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Waterford Planning Department

Rosemary Dobbin  
Tommy Hallinan's  
Kilgobnet  
Dungarvan  
Co. Waterford

31<sup>st</sup> January 2019  
Customer Services  
Waterford City & County Council  
31 JAN 2019

Dear Sir / Madam

**RE: Request REFUSAL for Planning Application 18/880**

**I ask REFUSAL be given to the Planning Application**

There is no evidence to Mr Kennedy's assertion that this was the historical site of a stile, in fact historically the area which it is situate was not a road, so therefore this is highly unlikely.

Also to the FALSE landowner consent letter. As the landowner of the area which is the road to the party wall, **I categorically REFUSE any consent** to this destruction of this historical monument, and I REFUSE consent to having my lands being used as a parking area to what is this church and graveyard.

Mr Kennedy also asserts his ownership of this area. Again this is FALSE, this is a National Monument relating the ancient St. Abigal / St. Gobnait's CHURCH OF IRELAND and its graveyard, and not in the jurisdiction of the catholic church which he is employed.

There is nothing respectful in these people's behaviour, with the cutting down of trees, and the abandoning of vehicles, intimidation and threatening manner, and harassment. I have the right to the peaceful enjoyment of my property. This wall was demolished after I bought this property, and these people had **no right** to do this.

This graveyard is well in excess of 1400 years old, and these graves have been used and resold many times. There is no way of knowing how many families are in each grave. This is not respectful. More than 100 years ago, this graveyard was closed, however these people chose to uproot the residents of the graves to make space for new occupants. Again 10 years ago, Waterford Council Advised again that the old **graveyard was full**, and not to be reused. Following this the Guidelines for the care and conservation of graveyards was written, and the parish committee were given training from National Monuments, that they were not to put in any more graves, that they were not to put in any more roads, that they were not to remove any old headmarkers, and that they were not to cut an new access routes into this ancient graveyard. But the applicants seem willing and able to recklessly ignore all good advice provided to them, claiming that they can do what they want.

More than 100 years ago Canon Power stated: "At *Kilgobinet* are the much mutilated remains of a small 'Irish-Romanesque church of eleventh century type. Its defacement and mutilation are the work of comparatively modern barbarians and, alas, that it must be said, the worst offender was their Parish Priest."

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Furthermore the law states that no new burials are permitted within 200 yards of a dwelling.

The antisocial and intimidating behaviour of these intimidating people who tore down the protected structure wall to create a gate for access over my property is unwelcome. I suffer from having these people abandoning vehicles and use of the graveyard throughout the night and inappropriate disco type lights and excessive numbers of ornaments.

The gate and the wall and piers they constructed are in keeping with the crazy paving of Coronation Street, but out of keeping with this area, and unsightly and visually repugnant to me, the landowner, and this gate is harmful to the character of the area. This is a national monument and a Church of Ireland place of remembrance. Whilst I accept that the application is not to regularise unlawful demolition already undertaken the proposal necessitates formalising this point of access and would likely prejudice any enforcement action requiring the rebuilding of the demolished section of wall. The gate in its current form is unlawful and I am deeply uncomfortable about any proposal which tacitly relies upon the retention of unauthorised works. The gate complies with no laws. This is not acceptable. I also ask that the standard graveyard requirement that walls are at least 8foot high throughout should also be enacted, and that the graveyard is closed at night, with adequate gates fitted to the church access points.

#### **Adequacy of parking/loading/turning**

Roads are inadequate from all directions, with no turning and no adequately sized parking facilities to the church, on the cul de sac (in my ownership). My gate is frequently obstructed, and access to my buildings and property. This is not acceptable. There is no parking, and whilst there is a right of way over my land this is for the purposes of passing and re-passing, not for parking which results in unavoidable obstruction. I have never given my approval for vehicles to be parked on my land and I would not give such approval given that doing so would restrict access. I wish that this right of way be extinguished, as I do not offer parking for this church and graveyard. The road is steep and challenging, and not suitable for parking, or pedestrians. I request that the gates on my side of the church be permanently closed and blocked up, and my lands returned to me. This cul de sac was designed for donkeys, not trucks with trailers.

#### **Noise and disturbance resulting from use**

Loitering and lack of privacy is an unpleasant issue arising from the existing graveyards, this gate and its use are objectionable, as it attracts use from the people who have abandoned a vehicle and dig up 1400 year graves.

Antisocial behaviour, intimidation, vandalism, abandoned vehicles, harassment, late night and prowling, are an issue of the graveyard, and this would only increase, as a result of the proposals, and I do not want this. The graveyard should be locked before dusk every evening, and walls at least 8foot high, but there are people using the graveyard throughout the night, and increasing access via my property is not welcome. The considerations of placing a traffic bollard on my property to reserve

their place is obscene. I require to access my property, as do my customers and visitors.

#### **Effect on listed building and conservation area**

This site sits within the curtilage of the remains of St. Abigals Church of Ireland Protestant Church and its graveyard are a National Monument. Even the building used as catholic church is regarded as a protected structure. However, this is an ANCIENT GRAVEYARD, Early settlers of the Dungarvan Valley settled in the hills behind Kilgobnet, however, it is likely that this was a significant early settlement and early industrial site, Gobnait was a female priestess who developed the sacred site and Holy Well with Souterrain. This is a pre-christian site. Most of the humble marker stones once marking the modest graves of the previous families have been rolled out of the way and graves resold, and ornamented with modern Chinese marbles and other uncharacteristic stones, to these celtic-tiger grave plots. The history of the original people of this area has been discarded to make way for those who arrogant enough to take another persons grave. The mathematics of this is startling, depending on how many times the pp's resold these plots when the family lines were dead. We think in modern times that 3 people a grave is the maximum figure, but in this old section of the graveyard, which is more than 1400 years in active use, the numbers occupying each grave which continue to have burials, when calculated are very distasteful.

The church has been advised many times of a requirement to manage the old graveyard in a very sympathetic manner, and in accordance with conservation guidelines, as this graveyard is conservatively 1400 years old. Canon Power anxiously urged to preserve the history and stop continued use more than 100 years ago, with burials also directed to the old St. Conlans church and graveyard across from St. Conlans Well.

#### **Design, appearance and materials**

Design schedule is required to be in accordance with Conservation Graveyard Guidelines, compliance with conservation, this details that no access routes, gates, monuments, and new graves were to be dug. The old graveyard reflects modern imported stones from China, which loses the history and significance of locally sourced stone and sympathetic designs which reflect the historical significance of the area. This graveyard is required to be managed by a suitably qualified archaeologist and conservation accredited landscape architect.

#### **Road access**

There was no suitable road access to the building of this new grave slightly more than 2 years ago, it makes little sense for the plot within the graveyard to have been reopened if level access was required such as found on the new graveyard, or Lismore with the deceased's family.

The deceased's family have abandoned a vehicle at my property, which prevents me parking my own vehicle, and prevents customers and those with disability or elderly from parking and accessing my business.

**I Request REFUSAL for Planning Application 18/880**

Yours faithfully

Rosemary Dobbin  
Tommy Hallinans, Kilgobnet, Dungarvan

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