

File With _____

SECTION 131 FORM

Appeal NO: ^{ABP} ~~ACP~~ 322154-25

Defer Re O/H ☐

Having considered the contents of the submission dated/ received 25/11/25
from

Marichan Cleere 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

E.O.: Daniel O'ConnorDate: 25/11/25

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: _____

File With _____

CORRESPONDENCE FORMAppeal No: ~~ACP~~ ARP-322154-25

M _____

Please treat correspondence received on 25/11/25 as follows:

1. Update database with new agent for Applicant/Appellant _____	
2. Acknowledge with <u>BP23</u>	1. RETURN TO SENDER with BP _____
3. Keep copy of Commission's Letter ☐	2. Keep Envelope: ☐
	3. Keep Copy of Commission's letter ☐

Amendments/Comments	<u>Maricann Greene's response to</u>
	<u>SIB, notice</u>

4. Attach to file (a) R/S ☐ (d) Screening ☐ (b) GIS Processing ☐ (e) Inspectorate ☐ (c) Processing ☐	RETURN TO EO ☒ <u>D O Connor - re-submit</u>
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	Plans Date Stamped ☐
	Date Stamped Filled in ☐
EO: <u>Daniel O Connor</u>	AA: <u>Shirley Connolly</u>
Date: <u>25/11/25</u>	Date: <u>27/11/25</u>

Dáire Littleton Caden

From: Marieann Cleere <marcleere@gmail.com>
Sent: Dé Máirt 25 Samhain 2025 12:45
To: Appeals2
Subject: ABP-322154-25
Attachments: Response to further information Nov 25.pdf; Submission An Bord Pleanála 2025 (1) (1).docx

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.

For the attention of Daniel O'Connor

Please find attached responses to further information submitted by the appellant which I received by post 7/11/2025. I have also attached my original submission to An Bord Pleanála.

Regards,
Marieann Cleere

Name: Marieann Cleere

Address: Giant Steps Montessori, Ballagh, Kilmanagh, Co. Kilkenny, R95A2Y0

Email: marcleere@gmail.com

Date: 24/11/2025

Note: Please also refer to KBT Responsible Energy Submission

In relation to application:

An Comisúin Pleanála Case Reference ABP-322154-25

Kilkenny County Council Planning File Number 2560003

Applicant Briskalagh Ltd.

Address In the 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, Picketstown, Rathealy, Sart, Sweethill, Tobernapeastia, Tullaroan, Upperwood Demesne, Co. Kilkenny.

Dear Sir/Madam,

I am a resident and local business owner residing in Kilmanagh, Co. Kilkenny. I previously submitted my observations to Kilkenny County Council in November 2024 and to An Bord Pleanála in April 2025 regarding this totally inappropriate windfarm application.

I make this submission in response to the Further Information submitted by the appellant which I received by post 7/11/2025. The observations I list below are not exhaustive and I reserve the right to make additional submissions during the extended 5-week public consultation phase once the site notices are erected.

I wish to assert in the **strongest possible** terms that the developer's/their agent's original application, appeal and further information remain totally flawed, deficient and inadequate on the following grounds:

1. My home is located at H104 (1001 metres from Turbine 7) as listed in the developer's original application Vol 1. – Ch5 Population and Human Health. My business Giant Steps Outdoor Montessori also operates from H104. The applicant still has not fully or adequately considered/assessed Giant Steps Outdoor Montessori as a **sensitive** receptor and the risks and impacts (both **direct** and **indirect**) posed by this proposed windfarm development because they repeatedly misidentified my home/Montessori as H093 in Section 4.1.12 of their **appeal** document and have not since remedied their errors. Their noise and shadow flicker predictions for Giant Steps Montessori relate to a completely different premises entirely and must be treated by An Comisúin Pleanála as moot and completely erroneous. (See my submission dated 16/4/25)
2. Also, the appellant still has not responded to their error in paragraph 4 of Section 4.1.12 of their appeal document where they asserted '*The Montessori School is located on the L1008 road.....*' This assertion is factually incorrect – the Montessori is **NOT** located on

the L1008 road. There is no L1008 road within the locality. This error remains uncorrected, unanswered & unresolved by the appellant.

3. It is clear from the Further Information received that the appellant clearly has not read or considered in any way whatsoever my observations in relation to their repeated misidentification of my home/business and the errata pertaining to the information/data relating to H104. Therefore, all of my previous observations and objections raised in November 2024 and April 2025 remain unaddressed.
4. The Further Information supplied also contains several errors & omissions and erroneous statements. For example, in their Further Information Response at Point 2.7.4.1 page 61 the appellant states 'A total of 60 third party submissions were submitted to the Commission in relation to the First Party Appeal of the Proposed Project..... It is noted that 55 of the 60 no. submissions from Observers are identical. These have been addressed in Table 6 under the Observer 'Community Submission Template', rather than including a row for each Observer individually.' It is totally untrue and disingenuous for the appellant to say that 55 of the 60 submissions were identical because I, along with several other people from the locality lodged individual/personalised submissions to the 1st party appeal. I note however that my name and my observations are not listed in Table 6 (pages 62 to 64) of the Further Information Response. This further demonstrates that the appellant or their agents have not read, considered or addressed any of the observations previously raised by me.
5. I wish to restate in the strongest possible terms that the information conveyed so far by the appellant is completely deficient, inadequate and flawed in that it:
 - a. Fails to engage adequately with the local community
 - b. Fails to adequately address human health & wellbeing
 - c. Fails to adequately address flicker, vibration, dust, noise and low frequency sound locally
 - d. Fails to identify and mitigate the risks, direct and indirect impacts on Montessori staff and the children attending, particularly those with medical conditions who may be affected/triggered/aggravated by noise, vibration, dust, flicker or low frequency sound.
 - e. Fails to address Cumulative Impacts (noise, flicker, low frequency sound etc) arising from interaction with other existing/permitted wind farms nearby.
 - f. Fails to protect wildlife, biodiversity, red listed bird species, bats and mammals
 - g. Fails to mitigate against flood risks, flood exacerbation.
 - h. Jeopardises Hydrology and increases ground water/river pollution risks
 - i. Jeopardises the local Aquifer/drinking water supplies
 - j. Will create increased traffic levels in the locality to an unacceptably high level posing a risk to local residents and children
 - k. Fails to address Kilkenny Co Co's many reasons for refusal, CAAS' many queries & concerns and identified deficiencies and gaps highlighted in the Planner's Report.
 - l. Fails to adequately respond to/fully address the Further Information queries set out by An Comisúin Pleanála.
 - m. Demonstrates the proposed windfarm is of inappropriate size, scale and location
 - n. Will disrupt residential amenity throughout construction and operation 'to an extent that exceeds what a community can be reasonably expected to tolerate for the overall residential amenity of the community' (Kilkenny Co Co Planning Report, Appendix 3, CAAS Ltd, Environmental Impact Assessment Review, pg 55.)

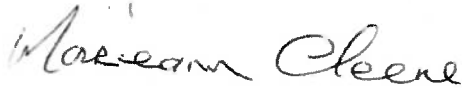
In conclusion, numerous serious deficiencies and several unacceptable risks remain at play.

The appellant's further information goes no further in addressing the substantial and very serious issues at large.

As it stands, given the considerable scientific doubt across many sectors and serious environmental fears that persist and which cannot be mitigated, I would respectfully ask the Commission to apply the precautionary principle and to therefore uphold the original refusal decision.

I will however respond further during the extended public consultation phase.

Yours sincerely,

A handwritten signature in cursive script, reading "Marieann Cleere". The signature is written in dark ink and is positioned above the printed name.

Marieann Cleere

Marieann Cleere,
Giant Steps Outdoor Montessori,
Ballagh,
Kilmanagh,
Co. Kilkenny,
R95A2Y0.
086-2677936

The Secretary,
An Bord Pleanála,
64 Marlborough St.
Dublin 1,
DO1 VPO2

16/04/2025

Bord Pleanala Ref: **PL10.322154**

Kilkenny County Council Planning File No. **2560003**

Submittal Objection: for the attention of An Bord Pleanála

To whom it may concern,

As a resident and local business owner in Kilmanagh, I wish to strongly object to the proposed development of seven industrial 185 metre tall turbines so close to my family home and business.

After working abroad for many years as an Early Years Educator, I returned to my local area of Tullaroan/Kilmanagh in 2007 and the following year I opened an early years' setting in Tullaroan. My business, Giant Steps Outdoor Montessori has grown since then, and in 2016, I opened a purpose built early years setting next to my home in Kilmanagh. My business provides early years education and care to many families in the surrounding areas of Kilmanagh and Tullaroan, as well as families who travel from Kells and Kilkenny city to attend. I have bookings in place up to 2029. Giant Steps Outdoor Montessori can accommodate up to 36 children and currently employs 3 staff members.

My home is located at H104 (1001 metres from Turbine 7), as can be seen in the developer's original application Vol. 1 - Ch 5 Population and Human Health. My business, Giant Steps Outdoor Montessori is also located at this site (H104). I cannot find any references whatsoever to 'Giant Steps Montessori' in the developer's original application and have concluded therefore that they considered/assessed H104 as purely a home and nothing further. By not identifying H104 as also being a montessori school and place of employment, the developer has failed to acknowledge, consider and assess all of the additional risks and all of the direct & indirect impacts relating to the montessori, its pupils and its staff.

In Section 4.1.12 of their appeal document (Impact on Sensitive Receptors - Local Schools), MKO repeatedly misidentifies Giant Steps Montessori as H093 when it is in fact H104. In paragraph 4 of the same section, MKO goes on to talk about shadow flicker and noise

predictions for Giant Steps Montessori school but on the mistaken & incorrect basis it is H093 rather than H104. These statements/predictions relating to Giant Steps Montessori must obviously be treated by An Bord Pleanála as moot and completely erroneous since MKO misidentified and repeatedly referenced the wrong premises entirely i.e. H093.

Also, in paragraph 4 of Section 4.1.12 of their appeal document, MKO asserts *'The Montessori School is located on the L1008 road and.... The section of the L1008 along which it is located is not proposed to be used as a construction haul route'*. MKO's assertion is factually incorrect as the montessori is not located on the L1008 road. There is no L1008 road within the locality according to my research, therefore MKO's conclusion that the road on which the montessori is located will not be used as a construction haul route cannot be taken as either factual or correct.

I repeat my original and additional objections/observations which are based on the following points:

- In my original observation to Kilkenny County Council planning department, I noted that the developer had failed to include/consider my business and workplace which is located at H104. The site at H104 is not just a dwelling, it is also a montessori school and as such should be treated as an additional sensitive receptor. In the developer's appeal document, **once again this sensitive receptor has effectively been omitted due to misidentification**. As can be seen in Section 4.1.12, Impact on Sensitive Receptors - Local Schools, the developer has wrongly identified the location of Giant Steps Outdoor Montessori as H093. Without accurate information relating to the correct location of sensitive receptors such as schools/montessori, how can the developer identify all of the potential risks and hazards and take appropriate measures to protect these populations?
The developer has failed to adequately assess the direct and indirect impacts on Giant Steps Outdoor Montessori, which is a sensitive receptor location and the impacts on pupils and staff at the Montessori.
- As can be seen on the developer's application Vol. 1-Ch 5 Population and Health, site H104 will experience shadow flicker above the allowed recommended guidelines. Even with mitigation actions at this site, my home and business will experience flicker. I am extremely concerned about the health and welfare of the young children who attend Giant Steps Outdoor Montessori. Many children and adults are sensitive to loud noises, low frequency sound and light flicker, especially those who are neurodivergent. I am genuinely worried that both flicker, noise and low frequency sound will negatively impact on the children in our school, particularly those who present with sensory difficulties, anxiety, or epilepsy as well as those who are on the autism spectrum or neurodivergent.
- Giant Steps Outdoor Montessori is an outdoor early years' setting. The children work and play outside every day. They develop and learn while experiencing the world through all their senses. I am extremely concerned that noise and shadow flicker from

the proposed wind farm will prevent the children, my staff and myself from using the outdoor learning environment on a regular/daily basis.

In their original application, the developer asserts that shadow flicker may be problematic at my premises up to 34 minutes a day, however noise from the windfarm and during the construction and operational periods might be problematic all day or for several days at a time depending on wind direction/weather, meaning we will not be able to teach/learn/play outdoors. I fear even if mitigation actions are taken as suggested by the developer, the health and wellbeing of these young children will be adversely affected.

- Giant Steps Outdoor Montessori is located circa 1.6 kms from the wind farm already in operation at Foyle. There is a clear view of these turbines from the front of my home and Montessori (H104). The noise from this wind farm at Foyle is frequently heard at my properties and on occasion, they experience flicker from the Foyle turbines also. If the proposed development goes ahead at Briskalagh, the view from the back of my home & Montessori will also be of turbines and they will inevitably experience even more noise and flicker. The nearest proposed turbine (T7) is sited 1001 metres from my home & Giant Steps Outdoor Montessori. I am also very concerned about the cumulative impacts arising from noise, infrasound, flicker, the haul route and the grid route if the proposed wind farm at Briskalagh was allowed to go ahead in the event it were to interact or clash in some ways with other wind farms already erected or permitted in the locality.
- In recent years Government policy has encouraged and funded early years settings to spend more time outdoors. Even before this, research has shown the benefits of outdoor education for children. Giant Steps Outdoor Montessori has been a purpose-built outdoor setting on site H104 since 2016. Since then, the setting has provided quality outdoor education to hundreds of children in county Kilkenny and has bookings in place up to 2029. It has also become a showcase, with other providers visiting to learn how to incorporate outdoor learning into their own settings. I am extremely concerned about how the proposed development at Briskalagh and its proximity to our school will affect the young children who, if this industrial sized development is allowed to go ahead, will spend their time at Giant Steps working and playing outside every day overshadowed by enormous intrusive moving metal monsters.
- I fear the size and scale of the proposed development, the noise disruption, flicker and sound vibrations will adversely affect members of staff with conditions such as epilepsy or photosensitivity. It will also cause increased stress to members of staff who suffer from anxiety and ultimately affect not only their mental health but also their physical health.
- I am hugely concerned about how the proposed development will affect my own

health and ability to provide care and education to the children enrolled at Giant Steps Outdoor Montessori. I suffer from migraines. I avoid driving at night and travelling on certain roads locally where I know the flicker of sun through the trees causes a strobe effect as this brings on a migraine. Will this proposed development now mean that I will be unable to work and run my business? The developer has stated in their original application that my home (and my workplace even though they did not even see fit to include it on their plans) will experience flicker for up to 34 minutes a day (Chapter 5 Population and Human Health, page 5-52).

- Part of the ethos in our school is responsibility and care for biodiversity. Giant Steps is one of only two schools in Kilkenny to win a National Biodiversity Nature Hero Award in 2024. I note the species listed on the proposed development site and I am concerned that this development will cause significant adverse effects to those species listed, including red listed bird species, protected bats and protected mammals. I am concerned that if this development goes ahead, in the future I will be teaching the children that adults in authority who were supposed to look out for our best interests didn't make the correct decision in 2025 and destroyed the biodiversity in our local environment.
- A major concern I have relates to the ability of emergency services to access Giant Steps Outdoor Montessori if needed. This year alone I have 2 children enrolled with life threatening medical conditions. In the event of a medical emergency TIME makes a huge difference for these children. Bigger and more frequent flooding at Kilmanagh bridge and the bridge at Shipton caused by rainwater runoff from the wind farm will be inevitable. Bigger and more frequent flooding events will certainly impede and/or delay the emergency services from accessing Kilmanagh at its bridge points. This poses an unacceptable high risk as far as the children within Giant Steps Outdoor Montessori are concerned, especially the 2 children with life threatening medical conditions.
- I am worried that the proposed development will negatively impact the health and wellbeing of children through increased levels of dust, vehicle exhaust particulates and carbon monoxide created by development traffic. I am concerned for the wellbeing of children with asthma and other respiratory conditions attending our school or living locally.
- I am concerned about the increased level of traffic if the proposed development goes ahead. If the planning application is permitted, there will be continuous and increased levels of vehicle traffic through Kilmanagh and Tullaroan villages, particularly HGVs for the duration of the construction works estimated at 18-24 months. The development, if permitted, will result in hundreds of lorry loads of concrete, thousands of large artics containing plant and materials & combustible fuels and thousands of loads of stone passing our homes, schools and recreational facilities for

months on end. Including return journeys, it is estimated that there will be between 15,000 and 16,000 HGV trips and other construction related vehicles travelling to/from site. This is an unacceptably high volume of additional traffic through Kilmanagh & Tullaroan villages which are served by narrow country roads.

- Kilmanagh and Tullaroan villages will effectively be building sites for the estimated 18-24 months of construction work. I am concerned that families and staff members travelling to and from Giant Steps will have to navigate and watch out for very high levels of construction traffic while travelling by vehicle or on foot for those estimated 18-24 months. Children's and staff safety while travelling to/from the school will be compromised due to much higher levels of construction & development related traffic.
- The proposed temporary access road in the middle of Kilmanagh village as well the other entrances at Oldtown bridge and Huntstown, plus the grid route will also cause significant disruption to parents, children and staff at Giant Steps Outdoor Montessori.
- Each turbine will contain thousands of litres of gear oil, and thousands of litres of fuel will be delivered to and stored on site to run diggers, excavators and various other site machinery.
The developable area is to be sited on a regionally sensitive aquifer that supplies Kilmanagh & Tullaroan Group Water Schemes – should thousands of litres of contaminant escape it will compromise our group water schemes and pollute the river which flows between Tullaroan and Kilmanagh villages and which feeds the River Nore.
- Should thousands of litres of contaminant escape, private wells will almost definitely be affected as well. Should this happen, Giant Steps Outdoor Montessori could be adversely affected and may not be able to operate into the future. This would create a shortage of ECCE in the local area and parents may not be able to secure an enrolment elsewhere due to the national shortage of childcare and ECCE.
- I am concerned about the size and scale of the proposed wind farm and its proximity to so many family homes and schools.
- I am concerned about what this development may mean for the surrounding communities. Will families want to settle in this locality in the shadow of turbines? How many families will be affected by noise, vibration and flicker? How many children and families will suffer needlessly? Will there be fewer children residing and attending schools in the villages of Kilmanagh & Tullaroan and environs in twenty years' time due to related depopulation?

What impact will this development have on local business in the area? What potential is there for the population to maintain in the area?

- The fact that the developer has misidentified the location of Giant Steps Outdoor Montessori along with several other errors, omissions and disparities within their application and appeal causes me huge concern regarding the trustworthiness of the information they have put forward.

In light of my observations, I urge An Bord Pleanála to consider my concerns and fears and the concerns of fears of the local community and to outright refuse this wind farm development application and any future iteration of it.

Fee of €50 enclosed herewith.

Signed: _____

Marieann Cleere