

14.11.2025

Darren & Sandra Maloney
Ballinlee,
Bruff,
Co. Limerick
V35 K500

The Secretary
An Coimisiun Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Re: The proposed development known as Ballinlee Wind Farm consisting of 17 no. wind turbines, a permanent 110kV substation and ancillary development located within the townlands of Ballincurra, Ballingayroure, Ballinlee South, Ballinlee North, Ballinrea, Ballyreesode, Camas North, Camas South, Carrigeen, Knockuregare, Ballybane, Ballynanty, Cahirguillamore, Rockbarton, Grange, Ballynagallagh, Skool, Friarstown South, Friarstown, Rockstown, Rochestown, Carriganattin, Stonepark, Ballynagarde, Ballymacgreese, Glen, Knockbrien, Ballyneety, Scart, Ballyogartha, Carrigmartin, Cahernarry (Cripps), Drombanny, Ballybrennan, Coolyhenan, Knockananty, Ballysimon Commons, Tullovin, and Milltown, Co. Limerick

An Coimisiún Pleanála - Case reference: PAX91.323780

Dear Sir/Madam,

We are writing to **formally object to** the Strategic Infrastructure Application (**case ref 323780**).

Our objection is based on the following specific planning grounds of observation:

- Ground 1: The application documents lodged are incorrect and incomplete, and therefore the application should not have passed a completeness check.
- Ground 2: The application does not comply with the requirements of the European Landscape Convention of the Council of Europe (ETS No.176) (**Florence Convention**).
- Ground 3: The application has not been designed in accordance with National Wind Energy guidelines compatible with The European Union Strategic Environmental Assessment (SEA) Directive (2001/42/EC).
- Ground 4: The application lodged is described incorrectly, as it reflects 2no windfarm developments.
- Ground 5a: Cumulative effects – Visual, Significant Detrimental effects.
- Ground 5b: Inadequate EIAR visual assessment and inadequate assessment of impact:
- Ground 6: The application design does not comply with design requirements contained within the available Draft Wind Energy Development Guidelines from 2019, or within the non-compatible Irish Wind Energy Development Guidelines from 2006.
- Ground 7: Cumulative effects – Environmental.
- Ground 8: The application documents are inaccurate, incorrect, and underdeveloped.
- Ground 9: Risk of Major Accident and Disaster to GNI pipeline.
- Ground 10: Limerick County Council Development Plan contravention.
- Ground 11: Project Alternatives and project Splitting.
- Ground 12: Unenforceable Conditions and Mitigation measures.

We have explained each of these Grounds in further detail below.

This proposed development is not in the public interest, is contrary to the objectives of appropriate and sustainable development included within local, national and european policy, planning and environmental Legislation, and fundamentally it does not comply with the requirements of the European Landscape Convention of the Council of Europe (ETS No.176) (**Florence Convention**).

We would respectfully suggest these grounds require An Coimisiun Pleanála to refuse permission for this proposal.

Your Sincerely,



Darren Maloney

FCABE C.Build E MCIAT



Sandra Maloney

Ground 1: The Application documents lodged are incorrect and incomplete, and therefore the application should not have passed a completeness check.

The application documentation clearly states the name of the Applicant as 'Ballinlee Green Energy Limited,' and the Planning and Development Act is clear on the requirement for the establishment of "sufficient interest" in the land by the 'Applicant' to make an application.

Section 7 of the application form (*Legal Interest of Applicant in respect of the site the subject of the application*) is incomplete and has been filled out incorrectly by the applicant, as Landholder letters 'have not' been provided for all areas required for the development, example as follows;

The applicant 'Ballinlee Green Energy Limited' has not provided landowner consents as required under the Act, for the following folio numbers at **Tullovin Bridge, Folio number LK2986F**.

This area of Land is in separate, non-consented ownership as shown clearly below (refer to Land Direct as required).



2.6 Tullovin Bridge



One section, near Tullovin Bridge, of the turbine delivery route (Ref 15, Table 2-2) requires a temporary access track as the swept path analysis highlighted vehicle manoeuvre difficulties at the bridge and the bends either side of the bridge. Figure 2-9 is an extract from the planning drawing, showing the location of the proposed temporary access track. The proposed access track is temporary for the delivery of turbine components and will be reinstated following the construction phase. Details in relation to the works required are outlined in Chapter 4, Civil Engineering, Section 4.14.

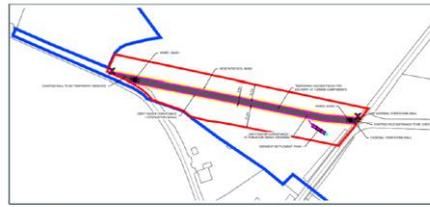
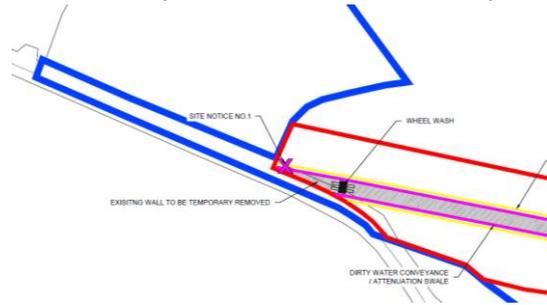
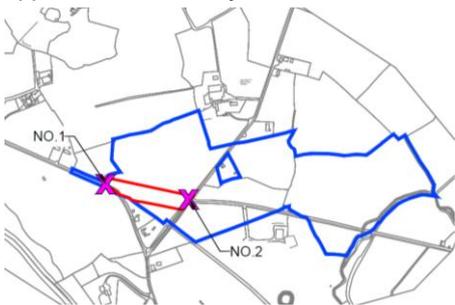


Figure 2-9: Extract from the planning drawings showing the Tullovin Temp Access track

(extract from TDR report)

This Landholding is required for the Verge works to construct the new accessway to the public road, and for the Wall removal to construct the proposed new site entrance into the TDR Temporary 'access track' (at site notice no.1).

It is shown on Application documents incorrectly, as within the ownership of one of the consenting parties, **which it is NOT**. The applicant cannot carry out works to the Verge area in separate ownership without consent, without trespassing.



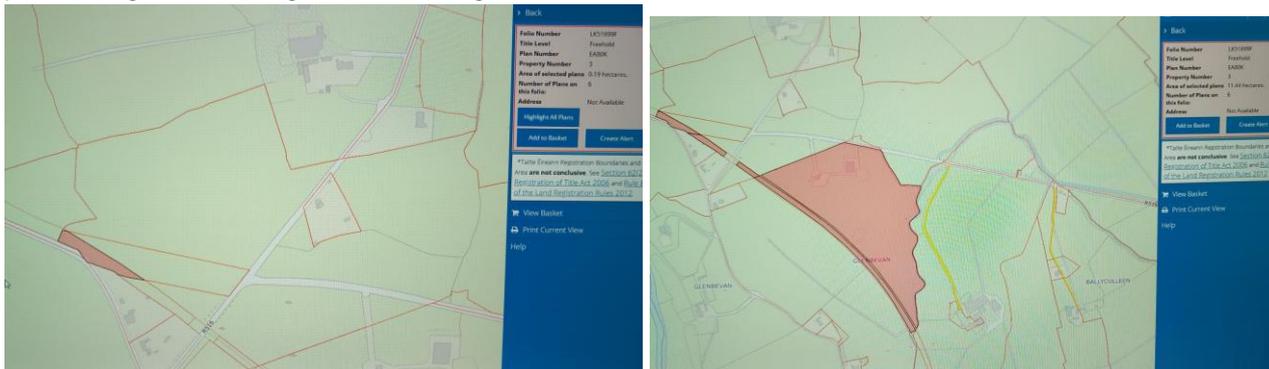
15	22635-MWP-HR-00-DR-C-0022	V-shaped road with two large turns on the R516 in Tullovin facing south-east	<ul style="list-style-type: none"> • One number wall section to be removed. • Hedge/vegetation trimming required. • Temporary access track surface required. • Landowner permission in place for works removing walls, access track, vegetation removal/trimming. • Limerick City & County Council consultation for the works.
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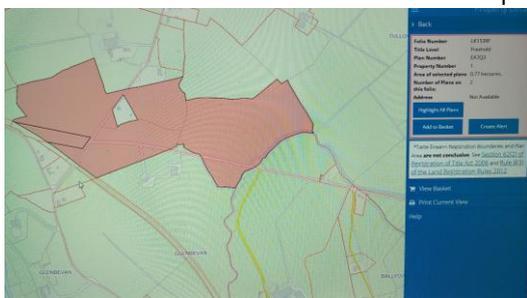
TDR Report, enabling works item ref# 15, incorrectly states Landowner permission in place. As shown above NO CONSENT.

Therefore, the Application form section no.7 (*Legal Interest of Applicant*) is incomplete and incorrect and cannot pass the required completeness check. Also, the Siteplan Red and Blue Lines at Tullovin Bridge area are incorrect on every drawing showing this area throughout the application documents, as per screen grab above.

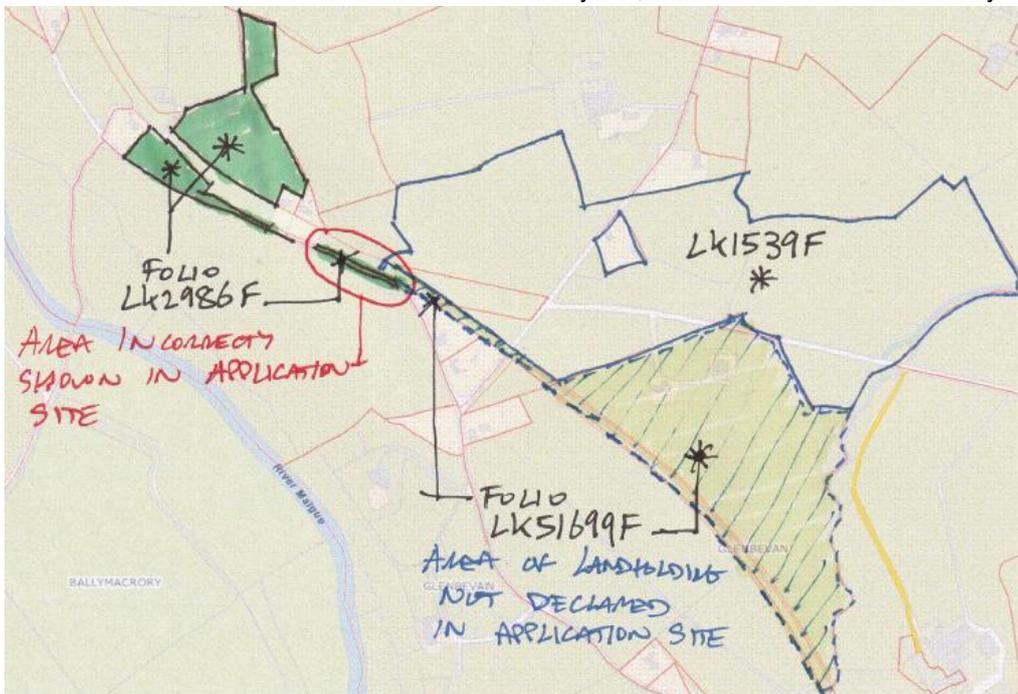
Separately, Section 7 of the application form (*beneficial interest in adjoining, abutting or adjacent lands*) has also been filled out incorrectly by the applicant, as all areas of owned adjoining lands **HAVE NOT** been shown in Blue, example as follows. The MWP drawing number 22635 MWP 00 00 DR C 5002 is incorrect, such as example area below at Tullovin Bridge. The adjoining Landholding (Blue line area) is larger and has not been declared as follows. The landholding Folio number LK51699F, shown below left, is part of the application site as per application drawings, however it is part of a larger Landholding, shown below right.



However, only Folio Number LK1539F below has been shown outlined as 'blue' as part of the overall Landholding. This is incorrect as shown above and below. The sketch markup below shows the large undeclared landholding, the missing 'Blue Line' area.



This 'omission' area is incorrect on all relevant Site Layouts, and within Environmental surveys mentioning the area.



Omitted 'Landholding' Area shown above.

Therefore, as the application lodged is incomplete with legal consents missing, and incorrect with Landholdings undeclared (areas requiring to be outlined in blue) it does not meet the minimum requirements for a Valid SID application, it should not have passed the completeness test, and therefore should be refused.

Ground 2: The application does not comply with the requirements of the European Landscape Convention of the Council of Europe (Florence Convention).

The European Landscape Convention of the Council of Europe was adopted by the Committee of Ministers of the Council of Europe on 19 July 2000 in Strasbourg and opened for signature of the Member States of the Organisation in Florence (Italy) on 20 October 2000. It aims to promote European landscape protection, management, and planning and to organise European co-operation. The Convention came into force on 1 March 2004. Ireland integrated the European Landscape Convention (ELC) into its legal system through the Planning and Development Act 2010. The ELC, which came into effect in Ireland in 2004, obliges the country to implement policies for the protection, management, and planning of its entire territory, with the National Landscape Strategy serving as the primary policy framework.

The European Landscape Convention (ELC) obliges Ireland to implement policy changes and objectives concerning the management, protection and planning of the landscape.

The National Landscape Strategy for Ireland 2015-2025 was intended to establish principles for protecting and enhancing the landscape while positively managing its change. A key aspect of the National Landscape Strategy was the proposal to produce a National Landscape Character Assessment (NLCA), which would assist with providing a common language and process for preparing landscape character assessments at the county level.

The National Landscape Strategy for Ireland 2015-2025 expired in 2025. Separately, there is currently no National Landscape Character Map.

The European Landscape Convention, defines landscape as "an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors". The ELC's objectives include protecting and managing high-quality landscapes. The Convention is based on the assumption that landscape is a key element of individual and social well-being everywhere, an essential component of human beings' surroundings and an important part of their quality of life. It thus helps to strengthen the link between human rights and the environment with a view to their mutual protection and enhancement.

This proposal will impact the ELC objectives negatively and has the potential to impact on a historically significant and agriculturally iconic landscape, and its conservation for future generations, as it threatens the landscape's unique cultural, historical, and natural qualities.

Please refer to 'Ground 5a: Cumulative effects' of this submission to understand the Detrimental Impacts proposed.

Visual impact, dominance, and cumulative effect: In the absence of National Territory Mapping as required by REDIII, numerous inappropriately designed, randomly located, large-scale industrial wind turbine parks, would negatively impact the visual and cultural heritage of the Golden Vale. They would disrupt the visual integrity of an area known for its open, rolling green fields and increase the visual complexity and clutter.

Proposed turbines would be the tallest structures in a low-lying landscape and become the dominant visual feature over a large area, sometimes visible from 20 to 30 kilometres away.

Cultural and historical impact: The Golden Vale is a significant cultural and historical landscape, and this proposal would begin to change this character, diminishing its cultural value. It is known for its fertile lowlands, intensive dairy farming, and panoramic views towards the surrounding Mountains. This development in combination with future developments would introduce large, industrial-scale turbines that could be viewed as dominating the pastoral, open character of the valley.

Lack of appropriate mitigation: The ELC requires projects to demonstrate how they are appropriate to the features of a place. No amount of mitigation could make a wind farm of this proposed height and scale compatible with the Golden Vale's distinct landscape characteristics.

Impact on sense of place and identity: The ELC recognizes landscape as a foundation of identity. The Golden Vale's character is a significant part of the regional and local identity. This and other wind farm proposals could fundamentally alter this sense of place by introducing industrial structures into a historic, agrarian setting.

Human-induced landscape: The ELC recognizes the role of both natural and human factors in shaping landscapes, and a windfarm is a significant human intervention with large mechanical moving elements that would alter the very character of the landscape.

Conservation for future generations: It is importance we preserve the Golden Vale's unique qualities for future generations, as mandated by the convention.

Balancing policy objectives: The ELC promotes landscape protection but acknowledges that landscapes are dynamic and change is a part of their evolution. However, Ireland's national renewable energy targets do not override the landscape protections mandated by the ELC. **Ireland's planning decisions must align with the ELC.**

This proposal **will** on its own and in combination with other proposals, contradict the ELC's principles of landscape protection and conservation, specifically concerning high-quality and culturally significant landscapes. The highly prominent nature of the wind turbines proposed and their high level of visibility over such an expansive area, **The Golden Vale**, including from scenic viewpoints, would constitute a highly visually obtrusive development that would unacceptably interfere with the character of the area.

Therefore, the proposed development would be contrary to **The European Landscape Convention of the Council of Europe (Florence Convention)**, and the proper planning and sustainable development of the area and should be refused.

Ground 3: The Application has not been designed in accordance with National Wind Energy guidelines compatible with The European Union Strategic Environmental Assessment (SEA) Directive (2001/42/EC).

There are currently no National wind energy guidelines in Ireland compatible with European law, The European Union Strategic Environmental Assessment (SEA) Directive (2001/42/EC). *Refer to European Court of Justice (ECJ) ruling case C-24/19, Directive 2001/42/EC, and the relevant article of the Aarhus Convention.

The Applicant of this proposal 'Ballinlee Green Energy Limited', refers to Irish Wind Energy Development Guidelines from 2006, however this document was not subject to a Strategic Environmental Assessment (SEA) when published, and therefore does not comply with European law requiring it. There are Draft Wind Energy Development Guidelines from 2019, which reflect current wind energy technology and knowledge, which do have an SEA.

SEA is required to be carried out in order to comply with the provisions of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI No. 435 of 2004) as amended.

SEA Directive and its transposition into Irish Law Directive 2001/42/EC of the European Parliament and of the Council of Ministers, of 27th June 2001, on the Assessment of the Effects of Certain Plans and Programmes on the Environment, referred to hereafter as the SEA Directive, introduced the requirement that SEA be carried out on plans and programmes which are prepared for a number of sectors, including energy.

The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No. 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21st July 2004. The Regulations have been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (SI No. 200 of 2011) and the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (SI No. 201 of 2011).

Environmental assessment is a procedure that ensures that the environmental implications of decisions are taken into account before such decisions are made. Environmental Impact Assessment, or EIA, is generally used for describing the process of environmental assessment for individual projects, **while Strategic Environmental Assessment** or SEA is the term which has been given to the environmental assessment of plans and programmes, which help determine the nature and location of individual projects taking place.

SEA is a systematic process of predicting and evaluating the likely significant environmental effects of implementing a proposed plan or programme, in order to ensure that these effects are adequately addressed at the earliest appropriate stages of decision-making in tandem with economic, social, and other considerations.

Therefore, this application has not been designed in accordance with EU compatible National Wind Energy development guidelines and should be refused.

Ground 4: The Application lodged is described incorrectly as it reflects 2no windfarm developments.

The application lodged is incorrect, this is clearly 2no separate windfarms one comprising of 5no Turbines (in 2no separate Clusters) North site, and one comprising of 12no Turbines, South site. There is approx. 1.4km between the nearest Turbines on the North and the South site.

This was recognised by ABP as a potential issue during the pre-consultation discussion minutes, '*whether the development would be viewed as a single development,*' due to the distance between the nearest turbines, so the applicant was forewarned.

The landholdings containing the 2no. separate Windfarms are further separated by a heavily trafficked Public road (L1414), containing residential properties. These existing dwellings are located 'between' the 2no separate windfarms as per the application documents (or as the application documents might suggest, existing dwellings located 'within' the windfarm).

You would be able to drive between the 2no. sites on a Public road and look north at 1no windfarm and then look South at a separate windfarm. Local residents of this road will be able to view the separate Windfarms, 1no out the front window of their dwelling and 1no out the rear window of their dwellings. This will create an overwhelming feeling of wind turbine saturation and reduce the visual amenity from these residences.

The Southern most site is split further by a public road (L51217), refer to the quantity of new entrances being proposed onto this Local Road at Ballinlee (L51217), which show same.

The sites containing the 2no windfarms are very different in design and spatial arrangement of Turbines (and ecology). Statements made throughout the applications documents do not reflect this reality but refer to 1no site, but any cursory look at the application documents will leave an impartial viewer in no doubt. It very clearly cannot be viewed as 'one' windfarm.

This is not one windfarm, will not be viewed as one windfarm, and should not have been lodged or described as one windfarm. It is 'multiple' windfarm developments.

This could be an attempt to avoid a separate Local Authority planning application on the North site for 5no Turbines only, or an excuse to put a TDR route through a wetland floodplain regardless of impacts on ecology or protected species (whooper swans).



Extracts from Application above clearly showing the 2no separate windfarm developments and random Turbine clusters, and houses located 'between' the windfarms.

re and Visual Impact Assessment



Example from application above, VP13 showing the 2no separate windfarm developments.

On the left above are the 5no Turbines in 2no clusters on the North site (Camass area), and on the right above are the barely noticeable tips of some of the Turbines on the South site (Ballinlee area) on the distant horizon.



Example view from Residence at Ballinlee, Ballinlee Turbines above, and 1.4km between the nearest Camass Turbine far right.

Please also consider **EIAR Chapter 12, Landscape and Visual, page 12-27, and the below statement.**

*The results of the open visibility refinement show that from the vast majority of road sections that have an open view of at least one full blade set, there are few instances where more than seven out of the 17 turbines are openly visible. **Interestingly, there are no instances of open visibility of more than 12 turbines within the nearest distance band of less than 1km and only 15% of road sections have open visibility of between 7 and 12 turbines.***

Throughout the distance bands from 1km to 4km there is never more than 7% of road sections that have open visibility of the majority of turbines (>12) and there are none in the final distance band from 4-5km.

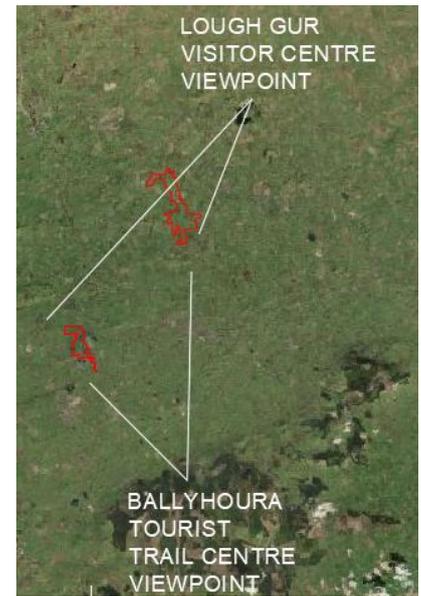
The reason for the above, which appears to be described as a positive in the EIAR, is because this is in fact two separate windfarms arrangements, so it is almost impossible to view all Turbines together at close range.....because they are not together !!

Therefore, as the application lodged clearly reflects 2no Windfarms on 2no separate sites, it should have been described and applied for as such and should be refused.

Ground 5a: Cumulative effects – Visuals. Significant Detrimental effects.

We would like to bring your attention to a separate application lodged at present with **An Coimisiun Pleanála S.I.D. Planning Ref number: 323635** (SID Planning Application by **Garrane Green Energy Ltd**).

As per application documents this other SID application is within 9km of the application site. Significantly to note, the applicant companies involved for both the Ballinlee SID and Garrane SID applications, at present, claim to be subsidiaries of Greensource Sustainable Developments Limited (Greensource Ltd.).



County Limerick Golden Vale lowland area (above), with the location of the 2no current S.I.D application sites. There are various tourist viewing areas and photo opportunities surrounding the Golden vale lowland areas, including two of significant national and international interest in close proximity to the proposed developments (above right).



For further context, the application is located within the Golden Vale (photo above from Ballyhoura Mountain bike trails, public viewing area), which is the historic name given to an area of rolling pastureland in the province of Munster in southwestern Ireland. The area covers parts of three counties: Cork, Limerick, and Tipperary. This is a significant area of landscape character and history and renowned as the best land in Ireland for dairy farming. Fáilte Ireland promotes the Golden Vale as part of its “Ireland’s Ancient East” and historic heartlands tourism region, highlighting its picturesque landscapes, historic sites, and local produce.

There are now multiple industrial wind turbine park proposals lodged, randomly placed, randomly spaced, randomly sized, randomly stacked, within the same historic landscape. A Landscape they will dominate for generations to come.

In the absence of national guidance compatible with EU law, I would like to draw your attention to the Draft Revised Wind Energy Development Guidelines 2019 published by the Irish government for public consultation, which had an SEA (or even the twenty year old guidelines from 2006 which are incompatible with European Law), and the detailed aesthetic considerations and spatial strategies required within each for the design of windfarms.

These guidelines are especially important to consider ‘in detail’ where wind turbine developments are now being proposed at numerous, random, limited scale locations, and with turbine heights and spacings varying within and between multiple developments, and with considerable detrimental ‘in combination’ effects being created contrary to the draft proposed 2019 (or incompatible 2006) guidelines. **All in the absence of a National Landscape Strategy in Compliance with the requirements of the European Landscape Convention (Florence Convention).**

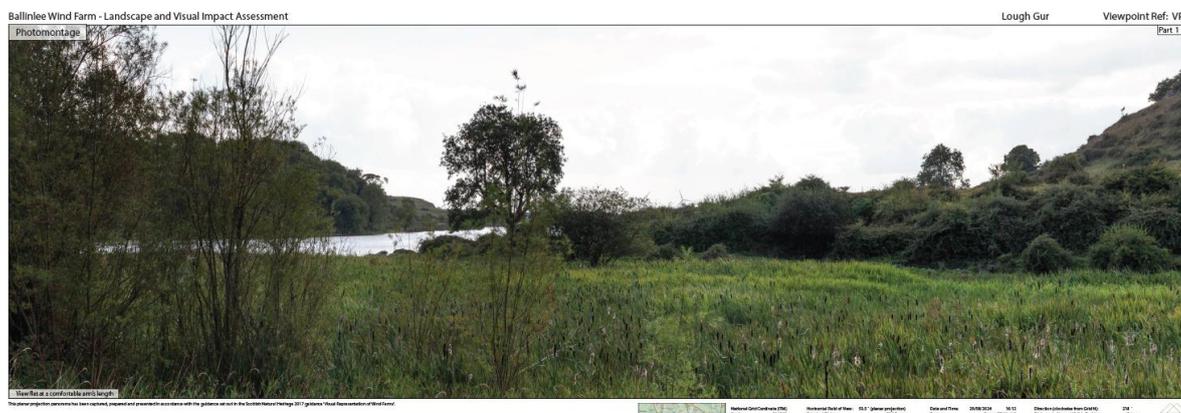
Nowhere do the guidelines suggest the below cumulative scenario is acceptable, which shows the proposed locations and size of the Ballinlee wind turbines from this application, when overlaid on LVIA photomontage images of the proposed turbines behind these from the Garrane Windfarm SID proposal, when viewed from Lough Gur Tourist Viewing area.



Cumulative effect - Ballinlee proposal in the foreground, Garrane proposal in the rear ground, Various other Turbines in the Distant rear ground, views from the Lough Gur National Heritage Park Public viewing area.

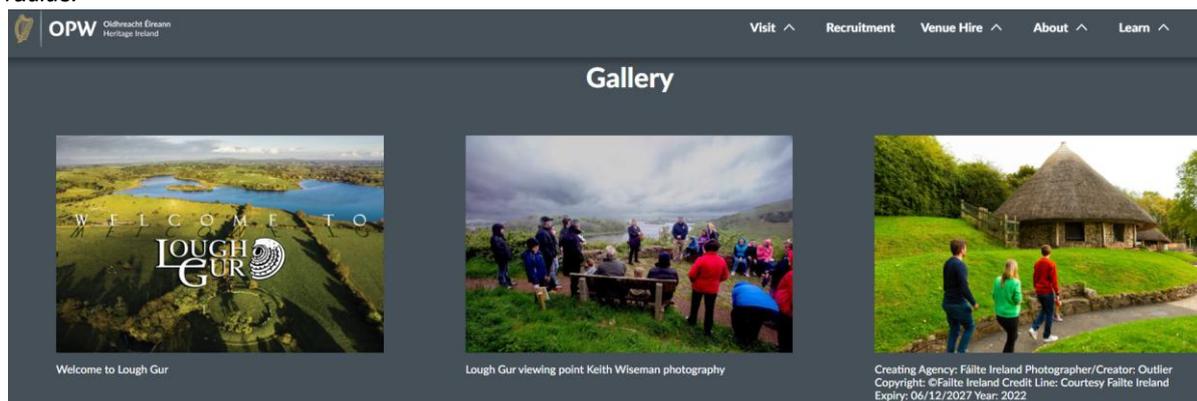


Garrane SID application, imagery used from the Lough Gur area (however missing the Ballinlee SID application),



Ballinlee SID application, imagery used from the Lough Gur !!!!!

The OPW Heritage Ireland website promotes Lough Gur as a *site of international significance due to the area's rich archaeology and environment. It is home to Ireland's oldest and largest stone circle and the only natural lake of significance in South East Limerick. Lough Gur also has an abundance of ancient monuments in State care with a reported 2,000 archaeological monuments in a 5km radius.*



Furthermore, nowhere do the guidelines suggest the below cumulative scenario is acceptable, which shows the Garrane SID proposal on the left below, and the Ballinlee SID proposal on the right below, when overlaid on LVIA photomontage images from the Garrane SID application, when viewed from the Ballyhoura Public Mountain biking and Trails.



Cumulative effect - Garrane SID proposal on the left, and the Ballinlee SID proposal on the right, from Ballyhoura Public Mountain biking and Trails area.



Garrane SID application, imagery from the Ballyhoura area (however missing the Ballinlee SID application).



Ballinlee SID application, imagery from the Ballyhoura area !!!

Coillte, as per screengrab below from their website, describes the Ballyhoura mountain bike trail centre is the largest in Ireland, and with an array of walks and **“gorgeous views”**and is a significant tourist destination.

Coillte
<https://www.coillte.ie> › activities › mountain-biking

✓ Mountain Biking Archives

The largest mountain bike trail network in Ireland, with an array of walks, gorgeous views, hidden glens and little waterfalls. Loads to do for a weekend.



Various Local, National and International Tourist websites showcase the Golden Vale.



Consideration should also be given to the difference between observing the landscape directly which allows for **subjective perception** enabling you to focus on elements, beautiful and bad, while a photograph is a static representation and often lacks the full dynamic range of the human eye.



Photo from Ballyhoura's northwards over Co.Limerick (lowland areas proposed for windfarms)



Photo from Ballyhoura's southwest over Cork windfarm (mountain areas suggested as unsuitable for windfarms)

If these developments are deemed truly Strategic, then they should at 'worse' conform to a master planned, coherent, considered, optimised, cumulative strategy, and be located within appropriate landscapes 'only.' Historic public landscapes and their preservation should not be determined by random private industrial wind energy developers, or private shell companies, and localised private land deals.

National Legislation should seek to protect such historic, significant, and internationally renowned landscapes.

A cursory look at the Draft 2019 guidelines and various sections within, should raise significant concerns around the siting of 'any' industrial scale wind turbine developments 'within' the lowland area of the Golden vale landscape, let alone the potential siting of 'multiple' developments, haphazardly designed, haphazardly located and with inappropriate in combination effects within the landscape.

Section 1.2.2 speaks of *Safeguarding our Landscape, Natural Heritage and Built Environment*, and sets this out alongside references to the **European Landscape convention (Florence Convention)**.

Section 5.3 discusses '*Natural Heritage*.' As you will know, natural heritage may be impacted by wind energy developments both during the construction and operational phases. These impacts may be either temporary or permanent, and all aspects of proposals that could, in themselves, or in combination with other proposals, affect areas' conservation objectives should be identified.

The Golden Vale is an area of national scenic importance and is surrounded by multiple viewing points on the surrounding mountains. Surrounding mountains which, as can be seen below, or from any visit to the area, have provided ample opportunities to date for Wind Energy Developments, without the need for 'industrial scale wind turbine parks' to now also dominate and destroy the historic significant lowland landscape and panoramic views contained 'within'. More appropriately located opportunities exist.



The Environmental Impact Assessment (EIA) for the project failed to adequately assess the cumulative landscape impact of the proposed turbines combined with other existing or approved developments in the area.

Therefore, as the proposed Application is clearly non-compliant with any National Landscape Strategy or draft design guidelines and has significant detrimental cumulative and in-combination visual effects, it should be refused.

Ground 5b: Inadequate EIAR visual assessment and Inadequate assessment of impact:

The Environmental Impact Assessment (EIA) for the project **failed to adequately** show the receiving landscape and assess the cumulative landscape impact of the proposed application turbines combined with other existing, approved, or proposed developments in the area.

Based on the viewpoint locations chosen and images used, **it would appear this was either an incompetent attempt at a visual assessment or a disingenuous attempt to misrepresent the receiving environment and visual impact.**

This is especially concerning considering the same company 'Macroworks' are noted as having prepared the Visual assessment for the Garrane SID application, using images from similar general areas to assess the same receiving environment, yet with drastically different representations of the same Landscape.

We would therefore like to bring your attention to the separate application lodged at present with **An Coimisiun Pleanála S.I.D. Planning Ref number: 323635** (SID Planning Application by **Garrane Green Energy Ltd**).

The applicant for the project 'Garrane Green Energy Limited,' **was setup in May 2023.**

In SID Planning ref: 323635SID, Planning EAIR chapter 12 -LVIA; Macroworks noted site visits for the Garrane project were carried out in **November 2023** (extract below).

12.2.2.2 Fieldwork

Macro Works has a comprehensive understanding of the site context within the wider Study Area and has carried out numerous site visits to the locality over the last 10+ years. Site visits to potential VRP locations and the Wider Study Area were carried out in November 2023, to gain a baseline understanding of landscape context and to interrogate the ZTV. Site visits also included the capture of baseline photography and grid reference coordinates for each location for use in the production of photomontages.

However, the Photomontage Booklet presented for the Garrane SID Project, and the captured baseline photography within for Viewpoint 01 thro Viewpoint 26, include 'dates' from **September 2022** (as below), not winter 2023.



Date and Time: 2022/09/16 09:32
Camera: Canon 5D Mark II
Lens: Fixed 50mm
Camera Height: 1.7m (AGL)

Direction (clockwise from Grid N): 216 °
Distance to Nearest Visible Turbine: 17.4 km
Nearest Turbine: T09



Is this incompetence on the Garrane SID application, or error, or an attempt to misrepresent when field work was carried out.

As regards this 'Ballinlee Green Energy SID Application,' the Applicant company were setup on 20th August 2024, and the Macroworks, captured baseline photography in their assessment is noted as from 29th August 2024.

It should be noted the Index drawing on Multiple photomontage drawings are incorrect, and do not represent the views shown. For instance, the Elton Photograph shows a Hospital viewpoint. There are numerous such errors throughout the documents.



We would like to draw your attention to the following **few** examples of 'inadequate' visual assessment photo's locations used, and following each of these have included an example of an amateur photograph taken from the same general area, representative of the 'actual receiving environment from each location. In some instances, I have shown the Photo used by Macroworks for the Garrane SID application for comparison.

We'd suggest the below proposed locations are just some of the 'appropriate' viewpoint locations for any future 3rd party Competent Impartial Landscape Visual assessment, including from Ballinlee. **To note the EIAR has no Photos included from Ballinlee!!**

You might ask how a competent professional could have selected the locations and photographs used within the LVIA report as being representative of the receiving environment, or how report conclusions could have been arrived at based on such locations.



Lough Gur VP19, Viewpoint used.



Garrane SID Application, Lough Gur viewpoint used.
&
Lough Gur viewpoint proposed.



Ballyhoura- Ardpatrick VP4, viewpoint used.



Garrane SID Application, Ballyhoura viewpoint used.



Ballyhoura Viewpoint proposed from Ballyhoura Trail centre (multiple location options, not from behind a garage in Ardpatrick)



Kilfinane VP3, Viewpoint used.



Kilfinane view (not from behind a wall and overhanging tree)



Bruff VP16, Viewpoint used.



Entrance to Bruff from Croom road, overlooking applicant site.



Knockuregare, Bruff to Kilmallock Road, looking toward applicant site.



Holycross to Meanus Road, overlooking applicant site in distance.



Entrance to Bruff from Kilmallock Road, looking toward applicant site.



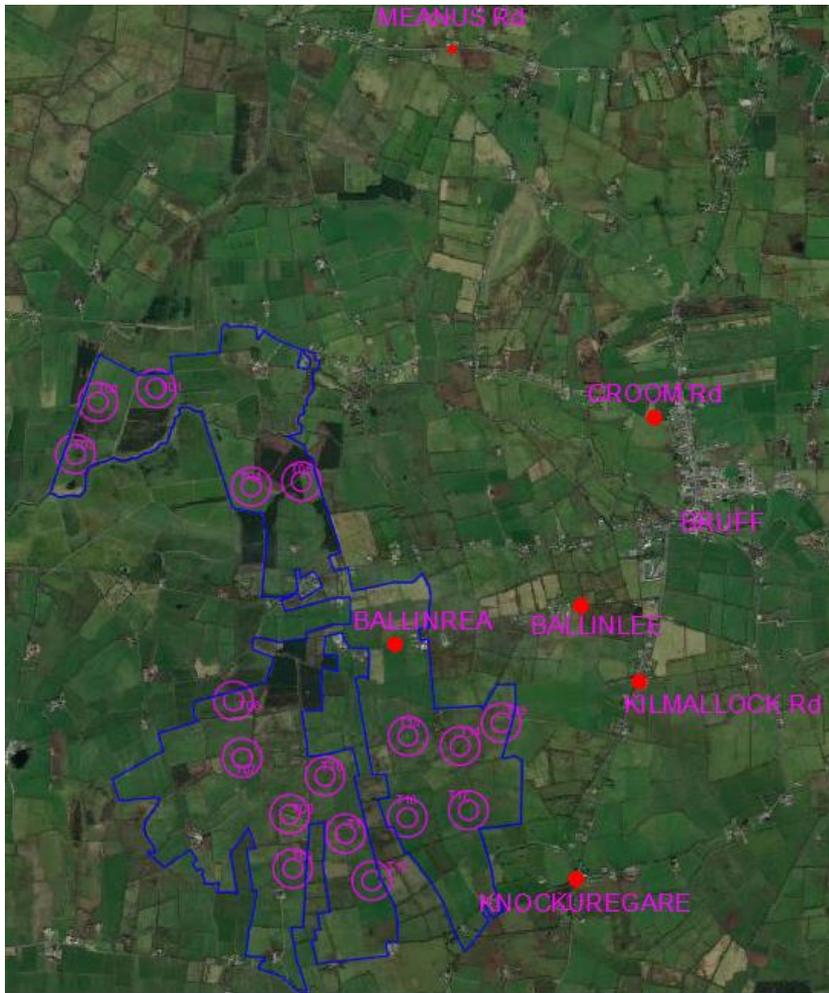
Entrance to Bruff from Kilmallock Road, looking toward applicant site (showing 1no of the gas pipeline vents).



Ballinlee Road, looking toward applicant site (A cul-de-sac road frequented hourly at weekends by walkers and joggers)



Ballinrea, looking into applicant site.



Some of the Suggested Viewpoint locations above for future Independent EIA Landscape and Visual assessment.



Entrance to Bruff from Kilmallock Rd



Entrance to Bruff from Croom Rd

As set out above, the Visual assessment chapter of the EIA requires an independent and **competent** 3rd party to prepare an unbiased representative Visual assessment and conclusions before ACP could adjudicate on it.

In the absence of appropriate and accurate visuals, the current report cannot (and does not) have accurate conclusions. **The EIA landscape and visual assessment must represent the receiving environment.**

As regards effects and conclusions of an independent 3rd party EIA landscape and visual assessment with accurate conclusions, the below statement by the Applicant in Chapter 18.2.8 LVIA & Visuals of the current EIA are interesting.

The Applicant acknowledges “*the moderate positive long-term effects on population and human health in relation to landscape and visual effects due to the removal of turbines.*” However, the applicant has stated in the paragraph prior, the operation effects would range from ‘*slight-significant*’ but only have ‘*slight adverse*’ interactive effects on population and human health. This appears to be another example of a contradictory or bias statement towards a certain result, especially as acknowledging at least ‘*moderate positive*’ in removal of the turbines, not ‘*slight positive*’ in removal.

Therefore, an Independent 3rd party produced EIA would likely at least conclude ‘*moderate-significant*’ adverse effects, depending on the particular viewpoint.

There are various other inaccurate and/or misleading statements throughout the report and conclusions, however I don’t propose to waste time commenting on these especially as the submitted report is so obviously flawed (you might suggest through incompetence or intention) and so obviously biased toward a particular result.

There are however a few statements within Chapter 12, I would like to draw attention to as follows.

12.3.1.1 - *The landscape of both the Site and wider Study Area is predominantly flat to gently undulating lowland plains.*

12.3.1.2 - *The predominant land use of the Study Area, by far, is agricultural farmland, which is the same for the Site itself.*

12.3.1.2 – *There are several wind farms within the upland areas to the south, west and southeast.*

For context, it fails to mention the large arrays of Turbines existing to the Northeast, outside the study area but due to the nature of the flat landscape clearly visible from within the central study area (locations as below seen on mapping such as SEAI site below).



12.3.2.1. - *The Site of the Proposed Development is located within a landscape that is consistent with the ‘Hilly and Flat Farmland’ landscape type in terms of its flat agricultural fields of improved grassland and forestry.*

So, as noted above in 12.3.1.1 & 12.3.1.2, its **predominantly flat** and **by far, is agricultural farmland**.

12.3.2.1.1 – Hilly and Flat Farmland Landscapes

Location - “*Location on ridges and plateaux is preferred, not only to maximise exposure, but also to ensure a reasonable distance from dwellings. Sufficient distance should be maintained from farmsteads, houses and centres of population in order to ensure that wind energy developments do not visually dominate them. Elevated locations are also more likely to achieve optimum aesthetic effect. Turbines perceived as being in close proximity to, or overlapping other landscape elements, such as buildings, roads and power or telegraph poles and lines may result in visual clutter and confusion. While in practice this can be tolerated, in highly sensitive landscapes every attempt should be made to avoid it.*”

Spacing - *The optimum spacing pattern is likely to be regular, responding to the underlying field pattern.*

Layout - *The optimum layout is linear, and staggered linear on ridges (which are elongated) and hilltops (which are peaked), but a clustered layout would also be appropriate on a hilltop. Where a wind energy development is functionally possible on a flat landscape a grid layout would be aesthetically acceptable.”*

Height - *Turbines should relate in terms of scale to landscape elements and will therefore tend not to be tall. However, an exception to this would be where they are on a high ridge or hilltop of relatively large scale.*

Cumulative - *It is important that wind energy development is never perceived to visually dominate.*

As can be seen from the various statements above, 12.3.2.1.1 - the Application documentation lodged complies with none of the above.

Therefore, as the Application EIA Landscape and Visual assessment is at best fundamentally flawed, it may be considered non-compliant with relevant legislation, and as any 3rd party EIA and visual assessment of the Application will likely conclude it has significant negative environmental effects and is inappropriate from a planning perspective, the application should be refused.

Ground 6: The application design does not comply with design requirements contained within the available Draft Wind Energy Development Guidelines from 2019, or within the non-compatible Irish Wind Energy Development Guidelines from 2006.

The proposed design does not comply with numerous aspects of the available Draft Wind Energy Guidelines (under both the draft guidelines and the incompatible with EU law guidelines from 2006).

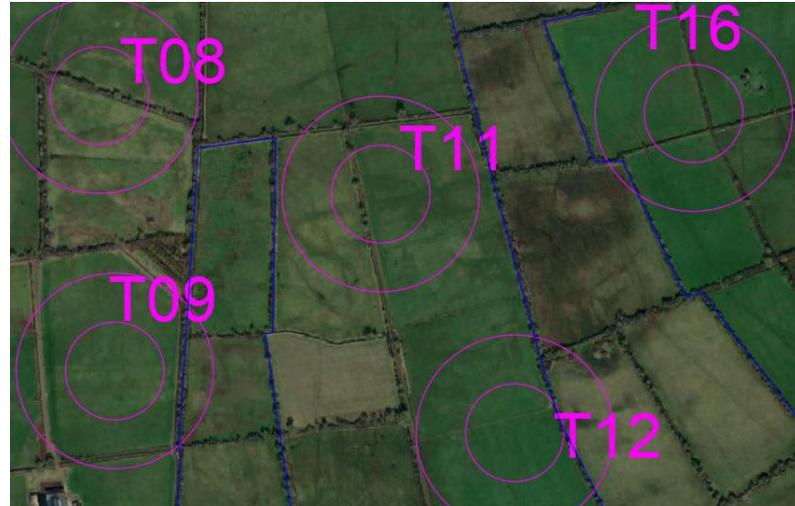
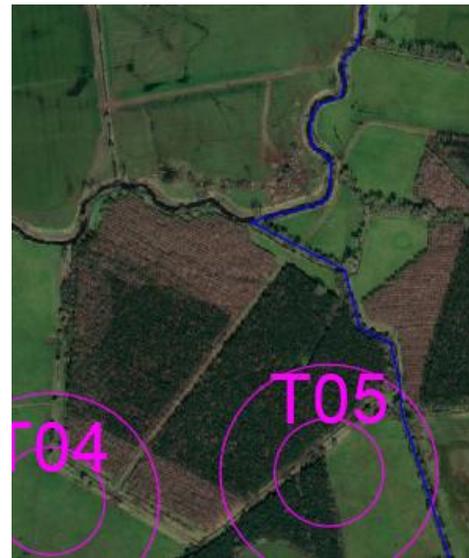
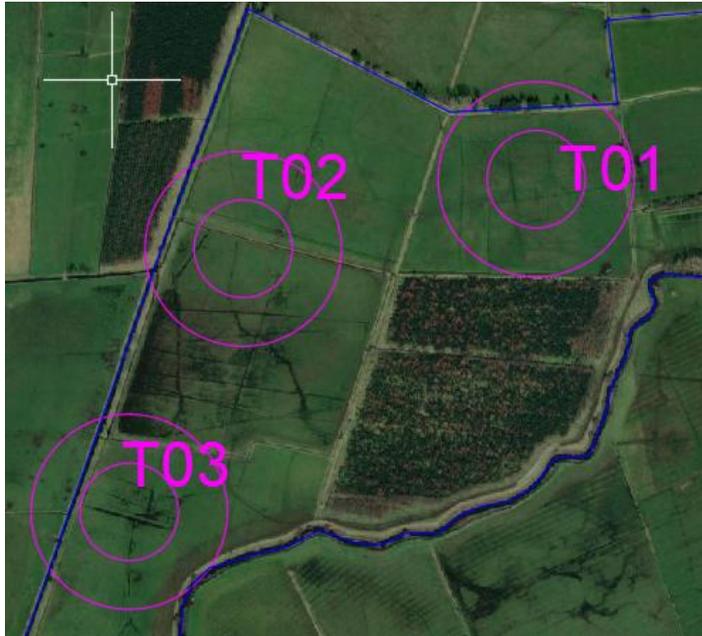
For instance, and not limited to;

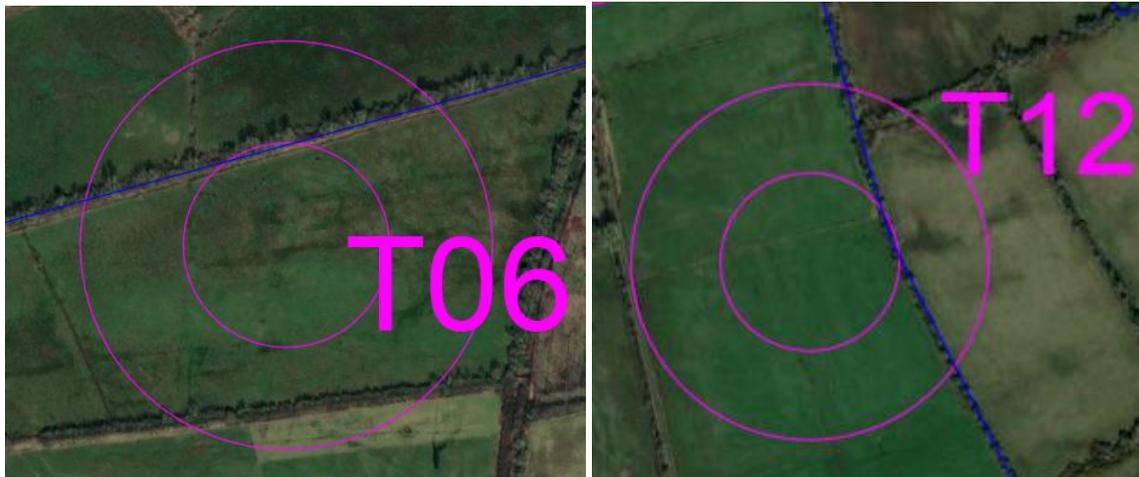
- under the Aesthetic section the spatial extent and scale of the development is incorrect for the setting (too limited on such a panoramic setting).
- under the spacings, irregular and not on regular grid.
- under the Cumulative effect it is obviously non-compliant (as set out in detail under Cumulative effect grounds).
- **Significantly**, under the Environmental section and Wind take, many of the Turbines do not comply with the distances required and have not been located a distance of two rotor blades from adjoining property boundaries.

Two Rotor blades are 136m, **therefore T1, T2, T3, T5, T6, T9, T12, T15, T16 ALL breach the requirements of the design guides**, in relation to adjoining properties.

Using the ITM Co-ordinates provided in the application documentation (EIAR Table 13.23) the breaches can be seen clearly as below (inner circle is 1no rotor blade length out circle is 2no rotor blade lengths).

*To note the use of OSI (TAILTE ÉIREANN) maps only, as appears to have been the case throughout this application, is not an accurate way of determining 'actual' physical locations of boundaries on the ground, as shown below. Topographical surveys would be required to understand the 'actual' locations of boundary's and may be why 'oversailing' breaches have been missed on the application design and drawings.





Further, T06, T12 (from Applicant EIAR ITM co-ordinates) over sail landholding boundaries, THIS IS NOT ALLOWED.

Consideration will also need to be given to any commitments made around hedge or tree maintenance or for bat routes along these areas of Hedgerows in proximity to Turbines, as these areas are not in the control of the Applicant site.

There are numerous other instances throughout the design, which I do not propose to go into here, but the applicant team should be able to identify all the failings, as should any independent reviewer familiar with the design requirements.

Therefore, as the proposed development design does not comply with various aspects of any draft guidelines currently available, and in advance of national design guidelines compatible with European law, it should be refused.

Ground 7: Cumulative effects -Environmental.

We would like to bring your attention to a separate application lodged with **An Coimisiun Pleanála S.I.D. Planning Ref number: 323635** (SID Planning Application by **Garrane Green Energy Ltd**).

As per application documents this other SID application is within 9km of the application site, and both are hydrologically linked to each other, and both are hydrologically linked to the lower Shannon SAC. Significantly to note, the applicant companies involved for the Ballinlee SID application and the Garrane SID applications, at present, claim to be subsidiaries of Greensource Sustainable Developments Limited (Greensource Ltd.).

Therefore, both SID applications should be considered together, as any failed hydrological environmental pollution mitigation measure in either, will adversely affect the other, along with affecting the Lower Shannon SAC.

Also, considering climate change or simply local adverse wet weather events affecting both SIDs at the same time, and with proposals being proposed on floodplains in proximity to OPW drainage schemes, any adverse flooding or failure affecting one of the proposed developments, will likely adversely affect the other, especially where either development causes an increase in water volume at the area of confluence of the river systems. The change in permeability and run off rates of the proposed sites could also exacerbate this, especially as Turbines, TDR route and ESB substation proposed **have all been located known floodplains.**

'Mitigation' itself only means reducing the severity or seriousness off the risk, it does not mean elimination of the risk. Only where design is altered to such an extent the residual risk has been removed can the risk be 'eliminated.' This needs to be understood, carefully, especially if any individual designer or planning assessor were to make a statement suggesting a particular mitigation measure will eliminate any particular risk over the future lifespan of the project and the development were to proceed on that basis. Liability could likely attach.

This is an important consideration given the numerous mitigation measures suggested to date, even in advance of all outstanding permits, requests from prescribed bodies, conditions attaching to statutory applications, completion of detail design, and without an understanding of the sequence and interactions between all.

Therefore, as the cumulative environmental effects have not been fully considered, and mitigation cannot eliminate risk to the lower Shannon SAC, the application should be refused.

Ground 8: Application documents are inaccurate, incorrect, and underdeveloped.

The application comprises various inaccurate, incorrect, and underdeveloped documents and many incorrect statements.

These could suggest reporting bias toward a particular client result regardless of data, or an attempt to persuade a review panel towards a predetermined outcome regardless sub-optimal results or screenings, or rushed surveys, or rushed interpretation and reporting of results, or inadequate field surveys, or inappropriately timed surveys, or relying on desk surveys, or incompetence, and all resulting in ab under

Regardless of reasons, this requires numerous revisions, amendments and corrections to various application documents and drawings, and requires **an independent 3rd party EIAR be prepared** before ACP could adjudicate on this application.

Consequences of an incomplete EIAR are as follows;

- Legal non-compliance: An EIAR must follow the Environmental Impact Assessment (EIA) process and include legally required details on a project's potential environmental impacts. If it does not, it is fundamentally flawed and may be considered non-compliant with relevant legislation.
- Inadequate environmental protection: A flawed EIAR, and consequently a flawed project design, can result in a failure to implement appropriate measures to protect the environment, which may be detrimental to sensitive ecosystems or wildlife.
- Failure to avoid or reduce impacts: An EIAR's primary purpose is to identify potential environmental impacts and propose mitigation measures to avoid or reduce them. If the design is incomplete or mitigation measures are inappropriate, the project will likely have a greater negative impact than necessary.
- Enforcement and monitoring issues: If a project is approved despite a flawed EIAR, it may be subject to enforcement actions and monitoring requirements to ensure the developer adheres to the multiple mitigation measures proposed.

The application process is further compromised due to various errors and/or omissions on the Public record.

SID projects by their very nature are complex but the information known and being submitted at each particular point in time during the process requires to be accurate and up to date, especially where the information submitted and minutes of meetings form part of the application documentation in support of an SID proposal which has been submitted for Public Consultation, consideration, and review, as required under National and European legislation

Please find below a non-exhaustive list of issues, errors, and/or omissions within various application documents;

An Bord Pleanála Minutes 1st Meeting -25.10.2024 (with prospective Applicant noted as Ballinlee Green Energy):

- Omission/Error - The extent of community engagement to date and planned for the project was outlined including Public events. The minutes do not reflect the detail of the information offered by the Applicant, but to note **NO** community engagement or Public events had taken place by the meeting date.
- Omission - In terms of Habitats within the study area, floodplain not mentioned, yet the applicant noted a range of surveys in progress or completed. Also to note the 'Applicant' company only existed since August 2024 despite noting surveys were completed by the meeting date. Who were these Surveys commissioned by?

An Bord Pleanála Minutes 2nd Meeting -20.03.2025 (with prospective Applicant Ballinlee Green Energy):

- Confusion /Error - Attendees noted as representing the prospective applicant, mentions a 'Greensource,' however the employees noted as being Ballinlee Green Energy in the 1st Meeting are noted as being 'Greensource' in the 2nd meeting. Who is the applicant and which company do the attendees work for?
Confusion for Public consultation process and what is the entitlement for a non-applicant company to attend.
To remind the proposal is for a 10-year permission for 35years operation, and the Applicant must be known.
- Error/Omission - The minutes do not reflect the detail of the information offered by the Applicant, but as per the Application 'community engagement report', documentation, NO community engagement had begun prior to May 2025 (and as of writing no Public events, unlike limited private consultations, have taken place).
- Error – The applicant stated the TDR had determined the turbine blade length, however this conflicts with application documents which stated under chapter 3 alternatives, Turbine heights were reduced from 200m to 160m to improve setback distance from houses. Which statement is correct, TDR design or design iteration?
- Omission – Regarding Whooper Swans, letter from Department of Housing Local government and Heritage, June 2025, appears to have been ignored regarding Whooper swan's issues, and requirement for scheme redesign.
- Error/Omission – Regarding Badger setts not present, the statement conflicts with survey findings within application documents.
- Error/Omission – Regarding Borrow pits and ground water, one of the borrow pits is proximate to the known floodplain. Also as borrow pits have already been selected, site investigations would have determined their suitability, and the volume of material 'required' should be known.
- Error – regarding 'all' residential receptors and the 2019 guidelines separation distance– the statement conflicts with the application documents. Residential receptors are within the 4x separation distance required by the 2019 guidelines.

Miscellaneous Application Documentation.

- All drawings throughout the application showing Landholding Blue boundary line, are incorrect.
- Various siteplan drawings have omitted the blue line around various involved landholder dwellings.
- All siteplan drawings appear to have been based on Tailte Eireann maps, as opposed to 'measured' surveys, therefore incorrect, as can be seen from satellite images and ITM positioned turbine locations. Therefore, critical dimensions to boundaries inaccurate.

Planning Statement.

- Page 3 - 2.1 – The site is within 1.5km from Bruff (not 3km).
- Page 3 - 2.1 – The Site Landholding Boundary at Tullovin Bridge is incorrect.
- Section 5.1 – The proposed site is **not** designated as being a 'preferred area' for wind energy development, this is a misleading paragraph.
- Page 19 – No judgement to date allows permissions to be granted which 'breach' legislation, as per point 2.
- Page 22 – The Applicant has not included the Maximum output of the proposed development when all the various suggested mitigation and down time of Turbines have been allowed for, and actual windspeed as opposed to optimum.
- Page 22 – Objective CAF 029 – Proposal contravenes this objective as it is NOT consistent with the landscape character objectives of the Plan, the protection of the natural and built environment and the visual and residential amenities of the area.
- Page 24 – It is clearly NOT designed in accordance with any existing or Guidelines, 2no separate farms with 3no separate clusters of turbines, randomly placed and randomly spaced, in inappropriate environmental locations, breaching wind take minimum distances from neighbouring boundaries, breaching residential receptor separation distances (the larger of 4no Turbine heights or 500m minimum) and with in-combination effects not considered and not shown from significant sites such as Lough Gur.
- Page 25 – EIAR conclusions are based on inaccurate and incomplete data, and subjective and biased.
- Page 25 – Residential amenity – impact on the amenity of residents exists, therefore is unacceptable.
- Page 27/28 – Landscape – Suggestion for the Wider Study Area is incorrect, as the magnitude of change to landscape character will **increase** with increasing distance from the Site, as the proposed wind farm becomes a proportionately larger and more distinct component of the overall landscape fabric, and other features and characteristics lose their influence on character. Refer to examples of Cumulative Visuals submitted here, from Lough Gur and Ballyhoura areas to see an example of the adverse landscape effects arising during the operational phase of the wind farm, and the potential in-combination effects.

Non-Technical summary document.

- Page 14 – States there are no recreational amenities locate within the boundary of the proposed development. Ballinlee road XXX is a cul-de-sac it is used 'daily' by recreational walkers and local club runners, and it IS a local recreational amenity (a community engagement process would have understood this).
- Page 15 – Community benefit fund is approximate, and the actual based on should be submitted for clarity.
- Page 21 – 3.5 water – mentions minor decrease in ground water permeability at the turbine hardstands and substation...but fails to mention the 10km of new internal access tracks.
- Page 26 – Highlights 40 to 50% of households due to be affected by shadow flicker. Commitments made to eliminate shadow flicker without detailed design proposals are insufficient given the known issue being created.
- Page 28 – Forest resources and replanting – no mentions is made of the Cumulative effects of the replanting areas. This should have been included in the EIAR.
- Page 29 – omits the mention of the group water scheme on the L5217.
- Page 29 – concrete truck chute washing, has serious potential for pollution into the ditches and rivers all hydrologically linked to the Morning star.

EIAR.

- Various issues, including not limited to noise, nuisance, shadow flicker, infrasound, all requiring a 3rd Party EIAR to be carried out with impartial conclusions. I do not propose to go into all issues here as to many and too varied, but no doubt other submissions will, in detail.

Therefore, as the proposal at present is based on inaccurate, incorrect, incomplete, and underdeveloped documents, it should be refused.

Ground 9: Risk of Major Accident and Disaster to GNI pipeline.

As noted by the applicant on page 12 of the application Non-Technical Summary document, there is a high pressure GNI pipeline passing through the site.

“A high-pressure GNI pipeline crosses both the northern and southern sections of the wind farm site boundary. GNI have been consulted, and all works in proximity to pipelines will be undertaken in strict compliance with GNI requirements. Setback distances will be maintained, and any crossing works will be supervised and agreed with GNI. This will ensure that the risk of accidental strike or leakage is minimised.”

An accidental strike or leakage being ‘minimised’ is insufficient due to the consequences of either. This serious residual risk requires to be ‘eliminated,’ and the proposal redesigned to ensure NO interactions with same.

Has an AF1 been submitted to the HSA as required under legislation and was a PSDP involved at design stage to address the risk?

As of today’s date, the HSA could not find or confirm to us they had received an AF1 from the Applicant (or information of a PSDP being involved during the design stage of this project). This is a significant concern (and potential breach of Construction Health and Safety legislation (Safety, Health and Welfare at Work (Construction) Regulations)). It does not instil confidence in the ability of the Applicant to fulfil its duties under the legislation, especially given the proximity of serious risks to so many Residences.

Separately, it should be noted the Application Site is within an area with yearly Tunder Storm events. See example photos below capturing local lightning strikes in August2022, August2024, and records of lightning in August 2025.

Given the nature of the receiving environment, agricultural lowlands with frequent history of lighting strikes in the area, it is likely lightning strikes will eventually occur to a 160m tall Turbine. This is concerning as the Turbines are proposed to be located in proximity to GNI high pressure gas lines, and with potential for serious consequences of grounding strikes in proximity to, or even onto, GNI high pressure gas lines.

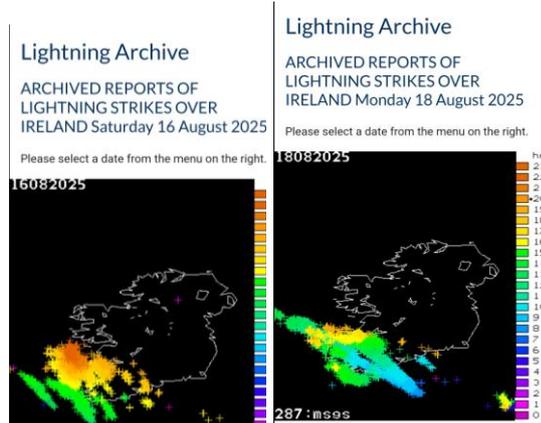
The potential for lightning-induced incidents is a recognised safety consideration. In combination with GNI infrastructure has the Applicant addressed mitigation for this?



August 2022 lighting towards 12no Turbines at Ballinlee & 5no turbines area (photos from Ballinlee)



August 2024 lightning strikes towards 5no turbines Camass area



August 2025 – Lightning Archives.

Therefore, the Application as it currently exists with 160metre tall turbines located in a lowland area with frequent lightning strikes, and located in close proximity to GNI high pressure gas lines, and with the risk of lightning strikes to Turbines appearing to be unaccounted for, the proposal is ill-considered and with the potential for a Major accident, and should be refused.

Ground 10: Limerick County Council Development Plan contravention.

The application as designed is in direct contravention to numerous aspects of the Limerick Development Plan 2022-2028.

The proposed development at this location would be contrary to various policy provisions and objectives including but not limited to;

- Policy EH P8 Landscape Character Areas: It is a policy of the Council to promote the distinctiveness and where necessary safeguard the sensitivity of Limerick's landscape types, through the landscape characterisation process in accordance with the Draft Guidelines for Landscape and Landscape Assessment (2000) as issued by the Department of Environment and Local Government, **in accordance with the European Landscape Convention (Florence Convention)** and with A National Landscape Strategy for Ireland – 2015-2025.
 - LCA O5 Lough Gur. Lough Gur is one of the most significant archaeological sites in Limerick. Topographically it is made up of a series of rolling hills surrounding the lake, which is the centre point of the area. The landscape is pastoral with a long history of human habitation. The presence of a wide variety of archaeological monuments is one of the characteristic features of the area. The area around Lough Gur, with its pleasant rural setting and views of the lake and its well-developed hedgerows, is also an attractive amenity and is widely used by locals and visitors alike. a) Safeguard the visual amenity of the area and **to have regard to the views and prospects in and out of Lough Gur.**
 - Policy EH P4 Compliance with Limerick's Heritage Plan It is a policy of the Council **to place ecological and environmental issues at the centre of planning policies and decisions** and in doing so, will adhere to the objectives set out in Limerick's Heritage Plan 2017-2030.
 - Policy EH P7 Environmental Noise well-being of Limerick's resources. The World Health Organisation Air Quality Guidelines will be the basis for the air quality guidance in Limerick. It is a policy of the Council to proactively manage environmental noise, where it may have a significant adverse impact on the health and quality of life of communities in Limerick and to support the aims of the Environmental Noise Regulations, through the development and implementation of Noise Action Plans.
 - Objective EH O32 Historical Landscapes It is an objective of the Council to, during the lifetime of the Plan, develop an historical landscape assessment process, which will identify key historical landscapes within Limerick.
 - Objective EH O48 Assessment and Recognition of Archaeological Landscapes It is an objective of the Council to designate archaeological landscapes as part of an ongoing appraisal for Historic Landscape Characterisation of Limerick.
 - Objective EH O1 Designated Sites and Habitats Directive It is an objective of the Council to ensure that projects/plans likely to have significant effects on European Sites (either individually or in combination with other plans or projects) are subject to an appropriate assessment and will not be permitted under the Plan unless they comply with Article 6 of the Habitats Directive.
 - Objective EH O2 Lesser Horseshoe Bat It is an objective of the Council to require all developments in areas where there may be Lesser Horseshoe Bats, to submit an ecological assessment of the effects of the development on the species. The assessment shall include mitigation measures to ensure that feeding, roosting or hibernation sites for the species are maintained. The assessment shall also include measures to ensure that landscape features are retained and that the development itself will not cause a barrier or deterrent effect on the species.
 - Objective IN O1 Climate Action in Infrastructure Planning It is an objective of the Council to: a) Require all infrastructure development, whether above ground or subterranean, **to avoid flood risk areas** and areas at risk of coastal erosion. **(to note the main electrical grid connection route cable from the proposed substation to the main substation in Limerick, is proposed through a floodplain within the application site, under the flood level of a regularly flooding floodplain)*
 - Objective CAF O29 Wind Energy Development and Environmental Considerations It is an objective of the Council to facilitate the development of wind energy **in an environmentally sustainable manner, ensuring proposals are consistent with the landscape character objectives of the Plan, the protection of the natural and built environment and the visual and residential amenities of the area.**
 - Objective ECON O36 Agricultural Developments
 - Policy EH P1 Protection of Natural Heritage and Biodiversity
 - Policy EH P2 Sustainable Management and Conservation
 - Policy EH P3 Climate Action and the Natural Environment
 - Policy EH P6 Water and Air Quality
 - Objective EH O10 Trees and Hedgerows
 - Objective EH O15 Ground Water, Surface Water Protection and River Basin Management Plans
- It is an objective of the Council to:

a) Protect ground and surface water resources and to take into account the requirement of the Water Framework Directive when dealing with planning and land use issues.

b) Implement the provisions of the River Basin Management Plan 2018 - 2021 and any succeeding plan. **The filling of wetlands, surface water features and modifications and drainage of peatlands shall generally be prohibited.**

c) Implement the measures put forward in the Limerick Groundwater Protection Plan, in assessing planning applications and their consequences for ground water.

- Objective EH O17 Water Quality
- Objective EH O18 Riparian Buffers.
- Objective EH O22 Commercial and Industrial Noise
- Objective EH O31 Views and Prospects

To note, there is currently NO national territory map available for renewable electricity in Ireland, as required by the Renewable Electricity Directive 2023/2413 (REDIII). The Directive required a map be prepared by 21st May 2025.

**The Wind map within the current Limerick Development plan is unsuitable for use as same, as it does not meet the Regional, National or European legislative requirements for same.*

The Department recently undertook a public consultation **'Public Consultation on National Territory Mapping for Renewable Electricity'** (2 September 2025).

An answer on the Dail record from The Minister for Climate, Energy and the Environment, dated Monday 8th September 2025, sets out the work underway by the Accelerating Renewable Electricity Taskforce to ensure compliance with the requirements of the Renewable Electricity Directive 2023/2413 (REDIII).

On Wednesday 3rd September 2025, DCEE launched non-statutory Public Consultation on the national territory mapping, running until Friday 10th October 2025. This non-statutory public consultation aims to take into account the views of the public, in the inclusion of areas already designated for renewable energy generation in existing plans for the purposes of the mapping exercise required under Article 15b of REDIII.

The purpose of the Public Consultation is also to invite any key considerations from the public, in preparing a draft plan for the designation of at least one Renewable Acceleration Area, as required under Article 15c of REDIII, noting that any area must be a "sub-set" of the areas identified in the "national territory mapping" exercise.

Further information on this Public Consultation is available on my Department's website.

Following the completion of Article 15b compliance requirements to the European Commission, the process for designating at least one RAA will be undertaken, including further public consultation, which is a specific requirement of Article 15d of the Directive.

Please refer to and consider, the Heritage Council report, **'The Onshore Wind Farm Sector In Ireland' Planning In Harmony With Heritage**, Policy Research Paper | Volume 1 | Final Report. October 2013, and the summary within same;

4.4 Republic of Ireland - Summary

In summary, Ireland's existing planning legislation and policy framework in relation to onshore wind farm development requires updating on many levels, e.g. cumulative impact assessment, to ensure that the planning system is fit for purpose and that it accords with various EU Directives and international conventions including, the European Landscape Convention and the UNECE Aarhus Convention. Ireland's planning system would be substantially strengthened by the formulation of a National Planning Policy and robust and non-static Section 28 Guidelines relating to landscape character, landscape capacity and landscape management, to assist and inform relevant government departments, Regional and Local Authorities, state agencies and wind farm developers and operators.

Please refer to and consider the below extract from the **'STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING REPORT'** Limerick City and County Local Economic and Community Plan 2023-2028 Prepared for Limerick City and County Council under SI 435 of 2004 as amended September 2024, Page 24, Interrelationships between the environmental factors, **There are more immediate environmental threats to the environment than climate change. Many of the activities regulated by planning legislation have the potential to cause environmental and ecological damage if carried out inappropriately, or at the wrong scale or location. The Development Management Chapter is perhaps one of the most important parts of the Plan in dealing with these issues.**

Therefore, as the application is in contravention of numerous Local Authority Development plans policies and objectives, and cannot be assessed against documents and national maps compliant with relevant European Directives, and as required under the REDIII directive, and is inappropriate in terms of design, scale and location, it should be refused.

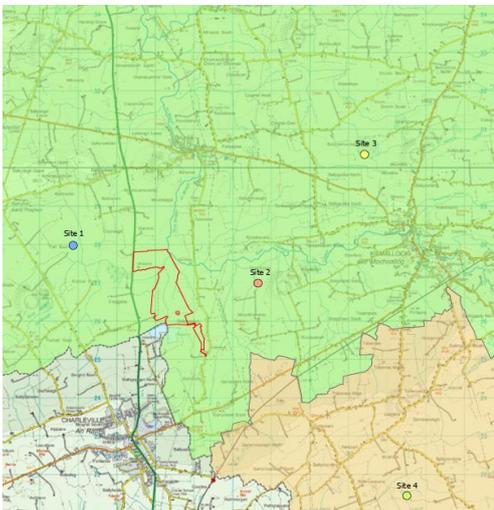
Ground 11: Project Alternatives and project Splitting.

We would like to bring your attention to a separate application lodged with **An Coimisiun Pleanála S.I.D. Planning Ref number: 323635** (SID Planning Application by **Garrane Green Energy Ltd**).

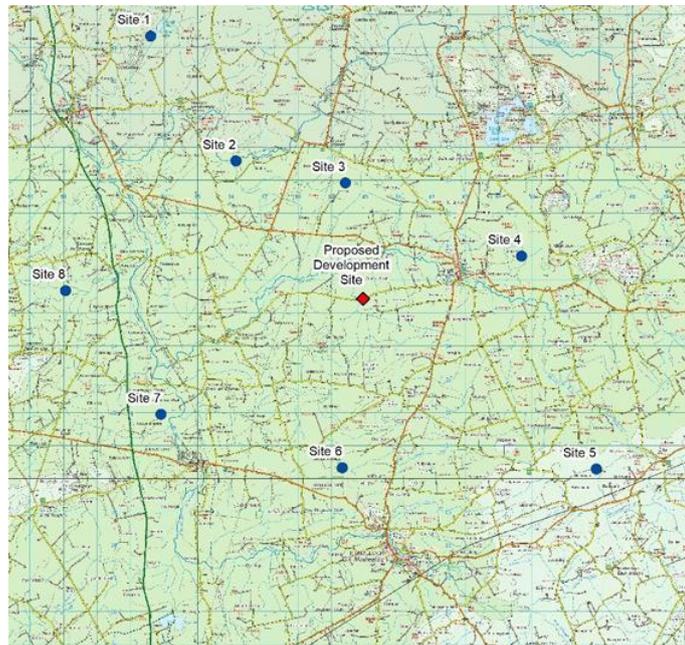
As per application documents this other SID application is within 9km of the application site. Significantly to note, the applicant companies involved for Ballinlee SID and Garrane SID applications, at present, claim to be subsidiaries of Greensource Sustainable Developments Limited (Greensource Ltd.).

As regards the EIAR and alternative locations, the Ballinlee SID EIAR alternative site no.6 near Kilmallock, and the Garrane SID EIAR alternative site no.3 near Kilmallock, are the same site.

Significantly to note Ballinlee Green Energy Limited (August 2024) and the Garrane Green Energy Limited (May 2023) only came into existence 'after' the dates of various stated surveys within each application. Field Surveys for Ballinlee SID application indicates dates from October 2021. Field survey date for Garrane SID application indicate field survey visits in 2022. This and other information within the various application documentation suggests a separate company or third party, had already identified the preferred Ballinlee site by the survey dates and this company could not have been the applicant 'Ballinlee Green Energy', as the applicant did not exist at the time. The Garrane SID application has the same issue.



Garrane SID alternative sites map shown above



Ballinlee SID alternative sites map shown above.

This suggests these projects may have been linked and known to each other, and both applications had alternative locations, i.e., the other development. This and all sites reviewed for both applications should have been included in the same EIAR, especially if considered at the same time by a third party. The wider area is the same for both Applications as are the timelines involved. And to note there is another proposal moving through the Limerick local authority planning process at present, Ballynisky Green Energy (also a claimed Greensource subsidiary), so further alternatives exist within County Limerick.

The wider context should also be considered in the 'alternatives' and the 'do nothing scenario' of the EIAR, due to the existing Windfarms on more appropriate higher ground locations, surrounding the Golden Vale areas involved.

There are also numerous further Windfarms proposed on the surrounding hills, including the 66no Turbines across multiple proposals across various Clare hills (including Greensource subsidiary Ballycar Green Energy), hills seen clearly from within the Golden vale on any fine day.

Therefore, as all Project Alternatives reviewed were not included within the EIAR and Project splitting is not allowed, the application should be refused.

Ground 12: Unenforceable conditions and mitigation measures.

Considering the limited experience of the applicant company (setup in August 2024), the proposed lifespan of this development, the numerous serious mitigation measures and commitments proposed within the application documentation, the inadequacy and flaws within certain documentation, the numerous 'points of detail' yet to be designed in, and the likely numerous serious conditions required to be attached to any grant of permission for such an SID, it is highly unlikely the required safeguards and conditions required for so many aspects of this application will be enforceable, for the proposed project duration.

Public records suggest the Applicant company only exists since August 2024, and at present there are multiple companies all with the same phone number and address as the Applicant (screengrabs of some below).

This does not build community trust or confidence that commitments being made now regarding multiple 'mitigation' measures to ensure human, animal, species or bio-diversity health for the next 35 years will be achievable or enforceable, or even which company will be liable for ensuring same, especially if these are simply companies setup for commercial purposes, as opposed to companies committed to protecting and operating the development for the next 35 years, and decommissioning safely at the end. If a local wants to apply for planning in this area, they must prove connection and commit to residency clauses.

This could also suggest companies are being set up to 'limit liability' for mitigation failures or compliances, and it is about commercial 'self-interest' as opposed to community 'public-interest.' All while destroying the Golden Vale Landscape in the process.

Community engagement is critical to the success of any SID project proposal, and is also 'required' by legislation, and knowing who is responsible and liable for all stages of design, construction and planned future operation of the development is key.

Therefore, as any serious condition or mitigation required on foot of permission in order to protect human, animal, species or bio-diversity health for the next 35 years, will likely be in unenforceable through current or future owners (especially where a myriad of companies are involved), this application is not appropriate and **not in the Public Interest**, and it should be refused.



GENERAL

Email: info@greensource.ie

Phone: +353 (0)61 953600

Address: Greensource, Station Road, Adare, Co. Limerick, Ireland