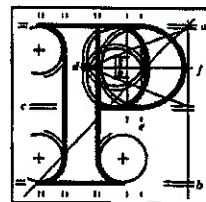


Our Case Number: ABP-309770-21



**An
Bord
Pleanála**

Val Martin
Drumsallagh
Kingscourt
Co. Cavan
A82DD70

Date: 10 May 2021

Re: Proposed development of up to 15 wind turbines with a tip height of up to 175 metres and laying of approximately 26km of underground electricity cabling to facilitate the connection to the national grid, and all associated site development works
Townlands of Camagh, Carlanstown, Coole, Clonrobert, Clonsura, Doon, Monktown, Mullagh, Newcastle and other townlands, Co. Westmeath

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter. A receipt for the fee lodged is enclosed.

The Board will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of Westmeath County Council and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in the meantime please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Niamh Thornton
Executive Officer
Direct Line: 01-8737247

PA04

Tel
Glaao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1890 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

Drumsallagh,
Kingscourt,
Co . Cavan
Eircode A82DD70

To: An Bord :Pleanála,
64 Marlborough Street,
Rotunda,
Dublin 1.
D01V902.

AN BORD PLEANÁLA	
LDG-	<u>039528-21</u>
ABP-	<u>309770-21</u>
07 MAY 2021	
Fee: € <u>50</u>	Type: <u>cheque</u>
Time: _____	By: <u>Reg. Post</u>

Regarding: Submission on Planning Application for Project all in County Westmeath by Val Martin.

Required identification details.

Board's Reference Number. 3097710 / 21 Strategic Infrastructure Development.

Description of Proposed Development: Construction of a wind farm of up to 15 wind turbines with tip height of up to 175 meters, all associated foundations and hard standing areas, one on-site electrical substation including a control building, associated electrical plants and equipment, welfare facilities and a waste water holding tank. One temporary construction compound, provision of new site access roads, upgrading of existing access roads and hardstand areas. Excavation of one burrow pit, all associated underground electrical and communications cabling connecting the turbines to the proposed on-site substation. Laying of approximately 26 kilometers of underground electricity cabling to facilitate the connection to the national grid from the proposed on-site substation located in the Townland of Comagh to the existing 110 kilovolts Mullingar Substation located in the Townland of Irishtown. Upgrade the works to the existing 110 kilovolt Mullingar substation consisting of the construction of an additional dedicated bay to facilitate connection of the cable. Construction of a link road between the R395 and the R396 regional roads in the Townland of Coole to facilitate Turbine Delivery. Junction improvement works to facilitate turbine delivery at the N4 junction with the L1927 in the Townland of Joanstown on lands along the L1927 in the Townland of Culvin the L1927 and L5828 junction in the Townland of Boherquill and the L 5828 and R395 junction in the Townland of Corralanna. Site drainage, forestry felling, signage and all associated

site development works. This application is seeking a ten year planning permission and 30 operation life from the date of commissioning of the entire wind farm.

Location of proposed project: Townlands of Camagh, Carlanstown, Coole, Clonrobert, Clonsura, Doon, Monkstown, Mullagh, Newcastle, Boherquill, Corralanna, Culvin, Joanstown, Mayne, Fearmore (Fore by), Newtown, (Fore by), Simmonstown (Fore By), Ballinealoe, Shrubbywood, Clonava, Lackan (Corkaree By), Soho, Ballynaclonagh, Abbyland, Rathganny, Ballindorough, Cullendarragh, Cullineenabohoge, Ballynafid, Knightswood, Portnashangan, Culleen More, Farranistick, Irishtown (Moyashel By). County Westmeath.

Name of Applicant: Coole Wind Farm Limited.

This submission made by Val Martin, Drumsallagh, Kingscourt, Co. Cavan A82DD70.

Contact Person for communications: Val Martin Drumsallagh, Kingscourt A82DD70
Mobile Phone [REDACTED].

Fee enclosed is a cheque for 50 Euros.

I recommend this application be marked invalid and if not that it be refused.

There is no SEA under Directive 2001/42/EU for on-shore wind energy.

2. The Belgium Equivalent of the Irish Wind Energy Development Guidelines have been ruled to be a plan or programme under the SEA Directive by the Grand Chamber of the Court Of Justice of the EU which ruled in case No. 24/19 that a wind farm granted consent under the Belgium Guidelines must be annulled.
It also ruled that existing wind farms without compliance must be annulled.
3. This is an incomplete application. The developer knows the connecting cabling will be needed and it has been standard practice for many years that if the cables are not on the application, it must be marked invalid. Directives 2011/92/EC and 2014/52/EC state the whole project must be applied for and assessed with the cumulative effects of the project as a whole. It is not permissible to assess some of this project now and more later. This is a strict requirement.

4. Failure to give details under Article 23 of the Planning and Development Regulations 2001 is salami slicing or project splitting which is not allowed and The Board has lost many Judicial Reviews on this. I won one in 2017 on the cabling for Raragh wind farm cabling Cavan Ref 09/270.
5. The development must be described in maps and drawings and it is not described Article 23 of the 2001 Regulations are specific. If the cables are to go under the generally and the land each side of it is owned by two different people neither can know if it is on their lands and therefore neither person can participate.
How is the cabling to be taken over bridges, will bridges have to be rebuilt?
6. New Regulations S.I. 9/21 require written permission from all land owners. Land under the road is not the property of the local authority, but the land owner of the adjoining land. There is no consent for Multyfarnham Townlands and for several adjoining farmers along the route for the connecting cables. There is no consent for the village of Coole.
7. Lough Kinale and Darragh Lough are only 1.7 kilometers from the nearest turbine. It is stated in the Biodiversity Report, but it is not ranked on distance but some other criteria. The existence of Lough Darragh should deem this application a breach of the habitats Directive. It should be in number one position of ranking.
8. I live near the Raragh wind farm at Kingscourt and there is severe shadow flicker and noise. The turbines are Enercon. There is a loud whine off them in calm conditions. The make and model of turbine must be stated and adhered to,

Summary.

9. This type of application for wind farms has been ruled unacceptable by Irish courts for several years. The Board will be aware of the O'Grianna ruling and this is a breach of that. Stage building of a wind farm is illegal and cannot be allowed. I cannot make a coherent submission on partial Information. As provided in Article 6 of 2011/92/EU on public participation. Case law Commission -v- Spain also applies as do several other CJEU rulings. If the developer cannot include 26 kilometers of cabling in their application and consent from landowners then they are nothing more than wishful thinkers, dreamers and meddlesome interlopers and have no more right to have their application considered than a passing vagrant.

The status of this project as an SID does not in any way annul the strict requirements of the Planning & Development Act or the Directive. It merely dispenses with the local authority stage.

I attach a report from the Der Spiegel news outlet that the German authorities understated the impact of infrasound on humans. This is why an overall SEA for the Irish guidelines is so important. I can notice the effect of a pressure type sound from the Raragh Wind Farm which has 5 turbines 540 meters from my house.

The turbines chosen must comply with the machinery Directive and very few do. They have to be type certified and carry the CE mark.

I attach the most recent case Ian Collins -v- An Board Pleanala. From the Irish Times. There appears to be irregularities in some of the land owner consents. If you discover any suspicious or criminal acts, please inform me and I will investigate and inform the Gardai..

If you grant this application I am likely to take a Judicial Review.

It is invalid and I recommend it be refused.

Signed  Val Martin


Date  2021.

Farmer wins orders overturning consent for grid connection from wind farm

Ian Collins from Bantry brought proceedings against An Bord Pleanála and the State

© Mon, Mar 8, 2021, 15:33

Mary Carolan

 A farmer has won High Court orders on consent overturning a decision to grant consent to the ESB for a grid connection between a Co Cork wind farm and an electricity sub-station.



... Ian Collins, of Maulakieve, Bantry, had brought proceedings against An Bord Pleanála and the State aimed at overturning the decision made in June 2020.

The board granted the ESB substitute consent for a 9.7km section of grid connection between the Derreenacrinning West Windfarm at Drimoleague and a sub-station on the transmission line at Ballylickey.

On Monday, Mr Justice Richard Humphreys was told the sides had agreed an order could be made quashing that decision, and also quashing a consent for the remaining sections of the grid connection, comprising 3.2kms underground cabling ducting and associated electrical cabling, 1.2km of overhead line and ancillary works intended to complete the grid connection to the Ballylickey substation.

A core ground of the challenge was that the decision to grant substitute consent was premised on an earlier decision to grant leave to apply for substitute consent which took place without public participation.

Mr Collins said a Supreme Court decision of July 2020, in proceedings brought by An Taisce against An Bord Pleanála and the State, had concluded the failure to make provision for public participation at the leave application stage of substitute consent is inconsistent with the public participation rights conferred by and outlined in the Environmental Impact Assessment (EIA) Directive.

He alleged illegality of the initial decision deprived the board of jurisdiction to make the subsequent decision.

The grounds of challenge also included claims the board was not entitled to grant leave to the ESB to apply for substitute consent when the application was made by ESB Networks.

Further claims included that the effects of breaking the planning consents for the development into what was effectively three separate elements – the wind farm, the constructed grid line and the unconstructed sections of grid line meant Mr Collins had been denied the opportunity to participate in a process that assessed the complete development.

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The breaking up of the project in that manner meant information was not accessible he also argued.

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wind power

Altmaier apologizes for calculation errors in wind power sound pollution

For years, a federal agency set the infrasound load on wind turbines too high – thereby providing arguments to wind power opponents. Now Federal Minister of Economics Altmaier apologizes.

April 27, 2021, 7:31 PM



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Wind turbines near Brandenburg: Sound and smoke? Photo: Patrick Pleul / dpa

How much noise do wind turbines make? After the Federal Institute for Geosciences and Raw Materials (BGR) overestimated the sound pollution from wind turbines for years, Federal Minister of Economics **Peter Altmaier** (CDU) has now apologized for the incorrect calculations. "I am very sorry that false figures were in the room for a long time," Altmaier said in **Berlin**. The authority is subordinate to the Federal Ministry of Economics. It stated the loads of inaudible infrasound at 100 decibels instead of 64 decibels.

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Altmaier said that there are "worlds" between the BGR numbers and "what is actually the case". He considers "this process to be very problematic". He will ensure that he is enlightened.

The acceptance of wind turbines on land has suffered "a little bit" from the wrong numbers, Altmaier said. He hoped that people who were very concerned about the effects of infrasound exposure on their health would now feel "a certain relief". The BGR study, first published in 2009, is often cited nationwide by opponents of wind power as evidence of health hazards posed by wind turbines.

More on the topic

S+ **New hype about green electricity: These are the winners of the global wind power boom** By manager-magazin editor Angela Maier

Energy transition: Grand coalition wants to double green electricity expansion in the coming year



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The Authority has acknowledged its error. It was due to incorrect programming in the calculation, the BGR told the newspaper. New series of measuring systems on "modern wind turbines" are planned. **5**

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presented a bill for
higher wages in the
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