

**PLANNING APPLICATION FORM.**

**BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING:**

**It is a requirement under Section 38 of the Planning & Development Act 2000 - 2015 that this Planning Authority must make all documentation submitted as part of a planning application available for inspection and purchase at the planning office and also available for review on our website.**

**Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information will lead to the invalidation of your application. Therefore please ensure that each section of this application form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to your application form.**

**OTHER STATUTORY CODES**

An applicant will not be entitled solely by reason of a planning permission to carry out the development. The applicant may need other consents, depending on the type of development. For example, all new buildings, extensions and alterations to, and certain changes of use of existing buildings, must comply with building regulations, which set out basic design and construction requirements. Also, any works causing the deterioration or destruction of the breeding and resting places of bats, otters, natterjack toads, Kerry slugs and certain marine animals, constitute a criminal offence unless covered by a derogation licence issued by the Minister for Arts, Heritage and the Gaeltacht (pursuant to Article 16 of the Habitats Directive).

**DATA PROTECTION**

It is the responsibility of persons or entities wishing to use any personal data on a planning application form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 to 2018. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including the prosecution.

## PLANNING APPLICATION FORM

### BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING:

#### STANDARD PLANNING APPLICATION FORM AND ACCOMPANYING DOCUMENTATION:

*Please ensure that each section of this application form is fully completed and signed. The applicant should enter n/a (not applicable) where appropriate.*

*Please ensure that all necessary documentation is attached to your application form.*

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information will lead to the invalidation of your application.

#### ADDITIONAL INFORMATION

*It should be noted that each planning authority has its own development plan, which sets out local development policies and objectives for its own area. The authority may therefore need supplementary information (i.e. other than that required in this form) in order to determine whether the application conforms with the development plan and may request this on a supplementary application form.*

*Failure to supply the supplementary information will not invalidate your planning application. However, if it is not supplied, the planning authority may not be able to reach a decision on whether or not to grant permission on the basis of the information available to it. Therefore failure to supply this information could delay the decision on an application or lead to a refusal of permission.*

*Applicants should therefore contact the relevant planning authority to determine what local policies and objectives would apply to the development proposed and whether additional information is required.*

# KERRY COUNTY COUNCIL PLANNING APPLICATION FORM



**Comhairle Contae Chiarraí, Áras an Chontae, Trá Lí, Co. Chiarraí**  
 Guthán: (066) 7183582 E-mail: [plan@kerrycoco.ie](mailto:plan@kerrycoco.ie) Faics: (066) 7120328  
**Kerry County Council**, County Buildings, Tralee, Co. Kerry  
 Tel: (066) 7183582 Web: <http://www.kerrycoco.ie> Fax: (066) 7120328

*Please note, where a reference number appears after a question e.g. Q5. Applicant<sup>2</sup> you may refer to the 'Directions for completing this form' section at the back of this document.*

**All personal data collected is in compliance with the requirements of the General Data Protection Regulation (GDPR) 2016, and Data Protection Acts 1988 to 2003. Individual privacy notices for each section/service are available at [www.kerrycoco.ie](http://www.kerrycoco.ie)**

**1. Name of Relevant Planning Authority:**

KERRY COUNTY COUNCIL

**2. Location of Proposed Development:**

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Ballynagare Wind Farm Limited (the Applicant) is seeking planning permission to construct a wind energy development on land at Ballynagare, approximately 9km west of Listowel and approximately 2km north of Lixnaw County Kerry. The development is located in the townlands of Ballynagare, Dysert Marshes, Farrandeen, Monument. Knockaunacurraheen, Ballintogher, Ballnageragh, Clooncolla, Ballyhorgan West, Ballyhorgan East, Lissahane, Knockburrane, Ballygarret, Banemore, and Pallas.
<i>Ordnance Survey Map Ref No (and the Grid Reference where available)<sup>1</sup></i>	OS Maps OS0812  Map Refs 5151, 5152, 5153, 5213, 5214, 5215, 5275, 5276, 5277

**3. Type of planning permission (please tick appropriate box):**

- Permission
- Permission for retention
- Outline Permission
- Permission consequent on Grant of Outline Permission

**4. Where planning permission is consequent on grant of outline permission:**

Outline Permission Register Reference Number: \_\_\_\_N/A\_\_\_\_

Date of Grant of Outline Permission: \_\_\_\_/\_\_\_\_/\_\_\_\_

**5. Applicant<sup>2</sup>:**

<i>Name(s)</i>	Ballynagare Wind Farm Limited
	Contact details to be supplied at the end of this form (Question 24) Contact details supplied

**6. Where Applicant is a Company (registered under the Companies Acts):**

<i>Name(s) of company director(s)</i>	Seán Mac Cann and Diarmuid Twomey
<i>Registered Address (of company)</i>	2 Dublin Landings, North Wall Quay, Dublin 1, D01 V4A3 Dublin 1
<i>Company Registration No.</i>	656800

**7. Person/Agent acting on behalf of the Applicant (if any):**

<i>Name</i>	Meabhann Crowe of MKO (Agents)
	Address to be supplied at the end of this form. (Question 25) Address supplied.

**8. Person responsible for preparation of Drawings and Plans<sup>3</sup>:**

<i>Name</i>	Mr Joe O'Brien
<i>Firm/Company</i>	MKO (Agents)

## 9. Description of Proposed Development<sup>4</sup>:

<i>Brief description of nature and extent of development</i>	<p>Ballynagare Wind Farm Limited (the Applicant) is seeking planning permission to construct a wind energy development on land at Ballynagare, approximately 9km west of Listowel and approximately 2km north of Lixnaw County Kerry. The development is located in the townlands of Ballynagare, Dysert Marshes, Farrandeen, Monument. Knockaunacurraheen, Ballintogher, Ballnageragh, Clooncolla, Ballyhorgan West, Ballyhorgan East, Lissahane, Knockburrane, Ballygarret, Banemore, and Pallas.</p> <p>The development comprises:</p> <ul style="list-style-type: none"><li>● Construction of 7 no. wind turbines with the following maximum and minimum parameters:<ul style="list-style-type: none"><li>○ Overall ground to blade tip height in the range of 170m maximum to 169.5m minimum</li><li>○ Hub height of 95m</li><li>○ Rotor diameter in the range of 150m maximum to 149m minimum</li></ul></li><li>● Turbine hardstand areas;</li><li>● Provision of 1 no. permanent meteorological mast with a height of 110 metres</li><li>● Upgrade of existing roads and access junctions</li><li>● Provision of new site entrances, roads and hardstand areas</li><li>● 2 no. temporary peat storage areas</li><li>● 2 no. temporary construction compounds</li><li>● 1 no. borrow pit</li><li>● All site drainage works</li><li>● 1 no. onsite 38kV substation, control building and plant, associated security fencing and wastewater holding tank</li><li>● All associated underground electrical and communication cabling connecting the turbines to the proposed on-site substation</li><li>● Connection of the proposed 38kV on-site substation via underground cable in the public road to the entrance of the existing Clahane 110kV substation in the townland of Pallas</li></ul>
--	--

	<ul style="list-style-type: none"> <li>All ancillary site and ground works, apparatus and signage</li> </ul> <p>The application is seeking a ten-year planning permission and 35 year operational life from the date of commissioning of the wind farm.</p> <p>The application is accompanied by a Natura Impact Statement (NIS) and Environmental Impact Assessment Report (EIAR).</p>
--	---

**10. Legal Interest of Applicant in the Land or Structure:**

<i>Please tick appropriate box to show applicant's legal interest in the land or structure</i>	<i>A. Owner</i>	<i>B. Occupier</i>
	<i>C. Other</i> X	
<i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>	The Applicant has obtained consent from relevant landowners – please refer to information sheet appended to this application form. The proposal also seeks planning permission for the laying of grid connection cabling in the public road to the site of the existing Clahane 110kV substation. These works will be undertaken by a statutory undertaker having the right and interest to provide the services proposed.	
<i>If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation</i>	The Applicant has obtained consent from relevant landowners – please refer to information sheet appended to this application form	

**11. Site Area:**

<i>Area of site to which the application relates in hectares</i>	90.1 ha
--	---------

**12. Where the application relates to a building or buildings:**

<i>Gross floor space<sup>5</sup> of any existing building(s) in m<sup>2</sup></i>	N/A
<i>Gross floor space<sup>5</sup> of proposed works in m<sup>2</sup></i>	158m <sup>2</sup>
<i>Gross floor space<sup>5</sup> of work to be retained in m<sup>2</sup> (if appropriate)</i>	N/A

<i>Gross floor space<sup>5</sup> of any demolition in m<sup>2</sup> (if appropriate)</i>	N/A
--	-----

**13. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and breakdown of the gross floor area of each class of development:**

<i>Class of Development</i>	<i>Gross floor area in m<sup>2</sup></i>
N/A	N/A
N/A	N/A
N/A	N/A

**14. In the case of residential development please provide breakdown of residential mix:**

<i>Number of</i>	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4+ Bed	Total
<i>Houses</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<i>Apartments</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<i>Number of car-parking spaces to be provided</i>	Existing: N/A		Proposed: N/A			Total: N/A	

**15. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:**

<i>Existing use<sup>6</sup> (or previous use where retention permission is sought)</i>	Peat bog (non-commercial) Rough grazing Agriculture Infrastructure
<i>Proposed use (or use it is proposed to retain)</i>	Wind farm and associated works as described at section 9 of this form. Permission is sought for an operational life of the wind farm of 35 years.
<i>Nature and extent of any such proposed use (or use it is proposed to retain)</i>	Wind farm and associated works as described at section 9 of this form. Permission is sought for an operational life of the wind farm of 35 years.

**16. Social and Affordable Housing**

Please tick appropriate box	Yes	No
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?</i> <sup>7</sup>	N/A	N/A
<p>If the answer to the above question is “yes” and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with Section 96 of Part V of the Act including, for example,</p> <p>(i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the planning authority’s functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority’s functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and</p> <p>(ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act.</p> <p>If the answer to the above question is “yes” but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000<sup>8</sup>, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted).</p> <p>If the answer to the above question is “no” by virtue of section 96(13) of the Planning and Development Act 2000<sup>9</sup>, details indicating the basis on which section 96(13) is considered to apply to the development should be submitted.</p>	N/A	N/A



### 17. Development Details

<i>Please tick appropriate box</i>	<i>Yes</i>	<i>No</i>
<i>Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?</i>		X
<i>Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?</i>		X
<i>Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994<sup>10</sup></i>	X	
<i>Does the proposed development require the preparation of an Environmental Impact Assessment Report<sup>11</sup>? (if yes, please see Page 14 of this form)</i>	X	
<i>Does the application relate to work within or close to a European Site (under S.I. No.94 of 1997) or a Natural Heritage Area?<sup>12</sup></i>	X	
<i>Does the application relate to a development which comprises or is for the purposes of an activity requiring an integrated pollution prevention and control licence?</i>		X
<i>Does the application relate to a development which comprises or is for the purposes of an activity requiring a waste licence?</i>		X
<i>Do the Major Accident Regulations apply to the proposed development?</i>		X
<i>Does the application relate to a development in a Strategic Development Zone?</i>		X
<i>Does the proposed development involve the demolition of any structure<sup>12</sup>?</i>		X

## 18. Site History

Details regarding site history (if known)

Has the site in question ever, to your knowledge, been flooded?

Yes  No

If yes, please give details e.g. year, extent. [Please refer to the Flood Risk Assessment included in Chapter 8 of the EIAR](#)

Are you aware of previous uses of the site e.g. dumping or quarrying?

Yes  No

If yes, please give details. [Peat cutting](#)

Are you aware of any valid planning applications previously made in respect of this land/structure?

Yes  No

If yes, please state planning reference number(s) and the date(s) of receipt of the planning application(s) by the planning authority if known:

Reference No.: 06/550 Date: 22/02/2006  
No.: 21/1338 Date: 24/11/2021

If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then the site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development Regulations 2001 as amended.

***Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development <sup>13</sup>?***

Yes  No

An Bord Pleanála Reference No.:  
N/A

**19. Pre-application Consultation**

<b><i>Has a pre-application consultation taken place in relation to the proposed development <sup>14</sup>?</i></b>
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, please give details: <i>Please see the appended minute from the Council</i>
Reference No. (if any): <i>PP 21/152</i>
Date(s) of consultation: <i>02 / 06 / 2021</i>
Persons involved: <i>Michael Lynch, Kerry County Council Snr. Executive Engineer; Alex Kelly (Applicant), Michael O'Connor (Applicant), Marc McLoughlin (Applicant), Thomas Blackwell (MKO), Jimmy Green (MKO), Meabhann Crowe (MKO)</i>

**20. Services**

<b><i>Proposed Source of Water Supply</i></b>
Existing connection <input type="checkbox"/> New connection <input type="checkbox"/>
Public Mains <input type="checkbox"/> Group Water Scheme <input type="checkbox"/> Private Well <input type="checkbox"/>
Other (please specify): <i>Water supply for the wind farm site office and other sanitation will be brought to the wind farm site and removed after use from the site to be discharged at a suitable off-site treatment location</i>
<i>Name of Group Water Scheme (where applicable)</i> _____
<b><i>Proposed Wastewater Management/Treatment</i></b>
Existing <input type="checkbox"/> New <input type="checkbox"/>
Public Sewer <input type="checkbox"/> Conventional septic tank system <input type="checkbox"/>
Other on-site treatment system <input checked="" type="checkbox"/> Please specify <i>No water or wastewater will be sourced on the wind farm site, nor discharged to the wind farm site. During the construction phase, a self-contained port-a-loo with an integrated waste holding tank will be used at the wind farm site compound and along the grid maintained by the providing contractor and removed from site on completion of the construction works.</i>

***Proposed Surface Water Disposal<sup>20</sup> (see requirements on page 17 item 20)***

Public Sewer/Drain  Soakpit

Watercourse  Other  Please specify During the construction phase, a self-contained port-a-loo with an integrated waste holding tank will be used at the wind farm site compound and along the grid maintained by the providing contractor, and removed from site on completion of the construction works. A comprehensive diffuse drainage system has been designed - please refer to Chapter 4 and 9 of the EIAR.

## 21. Details of Public Notice

Approved newspaper <sup>15</sup> in which notice was published	Kerry's Eye
Date of publication	9.12.2021
Date on which site notice was erected	14.12.2021

## 22. Application Fee

Fee Payable <sup>18</sup>	€9,578.80
Basis of Calculation	Class 13 - €10 for each 0.1ha of site area = (90.1ha / 0.1 x €10)=€9,010 Plus Class 4 - €3.60 per square metre gross floor space for control/substation building = (158sqm x €3.60)=€568.80  TOTAL = €9,578.80

## 23. DECLARATION

<b><i>I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning &amp; Development Act 2000, as amended, and the Regulations made thereunder</i></b>	
Signed (Applicant or Agent as appropriate)	<i>Meabhann P. Crowe</i> - Meabhann Crowe of MKO, Agent
Date	14.12.2021

*Please Note: An applicant will not be entitled solely by reason of a planning permission to carry out the development. The applicant may need other consents, depending on the type of development. For example, all new buildings, extensions and alterations to, and certain changes of use of existing buildings must comply with building regulations, which set out basic design and construction requirements.*

**FOR OFFICE USE ONLY**

**Fee Recd. €** \_\_\_\_\_

- Cash
- Cheque
- Money Order
- Draft
- Postal Order
- Credit Card

Receipt No \_\_\_\_\_

Date \_\_\_\_\_

Received by \_\_\_\_\_

**SUPPLEMENTARY INFORMATION**

**THIS FORM SHOULD BE ACCOMPANIED BY THE FOLLOWING DOCUMENTATION:**

Please note that if the appropriate documentation is not included, your application will be deemed invalid.

**ALL Planning Applications**

- The relevant page of newspaper that contains notice of your application
- A copy of the site notice
- 6 copies of site location map<sup>16</sup> - 10 copies as EIAR
- 6 copies of site or layout plan as appropriate<sup>16+17</sup> - 10 copies as EIAR
- 6 copies of plans and other particulars required to describe the works to which the development relates (include detailed drawings of floor plans, elevations and sections – except in the case of outline permission) as appropriate<sup>20</sup> - 10 copies as EIAR
- The appropriate planning fee<sup>18</sup>

**Where the applicant is not the legal owner of the land or structure in question:**

- The written consent of the owner to make the application - Enclosed

**Where the application is for residential development that is subject to Part V of the 2000 Act:**

- Details of the manner in which it is proposed to comply with section 96 of Part V of the Act including, for example,
  - (i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and
  - (ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act



*or*

- A certificate of exemption from the requirements of Part V

*or*

- A copy of the application submitted for a certificate of exemption.

**Where the application is for residential development that is not subject to Part V of the 2000 Act by virtue of section 96(13) of the Act:**

- Information setting out the basis on which section 96(13) is considered to apply to the development.

**Where the disposal of wastewater for the proposed development is other than to a public sewer:**

- Information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed.

**Where the application refers to a protected structure/ proposed protected structure/ or the exterior of a structure which is located within an architectural conservation area (ACA):**

- Photographs, plans and other particulars necessary to show how the development would affect the character of the structure.

**Applications that refer to a material change of use or retention of such a material change of use:**

- Plans (including a site or layout plan and drawings of floor plans, elevations and sections which comply with the requirements of Article 23) and other particulars required describing the works proposed.

**Where an application requires an Environmental Impact Statement:**

- An Environmental Impact Assessment Report, and
- A copy of the confirmation notice received from the EIA portal in accordance with article 97B(2) of the permission regulations.

**Applications that are exempt from planning fees:**

- Proof of eligibility for exemption<sup>18</sup>

### CONTACT DETAILS

Please Note: The name and address elements of the application provided in questions 24-25 below will be held, and be available for inspection/purchase by the public in accordance with the Planning and Development Act 2000 and associated regulations for a period of 7 years commencing on the date of the making of the decision. The additional contact information will be destroyed on the completion of the application process and when no appeal is made to An Bord Pleanála.

#### 24. Applicant address/contact details<sup>19</sup>

<i>Applicant</i>	Ballynagare Wind Farm Ltd
<i>Address</i>	2 Dublin Landings, North Wall Quay, Dublin 1, D01 V4A3 Dublin 1

#### 25. Agent's (if any) address <sup>19</sup>

<i>Agent (if any)</i>	MKO
<i>Address</i>	Tuam Road, Galway H91VW84

**Please indicate which address all correspondence is to be sent (please tick as appropriate)**

Applicant [  ]      Agent [  ]

**If for any reason a refund of planning fees must be made, please indicate to whom the refund cheque is to be made payable (please tick as appropriate)**

Applicant [  ]      Agent [  ]

Please Note: The provision of additional contact information such as email addresses or phone numbers is voluntary and will only be used by the Planning Authority to contact you should it be deemed necessary for the purposes of administering the application. These details will not be made available to any third party with the exception of An Bord Pleanála in the event of an appeal, where again it will only be used by An Bord Pleanála for the purposes of administering the appeal.

<i>Phone number</i>	091-735611
<i>Email address</i>	mcrowe@mkoireland.ie
<i>The above details belong to:</i> The applicant    [ <input type="checkbox"/> ]    The agent    [ <input checked="" type="checkbox"/> ]	

## **DIRECTIONS FOR COMPLETING THIS FORM**

1. Grid reference in terms of the Irish Transverse Mercator.
2. “The applicant” means the person seeking the planning permission, not an agent acting on his or her behalf.
3. Where the plans have been drawn up by a firm/company the name of the person primarily responsible for the preparation of the drawings and plans, on behalf of that firm/company, should be given.
4. A brief description of the nature and extent of the development, including reference to the number and height of buildings, protected structures, etc.
5. Gross floor space means the area ascertained by the internal measurement of the floor space on each floor of a building; i.e. floor areas must be measured from inside the external wall.
6. Where the existing land or structure is not in use, please state most recent authorised use of the land or structure.
7. Part V of the Planning and Development Act 2000 applies where –
  - the land is zoned for residential use or for a mixture of residential and other uses;
  - there is an objective in the Development Plan for the area for a percentage of the land to be made available for social and/or affordable housing; and
  - the proposed development is not exempt from Part V.
8. Under section 97 of the Planning and Development Act 2000, applications involving development of 9 or fewer houses or development on land of less than 0.1 hectare may be exempt from Part V.
9. Under section 96(13) of the Planning and Development Act 2000, Part V does not apply to certain housing developments by approved voluntary housing bodies, certain conversions, the carrying out of works to an existing house or the development of houses under an agreement made under section 96 of the Act
10. The Record of Monuments and Places, under section 12 of the National Monuments Amendment Act 1994, is available, for each county, in the local authorities and public libraries in that county. Please note also that if the proposed development affects or is close to a national monument which, under the National Monuments Acts 1930 to 2004, is in the ownership or guardianship of the Minister for Culture, Heritage and the Gaeltacht or a local authority or is the subject of a preservation order or a temporary preservation order, a separate statutory consent is required, under the National Monuments Acts, from the Minister for Culture,

Heritage and the Gaeltacht. For information on whether national monuments are in the ownership or guardianship of the Minister for Culture, Heritage and the Gaeltacht or a local authority or are the subject of preservation orders, contact the National Monuments Section, Department of Culture, Heritage and the Gaeltacht.

11. An Environmental Impact Assessment Report (EIAR) and the confirmation notice from the EIA portal are required to accompany a planning application for a development of a class set out in Schedule 5 of the Planning and Development Regulations 2001 -2018 which equals or exceeds, or as the case may be, a limit, quantity or threshold set for that class of development. An EIAR and a confirmation notice from the EIA portal will also be required by the Planning Authority in respect of sub-threshold development where the authority considers that the development would be likely to have significant effects on the environment (article 103).
12. An appropriate assessment of proposed development is required in cases where it cannot be excluded that the proposed development would have a significant effect on a European site. It is the responsibility of the planning authority to screen proposed developments to determine whether an appropriate assessment is required and where the Authority determines that an appropriate assessment is required, the authority will normally require the applicant to submit a Natura impact statement (NIS). Where the applicant considers that the proposed development is likely to have a significant effect on a European site, it is open to him/her to submit a NIS with the planning application.
13. The appeal must be determined or withdrawn before another similar application can be made.
14. A formal pre-application consultation may only occur under Section 247 of the Planning and Development Act 2000. An applicant should contact his or her planning authority if he/she wishes to avail of a pre-application consultation. In the case of residential development to which Part V of the 2000 Act applies, applicants are advised to avail of the pre-application consultation facility in order to ensure that a Part V agreement in principle can be reached in advance of the planning application being submitted.
15. The list of approved newspapers, for the purpose of giving notice of intention to make a planning application, is available from the planning authority to which the application will be submitted.

*Please note: 16 & 17 below, refer to the 'Accompanying Documentation Section' of the form:*

16. All plans, drawings and maps submitted to the planning authority should be in accordance with the requirements of the Planning and Development Regulations 2001-2018.
17. The location of the site notice(s) should be shown on site location map.

18. See Schedule 9 of Planning and Development Regulations 2001. If a reduced fee is tendered, details of previous relevant payments and planning permissions should be given. If exemption from payment of fees is being claimed under Article 157 of the 2001 Regulations, evidence to prove eligibility for exemption should be submitted.
19. The address of the Applicant and Agent (if any) should be included here.
20. All planning applications for development adjacent to or exiting onto a public road should contain details of the proposed method of disposal of surface water emanating from the site of the proposed development. The details should include a drawing to scale of the proposals with other appropriate details such as pipesizes, gradients, outfall points, gulley locations etc. Surface water run-off may discharge to a drain or watercourse within or adjacent to a site or to soakaways constructed within the site. In the latter case, adequate percolation must be shown to be present. Drawings should also indicate methods to be used to prevent surface water flowing from the site onto the public road such as channels etc. Failure to provide this information at planning application stage may result in a deferral of the application at assessment stage.

### Question 10 – Addendum- Legal Interest of Applicant in the Land or Structure

Mary Gibbons	Ardoughter, Ballyduff, Tralee, Co. Kerry
Timothy Treacy	Knockanamore, Ballyduff, Co. Kerry
Patrick Donegan	Bishopcourt, Ballyduff, Tralee, Co. Kerry
Noel Brassil & Catherine Brassil	Rahela, Ballyduff, Tralee, Co. Kerry
Noel Kirby	The Foorde, Ballyduff, Tralee, Co. Kerry
Patrick Walsh	Rattoo, Ballyduff, Co. Kerry
John and Bridget O'Connor	Bishopscourt, Ballyduff, Co. Kerry,
John Paul Barrett	Cleandries, Causeway, Co. Kerry,
Edmond Daughton	Dromartin, Ballyduff, Co. Kerry
Michael and Alice Molyneaux	Dysart, Lixnaw, Co. Kerry,
Ballynagare Wind Farm Limited	2 Dublin Landings, North Wall Quay, North Dock, Dublin 1 Ballynagare Wind Farm Limited (the applicant) are the legal owners of Folio KY19090F and as such no letter of consent is needed however at this time the online Land Registry has not been updated to reflect the transfer.
Susanna Hennessy	Billerough, Listowel, Co. Kerry,
Cornelius and Katherine Casey	Leigh, Ballyduff, Tralee, Co. Kerry
Michael Campbell	Court Farm, Lyndeard St. Lawrance, Somerset, England
Concepta Carroll	Knopogue, Ballyduff, Tralee, Co. Kerry
Laura Barry	19 Dalysfort Road, Salthill, Galway
Audrey Barry	18 Killiney Heath, Killiney, Co. Dublin
Elizabeth Keane	Ballinagare, Lixnaw, Co. Kerry
Patrick McMahon	Ballinagare, Lixnaw, Co. Kerry,
John Foley	Ballinagare, Lixnaw, Co. Kerry,
Patrick Enright	Coolruano, Lixnaw, Co. Kerry,

Robin Jones	Coolaruano, Lixnaw, Co. Kerry,
John McAuliffe	Knocknacasca, Kilflynn, Co. Kerry,
Joseph McAuliffe	The Village, Lixnaw, Co. Kerry,
Eamon McElligott	Ballinageragh, Lixnaw, Co. Kerry,
Rosemary McElligott	Ballinageragh, Lixnaw, Co. Kerry,
James Joseph Walsh	The Monument, Lixnaw, Co. Kerry,
William Keane	Ballinagare, Lixnaw, Co. Kerry
Frank Quilter	Farrandeen, Lixnaw, Co. Kerry,
John Joseph & Mary O'Mahony	Ballynagare, Lixnaw, Co. Kerry,
William Dowling	Kiltomey, Lixnaw, Co. Kerry,
Michael Devaney	Lisselton, Co. Kerry
John McAuliffe	Lixnaw, Co. Kerry
Tom County	Harthill, Ballyduff, Tralee, Co. Kerry
Pamela Browne	RAHEELA, BALLYDUFF, TRALEE, COUNTY

Planning Reference: \_\_\_\_\_

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

To Whomever It May Concern

Dear Madam / Sir,

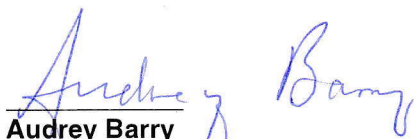
**Consent to planning application**

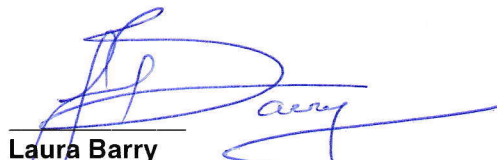
We confirm that we are the owners of all the property comprised in Folio number KY 34062 (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

  
**Audrey Barry**  
18 Killiney Heath, Killiney, Co. Dublin

  
**Laura Barry**  
17 Dalysfort Road, Salthill, Galway

SCANNED  
19 APR 2011



Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

We confirm that we are the owners of all of the property comprised in Folio number KY31315 and KY24751F, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

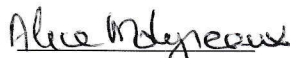
We have signed an option for access agreement with the Developer, and we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**Michael Molyneaux**

Dysert,  
Lixnaw, Co. Kerry



**Alice Molyneaux**

Dysert,  
Lixnaw, Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

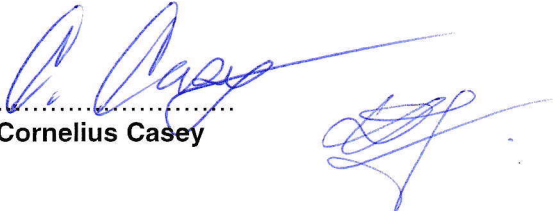
**Consent to planning application**

We confirm that we are the owners of all of the property comprised in Folio number KY23153 Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

  
.....  
**Cornelius Casey**

.....  
**Kathy Casey**  
Leigh Farmhouse, Leigh,  
Ballyduff, Tralee, Co. Kerry  
V92 AX51;



Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

We confirm that we are the owners of all of the property comprised in Folio numbers ~~KY68100F, KY25202, KY28105, KY28106, KY23137 and KY68144F~~, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

.....  
~~Ann O'Hanlon~~  
Golden Hill, Ballyduff,  
Tralee, Co. Kerry

.....  
~~John O'Hanlon~~  
Golden Hill, Ballyduff,  
Tralee, Co. Kerry

.....  
~~Maurice O'Connor~~  
Slevagh, Ballyduff,  
Tralee, Co. Kerry

.....  
~~Martin O'Sullivan~~  
75 Mariner Park,  
Ballyneigue, Co. Kerry

.....  
~~Patrick Donegan~~  
Bishopscourt,  
Ballyduff, Tralee, Co.  
Kerry

*Catherine Brassil Noel Brassil*  
.....  
**Catherine Brassil**  
Rahela, Ballyduff,  
Tralee, Co. Kerry

.....  
**Noel Brassil**  
Rahela, Ballyduff,  
Tralee, Co. Kerry

.....  
~~Noel Kirby~~  
The Forde, Ballyduff,  
Tralee, Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

I confirm that I am the intended legal personal representative of the deceased registered owner of all of the property comprised in Folio number KY23171, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**Concepta Carroll**

Knopogue,  
Ballyduff,  
Tralee,  
Co. Kerry

**Schedule 4: Letter of Consent**

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

We confirm that we are the owners of all of the property comprised in Folio numbers KY20692, KY21959, ~~KY31315, KY19090F, KY21961, KY23153 and KY28956~~, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

*J.P. Barrett*  
.....  
**Thomas J. Barrett**  
Cleandries,  
Causeway, Co.  
Kerry

*Ed Daughton*  
.....  
**Edmond Daughton**  
[Lixnaw] [CHECK  
ADDRESS] Co.  
Kerry

.....  
**Michael Molyneux**  
Dysart, Lixnaw, Co.  
Kerry

.....  
**John Herbert**  
Benmore, Ballyduff,  
Co. Kerry

.....  
**Susanna  
Hennessy**  
Billerough,  
Listowel, Co. Kerry

.....  
**Cornelius Casey**  
Leigh, Ballyduff,  
Tralee, Co. Kerry

.....  
**Patrick Campbell**  
Dromartin, Ballyduff,  
Tralee, Co. Kerry

**Schedule 4: Letter of Consent**

To Whomever It May Concern

Date: \_\_\_\_\_ 2020

**Re: Ballynagare Hill Wind Farm Project being developed by EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower ('Project')**

I, **Eamon McElligott**, of Ballinagare, Lixnaw, Co. Kerry, hereby consent to: (i) any application for a grant of planning permission for the above-referenced Project made by Empower (or anyone authorised by Empower to act on its behalf); and (ii) to any application for a grid connection for the above-referenced Project made by Empower (or anyone authorised by Empower to act on its behalf).

Yours faithfully

*Eamon Mc Elligott*

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

I confirm that I am the owner of all of the property comprised in Folio number KY12655, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer, or its subsidiary company, Ballynagare Wind Farm Limited, a company registered in Ireland under registration number 656800 (**Subsidiary**), intends to apply for planning permission for the Project.

I have signed an option agreement with the Developer; and I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by the Subsidiary or by any other associated company, or by anyone acting on their behalf.

Yours faithfully,

*Elizabeth Keane*

**Elizabeth Keane**  
Ballinagare,  
Lixnaw, Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

I confirm that I am the owner of all of the property comprised in Folio number KY22637, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

*Frank Quilter*

**Frank Quilter**  
Farandeen,  
Lixnaw, Co. Kerry



Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

We confirm that we are the owner of all of the property comprised in Folio number KY23139, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



.....  
**John O'Connor**  
Bishopscourt,  
Ballyduff,  
Tralee, Co. Kerry



.....  
**Bridget O'Connor**  
Bishopscourt,  
Ballyduff,  
Tralee, Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever It May Concern

Dear Madam / Sir,

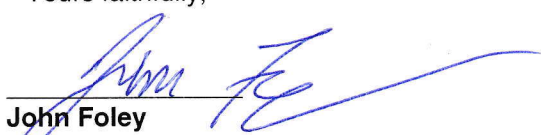
**Consent to planning application**

I confirm that I am the owner of all the property comprised in Folio number: KY22612, (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

  
\_\_\_\_\_  
**John Foley**  
Ballinagare  
Lixnaw, Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

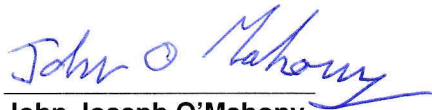
**Consent to planning application**

We confirm that we are the owner of all of the property comprised in Folio number KY19989F, Co. Kerry (**Property**).

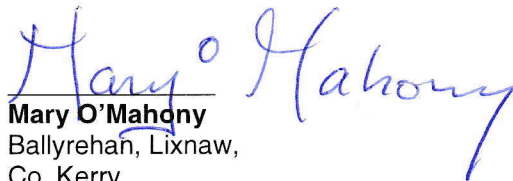
EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option for access agreement with the Developer, and we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**John Joseph O'Mahony**  
Ballyrehan, Lixnaw,  
Co. Kerry



**Mary O'Mahony**  
Ballyrehan, Lixnaw,  
Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,



**Consent to planning application**

and 12652

I confirm that I am the owner of all of the property comprised in Folio number, KY17090 / Co. Kerry  
**(Property)**.

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option for access agreement with the Developer, and I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

\_\_\_\_\_  
JJ Walsh  
The Monument,  
Lixnaw, Co. Kerry



**Schedule 4: Letter of Consent**

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

We confirm that we are the owner of all of the property comprised in Folio number KY22607, Co. Kerry (**Property**).

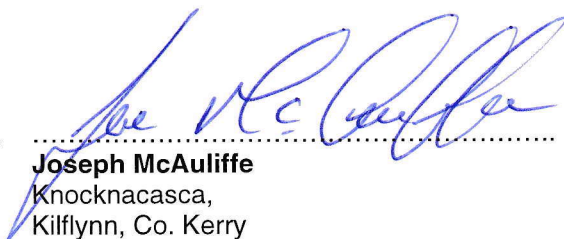
EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**John McAuliffe**  
The Village,  
Lixnaw, Co. Kerry



**Joseph McAuliffe**  
Knocknacasca,  
Kilflynn, Co. Kerry

**Schedule 4: Letter of Consent**

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

We confirm that we are the owners of all of the property comprised in Folio numbers ~~KY20092, KY21959, KY91915, KY19090F, KY21961, KY28158 and~~ KY28956, Co. Kerry (Property).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

.....  
~~John P. Barrett~~  
Cleararies,  
Causeway, Co.  
Kerry

.....  
~~Edmond Daughton~~  
Dromartin  
Ballyduff  
Co. Kerry

.....  
~~Michael and Alice~~  
~~Mohrheaux~~ Dysart,  
Lixnaw, Co. Kerry

.....  
~~John Herbert~~  
Benmore, Ballyduff,  
Co. Kerry

.....  
~~Susanna Hennessy~~  
Billrough,  
Listowel, Co. Kerry

.....  
~~Cornelius and~~  
~~Kathleen Casey~~  
Leigh Farmhouse,  
Leigh, Ballyduff,  
Tralee, Co. Kerry  
V92 AX51;

.....  
*Michael Campbell*  
**Michael Campbell**  
Court Farm  
Lydeard St Lawrence  
Thornon *Tamerton*  
Somerset  
TA4 3SE  
England

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

We confirm that we are the owners of all of the property comprised in Folio number KY24464F, Co. Kerry (**Property**).

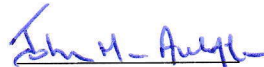
EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

We have signed an option agreement with the Developer, and, in fulfilment of that agreement, we hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**MICHAEL DEVANEY**  
Lisselton,  
Co. Kerry



**JOHN MCAULIFFE**  
Lixnaw,  
Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

I confirm that I am the owner of part of the property comprised in Folio number KY23135, Co. Kerry (**Property**), more particularly Plot No. 130

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**Mary Gibbons**  
Ardoughter, Ballyduff, Tralee,  
Co. Kerry



Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

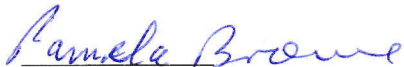
**Consent to planning application**

I confirm that I am the owner of all of the property comprised in Folio number KY24536, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**Pamela Browne**

Raheela,  
Ballyduff,  
Tralee,  
Co. Kerry

**Schedule 4 : Letter of Consent**

To Whomever It May Concern

Date: \_\_\_\_\_ 2020

**Re: Ballynagare Hill Wind Farm Project being developed by EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower ('Project')**

We, **Ann O'Hanlon** and **John O'Hanlon**, both of Golden Hill, Ballyduff; **Maurice O'Connor** of Sleveen, Ballyduff, Tralee, Co. Kerry; **Denis Brassil** of Rahela, Ballyduff, Co. Kerry; **Noel Brassil** of Rahela, Ballyduff, Co. Kerry; **Patrick Donegan** of Bishops court, Ballyduff, Tralee, Co. Kerry; and **Noel Kirby** of The Foorde, Ballyduff, Co. Kerry, hereby consent to: (i) any application for a grant of planning permission for the above-referenced Project made by Empower (or anyone authorised by Empower to act on its behalf); and (ii) to any application for a grid connection for the above-referenced Project made by Empower (or anyone authorised by Empower to act on its behalf).

Yours faithfully

*Patrick Donegan*

*Noel Kirby*

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

I confirm that I am the owner of all of the property comprised in Folio number KY30070F, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**Patrick Walsh** Ratoo,  
Ballyduff, Co. Kerry



Legend

 Patrick Walsh

# Patrick Walsh Landholding

EMPower



Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

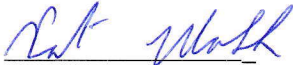
**Consent to planning application**

I confirm that I am the owner of all of the property located at Dysert Marshes, Ballynagare, Ballyduff, Co. Kerry, as delineated on the map attached to this letter (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option for access agreement with the Developer, and I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**Patrick Walsh**  
Rattoo  
Ballyduff  
Co. Kerry

Enc. Map

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,



**Consent to planning application**

and 12652

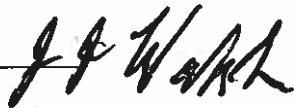
I confirm that I am the owner of all of the property comprised in Folio number, KY17090 / Co. Kerry (Property).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option for access agreement with the Developer, and I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

\_\_\_\_\_  
JJ Walsh  
The Monument,  
Lixnaw, Co. Kerry



Schedule 4: Letter of Consent

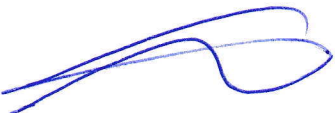
To Whomever It May Concern

Date: \_\_\_\_\_ 2020

**Re: Ballynagare Hill Wind Farm Project being developed by EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (Project)**

We, **Patrick McMahon** of Ballinagare, Lixnaw, Co. Kerry; **John Foley** of Ballinagare, Lixnaw, Co. Kerry, Co. Kerry; **Patrick Enright** of 20 Hillview Crescent, Doon Road, Ballybunion, Co. Kerry; **Robin Jones** of Coolaruane, Lixnaw, Co. Kerry, Co. Kerry; **Eamon McElligott**, of Ballinagare, Lixnaw, Co. Kerry; and **Rosemary McElligott** of Ballinagare, Lixnaw, Co. Kerry, hereby consent to: (i) any application for a grant of planning permission for the above-referenced Project made by Empower (or anyone authorised by Empower to act on its behalf); and (ii) to any application for a grid connection for the above-referenced Project made by Empower (or anyone authorised by Empower to act on its behalf).

Yours faithfully

Patrick McMahon  
Eamon McElligott  
Rosemary McElligott  
 ROBIN JONES

P. Enright  
John Foley

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

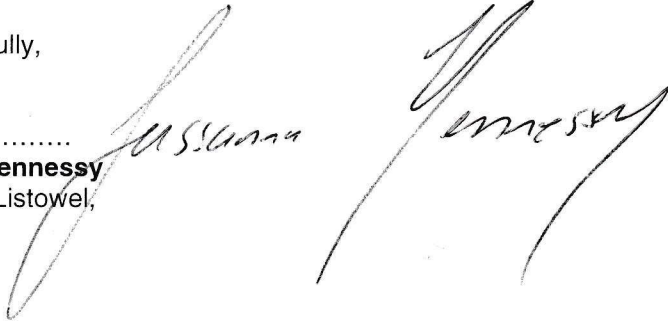
I confirm that I am the owner of all of the property comprised in Folio number KY21961 Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,

.....  
**Susanna Hennessy**  
Billerough, Listowel,  
Co. Kerry

The image shows two handwritten signatures in black ink. The signature on the left is written over a dotted line and appears to be 'Susanna Hennessy'. The signature on the right is more stylized and less legible, possibly belonging to the Developer or another party involved in the project.



Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

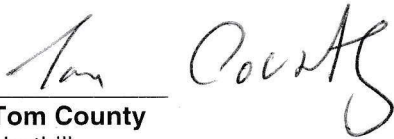
**Consent to planning application**

I confirm that I am the owner of all of the property comprised in Folio number KY25926, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**Tom County**  
Harthill,  
Ballyduff,  
Tralee,  
County Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,


**Consent to planning application**

I confirm that I am the owner of all of the property comprised in Folio number KY23985F, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option-to-lease agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



.....  
**Timothy Treacy**  
Knockanamore, Ballyduff,  
Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

**Consent to planning application**

I confirm that I am the owner of all of the property comprised in Folio number KY24463F, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer intends to apply for planning permission for the Project.

I have signed an option agreement with the Developer, and, in fulfilment of that agreement, I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by any associated company, or by anyone acting on their behalf.

Yours faithfully,



**WILLIAM DOWLING**

Kiltomey,  
Lixnaw,  
Co. Kerry

Planning Reference: \_\_\_\_\_

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

To Whomever it May Concern:

Dear Madam / Sir,

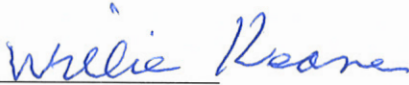
**Consent to planning application**

I confirm that I am the owner of all of the property comprised in Folio Numbers: KY32221F and KY64358F, Co. Kerry (**Property**).

EMP Energy Limited, a company registered in Ireland under registration number 630312 and trading as Empower (**Developer**), is developing a wind farm project at Ballynagare, Co. Kerry (**Project**). The Developer, or its subsidiary company, Ballynagare Wind Farm Limited, a company registered in Ireland under registration number 656800 (**Subsidiary**), intends to apply for planning permission for the Project.

I have signed an option agreement with the Developer; and I hereby consent to the inclusion of the Property in all planning applications relating to the Project that may be submitted by the Developer or by the Subsidiary or by any other associated company, or by anyone acting on their behalf.

Yours faithfully,



**William Keane**  
Ballinagare,  
Lixnaw, Co. Kerry

To whom it may concern

Our Ref: **KF/KF/DON007/0001**

**17 November 2021**

**Re: Our Clients: Patrick Donegan and Noel Kirby  
Letter of Consent | Ballynagare Wind Farm Limited – Planning Application**

Dear Sir/Madam,

We refer to the attached letter of consent (“Consent Letter”) signed by Patrick Donegan and Noel Kirby (together “the Landowners”)

The Consent Letter derives from a land option and lease agreement, relating to Ballynagare wind farm, and signed by all the Landowners (“Option Agreement”).

We advised the Landowners in relation to the Option Agreement and are familiar with its contents.

We hereby confirm that the relevant land Folio numbers for Patrick Donegan and Noel Kirby are those which respectively appear opposite their names below:

- Patrick Donegan: KY23136
- Noel Kirby: KY36144F

We are advised that Ballynagare Wind Farm Limited, a 100% owned (and Irish registered) subsidiary of EMP Energy Limited (t/a Empower) is authorised by Empower to act on Empower’s behalf in submitting the planning application for the Ballynagare wind farm project (“Application”) and we therefore confirm that pursuant to the Option Agreement, Ballynagare Wind Farm Limited is, on that basis, authorised by the Landowners to make the Application.

Yours faithfully,



**Karen Fitzgerald**  
**Pierse Fitzgibbon Solicitors LLP**  
Email:

Kindly note calls may be recorded for quality and verification purposes

**Partners:** Michael Fitzpatrick (Notary Public), Riobard Pierse, Martina Larkin, Mary Walsh, Helena O’Carroll, David Pierse  
**Solicitors:** Anne Keane, Karen Fitzgerald  
**Consultant:** Robert Pierse **Operations:** Marie Stack

**To whom it may concern**

**Our Ref: KF/KF/MCE030/0002**

**17 November 2021**

**Re: Our Clients: Patrick McMahan, John Foley, Patrick Enright, Robin Jones, Rosemary McElligott and Eamon McElligott  
Letter of Consent | Ballynagare Wind Farm Limited – Planning Application**

**Dear Madam/Sir,**

We refer to the attached letter of consent (“Multi-party Consent Letter”) signed by:

1. Patrick McMahan
2. John Foley
3. Patrick Enright
4. Robin Jones
5. Rosemary McElligott
6. Eamon McElligott

(together the “Landowners”)

Landowners 1 to 4 inclusive also have signed separate, individual letters of consent. These are also attached, for information.

The Multi-party Consent Letter (and the four additional individual consent letter) all derive from a land option and lease agreement, relating to Ballynagare wind farm, and signed by all the Landowners (“Option Agreement”).

We advised the Landowners in relation to the Option Agreement, and are familiar with its contents. The relevant land Folio numbers for Landowners 1 to 4 inclusive are noted on their individual letters of consent.

We hereby confirm that the relevant land Folio numbers for Landowners 5 and 6 are those which respectively appear opposite such Landowners’ names below:

- Rosemary McElligott: Folio KY22610
- Eamon McElligott: Folio KY62561F, and Folio KY15656F

We are advised that Ballynagare Wind Farm Limited, a 100% owned (and Irish registered) subsidiary of EMP Energy Limited (t/a Empower) is authorised by Empower to act on Empower’s behalf in submitting the planning application for the Ballynagare wind farm project (“Application”) and we therefore confirm that pursuant to the Option Agreement, Ballynagare Wind Farm Limited is, on that basis, authorised by the Landowners to make the Application.



Market Street, Listowel, Co. Kerry, V31 DK38, Ireland  
Tel: 068 50900 | Fax: 068 21692 | DX No: 85-001 Listowel  
info@pierse.ie | www.pierse.ie

Yours faithfully,

**Karen Fitzgerald**  
**Pierse Fitzgibbon Solicitors LLP**  
**Email:**