

I-Plan Generated Letter: Objector Acknowledgement
Local Government (Planning & Development) Acts
County Council of the County of Kildare

Page 1 of 1

Comhairie
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



4
Date: 09/09/2002

OBJECTIONS & CORRESPONDENCE
RECEIVED BY PLANNING AUTHORITY

For inspection purposes only.
Consent of copyright owner required for any other use.

Comhairie
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



4
Date: 09/09/2002

Pl. Ref: 02/1475

Alan & Eleanor Cox
Ballinderry House
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5334 is attached in respect of fee paid. Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Alan and Eleanor Cox,
Ballinderry House,
Carbury,
Co. Kildare.

CONFIDENTIAL

Mr. Kevin Kelly,
The Planning Section,
Kildare County Council,
St. Mary's,
Naas,
Co. Kildare.

Received 6/9/02
SEO

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

5 September 2002

Re: Planning Application Ref. No. 02/1475

Dear Mr. Kelly,

We refer to the above planning application. This concerns Goode Concrete's application to develop a gravel pit at Ballinderry, Carbury, Co. Kildare. The covering letter for this application has been prepared by Brassil Jarvis & Co. Ltd. and we wish to make some observations on its' contents.

We are the owners of Ballinderry House, a protected structure which is 0.5km south of this proposed development. Over the last two years we have been restoring this house under the Guidance of Conservation Architect, Paul Arnold. Kildare County Council have been most generous in providing funding for this restoration project. The house has been completely re-roofed and new windows installed and we are currently living in this house. We must make the point that nobody from Brassil Jarvis & Co. Ltd. made contact with us despite the proximity of our house and lands to the proposed gravel pit. Brassil Jarvis & Co. Ltd.'s report states that "the house to be currently unoccupied and in need of repairs".

This report states "no bloodstock interests have been identified in the vicinity of the subject site". This is completely false. At present a mare and foal reside not more than 300 metres from the proposed site. This mare is a full sister to Sackville who was voted the leading National Hunt horse in Ireland last January at an award ceremony. Among the winners that night were such figures as Aidan O'Brien and John Magnier. There is a history of quality bloodstock breeding at Ballinderry, Sackville having been born, bred and raised there.

Our cattle at present graze in the fields adjoining the subject site, no reference has been made to them.

Cont/d...

The report mentions that the development will impose strongly on the views to the south i.e. Ballinderry House. A chart is included and this we strongly agree with. However, nobody requested to visit our lands and house so how was this information collated? Brassil Jarvis & Co. Ltd. are either incompetent or furtive or probably both. Their report should be rejected completely. Their research appears to be non-existent. The information on dust, noise, vibration etc may also be gathered in a similar non-scientific way.

How can this report have any credence? We request that this development proposal be rejected because of the spurious information outlined in the report.

Enclosed is our cheque made payable to Kildare County Council for Euro20.00

Yours sincerely,

Alan and Eleanor Cox

Alan and Eleanor Cox

Encl.

For inspection purposes only.
Consent of copyright owner required for any other use.

AN BORD PLEANALA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 12/05/2003
Pl. Ref: 02/1475

Alan Eleanor Cox
Ballinderry House
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

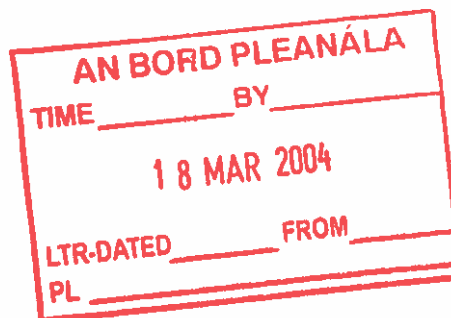
Please quote the above reference number in any further correspondence on this application.

Receipt number n/a is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council



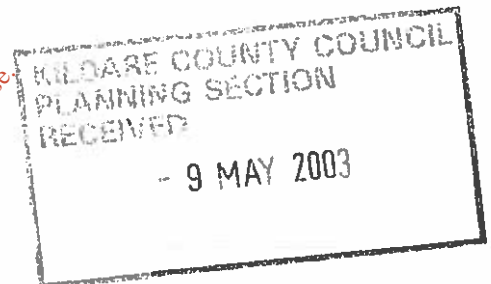
Alan & Eleanor Cox
Ballinderry House,
Carbury,
Co. Kildare.

CONFIDENTIAL

Mr. Kevin Kelly,
The Planning Section,
Kildare County Council,
St. Mary's,
Naas,
Co. Kildare.

8 May 2003

Re: Planning Application Ref. No.02/1475

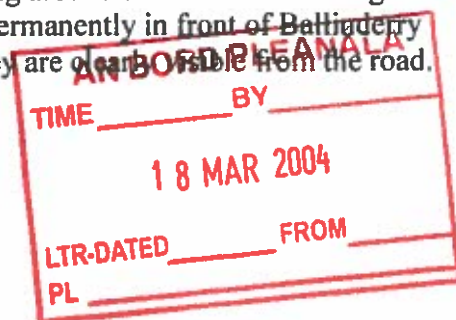


Dear Mr. Kelly,

We refer to the above planning application. This concerns Goode Concrete's application to develop a gravel pit at Ballinderry, Carbury, Co. Kildare. Further information has been provided by Brassil Jarvis & Co. Ltd and we wish to make some observations on its contents.

Ballinderry Hse is a protected building and therefore no development is allowed to damage its curtilage or its heritage value. The Environmental Impact Statement mentions that the development will impose strongly on the views to the south i.e. Ballinderry Hse. By this admission of the potential damage to the heritage value of Ballinderry Hse it only proves that this development should not go ahead. Furthermore there is no assessment as to how noise or dust may damage the house.

The Irish Field Directory 2002 has been used to provide a list of all bloodstock establishments in Ireland. This is not a comprehensive list as Studs, Trainers; Jockeys etc must apply themselves if they wish to be included in the Directory. Many studs and private breeders choose not to be included in the Directory. This information was acquired by talking directly with staff of the Irish Field. We note that information has been gathered about our bloodstock operation by driving around the roads and talking to employees of Goode Concrete. There are four horses permanently in front of Ballinderry Hse. in a field that is fenced specifically for horses. They are clearly visible from the road.



They include a close relation of a Cheltenham winner and another filly related to this years Grand National favourite. Our mares and younger stock we tend to keep at the back of the house protected from the noise of the road. There is already a lot of heavy traffic in the area. These horses are not visible from the road.

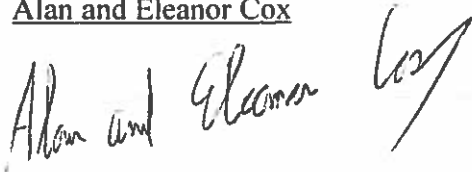
No assessment has been made on the impact that noise and dust will have on our cattle.

This report and the previous one are seriously flawed. They are badly researched. Brassil & Jarvis seem to operate in a very underhand and unprofessional way. Their research and information gathering is poor.

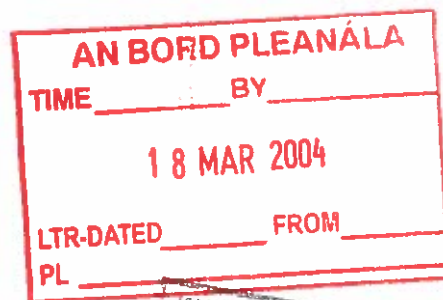
This report and proposed development should be rejected because of the negative impact on Ballinderry Hse and its bloodstock breeding operations.

Yours Sincerely,

Alan and Eleanor Cox



For inspection purposes only.
Consent of copyright owner required for any other use.



Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 09/09/2002
Pl. Ref: 02/1475

Alan & Eleanor Cox
Ballinderry House
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.3 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

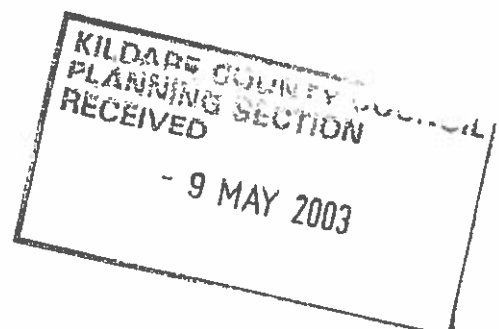
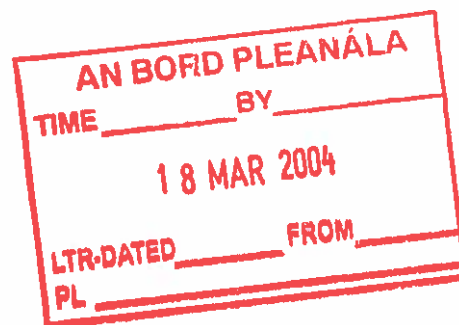
Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5334 is attached in respect of fee paid. Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

A. C. Talbot

County Secretary
Kildare County Council





PLANNING CASH OFFICE
 Kildare County Council
 St Mary's
 Naas
 Co Kildare

09-09-2002 14:42:36

Receipt No. : PLG1/0/5334

ALAN ELEANOR COX
 BALLINDERRY HOUSE
 CARBURY
 02/1475

PLANNING OBJECTION FEES 20.00

Total 20.00 EUR
 15.75 IEP

Tendered:
 Cheque 20.00

Issued By : Anita Cox Planning Cash Office
 From: Planning Lodgement Area

For inspection purposes only.
 Consent of copyright owner required for any other use.

AN BORD PLEANÁLA
 TIME _____ BY _____
 18 MAR 2004
 LTR-DATED _____ FROM _____
 PL _____

KILDARE COUNTY COUNCIL
 PLANNING SECTION
 RECEIVED
 - 9 MAY 2003



Date: 29/04/2003

Pl Ref.: 02/1475

~~REGISTERED POST~~

Alan & Eleanor Cox
Ballinderry House
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd -

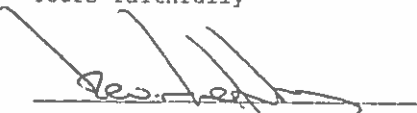
For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

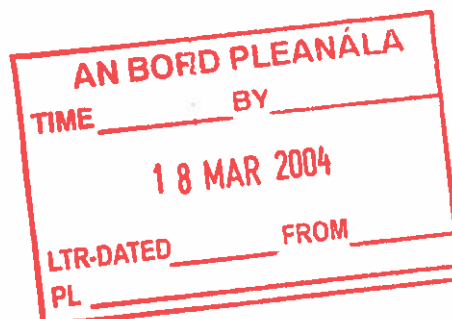
Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully


Senior Executive Officer Planning & Public Safety
Kildare County Council



Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 12/05/2003
Pl. Ref: 02/1475

100. 100

S

David Miller
Kilcanderick House
Moyvalley
CO Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

Please quote the above reference number in any further correspondence on this application.

Receipt number n/a is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

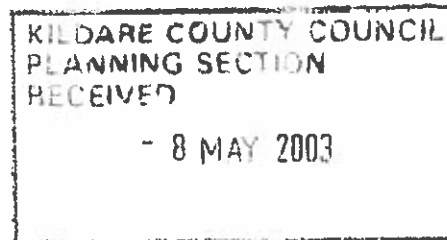
K. Kelly

Senior Executive Officer Planning & Public Safety
Kildare County Council



*Kilcandrick House
Moyvalley
Co. Kildare*

The Planning Department,
Kildare County Council,
Naas,
Co. Kildare.



Date: 6th May 2003

Re: Application by Goode Concrete Limited for Planning Permission for the Extraction of Sand and Gravel, Processing and Washing Plant, Access Road and Associated Development works at Ballinderry, Carbury, County Kildare.

Dear Sirs,

We refer to the above matter and to your recent letter in which you informed us of amendments made by the Applicant to the above planning application. We have inspected the planning file and we wish to respond to the various matters appearing on that file.

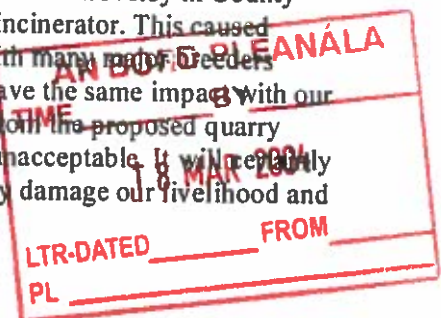
We repeat our objections to this proposed development in its entirety, including the proposed modifications thereto, for the reasons already set out in our original Notice of Objection, which is on your file.

We also wish to take issue with some of the responses made by the Applicant to our original objection.

The Applicant claims that we are not involved in the breeding of horses and ponies. This is incorrect and untrue. In support of this allegation the Applicant has furnished a list of registered studs in Ireland. However, this discloses a fundamental misunderstanding of the horse industry. Registered studs are generally stud farms at which stallions registered with the Irish Horse Board are standing. However, persons not involved in the horse racing industry would not normally have any occasion to register with the IHB. The vast majority of breeders of ponies and sports horses are not registered.

We are involved in breeding ponies. This is a highly specialised activity. There are many different pony activities, including show jumping, eventing, dressage, working hunter and show ponies. Within these categories there are different grades and sizes of ponies, to meet the requirements of children of different ages and abilities. High quality Irish ponies are in demand throughout the UK, Europe and the USA. They have a valuable export market.

The successful breeding of such ponies requires a suitable environment. Mares and foals are easily injured by noise and pollution. A recent example of such problems was the controversy in County Tipperary, where planning permission was granted for an animal waste incinerator. This caused substantial objections from the horse breeding industry in the county, with many major breeders threatening to move their operations abroad. While we cannot hope to have the same impact with our objection, nonetheless the same criteria apply. The noise and pollution from the proposed quarry development, which will come within 50 meters of our lands, is totally unacceptable. It will certainly prevent the continued use of our land for pony breeding and will severely damage our livelihood and



also our reputation within the industry.

We repeat that the effect of granting planning permission for this quarry will be to deprive us of our lawful use and enjoyment of our land. We will be subject to noise, pollution and continuing nuisance. This will be a serious breach of our Constitutional rights to quiet enjoyment of our property. We shall, therefore, be forced to take all means possible to vindicate our legitimate and Constitutional rights and will pursue this matter through the courts if necessary.

A further ground of objection arises from the revised proposal for a new public road through the proposed quarry. This new road would appear to bypass our property leaving us in a cul-de-sac. If this is the case, it will deprive us of the normal access and use of such road in both directions.

The creation of such a cul-de-sac will inevitably lead to its use as a halting site for caravans or for the dumping of rubbish. It will also leave our property more vulnerable to trespass and break-ins. It will certainly make it impossible for us to keep valuable ponies on the lands.

Our inspection of the planning file did not disclose the existence of an Environmental Impact Statement, which is required for such an extensive development. If any such EIS has been prepared without regard to the damage to our property, which is the nearest adjoining property, then such statement is seriously defective and we must insist that a proper EIS be prepared and considered in advance of any determination of this application.

In conclusion, this entire development, including the proposed modification now submitted by the Applicant, will severely damage our property and our livelihood. It will have a devastating impact on the local environment. We will suffer a severe loss of income and a diminution in the value of our property, while at the same time the Applicant will enjoy a substantial increase in the value of his lands. This is neither just nor equitable.

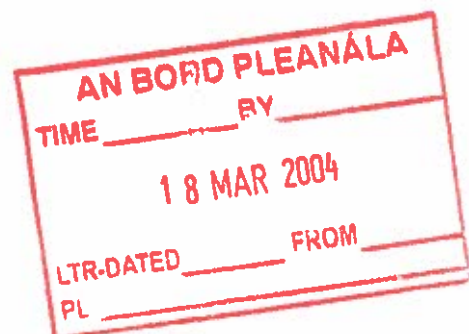
We call on the Planning Authority to address our particular concerns and objections, as contained in the original Notice of Objection and in this letter and to refuse planning permission for this proposed development.

Yours sincerely,

David Miller



Margaret Miller



Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

~~REGISTERED POST~~

David & Margaret Miller
Kilcandrick House
Moyvalley
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd -

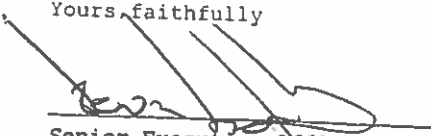
For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

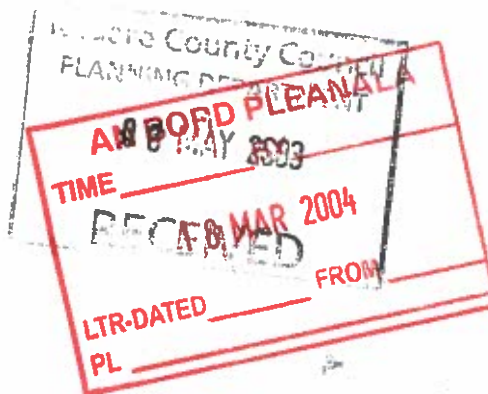
Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully


Senior Executive Officer Planning & Public Safety
Kildare County Council





PLANNING CASH OFFICE
Kildare County Council
St Mary's
Naas
Co Kildare

06-09-2002 09:33:37

Receipt No : PLG1/0/5208

DAVID & MARGARET MILLER

02/1475

PLANNING OBJECTION FEES 20.00

Total 20.00 EUR
15.75 IEP

Tendered:
Cash 20.00

Issued By : Anita Cox Planning Cash Office
From: Planning Lodgement Area

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
FROM _____

PLANNING DEPARTMENT
08 MAY 2003
RECEIVED

For inspection purposes only.
Consent of copyright owner required for any other use.

I-Plan Generated Letter: Objector Acknowledgement
Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 09/09/2002
Pl. Ref: 02/1475

David & Margaret Miller
Kilcandrick House
Moyvalley
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

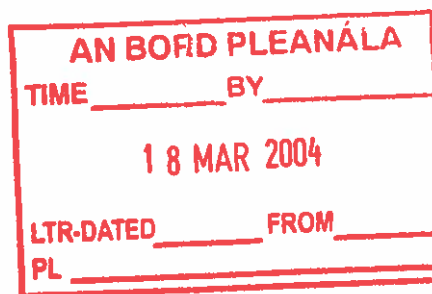
This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5288 is attached in respect of fee paid. Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council



02/1475

Kilcandrick House
Moyvalley
Co. Kildare

RECEIVED
06 SEP 2002
Kildare County Council
Planning Department

Kildare

Planning Department,
Meath County Council,
St. Mary's,
Naas,
Co. Kildare.

4th September 2002

Re: Planning Application by Goode Concrete Limited for Extraction of Sand and Gravel, Processing and Washing Plant, Access Road and Associated Development Works at Ballinderry, Carbury, Co. Kildare

Dear Sirs,

We are the occupants of Kilcandrick House, which immediately adjoins the lands for which the above planning permission is sought. We wish to object to this proposed development and we request that this application be refused.

The grounds of our objection are set out in the accompanying document.

We also request that we be kept informed of the outcome of this application. We also request that if the Applicant furnishes any revised planning application, or any new planning application for the same site, that we should be informed of such application.

Yours faithfully,

David Miller
David Miller

Margaret Miller
Margaret Miller

For inspection purposes only
Consent of copyright owner required for any other use.

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

NOTICE OF OBJECTION TO PLANNING APPLICATION

Re: Application by Goode Concrete Limited for Planning Permission for the Extraction of Sand and Gravel, Processing and Washing Plant, Access Road and Associated Development works at Ballinderry, Carbury, County Kildare.

Re: Application by Goode Concrete Limited for Planning Permission for the Extraction of Sand and Gravel, Processing and Washing Plant, Access Road and Associated Development works at Ballinderry, Carbury, County Kildare.

Objectors: David Miller and Margaret Miller, Kilcandrick House, Moyvalley, Co. Kildare.

Basis of Objection

Kilcandrick House is situated to the north east of the proposed development. This house is the closest house to the proposed development and is separated from the proposed development by a narrow, third class, country road.

Kilcandrick House is a two-storey-farm house which was built in the 1830's. It was purchased by David and Margaret Miller approximately 20 years ago. Since then they have carried out extensive repairs and renovations to the house. The land of Kilcandrick House comprise approximately 40 acres(Please see attached photographs). The lands are laid out in a number of stud railed paddocks. The property also includes outhouses and stables. The property is used as a small farm for the breeding and rearing of show ponies and working hunter ponies and horses.

Margaret Miller is a senior judge with the Irish Pony Society and has an international reputation as a judge and breeder of ponies.

The house and farm are located in a rural area. This site was chosen by Mr. and Mrs. Miller for its quiet pastoral setting and its light well drained soil which offered ideal conditions for breeding and rearing ponies and horses. The area was also sheltered and secluded and well away from noise and traffic which could upset young horses and foals.

The proposed development of the adjoining lands by Goode Concrete Limited will have a devastating impact on the use and enjoyment of Kilcandrick House and lands.

Physical Effects of Proposed Development

At present the site of the proposed development is used as agricultural land with a stream flowing along its eastern boundary. As can be seen from the maps furnished with the Planning Application, this land is a rolling hill which slopes down to the stream. Kilcandrick House enjoys a pleasant secluded view of this pasture land. These lands also offer a shelter from the prevailing south westerly wind so that Kilcandrick House enjoys a sheltered micro climate, which is ideal for rearing and breeding ponies and horses.

The proposed development will remove the existing hill and replace it with a large deep quarry. Even if the lands are reinstated as proposed in the EIS, it will still leave Kilcandrick House standing at the edge of this ravine, on what will then be a raised and exposed site.

AN BORD PLEANÁLA
TIME BY
8 MAR 2004
LTR-DATED FROM
PL

RECEIVED
06 SEP 2002
Planning

During the carrying out of this development, Kilcandrick House and lands will be exposed to noise, dust and interference from the development. This will make it impossible to continue to use the lands for rearing and breeding of ponies and horses. It will also severely detract from the amenity value of the property. Mr. and Mrs. Miller will be subjected to a severe interference with their use and enjoyment of their property.

The Environmental Impact Statement (EIS) which accompanies this Application acknowledges that Kilcandrick House will be affected by this development in several ways. There is nothing in the Application or the EIS to show how the Applicant intends to prevent such interference. Some of the particular areas of interference are as follows.

Effect on Wind

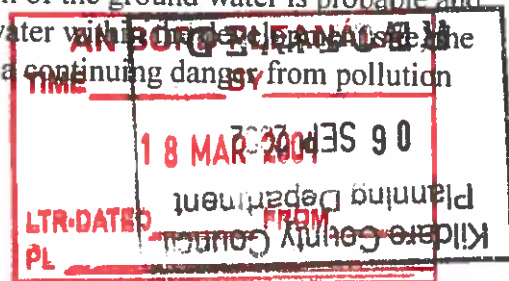
The EIS records that the prevailing wind in this area is from the south west. The rolling hills offer resistance to the winds at surface level, thus creating sheltered areas in the lea of such hills. The proposed development lands comprise a gently sloping hill to the south west of Kilcandrick House that offers shelter and creates a micro climate, ideal for breeding ponies and horses. The removal of this hill and its replacement with a gorge or valley will have adverse effects on the area. This is illustrated in the drawing accompanying this Objection.

Ground Water

Kilcandrick House does not have mains water. All domestic water is obtained from a well on the property. Water for the farm is obtained either from the well or from the adjoining stream. As is stated in the EIS, the ground water flow is from the south east. This means that all water available to Kilcandrick House and farm will come from the area of the proposed quarry.

It is clear that very substantial interference will take place, both to the water table and to the water itself during the course of this proposed development. It is admitted in the EIS that water will be extracted for use in the washing of gravel. The Planning Application makes reference to attempts to operate a closed system with such washing water being recycled. However, no guarantee is given, nor could any such guarantee be given that pollution of the ground water cannot occur. Any spillage of Diesel Oil or other chemicals or pollutants within the quarry will contaminate the ground water. There is nothing in the Planning Application which indicates that there is any plan in place to prevent such contamination from entering the ground water below the site and thus polluting such water and the wells in the area.

In the course of the development it is proposed to extract sand and gravel from below the water table by dredging. This in itself will increase the risk of contamination of the ground water. Any pollutants getting into the water are, therefore very likely to contaminate nearby wells. Kilcandrick House is the nearest property. The natural flow of the ground water is from the development site towards Kincandrick House. This house is most likely to suffer the detrimental effects of any such pollution. There is reference in the EIS to proposals to monitor the quality of water in wells near the site. However, it is submitted that this will be of no value if any pollution occurs. By the time such contamination of the wells is discovered, it will be too late to remedy the problem. Should such pollution occur, Mr. and Mrs. Miller will be left with no domestic water and no water for their livestock. Based on the scale and extent of the proposed development, it appears that such pollution of the ground water is probable and without some failsafe method of retaining ground water within the development site the occupants of Kilcandrick House will be exposed to a continuing danger from pollution throughout the entire life of this development.



The stream which runs along the eastern boundary of the proposed developments continues north past the lands of Kilcandrick House. If this stream is polluted, it will effect the water available for livestock on the farm. With such an extensive development, the likelihood of such pollution is very great. It is, therefore, almost inevitable that livestock on this farm will suffer from exposure to such pollution.

This stream is a tributary of the Boyne River. It is believed that salmon use the lower reaches of this stream to spawn. Any pollution of this stream could have detrimental effects on the salmon stocks in the Boyne. The Application gives no undertaking to prevent such pollution.

It is noted that the EIS states that the ground water vulnerability in the area is high rising possibly to extreme. It goes on to state, in relation to private wells in the area "*The proximity of these wells and the high vulnerability rating for both the aquifers makes these wells possible targets for ground water pollution*"

Air

The EIS acknowledges that this development will be a source of dust. It proposes certain dust suppression methods. However, none of these offer any guarantee that dust will not pollute the air and environment of Kilcandrick House. Since the prevailing winds are from the south west, any such dust will be blown directly towards this house. The use of native trees as a shelter will offer no protection in winter and spring when there are no leaves on the trees. This is the time when foals are born and are at their most vulnerable.

Such airborne dust will cause grave inconvenience to Mr. and Mrs. Miller. It will affect such normal domestic matters as cleaning windows and hanging out washing to dry. It will have adverse effects on the quality of the air and could lead to breathing difficulties and related adverse effects on the health of the occupants of the house.

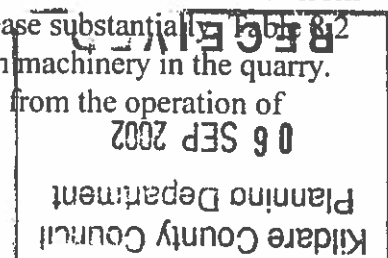
Noise

Kilcandrick House lies immediately beside the proposed development. Heavy machinery will be used in preparing the site and in the extraction of the material from the quarry. Large lorries will be used in the transport of the materials both within the site and from the site.

Due to the proximity of Kilcandrick House to the site, it is inevitable that its occupants will suffer more than anyone else from the noise emanating from the site. They are left with the prospect of such interminable noise for the entire duration of this proposed development.

The noise from this development is also likely to have an adverse effect on the livestock on the farm. Highly strung animals have been know to take fright and bolt, even attempting to jump fences and ditches and often suffering severe injuries as a result. Consequently, the presence of such machinery and the resultant noise are likely to have adverse effects on the livestock on the farm.

The EIS study shows noise levels, as monitored close to the site, and these are tabulated in Table 8.1. At the north east corner of the site, adjacent to Kilcandrick House it is noted that noise levels of 55 to 57dB were recorded at 80 metres distance. Kilcandrick House is within 40 metres of the proposed site. It must therefore follow that when the additional noise from machinery in the site is introduced, these noise levels will increase substantially. Table 8.2 shows the additional noise which is likely to emanate from such machinery in the quarry. Table 8.3 goes on to show the predicted level of noise resulting from the operation of



machinery in the quarry. This appears to show a predicted level of 48dB near Kilcandrick House. It is not clear how the figures shown in Table 8.3 can arise. The addition of existing noise levels and the additional noise of machinery on the site must inevitably increase the predicted noise, not reduce it. The only certain way to ascertain the noise level near Kilcandrick House would be to place machinery on the site and monitor the resultant noise level. The conclusion drawn that there is no potential noise impact from this development is at variance with the facts and is clearly inaccurate or incorrect.

Roads and Access

The roads in this area are mainly third class country roads which have tarmacadam laid on the existing subsoil. These roads do not have substantial foundations or concrete reinforcement. Since much of the subsoil in the area comprises sand and gravel there is a real risk of damage from heavy lorries and heavy machinery.

The EIS states that lorry movements to and from the site will rise from 70 per day to 210 movements per day by 2006. Each lorry will carry a maximum load of 26 tonnes. Assuming that the quarry is operated 8 hours per day, then there will be 26 lorry movements per hour, or approximately one lorry entering or leaving the site every 2 minutes. The roads will be subject to pressure or loading of over 5,000 tonnes per day from the movements of these lorries. Such intensive traffic of heavy lorries clearly is clearly likely to cause damage to the existing roads. Furthermore, it is likely that the presence of such lorries and the resultant damage to adjoining roads will constitute a nuisance and hazard to other road users on such country roads. Mr. and Mrs. Miller are likely to suffer such a detriment as access to their property necessitates to use of such roads.

Reinstatement

The proposed reinstatement as set out in Figure 9.8 in the EIS shows a body of water at the base of the quarry, which is euphemistically referred to as a "lake". This will constitute a danger and hazard to children and persons in the area.

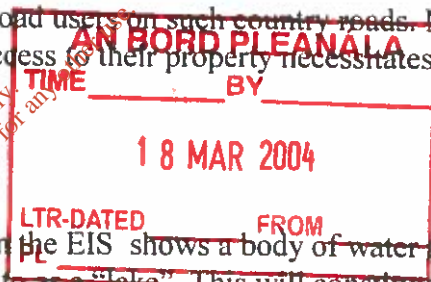
Since this represents an area where the ground water and aquifer will remain exposed, it constitutes a continuing hazard and risk of future pollution of the ground water in this area.

It is submitted that the only safe reinstatement would involve raising the ground level to a level above the ground water which would offer sufficient protection for this important aquifer.

The reinstatement proposed will pose a real and continuing danger to the occupants of Kilcandrick House which will remain indefinitely. Since there is no future plan for the upkeep and maintenance of the development site, after production of gravel ceases in 2008, there is a very real danger that it will become derelict and become a source of danger and pollution. There is a high risk that illegal dumping could take place on such a site with the consequent danger of pollution of the ground water in the area.

Notification by Good Concrete Limited

Goode Concrete Limited did not notify Mr. and Mrs. Miller of their intended application for Planning Permission nor did they seek to engage in any preliminary discussions prior to making this application. Mr. and Mrs. Miller first became aware of this Application for Planning Permission when Mr. Miller accidentally came upon the notice erected on the lands.



He has to make enquiries from Kildare County Council to discover the nature and extend of the proposed development. He then had to contract Goode Concrete to seek further details of the proposed development.

The EIS states "No sensitive groups or communities that may be affected by the development have been identified". Since the existence of Kilcandrick House is clearly identified on all maps relating to this Application, the Applicant should have had no difficulty in identifying the occupants of the property and of making enquiries as to how they might be affected by the development. If the Applicant has failed to identify such persons, it must raise doubts as to the nature and extent of the investigations carried out in the preparation of this Planning Application and the accompanying EIS.

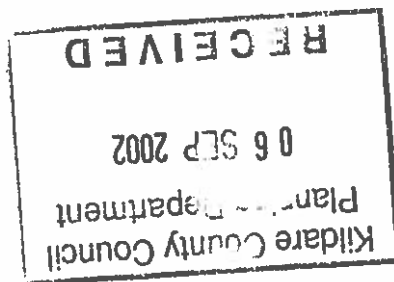
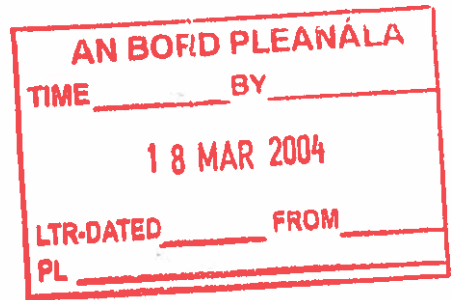
Conclusion

This proposed development by Good Concrete Limited will have a detrimental effect on the amenity value of the area. It poses a health hazard to the occupants of Kilcandrick House. There is an acknowledged risk of pollution of the ground water and the well supplying water to this house. Any interference with the ground water levels could cause the well to run dry. There are further hazards associated with noise and air pollution. The possible impact of the development on livestock on the farm, in particular foals, young horses and ponies. This could make it impossible for Mr. and Mrs. Miller to continue to use this property for the breeding and rearing of such animals with a consequent severe impact on their livelihoods.

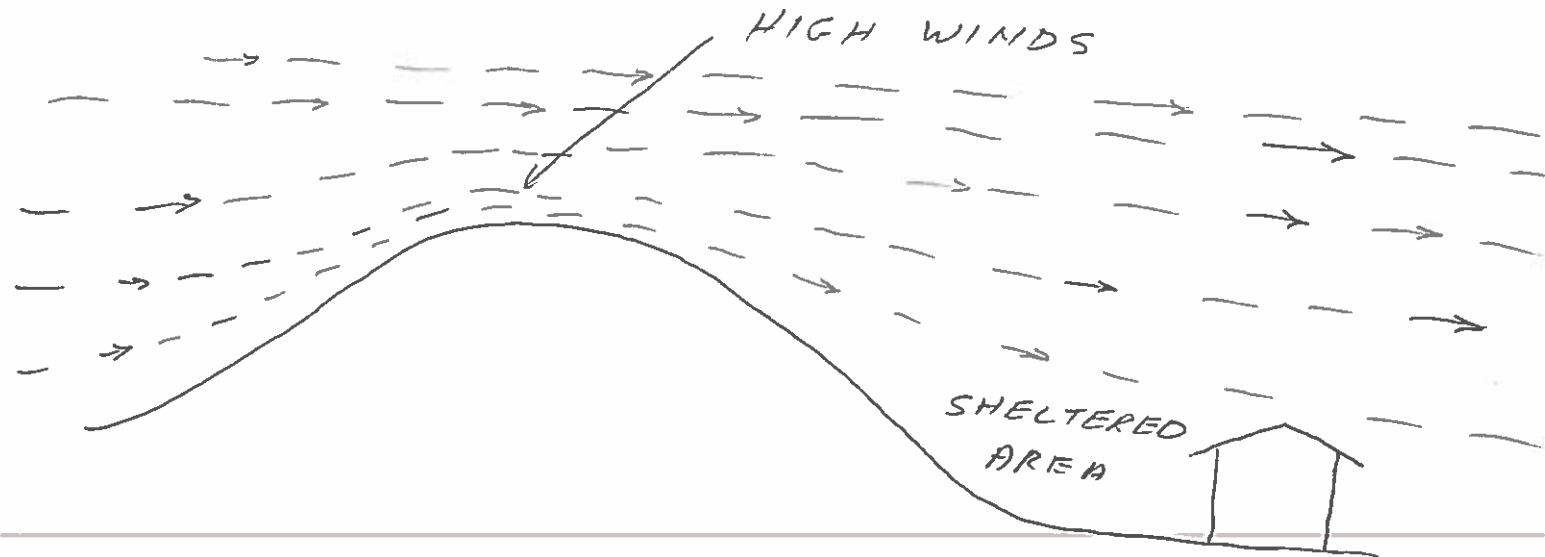
If this development is permitted, Mr. and Mrs Miller may be forced to vacate this property. However, it may prove impossible to sell the property in such circumstances, due to the proximity to the development. As a result, they are likely to suffer severe financial damage in addition to the other loss and damage set out above.

For all of the foregoing reasons, it is submitted that this is not an appropriate development for this area and should be rejected.

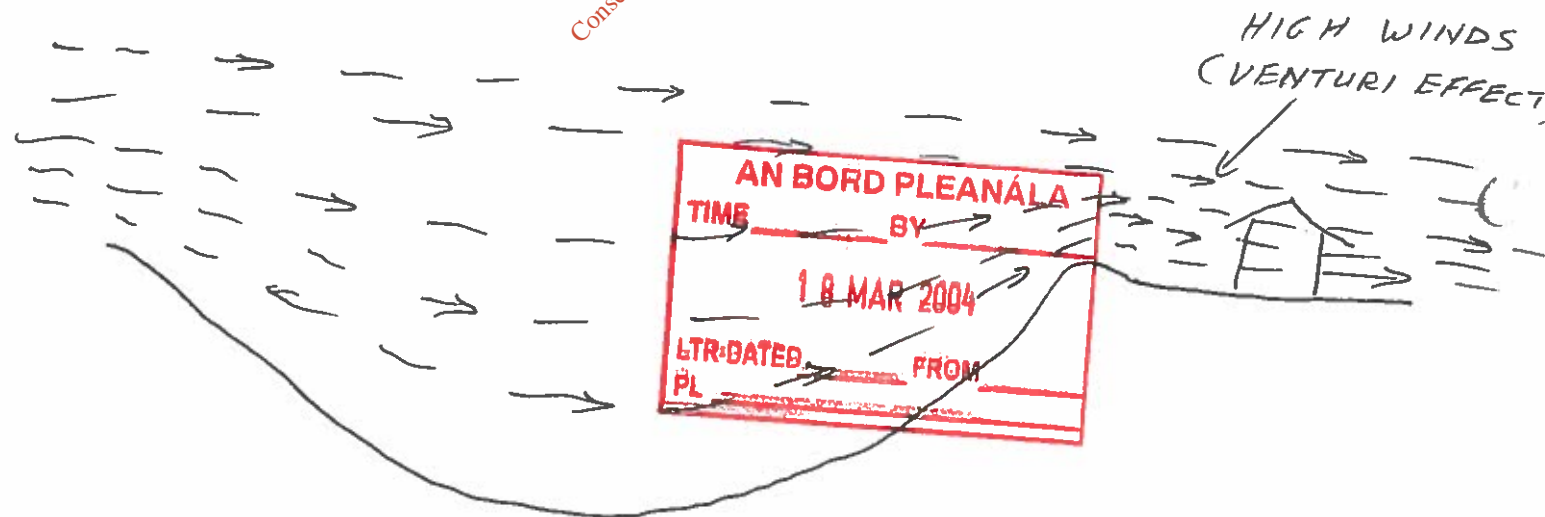
For inspection purposes only. Consent of copyright owner required for any other use.



EFFECT ON WIND



For inspection purposes only.
Consent of copyright owner required for any other use.



AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 24/09/2002
Pl. Ref: 02/1475

S

C

Rosaleen & Patrick McCabe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5608 is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council

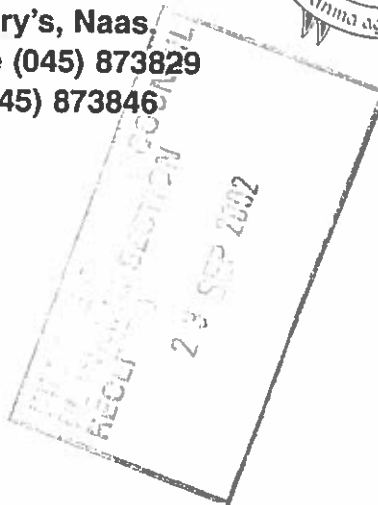
AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____



Date: 13/09/02

Pl. Ref: 02/1475

Rosaleen & Patrick McCabe,
Ballinderry,
Carbury,
Co. Kildare.



Re:- Planning Reference 02/1475

Goode Concrete Ltd – For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc.

Dear Sir/Madam,

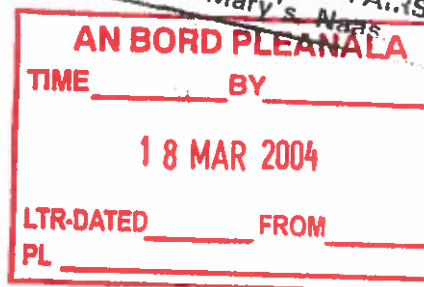
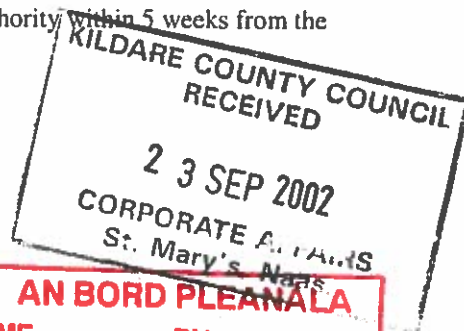
I acknowledge receipt of your submission dated 11/09/02 in relation to the above named.

Please note, however, that the € 20 fee must accompany this submission and I, therefore return your correspondence herewith.

All submissions relating to an application must be with the Planning Authority within 5 weeks from the date of receipt of the application.

Yours faithfully

A.C. Talbot.
County Secretary
Kildare County Council



Dear Sínead,

Further to our phone conversation on Friday 20/9/02 I am sending the fee of €20 and returning the letter, I have cancelled my original cheque with the Bank, Thank you for your attention on this matter,
Yours Sincerely R. McCabe

Kildare County Council
Naas,
Co. Kildare

KILDARE COUNTY COUNCIL
-LIVED
10 SEP 2002
CORPORATE AFFAIRS
St. Mary's, Naas

KILDARE COUNTY COUNCIL
11 SEP 2002

18/02/02
1475
Rooden, Patrick McCab
Ballinacorney,
Co. Kildare

Re: Planning Application

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LETTER DATED _____ FROM _____ TO _____
PL _____

A Chair,

We wish

planning application

We have valid reasons for making this objection based on the unsatisfactory manner in which this particular company run the business "Grade Concrete" at Kildglass / Ballinacorney. We have a catalogue of objections to the way its existing business is carried out and have reasons to believe that the same low standards would apply to any further development. Grade Concrete are at present blatantly ignoring the sanctions imposed on them when planning permission was given for its development of its pit at Kildglass/Ballinacorney. Our safety, health, quality of life and property are diminished by the constant traffic of lorries to and from Grade Concrete. The lorries which pass our house exceed the speed limit. One lorry crashed into our fence causing damage to the fence and also to our copper beech trees which are growing behind the

For inspection purposes only.
consent of copyright owner required for any other use.

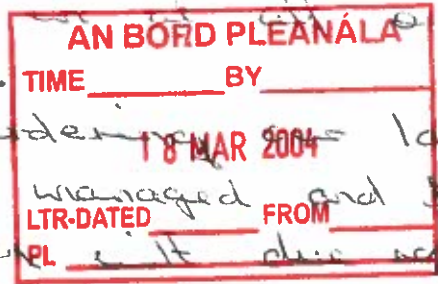
fence.

The lammes are unenclosed allowing dust and sand to blow about covering our house, trees, garden and hedges with a layer of dust. Last year we discovered that our gutters were half full of sand. The hedges along the road from the pit entrance in Kildglass to Non Brennan's cross are destroyed with dust and pollution. There are lammes entering and exiting the pit at all hours of the morning

including Saturdays and Sundays. We know that the lammes should not be entering or exiting after 6 P.M., and they should not be going

Saturdays and Sundays. We have Roadstone bordering the land and the pit is well managed and the business is carried out in accordance with the planning guidelines. We do not object to the business as it is carried out to sufficiently high standards that no disruption is caused.

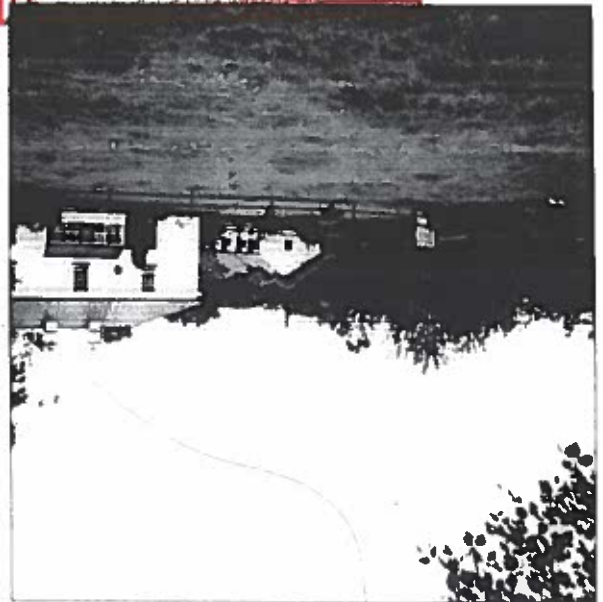
We appeal to the council to refuse permission to Goode Concrete as we do not want another pit operating to the same poor standards as Goode's pit at Kildglass/Balkennet. We are disappointed to note that the council have failed to ensure proper standards of operation are being used in the business at Kildglass/Balkennet.



Yours Sincerely
 Rosaleen McCabe, Paul McCabe



AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____



PHOTOGRAPHS OF KILCANDRICK HOUSE AND LANDS

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

Rosalleen & Patrick McCabe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475
Goode Concrete Ltd -

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTK-DATÉL _____ FROM _____
PL _____

Consent of copyright owner required for any other use.

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

Neil Mc Monagle
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475
Goode Concrete Ltd -

~~For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc~~
at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

Madeline Regan
Ballinderry,
Carbury,
Co Kildare

Re: Planning Reference 02/1475
Goode Concrete Ltd -

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

Linda Mc Cabe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475
Goode Concrete Ltd -

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council



Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

Julie & Jerry Walshe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475
Goode Concrete Ltd -

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

Consent of copyright owner required for any other use.
For inspection purposes only.

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

John McCabe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475
Goode Concrete Ltd -

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information has been received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

Consent of copyright owner required for any other use.

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

John & Carmel Killeen
Balremet
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd -

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

Consent of copy right owner required for any other use.

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

David & Margaret Miller
Kilcandrick House
Moyvalley
Co Kildare

Re: Planning Reference 02/1475
Goode Concrete Ltd -

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

Consent of copyright owner required for any other use.

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

Bernard Leonard
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd -

~~For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

Consent of copy for inspection purpose only.
Consent of copy for any other use.

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 29/04/2003
Pl Ref.: 02/1475

REGISTERED POST

Alan & Eleanor Cox
Ballinderry House
Carbury
Co Kildare

Re: Planning Reference 02/1475
Goode Concrete Ltd -

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to advise that significant further information was received by this Planning Authority in relation to the above application on 24/04/2003. The further information received from the applicant is available for inspection or purchase at the offices of Kildare County Council's Planning Department, during office hours.

Any submissions/observations in relation to the information received should be made to the Planning Authority, in writing, within a period of ten days from the date of this letter. No fee will be required where any additional submission/observation is accompanied by a copy of this Planning Authority's acknowledgement of your initial submission/observation.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 09/09/2002
Pl. Ref: 02/1475

John McCabe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

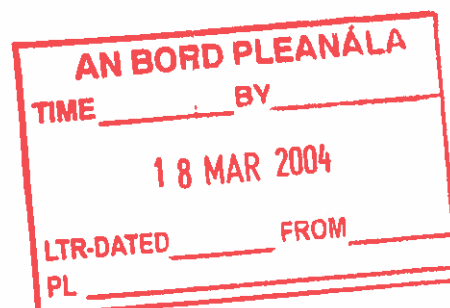
This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5310 is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council



ack obj
J

4th September, 2002

KILDARE COUNTY COUNCIL
RECEIVED
- 6 SEP 2002
CORPORATE AFFAIRS
St. Mary's, Naas.

Ballinderry,
Carbury,
Co. Kildare.

Kildare County Council,
Planning Section,
St Mary's,
Naas,
Co. Kildare.

Kildare County Council
Planning Department
06 SEP 2002
RECEIVED

Dear Sir/Madam,

Re: Planning Reference Number 02/1475

We would like to lodge a Planning Objection to your office. The objection is against Goode Concrete Ltd., who plan to open a 39 acre aggregate pit at Ballinderry, Carbury, Co. Kildare.

The reasons we are objecting to this planning is that we are already in conflict with Goode Concrete's existing pit, situated at Kilglass, Carbury, Co. Kildare.

We *have* many problems with *noise* and *dust* and continuous problems with *lorries drawing 24 hours a day*. Despite repeated requests to the management about these issues, all of our requests are being ignored.

We feel that if planning is granted, we would have even *greater* problems than we already have.

Trusting you will take these matters into serious consideration. Please find enclosed a Planning Objection Fee of 20.00 euros.

Yours faithfully,

John McCabe
J. McCabe

AN BORD PLEANALA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

enc:



Date: 09/09/2002
Pl. Ref: 02/1475

Linda Mc Cabe
Ballinderry
Carbury
Co Kildare

S

C

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5312 is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

~~A. J. ...~~

County Secretary
Kildare County Council

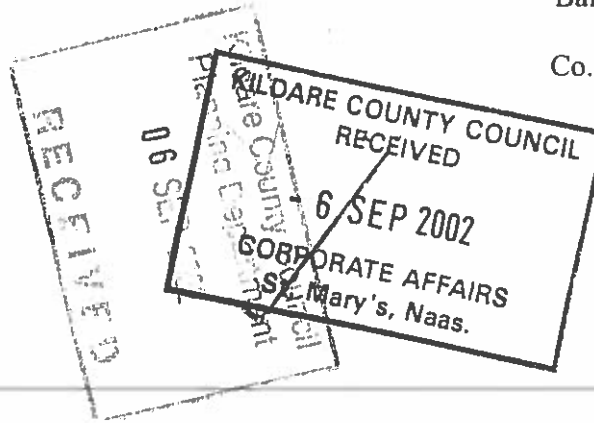
AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

ack obj
G.

4th September, 2002

Ballinderry,
Carbury,
Co. Kildare.

Kildare County Council,
Planning Section,
St Mary's,
Naas,
Co. Kildare.



Dear Sir/Madam,

Re: Planning Reference Number 02/1475

We would like to lodge a Planning Objection to your office. The objection is against Goode Concrete Ltd., who plan to open a 39 acre aggregate pit at Ballinderry, Carbury, Co. Kildare.

The reasons we are objecting to this planning is that we are already in conflict with Goode Concrete's existing pit, situated at Kilglass, Carbury, Co. Kildare.

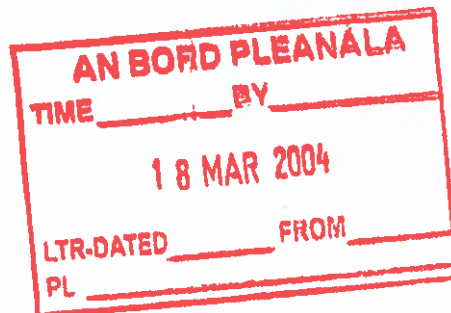
We *have* many problems with *noise* and *dust* and continuous problems with *lorries drawing 24 hours a day*. Despite repeated requests to the management about these issues, all of our requests are being ignored.

We feel that if planning is granted, we would have even *greater* problems than we already have.

Trusting you will take these matters into serious consideration. Please find enclosed a Planning Objection Fee of 20.00 euros.

Yours faithfully,

Linda McLabe
G. McLabe
enc:



Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 14/05/2003
Pl. Ref: 02/1475

John McCabe
Ballinderry Carbury
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

Please quote the above reference number in any further correspondence on this application.

Receipt number n/a is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Ballinderry
Carbury
Co Kildare

Monday, May 05, 2003

For the attention of the Senior Executive Officer, Planning & Public Safety

Kildare County Council
Planning Section
St Mary's
Naas
Co. Kildare

Dear Sir

Further to your letter dated April 29th 2003, we are writing to you with further information regarding to our original letter of objection against GOODE CONCRETE's planning application for permission to open a new Quarry on 7.8 hectares of lands adjacent to their original site (ref: 02/1475).

As you may be aware, we have had serious problems with this company at their existing site regarding, working outside existing planning conditions and noise/dust etc. In this and indeed every regard, we have found the attitude of everyone and anyone connected with Goode Concrete Management/Ownership to be dismissive, arrogant and of a totally bullying nature when it came to any concern or complaints that we the local residents have conveyed to them.

Indeed we were forced to take legal action against the company in regard to noise pollution and lorries working outside normal hours, to even obtain a nights sleep. The fact that the Company denied all knowledge of the events and compiled a full defence regarding this matter, (until they agreed a compromise in court at the very last minute) proves their arrogance.

The fact that it was left to ordinary people to confront these issues, and the fact that Kildare County Council let us down in policing the existing planning conditions; it is to our dismay that the burden of proof regarding noise pollution/works outside permitted working hours was put on us the residents rather than the named company, Goode Concrete at Ballinderry, Carbury. This leads us to believe that if given permission for a new site (which is over three times the size of the original plant) then Goode Concrete will once more flaunt and abuse all conditions set down.

KCC Letter 05 May 03

1

AN BORD PLEANÁLA
Kildare County Council
TIME _____ BY Planning Department
18 MAR 2004 - 9 MAY 2003
LTR-DATED _____ FROM _____
PL _____ RECEIVED

The interest Goode Concrete has in expanding in this area, in the residents belief, is not solely to create employment, nor to supply materials to the building industry, or any other reason that they may state in their application apart from financial gain and nothing else. To this extent we believe all other issues will suffer.

We believe that Goode Concrete has broken all planning conditions set down at the existing site. We believe they are dredging below the water level and quarrying in land outside the boundary that they were originally given planning permission for.

- What is Kildare County Council's position on this?
- Who polices these conditions?
- Who will police a new site if permission is granted?
- What comeback will the local residents have if permission is granted?
- Will we be forced by the councils inaction to take action ourselves yet again if Kildare County Council fail in their obligations to investigate this objection?

~~These are serious and real concerns and questions that need to be addressed.~~ We sincerely hope that these questions and concerns will be taken seriously in deciding on this issue by Kildare County Council.

The word of Goode Concrete means absolutely nothing to us. (We have the experience). The fact that certain planning conditions will (if permission is granted) be agreed upon by Kildare County Council and Goode Concrete will to us, the Residents, in our experience not be worth the paper it is written on.

In the planning report made out on behalf of Goode Concrete by Declan Brassil & Co., in No. 6, Item 6, Fig 2.3., Declan Brassil states that "*the existing industrial operations are not dominant sources of noise and do not generate significant noise levels in the area*"

No.3, Item 3 he states that the calculated "*cumulative HGV movement per hour consists of 12 movements per hour*". Where do these figures come from? Maybe Mr Brassil should come and stay in one of the houses locally between 06.30 - 8.00 each morning, maybe then he could revise his figures up to the truth.

If the existing industrial operations were not "*dominant sources of noise levels in the area*", why did seven local families find themselves compelled to initiate court proceedings under the Environmental Protection Agency Act, 1992. Re: NOISE POLLUTION.

This report only further strengthens our belief that Goode Concrete **SHOULD NOT** be given planning permission.

We trust our concerns will be treated sincerely and investigated thoroughly.

Yours faithfully

John O'Leary

Christine O'Leary

KCC Letter 05 May 03

2

AN BORD PLEANALA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Enc: Copy of letter of complaint dated 18th July 2002
Photos of Goode lorries working at all hours
Copy of letter of agreement between Ballinderry residents and Goode Concrete
signed at Edenderry Courthouse 7th March 2003

For inspection purposes only.
Consent of copyright owner required for any other use.

KCC Letter 05 May 03

3

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2003	
LTR-DATED _____	FROM _____
PL _____	05 MAY 2003
REC _____	

I-Plan Generated Letter: Objector Acknowledgement
Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 09/09/2002
Pl. Ref: 02/1475

John McCabe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5310 is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____



PLANNING CASH OFFICE
Kildare County Council
St Mary's
Naas
Co Kildare

08-09-2002 14:38:04

Receipt No. : PLG1/0/5310

JOHN MCCABE

02/1475

PLANNING OBJECTION FEES 20.00

Total 20.00 EUR
 15.75 IEP

Tendered:
Cheque 20.00

Issued By : Anita Cox Planning Cash Office
From: Planning Lodgement Area

For inspection purposes only.
Consent of copyright owner required for any other use.

I-Plan Generated Letter: Objector Acknowledgement
 Local Government (Planning & Development) Acts
 County Council of the County of Kildare

Comhairle
 Chondae
 Chill Dara
 Planning Section
 St. Mary's, Naas.
 Phone (045) 873829
 Fax (045) 873846



Date: 11/09/2002
 Pl. Ref: 02/1475

John & Carmel Killeen
 Balremet
 Carbury
 Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5329 is attached in respect of fee paid.
 Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

 County Secretary
 Kildare County Council

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

4th September, 2002

ack obj
JX

Ballinderry,
Carbury,
Co. Kildare.

Bahremel

Kildare County Council,
Planning Section,
St Mary's,
Naas,
Co. Kildare.

RECEIVED
09 SEP 2002
PLANNING SECTION
KILDARE COUNTY COUNCIL

Dear Sir/Madam,

Re: Planning Reference Number 02/1475

We would like to lodge a Planning Objection to your office. The objection is against Goode Concrete Ltd., who plan to open a 39 acre aggregate pit at Ballinderry, Carbury, Co. Kildare.

The reasons we are objecting to this planning is that we are already in conflict with Goode Concrete's existing pit, situated at Kilglass, Carbury, Co. Kildare.

We *have* many problems with *noise* and *dust* and continuous problems with *lorries drawing 24 hours a day*. Despite repeated requests to the management about these issues, all of our requests are being ignored.

We feel that if planning is granted, we would have even *greater* problems than we already have.

Trusting you will take these matters into serious consideration. Please find enclosed a Planning Objection Fee of 20.00 euros.

Yours faithfully,

Barnet Killeen

enc:

John Killeen

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 14/05/2003
Pl. Ref: 02/1475

Carmel Killeen
Ballinderry
Carbury

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

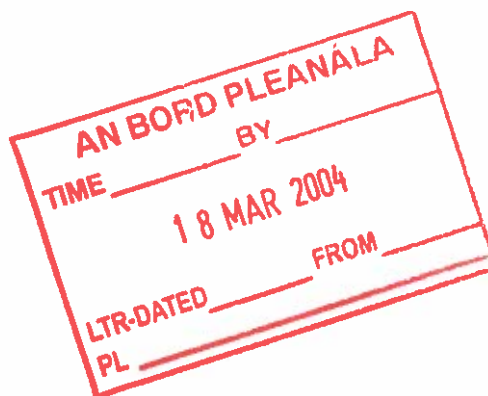
Please quote the above reference number in any further correspondence on this application.

Receipt number n/a is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council



Ballinderry
Carbury
Co Kildare

Monday, May 05, 2003

For the attention of the Senior Executive Officer, Planning & Public Safety
Kildare County Council
Planning Section
St Mary's
Naas
Co. Kildare

Dear Sir

Further to your letter dated April 29th 2003, we are writing to you with further information regarding to our original letter of objection against GOODE CONCRETE's planning application for permission to open a new Quarry on 7.8 hectares of lands adjacent to their original site (ref: 02/1475).

As you may be aware, we have had serious problems with this company at their existing site regarding, working outside existing planning conditions and noise/dust etc. In this and indeed every regard, we have found the attitude of everyone and anyone connected with Goode Concrete Management/Ownership to be dismissive, arrogant and of a totally bullying nature when it came to any concern or complaints that we the local residents have conveyed to them.

Indeed we were forced to take legal action against the company in regard to noise pollution and lorries working outside normal hours, to even obtain a nights sleep. The fact that the Company denied all knowledge of the events and compiled a full defence regarding this matter, (until they agreed a compromise in court at the very last minute) proves their arrogance.

The fact that it was left to ordinary people to confront these issues, and the fact that Kildare County Council let us down in policing the existing planning conditions; it is to our dismay that the burden of proof regarding noise pollution/works outside permitted working hours was put on us the residents rather than the named company, Goode Concrete at Ballinderry, Carbury. This leads us to believe that if given permission for a new site (which is over three times the size of the original plant) then Goode Concrete will once more flaunt and abuse all conditions set down.

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Kildare County Council
Planning Department
- 9 MAY 2003
RECEIVED

KCC Letter 05 May 03

The interest Goode Concrete has in expanding in this area, in the residents belief, is not solely to create employment, nor to supply materials to the building industry, or any other reason that they may state in their application apart from financial gain and nothing else. To this extent we believe all other issues will suffer.

We believe that Goode Concrete has broken all planning conditions set down at the existing site. We believe they are dredging below the water level and quarrying in land outside the boundary that they were originally given planning permission for.

- What is Kildare County Council's position on this?
- Who polices these conditions?
- Who will police a new site if permission is granted?
- What comeback will the local residents have if permission is granted?
- Will we be forced by the councils inaction to take action ourselves yet again if Kildare County Council fail in their obligations to investigate this objection?

~~These are serious and real concerns and questions that need to be addressed. We sincerely hope that these questions and concerns will be taken seriously in deciding on this issue by Kildare County Council.~~

The word of Goode Concrete means absolutely nothing to us. (We have the experience). The fact that certain planning conditions will (if permission is granted) be agreed upon by Kildare County Council and Goode Concrete will to us, the Residents, in our experience not be worth the paper it is written on.

In the planning report made out on behalf of Goode Concrete by Declan Brassil & Co., in No. 6, Item 6, Fig 2.3., Declan Brassil states that "*the existing industrial operations are not dominant sources of noise and do not generate significant noise levels in the area*"

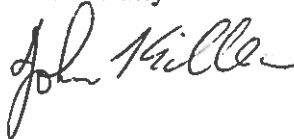
No.3, Item 3 he states that the calculated "*cumulative HGV movement per hour consists of 12 movements per hour*". Where do these figures come from? Maybe Mr Brassil should come and stay in one of the houses locally between 06.30 - 8.00 each morning, maybe then he could revise his figures up to the truth.

If the existing industrial operations were not "*dominant sources of noise levels in the area*", why did seven local families find themselves compelled to initiate court proceedings under the Environmental Protection Agency Act, 1992. Re: NOISE POLLUTION.

This report only further strengthens our belief that Goode Concrete **SHOULD NOT** be given planning permission.

We trust our concerns will be treated sincerely and investigated thoroughly.

Yours faithfully



AN BORD PLEANÁLA	
TIME	BY
	18 MAR 2003
LTR-DATED	FROM
PL 2	-9 MAY 2003

Kildare County Council
Planning Department
RECEIVED

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 11/09/2002
Pl. Ref: 02/1475

Madeline Regan
Ballinderry,
Carbury,
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

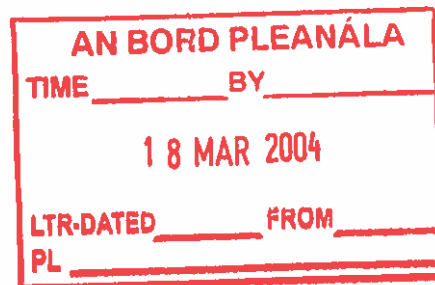
Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5330 is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council



4th September, 2002

*Ack Repts
ST*

Ballinderry,
Carbury,
Co. Kildare.

Kildare County Council,
Planning Section,
St Mary's,
Naas,
Co. Kildare.

RECEIVED
09 SEP 2002
PLANNING DEPARTMENT
KILDARE COUNTY COUNCIL

Dear Sir/Madam,

Re: Planning Reference Number 02/1475

We would like to lodge a Planning Objection to your office. The objection is against Goode Concrete Ltd., who plan to open a 30 acre aggregate pit at Ballinderry, Carbury, Co. Kildare.

The reasons we are objecting to this planning is that we are already in conflict with Goode Concrete's existing pit, situated at Kilglass, Carbury, Co. Kildare.

Exhibit

We *have* many problems with *noise* and *dust* and continuous problems with *lorries drawing 24 hours a day*. Despite repeated requests to the management about these issues, all of our requests are being ignored.

For inspection purposes only. For consent a permit is required for any other use.

We feel that if planning is granted, we would have even *greater* problems than we already have.

Trusting you will take these matters into serious consideration. Please find enclosed a Planning Objection Fee of 20.00 euros.

Yours faithfully,

Seamus Thudonis Regan

AN BORD PLEANÁLA
TIME _____ BY _____
1 8 MAR 2004
LTR-DATED _____ FROM _____
PL _____

enc:

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 13/05/2003
Pl. Ref: 02/1475

S

Madeline Regan
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

Please quote the above reference number in any further correspondence on this application.

Receipt number n/a is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

K. Kelly

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Ballinderry
Carbury
Co Kildare

Monday, May 05, 2003

For the attention of the Senior Executive Officer, Planning & Public Safety
Kildare County Council
Planning Section
St Mary's
Naas
Co. Kildare

Dear Sir

Further to your letter dated April 29th 2003, we are writing to you with further information regarding to our original letter of objection against GOODE CONCRETE's planning application for permission to open a new Quarry on 7.8 hectares of lands adjacent to their original site (ref: 02/1475).

As you may be aware, we have had serious problems with this company at their existing site regarding, working outside existing planning conditions and noise/dust etc. In this and indeed every regard, we have found the attitude of everyone and anyone connected with Goode Concrete Management/Ownership to be dismissive, arrogant and of a totally bullying nature when it came to any concern or complaints that we the local residents have conveyed to them.

Indeed we were forced to take legal action against the company in regard to noise pollution and lorries working outside normal hours, to even obtain a nights sleep. The fact that the Company denied all knowledge of the events and compiled a full defence regarding this matter, (until they agreed a compromise in court at the very last minute) proves their arrogance.

The fact that it was left to ordinary people to confront these issues, and the fact that Kildare County Council let us down in policing the existing planning conditions; it is to our dismay that the burden of proof regarding noise pollution/works outside permitted working hours was put on us the residents rather than the named company, Goode Concrete at Ballinderry, Carbury. This leads us to believe that if given permission for a new site (which is over three times the size of the original plant) then Goode Concrete will once more flaunt and abuse all conditions set down.

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Kildare County Council
Planning Department
-9

KCC Letter 05 May 03

The interest Goode Concrete has in expanding in this area, in the residents belief, is not solely to create employment, nor to supply materials to the building industry, or any other reason that they may state in their application apart from financial gain and nothing else. To this extent we believe all other issues will suffer.

We believe that Goode Concrete has broken all planning conditions set down at the existing site. We believe they are dredging below the water level and quarrying in land outside the boundary that they were originally given planning permission for.

- What is Kildare County Council's position on this?
- Who polices these conditions?
- Who will police a new site if permission is granted?
- What comeback will the local residents have if permission is granted?
- Will we be forced by the councils inaction to take action ourselves yet again if Kildare County Council fail in their obligations to investigate this objection?

These are serious and real concerns and questions that need to be addressed. We sincerely hope that these questions and concerns will be taken seriously in deciding on this issue by Kildare County Council.

The word of Goode Concrete means absolutely nothing to us. (We have the experience). The fact that certain planning conditions will (if permission is granted) be agreed upon by Kildare County Council and Goode Concrete will to us, the Residents, in our experience not be worth the paper it is written on.

In the planning report made out on behalf of Goode Concrete by Declan Brassil & Co., in No. 6, Item 6, Fig 2.3., Declan Brassil states that "*the existing industrial operations are not dominant sources of noise and do not generate significant noise levels in the area*"

No.3, Item 3 he states that the calculated "*cumulative HGV movement per hour consists of 12 movements per hour*". Where do these figures come from? Maybe Mr Brassil should come and stay in one of the houses locally between 06.30 - 8.00 each morning, maybe then he could revise his figures up to the truth.

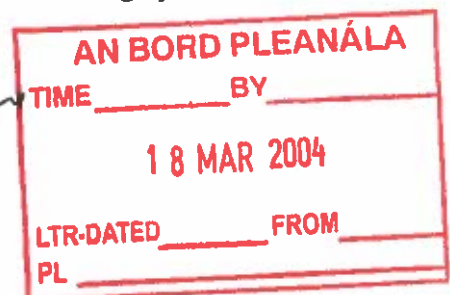
If the existing industrial operations were not "*dominant sources of noise levels in the area*", why did seven local families find themselves compelled to initiate court proceedings under the Environmental Protection Agency Act, 1992. Re: NOISE POLLUTION.

This report only further strengthens our belief that Goode Concrete **SHOULD NOT** be given planning permission.

We trust our concerns will be treated sincerely and investigated thoroughly.

Yours faithfully

(Mrs) Madeline Regan



Enc: Copy of letter of complaint dated 18th July 2002
Photos of Goode lorries working at all hours
Copy of letter of agreement between Ballinderry residents and Goode Concrete
signed at Edenderry Courthouse 7th March 2003

For inspection purposes only.
Consent of copyright owner required for any other use.

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED	FROM
PL _____	Kildare County Planning Department



Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846

Date: 11/09/2002
Pl. Ref: 02/1475

Madeline Regan
Ballinderry,
Carbury,
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

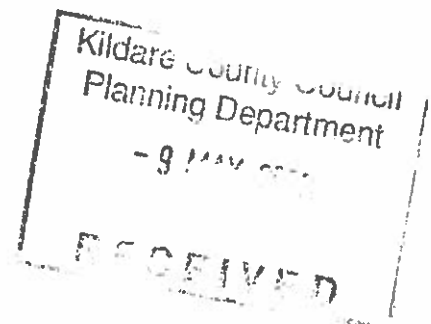
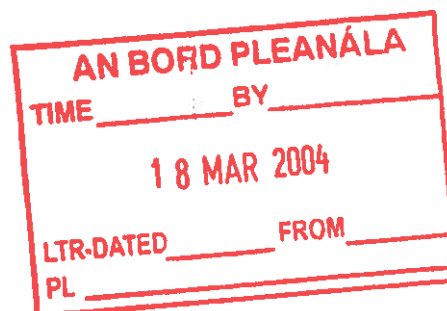
Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5330 is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

A.C. Talbot.

County Secretary
Kildare County Council



Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 11/09/2002
Pl. Ref: 02/1475

Madeline Regan
Ballinderry,
Carbury,
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5330 is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council



AN BORD PLE...
TIME _____ BY _____
18 M...
LTR-DATED
PL _____



PLANNING CASH OFFICE
Kildare County Council
Mary's
125
Kildare
09-2002 14:00
Receipt No. : PLG1/0/5330
** REPRINT *****
ADELINE REGAN

RECEIVED
Kildare County Council
Planning Department
09 SEP 2002

11475

PLANNING OBJECTION FEES 20.00
Total 20.00 EUR
15.75 IEP
Ordered: 20.00
equ

Used By : Anita Cox Planning Cash Office
From: Planning Lodgement Area

For inspection purposes only.
Consent of copyright owner required for any other use.

I-Plan Generated Letter: Objector Acknowledgement
Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 11/09/2002
Pl. Ref: 02/1475

(S)

C

Bernard Leonard
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

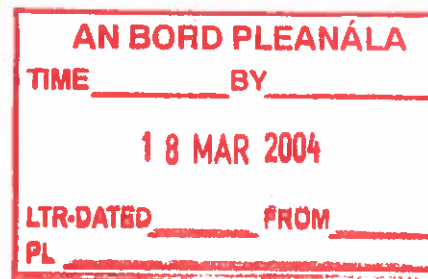
This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5331 is attached in respect of fee paid. Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council



4th September, 2002

ack obj
of

Ballinderry,
Carbury,
Co. Kildare.

Kildare County Council,
Planning Section,
St Mary's,
Naas,
Co. Kildare.

Dear Sir/Madam,

Re: Planning Reference Number 02/1475

We would like to lodge a Planning Objection to your office. The objection is against Goode Concrete Ltd., who plan to open a 30 acre aggregate pit at Ballinderry, Carbury, Co. Kildare.

The reasons we are objecting to this planning is that we are already in conflict with Goode Concrete's existing pit, situated at Kilglass, Carbury, Co. Kildare.

We *have* many problems with *noise* and *dust* and continuous problems with *lorries drawing 24 hours a day*. Despite repeated requests to the management about these issues, all of our requests are being ignored.

We feel that if planning is granted, we would have even *greater* problems than we already have.

Trusting you will take these matters into serious consideration. Please find enclosed a Planning Objection Fee of 20.00 euros.

Yours faithfully,

Bernard Leonard

enc:

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



S

[Handwritten signature]

Date: 14/05/2003
Pl. Ref: 02/1475

Bernard Leonard
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

Please quote the above reference number in any further correspondence on this application.

Receipt number n/a is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

A. Kelly

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

The interest Goode Concrete has in expanding in this area, in the residents belief, is not solely to create employment, nor to supply materials to the building industry, or any other reason that they may state in their application apart from financial gain and nothing else. To this extent we believe all other issues will suffer.

We believe that Goode Concrete has broken all planning conditions set down at the existing site. We believe they are dredging below the water level and quarrying in land outside the boundary that they were originally given planning permission for.

- What is Kildare County Council's position on this?
- Who polices these conditions?
- Who will police a new site if permission is granted?
- What comeback will the local residents have if permission is granted?
- Will we be forced by the councils inaction to take action ourselves yet again if Kildare County Council fail in their obligations to investigate this objection?

These are serious and real concerns and questions that need to be addressed. We sincerely hope that these questions and concerns will be taken seriously in deciding on this issue by Kildare County Council.

The word of Goode Concrete means absolutely nothing to us. (We have the experience). The fact that certain planning conditions will (if permission is granted) be agreed upon by Kildare County Council and Goode Concrete will to us, the Residents, in our experience not be worth the paper it is written on.

In the planning report made out on behalf of Goode Concrete by Declan Brassil & Co., in No. 6, Item 6, Fig 2.3., Declan Brassil states that "*the existing industrial operations are not dominant sources of noise and do not generate significant noise levels in the area*"

No.3, Item 3 he states that the calculated "*cumulative HGV movement per hour consists of 12 movements per hour*". Where do these figures come from? Maybe Mr Brassil should come and stay in one of the houses locally between 06.30 - 8.00 each morning, maybe then he could revise his figures up to the truth.

If the existing industrial operations were not "*dominant sources of noise levels in the area*", why did seven local families find themselves compelled to initiate court proceedings under the Environmental Protection Agency Act, 1992. Re: NOISE POLLUTION.

This report only further strengthens our belief that Goode Concrete **SHOULD NOT** be given planning permission.

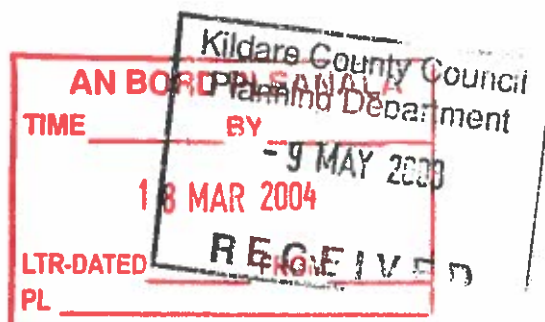
We trust our concerns will be treated sincerely and investigated thoroughly.

Yours faithfully

Bernard Leonard

KCC Letter 05 May 03

2



Enc: Copy of letter of complaint dated 18th July 2002
Photos of Goode lorries working at all hours
Copy of letter of agreement between Ballinderry residents and Goode Concrete
signed at Edenderry Courthouse 7th March 2003

For inspection purposes only.
Consent of copyright owner required for any other use.

KCC Letter 05 May 03

3

AN BORD PLEANÁLA

TIME _____

18 MAR 2004

Kildare County Council
Planning Department

LTR-DATED _____ FROM 9 MAY 2003

PL _____

RECEIVED



I-Plan Generated Letter: Objector Acknowledgement
Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 11/09/2002
Pl. Ref: 02/1475

(S)

C

Bernard Leonard
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5331 is attached in respect of fee paid. Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



S

[Handwritten signature]

Date: 14/05/2003
Pl. Ref: 02/1475

Bernard Leonard
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

Please quote the above reference number in any further correspondence on this application.

Receipt number n/a is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

A. Kelly

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Ballinderry
Carbury
Co Kildare

Monday, May 05, 2003

For the attention of the Senior Executive Officer, Planning & Public Safety

Kildare County Council
Planning Section
St Mary's
Naas
Co. Kildare

Dear Sir

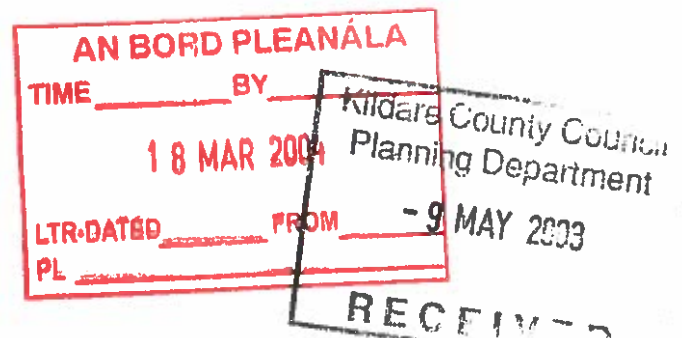
Further to your letter dated April 29th 2003, we are writing to you with further information regarding to our original letter of objection against GOODE CONCRETE's planning application for permission to open a new Quarry on 7.8 hectares of lands adjacent to their original site (ref: 02/1475).

As you may be aware, we have had serious problems with this company at their existing site regarding, working outside existing planning conditions and noise/dust etc. In this and indeed every regard, we have found the attitude of everyone and anyone connected with Goode Concrete Management/Ownership to be dismissive, arrogant and of a totally bullying nature when it came to any concern or complaints that we the local residents have conveyed to them.

Indeed we were forced to take legal action against the company in regard to noise pollution and lorries working outside normal hours, to even obtain a nights sleep. The fact that the Company denied all knowledge of the events and compiled a full defence regarding this matter, (until they agreed a compromise in court at the very last minute) proves their arrogance.

The fact that it was left to ordinary people to confront these issues, and the fact that Kildare County Council let us down in policing the existing planning conditions; it is to our dismay that the burden of proof regarding noise pollution/works outside permitted working hours was put on us the residents rather than the named company, Goode Concrete at Ballinderry, Carbury. This leads us to believe that if given permission for a new site (which is over three times the size of the original plant) then Goode Concrete will once more flaunt and abuse all conditions set down.

KCC Letter 05 May 03



The interest Goode Concrete has in expanding in this area, in the residents belief, is not solely to create employment, nor to supply materials to the building industry, or any other reason that they may state in their application apart from financial gain and nothing else. To this extent we believe all other issues will suffer.

We believe that Goode Concrete has broken all planning conditions set down at the existing site. We believe they are dredging below the water level and quarrying in land outside the boundary that they were originally given planning permission for.

- What is Kildare County Council's position on this?
- Who polices these conditions?
- Who will police a new site if permission is granted?
- What comeback will the local residents have if permission is granted?
- Will we be forced by the councils inaction to take action ourselves yet again if Kildare County Council fail in their obligations to investigate this objection?

~~These are serious and real concerns and questions that need to be addressed. We sincerely hope that these questions and concerns will be taken seriously in deciding on this issue by Kildare County Council.~~

The word of Goode Concrete means absolutely nothing to us. (We have the experience). The fact that certain planning conditions will (if permission is granted) be agreed upon by Kildare County Council and Goode Concrete will to us, the Residents, in our experience not be worth the paper it is written on.

In the planning report made out on behalf of Goode Concrete by Declan Brassil & Co., in No. 6, Item 6, Fig 2.3., Declan Brassil states that "*the existing industrial operations are not dominant sources of noise and do not generate significant noise levels in the area*"

No.3, Item 3 he states that the calculated "*cumulative HGV movement per hour consists of 12 movements per hour*". Where do these figures come from? Maybe Mr Brassil should come and stay in one of the houses locally between 06.30 - 8.00 each morning, maybe then he could revise his figures up to the truth.

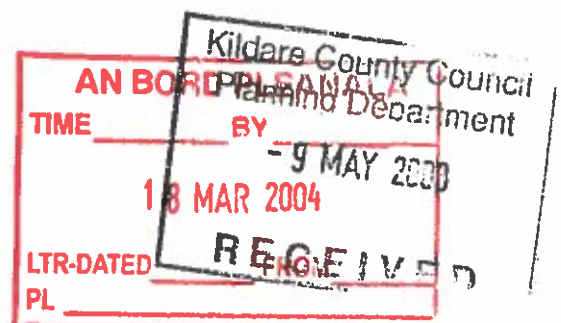
If the existing industrial operations were not "*dominant sources of noise levels in the area*", why did seven local families find themselves compelled to initiate court proceedings under the Environmental Protection Agency Act, 1992. Re: NOISE POLLUTION.

This report only further strengthens our belief that Goode Concrete **SHOULD NOT** be given planning permission.

We trust our concerns will be treated sincerely and investigated thoroughly.

Yours faithfully

Bernard Leonard

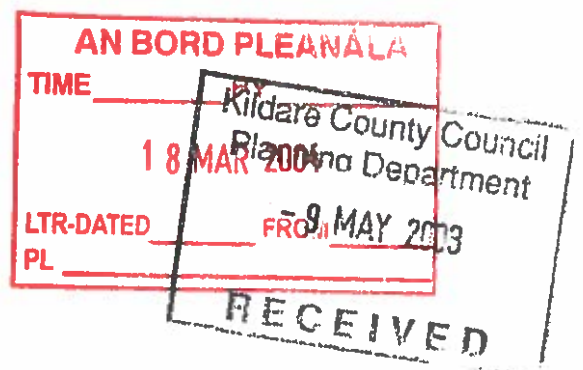


Enc: Copy of letter of complaint dated 18th July 2002
Photos of Goode lorries working at all hours
Copy of letter of agreement between Ballinderry residents and Goode Concrete
signed at Edenderry Courthouse 7th March 2003

For inspection purposes only.
Consent of copyright owner required for any other use.

KCC Letter 05 May 03

3





I-Plan Generated Letter: Objector Acknowledgement
Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 11/09/2002
Pl. Ref: 02/1475

(S)

C

Bernard Leonard
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5331 is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 09/09/2002
Pl. Ref: 02/1475

Neil Mc Monagle
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5313 is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Kildare County Council
Planning Department
06 SEP 2002
RECEIVED

4th September, 2002

Ballinderry,
Carbury,
Co. Kildare.

ack ok

KILDARE COUNTY COUNCIL
RECEIVED
- 6 SEP 2002
CORPORATE AFFAIRS
St. Mary's, Naas.

Kildare County Council,
Planning Section,
St Mary's,
Naas,
Co. Kildare.

Dear Sir/Madam,

Re: Planning Reference Number 02/1475

We would like to lodge a Planning Objection to your office. The objection is against Goode Concrete Ltd., who plan to open a 39 acre aggregate pit at Ballinderry, Carbury, Co. Kildare.

The reasons we are objecting to this planning is that we are already in conflict with Goode Concrete's existing pit, situated at Kilglass, Carbury, Co. Kildare.

We *have* many problems with *noise* and *dust* and continuous problems with *lorries drawing 24 hours a day*. Despite repeated requests to the management about these issues, all of our requests are being ignored.

We feel that if planning is granted, we would have even *greater* problems than we already have.

Trusting you will take these matters into serious consideration. Please find enclosed a Planning Objection Fee of 20.00 euros.

Yours faithfully,

Liamene L'Orange
del Mr Monagle

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

enc:

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 14/05/2003
Pl. Ref: 02/1475

Neil McMonagle
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

Please quote the above reference number in any further correspondence on this application.

Receipt number n/a is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Ballinderry
Carbury
Co Kildare

Monday, May 05, 2003

For the attention of the Senior Executive Officer, Planning & Public Safety

Kildare County Council
Planning Section
St Mary's
Naas
Co. Kildare

Dear Sir

Further to your letter dated April 29th 2003, we are writing to you with further information regarding to our original letter of objection against GOODE CONCRETE's planning application for permission to open a new Quarry on 7.8 hectares of lands adjacent to their original site (ref: 02/1475).

As you may be aware, we have had serious problems with this company at their existing site regarding, working outside existing planning conditions and noise/dust etc. In this and indeed every regard, we have found the attitude of everyone and anyone connected with Goode Concrete Management/Ownership to be dismissive, arrogant and of a totally bullying nature when it came to any concern or complaints that we the local residents have conveyed to them.

Indeed we were forced to take legal action against the company in regard to noise pollution and lorries working outside normal hours, to even obtain a nights sleep. The fact that the Company denied all knowledge of the events and compiled a full defence regarding this matter, (until they agreed a compromise in court at the very last minute) proves their arrogance.

The fact that it was left to ordinary people to confront these issues, and the fact that Kildare County Council let us down in policing the existing planning conditions; it is to our dismay that the burden of proof regarding noise pollution/works outside permitted working hours was put on us the residents rather than the named company, Goode Concrete at Ballinderry, Carbury. This leads us to believe that if given permission for a new site (which is over three times the size of the original plant) then Goode Concrete will once more flaunt and abuse all conditions set down.

KCC Letter 05 May 03

1

Kildare County Council
Planning Department

AN BORD PLEANALA
8 MAY 2003
TIME _____ BY _____
RECEIVED
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

The interest Goode Concrete has in expanding in this area, in the residents belief, is not solely to create employment, nor to supply materials to the building industry, or any other reason that they may state in their application apart from financial gain and nothing else. To this extent we believe all other issues will suffer.

We believe that Goode Concrete has broken all planning conditions set down at the existing site. We believe they are dredging below the water level and quarrying in land outside the boundary that they were originally given planning permission for.

- What is Kildare County Council's position on this?
- Who polices these conditions?
- Who will police a new site if permission is granted?
- What comeback will the local residents have if permission is granted?
- Will we be forced by the councils inaction to take action ourselves yet again if Kildare County Council fail in their obligations to investigate this objection?

~~These are serious and real concerns and questions that need to be addressed.~~ We sincerely hope that these questions and concerns will be taken seriously in deciding on this issue by Kildare County Council.

The word of Goode Concrete means absolutely nothing to us. (We have the experience). The fact that certain planning conditions will (if permission is granted) be agreed upon by Kildare County Council and Goode Concrete will to us, the Residents, in our experience not be worth the paper it is written on.

In the planning report made out on behalf of Goode Concrete by Declan Brassil & Co., in No. 6, Item 6, Fig 2.3., Declan Brassil states that "*the existing industrial operations are not dominant sources of noise and do not generate significant noise levels in the area*"

No.3, Item 3 he states that the calculated "*cumulative HGV movement per hour consists of 12 movements per hour*". Where do these figures come from? Maybe Mr Brassil should come and stay in one of the houses locally between 06.30 - 8.00 each morning, maybe then he could revise his figures up to the truth.

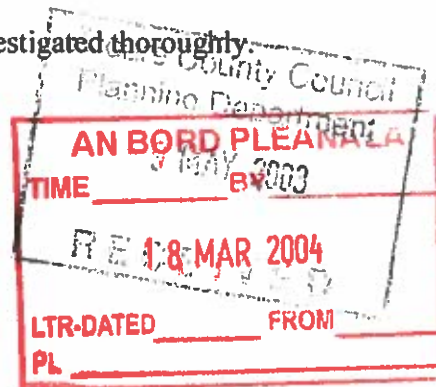
If the existing industrial operations were not "*dominant sources of noise levels in the area*", why did seven local families find themselves compelled to initiate court proceedings under the Environmental Protection Agency Act, 1992. Re: NOISE POLLUTION.

This report only further strengthens our belief that Goode Concrete **SHOULD NOT** be given planning permission.

We trust our concerns will be treated sincerely and investigated thoroughly.

Yours faithfully

Neil McManus
Richard D. Longe



Enc: Copy of letter of complaint dated 18th July 2002
Photos of Goode lorries working at all hours
Copy of letter of agreement between Ballinderry residents and Goode Concrete
signed at Edenderry Courthouse 7th March 2003

For inspection purposes only.
Consent of copyright owner required for any other use.

KCC Letter 05 May 03

3

AN BORD PLEANALA		18 MAR 2004	9 MAY 2003
TIME _____	BY _____		
LTR-DATED _____	PL _____	FROM _____	RECEIVED _____

3
Kildare County Council
Planning Department

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 09/09/2002
Pl. Ref: 02/1475

Neil Mc Monagle
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5313 is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanala in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

A.C. Talbot
County Secretary
Kildare County Council



Environmental Protection Agency Act 1992

Section 108(3)

Kildare District Court

Agreement dated 7th March 2003 between
Goode Sand & Gravel Ltd having its registered
office at Naas Industrial Estate, Naas Co
Kildare and Bernard (Bernie) Leonard John
Killean Gerry Walsh, Madeline Regan, John
McCabe Neill McHouglie & Gerard Nolan
all of Ballinacree, Carbury, Co. Kildare
the following terms have been agreed by
all parties in relation to the summonses
issued by each against the company -

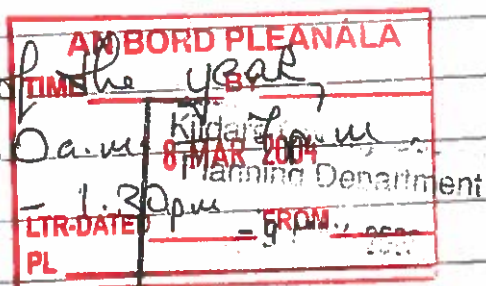
1.) All summonses to be adjourned by consent
to Kildare District Court to the first
Friday of June 2003.

2.) Provided the following terms have been
adhered to the said proceedings shall be
adjourned generally with liberty to re-enter
on giving seven days notice by either party.

a.) Operation times of the Quarry shall
be -

(i) November, December, January & February each
year Monday - Friday 7 a.m. to 7 p.m.,
Saturdays 7 a.m. - 1.30 p.m.
Sundays closed

(ii) Other eight months of the year
Monday - Friday 6.30 a.m. - 1.30 p.m.
Saturdays - 6.30 a.m. - 1.30 p.m.
Sundays closed



Outside

~~During~~ opening hours no queuing of trucks to take place on the public roadway.

- c) A Noise barrier to be erected within three months of this date.
- d) A Bowser shall be used by the Company in the pit on a daily basis from the 7th day of May and in the interim a sprinkler shall be used, again on a daily basis.
- e) A Sprinkle shall be used and operated on the Avenue on a daily basis.
- f) A vacuum cleaner type sweeper shall be used each day on the Avenue and public road as far as Ballinacree House entrance. Such cleaner shall lift the dust from said roadway + avenue, from 17th April 2003. In the interim the Company shall sweep said Avenue + public Road on a daily basis, with their existing machine provided there is no prohibition from Kildare C.C. to said sweeping.
- g) The Company shall pay the sum of €4,500 towards the Applicant's Costs, within four weeks of today.

AN BORD PLEANALA	
Kildare County Council	
Planning Department	
18 MAR 2004 - 9 MAY 2003	
LTR-DATED	FROM
PL	

Signed on behalf of
act as authorised
by the Company in
presence of: -

Peter Goode. duly authorised.
on behalf of the company.

Colin
Solis
Newbury
Co. Kildare

Signed on behalf
of the Applicants
in the presence of:
John Killen
Sally
E. deasy

John Killen
Madelin Regan
Bernard Leonard
John O'Boyle
Sally
Sally deasy

For inspection purposes only.
Consent of copyright owner required for any other use.

AN BORD PLEANÁLA	
TIME	Kildare County Council Planning Department
	18 MAR 2004
LTR-DATED	- 9 MAY 2003
PL	FROM

Comhairie
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 09/09/2002
Pl. Ref: 02/1475

Julie & Jerry Walshe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5311 is attached in respect of fee paid. Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

County Secretary
Kildare County Council



Kildare County Council
Planning Department
06 SEP 2002
RECEIVED
4th September, 2002

Ballinderry,
Carbury,
Co. Kildare.

Kildare County Council,
Planning Section,
St Mary's,
Naas,
Co. Kildare.

act obj
JF

KILDARE COUNTY COUNCIL
RECEIVED
- 6 SEP 2002
CORPORATE AFFAIRS
St. Mary's, Naas.

Dear Sir/Madam,

Re: Planning Reference Number 02/1475

We would like to lodge a Planning Objection to your office. The objection is against Goode Concrete Ltd., who plan to open a 39 acre aggregate pit at Ballinderry, Carbury, Co. Kildare.

The reasons we are objecting to this planning is that we are already in conflict with Goode Concrete's existing pit, situated at Kilglass, Carbury, Co. Kildare.

We *have* many problems with *noise* and *dust* and continuous problems with *lorries drawing 24 hours a day*. Despite repeated requests to the management about these issues, all of our requests are being ignored.

We feel that if planning is granted, we would have even *greater* problems than we already have.

Trusting you will take these matters into serious consideration. Please find enclosed a Planning Objection Fee of 20.00 euros.

Yours faithfully,

Joeie Waasha
Seery Waasha

enc:

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara

Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 13/05/2003
Pl. Ref: 02/1475

S

Gerry Julie Walsh
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

Please quote the above reference number in any further correspondence on this application.

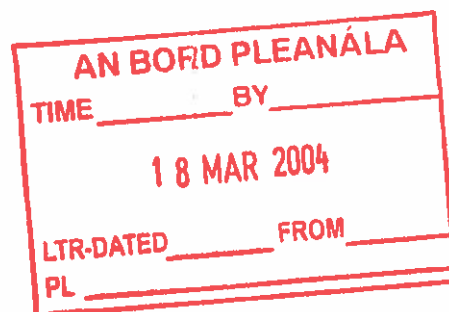
Receipt number n/a is attached in respect of fee paid.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

K. Kelly

Senior Executive Officer Planning & Public Safety
Kildare County Council



Ballinderry
Carbury
Co Kildare

Monday, May 05, 2003

For the attention of the Senior Executive Officer, Planning & Public Safety

Kildare County Council
Planning Section
St Mary's
Naas
Co. Kildare

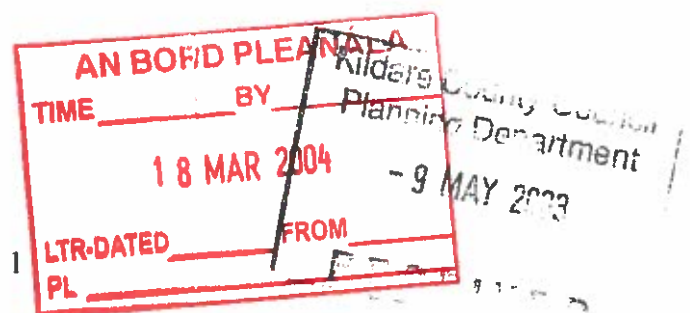
Dear Sir

Further to your letter dated April 29th 2003, we are writing to you with further information regarding to our original letter of objection against GOODE CONCRETE's planning application for permission to open a new Quarry on 7.8 hectares of lands adjacent to their original site (ref: 02/1475).

As you may be aware, we have had serious problems with this company at their existing site regarding, working outside existing planning conditions and noise/dust etc. In this and indeed every regard, we have found the attitude of everyone and anyone connected with Goode Concrete Management/Ownership to be dismissive, arrogant and of a totally bullying nature when it came to any concern or complaints that we the local residents have conveyed to them.

Indeed we were forced to take legal action against the company in regard to noise pollution and lorries working outside normal hours, to even obtain a nights sleep. The fact that the Company denied all knowledge of the events and compiled a full defence regarding this matter, (until they agreed a compromise in court at the very last minute) proves their arrogance.

The fact that it was left to ordinary people to confront these issues, and the fact that Kildare County Council let us down in policing the existing planning conditions; it is to our dismay that the burden of proof regarding noise pollution/works outside permitted working hours was put on us the residents rather than the named company, Goode Concrete at Ballinderry, Carbury. This leads us to believe that if given permission for a new site (which is over three times the size of the original plant) then Goode Concrete will once more flaunt and abuse all conditions set down.



KCC Letter 05 May 03

The interest Goode Concrete has in expanding in this area, in the residents belief, is not solely to create employment, nor to supply materials to the building industry, or any other reason that they may state in their application apart from financial gain and nothing else. To this extent we believe all other issues will suffer.

We believe that Goode Concrete has broken all planning conditions set down at the existing site. We believe they are dredging below the water level and quarrying in land outside the boundary that they were originally given planning permission for.

- What is Kildare County Council's position on this?
- Who polices these conditions?
- Who will police a new site if permission is granted?
- What comeback will the local residents have if permission is granted?
- Will we be forced by the councils inaction to take action ourselves yet again if Kildare County Council fail in their obligations to investigate this objection?

~~These are serious and real concerns and questions that need to be addressed. We sincerely hope that these questions and concerns will be taken seriously in deciding on this issue by Kildare County Council.~~

The word of Goode Concrete means absolutely nothing to us. (We have the experience). The fact that certain planning conditions will (if permission is granted) be agreed upon by Kildare County Council and Goode Concrete with us, the Residents, in our experience not be worth the paper it is written on.

In the planning report made out on behalf of Goode Concrete by Declan Brassil & Co., in No. 6, Item 6, Fig 2.3., Declan Brassil states that "*the existing industrial operations are not dominant sources of noise and do not generate significant noise levels in the area*"

No.3, Item 3 he states that the calculated "*cumulative HGV movement per hour consists of 12 movements per hour*". Where do these figures come from? Maybe Mr Brassil should come and stay in one of the houses locally between 06.30 - 8.00 each morning, maybe then he could revise his figures up to the truth.

If the existing industrial operations were not "*dominant sources of noise levels in the area*", why did seven local families find themselves compelled to initiate court proceedings under the Environmental Protection Agency Act, 1992. Re: NOISE POLLUTION.

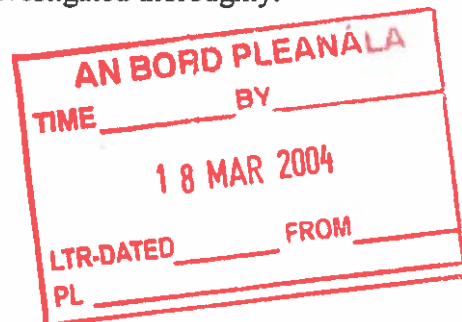
This report only further strengthens our belief that Goode Concrete **SHOULD NOT** be given planning permission.

We trust our concerns will be treated sincerely and investigated thoroughly.

Yours faithfully

Serry Walker
Julia Wade

KCC Letter 05 May 03



Enc: Copy of letter of complaint dated 18th July 2002
Photos of Goode lorries working at all hours
Copy of letter of agreement between Ballinderry residents and Goode Concrete
signed at Edenderry Courthouse 7th March 2003

For inspection purposes only.
Consent of copyright owner required for any other use.

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____



Computer Generated Letter: Objector Acknowledgement
Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846

Date: 09/09/2002
Pl. Ref: 02/1475

Julie & Jerry Walshe
Ballinderry
Carbury
Co Kildare

Re: Planning Reference 02/1475

~~Goode Concrete Ltd - For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare~~

Dear Sir/Madam

I wish to acknowledge receipt of your objection in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

Please quote the above reference number in any further correspondence on this application.

Receipt number PLG1/0/5311 is attached in respect of fee paid.
Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority, or wish to make a further submission to this Planning Authority.

Yours faithfully

A.C. Talbot
County Secretary
Kildare County Council

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Planning Department
- 8 ...
FEB ...

**Comhairle
Chondae
Chill Dara**

**Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846**



Date: 18/09/2003
Our Ref: 02/1475

Department of the Environment and Local Government
Development Application Section
7 Ely Place
Dublin 2

S

Re/ Planning Reference Number: 02/1475

~~PERMISSION For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, and all associated development and works on an overall site of approx 13.9 hectares. The FI submitted provides for the re-alignment of the etc at Ballinderry Carbury Co. Kildare - Goode Concrete Ltd~~

Dear Sir/Madam

I refer to submission received on 17/09/2003 in connection with the above application which was submitted to this Planning Authority on 06/08/2003. This submission may not be considered as it was received outside the 5 week period for receipt of submissions.

Yours faithfully

For inspection purposes only.
Consent of copyright owner required for any other use.

Senior Executive Officer Planning & Public Safety
Kildare County Council

C

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

Department of the Environment, Heritage & Local
Government
Development Applications Section
7 Ely Place
Dublin 2

Direct Line: (01) 647
Fax No: (01) 678 8116

facsimile transmittal

To: County Secretary : 045 873 846

From: Development Applications Section

Re: Planning Application F.eg. Ref. No.
KD 02/1475


• Pages 3 (2+ Cover) • • • • •

Urgent For Review Please Comment Please Reply Please Recycle

A Chara,

Please see enclosed the archaeological recommendations of this department in relation to the above proposed development.

Yours sincerely,


Robert O'Grady

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

For inspection purposes only.
Consent of copyright owner required for any other use.

17 September 2003

Our Ref: KD 02/1475
Your Ref: 02/1475

County Secretary,
Kildare County Council,
St. Mary's,
Naas,
Co. Kildare.

AN ROINN COMHSHAOIL
OIÐHREACHTA AGUS
RIALTAIS ÁITIÚIL
DEPARTMENT OF THE
ENVIRONMENT, HERITAGE
AND LOCAL GOVERNMENT

7 PLAS ELY
BAILE ÁTHA CLIAITH 7, ÉIRE
7, ELY PLACE
DUBLIN 7, IRELAND

Teileafón: +353 1 647 3000
Facsaimle: +353 1 647 0283
Leath: 1800 271 471
Web: www.environ.ie

Re: Planning Application Reg. Ref. No. 02/1475 by Goode Concrete Ltd for outline permission for the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, and all associated development and works on an overall site of approx 13.9 hectares at Ballinderry Carbury Co. Kildare.

A Chara,

We refer to the recent Further Information received with regard to this planning application. Outlined below are the archaeological recommendations of the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government.

It is noted that the proposed development is large in scale. Given the scale, extent and location of the proposed development it is possible that subsurface archaeological remains could be encountered during the construction phases that involve ground disturbance. It is our recommendation that Archaeological Monitoring, as described below be carried out at this site and included as a condition in any grant of planning permission that may issue.

"Archaeological Monitoring shall consist of the following :

1. The applicant is required to engage the services of a suitably qualified archaeologist to monitor all topsoil stripping associated with the development.
2. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government with regard to any necessary mitigating action (e.g. preservation

AN BORD PLEANALA
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____



in situ, and/or excavation). The applicant shall facilitate the archaeologist in recording any material found.

3. The Planning Authority and the Heritage and Planning Division shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, cavcs, sites, features or other objects of archacological interest."

Kindly forward to this office a copy of the Council's decision to the following address as soon as it issues:

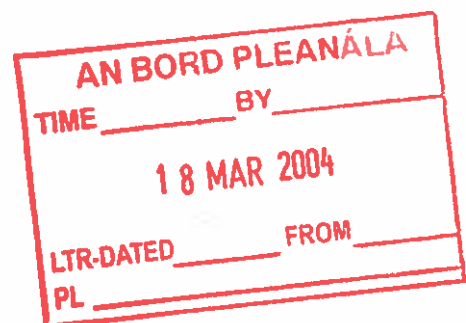
The Manager
Development Applications Unit
Department of the Environment, Heritage and Local Government
7 Ely Place
Dublin 2.

In addition, please acknowledge receipt of this letter (as required the Planning & Development Regulations: 2001) and forward this relevant receipt to the address above.

Mise le meas,


Robert O'Grady
Development Applications Unit

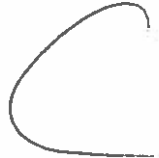
For inspection purposes only.
Consent of copyright owner required for any other use.



Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



09/09/03
Dúchas – The Heritage Service,
National Monuments & Historic Properties,
Development Applications Section,
7 Ely Place,
Dublin 2.



Re: Planning ref: 02/1475 For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, and all associated development and works on an overall site of approx 13.9 hectares. The FI submitted provides for the re-alignment of Etc at Ballinderry Carbury Co Kildare- Goode Concrete Ltd

Dear Sir/Madam,

With reference to the above application, please find attached the following documents:

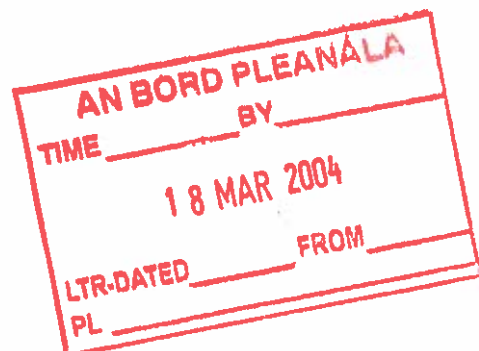
1. A copy of the application form.
2. A copy of the site location map.
3. A copy of our request for further information and applicants response.

We have been requested by our Area Planner to refer this application to your office. We would be obliged to receive any revised comments you may have in relation to same, at your earliest convenience.

Yours faithfully,

Senior Executive Officer
Planning & Public Safety

Kildare County Council



**Comhairle
Chondae
Chill Dara**
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 12/06/2003
Our Ref: 02/1475

C

Department of the Environment and Local Government
Development Application Section
7 Ely Plance
Dublin 2

Re/ Planning Reference Number: 02/1475

PERMISSION For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface-water-settlement lagoon, staff-facilities etc at Ballinderry Carbury Co. Kildare - Goode Concrete Ltd

Dear Sir/Madam

I wish to acknowledge receipt of your submission in relation to the above planning application and to inform you that same has been noted on file.

This application is at present under consideration and you will be notified of the Council's decision in due course.

The submission is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

Please quote the above reference number in any further correspondence on this application.

Please retain this acknowledgement as it will be required by An Bord Pleanála in the event that you might appeal the decision of this Planning Authority or wish to make a further submission to this Planning Authority.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council

For inspection purposes only. Consent of copyright owner required for any other use.

AN BORD PLEANÁLA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

~~Added~~
Acknowledged
D/6/03

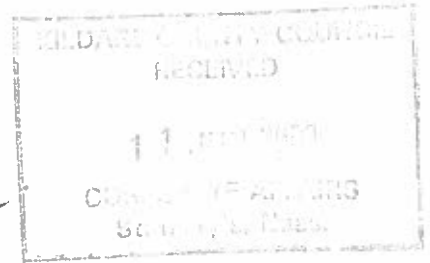
10 June, 2003

Our Ref: DAS-2002-KD-KD-02/1475

AN ROINN COMHSHAOL
AGUS RIALTAIS ÁITIUIL
DEPARTMENT OF
THE ENVIRONMENT AND
LOCAL GOVERNMENT

County Secretary,
Kildare County Council,
St. Mary's,
Naas,
Co. Kildare

Glenn
ack



Re: Planning Application Reg. Ref. No. 02/1475 for permission for the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbusy Co. Kildare. Goode Concrete Ltd.

7 PLAS ELY
BAILE ÁIHA CLIATH 2 ÉIRE
7 ELY PLACE
DUBLIN 2, IRELAND
Teileafón: +353 1 647 3000
Facuimhir: +353 1 662 0283
E-mail: npw@ealga.ie

A Chara,

We refer to your letter of 29 April 2003 in relation to the above-proposed development. Outlined below are the nature conservation recommendations of Dúchas The Heritage Service of the Department of Environment and Local Government.

The further information submitted by the applicant does not address the concerns we outlined in our letter of 24 October 2002. (Copy attached). However, we would like to outline that a licence is needed by the applicant to disturb any badger sets or remove any badgers. In addition a condition of any licence should be that a complete badger survey be undertaken in advance of any licence being issued. We recommended that the above comments be attached as conditions to any grant of permission.

Kindly send us a copy of the Council's decision as soon as it is to hand.

In addition, please acknowledge receipt of this letter (as required under Article 29 of the Planning & Development Regulations 2001) and forward the relevant receipt to the undersigned at the address above.

Mise le meas

Neil Mc Donough,
Development Applications Section,



Our Ref: DAS-2002-KD-KD-02/1475

County Secretary,
Kildare County Council,
St. Mary's,
Naas,
Co. Kildare

Re: Planning Application Reg. Ref. No. 02/1475 for permission for the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbusy Co. Kildare. Goode Concrete Ltd.

A Chara,

We refer to your letter of 23 August 2002 in relation to the above-proposed development. Outlined below are the nature conservation recommendations of Dúchas The Heritage Service of the Department of Environment and Local Government.

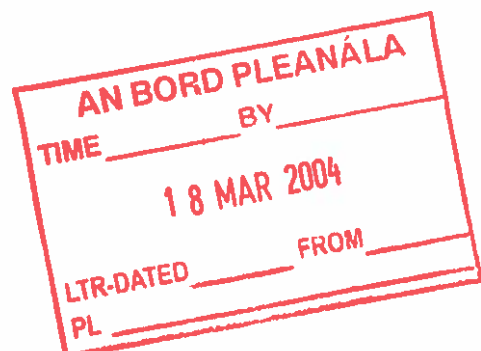
We would like to draw your attention to Section 5.3 of the Environmental Impact Statement, which states that a badger sett was identified during a survey of the lands in question. Further on in Section 5.6 of the EIS it states that the badgers are to be removed in conjunction with Dúchas. We agree with this recommendation, however we recommend that the developer be requested to engage the services of a competent and recognised individual to carry out a full badger survey of the site of the development and surrounding lands. This will provide a full picture of the social groups of badgers in the area prior to applying for a licence to remove badgers from the sett on site and subsequent destruction of the sett.

Kindly send us a copy of the Council's decision as soon as it is to hand.

In addition, please acknowledge receipt of this letter (as required under Article 29 (2) of the Planning & Development Regulations 2001) and forward the relevant receipt to the undersigned at the address above.

Mise le meas

Neil Mc Donough,
Development Applications Section,
Dúchas The Heritage Service,
24 October 2002



With regard to the response to our second concern (as outlined below):

We are concerned about the likelihood of pollution from this site from suspended solids and hydrocarbons due to its proximity to the Glash River.

We acknowledge that if full measures are in place as outlined in the EIS and clarification there should be no danger posed to the Glash. However, our concern is that if there is an accident the Glash runs alongside the proposed site and is most vulnerable to any potential accidental discharge.

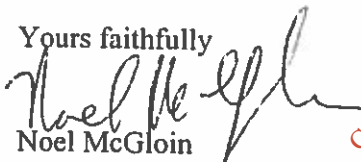
With regard to the response to our third concern (as outlined below):

We are concerned about the combination of this development, the proposed M4 motorway and a proposed IPC licenced discharge to the Glash River from a local meat factory will have on the river ecosystem.

As stated in Section 2.4.1 the applicant has no control over the activities as mentioned above. However, we would like the planning authority to assess the combined effects of all three developments/operations on the Glash using an integrated approach. Contrary to what is assumed in Section 2.4.3 regarding the M4 project monitoring of local waters is not an integral condition for carrying out the construction phase. Also the M4 does not require planning permission as it is covered under the Roads Act which involves the National Roads Authority. Therefore the local authority has not issued any planning conditions or any conditions as stated in Section 3.5. The M4 project also involves culverting of the Glash in a number of places. The IPC discharge involves a discharge that has not been present up to now.

Thank you for further involving us with the above issues and we look forward to your decision in due course.

Yours faithfully



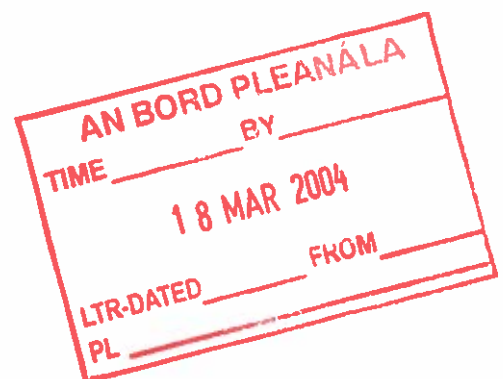
Noel McGloin

Senior Fisheries/Environmental Officer

Tel: (01) 2787730 (direct line)

E - mail: noel.mcglain@erfb.ie

Cc Tiernan Henry, O'Neill Ground Water Engineering.



Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 21/10/2003
Our Ref.: 02/1475

REGISTERED POST

Eastern Regional Fisheries Board
15A Main Street
Blackrock
Co. Dublin

Re: Planning Reference 02/1475
Goode Concrete Ltd

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, and all associated development and works on an overall site of approx 13.9 hectares. The FI submitted provides for the re-alignment of the et at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

With reference to the above I wish to inform you that by order dated 21/10/2003 this County Council decided to Refuse PERMISSION the above named for development, in accordance with the documents submitted (see attached schedule).

If you are aggrieved by this decision you may appeal it within 4 weeks of the date of the making of the decision by the Planning Authority forwarding your grounds of appeal together with the appropriate fee to An Bord Pleanála, 64, Marlborough Street, Dublin 1. Any appeal made to An Bord Pleanála will be invalid unless accompanied by the following:

- Fee
- Confirmation of submission/objection to Planning Authority

Revised appeal fees shall take effect from 3rd June, 2003, please see the attached notice. Appeals lodged with the incorrect fee shall be declared invalid by An Bord Pleanála.

Mise le meas,

Senior Executive Officer Planning & Public Safety
Kildare County Council

AN BORD PLEANÁLA	
TIME _____	BY _____
18 MAR 2004	
LTR-DATED _____	FROM _____
PL _____	

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 21/10/2003
Our Ref.: 02/1475

REGISTERED POST

Department of the Environment and Local Government
Development Application Section
7 Ely Place
Dublin 2

Re: Planning Reference 02/1475

~~Goode Concrete-Ltd~~

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, and all associated development and works on an overall site of approx 13.9 hectares. The FI submitted provides for the re-alignment of the et at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

With reference to the above I wish to inform you that by order dated 21/10/2003 this County Council decided to Refuse PERMISSION the above named for development, in accordance with the documents submitted (see attached schedule).

If you are aggrieved by this decision you may appeal it within 4 weeks of the date of the making of the decision by the Planning Authority forwarding your grounds of appeal together with the appropriate fee to An Bord Pleanála, 64, Marlborough Street, Dublin 1. Any appeal made to An Bord Pleanála will be invalid unless accompanied by the following:

- Fee
- Confirmation of submission/objection to Planning Authority

Revised appeal fees shall take effect from 3rd June, 2003, please see the attached notice. Appeals lodged with the incorrect fee shall be declared invalid by An Bord Pleanála.

Mise le meas,

Senior Executive Officer Planning & Public Safety
Kildare County Council



Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 21/10/2003
Our Ref.: 02/1475

REGISTERED POST

Duchas-The Heritage Service
National Monuments & Historic Properties
Development Applications Section
7 Ely Place
Dublin 2

Re: Planning Reference 02/1475

Goode Concrete Ltd

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, and all associated development and works on an overall site of approx 13.9 hectares. The FI submitted provides for the re-alignment of the at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

With reference to the above I wish to inform you that by order dated 21/10/2003 this County Council decided to Refuse PERMISSION the above named for development, in accordance with the documents submitted (see attached schedule).

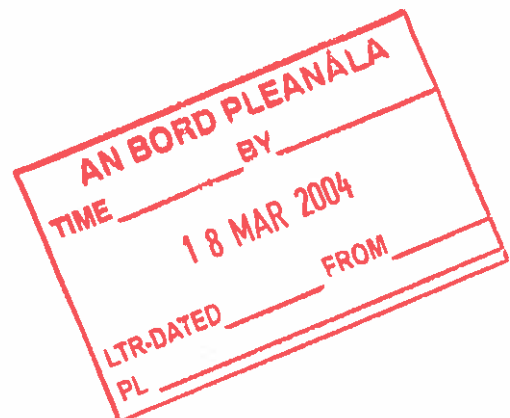
If you are aggrieved by this decision you may appeal it within 4 weeks of the date of the making of the decision by the Planning Authority forwarding your grounds of appeal together with the appropriate fee to An Bord Pleanala, 64, Marlborough Street, Dublin 1. Any appeal made to An Bord Pleanala will be invalid unless accompanied by the following:

- Fee
- Confirmation of submission/objection to Planning Authority

Revised appeal fees shall take effect from 3rd June, 2003, please see the attached notice. Appeals lodged with the incorrect fee shall be declared invalid by An Bord Pleanala.

Mise le meas,

Senior Executive Officer Planning & Public Safety
Kildare County Council



Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 21/10/2003
Our Ref.: 02/1475

REGISTERED POST

National Heritage Council
Rosse House
Kilkenny
Co. Kilkenny

Re: Planning Reference 02/1475

Goode Concrete Ltd

For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, and all associated development and works on an overall site of approx 13.9 hectares. The FI submitted provides for the re-alignment of the et at Ballinderry Carbury Co. Kildare

Dear Sir/Madam

With reference to the above I wish to inform you that by order dated 21/10/2003 this County Council decided to Refuse PERMISSION the above named for development, in accordance with the documents submitted (see attached schedule).

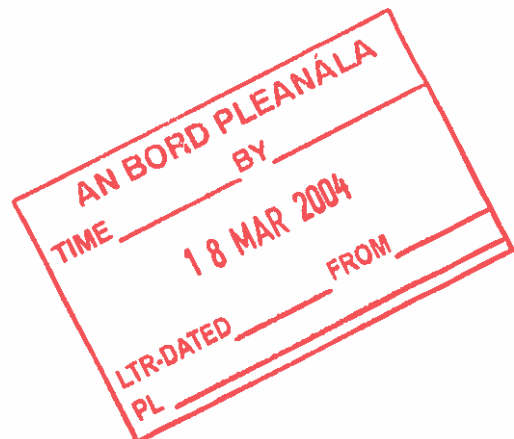
If you are aggrieved by this decision you may appeal it within 4 weeks of the date of the making of the decision by the Planning Authority forwarding your grounds of appeal together with the appropriate fee to An Bord Pleanala, 64, Marlborough Street, Dublin 1. Any appeal made to An Bord Pleanala will be invalid unless accompanied by the following:

- Fee
- Confirmation of submission/objection to Planning Authority

Revised appeal fees shall take effect from 3rd June, 2003, please see the attached notice. Appeals lodged with the incorrect fee shall be declared invalid by An Bord Pleanala.

Mise le meas,

Senior Executive Officer Planning & Public Safety
Kildare County Council



Local Government (Planning & Development) Acts
County Council of the County of Kildare

Comhairle
Chondae
Chill Dara
Planning Section
St. Mary's, Naas.
Phone (045) 873829
Fax (045) 873846



Date: 28/07/2003
Our Ref: 02/1475

Martin
F/1

Eastern Regional Fisheries Board
15A Main Street
Blackrock
Co. Dublin

Re/ Planning Reference Number: 02/1475

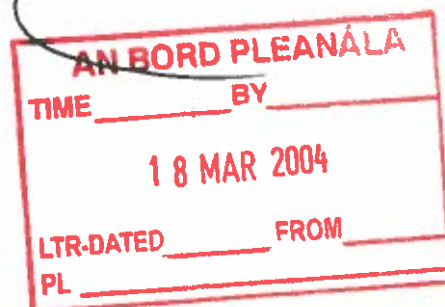
PERMISSION For the extraction of sand and gravel over an area of 7.8 hectares, associated washing and screening plant, and all associated development and works on an overall site of approx 13.9 hectares. The FI submitted provides for the re-alignment of the etc at Ballinderry Carbury Co. Kildare - Goode Concrete Ltd

Dear Sir/Madam

I refer to submission received on 28/07/2003 in connection with the above application which was submitted to this Planning Authority on 06/08/2003. This submission may not be considered as it was received outside the 5 week period for receipt of submissions.

Yours faithfully

Senior Executive Officer Planning & Public Safety
Kildare County Council





Eastern Regional Fisheries Board

Bord Iascaigh Réigiúnach an Oirthir



Fisheries Ireland
Our Natural Heritage

The Planning Section
Kildare County Council
St. Mary's
NAAS
Co Kildare

25th July 2003

Our Ref: NMcG/Goode/Kil

*Alex Report
07.*

Re: Application for planning permission by Goode Concrete Ltd. for the extraction of sand and gravel at Ballinderry, Carbury - (02/1475).

Dear Sir/Madam

We are in receipt of clarification of further information from O'Neill Ground water Engineering Ltd. (OGE) on behalf of Declan Brassil & Associates Ltd. regarding our submissions relating to the above planning application.

With regard to the response to our first concern (as outlined below):

This site is adjacent to the Glash River, which is a very important aquatic habitat and salmonoid nursery river. The applicant has not addressed in the EIS the likely impacts of the sub-groundwater level excavations on this habitat. It is clear that such excavations will have some impact on the flow patterns Glash River as groundwater that feeds into the watercourse at present will be diverted towards the centre of the site as excavations move sub-groundwater level. After restoration this ground water will be flowing to the artificial lake that will be present on site. Such a change in flow patterns may have a detrimental effect on the Glash River.

Some of our fears have been allayed however we want to be assured that the habitat of the Glash will not be altered by an impact due to any altered flow regime. We note that in Section 2.2.7 that it is said that there will be no significant impact due to the altered regime. If permission is granted we will want a condition to ensure that a monitoring borehole is in place as outlined in Section 2.2.11 and that this is monitored on a regular basis. We will also want a condition in place to ensure that full measures are in place to restore the baseline flow regime to the Glash should this become necessary.

AN BORD PLEANALA
TIME _____ BY _____
18 MAR 2004
LTR-DATED _____ FROM _____
PL _____

The Eastern Regional
Fisheries Board
15a Main Street
Blackrock

Co. Dublin

T: (01) 278 7022

F: (01) 278 7024

E: info@erfb.ie

www.fishingireland.net



With regard to the response to our second concern (as outlined below):

We are concerned about the likelihood of pollution from this site from suspended solids and hydrocarbons due to its proximity to the Glash River.

We acknowledge that if full measures are in place as outlined in the EIS and clarification there should be no danger posed to the Glash. However, our concern is that if there is an accident the Glash runs alongside the proposed site and is most vulnerable to any potential accidental discharge.

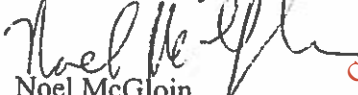
With regard to the response to our third concern (as outlined below):

We are concerned about the combination of this development, the proposed M4 motorway and a proposed IPC licenced discharge to the Glash River from a local meat factory will have on the river ecosystem.

As stated in Section 2.4.1 *the applicant has no control over the activities as mentioned above. However, we would like the planning authority to assess the combined effects of all three developments/operations on the Glash using an integrated approach.* Contrary to what is assumed in Section 2.4.3 regarding the M4 project *monitoring of local waters is not an integral condition for carrying out the construction phase.* Also the M4 does not require planning permission as it is covered under the Roads Act which involves the National Roads Authority. Therefore the local authority has not issued any *planning conditions or any conditions* as stated in Section 3.5. The M4 project also involves culverting of the Glash in a number of places. The IPC discharge involves a discharge that has not been present up to now.

Thank you for further involving us with the above issues and we look forward to your decision in due course.

Yours faithfully



Noel McGloin

Senior Fisheries/Environmental Officer

Tel: (01) 2787230 (direct line)

E - mail: noel.mcglain@erfb.ie

Cc Tiernan Henry, O'Neill Ground Water Engineering.

