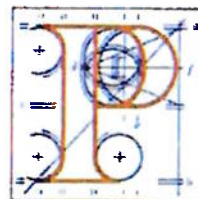


Master File
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Our Case Number: ABP-317809-23



An
Bord
Pleanála

Malvina Walsh
College View
Pound Road
Dunlavin
Co. Wicklow
W91 P3C1

Date: 12 October 2023

Re: Proposed Coolglass windfarm and related works
In the townlands of Fossy Upper, Aghoney, Gorreelagh, Knocklead, Scotland, Brennanshill,
Monamantry, Coolglass, Crissard and Kylenebehy, Co. Laois.

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. Please accept this letter as a receipt for the fee of €50 that you have paid.

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 the local authority 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 or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

PP EGM

Evan McGuigan
Executive Officer
Direct Line:

PA04

Tell	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

nAn Bord Pleanála
64 Malborough Street
Dublin 1

4th October 2023

Case Reference: PA11.317809

Development address; In the townlands of Fossy Upper, Aghoney, Gorreelagh, Knocklead, Scotland, Brennanshill, Monamantry, Coolglass, Crissard and Kylenebehy, Co. Laois.

Proposed Coolglass Windfarm and related works

r

To whom it may concern,

I **Malvina Walsh** write to make an observation on the above listed planning application. As a native of The Swan village I **wish to strongly object to the proposed development by Statkraft**. In summary I wish to challenge the inappropriate and inadequate nature of the Statkraft engagement with the community, and within their application to An Bord Pleanála for this project. I wish to contribute to the prevention of irreversible damage being inflicted upon the area and the protection of the area in question as a valuable amenity to the local community, biodiversity and to the people of Ireland.

1. PERSONAL BACKGROUND

I grew up in The Swan village, and while I have not been resident there for almost 20 years, I do return at least twice per month with my husband and three young children to visit parents, siblings and their spouses, nieces and nephews, as well as local neighbours and friends living in the area. It is the people who draw us home, but also the unique beauty and serenity of the local landscape that provides a wonderful haven of peace for my family. My father and brother farm the land in close proximity to the proposed wind farm and another brother's home is 676 metres from a proposed turbine installation.

As a child having grown up on a local farm in The Swan, retreating to the **serenity of the landscape**, the sound of the rivers and streams, birdsong, insects, the changing weather and the unique elevation of the landscape, there was opportunity for adventure, exploration and relaxation. I have now come to appreciate that this area I grew up in is truly an **amenity of great value to the health, wellbeing and culture of all who live in and visit this area**, fauna included. In particular following the lockdowns around the COVID-19 pandemic I truly came to value The Swan and Wolfhill areas for their beauty and value further and how important it is to enjoy and care for such areas.

In addition, from an **Equality perspective** I wish to make an observation in relation to a particular vulnerability of my daughter who was [REDACTED]. She

relies on [REDACTED] and appropriate listening environments to safely and adequately access sound. Her [REDACTED] provide amplification of sounds in the range of human hearing and my concern is her susceptibility to interference from the audible noise from the turbines, which emit noise within the same frequency range within which hearing aids provide amplification. Most specifically it would deeply sadden my family and I if my daughter found in the presence of the turbines she must remove [REDACTED] in order to play outside with her cousins and siblings. This would infringe upon her right as a child to optimum health and well-being to be protected. If there is an absence of evidence in terms of effects of wind turbines on [REDACTED] or [REDACTED], or [REDACTED] [REDACTED], or similarly for sufferers of [REDACTED] - It does not mean that no harm exists. Until studies arise to truly eliminate possibilities of harm the *precautionary principle* should be followed to protect all those vulnerable to [REDACTED], to prevent them unduly suffering further as a result of the turbines.

2. JUST TRANSITION

While I appreciate on a collective level (as a species) that it is vital to reach energy transition targets and to cease further potential damage through the use of fossil fuel energy sources- this must be achieved without infringing upon the human rights of the people of Ireland. From reading the application documents made by Statkraft I have identified risks to Human Rights and to the Rights of the Child that must be addressed. Similarly the threats to cultural heritage, potential for socio-economic and cultural development, and for protection of biodiversity in the area which can be framed as non-adherence or counter to targets set out in Ireland's commitment to the United Nations 17 Sustainable Development Goals..

As per Ireland's commitment, making the transition to alternative energy sources must occur as a Just Transition for all - ensuring adherence to the indicators of the SDGs following the central message "*Leave no one behind*" which specifically relates to inclusion of those most vulnerable in society. It must also, centrally and above all ensure that Ireland, in its attempts to meet the Goals, does not infringe upon its obligations to uphold human rights, the rights of the child or the conventions relating to the protection of nature and endangered species.

My personal observations will cover those risks that concern me as a mother of children, someone with an awareness of Ireland's obligations and promises to its people - and it's potential to directly harm my family's health and well-being, as well as the great risk of destroying the potential of the surrounding lands and area as a resource for all to benefit from in multiple ways. It must also be noted that there is a great imbalance of power, resources and conflict with regard to the actors and stakeholders who will participate in this process. For example, for those entities with commercial objectives there will be intentions and outcomes sought that fundamentally conflict with human rights.

3. MISLEADING THE LOCAL COMMUNITY WITH INAPPROPRIATE LANGUAGE AND INADEQUATE REFERENCING:

In their community engagement website (<https://coolglasswindfarm.ie/more-info/fact-check/>) the language used by Statkraft in my opinion is **audacious, patronising, derogatory** and at times **provocative** and **has the potential to cause division among local residents**. In my opinion this can be observed in the tone of the language used by Statkraft, as well as the total absence of appropriate references when making claims.

Statkraft asserts: *"Fact 3: Wind farm noise not an issue"*. They claim in detail that *"It is often stated that 'Noise is a huge issue'"* - they do not provide evidence or a reference to who is making such statements. This makes it very difficult for the public to achieve an informed position on what evidence exists or does not exist.

The next example, when referring to appropriate distancing, Statkraft suggests: *"...some people will lead you to believe..."* Again, the reference to *"some people"* is elusive and infers that a subgroup will attempt to lead you to believe something counter to Statkraft's position. This kind of language is **divisive** and leads people to question who are the *"some"*? Is the public to interpret as though there are some who ought not to be believed? Why would belief be of importance in the objective discussion of facts? The implications of this may affect communication in the local community on this matter if language suggesting division is used and may impede progression of meaningful dialogue.

When referring to the recorded complaint rate regarding noise: *"... 0.02%, hardly a 'huge issue' as claimed."* This language undermines those individuals who did experience difficulties as well as exploiting the vast inequality in accessing legal resourcing which can be prohibitive for many in pursuing difficulties or compensation for such in the courts. REF: <https://greennews.ie/prohibitive-costs-great-difficulties-environmental-cases-chief-justice/>

This is in contrast to the vast resources available to Statkraft for example who obtained a net profit of €2.47 billion euros in 2022, which suggests ample resources to defend on any cases they are involved in. REF: [https://www.enerdata.net/publications/daily-energy-news/statkrafts-power-generation-fell-14-2022-norway.html#:~:text=The%20Norwegian%20state%20Downed%20power,in%202022%20\(%2B79%25\).](https://www.enerdata.net/publications/daily-energy-news/statkrafts-power-generation-fell-14-2022-norway.html#:~:text=The%20Norwegian%20state%20Downed%20power,in%202022%20(%2B79%25).)

Statkraft claims, without any clear referencing: *"Modern wind turbines produce a sound which is very like that made by wind blowing through a forest..."* This presents the sound as something **idyllic** to be enjoyed, suggesting something close to or *"very like"* the dynamic nature of wind. To me personally, turbines sound mechanical, synthetic and as one person in their video examples said, the turbines sounded **"rhythmic"**. Therefore, with such differences in perception of the sound, points to it being something entirely subjective and **deflects** from acknowledging the research that exists.

Emphatically, Statkraft states: *"..When set well back from homes there is quite simply no issue..."*.

From my own personal research I could easily locate multiple resources to counter Statkraft's claims that there is *"..quite simply no issue.."*. I have included one study as an example, a literature review of multiple other studies which counters Statkraft's subjective position that there is *"...no issue..."* and provides multiple sources of evidence regarding issues and effects on human health:

STUDY - "Low-Frequency Noise and Its Main Effects on Human Health—A Review of the Literature between 2016 and 2019" -

<https://www.mdpi.com/2076-3417/10/15/5205>

ARTICLE - « Could Wind Turbines Be Toxic To The Ear? »

<https://www.npr.org/sections/health-shots/2013/03/27/175468025/could-wind-turbines-be-toxic-to-the-ear>

"Fact 7. Low frequency noise is not an issue"

Again, an alleged *"Fact"* that attempts to definitively assert that low frequency noise is *"not an issue"*, again without supporting evidence, is misleading to the public. Such statements suggest a bias in Statkraft's position in order to persuade the local community that there is no issue at all, thereby depriving them of the necessary evidence to make an informed decision.

The background context of use of such inappropriate language in their community engagement is that the location for the proposed development is in an area not open for consideration by the Laois County Development Plan and deemed unsuitable for wind development due to the sensitive environment.

4. THREATS TO PROGRESSION OF THE 17 SDGs, HUMAN RIGHTS AND RIGHTS OF THE CHILD:

Many risks presented by this proposal conflict with Ireland's commitment to meeting targets to the 17 United Nations Sustainable Development Goals. The proposed wind farm has the potential to undermine Ireland's attempts to meet its targets in achieving the 17 Sustainable Development Goals as follows:

SDG 3: Good Health and Well-being- Potential side effects such as noise pollution, infrasound and other environmental stressors may negatively impact the health and well-being of nearby residents. Reference: *"Low-Frequency Noise and Its Main Effects on Human Health—A Review of the Literature between 2016 and 2019" -*
<https://www.mdpi.com/2076-3417/10/15/5205>

SDG 4: Quality Education- With reference to the health impacts in the study referenced with SDG3, stressors may interfere with a child's ability to access education without

disturbance. This could impact those in the school setting in Wolfhill National School, 1km from a proposed turbine location, or those children living in the area attempting to complete school work, or impact their important outside work or break times. It may also affect the well being of teachers living in the area and impact their abilities to teach to their full potential.

SDG 6: Clean Water and Sanitation- The proposed development sits in a Water Source Protection Zone. The Swan public water scheme identified by the EPA as being 'vulnerable and without an alternative source' is fed by the entire area of the proposed Wolfhill cluster. If the wind farm goes ahead the works pose a serious threat to an already vulnerable source of water for human consumption and local wildlife and animals, also those on farms. The Swan Droughts 2022 - <https://www.leinsterexpress.ie/news/local-news/884349/water-tankers-refilling-laois-reservoir-in-drought-hit-area.html>

SDG 8: Decent Work and Economic Growth: *The goals states - "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all".* Installation of the wind farm has the potential to **degrade or devalue** attraction for new housing and developments for economic benefits. Principally the potential for development regarding **sustainable tourism or culture related amenities** or attractions could be eliminated entirely if a wind farm is placed in this area. The **visual and audible impact** would detract from the natural beauty and serenity of the landscape and prevent further development occurring.

The elevated location of the area, as well as the stunning beauty particularly when looking East across multiple counties in the direction of the Wicklow mountains, the sense of awe, including but not limited to dawn, dusk, full moon times is spectacular. Similarly, this elevated area offers a **dark-sky environment**(<https://www.darksky.ie/measuring-light-pollution/>) relative to the surrounding areas, which further enhances its value.

The area would include access to both accessible and tangible areas of cultural value as well as protections in the UNESCO Convention for the Safeguarding of **Intangible cultural heritage, Articles 13 & 14**. This includes sites such as the spectacular megalithic *Druids Aftar* site in the townland of **Monamanny** which is a sacred site, revered by many for the awe inspiring location it inhabits, it's alignment to the summer solstice but also for its intangible cultural heritage value as a place for contemplation, spirituality and worship.

As another example, the site of the **1798 camp location** led by Fr. John Murphy where the United Irishmen camped over night on their way from Wexford and the mass grave in the local St. Mary's church where United Irishmen who had died in an ambush were buried.

Another example of sustainable economic and cultural development is the newly emerging **film industry** emerging in County Laois. In 2015 a short film depicting the local activities relating to the 1916 Rising Irish volunteers from The Swan and Wolfhill and other locations in Laois was shot on several of the locations in close proximity to locations of proposed

wind turbines. Laois County Council has since nurtured and invested in developing the film industry in County Laois. If the wind farm went ahead it would eliminate the possibility of any future film projects occurring here, not just for visual impact, but the impact on sound recording would make it impossible to film anything that requires sound recording in the area. The making of the film led to employment for many local trades people in the building of sets for the film. I was personally involved in the making of this film as an Executive Producer, working with my father and brother who wrote the screenplay.

https://martintwomeymedia.zenfolio.com/summonherchildren_presskit-r6.pdf

SDG 11: Sustainable Cities and Communities - Sustainable communities are another key goal. If the proximity of the wind farm to human residences leads to conflicts, reduced livability, or impacts the quality of life in the community then it is to detract on progress towards the SDGs.

SDG 15: Life on Land: This goal states that UN Member States should *"Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss"*. The recording of the **Marsh fritillary butterfly** a threatened species within 1km of a proposed turbine, as well as recordings of Near Threatened species **Dingy Skipper** (*Erynnis tages*), **Small Heath** (*Coenonympha pamphilus*), **Wood White** (*Leptidea sinapis*) as the vital and endangered **Pearl Mussel** are clear indicators of the value of this landscape to provide an environment where biodiversity can thrive and recover if nurtured and more evidence of why this wind farm must not be approved in this area.

<https://maps.biodiversityireland.ie/Map/Terrestrial/Species/77487>

SDG 16: Peace, Justice and Strong Institutions: This goal states that UN Members States should *"Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels"*. As detailed in point 3. above, peaceful and inclusive societies must be protected, with adequate justice at all levels. Misleading the public with inappropriate language, or inadequate referencing is an unjust approach to advancing a wind energy project.

5. ASSESSING THE HUMAN IMPACT APPROPRIATELY

In order to ascertain the true impact on rights the **Human Rights Impact Assessment** and **Child Rights Impact Assessment** tools should be utilised by the Bord. It is evident from the application by Statkraft that in depth analysis on human rights and child rights impacts has not been adequately considered.

Note: these impact assessments **MUST NOT** be conducted by the wind farm company, or any beneficiaries of this project as it would introduce bias in the completion of assessing impact in Rights based framework approach due to conflict of interest.

Alternatively consultation with the Ombudsman for Children could be consulted for clarity and guidance on rights impacted for children.

I include reference to Human Rights and Rights of the Child as related to references made throughout this document.

Right to Health:

- Universal Declaration of Human Rights (UDHR):
 - Article 25(1): "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services..."
- International Covenant on Economic, Social and Cultural Rights (ICESCR):
 - Article 12(1): "The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health."

Right to Water: UN Committee on Economic, Social and Cultural Rights (CESCR):

- General Comment No. 15 (2002): This comment elaborates on the right to water and states that it is a part of the right to an adequate standard of living.

Right to Worship: Universal Declaration of Human Rights (UDHR):

- Article 18: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

Children's Equivalent Rights: Convention on the Rights of the Child (CRC):

- This treaty includes a comprehensive list of children's rights. Some of the key articles include:
- Article 6: Right to Life, Survival, and Development

- o Article 24: Right to Health and Health Services
- o Article 27: Right to an Adequate Standard of Living
- o Article 28: Right to Education
- o Article 31: Right to Rest, Play, Leisure, and Participation in Cultural and Artistic Activities
- o Article 32: Protection from Economic Exploitation and Harmful Work

I respectfully urge that planning permission for this development be refused. I enclose 50 Euro in respect of this objection. All correspondence in this matter can be sent to me at:

Malvina Walsh
College View,
Pound Road
Dunlavin
Co. Wicklow
W91P3C1

Is mise le meas,
Malvina Walsh