

Derek Kelly

From: Rory Finnegan <roryfinnegan162@gmail.com>
Sent: Monday 25 August 2025 14:52
To: Derek Kelly
Subject: ABP 322432-25
Attachments: KCC planning.docx; Ecoli and Coliform levels.pdf; photographic proof testing July 8th 2025.JPG

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Please find attached my observations as requested.

Kind regards,

Rory Finnegan
Rory Finnegan
Tel. No. 087-7965737

for the attention of Derek Kelly EO ACP

Reference ABP No. 322432-25

Responding to Kildare County Council report 08/08/2025 re: the above planning application. Kildare County Council report pages are not numbered my observation are based on numbering the pages 1 to 19.

Page 1. KCC description of development –

Opening paragraph

Observation

The case number is incorrect should be APB 322432-25

Paragraph 1 states that BQL do not intend to undertake extraction activities at the application site.

Paragraph 2 however states that an application for further prospective development for the existing quarry is being made I contend this is a contradiction.

Also, the application is being made to regularise development deemed unauthorised at this site by KCC. I contend that this application should be assessed in the light of the ECJ ruling in case C-215/06 commission versus Ireland.

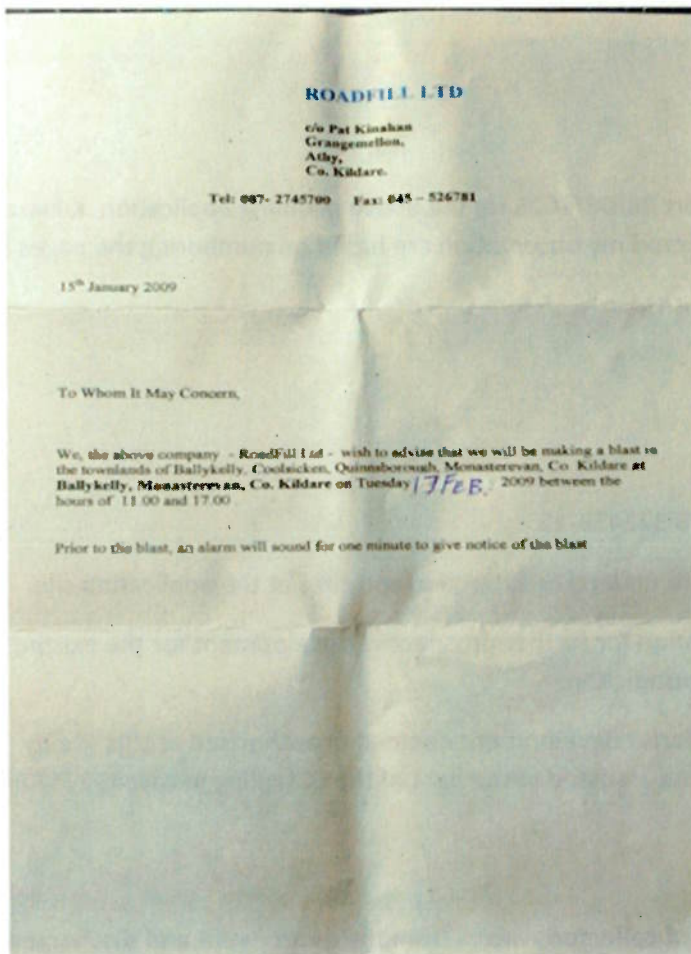
Page 2. Previous development – pumping of collected waters from the quarry void and discharged to ground –

Observation

This is factually incorrect the quarry void water was illegally pumped onto Waterways Ireland land and subsequently pumped directly into the river Figile. This illegal discharged was reported in the national and local press in 2007.

The author states “there is limited available data on the operational life of the quarry”. The actions of KCC would suggest otherwise as in 2006 they initiated an enforcement order to immediately cease unauthorised operations. In 2008 KCC issued legal proceedings against the quarry operators. This would suggest that there was quite considerable data available at the time.

KCC state that the quarry operated between 2000-2006 this is completely incorrect there was a blasting notice issued as late as 2009. See below.



Page 7. Built heritage –

Observation

I contend that some of this information is inaccurate, out of date and seems to be a cut and paste procedure.

NIAH:11902105 has been greatly extended and is not as described.

NIAH:11902103 is the new Church of Oak Distillery a major tourist infrastructure project. There has been over €60 million investment in the development of this project and for KCC planning department not to recognise the existence of this distillery in a planning report is both shocking and concerning. Church of Oak Distillery is approx. 600 meters from the proposed quarry development.

Page 8. Fig 4 location of application site “the embankments around the quarry effectively cut-off views of the quarry from the surrounding area ensuring there are no direct views into the quarry”

Observation

The hedge line/embankment is deciduous and also has an access point/clear view 9 metres from the Blueway path giving extensive views of the quarry void. See picture below. The statement from KCC planning shows the authors have not been to the site of the quarry and lack local knowledge.

On another point the author states that the current position of the quarry void filled with water ***contributes to and helps retain the overall rural setting of the heritage assets and their surroundings*** I would argue that the granting of permission to drain the quarry and extract materials would have the opposite effect and be detrimental to the heritage assets, their surroundings and rural setting.



Page 9. Natural heritage - It is claimed that the ground water contribution to the Figile river would be minimal as it would merely percolate and dilute

Observation

9 million gallons of E-coli water will not fit in the shallow ditch parallel to the Blueway it could possibly flood the pathway and enter the Grand Canal. Bison Quarries state in their EIAR non technical summary under section 6 water "it is likely that surface water within the vicinity of the site will flow towards the Northwest towards the Figile river". In 2007 this was done illegally without the consent of Waterways Ireland or the relevant landowners and so feeding millions of gallons of water into the Figile and the Barrow SAC.

Ground water "regionally important aquifer"

Observation

The quarry void is fed by ground water because the previous illegal activities blasted 10 meters below the water table leading to the destruction of local wells. The pumping out of E-coli contaminated water from the quarry void will deplete the water table more which will continue to be fed by the aquifer. According to the ground water vulnerability map GSI 2023 page 10 there are significant number of private residences, farms and large businesses within the 1-kilometre zone with high, moderate and extreme assessments. How will KCC protect the water rights under threat.

Page 12. Relevant planning history "In order to allow the impact of this development on this sensitive rural area to be reassessed at the end of a reasonable period of time"

Observation

It seems highly contradictory that in 2007 KCC deemed this area as a sensitive rural area, whereas on page 9 under landscape character in 2025 it is defined as a low sensitivity landscape. How is this possible with the investment made in the Blueway and Church of Oak Distillery as a tourist attraction.

Page 15. KCC development plan 2023-2029 "Extractive industry can have damaging environmental effects, and permission will only be granted where the council is satisfied that residential and natural amenities will be protected, pollution will be prevented, and aquifers and groundwater safeguarded"

Observation

Residential and natural amenities are directly threatened by this report and its conclusions.

1. Residential wells historically dried up due to extraction and damage to the water table due to blasting.
2. Natural amenity – Barrow Blueway is a natural amenity in Monasterevin and has been developed by €5 million of taxpayer's money. The report confirms that 9 million gallons of water will be pumped to ground via a ditch which runs 2 meters parallel to the Blueway path. This water has very high levels of E-coli see report attached.
3. How are KCC safeguarding aquifers and ground water if they are supporting the application as it seems in this report.
4. See KCC letter dated September 3rd 2008 "surface water arising onsite shall be contained onsite and not allowed to discharge to any drain or water course"

If KCC insisted in 2008 that surface waters arising onsite be contained, how can they support the pumping of 9 million gallons of contaminated water to ground or more probably pumped into the Figile as before.

We respectfully ask that An Coimisiún Pleanála to consider the KCC report flawed and inaccurate at best it is heavily weighted on Bison Quarry's development of the site and would appear to be a desk top exercise with little regard for facts or the historical issues arising from the previous quarry works.

Regards,

Rory Finnegan & Marie Hamilton

CERTIFICATE OF ANALYSIS



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Certificate Number: CLN070564-1 Final

Date Reported: 09/07/2025

Date Analysis Started: 08/07/2025

Lab Ref.	Sample Details	Method Number	Test	Result	Units	Flag
CLN235279	Prod:	SP196	Coliforms	153	MPN/100ml	O
	Order No: PIA €630.79 Cheque Rcvd Dt: 08/07/2025 Start Testing: 08/07/2025 Description: 08.07.25 Water 09:00 Mary McCormack Quinnsboro Studs, Monasterevin, Kildare Spt: Water Microbiology Sample Type: Potable Water Sample Date: 08/07/2025 09:00	SP196	Escherichia coli	121	MPN/100ml	O

Certificate approved and electronically signed on 09/07/25 16:43

By Olwen Maher, Deputy Microbiology Manager

For and on Behalf of ALS Life Sciences Ltd

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SP196	Based on ISO 9308-2:2012 and the IDEXX Colilert 18 test kit

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