

File With \_\_\_\_\_

**CORRESPONDENCE FORM**

Appeal No: ABP 306736-20

M S. Ledwith

Please treat correspondence received on 1/4/2020 as follows:

<p>1. Update database with new agent for Applicant/Appellant _____</p> <p>2. Acknowledge with BP <del>20</del> <u>BPRL20</u></p> <p>3. Keep copy of Board's Letter <input type="checkbox"/></p>	<p>1. RETURN TO SENDER with BP _____</p> <p>2. Keep Envelope: <input type="checkbox"/></p> <p>3. Keep Copy of Board's letter <input type="checkbox"/></p>
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<b>Amendments/Comments</b>
<i>Response to Referral</i>

<p><b>4. Attach to file</b></p> <p>(a) R/S <input type="checkbox"/>      (d) Screening <input type="checkbox"/></p> <p>(b) GIS Processing <input type="checkbox"/>      (e) Inspectorate <input type="checkbox"/></p> <p>(c) Processing <input type="checkbox"/></p>	<p>RETURN TO EO <input checked="" type="checkbox"/></p>
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	<p>Plans Date Stamped <input type="checkbox"/></p> <p>Date Stamped Filled in <input type="checkbox"/></p>
EO: <u>Sineha Steelly</u>	AA: <u>[Signature]</u>
Date: <u>14/4/2020</u>	Date: <u>16/04/20</u>

**SECTION 131 FORM**

Appeal NO: ABP ~~367~~ 306936-20

Defer Re O/H

TO:SEO

Having considered the contents of the submission dated received 1/4/2020  
from

Mauriceban Wind Farm I recommend that section 131 of the Planning and Development Act, 2000

be not invoked at this stage for the following reason(s): no new material planning  
ISSUES

E.O.: Sorcha Kelly

Date: 14/4/2020

To EO: \_\_\_\_\_

Section 131 not to be invoked at this stage.

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

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached submission

to: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

27 March 2020

Our ref: MAUR  
Your ref: ABP-306736-20  
LCCC ref: EC11/20



**Re: Whether the removal of trees along the side of the roadway at Glenduff, Ballaugh, Co. Limerick is or is not Development or is or is not Exempted Development**

Dear Sir or Madam,

Highfield Energy Services Limited, as project manager for Mauricetown Wind Farm, has been requested and authorised to make a submission to An Bord Pleanála in relation to the above matter by and on behalf of Mauricetown Wind Farm Limited.

It is noted that the precise matter in question was addressed by Section 5 Declaration Ref:EC58/19 issued by Limerick City and County Council. We further note that the issue date of Declaration Ref:EC58/19 was 2 January 2020.

It is our understanding that Declaration Ref:EC11/20, which is the subject of the current referral, is simply a restatement of Declaration Ref:EC58/19. Therefore, there is a prior, valid unappealed Declaration made by the local planning authority in accordance with a separate reference and the relevant planning facts or circumstances have not changed between the issuing of the local authority's Declaration and the subsequent referral. Consistent with recent case law on this matter it is our understanding that the Declaration determining that this is Development and is Permitted Development is valid and can be relied upon.

Without prejudice to the above some further comments are provided below with respect to this matter.

The location of the trees that are the subject of this Section 5 referral are noted by reference to the Google Maps satellite imagery hand marked by the Referrer and in particular reproductions of drawings ref. ASHF d003.7.2 and ASHF d003.7.12 which accompanied the planning application Ref:12/379 and ABP Ref: PL13.240910.

The Referrer has made reference to an "exclusion zone" at the indicated location on a number of occasions which is not correct. The series of drawings ref. d003.7.XX are the "key map" and "block plans" for the overall development submitted as part of the planning application. They share a common legend which is reproduced on each drawing.



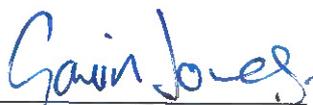
The "exclusion zone" is an area outlined in blue and hatched in blue that is clearly visible on drawing ref. ASHF d003.7.2 and ASHF d003.7.3. This exclusion, and the reason it is this colour, is to clearly indicate an area that is "excluded" from the statutory blue line boundary indicating lands owned by the landowners involved in the planning application.

At the location that is the subject of this Referral, the area within the red line boundary is outlined in cyan and reference to the legend illustrates that this is "proposed access tracks" and this can also be seen elsewhere within this drawing series.

As can be seen from reference to the original planning file this is not new information, it was available to the local authority in the course of making their decision on this matter and there is clearly no change to the facts or circumstances.

Drawings ref. ASHF d003.7.2, ASHF d003.7.3, ASHF d003.7.12 and ASHF d003.7.13 are attached for reference but also form part of the original planning file.

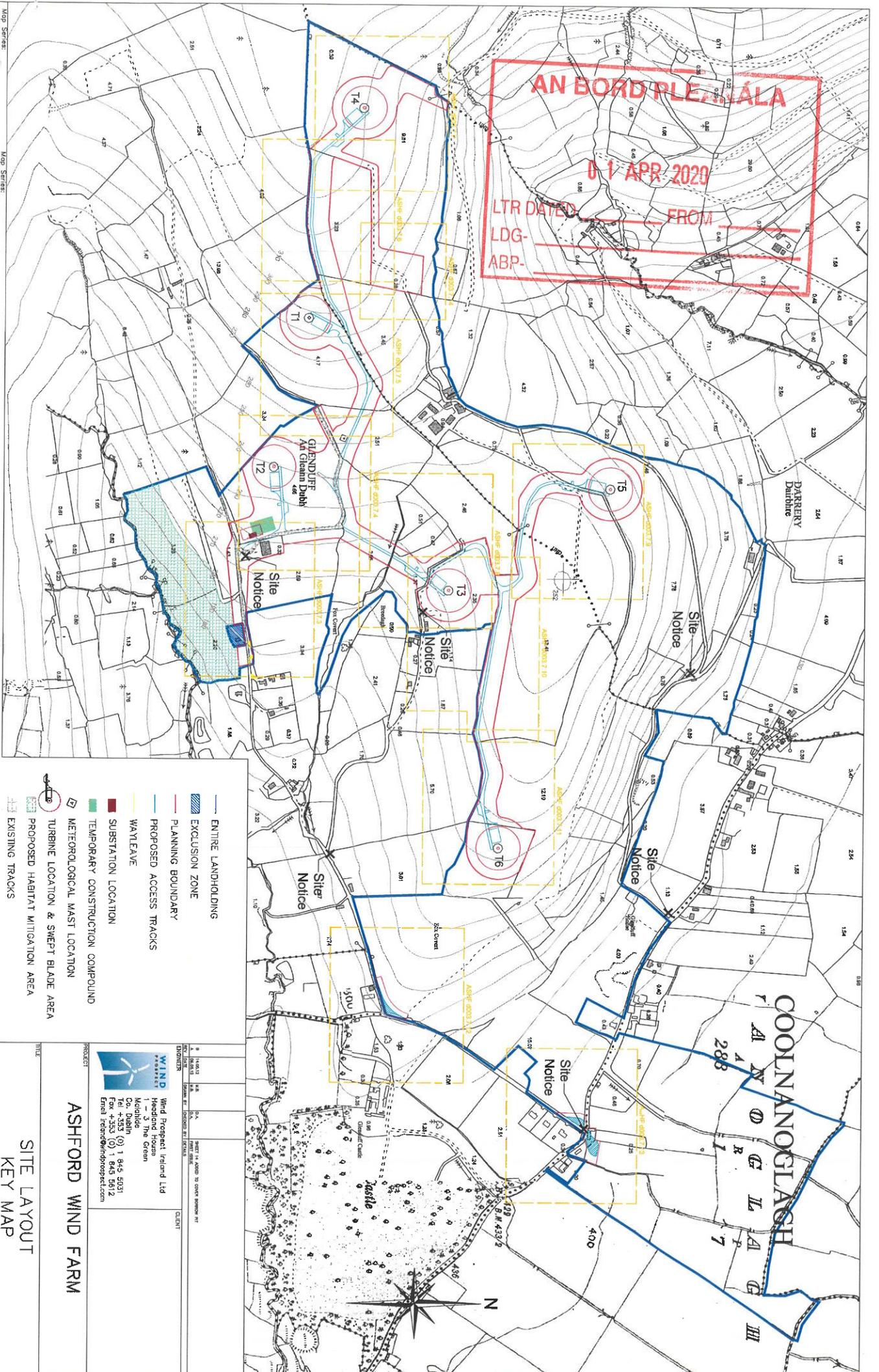
Yours faithfully,



Gavin Jones  
Project Manager  
Highfield Energy Services Limited







- ENTIRE LANDHOLDING
- EXCLUSION ZONE
- PLANNING BOUNDARY
- PROPOSED ACCESS TRACKS
- WATLEAVE
- SUBSTATION LOCATION
- TEMPORARY CONSTRUCTION COMPOUND
- METEOROLOGICAL MAST LOCATION
- TURBINE LOCATION & SWEPT BLADE AREA
- PROPOSED HABITAT MITIGATION AREA
- EXISTING TRACKS

MAP SERIES: 1:5000  
SCALE: 6 inch

MAP SERIES: 1:5000  
SCALE: 6 inch

E406  
 REVISION DATE = 24-Jun-2006  
 SURVEY DATE = 31-Jul-2000  
 E407  
 REVISION DATE = 24-Jun-2006  
 SURVEY DATE = 31-Jul-2000  
 L0033-0854  
 REVISION DATE = 31-Dec-1992  
 SURVEY DATE = 31-Dec-1992  
 LEVELLED DATE = 31-Dec-1998

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**WIND PROJECT**

Wind Prospect Ireland Ltd  
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 1 - 3 The Green  
 Knockree  
 Co. Dublin  
 Tel: +353 (0) 1 945 5031  
 Fax: +353 (0) 1 945 5612  
 Email: Ireland@windprospect.com

**CLIENT**

ASHFORD WIND FARM

**TITLE**

ASHFORD WIND FARM  
 SITE LAYOUT  
 KEY MAP

**PROJECT**

FOR PLANNING

**SCALE**

1:5000

**DRAWN BY**

M. BROWNE

**CHECKED AND APPROVED**

D. AIKEN

**DATE**

02/04/2012

**DATE**

02/04/2012

**PROJECT NUMBER**

ASHF d003.7.2

**DATE**

02/04/2012

**REVISION**

B

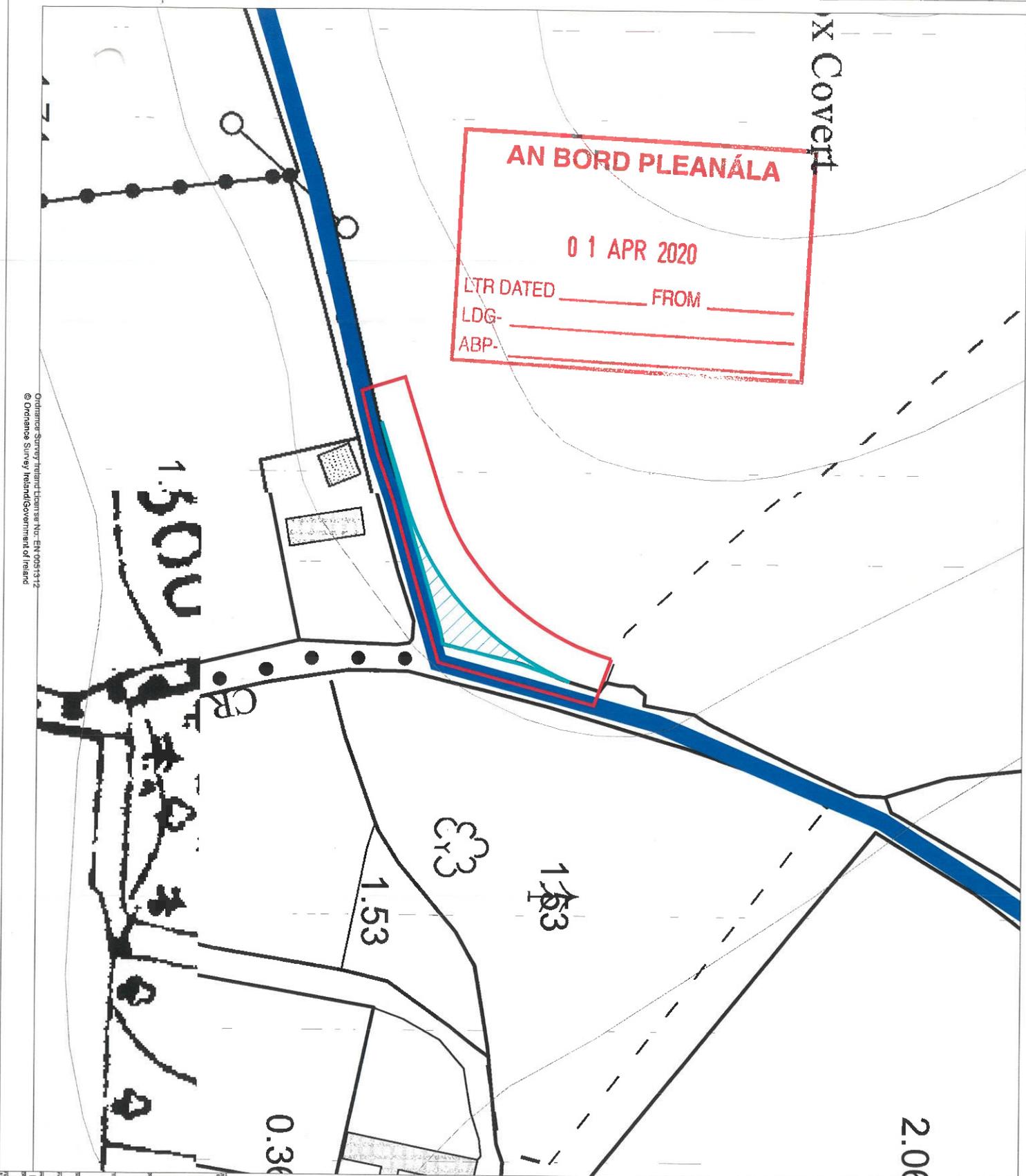






1500  
CR  
153  
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2.06  
X Coverd

**AN BORD PLEANÁLA**  
**01 APR 2020**  
 LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_  
 LDG- \_\_\_\_\_  
 ABP- \_\_\_\_\_



- ENTIRE LANDROUING
- EXCLUSION ZONE
- PLANNING BOUNDARY
- PROPOSED ACCESS TRACKS
- WAYLEAVE
- SUBSTATION LOCATION
- TEMPORARY CONSTRUCTION COMPOUND
- METEOROLOGICAL MAST LOCATION
- TURBINE LOCATION & SWEEP BLADE AREA
- PROPOSED HABITAT MITIGATION AREA
- EXISTING TRACKS



Scale: 1:500  
 Date: 01/04/2020  
 Drawn: D. Aiken  
 Checked: M. Browne  
 Approved: D. Aiken  
 Date: 02/04/2012



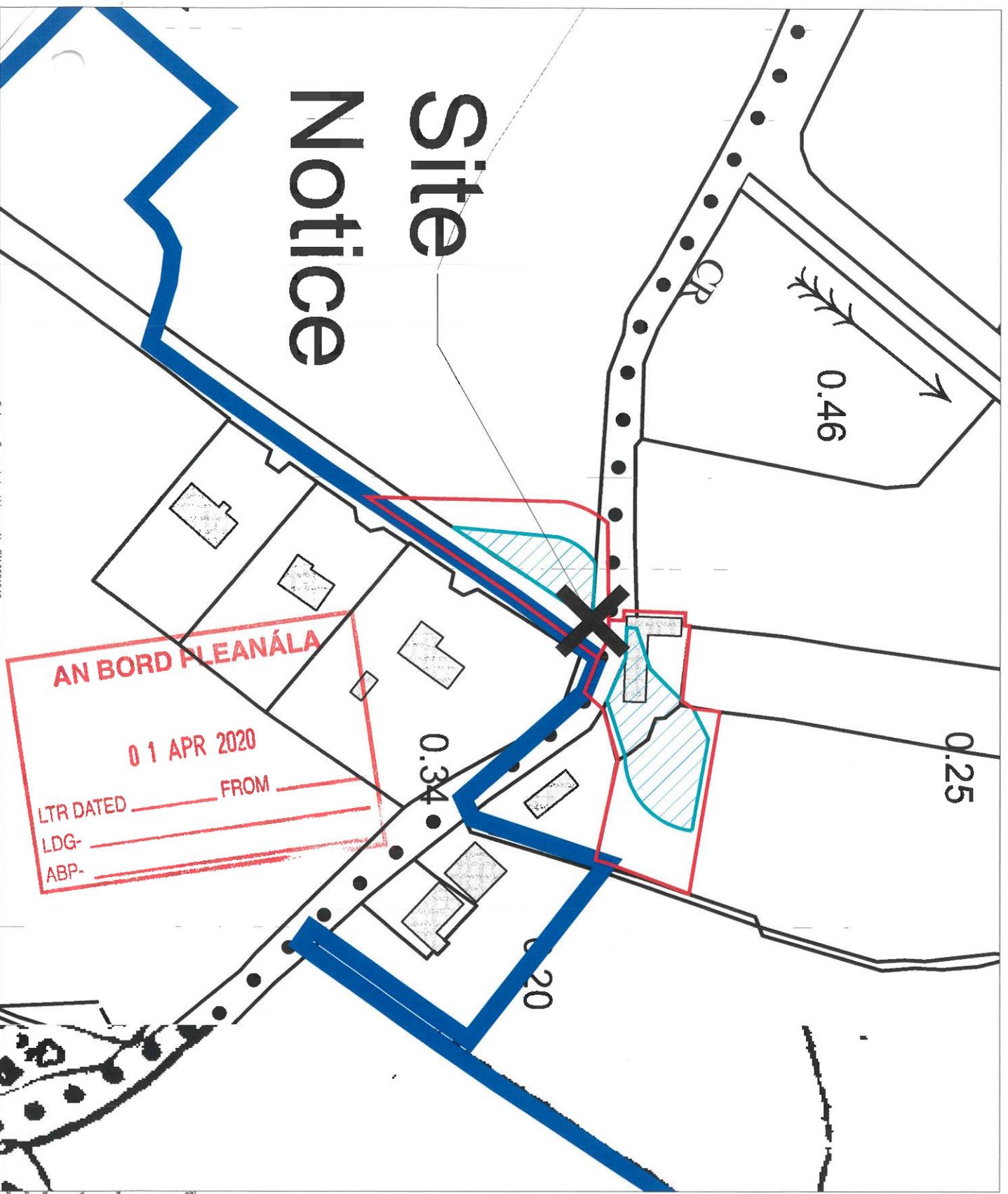
ASHFORD WIND FARM

SITE LAYOUT BLOCK PLAN  
 APPROACH CORNER - SOUTH EAST

SCALE	1:500	DATE	02/04/2012
PROJECT	ASHFORD WIND FARM		
DESIGNED BY	M. BROWNE	CHECKED AND APPROVED	D. AIKEN
DRAWN BY	D. AIKEN	DATE	02/04/2012
SCALE	A		



# Site Notice



**AN BORD PLEANÁLA**  
 01 APR 2020  
 LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_  
 LDG- \_\_\_\_\_  
 ABP- \_\_\_\_\_

- EXISTING LANDHOLDING
- EXCLUSION ZONE
- PLANNING BOUNDARY
- PROPOSED ACCESS TRACKS
- WASTE LEAVE
- SUBSTATION LOCATION
- TEMPORARY CONSTRUCTION COMPOUND
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- EXISTING TRACKS



**Map Scale:**  
 1:5000  
 ASH FORD WIND FARM  
 DESIGN DATE = 24-Jun-2006  
 SURVEY DATE = 21-Jul-2000  
 MAST LOCATION DATE = 24-Jun-2006  
 SURVEY DATE = 21-Jul-2000  
 Map Scale:  
 1:5000  
 DESIGN DATE = 24-Jun-2006  
 SURVEY DATE = 21-Jul-2000  
 MAST LOCATION DATE = 24-Jun-2006  
 SURVEY DATE = 21-Jul-2000

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 Email: info@wpi.ie

ASHFORD WIND FARM

SITE LAYOUT BLOCK PLAN  
 APPROACH CORNER – NORTH EAST

SCALE	1:500
DATE	02/04/2012
DRAWN BY	D. KANEV
CHECKED BY	M. BROWNE
PROJECT NO.	ASHF_0003.7.13

