

# KILSHEELAN LIMESTONE QUARRIES LIMITED

Ballydine, Kilsheelan, Clonmel, Co. Tipperary, E91 N702.

Tel: 052 613 9304 / 087 923 0687 - Email: kilsheelanlimestone@gmail.com

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22<sup>nd</sup> March 2021

Ms Shauna Kelly,  
Administrative Assistant,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1,  
DO1 V902.

AN BORD PLEANÁLA	
LDG: _____	
ABP _____	
25 MAR 2021	
Fee € _____	Type: _____
Time: _____	By: <i>[Signature]</i>

Dear Ms Kelly,

I refer to the observations made by the third party (Abaigéal Smyth) on 30<sup>th</sup> November 2020.

In the letter of complaint there is five points to be addressed:

1). Number one refers to Tipperary County Council granting planning permission for weighbridge, wheel wash and portable office.

This planning was previously granted but for purely environmental reasons, I moved the location to improve the effectiveness of the wheel wash as the previous location was on much higher ground and would not control the run off on the remainder of the entrance.

The current location is at the lowest point of the exit road from the quarry so therefore catches any run off from the entire road. In the four years that it is in operation testament to its success is the road has remained clean at all times without the use of a mechanical sweeper.

There is also reference made to the concrete plant, although planning was giving for such a plant it was never installed or operated.

2). The Grant of Substitute Consent.

In late 2015, Cemex the previous operator put its interests at Ballydine Quarry up for sale which consisted of 22 acres of agricultural land and a fixed crushing plant. Myself and my partner Deirdre made an enquiry through Knight Frank estate agents and were informed that the quarry itself was owned by Mr Brian Kehoe and was leased to Cemex. Following this information an approach was made to Mr Kehoe and an agreement was reached between ourselves Paschal O'Shea & Deirdre Kent, Brian Kehoe and Cemex.



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The granting of substitute consent in 2012 while notes that no further extraction be permitted beyond the area marked on the map, however we felt that the quarry itself was not fully extracted to the boundry so therefore we have neither expanded the floor area nor the depth. A legal opinion was sought and given and accepted by Tipperary County Council. It is also worth noting that at this time 22<sup>nd</sup> March 2021 we are still inside the consented area.

The four years since we have started has put at ease the local communities concerns and the environmental authorities for to the best of our knowledge there has been no complaints regarding the quarries operation (noise, dust or discharge).

### 3). The Limits of Substitute Consent.

In this complaint the third party (Abaigéal Smyth) makes reference to An Taisce versus McTigue Quarries and ORS and numerous other cases of which we have neither control or influence over these operators issues.

The impact by McTigue Quarries on their environment is outside of our control and has no connection whatsoever with our operation at Ballydine.

### 4). The Limitations of the Warning Letter 2019

By the time the warning letter of 2019 was issued to us, Tipperary County Council had agreed that quarrying within the limits of the substitute consent area should proceed. The warning letter sought implementation of a landscape plan and a commercial waste water discharge license however, we felt that the landscape area had become fully developed with native wild flowers and trees, so much so that we had been approached by a local professional bee keeper (Conor Trihy) Whitfield Honey for permission to install beehives numbering 35 at the time which to this day are still thriving on the naturally landscaped area.

### The water discharge license

With the use of careful planning the run off from the quarry operations have been diverted to internal silt trap areas numbering more than twenty, therefore at no time is there any discharge to the stream of contaminated water. Spring water is pumped from the quarry but never contaminated water, please see report of 2019 from Paddy O'Dwyer, Executive Scientist, Environment Section Tipperary County Council.

### 5). The Absence of Prospective Permission for Quarrying

I Paschal O'Shea utterly disagree that we are working here without permission. At all times regard for our neighbors, the environment and the SAC (River Suir) has priority over all other operations.



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The fact that the trout from the river suir choose to come up our discharge stream and spawn at the back of our office every year speaks more about environmental action than any campaign.

Should you have any further questions or queries please do not hesitate to contact me directly either by phone, email or to visit our site in person.

Kind Regards,



Paschal O'Shea,  
Managing Director.

Please find attached the observations of:

Dr Yvonne Scannell, Planning and Environmental Group, Arthur Cox Solicitors  
18<sup>th</sup> February 2017

Director of Services, Tipperary County Council  
11<sup>th</sup> May 2017

Malone O'Regan, Ballydine Quarry Newt Survey Report  
June 2017

Malone O'Regan, Ballydine Quarry, Badger Survey Report  
June 2017

Rosaleen Fitzgerald, Botanical Society of Britain & Ireland  
3<sup>rd</sup> July 2018

Paddy O'Dwyer, Executive Scientist, Environment Section Tipperary County Council  
26<sup>th</sup> June 2019

Conor Trihy Whitfield Honey  
10<sup>th</sup> March 2021



Refers to item (1.)

**Design Note :**

The wheelwash, weighbridge and portacabin subject to retention are in close proximity to the wheelwash, weighbridge and portacabin granted planning permission under planning ref 12398. Refer to Sk -1 attached.

The applicant has confirmed that the weighbridge , wheel wash and portacabin were positioned to provide improved surface water and environmental management of the truck movements associated with the quarry operations . The wheel wash is located in the lowest part of the site to ensure that any water is collected back into the wheel wash and associated settlement tank. The wheelwash is in operation for some time now and the applicant has confirmed that it works very well without any debris or dirt or soiled water evident on the adjacent public road or access roads as a result of quarry operations.

The cross section of the site through the access road indicates that the portacabin and wheel wash are not visible from the public road as they are located in the lowest area of the site.





OUTLINE OF PREVIOUS  
PLANNING APPLICATION  
12398

OUTLINE OF PROPOSED  
RETENTION PLANNING  
APPLICATION

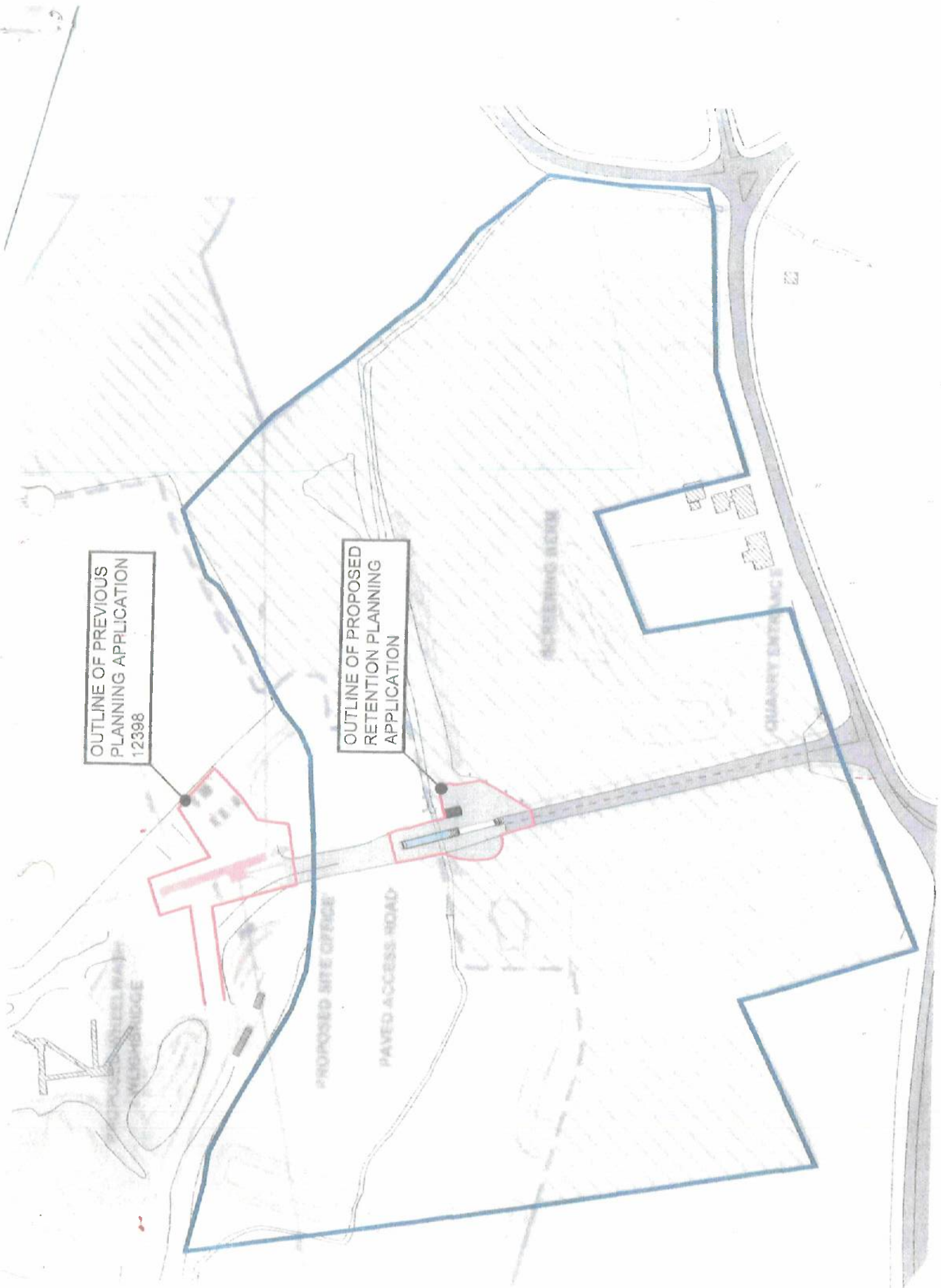
PROPOSED SITE OFFICE

PAVED ACCESS ROAD

SCREENING AREA

QUARRY ENTRANCE

SK-01





Refers to item 2

## ARTHUR COX

### Opinion on Nature and Extent of Substitute Planning Permission

#### 1. Background

1.1 We are instructed that the quarry of 11.2 ha at Kilsheelan was registered under section 261 of the Planning and Development Act 2000 on 21 April 2005. The quarry owner was obliged to apply for substitute consent for the quarry. An application to An Bord Pleanála (Ref 23SU.0009) with a remedial EIA and NIS was submitted on 18 December 2012 by SLR Consulting on behalf of Cemex. Substitute consent was granted by An Bord Pleanála in May 2013.

1.2 Condition 1 of this substitute consent stated: *This grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála with the application of 18th day of December, 2012. This grant of substitute consent relates only to development undertaken as described in the application and does not authorise any future development on this site.*

1.3 A question has arisen as to what precise development is authorised by this permission (Ref 23SU.0009) and as to the meaning of Condition 1.

2. It is clear that the development authorised in the substitute consent is the development described in *"the plans and particulars submitted to An Board Planula with the application of 18th day of December, 2012"* and that only. Condition 1 specifically states *This grant of substitute consent relates only to development as described in the application.....*In order to determine what development is permitted, it is necessary to examine the application and the plans and particulars lodged on 18<sup>th</sup> December 2012.

3. We are instructed that this development consisted of works *including* remediation works for the quarry and works aligning the quarry with the Drawing number Fig. 2.1 which was the *plan* describing the proposed development in the planning application. Complying with this *plan* involves some further development of the quarry because it would not be possible to carry out the development *"in accordance with the plans and particulars lodged"* if the shape of the excavation did not comply with the shape indicated in Drawing Fig.2.1 We are not competent to adjudge precisely what this involves but we are instructed that excavating rock so that the profile of the excavation complies with Fig 2.1 is necessary for carrying out the development *"in accordance with the plans and particulars lodged"*.



4. However, it is necessary to examine the second sentence in Condition 1 to see what *future* development it precludes. As a matter of statutory interpretation, section 5 of the Interpretation Act 2005 requires statutory instruments to be construed according to their plain and ordinary meaning in the light of the statutory instrument as a whole unless this would lead to an absurd result. A planning permission is defined as a statutory instrument in section 2 of the Interpretation Act 2005. Accordingly, Condition 1 has to be interpreted in accordance with its plain and ordinary meaning unless this would lead to an absurd result.
5. In our opinion, the first part of Condition 1 authorises the continued operation of the quarry in accordance with the plans and particulars lodged. Since the plan lodged included Drawing Fig 2.1 to indicate what development was comprised in the application, this means in accordance with Drawing Fig.2.1.
6. If the development authorised by Substitute Consent Ref 23SU.0009 does not comply with the plans and particulars lodged, the developer will be in breach of this part of Condition 1 and will be contravening the terms of the substitute consent. To put the matter in another way, if the developer is prosecuted for carrying out development which complies with Drawing 2.1, his defence is that the development he is carrying out is development not only in accordance with the plans and particulars lodged but development that it is actually *required* by Condition 1 of the substitute consent.<sup>1</sup>
7. The question then arises as to the meaning of the second sentence of Condition 1. This sentence states: *This grant of substitute consent relates only to development undertaken as described in the application and does not authorise any future development on this site.* The use of the word “future” could be ambiguous but not when the sentence before it clearly gave permission for ongoing development. What it means is that only development undertaken as described in the plans and particulars accompanying the planning application are permitted but no more. Again, it is necessary to see what development was described in the plans and particulars lodged with the application to see what is authorised.
8. It is well established in planning law that the inspector’s report can be used to interpret the nature and extent of a planning permission unless Bord Pleanala states otherwise. In its direction to the Substitute consent, the Board stated: *“The Board decided, unanimously, to grant substitute consent, generally in accordance with the inspector’s recommendation, in accordance with the following reasons, considerations and conditions.”*
9. Consequently, in order to interpret the nature and extent of the permission granted, it is necessary to see what the inspector recommended. The inspector’s recommendation was based on his understanding of what development was applied for and what the permitted development involved. The following is an analysis the inspector’s report. The development applied for is was:

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<sup>1</sup> *This grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanala with the application of 18th day of December, 2012*



- 9.1 (All direct quotations from the inspectors report are in italics). The description of the proposed development in *para 2* as :

DESCRIPTION OF PROPOSAL

*The proposed development includes the following;*

*- extraction of rock from existing quarry including blasting operations*

*- provision of crushing plant*

*- erection of office block and stores*

*- extraction of limestone*

*b. overburden soil stripping and storage*

*c. ancillary facilities / works*

*- fixed and mobile crushing / screening plant*

*- weightbridge*

*- water management system*

*- portacabin site facilities (office, canteen & toilet)*

*- storage containers*

*- screening berms and landscaping .*

It is clear from this that the inspector knew that the proposed development envisaged FUTURE quarrying because the application was for, inter alia, "*extraction of rock from existing quarry including blasting operations*" and "*the provision of crushing plant* " **Comment: This obviously envisaged some future development and in particular future quarrying. Why would crushing plant be required otherwise?**

- 9.2 *Para 5 "The development comprises of benched limestone extraction by blasting and processing of stone by way of crushing and screening."*  
**Comment: The benched abstraction is shown on Drawing FIG.2.1**

- 9.3 The planning authority itself envisaged a continuation of development. See e.g. the following at para 5 of the inspector's report commenting on its views.

- (a) recommendations which include recommendations for Activities at the facility to be restricted to *the excavation, processing, haulage and storage of stone material won from the site.*
- (b) *Blasting hours and notification Vibration levels from blasting not to exceed 12mm/sec ppv and air overpressure values at sensitive locations not to exceed 125dB(Lin) max peak. Comment: Why would blasting and vibration conditions be attached if no further quarrying development was envisaged?*

10. **The Environmental Impact Assessment** The inspector carried out an EIA of the proposed development. Several of his comments below (exact quotes in italics) show that he envisaged on- going quarrying. See in particular *paras 10.4, 10.6, 10.7.* For example:





- 10.1 *Human beings, faunal and flora: The principle of the subject development would be acceptable provided it does not adversely impact on the amenities of the area.....The quarry will also result in the creation of dust, noise, vibration, visual impact and traffic generation which will indirectly impact on human beings.....* **COMMENT: if quarrying was not permitted, the inspector would not say that it will result in the creation of various impacts.**
- 10.2 *During the operation stage impacts may include accidental emissions, in the form of chemical spills, oil, petrol, and diesel leaks, which could contaminate the soil or enter the bedrock. .... There is potential for accidental spills or leaks during operation stage which may impact on the existing water environment. Comment: "the operation stage" can only refer to the quarrying permitted."*
- 10.3 The subject development involves the de-watering of the extraction area and the discharge of groundwater from the site. **Comment: this contemplates operations to dewater which would be necessary for further quarrying.**
- 10.4 *"In relation to noise implications the quarry development involves machinery, i.e. excavators and loading shovels, movement of vehicles, the processing plant and blast holes. Noise emissions from blasting will involve two sources and this includes noise from the drill rig and the blast itself. The drilling will occur prior to the blast and blasting will usually occur 2 – 3 times per annum depending on market demand."* **Comment: This clearly indicates that the inspector contemplated ongoing and future quarrying activities. If no further quarrying was permitted, there would not be a reference to annual blasting.**
- 10.5 The rEIS concludes, having regard to the mitigation measures and water management proposals, that the quarry would not have significant impacts on water and I would concur with this conclusion. **Comment: the inspector says the quarry would not have significant effects, not the remediation measures.**
- 10.6 *In relation to air quality I would consider that there would be potential dust impacts due to extraction. Comment: this CLEARLY states that there will be further extraction.*
- 10.7 *It is estimated from the rEIS that the extraction rate will be 150,000 tonnes annually and based on vehicle carrying capacity and opening hours (i.e. Monday – Saturday on the basis of 10 hour days) there would be on average 24 loads per day. Additionally considering staff and miscellaneous movements it is estimated that the daily vehicle movement is 64. The rEIS included a manual traffic count (Table 31-1) for the N24 / L2513 junction. Comment: This clearly envisages an ongoing abstraction rate.*
11. THE APPLICATION LODGED. The substitute application describes the proposed development in respect of which the substitute consent application was lodged in Para 2.21 pages 2-4 as including

Development permitted under previous planning permission PL Reg Ref 95/731 and Section 261 Ref QY/20 (ABP Ref, 23QC2103 namely



- extraction of rock from existing quarry etc.
- ancillary facilities

Extraction of rock outside previous planning permission area PL Reg Ref 95/731 and Section 261 Ref QY/20 (ABP Ref, 23QC2103

- Overburden soil stripping and storage outside previous planning permission area PL Reg Ref 95/731 and Section 261 Ref QY/20 (ABP Ref, 23QC2103 **AS INDICATED IN FIG. 2-1.**

We are instructed that FIG 2.1 includes the area of the quarry which is currently being exploited.

## 12. THE APPLICATION LODGED

The EIS clearly states in the commentary opposite FIG 2-2 **RESTORATION PROPOSALS ON COMPLETION OF EXTRACTION WORKS** in the area indicated in yellow. In other words, it clearly indicates that there will be **further** extraction works in the area indicated in FIG 2-2 and THEN the quarry will be restored.

Interpreting FIG 2-2 is outside our area of expertise but we are instructed by Malone O Regan, reputable environmental consultants, that this area is the area for which permission to continue quarrying was sought. In our opinion, if this is the case, quarrying the area indicated in FIG 2-1 is permitted by the Substitute Consent under the first sentence of Condition 1. Quarrying outside that area is not permitted. We are instructed that there are quarrying resources outside that area and that they are not currently being exploited.

13. **THE PARTICULARS GIVEN** The substitute consent application was accompanied by an EIS. This clearly divided the proposed development into *Section 1 A description of the proposed development* and *Section 2 A description of the existing development including the proposed restoration scheme*. This clearly states that there are two different types of operations contemplated. Proposed development and restoration, not just restoration.
14. Condition 2 of the substitute Planning Permission required the developer to submit a detailed restoration scheme to the planning authority authority. We understand that this was done and that the planning authority assented to the proposed restoration by letter on 3 March 2014. The developer's restoration proposals were made in the context of more rock excavation being carried out. See, for example, para 3. 2 "*The entire extraction area and the processing area will be continually used during the duration of the extraction activities and it is therefore not feasible to restore the quarry site on a phased basis.*" The planning authority clearly assented to this plan. Limits on the operation of the quarry are proposed in the EIS in relation to dust, noise, operating conditions. Breach of these, is a failure to carry out the development in accordance with the particulars lodged and is a breach of Condition 1.



15. **CONCLUSION** In our opinion, the continued quarrying within the limits indicated in Fig 2.1 of the substitute planning application lodged is permitted by the substitute consent PL23 .SU0009.

*Dr Yvonne Scannell*

**Dr Yvonne Scannell,**

**Planning and Environmental Group,**

**Arthur Cox, Solicitors**

**18 February 2017**





EXTRACTION AREA  
AS PER SUBSTITUTE  
CONSENT.

BENCHES AS PER  
RESTORATION PLAN.

AVAILABLE ROCK WITHIN  
THE SUBSTITUTE  
CONSENT.

11

11

11



5





Aerial Surveying  
[www.as mireland.ie](http://www.as mireland.ie)

Client:



Project:  
Kilisheelan Quarry,  
Co. Tipperary

Date:

4th January 2017

Map:

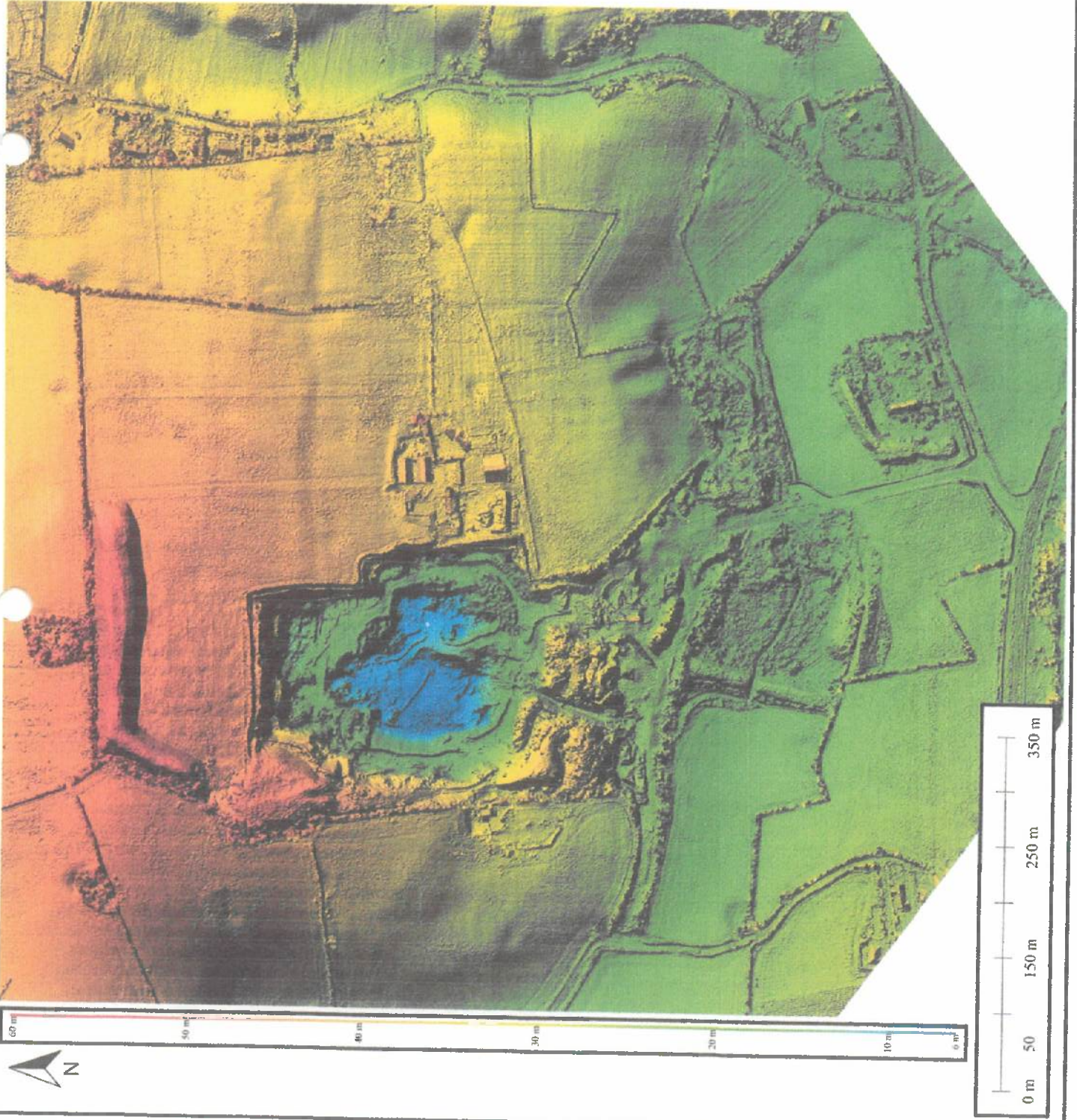
Site Elevation Model

Scale:

As Shown on Legend

Map No.:

MORKIL - A3 - 002







Aerial Surveying  
[www.asmirreland.ie](http://www.asmirreland.ie)

Client:



Project:  
Kilsheelan Quarry,  
Co. Tipperary

Date:

4th January 2017

Map:

Site Orthomosaic

Scale:

As Shown on Legend

Map No.:

MORKIL - A3 - 001







Aerial Surveying  
www.as mireland.ie

Client:



Project:  
Kilsheelan Quarry,  
Co. Tipperary

Date:

4th January 2017

Map:

Planning Lines


Scale:

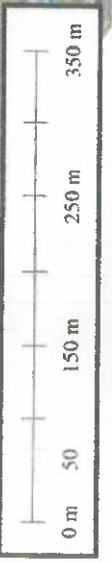
As Shown on Legend

Map No.:

MORKIL - A3 - 003

**Legend**

-  Kilsheelan Quarry Land Interest c. 35.5 Ha
-  Substitute Consent App. Area c.11.2 Ha
-  Lands owned by Kilsheelan Quarry 9.2 Ha
-  Planning Area Expired 2011
-  Extraction Area c. 5.15 Ha.
-  Benches As Per SLR Design







Comhairle Contae Thiobraid Árann  
Tipperary County Council

*Refers to item 4.*

Comhairle Contae  
Thiobraid Árann,  
Oifigí Cathartha,  
Cluain Meala,  
Co. Thiobraid Árann  
Tipperary County Council,  
Civic Offices, Clonmel,  
Co. Tipperary

Comhairle Contae  
Thiobraid Árann,  
Oifigí Cathartha,  
An tAonach,  
Co. Thiobraid Árann  
Tipperary County Council,  
Civic Offices, Nenagh,  
Co. Tipperary

t 0761 06 5000  
e customerservice  
@tipperarycoco.ie  
tipperarycoco.ie

Our Ref  
TUD-16-127

Your Ref

Date  
11<sup>th</sup> May, 2017

**Re: Development at Butlerstown & Ballydine, Kilsheelan, Co. Tipperary.**  
**Your client: Paschal O'Shea**

Dear Sir,

I refer to previous correspondence in the above connection and in particular to legal opinion prepared by Dr. Yvonne Scannell demonstrating that the extent of the quarrying is permitted by the grant of substitute consent under An Bord Pleanála Reference PL23.SU0009.

The Planning Authority accepts this opinion as it relates to Condition 1 which states as follows:-

This grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála with the application on the 18th day of December, 2012.

This grant of substitute consent relates only to development undertaken as described in the application and does not authorise any future development on this site.

The application for substitute consent was accompanied by a remedial Natura Impact Statement (NIS) and remedial Environmental Impact Statement (EIS) that set out a number of mitigation and remedial measures. You are requested to provide information demonstrating that the development is operating in accordance with the mitigation and remedial measures outlined in the remedial NIS and EIS and in accordance with the conditions attached to the grant of Substitute Consent under PL23.SU0009.

In addition you are requested to outline the proposals to address the planning status of the weighbridge and site office.

The Planning Authority require a response within 3 weeks of the date of this correspondence.

Yours faithfully

for Director of Services

**Kevin O'Regan,  
Malone O'Regan,  
2B Richview Office Park,  
Clonskeagh,  
DUBLIN 14.**





Refers to item (4)

**Whitfield Honey,**

**Whitfield,**

**Butlerstown,**

**Waterford.**

10th March 2021

To whom it may concern,

I keep 24-30 bee hives on the grounds of Kilsheelan Limestone Quarries at Ballydine, Kilsheelan.

The mature flora on the site provides an excellent source of pollen and nectar for my bees as well as the wild pollinators in the area, which is otherwise an intensely farmed agricultural area with little food sources for insects.

These sources provide excellent resources for build up in spring to provide strong hives for neighbouring crops of oil seed rape and apples. There is also large amount of flowers throughout the summer such as blackberry and willow herb, which provide an extended source of pollen and nectar throughout the summer.

Any disturbance to the site would reduce these food sources for many years to come and subsequently reduce the amount of wild pollinators in the area and reduce the health of the managed hives. This would reduce the biodiversity of the area.

Wild pollinator populations are very fragile and might not fully recover after any disturbances.

Yours sincerely,



Conor Trihy.

Whitfield Honey.



12<sup>TH</sup> July 2019

To whom it may concern

I currently keep 20 beehives at the edge of Kilsheelan Limestone quarry at Ballydine. There is a great abundance of wildflowers present around the quarry in an area otherwise dominated entirely by intensive farming.

Any proposed landscaping of the site would remove the floral resources currently present for both wild and managed bees. It would take many years for the site to recover the same levels of biodiversity that are currently present on the site.

Sincerely

Conor Trichy

Whitfield Honey,

Whitfield,

Butlerstown,

Waterford,





VIEW OF WEIGHBRIDGE  
OFFICE / WEIGHBRIDGE  
OVER BEE AREA





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## Inspection Report

To: Jonathan Flood, Planning Section Tipperary County Council

From: Paddy O'Dwyer, Executive Scientist, Tipperary County Council

Re: Requirement of a trade effluent discharge licence.  
Landscaping requirement of site.

Date: June 26<sup>th</sup> 2019

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### **Introduction:**

On June 24<sup>th</sup> 2019 I received a phone call from Pascal O'Shea, Kilsheelan Quarries. Mr O' Shea informed me that he had received correspondence from Tipperary County Council regarding a requirement to have a discharge licence and landscape plan for the aforementioned quarry.

It was agreed that I would inspect the site and discuss these issues with Mr O'Shea. On June 25<sup>th</sup> I carried out a site visit to Kilsheelan Quarry. Teresa Dempsey from the Environment Section was also present.

### **Inspection Details:**

On June 25<sup>th</sup> both Theresa Dempsey and I met with Pascal O'Shea at Kilsheelan Quarry. The purpose of the visit was to ascertain if a trade effluent licence under Section 4 of the Local Government (Water Pollution) Acts 1977 as amended was required for this facility.

This quarry has been operated by Pascal O'Shea for the past 4 years. Quarry activities include crushing of excavated limestone and distribution to customers. The process is a dry process as no washing is carried out on site. There are therefore no tailings ponds on site and no treatment is required for water. We walked the site and boundaries and Pascal O'Shea explained the process to us. There is a spring at the bottom of the quarry which is diverted





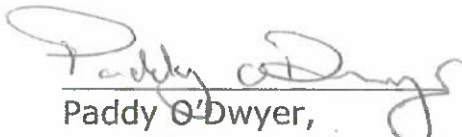


to a collection sump. The sump contains a submersible pump which is used to pump the spring water to a tributary of the Suir.

The water discharging from this facility to a tributary of the Suir is not process water and in my opinion does not require a discharge licence.

I can also confirm that the receiving water has a clean healthy appearance and the presence of fish was also noted during the site visit.

In relation to landscaping the site as is contains established whitethorn bramble, wildflowers and there are also 35 bee hives on site which are managed by a local beekeeper. It is my opinion that landscaping may have a deteriorating impact on the current biodiversity..

  
Paddy O'Dwyer,  
Executive Scientist  
Environment Section

26/6/2019





Deirdre Kent &lt;kilsheelanlimestone@gmail.com&gt;

**(no subject)**

1 message

O'Dwyer, Paddy &lt;patrick.odwyer@tipperarycoco.ie&gt;

Wed, Jul 24, 2019 at 2:50 PM

To: "kilsheelanlimestone@gmail.com" &lt;kilsheelanlimestone@gmail.com&gt;

Cc: "Dempsey, Teresa" &lt;teresa.dempsey@tipperarycoco.ie&gt;

FAO Pascal O'Shea,

Hi Pascal,

Above is a copy of my report to which I have forwarded to Jonathan Flood in Planning.

It sets out what we discussed on June 26<sup>th</sup>.

In conclusion there is no requirement for a discharge licence given the current operation.

I also note your reports regarding newt and badger survey.

Any queries please contact me directly.

Best Regards,

**Paddy O'Dwyer****Executive Scientist, Environment Section**

Tipperary County Council, Civic Offices, Clonmel, Co. Tipperary E91 N512

**T: 0761 06 5000****M: 087 2198941****E: [patrick.odwyer@tipperarycoco.ie](mailto:patrick.odwyer@tipperarycoco.ie)**



W: [www.tipperarycoco.ie](http://www.tipperarycoco.ie)



**Comhairle Contae Thiobraid Árann**  
**Tipperary County Council**  
[www.tipperarycoco.ie](http://www.tipperarycoco.ie)

[Tipperary County Council Disclaimer](#)

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 **signed report pascal O'Shea Kilsheelan quarries.pdf**  
727K











DISCHARGE WATER  
@ TEST POINT NO 2.





Deirdre Kent &lt;kilsheelanlimestone@gmail.com&gt;

**(no subject)**

1 message

**rosaleen Fitzgerald** <rfitzger53@eircom.net>  
To: kilsheelanlimestone@gmail.com

Wed, Aug 14, 2019 at 2:23 PM

**Hi Deirdre,****Further to your request for a list of the wild flowers I found at your quarry last year.****Please see attached jpg listing the plants.****If you zoom in on the jpg you should be able to read the list and print it.****Many thanks for allowing me to survey the quarry.****Sincerely****Rosaleen Fitzgerald****From:** Deirdre Kent <kilsheelanlimestone@gmail.com>  
**Date:** 10 July 2019 at 16:19:46 BST  
**To:** Jane Houldsworth <jane.houldsworth@bsbi.org>  
**Subject:** Re: 100 Euro donation to Atlas 2020**Hi Jane,****Further to Rosaleen Fitzgeralds visit with us last year, I was wondering if possible you could forward me a list of the wild flower she found onsite at our quarry.****I would like this information just to keep in my flora and fauna file.****Kind Regards,****Deirdre Kent.****Kilsheelan Limestone Quarries Limited.****Ballydine,****Kilsheelan,****Clonmel,**



**Co Tipperary.**

Telephone: 052 613 9304

Mobile: 087 923 0687

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**3 attachments**



**Kilsheelin Quarry-1 001.jpg**  
628K



**Kilsheelin Quarry -2 001.jpg**  
323K



**Kilsheelin Quarry -3 001.jpg**  
611K



[Search form](#)
[Search templates](#)

search for

taxon

grid reference

county/region

date recorded

recorder

checklist/linked attribute

bounded area

place name

[more options](#)

**Current search-form filter**  
 records where recorded on 3/7/2018 and grid-reference S32 and vice-county: VCH7

[display results](#)
[email results](#)
[download results](#)
[save query](#)
[reset search form](#)

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[results table](#)
[download](#)
[printable map](#)
[zoomable map](#)
[help](#)





























82 records matched your query.

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[next >](#)
[last >>](#)

record	taxon	recorder	vc	locality	grid ref	date	status
<input type="checkbox"/>	<a href="#">Acer pseudoplatanus</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
<input type="checkbox"/>	<a href="#">Aronia ciliata</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
<input type="checkbox"/>	<a href="#">Aronia stolonifera</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
<input type="checkbox"/>	<a href="#">Alonecena paniculata</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
<input type="checkbox"/>	<a href="#">Anagallis arvensis</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
<input type="checkbox"/>	<a href="#">Anthoxanthum odoratum</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
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<input type="checkbox"/>	<a href="#">Barbarea vulgaris</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
<input type="checkbox"/>	<a href="#">Bellis perennis</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
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<input type="checkbox"/>	<a href="#">Rudbeckia devoid</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
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<input type="checkbox"/>	<a href="#">Centaurea nigra s.s.</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
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<input type="checkbox"/>	<a href="#">Heracleum sphondylium</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
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<input type="checkbox"/>	<a href="#">Hypericum tetraetium</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	
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<input type="checkbox"/>	<a href="#">Juncus conopsea</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	S32	3/7/2018	





record	taxon	recorder	vc	locality	grid ref	date	status
<input type="checkbox"/>	 <a href="#">Junonia inflexus</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
<input type="checkbox"/>	 <a href="#">Kissalia arvensis</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
<input type="checkbox"/>	 <a href="#">Lapsana communis</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
<input type="checkbox"/>	 <a href="#">Leontodon didymum</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
<input type="checkbox"/>	 <a href="#">Leucanthemum vulgare</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
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<input type="checkbox"/>	 <a href="#">Lolium perenne</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
<input type="checkbox"/>	 <a href="#">Lotus corniculatus</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
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<input type="checkbox"/>	 <a href="#">Meibomia discoides</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
<input type="checkbox"/>	 <a href="#">Mycotis laxa</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	
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<input type="checkbox"/>	 <a href="#">Petasites fragrans</a>	<a href="#">Fitzgerald, Rosaleen</a>	VCH7	South Tipperary	<a href="#">S32</a>	3/7/2018	

<< first < prev 1 2 next > last >>

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mark validation state as

hide duplicates







June 2017

# Badger Survey Report Ballydine Quarry



**Kilsheelan Limestone Quarries Ltd**  
**Ballydine, Kilsheelan, Clonmel, Co.**  
**Tipperary**



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Quality  
Health & Safety  
NSAI Certified

MALONE O'REGAN



June 2017

# Ballydine Quarry Newt Survey Report



**Kilsheeland Limestone Quarries Ltd**

**Ballydine, Kilsheeland, Clonmel,  
Co. Tipperary**



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E-mail: [info@morce.ie](mailto:info@morce.ie)



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MALONE O'REGAN





TIPPERARY COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000, (as amended)

**NOTIFICATION OF DECISION TO GRANT PERMISSION FOR RETENTION  
WITH CONDITIONS**

TO: Paschal O'Shea  
C/o Malone O'Regan Consulting Engineers,  
St. Catherine's House,  
Catherine Street,  
Waterford.

Ref No. 18600120

Application Received: 05/02/2018

In pursuance of the powers conferred upon them by the above mentioned Acts, Tipperary County Council has by Order dated 28/3/2018 decided to grant you PERMISSION FOR RETENTION for development of land namely:- **an existing wheelwash, weighbridge, office and hardcore area for an indefinite period at Ballydine, Kilsheelan, Clonmel, Co. Tipperary.**

FOR THE REASON(S) STATED IN SCHEDULE 1 AND SUBJECT TO THE CONDITION(S) STATED ON SCHEDULE 2 (1 TO 3, PAGES 1 TO 1)

If there is no appeal against the said decision, a Grant of PERMISSION FOR RETENTION in accordance with the Decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala. (See Footnote).

**It should be noted that until a Grant of a Permission has been issued the development in question is NOT AUTHORISED.**

The applicant is advised that unless the development described above is carried out within five (5) years from the date of Grant of PERMISSION FOR RETENTION, planning permission will cease to have effect. See Section 40 of the Planning and Development Act, 2000.

**FOOTNOTE:** An appeal against a decision of a Planning Authority under the Planning and Development Acts 2000 - 2010 may be made to An Bord Pleanala, 64 Marlborough Street, Dublin 1 (Tel. (01) 8588100). All Appeals either by the applicant or a third party must be received by An Bord Pleanala within four weeks beginning on the date of the making of the Decision by the Planning Authority. Appeals posted within the permitted period but received after the latest date will be invalid. (Note: Where the latest date for receipt of an Appeal falls on a day when the offices of the Board are closed (Week-Ends, Public Holidays, etc.), the latest date for receipt will be the next day on which the offices are open).

An appeal must be made in writing and be accompanied by (a) the name and address of the applicant, (b) the subject matter of the Appeal, (c) the full grounds of appeal and the reasons, considerations and arguments on which they are based, (d) the appropriate fee as set out on attached schedule, and (e) in the case of a third party appeal, the acknowledgement from this Planning Authority of receipt of submissions/observations made by the third party. Any appeal which does not meet all the legal requirements will be invalid and cannot be considered by the Board. Further details are available on the Board's Website [www.pleanala.ie](http://www.pleanala.ie)

A commercial development means development for the purposes of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.

N.B. An appellant is not entitled to elaborate upon or make further submissions in writing in relation to the grounds of Appeal unless requested to do so by the Board.

Signed on behalf of the said Council

  
for Director of Services

Date: 28th March, 2018

