

File With

SECTION 131 FORM

Appeal No

ABP— 321285

Defer Re O/H

☐

Having considered the contents of the submission dated/received 12-12-24.
from M + J Lovett I recommend that section 131 of the Planning
and Development Act, 2000 be not be invoked at this stage for the following reason(s):

no new material planning issues.

Section 131 not to be invoked at this stage.

☒

Section 131 to be invoked — allow 2/4 weeks for reply.

☐

Signed

1st Clerk

Date

15-01-25.

EO

Signed

Date

SEO/SAO

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

Date

EO

Signed

Date

AA



Planning Appeal Online Observation

Online Reference
NPA-OBS-004053

BPL40 to
ISSUE

DM 30.12.24

Online Observation Details

Contact Name	Lodgement Date	Case Number / Description
Michael and Josephine Lovett	12/12/2024 09:30:43	321285

Payment Details

Payment Method	Cardholder Name	Payment Amount
Online Payment	Michael Lovett	€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Risa Quinn
EO

Date

19/12/24

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 076740-24

Reason for Refund

Documents Returned to Observer

☐

Yes

☐

No

Request Emailed to Senior Executive Officer for Approval

☐

Yes

☐

No

Signed

EO

Date

Finance Section

Payment Reference

ch_3QV8jHB1CW0EN5FC1yAgCp5A

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

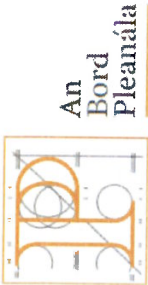
Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board Member

Date

Date

Lodgement Cover Sheet - LDG-076740-24



Details

Lodgement Date	12/12/2024
Customer	Michael and Josephine Lovett
Lodgement Channel	Web Portal
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-076740-24
Map ID	
Created By	Fergal Ryan
Physical Items Included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	2460411

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Clare County Council
Case Type (3rd Level Category)	Normal Planning Appeal PDA2000

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Paid	50.00
Refund Amount	50.00

Observation/Objection Allowed?	Yes
Payment	PMT-059844-24
Related Payment Details Record	PD-059702-24

Observation

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	The development will consist of: (i) The construction of 7 no. wind turbines with the following parameters: (a) Total tip height range of 179.5m – 180m; (b) Rotor diameter range of 149m – 155m;
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Run at: 12/12/2024 16:59

Run by: Fergal Ryan

PA Case Number	Development Description
2460411	<p>(c) Hub height range of 102.5m to 105m; (ii) Construction of associated foundations, hardstand and assembly areas; (iii) All associated wind farm underground electrical and communications cabling connecting the turbines and mast to the proposed electrical substation; (iv) Construction of 1 no. permanent 38kV electrical substation including a single-story control building with welfare facilities, all associated electrical plant and equipment, security fencing, entrance on to new access road, all associated internal underground cabling, drainage infrastructure, wastewater holding tank, retention separator tank, and all ancillary works in the townland of Killeagy (Goonan), Co. Clare; (v) A Battery Energy Storage System within the 38kV electrical substation compound; (vi) 1 no. permanent meteorological mast of c. 36.5m in height, associated foundation and hard-standing area in the townland of Shannaknock; (vii) The permanent upgrade of 1 no. existing site entrance off the L7080 ('The Gap Road') for the provision of construction and operational access; (viii) Provision of 3 no. new permanent site entrances off the L7080 for the provision of construction and operational access; (ix) Provision of 3 no. new temporary site entrances off the L7080 for the provision of construction access; (x) Upgrade of existing tracks/ roads, including the L7080 and the provision of new site access roads, 4 no. watercourse crossings, junctions and hardstand areas; (xi) 1 no. temporary construction compound with temporary offices and staff facilities in the townland of Killeagy (Goonan); (xii) 1 no. temporary storage area in the townland of Killeagy (Goonan); (xiii) 1 no. borrow pit in the townland of Killeagy (Goonan); (xiv) peat and spoil</p>

PA Decision Date	23/10/2024
County	
Development Type	
Development Address	In the townlands of Kilbane, Killeagy (Ryan), Shannaknock, Killeagy (Stritch), Killeagy (Goonan), Ballymoloney, Magherareagh and Lackareagh Beg, Co. Clare.
Appellant	
Supporting Argument	

	management; (xv) tree felling to accommodate the construction and operation of the proposed development; (xvi) operational stage site and amenity signage and (xvii) All ancillary apparatus and site development works above and below ground, including soft and hard landscaping and drainage infrastructure. A 10-year planning permission and 35-year operational life of the wind farm from the date of commissioning of the entire wind farm is sought. A design flexibility opinion issued by Clare County Council on 22nd April 2024 accompanies this application. The details unconfirmed in this application are the turbin tip height, rotor diameter and hub height, the range of parameters under which the turbine dimensions will fall are specified on this notice and in the design flexibility opinion that accompanies this application. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and will be submitted to the planning authority with the application.
Applicant	
Additional Supporting Items	Yes

Re Appeal Reference Number ABP-321285-24

Observations by Michael and Josephine Lovett, Kilbane, Broadford, Co Clare

Observations in respect of application by EDF Renewables Ireland Ltd. to construct 7 wind turbines in the Townlands of Kilbane, Killeagy (Ryan), Shannaknock, Killeagy (Stritch), Killeagy (Goonan), Ballymoloney, Magherareagh and Lackareagh Beg, Co. Clare.

The development will be visually intrusive and diminish my enjoyment of my property and the surrounding area.

The proximity of the proposed development to ~~adjacent~~ would seriously injure the amenity of the adjacent dwellings, private property and the public realm.

The development will result in stress because of the proposed diminution of amenity

The development would significantly depreciate the value of properties in the vicinity.

The development will result in the destruction of ancient landscape.

The development will cause monopolization of turbine structures limiting and prohibiting any future land use.

The proposed development cable route travelling through Glenomra Wood SAC which is an EU protected site where heavy construction equipment and disturbance to ground and Hydrology will put the SAC at risk.

The development would be visually intrusive and injure the visual amenities of the R466 which is designated as a scenic route in the Clare County Council Development plan and negatively impact on tourism in the area.

The proposed development is outside areas designated by Clare County Council as suitable for Wind Farm Developments.

The proposed development will negatively affect the lives of the most vulnerable autistic children and adults and indeed others who may present with issues of sensory overload ie, low frequency noise, shadow flicker etc.

This development will negatively impact on the future of households, farm holdings and commercial business with the ongoing construction, the huge number of heavy goods deliveries, ^{of} stone, steel and concrete. The local road structure in Kilbane has grass growing in the middle of these roads which are not suitable for HGV traffic.

The local area is now part of Acres Munster Uplands Co Operative zone, which is designated as a Hen Harrier protection zone, any large scale construction will result in the destruction of habitat and flight paths of these birds and future generations of these birds. Birdwatch Ireland recently called for national HenHarrier breeding and wintering sites to be protected from afforestation, forest management activities and wind energy.

These birds along with other bird life and mammals will suffer with habitat loss. To date no model exists whereby impact on mammals and birds can be assessed in an intensively populated turbine reservation of exceptional turbine height and wingspan on elevated ground.

Chapter 1 EIAR section 17.3 mentions several sizes of turbines, nowhere in the application ^{does} it mentions exact types of turbine to be used, How can the developer give an accurate definition of noise or shadow flicker without mentioning the specific model of turbine to be installed.

