

# SUBMISSION TO AN BORD PLEANÁLA

## OBJECTION TO PROPOSED STRATEGIC INFRASTRUCTURE DEVELOPMENT

**Planning Authority:** An Bord Pleanála

**Case Reference:** PA07.324113

**Proposed Development:** Cashla Peaker Plant (334 MW Open Cycle Gas Turbine Power Station)

**Applicant:** Bord Gáis Energy Limited

**Location:** Rathmorrissy and Pollnagroagh, Athenry, Co. Galway

**Submitted on behalf of:** Rathmorrissy Residents Group – Members names and Addresses,

- Gabriel and Shauna Freeney – Rathmorrissy Athenry, Galway
- Rynal and Margaret Ruane – Rathmorrissy, Athenry, Galway
- Kieran and Caroline Coffey – Rathmorrissy, Athenry, Galway
- Susanne and Marke Cooke – Rathmorrissy, Athenry, Galway
- Patrick and Caroline Harris – Rathmorrissy, Athenry, Galway

Primary Contact Person – Caroline Harris Rathmorrissy Athenry, Galway

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## . INTRODUCTION

This submission is made to An Bord Pleanála in respect of the above Strategic Infrastructure Development (SID) application and constitutes a formal objection to the proposed Cashla Peaker Plant.

This is not a submission based on general opposition. It is a technical planning objection which demonstrates that:

- the Environmental Impact Assessment Report (EIAR) is materially deficient.
- the proposed development would seriously injure residential amenity and rural character; and
- the applicant has failed to demonstrate sufficient legal interest in all lands and access routes required for the development.

For the reasons set out below, it is submitted that planning permission should be refused.

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## 2. SUMMARY OF GROUNDS OF OBJECTION

The objection is made on the following principal grounds, each of which is sufficient to warrant refusal:

1. Failure to adequately assess impacts on population and human health
2. Unacceptable noise and vibration impacts on residential amenity

3. Severe and irreversible visual and landscape impacts
4. Lack of legal clarity and lawful access, including proposed use of a private road without consent

These issues are cumulative and interrelated.

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## **3. POPULATION AND HUMAN HEALTH**

### **3.1 Inadequate Health Impact Assessment**

The EIAR concludes that the proposed development will not give rise to significant adverse effects on human health because predicted emissions remain within EU limit values. This approach is fundamentally flawed and does not comply with Directive 2014/52/EU, the Planning and Development Regulations, or Irish and EU case law.

Compliance with limit values cannot be equated with safety, particularly for vulnerable populations.

### **3.2 Failure to Consider Vulnerable Receptors**

The EIAR fails to properly identify or assess vulnerable receptors, including:

- children;
- elderly residents; and
- Lisheenkyle National School (approximately 0.6 km from the site).

The population is treated generically, with no receptor-specific analysis.

### **3.3 Absence of Cumulative and Long-Term Assessment**

The EIAR does not assess cumulative exposure to air pollution, noise, traffic, and lighting; long-term or chronic exposure over the operational life of the plant; or worst-case scenarios during poor dispersion conditions

### **3.4 Precautionary Principle**

Given scientific uncertainty and proximity of sensitive receptors, the precautionary principle applies. The Board cannot lawfully conclude that human health will be protected on the basis of the EIAR as submitted.

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## **4. NOISE AND VIBRATION**

### **4.1 Rural Context**

The site is located in a quiet rural environment with very low baseline noise levels. Even modest increases represent a significant adverse change.

## **4.2 Deficiencies in the Noise Assessment**

The EIAR relies solely on compliance with generic limits and fails to assess noise character (tonal, impulsive, intermittent), start-up and shut-down events, or night-time disturbance.

## **4.3 Absence of Vibration Assessment**

No quantitative vibration assessment is provided for construction or operation. No enforceable vibration limits or monitoring regime are proposed.

## **4.4 Impact on Residential Amenity**

Irish planning law requires protection of residential amenity. The EIAR does not demonstrate that this standard can be met.

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# **5. VISUAL AND LANDSCAPE IMPACT**

## **5.1 Landscape Sensitivity**

The site lies within an open agricultural landscape characterised by low-lying development, a horizontal visual character, and high tranquillity and dark-sky value.

## **5.2 Scale and Visual Intrusion**

The proposed development includes chimney stacks of approximately 30 metres, industrial-scale buildings and infrastructure, and permanent night-time lighting—constituting a fundamental and irreversible change from rural to industrial character.

## **5.3 Deficiencies in the LVIA**

The LVIA fragments key visual information across appendices, fails to clearly communicate visual dominance, inadequately assesses loss of tranquillity and sense of place, and proposes mitigation incapable of addressing scale and prominence.

The development would seriously injure the amenities of the area.

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# **6. LANDOWNERSHIP, ACCESS, AND LEGAL INTEREST**

## **6.1 Requirement for Legal Interest**

An applicant must demonstrate sufficient legal interest in all lands and access routes required to carry out the development. This is a fundamental requirement.

## 6.2 Identified Deficiencies

While some consent letters are provided, the application fails to demonstrate legal entitlement in respect of:

- the full grid connection route;
- public road verges; and
- a private road owned by residents, which the applicant appears to rely upon for access.
- No consent has been provided for use of this private road. Our understanding is that all residents must agree outside of agricultural use and it would appear that the applicant is bringing heavy machinery on our private road. See Map of the road in question attached. road attached.

## 6.3 Planning Consequences

A permission dependent on use of lands or roads without consent is not implementable and is legally vulnerable. The Board cannot lawfully grant permission where legal access has not been demonstrated.

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# 7. EIAR COMPLIANCE WITH STATUTORY REQUIREMENTS

The EIAR fails to meet statutory requirements regarding cumulative impacts, human health assessment, noise and vibration analysis, enforceable mitigation, and transparent presentation of visual impacts. The Board therefore lacks sufficient information to lawfully assess environmental effects.

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## 8. CONCLUSION

Taken individually and cumulatively, the deficiencies identified demonstrate that the proposed development:

- fails to protect human health;
- would seriously injure residential amenity;
- is incompatible with the rural landscape; and
- lacks lawful access and legal clarity.

The proposal is contrary to proper planning and sustainable development.

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## 9. REQUEST TO AN BORD PLEANÁLA

It is respectfully requested that An Bord Pleanála:  
REFUSE planning permission for the proposed development,  
or, in the alternative, seek Further Information addressing:

- all EIAR deficiencies identified;
- full legal documentation confirming land and access rights; and
- explicit exclusion of any private road unless lawful consent is provided.

Until these matters are resolved, the Board cannot lawfully or prudently grant permission.

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