

File With

SECTION 131 FORM

Appeal No

ABP— 322154-25

Defer Re O/H

☐

Having considered the contents of the submission dated/received 25/11/25 from Kilkenny West Group Water Scheme 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 planning issues

Section 131 not to be invoked at this stage.

☒

Section 131 to be invoked — allow 2/4 weeks for reply.

☐

Signed

Daniel O'Connor

Date

27/11/25

EO

Signed

Date

SEO/SAO

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

Date

EO

Signed

Date

AA

D. O'CONNOR



An
Coimisiún
Pleanála

Planning Appeal Online Observation

Online Reference
NPA-OBS-005721

Online Observation Details

Contact Name
Alexander Sheehan

Lodgement Date
25/11/2025 15:26:44

Case Number / Description
322154

Payment Details

Payment Method
Online Payment

Cardholder Name
Alexander Sheehan

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Daniel O'Connor

Date

27/11/25

EO

BP23 amended - task 460256-25

Fee Refund Requisition

Please Arrange a Refund of Fee of

€ *50*

Lodgement No

LDG— *085431-25*

Reason for Refund

Response to S131 notice - no fee needed

Documents Returned to Observer

☐ Yes ☒ No

Request Emailed to Senior Executive Officer for Approval

☒ Yes ☐ No

Signed

Daniel O'Connor

Date

27/11/25

EO

Finance Section

Payment Reference

ch_3SX08eB1CW0EN5FC1i0j10G2

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board
Member

Date

Date

PLANNING OBJECTION — RISK TO PUBLIC DRINKING WATER SUPPLY

Re: Briskalagh Renewable Energy Development – Further Information & Additional Works
Planning Authority Case Ref: 2560003

Submitted on behalf of the Kilkenny West Group Water Scheme

1. Introduction

This submission in response to further information provided is made in objection to the Briskalagh Renewable Energy Development, on the basis that the Further Information (FI) response and associated additional works present an **unacceptable and foreseeable risk to the public drinking-water supply provided by the Ballycallan / Kilkenny West Group Water Scheme (GWS).**

The EIAR explicitly recognises that **public and Group Water Supplies are receptors vulnerable to construction-phase contamination** (EIAR Chapter 9, Sections 9.5.2.16 and 9.5.2.17). The Ballycallan / Kilkenny West GWS is one of those receptors.

2. The Ballycallan / Kilkenny West GWS – high vulnerability to raw water deterioration

According to the **Ballycallan GWS Preliminary Report:**

- The abstraction borehole is **located immediately beside the Kings River** (Section 2, Figure 2.1).
- The treatment system consists only of **chlorination and minor particle filtration** (Section 2).
- **No UV treatment is provided**, and this “poses a possible cryptosporidium contamination risk” (Section 2).

This means that the Ballycallan GWS depends on raw water quality remaining **stable and clean**. Any contamination pulse from surface or groundwater would **pass directly into supply without detection**, because there is:

- **no UV disinfection barrier**, and
- **no turbidity monitoring or alarm.**

The same Preliminary Report identifies **existing water-quality vulnerability** due to manganese:

- **“Manganese levels in historical raw water tests were 330 µg/L (limit 50 µg/L)”** and this has already **damaged pipework** (Section 3).

This shows that the source is **already sensitive to sediment and groundwater disturbance.**

3. EIAR confirms that the development poses known pollution risks

EIAR Chapter 9 identifies the following pollution mechanisms associated with earthworks:

- **Suspended solids and sediment entrainment (9.5.2.2)**
- **Hydrocarbon release during construction and storage (9.5.2.6)**
- **Cement-based product contamination (9.5.2.7)**
- **Effects on downstream surface-water abstractions (9.5.2.16)**
- **Effects on public and Group Water Supplies (9.5.2.17)**

These mechanisms are **not hypothetical**; the EIAR treats them as **credible contamination scenarios**.

4. Further Information works increase—not reduce—risk

The FI submission adds **additional high-risk activities in water-connected areas**, including:

- **Additional culvert and watercourse crossing works**
- **Additional drainage and attenuation channels**
- **Widened access tracks and additional hardstands**
- **Increased soil stripping and spoil storage**
- **More extensive cabling and trenching**

These FI changes **increase the intensity and frequency of hazard events** at locations that drain toward the Ballycallan abstraction.

5. The T07 Location — Highest Drinking-Water Risk on the Entire Project

The most serious drinking-water risk arises at Turbine T07.

(a) T07 lies within the most permeable part of the site

EIAR Chapter 8, Figure 8-2 shows TP14 located *immediately beside* T07 in the zone of **glaciofluvial sands and gravels**.

(b) T07 is the only turbine associated with a recorded groundwater “waterstrike”

EIAR Chapter 8 states:

“Significant ingress of groundwater was only recorded in glaciofluvial sands and gravel subsoil in 1 no. trial pit excavation (TP14).”

(Chapter 8, Section 8.4)

TP14 sits at T07.

Therefore **T07 is the sole turbine location proven to contain flowing groundwater at shallow depth**.

(c) EIAR confirms high surface-groundwater connectivity in this exact zone

EIAR Chapter 9, Section 9.3.8.1 states that:

- **Thick sand and gravel deposits occur along the Tullaroan Stream corridor, and**
- **Some streams lose flow directly into these gravels, demonstrating direct connectivity.**

(d) Planned construction at T07 directly intersects the waterstrike zone

At T07, the project proposes:

- Turbine foundation excavation
- Crane hardstand construction
- New access road construction
- Cabling trench installation
- Temporary construction compound immediately adjacent (EIAR Chapter 4, Figure 4-2)

All of these activities will occur **in the proven flowing-groundwater zone.**

(e) Why T07 represents the highest escalation of risk to the Ballycallan GWS

Because:

- T07 is the **only turbine where groundwater inflow was recorded during excavation**
- T07 sits **within the most permeable aquifer material on the site**
- This aquifer has **rapid connectivity to surface water**
- The **Ballycallan borehole is beside a river rather than isolated from it**
- The GWS has **no UV and no turbidity alarm**

T07 creates a realistic pathway for construction contamination to reach drinking water.

This risk persists **even if mitigation performs as designed**, because permeable gravel aquifers **transport contamination faster than attenuation mechanisms can respond**, especially during rainfall.

6. Precautionary position

Given that:

- The Ballycallan / Kilkenny West GWS has **no treatment safety margin**,
- The abstraction borehole sits **beside a river in a hydraulically connected system**,
- The GWS is **already sensitive to water-quality disturbance**, and
- T07 is located **directly on a proven flowing-groundwater strike (TP14)**,

continuing with T07 and its associated compound, access road, and cabling works represents a **foreseeable, preventable and disproportionate risk to public health**.

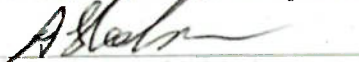
7. Request

On behalf of the **Kilkenny West Group Water Scheme**, we respectfully request that:

- A) **Planning permission be refused**, on the grounds of unacceptable drinking-water risk, **OR**
- B) At minimum, the development be **modified by removing T07 and all associated infrastructure and earthworks**, including hardstands, compound, access roads and cabling trenches located in the TP14 gravel-aquifer zone, **OR**
- C) An **independent hydrogeological risk assessment** be required that specifically tests whether construction at T07 could impact the Ballycallan abstraction under **worst-case rainfall and waterstrike conditions**.

Signed

On behalf of the **Kilkenny West Group Water Scheme**



25 Nov 2025

Alexander Sheehan

Manager