

File With _____

SECTION 131 FORM

Appeal NO: ABP 318295- 23Defer Re O/H ☐

Having considered the contents of the submission dated/ received 13/9/24
 from

Applicant I recommend that section 131 of the Planning and Development Act, 2000
 be/not be invoked at this stage for the following reason(s): No new material planning issues

E.O.: Daniel O'ConnorDate: 18/9/24

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

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

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

Lisa Quinn

From: O'Brien Rory <Rory.Obrien@statkraft.com>
Sent: Friday, September 13, 2024 5:04 PM
To: Appeals2
Cc: Gallagher Cathal
Subject: Bilboa WF (ABP ref_ 318295-23) (CCC ref_22/340) - FIRST PARTY RESPONSE TO THIRD PARTY APPEAL
Attachments: Boolyvannanan Renewable Energy Ltd - Bilboa WF Appeal Reponse Letter ABP_318295-23.pdf; Bilboa_Appeal.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.

Dear Sir / Madam,

We the applicant, Boolyvannanan Renewable Energy Ltd would like to take this opportunity to provide a response to each of the 5 appeal points made by Justin and Susan Hayden and Mary Farrell in their planning appeal with respect to the Bilboa WF, CCC Planning Reg. No.: 22/340. Please find responses to each of the items in the attachment above below.

NB:

Please, with respect to this living planning application, can you remove all mentions of ERM as the agent for this application as ERM are no longer contracted to us. We would therefore request that all correspondence regarding this application, would be made out directly to us.

Kind Regards

Rory O'Brien

Project Manager
m: 087 406 3250
e: rory.obrien@statkraft.com

Statkraft Ireland Ltd.
Building 3400,
Cork Airport Business Park,
T12 AE76 Cork
www.statkraft.ie



Boolyvannanan Renewable Energy Ltd
Unit 10, Building 3400
Cork Airport Business Park
Cork, T12 AE76
Ireland

Date: 12/09/2024

An Bord Pleanála,
64 Marlborough Street,
Dublin 1
By E-mail

Re: Response to ABP's invitation to make a submission in relation to third party appeal against decision (22/340) of Carlow Co. Co. to grant permission to Boolyvannanan Renewable Energy Ltd for development which will consist of the erection of five wind turbines with turbine blade diameter of 117m and overall height to tip of 136.5m. one permanent meteorological mast, access road and internal tracks, electricity sub-station, temporary construction compound, turbine laydown area, control building, 1 borrow pit, crane hardstanding, underground cabling, up to approximately 18 hectares of forestry felling and all associated site works, with an operation lifetime of 30 years. The application is accompanied by a Planning Report, Environmental Impact Assessment, and Natura Impact Statement.

Dear Sir / Madam,

We acknowledge receipt of your correspondence dated 04 September 2024 and the enclosed third party appeal by Justin and Susan Hayden and Mary Farrell.

We the applicant, Boolyvannanan Renewable Energy Ltd would like to take this opportunity to provide a response to each of the 5 appeal points made by Justin and Susan Hayden and Mary Farrell in their planning appeal with respect to the Bilboa WF, CCC Planning Reg. No.: 22/340. Please find responses listed below.

- 1. We have our own drilled well supplying us with fresh clean drinking water and we are extremely worried about the water level, and the risk to our health and the health of our family from the possibility of pollution to our water supply. What guarantees can be given us that this will not happen?**

Boolyvannanan Renewable Energy Ltd Response:

As previously mentioned in section 3.3.2.3 RFI response issued to Carlow CC, the impact to hydrology has been examined in detail in Chapter 8 of the EIA Report which accompanied the WF application. Regarding hydrology cumulative effects, the assessment concludes that

Ecological surveys were completed prior to applying for planning permission and in some instances are still ongoing, the results of which have concluded that the impacts associated with the WF on local wildlife is minimal.

In addition, Carlow Co. Co. stipulated by way planning condition no. 10 of CCC ref.22/340 that the construction and decommissioning stages of the development shall be supervised by a suitably qualified and experienced environmental personnel and/or an ecological clerk of works to ensure that all mitigation measures in relation to environmental management and protection are carried out and implemented in full and to ensure impacts on the environment are minimised.

- 4. This purposed wind farm is very close to homes in the area, and to date we have no commutations from the company of how far these new bigger turbines are away from our homes in the area we ask An Bord pleanala to look into this, also flight path which we often see planes and helicopter's fly low across the hill.**

Boolyvannanan Renewable Energy Ltd Response:

The overall tip height of the proposed turbines is the same as what was previously applied for in 2011 and in 2021 i.e. 136.5m as well as the location of the the five turbines. The only item of difference between what was consented previously and what is currently proposed is the rotar diameter, which was increased in 2021 from 93m to 120m. It must be noted that the overall tip height has not changed in the intervening period from 2011 to the current proposal.

In relation to fears surrounding potential flight path interference, CCC have stipulated by way of planning condition no. 15 that “

“Prior to the commencement of development, the developer shall consult with the Irish Aviation Authority (IAA) to agree an aeronautical obstacle warning light scheme for the wind farm.”

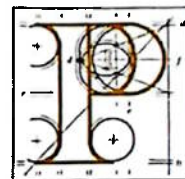
This correspondance to date has resulted in the IAA requiring that Fixed Red obstacle lighting be attached to Turbine's No. 1, 3, and 5.

- 5. Lastly, as our residence where we have lived for many years, is situated very close to this proposed site with the height and the blades we feel our enjoyment of the peace and tranquillity of our area would be destroyed by the noise pollution and visual pollution height and blade diameter of these turbines.**

Boolyvannanan Renewable Energy Ltd Response:

On behalf of Statkraft it is regrettable to be unable to entirely screen out the all of wind turbines from the viewpoint of your property however it must be noted that windfarms are a very common feature on the Irish landscape these days and are essential to the nation reaching the stated goal achieving of 80% renewable energy by 2030. It is also a stated objective of Carlow Co. Co. under WE O1 of the Carlow County Development Plan 2022-2028 to

Our Case Number: ABP-318295-23
Planning Authority Reference Number: 22340
Your Reference: Boolyvannanan Renewable Energy Ltd



**An
Bord
Pleanála**

ERM Consultants
The Greenway Building
112-114 St Stephen's Green
Dublin 2
D02TD28

Date: 04 September 2024

Re: Construction of five wind turbines, meteorological mast, electricity sub station and associated site works. The application is accompanied by a Planning Report, Environmental Impact Assessment Report and a Natura Impact Statement.
Bilboa Wind Farm, land at Boolyvannanan and Coolnakisha, Bilboa, County Carlow.

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).


As a party to the appeal under section 129 of the Planning and Development Act, 2000, (as amended), you may make submissions or observations in writing to the Board within a period of 4 weeks beginning on the date of this letter.

Any submissions or observations received by the Board outside of that period shall not be considered and where none have been validly received, the Board may determine the appeal without further notice to you.

Please note when making a response/submission only to the appeal it may be emailed to appeals@pleanala.ie and there is no fee required.

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

Yours faithfully,


Ian Kelly
Administrative Assistant
Direct Line: 01-8737216

BP05

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

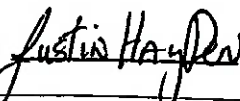
64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

ruined forever and we feel it would go against the Carlow County Development Plan regarding our quality of life here in Coolnakisha.

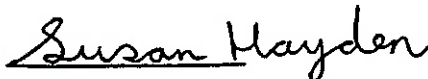
Enclosed €220 fee for objection.

Your sincerely

Justin Hayden



Susan Hayden



MICK Farrell <[REDACTED]>

To: Tina Minogue <[REDACTED]>

[Quoted text hidden]

Mon 16 Oct 2023 at 19:55

Let's big these turbines are going to be
3. I love my own well, which
supplies me with clean fresh
drinking water and I would be very
worried and the water level and with
the company building and digging
up the forest that could have
health issues for my family regarding
water pollution and I would be
afraid my well and water would
go dry.

I am asking An Bord Pleanála to
look into all of the points I have
written down and reject this planning
permission again, I feel where
I live, where in Coolno Kishla
would never be the same again
if these turbines were built

Yours Sincerely
Mary Ferrell
MARY FARRELL.