

# Comhairle Chontae Chorcaí Cork County Council



Head Office: County Hall, Cork

Donal & Shelia Gayer  
Dolmen View Farm  
Kilmaclenine  
Ballyclough  
Mallow

10/09/2024

**APPLICANT:** Tullacondra Green  
Energy Limited

**DEVELOPMENT:** The Applicant is seeking permission for the construction, operation and decommissioning of a wind energy development including:

- 9 wind turbines each with a blade tip height of 175 metres, rotor diameter of 150 metres, hub height of 100 metres and a rated output of 4.5 megawatts.
- Turbine Foundations, crane pad hardstanding areas and associated drainage.
- Upgrade of existing site tracks and construction of new site tracks and associated drainage.
- Access from the local road L5302 at Crough, Ballyclough including a new site entrance for the construction phase and upgrading of an existing entrance for the operational phase.
- An on-site 38 kilovolt electrical substation to Electricity Supply Board Networks specification to include control building with electrical infrastructure, welfare facilities supplied by rainwater harvesting and storage tank, a wastewater holding tank with high level alarm, car parking, security fencing and lighting, and all associated infrastructure, services, and site works including a temporary construction compound.
- All associated underground electrical and communications cabling connecting the turbines to the proposed electrical substation.
- A temporary site construction compound and associated ancillary infrastructure including welfare services, office accommodation, parking, fencing, lighting etc.
- Areas for temporary storage of excavated materials.
- A permanent meteorological mast of 100 metres height above ground level on a concrete base.
- Installation of approximately 13.5 kilometres of 38 kilovolts underground electrical cabling, mainly within the public road, between the proposed wind farm substation to the boundary of Mallow 110 kilovolt substation at Saint Joseph's Road Mallow.
- All associated site works including site clearance and ancillary development including site drainage/Sustainable Drainage System, security gates, fencing, permanent and temporary signage, and biodiversity mitigation and enhancements, including hedgerow planting.

The Applicant is seeking a 10-year duration planning permission and 35-year operational period from the date of overall commissioning of the entire wind farm. The Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) will be submitted to the Planning Authority with the application. The wind farm development is



proposed on a site in the townlands of Polnareagha and Ardskeagh (Templemary E.D.); and Tullacondra and Crougta, (Kilmaclenine E.D.), County Cork. The proposed grid connection will be installed underground mainly within the public road from the wind farm site at Crougta, Ballyclogh to the boundary of the 110 Kilovolts substation at Saint Joseph's Road, Mallow passing through the townlands of Kilmaclenine, Crougta, Knockaunavaddreen, Copestown, (Kilmaclenine E.D.), Ballybeg (Buttevant E.D.), Baltydaniel East, Twopothouse, and Cauraghakerry (Caherduggan E.D.); and Cloghlucas North, Curraghphadeen, Ballyvinitier Upper, Ballyvinitier Middle, Ballyvinitier Lower, Parkadallane, Carrigoon More and Carrigoon Beg Mallow Rural E.D.).

**AT:** Polnareagha, Ardskeagh, Tullacondra, Crougta Kilmaclenine, Ballyclogh, Knockaunavaddreen, Copestown, Ballybeg, Baltydaniel East Twopothouse, Cauraghakerry, Co. Cork

**FOR:** Permission

**PLANNING REGISTRATION NO:** 24/5503

A Chara,

I wish to acknowledge receipt of your online submission/observation on 10/09/2024 concerning this application. I wish to confirm that your submission/observation has been received within the period of five weeks beginning on the date of registration of the application and is therefore considered a valid submission/observation.

Copies of site map/plans and particulars submitted in connection with the application will be available for inspection at this department during office hours (9.00 a.m. to 4.00 p.m., Monday to Friday) until the application, or any appeal thereon, is finally determined. The applicant shall be given your name and content of the submission/observation should it be requested.

Your submission will form part of the documentation available for inspection by the public. You will be notified when a decision is made on the application.

**This document should be retained. If you wish to appeal such decision a copy of this acknowledgement together with the attached official document must accompany your appeal to An Bord Pleanála.**

CORK COUNTY COUNCIL  
PLANNING DEPARTMENT  
County Hall, Carrigrohane Road,  
Cork.

**Comhairle Chontae Chorcaí  
Cork County Council**



Head Office: County Hall, Cork

Form no. 3

Articles 28 and 35

**ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION ON  
A PLANNING APPLICATION**

**THIS IS AN IMPORTANT DOCUMENT**

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANÁLA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

**PLANNING AUTHORITY NAME** Cork County Council

**PLANNING APPLICATION REFERENCE NO.** 24/5503

**A submission/observation, in writing, has been received via our online system, from:**

Donal & Shelia Gayer  
Dolmen View Farm  
Kilmaclenine  
Ballyclough  
Mallow

**ON 10/09/2024 in relation to the above planning application.**

**The appropriate fee of €20.00 has been paid.**

**The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001, as amended, and will be taken into account by the Planning Authority in its determination of the planning application.**

County Hall, Carrigrohane Road,  
Cork.

**CORK COUNTY COUNCIL  
PLANNING DEPARTMENT  
ONLINE SUBMISSIONS SYSTEM**

**Date:** 10/09/2024

**AN BORD PLEANÁLA**  
LDG- 080844-25  
ABP- \_\_\_\_\_  
**17 JUN 2025**  
Fee: € 220 Type: PMO  
Time: 9.16 By: Ray Post  
JR

Dolmen View Farm,  
Kilmaclenine,  
Ballyclough,  
Mallow,  
Co. Cork.  
P51 W535

The Secretary,  
An Bord Pleanála  
Marlborough Street  
Dublin1  
D01V902

Planning Application Ref.                      No: 24/5503

Applicant:    Tullacondra Green Energy Limited

Description of Development:                      The Applicant is seeking permission for the construction, operation and decommissioning of a Wind Energy Development including: 9 wind turbines each with a blade tip height of 175 metres, rotor diameter of 150 metres, hub height of 100 metres and a rated output of 4.5 megawatts. An onsite 38 kilovolt electrical substation. Permanent meteorological mast of 100 metres height above ground level on a concrete base. Installation of approx. 13.5 kilometres of 38 kilovolts underground electrical cable, mainly within the public road between the proposed wind farm substation to the boundary of Mallow 110 Kilovolt substation at St Josephs Road Mallow.

Location:    Polnareagha, Ardskeagh, Tullacondra, Croughta, Kilmaclenine, Ballyclogh, Knockaunavaddreen, , Copestown, Ballybeg, Baltydaniel East, Twopothouse, Caurraghakerry, Co. Cork

Dear Sir / Madam.

We Donal and Sheila Gayer wish to lodge an appeal to the above application (Ref No 24/5503) which was granted Conditional Planning permission by Cork County Council on May 22<sup>nd</sup> 2025.

**The following points make up our Appeal:**

1. No Opportunity given to the Community to respond to the R.F.I reply submitted to Cork County Council on 28<sup>th</sup> March 2025
2. Tullacondra Green Energy response to RFI 3 and other reports on Otters
3. Tullacondra Green Energy response to RFI no 4.5 Japanese Knotweed
4. Points of Refusal to grant planning permission by Cork County Council to **Gortloughra Wind Farm Limited** 19th May 2025
5. Omission and errors in in the Archaeology Report Main Report- 4 And Volume 111 Part 8
6. Yellow Hammer
7. Turbine Delivery Route Option 1 and GCR Option 2 route from the N20 to Kilmacleanine Cross
8. Vodafone RFI No 13
- 9 RFI No 9.2 Derelict Houses.
- 10 Rathcoole Air Ambulance
11. TII response to Planning application 4<sup>th</sup> September 2024
12. Local Wells

**Point 1.No Opportunity given to the Community to respond to the R.F.I response by the Developers submitted on 28<sup>th</sup> March 2025**

On 28th March 2025 Tullacondra Green Energy sent in their response to the 24 RFI'S requested by Cork County Council on October 3<sup>rd</sup> 2024.

Once the information went up online a date for submissions from the general public was entered for May 1<sup>st</sup> 2025. However 24 hours later this date was removed from the web-site. Cork County Council did write to Public Bodies involved that the Further Information reply from the developers were online to view and comment on.

*"A Chara,*

*Further to our previous notification in connection with the above application I wish to advise that further information was received on 28/03/2025. Submissions made to this department will be taken into consideration by the Planning Authority.*

*Please note all documentation is available to view on our on-line Planning System at <https://planning.corkcoco.ie/ePlan/SearchTypes>".*

The opportunity to respond to the Developers Further Information response was taken from the general public.

In removing the submission date for the general public we as a community living in the surrounding area of the proposed development and GCR were deprived of the right to make an observation on the information given. We could not make any submissions or submit specialists reports or other relevant information at this stage. If we had been allowed to do so the outcome of the decision may have been very different at Council level. This amounts to a definite prejudice against the whole community and public in general. Instead we must now take our appeal to An Bord Pleanala.

Decision		Appeal	
<b>Planning Application: 245503 (Cork County Council )</b>			
<b>File Number:</b>	245503		
<b>Application Type:</b>	PERMISSION	<b>Planning Status:</b>	NEW APPLICATION
<b>Received Date:</b>	09/08/2024	<b>Decision Due Date:</b>	22/05/2025
<b>Validated Date:</b>	16/08/2024	<b>Invalidated Date:</b>	
<b>Further Info Requested:</b>		<b>Further Info Received:</b>	
<b>Withdrawn Date:</b>		<b>Extend Date:</b>	
<b>Decision Type:</b>		<b>Decision Date:</b>	
<b>Leave to Appeal:</b>		<b>Appeal Date:</b>	
<b>Commenced Date:</b>		<b>Submissions By:</b>	01/05/2025

## **Point No 2: OTTERS**

### **2.1 Developers response to RFI no 3 re Otters**

With regard to Appropriate Assessment, no information has been submitted in relation to otter activity in the vicinity of the proposed HDD operations under the South Caherduggan stream and, therefore, no assessment of potential impacts to otters have been provided. As such, an amended NIS, which includes an assessment of all sources of potential disturbance related impacts to qualifying interest species (i.e. otter) is required.

The Developers sent in a response to the above RFI. No 3 They stated that a dedicated otter survey was carried out on 31<sup>st</sup> January 2025 by ecologist Alex Johns and Calum Mc Sorley.

On the 24/25<sup>th</sup> January 2025 Storm Eowyn crossed Ireland leaving a trail of flooding and fallen trees and general destruction in its wake.

The owners of the land where the South Caherduggan stream flows parallel to the N72 have confirmed that after all storms the stream floods into the field beside the stream, however on this occasion the water came halfway up the field. This flood took several days to subside to normal river flow.

The ecologists report from the Developers states that “ No otter field signs Spraints, holts, couches footprints etc “ were recorded during the survey which covered a 300m section of the Caherduggan South stream , both upstream and down stream of the proposed HDD crossing point. They also stated “that otters are known in the wider area”

Other ecologists have explained that this is because of the storm and the subsequent flooding of the stream and surrounding area. . All possible evidence of otters would have been washed away with (a) the flood and (2) the water subsiding after the storm..The report did state “that the stream itself is suitable for otters in terms of connectivity and potential foraging.” (5.3.2 Ex-Situ Q1 Species RSK REPORT)

The RSK report 5.4.2.2 also states that “the potential for disturbance to Q1 species is low. The absence of otter from within 150m of the wind farm site was confirmed during baseline surveys and from the Caherduggan South Stream during supplementary surveys in response to RFI.”

These findings even if taken into account cannot confirm the absence of otters in either or both locations and especially in the South Caherduggan Stream due to the timing of the otter survey

### **2.2 The Ballyclough /Finnow Stream**

The Ballyclough/Finnow Stream is located beside the GCR option 1 on the L1205 Road Copstown Cross to Newtownpot House on the N20.

RSK on behalf of the developers have stated that no otters were present within 150m of the Grid Connection Route. “Based on the above review of scientific literature, on baseline data that confirmed the absence of otter within 150 metres of

the wind farm site and GCR.” (page 66 Natura Impact Statement reply to the Further information request)

I cannot find any evidence in the EIAR report of otter surveys conducted on the Ballyclough/Finnow stream. .

Residents who live in the vicinity of this stream have commented on seeing otters playing in the stream. During the last heavy snow fall in January they were seen playing in the snow. The RSK report states that

The EIAR states that “Grid Connection Option 1 runs close (10metres) to Ballyclough Stream \_010 which runs directly to the Blackwater river.”

The NPWS 2007 states “10m terrestrial buffer along shorelines and river banks identified as critical for otters” must be maintained. This buffer will not be maintained should the Grid Connection cable be layed on this route beside the stream.

### **Point 3. Developers response to RFI no 4.5 Japanese Knotweed**

Japanese knotweed was identified in 2 locations on the proposed site and on 2 locations on the proposed TDR Option 1 /GCR Option 2 (Fig 3.1)in the EIAR and TDR Option 2. (2.3.1 Habitat Management Plan Volume111 Biodiversity)

RSK in their reply have written a management plan for removing the Japanese Knotweed present on the proposed site. “Decommissioning and Restoration Plan”

Management or mitigation measures of the above species on TDR Option 1 /GCR Option 2 routes to the proposed site are not addressed in the EIAR report However scrub removal at certain points on the turbine delivery route where the Japanese Knot weed is present is proposed

A. On the Boherash N20 turn off to the L5523 states that

“Vegetation to be cleared to allow vehicle to traverse new temporary Hardcore Area”

B. Option 2 Node 7 Turn off from N20 under an existing railway Bridge onto the L1200.” Temporary Hard core surface”

Other invasive species such as Giant Hogwood, Himalayan Balsam, Giant Rhubarb were also identified during the Habitat Survey.

Without proper mitigation measures and proper controls in place to remove the Japanese knoweed at these 2 locations Construction and removal of any scrub or ground surface may lead to the further spread of these invasive species.. This has the potential to have a significant adverse effect at local level and could affect habitats as well as farm within the adjacent area. The removal of the Knot weed without control which typically takes three years will especially effect local tillage lands which are adjoining the area where the knotweed is present as these lands are cultivated for crops annually.

Figure 3.1: Japanese Knotweed at L5523 Boherash Cross



#### **Point 4.. Points of Refusal of Cork County Council on May19<sup>th</sup>May2025.**

**Planning Application: 25/142**

**Applicant: Gortloughra Wind Farm Limited**

On May 19<sup>th</sup> 2025 Cork County Council refused planning permission  
For the erection of 8 Turbines in the above application.

One of the reasons for refusing planning was that the area was of high biodiversity  
value due to its peat land nature

The following points were also used in the Senior executive Planners Report in  
refusing permission and all could be attributed to the application by Tullacondra  
Green Energy

- 4.1 Collision risks of Kestral not acceptable
- 4.2 Nocturnal Surveys were not submitted as requested
- 4.3 Proposals for 8 Turbines rising 175 metres in height is significant in the context  
of the site location would have a significant visual impact on some area of this  
highly scenic area of West Cork
- 4.4 Photomontages- Proposal visible from a large number of locations
- 4.5 The subject site is located in an area of the County where wind energy  
proposals are "Open to Consideration", as designated in the Cork County  
Development Plan 2022.

'Open to Consideration' comprises almost 50% of the County area and  
within these areas there may be locations that may have potential for wind farm  
developments but there are also some environmental issues to be considered,

4.6 The EIAR sets out that there are 52 no. dwellings within a 2 km radius of the site, comprising one off houses and farm holdings

“In total there are 74 residential properties occupied within the 2 km radius surrounding the Proposed Development and 15 of these residential properties are occupied within the 1 km radius”.

4.6.1 Tullacondra Green Energy application has 157 inhabited house within 2km 87 of these “sensitive receptors” within 1500m will be greatly effected by the shadow flicker from the turbines.

4.7 There are 10 recorded monuments within the site.

4.7.1 There are several recorded historical structures within the site of Tullacondra Green Energy Development. There are 54 monuments located within 1km of the Wind site Boundary.

4.8 57 submissions were made by the public.

4.8.1. 247 submissions were made by the local community in Ballyclough /Lisgriffin and surrounding area objecting to the Tullacondra Green Energy application.

Taking the above similarities of findings in both planning applications into account, it is hard to understand how 2 different outcomes were decided on by the Ccouncil. The fact that the Tullacondra Green Energy application received 240+ submissions with over double the homes with in a 2km radius begs to ask if this application deserved more attention and consideration by the planners before coming to a decision to allow planning.

#### **Point 5 Omissions and errors in the Archaeology report Main Report- 4 And Volume 111 Part 8**

5-A..A very in-depth Archaeology report was submitted in the EIAR Volume 111 Chapter 15 Archaeology and Cultural Heritage and in the Main Report -4.

The EIAR report states that there are no UNESCO, National monuments or protected sites within the site or within 1km of the site.

The report states that “fifty four monuments are located within 1km of the site boundary” It is apparent from this number of monuments that this area has a very rich history from early medieval times. The County of Cork record of National Monuments have approximately 300 recorded structures and monuments in section “24” of their map . This section of the map covers the area that is within the proposed site and surrounding areas that may be affected by this development.

The report states that there are two monuments of Neolithic period within the 1km radius. The report then states that there are 21 Protected Structures within 5km of the wind farm site boundary .. The nearest of these is Kilmacleanine Castle (9), which is located just over 1km to the east of the wind farm site and is described as an Anglo-Norman masonry castle  
The other 21 Protected Structures within 5km of the wind farm site are located over 1.5km from the wind farm site boundary

Fig 5.1 Shows the map of protected structures within 5km of the proposed site boundary presented in the EIAR

Fig5.1 protected structures within 5km of the proposed site EIAR report

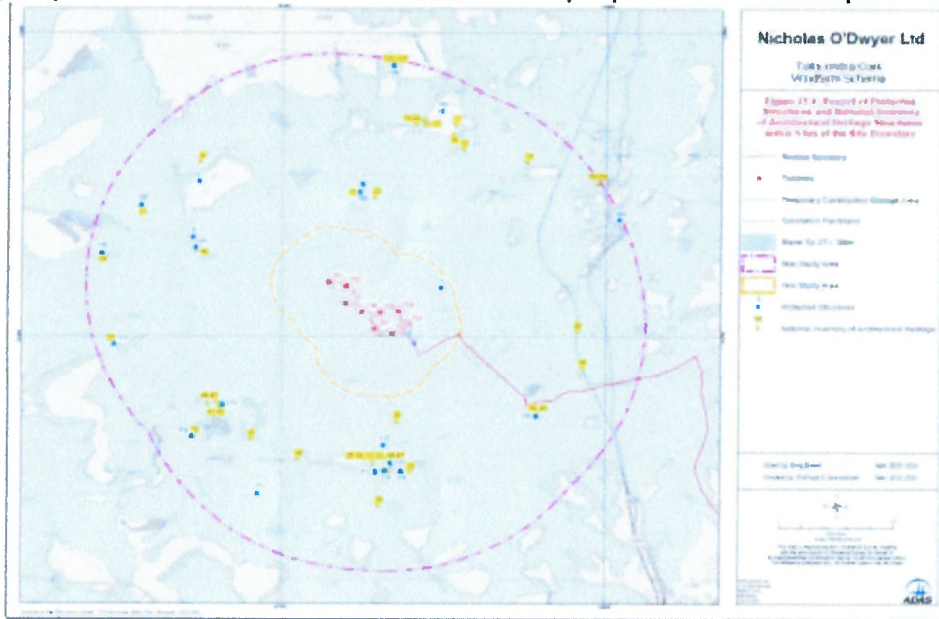


Figure 15.4 Record of protected structures and national inventory of architectural heritage structures within 5km of the wind farm site boundary

Submitted to [Name] Energy, London  
Date issued: [Date] Approved by [Name] / Checked: [Name] / Author: [Name] and [Name]

This map is not correct.. It excludes a Megalithic tomb (CO024-05602) of which no mention is made of any where in any archaeological report in the EIAR or in the RFI reply by the Archeologist.

This megalithic Tomb is located less than 2km from the proposed development. It is located approx 250 meters from the proposed Turbine Haul Route and Grid Connection route Option 2.

The Tomb dates back to C2000 BC and has not been mentioned in the RSK report 15.6.11 Prehistoric Period or in any section of the report

Fig 5.4 further on in this application shows the approximate location of the Wedge Tomb

Fig 5..2 Location of Megalithic Tomb. Kilmaclenine

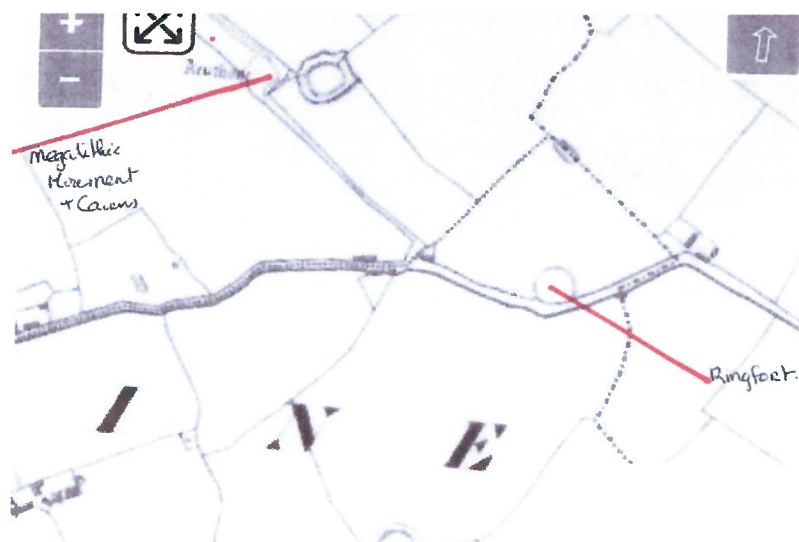


Figure 5.2 shows the presence of the megalithic tomb (CO24-05602) as well as the Ringfort (CO024-099) which hugs the proposed access road for proposed TDR haul route to the site. Sites and Monuments Record map 1928

This megalithic Tomb is closely associated with the castle, house and moat at Kilmacleanine. It is also associated with what is known as the "city field" where a settlement lived in C1200-C 1600 This field bounds the area where the Tomb and cairns lie. There was a passage from the cairns and tomb to the next field and to the settlement within the field.

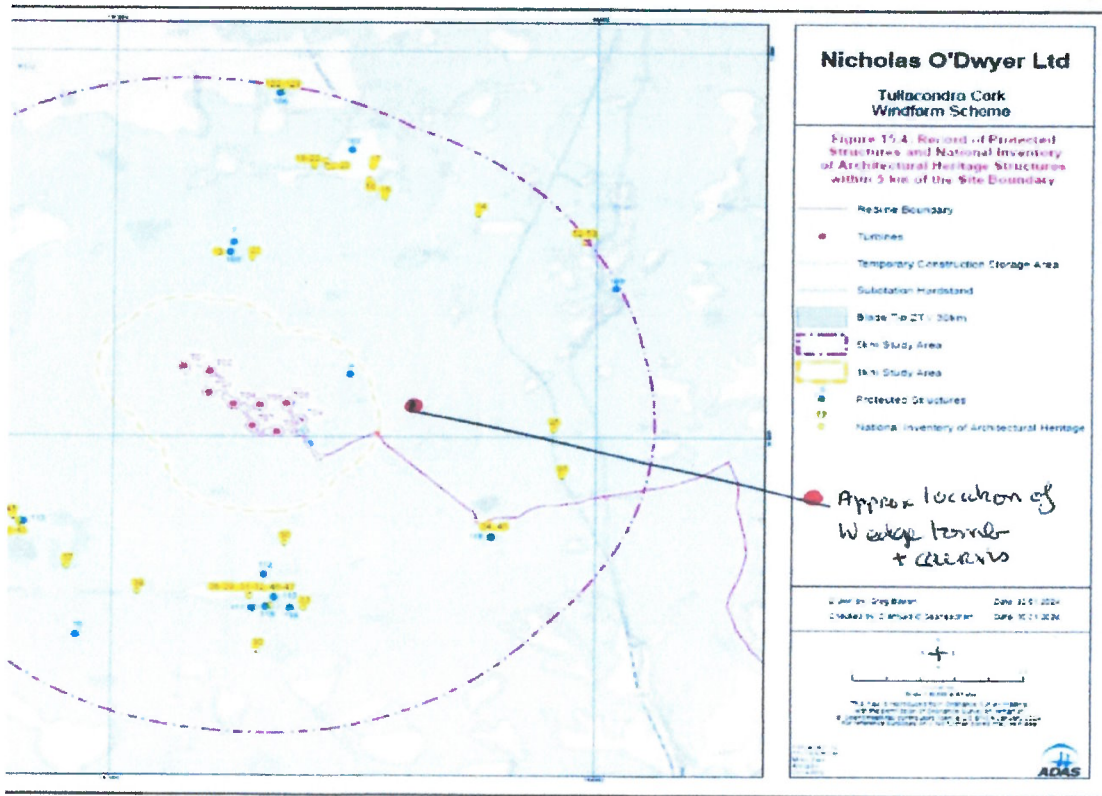
Fig 5.3 gives a general short history of the Wedge tomb This history was compiled locally for tourists and historians who visited the tomb regularly.

Fig 5.3

<p><b>Wedge Tomb at Kilmacleanine</b></p> <p><b>Location</b></p> <p>The wedge tomb located at Kilmacleanine on the lands of Donal and Sheila Gayer date back to approximately 2000BC. It is situated on gently rolling pastureland, about 4km southwest of Buttivant, mid way between Mallow and Liscarroll. It stands on a low ridge overlooked, at the North East by the Ballyhoura Mountains, Westward from the site the grounds fall to a small shallow valley beyond which are Kilmacleanine church and Castle. Several large mounds of earth or cairns surround the wedge tomb itself. This feature is considered unusual for wedge tombs and may be a secondary feature to the tomb.</p> <p><b>Dimensions</b></p> <p>The top edges of both side stones slope downwards from the west to the east. The stone at the north is 3.00 m long, .35 m thick and 1.90 m in maximum height. The opposite side stone is 3.20 m long, .25 m thick and 1.85 m in maximum height. The back stone leans inward. It is 1.30 m long, .45 m thick and 1.62 m in height. The roof stone rests on both side stones but not on the back stone. It measures 3.10 m long and 2.15 m wide and is .30 m thick. The chamber, which is 2.20 m long, decreases in height and width from</p>	<p>West to East. It is 1.50 m wide and about 1.70 m high at the west and is 1.40 m wide and about 1.40 m high at the east.</p> <p><b>History</b></p> <p>Here lies the burial place of a chieftain who lived in the district long before the dawn of Christianity. Originally a larger stone capped four very large standing stones, and a small mound of stones and earth covered the entire structure. The area around and including the wedge tomb is locally known as 'The Cuthoge'. The monument was intact up until 1837 when it was first opened. Rev. Thomas Olden, in an account published in 1881, records a local tradition of the mound having been opened at this time and notes that 'a skeleton with a sword by its side and some beads' was found in the chamber. These finds are said to have since disappeared. White (1913) quotes an account of the monument by a Dr. Caulfield which states that some 60 years earlier 'a farmer then in possession of the ground, observed what seemed to him as a limestone quarry, however what he found upon opening and digging the area was the wedge tomb and surrounding cairns. A few fragments of bones, a bronze sword and a bead or amulet' were found in the chamber. Arthur Jones, a Doneraile Historian stated that the hilt of a sword with a running ball on it was recovered at that stage. However there is no record of these today.</p>	<p><b>Today</b></p> <p>What remains today of the once proud structure is the empty burial chamber, the large stone edifice with its entrance stone missing, and the many mounds of earth that surround the wedge tomb itself.</p> <p><b>Folklore</b></p> <p>Verbal history has relayed that a high king of importance is buried in the chamber. Locals call him 'Turgeis'. The huge stones that make up the chamber are supposed to have been brought to the area from a great distance by four women in their aprons.</p> <div data-bbox="1066 1160 1407 1377" data-label="Image"> </div> <p>The 'Cuthoge' at Kilmacleanine</p> <p>(Photo by Col. Grove White, June 1906)</p> <p><b>Megalithic Tombs</b></p>
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We are attaching a letter to the back of this application sent to the previous owner of the farm on June 15<sup>th</sup> 1967. This letter was sent from Etienne Ryan of the National Museum of Ireland regarding the preservation of the tomb. The letter states "If it is a Passage Grave type of tomb, then it is doubly interesting as being probably the most important southern example of its type known in Ireland"

Fig 5.4 Shows the approximate location of the Megalithic tomb and Cairns in the EIAR report map.



and national inventory of architectural heritage structures within 5km of the wind farm site boundary

By omitting this structure in the EIAR assessment report there can be no guarantee that the structure itself or the surrounding area will not be impacted by the drilling, construction and traffic associated with the commissioning of the site and the Turbine deliveries and the Grid Connection operations.

Fig 5.5 Shows the list of protected structures within the 5km of the site as per the EIAR excluding the megalithic tomb. However the listed locations of some of these protected structures are incorrect

Fig 5.5

Table 15.10: Record of protected structures within 5km of the wind farm site boundary

Map Ref	Grid Ref	Structure	Td	Map Ref
6	40	Forbairn (Country House)	Castletown Dem	-
7	41	Lisgriffin Castle (in ruins)	Mounkcarbin	CO016-179
8	187	Ballygrady School	Dunbarry	CO024-227
9	186	Kilmaidenin Castle	Lingiffin	CO024-020/2
10	186	Lohart Castle	Ballying West	CO024-128
106	38	Mounkcarbin House and Stables	Knocklymakin	CO016-116
107	39	Dunbarry House	Marysod	-
108	42	St Mary's Roman Catholic Church	Ballydagh	-
109	57	The Abbey Columbanum	Ballyglin	CO017-059/1
110	164	St John the Baptist's Catholic Church	Ballyhass	-
111	171	Marysod House	Ballydagh	CO023-100
112	183	Ballydagh Christianist Trace	Bathmas	CO024-163
113	186	Ballyglin House (19th Century)	Ballydagh	CO024-084
114	189	Former Ballyhass National School	Copstown	-
115	180	Ballydagh Castle	Knockahart	CO024-135
116	181	St John the Baptist Catholic Church	Kilberry	-
117	182	Ballydagh House	Ballygrady North	-
118	183	Copstown Abbey	Lisgriffin	-
119	187	Former Church of Ireland	Ballygrady South	CO024-136/3
120	580	Thatch House	Kilmaidenin	CO021-290
121	29	Thatch Cottage		CO024-242

15.6.7 NIAH within 5km of the wind farm site boundary  
Many NIAH structures are located within 5km of the wind farm site boundary. These are detailed in EIAR Volume III, Appendix 15.1

15.6.8 Grid connection routes  
Tuellacondra Green Energy Limited propose to connect into the Malrow 110kV substation at St Joseph's Road, Malrow. The Grid Connection Route (GCR) from the wind farm site to the boundary of the Malrow 110kV substation will be approximately 13.6km. It will consist of a 38kV underground cable which will be constructed primarily within the existing

**5-B** In the Environmental Impact Assessment Report: Chapter 15: Archaeology and Cultural Heritage The road adjacent to the Ringfort (128) in Knocknavadree has been named as the L1333. This is incorrect. The Ringfort (128) is located on the L5523. The L1333 is situated near Buttevant. This mistake may have misled other persons reading the EIAR and left them believing that the Ringfort is not located near any of the proposed development or associated works prompting them to make a different assessment of the report.


The EIAR report states that “the other two monuments are Knockaunavaddre Ringfort (128) and a redundant record (129). In November 2023, the NMS introduced a new category of buffer called a SMR Zone around ringfort (128). This extends into the L1333 public road and in the land to the south of the L1333 public road at this location”.

The 2 Road numbers marked in red highlight the mistake in the EIAR.

### 6.0 Yellow Hammer

Our dwelling house is just on the 2km line from the proposed site for development. Since the beginning of May we have several birds in our garden. A new arrival this year has been 2 yellow Hammers which we haven't seen for many years in this area. These birds are on the Red List of protected species. Birds such as these need to be protected. Other sightings of them have occurred 700 meters from the turbines 4,7,6,2.

Fig 6.1 Summary of the Yellow Hammer on RSK report of EAIR assessment



**Yellowhammer**  
*Emberiza citronella*

**Classification**  
Family: Emberizidae, Order: Passeriformes (Passerines), Class: Aves (Birds)

**General appearance**  
Male yellowhammers are unmistakable with a bright yellow head and underparts, brown back with black streaks, and red/brown rump. Females are similar in appearance with more defined black/brown streaks along the breast and face and a duller brown appearance. They are roughly 16cm in length with a 23-29.5cm wingspan and weigh between 25-36g.

Tullis Energy Green Energy Ltd  
Habitat Management Plan  
604 162

**Distribution**  
Declines in yellowhammer have limited distribution generally along the eastern coast throughout counties including Cork, Waterford, Tipperary, Kilkenny, Wexford and many more along the east to Louth (Birdwatch Ireland 2023)

**Habitat Characteristics**  
This species is common in woodland and farmland using hedgerows for commuting and feeding routes and mature trees or rural structures for roosting. There is strong association with cereal cultivation in farmland, low cut hedgerow and guise (*Ulex europaeus*).

**Behaviour**  
Yellowhammer is a resident species to Ireland. Birds are frequently seen perched on top of scrub bushes or hedgerow singing between September - March. Adult birds will join mixed flocks of linnets, finches and sparrows to feed in farmland areas. Between April - August adults will pair and breed together (RSPB n.d.)

**Natural predators**  
Yellowhammer are predated by domestic cats and birds of prey. Eggs are predated by corvids, magpies, grass snakes (*Natrix natrix*)

and occasionally broods are predated by cuckoo (*Cuculus canorus*).

**Threats and conservation status**  
As with many bird species the threats to yellowhammer include predation by non-native species, habitat loss, variable food management change and climate change. Yellowhammer is listed on the Wildlife Act 1976/2000 and Annex IV of the European Habitats Directive.

**Impact from Development**  
The proposed development requires creation of wind turbines within a significant area of farmland habitat for yellowhammer. During the construction phase increased anthropogenic disturbance caused by increased machinery use, noise, vibration and light changes could cause temporary disruption to yellowhammer lifecycle. The removal of extensive sections of suitable hedgerow habitat to facilitate the construction of the Project will cause a permanent reduction in habitat for yellowhammer. Due to the association of yellowhammer to arable farmland the impact would likely be significant. This may lead to the decline of yellowhammer within the local area as assessed in the EAIR Ornithology Chapter (RSK 2023). The yellowhammer was chosen as a target for enhancement measures due to the close association with farmland habitats.






fig 6.2 Yellow hammer in our garden. May 2025

## Point 7 Turbine Delivery Route Option 1 and GCR Option 2 route from the N20

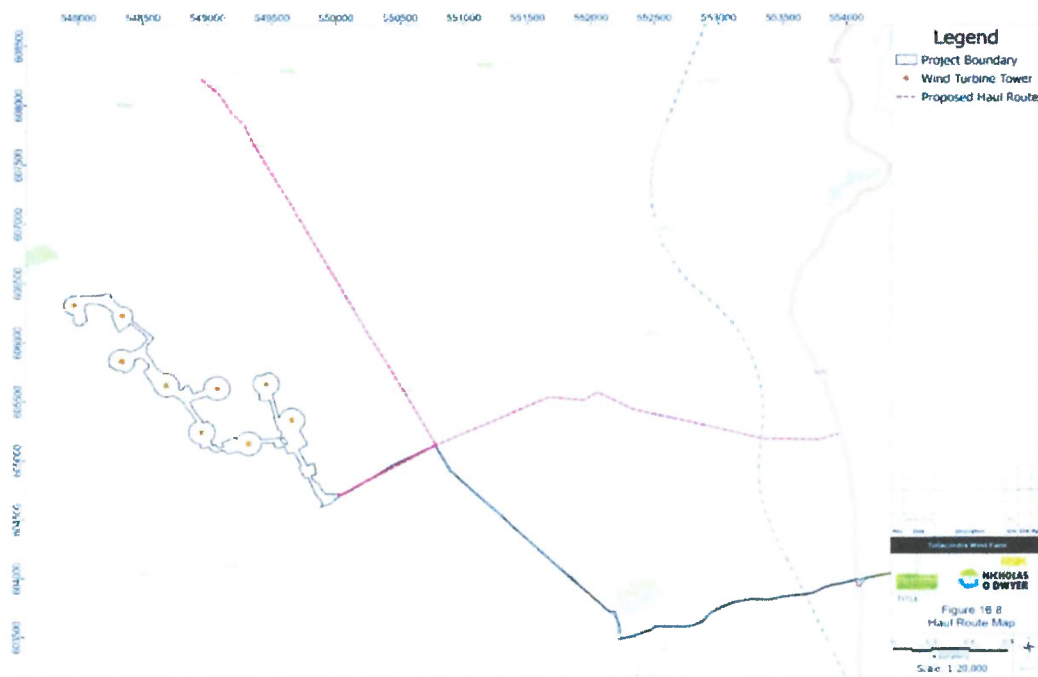
In total 11525 two way movements are predicted during construction of the turbines and the Grid Connection Route. During peak construction there is anticipated to be 54 daily trips on average generated by the development on the L5523

RFI no 16 “requested a detailed analysis of the potential delivery route from the N20 via L5523-18 and L 5523-0 to Kilmacleanine Junction” with consent obtained from the various Landowners as necessary where any works that may be required to make improvement to the road to allow deliveries”

The Developers replied in 16.2 “that landowners consent was not necessary to allow deliveries on this route.

We live on the L5523 Boherash to Kilmacleanine road. The Gayer Family has lived here for nearly 2 centuries. 2 route options were given at the planning stage for the Turbine Delivery route. Option 1 has been shown in the RFI response as the proposed Haul Route Fig 7.1 Shows the “Proposed Haul Route”

Fig 7.1



There are 4 NIAH structures located on TDR Option 1. One of those is a historic bridge(35) on the L5523 See Fig 7.3 and 7.4. This Bridge is known as Grange Bridge. There are 14 monuments recorded along this route. No 128 is a Ringfort on the L5523 The location of this ringfort (128 NMS 2023) was shown earlier in fig5.2. Both these structures are shown as pinch points on the maps Fig 7.2 and 7.5.

The EIAR Main Report - Chapter 15 stated that “any off-road accommodating works required on this section of the TDR option 1 between the junction of the N20 and the L5523 at Boherash cross and the wind farm site have the potential to directly effect Knockaunavadree ringfort (128) and the Bridge (35). Without mitigation, the

magnitude of this effect could range from no change to high and the significance of this effect on these heritage sites could range from neutral to profound adverse” Bfa consulting in their -Conclusions and recommendations for the Haul Routes recommended several criteria to be in place prior to the delivery of the first Turbine component.

No 2 on these recommendations stated “that Landowner agreements are in place for locations identified as requiring third party lands.”

In 2023 2 employees from Tullacondra Green Energy called to our home and showed us a map where by they would enter our lands on the first bend in the road before the ring-fort and exit our land by knocking a stone wall entrance. They were not aware of the ring-fort in the proposed field. For several reasons we declined to progress the conversation with them.

Since then the application for planning states that no third party land take will happen at these bends. Instead the comment is “Public road widened to meet minimum requirements of the Turbine manufacturer.”

This is a report from an engineer who surveyed the bends on the L5523 June 2025

## **Tullacondra Wind Farm**

**11<sup>th</sup> June 2025**

### **Observation on the Turbine Delivery Route Assessment Report**

1. Two sharp bends exist on the L5523 at Grange East -W605571, E552048, Node 12 in the turbine Delivery Route Assessment report (Page 19). Only one of these, to the East has been subjected to a swept Path Analysis.
2. Comment#1 indicates that tree/hedge trimming will be required to avoid clashes with delivery vehicles.  
It is noted that the eastern bend is heavily foliated with trees. Trimming of these trees to the extent required is likely to be significant with the attendant risk the trees will not survive. In addition, if the trees do survive, they will be subjected to further trimming if repairs to the wind Farm structure arise during the lifetime of the wind-farm. In both scenarios, the trimmed trees will present an unbalanced and discordant long term appearance in an otherwise undisturbed landscape.
3. Comment#3 indicates that the public road is to be widened to meet requirements of the turbine manufacturer.(Fig 7.5)  
There is inadequate width within the confines of the roadside boundaries to facilitate road widening.
4. The second sharp bend, appearing on the Node 12 map has not been subjected to a swept path analysis when it is clear it should have been so subjected. It is noted that a ring-fort is located in Corbets Turn field immediately north of this second bend. The landowners will not give consent to the encroachment onto the land for road widening purposes.

The EIAR states that the potential effect will be “no Change/Neutral if ground works take place outside the buffer zone of the Ringfort. As per fig 5.2 The Ringfort and its buffer zone transverses the road to cover both sides of the road. There is no

accommodation for HGVs to accommodate turbine delivery or other abnormal loads on this route.

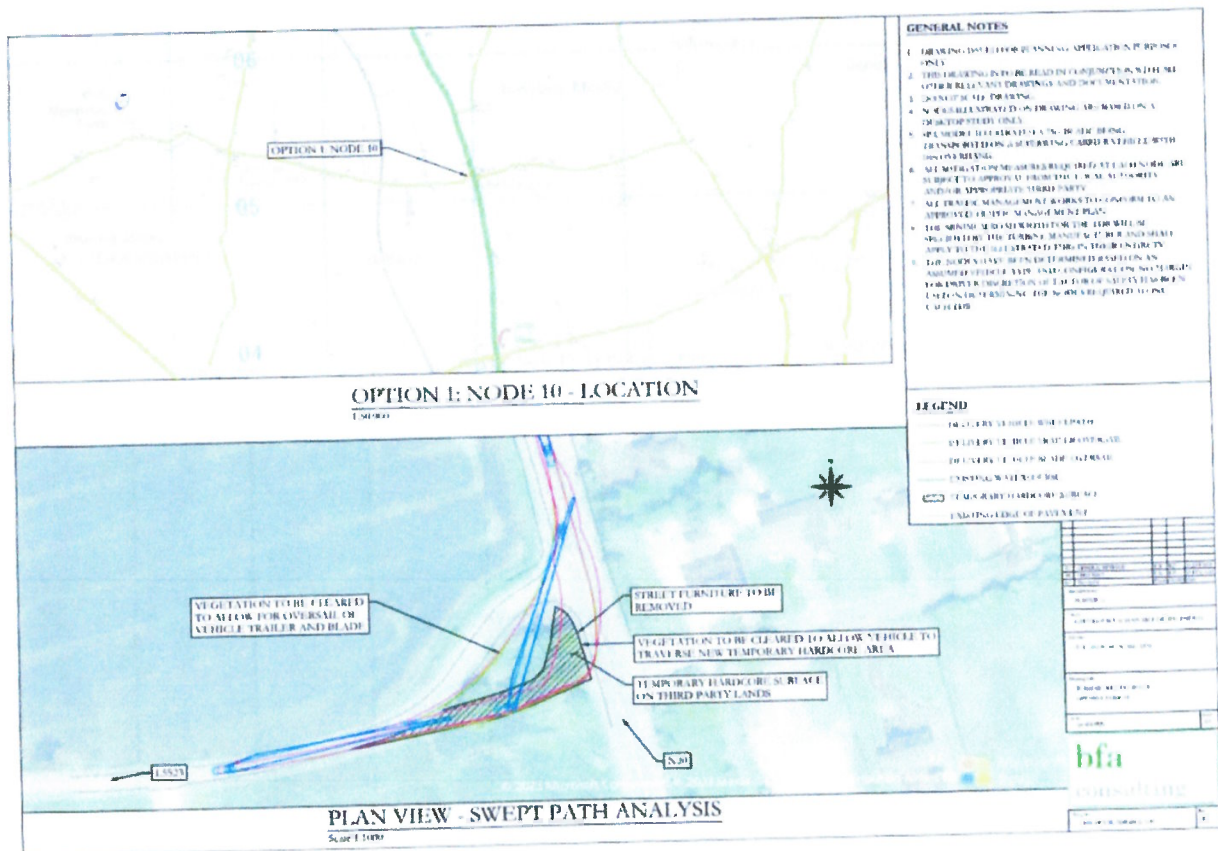
There are several Pinch Nodes on The Turbine Delivery router Option 1.

How to manoeuvre big loads around these nodes is well documented and shown on maps in the areas of concern using different colours for

1. Wheel path
2. Delivery Vehicle Blade Oversail
3. Delivery Vehicle Blade oversail
4. Existing Watercourses
5. Temporary Hardcore surfaces
6. Existing edge of pavement.

In TDR Option 1 Node 10 (Fig 7.1)A swept path analysis is visually shown on the map, taking out vegetation and laying of hardcore ( this node is one of the 2 areas outside of the proposed site where Japanese Knotweed((fig 3.1) is present )

Fig 7.1 Node 10 TDR Option 1



Node 11- covers the route over Grange Bridge a historical bridge. Fig 7.2  
 A. I. Bridges inspection final report states “our assessment indicates that the bridge is capable carrying the loads exerted on it by standard roadworthy vehicles provided axle-lift off does not occur.”  
 They have stated that “this will not happen due to the flat vertical alignment of the road over the bridge.” Figures 7.3 and 7.4 are photos taken of the same bridge looking east and west

Fig 7.2 Grange Bridge

2.12 Option #1 – Node 11



<p>Location:          I.5523 - Grange Bridge          N: 605187          E: 553346</p>	
<p>Swept Path Analysis:          75m Blade on SuperWing carrier.</p>	 <p style="text-align: center;">Red – Wheelpath;    Magenta – Blade Oversail,    Green – Trailer Oversail</p>
<p>Comment #1:</p>	<p>Tree/Hedge trimming required to avoid clashes with delivery vehicle.</p>
<p>Comment #2:</p>	<p>Blade to be loaded in a specific configuration to allow navigation.</p>

Fig 7.3 Grange Bridge looking East.



Fig 7.4 Grange Bridge looking West



Node 12. Grange East show the bend of the road where the ring-fort in Knocknavadree is located(128) Fig 7.5

Node 12 diagram shows a lorry going around a 90 degree bend and then navigates the outer perimeter of the ringfort CO024-99 (128) Fig 5.2

Comment #3 states “public road to be widened to meet minimum requirements of the Turbine manufacturer”

Fig 7.5 Grange East.

2.13 Option #1 – Node 12

<p>Location: L5523: Grange East N: 605571 E: 552048</p>	
<p>Swept Path Analysis: 75m Blade at 84° incline on Blade- Lifter Vehicle.</p>	
<p>Blue – Wheelpath; Magenta – Blade Oversail; Green – Trailer Oversail</p>	
<p>Comment #1:</p>	<p>Tree/Hedge trimming required to avoid clashes with delivery vehicle.</p>
<p>Comment #2:</p>	<p>Utility Line/Poles to be diverted to avoid clashes with delivery vehicle.</p>
<p>Comment #3</p>	<p>Public road to be widened to meet minimum requirements of the turbine manufacturer.</p>
<p>Comment #4</p>	<p>Blade to be loaded in a specific configuration to allow navigation.</p>
<p>Comment #5</p>	<p>Manual steering required to assist navigation.</p>

As per the engineers report if you compare the swept path analysis of this node and the other previous nodes you will notice that the swept path analysis in this diagram is not complete as it only shows an analysis for the first 90 degree bend and not for the bend that makes up the outer perimeter of the Ring fort (128).

We own the land at either side of the road where this ring fort is situated. There is no possibility of widening this road with out third party land take.

A. The assumption in the plans that access will be granted and modifications made to our land's for turbine haul route access are inaccurate.

B. Permission will not be granted by the landowner to interfere with their property. The landowner also refuses permission for Tullaconfdra Green energy or companies working on their behalf to

A. enter these private lands,

B. cut or remove any of the roadside hedging

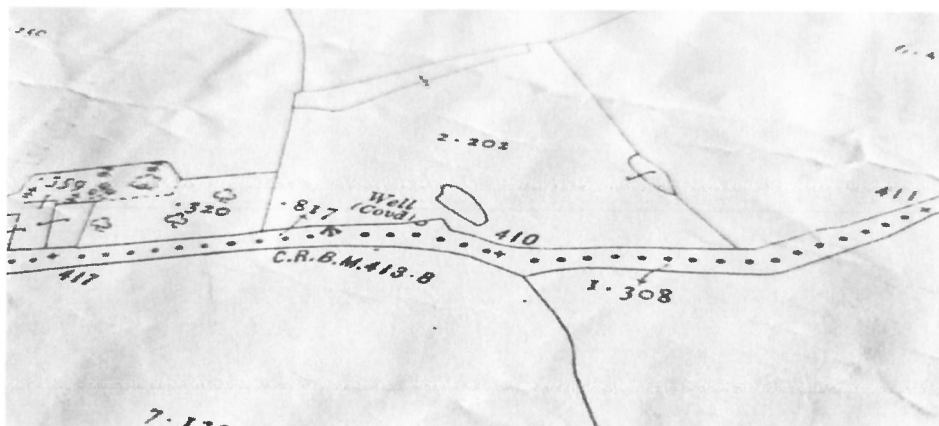
C. hoist anything over the property.

There are a number of court cases establishing the principle that the owner of the land beside a public road or river "owns the soil to the middle part of the road or river unless the soil has been acquired by the local authority *The Kings man Law* High Court cases Dromada Wind Farm (R.O.I) Limited v Denis Cremin and in a previous case -Ms Justice Bakers judgement in Daly V Kilronan Wind Farm Limited (May 2017)-ruled in favour of the landowner. Justice Baker also said ."Thus, prima facie, there was trespass, and the road opening licence did not of itself amount to authorization or permission to enter upon private land" The Kingsman Law applies in this instance regarding the Turbine delivery route on our local road. We own the lands at both sides of the road at the Ring-fort and the road going both east and west of same.

As a full swept path analysis has not been completed (1 of 2 node drawing where the swept path analysis has not been fully shown on both turbine delivery routes) one can come to the conclusion that the possibility of being able to bring any Turbine or part-of on this route is remote.

Node 13 (Fig 7.6) shows the proposed turbine route around the bends after the Ringfort. Hardcore surface is proposed here to allow delivery of the loads. These bends are on the perimeter of the "city field" where a settlement lived circa 1200 to circa 1600. This village and nearby settlements were flourishing in the 1400's. Earlier maps show the present of a well in the field (Fig 7.7). Many historical items may be found here if the area is dug up to make a hard core surface.. A full Swept path analysis has not been completed in this diagram (2 of 2)

Fig 7.7 showing location of well in the "city Field" beside the L5523



2.14 Option #1 – Node 13

<p>Location:                  L5523: Grange East                  N: 605481                  E: 551558</p>	
<p>Swept Path Analysis:                  75m Blade at 84°                  incline on Blade-                  Lifter Vehicle.</p>	
<p>Comment #1:</p>	<p>Trec/Hedge trimming required to avoid clashes with delivery vehicle.</p>
<p>Comment #2:</p>	<p>Utility Line/Poles to be diverted to avoid clashes with delivery vehicle.</p>
<p>Comment #3</p>	<p>Public road to be widened to meet minimum requirements of the turbine manufacturer.</p>
<p>Comment #4</p>	<p>Blade to be loaded in a specific configuration to allow navigation.</p>
<p>Comment #5</p>	<p>Manual steering required to assist navigation.</p>

Fig 7.7 Node 13 TDR Option 1

There are several issues relating to the Turbine delivery route Option 1. We have only covered 1.5 miles of the proposed route and have shown the issues on this rural road. While planning is not required for the haul routes they must be shown in the application and therefore must be taken into account when planning is being considered by the relevant parties. If access to a proposed site is an issue then it must reflect in the planning decisions. Others possible access routes to the site were considered and shown in the EIAR report and deemed unsuitable.

Option 2 for Haul route access is using the N20 and passing under the railway bridge to the L1200. This haul route option also involves third party land take which permission has not been given..

### **Point 8. Vodafone RFI No 13**

A. I Bridges submitted a full mitigation report to correct any interruption to the Vodafone service over the site. Pg 307-347 of the Response to the RFI request.

The developers did not address any mitigation measures to prevent issues with Saorview reception- The National Digital Terrestrial Television Service in Ireland. The height of the proposed development site with the addition of the 175 metre turbine tip height will have potential to interfere with the Saorview path which gives service to all the Televisions in the Buttevant/Doneraile area. Lack of mitigation and the potential issues regarding the saorview reception is covered further in the community appeal.

### **Point. 9 Reference RFI No 9.2**

A map showing derelict or uninhabited houses within 2km of the proposed wind farm has been submitted with the community appeal.. These houses are shown on the same map used by the developers to show the houses within 2 km. Several house by the fact they are not inhabited or are in a derelict state were omitted from the EIAR map.

Some of these houses are within 450 metres of the nearest turbines. In the response to the request for Further Information the developers have included H17 However H17 is an occupied Dwelling and may be misleading . This house is in a farm yard 400 approx from the nearest turbine on the same land as house 17. The owners have been given a post code and have plans drawn up to develop this house. Ther have 2 young children. If the proposed development goes ahead the impact from noise and flicker will be huge. The family will most likely be unable to live in this home which is on their farm land. Recently a high court judge has ordered 3 turbines to be shut down permanently in a case in Wexford that has been fought for 12 years over noise. The company involved admitted to the noise nuisance.

### **Point 10. Air Ambulance**

The North Cork Air Ambulance service is run by the HSE and operated from the base at Rathcoole Airfield Mallow The Air Ambulance operates via VFR (visual flight rules) This means it can only legally fly to 500 feet above ground level. As a result it cannot fly over mountains and must use the valley flight paths.(Rathcoole-Twopothouse-north toward Limerick or South toward Cork )flying the valleys. This helicopter can do 160-180 miles per hour. The travel time between the air base and the proposed site is approx 7 minutes as the distance is 17 km. If the proposed development goes ahead the Air Ambulance flight path will be obstructed by the Turbine development. Their legal flight height is 152m above sea level. The proposed turbines extend to 175m above ground level.. Submissions were send in by individuals and by Rathcoole Air Base to Cork County Council last September. However these submission were not considered in any of the Requests for Further Information by the Council.

Having spoken to the General Manager Operation Support for the National Ambulance Service HSE he was shocked and amazed that Cork County Council did not make any.... to him in relation to this development. He informed me that the Air Ambulance will not fly within 1000 meters of a turbine.

An emergency service like this cannot be discarded without consideration for the consequences to peoples lives in the event that the operation is grounded. The first Air Ambulance flight was in 2018 and the team now do 60 call-outs every month approximately. So far this year the service has been tasked out to 295 incidences to the end of May.

While the IAA was contacted by Cork Council Council re the location of the proposed site in relation to Cork airport RSK 11.4.2.4 EIAR Chapter 11 states "The constructed Turbines could be considered an obstacle to low flying aircraft" The Air Ambulance or the Emergency HSE services were not contacted for a reply or input into the effect this proposal will have on the future of the Air Ambulance service in Rathcoole.

### **Point 11 RFI No 17 Transport Infrastructure Ireland**

*You are also requested to take into account any comments received from the TII and Irish Rail in relation to the impact this project would have on their infrastructure, or the impact this project would have on any future project being currently developed by these parties.*

Transport Infrastructure Ireland in a letter to Cork County Council on Sept 24<sup>th</sup> 2024. deemed the application "premature" pending the determination of the outcome of the route for the N/M20 road Cork t Limerick

### **Point 12 Local Wells**

#### **Point 12 - local wells**

The agricultural land surrounding both the turbine site and the grid connection route is predominantly farmed for dairy, beef, and tillage. Many of the landowners in this area have drilled private wells to secure a reliable supply of wholesome water for livestock and other agricultural activities.

As previously noted, the Environmental Impact Assessment Report (EIAR) lacks critical baseline data. Specifically, it fails to include a field-based survey of existing domestic and agricultural wells, relying instead solely on desk-based analysis of the GSI well database. This is a significant limitation, given the known gaps in the GSI dataset. In addition, the EIAR does not establish key hydrogeological parameters such as groundwater flow direction or groundwater depth—factors essential for understanding potential risks to any wells during the construction phase.

RSK, the consultancy involved in preparing the EIAR, states that monitoring will take place monthly during construction and for 12 months post-construction, with “any mapped wells identified in HDD groundwater buffer zones (250m)” to be included. However, this commitment does not address the fundamental issue that many wells remain unmapped and unverified due to the lack of a proper on-site survey at the planning stage.

Given the physical absence of well surveying and the failure to establish site-specific hydrogeological conditions, the adequacy of the impact assessment is highly questionable. These issues should have raised concerns during the preparation of the planning application. A comprehensive study at this stage should have included a door-to-door survey to identify and map all private wells surrounding both the turbine site and the grid connection route.

While I have not yet completed such a survey myself, I am currently undertaking this work, and early findings indicate that there are significantly more wells in the area than initially anticipated, particularly along the grid connection corridor.

In light of the above, I respectfully request that An Bord Pleanála give due consideration to these omissions, and ensure that further, site-specific hydrogeological assessment is required before a final decision is made.

We ask on behalf of the local community and ourselves that you take all the above points into consideration when making your decision on this Planning application

Donal and Sheila Gayer


An Roinn Oideachais.  
TELEPHONE No. 65521  
*(Any reply to this communication  
should be addressed to:  
The Director,  
National Museum of Ireland,  
Kildare Street,  
Dublin 2.  
and the following number quoted..-  
IA/89/67...)*



ARD-MHÚSAEM NA h-ÉIREANN  
(National Museum of Ireland)

SRÁID CHILL DARA,  
(Kildare Street)

BAILE ÁTHA CLIATH 2  
(Dublin 2)

15th June, 1967.

Richard Gayer, Esq.,  
Kilmaclenine,  
Ballyclough,  
Mallow,  
Co. Cork.

Dear Mr. Gayer,

Although I have been excessively busy since meeting you some time ago, I have not forgotten that I promised to write to you about the ancient burial-mound which is at the bend of the roadway leading to your house. We are, as I explained to you then, very interested in preserving this monument which may be the last remnants of a Passage Grave or some such tomb - only excavation at some future date, perhaps not in our life time, can settle the question of its true nature. If it is a Passage Grave type of tomb, then it is doubly interesting as being probably the most southern example of its type known in Ireland and it probably can be dated to between 3000 and 2000 before Christ.

We are very grateful to you, therefore, for agreeing to desist from further damaging the site and on behalf of all those interested in the past of Ireland and of Co. Cork in particular, I would like to thank you for so agreeing.

Yours sincerely,

---

Etienne Rynne