



RESPONSE TO ADDITIONAL OBSERVATIONS (ACP-323780-25)

Ballinlee Wind Farm

Ballinlee Green Energy Ltd.

June 2026

Contents

1. Introduction 1

2. Summary of Responses Received 1

 2.1 Observations Received from Statutory Bodies 1

3. Responses to Observations Raised by Statutory Bodies 1

4. Conclusion 17

Tables

Table 3-1: Received Additional Observations and Responses for the Ballinlee Wind Farm 2

Appendices

Appendix 1: Gas Networks Ireland Memorandum

Project No.	Doc. No.	Rev.	Date	Prepared By	Checked By	Approved By	Acceptance Code / Status
22635	6006	A	24/06/2026	AOC/WM/LL	WM	AOC	FINAL

MWP, Engineering and Environmental Consultants
Address: Reen Point, Blennerville, Tralee, Co. Kerry, V92 X2TK, Ireland
www.mwp.ie



Disclaimer: This Report, and the information contained in this Report, is Private and Confidential and is intended solely for the use of the individual or entity to which it is addressed (the “Recipient”). The Report is provided strictly on the basis of the terms and conditions contained within the Appointment between MWP and the Recipient. If you are not the Recipient you must not disclose, distribute, copy, print or rely on this Report (unless in accordance with a submission to the planning authority). MWP have prepared this Report for the Recipient using all the reasonable skill and care to be expected of an Engineering and Environmental Consultancy and MWP do not accept any responsibility or liability whatsoever for the use of this Report by any party for any purpose other than that for which the Report has been prepared and provided to the Recipient.

1. Introduction

This document provides the responses of Ballinlee Green Energy Limited and Malachy Walsh and Partners (MWP) (the design, planning and environmental assessment consultants on this project) to the additional submissions received on the proposed Ballinlee Wind Farm application (**ACP-323780-25**) from no. 4 statutory bodies. This document provides a summary of the observations received from these statutory bodies.

The responses to the issues raised have been compiled by MWP and Ballinlee Green Energy Ltd, with contributions from sub consultants Macroworks, Det Norske Veritas (DNV), and Laurence Dunne Archaeology (LDA).

The queries raised in the submissions have already been addressed in the Environmental Impact Assessment Report (EIAR) and planning application documentation.

Therefore, where possible relevant reference is made to the applicable planning application documents.

2. Summary of Responses Received

2.1 Observations Received from Statutory Bodies

MWP received correspondence from An Coimisiún Pleanála (ACP) on the 27th of May 2026 with no. 4 submissions received from statutory bodies. These bodies are as follows:

1. Gas Networks Ireland (GNI),
2. Health and Safety Authority (HSA),
3. Office of Public Works (OPW),
 - South West Arterial Drainage Maintenance & Construction Department
 - Heritage Services Department
4. Uisce Éireann.

3. Responses to Observations Raised by Statutory Bodies

Table 3-1 outlines the additional observations raised by the statutory bodies and relevant responses.

Table 3-1: Received Additional Observations and Responses

Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
OPW – South West Arterial Drainage Maintenance & Construction Department	1	Concern with interaction with a number of arterial drain channels managed by the OPW. Any alteration to these drainage channels requires a Section 9 consent.	Confirm any alterations to drainage channels.	Within the Planning Application Boundary, landowners have been consulted if any potential alternations of drains will be required. OPW were contacted during the stakeholder consultee process of the proposed development and a response was received on 16th September 2024. Section 2.6 of the Flood Risk Assessment (Appendix 9B) of the EIAR outlines the arterial drainage channels and benefitted land.
	2	Space is needed along drainage channels to allow the OPW to carry out maintenance works.	A 10 metre wide strip is required along main channels C1/31 and a 5 metre strip along channels C1/31/4, C1/31/4/2/1, C1/31/5, C1/31/6, C1/31/1/1, C1/31/5/1, C1/31/5/1/4, C1/31/5/1/3, C1/31/5/1/2, C1/31/5/1/1 and C1/31/7. This is to run parallel to the channels to facilitate access and maintenance for the OPW to continue to manage the drainage channels.	During project design, a minimum setback of 10 metres has been applied to all drainage channels (apart from where drainage crossings occur). Maintenance and access space will be maintained along these drainage channels to allow the OPW to continue to manage the channels appropriately. This will also be adhered to in a condition of granting of planning. Figure 2.10 within the Flood Risk Assessment (Appendix 9B) of the EIAR outlines the OPW arterial drainage with respect to the proposed development.
	3	The site indicated on the map proposed for the project falls within the area deemed to benefit from drainage by channels C1/31, C1/31/4, C1/31/4/2/1, C1/31/5, C1/31/6, C1/31/1/1, C1/31/5/1, C1/31/5/1/4, C1/31/5/1/3, C1/31/5/1/2, C1/31/5/1/1 and C1/31/7 of the Maigue Drainage scheme. Concern over an area	Provide a Flood Risk Assessment to assess the potential impact on this area from the proposed development.	A Flood Risk Assessment was submitted with the application as Appendix 9B of the EIAR which concluded that with the implementation of the mitigation measures outlined, the proposed development will not have an adverse impact of flooding.



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
		that benefits from the drainage provided by channels may increase in flood risk.		
	4	Any new culverts or bridges (or modifications to any existing culverts or bridges) are required to cross watercourses as part of the development or on proposed or existing access roads to serve or access the development; you should be aware that these require consent from the Commissioners of Public Works. This is a requirement of Section 50 of the Arterial Drainage Act of 1945 as amended.	Confirm if any of these crossings require a Section 50 consent.	New or modified culverts/bridge will be required as part of the proposed development and Section 50 consent will therefore be sought subsequent to any successful grant of planning permission.
	5	Regarding the proposed Internal wind farm underground power and communications cabling route indicated in your documentation but the location not provided, it is possible that this route may cross several watercourses. If the cable and ducting are to be buried in the road as they cross bridges over the water courses, and there is no interference with the opening in the bridge spanning the watercourse, then there is no issue. On the other hand, if it is proposed to pass the cable in its ducting through the opening of any bridge or culvert, this would be considered to be a modification of a bridge, and it would require the consent of the Commissioners under Section 50 as mentioned above. Similarly, if it is proposed to carry the cable in its ducting across watercourses on new support structures spanning the watercourses, these should be treated as if they are bridges, and the consent of the commissioners under Section 50 should be obtained. If the cable and ducting are to be buried under the natural bed of the watercourses being crossed, Section 50 would not apply, and we would recommend that the duct be buried a sufficient distance below the natural bed to allow for erosion and mobility of the stream bed.	Confirm if any of these crossings for cabling require a Section 50 consent.	New or modified culverts/bridge will be required as part of the proposed development and Section 50 consent will therefore be sought subsequent to any successful grant of planning permission.



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
	6	We would recommend that a flood risk assessment be carried out with regard to the proposed development and its construction. This should consider all sources, pathways and receptors of flood risk. This should be carried out in accordance with the principles set out in the guideline document “The Planning System and Flood Risk Management” as published by the Minister of the Environment, Heritage and Local Government and the Office of Public Works, Please be aware that this is a separate issue from the requirement to obtain Section 50 consent, as mentioned above.	Produce a Flood Risk Assessment adhering to “The Planning System and Flood Risk Management”.	A Flood Risk Assessment was submitted with the application as Appendix 9B of the EIAR . This was produced in accordance with “The Planning System and Flood Risk Management” guidance document.
OPW – Principal Officer Heritage Services	1	Lough Gur NMs 247 – multiple individual sites (< 5 km) The applicants state that ‘a walkover site inspection was undertaken of the Lough Gur complex of sites that revealed that several sites are not open to the public or are well hidden by blockers such as, topography, trees and buildings. Taking into consideration all the factors above, the cultural visual effect by the proposed wind farm on the Lough Gur complex is classified as ‘slight’. The OPW does not consider that this is an adequate and verifiable basis for the selection or omission of viewpoints from the Lough Gur complex. The OPW does not agree with the statement in the Response document that: ‘views from Lough Gur are comprehensively assessed....VP 17, Grange Stone Circle....VP 18 Lough Gur Wedge Tomb....VP 19 local road northern end of Lough Gur’ (p.49). The OPW notes the concerns of the DAU of the DHLGH. The OPW questions why the applicants have chosen a route for the underground cable that passes through	1. Justify basis for selection or omission of viewpoints from the Lough Gur complex. 2. Cross check concerns of DAU and DHLGH. 3. Justify route selection for the grid route through the Lough Gur zone.	1. From a Landscape and Visual perspective, views from Lough Gur were selected on the basis of representing key heritage assets such as the Grange Stone Circle and the Lough Gur Wedge Tomb as well as the more general amenity view along the lake in the direction of the site from the local road that passes through the middle of the Lough Gur complex. The scenic designation relating to Lough Gur in the Limerick Development Plan (DP) appears to be a general one surrounding the area as opposed to specific viewpoints or a specific scenic route and this is also consistent with other scenic designations within the DP. In the professional opinion of the LVIA expert, it is considered that the selected viewpoints are an accurate representation of the range of views afforded from within and around the Lough Gur Complex. The Lough Gur complex comprises of a number of significant, multi-period National Monuments situated within the Lough Gur area, c.5.5km to the NE of the proposed Ballinlee WF. In that context,



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
		the Lough Gur zone, with its very high possibility of archaeological finds and disruption. Lough Gur is identified in the Limerick County Development Plan 2022–2028 for protection of Views and Prospects.		potential cultural visual effects were undertaken of the entire complex. Analysis of ZTV revealed that the proposed turbines will be visible to differing degrees or will not be visible at all depending on the location of the archaeological site there. Three viewpoints (VP17-19) were used to establish visual effect during LVIA assessment of which one location (VP19) was assessed as ‘moderate-slight’, with two others (VP17 & VP18) assessed as ‘imperceptible’. From a cultural heritage perspective, the viewpoints were selected in the most open locations, as well as in areas that are publicly accessible and therefore frequently visited. The assessment revealed that the proposed turbines will be visible to varying degrees from different archaeological sites, while in some locations they will not be visible at all. 2. Any concerns raised by the DAU and DHLGH have been responded to in the previous response document submitted to ACP on the 13th of February 2026. 3. The proposed underground cable will pass through the Zone of Notification (ZON) of the Lough Gur complex. However, all cable trenching will be undertaken along existing roads where the ground has already been disturbed during previous road construction works, where the likelihood of subsurface remains surviving is deemed to be low. In this context, the potential physical impact is classified as moderate. To mitigate any potential effects on archaeological remains, archaeological monitoring of the trenching works is proposed within the ZON.



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
				Route selection was determined through consultation with statutory bodies, including Limerick City and County Council, Transport Infrastructure Ireland, Gas Networks Ireland and other utility services. Refer to Appendix 2D Grid Connection Report of the EIAR for further information.
	2	The OPW is including here an extract from photomontage (VP21) which formed part of the planning documentation for ACP case reference: PAX91.323635 Garrane Windfarm Co. Limerick. Garrane Windfarm (ACP undecided) is located 17km to the southwest of Lough Gur. The proposed Ballinlee windfarm will be located in the foreground around 5km or less from Lough Gur.	Specialist to Review	The view used for Garrane Wind Farm is from an elevated location above Lough Gur that is only accessible by foot and this increased elevation was required in order to gain views of the more distant Garrane Wind Farm, which was not otherwise visible from the more visited location at the head of the lake near the visitors centre that was used for VP19 (Ballinlee WF). The view from VP19 is one where the proposed turbines have the potential to rise beyond the other end of the lake within a confined scene dominated by the immediate Lough Gur setting. The more elevated view includes the Lough Gur setting in the lower foreground but also encompasses a vast and productive rural context beyond, which can more readily assimilate development projects without unduly impacting on the more intimate Lough Gur context. Consequently, in the professional opinion of the LVIA expert, VP19 is considered the better VP location to represent this heritage receptor and the majority of people visiting it. Refer also to Section 14.6.4 of EIAR Chapter 14.
	3	The OPW is very concerned about the visual and cultural impact of the proposed Ballinlee Windfarm from this view and the cumulative impact with Garrane windfarm. The OPW urges ACP to require the	1. Ballinlee WF photomontage 2. Cumulative photomontage (and associated assessment)	The viewpoints selected and assessed within the EIAR was done so using the opinion of an LVIA expert and consistent with the relevant guidance and legislation. Cumulative impacts have been



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
		application to produce a photomontage from this location, for Ballinlee WF alone and as a cumulative impact assessment.		addressed in Chapter 12 of the EIAR, and Appendix 12B of the EIAR showing the cumulative Zone of Theoretical Visibility. 1. The proposed Ballinlee Wind Farm will be visible from the elevated walking track above Lough Gur to the fore of the proposed Garrane Wind Farm. However, it will be seen within the vast agricultural context of the midlands and expansive elevated views that take in a diverse and productive rural landscape that is clearly discrete to the Lough Gur complex. Volume IV of the EIAR contains photomontages for the Ballinlee windfarm and is considered sufficient in showing the visual impact from the proposed Ballinlee Windfarm, and a further photomontage is not considered necessary. 2. It should also be noted that for the Garrane Wind Farm project, which included the proposed Ballinlee Wind Farm in a wireline image from the elevated view above Lough Gur, the cumulative effect was deemed overall to be Low because of its clear separation to other wind energy developments. Vol IV of the EIAR shows a photomontage from the viewpoints, and both constructed and in-planning wind farms in the area, such as Garrane, are presented in the wireframes, including viewpoint 19. It is evident from the photomontage that based on the distance and vegetation present, it would not be possible to see the turbines at Garrane. Refer also to Section 14.6.5 of EIAR Chapter 14.
	4	A cultural landscape of at least National importance - Lough Gur – Knockainey Hill (5.2km) – Emly (14 km)	Specialist to review.	Refer to Section 14.6.4 of EIAR Chapter 14 which assesses the impact of the proposed development



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
		The OPW notes the recently published research of Dr Patrick Gleeson in relation to landscape of kingship, which includes detailed examination of the Rock of Cashel landscape and the Eoghanacht dynasty, ref: Landscapes of Kingship in Early Medieval Ireland AD 400–1150, Patrick Gleeson, Four Courts Press (2025). Gleeson on p.73 refers to the: Éoganacht Áine whose territory centered on Knockainey, Lough Gur and Emly (the primary ecclesiastical site in Munster prior to the elevation of Cashel). Gleeson has identified Knockainey as one of the most archaeologically rich cultural landscape locations in Ireland and suggested that it may be one of the two ‘regia’ sites recorded in Ptolemy’s 1st century AD Cosmographia (older sources) of Ireland. The OPW suggests that ACP refer the applicant to Dr. Gleeson’s book for further information about this landscape.		during the operational phase, which may cause indirect changes or effects to the character of the archaeological or architectural heritage resource and landscape. The assessment undertaken is considered comprehensive to assess the potential impacts of the proposed development.
	5	The connections include the pre-Christian sun goddess Áine preserved in the placename of Knockainey and integrated into the intangible cultural heritage of the Lough Gur cultural landscape. Due to the historical connections and the landscape/setting value of Knockainey Hill in relation to Lough Gur, the OPW requests that ACP require that a visual and/or cultural impact assessment is undertaken from appropriate vantage points on Knockainey Hill, underpinned by verifiable photomontage and visual impact analysis, including cumulative impact.	OPW requests that ACP require that a visual and/or cultural impact assessment is undertaken from appropriate vantage points on Knockainey Hill, underpinned by verifiable photomontage and visual impact analysis, including cumulative impact.	Visual Impact Assessment is undertaken by LVIA specialists to assess effects on visual receptors (people and groups of people) at particular locations or engaged in particular activities. It is not undertaken to represent landscape or heritage features in their own right such as might be done as part of the Cultural Heritage assessment of impacts on the setting of a heritage asset. Indeed, the relevant LVIA guidance (GLVIA-3) has the following advice: “The sharing of relevant baseline information should not be confused with the need for separate cultural heritage appraisals such as historic landscape



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
				characterisations and assessment or historic townscape appraisal, or there will be a danger of both double handling and inappropriate judgements by non-experts. It is particularly important that responsibilities are clear in considering any effects on the settings and views for historic buildings, Conservation Areas and other heritage assets". The request in this instance is framed around the importance of the heritage feature rather than visual impacts for people and as such a visual impact assessment by LVIA specialists is not considered relevant and could lead to confusion or non-expert assessment. With respect to cultural heritage, a full visual impact assessment on the archaeological features of the area surrounding the proposed windfarm was undertaken in Section 14.6.4 of the EIAR. This assessment was based on professional experience and site inspections supported by UAV (drone) survey. The assessment undertaken is considered comprehensive to assess the potential impacts of the proposed development.
	6	The applicants should provide a description of this cultural landscape and an assessment of the potential impact and cumulative impact of Ballinlee and Garrane windfarms, including their transmission infrastructure.	Cumulative assessment of Ballinlee and Garrane WFs, including transmission infrastructure.	Visual Impact Assessment is undertaken by LVIA specialists to assess effects on visual receptors (people and groups of people) at particular locations or engaged in particular activities. It is not undertaken to represent landscape or heritage features in their own right such as might be done as part of the Cultural Heritage assessment of impacts on the setting of a heritage asset. Indeed, the relevant LVIA guidance (GLVIA-3) has the following advice: "The sharing of relevant baseline information should not be



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
				confused with the need for separate cultural heritage appraisals such as historic landscape characterisations and assessment or historic townscape appraisal, or there will be a danger of both double handling and inappropriate judgements by non-experts. It is particularly important that responsibilities are clear in considering any effects on the settings and views for historic buildings, Conservation Areas and other heritage assets". The request in this instance is framed around the importance of the heritage feature rather than visual impacts for people and as such a visual impact assessment by LVIA specialists is not considered relevant and could lead to confusion or non-expert assessment. In relation to cultural heritage, the proposed Garrane Wind Farm is located at a substantial distance from the proposed Ballinlee Wind Farm. From the analysis of the Zone of Theoretical Visibility (ZTV) and the Photomontages of Vol IV of the EIAR, Garrane will not be visible due to the existing vegetation in the area from the concerned viewpoints. As a result, opportunities for cumulative visibility between the proposed Ballinlee Wind Farm and the in-planning Garrane Windfarm are limited (refer to Section 14.6.6 of EIAR Chapter 14).
	7	Kilmallock NMs Nos. 212, 408, 173, 680 (5.4 km) The OPW requests that ACP seek a visual impact assessment for the four National Monuments located in Kilmallock. The visual and cultural impacts are inadequately assessed at present.	1. Visual impact assessment for the four National Monuments located in Kilmallock. The visual and cultural impacts are inadequately assessed at present.	1. LDA: As outlined in Section 14.6.4.1 of EIAR Chapter 14, all four National Monuments within Kilmallock were inspected by an experienced archaeologist, and all aspects of potential visual impact were considered. The walkover survey revealed that visitors, particularly at Kilmallock



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
		The OPW does not consider the following statement to be adequate, nor is it verifiable due to inadequate visual communication: ‘A site visit / inspection of the National Monuments within Kilmallock revealed that the proposed turbines may be visible, especially from the Kilmallock Abbey site (Plate 14-39) but not noticeable from the interior of any of the monuments there.’ The OPW requests that ACP seek verifiable visual impact assessment as additional information (e.g. wireframe/ photomontage) to demonstrate the visual impact, if any, on these statutorily protected heritage properties. Any impact assessment should include cumulative impacts.	2. Verifiable visual impact assessment (wireframe / photomontage) on these protected heritage properties, with consideration for cumulative impacts.	Abbey and the Collegiate Church, are primarily focused on the immediate and enclosed historic setting. Their appreciation, whether discerning or non-discerning, is largely directed towards the built heritage surrounding them, beginning with their approach to the monuments and continuing within the structures themselves. The assessment found that, while the proposed turbines may be visible externally to varying degrees, they would not adversely affect visitors’ appreciation of the monuments or their historic character. The visitor experience is principally associated with the architectural and archaeological features of the sites and their enclosed historic environment. Consequently, although some external visibility of the turbines may occur, the overall visual impact on the appreciation, setting, and character of all four National Monuments is considered to be slight. 2. Macroworks: Photomontages were prepared and visual impact assessment undertaken from the identified settlements / features of Bruff, Lough Gur and Killmallock as part of the LVIA (Chapter 12 of the EIAR). This was a population based assessment rather than one that specifically considered the intrinsic ACA merits of the built fabric or archaeological setting. This is an appropriate approach for the LVIA as these setting-based factors are dealt with separately and from an expert perspective in the Cultural Heritage assessment of the EIAR as outlined above and in Chapter 14.

Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
	8	Monasternenagh Cistercian Abbey NM No. 171 (5.35km) The OPW requests that ACP seek a verifiable visual impact assessment as additional information (e.g. wireframe/ photomontage) to demonstrate the visual impact, if any, on this statutorily protected heritage property. Any impact assessment should include cumulative impacts.	1. Verifiable visual impact assessment as additional information (e.g. wireframe/ photomontage) to demonstrate the visual impact. 2. Consider cumulative impacts.	1. Macroworks: This feature appears to be contained in private lands and not accessible to the public or regularly visited. It is therefore not a relevant visual receptor in the context of LVIA. 2. LDA: As outlined in Section 14.6.4.1 of EIAR Chapter 14, the Monasternenagh Cistercian Abbey was assessed by two experienced archaeologists through a detailed walkover inspection and drone survey. Potential visual effects were evaluated on site and considered alongside the Zone of Theoretical Visibility (ZTV) analysis. Based on this assessment, the visual impact was classified as moderate. Section 14.6.6 of EIAR Chapter 14 outlines the cumulative effects on the National Monuments, Recorded Monuments and NIAH structures in a 20km zone.
	9	Disert Oenghusa NM No. 83 (10.1km) The OPW has in recent years undertaken conservation works to preserve this important early Christian pilgrimage site. In addition, the OPW has invested in external stairs to provide access to the first floor entrance door. The OPW requests that ACP seek a verifiable visual impact assessment as additional information (e.g. wireframe/ photomontage) to demonstrate the visual impact, if any, on this statutorily protected heritage property. Any impact assessment should include cumulative impacts. The OPW requests photomontages and LVIA and cultural impact assessment from New Church and Knockadoon.	1. Verifiable visual impact assessment as additional information (e.g. wireframe/ photomontage) to demonstrate the visual impact, if any, on this statutorily protected heritage property. Any impact assessment should include cumulative impacts. 2. The OPW requests photomontages and LVIA and cultural impact assessment from New Church and Knockadoon.	1. Macroworks: In the opinion of the LVIA expert, this area being discussed for visual impact is a considerable distance away from the proposed windfarm, and from an LVIA perspective, does not need to be assessed. The assessment undertaken was a comprehensive analysis of the proposed Ballinlee Windfarm and potential effects on the surrounding landscape. 2. LDA: As mentioned in Section 14.3.1.1 of EIAR Chapter 14, the assessment of National Monuments was undertaken within a 10 km study area to identify potential Cultural Visual Impacts (CVIs). Areas beyond the 10 km study zone were not assessed, as any potential CVIs at greater distances would be classified as not significant, even where turbine visibility may occur.



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
		Screening by trees The OPW notes that the impact assessment relies in many places, e.g. de Valera Cottage, Lough Gur, on screening by vegetation.		Unless representative viewpoints used for the visual impact assessment are very specific to a feature or location such as De Valera's Cottage, every effort is made to avoid foreground screening by vegetation. Beyond the foreground it is unavoidable in a rural context such as this. Over distances greater than a few hundred metres, vegetation screening occurs as a result of successive layers of field boundaries and seasonal variation tends not to be a factor as the density of branches in distant hedgerows precludes visibility. Ash dieback has never been a material consideration in terms of screening, and this is not considered to be a relevant concern in terms of turbine visibility at the scale of the study area.
	10	The OPW notes that deciduous trees provide screening for half of the year, and Ash dieback may result in the loss of many trees in the next 5 years – with storm damage posing a further risk. In addition, if the trees are outside the ownership and control of the applicant, the maintenance of the screening effect is outside of their control.	To be addressed.	
Health and Safety Authority	1	The Health and Safety Authority (the Authority), acting as the Central Competent Authority under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015) gives technical advice to the Planning Authority when requested, under regulation 24(2) in relation to: (a) the siting and development of new establishments; (b) modifications to establishments of the type described in Regulation 12(1); (c) new developments including transport routes, locations of public use and residential areas in the vicinity of establishments, where	To be addressed.	The submission from the Health and Safety Authority (HSA) notes that the Proposed Development falls outside the scope of the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015) and, accordingly, no observations were made. The Applicant welcomes this confirmation. No further action is required in respect of this submission.



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
		the siting, modifications or developments may be the source of, or increase the risk or consequences of, a major accident. Since the above-referenced application appears to be outside the scope of the Regulations, the Authority has no observations to forward.		
Gas Networks Ireland	1	Please note that there is a GNI gas transmission pipeline operating at high pressure in proximity to this application site. While GNI has no comment or objection to the development, we request that a condition be attached to any Grant of Planning.	1. Contact Gas Networks Ireland in advance of any siteworks by email at DIG@gasnetworks.ie or by phone at 1800 42 77 47; and 2. Carry out all works in full compliance with the 'GNI Code of Practice for Working in the Vicinity of the Transmission Network' & 'HSA Code of Practice for Avoiding Danger from Underground Services'.	1 & 2. Proposed condition will be adhered to. It is also of note that correspondence from MWP to GNI was sent on 29th January 2026 regarding the transmission pipeline, and this memo is attached to this response document for information purposes only (see Appendix 1 Gas Networks Ireland Memorandum).
Uisce Éireann	1	The drinking water receptor river is discussed in Section 9.2.10.2 of the EIAR which notes that there are no "surface water drinking water sources, under Article 7 of the Water Framework Directive, identified by the EPA (EPA, 2025) at the site or within a 2km radius of the main development site and / or route of the proposed grid connection." However, the Maigne_080 waterbody, which is ~10.3km downstream of the Site, is designated as a DWPA. There is good mitigation measures outlined in the EIAR and supporting documents to protect surface water and given the distance to the abstraction point, the risk is likely to be low, however, the potential risk / impact to the downstream abstraction has not been fully assessed as would be expected. The EIAR has identified the Maigne_080 as a drinking water protected river and establishes the hydrological	1. Prior to the commencement of development, the applicant shall submit for written agreement of the Planning Authority, in consultation with Uisce Éireann, a Downstream Drinking Water Protection Plan. This plan shall identify the River Maigne abstraction at Adare Water Treatment Plant as a sensitive receptor and demonstrate how the proposed construction activities will not give rise to deterioration in water quality for this abstraction point. 2. The developer shall implement this surface water monitoring programme outlined in Section 9.5.1 of the EIAR, for the duration of the construction phase of the project. This shall include: a) Monitoring of parameters (e.g. Turbidity, pH/CE, colour, suspended solids) upstream and downstream of the site discharges	1. The Applicant confirms that the potential impact on downstream receptors, including the River Maigne (Maigne_080), has been fully considered within the EIAR and WFD Assessment, which assessed hydrological connectivity, pollutant pathways and water quality effects to river drinking water protected areas (DWPA) at a catchment scale. The EIAR Chapter 9 and WFD Assessment (Appendix 9A) demonstrates that, with embedded mitigation measures there will be no adverse effects on downstream water quality objectives (e.g. Maigne_080) and no deterioration in surface water status will occur. Given the significant separation distance (>10km), the absence of direct discharge pathways, and the implementation of comprehensive surface water management and pollution control measures, any



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
		connectivity to the proposed development site, but the potential impact has not been assessed, quantified or documented.	b) Establishment of trigger levels for action c) Increased monitoring frequency during periods of heavy rainfall and high-risk construction activities. 3. The developer shall agree a notification protocol with Uisce Éireann prior to construction. This shall include, but not limited to UÉ to be added to the list of authorities to be notified in the event of an environmental incident as per Section 7.2 of the CEMP, given the presence of the downstream drinking water abstraction point on the River Maigue, and Liaison with the Adare Water Treatment Plant in the event of any potential risk to water supply. 4. High-risk construction activities (e.g. excavation, soil disturbance, concrete pouring etc.) shall be prohibited during period of heavy rainfall or when Met Éireann rainfall warnings are in place (Yellow or higher) in order to minimise sediment mobilisation and pollutant transport to receiving waters. 5. Given the presence of the downstream drinking water receptor, the CEMP and SWMP shall be updated prior to the commencement of construction to identify the downstream Adare abstraction as a sensitive receptor and include any additional mitigation measures (where required) to protect downstream water quality. 6. The mitigation measures to protect surface water quality outlined within Chapter 9 of the EIAR, Construction Environmental Management Plan (CEMP) and Surface Water Management Plan	residual effects are predicted to be imperceptible at the River Maigue Adare Water Supply abstraction. 1, 2, 5 & 6. The Applicant confirms that the assessment, mitigation measures (including trigger levels, monitoring parameters and monitoring frequency) and residual effects on the Maigue_080 waterbody and Adare Water Supply (as set out in the EIAR Chapter 9, WFD Assessment, CEMP and SWMP) will be collated and presented in a 'Downstream Drinking Water Protection Plan' (in consultation with Uisce Éireann) prior to commencement on site. 3, 4 & 7. The Applicant also acknowledges the other recommended conditions and confirms that, where these conditions are imposed by ACP as part of the planning determination, they will be complied with. The requirements will be addressed as part of the detailed design and construction planning stages, in consultation with relevant stakeholders.



Statutory Body	#	Item Raised	Requested Action/Proposed Conditions	Response
			(SWMP) shall be strictly implemented for the duration of the construction, operation and decommissioning of the project. 7. The Grid Connection Route crossing important and strategic Uisce Éireann infrastructure. The applicant / developer shall obtain a Confirmation of Feasibility from Uisce Éireann, through engagement with Diversions@water, for a schedule of crossings and safe separation distances from Uisce Éireann infrastructure along the route the proposed grid connection, prior to commencement of works for this element of the proposed development.	

4. Conclusion

All items raised in the no. 4 submissions received from statutory bodies have been reviewed by MWP and Ballinlee Green Energy Limited, who are satisfied that all have been suitably addressed in the EIAR submitted as part of the planning application. This response document provides additional clarification to particular items raised in the observations.

We respectfully request ACP to have full regard to this response document that has clearly demonstrated that the issues raised in the observations have been comprehensively addressed in the EIAR and planning application.

Furthermore, the EIAR submitted with the planning application clearly demonstrates that the proposed development will not have a likely significant negative effect on the environment, nor will it adversely affect the integrity of any European Sites alone or in combination with other plans or projects, in light of their conservation objectives.

The proposed development is a positive development which would accord with the proper planning and sustainable development of the area and would contribute towards meeting the needs of renewable energy generation. Therefore, we respectfully request that ACP grant permission for the proposed development.

Appendix 1:

Gas Networks Ireland Memorandum



Park House, Bessboro Road,
Blackrock, Cork,
T12 X251, Ireland

e: info@mwp.ie
t: +353 (0)21 453 6400
w: mwp.ie

MEMORANDUM

Attention:	Dana Wołkiewicz	From:	Conor Mc Loughlin
Company:	Gas Networks Ireland	Date:	29/01/2026
Project :	Ballinlee Wind Farm	Project No.	22635
Subject:	Proximity to gas pipelines		

Dear Dana,

I'm responding to your email on 15th January 2026 regarding planning permission for Ballinlee Wind Farm submitted to An Coimisiún Pleanála. The Table below shows the turbine number, turbine hub/mast height, turbine coordinates to ITM and perpendicular distance from the turbine to the transmission pipeline.

Turbine No	Hub Height	2x Hub Height	X Coordinate	Y Coordinate	Distance
T6	82m	164m	559575	634719	180m
T7	92m	184m	559635	634317	198m
T10	92m	184m	560213	634189	205m
T13	92m	184m	560792	634470	186m
T14	92m	184m	561156	634401	185m
T17	92m	184m	561214	633948	229m

Malcahy Walsh and Patners (MWP) requested utility information from Gas Networks Ireland (GNI) on 18th June 2024 through the Dial Before you Dig online portal. MWP received the information in PDF format, and the search highlighted the transmission gas pipeline(s) traversing the site of the Ballinlee Wind Farm and the requirement to contact GNI.

MWP contacted GNI on Friday 26th July 2024 and received a response from GNI operations manager, Brendon Creedon, on Wednesday 7th August 2024 stating a minimum distance of twice the hub height of the wind turbine, measured from the base of the tower to the pipeline is required. GNI code of practice for working in the vicinity of gas pipe network states "2 times the turbine mast height from the nearest edge of a transmission pipeline".

MWP drafted the alignment of the transmission pipeline in AutoCAD by overlaying the GNI PDF's as xrefs then aligning the OSI background in the GNI PDF's to the AutoCAD OSI tile purchased through Tailte Éireann by MWP.

CONT'D

The Figure below is a snip from the AutoCAD showing the transmission pipeline, turbines and the perpendicular distances between both.



Yours sincerely,

Conor McLoughlin

Conor McLoughlin for
MWP

ENGINEERING AND ENVIRONMENTAL CONSULTANTS