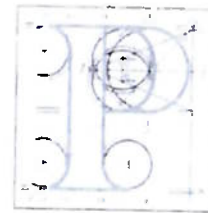


Our Case Number: ABP-322329-25



An
Bord
Pleanála

Moyvale Residents Committee
c/o Morgan Foley & Others
3 Moyvale Park
Ballina
Co. Mayo

Date: 09 June 2025

Re: Ballina Flood Relief Scheme - River Moy
River Moy, County Mayo

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter. Please accept this letter as a receipt for the fee of €50 that you have paid.

Please note that the proposed development shall not be carried out unless the Board has approved it or approved it with conditions.

Please be advised, An Bord Pleanála is legally obliged to publish all documentation in relation to the case on its website, and any personal data (names, addresses and contact details) that is contained in these submissions, will be published in full.

The Board's full GDPR policy can be viewed on our website: <https://www.pleanala.ie/en-ie/privacy>

If you have any queries in relation to the matter, please do not hesitate to contact the undersigned officer of the Board at laps@pleanala.ie

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Lauren Griffin
Executive Officer
Direct Line: 01-8737244

JA02

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Submission in opposition to the proposed work of the **Ballina Flood Relief Scheme (BFRS)** within and around the Moyvale Estate, on Sligo Road in Ballina. Specifically the Bunree (Behy Road) Stream. Copy of planning notice included as Fig 1. Below. **An Bord Pleanála Case Number: ABP-322329-25**

Dear members of the An Bord Pleanála panel,

we the full committee of the Moyvale Residents Association wish to make clear to those who will adjudicate this planning application our objection to the works planned to the Bunree (Behy Road) Stream under Ballina flood relief scheme without hostility or confrontation in respect of: (i) The implications of the proposed development dealing with the proper planning and development of the area in which the development is concerned and (ii) The likely effects on the environment of the proposed development.

Our many reasons for the objection include the following...

1. First and foremost we have a huge safety concern about the people, particularly the children, of Moyvale having an exposed stream running through the main playing area within the estate. For many years, predating the conception of the BFRS residents have been campaigning to have current open stream of 15-20 metres at the front of the estate to be culverted.

Article 1. <https://www.advertiser.ie/mayo/article/121300/duffy-calls-for-stream-to-be-covered-over-in-estate>

Article 2. https://www.westernpeople.ie/news/councillor-raises-safety-concerns-over-open-drain-in-ballina-estate_arid-5595.html

Now to read that it is to be opened up even more feels like a slap in the face of these requests. In March 2020 a young child was tragically drowned in a stream in the Rehins Fort Estate, also in Ballina, and we feel that any open water source presents too much of a risk next to where our children play. In 2022 a Moyvale child had a close call when going down there to retrieve a scooter that had been taken and thrown down there by a teenager from outside of our estate. If an adult hadn't been present the outcome could have been different and the only deterrent from this happening again is a high gathering of unsightly brambles that we cannot remove until the current short section of stream is culverted.

2. A child could enter this newly opened supposed "gently" banked area and follow the course of the stream further down to areas that are impossible to scale and get out of. For example if a child was to walk downstream from the current culverted section within Moyvale to the following location 54.12059813419398, -9.137904649295045 they would arrive at a location that is impossible to escape due to the (at least) 10 ft high near vertical bank with high walls at the top on both sides.
3. The engineer from Mayo County Council, Michael O'Grady, who met with both members of our committee and Minister Dara Calleary's representative, Liam Henry, was very helpful and courteous. Mr. O'Grady used the analogy that the banks of the current stream are like a pier whereas the new stream will have a gentle gradient like a beach. The drawings (see fig 2. below) do not seem to bear out this analogy with a mix of intermittent angled banks and vertical walls making up the sides of the new stream. In places it will be impossible to achieve the safe "beach" style gradient because of the proximity to walls, established trees, the N59 itself and the internal roads within Moyvale (particularly near 11 and 12 Moyvale Park) and so it will need to be stepped, which we strongly feel is too dangerous within a housing development. The alternative, shallow, gentle gradient will require the removal of a lot of the current green area which is not favourable to us either given the establishment by our residents of hedging, a biodiversity area, a manicured lawn playing space and both

newly planted and established trees. The third (and our preferred) option, to culvert the remaining 20 meters or so in front of Moyvale Park requires no banking and would have minimal effect on the planting/landscaping that has already been done. We have been asked by previous committees to highlight particularly the laurel hedging along the stream that was put down at great effort and expense and that is still regularly being maintained. We would hope that it is respected as part of any future construction work.

4. A big point of contention is that there is a small gate (in the N59 wall), a pedestrian right of way (path) and an area of maintained grass all on what would become the other side of the stream if the culverted section is changed to an open stream. We also have an application in with the council under the Oweninny Benefit Fund for approximately €5000 to have a permanent path made that will upgrade the "Elephant Path" that runs from the existing pedestrian gate in a straight line directly across our green to the road to the Moyvale Green and Lawn parts of the estate.

<https://www.mayo.ie/community/oweninnycommunitybenefitfund>

If the development goes ahead as planned without a bridge residents will lose this constantly used right of way/short cut as well as the land on the N59 side of the new stream.

5. Another point made by some residents is that there are a lot of established trees along the course of the current stream and particularly the culverted area of Moyvale. There are far more than are highlighted on the map provided to us (Fig 2 below). At the moment these provide a sound barrier from the very busy N59 at night when boy racers are terrorising the area with noise pollution. They also provide privacy for us as residents from the National road and the backs of the houses that face the N59 (also near 11 and 12 Moyvale Park). If these trees are removed to facilitate the opening up of the culvert and creating new banking we would lose all of those protections. On the point of boy racers we feel the planned digging up of the N59 to increase the width of the pipes would provide an ideal opportunity to include a raised pedestrian crossing from the pedestrian gate of Moyvale to over to The Downhill Inn and Knocknalyre. A potential crossing would serve 3 important functions...
 - a. To give safe passage to pedestrians and cyclists crossing the N59 in both directions between the housing developments themselves and the soon to be opened shop (at old Judges site).
 - b. To slow traffic entering the roundabout from Ballina town. At the moment traffic does not yield and motorists speed straight through as the roundabout itself is not raised.
 - c. We would hope a calming in speed would also lead to a reduction in road noise at night. -With more houses being built at the junction at Wild Green there are a huge volume of residents from Moyvale, Quignalecka, Knocknalyre and Wild Green who would experience this three-fold benefit.
6. We also note that the Bunree (Behy Road) Stream travels fully underground from Davy's tool hire (54.11981276891524, -9.121614254723472) for approximately a kilometre before it travels under the N59 and arrives in Moyvale. All we are asking is that it remain underground (to keep our estate safe) for a further 20/25 metres before emerging where it currently does safely for a second time where it is obscured from view and made safe by our biodiversity (at 54.12049675813818, -9.137065707678042) area and a barbed wire fence. Surely if it needs to be brought over ground for expansion or environmental reasons an ideal location would be within the private and child free grounds of The Downhill Inn directly across the N59 from Moyvale.
7. From our reading of the FRS and from meeting with Mr. O'Grady, the engineer, we understand that a large part of the motivation for reopening the culverted section is for environmental reasons but we have our own environmental reasons for the proposed works

not to proceed. For the past 4/5 years, as alluded to above, we have chosen a large section of our green and left it to nature as a biodiversity area. In this area there are 14/15 alder trees that have occurred organically as well as other plants, birds, insects and more recently a family of foxes. When you contrast this with the area around the current open stream (of what is essentially dirty road run off) where the only biodiversity is overgrown and unsightly brambles (as mentioned above we have been forced to leave these brambles in situ as they are currently the only boundary that discourages a child from approaching the open, dangerous stream) and vermin/rodents that are regularly observed around the open water source it underscores our determination that culverting the small initial section that is open rather than opening up more stream and destroying our biodiversity area, as would be necessary, would be a lot more beneficially to the ecology of the area. We have also grown, from seed, some horse chestnut, oak and sycamore trees in the past 2 years to clearly identify the boundary between the maintained lawn area and the biodiversity area at the front of Moyvale. This is a work of ongoing progress and we would be very upset to see it destroyed.

8. Finally we would like to future proof the estate in the sense that we are valued as shareholders in everything done with the estate going forward. We would like a say and some autonomy over our own shared spaces. When the estate was built initially it was left with an open drain that... a. is potentially lethal, b. is an eye-sore, c. facilitates rodents and vermin and d. is too expensive and divisive for us as a voluntary committee to maintain or make safe. Whatever the decision of your panel we would hope that any conditions would include that the estate is left in a more safe, aesthetically pleasing and efficient to maintain condition afterward than it was when it was built over 20 years ago. Many of the residents of our estate are currently experiencing high levels of stress associated with demolishing and rebuilding homes affected by the scandalous crisis of defective concrete blocks (pyrite) so the additional stress of potentially having an open water channel running through our play area is unwelcome to say the least.

In summary as you can imagine we are very concerned and upset at these plans that open up, as we see it, more risk of life and more area for vermin within our community. We feel that a sensible solution for all concerned would be to extend the piped section for the extra 15/20 metres underground which would alleviate any risk to the children of the local area and would also make the surrounds more aesthetically pleasing. We are totally opposed to having any stream running within the playing space at the front of our estate and we extend the invitation to members of the panel to make a site visit and meet with us so that we can better outline this to you before any decisions are made. We hope that when you see it physically you will see what a danger to life (particularly to local children) the current stream and any potential extension of it really are. As mentioned above we have put on record previously our sadness and worry about the local example of a child drowning in another development in Ballina and we are very anxious that appropriate precautions are taken to avoid another similar tragedy.

Yours respectfully

Name

Morgan Foley
Carmel Goodwin
Olivia Kelly

Committee Roll

Chairperson
Secretary
Treasurer

Address

3 Moyvale Park
8 Moyvale Green
9 Moyvale Green

Mobile Number

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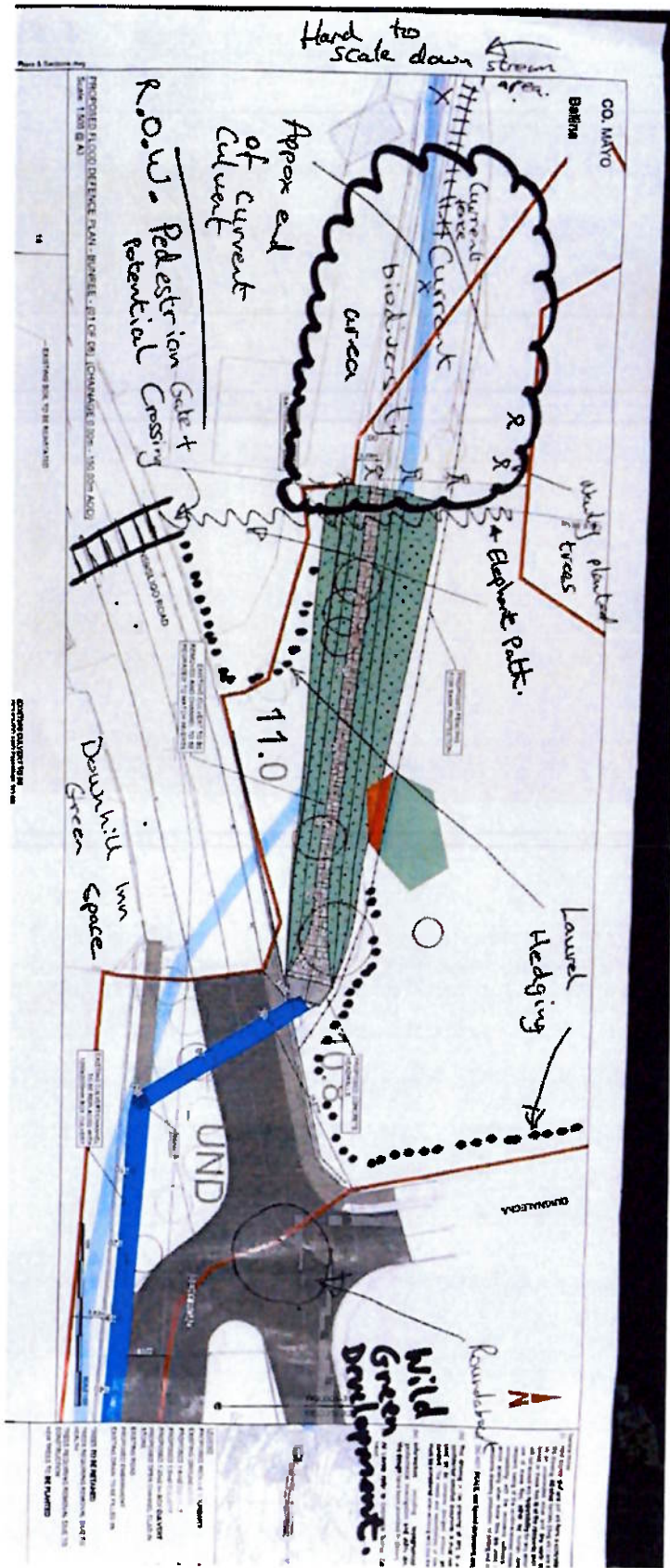


Photo AA: Laurel Hedging with brambles and stream beyond. Established trees and N59 behind.



Photo A: Deep Sided Stream Centre surrounded by brambles.



Photo B: Elephant path leading to Moyvale Green from pedestrian gate



Photo C: Established Trees-Sound barrier and privacy (biodiversity area behind these)



Photo D: Established Trees-Sound barrier and privacy (biodiversity area behind these)



Photos E & F: 10 foot near vertical bank with walls at top. Downstream from culvert.
Currently fenced off and safe.



Photo G: Current location of culverted section end. It is obscured by Biodiversity area and fence making it safe.



Photo H: Biodiversity area corner.



Photo I: Boundary between Biodiversity area and green (with elephant path) marked by newly planted native trees.



Photo J: Pedestrian right of way leading to elephant path with biodiversity area on left and culverted section running underground right to left beyond furthest manhole cover.



Photo K: More suitable, private, child free green area of Downhill Inn where open stream could run.



Photo L: N59 on left running toward town. Right foreground. Area where rodents are frequently observed coming from stream, mid pic right planted laurels separating brambles and stream from children's playing space. Background right. Established trees, sound barrier and privacy.



Photo M: Stream and brambles immediate left. Roundabout and rodents ahead (opposite perspective of photo L)



Photo N: Brambles 7-8 feet high that cannot be removed as they are a safety deterrent to children.



Photo O: Taken from pedestrian right of way. Ideal raised crossing location right, hedging planted by committee left. Brambles and stream beyond.



Photo P: Taken from pedestrian right of way. Ideal raised crossing location right.



Photo Q. Pedestrian right of way with ideal raised pedestrian crossing location beyond.



Photo R: Laurel Hedging with brambles and stream beyond. N59 on right. 2 metres beyond Tall tree marks end of current stream section we want culverted/beginning of current culvert.



Photo S: Biodiversity with boundary clearly marked. Organically situated alders. Culvert runs beneath tress on left.



Photo T: Area that would be cut off by new stream. Culvert begins at left tree. Laurel hedging and pedestrian right of way and elephant path all shown. N59 in background.



Photo U: Area that would be cut off by new stream. Culvert runs underground beyond young alders. Biodiversity area, newly planted native trees, pedestrian right of way and elephant path all shown. N59 in background



Photos V and W: Newly planted native trees acting as boundary to biodiversity area.



W



Photo X and Y: Biodiversity Area



Y



Photo Z: Moyvale Homes affected by pyrite defective blocks being rebuilt.

