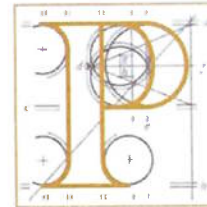


Our Case Number: ABP-318704-23



An
Bord
Pleanála

Ciara Ryan
Graffin
Clonmore
Templemore
Co. Tipperary

Date: 13 February 2024

Re: 10 year development of 9 Wind Turbines and associated infrastructure
at Borrisbeg and adjacent townlands, near Templemore town in Co. Tipperary
(<https://borrisbegplanning.com>)

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. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Lauren Murphy
Executive Officer
Direct Line: 01-8737275

PA04

Teil	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	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Graffin
Clonmore,
Templemore,
Co. Tipperary
06th Feb 2024

An Bord Pleanála,
64 Marlborough St
Rotunda,
Dublin 1,
Dublin,
D01 V902.

Re: Observation to Strategic Infrastructure Development PA.318704 – Borrisbeg Renewable Energy Development in townlands of Borrisbeg, Eastwood, Ballycahill, Knockanroe, Clonmore, Graffin and Skehanagh, Co. Tipperary.

Applicant: Buirios Limited

Dear Sir/Madam,

I refer to the Strategic Infrastructure for a 9 no. Wind Turbine Development and associated infrastructure in the above townlands. As local residents who have lived in the vicinity of the proposed development for over thirty years, we welcome this opportunity to comment on the proposed development.

To provide context, our current home can be identified as **House H011** on *Appendix 12-5 – Wind Turbine Noise Contour Map of the EIAR*. This house commenced in 2020 and was completed in 2022. Our home is located approximately 700m northeast and downwind of the nearest wind turbine. Having reviewed the accompanying planning and environmental documentation, there are a number of aspects of the development proposal that remain of concern to both our residential amenity and the overall environmental integrity of the area.

When considering the amenity of residents in the context of the proposed development, there are three main potential impacts of concern, these being Noise, Visual Amenity and Shadow Flicker. Our key concerns are set out below.

Adequacy of the existing Noise Guidance in the 2006 Wind Energy Guidelines

Wind turbine noise is frequently pointed out as the reason for local communities' objection to the installation of wind farms. Our home, H011 in Appendix 12-5, is positioned directly northeast of T03 and T04. This house is identified in **Chapter 12, Table 12-20** as being located within the top 10 predicted noise levels at 8 m/s.

The current setback distances for wind turbines are set out in the 2006 Wind Energy Guidelines. Draft Wind Energy Guidelines commenced in 2013 and while they have been updated and revised in 2019, these Guidelines have not progressed to adoption. Contrary to the slow progress with respect to wind energy policy, wind turbine technology, by way of its height and mass has advanced significantly from the technology upon which the 2006 guidance was originally drafted.

The draft Wind Energy Guidelines 2019 casts doubt on the robustness of the existing methodology outlined in the 2006 Guidelines stating that the approach *'lacked clarity and could potentially lead to significant increases in noise levels being set at low background noise level locations.'*¹ These draft guidelines instead propose an alternative *'Relative Rated Noise Limit (RRNL) in the range of 35 – 43 dB(A), while not exceeding the background noise level by more than 5dB(A) with an upper limit of 43 dB(A).'*² This affords a higher level of protection to people who live in the vicinity of any future wind farm developments and is based on best international practice on wind turbine noise control including the Institute of Acoustics Good Practice Guides², WHO Guidelines³, and a procedure for the assessment of low-frequency noise complaints⁴.

Environmental noise is highly technical in nature and High Court decisions in recent years have found developers liable for causing nuisance to families who were severely impacted by noise living within 1km of a Cork Wind farm. As with all windfarm developments, this development was subject to a full Noise Impact Assessment before construction and further indicates failures in noise assessment methodology within 1km of windfarms.

As previously stated, our property is located approximately 700m metres from the nearest turbine. In addition to this and given the prevailing wind in Ireland which will carry noise in the direction of the home, we remain deeply concerned that there is a very real risk of experiencing adverse noise impacts both inside and outside of our home.

We also note the operational noise daytime criterion differs per house with day-time noise criteria ranging from 40.0 – 45.0db for non-participating homeowners (e.g H011). However, such limits are increased to 45db for participating landowners. We respectfully suggest that a cautious approach should be taken to the relaxation of the guidelines and question if allowing such relaxation is appropriate if such houses are not guaranteed to remain within the ownership of the landowner for the duration of the operation of the wind farm. Furthermore, abandonment of property due to noise impacts would make for unnecessary dereliction and unsightliness in the countryside.

While it is the aim of the Government policy to strike a balance between the concerns of local communities and the need to invest in indigenous energy projects, we are concerned that such balance is currently tipped in the favour of wind energy given the ambitious targets set out in the Climate Action Plan 2023. It is also our concern that the failure by the Dept. of Housing, Local Government, and Heritage to produce robust and fit-for-purpose Wind Energy Guidelines may result in the inappropriate siting of windfarms with the prospect of future legal challenges and costly outlays for both locally impacted residents and developers, as well as the associated health impacts of such exposure.

Accordingly, we ask that the Board:

- 1) seek guidance on when new noise guidance will be produced and to ensure the protection of our residential amenities;

¹

<https://www.gov.ie/pdf/?file=https://assets.gov.ie/46097/6e68ea81b8084ac5b7f9343d04f0b0ef.pdf#page=nu>
ll

² Institute of Acoustics, A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise, May 2013 including Supplementary Guidance Note 1 to 6

³ World Health Organization, Environmental Noise Guidelines for the European Union, 2018

⁴ Moorhouse, A., Waddington D. and Adams, M., Procedure for the assessment of low-frequency noise complaints, February 2005, Contract no NANR45 to the UK Department for Environment, Food and Rural Affairs (DEFRA).

- 2) to carry out an independent assessment or review by a competent expert of the potential noise impacts of the proposed wind farm to ensure the safeguarding of our residential amenity and health.
- 3) Satisfy themselves with adequate evidence that the current guidelines are compatible and sufficiently robust to reflect the noise emissions from the latest technology proposed, which post-dates the 2006 Guidelines.

Accordingly, in the absence of the pending publication of revised guidelines, we ask that the Board broaden the scope of the noise assessment to consider the best international and EU practice in the interest of proper planning and sustainable development.

Shadow Flicker

The Shadow Flicker software modelled 140 sensitive properties for potential shadow flicker impact. Of these, a total of 110 properties are theoretically predicted to experience shadow flicker, one of which is our home. The mitigation strategy proposed includes the installation of appropriate window blinds in the affected rooms of the residence and the planting of screening vegetation.

In the case of our home, there are 24 windows in our home, of which 22 windows will look onto the wind turbines. Our primary living quarters will overlook three turbines (T1, T2 and T3). Up to this point, no assessment of the shadow flicker consequent of the orientation of our windows has been carried out. In the likely event that the shadow flicker exceeds the recommended threshold, the proposed solution of blinds and screening will result in the loss of our view of Devil's Bit Mountain (proposed Natural Heritage Area and Special Area of Conservation), a basis upon which we selected the location of our existing home, thereby guaranteeing that a negative/adverse visual impact will arise from the proposed development.

The Draft Wind Energy Guidelines 2019 confirm a policy of zero shadow flicker and recommend planning authorities or An Bord Pleanála to impose condition(s) to ensure that no existing dwelling or other affected property will experience shadow flicker as a result of the wind energy development. While we acknowledge the current guidelines are what the Board must base their assessment on, we ask the board to consider the extent to which we will be affected by shadow flicker, given the direction and number of windows in our home and the extent to which the proposed mitigation outlined above would alleviate the issues without resulting in a loss of view and potentially reduced daylight arising from the need to draw blinds to reduce shadow flicker effects.

Visual Impact

As outlined above, our property was built in this location to enjoy its vantage point of the Devils Bit Mountain and the valley below including the flat farmland of Knockinroe and Graffin. The proposed windfarm will instead dominate the skyline from almost all aspects of our property and home.

We have reviewed the photomontages and suspect that these present an overly favourable representation of the wind farm proposal. In particular, we refer to Viewpoint 29 where the tip of our home is present. This viewpoint would be radically different if taken some degrees right or left of this viewpoint and would illustrate the fullness of our home and its diminutive size in the context of the proposed wind farm landscape.

Proposed Community Scheme

While the proposed community scheme is noted, an equitable provision is required for local residents whose residential amenities are most impacted. While a householder living near the site will receive a minimal payment of 1,000 euros per annum, this is not in any way sufficient to compensate or

address any potential adverse impacts by way of visual impact, shadow flicker and noise as planting and the addition of noise abatement measures in an affected home would far exceed this. Consequently, the proposed scheme does little to alleviate our concerns about the potential impacts, nor compensate for the loss of residential amenities that we currently enjoy.

Examination of Alternatives

In a scoping response from the Department of Transport, a request to examine an alternative to routing of cables along the public road was proposed. Having regard to the alternatives section in Chapter 3 of the EIAR, this option does not appear to have been examined in detail.

Natura Impact Statement and Local Ecology

The local area has a diverse and varied wildlife which includes birds of prey such as barn owls, kestrels, the sparrow hawk, buzzards, and bats as well as pine martins, foxes, and pheasants. Accordingly, much of the proposed lands could be considered of a High Nature Value and this is reflected in the biodiversity chapter of the EIAR. Biodiversity in Ireland is deteriorating due to the acceptance of minor to moderate impacts on habitat that over time, cumulatively result in significant biodiversity degradation. Given the ecological diversity of this area, it is asked that the Board ensure that their assessment concludes beyond all scientific doubt, that the potential adverse effects on the sensitive areas and adjacent lands have been removed, and that the protection of local habitats is preserved through assessing the adequacy of the practical effectiveness of the proposed mitigation set out in Section 6 of the EIAR.

We would be grateful if this submission could be given consideration during the assessment of the proposed application.

Mise le Meas,

Robbie Ingram and Ciara Ryan