

The Secretary,
An Bord Pleanála,
64 Marlborough St,
Dublin 1.
D01 V902.
10th April 2023.

Re: Observation on the Umma More Renewable Energy Development. Case Reference: 316051.

Dear Sir/Madam,

The following are my observations on the proposed Umma More Wind Farm, which I trust will be given due consideration.

Alternatives

The investigation of alternatives is an important part of the model for Environmental Impact Assessment in Europe. I wish to highlight what I believe to be shortcomings in the EIAR Chapter 3 Alternatives as submitted by the Applicant.

Location

The relevant EU Directive as amended (2014/52/EU) requires the provision of 'A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.' The relevant EPA *Guidelines* (2022) state (p. 33) that 'it is generally sufficient to provide a broad description of each main alternative and the key issues associated with each, showing how environmental considerations were taken into account in deciding on the selected option'.

The most striking thing about Chapter 3 Alternatives is the manner in which the issue of 'location' is dealt with, or rather not dealt with. Under the heading 'Alternative Site Locations' the Applicant has provided merely a description of a process for how a site could be chosen. We are not given what the EPA suggests is required: 'a broad description of each main alternatives'. The names, locations and comparable environmental characteristics of alternative sites that the Applicant has identified are not revealed. There is no 'reasonable alternative' presented to the Umma More location.

The Applicant justifies this approach by claiming (Chapter 3 Alternatives p. 2) that 'The EPA guidelines state that the consideration of alternatives also needs to be set within the parameters of the availability of the land, i.e., the site may be the only suitable land available to the developer, or the need for the project to accommodate demands or opportunities that are site-specific. Such

considerations should be on the basis of alternatives within a site, for example design and layout.’

This reference by the Applicant to the EPA *Guidelines* does not include a page number citation. The most approximate statement that I can find in the EPA document (p. 33) reads as follows: ‘Clearly, in some instances some of the alternatives described ... will not be applicable – e.g. there may be no relevant ‘alternative location’ for the upgrading of an existing road but there may be alternative design options.’

So, it appears, the Applicant is relying upon a passage most relevant to road upgrade projects as justification for not producing what I would expect to see in Chapter 3 Alternatives: a description of the main alternative locations to Umma More that it identified, considered, and ruled out on grounds of environmental impact.

Are we expected to assume that Umma More is the best and only location available in Westmeath, or perhaps even in the whole country; that there are in fact no ‘reasonable alternatives’? Could the Applicant not find any cutaway peatland, as required by the Westmeath County Development Plan? For the Enerco-related project at Ardderroo, Co. Galway, MKO was able to list seven site options that emerged from a Strategic Site Selection process. At Derrinlough, MKO considered eleven named sites.

Surely concerned persons such as myself, and perhaps more importantly for present purposes the Board, are entitled to proper information in line with the EU Directive regarding the site selection process that would allow us to reach a view on the merits of Umma More versus other options? The Applicant may feel that such matters were dealt with at a screening or scoping stage and so do not belong in the EIAR. If so, I do not accept such a contention.

Ironically enough, given the ecological disaster that ensued, the Enerco/MKO ‘Chapter 3 Alternatives and Site Selection’ for the Meenbog Wind Farm EIAR (<https://www.pleanala.ie/publicaccess/EIAR-NIS/300460/EIAR/Chapter%203%20-%20Site%20Selection%20and%20Reasonable%20Alternatives.pdf>)

provides a useful template. At twenty pages in length, it discusses seven alternative named sites and gives a detailed explanation of how Meenbog was chosen over other options. The Applicant seems to have held a very different view of what was expected of them in 2017, as opposed to 2023.

What we are presented with instead for Umma More is seemingly shaped by the Applicant’s peculiar decision to take the EPA’s comment relating to road upgrades and adapt it for wind farms: (Chapter 3 Alternatives p. 2) ‘considerations should be on the basis of alternatives within a site, for example design and layout.’

I submit that this approach to the matter of alternative site locations is not consistent with proper planning and sustainable development. It does not, in my view, satisfy the requirements of the relevant EU directive and cannot form the basis of a satisfactory EIAR. I am not aware of any constraints that have compelled the Applicant to consider only Co. Westmeath, and I cannot imagine that a developer with such an established portfolio of wind farms has suddenly decided to focus all of its energies on Umma More without having first given due consideration to a range of other location options and potential sites. It would not seem to me unreasonable for the Applicant to have to provide a brief outline of a number of potential alternative locations, with some sense given of

why Umma More was ultimately considered to be the best option across a range of relevant criteria. The proposed Derrinlough project, where eleven alternatives were discussed, seems to provide a relevant template.

Turbine Number and Layout

A map dated 2 Feb. 2023 shows 'Proposed Layout Iteration No. 1' (Chapter 3 Alternatives p. 18), a plan for a twelve-turbine layout. However, as this involved siting turbines on and cables through land whose owners did not want them, it can hardly be described as a 'reasonable alternative'. At 3.2.3, the Applicant's approach to alternative locations places quite a lot of emphasis on taking account of 'the area of suitable or available land'. Why, a few pages later at 3.2.5., when it comes to discussing alternative turbine numbers and layout is land availability suddenly now an irrelevant factor? The Applicant devotes more than a page (pp. 13-14) to a table comparing the environmental effects of a turbine layout that was never a realistic prospect on the one hand, and their final design on the other. This is not a particularly robust approach to the question of alternatives.

Grid Connection

The Applicant proposes to install a grid connection cable 32km in length to the 110kV substation at Thornsberry outside Tullamore. This will require the digging up of quite a long stretch of minor local roads, while diverting traffic down a series of alternative routes between the proposed site and the R446 that are altogether unsuitable for that purpose. The very minor roads selected for diversions are narrow and crooked, with poor visibility. This approach is simply reckless from a road safety point of view, as well as showing no regard at all for existing residents.

The River Brosna is 79km long, but the only way the Applicant can see to deal with that obstacle is to dig up roads through two housing estates in Kilbeggan in order to drill under the river bed immediately adjacent to private residences. Is this really the best approach?

Somewhat unusually, in comparison to various other recent wind farm EIARs submitted to An Bord Pleanála, the Applicant provides no detail at all of the grid study that supposedly revealed the mentioned congestion issue at Mullingar, or that influenced the eventual choice of Thornsberry. The Applicant also fails to provide any evidence that they have secured a grid connection at Thornsberry.

On the choice of Thornsberry, the Inspector's Report relating to the relevant application for Strategic Infrastructure Development status (ABP-313351-22 Inspector's Report p. 7) notes that 'The Applicant stated that following consultations with Eirgrid, this was the most suitable connection in terms of viability'.

By contrast the EIAR (Chapter 3 Alternatives) outlines a weighing up of Athlone versus Thornsberry, with Thornsberry winning out, supposedly only after a careful consideration of relevant environmental factors. The only argument presented in the EIAR against the much shorter route to Athlone is the presence of 'sensitive ecological receptors' associated with Lough Ree. It is difficult to believe that the Applicant was not already aware of this supposed issue in 2021, when Athlone was widely understood to be their favoured option.

In 2011 the Athlone bypass, including the bridge over the sensitive area on and around the River Shannon, was upgraded in a €7m project that included the installation of ducting

(<https://www2.advertiser.ie/mullingar/article/25692/athlone-bypass-set-for-autumn-renovations>).

Assuming that the Applicant could avail of such ducting, the only argument offered in the EIAR against connecting to Athlone does not appear to stand up.

In any case, the Inspector's Report cited above appears to contradict the notion that the choice of grid connection had anything to do with environmental sensitivities, assuming that Eirgrid's remit has not been recently extended to cover preventing imagined risks to the Lough Ree.

It is difficult for me, as a member of the public, to make sense of all of this.

The Applicant's preferred option is the longer and more locally disruptive link to Thornsberry, crossing a greater number of EPA-mapped watercourses and digging up two housing estates in Kilbeggan. It also seems likely that work on this route would temporarily affect access to various important facilities in Rosemount: the GAA Club and playground; the Church of St Thomas; and the national school's play area, which is opposite the school and accessed via a pedestrian crossing that the Applicant presumably intends to cut. Impacts of a similar nature may to some extent occur in Horseleap, Kilbeggan and Durrow.

The Thornsberry option seems to me to be, in environmental terms, the worse alternative.

On-Site Substation

The choice of location for the proposed substation is equally puzzling. The site is situated close to an existing farm access to the Umma Road. The Applicant may perhaps be intending to use this entrance to access the substation in the long term, but it is wholly unsuitable for such a purpose. The gateway here is attached to a nineteenth-century bridge, a photograph of which is included in the Applicant's chapter on Cultural Heritage. The wall of the bridge is situated approximately one metre from the road edge, which means that a safe sightline would be impossible to achieve. The bridge is in effect a pinch point on the Umma Road, easily the narrowest location along the whole extent of this route. On the opposite side of the road from the gate, the ground falls away sharply with a drop of around 5m down to a stream. This is the only location that I am aware of where a traffic collision has taken place on this road during daylight hours in the past thirty years or so. On that occasion, a cattle truck ended up partly suspended over the stream having collided with an oncoming car. I was also personally present at another time when a cow misjudged the extent of the grass verge and ended up taking a heavy fall into the stream. If the prospect of ready vehicular access to the Umma Road has played any part in the Applicant's choice of substation location, they really need to think again.

The drawings submitted by the Applicant appear to show the proposed route of the underground cable passing through the gateway in question, immediately adjacent to the nineteenth-century bridge structure. The Applicant has undertaken to observe a 50m riparian buffer on the site. It ought to be observed here too.

The proposed location of the substation is extremely close to a watercourse on its east side, as well as being near to the interconnected watercourses to the south and south-west. I would thus be concerned about the potential impact of any accidental pollution incidents associated with the substation.

The proposed substation would also lie just about 100m from the main cattle handling facilities of the

farm on which it would be situated, and a similar distance from a steep river water access point for agricultural animals close to the road access point on the same farm. It seems possible that noise and light pollution from the substation could pose a risk to animal welfare, not to mention farm safety. These points have not been addressed by the Applicant.

The location is also within 400m of two houses. The landholding in question extends quite a distance north of the Umma Road. It is open to the Applicant to keep the substation on the same landholding while situating it more than 700m from any dwelling.

A map on Chapter 3 p. 19 shows 'proposed layout iteration no. 2'. This map is dated 21 Oct. 2022 and shows seven potential substation locations. Why is iteration no. 2 dated four months earlier than the Applicant's iteration no. 1? Leaving that aside, as early as May 2022 the Applicant had furnished the local community with a map already showing the final location of the substation. Curiously none of the seven locations shown are a match for the final preferred option.

Concerning iteration no. 2, the Applicant states (p. 19) that 'There are seven substation options, the locations of which are associated with the underground electrical cabling routes that were under consideration at that time.' These included the route to Thornsberry, which explains why one of the options was located at the south-eastern boundary of the site, as close as possible to the final destination in Tullamore.

Given that Tullamore lies to the south east, it is not at all clear why the Applicant has instead in the end proposed to build their substation site 1.5km west of the point on the site closest to Thornsberry. They have opted instead for closer proximity to watercourses, to houses, to farm facilities, to a nineteenth-century bridge, and to a dangerous stretch of road. The plan also involves a substantial extra amount of public road digging. Once again the outcome of the Applicant's grappling with alternatives seems to make little sense. Once again the preferred choice looks like the worse option. This is surely not how environmental impact assessment is supposed to work. I submit that it is not consistent with proper planning.

The Scoping Response from Transport Infrastructure Ireland dated 18 Feb. 2022 is also of relevance:

'With serious concern, grid connection routing proposals crossing the M6 motorway and critically important N52, TII advises the following:

- In TII's experience, grid/ cable connection accommodated on national roads has the potential, inter alia, to result in technical road safety issues such as differential settlement due to backfilling trenches and can impact on ability and cost of general maintenance and safety works to existing roads. Constraints and costs arise to on-line national road maintenance, improvements and upgrades.'

Consent of Landowners

In the interests of proper planning, the extent of the landowners' consents secured by the applicant ought to be clarified. Under the Planning Regulations, a planning application where the applicant is not the legal owner of the land concerned shall be accompanied by the written consent of the owner to make the application. The present application appears not to be in compliance with this regulation. This issue is all the more pressing as in the absence of any one of the proposed turbines, the proposed wind farm would no longer meet the 50MW threshold criteria to be considered

Strategic Infrastructure Development and a question of planning authority jurisdiction would therefore arise. Failure to demonstrate proper consents from all relevant landowners ought to render the application invalid. I would argue that it is not acceptable for the Applicant to use the special provisions of the SID process to attempt to secure planning permission for turbines on land for which it has not obtained the necessary landowner consent.

With regard to the lands contained in Folio WH493, the name of the registered owner as shown in the purported letter of consent submitted by the applicant does not agree in full with the names of the registered owners as shown on the Folio WH493 record itself. The latter document, as with other folio records mentioned in this observation, is publicly available at landdirect.ie. The relevant letter of consent contains the name and signature of one registered owner and is dated 17 Feb. 2022, at which point both of the owners identified on the folio record were living.

The consent letter for Folio WH10499 contains one name and signature, while the up-to-date folio record contains the names of two registered owners.

The SID application form (Part 7) requires the applicant to identify adjoining, abutting or adjacent lands which it owns or in which it has a beneficial interest. The applicant's response refers to MKO Drawing 201050-20, with landowner boundaries shown in blue. If I am not mistaken, the boundaries shown in blue in the drawing in question encompass at least two areas of land that do not belong to any of the eighteen landowners listed as consenting to the development. The lands in question are contained in Folio WH20940F and Folio WH15734 (part thereof). It is submitted that the applicant's provision of inaccurate mapping (MKO Drawing 201050-20) is not consistent with proper planning.

The same section of the planning form requires the Applicant to 'identify the lands and state the interest'. The Applicant does not in fact 'state the interest' in the application form. Given that the relevant map is inaccurate, it seems all the more important for the Applicant to 'state the interest'. I understand that the Applicant has not yet been successful in negotiating lease options with all of the owners of the lands upon which turbines would be sited. This is contrary to the Irish Wind Energy Association's *Best Practice Guidelines* (2012), which state (p. 57) that lease options should be agreed prior to seeking planning permission. Against this background, and in light of the mistakes in the submitted mapping, it would be appropriate in the interests of clarity and proper planning for the Applicant to actually 'state the interest' they hold in the proposed site and in the lands adjacent.

The house at Folio WH11629 is considered by the Applicant to be a 'participating property'. The registered owner named in the folio record is recently deceased and is not among the Applicant's named 'participating landowners'. It seems imperative that the Applicant should be required urgently to identify the current owner(s) of this property and demonstrate their consent, should it prove possible for them to do so. The garden of this residence adjoins the industrial site entrance that the Applicant proposes to establish on the Baskin Road. The map in Appendix 6-4 showing proposed hedge/treeline removal indicates the intended removal of part of the boundary hedge of this house, for which the consent of the owners should be demonstrated.

It is, moreover, open to question whether the Applicant in the absence of such consent can obtain and maintain a safe sightline for exit to the public road at Baskin Upper. It is possible that the required sightline of 2.4mx90m to the north will pass inside the existing front boundary wall of the house in question. For new residences in Co. Westmeath, the demonstration where relevant of adjacent landowners' consent to the creation and maintenance of necessary sightlines for domestic

exits to the public road is now a standard planning condition, and planning applications are commonly refused due to issues with inadequate sightlines. A new large and strategic industrial development should surely be held to at least the same minimum road safety standard as a local seeking to establish access to the public road upon building a new house.

Relevant Folio records are enclosed in **Appendix 1** below.

House Prices

The Applicant has submitted as Appendix 5-4 a study of wind farm effects on house prices in Scotland, published by CXC Scotland in 2016. Some of key details of this piece of research are worth highlighting. The study focused on repeat-sales of 509,275 houses situated within 15km of a turbine in the period 1990-2014. Quite a lot of these houses are identified as being located in Scotland's 'larger conurbations', that is urban areas. The representative turbine discussed in the article is the 125m structure at Cathkin Braes, which overlooks the Greater Glasgow Urban Area. Indeed, as the turbine is around 8km from the city centre, this means that the relevant study area for this particular turbine effectively comprises the entire contiguous urban area of Glasgow, home to more than 1,000,000 people. The map of Scotland on p. 9 makes it clear that other substantial urban areas such as Edinburgh and Aberdeen are also directly covered by the study. Accordingly the authors indicate (p. 8) that '84% percent of properties have a line of sight that crosses building height data and so could potentially have that view blocked'. In other words, because the vast majority of houses covered by the study are in large urban areas, 84% of them potentially have their view of a turbine blocked by another building.

I fail to see how such a study has any particular relevance for property prices in the Irish rural area around Umma More. I cannot think of a single house within 2km of the site that would have its view of a turbine blocked by another house. Moreover, the background noise in a location like Glasgow bears no resemblance to the quiet setting of the proposed development.

Statistics derived substantially from Scottish cities cannot in any meaningful sense be a reliable indicator of the likely effect of 185m turbines on property prices in the Westmeath countryside. I consider the study submitted by the Applicant to be irrelevant to the matter at hand. Various guidelines that exist concerning appropriate materials to be included within an EIAR are quite clear that irrelevant content should not feature.

As a member of a farming family that resides adjacent to the proposed wind farm, I submit that my personal perspective, even if it is only a n=1 anecdote, is of more relevance than house price data from locations such as Glasgow city centre. Having identified a suitable site, engaged an engineer and carried out a percolation test, the Applicant's ambitions for the area have forced me to postpone any further action towards constructing a home on my family's land. I cannot in good conscience take the risk of submitting my young children to a long-term in vivo experiment of living beside 185m industrial turbines. In financial terms, I currently do not consider the place where I grew up to be a prudent location in which to invest savings or to draw down a mortgage for a residential property, whether a new build or an existing house.

An earlier study by CXC Scotland than the one submitted by the Applicant, 'Legal compensation frameworks for wind farm disturbance – technical report' (2013), draws attention to the statutory compensation framework that has been in place in Denmark since 2009. The Applicant does not

reference this CXC paper. It notes the existence in Denmark of a special tribunal that takes into consideration factors including 'distance to the turbines, visual aspect, noise, [and] shade'. The paper mentions a 2012 evaluation of the tribunal's work covering 551 payments averaging 57,000 kroner. The 2009 law provided that Danish homeowners within six-times tip height of a proposed turbine greater than 25m tall could apply for compensation without having to pay any fees.

A more up to date analysis from 2021 by Prof. Birgitte Egulund Olsen of Aarhus University, 'Acceptance Issues in the Transition to Renewable Energy: How Law Supposedly can Manage Local Opposition' (https://forsyningstilsynet.dk/media/8874/chapter_7_acceptance-issues-in-the-transition-to-renewable-energy-how-law-supposedly-can-manage-local-opposition.pdf), looks at the period from 2009 to Nov. 2019. Olsen (p. 88) notes that around 1,300 decisions had been made by the special tribunal, with sixty-eight per cent of them resulting in compensation being granted. The average amount of compensation was equal to eight per cent of the property value of the dwelling.

Another Danish study from 2018 (<https://doi.org/10.1016/j.enpol.2018.01.046>) found that 'on-shore wind turbines negatively affect the price of surrounding properties to a distance of three kilometers.'

A paper from 2020 by Marie Leer Jørgensen, Helle Tegner Anker and Jesper Lassen, 'Distributive fairness and local acceptance of wind turbines: The role of compensation schemes' (<https://doi.org/10.1016/j.enpol.2020.111294>), is also concerned with Denmark. It includes case studies of three wind farms situated, like Umma More, in agricultural areas. Project A had 39 houses within 1km, of which 30 were awarded compensation. Project B had 15 properties within 1km, of which 6 were awarded compensation. Project C had 28 properties within 1km, of which 14 were awarded compensation. Across the three projects, the amounts of compensation ranged from €3,300 up to €60,000.

The relevant Danish legislation has recently been revised, with the compensation mechanism for neighbouring property owners being retained. If the Applicant is correct in their stated belief that wind farms do not negatively impact residential property values, it becomes altogether very difficult to comprehend what has been going on in Denmark since 2009. Could the Applicant perhaps be mistaken?

Given the obligation that An Bord Pleanála is under to act in the interests of the common good, I must assume that the Board possesses the necessary expertise to weigh the study submitted by the Applicant against other research that reaches contrary conclusions relating to the effect of industrial turbines on property prices. It would be, in my view, simply not good enough for the Board to rely solely on material presented by the Applicant in support of their own narrow developer-led interest.

Horses

The Applicant has submitted as Appendix 5-1 the British Horse Society's *Advice on Wind Turbines and Horses*. At 5.2.7.1 some attention is given to this guidance and to the local 'Equine Industry'. It is claimed that the nearest equine-related facility is Athlone Equestrian Centre, 10.6km away. More locally, the Applicant claims compliance with the British Horse Society's advice on separation distances between turbines and locations used by horses, namely three times tip height, or 555m. All of this relies upon the precautionary basis that every homeowner in the area owns one or more horses. No house is within 757m, and therefore no horse is within 757m. Not only has the Applicant

failed to use the appropriate curtilage measurement for residential setback, which would produce figure somewhat less than 757m, they also seem to suggest that locals keep their horses close by them in their houses!

The Applicant does not mention the fact that the main facilities of Bryanbeg Bloodstock Farm are less than 555m from proposed T4. The site planning notice erected in the townland of Lissanode is in the gateway to this shed and yard. As of April 2023, there are two horses housed here, and the attached paddock extends to within 200m of proposed T4 along the west bank of the Dungolman River. The proprietor is one of the Applicant's listed 'participating landowners'. It is possible that he has undertaken to cease his lifelong farm business, but the application has nothing to say about this.

The site of proposed T3 belongs to a registered organic farmer of cattle, sheep and horses. It is possible that he has likewise undertaken not to use his land for horses, but again, the application is silent.

The Applicant should clarify that they have obtained the consent of these landowners to the permanent exclusion of horses from their property.

There is a further equestrian business located in Moyvoughley approximately 1km from proposed T9 (Kerr's Stud, Eircode: N37 A7Y7). This stud uses the Umma Road that forms the proposed wind farm's southern boundary to exercise its horses.

Proposed T9 would be sited approximately 230m from the Umma Road. This distance does not satisfy the criteria set down in the BHS document submitted by the Applicant, namely that turbines should not be erected within a minimum of 200m or three times blade tip height (whichever is greater) of 'any route used by horses or a business with horses'. A separate BHS advice for Scotland, available online, also stipulates three times tip height from all routes, including roads.

It is worth noting too that a horse is unlikely to overlook moving blade tips to instead focus on a non-moving turbine mast further away. The BHS's Wind Turbine Experiences 2012 Survey Results, available online, show (p. 11) that riders considered 'movement of blades' to be the number one cause of horses' negative reactions to turbines. With a blade length of 82m, the extremity of proposed T9 would at times reach to around 150m from the public road corridor.

I am rather puzzled as to why the Applicant has not only submitted the relevant BHS advice document but also claimed compliance with it. It would appear that several clarifications are required here.

The Applicant has also overlooked the existence of Shinglis Stud, Ballymore (Eircode N91 E9CX), and Farnagh Stud, Moate (Eircode N37 W2P5). The former is fewer than 5km from the proposed site, the latter fewer than 9km away. Both are thus also closer than the nearest equestrian facility that the Applicant proved able to identify. I mention them as two further examples of the many errors and omissions evident in the documentation submitted to An Bord Pleanála for Umma More Ltd.

Human Health

The British Horse Society's *Advice* necessarily relies (p. 3) on 'only anecdotal reports' because 'there have been no formal trials'. It is stated that 'funding for such a trial would be difficult to acquire, even if it was considered humane to put animals into a situation that was known to be potentially unsafe or distressing.' It is curious that the Applicant is content to rely on anecdotal evidence in relation to

horses, but concerning human health is keen to stress (Chapter 5 Population and Human Health p. 23) that there is apparently 'no credible peer reviewed scientific evidence' directly linking wind turbines to adverse health impacts on people. Why, for the Applicant, is anecdote sufficient to provide a basis for protecting horses, but not human beings? This appears to be a very inconsistent application of the precautionary principle.

In Chapter 5 Population and Human Health (p. 69), the Applicant states that 'the Proposed Development will not result in any significant effects on Human Beings'. In the Non-Technical Summary (xvi) the Applicant states that 'there will be No Adverse Impacts on human health'. Is the Applicant really offering the local population a guarantee of no negative impact on human health?

It is noteworthy that the Applicant goes to the trouble at 5.2.7.1 of outlining evidence for the impact of noise on horses under three different headings (Horses in Stables; Breeding Mares; Racehorses), but when it comes to human beings no distinctions of any kind are drawn. I cannot find in the EIAR for Umma More any mention of consideration of the variability or the vulnerability of the human condition: no mention of disabilities; of sensory processing disorders; of neurodevelopmental disorders; of photosensitivity; or of sensitivity to low frequency noise.

People who fall into such categories, or those who care for them, may have drawn false comfort from the Applicant's commitment that 'there will be No Adverse Impacts on human health' and accordingly have decided not to engage with the current planning process as other concerned members of the public have done. In this sense, the Applicant's stance can be seen as fostering unjustifiable curtailment of appropriate public participation. I would argue that the Applicant ought to revise their Non-Technical Summary to actually qualify what they mean.

By way of illustration, I quote from the EIAR for the Dublin MetroLink project (Chapter 10 p. 31):

'while it is relatively straightforward to assess qualitative impacts on a population or a community it is not possible to predict fully effects on an individual person or receptor. A quantitative assessment is not possible. This is because impacts on the most vulnerable cannot be fully assessed. Health Based Standards take into account the vulnerable, but each and every person's response cannot be predicted. An example of this may be somebody suffering from Autism Spectrum Disorder (ASD) who suffers from Hyperacusis (an unusual tolerance or intolerance of normal environmental sounds, inconspicuous to a typical person) ... the precise human health effect for any individual receptor cannot be predicted.'

'Impacts on the most vulnerable cannot be fully assessed' under the EIAR process it seems, but for Umma More the Applicant nonetheless states that there will be 'no Adverse Impacts on human health'. I submit that the Applicant should be required to qualify this statement from their Non-Technical Summary so as to avoid misleading the local population, and most particularly its more vulnerable members.

Further to this, the EPA ('Guidance Note on Noise Assessment of Wind Turbine Operations at EPA Licensed Sites (NG3)', 2011) notes that:

'Human subjective response to noise depends on a number of factors as well as overall noise level, including the characteristics of the noise, the duration and time of exposure, the activity being carried out during exposure to the noise, the expectations which the person has of their acoustic environment, the level of noise from other sources, hearing sensitivity and non-acoustic influences,

such as attitude towards the noise and general health. It is well established that people respond differently to different types of noise. Different individuals will also respond differently to the same type of noise. In general people are prepared to tolerate higher levels of road traffic noise than noise from commercial installations or premises.'

A number of children diagnosed with autism spectrum disorders reside in close proximity to the proposed wind farm. I do not accept that the Applicant's project would have no adverse impacts on the health of these children.

Setback Distances from Residences

The Applicant's decision to measure residential setback distances from houses rather than from curtilage is simply unacceptable. It is not the fault of local residents that the Applicant has selected a site that is too small and too constrained by the presence of houses. They should not be required to bear the burden that arises from the Applicant's inflexibility.

Given the Applicant's cavalier attitude to residential setback in this case, it seems to me essential, should the project be granted consent, for the Board to insist that any micro-siting that is found necessary does not result in a turbine being sited within 740m of a residential curtilage.

As the Applicant will presumably need to alter the proposed site of several turbines to satisfy residential setback expectations, turbines that are already too close together for structures of this size will end up even closer to each other, resulting in greater inter-turbine turbulence and therefore more noise. The proposed location for T9 is just 725m from the curtilage of a residence. Moving this turbine the required minimum of 15m to satisfy the 740m requirement would bring it to within around 470m of proposed T8. This is a separation distance of just 2.86 times turbine rotor diameter, which seems wholly inadequate by any standards that I am aware of.

Cumulative Noise

The Applicant's approach to the issue of cumulative noise in relation to the quarries located at the northern boundary of the proposed wind farm is unacceptable. The issue is simply dismissed because it is not covered by guidelines for wind farms or for quarries: 'It is not appropriate to consider the cumulative impacts in relation to the limits set in accordance with the Guidelines as they are specific to wind turbine noise' (Chapter 11 Noise and Vibration p. 26). Regardless of what the Guidelines may have to say on the matter, the obligation to assess cumulative impacts arises from the relevant EU Directive. The fact that two different types of noise sources are concerned here does not negate the requirements of the Directive. I do not follow the logic of the Applicant's argument (p. 26) that 'Once each development, (i.e. the Proposed Development and the quarry) is within its respective noise criteria, the potential for cumulative noise effects is unlikely.'

I note that the EPA's 'Guidance Note on Noise Assessment of Wind Turbine Operations at EPA Licensed Sites (NG3)' (2011), requires industries seeking to install even a single turbine less than 20m tall on EPA licensed sites to carry out cumulative noise assessments. If such a small turbine is deemed by the EPA to merit a cumulative noise assessment, how can the Applicant justify not doing so for nine turbines 185m tall?

Turbine Drawing

The 'drawing notes' included on the turbine drawing submitted by the Applicant (Drawing 201050-24) read as follows: 'Proposed wind turbines to have a maximum ground to blade tip height of 185m, blade length of 81m and hub height of 104m'. Assuming that the purpose of the 'drawing notes' is to guide interpretation of the drawing, I submit that setting out dimensions in this manner only in terms of a maximum renders this an invalid drawing for planning purposes.

Aviation Lighting

I am concerned about the impact of aviation lighting on the dark skies above Umma More.

In relation to aviation lighting, the documentation submitted by the Applicant does not appear to comply with the requirement of 2011/92/EU (amended by 2014/52/EU), Annex IV, in relation to light. It is required that the description of the project should include 'an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, **light**, heat, radiation)'.

Stakeholders?

In the Planning Application Form (p. 38), the Applicant states that 'as set out in pre-application discussions with the Board, the applicant has undertaken community consultation and stakeholder engagement. A full report of same is enclosed in Appendix 2-2 of the EIAR.'

The word 'stakeholder' does not appear in Appendix 2-2 of the EIAR. There are various definitions of the word 'stakeholder'. The Applicant's contemptuous treatment of the local community, not least in submitting a Community Report that significantly duplicates an earlier report from Slieveacurry, Co. Clare (**Appendix 2**), has not done anything to suggest that they actually consider the local community to be a valued 'stakeholder' in this proposed project. I consider that the use of this word in the Planning Application Form constitutes inaccurate information submitted by the Applicant.

'Hilly and Flat Farmland'

In the Non-Technical Summary (xxvii), the Applicant states that 'In terms of location, spatial extent, spacing and layout, the siting and design of the Proposed Development adheres to the guidance for the siting of wind farms in Hilly and Flat Farmland Landscape Types, as set out in the 'Wind Energy Development Guidelines for Planning Authorities 2006'. This is an inaccurate statement. On the issue of Location, the Guidelines note that 'Location on ridges and plateaux is preferred'. The Applicant has designed a wind farm on a low-lying, extremely flat, historic flood plain. It is neither a ridge nor a plateau.

The layout/spacing also does not appear to conform to the Guidelines. There is a gap of c.850m in the centre of the wind farm between T4 and T5. The Applicant has not offered any justification for such irregular turbine spacing on flat terrain. The four turbines on the west of the proposed site appear to be evenly spaced, but the turbines on the east of the site are not.

The Applicant has omitted entirely to consider the Guidelines as they relate to turbine height in 'Hilly and Flat Farmland': 'Turbines should relate in terms of scale to landscape elements and will therefore tend not to be tall.' The Applicant has simply opted for the tallest possible turbines that they feel can be accommodated within the available area.

The Guidelines do not state that a developer's need to meet a threshold of 50MW and also to maximise potential wind resource/profit should take precedence over all other wind farm design considerations. One of the functions of the planning system is to properly assess and where necessary curtail such developer-driven disregard for proper planning and sustainable development.

Cultural Heritage

Chapter 13 surprisingly does not make any reference to the most significant archaeological find on record from the proposed wind farm site. This is a Viking sword discovered in the townland of Dungolman c.1850 during river improvement works. It forms part of the permanent Viking exhibition at the National Museum of Ireland on Kildare St.

On pp. 64-65, the text refers to ringforts in the barony of Delvin, which is some distance away in north Co. Westmeath.

It is disappointing to see that the authors of Chapter 13 have not made any use of the rich array of sources that would have allowed them to garner a more meaningful insight into the cultural history of the proposed wind farm site.

For example, The recently compiled Inventory of Westmeath's Industrial Heritage lists has a number of entries for Umma More and Umma Beg.

Another recent effort, The Westmeath Field Names Recording Project, also provides coverage of the area.

Relevant history books include Liam Cox's *Placenames of Westmeath and South Westmeath: farm and folk* by Jeremiah Sheehan. The local history books *Beneath the shadow of Uisneach: Ballymore & Boher, Co. Westmeath* and *Moyvoughley and its hinterland* contain a wealth of information, including short histories of Umma More and its inhabitants.

Literary and other works associated with the proposed wind farm site and its immediate surrounds include: *An Táin Bó Cúailnge; Bruiden Da Choca* (12th century); Laurence Whyte, *Original Poems on Various Subjects, Serious, Moral and Diverting* (1742); Thomas O'Neill Russell, *The struggles of Dick Massey* (1860); William Bulfin, *Rambles in Eirinn* (1907); Padraic Ganly, *Poblacht na hÉireann: 110 Original Irish Dance Tunes and Other Pieces for Violin, Flute, etc.* (1918); and William Magan, *Umma-More: the story of an Irish family* (1983).

The Annals of the Four Masters from the year 1155 mention Atha-Dun-Colman, the then strategically important ford on the Dungolman River between the townlands of Dungolman and High Baskin. The Viking Sword mentioned above was likely found in the immediate vicinity of this site. Prior to Famine-era drainage works, the Dungolman River followed a more meandering course. There is accordingly a distinct possibility that the proposed T1 is adjacent to, if not on, this medieval river crossing site and that other finds of considerable archaeological merit could be unearthed.

There are also various maps in existence that could have enabled a better characterisation of the proposed wind farm site from a variety of perspectives, including cultural heritage. The relevant Down Survey Maps from the 1650s (downsurvey.tcd.ie) show that much of the site was then comprised of 'quaking bog' and 'shaking bog'. The 1818 Boyd Belvedere Estates Maps cover much of the site and show features not recorded on OSI maps, for example the children's burial ground located east of proposed T9. The Encumbered Estates Maps of the 1850s record features such as

‘Owen Roe O’Neill’s Hill’ in the townland of Ballynacorra close to the proposed wind farm. Still known locally as Cnoc Ruadh, this was a military camp site of General Owen Roe O’Neill and the scene of a military engagement during the Irish Confederate Civil War of 1648. William Bulfin (pp 416-17) recorded the local oral tradition concerning this battle: ‘In the fields below this hill the grandfathers of the present generation ploughed up heaps of human bones which whitened on the clay after a spring shower as if light snow had fallen ... The retreat of the stormers was cut off by the road along which they had come, and in their panic under the onslaught of the Irish they fled towards the river in the valley, hoping to find a ford. But the river was in flood and they were unable to effect a crossing. They were slaughtered in their hundreds and the next day’s sun rose on a heap of the slain.’

Chapter 13 offers a cursory appraisal of Umma House. The interior of the house was accessed for the purposes of the bat report, but not apparently for the purposes of assessing cultural heritage. Given that the proposed project involves a proposal to effectively leave this landmark house to fall down, it is unfortunate that the archaeologists made no proper attempt to provide a detailed survey of the property for posterity.

Following submission of a query, on 22 March last I received a reply from Damian Murphy, Architectural Heritage Officer at the National Inventory of Architectural Heritage, part of which reads as follows:

‘The fieldwork for the National Inventory of Architectural Heritage (NIAH) Survey of County Westmeath was not comprehensive and it is possible that sites of architectural heritage interest were overlooked.

I have consulted the database to see if Umma House was recorded and given a Local or Record Only Rating, which would explain its exclusion from the online Building Survey, but it seems that the house was not recorded. It is possible that the house was not visible from the road during the site identification phase of the survey and was therefore overlooked. The NIAH cannot advise on the architectural heritage interest of the house.’

I submit that given this uncertainty around the heritage value of Umma House, the property, its outbuildings, and its historic demesne landscape ought to be the subject of a proper appraisal. The effort set out in Chapter 13 is minimalist and most unsatisfactory.

I ask that the Board take the observations outlined above into consideration along with the many further points of objection submitted by others.

Yours faithfully,

Dr John Cunningham.

Post: Streamstown, Mullingar, Co. Westmeath, N91 KR65.

Email: [REDACTED]

Phone: [REDACTED]

Appendix 1: Relevant Land Folios

Land Registry

County Westmeath

Folio 493

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	A plot of ground being part of the Townland of BASKIN HIGH and Barony of KILKENNY WEST containing 54.9968 Hectares shown as Plan(s) 493 edged RED on the Registry Map (OS MAP Ref(s) 23/12, 23/7, 23/8).	V.O. 16844
2	A plot of ground being part of the Townland of BASKIN HIGH and Barony of KILKENNY WEST containing .1265 Hectares shown as Plan(s) 493 edged RED on the Registry Map (OS MAP Ref(s) 23/7, 23/8, 23/12).	V.O. 16844

Land Cert Issued: No

Page 1 of 4

Collection No.:

Land Registry

County Westmeath

Folio 493

Part 1(B) - Property Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares) :	Plan:	Folio No:
1	1	D2004XS008240Y	16-JUN-2004		A7AJ9	WH20940F

Land Registry

County Westmeath

Folio 493

Part 2 - Ownership

Title POSSESSORY V.O. (26/7/1899)

No.	<p>The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965</p> <p>The devolution of the property is subject to the provisions of Part IV of the Registration of Title Act, 1891.</p>
1	<p>16-MAR-1966 1937/3/66</p> <p>PATRICK J. MURTAGH (FARMER) of HIGH BASKIN, DRUMRANEY, ATHLONE, COUNTY WESTMEATH and MADELINE (OTHERWISE MARY MADELINE) MURTAGH (MARRIED WOMAN) of HIGH BASKIN, DRUMRANEY, COUNTY WESTMEATH are full owners of property number(s) 1, 2.</p> <p>Address altered see D2007NL036670C</p>

Land Registry

County Westmeath

Folio 493

Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	<p data-bbox="448 680 1517 819">The property is subject to the provisions prohibiting letting, subletting or subdivision specified in Section 12 of the Land Act, 1965, and to the provisions restricting the vesting of interests specified in Section 45 of the said Act in so far as the said provisions affect same.</p> <p data-bbox="568 831 1509 857">Cancelled D2004XS008240Y 16-JUN-2004</p>

Land Registry

County Westmeath

Folio 10499

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	<p>A plot of ground being part of the Townland of LISSANODE and Barony of KILKENNY WEST containing 8.7362 Hectares shown as Plan(s) 2 edged RED on the Registry Map (OS MAP Ref(s) 23/11, 23/12, 23/15, 23/16).</p> <p>The Registration does not extend to the mines and minerals</p>	From Folio WH8436

Land Registry

County Westmeath

Folio 10499

Part 1(B) - Property

Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares) :	Plan:	Folio No:

Land Registry

County Westmeath

Folio 10499

Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part IV of the Registration of Title Act, 1891.		
1	15 AUG 1997 X5899/97	GEORGE SMYTH of BASKIN, DRUMRANEY, ATHLONE, COUNTY WESTMEATH is full owner. Cancelled Land Cert Application No.: 120568 Date: 26-AUG-1998 Issued To: FAIR & MURTAGH SOLICITORS Address: MAIN STREET MOATE WESTMEATH	D2022LR094664J 30-JUN-2022
2	30-JUN-2022 D2022LR094664J	GEORGE SMYTH of Baskin, Drumraney, Athlone, County Westmeath and BETTY SMYTH of Baskin, Drumraney, Athlone, County Westmeath are full owners.	

Land Registry

County Westmeath

Folio 10499

Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	<p data-bbox="448 680 1517 819">The property is subject to the provisions prohibiting letting, subletting or subdivision specified in Section 12 of the Land Act, 1965, and to the provisions restricting the vesting of interests specified in Section 45 of the said Act in so far as the said provisions affect same.</p> <p data-bbox="568 831 1509 860">Cancelled D2022LR094664J 30-JUN-2022</p>

Land Registry

County Westmeath

Folio 11629

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	The property shown coloured RED as Plan(s) 20 on the Registry Map, situate in the Townland of BASKIN HIGH, in the Barony of KILKENNY WEST, in the Electoral Division of DRUMRANEY.	From Folio WH9675

Land Registry

County Westmeath

Folio 11629

Part 1(B) - Property

Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares) :	Plan:	Folio No:

Land Registry

County Westmeath

Folio 11629

Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965	
1	10-OCT-1991 X5682/91	PATRICK J MURTAGH of BASKIN, DRUMRANEY, ATHLONE, COUNTY WESTMEATH is full owner. Land Cert Application No.: 633384236838 Date: 20-SEP-1993 Issued To: HENRY ARIGHO & CO. SOLRS Address: MOATE CO WESTMEATH

Land Registry

County Westmeath

Folio 11629

Part 3 - Burdens and Notices of Burdens

No.	Particulars

Land Registry

County Westmeath

Folio 15734

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	<p>The property shown coloured Red as plan(s) 10A, 10 on the Registry Map, situate in the Townland of BASKIN HIGH, in the Barony of KILKENNY WEST, in the Electoral Division of DRUMRANEY.</p> <p>The Registration does not extend to the mines and minerals</p> <p>Note: Description Altered, D2022LR100892C, 04/07/2022.</p>	From Folio WH14415
2	<p>The property shown coloured Red as plan(s) 11 on the Registry Map, situate in the Townland of BASKIN HIGH, in the Barony of KILKENNY WEST, in the Electoral Division of DRUMRANEY.</p> <p>The Registration does not extend to the mines and minerals</p> <p>Note: Description Altered, D2022LR100892C, 04/07/2022.</p>	From Folio WH14415

Land Registry

County Westmeath

Folio 15734

1

THERE IS APPURTENANT TO THE PROPERTY NO.1 A RIGHT TO PASS AND REPASS ON FOOT AND WITH HORSES AND CARTS OVER PART OF THE TOWNLAND OF BASKIN HIGH BETWEEN THE POINTS LETTERED M AND N SHOWN COLOURED YELLOW ON THE REGISTRY MAP.

The description of the land affected by the above right is as set out on the Registry Map. In the event that the above entry includes lettering or other alpha numeric references as part of the description of the subject lands, where such lettering or alpha numeric references are not now shown on the Registry Map, the description on the Registry Map prevails and is deemed to be the description of the affected property for the purposes of the Registration of Deeds and Title Acts 1964 and 2006.
Description revised. See Rule 8(4) and Q2020LR010881M.

2

THERE IS APPURTENANT TO THE PROPERTY NO.2 A RIGHT TO PASS AND REPASS ON FOOT AND WITH HORSES AND CARTS OVER PART OF THE LANDS OF BASKIN HIGH BETWEEN THE POINTS LETTERED M AND N ON THE REGISTRY MAP.

The description of the land affected by the above right is as set out on the Registry Map. In the event that the above entry includes lettering or other alpha numeric references as part of the description of the subject lands, where such lettering or alpha numeric references are not now shown on the Registry Map, the description on the Registry Map prevails and is deemed to be the description of the affected property for the purposes of the Registration of Deeds and Title Acts 1964 and 2006.

Land Registry

County Westmeath

Folio 15734

Part 1(B) - Property Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares) :	Plan:	Folio No:
1	1	D2022LR100892C	04-JUL-2022		D32BB	WH37184F

Land Registry

County Westmeath

Folio 15734

Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	<p>The property is subject to the provisions prohibiting letting, subletting or subdivision specified in Section 12 of the Land Act, 1965, and to the provisions restricting the vesting of interests specified in Section 45 of the said Act in so far as the said provisions affect same.</p> <p>Cancelled D2022LR100892C 04-JUL-2022</p>
2	<p>THE PROPERTY NOS 1 AND 2 ARE SUBJECT TO THE SPORTING RIGHTS WITHIN THE MEANING OF THE IRISH LAND ACT, 1903 TO WHICH THE LAND COMMISSION WAS ENTITLED.</p>
3	<p>THE PROPERTY NO.1 IS SUBJECT TO THE RIGHT FOR THE OWNERS AND OCCUPIERS FOR THE TIME BEING OF PARTS OF THE LAND OF BASKIN HIGH SHOWN AS PLANS 11, 11A, 12, 12A, 13, 14, 16, 17 AND 19 ON THE REGISTRY MAP TO PASS AND REPASS ON FOOT AND WITH HORSES AND CARTS BETWEEN THE POINTS LETTERED N AND O SHOWN COLOURED YELLOW ON THE REGISTRY MAP.</p> <p>The description of the land affected by the above right is as set out on the Registry Map. In the event that the above entry includes lettering or other alpha numeric references as part of the description of the subject lands, where such lettering or alpha numeric references are not now shown on the Registry Map, the description on the Registry Map prevails and is deemed to be the description of the affected property for the purposes of the Registration of Deeds and Title Acts 1964 and 2006.</p> <p>Description revised. See Rule 8(4) and Q2020LR010881M.</p>
4	<p>THE PROPERTY NO.2 IS SUBJECT TO THE RIGHT FOR THE OWNERS AND OCCUPIERS FOR THE TIME BEING OF PARTS OF THE LAND OF BASKIN HIGH SHOWN AS PLANS 10A, 11, 11A, 12, 12A, 13, 14, 16, 17 AND 19 ON THE REGISTRY MAP TO PASS AND REPASS ON FOOT AND WITH HORSES AND CARTS BETWEEN THE POINTS LETTERED N AND O SHOWN COLOURED YELLOW ON THE REGISTRY MAP.</p>

Land Registry

County Westmeath

Folio 15734

5	<p>The description of the land affected by the above right is as set out on the Registry Map. In the event that the above entry includes lettering or other alpha numeric references as part of the description of the subject lands, where such lettering or alpha numeric references are not now shown on the Registry Map, the description on the Registry Map prevails and is deemed to be the description of the affected property for the purposes of the Registration of Deeds and Title Acts 1964 and 2006.</p> <p>Description revised. See Rule 8(4) and Q2020LR010881M.</p> <p>10-OCT-1975 Q2699/75</p> <p>THE RIGHT OF MICHAEL KINCADE TO RESIDE IN THE DWELLINGHOUSE DURING HIS LIFE AND TO BE SUITABLY SUPPORTED, CLOTHED AND MAINTAINED THEREIN.</p>
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Land Registry

County Westmeath

Folio 20940F

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	A plot of ground being part of the Townland of BASKIN HIGH and Barony of KILKENNY WEST shown as Plan(s) A7AJ9 edged RED on the Registry Map (OS MAP Ref(s) 23/7).	From Folio WH493

Land Cert Issued: No

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Collection No.:

Land Registry

County Westmeath

Folio 20940F

Part 1(B) - Property

Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares) :	Plan:	Folio No:

Land Registry

County Westmeath

Folio 20940F

Part 2 - Ownership

Title POSSESSORY V.O. (26/7/1899)

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
1	16-JUN-2004 GERARD MURTAGH of High Baskin, Drumraney, Athlone, County Westmeath is full owner. D2004XS008240Y

Land Registry

County Westmeath

Folio 20940F

Part 3 - Burdens and Notices of Burdens

No.	Particulars

Appendix 2 – Slieveacurry Community Report



APPENDIX 2-2

COMMUNITY ENGAGEMENT REPORT



Appendix 2-2 Community Report

Slieveacurry Renewable
Energy Development, Co.
Clare

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1.

INTRODUCTION

This report has been prepared to record the consultation carried out with the local community in respect of the proposed Slieveacurry Renewable Energy development. Slieveacurry Ltd. has carried out consultation in relation to the Proposed Development with local residents. The objective of the consultations was to ensure that the views and concerns of all were considered as part of the project design and Environmental Impact Assessment (EIA) process.

The Proposed Development has the potential to have significant benefits for the local economy, by means of job creation, landowner payments and commercial rate payments. An important part of any renewable energy development, which Slieveacurry Ltd. has been at the forefront of developing, is its Community Benefit Package. The concept of directing benefits to the local community is promoted by the National Economic and Social Council (NESC) and the Irish Wind Energy Association (IWEA) among others. While it may be simpler and easier to put a total fund aside for a wider community area, Slieveacurry Ltd. is endeavouring to develop new ways to direct increased gain towards the local community with particular focus on those living closest to the Proposed Development.

The Wind Energy Development Guidelines¹ (2006) state that:

“While it is not a mandatory requirement, it is strongly recommended that developers of a wind energy project should engage in active consultation and dialogue with the local community at an early stage in the planning process, ideally prior to submitting a planning application”.

This was further addressed in the Preferred Draft Approach to Wind Energy Development in Ireland² (June 2017) which stated the following with respect to planning applications for wind farms:

“Planning applications must contain a Community Report prepared by the applicant which will specify how the final proposal reflects community consultation. The Community Report must also outline steps taken to ensure that the proposed development will be of enduring economic benefit to the communities concerned”.

The Draft Revised Wind Energy Guidelines³ (Department of Housing, Planning and Local Government, 2019) has retained this position stating the following:

“In order to promote the observance of best practice, planning authorities should require applicants to prepare and submit a Community Report with their planning application and a condition on any subsequent planning permission should require developers to carry out the development in accordance with the approved Community Report”.

This report outlines the consultation and community engagement initiatives undertaken by Slieveacurry Ltd. prior to the submission of the planning application. It also outlines the main issues identified during this process, how the final proposal reflects community consultation and the steps taken to ensure that the Proposed Development will be of enduring economic benefit to the communities concerned.

¹ The Department of the Environment, Heritage and Local Government, Wind Energy Planning Guidelines 2006, p19

² The Department of Communications, Climate Action and Environment and Department of Housing, Planning, Community and Local Government, Information Note Review of the Wind Energy Development Guidelines 2006 “Preferred Draft Approach”, 2017, p.8

³ The Department of Housing, Planning and Local Government, Draft Revised Wind Energy Development Guidelines 2019, p. 42

2.

CONSULTATION WITH THE LOCAL COMMUNITY

2.1

Notification of the Local Community

To inform local residents about the Proposed Development, the project Community Liaison Officer (CLO), Aidan Stakelum distributed information regarding the Proposed Development to households within approximately 1.5km of the Proposed Development site boundary. The Community Liaison Officer visited approximately 61 homes between 3rd February 2020 and 20th March 2020. The information distributed to each household consisted of:

- Project contact details;
- A leaflet on the applicants Renewable Energy Projects and Wind Information; and
- An information leaflet detailing the biodiversity within the study area.

2.1.1

Community Interactions

Slieveacurry Ltd. organised a number of door-to-door consultations, with the dedicated CLO intending to visit all households within 1.5km of the Proposed Development. There were three visits proposed to all of the selected properties, to be held between 3rd February 2020 and 7th April 2020. Only two visits took place between February and March while the third proposed visit in April comprised of consultation with the community by phone. Additional communications took place in March and October 2021 in the form of a newspaper notice and letter delivered to dwellings identified within 2km of the proposed development site.

The visits to households are detailed below:

2.1.1.1

3rd February– 14th February 2020

Initial door-to-door visits were made by the appointed CLO to houses 1 to 61 identified on the map. These had been selected for the public consultation process due to their proximity to the Proposed Development site, within an approximate 1.5km zone. Introductions were made and a brief outline of the proposal was given. Residents were each shown the location of their house on the map in relation to the proposed renewable energy development area. An Enerco Energy (the driver behind Slieveacurry Ltd) leaflet was left with them, outlining information on a range of topics, including wind energy in Ireland, the development process and community involvement, as well as contact details for the CLO.

This was also an opportunity to further check on the validity of the sensitive receptors that had previously been identified, with a few new ones added and others marked as derelict properties.

In the event that nobody was home through-out this period, a leaflet was left in the post box and contact details were sought from nearby neighbours in an attempt to ensure that contact was made.

A number of Irish and international phone calls were also made to the owners of houses that were identified as holiday homes or seasonal dwellings. In this instance, the project was discussed over the phone and a postal address was requested, to enable the aforementioned leaflet to be sent.

Meetings were arranged for dates and times that suited those residents who were unavailable at the time of calling, or who wished for other family members to be present for the discussion.

Of the 61 houses, direct contact was made with 48. The remaining 13 were lived in seasonally and phone numbers could not be sourced from neighbours. Information leaflets were left at these houses with contact details.

2.1.1.2 **9th March – 20th March 2020**

A second round of door-to-door visits was made. This was predominantly to answer any questions that had arisen following the previous round of visits, as residents would have had a chance to discuss the proposal with family members and neighbours. Additional information was provided in the form of a biodiversity leaflet, produced by environmental consultants MKO, which contained some local ecology information resulting from the surveys that were ongoing at the time

Where residents were not home during this period, a leaflet was left in their post box and several attempts were made to reach them by phone where possible. Contact was made with 37 of the 60 houses, while a copy of the biodiversity leaflet with contact details was left at the remainder.

Overall, the general reception was good. People were happy with the continued consultation and with the general flow of information. General queries related to turbine heights, noise levels, over-head lines and the potential impacts of construction traffic and were all satisfactorily addressed there and then. As turbine height had yet to be finalised, residents were informed that this detail would come at a later stage.

2.1.1.3 **3rd April to 7th April 2020**

Due to the advancing Covid-19 crisis, the planned door-to-door visit was cancelled, as it was not reasonable to be calling to houses during this period. In place of this, phone calls were made to residents to explain the situation, outline further developments in the project and answer any queries they may have. Details of the number of turbines and their proposed maximum tip height were given.

Contact was made with 41 of the 60 houses. Of those who were contacted, they were encouraged to communicate the latest information to their neighbours. Of the remainder, 8 had been uncontactable from the beginning, another 11 had not provided contact numbers, while the remainder did not answer after several attempts were made at varying times over the duration of the consultation period.

The general feedback from those who were spoken to over the phone was that the correct decision had been made in avoiding door-to-door contact. Again, people were happy with the continued consultation that communication lines remained open for any queries they might have. Some residents questioned the tip height, as they felt the turbines were quite tall. It was explained that this was a maximum proposed tip height and that the final height would be decided upon by the availability of turbine models if/when that stage of the project was reached. There were multiple queries relating to the community benefit fund, predominantly how best to go about applying for it. It was reiterated that if suggestions were emailed or posted in, they would be filed for consideration and it would be best if members of the community could reach some level of consensus on this.

2.1.1.4 **25th March to 26th March 2021**

At this point, the original planning application that was lodged in November 2020 had been withdrawn, following legal proceedings being taken against Clare County Council regarding the validation of the application. The court ruled to put a stay on any decision pending the outcome of the legal case. Due to the uncertainty associated with the timing of a decision on the legal proceedings, it was decided to withdraw the planning application that was lodged in November 2020 and re-submit the planning application in April 2021.

In order to maintain communication with the local community and ensure they were kept informed with the most up-to-date information relating to the project, an additional round of consultation was subsequently completed. An advertisement was placed in the Clare Champion dated 25th March 2021, providing a brief update and directing people to the project website for further information. Contact details were also provided to facilitate individuals that may not have had internet access. In conjunction with this newspaper notice, a letter was delivered to 98 of 104 dwellings identified within 2km of the Proposed Development site. The 6 dwellings missed were all within the 1.5km to 2km range and were identified on the ground as derelict.

2.1.2 Public Exhibition

A public information event was held in Milltown Malbay Community Centre, Co. Clare on Tuesday 29th September 2020 from 14:00 to 21:00. The event was advertised in the Clare Champion, a local paper on Thursday 24th September and was advertised to the local community individually where possible. Each household within 1.5 km of the proposed area was left a leaflet in the letter box inviting them to make an appointment for the information event. Due to the Covid 19 restrictions at that time, attendance could only be facilitated by appointment. Those wishing to attend were asked to make an appointment by contacting the CLO via the mobile number and/or email address advertised. Each household unit was allocated a half hour appointment, with up to a maximum of three members from the same household allowed to attend each appointment. Anyone who couldn't attend the public exhibition we're met at their convenience by the CLO.

At the session, there were a series of information leaflets and mapping on display that contained details on the following:

- Proposed location of the development;
- The necessity of wind energy development in the context of national policy;
- The suitability of the area for wind energy;
- Criteria for site selection;
- Preferred draft approach to Wind Energy Development in Ireland;
- Environmental Impact Assessment Report;
- Visual Impact Assessment;
- Project Benefits;
- Indicative Project Timeline; and
- Community Engagement.

Members of the public were invited to submit comments, concerns and opinions regarding the proposed development through a feedback form at the event. They were provided with a leaflet containing the project website address, www.slieveacurryinfo.ie, and the contact details of CLO. The website contains all information that was displayed at the session along with a comments page which facilitates any feedback or queries from the community.

The main queries raised during this stage of the consultation, as recorded by Enerco Energy Ltd. staff and MKO staff at the sessions, were:

1. Proximity of houses;
2. Community Gain Scheme;
3. Number of Turbines;
4. Near Neighbour Scheme;
5. Noise;
6. Height of turbines;
7. Visual Impact; and
8. Wind Farm Amenities.

Following the public information sessions, CLO, the Community Liaison Officer followed up with any queries raised at the consultation.

2.2 Dedicated Contact Details

Since the project was first announced in February 2020, Slieveacurry Ltd. has provided dedicated contact details for the Proposed Development, including a dedicated phone number, email address and postal address. To date, these channels have facilitated several enquiries about the Proposed Development.

2.3 Project Website

In September 2020, Slieveacurry Ltd. launched a dedicated project website, www.slieveacurryinfo.ie. The website is an additional communications channel to keep members of the public informed about the Proposed Development. Information distributed through door-to-door consultation and through other communication channels are provided on the website and includes information on the proposed location, information leaflets, layout maps and dedicated contact details for the project.

Following the aforementioned withdrawal of the original planning application and subsequent site layout amendments, the information hosted on the website was updated accordingly in March 2021, with an additional October 2021 Community Consultation section provided to ensure that members of the public could easily access the latest information. It is intended to update the website accordingly as any new information becomes available.

2.4 Community Liaison Officer

In January 2020, Slieveacurry Ltd. appointed a dedicated Community Liaison for the Proposed Development to ensure continued on the ground engagement with the local community. As outlined above, the Community Liaison has visited homes in the locality of the Proposed Development on a number of occasions to ensure they are kept informed about the project.

3. **ENDURING ECONOMIC BENEFIT**

3.1 **Economic Benefits – Community Benefit Fund**

Throughout the public consultation process, residents were informed about the availability of a community benefit fund, in the event of a grant of planning for the project. Details of how other communities had utilised this fund on similar projects were given, to help provide a loose framework of what it could be used for. It was highlighted that this fund could be used, for example, as funding for a range of community group, schools, clubs etc, for local development initiatives or split among residents into an annual payment, scaled based on the distance from their dwelling to the nearest turbine.

Initial local suggestions for use of the fund included grants for Cloonanaha National School and Milltown Malbay Community Centre, upkeep works on the local Glendine road, local enterprise schemes, riparian planting of native species, energy retro-fitting of houses and contributions to electrical bills.

3.2 **Short Term Economic Benefits**

During the construction phase, it is estimated that at peak construction approximately 70 jobs will be created. This in turn will have a knock-on effect on the local economy through the supply of services to the workforce. While at a regional level additional employment will be created in the region through the supply of services and materials (such as stone and concrete) to the Proposed Development.

Additionally, the payment of a development contribution to Clare County Council in respect of public infrastructure and facilities will potentially provide benefits to the local community through schemes such as the refurbishment, upgrading or replacement of roads, car parks and car parking places; sewers and waste water facilities, drains or water mains; provision of open spaces/parks, community facilities, amenities and landscaping works etc.

3.3 **Long Term Economic Benefits**

The project will provide many long-term economic benefits to the communities surrounding the Proposed Development as outlined in the following sections.

3.3.1 **Employment**

It is estimated that the Proposed Development will create approximately 70 jobs during the construction, operational and maintenance phases of the Proposed Development.

3.3.2 **Rates**

Annual rates paid by the Proposed Development to Clare County Council will potentially support the provision of local services.

3.3.3 **Community Benefit Fund**

In addition, a range of other benefits associated with the development will be provided to local residents (Near Neighbours) and local community through an annual Community Benefit Package.

The community benefit scheme proposes to provide a fund of €100,000 per annum over the lifespan of the Proposed Development based on the current estimated generating capacity. This will equate to potential funding of €3 million to the local community which is a substantial contribution.

The number and size of grant allocations will be decided by a Community Fund liaison committee with various groups and projects benefiting to varying degrees depending on their funding requirement.

3.3.4 **Community and Voluntary Group Benefit Fund**

A dedicated annual fund could be made available through the Community Benefit Fund for local community groups and voluntary organisations to support their efforts and initiatives in the local communities around the Proposed Development. The types of projects and initiatives that could be supported by such a Community Benefit proposal could include youth, sport and community facilities, schools, educational and training initiatives, and wider amenity, heritage, and environmental projects.

The Developer and the Community will set the final qualifying criteria for projects and initiatives seeking funding from the Community Benefit Fund. Local community groups and not-for profit organisations around the Proposed Development site that promote the sustainable development of the area will all be considered for their projects and initiatives.

3.3.5 **Renewable Energy Fund for Local Residents**

The Proposed Development will make a significant contribution towards helping achieve national renewable energy and climate change targets. For a strategic renewable energy project of the scale proposed, a portion of the Community Benefit Fund could be dedicated to local residents living within an agreed range of any proposed wind turbine through a Renewable Energy Fund. Such a proposal could see direct payments being made to local residents from the Renewable Energy Fund on an annual basis to cover the cost of their annual electricity bill from a renewable energy supplier of their choosing, and may fund some renewable energy upgrades to their properties to improve energy efficiency, install domestic renewable energy technologies such as heat pumps or solar panels, and overall make them less reliant on fossil-fuel.

4. **CONCLUSION**

Slieveacurry Ltd. has actively engaged and consulted with the local community from an early stage during the pre-application phase. The consultation process has been an extremely valuable exercise and has provided a detailed, and enhanced understanding of the key issues and concerns of the local community, which have ultimately shaped the final project proposal. There is currently on-going consultation with the local community and it is the intention of Slieveacurry Ltd, to continue with the consultation for the duration of the Proposed Development.

The development of the proposed Slieveacurry Renewable Energy Development will provide an enduring economic benefit to the communities surrounding the Proposed Development as outlined in Chapter 2 of the EIAR, through the community benefit package for residents and community groups, employment during the construction and operation of the development and through the annual rates payable to the local authority.