



An
Bord
Pleanála

Memorandum PL04.248153

To: 1. Ms. Nora Ryan, Senior Executive Officer
2. Mr. Conall Boland, Deputy Chairperson

From: Ms. Jennifer Sherry, Executive Officer

Re: 6 no. Wind Turbines
Lackareagh and Garranereagh, Lissarda and Barnadivane, Terelton,
Co. Cork

Date: 11/10/2017

NR. 11/10/17

The attached remitted appeal was considered at Board meetings held on the 7th July, 2017 and on 30th August, 2017.

The Board noted the terms of a High Court order dated 1st November, 2016 and directed that the applicant for planning permission, response(s) to both third party appeals be circulated for comment to all other parties and observers to the appeal under section 131 of the Planning and Development Act, 2000.

In addition, the Board directed that all parties to the case be requested/invited to make any general submissions/observations on the planning application having regard to the quashing of the previous decision and the general elapsement of time.

The Board assessed these responses for circulation under section 131 of the Planning and Development Act, 2000 (as amended) and directed that both the applicant and Planning Authority are invited to comment on the observations received from:

(PTO) →

- O'Leary (received by ABP on 8th August, 2017)
- Hodgkinson (received by ABP on 4th August, 2017) and
- Noonan et al Solicitors (received by ABP on 2nd August, 2017).

It came to light following confirmation from Noonan Linehan Carroll Coffey agent for the appellant Barna Wind Action Group they did not receive the Boards request dated 10th July, 2017. However, they did receive the Boards request dated 10th July, 2017 for appeal number PL04.248152 which is travelling in conjunction with this appeal for which they responded on 2nd August, 2017 as referred to in the Boards direction.

A letter was re-issued to Noonan Linehan Carroll Coffey agent for Barna Wind Action Group on 13th September, 2017 with a copy of the High Court order, submissions dated 6th and 7th January, 2016 received from Fehily Timoney and Company for any submissions or observations and any further general submissions or observations on the planning application the subject of the appeals. The last day for response was 10th October, 2017.

A response was received from Noonan Linehan Carroll Coffey on 6th October, 2017 by email and 9th October, 2017 by hard copy. This submission has not been assessed for circulation under section 131 of the Planning and Development Act, 2000.

Furthermore, it was decided to wait to invoke section 131 as per the Boards direction on 30th August, 2017 until a response was received from Noonan Linehan Carroll Coffey to the Boards letter dated 13th September, 2017.

File submitted for direction.

Jennifer, please proceed with cross circulation as per Board Direction dated 31st August - please include the latest submission received from NLCC in October 2017 in this cross-circulation exercise. Carol Boland 17-10-2017