

SECTION 131 FORM

File With Doreen Mc Cayne S. 37

Appeal NO: ABP 31914324

Defer Re O/H

☐

TO: SEO

Having considered the contents of the submission ~~dated~~ received 3/5 from

Appellant

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 material planning issues board to consider

E.O.: Daniel O'Connor

Date: 24/5/24

To EO: _____

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: _____

Allow 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORM

Appeal No: ABP 319143

M _____

Please treat correspondence received on 3/5/24 as follows:

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

2. Acknowledge with BP 23

3. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐

3. Keep Copy of Board's letter ☐

Amendments/Comments

S131 Resp From 3rd Party
L/P 315

4. Attach to file

(a) R/S ☐

(d) Screening ☐

(b) GIS Processing ☐

(e) Inspectorate ☐

(c) Processing ☐

RETURN TO EO ☒

Karen A

EO: [Signature]

Plans Date Stamped ☐

Date Stamped Filled in ☐

AA: Khatijah Fadliah

Date: 10/5/24

Date: 13/05/24

Lisa

Laura C. Lawlor

From: Bord
Sent: Friday 3 May 2024 14:04
To: Appeals2
Subject: FW: response to submission ABP319143-24
Attachments: Response to LA submission .pdf

From: andrew hersey [REDACTED]
Sent: Friday, May 3, 2024 11:36 AM
To: Bord <bord@pleanala.ie>
Subject: response to submission ABP319143-24

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.

A chara

Please find attached third party response to submission with respect of ABP319143-24

Kind Regards

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Kilkee
Co. Clare
V15 PH32
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Phone: 087 6870917

Andrew Hersey Planning



'Damen Hetherton & Others

ABP-319143-24

Andrew Hersey Planning

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The Secretary

An Bord Pleanála

64 Marlborough Street

Dublin 1

3rd May 2024

RE: Response to Submission of Longford County Council ABP319143-24 refers.

This response is prepared by Andrew Hersey Planning on behalf of:

(i) Damien Hetherton of Derreenvoggy Aughnacliff Co Longford N39 CC61

(ii) Bernard Reilly of Derreenvoggy Aughnacliff, Co. Longford N39N2Y2

(iii) John Reilly of Derreenvoggy, Aughnacliff Co Longford N39HF54

(iv) Mr. Nigel Bell

hereunder referred to as my clients

1. I, Andrew Hersey Planning Consultant, am acting on behalf of my clients, who wish to comment on the submission of Longford County Council dated 21st March 2024 with respect to ABP319143-24.
2. My clients all own lands adjoining the proposed development site and also reside adjacent to the boundary of the proposed quarry development.
3. They lodged an appeal against the proposed development on a number of grounds with respect to the proposed development. The council's assertion, as set out in the submission

Andrew Hersey **Planning**



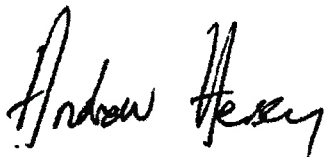
that these grounds have already been assessed in the planning report is misleading. The council has not properly assessed the impact of the proposed development on my clients residential amenities which is the principle focus of the appeal lodged by my clients.

4. My clients are also dismayed with respect to the council's backtracking on Condition No 14 with respect to the permissible opening hours. The grant of permission issued on the 1st February 2024 allowed for hours of operation between 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturday. This is now proposed by the council to be amended to 0700 start in the mornings. My clients fundamentally object to this.
5. I understand from my clients that there is an asphalt plant operating at the quarry which at times starts early in the morning (5am) and often operates till midnight at busy times. The noise from the operation of the plant and the floodlights that are needed to light the area at night has severe impacts upon my clients residential amenities. The extra traffic which is generated also adds to noise and dust disturbance within the quarry and out on the local roads which they travel which has consequent traffic hazard impacts upon existing road users, both drivers and pedestrians. The council have not enforced this breach of planning conditions with respect of opening hours as imposed under Planning Reg. Ref. 07/831 which was for 07.00hrs to 18.00 hrs Monday to Friday and 07.00 hrs to 13.00hrs on Saturday.
6. My clients were therefore somewhat comforted by the 0800 start imposed by condition 14. For the council to backtrack on this condition is therefore fundamentally unfair and will result in further impacts upon my clients residential amenities whom all live directly adjacent to the quarry.
7. With respect of the above therefore my clients respectfully suggest that the proposed development be refused on the grounds set out the appeal lodged by my clients on the 28th February 2024. Furthermore, in the unfortunate event that the Board decides to grant permission for the said development that the hours of operation remain as per the decision



of the council issued on the 1st February 2024 i.e. between 0800 to 1800 Monday to Friday
and 0800 to 1300 on Saturday.

Kind Regards



Andrew Hersey B.Agr.Sc. Dip. EIA Mgmt. MRUP MIPI Planning Consultant

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West End, Kilkee,

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[Redacted]

[Redacted]

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