

Objection to Cooloo Wind Farm Planning Application

An Coimisiún Pleanála - Case reference: PAX07.323761

Name: Nicola Mitchell

Address: Cloondahamper, Lavally, Co. Galway, H54 W280

Date: 21 November 2025

Re: Cooloo Wind Farm, Co. Galway – Strategic Infrastructure Development Application

Dear Sir / Madam,

My name is Nicola Mitchell, and I live with my husband Patrick Mitchell and our two young children at Cloondahamper, Lavally, Co. Galway, H54 W280, approximately 830m from elements of the proposed Cooloo Wind Farm. As permanent residents whose family life, wellbeing, and home environment would be directly and significantly affected by this development, we are submitting this objection to An Coimisiún Pleanála in respect of Case Reference: PAX07.323761.

1. Noise

The noise environment predicted for my home at 830m from Turbine 7 must be evaluated against both international health standards and recent Irish case law. The ****World Health Organization (WHO) 2018 Environmental Noise Guidelines for the European Region**** recommend a limit of ****45 dB Lden**** for wind turbine noise to prevent adverse health outcomes including sleep disturbance, cardiovascular impacts, annoyance, and reduced quality of life. The WHO states that noise levels above this threshold create a ***strong recommendation*** for mitigation or avoidance.

By contrast, the EIAR for the Cooloo Wind Farm relies on older guidance and permits operational noise levels that ****approach or exceed WHO recommendations****, particularly during certain wind directions, atmospheric conditions, and night-time periods when background noise is low. The EIAR's methodology relies heavily on modelling assumptions that have been repeatedly criticised in Irish High Court judgments, especially the Wexford wind farm cases (Webster & Rollo; Byrne v ABO Energy). In these rulings, the courts found

that even where noise levels were technically within guideline limits, the turbines still caused substantial and actionable noise nuisance.

Further concern arises from the EIAR's use of averaged noise data, which fails to capture the ****amplitude modulation****, ****low-frequency pulsing****, and ****intermittent aerodynamic 'thumping'**** associated with modern large turbines. WHO guidelines highlight that such characteristics significantly increase perceived loudness and disturbance, even when overall dB levels appear compliant. The EIAR does not adequately assess these real-world acoustic characteristics nor their impacts on residents.

Given the WHO's clear stance on health-based limits, the Irish High Court's acknowledgment of wind turbine noise nuisance at comparable distances, and the shortcomings in the EIAR's predictive modelling, the risk to my health, sleep, and wellbeing from turbine noise at 1.1km is unacceptably high. WHO guidance, recent Irish case law, and a conservative reading of the acoustic evidence all support refusal of permission.

2. Shadow Flicker

Shadow flicker can cause significant nuisance, including headaches, stress, anxiety, and disruption to household routines. The large scale of the proposed turbines (up to 180m tip height) increases the area and intensity of potential flicker impacts.

Under the 2019 Draft Wind Energy Development Guidelines, shadow flicker mitigation is required to be ***legally binding*** with zero tolerance for any shadow flicker at any dwelling.

This means:

- Mandatory installation of automatic shutdown systems based on real-time light sensors;
- Full cessation of turbine operation during any period when shadow flicker may occur at a dwelling;
- Monitoring and enforcement conditions attached to planning permission;
- No reliance on modelling alone, as modelling often fails to reflect real seasonal and daily variations.

Given the uncertainties in prediction and the severe nuisance potential, legally binding zero-tolerance mitigation must be required. If this cannot be fully guaranteed, planning permission should be refused.

3. Peat Stability

Peat excavations, drainage, and road construction pose major risks. Past failures, such as at Meenbog (2020) and Derrybrien (2003), demonstrate how inadequate assessments can lead to catastrophic peat slides. Without rigorous, site-specific geotechnical analysis, the risk of environmental damage remains high.

4. Floating Road Risk

Floating road construction on peat—also known as “floating tracks” or “corduroy roads”—presents a high-risk engineering approach that has repeatedly failed in Irish upland peat environments. The Meenbog disaster (2020) is a critical case study: investigations into the landslide revealed that construction activities, including access road development and associated drainage works, significantly altered the hydrogeological balance of the hillside, leading to catastrophic failure of deep blanket peat. Despite assurances that construction methods were appropriate, the slope became destabilised due to changes in pore water pressure, load distribution, and drainage patterns, causing a major peat slide that travelled more than 2.5 km downstream and resulted in severe ecological damage, pollution of cross-border salmonid rivers, and long-term environmental harm.

The Cooloo Wind Farm EIAR proposes construction methods—including potential floating roads—that mirror the same risk profile seen at Meenbog. Floating roads rely on the assumption that peat layers will maintain structural integrity under load, yet the Meenbog investigations demonstrated that this assumption is deeply flawed and scientifically unsound in many peatland settings. Floating roads inherently impose uneven loading, create new preferential flow paths, and disrupt the natural hydrology of boglands. When these roads are combined with turbine hardstands, excavations, or drainage cuts, the cumulative effect can lead to progressive slope failure, often with little warning and sometimes occurring months or years after construction.

The EIAR for Cooloo does not provide sufficiently detailed geotechnical modelling to rule out similar instability. No conservative factor-of-safety calculations are presented for worst-case conditions, such as intense rainfall, groundwater fluctuations, construction loading, or long-term settlement—conditions that were all noted as contributing factors in the

Meenbog event. Without such analysis, the risk profile at Cooloo cannot be considered acceptable.

Given the national significance of the Meenbog peat failure, and the catastrophic consequences arising from inadequate assessment and inappropriate construction methods, it would be reckless and contrary to the precautionary principle to approve floating roads or similar peat-based construction at the Cooloo site. Until independent, site-specific geotechnical investigations conclusively demonstrate long-term stability—supported by numerical modelling, hydrological assessment, and conservative design margins—floating road construction must be deemed an unacceptable and unjustifiable risk.

5. Bats – Protected Under EU Legislation

All bat species in Ireland are listed under ****Annex IV(a)** of the EU Habitats Directive (92/43/EEC)******, which requires a strict protection regime. This prohibits deliberate capture, killing, disturbance, or deterioration/destruction of breeding sites or resting places. The EIAR for the Cooloo Wind Farm identifies the presence or likely presence of several bat species, including **Common Pipistrelle**, **Soprano Pipistrelle**, **Leisler's Bat**, and **Daubenton's Bat**, all of which are strictly protected under EU law.

The presence of these species triggers stringent obligations under Article 12 of the Habitats Directive. Where these protected species are recorded or their habitats are present, any risk of collision mortality, barotrauma, disturbance along commuting routes, or loss of foraging habitat constitutes a potential breach of EU law. The EIAR acknowledges activity levels across the site, yet provides insufficient evidence that the proposed mitigation (including curtailment) will reduce impacts to a level compliant with Article 12. Because derogations are only permissible in exceptional circumstances and with proof of no satisfactory alternative, failure to demonstrate zero risk of disturbance or mortality means that permission cannot be granted.

6. Birds – Protected Under EU Legislation

The EIAR identifies multiple species protected under the ****EU Birds Directive (2009/147/EC)****, including Annex I species such as **Hen Harrier**, **Merlin**, **Whooper Swan**, and **Golden Plover**, as well as migratory species protected under Article 4. The presence of these species imposes strict obligations on the State to ****avoid deterioration of habitats, prevent significant disturbance****, and ensure no adverse impact on species' conservation status.

The Birds Directive requires that wind energy developments must not result in collision risk, displacement, barrier effects, or disturbance during breeding or migratory periods. However, the EIAR acknowledges that these sensitive species utilise or traverse the general area. Several of them—particularly Hen Harrier and Whooper Swan—are known to be vulnerable to turbine collision and disturbance. The precautionary principle and EU case law require certainty that protected species will not be negatively impacted.

In situations where Annex I or migratory species are present, the burden of proof lies with the developer to demonstrate no significant risk. The EIAR fails to meet this standard. Therefore, the Board is legally obliged to refuse permission unless robust, independent scientific evidence demonstrates zero significant impact.

7. Wake-Induced Mixing Effects on Farming

International research shows that wind turbines modify microclimates by increasing turbulence and disrupting temperature and moisture patterns. These effects can alter soil moisture, grass growth, frost occurrence, and livestock comfort. As my land lies downwind of the proposed development, these impacts pose real risks to farming operations.

8. Right to Property Under the Irish Constitution

Articles 40.3 and 43 protect private property rights and require the State to avoid unjust attack on property. Approving a development that foreseeably interferes with the peaceful use of my home constitutes an unjust attack and risks breaching constitutional protections.

9. Right to Peaceful Enjoyment of Home

Under the Irish Constitution and the European Convention on Human Rights (Article 8), I am entitled to peaceful enjoyment of my home. The cumulative impact of noise, flicker, visual dominance, and environmental risks will significantly diminish that right.

10. Risk to Water Quality – Including Lough Corrib (EU Protected Site)

The proposed development poses a serious and unacceptable risk to local and regional water quality, including hydrological pathways that ultimately feed into ****Lough Corrib****, which is one of Ireland's most significant and sensitive water bodies. Lough Corrib is designated as both a ****Special Area of Conservation (SAC)**** under the EU Habitats Directive (Site Code: 000297) and a ****Special Protection Area (SPA)**** under the EU Birds Directive (Site Code: 004042). These EU designations impose strict legal protections requiring the

State and An Coimisiún Pleanála to prevent any project that could cause deterioration of habitats, pollution, hydrological alteration, or significant disturbance to species listed under Annex I and Annex II of the Directives.

The risk to water arises from multiple components of the development, including excavation of peat, construction of access roads, turbine foundations, borrow pits, and drainage works. The history of catastrophic peat failures at **Derrybrien** and **Meenbog** demonstrates that once released, large volumes of peat-laden sediment can travel long distances, entering streams, rivers, and protected lakes, causing severe ecological damage. Lough Corrib supports habitats and species of European importance, including **salmon**, **otter**, **white-clawed crayfish**, and a range of sensitive bird species. Even small increases in sedimentation or nutrient loading can have long-lasting, damaging effects.

Given the proximity of hydrological connections to the Lough Corrib catchment, and the acknowledged presence of deep peat and sensitive hydrology in the EIAR, there is a clear risk of contamination, water quality deterioration, and breach of obligations under Articles 6(2) and 6(3) of the Habitats Directive. Unless complete certainty exists that no hydrological or water-quality impact can occur—something the EIAR demonstrably fails to establish—the precautionary principle requires refusal of permission.

11. Conflict with Galway County Development Plan

The proposed Cooloo Wind Farm is materially inconsistent with the **Galway County Development Plan (GCDP)**, which sets out clear spatial planning principles for wind energy development, including areas where such development is to be **'discouraged'** due to environmental sensitivity, residential proximity, landscape vulnerability, or inadequate separation distances. According to the GCDP wind energy strategy, at least **three of the proposed turbines fall within areas specifically identified as locations where wind energy development is 'generally to be discouraged'.**

This designation carries significant weight. The purpose of discouragement zones is to prevent precisely the type of inappropriate siting evident in the Cooloo application—namely: proximity to homes, sensitive hydrological features, ecological constraints, and landscape character conflicts. Proceeding with turbines in these restricted areas would amount to a fundamental breach of the County Development Plan's core policy objectives.

Under Irish planning law, including Section 34 of the Planning and Development Act 2000 (as amended), An Coimisiún Pleanála must have due and proper regard to the statutory development plan. Approving wind turbines in areas explicitly categorised as unsuitable or discouraged would undermine the integrity of the plan-led system and set a damaging precedent for future development. The applicant has not demonstrated overriding reasons of strategic importance that would justify departing from the GCDP, nor has it provided evidence that the identified constraints can be mitigated to an acceptable level.

In summary, the siting of three turbines within zones where wind energy is **generally to be discouraged** is a clear and serious policy conflict. This alone is sufficient grounds for refusal, and any decision to approve the scheme would represent a significant and unjustified departure from the statutory planning framework.

12. Risk of maladaptation

The National Adaptation Plan 2025 (NAP 2025) emphasises that adaptation actions must not create new vulnerabilities (p.42). The proposed wind farm is positioned as a mitigation measure but fails to demonstrate alignment with adaptation objectives such as climate resilience, hydrology protection, peat stability, and flood-risk avoidance. Disturbance of peatland can increase runoff, downstream flooding, carbon emissions, and soil instability, representing maladaptation if not addressed.

NAP 2025 reiterates national flood-risk policy that development in high-risk areas should be avoided. The site includes peat and hydrologically sensitive ground. Hydrological disturbance from construction could create or worsen vulnerabilities. Locational zoning that is “Generally to be Discouraged” indicates the development may not meet the sequential approach.

NAP 2025 requires careful evaluation of long-term adaptation impacts. While the project has design flexibility, it lacks clear plans for peat restoration, long-term hydrological stability, and decommissioning under future climate scenarios. These oversights risk long-term maladaptation.

Conclusion

In light of the evidence presented in this submission, the proposed Cooloo Wind Farm must be refused in its entirety. The development presents unacceptable risks to residential amenity, human health, peat stability, hydrology, protected species, agricultural land, and the wider environment. It directly contravenes the Galway County Development Plan, breaches multiple obligations under EU environmental law, and represents a disproportionate and unjustified interference with constitutional property rights and the peaceful enjoyment of my home.

The EIAR fails to demonstrate, with the level of certainty required under Irish and EU law, that the project will avoid significant adverse effects. The precautionary principle clearly applies. The combination of legal, ecological, environmental, and human impacts leaves no lawful or reasonable basis on which this application could be approved.

Yours faithfully,

Nicola Mitchell

Signature: _____