

File With _____

SECTION 131 FORM

Appeal NO: ACP-APP-322154-25Defer Re O/H ☐Having considered the contents of the submission dated/ received 19/12/25
fromAbrah Bohery 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 issuesE.O.: Daniel O'ConnorDate: 8/1/26

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 FORM

Appeal No: ~~ACP~~ ABP-322154-25

M _____

Please treat correspondence received on 19/12/25 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>Norah Doherty's response to S31</u>
	<u>notice</u>

4. Attach to file (a) R/S ☐ (d) Screening ☐ (b) GIS Processing ☐ (e) Inspectorate ☐ (c) Processing ☐	RETURN TO EO ☐ <u>Re-submit drawer</u>
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	Plans Date Stamped ☐
	Date Stamped Filled in ☐
EO: <u>Danier & Loner</u>	AA: <u>Shirley Cassidy</u>
Date: <u>8/1/26</u>	Date: <u>08/01/26</u>

File With _____

SECTION 131 FORM

Appeal NO: ACP-ABP-322154-25Defer Re O/H ☐Having considered the contents of the submission dated/ received 19/12/25
fromAbrah Bohery I recommend that section 131 of the Planning and Development Act, 2000
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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 FORM

Appeal No: ~~ACP~~ ABP-322154-25

M _____

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|--|---|
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2. Keep Envelope: ☐
3. Keep Copy of Commission's letter ☐ |
|--|---|

Amendments/Comments

Norah Doherty's response to S31 notice

4. Attach to file

- | | |
|---|---|
| (a) R/S ☐ | (d) Screening ☐ |
| (b) GIS Processing ☐ | (e) Inspectorate ☐ |
| (c) Processing ☐ | |

RETURN TO EO ☐Re-submit drawer

	Plans Date Stamped ☐
	Date Stamped Filled in ☐
EO: <u>Danier & Lomas</u>	AA: <u>Shirley Connolly</u>
Date: <u>8/1/26</u>	Date: <u>08/01/26</u>

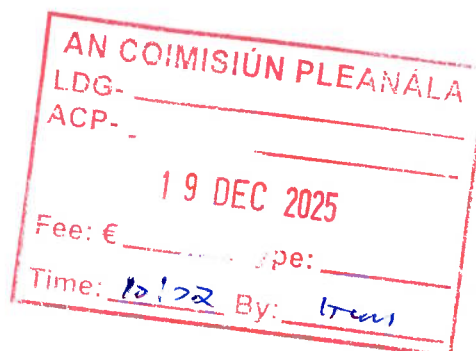
Details

Submitter:

Name	NORAH Doherty
Address	Oldtown Kilmanagh Co Kilkenny
Note	

In relation to application

ACP Reference	322154-25
KCC Planning File	256003
Name	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.



Subject An Coimisiún Pleanála Reference 322154-25
KCC Planning Application Ref. 2560003

To: An Coimisiún Pleanála

Dear Inspector,

I make this observation as a party to the First Party Grounds of Appeal (GOA) submitted by Briskalagh Ltd, in response to the Further Information provided in respect of the proposed wind farm development within the Kilmanagh, Ballycallan, and Tullaroan communities.

This submission reiterates serious and well-founded concerns regarding residential amenity, the inadequacy of the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS), and failures in stakeholder engagement.

My opposition to the Briskalagh Wind Farm is rooted in deep concern over how this specific proposal has been handled, both in terms of its excessive scale and the lack of transparency and engagement throughout the process.

Kilkenny County Council (KCC) conducted a comprehensive review of the planning application and have found *"there are a number of significant deficiencies in the quality and quantum of data provided, particularly in the areas of landscape and visual effects, material assets, noise, ecology and hydrology. Furthermore, insufficient detail has been provided on the matter of cumulative effects, especially in regards to the likely effect on the residential amenity of the immediately adjacent residential areas."*

The EIAR was found not meet the statutory EIA requirements in relation to fourteen sections contained therein.

Having considered the applicant's First Party Grounds of Appeal and the subsequent response to Further Information (FI) submitted to An Coimisiún Pleanála, including the updated bat surveys and hydraulic modelling, my position remains unchanged. The Briskalagh proposal is inappropriately scaled, poorly sited, and procedurally flawed. The proposed development is located within an area that is already making a substantial contribution to national renewable energy targets.

Furthermore, the FI responses fail to address the serious deficiencies identified by local residents, independent experts, Kilkenny County Council, and CAAS.

"The cumulative effects of the proposed development will impose an unreasonable and disproportionate environmental loading on the character of a rural area with a locally concentrated population due principally to the combined effect of potential visibility and noise, as well as flicker and disruption of material assets, especially roads, during a prolonged period."

While proximities between individual turbines and individual dwellings appear to fall at, or close to, minimum standards, the cumulative effects will, arguably, exceed the threshold of what a community can be reasonably expected to tolerate for the overall residential amenity of the community. Guidelines and precedence do not offer reliable relevant thresholds for cumulative effects such as will occur." **Kilkenny County Council Planning Report, Appendix 3, CAAS Ltd, Environmental Impact Assessment Review Page 55.**

Issues which have not been resolved through the FI response

1. Human health and residential amenity: The proposal presents an unacceptable risk to nearby residents arising from operational noise (including low-frequency noise and infrasound), shadow flicker, construction disturbance, and the close proximity of 185-metre turbines to two villages and approximately 218 homes within a 2 km radius. These impacts also give rise to legitimate concerns regarding adverse effects on residential amenity and property values.
2. Inadequate assessment of cumulative effects: There is a clear failure to properly evaluate the combined impacts of this proposed development and other wind farm developments in the area, particularly in relation to human health, landscape character, noise, ecology, and the cumulative burden on the local area. The communities of Kilmanagh, Ballycallan and Tullaroan have accommodated several wind farms including Foyle, An Cnoc, Ballybay, Farranrory.
3. Risks to water resources and flooding: The development poses a significant threat to a sensitive aquifer, local group water schemes, and the already flood-prone village of Kilmanagh. The new Fluvio R&D Ltd report contains significant and concerning errors.
4. Deficiencies in environmental assessment: The EIAR and NIS are fundamentally inadequate, with serious shortcomings in baseline data, cumulative assessment, hydrology, ecology, noise, landscape and visual impact, and human health. These deficiencies have been independently identified and confirmed by CAAS.
5. There remain ongoing failures to protect biodiversity and comply with Appropriate Assessment requirements.
6. Landscape and visual impacts: The visual impact assessment understates the worst-case effects, especially from the most affected homes and from the communities of Kilmanagh, Ballycallan, and Tullaroan.
7. Traffic, haul routes and construction impacts: The proposed construction phase would impose a disproportionate and unreasonable burden on the local community, with serious traffic and road safety implications. Of particular concern are risks to children and school users arising from haul routes and construction compounds located close to Kilmanagh village centre.
8. Corporate structure and accountability: Serious concerns remain in relation to the applicant's limited structure, offshore ownership arrangements, and similarities with other wind farm developments that have experienced significant compliance issues.
9. Planning policy compliance and site suitability: The site is not identified as suitable for large-scale wind energy development under the operative Wind Energy Strategy (Figure 10.2 of the Kilkenny City and County Development Plan 2014–2020). As such, the proposal represents a material contravention of both local and national planning policy objectives.
10. Community engagement and Aarhus Convention concerns: The developer has consistently failed to engage in a meaningful and transparent manner with the affected communities of Kilmanagh, Ballycallan and Tullaroan. This includes repeated errors in identifying sensitive receptors and the provision of inconsistent, poor-quality information over time, contrary to the principles and my rights as a resident of this community under the Aarhus Convention.

In light of all of the above, my view remains that the developer's appeal, the Further Information, and the updated technical reports largely restate the original position and fail to resolve the substantive issues, which are incapable of remediation.

As per **Kilkenny County Council's Planning Report, page 73**

"there is evidence that the proposed development by reason of its size and scale will give rise to excessive levels of adverse effects on residential amenity due to the cumulative effects of visual intrusion, combined with noise, flicker and disturbance of access on many nearby dwellings in and around the settlements of Tullaroan, Kilmanagh, and Ballycallan. These effects are integral and incapable of being mitigated because they arise from the extent and scale of the proposed works and their proximity and position relative to dwellings."

The FI response does not alter these facts.

Kind regards,

Norah Dobson Dated 17/12/2025