

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

Dear Sir/ Madam,

RE: Case No. ABP -313122- 22 Illegal Quarrying/Landfill and dumping on O'Regan land at Lismaine, Jenkintown, Co. Kilkenny.

We the undersigned would like to acknowledge your letter dated 27th May 2022.

We would like to clarify some items in particular that the operators claim in their executive response:

(ix) The silt ponds the operator's reference was in fact in the adjoining property owned by William & Liam Brennan. The pond was also a self-contained water system and was not used for management of ground water.

We contest the site of the present lagoon pond is within the operator's property. This is reference by Kilkenny Council on point 23 (page 15th) of the submission.

(x) This point is strongly contested as is it visually evident as water can be seen pouring from the rock face. The operators cannot provide any evidence to show that they have stayed above the water table. No test boring has been proven as is required by the planning process. Anecdotally continual pumping of water from the rock face has led to domestic wells running dry on L5859. This has been advised to Kilkenny County Council on numerous occasions.

(xi) The operators claim no excess water leaves the site, this again is contested as we have supplied photo & video footage of excess flooding of neighboring farmland and watercourses.

(xix) Again contested, members of Kilkenny County Council have seen firsthand the operators pumping large volumes of water from the site.

(xxi) In living memory the fields adjoining the site have never flooded to the extent shown on the photographs supplied, and we ask how flooding can appear in the morning, disappear in the evening and return in the morning again. This flooding coincides with the pump activity in the quarry. Enclosed in a photo "D" showing this excess flooding.

(xxv) The intensification of the site is most obvious taken in the last two years alone, photo's of this dramatic change has been supplied to Kilkenny County Council.

Please see the enclosed photos marked.

Photo A dated Jan 14th 2012 marked "xxx" is the field showing it a green field and untouched.

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

Sean Cahill
Lismaine
Jenkintown
Co. Kilkenny
14/06/2022

Photo "B" shows what the side looks like in the last 12 months. Perimeter line marked in green highlighter.

We have also enclosed additional photos that show extensive flooding, the aggressive intensification of work completed over recent time. It will also show the significant increase in lake size.

Submission.

(3.) Page 6. We concede the operators may have been selling sand & gravel, however we believe the material been sold was in fact been drawn from another site at Edmunds Campion, Conahy Rocks, Co. Kilkenny folio no. KK2828 and not from the site as claimed. We can provide evidence of this from people who worked at this location at that time.

(15.) Page 8. The operators may believe that the local residents have no right to complain about the activity at this unauthorized quarry. The local residents have every right to protect their property from flooding, from their wells running dry, protection from ground vibrations, protection from excess dust & excess noise from 5.30am and late into the evening and at weekends.

The residents have brought this unauthorized activity to the attention of the planning section since 2009 and we are in the 13th year with yet more intensification taking place.

(16.) Page 8. Notwithstanding if Kilkenny County Council are contesting, we stand over our affidavits.

(16.1) Page 8. The operators providing receipts does not prove material was in fact removed from the site. As you will see from the photo's enclosed, quarrying could not have taken place at this site on continual basis as this was a green field up to recently. Our objection to the unauthorized quarry would have been more regular and vocal if they were operating on a continual basis.

We, the residents have always acted with complete integrity and respect despite suffering negative impacts over 13 years, we contest the majority of what the operators claim has no basis in fact and we feel the evidence we provided will show that to be the case.

Yours Faithfully,



On behalf of:

Sean Cahill, Knockroe, Jenkinstown.

Eamon Conway, Lismaine, Jenkinstown.

Scale: 1:5000

Name: Liam Butler
Address: Knockroe
Jeninstown
Co Kilkenny

Townland Code: J14809

Townland Name:

KNOCKROE

Parcel	Digitised	Ref	Claimed
J14809067	2.92 Ha	2.91 Ha	2.91 Ha
J14809068	1.12 Ha	1.12 Ha	1.12 Ha
J14809069	0.27 Ha	0.26 Ha	0.26 Ha
J14809070	0.45 Ha	0.00 Ha	0.00 Ha
J14809071	7.18 Ha	7.12 Ha	7.12 Ha
J14809072	0.47 Ha	0.00 Ha	0.00 Ha
J14809073	0.05 Ha	0.00 Ha	0.00 Ha
J14809074	0.88 Ha	0.90 Ha	0.88 Ha

Ortho Used: BATCH_ORTHO

PHOTO "A"

* Areas shown above are gross areas
in hectares. Deductions should be
made for non-agricultural areas
in Single Payment Scheme Applications

** Validation checks may have altered the
gross area of some parcels. You should
therefore examine the areas of individual
parcels carefully.

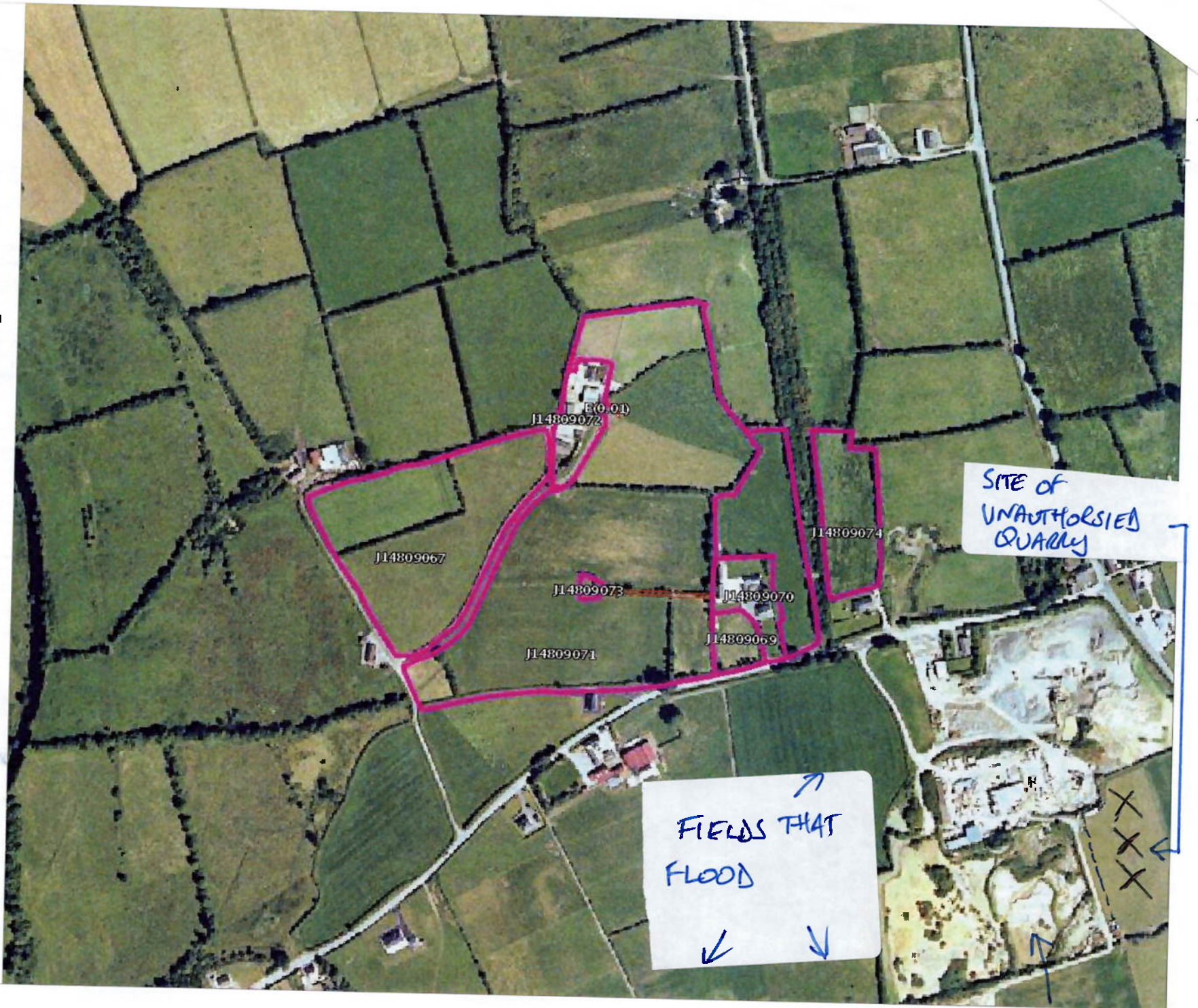
*** The year of the orthophotography used
in this map can differ from parcel to parcel.

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not permitted.



Sat Jan 02:51:11 GMT 2012
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BRANDON'S SILT POND



FIELD LINE UNAUTHORISED WALL HAS BEEN TAKEN PLACE
PHOTO TAKEN LAST
PLEASE NOTE SIZE & DATE COMPARED TO
LATER IMAGES.

Greenhaus
Silt Road

THIS PHOTO SHOWS THE LOCATION OF THE
PUMP TAKEN WHEN YOU COMPARE TO
PHOTO "A"
THIS WATER IS PUMPED OUT TO NEIGHBORING
FIELDS.

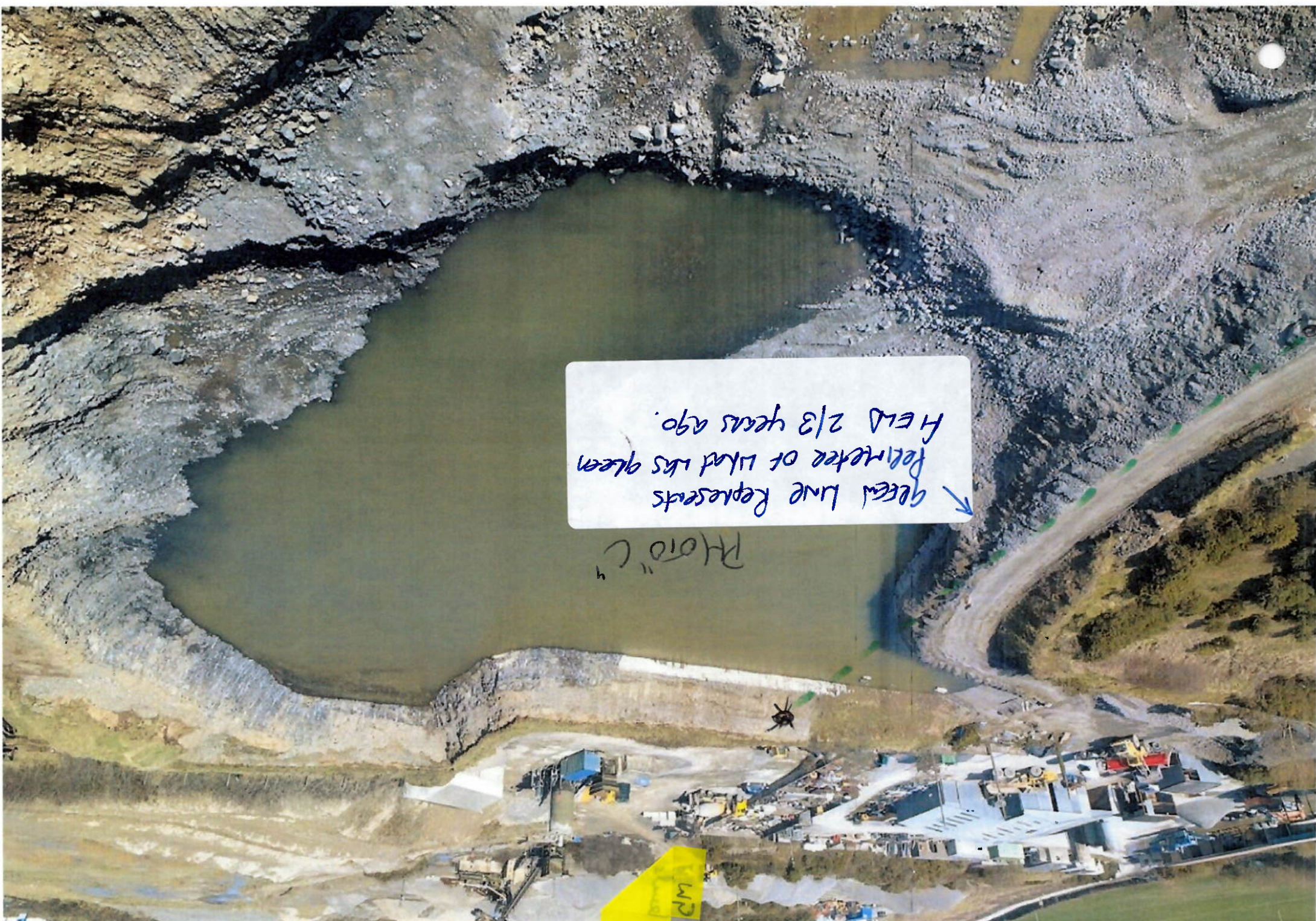
Pump

Ismaque concrete

6x canal
starting to clean
site for new
stop.

Water can be seen
pushing from the road
into the water table.



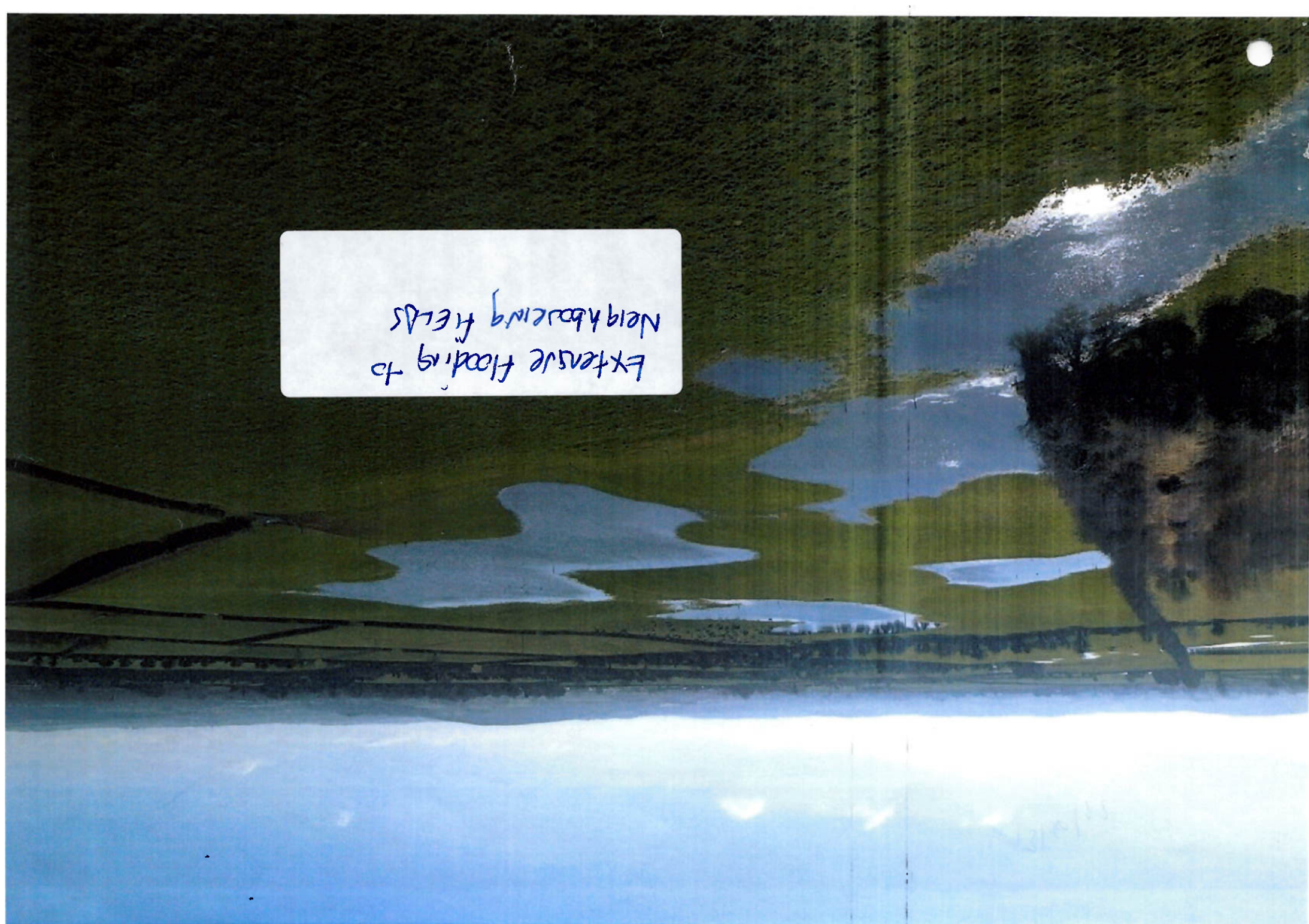


Green line Represents
perimeter of what was green
Area 2/3 years ago.

PHOTO

W.P.

Extensive flooding to
neighbouring fields





Extensive flooding into
Sean Cahills fields

Blenhams SILT Road.