

File With

## SECTION 131 FORM

Appeal No

ABP— 321285

Defer Re O/H

☐

Having considered the contents of the submission dated/received 16-12-24  
from P. Boland.

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

Litz Clarke

EO

Date

14-01-25.

Signed

SEO/SAO

Date

M

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

To

Task No

Allow 2/3/4 weeks

BP

Signed

EO

Date

Signed

AA

Date

L. Quinn



## Planning Appeal Online Observation

Online Reference  
NPA-OBS-004084

BPLW  
to  
ISSUE

ON 3.12.24

### Online Observation Details

Contact Name  
Paraic Boland

Lodgement Date  
16/12/2024 11:08:20

Case Number / Description  
321285

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Paraic Boland

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

EO

Date

20/12/24

### Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 07 6862

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\_3QWc9wB1CW0EN5FC1IHXWecl

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

Kilbane  
Broadford  
Co Clare  
V94 C86E

An Bord Pleanála

Date 15<sup>th</sup> December 2024

Ref: 321285 / Clare Planning File No. 2460411

Dear Sir / Madame,

With reference to the above planning application for a proposed wind farm made up of seven wind turbines and related works I wish to put on record my opposition to this proposed development and to make the following observations

I am an accountant by profession as well as an active dairy farmer in the area where my family have lived and farmed for generations. While I appreciate my qualifications are not in the areas such as wind turbine construction or biodiversity, I have enough life experience and an excellent knowledge of the local area and local nature to know that the proposed development is not suitable for this area. My private dwelling house is located on the L7080 road (Gap Road) where all traffic attending the various sites will need to travel. Despite the massive volume of paperwork and supporting documentation submitted on behalf of EDF Renewables Ireland Ltd. I believe it is vague and economical with the truth in the few areas I have looked at. I have addressed some of these on the following points which I hope you will look into in detail when considering this planning application and ultimately refuse planning permission. In addition to the points and notes I have made below I don't believe enough consideration has been given to the cumulative impact of the numerous planning applications for wind farms in our area. All of these applications, some of which have been granted permission and some of which have been dealt with by An Bord Pleanála have not have addressed the cumulative impact of all the various windfarms in our area. As a result, it's extremely likely to lead to far greater harm to the nature, water courses and habitat in the area not to mention the disruption, additional traffic and safety risks to residents in the area. In addition to the numerous windfarm applications there is also planning application submitted in the area for a new quarry / sandpit which I'm led to believe is likely to be granted permission.

#### **Traffic Management Plan**

I note on the introduction page of this report it states "*The purpose of this Traffic Management plan (TMP) is to set out traffic management measures that the Applicant will commit to provide during the construction stage of the proposed Lackareagh Wind Farm Development (Proposed Project). The successful completion of the Proposed Project will require significant coordination and planning and a comprehensive set of mitigation measures will be put in place before and during the construction stage in order to minimise the effects of the additional traffic generated on the surrounding road network*".

- **Section 2 – Delivery of abnormally sized loads transporting turbine components.**

The relevant route has been clearly identified with each part of the route broken down and the necessary works required identified. I note the extensive road widening that is required along the route including an area directly at the entrance to our family home which the EDF representative was unable to provide us with the relevant details prior to

us seeing the planning submission on Clare County Council Website. I note no authorisations have been submitted by effected land owners giving permission for removal of part of their lands or hedges. In recent years all dwelling house planning permissions granted in the Kilbane area included the condition that the ditches at the front of the dwelling house site could not be removed. I note the extensive vegetation pruning and ditch removals that are required to facilitate the moving of these large turbines, I trust the planning authority will continue this policy of not allowing for the removal of ditches. In all they state they will need to remove over 2Km of hedges / walls along with 300m of mature broadleaf trees. The submission states it will replant similar amount in its place albeit likely to be willow. This will in no way compensate for time it took for these trees to come their current mature state.

- **Section 3 – Delivery routes for general construction traffic.** Despite the fact that the construction traffic will cause the most disruption to the area for the longest period and the commitment stated by the company in the introduction above, they feel this section only requires two sentences to cover it! There clearly doesn't appear to be any real plan on how the huge volume of construction traffic including the massive number of lorries will be managed as all appear to be routed off the R466 past the church up the narrow single vehicle road into Kilbane. Also, No consideration seems to be given to the old bridge on this route which will not be able to cater for this volume and weight of traffic passing over it.
- **Section 4 – Traffic management measures during construction of the Proposed Grid Connection Route.** Our family will be directly affected during the construction of sections 5 & 6 of this. As my farm and milking parlour are located on the Broadford side of Kilbane it's likely I will have to take the proposed diversion of 17.3Km each way twice a day to carry out my milking for the approximate 18 days of construction. In all probability it's unlikely this phase will be completed within the approximate time suggested. My wife Niamh is required to work in Limerick three days a week and will also be required to take this diversion during this phase. Our children are active members of the Broadford Hurling and Camogie clubs and will also need to take this diversion which is just not workable. The construction of section 5 L3022 will also require us to use the proposed diversion for the estimated 33 days to attend work and for our children to attend secondary school in Killaloe. The proposed diversion route along L7080 is barely suitable for single vehicles and passes alongside the construction compound for this development and is in no way safe or suitable for any diverted traffic. In fact, the council had recently to stop Coillte from using a section of it due to damage caused while removing mature forestry.
- **Section 5 – General Traffic Management Measures.** It is noted that there is No mention what so ever of what measures or safe guards are being put in place for locals to carry out their day to day activities. To deal with school bus runs, milk collections, waste disposal collections, etc.

- It's stated in the submission that 13.8 Hectares of forestry will be have to permanently felled. This will result in further additional traffic passing through the village of Kilbane which as previously mentioned does not have the road infrastructure to cater for this. I am unable to find mention or calculation of the effect of this additional traffic that will happen should permission be granted

It is also stated in the submission (extract below) (Natura Impact Statement, Appendix 2, Chapter 4) that the developers intend sourcing 68% of stone requirement from a local authorised quarry Stonedirect.ie. They state they intend directing the trucks delivering stone along the L7004 for roughly 4km which can barely cater for single vehicles as it is. This is

another inaccuracy in their submission as there is no authorised quarry at the location they have indicated, there is however a stone / landscaping operator. If the trucks are not routed along the L7004 they will have to go through the centre of Broadford village to bring them along their “deliveries route” the R466. A number of years back the council refused a quarry on the outskirts of Broadford close to Stonedirect.ie location due to the excess heavy-duty traffic that it would bring through the village of Broadford. The volume of heavy-duty traffic involved in this development would have a detrimental effect of the villages of Kilbane and Broadford if given permission.

*“These materials, along with ready-mix concrete, will be sourced from nearby appropriately licenced quarries as appropriate. Appendix 4-2 of this EIAR identifies the total quantity of stone requirements for the site as 31,630m<sup>3</sup>, it has been assumed that 68% of this total stone requirement, i.e., approximately 21,630m<sup>3</sup>, will be imported from an existing, authorised quarry. For the purposes of assessment within the EIAR, an existing, authorised quarry, located approximately 5km to the west of the Proposed Wind Farm site has been selected and is shown in Figure 4-22. The proposed route for HGVs originates from StoneDirect.ie quarry near Broadford, Co. Clare and travels east along the L7004 Local Road for approximately 4km before turning left onto the L7080 for approximately 1km before entering the Proposed Project site.”*

### **Road Safety Audit Report**

In relation to the Road Safety Audit submitted I note it only refers to 4 points (A, B, C & D) all of which are located along the L7080 and all within the general construction site. It's disappointing to note that no safety audit was carried out or submitted at the four cross roads in Kilbane village just at the start of the L7080 where ALL construction traffic must go through no matter whether the proposed / agreed delivery routes are followed or not. Up to now Kilbane village is thankfully a safe area for all local children to play, cycle their bikes and hang out in. This will no longer be the case should this proposed development get the go ahead. I also wish to point out that there are no footpaths in the village and the village is in no way suitable to cater for the massive additional volume of heavy trucks that will be passing through. The company does not appear to have carried out any traffic survey in the village nor did it deem it necessary to carry out a road safety audit on the church hill road where they propose all traffic to use which leads into the village. Nor did they carry out a road safety audit along the L7004 along which they state 68% of the required stone will be transported.

### **Construction Noise Report**

It's noted in the Construction Noise Report submitted that “No significant effects resulting from construction noise are predicted”. While I appreciate that I'm not a noise expert but to state that a large number of track machines, rock breakers, thousands of lorries run moving thousands of tonnes of gravel and rock won't produce any significant noise is impossible to believe. I have noted below some of the Mitigation Measures that are recommended which I feel with the best will in the world won't be applied and are just not possible to be policed. I believe they are just included in the submission as a paper ticking exercise.

- “Vehicles will be loaded carefully to ensure minimal drop heights so as to minimise noise during this operation” (Bare in mind that there are thousands of tonnes of gravel, rocks, road surfacing to be moved) 3.9km
- “Keep local residents informed of the proposed working schedule” How does this reduce the noise Level from the machines and construction?
- “All ancillary pneumatic percussive tools will be fitted with mufflers or silencers of the type recommended by the manufacturers”

With the sample of mitigation measures from the submitted report noted above, it is not possible to police these and as a result will not be implemented thus resulting in normal

construction site noise levels. Unfortunately, due to the scale of the proposed development the noise levels will be far greater and disturbing to all locals and will have a detrimental impact on local habitats.

## **EIAR**

As stated in the Statement of Authority of this report the chapter was prepared by Neansa O'Donovan (B.Sc.) and Timothy O'Ceallaigh (B.Sc.) who I note have the necessary qualifications to prepare this report. I am however very concerned with the lack of actual work experience MKO have stated both employees have (3+ years and 1 year respectively) in this field in the preparation of such a vital document for this project that will have detrimental effects on the lives of locals and to the habits in this area.

*"Neansaí specialises in molluscs such as the Freshwater Pearl Mussels and the Kerry Slug. Neansaí also specialises in White Clawed Crayfish surveys and undertaking aquatic eDNA sampling"*  
Unfortunately none this experience is relevant to this project or area.

**6.5.2.1.3 Assessment of Potential Effects on Wet heath (HH3) and Upland Blanket Bog (PB2)** - As you will be aware it is currently a hot topic in environmental discussions about rewetting of areas and bogs and I note under the above heading the report states that *"the potential for indirect effects to nearby peatland habitats as a result of drainage effects from the adjacent construction areas requires further assessment"*. Unfortunately, this is a concern with many of the aspects of this application that most of the indirect effects will not be known until it's too late to rectify. There are a quite a number of "requires further assessment" statements throughout the applications which is extremely concerning.

## **Air Quality**

I note in the Air Quality chapter that the report writers state that the emissions from the large number of heavy-duty machinery and the dust disturbance that will result by this vast unsuitable development is *"considered a short-term slight negative effect"*. While I appreciate the report writer has a qualification in this field, I am concerned by their relative lack of work experience to make such a statement.

During extended dry periods the flow of water in all local streams substantially reduce with many farmers in the area having to make alternative arrangements to source water for their cattle. I am concerned the effects this development will have on this by further reducing water access. I note the report writer suggests withdrawing further water from already depleted areas during these extended dry spells and spreading on the various roadways, sites to minimise dust

*"In periods of extended dry weather, dust suppression may be necessary along the haul roads, site roads, Proposed Grid Connection Route, road widening sections, onsite 38kV substation, and construction compounds to ensure dust does not cause a nuisance. If necessary, such as during periods of dry weather, de-silted water will be taken from stilling ponds in the site's drainage system and will be pumped into a bowser or water spreader to dampen down haul roads, turbine bases, and site compounds to prevent the generation of dust where required"*

## **Impact on future planning applications and community development**

The applicant has stated that there is very little surveys / reports done in Ireland into the effect on house and property prices due to the development of large wind farms, as a result they have chosen the view that they do not impact the valuations. Our family home along with many others in the area are likely to be effected by both flicker and noise from the turbines. The applicant states they will put mitaging measures in place to reduce these

effects, will they? If a family had the choice of whether to set up home near a wind turbine farm or not, I think it's fair to say they would choose not to if all else was equal. If planning permission is granted it will effectively sterilise the properties in the vicinity of the turbines thus stopping any future developments in the area. This will have long term knock on effects to the whole community including dwindling numbers in our local national school along with detrimental effects to our local clubs such as Broadford Hurling and Camogie Clubs.

### **Conclusion**

While I appreciate the need for renewal energy and the need for a reduction on our dependency on polluting energy sources, it is vital that wind farms are given permission in suitable areas that have minimal effect to local communities and local habitats.

Unfortunately, the proposed location for this wind farm is in no way suitable for the Kilbane area. The long lasting negative effects it will have on the Kilbane and surrounding areas will far outweigh any small environmental and financial gains. I therefore hope that the planning authority will refuse this planning application

Yours sincerely

Paraic Boland

