

# Validation Checklist

Lodgement Number : **LDG-069222-24**

Case Number : **ABP-318689-23**

Customer: **John Dooley**

Lodgement Date: **10/01/2024 15:48:00**

Validation Officer: **Daniel O'Connor**

PA Name: **Tipperary County Council**

PA Reg Ref: **2360763**

Case Type: **Normal Planning Appeal PDA2000**

Lodgement Type: **Observation / Submission**



An  
Bord  
Pleanála

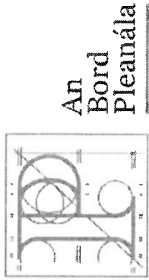
Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

BP40 to issue to observer with receipt enclosed Task-367459-24

Run at: 12/01/2024 17:21

Run by: Daniel O'Connor

Lodgement Cover Sheet - LDG-069222-24



318689

Details

Lodgement Date	10/01/2024
Customer	John Dooley
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-069222-24
Map ID	
Created By	James Gandolfi
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

Categorisation

Lodgement Type	Observation / Submission
Section	SIDs/LAPs

PA Name	Wexford County Council
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

Observation/Objection Allowed?	
Payment	PMT-053808-24
Related Payment Details Record	PD-053680-24

Observation

PA Case Number	
PA Decision Date	
County	
Development Type	
Development Address	
Appellant	
Supporting Argument	

Development Description	
Applicant	
Additional Supporting Items	

File With \_\_\_\_\_

## SECTION 131 FORM

Appeal NO: ABP 318689-23Defer Re O/H ☐Having considered the contents of the submission dated/ received 10/1/24  
fromJohn Doolery 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 issuesE.O.: Daniel & ConnorDate: 18/1/24

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 2/3/4 weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

## CORRESPONDENCE FORM

File With \_\_\_\_\_

Appeal No: ABP 318689 -23

M \_\_\_\_\_

Please treat correspondence received on 10/1/24 as follows:

1. Update database with new agent for Applicant/Appellant \_\_\_\_\_

2. Acknowledge with BP 20 403. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP \_\_\_\_\_

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

Amendments/Comments

Observation from John Dooley

## 4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: Daniel & ConnorAA: Smead WhiteDate: 12/1/24Date: 12/1/24

John Dooley  
6 Riverchapel Bank,  
Ardmine,  
Courtown,  
Co.Wexford  
Eircode Y25FF99

Friday 5 January 2024

Case Reference ABP - 318689-23.

<b>AN BORD PLEANÁLA</b>	
LDG-	<u>069222-24</u>
ABP-	
<b>10 JAN 2024</b>	
Fee: €	<u>50.00</u> Type: <u>PME</u>
Time:	<u>9.00am</u> By: <u>POST</u>

An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

#### Carraig Wind Farm

The wind energy guidelines need An SEA before a planning permission is even considered . Accepting an application for Planning Permission when An Bord Pleanála already accepts that the The Irish Wind Energy Guidelines do NOT have a legally required Strategic Energy Assessment is deceptive in that it gives the impression that planning permission granted is legal and cannot be removed. EU law does not allow for illegal gains to be acquired . If a legal action was to commence to enforce the ECJ judgement C-24/19 requiring the Wind Energy Guidelines to have An SEA , as they are plans and programs as set out in Directive 2001/42/EU, a constructed wind farm could be forced to close down.As the failure to enforce judgement C-24/19 can be referred back to the ECJ for enforcement.As the ECJ has already stated all consents granted using Wind Energy Guidelines not having An SEA should cease operating. This constructed wind farm could be forced to cease operating. Reference to the ECJ decision C-24/19 was made to Tipperary County Council Planning in my objection to giving planning permission to this wind farm. Which Tipperary County Council refused. But no mention of non compliance with C-24/19 was made in the planning permission refusal reasons.To continue to operate the wind industry is to continue to engage in illegal activity. It is clear what The ECJ has decided. The Wind Energy Guidelines are plans and programs set out in EU Directive 20001/42/EU as such the need A Strategic Environmental Assessment . Consents granted using Wind Energy Guidelines not having a Strategic Environmental Assessment are not compliant with EU Law and wind farm granted such consents must cease operating.The Irish and EU RNEAPS program were judged contrary to international law by the UNECE. When evaluating the compliance of The EU with the Aarhus Convention. The Aarhus Convention is an international Agreement, created to empower the role of citizens and civil society organisations in environmental matters and is founded on the principles of participative democracy. ,Signed by the EU Commission on behalf of the whole EU. Logically then planning permission must be refused for this Wind Farm . As the Wind Energy Guidelines used in the planning application do NOT have An SEA a legal requirement under EU Law as set out in decision C-24/19 of The European Court of Justice.



John Dooley

