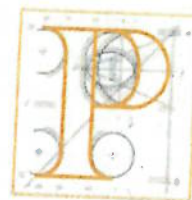


Our Case Number: ABP-322154-25

Planning Authority Reference Number: 2560003

Your Reference: Briskalagh Ltd



An
Coimisiún
Pleanála

Alan Clancy
MKO
Tuam Road
Galway
H91 VW84

Date: 15 July 2025

Re: For a period of 10 years for a development at the site. The development will consist of the provision of 7 no. wind turbines, and all ancillary works and apparatus. An Environmental Impact Assessment Report and Natura Impact Statement has been prepared in respect of the proposed development and accompany this application.

Townlands of Acragar, Ballyconra, Ballycuddihy, Ballyroe, Ballyroe (Grace), Ballyroe (Maher), Baunaniska, Boherkyle, Briskalagh, Brittas, Clone, Coolnapisha, Curraghduff, Freshford, Freshford Lots, Graigueswood, Grange, Huntstown, Kilmanagh, Knockeenglass, Knockown, Moatpark, Monabrika, Monavadaroe, Moneenaun, Oldtown, Oldtownhill, Parksgrove, Pi

Dear Sir / Madam,

I have been asked by An Coimisiún Pleanála to refer to the above-mentioned appeal.

The Commission has examined the appeal and is of the opinion that certain information is necessary for the purpose of enabling it to determine the appeal.

In accordance with section 132 of the Planning and Development Act, 2000, (as amended), you are required to submit, on or **before 7th October 2025**, the following information:

Biodiversity

1. You are required to submit an updated AA Screening Report and NIS which has regard to the changes to the SSCO for the River Barrow and River Nore SAC, as published on 6th June 2025.
2. It is noted that Otter is a QI species of European sites within the Zone of Influence (ZoI) of the proposed development (i.e. River Barrow and River Nore SAC [002162]). All aspects of the proposed development which could result in significant effects on Otter must be considered and assessed within the NIS. Mitigation measures designed to avoid any adverse effects on site integrity must be included and assessed for effectiveness within the NIS. In this regard, the Applicant is requested to submit a revised NIS which includes this information, including details of all Otter activity within all aspects of the proposed development (wind farm site, grid connection etc). Furthermore, the Applicant shall outline in detail their survey methodology for this QI species both within the proposed wind farm site and along the proposed grid connection route to determine its adequacy.

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3. The proposed grid connection route includes underground cabling works which will cross beneath the River Nore SPA [004233] which is designated for Kingfisher. It is noted that no information on the baseline noise conditions at this location and predicted noise/vibration levels associated with the HDD are included in the NIS such that potential significant disturbance effects on kingfisher can be determined. In this regard, the Applicant is requested to submit a revised NIS which responds to this issue which includes the provision of baseline noise conditions, noise/vibration levels associated with HDD, timing and duration of works etc. The Applicant shall also clearly outline the survey methodology adopted for Kingfisher along this section of the River Nore to determine its adequacy.
4. You are requested to submit a detailed site layout plan for the crossing of the River Nore where HDD is proposed. The submitted plan shall clearly identify the locations of the launch and reception pits on either side of the river along with details of all the proposed mitigation measures. A similarly detailed layout plan shall also be provided for all other locations where HDD is proposed along the grid connection route.
5. You are requested to submit an indicative landscape plan and section diagram for the proposed riparian buffer along the Tullaroan Stream (known locally as the Kilmanagh/Tullaroan River). This plan shall provide details of the proposed planting and protective fencing (if required).
6. You are requested to submit a site-specific plan and section diagram of the bridge crossing over the Tullaroan Stream between T6 and T7. The plan and section diagram shall include spot levels for the riverbed and banks and shall clearly illustrate the relationship between the proposed clear span bridge and the new access roads on either side of the watercourse. The plan shall also include details of the relevant mitigation measures required for the protection of water quality.
7. Noting the width of the existing access road leading from the site entrance on the L1009 (Kilmanagh Village) to T7 and the dimensions provided for the proposed and upgraded access roads (including its associated drainage), concerns are raised that the proposal will result in the loss of additional hedgerows and tree lines along this route. This includes a grouping of mature trees at the location where the new access road is proposed. In addition, it is noted that there are tree lines and dense hedgerows that entirely enclose a small field located directly to the north-east of T5, adjacent to the proposed spoil management area. The extent of hedgerow and tree loss would appear to be underreported given the extent of new access tracks proposed at this location. The Applicant is therefore requested to respond to this issue. Should further hedgerow removal/tree loss be required, this shall be clearly identified, and the extent of habitat loss should be updated within EIAR accordingly. It is also noted that the Applicant's Bat Survey Report (Appendix 6-2) should be updated to have regard to the additional hedgerow removal/tree loss on site, if required.
8. You are advised that updated guidance has recently been published from DHLGH on Regulation 54 derogation process for protected species listed on Annex IV (Applications for Regulation 54 Derogations for Annex IV species, Guidance for Applicants, Version 1.0, 1 July 2025). In summary, this guidance requires any derogation to be granted before the approval of the consent to the proposed activity. Noting the number of mature trees on site that have been identified as presenting potential roosting features and which require removal, the Applicant shall satisfy themselves that they can comply with the updated guidance. This may necessitate further surveys of the trees in question to determine whether a derogation may be required.
9. It is noted that there are potential roosting features present within a number of the bridges along the proposed grid connection route (as per Appendix 6-2 of the EIAR). A combination of flatbed formation and horizontal directional drilling are proposed at these bridges. Notwithstanding the Applicant's response in their grounds of appeal, the level of noise and vibration associated with the proposed works is unclear. Uncertainty therefore remains regarding the potential impact of the works on roosting bats and whether a derogation may be required. In this regard, the Applicant is requested to respond to this matter.
10. You are requested to provide a rationale for the exclusion of amphibians or reptiles as KERs given that suitable habitat exists within site and the absence of dedicated surveys for these

species. Should amphibians or reptiles be included as KERs, the EIAR should be updated to include suitable mitigation measures.

11. You are required to submit a restoration plan (plan and section diagrams) for the proposed borrow pit.

Noise

1. In terms of cumulative noise impacts associated with the construction phase, it is noted that no detailed analysis of other projects has been provided which would assist in establishing their potential to contribute to cumulative effects in combination with the subject proposal. An example of which includes the multiple grid connection routes connecting wind farms in the area to Ballyragget 110kV Substation. The Applicant is therefore requested to respond to this issue.
2. You are required to submit omni-directional noise predictions for each NSL in tabular format for the proposed development only.
3. You are required to submit the predicted cumulative omni-directional turbine noise levels for each NSL in tabular format, which illustrates both the day and night criterion and identifies any relevant excess.
4. It is acknowledged that you have submitted a map of the study area which shows the predicted cumulative noise level contours at 9m/s wind speed (i.e. Appendix A of Appendix 3 of the First Party Appeal prepared by Awn Consulting) and all NSLs included within Appendix 12-7 (Predicted Cumulative Noise Levels) appear to have now been identified. From a review of the study area map, it is noted that NSL 270 & 275 are located within the 40dB(A) contour associated with the Foyle Wind Farm. However, a predicted noise level of 35.9dB(A) and 35.3dB(A) has been indicated at these NSLs respectively at 9m/s within Appendix 12-7 of the EIAR. You are therefore requested to clarify these apparent discrepancies.

Hydrology and Hydrogeology

1. You shall provide a robust rationale for the adequacy of the trial pits provided across the site, noting their depth relative to the depth of the foundations for the proposed turbine bases.
2. Concerns are raised regarding the extent of site investigations undertaken for the proposed borrow pit given its proximity to the aquifer and nearby watercourse on site. Noting its location relative to this regionally important gravel aquifer, you are required to establish the impacts of such an excavation on the potential to impact surface water and groundwater flows in the area. Further detailed site investigations shall be provided to fully establish a conceptual site model for flow regimes in this area of the site.
3. Concerns are raised regarding the complete absence of site investigations at the location of T7. Notwithstanding the rationale provided by the Applicant within the Chapter 9 of the EIAR, the absence of data prohibits an adequate assessment of the potential impacts of the development on both groundwater quality and flow dynamics and surface water flows and quality at this location. Therefore, you are required to undertake further site investigations proximate to the location of T7 to address this issue.
4. You are required to provide an assessment pertaining to all potential impacts on surface waters flows and/or groundwater flows as a result of dewatering associated within the excavations for the turbine foundations.
5. It is noted that the crossing of the Tullaroan Stream and some access roads are proposed to be located within a flood zone (National Indicative Fluvial Mapping). In addition, there is a history of flood events immediately downstream of the site within the village of Kilmanagh. In this regard, you are required to submit an updated Flood Risk Assessment (FRA) which includes detailed site-specific hydraulic modelling of the Tullaroan Stream which should examine the potential impact on the existing floodplain or on flood risk elsewhere downstream. The updated FRA shall also have regard to the alterations that have been undertaken to the Tullaroan Stream within the boundaries of the site.

Roads and Traffic

1. With the exception of the concrete deliveries for the turbine foundations (7 no. days) and the delivery of the abnormally sized loads (19 no. nights), all other vehicles are proposed to access the wind farm site via the new junction proposed from the L5024 to the north. As per Figure 15-1a of the EIAR, deliveries and construction traffic will access the site from direction of Kilkenny City via the L1007. Vehicles will pass through the village of Tullaroan and then continue south along the L5023, before entering the site via the L5024. To minimise the impact on the local road network, it has been proposed that all vehicles leaving the site will turn right when exiting the site and continue along the L5024 until it meets the L1010. Traffic will then continue south until it meets the R695 and from there, travel east in the direction of Kilkenny City. It is noted that the link flow assessment has been prepared for the section of the turbine delivery route only (i.e. 7 no. days and 19 no. nights as per above). It would therefore appear that the additional volumes of traffic through the settlement of Kilmanagh would be significantly less than what has been depicted within the link flow assessment. However, given the volume of traffic that will utilise the 'Alternative Route' as per Table 15-15 of the EIAR (i.e. General construction + grid connection construction (222 days), and Turbine delivery (standard HGVs) + grid connection construction (7 days)), you are required to demonstrate that the surrounding local road network can adequately cater for the additional traffic generated during the construction phase of the proposed development.
2. Full road closures and diversions are proposed for Section Nos. 5 & 6 (Table 15-29 of the EIAR) of the proposed grid connection route. This comprises a c. 8.1km stretch of the R694 between Freshford Village and the N77 and it is confirmed that this portion of the route will be subject to road closures for c. 81 days. Noting that the R694 is a key route linking Freshford to Ballyragget and the uncertainty regarding the adequacy of the diversion routes to cater to significant increases in commercial traffic (notably the L1810 and L1811 for Section 5 and the L1811 for Section 6), you are required to consider whether full road closures along this route can be avoided or significantly minimised given that work zones will typically vary from 100m to 200m in length. Where diversions cannot be avoided, you shall demonstrate that the indicative diversion routes can adequately cater for two-way traffic.
3. During the proposed road closures and diversions within Section Nos. 1 and 2 (Table 15-29) of the proposed grid connection route, you shall clarify how construction access to the site via the L5024 is to be maintained and demonstrate that the indicative diversion routes can adequately cater to the volumes of construction traffic during this period (i.e. 58 no. days).
4. As per Table 15-9 (Trip generation - Stage 1 - Site preparation and groundworks - total movements and volumes per delivery day - Proposed Wind Farm) of the EIAR, it is estimated that a total of 2,400 truckloads of stone will be required for the construction of the proposed wind farm. This constitutes the majority of 2-way PCUs/day (51.59 out of a total of 70.51) during this phase of the construction works. You are therefore requested to clarify whether this is in addition to the site-won material (c. 70,000m³) from the proposed borrow pit, noting the estimated volume (c. 70,000m³) that is to be extracted.
5. You are required to submit a proposed boundary treatment plan/elevation for the northern site access off the L5024.

Cultural Heritage

1. Section 14.3.4.8 of the EIAR notes that there are a 6 no. bridges (CH3-8) of local cultural heritage merit located on the proposed grid connection route and it is proposed to utilise directional drilling at all bridge crossings. Therefore, it is contended that direct effects to the structures are not anticipated. However, it is stated elsewhere in the Chapter and the accompanying drawings that Horizontal Directional Drilling (HDD) is only proposed where the grid connection will cross the River Nore and at Grange Bridge (NIAH Reg. 12400902) (WC2). The underground cables are proposed to be laid in a flatbed formation for all other watercourse crossings. Furthermore, it is noted on Table 4-5 of Appendix 6-2 (Bat Survey Report) of the

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- EIAR that HDD is proposed at WC2, WC10 and WC13. You are therefore requested to clarify these apparent discrepancies and clarify the method proposed for each river crossing.
2. Concerns have been raised by the Planning Authority's Conservation Officer regarding the potential impact of the works on the various historic bridges along the proposed grid connection route i.e. structural damage, insufficient road depth to accommodate the new cables and the potential requirement for heightened parapets due to road build up. You are required to respond to this issue and put forward proposals for HDD at bridges both included on the Record of Protected Structures (RPS Ref. C886) (WC6) and the National Inventory of Architectural Heritage (NIAH Ref. Reg. 12305031 (C886) and 12305012 (New Bridge) (WC5)) located within the urban centre of Freshford.

Landscape and Visual Assessment

1. As per Section 13.2.1 (Scope and Definition of the Landscape and Visual Impact Assessment (LVIA) Study Area) of the EIAR (Chapter 13), a study area of 15km, referred to as the 'LCA Study Area', was deemed appropriate for effects on landscape character. Notwithstanding this, a 20km study area has been provided on all mapping within the Chapter. Please clarify whether a 20km study area has been adopted for the purposes of the LVIA.

General

1. In terms of the consideration of alternatives (Chapter 3 - Consideration of Reasonable Alternatives of the EIAR), a total of four no. 110kV substations have been identified by you within 25km of the development site. It is stated that initial grid studies identified Ballyragget 110kV substation as the suitable option and a grid connection route to this substation was considered and assessed to determine its viability. You are required to provide a rationale for the identification of Ballyragget 110kV substation as the optimum connection node for the proposed development.
2. Noting the concerns raised by both the Planning Authority and TII regarding the absence of a plan led approach to private grid connections and its associated impacts, you shall also outline why 'Proposed Grid Connection Underground Cabling Route Option No. 1' was discounted despite this route being adopted for the permitted Farranrory grid connection route (Kilkenny CC Pl. Ref. 21/627) and the absence of an acknowledgement of same within the consideration of alternatives (i.e. Chapter 2 of the EIAR). You are also required to consider further the cumulative impact of the proposed grid connection route from a traffic and transportation perspective given a number of the indicative diversion routes (Section Nos. 5 & 6 (Table 15-29 of the EIAR)) for the proposed grid connection overlap with the permitted grid connection route (Kilkenny CC Pl. Ref. 21/627) serving the Farranrory Wind Farm (Tipperary CC Pl. Ref. 20/972).
3. Having regard to this further information request, you are required to provide a summary of all amendments to the EIAR, NIS and other supporting information. All changes are to be clearly identified. You are also invited to submit any errata/corrections to the EIAR, NIS and any other supporting information with its response to this further information request. As above, all changes are to be clearly identified.
4. You are required to provide a response to any issues raised in the third-party observations to the appeal, all of which are enclosed with this letter.

If the document/particulars/other information required is/are not received before the end of the specified period, the Commission will dismiss or otherwise determine the appeal without further notice to you in accordance with section 133 of the 2000 Act, (as amended). Your submission in response to this notice must be received by the Commission not later than **5.30 p.m. on the date specified above**.

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

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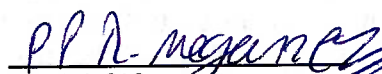
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If you have any queries in the meantime, please contact the undersigned officer of the Commission at appeals@pleanala.ie.

Yours faithfully,



Daniel O'Connor
Executive Officer
Direct Line: 01-8737170

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