

To: An Coimisiun Pleanala

64 Marlborough Street

Dublin 1 D01 V902

I am writing to express my concerns and objections regarding Planning Application No: 323699 submitted by RWE Renewables Ireland Limited, with offices at Unit 5 Desert House Lower New Street County Kilkenny, for the development of Shancloon windfarm, in various townlands in County Galway.

I am the owner of Folio number GY43761F and the land extending to the centre of the road as indicated on the maps available at Landdirect.ie. (Reference high court ruling Daly v Kilronan windfarm on ownership of land beneath the road and trespass)

As the owner of this Folio, I have not and will not give permission to RWE to lay conduit or cables on this plot or on the road adjacent to this plot of land for the Grid Connection for Shancloon Windfarm in the townland of Derrymore and Curlawn.

Private road

The road adjacent to my folio is a private road.

The owners of the land the road is built on have the sole authority to open it. People with a right-of-way (easement) and those with a legal right-of-way can use the road for its intended purpose, but they cannot open it without the permission of all the owners. I as one of the owners will not be giving permission to open the road.

I also own Folios My45647 and My51721 located on the county Mayo side of the Black Water River and are not available to RWE for the purpose of connecting Shancloon Windfarm to the National Electricity grid.

I must stress that as beneficial owner of these lands I have not been contacted by RWE Renewables Ireland about this development.

I also want to emphasise that I have not provided my consent to the applicant for any activities that involve our lands. As a landowner it is essential for me to protect my rights, and I believe that granting permission for this development will constitute a trespass on my property.

The property rights of landowners are protected under the Constitution, and these rights are further protected under tort law. The tort of trespass to land is committed where a person, without lawful reason or justification, intentionally or negligently enters onto, or remains on land in the possession of another person.

Therefore, I urge An Coimisiun Pleanala to be satisfied that by granting permission for this development they are facilitating a wrongdoing in the form of trespass.

In conclusion: -

An Coimisiun Pleanala need to understand that Planning Application 323699 cannot be connected to the Electricity Grid via the substation based for the reasons outlined above.

Tim Kyne,

Dalغان Park

Shrule,

Co. Mayo

Email:- timkyne6@gmail.com

Signed: -



Date:-

