

## Case Memorandum

|                                                                                 |                           |
|---------------------------------------------------------------------------------|---------------------------|
| <b>To:</b> Mr. Christopher Byrne<br>Administrative Assistant                    | <b>CC:</b>                |
| <b>From:</b> Ms. Muiríosa Cassells<br>Executive Officer                         |                           |
| <b>Date:</b> 17th September 2013                                                | <b>File No:</b> 03 239378 |
| <b>Re:</b> Construct six turbine wind farm.<br>Coor West, Shanavogh, Co. Clare. |                           |

Please issue the following letters

1. Bp 70 to issue to pa re applicants response dated 9th August, 2013. *-Allow 4 weeks*
2. BP7~~7~~ to issue to applicant - Allow 4 weeks requesting revised notice. Please also prepare revised notices, as attached.
3. Please issue letter as attached to DAU - Allow 4 weeks.
4. Please issue BP77 to all other observers for their information. *(BP72)*

*(BP70<sup>s</sup> + 72 - for my signature please)*





SITE NOTICE

An Bord Pleanála

Notice of Planning Appeal

Clare County Council

Planning Register Reference Number:P11/360

Appeal Reference Number PL03.239378

An appeal has been made to An Bord Pleanála against the decision made on the 12th day of July, 2011 by Clare County Council bearing the above planning reference number which decision was to refuse permission to McMahon Finn Wind Acquisitions Limited. The application to the planning authority was described as an application for permission for development comprising the construction of a wind farm, with 6 wind turbines, with a hub height of 85 metres and rotor diameter of 82 metres, electrical substation and control building, internal road system, borrow pits, temporary construction compound and all associated site and ground works at the townlands of Coor West, Shanavogh East and Shanavogh West, County Clare. The application was accompanied by an Environmental Impact Statement.

The Board has received significant further information which include a change to the proposed layout of the wind farm and a reduction in turbines from six to four and changes to the Environmental Impact Statement.

The application and significant revised proposals may be inspected at the offices of Clare County Council at Áras Contae an Chláir, New Road, Ennis, Co. Clare.

This notice is being erected at the request of An Bord Pleanála.

Any person may make written submissions or observations to the Board in relation to the application within four weeks beginning on the date of erection of this notice. Any such submissions or observations must be accompanied by the statutory fee of €50, unless the submissions or observations are made by certain prescribed bodies, and should be addressed to The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.

This notice was erected on .....,2013.

5

NEWSPAPER NOTICE

An Bord Pleanála

Notice of Planning Appeal

Clare County Council

Planning Register Reference Number:P11/360

Appeal Reference Number PL03.239378

An appeal has been made to An Bord Pleanála against the decision made on the 12th day of July, 2011 by Clare County Council bearing the above planning reference number which decision was to refuse permission to McMahon Finn Wind Acquisitions Limited. The application to the planning authority was described as an application for permission for development comprising the construction of a wind farm, with 6 wind turbines, with a hub height of 85 metres and rotor diameter of 82 metres, electrical substation and control building, internal road system, borrow pits, temporary construction compound and all associated site and ground works at the townlands of Coor West, Shanavogh East and Shanavogh West, County Clare. The application was accompanied by an Environmental Impact Statement.

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The application and significant revised proposals may be inspected at the offices of Clare County Council at Áras Contae an Chláir, New Road, Ennis, Co. Clare.

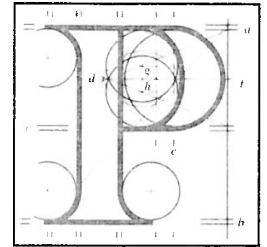
This notice is being published at the request of An Bord Pleanála.

Any person may make written submissions or observations to the Board in relation to the application within four weeks beginning on the date of publication of this notice. Any such submissions or observations must be accompanied by the statutory fee of €50, unless the submissions or observations are made by certain prescribed bodies, and should be addressed to the Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.

Date of publication

**Our Ref:** PL 03.239378  
**P.A.Reg.Ref:** 11/360  
**Your Ref:** McMahon Finn Wind Acq. Ltd.

An Bord Pleanála



Inis Environmental Services.  
Edenvale,  
Ennis,  
Co. Clare.

19th September 2013

**Appeal**                      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Sir/Madam,

I have been asked by the Board to refer to the above-mentioned appeal.

The Board is of opinion that the public notice does not comply with the statutory requirements. You are hereby required, under section 142(4) of the Planning and Development Act 2000, to publish (in a newspaper which has been approved in accordance with the Planning and Development Regulations 2001 to 2011) a revised notice in the form set out in the attached document headed "newspaper notice".

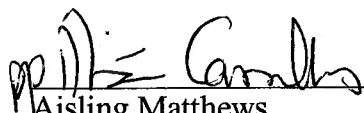
In addition to the newspaper notice, the Board requires the erection of a site notice. The site notice should be in the form set out in the attached document headed "site notice". The site notice should be inscribed or printed in indelible ink on a **white background**, affixed on rigid, durable material and secured against damage from bad weather and other causes, and should be securely erected or fixed in a conspicuous position on or near the main entrance to the land or structure concerned from a public road, or where there is more than one entrance from the public roads, on or near all such entrances, or on any other part of the land or structure adjoining a public road, so as to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time. **The site notice should state when it was erected.** The site notice should be renewed or replaced if it is removed or becomes defaced or illegible within the period of **4 weeks** during which it is open to observers to make submissions to the Board. **The site notice should be erected on the day of the publication of the newspaper notice.**

The Board is of the opinion that the new notice, which may be in Irish or English, is necessary for the purpose of enabling it to determine the appeal and in accordance with section 132 of the Planning and Development Act 2000 you are required to submit, to the Board on or before **16th October 2013**, a statement to the effect that the site notice has been erected on the site in accordance with the Board's requirements, a copy of that notice together with a copy of the page of the newspaper in which the notice has appeared.

If the particulars requested are not received before the end of the specified period, the Board will dismiss/otherwise determine the appeal without further notice to you in accordance with section 133 of the 2000 Act. Your submission in response to this notice must be received by the Board not later than **5.30 p.m. on the date specified above.**

Please quote the above appeal reference number in any further correspondence.

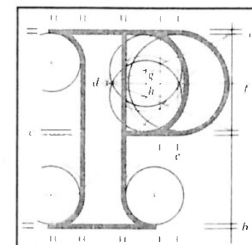
Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Aisling Matthews', is written over a horizontal line.

Aisling Matthews  
Executive Officer  
Direct Line:01-8737131

BP72

**Registered Post**



The Secretary,  
Planning Section,  
Clare County Council  
Economic Development & Planning Dept  
Aras Contae an Chláir,  
New Road, Ennis,  
Co. Clare.

19th September 2013

**Appeal**                      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Sir/Madam,

I have been asked by An Bord Pleanála to refer to the above mentioned appeal.

The Board is of opinion that, in the particular circumstances of this appeal, it is appropriate in the interests of justice to request you to make submissions or observations in relation to the enclosed submission dated 9th August 2013 received from Inis Environmental Consultants, on behalf of McMahon Finn Wind Acquisitions Ltd in response to a statutory notice issued by the Board, (copy attached).

In accordance with section 131 of the Planning and Development Act 2000 you are requested to make any submissions or observations that you may have in relation to this enclosure on or before **16th October 2013**. The Board cannot consider comments that are outside the scope of the matter in question. Your submission in response to this notice must be received by the Board not later than **5.30 p.m. on the date specified above**.

If no submission or observation is received before the end of the specified period, the Board will proceed to determine the appeal without further notice to you, in accordance with section 133 of the 2000 Act.

Please quote the above appeal reference number in any further correspondence.

Yours faithfully,

Aisling Matthews  
Executive Officer  
Direct Line: 01-8737131  
BP 70

**Registered Post**

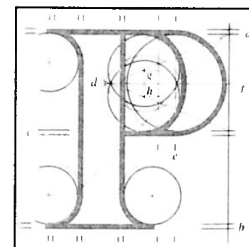






**Our Ref:** PL 03.239378  
**P.A.Reg.Ref:** 11/360  
**Your Ref:** NPWS

An Bord Pleanála



National Parks & Wildlife Service,  
C/o the Development Applications  
Unit, Dept. of E.H.&L.G.,  
Newtown Road,  
Co. Wexford.

19th September 2013

**Appeal**                      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Sir/Madam,

I have been asked by An Bord Pleanála to refer to the above mentioned appeal.

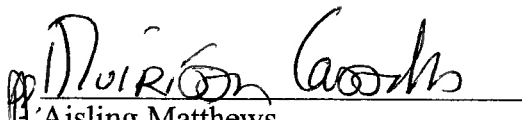
The Board is of opinion that, in the particular circumstances of this appeal, it is appropriate in the interests of justice to request you to make submissions or observations in relation to the enclosed submission in the form of a CD dated 9th August 2013 received from Inis Environmental Consultants, on behalf of McMahon Finn Wind Acquisitions Ltd in response to a statutory notice issued by the Board, (copy attached).

In accordance with section 131 of the Planning and Development Act 2000 you are requested to make any submissions or observations that you may have in relation to this enclosure on or before **16th October 2013**. The Board cannot consider comments that are outside the scope of the matter in question. Your submission in response to this notice must be received by the Board not later than **5.30 p.m. on the date specified above**.

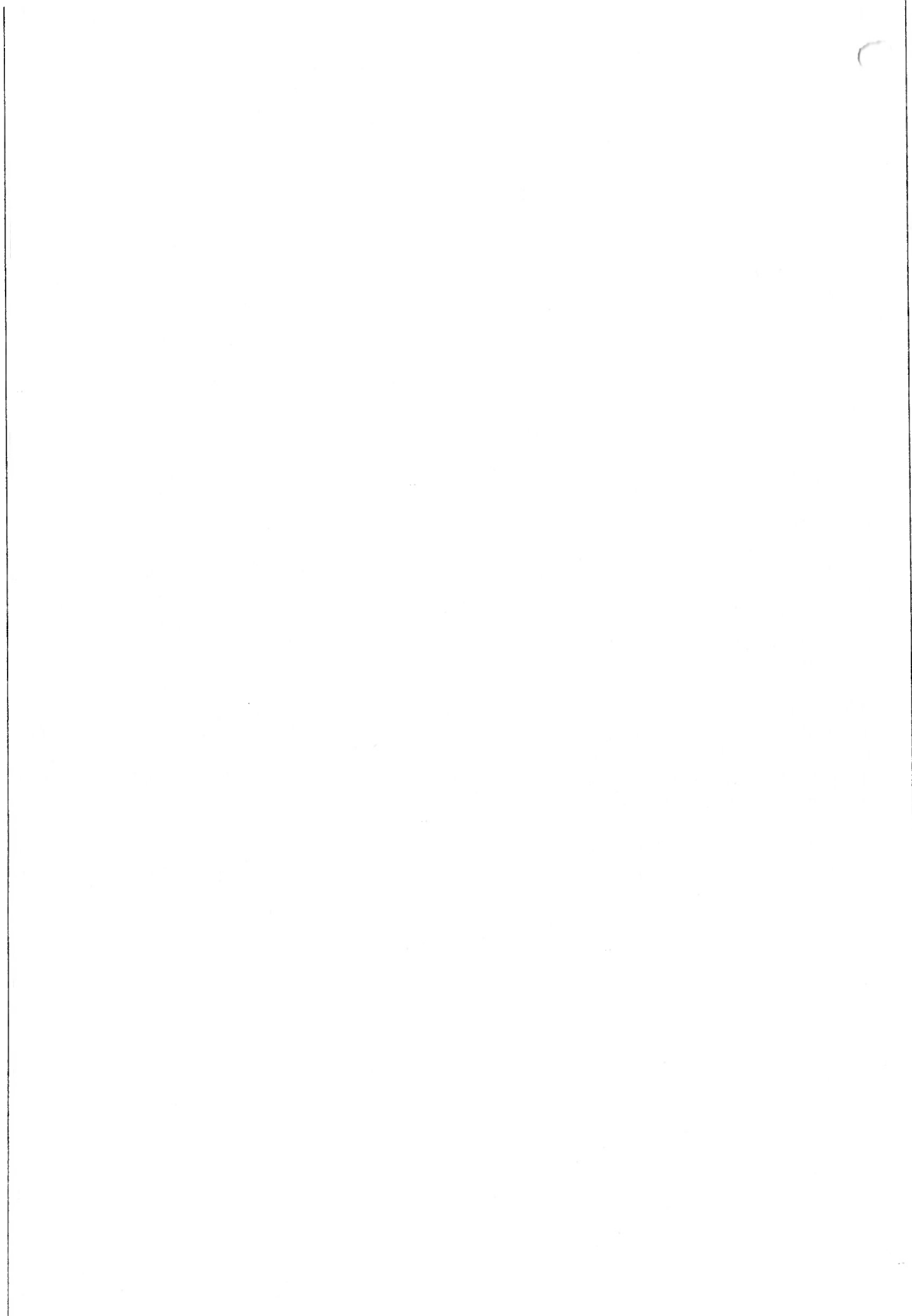
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Please quote the above appeal reference number in any further correspondence.

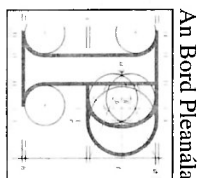
Yours faithfully,

  
Aisling Matthews  
Executive Officer  
Direct Line: 01-8737131  
BP 70

**Registered Post**



**Our Ref:** PL 03.239378  
**P.A.Reg.Ref:** 11/360



The Secretary,  
Planning Section,  
Clare County Council  
Economic Development & Planning Dept  
Aras Contae an Chláir,  
New Road, Ennis,  
Co. Clare.

19th September 2013

**Appeal**      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

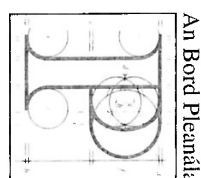
Dear Sir/Madam,

Enclosed for your information is a copy of a statutory notice issued by the Board in relation to the above-mentioned appeal.

Yours faithfully,

  
Christopher Byrne  
Administrative Assistant  
Direct Line: 01-8737134

Encl:  
BP 77



**Our Ref:** PL 03.239378  
**P.A.Reg.Ref:** 11/360  
**Your Ref:**

Sallyann and Michael Marron,  
No 42 Coore East,  
Mullagh,  
Co. Clare.

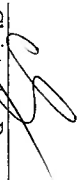
19th September 2013

**Appeal**      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Sir/Madam,

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Christopher Byrne  
Administrative Assistant  
Direct Line: 01-8737134

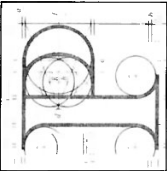
Encl:  
BP 77

Our Ref: PL 03.239378

P.A.Reg.Ref: 11/360

Your Ref:

An Bord Pleanála



Kevin Deering and Peter Crossan.  
Swanlinbar,  
Co. Cavan.

19th September 2013

**Appeal**

**Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Sirs,

Enclosed for your information is a copy of a statutory notice issued by the Board in relation to the above-mentioned appeal.

Yours faithfully,

  
Christopher Byrne  
Administrative Assistant  
Direct Line: 01-8737134

Encl:

BP 77

Tel: (01) 858 8100 Tel  
Glan Anmól 1890 255 175 LoCall  
Fax: (01) 872 2684 Fax  
Luthrean Gréasán www.pleanala.ie Web  
Rannphost fard@pleanala.ie Email

64 Strand Marlbrough,  
Rath, Atha Cliath 1  
Dublin 1



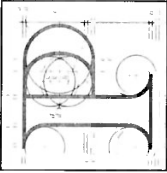
64 Strand Marlbrough Street  
Dublin 1

Our Ref: PL 03.239378

P.A.Reg.Ref: 11/360

Your Ref:

An Bord Pleanála



Jutta Kruse.  
Shanaway,  
Miltown Malbay,  
Co. Clare.

19th September 2013

**Appeal**

**Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Madam,

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Yours faithfully,

  
Christopher Byrne  
Administrative Assistant  
Direct Line: 01-8737134

Encl:

BP 77

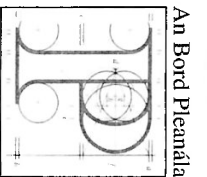
Tel: (01) 858 8100 Tel  
Glan Anmól 1890 255 175 LoCall  
Fax: (01) 872 2684 Fax  
Luthrean Gréasán www.pleanala.ie Web  
Rannphost fard@pleanala.ie Email

64 Strand Marlbrough,  
Rath, Atha Cliath 1  
Dublin 1



64 Marlbrough Street,  
Dublin 1

**Our Ref:** PL 03.239378  
**P.A.Reg.Ref:** 11/360  
**Your Ref:**



Michael McNamara T.D.  
Leinster House,  
Kildare Street,  
Dublin 2.

19th September 2013

**Appeal**      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Deputy,

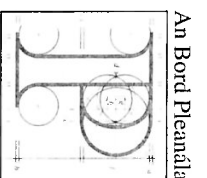
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Christopher Byrne  
Administrative Assistant  
Direct Line: 01-8737134

Encl:  
BP 77

**Our Ref:** PL 03.239378  
**P.A.Reg.Ref:** 11/360  
**Your Ref:** Obj. & other res. of Coor etc.



Environmental Management Services,  
Outer Courtyard,  
Tullyally,  
Castlepollard,  
Co. Westmeath.

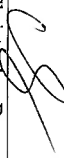
19th September 2013

**Appeal**      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Sir/Madam,

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Administrative Assistant  
Direct Line: 01-8737134

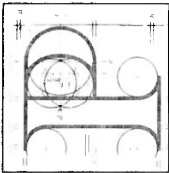
Encl:  
BP 77

Our Ref: PL 03.239378

P.A.Reg.Ref: 11/360

Your Ref:

An Bord Pleanála



The Heritage Council,  
Áras Na hOidhreacht  
Church Lane,  
Kilkenny.

19th September 2013

**Appeal**      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Secretary,

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Yours faithfully,

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Administrative Assistant  
Direct Line: 01-8737134

Encl:  
BP 77

Tel: (01) 858 8100 Tel  
Glas Ánail 1890 275 175 LoCall  
Fax: (01) 872 2664 Fax  
Lathlean Grianam [www.pleanala.ie](http://www.pleanala.ie) Web  
Roinnphost [bord@pleanala.ie](mailto:bord@pleanala.ie) Email



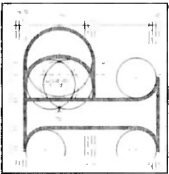
64 Sand Maolbhríde,  
Baile Yha Cluath 1  
Dublin 1

Our Ref: PL 03.239378

P.A.Reg.Ref: 11/360

Your Ref:

An Bord Pleanála



An Chomhairle Ealaíon,  
70 Merrion Square,  
Dublin 2.

19th September 2013

**Appeal**      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

Dear Sir/Madam,

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Christopher Byrne  
Administrative Assistant  
Direct Line: 01-8737134

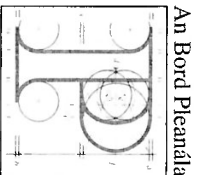
Encl:  
BP 77

Tel: (01) 858 8100 Tel  
Glas Ánail 1890 275 175 LoCall  
Fax: (01) 872 2664 Fax  
Lathlean Grianam [www.pleanala.ie](http://www.pleanala.ie) Web  
Roinnphost [bord@pleanala.ie](mailto:bord@pleanala.ie) Email



64 Sand Maolbhríde,  
Baile Yha Cluath 1  
Dublin 1

**Our Ref:** PL 03.239378  
**P.A.Reg.Ref:** 11/360  
**Your Ref:**



Fáilte Ireland,  
88-95 Amiens Street,  
Dublin 1.

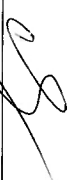
19th September 2013

**Appeal**      **Re:** Construct six turbine wind farm.  
Coor West, Shanavogh, Co. Clare.

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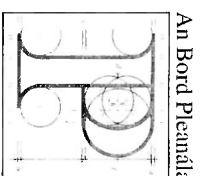
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Yours faithfully,

  
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Christopher Byrne  
Administrative Assistant  
Direct Line: 01-8737134

Encl:  
BP 77

**Our Ref:** PL 03.239378  
**P.A.Reg.Ref:** 11/360  
**Your Ref:** NPWS



National Parks & Wildlife Service,  
C/o the Development Applications  
Unit, Dept. of E.H.&L.G.,  
Newtown Road,  
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19th September 2013

**Appeal**      **Re:** Construct six turbine wind farm.  
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Christopher Byrne  
Administrative Assistant  
Direct Line: 01-8737134

Encl:  
BP 77





## Case Memorandum

|                                                                                 |                           |
|---------------------------------------------------------------------------------|---------------------------|
| <b>To:</b> Ms. Fionna O'Regan<br>Board Member                                   | <b>CC:</b>                |
| <b>From:</b> Ms. Helen Murphy<br>Executive Officer                              |                           |
| <b>Date:</b> 14th August 2013                                                   | <b>File No:</b> 03 239378 |
| <b>Re:</b> Construct six turbine wind farm.<br>Coor West, Shanavogh, Co. Clare. |                           |

In accordance Board Direction dated 25th January 2013 a section 132 notice issued to the 1st party appellant by letter dated 13th February 2013; last day for response 13th August 2013.

The appellant's response, which contains a letter on file with CD attached and 2 folders attached to the file was received within the statutory time.

Please advise if it is considered necessary to circulate this submission to parties having regard to section 131 of the Act.

File herewith for direction/decision.

*Please circulate to parties and to NPWS  
for comment, and readvertise  
public notices.*

*F O'Regan 05/09/13*

