

File With \_\_\_\_\_

## SECTION 131 FORM

Appeal NO: ABP - 313939-22

Defer Re O/H

TO: SEO

Having considered the contents of the submission dated/ received 22/7/22  
fromPauline Fennell I recommend that section 131 of the Planning and Development Act, 2000be not be invoked at this stage for the following reason(s): no new material planning issuesE.O.: PhilDate: 29/7/22

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: \_\_\_\_\_

IM \_\_\_\_\_

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

to: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4 weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

File With \_\_\_\_\_

**CORRESPONDENCE FORM**

Appeal No: ABP \_\_\_\_\_

M \_\_\_\_\_

Please treat correspondence received on \_\_\_\_\_ as follows:

1. Update database with new agent for Applicant/Appellant \_\_\_\_\_

2. Acknowledge with BP \_\_\_\_\_

3. Keep copy of Board's Letter ☐

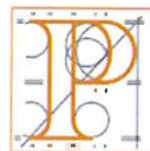
1. RETURN TO SENDER with BP \_\_\_\_\_

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐**Amendments/Comments****4. Attach to file**(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☐

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO:	AA:
Date:	Date:

# Validation Checklist

Lodgement Number : **LDG-055563-22**  
Case Number: **ABP-313939-22**  
Customer: **Pauline Fennell**  
Lodgement Date: **22/07/2022 10:00:00**  
Validation Officer: **John Cannon**  
PA Name: **Waterford City and County Council**  
PA Reg Ref: **21772**  
Case Type: **Normal Planning Appeal PDA2000**  
Lodgement Type: **Observation / Submission**



An  
Bord  
Pleanála

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

BP410 to Observer

RK-29/7

Run at: 27/07/2022 13:01

Run by: John Cannon

# Lodgement Cover Sheet - LDG-055563-22

ABP-313939-22

## Details

Lodgement Date	22/07/2022
Customer	Pauline Fennell
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

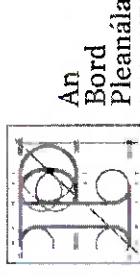
## Categorisation

Lodgement Type	Observation / Submission
Section	Processing

## Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

## Observation



An  
Bord  
Pleanála

Lodgement ID	LDG-055563-22
Map ID	
Created By	Gillian Brogan
Physical Items included	No
Generate Acknowledgement	
Customer Ref. No.	
PA Reg Ref	

PA Name	Waterford City and County Council
Case Type (3rd Level Category)	

Observation/Objection Allowed?	
Payment	PMT-043164-22
Related Payment Details Record	PD-043065-22

Run at: 22/07/2022 11:45

Run by: Gillian Brogan

PA Case Number	
PA Decision Date	
County	
Development Type	
Development Address	
Appellant	
Supporting Argument	

Development Description	
Applicant	
Additional Supporting Items	

Canty

Cappagh

Co. Waterford

X35 RP46

19<sup>th</sup> July 2022

Please find attached:

**AN BORD PLEANÁLA**  
LDG- 05563-22  
ABP- \_\_\_\_\_  
22 JUL 2022  
Fee: € 50 Type: cheque  
Time: \_\_\_\_\_ By: Reg Post

My Observations Ref. Planning Appeal by Roadstone Ltd. Planning Ref. 21/772

Receipt Ref. my submission on the Request For Further Information.

Copy of my submission regarding Request for Further Information.

€50 being fee required to make an observation.

With thanks

Yours faithfully



Pauline Fennell

Canty,  
Cappagh,  
Co. Waterford  
X35 RP46  
19<sup>th</sup> July 2022

Re: Planning Ref. 21/772 Roadstone Ltd. at Cappagh Quarry Co. Waterford. Application for extension 18.2 hectares Satellite Quarry and New Concrete Plant at Canty, Cappagh together with extensive and major works at Ballykennedy, Kilgreany, Cappagh, Co. Waterford for up to 20 years.

A chara,

I wish to make my Observation to the above Planning Appeal by Roadstone Ltd. to An Bord Pleanana

**OBSERVATION ON NOISE LEVELS AND PROXIMITY OF THIS DEVELOPMENT TO THE PROPERTY I LIVE AND WORK IN:**

The excessive noise, emitted by the Quarry during their hours of work will greatly impact me and the lives of the people living in close proximity to it. The anxiety of living beside a Quarry which emits high levels of noise and general disruption in an area can cause individuals to suffer from sleep deprivation, loss of appetite, avoiding outside activities during the periods of operation, turning up the volume on the radio and television, closing doors and windows in an effort to shut out the constant din that this Industry will create. This results in a change to my normal daily routine and constantly living with this problem may cause long term health issues.

I am a fully remote worker. Much of my work entails interviewing and taking detailed notes from clients. This work is very intense and attention to detail is paramount. Constant noise from the, now to be very near, Quarry 100 meters away will definitely impact on the quality of my work. The constant background noise and blasting, when it takes place, I feel, will have a huge impact. The noise from the blasts will be picked up on my audio recording thus hindering me in my effort to create an accurate report, which is vital in my work. It is also extremely unprofessional during a client meeting if there is constant noise in the background.

**OBSERVATION ON DUST, DIRT AIR QUALITY AND HUMAN HEALTH:**

Both in their planning application and in their RFI response Roadstone Ltd. have stated that this new development will hardly impact on local residents. The RFI states that dust emissions will be held to below nuisance levels. This is implausible and unbelievable as the property, as I have stated above, that I live and work in is only 100 meters from the Quarry boundary. Without implementing extreme measures of containment, I and my neighbours will have to suffer the constant and severe nuisance that this development will bring to our doorstep.

#### OBSERVATION REGARDING WORKING HOURS:

It has been documented that 72 hours of work, including some of Saturday, it will take to run this plant. Surely this is excessive. The construction industry federation stipulate 39 hours work per week. 72 hours of operations in this plant will give no respite to me or my neighbours. There will just be no relief from it except on Saturday afternoon, Sunday and Bank Holidays. This is grossly unfair on me and the local residents who have a basic right, as set out in European law, to enjoy our homes and gardens and general surroundings.

#### OBSERVATION REGARDING PROPERTY VALUES:

As a result of this new Quarry development creating a large volume of noise, dust, dirt, and increased traffic on the road by heavy machinery, the value of the properties in close proximity to the Quarry will fall in value. If this happens, and for Local Property Tax purposes they will have to be dropped in value and Revenue advised of the reason. Therefore, through no fault of the residents, this near development will also have a monetary impact on those living close to the Quarry. So the local residents in effect will become poorer as a result. How can this be acceptable.

#### CONCLUSION TO MY OBSERVATIONS:

This new development is far too close to where I live and work. I request that An Bord Pleanála push back the boundary of the new Quarry to an acceptable distance.

The Bord is requested to make it a condition of planning, that the Roadstone Ltd, use every available piece of Technology in an effort to quell the excessive noise, dust, dirt and general pollution that will incur when this plant is in operation.

The Bord is requested to ask Roadstone Ltd. to reduce their hours of work to an acceptable amount and no work should be carried out on Saturday or Sunday.

The Bord is asked to look into the loss of value to properties of residents who live near to this new development.

With thanks

Yours faithfully



---

Pauline Fennell





Comhairle Cathrach & Contae Phort Láirge  
Waterford City & County Council

ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a  
PLANNING APPLICATION

21/772

Pauline Fennell  
Canty  
Cappagh  
Dungarvan  
Co Waterford X35 RP46

**Applicant:** Roadstone Ltd.,  
**Address:** SLR Consulting (Ireland) Ltd  
7 Dundrum Business Park  
Windy Arbour  
Dublin 14

<b>AN BORD PLEANÁLA</b>	
LDG- _____	
ABP- _____	
29 JUN 2022	
Fee: € _____	Type: _____
Time: _____	By: Reg post

12/05/2022

**THIS IS AN IMPORTANT DOCUMENT**

**KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANALA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.**

Dear Sir/Madam,

I wish to acknowledge receipt of submission/observation received from you on 10/05/2022 in connection with planning application by Roadstone Ltd., for the development will comprise the following on an application site of 18.2 hectares:-a satellite quarry to the east of Cappagh Quarry (previously permitted under Planning Permission 06/1599 and An Board Pleanala PI 24.225443 and the local access passageway which delineates its eastern boundary. The satellite quarry will extend to 13.6 hectares (33.6 acres) of which 9.7 hectares (24.0 acres) will be extracted: Construction of a 40m concrete tunnel underpass; Stripping of soils; Processing of excavated rock; Demolition of a derelict house; Temporary diversion of section of local access passageway; Temporary access gate and ramp. Demolition of concrete supports; Construction and operation of new concrete batching facility; Batching control office, and mixture storage shed; Closed loop concrete recycling facility; Aggregate storage hardstanding area; Continued use of established site infrastructure: Realignment of wall and demolitions; Restoration and extraction across satellite quarry area. Permission sought for up to 20 years. An EIAR and NIS will be submitted to the Planning Authority in connection with the application. at Cappagh Quarry Ballykenedy, Kilgreany and Canty Townlands Cappagh.

The submission/ observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001, as amended, and will be taken into account by the planning authority in its determination of the planning application.

Yours faithfully,

for DIRECTOR,  
CORPORATE SERVICES, CULTURE AND PLANNING.

copy

The Planning Department,  
Waterford City & County Council,  
Civic offices,  
Dungarvan,  
Co. Waterford.

Canty,  
Cappagh,  
Dungarvan,  
Co. Waterford.  
X35 RP46  
5th May 2021

**Response to Request for Further Information (RFI) regarding Planning Application by Roadstone Ltd., Fortunestown, Tallaght, Dublin 24 to Waterford County Council July 2021. Application Reference number 21772.**

Dear Sir or Madam,

I wish to place my objection to this proposed development on the following grounds.

#### **Noise Levels**

The effect of this proposed development as outlined in the planning application and in the RFI on residents living in close proximity has not been adequately examined or addressed.

As per my previous application, dated 10th September 2021, in which I referenced case studies and IEMA report, the impact of noise can have psychological impact on individuals. The below studies clearly contradict the RFI's argument that the effect of noise on local residents will be minimal with no significant impact.

Studies have shown that worker productivity can be decreased depending on the length of time exposed to higher frequency noise. As a full time, remote worker living so close to the Cappagh quarry, the excessive noise levels will negatively affect my work on a daily basis.

The prospect of a remote worker trying to concentrate and be productive while being exposed to continuous high levels of nuisance noise (during normal working hours), together with the dust and atmospheric pollution emanating from the quarrying business is most definitely not a welcome intrusion.

I work and live within 95 metres from the Applicants boundary. I am a **fully** remote worker in which 90% of my work consists of interviewing clients. Interviews can take place anytime from 9am to 5:30pm. For the type of work that I do, these interviews must be transcribed and thus are audio recorded. Sounds of blasts 95 metres away will certainly disrupt my ability to perform my work to the highest standard. The noise of the blasts will be picked up on the audio recording thus inhibiting me to create an accurate transcript. It will also be extremely unprofessional during a client meeting if there are noises of blasts in the background. It would be very inconvenient, as well as again unprofessional, for me to reschedule clients meetings around Roadstones blast schedules.

If a person feels they cannot control the amount of noise in their environment, its impact on their mental health intensifies (Jariwala, 2017). The excessive noise emitted from the new quarry will be out of everyone's control and could therefore impact greatly on the mental health of the people living nearby. In addition, excessive noise can also reduce the depth and quality of sleep, altering the amount of rapid eye moment (REM) sleep. This can impact a person's mood and ability to concentrate. Newer research conducted by Cirrus has also suggested a link between excessive noise exposure and Alzheimer's disease (2016)

In severe cases, loud sounds can directly cause hearing impairment. Physical effects of noise pollution can include hearing loss or tinnitus. Most experts agree that exposure to continuous levels of nuisance levels of sound for consecutive hours is potentially dangerous.

According to the 2018 review on "Noise Pollution and Human Health", children are particularly vulnerable to noise-induced hearing loss. Viet et al. (2004) found that chronic exposure to noise could cause permanent hearing changes in children, including the inability to hear certain frequencies.

Research has shown that noise pollution can have physiological effects (Fells, 2019). This research found that people regularly exposed to high noise levels have higher cases of nausea, headaches, argumentativeness, blood pressure, and changes in mood and anxiety.

A number of recent studies have shown a strong link between exposure to excessive noise levels and poor mental health. Even small increases in the level of ambient noise can have a significant effect. In 2011, it was reported that scientists studying people living near seven major European airports found that a 10-decibel increase in aircraft noise was associated with a 28% increase in the use of anti-anxiety medication. (Floud et al, 2010). Another piece of research found that people living in areas with high levels of traffic noise were 25% more likely than those living in quieter areas, to develop depression (Orban et al, 2016).

The continuous din that will come from the quarry operations which includes the staccato noise produced by rock-breaking machinery can only be described as a greater nuisance and noise hazard compared to the examples listed above.

Research suggests it can raise stress, affect mental health, and contribute to developing health issues such as high blood pressure. Direct exposure to loud or persistent noise can also lead to hearing impairment. Children are particularly vulnerable to the negative health effects of noise pollution.

The statement from the RFI that the noise levels, *"will not significantly exceed existing background noise levels"*, is not accurate and the noise levels will most definitely have an adverse effect on what is now an optimal working and living environment.

#### **Dust, Air Quality and Human Health.**

The RFI response presents as if this new proposed development will hardly have any effect or impact on the local residents and their surrounding environment. Historically such is not the case and most certainly will not be in the future should this proposed development be granted Planning Permission.

I believe that no amount of cladding or abatement measures taken by Roadstone Ltd. can prevent or reduce noise levels, constant dust, dirt, and vibration to a level that would be acceptable to residents living and working locally to the proposed development. The RFI stating that the dust emissions from just 100 metres away from the boundary will be held at below nuisance levels are implausible and unconvincing. That is, without implementing extreme measures of containment.

#### **Blasting & Vibration.**

The lands and business surrounding the existing Quarry and proposed Satellite Quarry is mainly made up of agricultural pastureland and dairy farming. Roadstone have said that "Rock blasting will be restricted to between the hours of 11.00hrs. and 15.00hrs to ensure that there is no impact on dairy cows around milking time". I believe, for certain, there will be an impact on the dairy herds in the area, one being probably loss of milk production and its quality. The noise from blasting will also have an impact on our domestic animals. It is well known that the sound of claps of thunder, and this is how Roadstone have described the sound of their blasting, are very disruptive to domestic pets especially dogs. It has been found that excessive noise can have a significant impact on the well-being of animals. (Passchier-Vermeer and W F Passchier, 2000). Almost every household has a pet (I have two dogs), not to mention the dairy herds and thoroughbred horses in the vicinity. The well-

being of these animals will almost definitely be negatively affected from the excessive noise and dust which will be emitted from the Roadstone Ltd. proposed development.

With this proposed operation now being so close, 95 metres from the boundary, there will be increased ground vibrations and air over-pressure from blasting operations. The issue of "fly rock" is also evidently an issue from the old Cappagh Quarry. Fly rock as a result of blasting has damaged dwellings previously. If fly rock can damage roofs of houses, imagine the effect fly rock would have on animals. Increased ground vibrations, air over -pressure and fly rock all will have a detrimental impact on the animals, including my two young dogs, in close proximity to the proposed operations.

For all of the above significant concerns I do not believe the RFI have adequately or comprehensively addressed the negatives impact the proposed development will have on the occupants of our residence and that of other nearby residential properties. Therefore the granting of Planning Permission for this proposed development, file Reference 21772, should be rejected.

Yours faithfully,



Ms. Pauline Fennell.

BA (Hons) Psychology. BA (Hons) Psychology (International). MSc. Work and Organisational Psychology.