

Dan Wigglesworth

From: Miriam Kelly
Sent: Monday 22 April 2024 17:56
To: Appeals2
Subject: Observation on Ref: 319218. Hudson's Brothers Ltd.
Attachments: Hudson Brothers observation submission Ref 319218 final.docx

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Name Miriam Kelly and David Flanagan Tsalta House Greenmount Rathmore Naas Kildare W91n23X

Please find our Observation in relation to ref: 319218 Applicant Hudsons Brothers Ltd

Regards

Miriam and David.

Tsalta House
Greenmount
Rathmore
Naas
Kildare
W91N23X

Submission of Planning Objection:

Ref: 319218.

For: App Hudson's Brothers Ltd.

Dear sir/madam,

Please accept this letter in objection to Hudson Brothers Ltd. We live at the base of the Caureen in the red bog area. We strongly oppose the quarry extension due to several reasons which we have listed below.

Quarries can have an extremely negative impact on the natural landscape and surrounding areas especially considering this development is located in a SAC area and a separate area of geological importance is involved. The individuals making the decision must at all costs protect what is left of this area of beauty and they must do what is best for the local community. Ignoring the concerns of the local community will result in severe consequences for the area. This application is not compatible with the strategic vision of Kildare development plan. This plan also states that the council will protect residential and natural amenities and prevent ground water pollution. This planning application does not align to various EU, local and national policies and associated bodies.

Please find further information on our objection to the proposed development outlined below.

Kindest Regards

Miriam Kelly, David Flanagan (Tsalta House Greenmount Rathmore Naas Kildare)

1.

The proposed site is of close proximity to the Glending Forest. This is an area of geological and historical importance and significance to the local area so much so there has been huge investment in providing a walkway to this amenity from the town of Blessington alongside a new state of the art park and newly proposed sports facilities. This is a key area of interest for wildlife and residents. There are also folklores stories in relation to the area that there are tunnels that link to the Downshire House and therefore an archaeological survey should also be carried out. Clear guidelines are set out for planning authorities from the Department of the Environment, Heritage and Local Government in April 2004 these include:

The preservation of the character of the landscape where and to the extent that, in the opinion of the planning authority, the proper planning and sustainable development of the area requires it, including the preservation of views and prospects and the amenities of places and features of natural beauty or interest.

Glending Forrest has been identified as a geological interest from the Quaternary period and this area needs to be protected from further damage and destruction which it was subjected to in the past by other quarry companies. The proposed extension to the quarry will have detrimental effects on the Forrest and the animals that live there. Quarrying will impact on KCC's desire to encourage use of forests, greenways for recreational and amenity use.

According to the Kildare Development Plan this application contravenes the integrity of Natural sites.

2.

Red Bog Special Areas of Conservation (SAC)

Under Article 6(3) of the habitats directive the application site is subject to appropriate and timely assessment by law. This directive objective is to maintain and restore populations of species as well as certain habitats. The habitats directive in conjunction with the bird's directive focus on around 2000 animal and plant species that require protection and states positive management measures must be in place to prevent their reduction or extinction. The proposed site of work is in close proximity to the Red Bog (SAC) and extensive and long-term extraction of materials will inevitably have a negative impact on the surrounding natural area which has been deemed protected by law. Past NIS reports have found that the area is home to species of special interest these include, the mute swan, Mallard, tufted duck and the black headed gull these are only a few examples. The new development has the potential to dramatically increase pollution dust can seriously damage the health and well being of these creatures. The noise pollution from machines and blasting can cause damage to the health of these animals and cause undue stress and trauma.

3. Pollution

Air Pollution is already an issue in the area due to the existing quarry. Dust is a major issue we already encounter and with the new development set to be closer proximity this will only escalate in the future if this application is approved. Studies have proven that wind can carry dust particles far beyond the site of the quarry. There are different types of dust that is generated by quarries please see the table below for more information. This information was taken from a study conducted in London in 2022 see full link below. These dust particles not only travel through the air, but they can also be deposited along the roads (fugitive admissions). This puts the residents and animals and wildlife health at risk. This will dramatically increase air pollution for the Rathmore and Eadestown residents and there is a creche and primary school near the extended site. These are unnecessary risk factors to children and adults of the area's health. Other forms of pollution include noise and we already are subjected to constant noise pollution especially due to the applicants consistently violating their previous planning conditions to strictly adhere to working hours of 8am to 6pm Monday to Friday and Saturday 8-1pm If you look

back through previous objections, you will see numerous submissions with evidence of start times as early as 5.30 am and not finishing until late in the evening and there has often been work carried out on Sundays.

No activities shall be permitted on a Sunday or bank holidays.

The above is a statement from the planning application (07/267) The applicant has not adhered to previous planning conditions set down by governing bodies which shows a clear history of noncompliance. The council and this board have a responsibility to enforce all planning conditions set down and that full compliance is adhered to.

DUST EMISSIONS AND QUARRIES

Dust emissions for the context of this document should be considered to include nuisance dust, PM10 and PM2.5 as all are elements of general dust emitted from quarries.

Normally, dust emissions are not derived from a single source, so their contribution to overall air quality is more difficult to quantify, compared to emissions from chimney stacks, for example. Mineral extraction can result in a number of potential sources of dust through the exposure of soil and the underlying mineral deposits, as well as the extraction, transport, processing and storage of the material (see Table 1). Although dust emissions can be difficult to

quantify, the sources along with the potential impact on local communities, are well documented*. The industry and its regulators recognise the importance of putting in place suitable control measures to ensure local air quality is not adversely affected.

Evidence published by the Institute of Air Quality Management Mineral Guidance Working Group³ suggests that airborne dust that goes beyond site boundaries is typically deposited close to its point of origin.

The distance dust can travel beyond the boundary of a minerals site will be dependent on the geology and the processing operations taking place, along with local geography and prevailing wind direction.

Table 1 Typical sources of dust that may be associated with mineral extraction.			
Activity	Relevance for mineral types	Duration of activity	Potential for dust emission
Soil handling	Most minerals	Relatively short	Significant but depends on dryness and silt or clay content of the material and transportation to stockpiles.
Overburden handling	Most minerals, but quantities vary considerably	Varies. Can be intermittent over life of site	Significance varies (high to low) and highly dependent on the nature of overburden, particularly during unloading and haulage
Drilling and blasting	Usually for hard rocks	Short, but can take place frequently	Without control, drill rigs can be a very significant source of dust. However, most drill rigs now use shrouds and any dust generation is very localised. Properly designed and controlled blasts have limited potential for the creation of dust, therefore not generally significant .
Initial loading activities	All mineral types	Ongoing during extraction	Significance varies (high to low) and dependent on the nature of material, whether wet or dry, volumes handled and equipment used.
Crushing and screening	Most minerals, but not always at the place of extraction	Varies, generally ongoing	Very significant if unmitigated. Significance varies depending on type of equipment and exposure to wind. Controlled through the EPA permit regulated sites.
Storage of minerals within site	Most mineral types	Usually ongoing during extraction	Significance varies (high to moderate) depending on the volume of material stored, moisture content, exposure to wind, covering of stockpiles.
Transport and loadout within site	All mineral types	Usually ongoing	Significance varies (high to moderate) depending on type of vehicle. If transported by road then the size of vehicle, speed and nature of roads (surface or unmade) are important factors.
Transport off-site (mainly by road)	All mineral types	Usually ongoing	Not generally significant (except near sites exits due to the re-suspension of road dust) as lorries tend to be covered. Can be mitigated by road sweeping but this can also raise dust.
Soil and overburden storage	Most minerals	Varies	Very significant but depends on the condition and exposure to wind, seeding or covering of the bund or mound.
Source: Management, mitigation and monitoring of nuisance dust and PM10 emissions arising from the extractive industries: an overview, 2011, table 7.1			

Types of dust created by quarry industry.

https://mineralproducts.org/MPA/media/root/Publications/2022/MPA_Quarries_and_Dust_Air_Emissions_2022.pdf

Traffic levels in the area are already high and the proposed development will only lead to a significant increase of HGV trucks on the N81 and surrounding link roads. The elevated level of existing traffic has had a huge negative impact on the local area and community. The road connecting the Cross Chapel to Eadestown has such an elevated level of traffic residents are no longer able to walk on the road and children are not safe to cycle to local schools and sporting venues. There is also the issue of road pollution muck and dirt from the lorries is transferred to the roads leaving cars destroyed with muck and again it hinders the ability of the local community to walk directly to Blessington as there is a large part of the N81 with no footpath. The dirt and muck at times can also have an impact on visibility of road markings and reflectors on the road. Traffic is already a huge issue in the area and the extension of the quarry will only bring more issues to the area. The planned work that is to be conducted over the next 15 years could potentially lead to 80,000 individual truck journeys a year entering and exiting from the n81 which directly contradicts the KDPS commitment to reduce the counties carbon footprint. Planning application contravenes the KDP Green infrastructure strategy including impacts to the East Kildare Uplands Corridor

5

Health and Safety

The new proposed site will be operating in extremely close proximity to the gas line domestic homes with a greater distance to the gasoline have been refused planning permission in case they have a negative impact on the pipe so therefore we need to ensure that rock blasting using explosives and machines is not permitted for the health and safety of the local community and area.

The health and safety at the site in no way meets the requirements and standards set out in the planning conditions.

“A stock and trespass proof fence shall be erected around the full perimeter of the site”.

The existing site is not safe or secure and is an extreme hazard to those who live around it the quarry is easily accessible from several access points due to substandard fencing and a wooden gate with no lock which gives unrestricted access to the silt pond which is also a major cause for concern at the minute. The size of the pond has dramatically increased in the last few years and is a clear health and safety issue again another accident waiting to happen,

There are serious safety concerns regards young children and livestock being able to gain access to the site. An accident could easily happen, and the right measures have clearly not been put in place by the applicants to meet the conditions previously set down in past planning application approvals please see below photos. There are also unanswered questions as to who exactly owns the land the silt pond is located there needs to be more clarity on this issue.

Photographs taken on the 23/03/2024.



The fence at this gate is less than 4 feet in places the wooden gate has no proper lock and once opened gives unrestricted access to the silt pond so children or animals could easily walk in.



This is the gate that gives unrestricted access to the silt pond there is no lock on it, and it is less than 5 foot tall.



This is the security measure the applicant has put in place to stop access to the silt pond as you can see no lock so unrestricted access.



Another gate and access point to the applicant's site with unrestricted access



Huge gaps in the fencing at ground level to let livestock or children through.



Access can be gained from under the fence and by climbing up the side.



Another access point that does not meet the conditions set down in the planning conditions.





Fencing is not secure and not what was set down in previous planning conditions.



There are numerous access points that are not secure and in this picture evidence of large slabs of concrete discarded.



Silt pond is the highest here I've ever seen in it in the last thirty years.



It looks as if it may burst its banks in places which could cause detrimental damage to local farmland stock and homes.



Low lying cables can be seen here touching the top of the bank these can be easily accessed via the unlocked wooden gate at the entrance to the silt pond.

5 Water supply

Groundwater is an important natural resource in Ireland. The quality of surface water that is used for domestic use can be negatively impacted by quarrying activities. Due to the excessive blasting proposed by the applicant there are serious concerns for residents in the local area who have already had issues with their wells and water supply which was suspected to be directly related to the blasting in the quarry.

6 Negative impact on local housing and farms.

Houses in the area have unexplained structural and cosmetic damage which is suspected to have been caused by the excessive blasting over the years. This damage includes cracks in floors walls windows, Homes physically shake when the blasting takes place in some instances pictures have even fallen of the wall. The proposed site is even closer to our home and many more in the Eadestown Rathmore area. KDP clearly states that the council will protect residential and natural amenities and prevent ground water pollution this application has not produced required reports or engaged with appropriate bodies. There are also concerns that quarry may cause a decrease in property values in the area. We have made several phone calls to the applicant with concerns about blasting and the damage to our home but there has been no follow up in line with planning grievance policies.

Planning Permission submitted:

With regards to the planning permission submitted there are more questions to be answered by the applicant that have not been included or do not include enough information.

- There are several houses and septic tanks not showing on the map both existing homes and ones that have been newly granted planning permission.
- With regards to the buffer zone: Requirement of a buffer zone around natural ecosystems and to protect them there is not enough information facts or reports to determine the buffer zone and what impact the quarry and its workings will have on the local area.
- It does not appear to show the full scale of the gas pipe and exactly where it is located throughout the whole proposed site this an extremely crucial element and there can be no room for error and little proof of engagement with the appropriate state body in relation to this or indebt investigations or reports.
- Adverse effects of Blasting. There are no reports or investigations into the adverse effects of blasting on the local community, residential homes and livestock. More information is needed on the impact of blasting the applicant in the past has placed monitors on homes in the area and no data was released to homeowners no information was given as to the results of these monitors.
- Impact on tillage, beef and sheep production and other forms of agriculture No application can directly impact any business in its proximity there is not enough information on how the quarry and blasting will affect the farms and their livelihood right beside the quarry.
- There has been no engagement with Wicklow County Council despite the entrance to the quarry entering and exiting in county Wicklow directly on to the n81.
- There has been no Archaeological impact assessment conducted and this is required to ensure we protect our historical heritage.

- This application has severe impact on ridge lines, defined skyline and scenic views from hills you can clearly see the quarry and the effects it has had on the landscape from the surrounding area this can also lead to impact a person's sense of identity and belonging in the area and residents and business may be forced to leave their homes and business due to the actions of the quarry.
- Failure to comply with previous planning conditions and a high court order that is currently in place is a huge issue that needs to be addressed and the impact this noncompliance has had on the community. The applicant states it was not aware that it was operating without permission, but they were engaged with professionals at this time preparing these documents that have been submitted so it is not possible they were unaware they were breaking the law.

Conclusion:

The following application should under no circumstances be granted. There is no benefit to the local community. The area does not have the infrastructure in place to deal with the extra traffic and pollution this proposed extension will cause. It is also clear that from previous planning permission granted to the applicants have not kept to the conditions set out by the council to operate within the law and safely. This is incredibly alarming and disheartening and the board making this decision has a duty of care to uphold these standards set out by law and it must reflect on the fact that in the past the applicants have felt they do not need to adhere to the conditions that were clearly set down for the quarry to operate.

The community will be negatively impacted, and local areas of preservation and leisure will be lost for ever and destroyed. There are no positives to granting permission to this development the stakes are too high for the local community, livestock and rare species that call this area their home. Those who carry the burden of making the decision on this application must follow the guidelines set out by the Department of the Environment, Heritage, and local government. They must refuse this application for the future of the local community and an area of such natural beauty and historical significance.

Kindest Regards

Miriam Kelly and David Flanagan Tsalta House Greenmount Rathmore Naas Kildare.