

Clohanmore,  
Mullagh,  
Ennis,  
Co. Clare.

The Secretary,  
An Coimisiún Pleanála,  
64 Marlborough Street,  
Dublin 1.  
D01 V902

**Re: Submission / Observation on planning reference number: ACP 324155-26  
Proposed Cahermurphy West Windfarm Development**

Dear Sir / Madam,

I am the owner and occupier of lands affected by the above proposed development. I wish to make a formal submission regarding serious concerns about the validity and accuracy of the ecological information submitted in support of this application, specifically the bat roost survey relating to my property.

My primary concern is that access was gained to my farm shed and lands without my knowledge or permission for the purpose of carrying out a bat survey. At no stage did I provide consent, written or otherwise, for surveyors or representatives acting on behalf of the applicant to enter my property.

In Appendix 6-2, the structure referred to in the applicant's bat roost survey as "Farm Shed B – Structure No. 3" was identified in the report as being one of three structures located within the proposed windfarm site. This information is factually incorrect.

"Farm Shed B – Structure No. 3" is not located within the proposed windfarm site. It is outside the site boundary entirely. The inclusion of this structure as part of the windfarm site therefore constitutes materially inaccurate information within the ecological assessment documentation.

As a landowner, I consider the unauthorised entry onto my property to be an unacceptable trespass and a significant breach of property rights. Furthermore, the use of incorrect location information fundamentally undermines the reliability and validity of the survey findings.

The bat survey submitted as part of the planning documentation should therefore be considered invalid and unreliable for the following reasons:

1. Access to my property was obtained without my consent or permission.
2. The survey contains factually incorrect information regarding the location of “Farm Shed B – Structure No. 3”.
3. The structure was incorrectly identified as being within the windfarm site when it is outside the site boundary.
4. The survey methodology and conclusions are therefore unreliable and materially flawed.
5. The ecological assessment cannot be properly relied upon where the baseline information is inaccurate.

If the bat roost survey is invalid, then there is no valid or recent bat survey information available upon which An Coimisiún Pleanála can make a fully informed assessment or determination regarding the ecological impacts of the proposed development.

In the absence of accurate and lawfully obtained ecological baseline data, the Board cannot be satisfied that the potential impacts on bats and protected species have been properly assessed. Any reliance on flawed or inaccurate survey information would seriously undermine the integrity of the environmental assessment process.

Given the importance of bat surveys in informing appropriate assessment, environmental impact assessment, and ecological mitigation measures, it is essential that all ecological reports are conducted lawfully, accurately, and with the consent of affected landowners.

I respectfully request that An Coimisiún Pleanála:

- Disregard the bat survey findings relating to my property and “Farm Shed B – Structure No. 3”;
- Require the applicant to clarify how access to my property was obtained;
- Determine that, in the absence of a valid and accurate bat survey, insufficient ecological information currently exists to allow a fully informed assessment of the application;
- Investigate whether proper procedures and professional standards were followed; and
- Require any future ecological survey affecting my property to be conducted only with my prior written consent.

I further request that this submission be fully considered as part of the Commission’s assessment of the application.

Regards,

Joseph Killeen