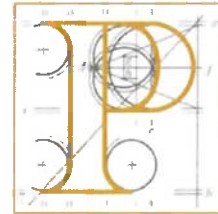


Our Case Number: ABP-316212-23



An
Bord
Pleanála

Paul and Ailish McKeown
Robinstown
Ballivor
Co. Meath

Date: 15 February 2024

Re: Proposed development of 26 no. wind turbines and associated works.
at the Ballivor Bog Group, Co. Meath and Co. Westmeath.

Dear Sir / Madam,

An Bord Pleanála has received your recent letter in relation to the above mentioned case. The contents of your letter have been noted.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Ashling Doherty
Executive Officer
Direct Line: 01-8737160

PA36

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Ashling Doherty

From: Ailish Mckeown <ailishmckeown42@gmail.com>
Sent: Monday 12 February 2024 15:43
To: SIDS
Subject: REF ABO -316212-23
Attachments: doc03356820240212154631.pdf

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

FAO: Executive Officer Ashling Doherty,

Please see attached documents.

Regards,
Paul and Ailish Mc Keown
and on behalf of Michael Mc Keown

Submission to: An Bord Pleanála, 64 Marlborough St, Dublin 1

Person making the submission: Paul and Ailish Mc Keown Robinstown Ballivor Co Meath

Planning Application: Wind Farm Development including 26 turbines and all associated works

Proposed location: Ballivor Bog Group, County Meath and County Westmeath

Planning Applicant: Bord na Móna Powergen LTD.

Submission Case reference: PA25M.316212,

First Observations date by Paul and Ailish Mc Keown: June 2nd 2023

Response by Applicant to Observations, as publicised: Jan 22nd 2024

Observations to response by Paul and Ailish Mc Keown: Feb 12th 2024.

This submission makes objective observations on the response of the applicant Bord na Mona Powergen LTD, via its contracted Planning & Environmental Consultants group MKO. This response doc is referred to as “BRD” from hereon, in this submission to An Bord Pleanála. It is the general observation of this submission that 3 weeks is an inappropriate amount of time for members of the public to adequately review and comprehensively respond to Bord na Mona’s responses. While Bord na Mona has had the opportunity to engage paid consultants MKO over many months, the impacted communities, being amateur in the very complex area of planning, are afforded just 3 weeks to defend their rights and that of the environment (flora, fauna, ecosystems), which is often without voice in these matters.

Looking at the response document in totality, it is clear that the direction from Bord na Mona to their consultants MKO, is to not change anything with respect to scope and extent of the proposed windfarm, irrespective of the substantive nature of all observations made on the original application.

Subject Matter of this submission and related observations:

In Section 2.1.19 (pg 64) of the BRD, it is stated that the applicant “confirm that they are either the registered owner of the lands, or the party entitled to be the registered owner, pursuant to dealings pending in the Property Registration.”

There are many plots of land within the footprint which are under legal contest between owner (per PRAI) and Bord na Mona:

My Parents, Michael and Elizabeth Mc Keown are the legal registered owners of the property. MH5079F Bord na Mona Energy have lodged an application with the Property Registration Authority seeking to become registered owner of these lands on foot of an application under Ref: D2021LR060243N. they have instructed their Solicitors to object to this application, and have caused a replying affidavit to be lodged with the Property Registration Authority outlining the fact that our family have been in undisputed possession of this property, that we have continuously used the property to the exclusion of Bord na Mona and their successors for upwards of 40 years.

Wind Energy Guidelines

Section 2.2.21 (Planning) of the BRD seeks to portray the applicant as adhering to sections of the current Wind Energy Guidelines, through the choosing of singular context sections such as “Aesthetically tall turbines would be most appropriate” in “flat peatland” areas, per DoEHLG (2006) guidelines”.

However, the situation remains that 26 turbines of 200m height will utterly dominate what is a flat open landscape, with visibility of 30km in distance. Adding the currently consented and additional 9 x 185m Bracklyn turbines, plus associated wind masts, then the cumulative visually impact is utterly dominant. The cumulative windfarm footprint is surrounded on all sides by relatively densely populated rural residence.

Once again, we reiterate the following, which has not been adequately taken into account:

The Development proposed consists of 26 large wind turbines 5 of which are in 1km of our newly built house. This will obstruct our view of a beautiful undisturbed peatland which is home to thousands of unique species. Our current view is one of the reasons we decided to build our dream home at this site. The construction of these turbines is taking away our view from our dream home. The current view of the peatland plays a vital role in our everyday lives and the removal of it would have severe consequences on our wellbeing and mental health.

Furthermore, the Wind Energy Development Guidelines latest draft of December 2019, although not yet formally in place, does represent the consolidated view of 1000's of submissions over several years and includes the following in relation to Landscape Character Assessment:

“Landscape character is the distinct, recognisable and consistent pattern of elements that occur in a particular landscape and how these are perceived. The sensitivity of a landscape is a measure of its ability to accommodate change or intervention, without suffering unacceptable effects to its character. Differing landscapes, based on their sensitivity, have the capacity to absorb different levels of development.”

Taking the above into consideration, this submission requests that the planning Inspector have due regard to the proposed development scale and impact on resident's amenities and associated human activities. This is not a sparsely populated area.

Road Traffic:

The Response document has not adequately dealt with our observations made regarding our concerns with road traffic. It seeks to portray minimal impact on the local roads and environment by focussing responses on narrow events such as Turbine component movements or concrete foundation pours. “The disturbance that the increase in traffic on our road (R156) as well as the dust created by the movement of large lorries, the extraction of gravel from borrow pits located on the wind farm and the general noise associated with a construction site will have a negative impact on our everyday lives.” This submission requests that the Bord considers the totality of the 90,000 HGVs using over a 2 year period and at minimum reduces significantly the size of the proposed windfarm. The Inspector should also consider the construction overlap of the consented Bracklyn windfarm which has not yet commenced construction.

The response document in Section 2.1.17 references just one school and not the many schools of the area which will experience very significant traffic and associated safety concerns. The response document states as follows: “One measure that may be considered would be to minimise the HGV deliveries made to and from the site at the start and end of the school day”. The obvious

lack of commitment to addressing community concerns is extremely disappointing.

Biodiversity – Marsh Fritillary

Although the response document confirms the Marsh Fritillary as a Key Ecological Receptor, this submission assesses its general response as inadequate. The response from MKO seeks to portray risk to habitat and population of this legally protected species, as per original application. This submission makes the following observation: taking an objective approach to its environmental impact, the developer must eliminate all windfarm construction within a nominal 2km of the breeding and feeding habitat of the Marsh Fritillary butterfly, as referenced in the independent report of butterfly expert Jesmond Harding.

Loss of Habitats

This submission objects once again in the strongest terms to the destruction and loss of habitats. Studies have proven that the construction of these turbines in an area surrounded by natural flora and fauna and in a location that is the habitat to a wide variety of both insects and animals will result in an unprecedented damaging effect on our local wildlife. Bord na Mona's response document shows little regard for the retention of habitats and this submission observes that all suggested mitigations are in favour of the proposed development and not the environment.

Proximity to residential dwellings

This submission reiterates what it previously stated in regards to turbine separation distances from homes.

"Due to the proximity of the turbines to our home we object to the large-scale blades associated with the turbines moving so close to us which will cause shadow flicker and cause the sun's reflection at different times of the day. We also have serious concerns with the reflections or the red-light blinker on top of the turbine all day and all night which will eliminate our night sky. In effect our night sky is being taken from us."

The 2019 Draft guidelines direct that a "setback distance for visual amenity purposes of 4 times the tip height should apply between a turbine and the nearest point of the curtilage of any residential property in the vicinity of the proposed development".

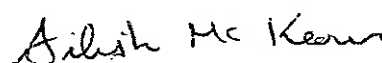
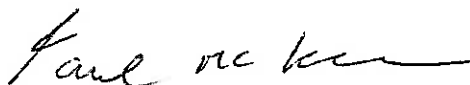
The response document does not deal adequately with this observation at any point.

The inspector must ensure that an independent separation distance measurement be conducted between proposed turbine locations and residential property curtilages, such that 2019 Guidelines can be met if and when implemented.

Furthermore, Section 2.1.6 does not adequately address our concerns of living next to the proposed windfarm, in that no shadow flicker should be experienced on people's homes or properties.

Submission coordinated & prepared by: Paul and Ailish Mc Keown

Date: 12th Feb 2024




12/02/24

TO WHOM IT MAY CONCERN.

I refer to Planning application lodged on behalf of Bord na Mona Energy in relation to a Wind Farm to be situate in the Townland of Robinstown Barony of Lune comprised in Part of Folio MH5079F. In their application Bord na Mona Energy have indicated that they are the legal and beneficial owners of these lands.

I along with my wife Elizabeth McKeown are the legal registered owners of the property. Bord na Mona Energy have lodged an application with the Property Registration Authority seeking to become registered owner of these lands on foot of an application under Ref: D2021LR060243N. I have instructed my Solicitors to object to this application, and I have caused a replying affidavit to be lodged with the Property Registration Authority outlining the fact that I and my family have been in undisputed possession of this property, that we have continuously used the property to the exclusion of Bord na Mona and their successors for upwards of 40 years. I further say that my son has recently been approached by a representative of Bord na Mona Energy, seeking to purchase these lands from us. This would clearly indicate that Bord na Mona Energy are not the legal or beneficial owners of the lands as otherwise they would not offer to purchase same.

Accordingly, I object to the inclusion of these lands in the application by Bord na Mona Energy and I would be obliged if you would please take this into account in considering the application.

Signed  .
Michael McKeown