

**LIMERICK CITY AND COUNTY COUNCIL REPORT TO AN COIMISIÚN
PLEANÁLA IN RELATION TO PRESCRIBED BODIES SUBMISSIONS
RECEIVED IN RELATION TO BALLINLEE WINDFARM IN ACCORDANCE
WITH REQUIREMENTS OF SECTION 37 OF THE PLANNING AND
DEVELOPMENT ACT 2000 (AS AMENDED)**

ACP REFERENCE: ACP-323780-25

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Response to Submission from Gas Networks Ireland

Submission Summary	Local Authority Response:
<u>Item 1:</u> No comment or objection to the development.	The response from GNI in this regard is noted.
<u>Item 2:</u> GNI Notes the location of a GNI gas transmission pipeline operating at high pressure in proximity to this application site and request that a condition be attached to any Grant of Planning Permission requiring the applicant to: <i>Contact Gas Networks Ireland in advance of any siteworks by email at DIG@gasnetworks.ie or by phone at 1800 42 77 47; and</i> <i>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' (attached).</i> It is noted that GNI have included the two documents set out above in their submission. GNI have also included a map showing the indicative location of the gas transmission pipelines in relation to the development and note that GNI drawings are to be treated as indicative only and to verify the precise in-situ location of the pipeline, the applicant should contact Gas Networks Ireland to arrange a site-mark-up by an approved GNI representative.	It is noted that there are 2 no. High pressure GNI Gas Transmission Pipelines crossing the development site, these are identified as 'indicative' by GNI. The first crosses the development site towards the northeast corner and a portion of the site, the proposed grid connection and the main entrance, Entrance No. 3, would appear to be located immediately adjacent to this gas pipeline and within the identified 100m buffer zone of same. A second gas pipeline crosses the site to the south of the first and a number of the proposed Wind Turbines, T6, T7, T10, T13, T14 and T17, and a proposed 110kv substation would appear to be located in very close proximity to the pipeline itself and within the 100m identified buffer of same. It is noted that in pre-application discussions with An Coimisiún Pleanála, under Section 37b of the Planning and Development Act 2000, as amended, held on the 25th October 2024, the applicant confirmed that they wished to proceed without design flexibility.

	Having regard to the lack of design flexibility and given the location of key elements of the Windfarm development ‘as proposed’ immediately adjacent to 2 no. High Pressure GNI Gas Transmission Pipelines and within their associated Buffer Zones, Limerick City and County Council considers further information is required in order to enable a Full Assessment of the potential impact of all elements of the Windfarm development ‘as proposed’ on the 2 no. existing High Pressure Gas Transmission Pipelines. In this regard, prior to any decision being made by An Coimisiún, verification of the precise in-situ location of the 2 no. Gas Pipelines should be sought as well as confirmation of the exact location of all elements of the development ‘as proposed’ in the context of the ‘verified’ Gas Pipelines and their associated Buffers. This should include key elements identified above as being located in proximity to and/or within same and should include maps/drawings as appropriate. Following the above, should An Coimisiún Pleanála consider a Grant of planning permission for the Windfarm development ‘as proposed’ then it is considered appropriate to include a Condition as recommended by Gas Networks Ireland should be attached to same.
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Response to Submission from the Health and Safety Authority

Submission Summary	Local Authority Response:
It is stated that the HSA note acts 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 the siting, modifications or developments may be the source of, or increase the risk or consequences of, a major accident. The HAS notes that as the above-referenced application appears to be outside the scope of the Regulations, the Authority has no observations.	The response of the HSA is noted.

Response to Submission from the Office of Public Works (OPW)

Submission Summary	Local Authority Response:
<u>Item 1 Drainage Channels</u> The OPW notes that the site intersects with a number of drainage channels of the Mague Scheme for which the OPW has responsibility and in order to ensure the continued maintenance of same, a condition as follows is recommended: <i>A 10 Metre wide strip of land running parallel to the main channels C1/31 and a 5 Metre wide strip of land running parallel to the 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 should be provided to facilitate access and maintenance activities by this office in the immediate area. This area should be accessible to mechanical plant and should not be landscaped, paved or otherwise developed in a manner that would prevent access.</i> <u>Item 2 Section 50 Consent</u> The OPW notes that the site of the proposed Windfarm 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 Mague Drainage scheme. As a result, OPW considers it may be subject to an increased flood risk. OPW also notes that the location of the proposed Internal Wind Farm underground power and communications cabling route is not provided and that it is possible that this route may cross several watercourses and channels identified above.	<u>Item 1 Drainage Channels</u> The response of the OPW and the requirement for continued maintenance of OPW Drainage Channels within the site is noted. Having regard to the importance of ensuring continued access for maintenance for existing drainage channels, in particular to ensure no increased potential for flooding in the area, Limerick City and County Council considers that the recommended condition should be attached to any grant of planning permission. <u>Item 2 Section 50 Consent</u> The requirement for Section 50 Consent in relation to any new or modified culverts and bridges crossing watercourses is noted. A report by Limerick City and County Council's Heritage Officer dated 17/06/2025 (see Appendix 1) notes that reference to the requirement for Section 50 Consent is a standard comment made by OPW on many planning applications. However, in relation to the Current Planning Application, OPW provide a clear statement confirming that insufficient information has been provided by the

In this regard, OPW notes that Consent from the Commissioners of Public Works under Section 50 of the Arterial Drainage Act of 1945 as amended, is required for any new culverts or bridges (or modifications to any existing culverts or bridges) required to cross watercourses as part of the development or on proposed or existing access roads to serve or access the development.

In the context of seeking consent under Section 50, the OPW provides advice in relation to the following:

- Current design standard for bridges or culverts i.e. 100 year flood, increased by 20% for climate change.
- The design flood must be conveyed without significantly altering the hydraulic characteristics of the watercourse.
- A grant of Planning Permission does not confer Section 50 Consent on the applicant.
- A grant of Planning Permission does not absolve the applicant from the requirement to obtain such consent from the Commissioners.

OPW provides a number of scenarios where Section 50 Consent may or may not be required, as follows.

- Section 50 Consent not required where cable/ducting to be buried in the road crossing a bridge and no interference with the opening.
- Section 50 Consent not required where cable/ducting to be buried under the natural bed of the watercourses being crossed - duct be buried a sufficient distance below the natural bed to allow for erosion and mobility of the stream bed.
- Section 50 Consent required where cable/ducting to pass through any bridge/culvert opening (modification).

Applicant to enable OPW to determine whether or not Section 50 consent is or is not required for modifications to or the construction of new culverts or bridges or river crossings proposed under the current application.

The Heritage Officer further notes that the lack of confirmation of the location of the proposed cabling route may have serious implications given that some of the bridges and crossing structures may be Protected Structures. Therefore, further information is required in order to enable a Full Assessment of the potential impact of the Windfarm cabling route 'as proposed'.

In addition, having regard to the Section 50 Consent process, should a decision be made not to give such consent for any part of the internal cabling route 'as proposed', this would mean an alternative route would be necessary, and has the potential to impact further on Protected Structures in the area. In addition, in the Director General's Report (21/11/2025) submitted to ACP the Council Road Department outlined serious concerns in relation to the feasibility and potential impacts of the proposed grid connection route given the limited information submitted with the application in terms of proposed location and design of same, and proposed enabling works.

In relation to the above, it is again noted that no design flexibility has been included in the current proposal (pre-application discussions, 25th October 2024). In addition, the applications of conditions relating to Section 50 Consent falls outside the remit of the development management function (*Section 7.8 Conditions relating to other codes* of the Development Management Guidelines

• Section 50 Consent required where cable/ducting to be carried on new support structures spanning the watercourses (bridge).	2007) i.e. planning implications on foot of Section 50 Consent cannot be conditioned in any grant of planning permission for the development as proposed. As noted by OPW in their conclusion, the key aim of the Section 50 process and the recommended Flood Risk Assessment (Item 3 below) is to mitigate any increased risk of flooding and the consequences of same as arising from the proposed development and which could impact significantly on landscape, infrastructure, and people and their homes, among other things. Therefore, prior to any decision being made by An Coimisiún Pleanála, further information confirming the location of the Internal Wind Farm underground power and communications cabling route ‘as proposed’ and the impacts of same as well as detailed documentation to confirm the feasibility and potential impacts of the grid connection route and enabling works ‘as proposed’ should be sought as well as confirmation that the required Section 50 Consents are in place.
<u>Item 3 Flooding</u> OPW recommend that a Flood Risk Assessment (FRA) is carried out for proposed development and its construction and the following is considered in same: • All sources, pathways and receptors of flood risk to be considered in FRA. • FRA to 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 for the Environment, Heritage and Local Government and the Office of Public Works,	<u>Item 3 Flooding</u> The recommendation that a Flood Risk Assessment is carried out for the proposed development and its construction is welcomed and supported by Limerick City and County Council. In their conclusion, OPW state very clearly the importance of carrying out a Flood Risk Assessment where necessary and clearly identify the Risk of Flooding on a development such as this (<i>significant Windfarm Development on 389 acres</i>) can have on Landscape (e.g.

- OPW clearly states that the requirement for a FRA is a separate issue from the requirement to obtain Section 50 consent, as mentioned above.

In conclusion, OPW notes the Risk of Flooding on a development such as this can impact on Landscape (e.g, landslides that have been reported in recent years), Infrastructure (roads and bridges) and people and their homes, among other things, and that the aim of the Section 50 process and the recommended Flood Risk Assessment (Item 3 below) would be to mitigate any increased risk of flooding and the consequences of same, as arising from the proposed development,

Item 4 Cultural Heritage

The OPW notes its responsibility for the care, operation and maintenance of all National Monuments in state care and its principal objective is to protect, conserve, maintain and present these sites and to facilitate appropriate public access where possible. In this regard, OPW works in partnership with the National Monuments Service at the Department of Housing, Local Government and Heritage (DHLGH). The following submission is made specifically with regard to the Heritage Services portfolio.

landslides), Infrastructure (roads and bridges) and people and their homes, among other things, and that the aim of the Section 50 process and the recommended FRA would be to mitigate any increased risk of flooding and the consequences of same, as arising from the proposed development.

A report by Limerick City and County Council's Heritage Officer dated 17/06/2025 (Appendix 1) acknowledges same and also note that the carrying out of a FRA as recommended would link in with concerns raised by Uisce Eireann in their submission to ACP in relation to the impact of the proposed Windfarm development on downstream drinking water sources.

For the reasons set out above, prior to any decision being made by An Coimisiún, further information in relation to the impact of the proposed Windfarm development on flooding in the area, including a Flood Risk Assessment of the development as proposed and construction of same, should be sought.

Item 4 Cultural Heritage

From the perspective of Limerick City and County Council, Lough Gur is no doubt one of the most significant archaeological sites in the State. In this regard, the Council welcomes the submission made by OPW, which echoes the very serious deficiencies identified in this application. These deficiencies have also been highlighted by Limerick City and County Council's own Archaeologist, Sarah McCutcheon, and Conservation Officer, Shona O'Keeffe; the Development Applications

The OPW makes reference to Cultural Heritage Chapter contained in the EIAR and notes that an assessment of 34 identified National Monuments within a 10km study zone was undertaken to establish potential cultural visual impacts (CVIs) and that analysis of the ZTV and LVIA data show that the National Monuments within the study area may be affected to differing levels by the locations of the 17 turbines proposed. Having reviewed the application documentation, the OPW have a number of observations as follows:

a) Lough Gur NMs 247 - multiple individual sites (< 5 km)

The OPW note that a walkover site inspection was undertaken of the Lough Gur Complex which revealed that several sites are not open to the public or are well hidden by blockers such as, topography, trees and buildings. Taking account of same, the cultural visual effect by the proposed windfarm was considered '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. In addition, the OPW does not agree with the statement in p.49 of 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'.

The OPW also notes the concerns of the DAU of the DHLGH and questions the chosen route for the underground cable which passes through the Lough Gur zone given its very high possibility of archaeological finds and disruption.

Unit (Department of Housing, Local Government and Heritage); community organisations including the Lough Gur Development Group; academic experts such as Rose Cleary; and third-party submissions (approx. 320) made by local residents who know this landscape the best.

In terms of the OPW submission and concerns outlined, it is also noted that having reviewed the Cultural Heritage Chapter of the EIAR, assessment of 34 identified National Monuments within a 10km study, resultant potential CVIs and analysis of the ZTV and LVIA data, that analysis of the ZTV and LVIA data OPW confirms that National Monuments within the study area may be affected to differing levels due to the locations of the 17 turbines as proposed.

OPW have identified key sites containing numerous National Monuments and multiple individual sites and makes recommendations in relation to their continued protection into the future.

The OPW submission has been reviewed by the Council's Heritage Officer and a report prepared (17/06/2025) and the Council's Heritage Officer agrees wholly with OPW's comments and shares their concerns.

In relation to the walkover assessment carried out by the applicants which classified the effects on the Lough Gur complex as slight, the Council's Heritage Officer notes that the lifetime of the proposed development is 35 years and states that "much can change in that length of time". For this reason, all landscape analysis must be robust enough to inform the possible effects of the proposed development for that duration (35 years). For example, tree cover which

The OPW note that Lough Gur is identified in the Limerick Development Plan 2022-2028 (LDP) for the protection of Views and Prospects and provides an extract from the LDP map of same. It is also noted that there is a current SID application for a further windfarm (ACP Ref. PAX91.323635 Garrane Windfarm - undecided) proposed to be located 17km further to the southwest of Lough Gur.

In this regard, the OPW note concerns in terms of the visual and cultural impact of the proposed Ballinlee Windfarm from this view as well as the cumulative impact with the proposed Garrane windfarm. The OPW urges ACP to seek a photomontage from this location, for Ballinlee Windfarm alone and as a cumulative impact assessment.

b) A cultural landscape of at least National importance - Lough Gur Knockainey Hill (5.2km) - Emly (14 km)

The OPW refer to recently published research (Landscapes of Kingship in Early Medieval Ireland AD 400-1150, Patrick Gleeson, 2025) which includes detailed examination of the Rock of Cashel landscape and the Eoghanacht dynasty and identifies Knockainey as one of the most archaeologically rich cultural landscape locations in Ireland and suggests that it may be one of the two 'regia' sites recorded in Ptolemy's 1st Century AD Cosmographia (older sources) of Ireland.

In this regard, the OPW suggests that ACP refer the applicant to Dr. Gleeson's book for further information about this landscape.

The OPW considers that connections include the pre-Christian sun goddess Aine preserved in the placename of Knockainey

has been cited as a screening factor can change dramatically and it should also be noted it's best screening effects are over the summer period. The OPW submission itself notes the possible effects on Ash Die Back in this regard. In addition, as stated by OPW, parts of the Lough Gur complex which are currently are closed may well be opened in the future. Therefore, given the timeframe of the proposed development and the type of development involved, the inspection and its conclusions could be described as cursory, missing much of the nuances of the surrounding historical landscape.

The Lough Gur complex is its own landscape Character Area (LCA) included in iterations of the Limerick Development Plan since 2005 and before that, and still today the Lough Gur complex area remains as an area of Special Development Control. The LCA has an objective whose aim is to **"safeguard the visual amenity of the area and to have regard to the views and prospects in and out of Lough Gur"** (Limerick Development Plan 2022-2028, p. 168). Having regard to the above, it is clear that a Cultural and Visual Assessment from all of the Sites listed in the OPW submission is required including those that are elevated and could potentially be most impacted.

The reference to medieval cultural landscapes is noted and indicates the cultural complexities which are present in this part of the Limerick landscape. The inclusion of Knockainey in the assessment as proposed by OPW is welcomed and supported and it is further suggested that Knockfierna is included in an updated assessment as this is also a key site, linked to and visible from the Lough Gur complex, for which the visual impact of the proposed Windfarm development has not yet been considered. In

and integrated into the intangible cultural heritage of the Lough Gur cultural landscape. In this regard, 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 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. c) Kilmallock NMs No.s 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. The OPW does not consider the following statement to be adequate, nor is it verifiable due to inadequate visual communication: <i>'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.'</i>	more general terms this indicates the need for updated landscape guidance on a National level to inform landscape sensitivity analysis and designations at regional and county level and in particular in terms of significant large-scale projects such as renewable energy projects e.g. wind and solar. The OPW request that the applicant 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” is entirely reasonable and given the cultural and historical complexity of this part of County Limerick, the request for same is fully supported by Limerick City and County Council. The OPW submission was also reviewed and comments provided by the Council Conservation Officer (17/06/2025). In this regard, concerns are noted regarding the potential visual impacts of the proposed Windfarm development on the cultural landscapes of this area, including Lough Gur which is not only designated as an Architectural Conservation Area but also as designed landscapes and included in the NIAH Garden Survey. In this regard, additional information and assessments of visual impacts on these designated landscapes, including NIAH Garden, were sought (Director General’s Report 21/11/2025) and have yet to be provided as requested. For the reasons set out above, <u>at a minimum</u> to assist the decision-making process and prior to any decision being made by An Coimisiún, additional information to determine the visual impact of the proposed Windfarm development on key cultural heritage sites in the area
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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. d) Monasternenagh Cistercian Abbey NM No. 171 {5.351cm) 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. e) 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.	should be sought including the visual and cultural sensitivity surveys as well as all additional information requested by the OPW in their submission. In addition, in order to enable the assessment of the proposed development and prior to ACP making a decision on the proposed development, the Council respectfully requests that the ACP Inspector visit the elevated archaeological sites within the Lough Gur landscape, including Carraig Aille and the designated viewing points at the Visitor Centre and other sites identified but not assessed. We would further encourage a guided visit from the Lough Gur Visitor Centre to gain a full appreciation of this unique and internationally significant archaeological and cultural landscape. In terms of archaeology, the County Archaeologist has reviewed the OPW submission and has provided comments (17/06/2026). In this regard, the County Archaeologist agrees with OPW comments and shares their concerns in relation to potential impacts on the cultural heritage of the area. It is considered that the location of the Windfarm as proposed is a wholly inappropriate area in which to place large scale infrastructure and reiterates the following, which was included as part of Limerick City and County Council's Director General Report submitted to ACP (21/11/2025): <i>In making a decision in regard to this development it should be questioned whether the potential destruction, disturbance and other impacts on the archaeological landscape is balanced by the gains from the development, or</i>
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f) 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. 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. The OPW concludes that the number of recorded monuments and National Monuments identified by the applicant demonstrates the cultural significance and sensitivity of the subject landscape. The aforementioned DHLGH (DAU) letter also emphasises the strong likelihood of further archaeological and cultural finds if construction proceeds. The OPW requests that ACP seek verifiable visual impact assessment information, including cumulative impact – as additional information – on National Monument heritage receptors as noted above and in the cultural landscape that includes Lough Gur and Knockainey. The OPW reiterates its concern about the potential direct and visual impact of the proposed wind turbines on views from the internationally sign	<i>whether the development would be better relocated to a less sensitive environment.</i> However, in the event that ACP consider a grant of planning permission, recommended conditions contained in Appendix 1 of the Limerick City and County Council’s Director General Report (21/11/2025) should be attached to same. It should be noted that having regard to the provision of underground transmission lines within the Lough Gur area, any developments within the zone will be required to provide for an archaeological examination during the course of excavations, or other ground disturbance, this includes all works to enable the proposed Windfarm development if permitted.
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Response to Submission from Uisce Éireann

Submission Summary	Local Authority Response:
<u>Item 1: Drinking Water</u> Uisce Éireann has the following comments: a) Notes that the proposed development is located in the drinking water abstraction catchment (DWAC) for: • Adare Water Supply – the proposed development is located approx. 17 km upstream of the abstraction point on the River Maigue (MAIGUE_o8o) • The Proposed Grid connection route is also located in the DWAC for the Adare Water Supply, and at its closest approx. 22 km from the abstraction point • The proposed development is not located within a Groundwater Zone Of Contribution (ZOC) / DWAC – the closest point of the proposed development to a Groundwater Water Supply ZOC is the proposed grid connection, which comes within 1.4 km, to the east, of the Bruff Water Supply (borehole abstraction). The drinking water receptor river is discussed in Section 9.2.10.2 of the EIAR which notes that there are no “<i>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.</i>” However, the Maigue_o8o waterbody, which is ~10.3km downstream of the Site, is designated as a DWPA. OPW state that there are good mitigation measures outlined in the EIAR and supporting documents to protect surface water and	<u>Item 1: Drinking Water</u> The comments from Uisce Éireann in relation to the location of the proposed Windfarm development including the grid connection in proximity to the drinking water abstraction catchment (DWAC) of the Adare Water Supply is noted. It is also noted that while the proposed development is not located within a Groundwater Zone Of Contribution (ZOC), the proposed grid connection is, c.1.4m east of the Bruff Water Supply. In this regard, comments were sought from the Council Heritage Officer. Comments received (17/06/2025) note the EIAR has identified the Maigue as a Drinking Water Protected River and has established hydrological connections between it and the proposed development site. There are also significant concerns given that potential impacts from the proposed development on the Maigue River and associated Drinking Water Abstraction Points have not been assessed. While mitigation measures are considered ‘good’ by OPW, the mitigation measures are identified by OPW in terms of recommended planning conditions. Having regard to potential significant impacts from the proposed development on the Maigue River and provision of Drinking Water in the County, this is not acceptable. It is the opinion of Limerick City and County Council that all potential impacts on the Maigue River and any proposed mitigation measures required to ensure protection of the River <u>must</u> be assessed prior to decision

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 Maigue_o8o as a drinking water protected river and establishes the hydrological connectivity to the proposed development site, but the potential impact has not been assessed, quantified or documented. OPW request that should An Coimisiún Pleanála see fit to grant the proposed development, Uisce Éireann respectfully requests that the following conditions be attached to any grant of permission: 1. Downstream Drinking Water Protection Plan <i>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 Maigue 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.</i> <i>Surface Water Monitoring Programme Monitoring of parameters (e.g. Turbidity, pH/EC, colour and suspended solids) upstream and downstream of the site discharge points</i> <i>Establishment of trigger levels for action</i> <i>Increased monitoring frequency during periods of heavy rainfall and high-risk construction activities</i> <i>It is noted in Section 9.5.1 of the EIAR that surface water monitoring to include Turbidity, pH/EC and colour will be undertaken daily upstream and downstream of the works areas and where required, at the outlets from settlement ponds.</i>	making in order to ensure that no effects occur on potable wate supply in the County. In the event that ACP considers a grant of planning permission, the conditions recommended by Uisce Éireann should be applied <u>at a minimum</u>.
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The developer shall implement this surface water monitoring programme for the duration of the construction phase of the project. This shall include:

2. Notification and Communication

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 CEMP, given the presence of the downstream drinking water abstraction point on the River Maigue.*
- Liaison with the Adare Water Treatment Plant in the event of any potential risk to water supply*

3. *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.*

4. *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.*

5. *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 (SWMP) shall be strictly implemented for the*

duration of the construction, operation and decommissioning of the project.

6. *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.*

Appendix 1 – Recommended Conditions

Please be advised that a full list of recommended conditions in the event of planning permission being granted for the proposed Windfarm development are provided in Appendix 1 of the Limerick City and County Council Director General Report dated 21st November 2026, previously submitted to An Coimisiún Pleanála. The conditions listed below are a reiteration of conditions included in the above report and relate solely to archaeology.

Archaeology

Condition 1: The developer shall appoint a licensable archaeologist who shall apply for a licence to manage all archaeological mitigation required by the Planning Authority, inter alia to advise on all redesign, to monitor all site investigations, excavation works and all ground disturbance associated with the development, to carry out advance archaeological excavations. The name of the archaeologist shall be submitted within one month of the grant of planning permission or at any time before that date, accompanied by a site specific letter from the archaeologist certifying that they have applied for a licence.

Condition 2: Within one month of the grant of planning permission, or before, as indicated in the submitted mitigation strategy, a licensed geophysical survey shall be undertaken across the entire site, including the site identified for the replanting of the 14.4ha of forestry. The survey shall employ the system or a combination of systems of survey to amass the best results and the report shall lay out the reasons for this methodology. The results of this survey shall be reviewed by the Planning Authority. In the event that there are further definitively recognisable monuments established during the survey, redesign and buffer areas may be required.

Condition 3. Buffers of 25m shall be established from the outer known edge of all of the Recorded Monuments, and any monuments definitively identified during the non-invasive survey. A revised drawing indicating these buffers shall be submitted for the approval of the Planning Authority. The drawing shall show the outer circumference of the individual site and a 25m buffer which mirrors this line which shall be annotated. The buffer shall be maintained in perpetuity and within it no deep rooted planting, landscaping, soil disturbance, or subsequent exempted development shall occur. The buffer shall be physically established prior to the commencement of construction and shall be a fence with driven post & rails with appropriate signage and its construction shall be supervised & certified by the appointed archaeologist.

Condition 4: In consultation with the Planning Authority a schedule of licensed archaeological test trenching, as indicated in the mitigation strategy, shall be undertaken, informed by the results of the non-invasive geophysical survey but also including a representative sample of the site. The preliminary results of this archaeological test trenching shall be submitted to the Planning Authority on completion of site works. Further mitigation may be required at this point either redesign or advance excavation and this is to be agreed in consultation with the Planning Authority. The final report of the test trenching, in the format recommended in the Guidelines for Authors of Reports

on Archaeological Excavations 2006 National Monuments Service shall be submitted within 6 months.

Condition 5: Following the survey & test trenching there may be a requirement for advance archaeological excavation if redesign is not an option or practicable. If enabling works have commenced on the overall site, then areas for advance excavation shall be fenced off with an adequate working buffer.

Condition 6: All areas requiring advance archaeological excavation shall be carried out well in advance of construction in that area. The developer shall provide satisfactory arrangements for the recording and excavation of any archaeological material that may be considered appropriate to excavate and shall undertake to complete all post excavation analysis up to and including final report stage. Excavators should include a catalogue of excavated features with 12 figure ITM coordinates for the centre point of each feature. Within twelve months of the completion of the excavation a final report (in the format recommended in the Guidelines for Authors of Reports on Archaeological Excavations 2006 National Monuments Service) shall be submitted to the Planning Authority

Condition 7: Licensed archaeological monitoring shall be in place for all ground disturbance associated with the development, this includes but is not limited to landscaping, tree planting, drainage, hardstand, access routes. Any private arrangements for construction compounds or storage that arise shall be assessed archaeologically and monitored. Areas to be monitored along the 26km route to the grid connection shall be agreed in advance, but, *at a minimum*, will contain all zones of notification along the route.

Condition 8: The appointed archaeologist shall:

- a. Submit on completion of the ground works a report detailing the results of the licensed archaeological monitoring works to the Department of Housing, Local Government & Heritage and the Planning Authority. The report shall contain a drawing showing the exact extent of the area that was archaeologically monitored certified by the archaeologist. Excavators should include a catalogue of excavated features with 12 figure ITM coordinates for the centre point of each feature. In the event that the development is phased, interim reports shall be submitted at each stage showing the area monitored and giving preliminary results
- b. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Development Applications Unit, National Monuments Service, Department of Housing, Local Government & Heritage and the Planning Authority Archaeologist shall be informed immediately. The developer shall be prepared to be advised by the National Monuments Service, Department of Housing, Local Government & Heritage and the Planning Authority with regard to any necessary mitigating action.
- c. Should an archaeological excavation be required then the following shall apply: the developer shall provide satisfactory arrangements for the recording and excavation of any archaeological material that may be considered appropriate to excavate and shall undertake to complete all post excavation analysis up to and including final report stage. Excavators should include a catalogue of excavated

features with 12 figure ITM coordinates for the centre point of each feature. Within twelve months of the completion of the excavation a final report (in the format recommended in the Guidelines for Authors of Reports on Archaeological Excavations 2006 National Monuments Service) shall be submitted to the Planning Authority

Appendix 2 - Internal Reports

County Archaeologist

From: McCutcheon, Sarah <sarah.mccutcheon@limerick.ie>

Sent: Thursday 18 June 2026 18:17

To: Collins, Jennifer <jennifer.collins@limerick.ie>

Cc: O'Keeffe, Shona <shona.okeeffe@limerick.ie>; O'Neill, Thomas <thomas.oneill@limerick.ie>

Subject: 25/323635 ARCHAEOLOGY Sarah McCutcheon Ballinlee Wind Farm

I note the observations by the National Monuments Section of the Office of Public Works. I agree with their concerns. It is a wholly inappropriate area in which to place large scale infra-structure. Refer to the extract from my report below:

In making a decision in regard to this development it should be questioned whether the potential destruction, disturbance and other impacts on the archaeological landscape is balanced by the gains from the development, or whether the development would be better relocated to a less sensitive environment.

I reattach my conditions and request that they **be applied directly** in the event that ACP grants planning permission.

Recommendation: In the event that the development is granted the following shall apply:

Condition 1: The developer shall appoint a licensable archaeologist who shall apply for a licence to manage all archaeological mitigation required by the Planning Authority, inter alia to advise on all redesign, to monitor all site investigations, excavation works and all ground disturbance associated with the development, to carry out advance archaeological excavations. The name of the archaeologist shall be submitted within one month of the grant of planning permission or at any time before that date, accompanied by a site specific letter from the archaeologist certifying that they have applied for a licence.

Condition 2: Within one month of the grant of planning permission, or before, as indicated in the submitted mitigation strategy, a licensed geophysical survey shall be undertaken across the entire site, including the site identified for the replanting of the 14.4ha of forestry. The survey shall employ the system or a combination of systems of survey to amass the best results and the report shall lay out the reasons for this methodology. The results of this survey shall be reviewed by the Planning Authority. In the event that there are further definitively recognisable monuments established during the survey, redesign and buffer areas may be required.

Condition 3. Buffers of 25m shall be established from the outer known edge of all of the Recorded Monuments, and any monuments definitively identified during the non-invasive survey. A revised drawing indicating these buffers shall be submitted for the approval of the Planning Authority. The drawing shall show the outer circumference of the individual site and a 25m buffer which mirrors this line which shall be annotated. The buffer shall be maintained in perpetuity and within it no deep rooted planting, landscaping, soil disturbance, or subsequent exempted development shall occur. The buffer shall be

physically established prior to the commencement of construction and shall be a fence with driven post & rails with appropriate signage and its construction shall be supervised & certified by the appointed archaeologist.

Condition 4: In consultation with the Planning Authority a schedule of licensed archaeological test trenching, as indicated in the mitigation strategy, shall be undertaken, informed by the results of the non-invasive geophysical survey but also including a representative sample of the site. The preliminary results of this archaeological test trenching shall be submitted to the Planning Authority on completion of site works. Further mitigation may be required at this point either redesign or advance excavation and this is to be agreed in consultation with the Planning Authority. The final report of the test trenching, in the format recommended in the Guidelines for Authors of Reports on Archaeological Excavations 2006 National Monuments Service shall be submitted within 6 months.

Condition 5: Following the survey & test trenching there may be a requirement for advance archaeological excavation if redesign is not an option or practicable. If enabling works have commenced on the overall site, then areas for advance excavation shall be fenced off with an adequate working buffer.

Condition 6: All areas requiring advance archaeological excavation shall be carried out well in advance of construction in that area. The developer shall provide satisfactory arrangements for the recording and excavation of any archaeological material that may be considered appropriate to excavate and shall undertake to complete all post excavation analysis up to and including final report stage. Excavators should include a catalogue of excavated features with 12 figure ITM coordinates for the centre point of each feature. Within twelve months of the completion of the excavation a final report (in the format recommended in the Guidelines for Authors of Reports on Archaeological Excavations 2006 National Monuments Service) shall be submitted to the Planning Authority

Condition 7: Licensed archaeological monitoring shall be in place for all ground disturbance associated with the development, this includes but is not limited to landscaping, tree planting, drainage, hardstand, access routes. Any private arrangements for construction compounds or storage that arise shall be assessed archaeologically and monitored. Areas to be monitored along the 26km route to the grid connection shall be agreed in advance, but, *at a minimum*, will contain all zones of notification along the route.

Condition 8: The appointed archaeologist shall:

- a. Submit on completion of the ground works a report detailing the results of the licensed archaeological monitoring works to the Department of Housing, Local Government & Heritage and the Planning Authority. The report shall contain a drawing showing the exact extent of the area that was archaeologically monitored certified by the archaeologist. Excavators should include a catalogue of excavated features with 12 figure ITM coordinates for the centre point of each feature. In the event that the development is phased, interim reports shall be submitted at each stage showing the area monitored and giving preliminary results
- b. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Development Applications Unit, National Monuments Service, Department of Housing, Local Government & Heritage and the

Planning Authority Archaeologist shall be informed immediately. The developer shall be prepared to be advised by the National Monuments Service, Department of Housing, Local Government & Heritage and the Planning Authority with regard to any necessary mitigating action.

- c. Should an archaeological excavation be required then the following shall apply: the developer shall provide satisfactory arrangements for the recording and excavation of any archaeological material that may be considered appropriate to excavate and shall undertake to complete all post excavation analysis up to and including final report stage. Excavators should include a catalogue of excavated features with 12 figure ITM coordinates for the centre point of each feature. Within twelve months of the completion of the excavation a final report (in the format recommended in the Guidelines for Authors of Reports on Archaeological Excavations 2006 National Monuments Service) shall be submitted to the Planning Authority



Signed:

Local Authority Archaeologist

Date: 18.06.2026

Planning Application Internal Report

Planning Ref: 25 323780 (SID) Ballinlee Windfarm - Further submissions (OPW Heritage)

Applicant: Ballinlee Windfarm

Development Description: Wind Energy.

Report Prepared By: T O Neill Heritage Officer

Comments: they are in three sections based on the three letters received.

OPW (Section 50 and Flooding): the mention of S.50 of the arterial Drainage Act is standard in many comments the OPW makes on applications, but it appears that insufficient information has been provided for the OPW to decide whether or not S.50 consent was required for modifications to or the construction of new culverts or bridges or river crossings. This may have its own planning implications as some of these may be protected structures. Apart from the implications for protected structures, which should have been addressed in the original application, S.50 may fall under “conditions under other codes” (Development Management Guidance 2007, p. 68) and outside the realm of planning. The recommendation of carrying out a flood risk assessment (p.2 of the OPW letter originating in Mungret and signed by Dennis O Keefe) should be carried out. This could tie in with concerns raised by UE re downstream drinking water sources.

OPW (Heritage): I would agree with the OPWs comment regarding the walkover assessment carried out by the applicants which classified the effects on the Lough Gur complex as slight. The lifetime of the proposed development is 35 years and much can change in that length of time. Any landscape analysis should be robust enough to inform the possible effects of the development for that duration. Tree cover which has been cited as a screening factor can change dramatically. It should also be noted it’s best screening effects are in summer. The OPW letter itself notes the possible effects on Ash Die Back in this regard. Parts of the Lough Gur complex that are closed may well be opened. Given the time frame of the proposed development and the type of development involved the inspection and it’s conclusions could be described as cursory, missing much of the nuances of the surrounding historical landscape.

The Lough Gur complex is its own landscape Character Area (LCA) within the development plan since 2005 and before that and still today is an area of special development control. The LCA has an objective whose aim is to “**safeguard the visual amenity of the area and to have regard to the views and prospects in and out of Lough Gur**” (Limerick Development Plan p. 168). I would agree with the need for a cultural and visual assessment from the sites mentioned in the OPW letter. The reference to medieval cultural

landscapes is noted and indicates the cultural complexities which are present in this part of the Limerick landscape. I would agree with the inclusion of Knockainy in the assessment. In more general terms this indicates the need for updated landscape guidance on a national level to inform landscape sensitivity analysis and designations at regional and county level.

Noted too, is the mention of underground transmission lines within the Lough Gur area. Another objective from the LDP (p.168) mentions the council “will have regard to the archaeological importance and richness of the area indicated on Map 6.3 as a zone of archaeological amenity. **Any developments within the zone will be required to provide for an archaeological examination during the course of excavations, or other ground disturbance**”.

The OPW request for the applicants to 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” is entirely reasonable given the cultural and historical complexity of this part of Limerick.

Uisce Eireann:

Noted that the EIAR has indicated the Maigue as a Drinking Water Protected River and has established hydrological connections to it, but that impacts on it are not assessed. While mitigation measures are identified as potential planning conditions, should these measures be assessed prior to decision making in order to ensure that no effects occur on potable water supply? It would be my opinion this should be done prior to decision. Should this not be possible then the conditions suggested by UE should be applied.

Recommendation: that the visual and cultural sensitivity surveys requested by the OPW (Heritage) be carried out in order to inform the decision-making process if possible. Similarly the Flood Risk Assessment should be carried out.

Signed T O Neill **Date:** 17/06/2026

Conservation Officer

From: O'Keeffe, Shona <shona.okeeffe@limerick.ie>

Sent: Wednesday 17 June 2026 14:20

To: McCutcheon, Sarah <sarah.mccutcheon@limerick.ie>; Collins, Jennifer <jennifer.collins@limerick.ie>; O'Neill, Thomas <thomas.oneill@limerick.ie>

Subject: RE: Re: 25 323780 (SID) Ballinlee Windfarm - Further submissions (OPW Heritage)

Jennifer,

I have reviewed the comments from the OPW in relation to the Heritage Services portfolio. I share their concerns regarding potential visual impacts on cultural landscapes, including Lough Gur (designated as an ACA) but also designed landscapes included in the NIAH Garden survey. I had noted this in my report and sought additional information and assessments of these visual impacts.

Shóna O'Keeffe

Executive Architectural Conservation Officer | Forward Planning, Urban Development and Heritage

Appendix 3 –Elected Members Observations

1. Elected Members of Cappamore - Kilmallock 22nd June 2026

Dear Inspector,

We, the Councillors of Cappamore- Kilmallock represent the communities affected by this proposed wind energy development and stand firmly with their concerns. The Bruff Dromin Athlacca-Ballinlee Community Action Group has informed us that they were greatly encouraged by the submission made by the Office of Public Works (OPW), which echoes the very serious deficiencies identified in this application. These deficiencies have also been highlighted by Limerick City and County Council's own Archaeologist, Sarah McCutcheon, and Conservation Officer, Shona O'Keeffe; the Development Applications Unit (Department of Housing, Local Government and Heritage); community organisations including the Lough Gur Development Group; academic experts such as Rose Cleary; and third-party submissions (approx. 320 nr.) made by local residents who know this landscape the best.

We respectfully ask the Inspector to visit the elevated archaeological sites within the Lough Gur landscape, including Carraig Aille and the designated viewing points at the Visitor Centre. These are locations that the applicant has chosen not to assess, claiming that they are inaccessible. We would further encourage a guided visit from the Lough Gur Visitor Centre to gain a full appreciation of this unique and internationally significant archaeological and cultural landscape. We also request that An Coimisiún Pleanála give serious consideration to holding an Oral Hearing to fully examine the archaeological, cultural heritage, and visual impact issues associated with this proposal.

We strongly recommend that An Coimisiún Pleanála refuse this application. As outlined across the approximately 320 submissions and by State agencies, the proposal is fundamentally deficient and would result in an unacceptable impact on Lough Gur and its surrounding landscape, a site of **international significance** that has previously been considered for nomination as a UNESCO World Heritage Site.

Thank you for taking our comments into consideration.

Signed: Chairperson Cllr Tommy O'Sullivan
Cllr. Guel Conway.
Bridget Leary
Cllr. P.J. Green
Cllr. Eddie Ryan.
Cllr. Joreen Stokes
Cllr. Martin Ryan -

2. Councillor Gregory Conway 22nd June 2026

Further to our recent conversation, I wish to make several points in relation to the additional submissions made by Statutory Bodies and for these to be communicated to the Planning Department and the Director General, Dr. Pat Daly as a matter of high importance. The significant concerns raised in the submissions from the OPW, Uisce Éireann along with previous submissions from the 'DAU', LCCC's various departments, leading academic experts, and over 320 third-party submissions clearly demonstrate that this application is deficient and incomplete and therefore invalid. We therefore respectfully request that LCCC make a strong recommendation to the Commission that permission be refused.

OPWs Submission – EIAR Serious Concerns

1. OPW expressed serious concerns regarding the wider archaeological landscape, particularly around Lough Gur and refers to protections of Views and Prospects in the Limerick Development Plan 2022-2028. The OPW repeatedly stated that the applicant's heritage assessment was not "adequate and verifiable", questioned the omission of viewpoints from Lough Gur, and called for further cumulative impact assessment. Referring to the research of Dr Patrick Gleeson, the OPW highlighted the potential significance of the broader Lough Gur–Knockainey–Emly cultural landscape and reiterated concerns regarding impacts on the **"internationally significant"** Lough Gur. We hereby attach several notable submission raised by 3rd parties (Rose M Cleary and Lough Gur Development - attached) and request that these are read in conjunction with OPWs submission and forwarded with LCCC's reply on or before 24th June to ACP.

We also ask that LCCC read the submission from the Development Applications Unit (**DAU**) again which identified **"substantive errors or omissions"** in the archaeological assessment submitted with the application. The Department concluded that the baseline archaeological environment had not been adequately characterised, noting that no advance archaeological investigations had been undertaken beyond a walkover survey. Given the density of known archaeological sites within the development area, the DAU considered that there was insufficient information to assess the likely impacts and recommended **'targeted Archaeological Geophysical Survey and Archaeological Test Excavation'**. It further stated that deferring these investigations until after consent "is not appropriate" and "does not support the making of an informed planning decision."

2. It is important to highlight to ACP in LCCC's submission on 24th June, that Lough Gur, in recognition of it's unique characteristics, has been proposed for nomination to the UNESCO World Heritage List.
3. LCCC's own Archaeologist, in their submission dated 29th October 2025, concluded that the EIAR/ LVIA did not include consideration of all cultural heritage assets within the wider setting, and asked that a revised Chapter 14 of the EIAR with additional Photomontages to be submitted.

Lack of Consultation from Prescribed Bodies on Heritage

Both the **Heritage Council** and **An Taisce** were listed as Prescribed Bodies by ACP, neither of whom made a submission.

In light of the significant concerns raised by OPW regarding the adequacy of the assessment of impacts on Lough Gur, its archaeological sensitivity, and the wider cultural landscape, we are of the strong opinion that ACP should seek submissions from the **Heritage Council** and **An Taisce** directly.

- a. **The Heritage Council:** as quoted directly from their [website](#), state that *“the Planning and Development Regulations 2001 consider the protection of heritage an integral element of the planning process. The regulations through Article 28, require local authorities to send notice to the Heritage Council on applications where it appears that the development may impact on built heritage assets or might have significant effects in relation to nature conservation”*. It goes on to say that the Heritage Council *“focus on applications that involve a nationally important heritage asset, or applications that could set an important precedent with regards to heritage”*. In light of the OPW's serious concerns regarding the adequacy of the assessment of impacts on Lough Gur and surrounding area, and its recognition of Lough Gurs National Importance and International significance, we urge as ACP to seek submissions from the **Heritage Council**.
- b. **An Taisce:** Core strategic goals include 1) the safeguarding of Ireland's architectural and archeological heritage and 2) promoting sustainable and people-centred planning across urban and rural communities. Lough Gur's heritage significance and the adequacy of the impact assessment make An Taisce's independent assessment particularly relevant.

Note: Approximately 30 submissions from 3rd Parties highlighted that Photomontages overall, but specifically of viewpoints from Lough Gur were totally inadequate and disingenuous.

Uisce Éireann Submission – Adare Water Supply Risk

Uisce Éireann state in their submission that *“the potential risk / impact to the downstream abstraction has not been fully assessed as would be expected. The EIAR has identified the Maigue_080 as a drinking water protected river and establishes the hydrological connectivity to the proposed development site, but the potential impact has not been assessed, quantified or documented.”*

Uisce Éireann propose a Condition of Planning for a **Downstream Drinking Water Protection Plan**, to be submitted for written agreement by Applicant to the Planning Authority. This is totally insufficient.

We urge that consent can only be granted where the competent authority has complete, precise, and definitive information before them. This principle has been repeatedly reinforced by the Court of Justice of the European Union, including in *People Over Wind* and *Peter Sweetman v Coillte* (C-323/17), which confirmed that mitigation measures cannot be relied upon at screening stage, and in *Waddenzee* (C-127/02), which

established that consent may only be granted where no reasonable scientific doubt remains as to the absence of adverse effects. Similarly, in *Sweetman v An Bord Pleanála* (C-258/11), the Court emphasised that even partial or localised impacts may undermine site integrity where they affect the ecological characteristics underpinning the conservation objectives of the site. More recently, the Irish and European courts have repeatedly stressed that uncertainty, reliance on assumptions, reliance on future management measures, or reliance on mitigation that is not fully specified and demonstrably effective, cannot lawfully support an Article 6(3) conclusion. Whilst the court rulings relate to ecology, surely the obligations of the Drinking Water Regulations (2023) and protection of human health via the integrity of Public Water Supply must hold sway here. Specifically, Limerick County Council and An Commission are asked to ascertain if Uisce Eireann's WTP at Adare can accommodate various scenarios, as follows:

1. Can the Adare WTP treat water that has excessive concentrations of Total Organic Carbon that could arise from interfering with the soil and subsoil in a flood zone proposed for development by the applicant?
2. Is there an alternative water source available to Uisce Eireann if the Adare source is compromised in any way by the development proposed?

Gas Networks Ireland

The Commission afforded GNI four weeks to respond; however, observations were submitted approximately 24 hours after the request issued. Given the scale and complexity of this Strategic Infrastructure Development (SID) application, including extensive technical documentation and the proximity of the proposed development to GNI's high-pressure gas transmission pipeline, it is difficult to see how a comprehensive assessment could have been completed within such a short timeframe. This raises concerns as to whether all relevant documentation and associated risks were fully considered.

Map 9.1 Wind Energy Locations -2022 to 2028 LDP

This proposal should have been screened out by the Applicant at the outset as unsuitable for wind energy development, had the visual impact, cumulative impact, and the cultural and archaeological sensitivity of the area been properly assessed. The Wind Energy Map 9.1 in the current Limerick Development Plan has effectively provided the applicant with a gateway to submit this application. Drafted in 2005, it conflicts with the Written Statement and that has facilitated the advancement of an application in a location that is demonstrably unsuitable for industrial-scale wind energy development.

We will be following up with you in respect of a motion for the urgent withdrawal of Circular PL 20-13, which has been cited by the Mayor in a letter dated 10th October 2025, as the primary reason for this map to remain in place without update since 2005.

Appendix:

- Notable Submission on Impacts to Lough Gur, Stone Circle & Wider Area [Please see **Appendix 3** of this report for attached submissions]:
 - *Professor Rose M. Cleary* is one of Ireland's foremost archaeologists and the leading authority on Lough Gur, having spent over 40 years researching, excavating and interpreting its internationally significant archaeological landscape, which contains over 1,000 recorded monuments and evidence of continuous human settlement spanning 8,000 years. Submission attached and accessible on ACP Case Ref 323780 *Review Chapter 14 Archaeology and Cultural Heritage Ballinlee Wind Farm, Co.Limerick* - [Bruff Dromin Athlacca Ballinlee Community Action Group.pdf](#)
 - *Lough Gur Development* – submission attached. Also accessed on ACP Case Ref 323780 [Lough Gur Development.pdf](#)
- Link to Heritage Councils Website explaining their role in the Planning Process [Our Role in the Planning Process | The Heritage Council](#)
- Link to DAU Submission - [DAU.pdf Case Ref 323780](#)

3. Councillor Brigid Teeffy 18th and 22nd June 2026

Dear Inspector,

As a Councillor in Cappamore- Kilmallock area I represent the communities affected by this proposed wind energy development and stand firmly with their concerns. The Bruff Dromin Athlacca–Ballinlee Community Action Group has informed me that they were greatly encouraged by the submission made by the Office of Public Works (OPW), which echoes the very serious deficiencies identified in this application. These deficiencies have also been highlighted by Limerick City and County Council's own Archaeologist, Sarah McCutcheon, and Conservation Officer, Shona O'Keeffe; the Development Applications Unit (Department of Housing, Local Government and Heritage); community organisations including the Lough Gur Development Group; academic experts such as Rose Cleary; and third-party submissions (approx. 320 nr.) made by local residents who know this landscape the best.

I respectfully ask the Inspector to visit the elevated archaeological sites within the Lough Gur landscape, including Carraig Aille and the designated viewing points at the Visitor Centre. These are locations that the applicant has chosen not to assess, claiming that they are inaccessible.

I would further encourage a guided visit from the Lough Gur Visitor Centre to gain a full appreciation of this unique and internationally significant archaeological and cultural landscape. I also request that An Coimisiún Pleanála give serious consideration to holding an Oral Hearing to fully examine the archaeological, cultural heritage, and visual impact issues associated with this proposal.

As outlined across the approximately 320 submissions and by State agencies, the proposal is fundamentally deficient and would result in an unacceptable impact on Lough Gur and its surrounding landscape, a site of **international significance** that has previously been considered for nomination as a UNESCO World Heritage Site. The submission from Uisce Eireann has concerns that the potential impacts on the downstream drinking water abstraction at Adare have not been fully assessed or documented.

Questions have been raised regarding the adequacy of the assessment undertaken by Gas Networks Ireland particularly with the proximity of high-pressure gas infrastructure and the time frame which observations were submitted.

In light of the very many submissions received from the public and state agencies and the issues raised this application has significant deficiencies relating to environmental assessment, heritage, water safety and others.

In view of all the very many concerns raised and lack of information I respectfully recommend that An Coimisiún Pleanála refuse this application.

Thank you for taking the comments into consideration.

Attached submissions on Ballinlee Wind Energy for your consideration with the recent request for observations on the OPW submission to An Coimisiún Pleanála [Please see **Appendix 3** of this report for attached submissions].

4. Councillor Tommy O'Sullivan 22nd June 2026

Dear Inspector,

I as a Councillor of Cappamore- Kilmallock area represent the communities affected by this proposed wind energy development and stand firmly with their concerns. The Bruff Dromin Athlacca-Ballinlee Community Action Group has informed me that they were greatly encouraged by the submission made by the Office of Public Works (OPW), which echoes the very serious deficiencies identified in this application. These deficiencies have also been highlighted by Limerick City and County Council's own Archaeologist, Sarah McCutcheon, and Conservation Officer, Shona O'Keeffe; the Development Applications Unit (Department of Housing, Local Government and Heritage); community organisations including the Lough Gur Development Group; academic experts such as Rose Cleary; and third-party submissions (approx. 320 nr.) made by local residents who know this landscape the best.

I respectfully ask the Inspector to visit the elevated archaeological sites within the Lough Gur landscape, including Carraig Aille and the designated viewing points at the Visitor Centre. These are locations that the applicant has chosen not to assess, claiming that they are inaccessible. I would further encourage a guided visit from the Lough Gur Visitor Centre to gain a full appreciation of this unique and internationally significant archaeological and cultural landscape. I also request that An Coimisiún Pleanála give serious consideration to holding an Oral Hearing to fully examine the archaeological, cultural heritage, and visual impact issues associated with this proposal.

I strongly recommend that An Coimisiún Pleanála refuse this application. As outlined across the approximately 320 submissions and by State agencies, the proposal is fundamentally deficient and would result in an unacceptable impact on Lough Gur and its surrounding landscape, a site of international significance that has previously been considered for nomination as a UNESCO World Heritage Site.

Thank you for taking our comments into consideration.

Tommy S Sullivan

5. Councillor Tommy Hartigan 22nd June 2026

Submission on the Proposed Ballinlee Wind Farm Development

I wish to object to the proposed Ballinlee Wind Farm development and respectfully request that Limerick City and County Council recommend refusal of permission to An Coimisiún Pleanála.

While recognising the importance of renewable energy, this application remains fundamentally deficient and incomplete. The serious concerns raised by statutory bodies including the Office of Public Works (OPW), Uisce Éireann, the Development Applications Unit (DAU), various departments within Limerick City and County Council, leading academic experts, and over 320 third-party submissions clearly demonstrate that significant issues remain unresolved.

Of particular concern is the submission from Uisce Éireann, which states that the potential impact on the downstream Adare drinking water abstraction has not been fully assessed, quantified or documented. Given the hydrological connection between the site and a protected drinking water source, it is unacceptable that such critical information would be deferred to a future planning condition. The protection of public drinking water supplies must be fully addressed before any consent is considered.

The OPW has also raised serious concerns regarding the adequacy of the archaeological and heritage assessments, particularly in relation to Lough Gur and the wider cultural landscape. These concerns echo previous findings by the DAU, which identified substantive errors and omissions in the archaeological assessment and concluded that sufficient investigations had not been undertaken to allow an informed planning decision.

Lough Gur is an internationally significant archaeological landscape and has been proposed for nomination to the UNESCO World Heritage List. The potential impact of this development on its setting and character has not been adequately assessed. Limerick City and County Council's own Archaeologist also highlighted deficiencies in the EIAR and requested additional assessment and photomontages.

There is further concern that key heritage bodies, including the Heritage Council and An Taisce, have not provided submissions despite the significance of the issues raised. Their input should be sought before any determination is made.

In addition, questions remain regarding the adequacy of consultation with Gas Networks Ireland and whether sufficient time was available to fully assess the implications of the development's proximity to critical gas infrastructure.

Most importantly, the local community is overwhelmingly opposed to this proposal. The scale of public opposition reflects genuine concerns regarding water quality, heritage protection, landscape impacts, public safety and the overall adequacy of the information submitted.

Given the significant unresolved issues identified by statutory consultees, local authority experts and the wider community, this application does not provide the complete, precise and definitive information required to support a lawful planning decision.

For these reasons, I respectfully request that Limerick City and County Council make a strong recommendation to An Coimisiún Pleanála that permission for the Ballinlee Wind Farm development be refused.

6. Councillor Eddie Ryan 22nd June 2026

Dear Inspector,

I as a Councillor of Cappamore- Kilmallock area represent the communities affected by this proposed wind energy development and stand firmly with their concerns. The Bruff Dromin Athlacca-Ballinlee Community Action Group has informed me that they were greatly encouraged by the submission made by the Office of Public Works (OPW), which echoes the very serious deficiencies identified in this application. These deficiencies have also been highlighted by Limerick City and County Council's own Archaeologist, Sarah McCutcheon, and Conservation Officer, Shona O'Keeffe; the Development Applications Unit (Department of Housing, Local Government and Heritage); community organisations including the Lough Gur Development Group; academic experts such as Rose Cleary; and third-party submissions (approx. 320 nr.) made by local residents who know this landscape the best.

I respectfully ask the Inspector to visit the elevated archaeological sites within the Lough Gur landscape, including Carraig Aille and the designated viewing points at the Visitor Centre. These are locations that the applicant has chosen not to assess, claiming that they are inaccessible. I would further encourage a guided visit from the Lough Gur Visitor Centre to gain a full appreciation of this unique and internationally significant archaeological and cultural landscape. I also request that An Coimisiun Pleanala give serious consideration to holding an Oral Hearing to fully examine the archaeological, cultural heritage, and visual impact issues associated with this proposal.

I strongly recommend that An Coimisiun Pleanala refuse this application. As outlined across the approximately 320 submissions and by State agencies, the proposal is fundamentally deficient and would result in an unacceptable impact on Lough Gur and its surrounding landscape, a site of **international significance** that has previously been considered for nomination as a UNESCO World Heritage Site.

Thank you for taking our comments into consideration.

CLLR. Eddie Ryan
CASTLECREAGH
GALLAGHY
CO LIMERICK
E54 RA 00

7. Councillor Noreen Stokes 22nd June 2026

Dear Inspector,

I as a Councillor of Cappamore- Kilmallock area represent the communities affected by this proposed wind energy development and stand firmly with their concerns. The Bruff Dromin Athlacca-Ballinlee Community Action Group has informed me that they were greatly encouraged by the submission made by the Office of Public Works (OPW), which echoes the very serious deficiencies identified in this application. These deficiencies have also been highlighted by Limerick City and County Council's own Archaeologist, Sarah McCutcheon, and Conservation Officer, Shona O'Keeffe; the Development Applications Unit (Department of Housing, Local Government and Heritage); community organisations including the Lough Gur Development Group; academic experts such as Rose Cleary; and third-party submissions (approx. 320 nr.) made by local residents who know this landscape the best.

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Thank you for taking our comments into consideration.

CLLR: Noreen

8. Councillor John O'Donoghue 23rd June 2026

Comments on Submission by the Gas Networks Ireland

While there was a reply from GNI it is clear that given the timeframe of the request for information (05/03/2026 at 10.17) and the reply (06/26/2026 at 11.17) it can only be considered as a generic response to a general query and in my opinion not the level of response that one would expect from a large company given the ask was from ACP. I believe that the high-pressure pipeline will be immediately impacted by two crossings, along with turbine delivery and construction being proposed in the vicinity of the existing high pressure gas pipelines. The map should clearly show the proposed turbines proximity to the existing high pressure gas pipeline and the information should be provided to demonstrate the possible effects of large-scale earthworks and movement of heavy large-scale machinery and materials either in proximity to or crossing over the existing infrastructure.

Comments on Submission by the Health and Safety Authority

The HSA reply was received on Monday morning 09/03/2026 following a request on 05/03/2026. It is my opinion that the HSA has a role and I do not believe that ACP would have requested a response if this was the expected reply given to proposed wind farm development of large scale in a populated area, in proximity to a high pressure gas pipeline , near to watercourses leading to abstraction points down river for drinking water.

Comments on Submission by the Office of Public Works

The OPW observation on SID Planning Application 323780 proposed windfarm at Ballinacurra, Ballinlee South, raises some very significant questions regarding the applicant's assessment of the cultural heritage assessment, visual and cumulative impact assessment on Lough Gur, Knockainey and associated National Monuments, the underground cable route through the Lough Gur archaeological landscape and flood risk and drainage.

The OPW conclude that assessments are **"inadequate"**, **"not verifiable"**, and that it is **"very concerned"** about the visual and cultural impacts and cumulative effects.

1. Lough Gur – OPW explicitly challenges the applicant's assessment

The OPW directly states that it:

"does not consider that this is an adequate and verifiable basis for the selection or omission of viewpoints from the Lough Gur complex" and does not agree that views from Lough Gur have been comprehensively assessed.

This is a significant criticism.

The OPW, as the State body responsible for National Monuments in State Care, expressly rejects the applicant's assessment methodology regarding Lough Gur. The OPW concludes that the basis for selecting and omitting viewpoints is neither adequate nor

verifiable. In these circumstances the EIAR and LVIA cannot be relied upon to accurately assess effects on one of Ireland's most significant archaeological landscapes.

- The EIAR is deficient.
- Important viewpoints were omitted.
- The Board lacks sufficient information.
- Additional photomontages should be required before determination.

2. OPW questions the underground cable route through Lough Gur

One of the strongest observations is:

The OPW questions why the applicants have chosen a route for the underground cable that passes through the Lough Gur zone, with its very high possibility of archaeological finds and disruption.

The OPW is effectively saying:

- The route passes through one of the richest archaeological landscapes in Ireland.
- There is a high likelihood of archaeological discoveries.
- There is potential for disturbance of previously unidentified archaeology.

The applicant has failed to justify why the cable route traverses the Lough Gur archaeological landscape when alternative routes may exist. The OPW itself questions the routing choice. ACP should not approve a route through a nationally significant archaeological landscape without a detailed alternatives assessment and comprehensive archaeological investigation.

3. Protected views and prospects

The OPW highlights that:

Lough Gur is identified in the Limerick County Development Plan 2022–2028 for protection of Views and Prospects.

- The proposal conflicts with County Development Plan objectives.
- The visual assessment does not properly address protected views.
- The Board should require assessment from all designated viewpoints.

The proposal risks undermining protected views and prospects identified in the Limerick County Development Plan. The OPW has specifically drawn ACP's attention to these protected visual corridors.

4. OPW raises cumulative impact concerns with Garrane Wind Farm

The OPW is:

"very concerned about the visual and cultural impact" and the cumulative impact with Garrane Wind Farm.

The OPW requests:

- Photomontages.
- Assessment of Ballinlee alone.
- Assessment of Ballinlee combined with Garrane.

Cumulative assessment is a legal requirement under EIA legislation.

If cumulative impacts have not been properly assessed, ACP may be unable to conclude that environmental effects have been adequately evaluated.

The OPW identifies serious deficiencies in the cumulative assessment of Ballinlee and Garrane Wind Farms. The applicant has not demonstrated that cumulative visual and cultural heritage effects have been adequately assessed.

5. Nationally important cultural landscape (Lough Gur – Knockainey – Emly)

The OPW identifies:

"A cultural landscape of at least National importance – Lough Gur – Knockainey Hill – Emly."

The OPW refers to recent academic research showing:

- **Knockainey as one of Ireland's most archaeologically important landscapes.**
- Historic links between Lough Gur, Knockainey and Emly.
- Early medieval kingship landscapes.
- Intangible cultural heritage associated with Áine.

The applicant in their submission :

- Treats monuments individually.
- Fails to assess the broader cultural landscape.
- Ignores intangible heritage values.
- Ignores historical intervisibility and landscape relationships.

The OPW identifies a nationally significant cultural landscape extending between Lough Gur, Knockainey and Emly. The EIAR fails to assess the impact of the development on this wider cultural landscape and instead focuses narrowly on individual monuments.

6. Knockainey Hill assessment missing

The OPW requests:

visual and/or cultural impact assessment from appropriate vantage points on Knockainey Hill.

The OPW has identified a significant omission in the assessment. Important viewpoints from Knockainey Hill have not been adequately assessed through photomontage or visual analysis.

7. Kilmallock monuments inadequately assessed

The OPW expressly states:

"The visual and cultural impacts are inadequately assessed at present.

This is another direct challenge to the adequacy of the EIAR.

You can argue:

ACP cannot lawfully conclude the likely effects on heritage assets where the OPW has expressly stated that visual and cultural impacts are inadequately assessed. Wireframes, Photomontages and proper cumulative assessment should be requested from the applicant.

8. Monasternenagh Abbey and Disert Oenghusa

The OPW requests additional visual impact assessment for:

- Monasternenagh Abbey
- Disert Oenghusa
- New Church
- Knockadoon

The OPW would not be requesting these additional assessments if it believed the information submitted was sufficient. ACP therefore lacks the information necessary to fully assess impacts on protected heritage assets.

9. Screening by trees is unreliable

The OPW makes a particularly important point:

- The applicant relies heavily on vegetation screening.
- Deciduous trees screen only part of the year.
- Ash dieback may remove significant screening.
- Storm damage may also remove screening.

The applicants EIARs assume vegetation remains permanently.

The applicant's visual impact assessment relies on vegetation screening that may not exist over the operational life of the development. The OPW specifically notes the risks arising from seasonal leaf loss, ash dieback and storm damage. Consequently, visual effects may be materially underestimated.

10. Flood risk and drainage objections

The OPW notes:

- The development intersects OPW drainage channels.
- The site lies within land benefiting from the Maigne Drainage Scheme.
- The site may therefore be subject to increased flood risk.
- A flood risk assessment should be carried out.
- New bridges, culverts and crossings require Section 50 consent.
- Cable crossings may require separate consent.
- Climate change allowances must be incorporated.

The OPW has recommended that a Flood Risk Assessment be undertaken and has identified the site as potentially subject to increased flood risk. Unless ACP is satisfied that all flood pathways, drainage interactions and watercourse crossings have been fully assessed, permission should not be granted.

Comments on Submission by the Office of Public Works

Key Uisce Éireann Concern

The most important paragraph states:

"The EIAR has identified the Maigne_o8o as a drinking water protected river and establishes the hydrological connectivity to the proposed development site, but the potential impact has not been assessed, quantified or documented."

Uisce Éireann is effectively saying:

- The applicant correctly identified a drinking water receptor.
- The applicant correctly identified hydrological connectivity.
- But the applicant did **not** assess the consequences.

Uisce Eireann point out that a pathway exists between the development and a protected drinking water source, yet the EIAR fails to quantify or evaluate the risk.

1 – Incomplete EIAR Assessment

Uisce Éireann expressly notes that while the EIAR identifies the River Maigne (Maigne_o8o) as a drinking water protected area and establishes hydrological connectivity with the proposed development, the potential impacts have not been assessed, quantified or documented. The EIAR therefore contains a material omission regarding effects on a protected drinking water resource.

ACP lacks sufficient information to conclude that the development will not adversely affect downstream drinking water resources.

2 – Adare Water Supply Catchment

Uisce Éireann confirms:

- The wind farm lies within the Adare Water Supply abstraction catchment.
- The grid route is also within the catchment.
- The River Mague abstraction point is downstream of the development.

The development is located within the catchment of a public drinking water supply. The existence of hydrological connectivity is acknowledged by both the applicant and Uisce Éireann. Any contamination event could therefore have consequences beyond the immediate site.

3 – Construction Phase Risks

Uisce Éireann specifically requests:

- Enhanced monitoring.
- Trigger levels.
- Increased monitoring during rainfall.
- Restrictions on high-risk construction activities.

The extensive monitoring and rainfall restrictions sought by Uisce Éireann demonstrate that construction phase impacts on water quality remain a live concern and have not been fully resolved within the application documentation.

4 – Heavy Rainfall and Climate Change

Uisce Éireann requests that:

High-risk construction activities be prohibited during heavy rainfall or Met Éireann weather warnings.

Both OPW and Uisce Éireann have identified hydrological risks associated with the development. OPW highlights flood risk and watercourse interactions, while Uisce Éireann identifies potential impacts on downstream drinking water resources. Taken together, these submissions indicate that the hydrological assessment remains incomplete.

5 – Downstream Drinking Water Protection Plan

Uisce Éireann requests a condition requiring a:

"Downstream Drinking Water Protection Plan."

If a Downstream Drinking Water Protection Plan is required before construction can commence, this raises the question of whether sufficient information currently exists to enable ACP to complete its environmental assessment.

This is essentially an "additional information" argument.

6 – CEMP and SWMP Deficiencies

Uisce Éireann specifically requests:

The CEMP and SWMP be updated to identify the Adare abstraction as a sensitive receptor.

Uisce Éireann's request to revise the Construction Environmental Management Plan and Surface Water Management Plan demonstrates that the current documentation does not adequately account for the downstream drinking water abstraction. This implies that Uisce Éireann believe that the current plans do not adequately recognise the drinking water abstraction and the mitigation measures may be incomplete

7 – Grid Connection Risks

Uisce Éireann notes that:

The grid connection route crosses important and strategic Uisce Éireann infrastructure.

Th applicants planning application therefore Important infrastructure interactions remain unresolved and further engineering assessment may be necessary.

Strongest Combined OPW + Uisce Éireann Argument

The strongest combined submission could be framed as follows:

Heritage Deficiency

OPW states:

- Heritage impacts inadequately assessed.
- Lough Gur assessment inadequate.
- Knockainey assessment missing.
- Cumulative assessment deficient.
- Additional photomontages required.

Hydrology Deficiency

OPW states:

- Flood risk concerns.
- Drainage channel interactions.
- Need for flood risk assessment.

Uisce Éireann states:

- Drinking water receptor identified.
- Hydrological connectivity established.
- Impact not assessed, quantified or documented.

Overall ACP Submission

Two prescribed bodies with statutory responsibilities in relation to heritage, flood risk and public water infrastructure have identified significant deficiencies in the applicant's assessment. OPW identifies inadequacies in the cultural heritage, visual impact and cumulative impact assessments, while Uisce Éireann identifies a failure to assess, quantify or document impacts on a downstream drinking water protected area. These deficiencies suggest that ACP does not presently have sufficient information to fully assess the environmental effects of the proposed development.

Of all the Uisce Éireann comments, the sentence stating that the impact on the protected drinking water source has "not been assessed, quantified or documented" raises serious questions regarding the adequacy of the applicant's submission in particular the EIAR is incomplete.

9. Councillor PJ Carey 23rd June 2026

I call on An Coimisiún Pleanála to refuse this application.

The findings of the four prescribed bodies, in particular, Uisce Eireann, regarding the environmental impacts, and the OPW, regarding the impacts on the Architectural Cultural Heritage, Lough Gur and its importance to tourism, make this proposal impossible to support.

This is not a good planning application.

I note that the EIAR states that the Gas Networks Ireland were consulted during the design process regarding turbine setbacks from the pipeline and protection measures, but these consultation records are not included in the case file.

Appendix 4 – Elected Members Observations – Associated attachments



An Coimisiún Pleanála
64 Marlborough Street Dublin 1
D01 V902

16/11/2025

Case reference: PAX91.323780 10 year planning permission for Ballinlee Wind Farm consisting of 17 no. wind turbines, a permanent 110kV substation and ancillary development

Dear Sir/Madam,

Lough Gur Development Co-Operative Society wishes to lodge a formal objection to the above planning application for the reasons outlined below.

1. Visual Impact on Lough Gur Protected View

The proposed turbines will introduce a significant visual intrusion into the scenic and heritage-rich landscape surrounding Lough Gur. The panoramic views from multiple vantage points, which currently offer an uninterrupted natural setting, will be disrupted by the presence of large-scale turbines proposed in this application. This alteration undermines the visual integrity of one of Ireland's most iconic archaeological and cultural landscapes.

The area surrounding Lough Gur has been designated as a Protected View in the *Limerick Development Plan 2022-2028* as shown in *Figure 1* below. The applicant has demonstrated disregard of the impacts of the proposed development on Lough Gur and its environs throughout the application and this is particularly evident by the photomontage *VP19* provided. The photograph has been taken from a secluded location within Lakeshore Park where the local topography and vegetation has blocked most of the impact on the view. This is extremely disingenuous and insulting. The applicant has failed to provide information to facilitate a legitimate assessment of the visual impact from the Protected View.



Figure 1 - Limerick Development Plan 2022-2028 Lough Gur and Tory Hill Protected Views

The same applicant has provided a more honest photomontage within their separate application for the Garrane Wind Farm within *the Landscape and Visual Impact Assessment* with VP21 so are clearly more familiar with Lough Gur and the available vantage points than the information presented in this application. It is noteworthy that the proposed Ballinlee Wind farm is c. 5.5km from the shores of Lough Gur and the Garrane Wind Farm is c.16km from the shores of Lough Gur. The proposed Ballinlee Wind farm would be clearly visible and far more obtrusive from the location of VP21 of the Garrane Wind Farm application, yet this vantage point was not included in this application. This point is further demonstrated in Figure 2 below.

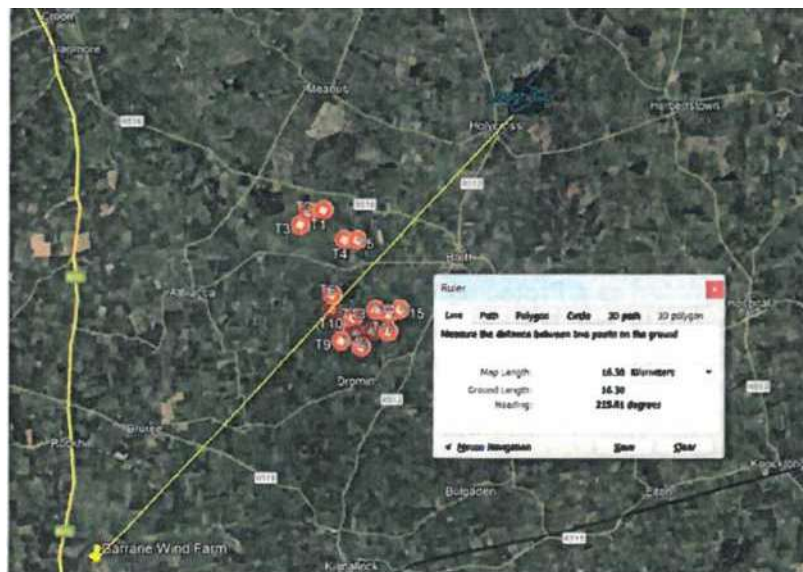


Figure 2 - Proximity of Lough Gur to Ballinlee Wind Farm (orange denote turbines) and Garrane Wind Farm

Figure 3 and Figure 4 below are just two locations within the Protected Views area where the proposed wind farm will have a significant visual impact and would have provided a more meaningful visual impact assessment, but the applicant has been obviously selective in the photomontages it has submitted throughout the application.

To provide further evidence of the visual impact of the proposed development on the Protected Views around Lough Gur Figures 5, 6, 7 & 8 demonstrate that the proposed Ballinlee Wind Farm will be clearly visible from the various vantage points identified. The applicant has neglected to provide photomontages from representative locations within the Protected View for the public and planning authority to be afforded the opportunity to understand the implications. It could be inferred that the EIA has not correctly considered the visual impact of the proposal in its assessment if it is based on the photomontages submitted with this application.

It is undeniable that the proposed application has a detrimental impact on the views available from Lough Gur and surrounding environs including several national monuments. The proposed development is therefore in direct conflict with *Limerick Development Plan 2022-2028 Policy EH P8 Landscape Character Areas LCA 05 Lough Gur Specific Objective a) Safeguard the visual amenity of the area and to have regard to the views and prospects in and out of Lough Gur.*

Figure 3 Existing view from public viewing point overlooking Lough Gur looking towards proposed development



Figure 4 Existing view from Carraig Aille I (7th Century) Ringfort looking towards proposed development



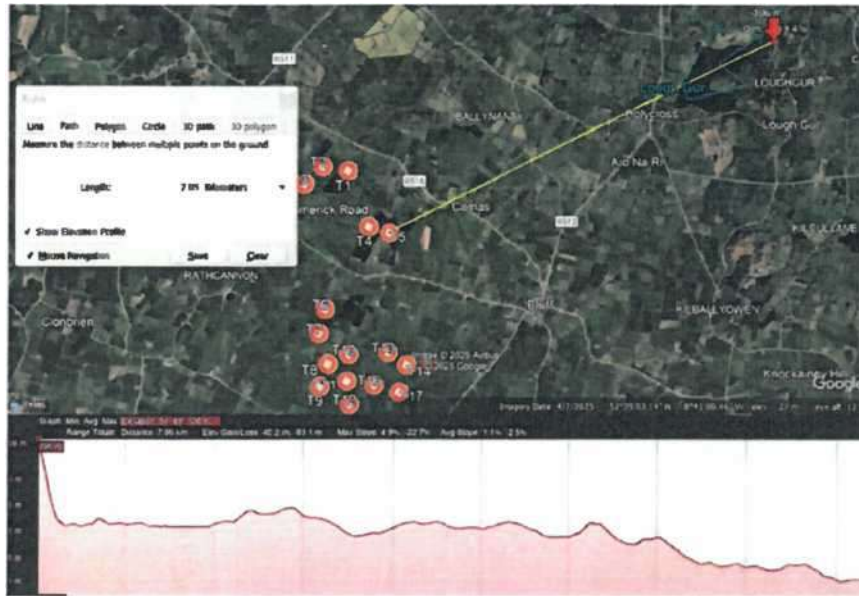


Figure 5 - Lough Gur Public Viewing Point (all turbines at ~160m high will be visible)

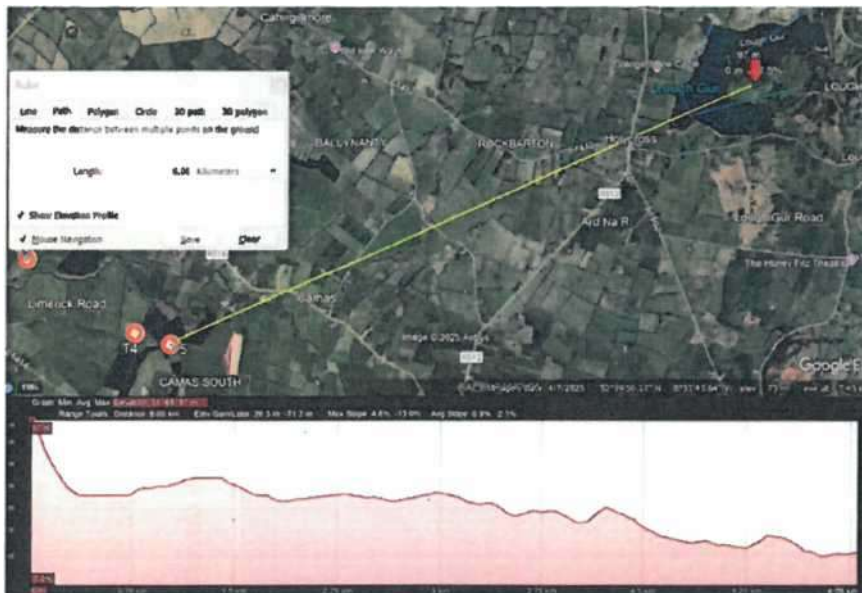


Figure 6 - Knockfennel and Knockadoon (all turbines at ~160m high will be visible)

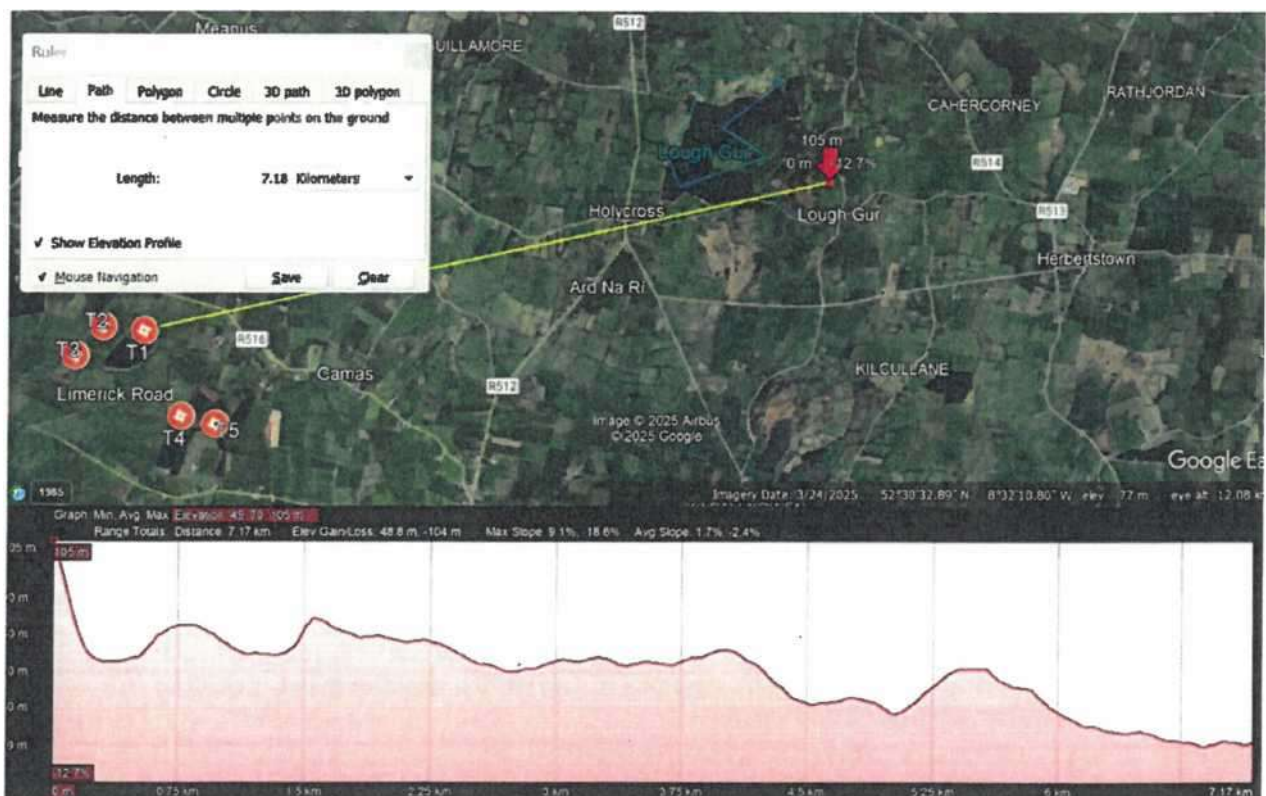


Figure 7 - Carraig Aille I (7th Century Ringfort all turbines at ~160m high will be visible)

2. Tourism & Cultural Heritage Impact

The scale and nature of the proposed development presents a significant impact to the overall attractiveness of Lough Gur and environs as a visitor destination. Lough Gur attracts people from near and far to its shores and Lakefront Park. The area has been inhabited for over 5000 years and contains over 130 listed sites (28 of which are national monuments in State care) ranging in date from late Neolithic / early Bronze Age through to post Medieval times. In the 2009 *Lough Gur Environmental Management Study* it was suggested that *"In recognition of these unique characteristics, it is proposed that Lough Gur could be nominated for inclusion on the World Heritage List."*

I see no reason why we still should not have this ambition for Lough Gur. To be considered for such an accolade, the following criteria apply:

To be deemed of outstanding universal value a property must meet the conditions on integrity and/or authenticity as per the Nara Document on Authenticity. The Inspectorate is very demanding in this

respect. For cultural sites this would involve a clear and independently substantiated justification of any 'intervention' by way of, for example, conservation/restoration or adaptation.

It is hard to imagine these criteria being met if the proposed development proceeds. It is ironic that one of the stated benefits of the proposal is as a means of safeguarding for the future, yet we are clearly limiting many potential future opportunities for the development, growth and protection of our local heritage.

3. Grange Stone Circle

The application acknowledges the significance of Grange Stone circle and the proximity of the proposed trenching and duct installation to the site. It is the largest stone circle in Ireland and has been dated to 2850-2950BC. Numerous sub surface features have been found in this area on either side of the R512.

However, proper mitigation measures are not proposed as part of the proposed development to excavate a trench on the R512. Grange stone circle is not mentioned in Chapter 19 Schedule of Mitigations nor specifically in the mitigation measures of Chapter 14.

It is important that the mitigation measures including geophysical survey, test excavation, monitoring, recording and preservation be applied to the entire development including the cable route that passes Grange Stone circle.

4. Impact on the Whooper Swan Population

Lough Gur is internationally and nationally important for migrant wildfowl species and is designated as a Natural Heritage Area and a Wildfowl Sanctuary. Appendix 7D Whooper Swan Management Plan submitted by the applicant details the flight path of Whooper Swans between Lough Gur and areas to the southwest of the proposed site boundary. Appendix A of this report catalogues the locations where Whooper swans have been recorded foraging from 2020-2025. The majority of the locations detailed require Whooper Swans to cross the proposed development to travel between Lough Gur and the foraging areas.

The report details disruption to the foraging lands due to the proposed development and plans to mitigate that by land enhancement in any area in Figure 1 of the Whooper Swan Management Plan. The report does not detail what will happen if the management plan is not proven to be effective. Will the turbines obstructing the flight paths and foraging areas of the Whooper swans be removed? The application does not detail how the applicant will guarantee the implementation of the grassland management measures in perpetuity within the project boundary.

The applicants NiS states that whilst the areas designated for Habitat and Species Management Plan are not *"not considered Key Components of the Proposed Development, they are integral associated project elements aimed at supporting the management and enhancement of biodiversity on s/te"*. I contest that the Whooper Swan Management plan does not enhance biodiversity on site, it acknowledges that it will have a severe negative impact on the Whooper Swan population and suggests a mitigation plan that may or may not work and requires long term monitoring and potential adjustments in lands that are both inside and outside of the project boundary on which the applicant has no control or authority.

The proposed development does not comply with the Limerick Development Plan 2022-2028 Policy EH P8 Landscape Character Areas LCA 05 Lough Gur Specific Objective d) to safeguard the existence of Natural Heritage Areas and the Wildfowl sanctuary when assessing applications for development in the area.

Conclusion:

For the reasons outlined above we strongly advocate the refusal of permission for this development.

Thank you for considering this submission.

Yours Sincerely,



Donal Murnane.

Chairperson - Lough Gur Development Co-Operative Society The Honey Fitz Theatre,
Patrickswell, Bruff, Co. Limerick lgcommunitycommittee@gmail.com

Rose M. Cleary

Rose Cleary is a graduate of University College Cork (UCC) with an honours BA in History and Archaeology and an honours MA in Archaeology. She was also conferred with a D.Litt (he) from the University of Limerick (UL); Fellow of the Society of Antiquaries (London) and Member Institute of Archaeologists of Ireland (MIAI).

She has worked in the Lough Gur area of Co. Limerick since 1977 and has an indepth knowledge of the archaeological landscape of the area.

She has published over 20 academic papers on the area in various journals (*Proceedings of the Royal Irish Academy, Journal Royal Society of Antiquaries, Journal of Irish Academy and North Munster Archaeological Journal, Lough Gur and District Historical Society Journal*). She published a book - *The Archaeology of Lough Gur* in 2018 which provides a synthesis of all archaeological research in the environs of the lake including research carried out by scholars since the late eighteenth century to the present day.

Proposed development

The development comprises the construction of seventeen wind turbines and ancillary works with a turbine height of 160m for sixteen turbines, 150m for one turbine and span of 136m for all turbines.

Lough Gur

Lough Gur is an antique landscape continuously occupied by people for over six thousand years. The lake was and is still a focus both within the community of Lough Gur and for the greater hinterland of East Limerick. Dowd (1896)² wrote that ‘very few places which will be found more interesting by the visitor than Lough Gur and its neighbourhood. From long distant ages man has found a home here, and the shores of the lake still bear witness to the

² Dowd, Rev. J. 1896 *Round about the County of Limerick*. Limerick, G.McKern and Sons. P. 65.

ancient race whose monuments have survived all changes that have passed over the county'. Lough Gur is a place renowned in archaeology not only in Ireland but also in Western Europe. It was the location of Neolithic and Bronze Age settlements when these were practically unknown elsewhere. Much archaeological research and fieldwork in Ireland has altered this picture but Lough Gur remains one of the few places where the monuments are both visible and abundant within a relatively small area and where some date to back several millennia.

The review of the archaeological landscape in Chapter 12 - Landscape and Visual and Chapter 14 - Archaeology and Cultural Heritage of the EIAR greatly underestimates the archaeological landscape around Lough Gur in terms of visible remains and subsurface archaeological sites. Indeed, of the National Monuments in State Care listed in Chapter 14 (Table 14.4), 66% are in the Lough Gur area.

The archaeological and historic landscape around Lough Gur has been studied and surveyed by scholars since the late seventeenth century. Modern surveys include M. J. O'Kelly's³ extensive field work survey in 1941 and he documented over almost 400 monuments in the Barony of Small County in which Lough Gur is located. O'Kelly's survey included information on archaeological artefacts recovered in the survey area and these were particularly numerous from the Lough Gur area. This survey also confirmed that Lough Gur was a centre for prehistoric activity and most of the megalithic tombs, stone circles, standing stones, barrows ringforts, stone forts and later sites such as forts and castles are in the hinterland of the lake.

A survey project aimed at examining and chronicling monuments in their landscape setting using modern survey technology was undertaken at Lough Gur in 2008-9 and 2012-2013⁴. The study areas were around the Grange Stone Circle complex on the

³O'Kelly, M.J. 1942—43 A survey of the antiquities in the Barony of Small County, Co. Limerick. *North Munster Antiquarian Journal* 3 (2), 75-97; 169-184; 222-241. O'Kelly, M.J. 1944 A survey of the antiquities in the Barony of Small County, Co. Limerick. Part 4. *North Munster Antiquarian Journal* 5, 16-53.

⁴Cleary, R. M. and Hogan 2013 Recent survey work at Lough Gur. *North Munster Antiquarian Journal* 53, 79-98. Cleary, R. M; and O'Driscoll, J. 2014 Archaeological remains and geophysical

Geophysical survey in 2012 within Grange Stone Circle (Circle B) identified seven ring-ditches within the circle and a sub-circular enclosure c. 15-20m south-west of the stone circle. A second site⁵ was detected c. 90m east of the stone circle which may be the remains of a small stone circle removed from the landscape. Geophysical survey around the almost ruinous Circle D confirmed that it was once surrounded by a bank similar to the Great Stone Circle (B) and with an overall maximum diameter of 78m and was larger than Circle B.

Airborne LiDAR is a survey method which uses a laser light detection and ranging system to record the topography of an area in great detail. The technique can rapidly map large areas of ground and also has the potential to penetrate vegetation cover. As an archaeological tool LiDAR has the ability to record low-relief sites and landscapes, even those masked by trees and overgrowth. An analysis of LiDAR coverage of the Lough Gur area included a study of Grange, around Circles O and P, Carraig Aille and Rawleystown⁵. LiDAR survey detected the circular enclosure to the south-west of the Great Stone Circle which had also been recorded by the geophysical survey. The outline of the former bank of Stone Circle D was also clearly visible and LiDAR confirmed that the levelled bank was spread over a width of 15m outside the perimeter of the stone circle. An ancient trackway near Grange church and a previously unknown ring-barrow were also detected using LiDAR. The LiDAR survey recorded a network of ancient field enclosures near Carraig Aille and possible ancient trackway and field systems near Rawleystown.

Archaeological excavations around Lough Gur began in the 1860s but work from 1936—1954 by Sean P. O Riordain⁶ highlighted the variety and complexity of the archaeological landscape in the hinterland of the lake. More recent work by Rose Cleary was carried out from 1977-2012⁷. These excavations have established a broad chronological framework

⁵ Motherwell, E. 2012 LiDAR and its potential contribution to Archaeological Survey in Ireland. Unpublished M.Phil Thesis, Department of Archaeology, UCC.

⁶ 6 Riordain, S. P. 1936 Excavation of two stone circles at Lough Gur (1936). *North Munster Antiquarian Journal*, 1, 82. 6 Riordain, S. P. 1937 Excavation of two stone circles and two forts at Lough Gur (1937). *North Munster Antiquarian Journal*, 1, 82. 6 Riordain, S.P. 1949 Lough Gur excavations: Carraig Aille and the "Spectacles". *Proceedings of the Royal Irish Academy* 52C, 39-111. 6 Riordain, S.P. 1949a Lough Gur excavations: three marshland habitation sites. *Journal of the Royal Society of Antiquaries of Ireland* 79, 126-139. 6 Riordain, S.P. 1951 Lough Gur excavations: the great stone circle (B) in Grange townland. *Proceedings of the Royal Irish Academy* 54C, 37-74. 6 Riordain, S.P. 1954 Lough Gur excavations: Neolithic and Bronze Age houses on Knockadoon, *Proceedings of the Royal Irish Academy* 56C, 297-459.

⁷ Cleary, R. M. 1982a Excavations at Lough Gur, Co. Limerick 1977-78 Pt. I, *Journal of the Cork Historical and Archaeological Society*, 87 (245), 2-20. Cleary, R. M. 1982b Excavations at Lough Gur, Co. Limerick 1977-78 Pt. 11, *Journal of the Cork Historical and Archaeological Society*, 87 (246), 77-106. Cleary, R. M. 1983 Excavations at Lough Gur, Co. Limerick 1977-78 Pt. III, *Journal*

for the various monuments at Lough Gur.

Visual Impact

P. 47 of the Chapter 14 (EIAR) describes the landscape in which the proposed turbines are to be located as ‘The entire site is very open to the surrounded landscape and apart from the trees no natural blockers were noted in a visual context’. This landscape description confirms that there will be visual impact on the surrounding heritage landscape. In the case of Lough Gur the chapter also states (P. 74) that: ‘Analysis of ZTV revealed that the proposed turbines will be visible to differing degrees or will be not visible at all depending on the location of the archaeological site there’. Three view-points (VP17-19) were used to establish visual effect during LVIA assessment of which one location (VP 19) was assessed as ‘*moderate-slight*’. The photograph (Fig. 14.11) taken to support this assessment (VP19) is from the lakeshore. There are no monuments along the present lakeshore as this level represents post-1847 drainage⁸ and is c. 2m below the original lake level.

A similar scenario is presented in Chapter 12 of the EIAR - Landscape and Visual (Table 12.2) where VP (Viewpoints) from Lough Gur assess the magnitude of visual impacts is described as ‘Low’ and ‘Imperceptible’ (p. 42).

The siting of the majority of archaeological sites around Lough Gur is on elevated ground - for example the ridge where the majority of the archaeological complex at Grange is located; Knockadoon Hill which is surrounded by the lake and Knockfennell Hill on the north shore. The visual assessment of the visual impact of the turbines as ‘moderate/slight’ completely misinterprets the siting of the archaeological remains around and in the hinterland of the

lake.

of the Cork Historical and Archaeological Society, 88 (247), 51-80. Cleary, R. M. 1995 Later Bronze Age houses and prehistoric burials from Lough Gur, Co. Limerick, *Proceedings of the Royal Irish Academy*, 95C, 1-92. Cleary, R. M. 2003 An enclosed Later Bronze Age site on Knockadoon, Lough Gur, Co. Limerick. *Proceeding of the Royal Irish Academy*, 103C, 97-189. Cleary, R. M. 2006 Excavations of an Early-Medieval period enclosure at Ballynagallagh, Lough Gur, Co. Limerick. *Proceeding of the Royal Irish Academy*, 106C, 1—66. Cleary, R. M. 2016 Excavation at Grange Stone Circle (B), Lough Gur, Co. Limerick and a review of the dating. *Journal of Irish Archaeology*. Cleary, R. M. 2018 *The Archaeology' of Lough Gur*. Wordwell.

⁸ The lake was partially drained as part of a Poor Law Relief Scheme during the Great Famine (1845- 47)

The visual assessment in Chapters 12 and 14 of the EIAR does not take into account the siting of the archaeological remains around the lake and in the hinterland and seeks to minimise the visual impact without an appreciation of the landscape around the lake.

Bruff

Archaeological research and survey projects in the Bruff area have highlighted the density of sites in the region. Many new sites were detected by aerial photographic surveys in advance of pipeline construction and a research project to determine the usefulness of medium altitude aerial survey known as the 'Bruff Aerial Survey'. This survey⁹ (scale 1:10000) extended east-west from Bruff to Emly (Co. Tipperary) and north-south from Caherconlish to Knocklong increased the number of archaeological sites by 200% in some area particularly around Bruff. The review of the known archaeological landscape in Chapter 14 of the EIAR for wind turbine construction does not refer to the rich, varied and multi-period landscape in the environs of the development.

Rose Cleary was also Project Director on behalf of Bord Gais Eireann on the gas pipeline 'Pipeline to the West'¹⁰ which was constructed in 2002. The pipeline extended across the Morningstar River floodplain and crossed the landscape c. 2.5km west of Bruff. This project was preceded by a scoping study of the pipeline corridor including a review of a series of low level Aerial Photographs (1:5000) of the pipeline corridor which detected hundreds of previously unknown archaeological sites particularly in East Limerick. Route Selection was guided by avoidance of these newly discovered sites and sites that were recorded on Ordnance Survey maps (1839-1938). Nevertheless, the construction phase of the gas pipeline revealed over 1000 new archaeological sites, of which a significant number within the Bruff area (Fig. 2). A gas pipeline constructed in 1986¹¹, and guided in the route selection by avoidance of archaeological sites detected through aerial photography also uncovered a

⁹ Doody, M. 1993 The Bruff Aerial Photographic Survey. *County Tipperary Historical Journal*, 173-180; Doody, M. 2008 Medium-altitude aerial survey in M. Doody *The Ballyhoura Hills Project*. Discovery Programme Monograph No. 7. Wordwell. Bray. 65-104.

⁹ Grogan, E., O'Donnell, L. and Johnston, P. 2007 *The Bronze Age Landscapes of the Pipeline to the West*. Bray, Wordwell.

¹⁰ Gowen, M, 1988 *Three Irish Gas Pipelines: New Archaeological Evidence in Munster*. Dublin, Wordwell.

significant number of previously unknown archaeological sites during the construction stage. These sites were detected after the topsoil strip and were recorded by excavation.

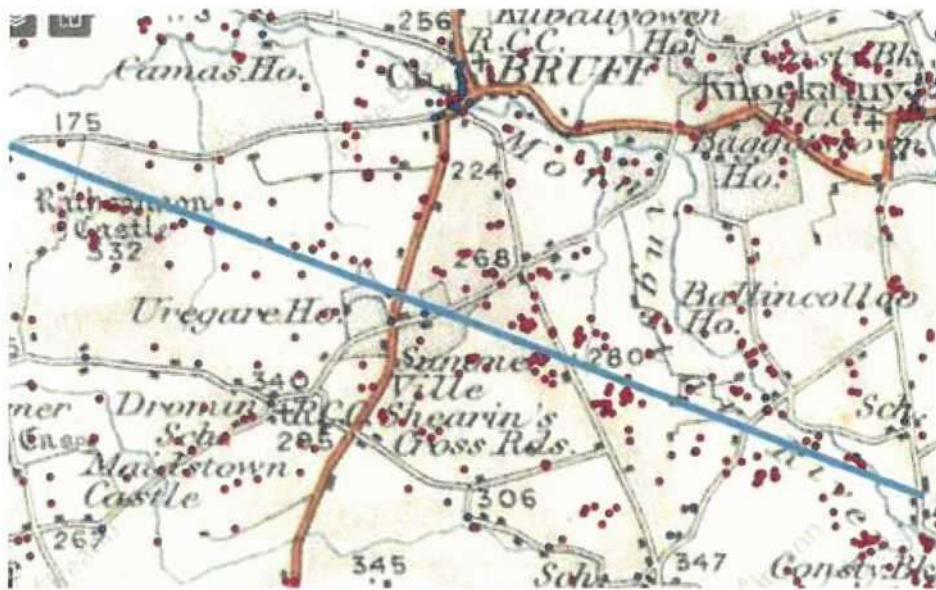


Fig. 2: Blue line = Approximate line of 1986 pipeline. The majority of the archaeological sites (red dots) within the pipeline pre-construction study area were detected from aerial survey and avoided during route selection.

Field inspection carried out as part of the survey process for Chapter 14 of the EIAR noted no previously unrecorded archaeological sites on the areas scheduled for development although the area development around Turbines 14 and 15 noted (p. 56) ‘several archaeological sites found and excavated during topsoil-stripping on the Bord Gais Eireann Pipeline to the West situated in proximity to T14’. It can therefore be suggested that the construction of wind turbines and ancillary works will in all likelihood uncover previously unknown sub-surface archaeological remains.

Geophysical survey is proposed as a mitigation strategy (p. 83 Chapter 14, EIAR) to detect and preserve by excavation sub-surface archaeology. Geophysical survey is a useful method of detecting archaeological remains. Archaeological test excavation is proposed where anomalies are detected and in the footprint of the core windfarm components and this may detect sub-surface archaeological features that have a weak magnetic signal. Archaeological monitoring during construction is also proposed. The project is likely to uncover previously unknown complex archaeological sites as indicated by previous infrastructural gas pipelines in the area.

Visual Impact

Chapter 14 (p. 79) of the EIAR states: The Field inspection revealed that the proposed Ballinlee Wind Farm will be located with open views of the surrounding landscape. Furthermore, analysis of the results of ZTV data revealed that the proposed turbines will be theoretically visible from the vast majority of the monuments within the encompassing 3km study zone and in that context potential cultural effect is classified' as 'slight' for monuments without public access and 'moderate' on sites open to the public but located more than 1km off the proposed development. The visitor numbers to monuments has little bearing on the visual impact of turbines on upstanding archaeological sites. Access to archaeological sites is at the discretion of the landowners and in general, landowners allow access to monuments within the landholding.

3

Cleary, R. M. and Hogan 2013 Recent survey work at Lough Gur. *North Munster Antiquarian Journal* 53, 79-98. Cleary, R. M. and O'Driscoll, J. 2014 Archaeological remains and geophysical