

File With

## SECTION 131 FORM

Appeal No

ABP— 321285

Defer Re O/H

☐

Having considered the contents of the submission dated/received

10-12-24

from Philip Mera

I recommend that section 131 of the Planning and Development Act, 2000 be/not be invoked at this stage for the following reason(s):

n= 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

Lith (Lith)

EO

Date

15-01-25.

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



## Planning Appeal Online Observation

Online Reference  
NPA-OBS-004048

BPHO  
to  
ISSUE

OM 31.12.24

### Online Observation Details

Contact Name  
Philip Horan

Lodgement Date  
10/12/2024 12:05:21

Case Number / Description  
321285

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Philip HOran

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

EO

Date

19/12/24

### Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 07 66 97-24

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\_3QUSBpB1CW0EN5FC0QQZs8iS

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

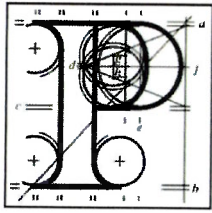
SEO (Finance)

Authorised By (2)

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

Date

Date



An  
Bord  
Pleanála

## Observation on a Planning Appeal: Form.

### Your details

#### 1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

Philip and Aileen Horan

(b) Address

Lisroe Kilbane Broadford Co. Clare V94 VAP6

### Agent's details

#### 2. Agent's details

If you are an agent and are acting for someone else **on this observation**, please **also** write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Click or tap here to enter text.

(b) Agent's address

Click or tap here to enter text.



## Postal address for letters

3. During the appeal process we will post information and items to you **or** to your agent. For this observation, who should we write to? (Please tick ✓ one box only.)

**You (the observer) at the address in Part 1**

☒

**The agent at the address in Part 2**

☐

## Details about the proposed development

4. Please provide details about the appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

**(a) Planning authority**

(for example: Ballytown City Council)

Clare County Council

**(b) An Bord Pleanála appeal case number (if available)**

(for example: ABP-300000-19)

ABP-318846-24

**(c) Planning authority register reference number**

(for example: 18/0123)

P24-60411

**(d) Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Toenlans of Kilabe, Killeagy(ryan), Shannaknock, Killeagy(Stritch),  
Killeagy(Goonan), Ballymoloney, Magherareagh, and Lackareagh Beg. Co  
Clare

## Observation details

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

**Dear Sir/Madam,**

I am writing to strongly oppose EDF's appeal to erect wind turbines in Kilbane, County Clare. This proposal represents a catastrophic misjudgment of priorities, threatening one of Ireland's most historically, ecologically, and culturally significant areas. It would cause irreversible damage to the region's natural beauty, biodiversity, and heritage. Such a development in this location is not only unnecessary but entirely inappropriate and indefensible.

The reasons for this opposition are numerous and compelling. Below, I outline the profound impacts this project would have and urge **An Bord Pleanála** to unequivocally reject the appeal.

### **1. Visual Destruction of a Scenic and Protected Landscape**

The Kilbane-Broadford area, located at the foothills of **Slieve Bernagh**, is part of a landscape of unparalleled scenic value. It offers panoramic views of the **Shannon Basin, Lough Derg**, and the rolling hills of County Clare. This area is recognized for its **specific scenic amenity designations**, which emphasize the importance of preserving its unspoiled character.

The proposed turbines—towering industrial structures exceeding 178 meters—would dominate this pristine environment, permanently destroying the harmony and balance of the landscape. Once erected, they will become a **permanent blight**, visible for miles and casting a shadow over the entire area. The siting of turbines in such a location is a betrayal of the community's trust that protected landscapes will remain preserved for future generations.

County Clare's natural beauty is a cornerstone of its identity, attracting visitors and supporting sustainable tourism. The turbines would irreversibly alter this identity, tarnishing the very asset that underpins the local economy. The Board has a duty to ensure this heritage is not sacrificed for short-term industrial gain.

### **2. Environmental Devastation and Risk to the Shannon Basin**

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

The proposed wind farm presents severe risks to the **Shannon Basin** and its interconnected watercourses, which are vital ecological and hydrological systems. Construction activities, including excavation and transportation of turbine components, would lead to significant ground disturbance, increasing the risk of **sedimentation, water pollution, and habitat destruction**.

The Shannon Basin is a critical waterway for both wildlife and human communities downstream. Allowing such activities in this area risks damaging this delicate system, with long-term consequences for biodiversity, agriculture, and water quality. EDF's failure to present robust mitigation measures for these risks further underscores the unsuitability of this location for industrial development.

### 3. Threat to Rare and Protected Wildlife

The Kilbane-Broadford area is home to several rare and protected species, including the **barn owl** and **hen harrier**. Both are highly sensitive to environmental disruptions caused by industrial activity, particularly wind turbines.

- **Barn Owls:** There is a documented **barn owl nest in Kilbane village**, directly contradicting EDF's claim that no such nests exist nearby. Barn owls are already in steep decline in Ireland due to habitat loss, secondary poisoning, and road collisions. Turbines pose an additional existential threat through habitat displacement and collision risks.
- **Hen Harriers:** Known to nest in the uplands and heathlands surrounding **Slieve Bernagh**, these iconic raptors are already classified as endangered. Wind turbines fragment their habitat and disrupt their hunting grounds, leading to further population declines.

The failure to account for these species in EDF's planning application demonstrates a profound disregard for Ireland's obligations under biodiversity and wildlife protection laws.

### 4. Irreparable Damage to Cultural and Archaeological Heritage

The Kilbane area is one of the richest archaeological landscapes in County Clare, with a history spanning thousands of years. Notable heritage sites include:



5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

- **Formoyle Beg Hillfort:** A recorded monument dating back 3,500 years, this hillfort offers critical insights into the region's prehistoric settlement and strategic importance.
- **Kilbane and Surrounding Townlands:** Enclosures, ringforts, and wedge tombs documented in the "**Archaeology-RMP-Clare-Manual-(1997)**" further emphasize the area's archaeological significance.

Placing turbines in proximity to these sites would diminish their historical and cultural value, disrupting their context and obscuring their connection to the surrounding landscape. Allowing this would be an act of cultural vandalism. The Board has a responsibility to ensure that Ireland's heritage is preserved, not destroyed for industrial gain.

### 5. Lack of Transparency and Incomplete Planning Application

EDF's planning application is riddled with omissions and inaccuracies, raising serious concerns about their commitment to transparency and thorough assessment.

- **Failure to Recognize Barn Owl Nest:** EDF incorrectly claims no barn owl nests exist nearby, despite clear evidence of one in Kilbane village.
- **No Delivery Route Plans:** The omission of turbine and stone delivery routes makes it impossible to assess the full logistical and environmental impact of construction.
- **Neglect of Archaeological Sites:** The application fails to adequately reference significant monuments in Kilbane, Fermoy Beg, and Killeaghy, ignoring their cultural and historical importance.

Such omissions undermine the credibility of the proposal and highlight the applicant's disregard for the comprehensive assessment required for a project of this magnitude.

### 6. Better Alternatives Exist

While renewable energy is essential for combating climate change, it must be implemented responsibly. Offshore wind farms, such as the **Moneypoint Offshore Wind Project**, offer a far more suitable alternative. Offshore turbines produce greater energy yields without jeopardizing inland landscapes, wildlife, or communities.



5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

There is no justification for placing industrial turbines in Kilbane when less intrusive and more efficient alternatives are readily available. The Board must prioritize projects that balance renewable energy goals with the preservation of Ireland's natural and cultural heritage.

### **Conclusion**

The proposed wind farm in Kilbane is an affront to the principles of environmental preservation, cultural heritage protection, and community well-being. It threatens to destroy an area of immense beauty and historical importance, cause irreversible damage to biodiversity, and disrupt the lives of residents who have cherished this landscape for generations.

I urge **An Bord Pleanála** to reject EDF's appeal decisively and uphold the original refusal. Allowing this project to proceed would set a dangerous precedent, demonstrating a willingness to sacrifice Ireland's most treasured landscapes for industrial exploitation. We have a duty to protect Kilbane for ourselves and for the generations who will inherit this land.

<https://youtu.be/HSW3EzIN32I?feature=shared>

## Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

## Fee

7. You **must** make sure that the correct [fee](#) is included with your observation. You can find out the correct fee to include in our [Fees and Charges Guide](#) on our website.

This document has been awarded a Plain English mark by NALA.

Last updated: April 2019.

