

To: An Coimisiún Pleanála

Re: Proposed Lemanaghan Wind Farm, Co. Offaly

Applicant: Lemanaghan Wind Farm DAC, Bord na Móna / SSE Renewables joint venture

Case Reference: PAX19.324161

Description: Proposed development of 15 no. wind turbines, a permanent 220kV on-site substation, and associated infrastructure.

Submitted by: Sean Halligan & Jacinta Halligan

Address: Lemanaghan, Ballycumber, Co. Offaly

Eircode: R35 WP93

Date: 22nd May 2026

Sean Halligan

Lemanaghan
Ballycumber
Co. Offaly
R35 WP93

Date: 22nd May 2026

To:
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Re: Formal Objection to Proposed Lemanaghan Wind Farm Development

Dear Sir / Madam,

1. Introduction, Standing and Basis of Objection

I wish to formally object, in the strongest possible terms, to the proposed Lemanaghan Wind Farm development. I make this submission as a local resident, farmer, landowner, turbarry rights holder, and recognised heritage advocate whose lands, livelihood, legal rights, and heritage are directly and seriously threatened by this application.

I have lived in Lemanaghan since I was nine years of age. I know Lemanaghan Bog not from a map or an environmental report, but from a lifetime of living beside it,

working on it, walking it, protecting it, and understanding what it means to the people of this place.

My standing in this matter extends beyond that of an ordinary member of the public. I hold legally documented turbary rights over lands within Lemanaghan Bog. I farm lands through which watercourses from the bog flow. I have served for many decades on committees connected with the protection and promotion of St Manchan's Church, which houses St Manchan's Shrine — one of the most significant Romanesque reliquaries in Ireland. I have hosted and personally guided archaeologists, university professors, historians, documentary makers, journalists, bloggers, heritage groups, and members of the public from Ireland and internationally. I have given countless guided walks and talks on this landscape. My knowledge of this area is not academic. It is lived, walked, and accumulated over a lifetime. I have detailed, direct, and long-standing local knowledge of the heritage, archaeology, ecology, and sacred significance of Lemanaghan. This submission is therefore informed not only by personal and legal interest, but by detailed, direct, and long-standing knowledge of the site.

This bog is not empty land. It is not wasteland. It is a living, sacred, archaeological, and working landscape. It contains turbary rights, family histories, working farmland, watercourses, sacred routes, early Christian heritage, St Manchan's Well, St Manchan's Church, St Mella's Cell, and archaeological remains that are still being discovered to this day.

For these reasons, I strongly object to the proposed industrialisation of this sacred landscape by 15 turbines of approximately 220 metres in height, together with access roads, hardstands, borrow pits, drainage works, compounds, and associated infrastructure.

2. Turbary Rights: Formally Documented Legal Property Rights

I hold a formally executed Turbary Agreement dated 5 March 2019, entered into between Bord na Móna Energy Limited and Sean Halligan and Jacinta Halligan, allocating an exclusive right of turbary over bog Plot 18K, comprising 0.6346 hectares, in the townland of Leamonaghan, Barony of Garrycastle, County of Offaly. This agreement was executed by the Company Secretary of Bord na Móna Energy Limited and constitutes a binding legal instrument.

A copy of this agreement, together with the Bord na Móna Ordnance Survey map showing Plot 18K edged in red at a scale of 1:5,000, is attached to this submission as Appendix 1 and Appendix 2 respectively.

The significance of this cannot be overstated. The Applicant is not a stranger to the existence of turbary rights at this location. Bord na Móna Energy Limited created and executed this agreement themselves. They formally granted these exclusive turbary rights to my family. They cannot now bring forward a development that ignores, undermines, or destroys the very rights they formally granted. To do so would be legally indefensible.

Under Irish law, including the Land and Conveyancing Law Reform Act 2009, turbary rights are recognised as a *profit à prendre* — a legal property right to enter land and take part of its natural produce, namely turf. These rights are not informal

permissions or licences. They are legal property rights affecting land, binding on successors and assigns.

Bord na Móna themselves acknowledge active turbary within the site, stating:

“There are some areas of active turbary around the margins of the site.”

(Appendix 2-4 – Rehabilitation Plan, Section 3.1.2, p.7)

Bord na Móna also states:

“Parts of Lemanaghan Bog... are currently being used by domestic turf cutters...”

(Appendix 2-4 – Rehabilitation Plan, Section 1.1, p.2)

Despite these admissions, and despite having themselves executed the Turbary Agreement for Plot 18K, the application fails to properly identify turbary plots, map turbary banks, identify affected rights holders, assess turbary access routes, or assess how construction, drainage alteration, and rehabilitation works will affect the exercise of turbary rights. This is a fundamental legal defect. A planning application cannot be considered complete where it acknowledges legal rights but fails to assess the impact on those rights.

3. Failure to Consult a Known Legal Rights Holder

At no point has Bord na Móna, Bord na Móna Energy Limited, or any party associated with this application approached me, consulted me, or notified me in any meaningful way regarding the impact of this development on my turbary rights, my access routes, or my farming activities. I was not consulted before the application was lodged. I was not invited to participate in any pre-application engagement process. No attempt was made to inform me of how my formally documented turbary rights would be affected.

This failure to consult a known, documented legal rights holder — a rights holder whose rights were created by the Applicant’s own related entity — is a serious procedural failing. It undermines the integrity and completeness of the application and is contrary to the requirements of proper EIA scoping and public participation under the EIA Directive 2011/92/EU as amended.

4. Hydrological Change and the Practical Destruction of Turbary Rights

Bord na Móna states that the proposed rehabilitation works involve drain-blocking to raise water levels to the surface of the bog, and that “soggy ground conditions are preferred.” (Appendix 2-4, Non-Technical Summary, p.7)

Anyone who has any understanding of turf cutting knows that turf cannot be cut in waterlogged ground. Turbary depends on stable peat and controlled drainage. Raising water levels would flood turbary banks, make them unsafe and unusable, and in practical terms destroy the right to cut turf — a right formally granted to my family under the 2019 Turbary Agreement.

Bord na Móna further confirms that the bog is hydrologically connected:

“These areas are... hydrologically linked to the area... where rehabilitation is planned.”

(Appendix 2-4, Section 1.1, p.2)

This means that even if Plot 18K is not directly under a turbine base or hardstand, it will still be affected by altered water movement across the bog. Water does not follow red-line boundaries on a planning map. The Applicant cannot acknowledge this hydrological connection and then fail to assess its consequences for turbary rights holders.

5. Unlawful Exclusion of Turbary Rights from Assessment

Bord na Móna states:

“It is beyond the scope... to address turf cutting issues...”

(Appendix 2-4, Section 1.1, p.2)

This is not acceptable and is, in my submission, legally wrong. The issue is not turf cutting as an activity. The issue is the impact of the proposed development on lands subject to legally protected property rights. These rights must be assessed under the Planning and Development Act 2000, the EIA Directive 2011/92/EU as amended by Directive 2014/52/EU, and the wider requirement to assess land, material assets, population, and the interaction between environmental factors. The failure to assess turbary rights renders the EIAR incomplete and unreliable.

6. Access Rights and Physical Barriers to Turbary

I have used access routes into Lemanaghan Bog continuously for over 30 years. These routes are essential to the exercise of my turbary rights over Plot 18K and to the daily management of my farming activities. I am extremely concerned by any proposed security cabins, controlled access points, gates, or barriers. Any restriction on access would interfere with long-established access rights and with the practical exercise of my turbary rights as set out in the 2019 Turbary Agreement. A legal right of access cannot simply be blocked or controlled by a developer without proper legal basis, consent, or due process. This issue has not been properly assessed.

7. Water Pollution, Livestock, and Downstream Farming Impacts

I own and farm lands through which a natural brook or stream flows from Lemanaghan Bog toward the River Brosna at Dernagun. This watercourse is used as a freshwater source for livestock, including cattle, sheep, and horses on local lands. This is not a theoretical receptor. It is part of the daily farming use of land downstream of the bog.

I remember fishing in the Lemanaghan Stream, known locally as “the Brook”, approximately 64 years ago, around 1962. At that time, the Brook was a living stream with fish present.

I also remember when Bord na Móna blasted sections of the Brook with dynamite. I can still remember the explosions. Following those works, silt came down from the

bog into the stream, and I recall a noticeable change in the watercourse and in the fishing. The abundance of fish declined significantly afterwards. Today, there are no trout remaining in the Brook.

This is a lived example of how large-scale industrial intervention in a bog landscape can lead to long-term environmental change and loss. It demonstrates that impacts on waterways and ecosystems can continue long after works have taken place.

Such experiences should not be dismissed. They represent valuable local knowledge and direct observation of environmental change across generations.

The Applicant's own water and aquatic documentation identifies hydrological pathways from the proposed development area through drainage networks, outfalls, streams, and ultimately into the River Brosna and River Shannon system. The aquatic assessment confirms downstream hydrological connectivity with the River Shannon Callows SAC and Middle Shannon Callows SPA.

The Applicant also identifies risks associated with construction and drainage works, including suspended solids, sediment-laden runoff, hydrocarbons, cement-based products, and dewatering. If polluted water enters the stream flowing through my land, livestock will drink it. If livestock drink contaminated water, the risk does not stop at the field gate. It becomes an animal health issue, a farming issue, and potentially a food-chain issue.

Despite this, the application does not properly assess livestock drinking water, downstream farm receptors, agricultural exposure, emergency notification to farmers, alternative livestock water supplies, veterinary consequences, liability for loss or contamination, or food-chain risk. That is a serious and unacceptable omission.

8. Aquatic Ecology and the Water Framework Directive

The aquatic assessment cannot be treated as removing risk. It confirms that the receiving water environment contains sensitive aquatic receptors already under ecological pressure. The Applicant's own aquatic material identifies protected and sensitive species including white-clawed crayfish, Lampetra species lamprey, brown trout, European eel, smooth newt, common frog, red-listed duck mussel, and aquatic habitats of conservation value.

The Water Framework Directive 2000/60/EC requires that no development may cause deterioration in water status or jeopardise the achievement of good status. Where water quality is already under pressure, and where protected aquatic species and downstream farm water users exist, a vague reliance on mitigation is not sufficient. The assessment must be complete, precise, and site-specific before consent can lawfully be granted.

9. The Recent Discovery of Human Remains and the Inadequacy of Archaeological Assessment

I was personally present in connection with the recent discovery of human remains within Lemanaghan Bog, which have been dated to approximately 660 AD. These

remains were found by members of my own family, including my grandchildren, while on the bog. This was not a find identified through a professional archaeological survey or field assessment commissioned by the Applicant. It was discovered by a local family, on the ground, in the course of ordinary daily life.

This discovery proves conclusively that Lemanaghan Bog still contains archaeology of major national importance. It also proves that the full significance of this landscape has not yet been recorded or understood. If human remains of such significance — dating to approximately 660 AD — were found by a family on a walk, the archaeological record beneath the peat of this bog is far more extensive than any desk study or limited field survey could possibly reveal.

I have personally witnessed, over many decades of involvement with this landscape, the discovery of numerous artefacts and remains of archaeological significance. I have hosted archaeologists, historians, and academics from Ireland and beyond who recognise Lemanaghan as a site of exceptional importance. This is a landscape where new and significant discoveries are still being made. The Applicant's archaeological assessment is therefore fundamentally incomplete.

Construction works, excavation, drainage alteration, road building, hardstands, and turbine foundations could destroy irreplaceable archaeological material before it is even identified. Once peat is disturbed, archaeology can be lost forever. That is an irreversible harm.

10. The Sacred and Heritage Landscape of Lemanaghan

Lemanaghan is not an ordinary landscape. It is a sacred, historic, and culturally exceptional place with deep connections to St Manchan, St Mella, Clonmacnoise, and the wider early Christian heritage of Ireland. St Manchan's Church houses St Manchan's Shrine — one of the most significant Romanesque reliquaries in Ireland. St Manchan's Well, St Mella's Cell, the monastic landscape, and the archaeological remains beneath the peat are all part of one connected sacred landscape that has drawn scholars, pilgrims, and heritage visitors for generations.

I have been involved for many decades in committees and local heritage work connected with the protection and promotion of this sacred landscape. I have given guided walks and talks to members of the public, heritage groups, historians, academics, and international visitors. This place is recognised far beyond Co. Offaly as a site of exceptional significance.

11. The Slí Mhór: A Living Sacred Route Within Living Memory

My own mother used to walk the Slí Mhór across the bog to attend Mass in Boher. That is within living memory. This is not ancient history confined to books or records. It was a real route used by real local people and families as part of their religious and community life within the last century.

The Slí Mhór is not simply a local tradition. It is a historically documented ancient routeway of significant national importance. Its protection is required under the National Monuments Acts 1930–2014, and it forms part of the cultural and intangible heritage that must be properly assessed under the EIA Directive 2011/92/EU as

amended. The Slí Mhór links directly into the archaeology, religion, and sacred meaning of the bog. It connects people to Mass routes, holy places, and the wider sacred geography of the Lemanaghan complex.

The visual and physical impact of 15 turbines of approximately 220 metres on this sacred route, used within living memory by local families, has not been properly assessed. This is a major omission.

12. Visual Impact on a Sacred and Protected Landscape

The proposed turbines would be approximately 220 metres in height. They would permanently dominate the skyline above Lemanaghan and fundamentally alter the character of this sacred and open landscape. The quiet, reflective, spiritual, and natural character of the bog — which draws scholars, heritage visitors, and pilgrims from Ireland and abroad — would be replaced permanently by an industrial energy landscape.

This would seriously and irreversibly damage the setting of St Manchan's Church, St Manchan's Well, St Mella's Cell, the Slí Mhór, and the wider heritage and monastic landscape. This damage cannot be undone.

13. Failure to Protect Archaeological and Sacred Heritage

Under the National Monuments Acts 1930–2014, there is a clear obligation to protect archaeological heritage. Under the EIA Directive 2011/92/EU as amended, cultural heritage and landscape impacts must be properly assessed. Under the Valletta Convention, archaeological heritage — including undiscovered archaeology — must be protected and considered in development decisions.

In my submission, this application fails to properly assess:

- The archaeological potential of Lemanaghan Bog, which remains very substantially unrecorded;
- The recent discovery of human remains dating to approximately 660 AD, found by members of my own family;
- St Manchan's Well, St Manchan's Church, and St Mella's Cell as components of a single connected sacred landscape;
- The Slí Mhór and its living religious use within living memory;
- The visual impact of 15 turbines of approximately 220 metres on the heritage setting;
- The risk of destroying undiscovered archaeological material during construction, excavation, and drainage works;
- The cumulative impact of turbines, roads, drainage, excavation, and industrial infrastructure on the integrity of this sacred and archaeological landscape.

14. Signed Farmers' Collective Statement

A signed collective statement from local farmers and landowners has been prepared regarding the brook or stream flowing from Lemanaghan Bog toward the River Brosna at Dernagun and its use as a freshwater source for livestock. I was directly involved in raising this concern because it affects me personally as a farmer and landowner.

This statement identifies real people, real farms, real livestock, and a real downstream water source. The EIAR does not properly assess these receptors. It does not explain what happens if pollution reaches this water before farmers become aware of it. It does not explain who tests the water, who notifies farmers, who supplies emergency livestock water, or who is responsible for losses. This must be addressed before any lawful decision can be made.

15. Legal Deficiencies and Applicable Legal Framework

In my submission, the application is legally deficient and fails to comply with:

- The Planning and Development Act 2000, as amended;
- The EIA Directive 2011/92/EU, as amended by Directive 2014/52/EU;
- The Water Framework Directive 2000/60/EC;
- The Habitats Directive 92/43/EEC;
- The Birds Directive;
- The National Monuments Acts 1930–2014;
- The Valletta Convention on the Protection of the Archaeological Heritage;
- The Aarhus Convention on Access to Information, Public Participation and Access to Justice;
- Article 191 TFEU and the Precautionary Principle.

The defects are not minor. The application fails to assess known legal rights, known water pathways, known farming receptors, known heritage sensitivities, and proven archaeological risk. The Applicant was aware of many of these issues before lodging this application and chose not to address them.

16. The Precautionary Principle

The Precautionary Principle under Article 191 TFEU requires that where there is scientific or factual uncertainty about environmental harm, the burden of proof lies with the developer to demonstrate that no harm will occur — not with the community to prove that harm will occur. That burden has not been discharged here.

The harms identified in this submission are not speculative. The turbary rights are formally documented. The hydrological connectivity is admitted by the Applicant. The archaeological sensitivity of this landscape is proven beyond doubt by recent discovery. The farming receptors are identified. In these circumstances, consent cannot lawfully be granted.

17. Summary Grounds for Refusal

I respectfully submit that planning permission should be refused because:

1. Bord na Móna Energy Limited executed a formal Turbary Agreement on 5 March 2019 granting an exclusive right of turbary over Plot 18K to Sean Halligan and Jacinta Halligan. The application fails entirely to assess the impact on these formally documented legal property rights.
2. The Applicant failed to consult with a known, documented legal rights holder before lodging this application, despite having executed the Turbary Agreement themselves.
3. The proposed hydrological changes — including drain-blocking and the deliberate raising of water levels — would in practical terms destroy the exercise of turbary rights over Plot 18K.
4. Access rights and long-used access routes into Lemanaghan Bog, essential to the exercise of turbary rights, have not been properly assessed.
5. Downstream livestock water supplies used daily on local farms have not been properly assessed.
6. The risks of water pollution — including sediment, hydrocarbons, and cement contamination — have not been adequately addressed.
7. The aquatic assessment identifies sensitive receptors and hydrological connectivity but does not remove or adequately mitigate risk.
8. Food-chain and farming impacts on downstream farm receptors have been ignored.
9. The recent discovery of human remains dating to approximately 660 AD by members of my own family proves that the archaeological assessment is fundamentally incomplete.
10. The sacred landscape of St Manchan's Church, St Manchan's Well, St Mella's Cell, the Slí Mhór, and the wider monastic and heritage landscape of Lemanaghan would be permanently and irreversibly damaged.
11. The EIAR is incomplete, unreliable, and legally deficient.
12. The Precautionary Principle requires refusal where risks of this nature and magnitude have not been properly assessed.

18. Conclusion

I am angry and deeply upset that a place of such profound importance could be treated in this way.

Lemanaghan Bog is my home place. It is my farming landscape. It is where I hold formally documented legal turbary rights that were granted to my family by Bord na Móna themselves. It is where my livestock depend on clean water. It is where my mother walked the Slí Mhór to Mass. It is where I have spent decades helping to protect and promote St Manchan's heritage. It is where my grandchildren discovered human remains dating back to approximately 660 AD. It is a sacred, living, and still-unfolding archaeological landscape of national importance.

This development would cause permanent, irreversible harm to this place, to my legal rights, to my farming livelihood, to the heritage of this community, and to the archaeological record of Ireland.

For all of the reasons set out above, I respectfully but firmly request that An Coimisiún Pleanála refuse planning permission for the proposed Lemanaghan Wind Farm development.

Yours faithfully,

Sean Halligan

Legal Note / Reservation of Rights

This submission is made without prejudice to all property rights, turbary rights, access rights, rights of way, and any other legal remedies which may arise in connection with this application or the actions of Bord na Móna Energy Limited and its associated entities.

Appendix 1

Turbary Agreement – Bord na Móna Energy Limited to Sean Halligan and Jacinta Halligan – Dated 5 March 2019 – Plot 18K

Description and Significance

The documents reproduced below on the following pages comprise the Alternative Turbary Agreement executed on 5 March 2019 between Bord na Móna Energy Limited and Sean Halligan and Jacinta Halligan of Leamonaghan, Ballycumber, County of Offaly.

This agreement was executed by Anna Marie Curry, Company Secretary of Bord na Móna Energy Limited, and allocates to Sean Halligan and Jacinta Halligan, their successors and assigns, an exclusive right of turbary over bog Plot 18K, being part of the townland of Leamonaghan in the Barony of Garrycastle and County of Offaly. The plot comprises an area of 0.6346 hectares or thereabouts.

This is a binding legal instrument. It was created and executed by the Applicant's own related corporate entity. It constitutes a profit à prendre under Irish law — a legal property right to enter land and take part of its natural produce — and is binding on the Applicant and its successors. The Applicant cannot bring forward a development that ignores, undermines, or destroys the rights it formally granted. The agreement is referenced throughout this submission as the principal basis for the turbary rights objection.

Document reference: S8217/LANDP00177

Dated the 5th day of ^{March} 2019.

BORD NA MÓNA ENERGY LIMITED

- TO -

SEAN HALLIGAN AND JACINTA HALLIGAN

=====

ALTERNATIVE TURBARY AGREEMENT

=====

Bord na Móna Plc
Legal Department
Main Street
Newbridge
Co Kildare

S8217/LANDP00177

TURBARY AGREEMENT

I, **ANNA MARIE CURRY** Company Secretary of Bord Na Móna Energy Limited, a limited company having its registered office at Main Street, Newbridge, County Kildare hereby allocate to **SEAN HALLIGAN** and **JACINTA HALLIGAN** of Leamonaghan, Ballycumber in the County of Offaly their Successors and Assigns an exclusive right of turbary over bog Plots numbered **18K** part of the townland of Leamonaghan in the Barony of Garrycastle and County of Offaly and which said Plot comprises an area of 0.6346 hectares or thereabouts metric measure.

Dated this 5 day of March 2019.

Signed: _____

**Anna Marie Curry
Company Secretary
Bord na Móna Energy Limited
Main Street
Newbridge
Co. Kildare**

Appendix 2

Bord na Móna Ordnance Survey Map – Lemanaghan Bog Boora Works – Turbary Plot 18K shown edged RED

Description and Significance

The map reproduced below is a certified Bord na Móna Ordnance Survey map of Lemanaghan Bog — Boora Works, covering the townland of Lemanaghann, Co. Offaly. It is produced on Ordnance Survey Ireland Raster Tile No. 3367, O.S. Sheet 15, at a scale of 1:5,000, under Ordnance Survey Ireland Permit No. EN 0035517.

Turbary Plot 18K is shown on this map edged in RED. The plot is located within the bog and is the subject of the Turbary Agreement at Appendix 1. The grid reference for the map base is E616550, N727406.

This map was produced by Bord na Móna and provided to Sean Halligan and Jacinta Halligan as part of the formal turbary allocation process. It identifies the precise location and extent of Plot 18K — the turbary plot that is now threatened by the proposed development and its associated hydrological, drainage, and rehabilitation works.

An Coimisiún Pleanála is respectfully requested to note the location of Plot 18K relative to the proposed development site, the drainage infrastructure, and the proposed rehabilitation area, all of which the Applicant acknowledges are hydrologically connected to the areas where active turbary takes place.

Bord na Móna OS Map – Plot 18K edged RED – Scale 1:5,000

