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**Client:**  
**GOODE CONCRETE LTD**

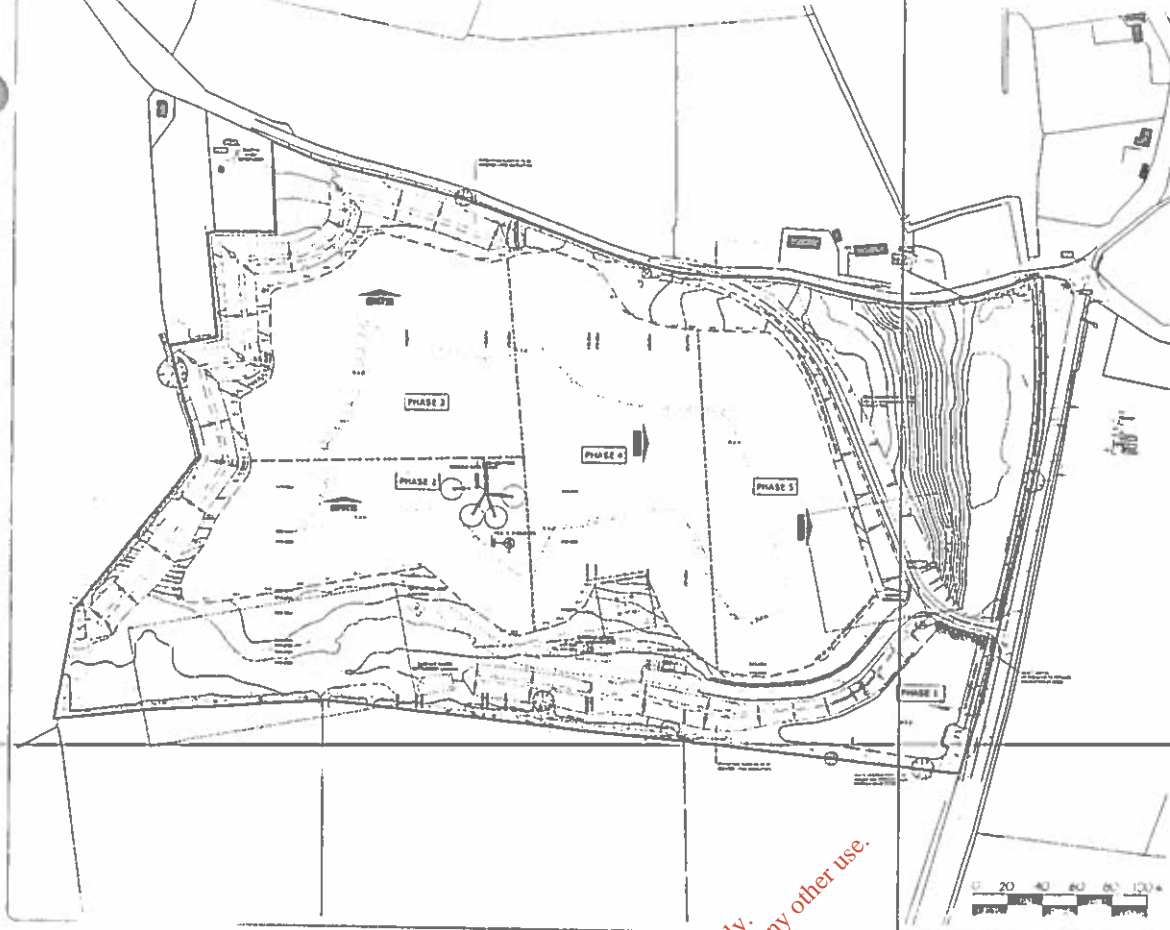
**Project:**  
**BALLINDERRY, CARBURY**

**Drawing No:**  
**FINAL RESTORATION**

**Date:**  
**10/1000 @ A1 APR 03**

**Scale:**  
**1:200**

\* John, At time of referral both machines for copying P.I details are inoperable, hence the print for (PC Doc) - The information is available on file at the appropriate scale if you need to view same in order to make your assessment. Additional copies have been referred previously to other sections & have not yet been returned. Contact Peadar in Planning to arrange to have



- Open Area Boundary
- Land Rights
- Building
- Proposed Area Working to be agreed with EPA
- Tree and vegetation
- Proposed Ponds
- Direction of movement
- Proposed Building
- Zone of Extraction
- Excavated Area
- Structural Location (proposed)
- Certificate of 0 for release
- Ecore of restriction

This drawing shall be taken as an indication of the proposed works and not a guarantee of the accuracy of the information shown. It is the responsibility of the client to ensure that the information shown is accurate and up to date. The client shall be responsible for any errors or omissions in the information shown. The client shall be responsible for any costs incurred in connection with the preparation of this drawing.

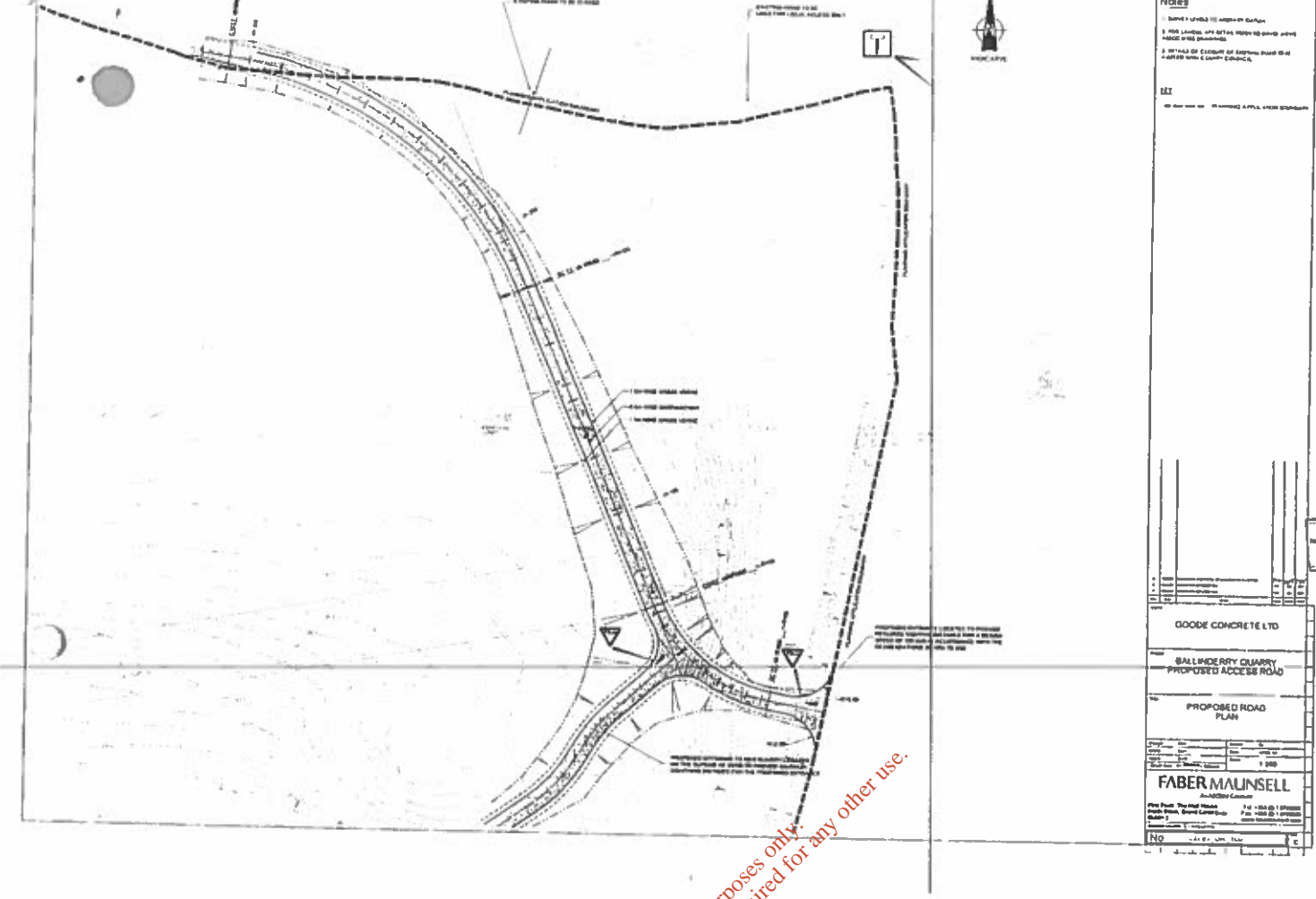
**DAVID JARVIS ASSOCIATE**  
 Consulting Engineers and Surveyors  
 11 York Road, Ballinacorney, Dublin 15  
 Tel: 01 274 8117 Fax: 01 274 8118  
 Email: david.jarvis@djassoc.ie

**GOODE CONCRETE LTD**  
 Project: BALLINDERRY, CARBURY

Drawing No: **EXTENT OF OPERATION**  
 Scale: 1:1000 © A3 Date: APR 03  
 Drawing No: 1424/001/A

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 Consent of copyright owner required for any other use.

ADDITIONAL INFORMATION



- Notes**
- 1. Survey & Layout in accordance with the Planning Permission
  - 2. All dimensions are shown in meters unless otherwise stated.
  - 3. All dimensions are shown in meters unless otherwise stated.

<b>GOODE CONCRETE LTD</b> BALLINERRY QUARRY PROPOSED ACCESS ROAD PROPOSED ROAD PLAN	
<b>FABER MALINSELL</b> Architects	Date: 15/08/11 Scale: 1:500 No: 11/11/011

FOR INSPECTION PURPOSES ONLY

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



Date: 30/06/2003  
Pl. Ref: 02/1475

**REGISTERED POST**

Goode Concrete Ltd  
Declan Brassil & Co.  
The Malthouse  
Smithfield Village  
Bow Street  
Dublin 7



Re:- Planning Reference 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 the etc at Ballinderry Carbury Co. Kildare

**REQUEST FOR CLARIFICATION OF FURTHER INFORMATION**

Dear Sir/Madam

I refer to your application in respect of the above development and now request you to please submit the clarification of further information as set out on the attached schedule.

Please submit detailed replies to all matters raised, quoting the above reference number.

As your application cannot receive further consideration until all issues are fully addressed, all the necessary information should be submitted at the same time.

Under the Planning & Development Regulations 2001, in the event that a reply in writing is not received to a request for further information within a period of 6 months, the application will be deemed to have been withdrawn.

When replying please submit four copies of all documentation.

Yours faithfully

  
\_\_\_\_\_  
Authorised Officer  
KILDARE COUNTY COUNCIL



**RE: Planning Permission sought 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 approximately 13.9 hectares at Ballinderry, Carbury, CO. Kildare. The further information submitted provides for the re-alignment of the County Road bounding the north of the site (L5004) to form a new junction with the County Road bounding the east of the site (L1002), and a new site access to the re-aligned County Road – Goode Concrete Ltd – 02/1475**

**Only one reply to Further Information requests will be accepted and the documents submitted will be taken as a full and final response to the Further Information request. Failure to fully address all items of Further Information may lead to Clarification of Further Information and/or a decision may be made in the absence of the information requested.**

1 The applicants claims as set out in item 7 of the response to the further information request of 25/10/02 do not accurately reflect the views of the Roads Design Department as conveyed to Mr. Maunsell at site meeting of 5/2/03. At that meeting the applicant's agents were informed that the provision of the road connecting the two county roads as proposed in drawing no 33791-DR-100 would be offset against any special roads levy that would be imposed on this development, provided the road was constructed to the satisfaction of the planning authority.

Section 7 of the response rightly identifies the significant planning gain for the area that the construction of this road will provide. Specifically it will eliminate H.G.V. turning movements at the substandard cross roads to the north of the site and reduce significantly the number of car movements (the existing road would effectively become a cul de sac serving the residence in the immediate vicinity of the cross roads) at this junction.

However, this planning gain will only be realised when the proposed new road has been constructed in its entirety and is available to the public. The proposals here to construct the road "as far as the proposed site entrance for the purpose of servicing the site" are inadequate.

Please confirm that you will construct the entire road generally as shown on drawing no. 33791-DR-100 from the eastern site boundary to the northern boundary.

The construction of this road in its entirety is required to mitigate the potential traffic hazard created by this development.

2 Notwithstanding your further information submission you are advised that the National Heritage Council is not satisfied that you have addressed their concerns in relation to the proposed development. You are requested to contact them directly and submit to the Planning Authority in writing the outcome of this consultation.

3 Notwithstanding your further information submission you are advised that the Eastern Regional Fisheries Board is not satisfied that you have addressed their concerns in relation to the proposed development. You are requested to contact them directly and submit to the Planning Authority in writing the outcome of this consultation.

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



- 4 Notwithstanding your further information submission you are advised that Duchas is not satisfied that you have addressed their concerns in relation to the proposed development. You are requested to contact them directly and submit to the Planning Authority in writing the outcome of this consultation.

**Note to Applicant:**

- If any submission resulting from the above request, alters your original proposal in relation to site boundaries, site layout, development location, description, design, etc. you **must** submit revised newspaper and site notices which include reference to all alterations and quote the current planning application reference number.
- You should note that this request for further information is not an indication that your application will receive favourable consideration, but is necessary to provide sufficient information in order to make a full assessment of your application.

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Date: 30<sup>th</sup> June, 2003

Signed:

K. Kelly.  
Authorised Officer

Issue 'C.F.I.' [Signature]

16/6/03

Doc 117  
CFI

**KILDARE COUNTY COUNCIL  
PLANNING DEPARTMENT**

**PLANNING REPORT**

<b>File Ref. No.</b>	02/1475
<b>Name of Applicant</b>	Goode Concrete Ltd
<b>Address of Development</b>	Ballinderry, Carbury
<b>Application Type</b>	Permission
<b>Development</b>	Sand & Gravel Extraction on site of 13.9ha – detailed below
<b>Objections/submissions</b>	Number of objections/submissions received to date – detailed below
<b>Date of Report</b>	25 <sup>th</sup> June 2003
<b>Due Date</b>	1 <sup>st</sup> July 2003

**Description of Proposed Development**

The proposed development will consist of the extraction of sand and gravel over an area of 7.8ha, associated washing and screening plant, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities and all associated development and landscaping works on an overall site of approximately 13.9ha, (34.4 acres). The application is accompanied by an Environmental Impact Statement. Please note that in response to FI that it is also proposed to realignment of the county road bounding the north of the site to form a new junction with the county road bounding the east of the site and a new site access to the realigned county road. Based on the details submitted the estimated reserves are calculated at 2.2 million tonnes and it is proposed to extract in the region of 200,000 per annum. It is proposed to proceed with the extraction in 5 phases. Initially to a level of 1m. above the watertable and thereafter beneath the watertable. It is anticipated that the pit if permitted would commence in 2004 and be exhausted by 2009. The proposed operating hours are 07.00 hrs – 19.00hrs Mon – Fri and 07.00hrs – 13.00hrs. on Saturdays, with no operations on Sundays or public holidays.

**Subject Site – Description & Location**

The subject site is situated in the townland of Ballinderry, which is approximately 5km to the north of Carbury Village and approximately 3.5km to the south of Broadford and the N4 Junction. The site will be approximately 3.25Km to the south of the proposed M4. The subject site is currently in agricultural use (pasture) and comprises of 2 fields, which are separated by a mature hedgerow aligned north to south through the centre of the site.

The eastern and most of the northern boundary is bound by county roads, a tributary of the River Glash runs (south – north) between the subject site and the county road to the east of the site. The adjoining lands to the south are in agricultural use. There is an existing extractive operation on the adjoining lands to the west, operated by Roadstone, which was permitted under 99/1200.

A high voltage electricity transmission line (220kv) traverses the site from west-south-west to east-north-east and there is 1 pylon situated on the site, which was permitted under 80/1639 .

There are a number of dwellings within the immediate area, including 4 dwellings to the north-western corner of the site and 2 dwellings directly south of the site. Killardick House and farm is situated on the opposite side of the northern county road to the site. This dwelling is identified as a protected structure in the Environmental Impact Statement submitted, page 9. There are also a number of period dwellings within the general area, including Ballinderry House and farm which is approximately 0.5km to the south of the site, and is a protected structure as identified in the County Development Plan, 1999 Ref. B03-05. The proposed development will impact on these properties, e.g. due to the proximity of the workings, views into the site, traffic, noise, etc.

#### **Relevant Planning History:**

There is no planning history relating to the subject site. There is a planning history relating to dwellings in the area. In relation to the extractive industry the following is of significant relevance.

There is a history of sand and gravel extraction in the area with a smaller sand pit approximately 2km to the west, of the current application site, in Balrinnet, no planning permission traced to that site, however UD 2580 relates to that site, file is not at hand.

The subject applicant operates a sand & gravel pit to the south-west of the subject site, refer to site location map subject submitted on 06/08/02. There is no planning permission for this development and the planning status of this pit has yet to be established. It would appear from the planning report associated with 95/1236 that planning permission is required. There is an existing UD file on this pit Ref. UD2806 where it is indicated the developer is operating the pit 24 hours per day, 7 day per week. Enforcement action is pending. Under 95/1236 the applicant (Goode Concrete Ltd.) was granted planning permission for a concrete block making plant & readymix plant within that pit, subject to conditions. Based on the details submitted with the current planning application 600,000 tonnes of materials are extracted annual from the existing pit and the remaining reserves are estimated at 2 million tonnes.



Under 99/1200 planning permission was granted to extract sand and gravel to a maximum depth of 13m. approx. on a site of 23.2 hectares on the adjoining site to the west of the subject site, applicant was Roadstone Ltd. Note this site appears to be within an area identified as **Class B Soils** as indicated on The Soil Suitability Map of Co. Kildare, whereas the subject site is situated within Class A Soils and the applicant has been advised of same at the pre-planning meeting of 09/07/02.

### **Previous Planning Report**

This application has been the subject of previous planning reports of 14<sup>th</sup> September 2002 and 24<sup>th</sup> October 2002, which should be read in conjunction with this report. This application has been detailed in the said reports and the relevant sections of the County Development Plan, 1999. It was my recommendation in the said reports that planning permission be refused for the 5 reasons contained therein. However the Planning Authority sought the following FI.

- 1 The proposed development materially contravenes the County Development Plan, 1999 in relation to the extractive industry both in terms of soil type and its potential impact on the bloodstock industry in this area. Please submit your justification for such a material contravention. Please be advised that despite the details contained in your submission that the subject site is within an area that is classified as Class A Soils.

**Applicants Response:** The applicant has submitted a very detailed 5 page response to this item of FI. He accepts that part of the site has Class A Soils, but argues that the policy contained in the County Development Plan re Class A Soils may be an inappropriate policy provision in the Development Plan. The developer also refers to precedents on similar soils within Co. Kildare. The developer concludes that the proposed development does not represent a material contravention of the Development Plan by reference to Class A Soils.

In relation to the Bloodstock Industry, the developer has not taken seriously the mentioned bloodstock interests in the area as referred to in the objections received. The Developer states that the mentioned bloodstock holdings are not included in the Irish Field Directory 2002. The Developer concludes that *“conflict will not arise with, nor will there be any serious detrimental effects on, the successful operation of the bloodstock industry in the vicinity of the site or in County Kildare”*

- 2 Please submit full details of your existing pit in this area, including number of years of operation, planning status of this activity, hours and days of operation, etc. Please advise if you own this pit. If you are not the owner please submit details of the owner.

**Applicants Response:** The Developer has submitted details of this pit except any details of the owner as was requested.

- 3 Please provide a detailed map of all gravel or rock quarries or mineral extraction sites or sand and gravel pits within a 30 mile radius of the site whether working or dormant or in existence and give the names of the

operators. Please also provide the current levels of H.G.V'S using each individual pit in order that the cumulative impact of HGV's in the area can be ascertained.

**Applicants Response:** Applicant is not prepared to undertake this research. Note his reference to Section 261 of the Planning & Development Act 2000 is incorrect as that section of the Act has not yet been enacted.

- 4 Please state whether (a) it is proposed to operate and develop the proposed sand and gravel pit yourself or (b) it is proposed to lease or sell the site to a third party. In either case give full details of the operators experience in aggregate extraction and processing.

**Applicants Response:** Applicant has adequately addressed this matter and advises that it is intended that Goode Concrete Ltd will operate the proposed pit.

- 5 A number of objections have been received in relation to the proposed development, you are requested to examine same and submit your detailed response, alternative proposal, etc. to each of these objections.

**Applicants Response:** Applicant has addressed this matter in Appendix 1 of his FI submission.

- 6 It is considered that the EIS submitted has not adequately dealt with a number of matters, please submit a revised Environmental Impact Statement that shall have due regard to the following:

- (a) The cumulative impacts of the proposed development in conjunction with existing and permitted sand and gravel extraction in both the immediate area and general area.
- (b) Please map the nature and extent of all equine activities in the vicinity of the subject site and adequately assess the impacts that the proposed development will have on same.
- (c) The Environmental Impact Statement has stated conflicting operating hours. Please advise of the operating hours proposed.
- (d) The flora and fauna section as submitted provides insufficient detail on the existing flora and fauna in this area. A proper audit / inventory of the flora and fauna on the site is required.
- (e) Please provide photomontages (each photograph to be A4 size) of the existing site and of the proposed development. This shall include the impact on the nearby dwellings, on Clonuff Bridge and on the existing road junction.

**Applicants Response:** The applicant has submitted his response to each of the above items.

- 7 The proposed access off the Carbury – Broadford Road is considered unacceptable, you are advised that if the Planning Authority were to consider granting planning permission that access should be off the minor road. Please submit your revised proposals accordingly.

**Applicants Response:** Applicant has submitted his response to this item, which involves the realignment of the existing county road. Please refer to the Roads Report 30/05/03 on this matter.

- 8 **5 No. FI items** as per Duchas Report of 03/09/02.

**Applicants Response:** The applicant has submitted his response to the above, which includes a Archaeological Assessment. A report from the Duchas re the nature conservation recommendations has been received on 11/06/03.

### **Reports Received**

The current status of reports on this application are as set out below:

**Environmental Section** – no report received on the FI submitted. Pre the FI request a report was received on 29/08/02 and no objection was expressed to the proposed development subject to 14 conditions.

**Duchas** – report received on 11/06/03 re the nature conservation recommendations, no report received in relation to the remaining issues. Pre the FI request a report was received on 03/09/02 requesting 5 items of FI. Note their reports states the subject site is located in an archaeological sensitive area and that refusal of planning permission might still be considered if significant archaeological remains are found.

**National Heritage Council** – detailed report received on 12/05/03, recommending that planning permission be **refused**, refer to same.

**Roads Section** - report received 30/05/03 requesting **Clarification of FI**.

**Regional Fisheries Board** - report received 12/05/03 recommending that planning permission be **refused** and advises that the applicant has not addressed their concerns.

**NRA** – no report received on the FI submission. Pre the FI request a report was received on 24/09/02 and recommends that the application be referred to the Roads Design Office at Maudlins, Naas.

**EHO** – no report received on the FI submission. Pre the FI request a report was received on 30/09/02, no objection expressed to proposed development, subject to conditions.

**Area Engineer** – no report received to date.

**An Taisce** – no report received to date

**An Comhairle Ealaoin** - no report received to date.

**Bord Failte** - no report received to date.

**EPA** - no report received to date.

### **Objections & Submissions Received**

A number of objections and submissions have been received in respect of the proposed development, which I have duly noted. There was considerable overlapping of points raised in the various letters of objections and submissions received and the main points/issues raised are summarised below:-

#### **Below are the objections & submissions received previous to the FI request:**

1. Problems in area with existing Goode Concrete Pit in this area at Kilglass, e.g. noise, dust, traffic, etc.
2. Continuous problems with lorries drawing 24 hours per day from developers existing pit.
3. Developer ignoring residents requests in relation to existing pit.
4. Proposed development would result in greater problems in area from the developer.
5. Negative impact on Ballinderry House, a protected structure under extensive restoration and in receipt of funding for same from Kildare County Council.
6. Environmental Impact Statement does not have due regard to Ballinderry House.
7. Negative impact on the Bloodstock Industry in the area.
8. Environmental Impact Statement does not adequately assess the bloodstock industry in the area and its assessment is false.
9. No reference to the cattle grazing in the fields adjoining the subject site.
10. The research for the application appears to be non-existent.
11. Spurious information in the Environmental Impact Statement
12. Proposed development would have a devastating impact on the use and enjoyment of Kilcandrick House and lands
13. Proposed development will create a micro climate in this area and thereby have an adverse impact on the bloodstock industry in the area, and that associated with Kilcandrick House.
14. Proposed development will have a negative impact on the ground water, air & noise in the area.
15. Proposed development will result in traffic hazard and result in damage to existing roads in the area.
16. Reinstatement proposals will pose a real and continuing danger to the area, which will remain indefinitely.
17. No consultation with the residents of the area, or those involved in the bloodstock industry.
18. Risk of groundwater pollution.

#### **Below are the objections & submissions received since the FI was received:**

- 19 Ballinderry House is a protected building and therefore no development is allowed to damage its curtilage or its heritage value.
- 20 Development will impose on the views to Ballinderry House.
- 21 Development has the potential to damage the heritage value of Ballinderry House.
- 22 No assessment as to how noise or dust may damage the house.

- 23 Research methods to ascertain bloodstock in the area are inadequate.
- 24 Proposed development will prevent the continued use of the Miller's Lands for pony breeding.
- 25 Development will result in serious breach of one's constitutional rights to the quite enjoyment of their property.
- 26 New road will have serious effect on the Miller Household.
- 27 Development will seriously damage property and livelihoods in the area.
- 28 Local community has had serious problems with the subject developer in relation to his existing site in this area.
- 29 Local residents were forced to take legal action against developer re his existing site in this area.
- 30 Subject site is 3 times the size of the current site.
- 31 Proposed development is for financial gain only.
- 32 Serious concerns in relation to the existing pit.
- 33 The figures quoted in relation to the existing site are understated.

- Please refer to the submissions received for further details.
- In addition to the above a number of photographs have been submitted, supporting some of the concerns raised in the submissions, relating to the operating hours of the existing pit.

### **Section 35 of Planning & Development Act 2000**

There is provision within this Section of the Act for a Planning Authority to apply to the High Court to refuse planning permission to a developer based on his previous record of carrying out development, based on the submissions received above there may be such a case in this instance, however the Planning Authority would need to carry out a full examination of the matter to ascertain same.

### **Pre Planning in Relation to the Proposed Development**

I have been advised that the developer's agent has had the benefit of a pre planning meeting with the Planning Authority in relation to the subject site. He was advised that the proposed development was a material contravention of the County Development Plan, 1999 as the site is within an area that is identified as Class A Soils and thereby contrary to the provisions of the said plan. The meeting was held on 9<sup>th</sup> July, 2002, Ref 87/02. This professional advice is totally contrary to the applicants in-accurate statement in the cover letter (page 3, 3<sup>rd</sup> last paragraph) submitted with the planning application, where he states that "*it has not been possible to establish if the soils are of a Class A type as described in the 1999 County Development Plan .....*"

The same cover letter states that "*No bloodstock interests have been identified in the vicinity of the subject site*" cover letter submitted, page 3, 2<sup>nd</sup> last paragraph. This is obviously contrary to the evidence submitted in the objections/submissions received.

### **Assessment & Conclusion**

Notwithstanding the applicants response to the FI request I remain of the opinion that this is not a suitable development at this location and that planning permission should be refused as set out below.

### **Recommendation:**

I recommend that permission be **refused** for the following reasons:

- 1 The proposed development, which relates to extraction of aggregates on a site that is within an area identified in The Soil Suitability Map of Co. Kildare as consisting of Class A Soils, would contravene materially the provisions of the County Development Plan, 1999 as set out in Section 2.29.1 of the said Plan.
  - 2 The proposed development, which relates to extraction of aggregates in close proximity to existing bloodstock industry is considered to constitute a conflicting land-use and would accordingly contravene materially the provisions of the County Development Plan, 1999 as set out in Section 2.29.1 of the said Plan.
  - 3 The proposed development would constitute an incongruous and artificial interference with the landscape, views, setting and character of the area, and particularly to the unique setting and character and visual amenities of Clonuff Bridge, which is of significant merit the development would, therefore, be contrary to the proper planning and sustainable development of the area
  - 4 It is considered that the proposed development located on a County Road servicing existing and permitted sand and gravel facilities would lead to an unacceptable intensification of sand and gravel extraction in this immediate area, would set an undesirable precedent for further such developments and could lead to the proliferation of similar type developments generating additional traffic movements resulting in a reduction in the capacity of the road and thereby interfere with the safety and free flowing nature of traffic on the road.
  - 5 A number of permitted individual residential developments are located in the vicinity of the site of the proposed development. It is considered that these permitted and sensitive residential uses require careful protection from the encroachment of inappropriate development in the area. It is considered that the proposed development, would, by reason of the nature of the proposed land use, and the duration over which it is proposed to be in operation, be likely to materially and adversely impact on the residential amenity of the properties in question (and of other existing residences within the influence of the proposed development) and their residents by reason of the possible emission of dust, and the generation of noise. It is considered that the proposed development would be incompatible with the established and permitted use of these properties, to be likely to materially depreciate the value of these properties, and to therefore be contrary to the proper planning and sustainable development of the area.
- **NB Note to Planning Administration** - no decision should be issued until all outstanding reports have been received to ascertain their requirements/comments on this application.

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If the Planning Authority does not agree with the above recommendation the following **Clarification of FI** is required.

- 1 As per the Roads Report of 30/05/03.
  - 2 Notwithstanding your further information submission you are advised that the National Heritage Council is not satisfied that you have addressed their concerns in relation to the proposed development. You are requested to contact them directly and submit to the Planning Authority in writing the outcome of this consultation.
  - 3 Notwithstanding your further information submission you are advised that the Eastern Regional Fisheries Board is not satisfied that you have addressed their concerns in relation to the proposed development. You are requested to contact them directly and submit to the Planning Authority in writing the outcome of this consultation.
  - 4 Notwithstanding your further information submission you are advised that Duchas is not satisfied that you have addressed their concerns in relation to the proposed development. You are requested to contact them directly and submit to the Planning Authority in writing the outcome of this consultation.
- 

- **NB Note to Planning Administration** - no decision should be issued until all outstanding reports have been received to ascertain their requirements/comments on this application.

**Note to Applicant:**

- If any submission resulting from the above request, alters your original proposal in relation to site boundaries, site layout, development location, description, design, etc. you **must** submit revised newspaper and site notices which include reference to all alterations and quote the current planning application reference number.
- You should note that this request for further information is not an indication that your application will receive favourable consideration, but is necessary to provide sufficient information in order to make a full assessment of your application.

  
Martin Dowling, Executive Planner 25<sup>th</sup> June 2003

KILDARE COUNTY COUNCIL

Received: 4-5-03  
Due: 1-7-03

17/3  
SHE

REFERENCE NUMBER:

02/1475

PREVIOUS REF NOS:

DATE:

19/05/2003

TO:

NRDO

APPLICATION DATE:

06/08/2002

APPLICANT:

Goode Concrete Ltd

LOCATION:

Ballinderry Carbury Co. Kildare

APPLICATION FOR:

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

REPORT REQUIRED BY:

03/06/2003

SIGNED:

[Signature]  
Senior Executive Officer Planning & Public Safety

SITE NOTICE INSPECTED ON:

IF CONDITIONS ARE BEING SUGGESTED, REASONS SHOULD BE STATED:

Please note that any contributions or special contributions required for this development shall be clearly signalled.

The applicants claims, as set out in item 7 of the response to the further information request of 25/10/02 do not accurately reflect the views of the Road Design Dept. as conveyed to Faber Maunsell at site meeting of 5/2/03. At that meeting the applicant's agents were informed that the provision of the road connecting the two county roads as proposed in drawing no. 33791-DR-100 would be offset against any special roads levy that would be imposed on this development, provided the road was constructed to the satisfaction of the planners at that time.

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Significant planning gain for the area that the construction of this road will provide. Specifically it will ~~reduce the number~~ eliminate H.C.V. turning movements at the substandard cross roads to the north of the site and ~~also~~ reduce ~~the~~ significantly the number of car movements (The existing road would effectively become a *ad de sac* serving the residence in the immediate vicinity of the cross roads) at this junction.

However, this planning gain will only be realised when the proposed new road has been constructed in its entirety and is available to the public.

The proposals here to construct the road 'as far as the proposed site entrance for the purpose of servicing the site' are inadequate.

Applicant to confirm that he will construct the entire road ~~from the eastern site~~ generally as shown on drawing no. 33791-DR-100 from the eastern site boundary to the northern boundary.

The construction of this road in its entirety is required to mitigate the ~~traffic~~ potential traffic hazard created by this development.

W. Hannigan S.E.E 30/5/03

This file should be submitted to the planning authority.

KILDARE COUNTY COUNCIL

F11  
SR,

02/1475

ADDITIONAL INFORMATION

Due 1/10

REFERENCE NUMBER:

PREVIOUS REF NOS:

DATE:

14/05/2003

TO:

John O'Neill

APPLICATION DATE:

06/08/2002

APPLICANT:

Goode Concrete Ltd

LOCATION:

Ballinderry Carbury Co. Kildare

RECEIVED  
17/05/2003  
CLANEAUR.FIC

APPLICATION FOR:

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

REPORT REQUIRED BY:

26/06/2003

SIGNED:

Senior Executive Officer Planning & Public Safety

SITE NOTICE INSPECTED ON:

site notices in place 11/6/02

IF CONDITIONS ARE BEING SUGGESTED, REASONS SHOULD BE STATED:

Please note that any contributions or special contributions required for this development shall be clearly signalled.

Development Levies to be assessed by Roads Design.

C. Buggie

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County Council of the County of Kildare

Date: 12/05/2003

Our Ref: 02/1475

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



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, 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 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

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



8<sup>th</sup> May 2003

Our Ref: NMcG/Goode/Kil

*One 3/7/03  
ack 12/5/03*

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

Dear Sir/Madam

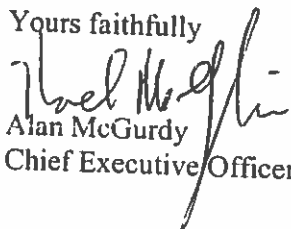
We are in receipt of cover letter with further information along with accompanying documentation regarding the above dated 29/04/ 2003 and received by us on 2<sup>nd</sup> May, 2003.

The applicant has addressed none of our concerns as expressed in our previous correspondence dated September 13, 2002.

Once again the Board asks that this planning application should be refused for all of the reasons as set out above.

We look forward to a copy of your decision in due course.

Yours faithfully

*for*  *Dear FEO*  
Alan McGurdy  
Chief Executive Officer.

The Eastern Regional  
Fisheries Board  
15a Main Street  
Blackrock  
Co. Dublin  
T: (01) 278 7022  
F: (01) 278 7025

County Council of the County of Kildare

Date: 12/05/2003

Our Ref: 02/1475

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



National Heritage Council  
Rosse House  
Kilkenny  
Co. Kilkenny

CS

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

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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.

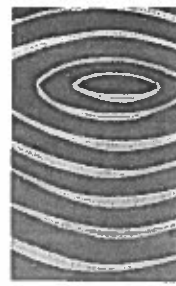
Please quote the above reference number in any further correspondence on this application.

Please retain this acknowledgement as it will be required by An Bord 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

Senior Executive Officer Planning & Public Safety  
Kildare County Council

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9 May 2003

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

12 MAY 2003  
Ack Report  
Done 3/7/03  
AK03

**Re: Further Information Request**  
**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.**  
**Applicant: Goode Concrete Ltd.**

Dear Sir,

I refer to the further information received by Kildare County Council in respect of the above application for planning permission which, together with the accompanying Environmental Impact Statement (EIS), was referred to the Heritage Council for comment.

### General

The Heritage Council has serious concerns about the adequacy of the EIS and the further information, due to the fact that it omits any adequate assessment of the impact of the proposed development on Ballinderry House, its curtilage and its setting. Furthermore, it is the opinion of the Heritage Council that the proposed development would have a significant negative impact on the heritage value of Ballinderry House.

### Environmental Impact Statement

It would appear that there are only three mentions of Ballinderry House in the EIS, as follows:

#### Council Members

Dr. Tom O'Dwyer (Chairperson)  
Dr. Simon Berrow  
Mary Bryan  
Dr. Con Costello  
Ruth Delany

Nessa Dunlea  
Deirdre Ellis-King  
Maurice Hurley  
Michael MacMahon

Éamonn McEneaney  
Michael McNamara  
Mary Moylan  
Fr. Tomás Ó Ciomh

Níoclás O'Conchubhair  
Prof. William J. Smyth  
Virginia Teehan  
Primrose Wilson

1. Under the heading "*Description of the Site*" in the non-technical summary, it is simply stated that

*"Killardrick House is situated to the north of the site, and Ballinderry House to the south. Ballinderry House is a Protected Structure".*  
(p.9)

There is no mention of Ballinderry House under the heading "*Cultural Assets*" in the non-technical summary, even though it is probably the single most significant cultural asset in the immediate vicinity of the proposed development. This is a serious omission from the EIS and is misleading.

---

2. Ballinderry House is mentioned in Section 4 "*Human Beings*", under the heading 4.1 "*Receiving Environment*":

*"Ballinderry House, a Protected Structure, is situated approximately 0.5km to the south of the site. The House appears to be currently unoccupied and in need of repairs."* (p.29).

Ballinderry House is, in fact, occupied and is currently undergoing a programme of restoration, to which the Heritage Council contributed €35,000 for works to the roof at the end of 2000. It is not true to say, therefore, as the EIS does, that "*due regard has been afforded to the residential amenities of dwellings in the area.....*" (p.29). This is a serious oversight and omission from the EIS.

3. Ballinderry House is also mentioned in Section 9.4.5 "*Site Visibility*", under the heading 9.4.5.2 "*From Historic and Amenity Sites*":

*"As stated above, the site is not directly affected by any landscape, heritage or scientific designations, nor does it intrude on any designated views. Ballinderry House is situated to the south of the site. The setting of the House will not be affected by the proposed development".* (p.69).

It is impossible to deduce from the EIS, how this conclusion was reached. There was no Viewpoint Sensitivity Assessment undertaken from Ballinderry House. The nearest Viewpoint Sensitivity Assessment points to the House are points 6 and 17, both to the east of the House, and both recording "*high sensitivity*", and high visibility impacts (Table 9.2, p.71). This again, is a serious omission from the EIS and serves to significantly reduce the value and accuracy of the assessment.

### **Significance of Ballinderry House**

Ballinderry House is a Protected Structure and is in the Record of Protected Structures for Co. Kildare. A Conservation Report which was commissioned by the Heritage Council and prepared by Paul Arnold Architects (October 1999) had the following to say about Ballinderry House:

*"Ballinderry House is located several miles west of Enfield Town, near Carbury. The house was built by the Tyrell family as their residence circa 1743."*

*"The setting of Ballinderry House is particularly attractive and dramatic. The former main entrance is perpendicular to the Ballinderry Road and on axis with the front of the house. To the right of the house is found the service entrance to the site. The driveway leads up to the rear of the house along a planted avenue into a service yard with a substantial coach house, a forge and some other smaller outbuildings roughly organised around a central area. Historical maps indicate two other areas in close proximity to the main house: a garden, possibly walled, set out in a formal pattern to the rear and an area known as the Long Wood with many mature trees and some very old box hedges which is to be found to the left of the house".*

*"Ballinderry House is a most attractive, classical country residence in terms of its scale, architectural detail and plan. It is most fortunate, and largely due to the vigilance of the present owner, that the building has remained in remarkably sound condition and it can be viewed with many of its original features and fabric still intact".*

*"The house is located north of Carbury station and affords the visitor extensive views of the bog of Carbury and Carbury Castle, almost two miles away".*

The Heritage Council considers Ballinderry House to be a cultural asset of high significance, and one which is in remarkably good condition in terms of its original features and fabric.

### **Conclusions**

The Heritage Council has serious concerns about the visual impact which will be suffered by Ballinderry House, its curtilage and its setting, as a result of the proposed development. It is the opinion of the Council that, due to its close proximity, the proposed development will have a significant negative impact on the heritage and



amenity values of Ballinderry House, its curtilage and its setting. The Council also considers the EIS to be fundamentally flawed because it does not include such an

assessment. The Council is also concerned about the impact on the amenity of the House arising from noise and air pollution. Again, the EIS does not contain an assessment of this sort relating specifically to Ballinderry House.

**Recommendation**

The Heritage Council recommends that Kildare County Council refuse planning permission for the proposed development, on the grounds that the EIS is inadequate and that the proposed development will have a negative impact on the heritage and amenity values of Ballinderry House, its curtilage and its setting.

---

Yours sincerely,



Paddy Mathews  
Planning Officer.

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WEB SITE: http://www.heritagecouncil.ie

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INTERNATIONAL: +353 56 7770777  
E-MAIL: mail@heritagecouncil.com  
WEB SITE: http://www.heritagecouncil.ie

CHOMHAIRLE  
OIDHREACHTA

HERITAGE  
COUNCIL

9 May 2003

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

Re: **Further Information Request**  
**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.**  
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Virginia Techan  
Prinrose Wilson

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assessment. The Council is also concerned about the impact on the amenity of the House arising from noise and air pollution. Again, the EIS does not contain an assessment of this sort relating specifically to Ballinderry House.

**Recommendation**

The Heritage Council recommends that Kildare County Council refuse planning permission for the proposed development, on the grounds that the EIS is inadequate and that the proposed development will have a negative impact on the heritage and amenity values of Ballinderry House, its curtilage and its setting.

---

Yours sincerely,



Paddy Mathews  
Planning Officer.

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Malt House Square  
Smithfield Village  
Bow Street Dublin 7

Telephone: +353 1 8746153  
Fax: +353 1 8746163  
email: declan.brassil@compplusnvo.com

Mr Kevin Kelly  
Senior Executive Officer  
Planning Department  
Kildare County Council  
St Mary's  
Naas  
County Kildare

7 May 2003

Dear Mr Kelly

Re: Proposed Extraction of Sand and Gravel, Washing and Screening Plant, Access and Access road and Associated Development Works at Ballinderry, Carbury, County Kildare - Goode Concrete Ltd.

Register Reference: 02/1475

I refer to the Planning Authority's correspondence of 29 April, received on yesterday's date, and I enclose herewith copies of the Newspaper Notice and Site Notice, in accordance with the requirements of the Planning Authority.

I trust that this is in order and I look forward to a favourable decision.

Yours sincerely

Declan Brassil

KILDARE COUNTY COUNCIL  
PLANNING SECTION  
RECEIVED  
- 9 MAY 2003

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**MILLIONAIRE MINDED?** 33 year old semi retired businessman looking for individuals to teach business to [www.ucanbfree.net](http://www.ucanbfree.net)

**OUTDOOR TEAM LEADERS** Required. If you are organised, motivated, able to achieve and willing to work hard you need to talk to us. We are currently looking to recruit out-door team leaders for the greater Dublin area. Working Monday-Friday basic + bonus + mileage + petrol essential. Please contact Noel 1800 31 31 31 or E-Mail [noeljame@colree.indigo.ie](mailto:noeljame@colree.indigo.ie)

**ART-TIME RECEPTIONIST** req'd for 5x beauty salon based in Leisure centre. Flexible hours, good perks. Contact Jo 2189621

**PEOPLE OF ALL AGES** req'd to sell lottery scratch cards. Town and country. Ph: 874 9995

**RECEPTIONIST** req Toni & Guy Hairdressing you are looking for an exciting fulfilling career with long term prospects in the Toni & Guy Team. At Toni & Guy being a Receptionist is not just a job it's a career. We are looking for people who fit into the fast pace we set. Applicants need to be image conscious, professional and confident in a Retail Environment. Telephone Mandy: 671 4401.

**REVENUE GROUP** Journal is now recruiting advertising sales staff to work on this long est. title. The successful applicant should have some experience. Basic + commission + bonus. Call Patrick @ 678 5165 or email [oceannpublishing@eircom.net](mailto:oceannpublishing@eircom.net)

**SALES ASSISTANT** wanted for Conventia in Dublin 1 area. Phone 878 2294

**AMMON WOODCRAFT** req. a Workshop Manager for their new medium sized off-standart joinery shop in West Dublin/North Kildare. Applicants must have experience. Refs., driving licence and administrative skills. Excellent package offered. For interview ph Aidan 454 1236

**ANDYFORD** Despatch Staff (Jnr position) req for busy despatch. Monday - Friday, full time with some computer exp. C.V.'s to email: [hr@2020log.ie](mailto:hr@2020log.ie) or Phone: 814 9223.

**STEEL FABRICATOR** required for workshop in Clondalkin. Phone 457 6266

**DOMMY'S WONDERLAND** Supervisor position available, experience preferred. Full or part-time. Immediate start. Contact Leona 01-8222040

**ORGIN COSMETICS COMPANY** seeks part time Party Planners for fun, facials and financial reward. No exp. necessary. Ph 01-825 4631 / 087-654 0241

**AREHOUSE ASSISTANT** req. for City Centre business. Some exp. necessary. Please fax current C.V. to: 670 3281.

**AREHOUSE OPERATIVES** / Order pickers urgently required by company based in Robinhood Ind. Est. Salary €9.25 per hour. M-F. 8.00 - 4.45 Mon-Fri. For immediate interview please call 429 4100.

**ELDERS.** Semi skilled production M.I.G welders required by steel fabrication company, Dublin 12 area. Tel: 460 1550 to arrange interview.

## PRIMARY TEACHERS

**ART-TIME** Resource teacher - 2 1/2 hours per week shared between 2 schools, required immediately at S.N. Eoin, Gort, Co. Galway. Applications with C.V., References and S.A.P. to the Chairperson no later than 15th May, 2003. From: Fr. Michael Kelly, P.P. St. Colman's Church, Gort, Co. Galway. 091 631220.

**PERMANENT TEACHER** req'd immediately for Duleek Girls U.S. Co. Meath (roll no. 7840P) under the patronage of the bishop of Meath. 8 teacher school including principal, resource and shared resource, €3 on roll. Applications with cv and refs. to Rev. Chairperson, U.S.O.M., Parochial House, Duleek, Co. Meath by May 21, 2003.

## TEACHERS

**BALLYMUN JUNIOR** Comprehensive School. Applications are invited from suitably qualified teachers for the following positions which may arise from the 1st Sept. 2003 in a TWT/EPT capacity. Maths with business studies, english, resource teacher. Appointments subject to DES Sanctions. Apply with CV and recent ref. to Sec. B.O.M. Ballymun Rd. Dublin 9, before 13th May 2003.

**GUIDANCE COUNSELLOR** with Irish. Please send CV to the Principal, Lorsto College Swords, Co. Dublin, on or before Fri. 16th May.

**LEARNING SUPPORT TEACHER**, 2003-2004 reqd. C.V.s to B.O.M., Ashbourne Community School, Ashbourne, Co. Meath.

**MÚNTEOIRÍ** le scil sa Spóirt agus ceil ag teastáil i gColáiste Samhraidh, Glasigh 099-81264

**REQUIRED** for September. Job Share or T.W.T. teacher of Geography and Irish to Leaving Cert Higher Level. Apply with CV and names of two referees to the Secretary, B.O.M. Scoil Eoin CBS, Rathfarnham, Athy, Co. Kildare before May 23.

## TRAVEL AGENTS

**ARE YOU TIRED** of your old boss? New employers available! @ APB Tel: 661 4522 Email: [mail@apb.ie](mailto:mail@apb.ie) [www.apb.ie](http://www.apb.ie)

## PLANNING APPLICATIONS

**DUBLIN CITY COUNCIL** - We, Phil and Monica Hopkins of 16 Baymount Park, Dublin 3, wish to apply for Planning Permission for conversion of the garage to a study and a bedroom over the extension to the side and rear. This application may be inspected or purchased between the hours of 9.30am-16.30pm Monday-Friday at the offices of Dublin City Council, Planning Department, Block 4, Civic Offices, Wood Quay, Dublin 8. Submissions or observations in relation to the application may be made in writing to the planning authority on payment of the prescribed fee of €20 within a period of 5 weeks beginning on the date of receipt by Dublin City Council of the application.

**DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL** - Application is being made to Dun Laoghaire-Rathdown County Council for full Planning Permission for 3 No. Single Storey Dwellings at No. 43 Shanganagh Vale, Shanganagh, Dublin 15, by R. O'Reilly. The planning application may be inspected or purchased during office hours 10.00 am to 4.00 pm Monday to Friday at the Office of the Planning Authority of Dun Laoghaire Rathdown County Council, at County Hall, Marina Road, Dun Laoghaire. Submissions or observations in relation to the application can be made in writing on payment of €20 within 5 weeks beginning on date of receipt of the planning authority of the application.

**GALWAY COUNTY COUNCIL** - Permission is sought to construct a fully serviced dwelling house at Cregarragh, Claregalway, B. O'Dea. This application may be inspected or purchased at the planning office. An observation to the application in relation to the application may be made in writing on payment of €20 within 5 weeks, from the date of receipt of application.

form 2 no units, alteration to location and shape of the garden centre, alteration to the building floor levels and the finished levels of the internal roads and pavings, alterations to the proposed elevations and the materials; there are no changes proposed to the area of building floor space previously approved, the number and use of the car park on the east side of the Dublin Road (N4) at Carrowree, Dublin Road, County Sligo. The planning application may be inspected or purchased at the offices of the Planning Authority at Sligo County Council, Riverside, Sligo, (Mon 10-5, Tues 9-5, Wed/Thu 9-4, Fri 9-5). A submission or observation in relation to the application may be made in writing to the planning authority on payment of a fee of €20 within the period of 5 weeks beginning on the date of receipt by the Authority of the application.

**NORTH TIPPERARY COUNTY COUNCIL** - We, Electricity Supply Board are applying for permission to erect a 10kV transformer station consisting of 110 & 38kV busbar, switchgear, gantries, 10kV to 38kV & 38kV building containing 10kV control and switch gear. Alterations to the existing 110kV and 38kV tower and 1 no. 12m high tower and 1 no. 12m high tower to be removed to facilitate connection to the substation. The site works will incorporate the installation of overhead fences, gates, landscaping, shared roadway to match existing entrance roadway, this road to be upgraded and recessed at entrance to public roadway. Also installed will be bio-cycle sewage treatment plant and associated percolation area. Planning application may be inspected or purchased at the offices of the planning authority, St. John's Place, Enniscorthy, between the hours of 9.30 a.m. and 4.30 p.m. (Monday to Friday). A submission or observation in relation to the application may be made in writing to the planning authority during the period of five weeks, beginning on the date of receipt by them of the application. Submissions or observations must be accompanied by a fee of €20.

**KILDARE COUNTY COUNCIL** - Goode Concrete Ltd. has submitted further information to the Planning Authority in respect of a planning application Ref. P.02/0375 for permission for the extraction of sand and gravel associated with a new site access, plant, and all associated development and works on a overall site of approximately 13.9 hectares at Ballinderry, Co. Kildare. The further information submitted provides for the re-alignment of the County Road bounding the north of the site (L5004) to form a new bounding line to the east of the site (L1002) and a new site access to the re-aligned County Road. The further information is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority, Kildare County Council, St. Mary's, Naas, during the hours 9.00am to 1.00pm and 2.00pm to 3.00pm Monday to Friday (Except Public Holidays). A submission or observation in relation to the further information may be made to the planning authority in writing within two weeks of the date of the newspaper notice or the payment of the prescribed fee.

**MEATH COUNTY COUNCIL** - Planning Permission is sought by Eamon Waters for a development at airath, Navan, Co. Meath. The development will consist of a former bungalow with bio-cycle treatment system and percolation area. The application may be inspected or purchased at the offices of Meath County Council, Planning Authority, Planning Section, County Hall, Navan, Co. Meath (Relevant area office - Duleek) during normal office hours. A submission or observation to the application may be made in writing to the planning authority on payment of a fee of €20 within the period of five weeks, beginning on the date of receipt by the planning authority of the application.

**WATERFORD COUNTY COUNCIL** - Dermot Fitzpatrick, Building Contractor is seeking permission for a change of house type from 2 No. G type, 3 bed corner houses to 2 No. F type 3 bed semi detached houses, and 5 No. B type 4 bed semi detached houses to 5 No. type 3 bed semi detached houses, and from 1 no. C type 4 bed semi detached house to 1 no. 3 bed semi detached house, and all associated site works at Nos. 7, 20, 5, 15, 17, 21, 23 & 27 Culrua, Brown Street, Portlaoise. Previous Permission PDC1/491. This application may be inspected or purchased at the offices Waterford County Council, Davitt's Quay, Dungarvan, Co. Waterford from 9.30am to 3.30pm Monday to Friday excluding public holidays. A submission or observation may be made to the Planning Authority in writing and on payment of the prescribed fee (€20.00) within 5 weeks of the date of receipt by the Planning Authority of the application.

9/5/03

**WEXFORD COUNTY COUNCIL** - I, All Higgins am applying to Wexford County Council for approval for the construction of 3 bungalows on site of 1.56 hectares at Aughermon, Ballymilly, for which outline permission was obtained on foot of application reference no. 2001/0800. This planning application may be inspected or purchased at the offices of the Planning Authority, County Hall, Wexford during the hours 10 a.m. to 1 p.m. and 2 p.m. to 4 p.m. Monday to Friday (excluding Public Holidays). A submission or observation in relation to the application may be made in writing to the Planning Authority on payment of a fee of €20 within a period of 5 weeks beginning on the date of receipt by the Authority of the Application.

**MEATH COUNTY COUNCIL** - I, Kenny Lal, Jasmine Garden Ltd., intend to apply for permission for development at Unit 1, Main Street, Clonsilla, Co. Meath. The development will consist of Replacement of the existing temporary signage and installation of the new signage. The Planning Application may be inspected or purchased at the offices of Meath County Council, Planning Authority, Navan and the relevant area office/Town Council office during normal office hours. A submission or observation in relation to the application may be made in writing to the Planning Authority on payment of a fee of €20 within the period of 2 weeks beginning on the date of receipt by the Planning Authority of the Application.

**MAYO COUNTY COUNCIL** - We, J.P. & Y. Duffin make application to Mayo County Council for full planning permission for erection of three no. multi purpose units and outline planning permission for an additional 15 no. multi purpose units together with an hotel and leisure centre at Kilgariff West on lands adjacent to Knock Airport, Charlestown Co. Mayo. This application may be inspected or purchased during office hours at the offices of Mayo County Council, Planning Department, County Offices, Castlebar, Co. Mayo and a submission or observation in relation to the application may be made in writing to the Authority on payment of a fee of €20 within the period of 5 weeks beginning on the date of receipt by the Authority of the application.

**CORK COUNTY COUNCIL** - Planning permission is sought by Leachroa Ireland Ltd. in respect of premises (1/2 Price Club) at Main Street Charleville, Co. Cork for change of use from retail to licensed betting office, shop front alterations, external signs, satellite dish and external plant for air conditioning installation. The proposed development entails works to a protected structure. The planning application may be inspected or purchased at the offices of the Planning Authority and a submission or observation in relation to the application may be made to the Authority in writing, on payment of the prescribed fee within the period of 5 weeks beginning on the date of receipt by the authority of the application.

# SITE NOTICE

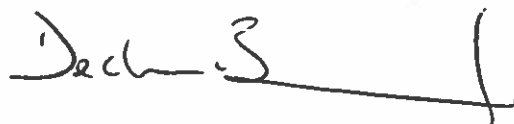
## KILDARE COUNTY COUNCIL

**GOODE CONCRETE LTD. HAS APPLIED FOR PERMISSION FOR THE DEVELOPMENT OF THIS SITE AT BALLINDERRY, CARBURY, COUNTY KILDARE.**

---

Further Information has been submitted to the Planning Authority in respect of a planning application Reg. Ref. 02/1475 for 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 approximately 13.9 hectares at Ballinderry, Carbury, Co. Kildare. The further information submitted provides for the re-alignment of the County Road bounding the north of the site (L5004) to form a new junction with the County Road bounding the east of the site (L1002), and a new site access to the re-aligned County Road. The further information is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority, Kildare County Council, St. Mary's, Naas, during the hours 9.00am to 1.00pm and 2.00pm to 3.00pm Monday to Friday (Except Public Holidays). A submission or observation in relation to the further information may be made in writing to the planning authority within two weeks of the date of the newspaper notice (7 May 2003) on the payment of the prescribed fee.

Signed:



Date of erection of site notice: 7 MAY 2003



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



Date: 30/04/2003  
Pl. Ref: 02/1475

Goode Concrete Ltd  
Declan Brassil & Co.  
The Courtyard  
Smithfield Village  
Bow Street  
Dublin 7

**Re:- Planning Reference 02/1475**

**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 planning application for the above development on 06/08/2002.

The drawings and specifications submitted with your application are being examined by the Council's technical staff and you will be notified of the Council's decision in due course.

Please note that no work should be carried out in connection with the proposal until a written grant of permission to do so has been received by you from this Council. The carrying out of work, without the permission referred to, could render you liable for legal proceedings under the Planning Acts.

Any further correspondence relating to this application must quote the above reference number.

Yours faithfully

\_\_\_\_\_  
**Senior Executive Officer Planning & Public Safety**  
**KILDARE COUNTY COUNCIL**



29<sup>th</sup> April, 2003.

Goode Concrete Ltd.,  
Declan Brazzil & Co.,  
The Courtyard,  
Smithfield Village,  
Bow Street,  
Dublin 7.

Re: **Planning Ref. 02/1475.**

Dear Sir/Madam,

With reference to the above application, we wish to acknowledge receipt of the recent submission lodged in response to our request for further information dated 25/10/02.

However, you should note that the revised newspaper and site notice does not refer to the time period within which submissions or observations may be made from the date of receipt by the authority of the significant further information. As this response is on foot of a further information request the planning authority must allow a further 2 week period for submissions / observations. Accordingly you are requested to re-advertise the proposed development in accordance with article 35 (c) of the planning and development regulations 2001.

The revised newspaper notice shall contain as a heading the name of the planning authority marked further information and stating:

- (i) the name of the applicant
- (ii) the location, townland or postal address of the land or structure to which the application relates
- (iii) the reference number of the application
- (iv) that significant further information as appropriate (describe in detail the nature and extent of the development), in relation to the application have been furnished to the planning authority, and is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority (Kildare County Council, St. Mary's, Naas during office hours, 9am to 1pm and 2pm - 3pm Monday to Friday (excluding bank holidays)
- (v) and that a submission or observation in relation to the further information may be made to the planning authority in writing within two weeks of the date of the newspaper notice on payment of the prescribed fee.

A revised site notice shall also be erected at the proposed entrance. A copy of the revised newspaper notice and site notice shall be submitted to the Planning Authority.

Yours sincerely,

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: 29/04/2003  
Pl 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, 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. A copy of the information received is enclosed herewith for your attention.

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.

Yours faithfully

Senior Executive Officer Planning & Public Safety  
Kildare County Council

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Date: 29/04/2003  
Pl 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, new access and access road, shipping office, site office, weighbridge, wheelwash, surface water settlement lagoon, staff facilities etc at Ballinderry Carbury Co. Kildare

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Yours faithfully

Senior Executive Officer Planning & Public Safety  
Kildare County Council

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

REGISTERED POST

The Arts Council  
70 Merrion Square  
Dublin 2

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, 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

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Yours faithfully

Senior Executive Officer Planning & Public Safety  
Kildare County Council

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

REGISTERED POST

National Roads Authority  
St Martins House  
Waterloo Road  
Ballsbridge

Dublin 4

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

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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.

Yours faithfully

Senior Executive Officer Planning & Public Safety  
Kildare County Council

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Date: 29/04/2003  
Pl 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, 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. A copy of the information received is enclosed herewith for your attention.

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.

Yours faithfully

Senior Executive Officer Planning & Public Safety  
Kildare County Council

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# Ms Harney

**John O'Connor**  
Political Correspondent

THE closeness of the US-European economic relationship is of vital importance to Ireland and must be protected, Tanaiste Mary Harney said at Harvard University yesterday.

Disagreements over the war in Iraq have threatened that relationship but Ms Harney insisted in a speech that for economic, political and historical reasons the health of US-European relations is a vital strategic priority for both sides of the Atlantic and the world.

European investment in America accounts for more jobs in the US than American investment in Europe, she pointed out: 4.1m jobs in Europe topped by 4.4m jobs in the US.

The EU would find a sustainable basis for internal and external cohesion by working in co-operation with America rather than "entertaining notions of rivalry and confrontation."

America, too, would find itself better able to achieve the strategic balance between economic, diplo-

matic and military strength if it engaged in a partnership relationship with Europe, Ms Harney said.

"Together we will both serve the world and our own interests in fostering, promoting and protecting liberal democratic freedom if we work together - and through effective international institutions," the Tanaiste told the Institute of Politics at the Kennedy School of Government.

Now the war was over they had an opportunity to rebuild a shared understanding of how to pursue international security in the Middle East and elsewhere.

"This is our immediate task between Europe and America," Ms Harney said.

"I don't want to suggest it is necessarily an easy task, given what has gone before," she declared. We needed to base our thinking about where to go next on the facts and fundamentals of our relationship.

Our minds would be concentrated and we would achieve the right outcome.

Also, democracy needed institutions - national, international and some-

times supra-national.

2008 on our continent, the EU had been the vital supra-national institution for promoting peace and prosperity, the Tanaiste said.

Democratic institutions like the EU could develop their own unique characteristics but it "could not be good for our shared values of liberal democracy that we should carry on our affairs without some central institutions such as the UN, World Trade Organisation, International Labour Organisation, UN High Commission for Refugees or International Criminal Court.

"It is important we all seek to make these institutions effective," said Ms Harney. "If we are unclear about their exact role now, let us clarify that. If we are unhappy with their operations, let us reform them."

Democracy also needed defending and effective security capabilities and willingness to use them were needed when real threats arose, she added.

We no longer felt bound to tolerate gross abuses of human rights or the fomenting of terrorism.

## Forestry owners facing €1m bill for blaze damage

**Aideen Sheehan**  
and **Anne Lucey**

DAMAGE inflicted by forest fires in the last week could cost owners more than €1m. The money will have to come from their own pockets as grants for this purpose were slashed last November.

And the fires have left some urban areas without adequate firecover as services strained to cover the recent rash of forest and scrubland fires, a senior firefighting official has said.

State forestry body Coillte alone lost around 300 hectares of forest in fires in counties Donegal, Wicklow, Laois, Cork and Clare in the last week, said Coillte secretary Gerry Egan.

"Replanting is part and parcel of our running costs, but for small landowners it might be a very significant portion of their forest that is destroyed," he said.

Damage to private forest holdings is still being assessed but growers will have to foot hefty reforestation bills or else repay forestry grants already received, which could put some farmers in a financially perilous position, according to the Irish Timber Growers' Association.

Many major urban centers are being left without adequate fire cover as fire service resources strain to tackle forest and scrubland fires, Kerry's assistant chief fire officer Mr Donal Guerin said yesterday.

Most of the fires are due to carelessness, and the illegal burning of scrubland to provide new grassland for sheep grazing.

Virtually half the county of Kerry was without fire cover on Sunday as the units from Killorglin, Killarney, Castleisland and Tralee were called to a major forest fire ten miles east of Killarney which burned thousands of acres.

The service was legally obliged to deal with the fires, Mr Guerin said.

Fines of €2,000, and or six months in gaol for starting fires after March 1 could follow prosecution.

Appealing for vigilance Mr Guerin said April and May are the peak times for fires.

MONAGHAN TOWN, Co. Monaghan (Telephone 047-30500) during its working hours. A submission or observation in relation to the application may be made to the Authority in writing on payment of the prescribed fee of €20 within the period of 5 weeks beginning on the date of receipt by the Authority of the application. An Environmental Impact Statement has been submitted to the Planning Authority with this application and it is available for inspection or purchase (at a fee not exceeding the reasonable cost of making a copy), during its working hours, at the offices of Monaghan County Council, The Glen, Monaghan Town, Co. Monaghan (Telephone 047-30500). The E.I.S. will be evaluated by the E.P.A.

**DUBLIN CITY COUNCIL** - Hay Site Developments Ltd. intend to apply for full planning permission for proposed mixed use development on a 0.16 acre (0.065 ha) site including the demolition of existing showroom / warehouse / offices building at 500sq.m. (A) Ground floor, 1-6 Haymarket & 21A Arran Street West, Dublin 7. The proposed building consists of a main volume of six storeys over basement with a further two storeys set back to Haymarket frontage, and a corner element of nine storeys over basement located at Smithfield / Haymarket junction, all comprising: (A) Basement car park (22 m<sup>2</sup> spaces) and plant areas; 506sq.m. (B) Ground floor service area with 4 no. car spaces, sub station and ramp to basement car park; 167 sq.m. (C) Ground floor Retail restaurant/bar; 221sq. m. (D) Ground floor, common areas to offices over; 204sq.m. (E) 1st to 6th floor inclusive. Office use; 3580sq.m. (including service stairs, common areas and lift) (F) 7th Floor; 2no. 2 bedroom apartments, one @ 126.5sq.m and one @ 134.7sq.m. (G) 8th Floor. One no. 2 bedroom apartment @ 105sq.m. Total development has 5,176sq.m. gross floor space. The basement car park is accessed from Burgess Lane adjacent to existing site access; highest point of building at corner to Smithfield / Haymarket junction is 31.8metres. All heights are measured above finished pavement level. This planning application may be inspected or purchased at the offices of the planning authority and a submission or observation in relation to the application may be made in writing to Dublin City Council on payment of Eur€ 20.00 within the period of five weeks beginning on the date of receipt by the authority of the application.

**KILDARE COUNTY COUNCIL** - Further information. Goods Concrete Ltd. has submitted further information to the Planning Authority in respect of a planning application Reg. Ref. 02/1476 for 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 approximately 13.5 hectares at Ballinacorney, Co. Kildare. The further information submitted provides for the re-alignment of the County Road bounding the north of the site (L5004) to form a new junction with the County Road bounding the east of the site (L1002), and a new site access to the re-aligned County Road. The further information is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy at the offices of the planning authority, Kildare County Council, St. Mary's, Naas, during the hours 9.00am to 5.00pm, Monday to Friday (Except Public Holidays). A submission or observation in relation to the further information or revised plans may be made in writing to the planning authority on the payment of the prescribed fee.

**WATERFORD COUNTY COUNCIL** - Revised plans. I. Donnacha O'Liathain has revised plans for 12 dormer type dwellings at Mweelahorna, Ring Dunevar, Co. Waterford, reg. no. PD 02/1410 and the significant revised plans in relation to the application has been furnished to the planning authority and is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy at the offices of the planning authority during office hours and a submission or observation in relation to the revised plans may be made in writing to the planning authority on payment of the prescribed fee.



# SITE NOTICE

## KILDARE COUNTY COUNCIL

**GOODE CONCRETE LTD. HAS APPLIED FOR  
PERMISSION FOR THE DEVELOPMENT OF THIS SITE  
AT BALLINDERRY, CARBURY, COUNTY KILDARE.**

KILDARE COUNTY COUNCIL  
PLANNING  
RECEIVED  
27 APR 2003

Further information has been submitted to the Planning Authority in respect of a planning application Reg. Ref. 02/1475 for 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 approximately 13.9 hectares at Ballinderry, Carbury, Co. Kildare. The further information submitted provides for the re-alignment of the County Road bounding the north of the site (L5004) to form a new junction with the County Road bounding the east of the site (L1002), and a new site access to the re-aligned County Road. The further information is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority, Kildare County Council, St. Mary's, Naas, during the hours 9.00am to 1.00pm and 2.00pm to 3.00pm Monday to Friday (Except Public Holidays). A submission or observation in relation to the further information or revised plans may be made in writing to the planning authority on the payment of the prescribed fee.

Signed: 

Date of erection of site notice: 23 APRIL 2003



**Dúchas** The Heritage Service

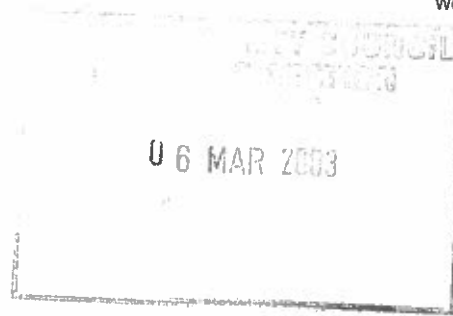
Our Ref: DAS-2002-KD-KD-02/1475

Rannóg na nIarratas Forbartha  
Development Applications Section

7 Plás Ely, Baile Átha Cliath 2, Éire  
7 Ely Place, Dublin 2, Ireland

Teilteafón +353 1 647 3000  
Facsimhír +353 1 678 8116  
Glao Áitiúil 1890 321 421  
Web www.environ.ie

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



on #1  
Ask Report  
J.

**Re: Planning Application Reg. Ref. No. 02/1475 by Goode Concrete Ltd for permission for the extraction of sand and gravel over an area of 7.8 hectares and associated works at Ballinderry, Carbury, Co. Kildare.**

A Chara,

Further to a recent Archaeological Testing Report (received in this office 26/02/03) submitted in response to a Further Information request, please find outlined below the recommendations of Dúchas The Heritage Service based on the results outlined in the report. It is recommended that Archaeological Monitoring, as described below, be carried out as a condition of planning permission.

**“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 and groundworks associated with the development. It is recommended that the archaeologist is licensed under the National Monuments Acts 1930–1994.
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 Dúchas with regard to any necessary mitigating action e.g. redesign/relocation to allow for preservation *in situ*, and/or excavation. The applicant shall facilitate the archaeologist in recording any material found.
3. The Planning Authority and Dúchas shall be furnished with a report describing the results of the monitoring.”

Mise le meas,

Anthony Hehir  
Development Applications section  
04 March 2003

County Council of the County of Kildare

Date: 10/03/2003

Our Ref: 02/1475

*Incomplete*

Chondae  
Chill Dara

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



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

*S C*

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 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

\_\_\_\_\_  
Senior Executive Officer Planning & Public Safety  
Kildare County Council

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3<sup>rd</sup> March, 2003.

Goode Concrete Ltd.,  
Declan Brazzil & Co.,  
The Courtyard,  
Smithfield Village,  
Bow Street,  
Dublin 7.

**Re: Planning Ref. 02/1475.**

**Permission sought 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,

With reference to the above application, we wish to acknowledge receipt of the recent submission lodged on your behalf by Archaeological Consultancy Services Ltd. in response to our request for further information dated 25/10/02.

However, we wish to advise that until a complete response in relation to all of the issues raised in our letter dated 25/10/02 has been received, no further consideration can be given to this application.

Yours sincerely,

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



06/02/2003

Our Ref: 02/1475/GD

Declan Brassil  
The Courtyard,  
Smithfield Village  
Bow Street  
Dublin 7

*Copy*

RE:/ Planning Permission is sought 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 and all associated development and landscaping works on an overall site approximately 13.9 hectares at Ballinderry, Carbury, Co. Kildare. This application is accompanied by an Environmental Impact Statement (EIS). – Goode Concrete Ltd – Planning Reference 1475/02

Dear Sir,

I refer to your correspondence received by the Planning Authority on 9<sup>th</sup> January 2003 requesting clarification of item 6(a) of the further information request. You are advised that the Environmental Impact Statement is required to comply with all legislation governing same and in particular Schedule 6 of the Planning & Development Regulations 2001. In relation to your query on the cumulative impacts of the proposed development you are advised to note the requirements of 2(c) of the said schedule.

The Planning Authority wishes to advise that your query shall not alter the specified time limit for receipt of further information as set out in article 33(4) of Planning & Development Regulations 2001.

Yours sincerely

*K. Kelly*  
Kevin Kelly  
Senior Executive Officer

**KILDARE COUNTY COUNCIL  
PLANNING DEPARTMENT**

**PLANNING REPORT**

**File Ref 02/1475 Goode Concrete Ltd**

**Proposed sand & gravel extraction @ Ballinderry, Carbury**

This planning application has been the subject of a previous planning report prepared by myself dated 24<sup>th</sup> October 2002. For convenience a copy of said report is attached. The Planning Authority sought FI on the application. The developers agent has requested clarification on item 6 (a) of the FI request. The said condition is copied below.

- 6 It is considered that the EIS submitted has not adequately dealt with a number of matters, please submit a revised Environmental Impact Statement that shall have due regard to the following:-
- (a) The cumulative impacts of the proposed development in conjunction with existing and permitted sand and gravel extraction in both the immediate area and general area.
  - (b) Please map the nature and extent of all equine activities in the vicinity of the subject site and adequately assess the impacts that the proposed development will have on same.
  - (c) The Environmental Impact Statement has stated conflicting operating hours please advise of the operating hours proposed.
  - (d) The flora and fauna section as submitted provides insufficient detail on the existing flora and fauna in this area. A proper audit / inventory of the flora and fauna on the site is required.
  - (e) Please provide photomontages (each photograph to be A4 size) of the existing site and of the proposed development. This shall include the impact on the nearby dwellings, on Clonuff Bridge and on the existing road junction.

**Recommendation**

I recommend that the Planning Authority write to the developer advising of the following:-

I refer to your correspondence received by the Planning Authority on 9<sup>th</sup> January 2003 requesting clarification of item 6(a) of the further information request. You are advised that the Environmental Impact Statement is required to comply with all legislation governing same and in particular Schedule 6 of the Planning & Development Regulations 2001. In relation to your query on the cumulative impacts of the proposed development you are advised to note the requirements of 2 (c) of the said schedule.

The Planning Authority wishes to advise that your query shall not alter the specified time limit for receipt of further information as set out in article 33 (4) of Planning & Development Regulations 2001.

*Martin Dowling* 4/2/03  
Martin Dowling, Executive Planner

4<sup>th</sup> February 2003

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3/3/03

F.I.



ACS

# REPORT SUBMISSION SHEET

<b>Site:</b> Ballinderry, Carbury, County Kildare	<b>Job No:</b> 02_05
<b>Job Description:</b> Archaeological Assessment	<b>Development:</b> Commercial
<b>Excavation Licence No:</b> 02E1803	<b>Planning Ref. No:</b> 02/1475

ARCHAEOLOGICAL  
CONSULTANCY  
SERVICES LIMITED  
Development Consultar  
& Cultural Resource  
Management

## REPORTS SUBMITTED TO:

<b>Client:</b>	Goode Concrete Ltd, Killeen Road, Ballyfermot, Co. Dublin.
<b>Architect:</b>	Declan Brassil and Company Ltd, The Courtyard, Smithfield Village, Bow street, Dublin 7
<b>Planning Authority:</b>	Kildare County Council, Planning Section, St. Marys, Naas.
<b>Duchas - Licensing:</b>	Mr. Tom Condit, Duchas, The Heritage Service, Dún Sceine, Harcourt Lane, Dublin 2.
<b>Duchas - Planning:</b>	Ms. Mairead Weaver, Dúchas, Dún Scéine, Harcourt Lane, Dublin 2.
<b>National Museum:</b>	Duty Officer, National Museum of Ireland, Kildare Street, Dublin 2.

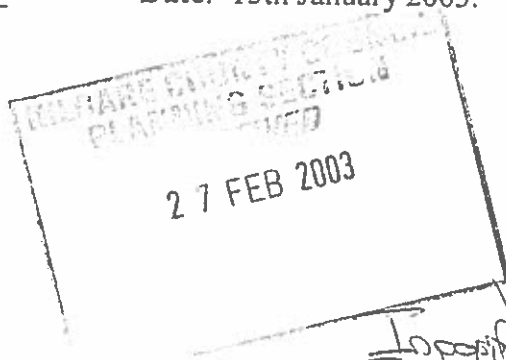
HEAD OFFICE  
Unit 11  
Boyne Business Park  
Greenhills, Drogheda  
Co. Louth  
Tel: 041 9835422  
Tel: 041 9835513  
Fax: 041 9842131  
enquiries@acs ltd.ie  
www.a

NEWRY  
61, Do  
Newry,  
BT35 E  
Tel: 02  
Fax: 0:  
  
DUBLIN  
Mespil  
Sussex Road  
Dublin 14  
Tel: 01 6672914

DIRECTORS  
Donald Murphy  
M.A., M.I.A.P.A.

Signed: Ian Russell  
Ian Russell

Date: 15th January 2003.



*Handwritten signature and notes at the bottom right of the page.*



**DECLAN BRASSIL**  
AND COMPANY LTD.

CHARTERED PLANNING CONSULTANTS

THE COURTYARD, SMITHFIELD VILLAGE, BOW STREET, DUBLIN 7  
Tel: + 353 1 8746153, Fax + 353 1 8746163  
e.mail: declanbrassil@compuserve.com

Mr Kevin Kelly  
Senior Executive Officer  
Planning Department  
Kildare County Council  
St Mary's  
Naas  
County Kildare

*Ms Andrea Sweeney SEP*

*13/1/03*

*Maectin  
could you  
please deal  
with all  
attached  
Ref 021147E  
J.G.  
16/1/03*

KILDARE COUNTY COUNCIL  
RECEIVED  
- 9 JAN 2003  
CORPORATE  
St. Mary's, Naas.

8 January 2003

Dear Mr Kelly

Re: **Proposed Extraction of Sand and Gravel, Washing and Screening Plant, Access and Access road and Associated Development Works at Ballinderry, Carbury, County Kildare – Goode Concrete Ltd.**

I enclose for your attention a copy of correspondence sent to the Council on 4 November 2002, to which no response or acknowledgement of receipt has been received to date. I would appreciate if you could follow up on this matter and issue a response at your earliest convenience.

Yours sincerely

*Declan Brassil*

Declan Brassil

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**KILDARE COUNTY COUNCIL**

*3*

*on fl.*

REFERENCE NUMBER: 02/1475

PREVIOUS REF NOS:

DATE: 20/08/2002

TO: John O'Neill

APPLICATION DATE: 06/08/2002

APPLICANT: Goode Concrete Ltd

LOCATION: Ballinderry Carbury Co. Kildare

APPLICATION FOR: 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

REPORT REQUIRED BY: 30/08/2002

SIGNED: *J. Lynch*  
 J. LYNCH  
 COUNTY ENGINEER

SITE NOTICE INSPECTED ON:

IF CONDITIONS ARE BEING SUGGESTED, REASONS SHOULD BE STATED:

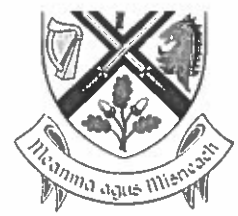
Please note that any contributions or special contributions required for this development shall be clearly signalled.

*Andyies for not being able to deal with the file - I understand that additional info has been sought on traffic predictions etc. I will deal with the file on AT*

RECEIVED  
 22 AUG 2002  
 CLANEAREAD OFFICE

*Forwell.*

*J. O'Connell*



Date: 05/11/2002  
Our Ref: 02/1475

10

Duchas-The Heritage Service  
National Monuments & Historic Properties  
Development Applications Section  
7 Ely Place  
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 refer to submission received on 30/10/2002 in connection with the above application which was submitted to this Planning Authority on 06/08/2002. 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

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**DECLAN BRASSIL**  
**AND COMPANY LTD.**

**CHARTERED PLANNING CONSULTANTS**

THE COURTYARD, SMITHFIELD VILLAGE, BOW STREET, DUBLIN 7  
Tel: + 353 1 8746153, Fax + 353 1 8746163  
e.mail: declanbrassil@compuserve.com

Mr Kevin Kelly  
Senior Executive Officer  
Planning Department  
Kildare County Council  
St Mary's  
Naas  
County Kildare

**COPY**

4 November 2002

Dear Mr Kelly

**Re: Proposed Extraction of Sand and Gravel, Washing and Screening Plant, Access and Access road and Associated Development Works at Ballinderry, Carbury, County Kildare – Goode Concrete Ltd.**

I refer to the Request for Additional Information issued by Kildare County Council on 25 October 2002 in respect of the above proposed development. We have reviewed the planning file and note that no technical reports are available until such time as a final decision is made on the application. Accordingly, I would appreciate if the Planning Authority could clarify the nature and extent of information sought in respect of Item No. 6(a).

In this regard, the Council has sought that a revised EIS address the cumulative impacts of the proposed development in conjunction with the established operations in the surrounding area. We would note that the water, dust, noise, and traffic sections in particular have all been prepared in the context of existing the baseline situation which include all discernible and potential impacts associated with similar developments in the surrounding area.

Should the Planning Authority have identified deficiencies in particular sections of the EIS, I would appreciate if the Authority could identify these apparent deficiencies for the purposes of adequately briefing the relevant specialist sub-consultants and to facilitate a full and comprehensive submission to the Planning Authority.

---

I trust that this is in order, and I look forward to receipt of clarification at your earliest convenience.

Yours sincerely

A handwritten signature in black ink, appearing to read "Declan Brassil". The signature is written in a cursive style with a long horizontal stroke at the end.

**Declan Brassil**

---

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Dúchas The Heritage Service

Planning

Rannóg na nIarratas Forbartha  
Development Applications Section

7 Plás Ely, Baile Átha Cliath 2, Éire  
7 Ely Place, Dublin 2, Ireland

Teileafón +353 1 647 3000  
Facsúimhir +353 1 678 8116  
Glao Áitiúil 1890 321 421  
Web www.environ.ie

SH

on 11/25/02  
MD

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,

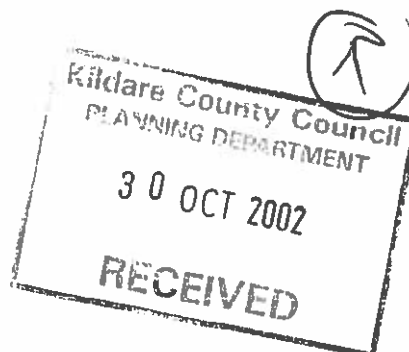
We refer to your letter of 23 August 2002 in relation to the above-proposed development. Outlined below are the nature conservation recommendations of Dúchas The Heritage Service of the Department of Environment and Local Government.

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



Date: 25/10/2002  
Pl Ref.: 02/1475

**REGISTERED POST**

Goode Concrete Ltd  
Declan Brassil & Co.  
The Courtyard  
Smithfield Village  
Bow Street  
Dublin 7

Re: **Planning Reference 02/1475**

**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**

---

**REQUEST FOR FURTHER INFORMATION**

Dear Sir/Madam

I refer to your application in respect of the above development and now request you to please submit the further information as set out on the attached schedule.

Please submit detailed replies to all matters raised, quoting the above reference number.

As your application cannot receive further consideration until all issues are fully addressed, all of the necessary information should be submitted at the same time.

Under the Planning & Development Regulations 2001, in the event that a reply in writing is not received to a request for further information within a period of 6 months, the application will be deemed to have been withdrawn.

**When replying please submit six copies of all documentation.**

Yours faithfully

---

**County Secretary**  
**KILDARE COUNTY COUNCIL**

**RE:/ Planning Permission is sought 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 and all associated development and landscaping works on an overall site approximately 13.9 hectares at Ballinderry, Carbury, Co. Kildare. This application is accompanied by an Environmental Impact Statement (EIS). – Goode Concrete Ltd – Planning Reference 1475/02**

1. The proposed development materially contravenes the County Development Plan, 1999 in relation to the extractive industry both in terms of soil type and its potential impact on the bloodstock industry in this area. Please submit your justification for such a material contravention. Please be advised that despite the details contained in your submission that the subject site is within an area that is classified as Class A Soils.
2. Please submit full details of your existing pit in this area, including number of years of operation, planning status of this activity, hours and days of operation, etc. Please advise if you own this pit. If you are not the owner please submit details of the owner.
3. Please provide a detailed map of all gravel or rock quarries or mineral extraction sites or sand and gravel pits within a 30 mile radius of the site whether working or dormant or in existence and give the names of the operators. Please also provide the current levels of H.G.V'S using each individual pit in order that the cumulative impact of HGV's in the area can be ascertained.
- 4 Please state whether (a) it is proposed to operate and develop the proposed sand and gravel pit yourself or (b) it is proposed to lease or sell the site to a third party. In either case give full details of the operators experience in aggregate extraction and processing.
- 5 A number of objections have been received in relation to the proposed development, you are requested to examine same and submit your detailed response, alternative proposal, etc. to each of these objections.

It is considered that the EIS submitted has not adequately dealt with a number of matters, please submit a revised Environmental Impact Statement that shall have due regard to the following:-



- (a) The cumulative impacts of the proposed development in conjunction with existing and permitted sand and gravel extraction in both the immediate area and general area.
- (b) Please map the nature and extent of all equine activities in the vicinity of the subject site and adequately assess the impacts that the proposed development will have on same.
- (c) The Environmental Impact Statement has stated conflicting operating hours. Please advise of the operating hours proposed.
- (d) The flora and fauna section as submitted provides insufficient detail on the existing flora and fauna in this area. A proper audit / inventory of the flora and fauna on the site is required.
- (e) Please provide photomontages (each photograph to be A4 size) of the existing site and of the proposed development. This shall include the impact on the nearby dwellings, on Clonuff Bridge and on the existing road junction.
- 

7. The proposed access off the Carbury – Broadford Road is considered unacceptable, you are advised that if the Planning Authority were to consider granting planning permission that access should be off the minor road. Please submit your revised proposals accordingly.

8. Duchas have received an archaeological assessment as part of the EIS submitted. The subject site is located in an archaeologically sensitive area. A number of potential archaeological features were identified which Duchas requires to be further examined prior to any decision. This will enable Duchas, The Heritage Service to formulate an informed archaeological condition before the planning decision is taken. It should be borne in mind, that if significant archaeological remains are found, refusal might still be considered or further monitoring or excavation required.

Archaeological test excavation of the linear depression, possible low linear platform and cultivation ridges is required.

- (i) The applicant shall employ a licenced archaeologist to carry out an archaeological test excavation at the subject site.
- (ii) The archaeologist shall consult the Archaeological Assessment produced for the EIS and excavate test trenches at the linear depression, possible low linear platform and cultivation ridges identified. Test trenches can be excavated by machine to the top layer of archaeological material.
- (iii) Having completed the work, the archaeologist shall submit a written report to the Planning Authority and to Duchas, The Heritage Service. The report shall comment on the degree to which the extent, location and levels (correct to ordance datum) of all proposed foundations, services trenches and other sub-surface works associated with the development will effect the archaeological remains. This should be illustrated with appropriate plans, sections, photographs etc. The archaeologist shall include suggested mitigatory measures in the report.
- (iv) Duchas, The Heritage Service will forward a recommendation based on the archaeological test excavation to the Planning Authority. These recommendatins may include excavation, test excavation, preservation *in situ*, monitoring etc.

9. The archaeological report identifies a possible former mill pond immediately adjacent to the subject site. While it is stated that no impact is anticipated as long as the site boundaries are effectively maintained, Duchas, The Heritage Service and the Planning Authority requires plans and details as Further Information regarding the proposed protection/treatment of the boundary during and after works. This is required in order to ensure impact is avoided on this feature. The archaeologist engaged shall examine the proposals and comment.

---

**Note to Applicant:**

If any submission resulting from the above request, alters your original proposal in relation to site boundaries, site layout, development location, description, design, etc. you must submit revised newspaper and site notices which include reference to all alterations and quote the current planning application reference number.

You should note that this request for further information is not an indication that your application will receive favourable consideration, but is necessary to provide sufficient information in order to make a full assessment of your application.

**25<sup>th</sup> October, 2002**

**Signed:** \_\_\_\_\_  
**County Secretary**

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