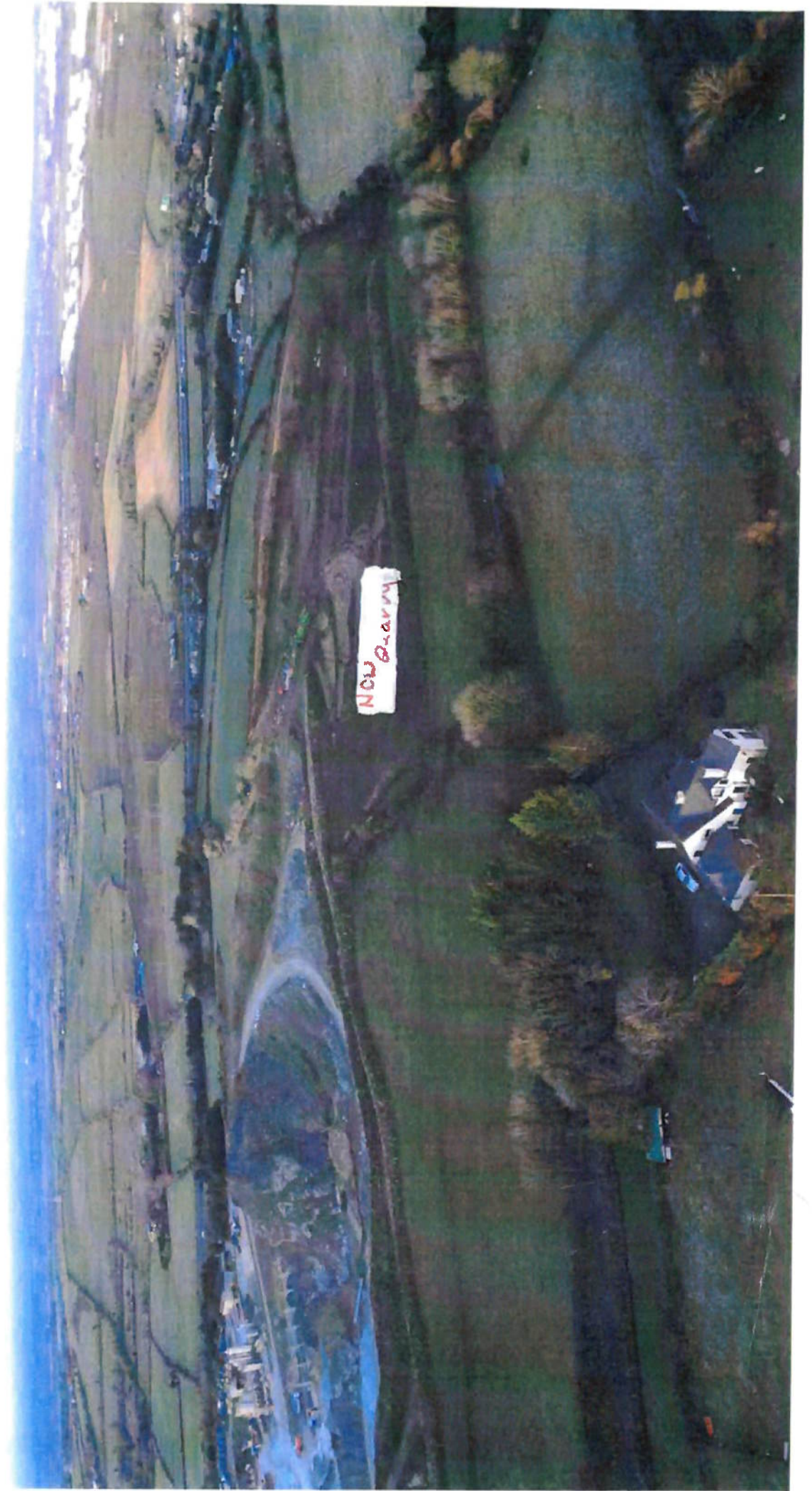
2016



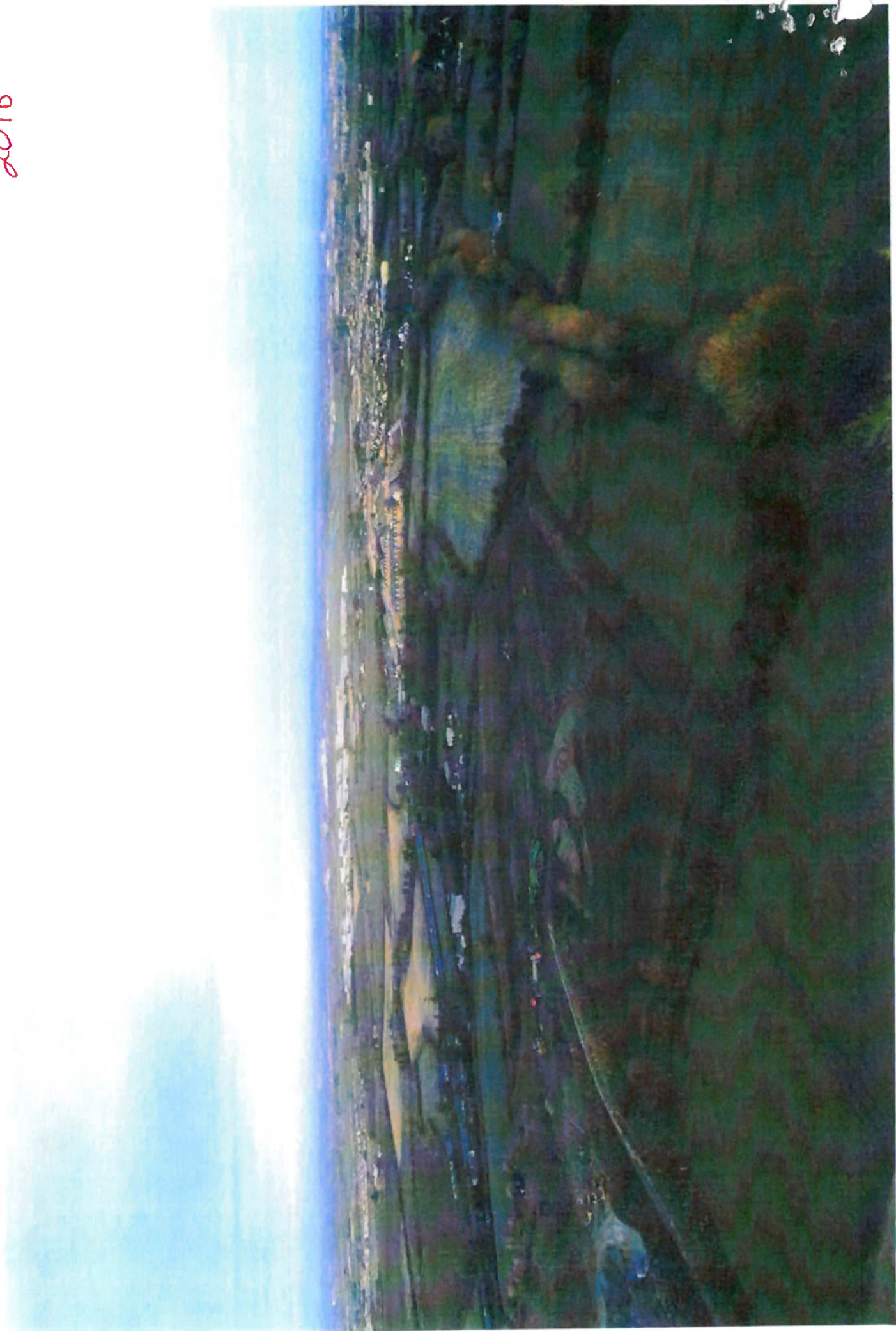
2016



2016



2016



Handwritten notes in the top left corner, possibly including a date like 3/11/2015.

2015

3/11/2015

Google Maps

Google Maps Google Maps



Imagery ©2015 Google, Map data ©2015 Google 50 m

<https://www.google.is/maps/@53.2721456,-6.5020072,445m/data=!3m1!1e3>

2013

35 Hanlon House



J3H
House

1989



Windmill Stump

1369



Photo 1989

Windmill Stump

J J Harbor House built 1980