

To: The Secretary,  
An Bord Pleanála  
64 Marlborough St,  
Dublin 1.

From: David Williamson & Claire Buckley,  
Estate of Late Denis Buckley,  
Grannagh,  
Kilmacow,  
Co. Kilkenny

Date: 2<sup>nd</sup> February 2025

**Re: Planning Appeal Against Planning Ref: 2460100**

**Development:** For the extension of Kilmacow Quarry at Aglish North, Granny, Kilmacow, County Kilkenny, authorised via planning reference 16/700, to adjoining agricultural lands to the east with known quality reserves of aggregates. The extension will cover an area of ca.10.3 hectares and seek to complete 5 No. benches each 15m high, to a level of -45mOD, consistent with the existing permitted levels. The Proposed Development will involve blasting, extraction and processing of rock using mobile primary crushing / screening and associated plant on the quarry floor. The Proposed Development will utilise existing established quarry infrastructure including entrance, office/welfare facilities, carpark, wheel wash, weighbridge, haul routes and other ancillary infrastructure to complete the works. The Proposed Development includes for the demolition and removal of two (2No.) agricultural sheds and a small pump house and the completion of boundary berms, access tracks and associated safety features at the Site boundary. Upon completion of extraction activities, the Site will be subject to a Restoration Plan, which has been submitted as part of this application. A planning permission of 20 years is being sought for the Proposed Development. The application is accompanied by an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS).

**Date of Decision:** 09/01/2025 –

**Appeal Deadline** (Using ABP Calendar) 5/2/2025 5.30pm

**Applicant:** Roadstone Limited

**Kilkenny County Council – Decision to Grant Planning Permission**

Dear Sir/Madam,

<b>AN BORD PLEANÁLA</b>	
LDG-	077735-25
ABP-	
05 FEB 2025	
Fee: €	220
Type:	CARD
Time:	13:07
By:	HAND

We wish to lodge an appeal against the granting of planning permission by Kilkenny County Council for the above referenced planning application 2460100.

We lodged a valid submission with Kilkenny County Council in relation to Planning Reference 2460100 and we include:

- A copy of the receipt of this submission with confirmation of €20 paid (see attached)
- We also attach the appeal fee of €220.

Kilkenny County Council has failed in their statutory duties to address our concerns as part of this planning application following our submission and we believe that the information provided by the applicant is not sufficient upon which a Grant of Permission can be made given the uncertainty that still exists.

**The grounds of our appeal and objection to this decision** on the planning application **2460100** are outlined below:

## 1. Proximity of Proposed Quarry Extension to our Residential Dwellings

The proposal by Roadstone Limited to extend their existing quarry at Aglish North, Granny, Kilmacow, County Kilkenny is directly to the east and north-east of the existing void, which is straight towards our two residential properties. See **Photo 1** attached.

Both of our residential dwellings are already the closest to the existing quarry void in an easterly/north-easterly direction (apart from the landowners dwelling). At present we have to endure regular blasting, vibration, noise and dust emissions which already impair upon our residential amenity.

**Photo 2** shows the direct view towards the existing quarry and proposed extension from the 2 – Storey Dwelling of David Williamson and Clare Buckley and the close proximity of the proposed extension to these residential dwellings which should be afforded protection of residential amenity within the planning system. This has clearly not been the case/

This proposal to extend the quarry would bring the existing quarry unacceptably close to our dwellings at distance of **280 m and 310 metres** and will lead to:

- a further loss of residential amenity which the planning system should seek to protect;
- unacceptable noise, dust and vibration levels in close proximity to our residential dwellings;
- devaluation of our property values.

The EIAR submitted with the application, is technically flawed and not deemed sufficient to accurately describe potential impacts upon Human Beings as set out in Chapter 5 – “Population and Human Health” of the document. No reference has been made in this chapter of the EIAR to the location of our two residential dwellings and the potential impacts upon our residential amenity and human health. Instead, there is an attempt to refer to other chapters of the EIAR whilst skirting over this key issue.

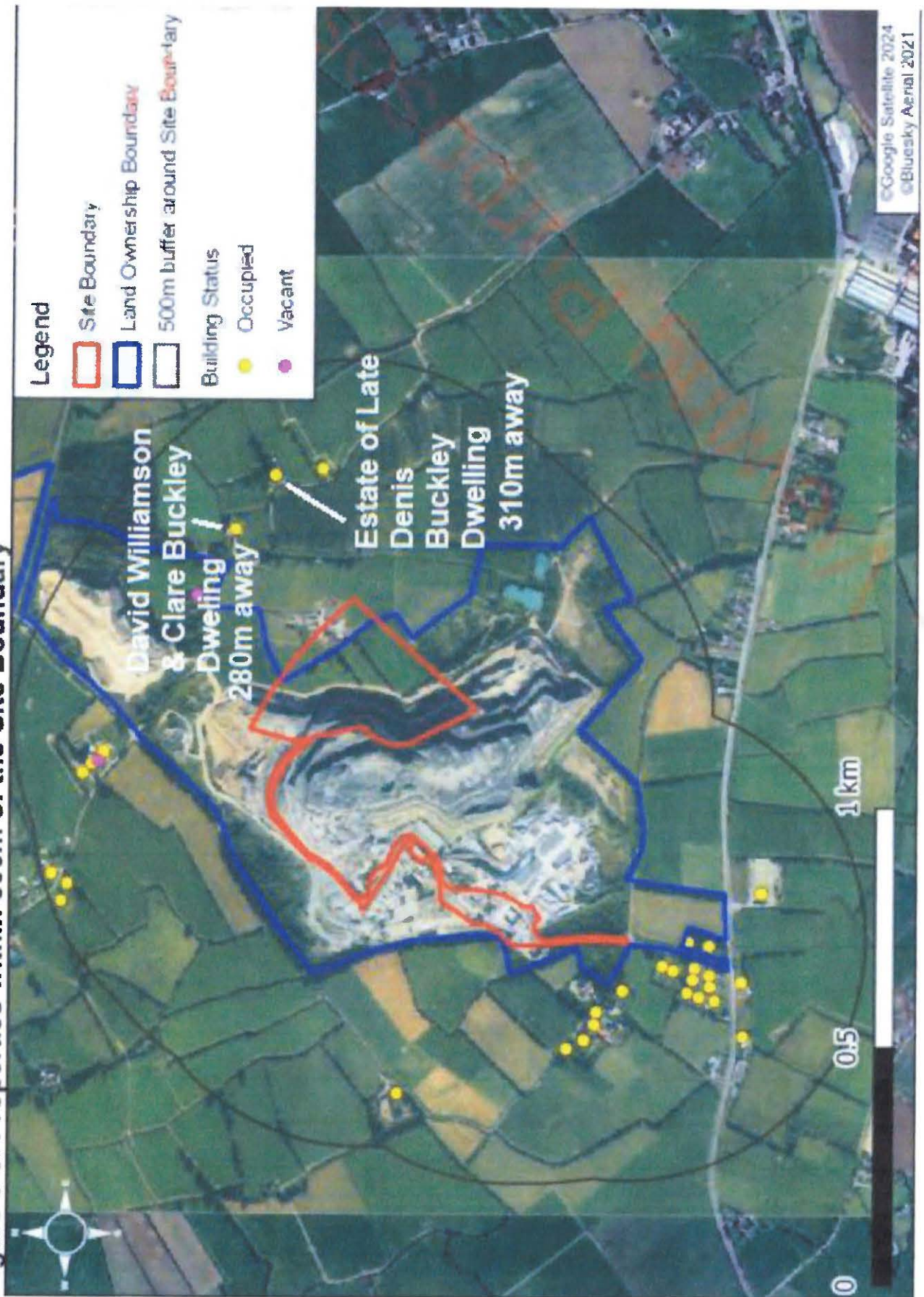
Kilkenny City and County Development Plan Volume 1 County 2021-2027 expressly states:

*The Council will seek to minimise environmental and other impacts of mineral extraction through rigorous application of licensing, development control and enforcement requirements for quarry and other associated developments including, but not limited to, consideration of visual impacts, methods of extraction, noise levels, dust prevention, protection of ground and surface waters, **impacts on residential and other amenities**, impacts on the road network (particularly with regard to making good any damage to roads), road safety, phasing, re-instatement and landscaping of worked sites.*

*The Council recognises the importance of extractive industries to the local and national economy as valuable sources of raw material for industry in general and the construction industry in particular and as an important source of employment. **However, the industry can have serious detrimental impacts on the landscape and amenities generally, including traffic generation, vibration, dust, noise, water pollution and visual intrusion.***



**Figure 3-6: Properties within 500m of the Site Boundary**



**Photo 1: Aerial Photo of Quarry Extension taken from EIAR showing Close Proximity of Appellant's Dwelling Houses in the direction of the Proposed Extension**





**Photo 2: View Looking West from the Dwelling House of David Williamson & Clare Buckley**

## **2. Direction of Extension**

Roadstone Limited have set out in the application that the vein of rock which they wish to extract under the proposed planning permission extends to the east/north-east from the existing quarry. This is directly towards our properties, and they are looking for a 20 year permission.

This proposal creates significant concern to us as concerned property owners given that in 20 years time they may seek to extend even further east and north-east following this vein of rock even closer to our properties – see **Photo 1**.

We are deeply concerned that if planning permission were to be granted to this development, the quarry workings will progressively move closer and closer to our properties over time, with a consequential increase in noise, dust and vibration levels in ever closer proximity to our residential dwellings.

To grant permission for this development would create an unwanted precedent of allowing development to encroach unacceptably close to existing residential dwellings.

## **3. Prevailing Wind Direction**

The prevailing wind direction for the Grannagh area is predominantly south westerly blowing towards the north-east. On the ground this means that noise and dust emissions are carried predominantly from the existing quarry site and any proposed extension to the residential dwellings to the north-east. No amount of mitigation measures can change this fact or provide adequate mitigation.

## **4. Inadequacy of the Natura Impact Statement (NIS) Submitted.**

We would contend that the NIS submitted with the Planning Application is flawed and fails to adequately address the potential effects upon the conservation values of the qualifying interests of the Lower River Suir SAC. It does not meet the Kelly threshold which is set out in paragraph 44 of CJEU Case 258/11:

*"So far as concerns the assessment carried out under Article 6(3) of the Habitats Directive, it should be pointed out that it cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned."*

The applicant has supplied a vast AA screening document crammed with repeated development information stating that the development cannot be screened out of Appropriate Assessment. But then a 3 ½ page NIS document has been provided including conclusions to assess the impacts of the development upon water quality but not upon the qualifying interests of the SAC.

**There is considerably scientific doubt remaining as to the potential effects upon the qualifying interests of the SAC, since no assessment has been made upon the conservation objectives of these following the proposed mitigation measures.**



## 5. Devaluation of Our Properties

**Photo 3** attached is a view of the property and dwelling house of David Williamson and Clare Buckley which is their pride and joy and their family home.



**Photo 3: View of front of the Dwelling House of David Williamson & Clare Buckley which is closest to the Proposed Extension to the quarry at 280 metres to the east/northeast.**

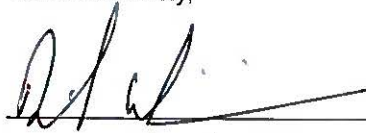
The proposed extension of the Roadstone quarry in a north-eastern/eastern direction will have a direct negative impact on our residential dwellings and will result in a significant devaluation of our property values.

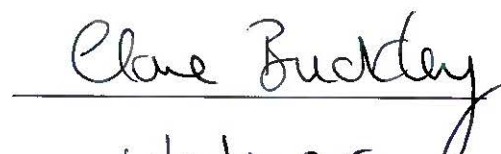
We have independently engaged Smart Move Properties – Auctioneers and Estate Agents (IPAV) from Waterford City to value both of the two affected properties now in the current situation and then they have provided a valuation should the proposed quarry extension be allowed to proceed within such close proximity of our dwelling houses and homes. This is set out in the attached Property Valuation attached to this submission and clearly demonstrates a significant devaluation of our property values and therefore having a significant effect on Material Assets in the area and Residential Amenity.

We respectfully request that the planning authority take into consideration this submission in respect of the proposed development.

We submit the necessary planning submission fee of €220. We look forward to your letter confirming receipt of our submission.

Yours sincerely,

  
4/2/2025

  
4/2/2025.



Comhairle Chontae Chill Chainnigh

Meala an Chontae - Kilkenny County Council  
Rte 5 A 102

Kilkenny County Council

County Hall, 20th Floor, 20th Floor, 20th Floor  
Rte 5 A 102

Kilkenny

Ref:24/60100

04/04/2024

David Williamson & Claire Buckley, Denis buckley  
Granagh  
Kilmacow  
Co. Kilkenny

**Applicant:** Roadstone Limited  
**Address:** Anna D'Arcy  
Ground Floor, Unit 3., Bracken Business Park, Bracken Road., D18 V32Y

A Chara

I refer to your submission/observation received from you on 04/04/2024 in connection with planning application by Roadstone Limited for PERMISSION for the extension of Kilmacow Quarry at Aglish North, Granny, Kilmacow, County Kilkenny, authorised via planning reference 16/700, to adjoining agricultural lands to the east with known quality reserves of aggregates. The extension will cover an area of ca.10.3 hectares and seek to complete 5 No. benches each 15m high to a level of -45mOD, consistent with the existing permitted levels. The Proposed Development will involve blasting, extraction and processing of rock using mobile primary crushing, screening and associated plant on the quarry floor. The Proposed Development will utilise existing established quarry infrastructure including entrance, office/welfare facilities, carpark, wheel wash, weighbridge, haul routes and other ancillary infrastructure to complete the works.

The Proposed Development includes for the demolition and removal of two (2No.) agricultural sheds and a small pump house and the completion of boundary berms, access tracks and associated safety features at the Site boundary. Upon completion of extraction activities, the Site will be subject to a Restoration Plan, which has been submitted as part of this application.

A planning permission of 20 years is being sought for the Proposed Development. The application is accompanied by an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) at Kilmacow Granny, Aglish North Kilkenny.

The matters referred to by you will be taken into consideration by the Council before a decision is made on the application. Notice of the Council's decision on the application will be given in accordance with the requirements of the Planning & Development Regulations, 2001 as amended.

**This is an important document.**



Comhairle Chontae Chill Chainnigh

Chomhairle Chontae Chill Chainnigh  
Bailé Átha

Kilkenny County Council

Kilkenny County Council  
Bailé Átha



**You should retain this letter of acknowledgement as proof that you made a valid submission/observation which is a requirement in the event that you appeal a decision on this application to An Bord Pleanála.**

The appropriate fee of €20.00 has been paid.

Mise, le meas

*Una Kealy*

**Una Kealy  
Administrative Officer  
Planning Section**

Tel no. Planning Section: 056-7794010



# Property Appraisal

Granny, Co. Kilkenny, X91 X3N8, Ireland



Google

Map data ©20



Prepared by **Andrea Toner**  
License 003964-004312

051-511199  
[reception@smartmoveproperty.ie](mailto:reception@smartmoveproperty.ie)



**Report Date:** 04/02/2025

**The Property** Grannagh Knock, Kilmacow, Co Kilkenny X91 X3N8

**Instruction:** To value the property based on Market Value as at the Valuation Date in accordance with your instructions

**Purpose of Valuation:** Estimation of the current value of the property.

**The capacity of Valuer:** We confirm that we have prepared this valuation as External Valuers as defined in the RICS Appraisal and Valuation Standards, 7th Edition. We are experienced, skilled, and competent to conduct this valuation

**Conflict of Interest:** Smart Move Properties have no conflict of interest in carrying out this valuation report.

**Aggregate Market Value:** €1,500,000 (One Million and five hundred thousand euro.) Our opinion of Market Value as of 04th February 2025 is based upon our valuation assumptions and analysis as attached and has been primarily derived using comparable market transactions on arm's length terms.

**Introduction:** In accordance with our terms and conditions, we at Smart Move Properties have considered the property, to advise you of our opinion of the Market Value (as defined below) as at the valuation date,

**Weather conditions:** Dry and clear. Restrictions we have not undertaken a detailed condition survey

**Type of property:** A rated (as per BER attached) Georgian house, situated on 2 acres, designed by architect in 2005.

This property is finished to a high internally (including Victorian tiles in the hallway, solid jatoba wood flooring downstairs & solid oak flooring upstairs) and externally with a extensive driveway with electric gated access.

4 bedroom property ( with 3 En - suite)

Air to water heating system. Under floor heating upstairs & downstairs, septic tank , water on mains & well.

Downstairs comprises of 3 living rooms, a dining room, kitchen, cloak room, separate utility room, main bathroom, large entrance hall with wrap around Georgian stair case.



4 bedrooms: 4 double bedrooms, x3 ensuite, office room & further main bathroom.

Attic: Stira access, 2 velux windows & fully floored & insulated.

This property has double glazed sash windows throughout and also has 20 solar panels.

3,000square ft house with external 1,000 square foot garage.

**Location:** The property is located in Kilkenny.

**Valuation:** We provide objective, realistic appraisals utilizing current economic indicators in the process, therefore, it's, in my opinion, the current Open Market Value of this property is €1,500,000 (One Million, five hundred thousand euro.) for capital value.

The current valuation is based on the current situation with the adjacent Roadstone Quarry. However, should a proposed extension to this quarry be granted we understand that the quarry extension will advance in a northeastern direction towards this property to within a distance of ca. 280 meters (please see map attached). This would certainly result in a significant loss of value or even worse could result in the property being deemed unsaleable in the future.

Should the extension to the quarry be approved I would need to do a revised valuation to calculate the market value as the property would dramatically decrease in value.

Signature

Andrea Toner Date 5-2-2025

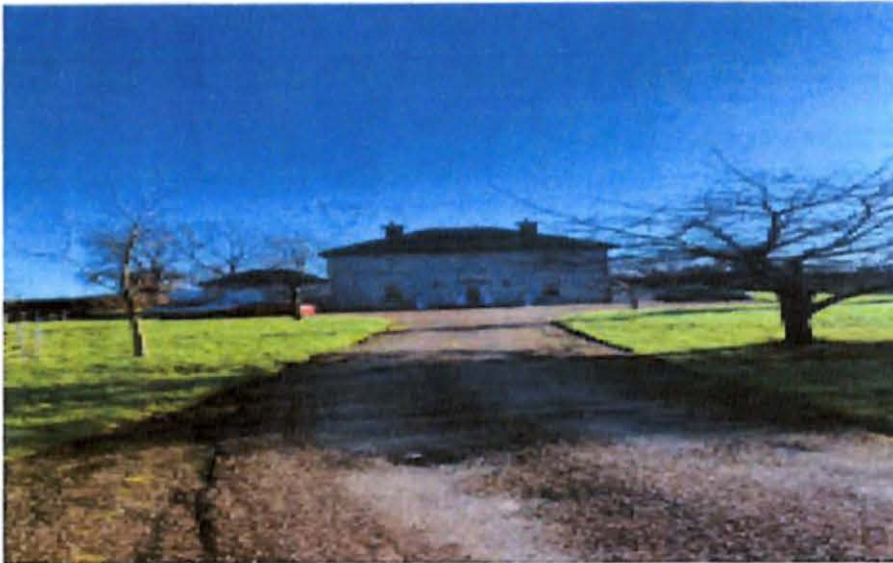
**ANDREA TONER**

**MIPAV (TRV) MMCEPI**

**PSRA LICENCE 003964 009208**

**Smart Move Properties**  
Cretzen House  
49 Merchants Quay  
Waterford, X91 WN59  
051-511199  
PSRA# 003964

# Executive Summary



Granny, Co. Kilkenny, X91 X3N8, Ireland

Final Valuation	<b>€1,500,000</b>
Property type	Detached House
Number of Bedrooms	4
Land Site	2 acres / 1 ha



Photo 1: Aerial Photo of Quarry Extension taken from EIA showing Close Proximity of Appellant's Dwelling Houses in the direction of the Proposed Extension





# Building Energy Rating (BER)

BER for the building detailed below is:

**A2**

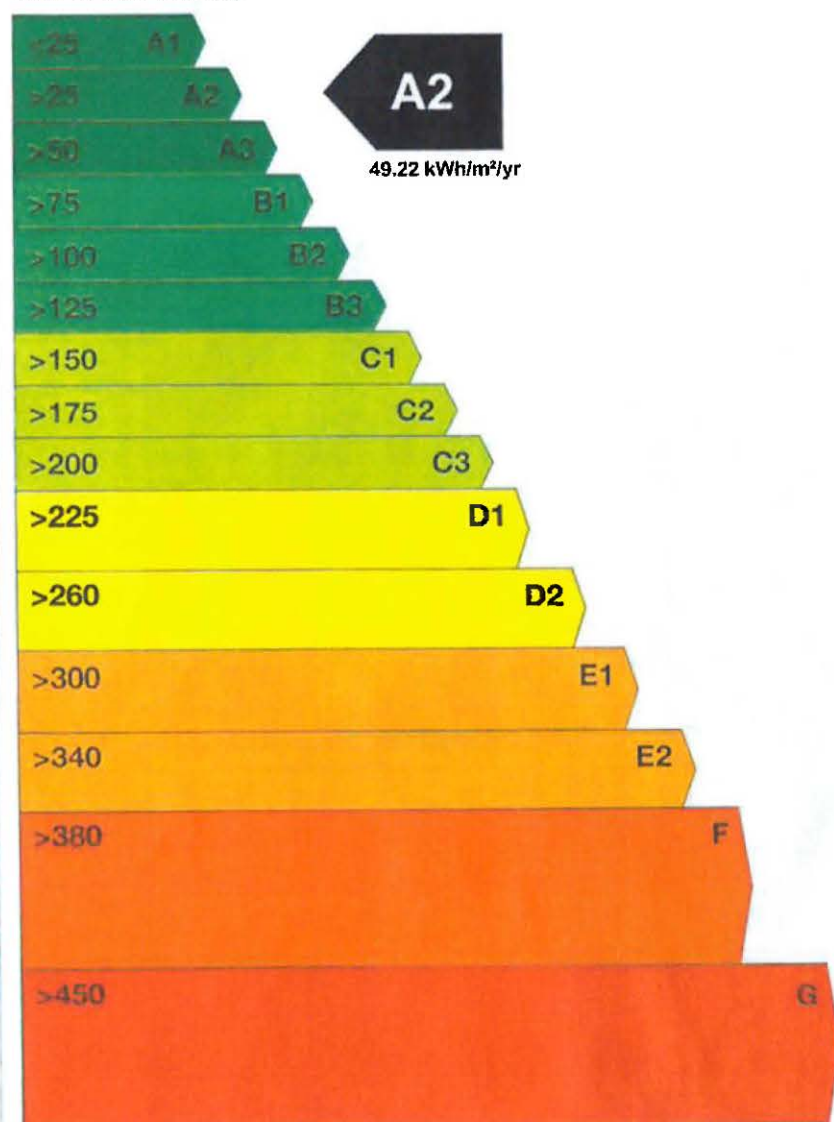
Address GRANNYKNOCK  
KILMACOW VIA  
WATERFORD  
CO. WATERFORD

Elrcode X91X3N8  
BER Number 117135350  
Date of Issue 26/01/2024  
Valid Until 26/01/2034  
Assessor Number 108748  
Assessor Company No 108747

The Building Energy Rating (BER) is an indication of the energy performance of this dwelling. It covers energy use for space heating, water heating, ventilation and lighting, calculated on the basis of standard occupancy. It is expressed as primary energy use per unit floor area per year ( $\text{kWh}/\text{m}^2/\text{yr}$ ).

'A' rated properties are the most energy efficient and will tend to have the lowest energy bills.

## Building Energy Rating $\text{kWh}/\text{m}^2/\text{yr}$ MOST EFFICIENT



LEAST EFFICIENT

## Carbon Dioxide ( $\text{CO}_2$ ) Emissions Indicator $\text{kgCO}_2/\text{m}^2/\text{yr}$



The less  $\text{CO}_2$  produced, the less the dwelling contributes to global warming.

**IMPORTANT:** This BER is calculated on the basis of data provided to and by the BER Assessor, and using the version of the assessment software quoted below. A future BER assigned to this dwelling may be different, as a result of changes to the dwelling or to the assessment software.





Photo 2: View Looking West from the Dwelling House of David Williamson & Clare Buckley

# Property Appraisal

Granny, Co. Kilkenny, X91 TR99, Ireland



Google

Map data ©201



Prepared by **Andrea Toner**  
License 003964-004312

051-511199  
[reception@smartmoveproperty.ie](mailto:reception@smartmoveproperty.ie)





**Report Date:** 04/02/2025

**The Property - Estate of Denis Buckley**

GRANNAGH KNOCK

KILMACOW

CO. KILKENNY

X91 TR99

**Instruction:** To value the property based on Market Value as at the Valuation Date in accordance with your instructions

**Purpose of Valuation:** Estimation of the current value of the property.

**The capacity of Valuer:** We confirm that we have prepared this valuation as External Valuers as defined in the RICS Appraisal and Valuation Standards, 7th Edition. We are experienced, skilled, and competent to conduct this valuation

**Conflict of Interest:** Smart Move Properties have no conflict of interest in carrying out this valuation report.

**Aggregate Market Value:** €700,000 (Seven Hundred Thousand Euro) Our opinion of Market Value as of 4th of February is based upon our valuation assumptions and analysis as attached and has been primarily derived using comparable market transactions on arm's length terms.

**Introduction:** In accordance with our terms and conditions, we at Smart Move Properties have considered the property, to advise you of our opinion of the Market Value (as defined below) as at the valuation date,

**Weather conditions:** Dry and clear.

Restrictions we have not undertaken a detailed condition survey

**Type of property:** 5 Bedroom detached bungalow situated on 12 acres of land.

This property comprises of 2 separate living rooms, kitchen, WC, 5 bedrooms , 4 doubles ( including master with ensuite & 1 single room .

Oil fired central heating & double glazed windows throughout.

**Location:** The property is located in Kilkenny

**Valuation:** We provide objective, realistic appraisals utilizing current economic indicators in the process, therefore, it's, in my opinion, the current Open Market Value of this property is €700,000 (Seven Hundred Thousand Euro) or capital value.

The current valuation is based on the current situation with the adjacent Roadstone Quarry. However, should a proposed extension to this quarry be granted we understand that the quarry extension will advance in a northeastern direction towards this property to within a distance of ca. 310 meters . This would definitely result in a loss of value or even worse could result in the property being deemed unsaleable in the future.

Signature

Andrea Toner Date 5.2.2025

**ANDREA TONER**

**MIPAV (TRV) MMCEPI**

**PSRA LICENCE 003964 009208**

**Smart Move Properties**  
Cretzen House  
49 Merchants Quay  
Waterford, X91 WN59  
051-511199  
PSRA# 003964





# Executive Summary



Granny, Co. Kilkenny, X91 TR99, Ireland

Final Valuation	€700,000
Property type	Detached House
Number of Bedrooms	5
Land Site	12 acres / 5 ha