

File With Section

SECTION 131 FORM

Project No. BP 03.239378.Defer Re O/E ☐Planning considered the content of the submission dated received 2/9/11 fromK Deery + P. Crossan

I recommend that section 131 of the Planning and Development Act 2000

be involved at this stage for the following reason(s):

No new issuesTo: Bod TiesumDate: 9/9/11Section 131 not to be involved at this stage. ☐Section 131 to be involved allow 2/4 weeks for reply. ☐

To: _____

Date: _____

To: _____

Date: _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached submission

to: _____

Allow 2/4 weeks - BP _____

To: _____

Date: _____

To: _____

Date: _____

File with: _____

OBSERVER FORM

Appeal No: PL OS. 239378

S.37

Received: <u>2/9/11</u>	Date Appeal Lodged: <u>8/8/2011</u>
	Date Last Appeal Lodged: <u>-</u>
	Date of E.I.S. Publication: <u>-</u>

Name: K. Deery + P. Crossan

Address/Apart: Swerlinbar, Co. Cavan

Status: Invalid - (insert reason):

VALID	INVALID
MS <u>Slaney</u>	1. RETURN TO SENDER with BP _____
1. Acknowledge with BP <u>40</u>	2. Keep envelope ☐
2. Keep copy of Board letter ☐	3. Keep copy of Board letter ☐
3. Prepare refund form ☐	4. Prepare refund form ☐

Attach to file ☒

(a) R/S ☐	(d) Screening ☐	RETURN TO EO ☐
(b) Mapping ☐	(e) Inspectorate ☐	
(c) Processing ☐		

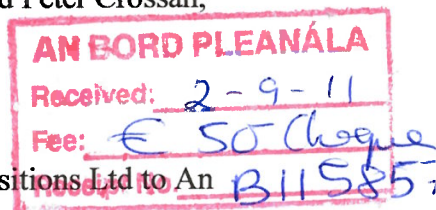
EO: [Signature] AA: Liam Slaney

Date: 5/9/11 Date: 05/09/11

Comments:

To An Bord Pleanála,
64 Marlborough Street,
Dublin 1

From Kevin Deering and Peter Crossan,
Swanlinbar,
County Cavan.
Date 01/09/2011.



Re Planning number 11/360. Appealed by McMahon Finn Wind Acquisitions Ltd to An Bord Pleanála on 08/08/2011.

Dear Sir/ Madam,

We agree with Clare County Council's decision to turn down the above proposed six wind turbine development at Shanavogh West and East and Coor West, Mullagh County Clare for the following reasons.

As stated in the planners report on the refusal of the above proposed wind farm, one cannot get away from the fact that the proposed development will seriously injure the amenities of residential property in the vicinity by reason of impact of noise, shadow flicker and visual overbearing and this will depreciate the value of property in the vicinity. Best international practise as demonstrated by the Australian Government that a set back policy that stops construction of wind turbines within two kilometres of houses without consent of the owner is not allowed. In the above proposed application the house is only four hundred metres away.

The developer states that further information should have been requested by Clare County Council, but this misses the point, that the initial Environmental Impact Statement was totally inadequate. The bat survey submitted to the An Bord Pleanála, is still inadequate only four days and four nights for a protected species under European Law, as stated in my original objection a spring, summer and autumn survey should take place. We also know nothing of bat migration within Ireland. Also a bat survey should be mandatory with every initial Environmental Impact Statement and should not be requested by the council in further information. Also no all year round bird survey took place;

There is no mention of the cumulative visual impact of the other permitted wind farms of the surrounding area. These wind turbine power stations are not traditional structures and do not match any previous height or design and are totally alien in this stunning County Clare landscape. The movement of the blades draw the eye and add emphasis to the intrusion in the landscape setting of these strong vertical features. This is a fatal flaw. The lame excuse given is that as a protocol Mosart do not show permitted but not yet constructed wind farms on the standard photomontages as there is no certainty that a permitted scheme will be built, to do so might cause confusion and also prevent the subject wind farm being assessed firstly on its own merits. One of the main reasons it was turned down was because of the overbearing visual impact it would have. This is not proper planning for the future.

Please abide by Clare County Council's decision to turn this wind farm down.

Yours Sincerely,

Kevin Deering and Peter Crossan.

*Kevin Deering & Kevin Deering
for Peter Crossan*





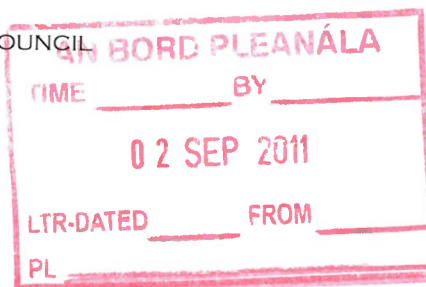
Handwritten text in a non-Latin script, possibly a signature or a note, located at the bottom of the page.



COMHAIRLE
CONTAE AN CHLÁIR

CLARE
COUNTY COUNCIL

**KEVIN DEERING & PETER CROSSAN
SWANLINBAR
CO. CAVAN**



P11/360

THIS IS AN IMPORTANT DOCUMENT!
**KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE
THIS ACKNOWLEDGEMENT TO AN BORD PLEANÁLA IF YOU WISH TO
APPEAL THE DECISION OF THE PLANNING AUTHORITY.**

PLANNING AUTHORITY NAME: CLARE COUNTY COUNCIL

PLANNING APPLICATION REFERENCE NO. P11/360

*A submission/observation in writing has been received from **KEVIN DEERING & PETER CROSSAN SWANLINBAR, CO. CAVAN**, , on 17/06/2011 in relation to the above mentioned planning application reference number.*

*The appropriate fee of **€20** has been paid.*

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001-2010 and will be taken into account by the Planning Authority in its determination of the planning application.

Signed:

Carmel Kiernan,
Assistant Staff Officer,
Planning, Land Use & Transportation

Date: 17/06/2011



Pleanáil, Úsáid Talún agus Iompar
Áras Contae an Chláir, Bothar Nua, Inis, Co. an Chláir

Planning, Land Use & Transportation
Áras Contae an Chláir, New Road, Ennis, Co. Clare

☎: 065 6846232 F : 065 6892071 ✉: planoff@clarecoco.ie 🌐: www.clarecoco.ie

Fostóir comhionannas deiseanna is ea
Comhairle Contae an Chláir,
a chuireann fáilte roimh
iarratais ón bpobal i gcoitinne



Clare County Council is an
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sections of the Community

100% Recycled Paper

Planning Section
Aras Coisce an Chlaire
New R
Ennis
Co Clare

17/06/2011 10:01:13

Receipt No : LIPLAN 0 52831

KEVIN DEERNA
SWANLINBAR
CO. CAVAN

AN BORD PLEANALA

TIME BY

02 SEP 2011

LTR-DATED FROM

PLANNING FEES 20.00

PLANNING
GOODS
VAT Exempt Non-Vatiable
P11-360

Total : 20.00 EUR

Tendered :
CHEC 20.00

Change : 0.00

Issued By : LIPLAN - Sile Cúinill
From : PLANNING OFFICE CASH POINT
Vat reg No 6053043E

DATE	TIME	BY	REMARKS
05 SEP 2011	11:05	PA	NO DATA