

## Sinead White

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**From:** Martina Fahy <martina.fahy@gmail.com>  
**Sent:** Friday 9 January 2026 16:58  
**To:** SIDS  
**Subject:** Fwd: Your Observation Reference: SID-OBS-001909  
**Attachments:** Laurclavagh-SID-OBS-001909-Martina\_Fahy.pdf

**Categories:** Sinead White

You don't often get email from martina.fahy@gmail.com. [Learn why this is important](#)

**Caution:** This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

To whom it may concern

Please find attached my observation in relation the further information request for Laurclavagh Community Submission for Proposed Laurclavagh Renewable Energy Development (PA07.319307).

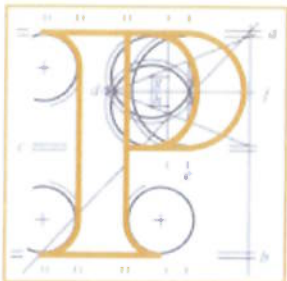
Please acknowledge receipt of this email.

Kind regards

Martina Fahy  
086 8945410

----- Forwarded message -----

**From:** An Bord Pleanála <[no-reply@pleanala.ie](mailto:no-reply@pleanala.ie)>  
**Date:** Fri 10 May 2024, 17:12  
**Subject:** Your Observation Reference: SID-OBS-001909  
**To:** Martina Fahy <[martina.fahy@gmail.com](mailto:martina.fahy@gmail.com)>



An  
Bord  
Pleanála

## Strategic Infrastructure Observation Confirmation

Your reference

SID-OBS-001909

**An Bord Pleanála case number or  
brief development description as provided**

**Name** Martina Fahy

**Fee** €50.00

**What happens next?** Our staff will process your observation. This will take about five to seven working days. We will send a letter in the post to tell you if your observation is valid — or not.

**Further information** You can get further information on Strategic Infrastructure on the [An Bord Pleanála website](#). This includes the [Strategic Infrastructure Applications Public Guidance Document](#).

## Submission to An Bord Pleanála/An Coimisiún Pleanála

**Subject:** Proposed development of 8 wind turbines of 185 metres tip height producing 54MW, a substation at Kilcurriv Grid, and a connection to the EirGrid substation at Cloon, Tuam, Co. Galway.

**Applicant:** Laurclavagh Renewable Energy Development

**ABP Case Reference:** PA07.319307

**Observer:** Martina Fahy, Bunnahevna Mór, Corrandulla, Co. Galway, H91 X5C2

**Original Observer Reference:** SID-OBS-001909

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### 1. Introduction

I submit this further observation to An Bord Pleanála/An Coimisiún Pleanála to object to the proposed development of industrial-scale wind turbines within approximately 1 kilometre of my family home.

This objection is grounded in **established scientific evidence, An Bord Pleanála/An Coimisiún Pleanála refusal precedent, and constitutional protections**. I submit that the proposed development would cause **significant adverse impacts on health, residential amenity, and quality of life**, and would materially interfere with the **peaceful enjoyment and inviolability of my home**.

Given the proposed turbine **tip heights of 185 metres**, and the proximity to sensitive residential receptors, the impacts are not ordinary planning externalities but raise serious concerns under **proper planning and sustainable development** and the **Constitution of Ireland**.

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### 2. Constitutional Rights Affected

The Constitution of Ireland provides several protections that are directly engaged by the proposed development and must be meaningfully considered by An Bord Pleanála/An Coimisiún Pleanála.

#### 2.1 Article 40.5 – Inviolability of the Dwelling

Article 40.5 provides that *“the dwelling of every citizen is inviolable.”* This protection extends beyond freedom from physical entry and encompasses the **sanctity, security, and peaceful enjoyment of the home**. Persistent environmental intrusion—noise, low-frequency vibration, shadow flicker, and visual dominance—interferes with the dwelling as a place of rest and privacy.

(<https://www.irishstatutebook.ie/eli/cons/en/html>)

## 2.2 Article 40.3 – Personal Rights

Article 40.3 obliges the State to protect personal rights, including **bodily integrity, privacy, and personal security**. Scientific evidence demonstrates that exposure to wind turbine noise, particularly at night, can result in **sleep disturbance, chronic stress, and adverse health effects**, engaging these rights.

(<https://www.irishstatutebook.ie/eli/cons/en/html>)

## 2.3 Article 41 – Protection of the Family

Article 41 recognises the family as the natural and primary unit of society and guarantees its protection. Environmental conditions that impair sleep, wellbeing, and mental health—especially where children are present—undermine family life and conflict with the State’s constitutional duty to protect the family.

(<https://www.irishstatutebook.ie/eli/cons/en/html>)

## 2.4 Article 43 – Private Property and Peaceful Enjoyment

Article 43 protects the right to private property and its **peaceful enjoyment**. Development that materially diminishes residential amenity, enjoyment of outdoor space, and the use of the home constitutes an interference with this right and must be proportionate and justified in the public interest.

(<https://www.irishstatutebook.ie/eli/cons/en/html>)

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## 3. Scientific Evidence of Adverse Impacts

A substantial body of **peer-reviewed scientific research** demonstrates that industrial-scale wind turbines generate **noise, low-frequency noise, amplitude-modulated noise, and shadow flicker**, all of which can adversely affect residents at distances of **less than 1–1.5 km**.

### 3.1 Sleep Disturbance and Health Effects

The **World Health Organization (WHO)**, in *Environmental Noise Guidelines for the European Region (2018)*, identifies wind turbine noise as capable of causing **sleep disturbance, annoyance, and adverse health effects**, and recommends precautionary exposure limits to protect human health.

(<https://www.who.int/publications/i/item/9789289053563>)

**Pedersen, E. & Waye, K.P. (2004)**, “*Perception and annoyance due to wind turbine noise — a dose–response relationship*” (*Journal of Sound and Vibration*), identified clear associations between wind turbine noise exposure and **increased annoyance and sleep disturbance**, even at relatively low sound levels.

([https://doi.org/10.1016/S0022-460X\(03\)00093-8](https://doi.org/10.1016/S0022-460X(03)00093-8))

**Pedersen, E. & Wayne, K.P. (2007)**, “*Wind turbine noise, annoyance and self-reported health and well-being in different living environments*” (*Environmental Research Letters*), demonstrated consistent links between turbine noise exposure and **sleep disruption, stress responses, and reduced quality of life**.

<https://iopscience.iop.org/article/10.1088/1748-9326/2/2/025008>

**Shepherd, D., McBride, D., Welch, D., Dirks, K.N. & Hill, E.M. (2011)**, “*Evaluating the impact of wind turbine noise on health-related quality of life*” (*Noise & Health*), found that residents living near wind turbines experienced **significantly poorer sleep quality, reduced wellbeing, and higher psychological distress** compared with matched control populations.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3168620/>

### 3.2 Low-Frequency Noise Penetration

**Møller, H. & Pedersen, C.S. (2011)**, *Journal of the Acoustical Society of America* demonstrated that modern large turbines emit proportionally greater **low-frequency noise**, which travels further and penetrates dwellings more effectively, resulting in internal disturbance at distances exceeding 1 km.

<https://asa.scitation.org/doi/10.1121/1.3567073>

### 3.3 Impacts on Children

WHO research on childhood noise exposure links **chronic noise and disturbed sleep** to impaired concentration, learning difficulties, and emotional wellbeing. Where children are present, the threshold for acceptable environmental risk must be especially cautious.

[https://www.euro.who.int/\\_data/assets/pdf\\_file/0017/43316/E92845.pdf](https://www.euro.who.int/_data/assets/pdf_file/0017/43316/E92845.pdf)

### 3.4 Weight of Scientific Evidence (Consistency and Robustness of Findings)

These findings represent a **consistent body of peer-reviewed evidence** across jurisdictions and methodologies. The WHO’s conclusions are based on **systematic review**, and the findings of Pedersen & Wayne and Shepherd et al. are **internationally consistent** and reproducible. This constitutes a **robust evidence base**, not speculative concern, and must be afforded substantial weight where turbines of exceptional scale are proposed close to occupied dwellings.

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## 4. Impact on Residential Amenity

Based on the above evidence, turbines of the scale proposed within approximately **1 km** of a dwelling pose a credible risk of:

- Persistent sleep disturbance
- Chronic stress and annoyance
- Interference with work, study, and rest
- Reduced use and enjoyment of gardens and outdoor space
- Visual overbearing and shadow flicker affecting mental wellbeing

These impacts materially undermine the peaceful enjoyment of property as protected under Article 43 and erode the inviolability of the family home under Article 40.5.

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## 5. Conflict with Constitutional Protections

The scientific evidence demonstrates that turbine operation at the proposed distance would:

- Impair bodily integrity through sleep and health impacts (Article 40.3)
- Compromise privacy and personal security within the home (Article 40.3)
- Undermine the protection of the family, particularly children (Article 41)
- Interfere with the peaceful enjoyment of property (Article 43)
- Breach the inviolability of the dwelling through persistent environmental intrusion (Article 40.5)

These concerns are neither hypothetical nor speculative; they are grounded in repeated findings across multiple peer-reviewed studies.

### 5.1 Alignment of Scientific Evidence with Constitutional Protections

Chronic sleep disturbance and stress responses identified in the studies above directly engage **Articles 40.3 and 40.5**. These effects occur **inside the home**, are unavoidable by occupants, and persist for the operational lifetime of the development. Where children are present, the impacts engage **Article 41**, and the resulting loss of amenity engages **Article 43**. The evidence therefore provides a **direct evidential basis** for concluding that the proposed development risks infringing constitutionally protected rights.

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## 6. Planning Precedent: An Bord Pleanála/An Coimisiún Pleanála Refusals

In preparing this observation, I researched **An Bord Pleanála/An Coimisiún Pleanála Inspector's Reports and Board Decisions** where planning permission was **refused** due to residential or visual amenity impacts arising from turbine **scale, height, or proximity**. This precedent is directly relevant and must be considered.

### 6.1 ABP Case PL07.243486 – Refusal Due to Residential Amenity (Turbines up to 131 metres tip height)

In **PL07.243486**, a wind farm comprising turbines with a **\*\*maximum blade tip height of 131 metres** was refused. The Inspector concluded that impacts including **noise, shadow flicker, and visual intrusion** would result in **unacceptable harm to the amenities of nearby residential properties**, and the Board refused permission on that basis.

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/reports/243/r243486.pdf>

## 6.2 ABP Case PL04.240461 – Ardrah Wind Farm Refusal (Tip height approx. 99.5 metres)

In **PL04.240461**, the Board refused permission for turbines with a **hub height of 64 metres** and **rotor diameter of 71 metres**, giving a **\*\*tip height** of approximately **99.5 metres**. The Board concluded that the development would **seriously injure visual amenities** and harm the character of the area.

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/reports/243/r243486.pdf>

## 6.3 Application of Refusal Precedent to the Present Proposal

The refused cases demonstrate that An Bord Pleanála/An Coimisiún Pleanála will refuse permission where:

- Residential or visual amenity impacts cannot be satisfactorily mitigated
- Turbine height and scale result in overbearing or injurious effects

The present proposal involves turbines of **185 metres tip height**, far exceeding the heights in the refusal precedents above, and located within approximately **1 km** of an occupied dwelling. The same amenity concerns therefore arise with greater intensity.

## 7. Procedural Fairness and Equality of Treatment

Further, I seek clarification as to why the applicant's consultant, MKO, was afforded a period of approximately **six months** to provide further information to **An Bord Pleanála/An Coimisiún Pleanála**, whereas third parties and members of the public were afforded a significantly shorter period of approximately **ten weeks** in which to review that information and make observations.

While I acknowledge that the statutory planning process provides for requests for further information, I am concerned that the substantial disparity in timeframes may have had the effect of placing third-party observers at a procedural disadvantage. The preparation, review, and assessment of complex technical documentation within a limited timeframe presents a significant challenge for members of the public who do not have access to professional planning, legal, or technical resources.

I respectfully submit that this imbalance in available timeframes raises concerns in relation to procedural fairness, equality of arms, and effective public participation, all of which are fundamental principles underpinning the planning process. I request that **An Bord Pleanála/An Coimisiún Pleanála** confirm that due regard has been had to these principles in its consideration of this application.

## **8. Request to An Bord Pleanála/An Coimisiún Pleanála**

In light of:

1. The well-documented scientific evidence demonstrating adverse health and wellbeing impacts at distances comparable to or greater than 1 km;
2. The likely significant deterioration in residential amenity;
3. The consistent refusal precedent applied by An Bord Pleanála/An Coimisiún Pleanála in comparable cases; and
4. The conflict with rights protected under Articles 40.3, 40.5, 41, and 43 of the Constitution of Ireland,

I respectfully request that An Bord Pleanála/An Coimisiún Pleanála **refuse permission** for the proposed development.

## **9. Declaration**

I confirm that this submission is made in good faith and in the interest of protecting the health, wellbeing, residential amenity, and constitutional rights of my family and community.

Signed: Martina Fahy

Date: 08 January 2026