

File With _____

CORRESPONDENCE FORM

Appeal No: ABP 322787-25

M _____

Please treat correspondence received on 25/06/25 as follows:

1. Update database with new agent for Applicant/Appellant _____	
2. Acknowledge with BP <u>40</u>	1. RETURN TO SENDER with BP _____
3. Keep copy of Board's Letter <input type="checkbox"/>	2. Keep Envelope: <input type="checkbox"/>
	3. Keep Copy of Board's letter <input type="checkbox"/>

Amendments/Comments	<u>observation from M Healy & P Healy JR</u>

4. Attach to file (a) R/S <input type="checkbox"/> (d) Screening <input checked="" type="checkbox"/> (b) GIS Processing <input type="checkbox"/> (e) Inspectorate <input type="checkbox"/> (c) Processing <input type="checkbox"/>	RETURN TO EO <input type="checkbox"/>
--	--

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Drum WA cell</u>	AA:
Date: <u>27/06/25</u>	Date:

File With _____

Appeal NO: ABP 322787-29

Defer Re O/H

TO: SEO

Having considered the contents of the submission dated/received 25/06/29

from

M & P Healy JR I recommend that section 131 of the Planning and Development Act, 2000

be not invoked at this stage for the following reason(s): no new material information

E.O.: [Signature]

Date: _____

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: _____

Validation Checklist



An
Bord
Pleanála

Lodgement Number : **LDG-080991-25**
Case Number: **ABP-322787-25**
Customer: **Michael Healy & Patrick Healy Jnr**
Lodgement Date: **25/06/2025 10:04:00**
Validation Officer: **Dáire Littleton Caden**
PA Name: **Cork County Council**
PA Reg Ref: **245503**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Observation / Submission**

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

Observation

BP40 ✓ R.D. 30/06/25

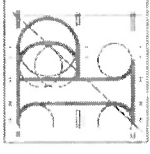
Run at: 27/06/2025 10:55

Run by: Dáire Littleton Caden

11
C C

1000 1000

Lodgement Cover Sheet - LDG-080991-25



An Bord Pleanála

Details

Lodgement Date	25/06/2025
Customer	Michael Healy & Patrick Healy Jnr
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-080991-25
Map ID	
Created By	Scott Moss
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Cork County Council
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Paid	50.00
Refund Amount	

Observation/Objection Allowed?	
Payment	PMT-063537-25
Related Payment Details Record	PD-063378-25

BP40

18/06/25 LD 1907/25

Observation

Run at: 25/06/2025 10:12

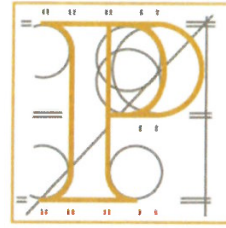
Run by: Scott Moss

PA Case Number	
PA Decision Date	
County	
Development Type	
Development Address	
Appellant	
Supporting Argument	

Development Description	
Applicant	
Additional Supporting Items	

Case Number: ACP-322787-25

Planning Authority Reference Number: 245503



An
Coimisiún
Pleanála

Michael Healy & Patrick Healy Jnr
Ballyvinter
Lower Mallow
Co. Cork
P51N996

Sanding

AN COIMISIÚN PLEANÁLA
LDG- 080991-25
ACP- _____
25 JUN 2025
Fee: € 50 Type: Chg
Time: 9:12 By: Reg Post

Date: 18 June 2025

Re: Construction and decommissioning of 9 wind turbines and all associated site works. The Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) was submitted to the Planning Authority with the application. Polnareagha, Ardskeagh, Tullacondra, Crougta, Kilmaclenine, Ballyclogh, Knockaunavaddreen, Copestown, Ballybeg, Baltydaniel East, Twopothouse, Caurraghakerry, Co. Cork

Dear Sir / Madam,

An Coimisiún Pleanála has received your letter in which you intended to make an appeal under the Planning and Development Act, 2000, (as amended).

Section 127(1)(e) of the 2000 Act, (as amended), provides that an appeal must be accompanied by the acknowledgement by the planning authority of receipt of submissions or observations on the application. As your appeal was not accompanied by the said acknowledgement, it is regretted that it must be regarded as invalid in accordance with section 127(2)(a) of the Act. To lodge a valid appeal you must comply with ALL of the requirements of section 127.

You are reminded that the final date for the lodgement of a valid appeal is 4 weeks beginning on the day of the decision by the planning authority. In this case, the time period to lodge a valid appeal has expired.

You are reminded that the last day for making a valid submission or observation is 4 weeks beginning on the day of receipt of the appeal by the Commission or where there is more than one appeal against the decision of the planning authority, on the day the last appeal was received by the Commission. The Commission received the last appeal on 17th June 2025.

The documents lodged by you are enclosed and a cheque for the money lodged will follow under separate cover.

*Re-applying for observation only
as we did not send acknowledgement
by planning authority.*

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1800 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

Regards = Patrick & Michael
Healy

Yours faithfully,

Daire Littleton Caden

Dáire Littleton Caden
Executive Officer
Direct Line: 01-8737

BP14



Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1800 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Michael Healy & Patrick Healy Jnr
Ballyviniter Lower, Mallow
Co. Cork, P51 N996
16th June 2025

To:
An Bord Pleanála
64 Marlborough Street
Dublin 1, D01 V902
Ireland

AN BORD PLEANÁLA	
LDG-	<u>080837-25</u>
ABP-	_____
17 JUN 2025	
Fee: €	<u>220</u> Type: <u>Chg</u>
Time:	<u>9.25</u> By: <u>Reg Post</u>

FOR OBSERVATION ONLY

Re: Formal Objection to Grid Connection Proposed Under the Tullacondra Green Energy Project
Planning Register No: 24/05503

Dear Sir/Madam,

I am writing to lodge a formal objection to the proposed grid connection associated with the Tullacondra Green Energy Project, as detailed under Planning Register No. 24/05503. This objection is submitted in accordance with the relevant provisions of the Planning and Development Acts and is based on substantial environmental, agricultural, and public health concerns.

1. Lack of Landowner Consent

We have not granted permission either to the developers of the Tullacondra Green Energy Project or to Cork County Council for the proposed grid connection to cross our land or the subsoil beneath the public road L5320. As owners of land on both sides of this road, we assert ownership of the subsoil beneath it, in accordance with established common law principles – Kingsman’s Law. Furthermore, the proposal includes the installation of a culvert on our property, for which no consent has been granted. We strongly object to any works being carried out on our land or within our subsoil without our explicit authorisation.

2. Impact on Protected Wildlife

The proposed cable route passes through areas known to support badger populations. Scientific studies have established a clear link between disturbances caused by construction activity and increased stress and displacement in badgers, which can negatively impact their well-being and natural behaviour.

Additionally, we have received notification from the Department of Agriculture that a neighbouring dairy farm has confirmed cases of tuberculosis. Increased movement of badgers across our land, caused by habitat disruption, could pose a serious risk of TB transmission to our dairy herd, which is a major concern for the health of our livestock and the continued operation of our farm.

3. Habitat Disruption

The area near the Ballyviniter Bridge, also intersected by the proposed route, is a known habitat for various protected species, including bats, owls, and buzzards. While the bridge itself may not be suitable for roosting, the surrounding scrubland and sloped terrain provide critical habitats. These species have been consistently observed in the area and may be adversely affected by the project.

4. Inadequate Survey of Otter Habitat

The proposed cable also crosses the Caherduggan Stream on our land, where otters have been frequently observed. A survey conducted to assess the presence of otters concluded that no signs were found. However, this survey took place immediately following Storm Eowyn (24–25 January 2025), which caused substantial flooding of our land. Such conditions would have washed away any evidence of otter activity. Independent ecological advice supports the view that the timing and conditions of the survey render its conclusions unreliable.

5. Proximity to Tunnel for Dairy Herd

The planned Mallow Relief Road, which also passes through our land, includes the construction of an underground tunnel for safe passage of our dairy herd. The proposed cable is to be installed in close proximity to this tunnel. We are concerned about potential impacts on animal welfare, including the effects of electromagnetic fields or other disturbances on the health and behaviour of the herd. These could negatively affect milk yield and quality, posing a serious threat to the sustainability of our dairy operations.

Given the above concerns, we respectfully request that An Bord Pleanála **refuse permission** for the grid connection to proceed through our land. The proposal raises serious issues of environmental degradation, potential harm to protected species, unauthorised land use, and risks to public and animal health.

We trust that this objection will be given full and fair consideration in your deliberations.

Yours faithfully,

Michael Healy and Patrick Healy Jnr

Michael Healy
Patrick Healy JNR

Comhairle Contae Chorcaí Cork County Council

Pleanáil agus Forbairt,
Halla an Chontae,
Bóthar Charraig Ruacháin,
Corcaigh T12 R2NC.

Fón: (021) 4276891
R-phost: planninginfo@corkcoco.ie
Suíomh Gréasáin: www.corkcoco.ie

Planning & Development,
County Hall,

Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891

Email: planninginfo@corkcoco.ie

Web: www.corkcoco.ie



Michael Healy
Brooklands
Ballyvinitter Lower
Mallow
Co. Cork

22/05/2025

BY REGISTERED POST

A Chara,

Planning Register No. 24/05503

The Council has, by Order dated 22/05/2025, decided as follows: **Conditional Permission**

TO: Tullacondra Green Energy Limited

OF: C/O Alison Harvey MIPI, Nicholas O'Dwyer Ltd., Unit E4, Nutgrove Office Park,
Nutgrove Avenue, Dublin 14, D14V3F6

FOR: 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 Crought, Ballyclogh 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 (EIAR) and Natura Impact Statement (NIS) will be submitted to the Planning Authority with



We are Cork.



Recycled

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

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

An appeal against a decision of a Planning Authority may be made to An Bord Pleanála. Appeals should be addressed to the Secretary, An Bord Pleanála, 64, Marlborough Street, Dublin, 1 and will be **INVALID UNLESS ACCOMPANIED BY THE APPROPRIATE FEE.**

Any person lodging an appeal with An Bord Pleanála against a decision of the Planning Authority shall do so in compliance with **SECTIONS 37 & 127** of the **PLANNING & DEVELOPMENT ACT, 2000 (As amended)**. In particular an appeal shall:

- (1) Be made before the **EXPIRATION** of the period of **FOUR WEEKS BEGINNING** on the **DAY of the GIVING (i.e. DATE OF ORDER) of the DECISION of the PLANNING AUTHORITY.**
- (2) An appeal shall be made in writing.
- (3) Shall state the name and address of the appellant or person making the appeal or referral and of the person, if any, acting on his or her behalf.
- (4) Shall state the subject matter of the appeal.
- (5) Shall state **IN FULL** the grounds of appeal and the reasons, considerations and arguments on which they are based. (The Bord cannot take into consideration any grounds of appeal or information submitted after the appeal is lodged).
- (6) Be accompanied by the appropriate fee. (**SEE ATTACHED SCHEDULE**)
- (7) In the case of an Appeal under Section 37 by a person who made submissions or observations in accordance with the Permission Regulations, be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions or observations.

AN APPEAL WHICH DOES NOT COMPLY WITH THESE REQUIREMENTS SHALL BE INVALID. IT SHOULD BE NOTED THAT IN RELATION TO A DECISION BY THE PLANNING AUTHORITY TO GRANT "PERMISSION FOLLOWING OUTLINE PERMISSION" NO APPEAL MAY BE BROUGHT UNDER SECTION 37 TO AN BORD PLEANÁLA IN RESPECT OF ANY ASPECT OF THE PROPOSED DEVELOPMENT WHICH WAS DECIDED IN THE GRANT OF OUTLINE PERMISSION.

Is mise, le meas,



Cathal de Baróid
Administrative Officer

CORK COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 – 2010 AS AMENDED
NOTIFICATION OF DECISION TO GRANT Permission

Reference No. in Planning Register **24/05503**

Tullacondra Green Energy Limited
C/O Alison Harvey MIPI
Nicholas O'Dwyer Ltd.
Unit E4, Nutgrove Office Park
Nutgrove Avenue
Dublin 14, D14V3F6

In pursuance of the powers conferred upon them by the above mentioned Act and for the reason set out in the First Schedule hereto, the Council of the County of Cork has by Order dated **22/05/2025** decided to **GRANT Permission** for the development of land namely:

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 Crought, Ballyclogh 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 Croughta, (Kilmaclenine E.D.), County Cork.

The proposed grid connection will be installed underground mainly within the public road from the wind farm site at Croughta, Ballyclogh to the boundary of the 110 Kilovolts substation at Saint Joseph's Road, Mallow passing through the townlands of Kilmaclenine,

Croughta, Knockaunavaddreen, Copestown, (Kilmaclenine E.D.), Ballybeg (Buttevant E.D.), Baltydaniel East, Twopothouse, and Caurraghakerry (Caherduggan E.D); and Cloghlucas North, Curraghphadeen, Ballyvinitter Upper, Ballyvinitter Middle, Ballyvinitter Lower, Parkadallane, Carrigoon More and Carrigoon Beg Mallow Rural E.D.).

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

In accordance with the plans and particulars submitted by the applicant

On: 09/08/2024, as amended on 28/03/2025

And subject to the conditions (71 no.) set out in Column 1 of the Second Schedule attached hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the schedule.

An appeal against a decision of the Planning Authority may be made to An Bord Pleanála by any authorised person before the EXPIRATION of the period of FOUR WEEKS beginning on the day of the giving (i.e. Date of Order) of the decision of the Planning Authority. (SEE NOTES ATTACHED).

If there is no appeal against the said decision on expiration of the period, a grant of Permission in accordance with the decision shall be issued as soon as may be, but not earlier than 3 working days after the expiration of the period for the making of an appeal to An Bord Pleanála. It should be noted that until a grant of Permission has been issued the development in question is NOT AUTHORISED.

Signed on behalf of the said Council



Cathal de Baróid
Administrative Officer

Date: 22/05/2025

SEE NOTES ATTACHED

Please note that pursuant to S.34(3) of the Act, the Planning Authority has had regard to submissions or observations received in accordance with these Regulations.

In accordance with Article 20, site notice shall be removed on receipt of this notification.

Comhairle Contae Chorcaí Cork County Council

Pleanáil agus Forbairt,
Halla an Chontae,
Bóthar Charraig Ruacháin,
Corcaigh T12 R2NC.

Fón: (021) 4276891

R-phost: planninginfo@corkcoco.ie

Suíomh Gréasáin: www.corkcoco.ie

Planning & Development,

County Hall,

Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891

Email: planninginfo@corkcoco.ie

Web: www.corkcoco.ie



Patrick Healy
Brooklands
Ballyvinitter Lower
Mallow
Co. Cork

22/05/2025

BY REGISTERED POST

A Chara,

Planning Register No. 24/05503

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We are Cork.



Recycled

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- (1) Be made before the **EXPIRATION** of the period of **FOUR WEEKS BEGINNING** on the **DAY of the GIVING (i.e. DATE OF ORDER) of the DECISION of the PLANNING AUTHORITY.**
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Is mise, le meas,



Cathal de Baróid
Administrative Officer