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SECTION 131 FORM

Appeal No

ABP— 319198-24

Defer Re O/H

Having considered the contents of the submission dated/received 1/4/24 from Patrick Hickey + Siobhan Lane 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

Section 131 not to be invoked at this stage.

Section 131 to be invoked — allow 2/4 weeks for reply.

Signed

Daniel Connor

Date

22/5/24

EO

Signed

[Empty box]

Date

[Empty box]

SEO/SAO

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

[Empty box]

Task No

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Allow 2/3/4 weeks

BP

Signed

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Date

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EO

Signed

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Date

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AA

On Bord Pleanála Observation Case 319198

Objection to application 2360042 Case 319198

We welcome the Carlow County Council (CCC) decision rejecting this proposed development, which highlights fundamental Irish and European policies that this development would not comply or align with.

As a community we are especially pleased with the unambiguous categorical statement from CCC that a development of this nature in our area would be “contrary to the proper planning and sustainable development of the area”.

To overturn such a decision made by CCC would contravene Irish and European policy.

Having said that, we would be concerned that there was no mention of the first point raised in our objection submission Destabilising homes (included below for easy reference), to date there has been no commentary on this at all in any information submitted in relation to this development. This is a major risk to resident buildings and lands above this proposed development.

The reason without it being expressly mentioned we would assume is because of the fundamental nature of the other policies that this proposed development does not align with and if such policies were to change, we can only assume that this point would be dealt with in full.

Having read the decision by CCC and the appeal information submitted, this appeal information does not answer the rejection criteria set-out by CCC and the summary on the final page of the appeal is concerning as it contains completely inaccurate information in relation to neighbour liaison.

In summary, as set-out above, we believe the CCC’s rejection criteria or our own local objections have not been dealt with in this appeal application and would request that the CCC decision is upheld.

Patrick Hickey and Siobhán Kane

The View

Bannagogle

Old Leighlin

Co Carlow

R93DD25

Original Objection

The same road is also used by pedestrians, runners and cyclists, and as it currently stands traffic from the existing quarry is very dangerous for these road users. There are many older people and young families who live on this road and in the surrounding area and use it regularly for exercise. Many of these people will lose this amenity if this project were to go ahead and there would be no alternative option for some of them. Aside and from the obvious public safety concerns from the traffic, the dirt and dust associated with both the quarry development, and the traffic, would make it very difficult to use this road as a cyclist or pedestrian.

Traffic assessment not representative

The traffic assessment included in the planning application is from November, a time at which agricultural traffic would be very low so this traffic assessment is not representative at all of the traffic on this road, and should not be accepted as such.

Clean air

Allowing a gravel quarry would no doubt have a very negative impact on the air quality in the area. Three of our five children have asthma. We moved from Dublin 18 months ago, and one of the reasons behind this was for a better environment for our children.

Destroying natural habitats

We take our role in educating our children on the value of their natural heritage very seriously, and we are very aware of how lucky we are to live in an area of such valuable natural habitats. This development would decimate these natural habitats. As you look up the hill from where the proposed development would take place you see an abundance of vegetation, a variety of colours, and you would rarely look up without seeing birds flying over the area. This would all disappear. This goes against all Government policy on biodiversity and preserving our natural heritage, in addition to destroying protected species. Our main concerns in this regard are outlined below.

In Enviroguide Consulting's *Environmental Impact Assessment Report*, which was submitted as part of planning application, it is evident that there is a vibrant habitat existing within the footprint of the proposed development. It is clearly stated that if the proposed development were to be permitted:

- There would be long-term implications for a protected species, bats;
- A significant section of the planned site has not received any inspection;
- Hedgerow, which is in good condition and obviously irreplaceable, would be destroyed; and
- There would be a serious impact on other mammals, birds and reptiles.

It cannot be acceptable that this habitat is to be destroyed, especially at a time of significant impetus around the protection of our natural habitats and attention on issues around biodiversity, given the recent publication of the Government's *National Biodiversity Plan*.

Key Ecological Receptors

In the below table which is contained in *Section 5.5.5 Table 5-11* Badgers; Bat Assemblage; Breeding Birds; and Amphibians and Common Lizards are all listed as Key Ecological Receptors, yet for all, insufficient information was gathered. Overall, there is a very insufficient picture of the impact of this development on what is well known locally, to be a site of enormous wealth in terms of biodiversity.

species, these include the linear treeline, plantation wood hedgerow and dry meadow. Twenty-seven species were recorded on the Breeding Bird Scoping Survey.”

Several of the birds identified are given the BOCCI Status of amber, including the House Sparrow; Swallow and Willow Warbler. There would be total demolition of the habitats and breeding grounds for these birds.

Hedgerow

Under 5.5.4.1.1 WL1 – Hedgerow and WL2 Treelines Hedgerows (WL1) and Treelines (WL2) it states that hedgerows “comprise the primary ecological value of the site”. The same paragraph states that “the condition of the hedgerows and treelines was generally good, with minimal gaps observed”. As shown in Figure 5-6 of the *Environmental Impact Assessment Report*, which is screenshot below, there were limitations in what could be surveyed, hence there is no impact assessment at all of a significant portion of the proposed site, because the condition of the hedgerow is so good.

In the Government’s recently published *National Biodiversity Plan* the importance of hedgerow is highlighted, and the Plan asserts:

“For the future, the overall goal should be to have no net loss of the hedgerow resource.”

Not only would a large amount of hedgerow be destroyed if this development were to be permitted, but the loss has not even been properly surveyed, except to say that the hedgerow was in good condition. This is obviously irreplaceable in the truest sense, as it cannot be replicated by growing trees elsewhere.

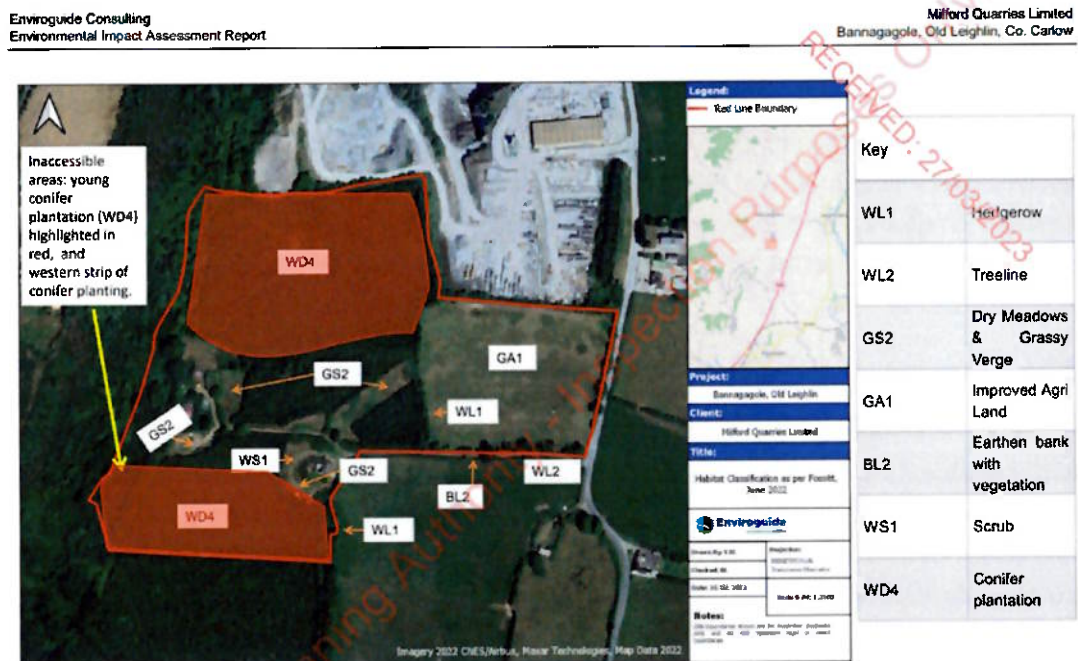


Figure 5-6 Habitat map of site (limitations to access highlighted in red)