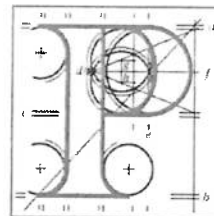


Our Case Number: ABP-317809-23

Planning Authority Reference Number:



**An
Bord
Pleanála**

Sean Fleming
Castletown
Portlaoise
Co. Laois

Date: 10 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,



Evan McGuigan
Executive Officer
Direct Line:

PA04

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Sean Fleming T.D.

Minister of State, Department of Foreign Affairs

Castletown, Portlaoise, Co. Laois

Tel: 057-8732692 Email: sean.fleming@oireachtas.ie



An Bord Pleanála
64 Marlborough Street
Dublin 1

AN BORD PLEANÁLA	
LDG-	062165-23
ABP-	
06 OCT 2023	
Fee: €50-	Type: Cheque
Time: 11:37	By: Hand

5th October 2023

Planning Reference Number: PA11.317809

To whom it may concern,

I wish to make a submission in relation to the above planning application in respect of a Strategic Infrastructure Development in Co. Laois.

Local and National Policy

This application is in an area under the Laois County Development Plan that is deemed: An Area Not Open for Consideration for wind farms. This is due to the overall sensitivity arising from landscape, ecological, recreational and/or cultural and built heritage resources.

Twelve of the thirteen proposed turbines are in such an area.

The planning report submitted by Laois County Council clearly states that "the development as proposed is contrary to the provisions of the Laois County Development Plan 2021-2027 and the associated Wind Energy Strategy. Having regard to the foregoing it is considered that the development would materially contravene the Laois County Development Plan 2021-2027 and would therefore be contrary to the proper planning and sustainable development of the area."

During the course of the drawing up of the County Development Plan the Planning Regulator made recommendations in relation to the wind energy strategy. The Regulator made two recommendations: one in relation to the setback distance. The second was in relation to the need for a Renewable Energy Strategy for Laois to commence within one year of the adoption of the plan. It is clear that the Regulator, having made no recommendation regarding areas not open for consideration for wind farms, was satisfied with the current development plan.

Department of Foreign Affairs, Iveagh House St. Stephen's Green Dublin 2	Dáil Éireann Leinster House Kildare Street Dublin 2
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The Minister subsequently issued a direction to Laois County Council in relation to the set back distance of 1.5km, that it be eliminated from the Development Plan. The Minister also made a recommendation that the Council prepare a Renewable Energy Strategy and that this was to commence within one year of the adoption of the plan. It is clear from this that the Minister and the Department had examined the wind energy strategy and were satisfied that these were the only two changes that were required. Therefore, it is only correct to presume that the Minister was satisfied with issues in relation to the areas in the plan that are not open for consideration for wind farms.

An Bord Pleanála is independent in the making of its decisions. It must have due regard, not only to the Laois County Development Plan but also to the views of the Planning Regulator and the views of the Minister which are clear in respect of this in the Wind Energy Strategy of County Laois and the areas not open for consideration for wind farms.

Premature Development

This application is premature for the following reasons:

- A) The Department of Housing and Planning published draft revised wind energy guidelines a number of years ago. These planning guidelines have not been finalised and are still under consideration by the Government. It is therefore premature to grant planning permission whilst the Government is currently working on these with a view to finalising them. Any such decisions should wait for these guidelines to be finalised.*
- B) The cable route linking this development to the grid has not been finalised. The suggestions regarding route options might never happen or an alternative route may be suggested at a future date. Either way, they are not part of this application and should not be taken into consideration. This is only a piecemeal application and should be refused. It is only proper planning and development that the route to the national grid be part of an application. This is not the case and therefore, this isolated stand alone development without an application or connection to the grid is premature.*
- C) The Ministerial Directive requires Laois County Council to prepare a Renewable Energy Strategy for County Laois and to commence this within one year of the adoption of the plan. This process is not underway and therefore an application that has an impact on this strategy is premature at this time.*

Not a Strategic Infrastructure Development

There are clearly two different clusters as part of this application, none of which meet the target under Strategic Infrastructure Development. These two independent clusters are to be connected by one cable. The clear logic and precedent of this, if accepted, is that any proposal can be submitted under this heading where there may be multiple clusters, totally separate in their locations, and once there is one cable connecting them all it can be deemed one single application under S.I.D.. This would be a very wrong route to go down as each group of wind turbines should be looked at in its own right.

The power output of this project is shown to be at a level required under the Strategic Infrastructure Development. However, the applicant has not clearly demonstrated the realistic output based on the level of efficiency and potential timing and when the windfarm is likely to be called online for the grid. It may be possible to say in a potential situation that it will meet the SID threshold, but on a practical use and real life basis this has not been demonstrated.

Public Consultation

The public consultation that was carried out by the applicant was a farce. There was no meeting called for any residents in the area at any stage. There was a leaflet drop to houses in the area and some houses were actually missed. The leaflet drop was generally carried out during working hours when many people were at work and there was nobody in the house. In these situations "public consultation" merely involved dropping a leaflet at the door. This is utterly unacceptable and An Bord Pleanála must accept that this process was fundamentally flawed and not stand over it.

Water

- A) One of the turbines is located within the S.O. area of Kyle and Orchard Spring Water Supply Scheme*
- B) The southern aspect of this proposed development is part of the River Nore catchment with tributaries of the River Owenbeg to the west of the proposed development and River Clough to the south of the site traversing this area.*
- C) One of the turbines is approximately 100m from The Swan water scheme ground water monitoring well.*

D) The River Nore and River Barrow are Special Areas of Conservation and the impact on this has not been examined at all.

There is no reference to a consultation with neighbouring Local Authorities especially Kilkenny, Carlow and Waterford in respect of their impact on this development which is upstream of their Counties.

One of the proposed cable routes is in an area which can have an impact on the river Barrow and River Nore SACs.

Shadow Flicker and Noise

No clear evidence has been given by the applicant in respect of noise and vibration, where they say that it will be delivered in accordance with approved guidelines.

The applicant clearly accepts that there will be shadow flicker for several hours per annum at various locations. The reduction measures at the times of shadow flicker have not been adequately demonstrated by the applicant. Separately the removal of a large number of trees as part of this development and the normal removal of trees in future years, while these wind turbines will be in existence, will also increase the shadow flicker on houses in the area as time goes by. This has not been considered by the applicant.

Community Gain/Loss

The application deals with the issue of Community Gain. Any proper assessment of this must also deal with the community loss and to see how the loss compares to the gain to the community.

Inevitably, properties and land will be devalued in this area and people who have mortgages could easily find themselves in negative equity solely as a result of this proposed development. It could also impact the value people could achieve for any subsequent sale of either houses or land in the area.

If planning permission is granted for this proposed wind farm it will effectively sterilise large areas from future development. This will prevent people being able to build a family home on their own land in the future. These losses have not been documented or examined and it is totally inappropriate to consider the value of community gain without considering the loss and damage to the local community.

Poor Quality of Application

The Planning Report from Laois County Council clearly demonstrates a number of errors and inconsistencies in relation to this application. These have arisen from one or two reasons.

One reason is the applicant is careless and unprofessional. The other reason is that these errors were deliberately included in an effort perhaps to cause confusion.

One way or the other, these inconsistencies and errors whether they were deliberate or due to carelessness are unacceptable in an application that will affect the lives of people for future generations. The quality of this application is so poor that it should be refused outright.

It is not the job of An Bord Pleanála and the Irish taxpayer to spoon-feed the applicant to get their application in order. They should come to An Bord Pleanála with a fully and accurately prepared application and not expect An Bord Pleanála to spend an inordinate amount of time and resources filtering through what is a poor quality application.

The Planning Report from Laois County Council highlights just some of these, for example:

- In relation to the description of the proposed development, the report refers in Section 13.1 that the layout including planning statements and the EIAR is not that shown on the planning application drawings.*
- In relation to Section 13.3 the report points out inconsistencies in relation to the number of residential properties.*
- In Section 13.4 the Council points out several inconsistencies in relation to the site size.*

Finally, the development of wind energy is very important for Ireland's energy needs.

I fully support proper planning applications for wind farms in appropriate locations. For example, one wind farm that is currently in operation in Co. Laois for a number of years now, Gortahile is a good example where I supported the application at the time.

However, this application is fundamentally flawed, not up to standard and is not in accordance with proper planning and sustainable development of the area.

I request An Bord Pleanála to refuse this planning application.

Yours sincerely,

A handwritten signature in blue ink that reads "Sean Fleming". The signature is fluid and cursive, with the first name "Sean" and the last name "Fleming" clearly distinguishable.

Sean Fleming T.D.

Encl. €50 Fee.