

Kilmainham,
Mountmellick,
County Laois.

13th January 2021

An Bord Pleanála
64 Marlborough St,
Rotunda,
Dublin 1,
D01 V902

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RE: Your Case Number: ABP-308844-20 and Planning Authority Reference Number: 10/5

Dear Sir/Madame,

In response to your Letter, to me and dated 9th December 2020, I do have some comments to add and I am also providing you with some images as there do not appear to be any in what I received.

The information provided seems incomplete as there is correspondence referred to by Eco Advocacy, on the 15th of November referring to another correspondence dated 6th of October, which I do not appear to have.

On the 24th of June 2015 LCC confirmed (see Letter attached):

I wish to advise that the requirements of the enforcement notice state that his development be carried on and details submitted to comply with the Conditions of Planning Permission ref no. 08/943. No material deviation or amendment will be permitted to the above referenced permission through negotiation. Any proposed amendment would require a revised planning application

As I understand it Section 10 of the final grant of planning clearly requires the developer not to evacuate within two meters of the highest water table on-site. Today, a vast portion of the site rests in water and prior to the building of new haul roads (extending several metres in length * width * height), building new boundaries (extending several metres in L*W*H), a completely new entrance (several metres in

ABP-308844-20



COMHAIRLE CHONTAE LAOISE
LAOIS COUNTY COUNCIL

U.D. 15/09

Comhairle Chontae
Laoise
Áras an Chontae
Port Laoise
Co. Laoise

Seamus Sherlock,
Kilmaham,
Mountmellick,
Co. Laois.

Laois County Council
Áras an Chontae
Portlaoise
County Laois

24th June 2015

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affairs@laoiscoco.ie
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Re: Non-compliance with conditions of Planning Permission Reference: 08/943 at Kilmaham, Mountmellick, Co. Laois

A Chara,

I refer to the above and to your recent letter dated 21st May 2015, the contents of which are noted.

I wish to advise that the requirements of the enforcement notice state that this development be carried on and details submitted to comply with the Conditions of Planning Permission ref no. 08/943. No material deviation or amendment will be permitted to the above referenced permission through negotiation. Any proposed amendment would require a revised planning application.

I trust this clarifies the matter.

Is tuise le meas,

PAT DELANEY,
ADMINISTRATIVE OFFICER,
PLANNING DEPARTMENT.

Tá Fáilte Romhat
Gnó & Dheanamh
as Gaeilge

Midlandsireland.ie

'I bpáirt leis an bpobal'

Arís pleanáil ar pháipéir atá 100% athchicéadáláil - Do Chomhairle & clárúcháir



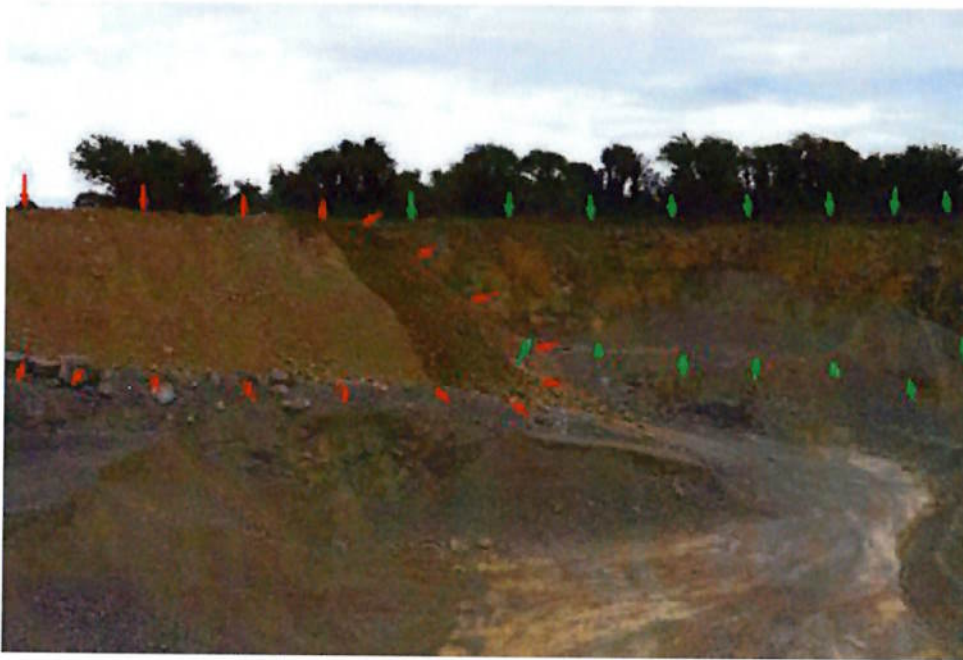


Photo 1: Red arrows indicate the new entrance built in 2014. The green arrows indicate the partial extent of the eastern boundary, as blasted, excavated and removed. (2014)



Photo 2: New entrance and haul roads, which were constructed on site. (2014)



Photo 5: Further and additional construction works. Note all the area from and including that under fence all the way over to include all the entrance in the above photo is newly constructed ground. (November 2020)



Photo 6: After a quarry blast (2019)



Photos 10 & 11: Note how the developer is digging out areas to considerably greater depths and then backfilling. If blasting to depths that aim to remain 2 meters above the highest water table this should not be possible. (November 2020)



Photo 12: Recent work on-site. Note the differences in the bench heights – the digger (red arrow) is excavating rock from below the water (blue arrow shows tracks under the water). GREEN c. the bench-drop to the quarry floor, BLUE – tyre tracks, RED – digger down excavating, ORANGE c. bench-drop to the area being dug-out by the digger, CYAN line is the face[s] most recently drilled and blasted. (November 2020)

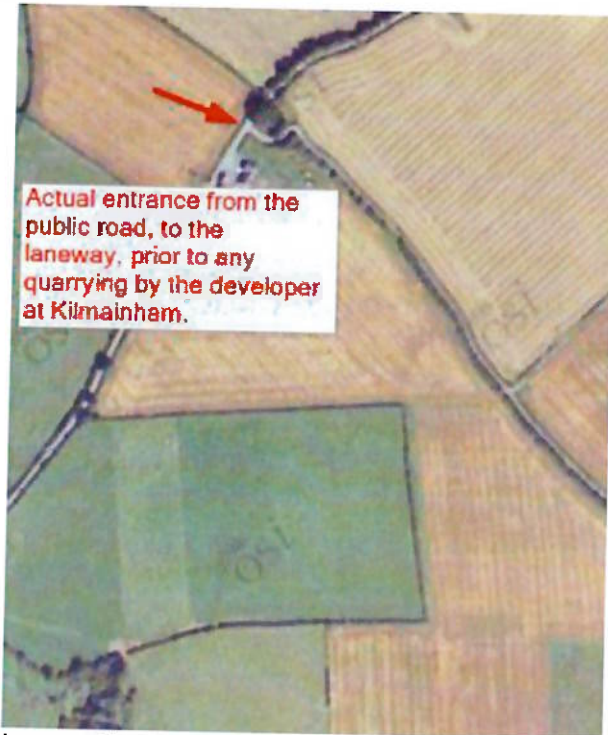


Photo 15 & 16: Entrance from the public road onto the laneway prior to any quarrying at Kilmainham by the developer. The changes are not unexplained in the planning documents. (2000, 2005 OSI orthophotography)



Photo 17: Entrance (early 2019, OSI orthophotography) showing office & weighbridge at that time