

File With _____

SECTION 131 FORM

Appeal NO: ACP - 323676-25Defer Re O/H ☐

Having considered the contents of the submission dated/ received 30/7/26
from

SEAN HALLIGAN 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 information.

E.O.: Catherine FlynnDate: 5/8/26

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 FORMAppeal No: ACP - 323676-25M r. Burke

Please treat correspondence received on _____ as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with SC203. Keep copy of Commission's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Commission's letter ☐**Amendments/Comments**SEAN HANNIGAN RESPONSE TO SC131**4. Attach to file**(a) R/S ☐ (d) Screening ☐(b) GIS Processing ☐ (e) Inspectorate ☐(c) Processing ☐**RETURN TO EO** ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: NFAA: LBWheDate: 31/7/26Date: 4/8/26



Outlook

FW: ACP-323676-25 - Obersavation

From Communications <communications@pleanala.ie>**Date** Thu 30 Jul 2026 10:21 AM**To** Appeals2 <appeals@pleanala.ie> 1 attachment (117 KB)

Sean Halligan further observations July 2026.pdf;

From: Sean Halligan <seanahalligan@gmail.com>**Sent:** Wednesday, July 29, 2026 11:14 PM**To:** Communications <communications@pleanala.ie>**Subject:** ACP-323676-25 - Obersavation

You don't often get email from seanahalligan@gmail.com. [Learn why this is important](#)

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.

Re: case ID

ACP-323676-25 - Obersavation

Please find attached my observations as per your request.

I would be grateful if you could acknowledge receipt of this email.

Kind regards,

Sean Halligan

Sean Halligan
Lemanaghan
Ballycumber
Co. Offaly
R35 WP93

Case Reference: SU19.323676

Re: Further Observations pursuant to the Commission's Notice dated 10 July 2026

Dear Sir / Madam,

I refer to the Commission's notice dated **10 July 2026** inviting further submissions and observations arising from the prescribed body responses received in relation to the above Substitute Consent application.

I welcome the opportunity to make the following observations, which are confined to matters arising from those prescribed body responses and are intended to be read together with my previous submission.

1. Introduction

I appreciate the observations submitted by the Development Applications Unit of the Department of Housing, Local Government and Heritage, the National Environmental Health Service of the HSE and Transport Infrastructure Ireland.

Each prescribed body has provided observations within its own statutory remit, and I make no criticism of the approach adopted by any of those bodies.

The following observations simply draw attention to aspects of those submissions which I respectfully consider may assist the Commission in its overall assessment of the application.

2. National Environmental Health Service

I note that the National Environmental Health Service expressly states that its observations were prepared on the basis of the environmental information contained within the applicant's Remedial Environmental Impact Assessment Report and associated documentation.

I also note the HSE's acknowledgement that it did not independently verify that information and that observations made by third parties and the lived experience of local residents may identify matters which differ from those contained within the applicant's documentation and should receive due consideration by the Commission.

I respectfully welcome that acknowledgement.

Since the HSE prepared its observations, additional environmental events have been documented by local residents and reported to the appropriate statutory authorities, including

observations relating to changing water levels, freshwater mussels and peat fires, as referred to in the submission of Lemanaghan Bog Heritage and Conservation Group.

I do not ask the Commission to draw conclusions from those matters alone.

I simply note that they form part of the environmental context now before the Commission and appear consistent with the HSE's observation that local evidence may provide useful additional information when assessing environmental effects.

3. Transport Infrastructure Ireland

I note that Transport Infrastructure Ireland places particular emphasis upon drainage management and the protection of national road drainage infrastructure.

Hydrology has been a recurring environmental issue throughout this Substitute Consent process.

The emphasis placed upon drainage by TII reinforces the importance of ensuring that hydrological matters are fully understood as part of the Commission's overall assessment of the application.

Without inviting the Commission to reach any conclusion regarding individual observations made by local residents, I respectfully submit that recent reports concerning changing water levels further demonstrate the continuing importance of this issue.

4. Development Applications Unit

I note the observations of the Development Applications Unit concerning archaeology.

The Department explains that it reviewed the Archaeological Assessment accompanying the application and concluded that no further archaeological assessment was warranted on the basis of the information available to it at the time its observations were prepared.

I do not question the Department's professional expertise or the conclusions reached on the basis of the material before it.

However, I respectfully note that the Commission's determination will ultimately be made upon the basis of all material properly before it at the time of its decision.

In that context, I respectfully submit that the Department's observations should be read alongside the full body of evidence before the Commission, including all submissions, observations and environmental information properly before it.

5. Exceptional Nature of Substitute Consent

As noted in my previous submission, Substitute Consent is an exceptional statutory procedure intended to address development undertaken without prior planning permission and without prior environmental assessment.

For that reason, I respectfully submit that it is particularly important that the Commission is satisfied that it possesses sufficient environmental information to determine the application in accordance with the statutory requirements governing Substitute Consent.

I respectfully offer these observations in that context only.

6. Previous Submission

These further observations are intended to supplement my earlier submission and should be read together with it.

Nothing contained in these observations should be taken as withdrawing, qualifying or limiting any of the matters previously raised.

Conclusion

I wish to thank the Commission for providing interested parties with the opportunity to comment upon the prescribed body responses.

I respectfully submit that those responses provide valuable assistance to the Commission within the respective statutory functions of each prescribed body.

I also respectfully submit that the Commission's ultimate determination will necessarily involve consideration of all of the material properly before it.

I therefore ask that these observations be read together with my earlier submission when determining whether the statutory requirements governing the grant of Substitute Consent have been satisfied.

Thank you for your consideration of these observations.

Yours faithfully,

Sean Halligan

