

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.  
10 November 2022.

<b>AN BORD PLEANÁLA</b>	
LDG- _____	
ABP- _____	
15 NOV 2022	
Fee: € _____	Type: _____
Time: _____	By: <i>reg post</i>

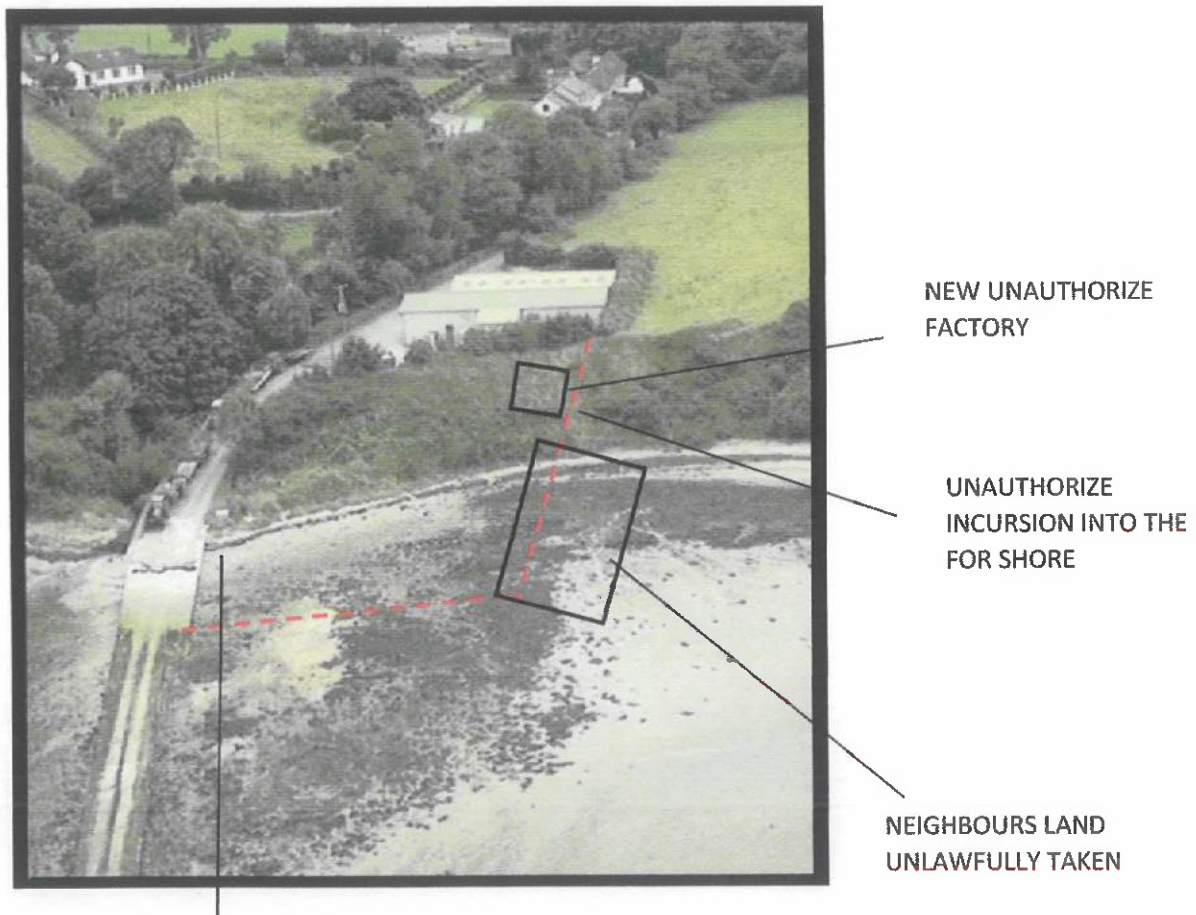
**Re: Objection to Substitute Consent Application ref: PL93.305618**

**Applicant: Meitheal Trá na Rinne Teo**

**Application Description: Oyster Processing Facility**

**At: Moat, Ring, Dungarvan< Co. Waterford**

As you can see from the aerial photograph taken in 2002, Meitheal Trá Na Rinne was operating in oyster factory in Moat, Poll a' Phúca, An Rinn. The dotted lines represent the area that show incursion to the SPA and foreshore. Meitheal Trá states work was done in 3 stages 2002, 2007 and 2011. Please see tab a





## RIGHT OF WAY STOPPED

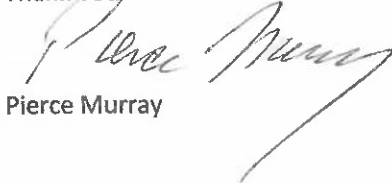
We object to this application for retention for the following reasons:

1. Meitheal Trá na Rinne has built a parking lot for their tractors and storage for their equipment without obtaining planning permission. No notice was given of their actions to the public. Where is the natural justice in this?
- 2 They have unilaterally blocked the right-of-way and hindered the use of the beach for their own financial benefit.
3. There incursion into the foreshore changed the flow of the tides and substantially increased erosion.
4. Meitheal Trá na Rinne has invaded THE ORIGINAL SPA and was allowed to do this even though the councils on environmental studies say it should not be excluded from the spa.
5. Meitheal Trá na Rinne has unlawfully taken land from their neighbours for their own financial gain.
6. Meitheal Trá na Rinne has without planning permission to build a new factory on the site. When ordered to stop construction by the Waterford County Council, they ignored the order and completed construction. According to their website they are now using this new premise for commercial purposes.

We have no objection to their operating in oyster factory at the present location so long as they comply with the original planning granted in 1992. What I do object to is there expanding their business at the expense of the environment, the public and their neighbours. We respectfully request that an Bord Pleanála reject their application for retention and instruct them to return the area to its original state. They can still operate their business but not at the expense of everyone else.

Attached is a summary of information received under the freedom of information act from both Waterford County Council and the National Parks and Wildlife, so you can see what has happened. Please do not to allow this travesty to continue. Please deny this application and allow our environment to return as God intended.

Thank You,



Pierce Murray



## SUMMARY OF EVENTS:

TAB A: These incursions were all done without obtaining planning permission. In 2010 Meitheal Trá na Rinne Teo lodged an objection to the special protection area site code 004032. On February 25<sup>th</sup> 2011 their objection was deemed to be unsuccessful.

April 2011 Meitheal Trá na Rinne registered a formal appeal against this decision. Appeal number 003135

September 2, 2011: Colm O Doherty sent a letter to Meitheal Trá na Rinne explaining the spa designations. They refer to a letter sent from Meitheal Trá Na Rinne on 18<sup>th</sup> of August 2011. We do not have a copy of this

November 16, 2011 complaints against the infill sent to Waterford County Council

In January 2012 Dr. David Tierney from the bird's unit of the National Parks and Wildlife service wrote a report on the site. He concluded on page 18 of this report, that the appeal site is clearly an integral part of the Dungarvan Harbour SPA, an internationally important wetland site and, as required under article 4 of the bird's directive should be retained WITHIN THE SPA. (Page 18)

his final recommendations were:

**"Based on the rationale provided in section 1 – 6 and the scientific justification they are in, it is recommended that the entire area, subject to appeal 3135, should be retained within the Dungarvan Harbour SPA."**

March 30, 2012 an appeals advisory board was held at the Lawlors hotel. It was noted that your staff visit 2011, the appellant informed NPWS Staff that the infill ending had occurred approximately one year before i.e. September 2010. Resident were not informed of any appeal hearing.

Nevertheless, the board ruled that the incursion into the foreshore was identifiable boundary and should therefore be excluded from the spa.

I do not understand how a company can extend into the foreshore without planning permission.

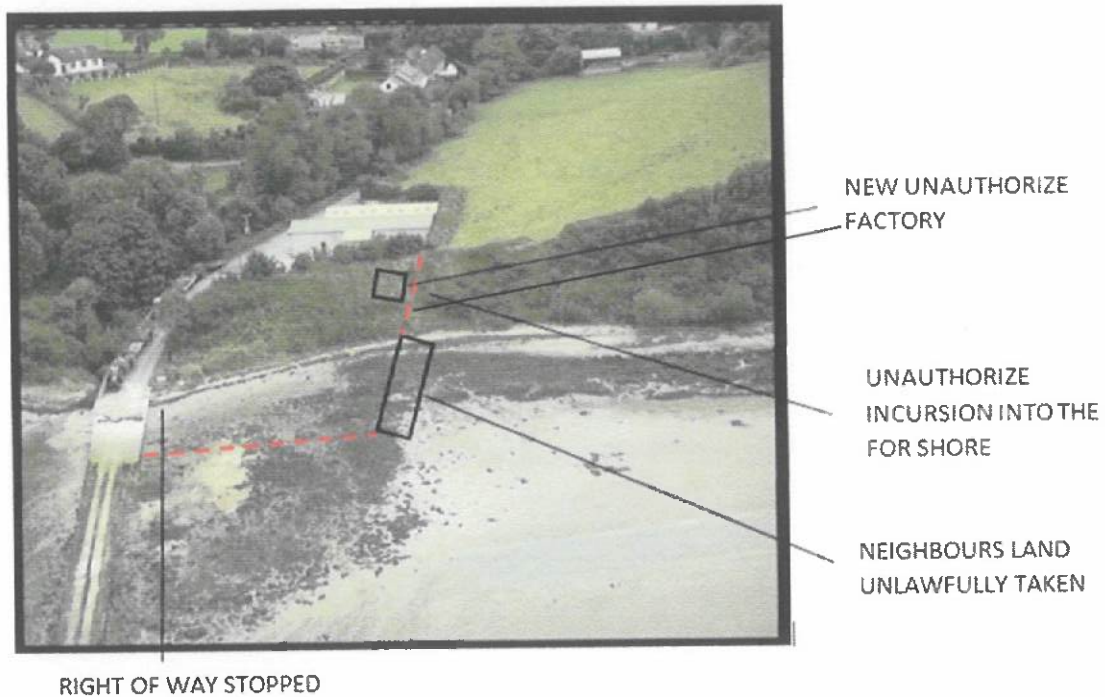
Even if the area is excluded from the spa surely, they should have had to file for planning permission. It completely changed the beach and the tide flow and tide line. As you can see from tab 5 before and after pictures of the area in question. It completely blocked the beach, right-of-way, as well as taken land from their neighbour.

September 7, 2011, Meitheal Trá Na Rinne lodged an appeal against the extension of the spa 4032 in Dungarvan Harbour.



January 12, 2012, a site inspection by Waterford County Council. They were informed that the work was many years ago to protect that the fish factory. The inspectors recommended no action. Picture taken from an Aerial Helicopter view, taken in 2002.

AREIAL HELICOPTER VIEW TAKE IN 2002



AREIAL VIEW OF AREA AS IT EXISTS NOW 2019









NOTE : 1) LANE TAKE FROM NEIGHBOUR  
2) RIGHT OF WAY IMPENDED

April 5, 2012, Ella Whelan, Waterford County Council writes to Eamon Lonergan advising him the constructed for 60 m times 14 m times 10 m high 8 to 9 years ago. Meitheal Trá Na Rinne claim they did not know the incursion into the spa and the work was only years ago.

Waterford County Council was obviously misled by Meitheal Trá Na Rinne and knew about the incursion into the spa because they had filed an appeal in May 2010. Waterford County Council were also misled as to date the work was carried out.

June 13, 2012, and in NP WS instructed Waterford County Council to issue a warning letter to Meitheal Trá Na Rinne.

July 5, 2012, letter confirming work was carried out in 2003.

Minor work was carried out in 2003. A few boulders were placed but it did not incur into the foreshore nor block access to the beach. The letter was used to mislead Waterford County Council.

July 11, 2012, Meitheal Trá Na Rinne writes to Waterford County Council and admitted that work was done in 2007 and again in 2011. Please see attached. (Submission made by Meitheal Trá na Rinne)

The major expansion into the foreshore was done in 2011. That is what blocked access to the right of way onto the beach

in 2016/2017 Meitheal Trá Na Rinne constructed an additional building again without planning permission. Waterford County Council was notified of this illegal structure, which at the time was about halfway complete. Waterford County Council issued instructions for them to stop construction immediately. This did not happen, and construction continued

Meitheal Trá Na Rinne completely disregarded these instructions and continued with the building

May 2017 notices were put up on the site and in the newspapers requesting planning permission to retain the building. The objections were raised they withdrew the application

In June 2017 notices again were put up requesting planning permission to retain the building.

