

SUBMISSION TO AN COIMISIÚN PLEANÁLA

Re: Proposed Cooloo Wind Farm – Case 323761

Submitted by: Agnes Quirke

Address: Lissavalley, Barnaderg, Tuam, Co. Galway

Date: 21st November 2025

Executive Summary

This submission is made pursuant to the Planning and Development Act 2000 (as amended), the European Union (Environmental Impact Assessment) Regulations, the Habitats Directive, and the Aarhus Convention principles of public participation and access to justice.

I reside at Lissavalley, Barnaderg, Tuam, Co. Galway. I am married to Tom and we have a young daughter. This has been our home for close to 20 years. The parish of Killrerin is a wonderful place to live, with a local shop, post office, Pubs, Restaurant, Church, GAA Club and a Playground that our young daughter just loves. We have amazing friends and very helpful neighbors and there is a great community spirit. However this proposed Wind farm has already caused splits within our community.

As a family we enjoy walks in the local rural roads, especially up Dangan Eighter. Which is a lovely quiet road for our daughter to walk on. Our house lies approximately 200 metres from the proposed construction entrance for the Cooloo Wind Farm. This entrance is a core element of the project and will generate severe and ongoing environmental, amenity, and human-health impacts.

The Environmental Impact Assessment Report (EIAR) submitted by the developer contains:

- Material omissions of dwellings
- Incorrect mapping
- Non-compliance with EPA EIAR Guidelines
- Inadequate assessments of noise, traffic, shadow flicker, air quality, peat stability, hydrology, and human health
- Evidence of unlawful project splitting

These deficiencies amount to procedural and substantive non-compliance with Irish and EU environmental law, rendering the application fatally flawed.

Accordingly, I respectfully submit that An Coimisiún Pleanála is legally precluded from granting permission. In the alternative, given the gravity of the defects and the severity of impacts on the local community, I request that a full Oral Hearing be convened.

Chapter 1 – Introduction and Legal Context

This submission is made in accordance with the statutory rights of members of the public to participate in environmental decision-making. Under Section 172 of the Planning and Development Act 2000, EU Directive 2011/92/EU (as amended by 2014/52/EU), and the Aarhus Convention, I am entitled to a transparent, accurate, and scientifically robust assessment of the proposed development.

The EIAR for this proposal fails to meet the mandatory legal standard. Central to these failures is the fact that the developer did not correctly identify or assess all relevant residential receptors, including my home. The omission of dwellings is not a mere oversight—it is a material defect affecting the reliability of every assessment relying on spatial data, including noise, shadow flicker, traffic, hydrology, and human health.

My home, located 200 metres from the proposed construction access, is not just “near” the development—it is directly adjacent to one of its most impactful components. This proximity legally requires the highest tier of assessment, which has not been carried out.

Chapter 2 - Deficiencies in the Description of the Proposed Development

An EIAR must provide a complete project description under Annex IV of the EIA Directive. The EIAR submitted does not meet this requirement.

2.1 Omission and Fragmentation of Project Components

The EIAR improperly fragments the project by excluding or superficially referencing:

- The grid connection
- The Battery Energy Storage System (BESS)
- Associated off-site works

Under *O’Grianna & Ors v An Bord Pleanála* (2014), such fragmentation is unlawful and results in an EIAR that fails to assess cumulative and in-combination impacts.

2.2 Failure to Properly Describe Construction Access

The construction access point, located 200 metres from my dwelling, is arguably the single most impactful element on my family, and yet:

- Its traffic volumes are not accurately described
- Its dust, noise, and safety implications are ignored
- Its proximity to sensitive receptors is understated
- Its operational hours are not properly disclosed

An incomplete project description invalidates the EIAR and precludes lawful development consent.

Chapter 3 – Non-Compliance with National and Local Planning Policy

3.1 Galway County Development Plan

The Galway County Development Plan contains binding objectives to:

- Protect residential amenity
- Avoid significant adverse environmental impacts
- Ensure developments respect the rural settlement pattern

Locating a heavy-construction entrance 200 metres from a home with a young child is entirely incompatible with these objectives and would ordinarily be considered unacceptable in any rural planning context.

3.2 Wind Energy Development Guidelines

Both the 2006 guidelines and 2019 Draft Guidelines require:

- Full identification of all dwellings
- Consideration of construction impacts
- Assessment of noise, shadow flicker, and safety
- Meaningful community engagement

The developer has complied with none of these requirements in any substantive manner.

Chapter 4 – Human Health: Legal and Environmental Failures

Human health is a mandatory component of EIARs under Directive 2014/52/EU.

The EIAR in this case:

- Fails to assess human health impacts arising from heavy construction traffic
- Ignores vulnerable receptors, including children
- Misidentifies or omits residences
- Fails to apply WHO noise guidelines

- Provides no quantitative assessment of stress, sleep disturbance, or mental wellbeing
- Ignores air quality deterioration

Given the 200 metre distance, the health impacts on my young daughter and family would be immediate, sustained, and severe. No lawful decision can be made in the absence of a complete assessment.

Chapter 5 – Noise and Vibration

Noise modelling in the EIAR is fundamentally unreliable because:

- Several dwellings were omitted
- Receptor coordinates are incorrect
- Construction noise is not modelled for early morning/late evening hours
- Low-frequency turbine noise is not assessed
- Mitigation measures are vague and unenforceable

The legal requirement is clear: where uncertainty exists, the Board must apply the precautionary principle and refuse permission.

Chapter 6 – Shadow Flicker

The EIAR claims compliance with a 30-hour threshold, yet:

- The receptor list is incomplete
- The dwelling at H53 FF64 is omitted
- Terrain modelling appears oversimplified

An EIAR based on incomplete receptor data is legally defective.

Chapter 7 – Landscape and Visual Impact Assessment

A lawful LVIA must include:

- Representative viewpoints
- Worst-case visualisations
- Accurate photomontages

The EIAR fails to:

- Produce any photomontage from my residence
- Provide visual assessment of the construction entrance
- Address visual impacts from omitted dwellings

Chapter 8 – Traffic and Transportation

Traffic surveys conducted during school holidays violate TII guidelines. A defective baseline produces a defective impact assessment.

A construction entrance located 200 metres from my home creates:

- Severe noise
- Vibration
- Dust exposure
- Child safety risks
- Abnormal load hazards

This alone should justify refusal.

Chapter 9 – Hydrology, Hydrogeology & Peat Stability

There are:

- Incomplete peat depth surveys
- No assessment of slope failure risk
- Inadequate assessment of drainage alteration
- Insufficient protection of local wells and GWS networks

Ireland's history of peat failures makes this omission legally impermissible.

Chapter 10 - Ecology

The EIAR fails to:

- Provide seasonally valid surveys
- Assess cumulative impacts
- Consider access route disturbance
- Provide robust bat/bird risk modelling

Chapter 11 - Air Quality and Climate Impacts

The EIAR:

- Minimises dust generation
- Fails to quantify PM10/PM2.5
- Proposes no monitoring
- Ignores child health impacts

Chapter 12 - Material Assets, Land Use, and Community Impact

The proposal threatens:

- Public safety
- Residential amenity
- Rural character
- Community cohesion

Consultation was wholly inadequate.

Chapter 13 - Legal Deficiencies and EIAR Unreliability

The EIAR is legally insufficient due to:

- Inaccurate baseline data
- Omitted dwellings
- Defective mapping
- Project splitting
- Inadequate human health evaluation
- Misleading traffic data

Under EU law, the Board cannot lawfully grant consent where material uncertainty exists.

Chapter 14 – Project Splitting and Case Law

The grid connection, BESS, and related infrastructure are unlawfully separated.

Relevant cases include:

- O’Grianna & Ors v ABP (2014)
- Kilkenny Cheese DAC v ABP (2022)
- Sweetman line of cases
- People Over Wind v Coillte (CJEU)

Interdependent components must be assessed together.

Chapter 15 – Conclusion and Legal Request for Determination

Given:

- Proximity of 200 metres to our home
- Severe unmitigated impacts
- Omission of dwellings
- Defective EIAR
- Non-compliance with EPA guidelines
- Unlawful project splitting

I respectfully submit that An Coimisiún Pleanála is legally obliged to refuse permission.

I also request that an Oral Hearing be convened.

Yours sincerely

Agnes Quirke

21st November 2025