

Planning Objection to Proposed Ballinlee Windfarm

Case Reference: PAX91.323780

Submitted to: An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1. D01V902

Applicant: Ballinlee Green Energy Ltd

Objector: BGM Community Childcare Committee, Brackvoan, Bruff, Co. Limerick. V35 K208.

Objector Email: bgmchildcare@gmail.com

Date: 10/11/2025

1.0 Introduction

Bruff Grange Meanus (BGM) Community Childcare Committee respectfully submits this objection to the proposed Ballinlee Windfarm development. Our committee, a subcommittee of Bruff Grange Meanus Community Council CLG, fully supports Ireland's commitment to addressing the urgent challenge of climate change and the transition to renewable energy as outlined in the Climate Action Plan. We recognize the necessity of green energy solutions to secure a sustainable future for all. However, this transition cannot come at the expense of human health and the integrity of healthy communities, which are equally prioritized under the Government's Sláintecare strategy. National policy emphasizes that climate action and public health must work hand in hand. Therefore, while we endorse renewable energy development, we insist that such projects adhere to rigorous standards that protect children, families, and vulnerable populations from adverse health and social impacts.

Bruff Grange Meanus (BGM) Community Childcare Committee represents the interests of children and families at our early years and school-age services, which include preschool, breakfast club, and afterschool care co-located at V35 V821 and V35 K208 adjacent to Scoil Dean Cussen Primary School. These services operate from 8:00 AM to 5:45 PM, five days per week, for a minimum of 44 weeks of the year, and are located within 1.7 km of the nearest proposed turbine, within 2 km of an additional turbine and within 2.5 km of an additional 3 turbines.

We object to the proposed development on the following grounds:

2.0 Children's Rights and Legislative Breach

The proposed development raises serious concerns under Children First Act (2015) and Children First: National Guidance for the Protection and Welfare of Children, which sets out statutory obligations for all organizations.

These obligations include:

- Ensuring the best interests of the child are paramount in all decisions affecting them.

- Identifying and responding to risks that may impact a child's health, safety, and welfare.
- Taking proactive steps to prevent harm and protect children from any environment that could compromise their well-being.

Additionally, the UN Convention on the Rights of the Child (UNCRC), ratified by Ireland in 1992, requires that:

- Children have the right to survival, health, development, and protection from harm.
- Authorities and developers must ensure environments that support physical, mental, and social well-being, consistent with WHO's definition of health.

By failing to adequately assess health risks (including noise, infrasound, and shadow flicker), consult with affected childcare stakeholders, and provide mitigation for vulnerable groups (including neurodivergent children), the applicant is in breach of these obligations. The omission of precautionary measures and meaningful engagement contravenes the principles of non-discrimination and best interests of the child under UNCRC Articles 3 and 24.

The precautionary principle, endorsed by the World Health Organisation (WHO), states that where there is a reasonable possibility of harm to public health, action should be taken to prevent harm without awaiting full scientific certainty. This principle applies strongly here given documented risks of noise and infrasound exposure on children's cognitive development, sleep, and mental health.

3.0 Lack of Engagement and Contravention of Planning Law

The applicant claims to have engaged in "meaningful and transparent community engagement." However, at no stage was any member of the BGM Community Childcare Committee contacted, nor were any public meetings held in Bruff for our committee to meet with the applicant to discuss our concerns. Furthermore, the applicant refused to meet with Bruff Grange Meanus Community Council of which BGM Community Childcare Committee is a subcommittee. This failure to engage contravenes the principles of proper planning and sustainable development under the Planning and Development Act, which requires meaningful consultation with affected stakeholders. Such engagement would have provided the Committee with a clearer understanding of the scale and implications of the proposed development and allowed us to raise concerns regarding health, safety, and operational impacts on childcare services.

4.0 Failings of the Environmental Impact Assessment Report (EIAR).

4.1 Noise Impact Assessment Reference: NSL130

The NSL130 assessment indicates that the proposed Ballinlee Windfarm will result in a noise level increase of 7 dB at the location of the preschool and childcare facility. This increase is significant and exceeds the threshold recommended by the World Health Organization (WHO) 2018 Environmental Noise Guidelines, which advise a maximum outdoor noise level of 35 dB LAeq for educational facilities during teaching hours.

A 7 dB increase in noise levels can have the following implications:

- Disruption of learning: Elevated noise levels interfere with concentration, speech perception, and reading comprehension.
- Health risks: Chronic exposure to elevated noise can contribute to stress, sleep disturbance, and other health effects, particularly in children.
- Legal relevance: In the case of *Webster v Meenacloghspar* [2024] IEHC 136, the High Court recognized that amplitude modulation and elevated noise levels from wind turbines can constitute a nuisance, even when within planning limits.

4.2 Infrasound Assessment and Vulnerable Populations

The Environmental Impact Assessment Report (EIAR) does not include any assessment of infrasound generated by wind turbines. Current research indicates that low-frequency noise and infrasound from turbines may have physiological and psychological effects, including headaches, sleep disturbance, and sensory overstimulation. These impacts are particularly concerning for children with neurodivergence or auditory sensitivities, who may experience heightened discomfort or stress in response to low-frequency vibrations. The omission of infrasound analysis represents a serious gap in the EIAR evaluating health impacts on vulnerable populations contravening Children First: National Guidance for the Protection and Welfare of Children and the UN Convention on the Rights of the Child (UNCRC). The omission of infrasound assessment violates the principles of proper planning and sustainable development and undermines the credibility of the Environmental Impact Assessment Report (EIAR).

4.3 Additional Health Risks for Children and Vulnerable Populations

Evidence from Health Canada and WHO highlights that children are especially vulnerable to noise exposure. Chronic exposure can impair cognitive performance, reading comprehension, and memory, with over 20 studies confirming adverse effects on academic achievement. Children with autism spectrum disorders (ASD) are particularly at risk, with research showing over 40% are hypersensitive to sound. Documented behaviours include covering ears, crying, fleeing, and even self-injury in response to noise. Sleep disruption is another major concern, with ASD children experiencing insomnia at rates of 40–80%, exacerbated by environmental noise.

Noise-related stress can also trigger conditions such as asthma and migraines in children. WHO identifies indirect effects of noise, including stress hormone changes, blood pressure elevation, and psychological impacts such as anxiety and isolation. These risks align with the precautionary principle, which states that action should be taken to protect public health without awaiting full scientific proof.

Given the proximity of the turbines (1.7 km) and the operational hours of the childcare facility (8:00 AM to 5:45 PM, five days per week, 44 weeks per year), this projected increase in noise combined with unassessed infrasound risks is unacceptable and must be reassessed using WHO 2018 standards and current scientific evidence.

4.4 Shadow Flicker Assessment Omission

The developer has failed to include the preschool and childcare facility, including breakfast club and afterschool facility, in the shadow flicker study area. These facilities are sensitive receptors with high occupancy during daylight hours, and their exclusion from the assessment represents a serious oversight.

Shadow flicker can cause visual disturbance, distraction, and discomfort, particularly for children. The Draft Revised Wind Energy Development Guidelines (2019) and the National Environmental Health Service (NEHS) recommend the elimination of shadow flicker at sensitive receptors for the protection of health.

The omission of these facilities from the shadow flicker study area violates the principles of proper planning and sustainable development and undermines the credibility of the Environmental Impact Assessment Report (EIAR).

4.5 Construction Scale, Traffic Impact, and Safety Risks

The scale of the proposed development introduces additional concerns in the construction phase which requires the transport of 35,586 m³ of concrete, removal and transport of 321,758 m³ of excavated waste, the construction of 10.8 km of development access tracks and the use of multiple suppliers who will be used to facilitate these volumes, with peak HGV deliveries operating between 7:00 AM and 7:00 PM.

This construction schedule overlaps with the operational hours of the childcare facility and presents a risk of construction noise and dust nuisance, particularly along the R512 and L1414 roads, which are used by families accessing the school. Additionally, up to 7 site entrances are proposed for the development, increasing the likelihood of traffic congestion and safety hazards near the school.

The volume and frequency of HGV traffic pose a significant health and safety risk to children, staff, and families accessing the breakfast club, preschool, and afterschool services. These services rely on safe and predictable access routes, and the proposed construction traffic threatens to interfere with drop-off and collection routines, increasing the risk of accidents and reducing accessibility.

5.0 Requests

BGM Community Childcare Committee respectfully requests that An Coimisiún Pleanála:

- 5.1 Requires a revised noise impact assessment using WHO 2018 standards, including infrasound analysis, in accordance with an An Coimisiún Pleanála's statutory obligations under Children First Act 2015 and every child's right under the UN Convention on the Rights of the Child (UNCRC) Articles 3 and 24.
- 5.2 Defers the decision and requires that the school, preschool and childcare facility are included as sensitive receptors in all assessments, ensuring compliance with Children First guidance on safeguarding environments for children and UNCRC.

- 5.3 Requires a full shadow flicker assessment including all educational and childcare facilities, as failure to do so breaches obligations under Children First and the UNCRC.
- 5.4 Assess traffic and construction impacts on school access routes and hours prioritizing child safety as mandated under Children First statutory obligations.
- 5.5 Impose conditions to prohibit construction traffic during childcare operational hours, prioritizing child safety as mandated under Children First statutory obligations.
- 5.6 Refuse permission or issue an Additional Information Request under Section 132 of the Planning and Development Act 2024 until these concerns are addressed, citing Ireland's legal commitments under Children First Act and international human rights law protecting children's health and welfare.
- 5.7 Refuse permission for Turbine 15, Turbine 13, Turbine 14, Turbine 17 and Turbine 5 due to the proximity to childcare and educational facilities including a community preschool, primary school, community school aged childcare facility citing the precautionary principle, endorsed by WHO, which states that where there is a reasonable possibility of harm to public health, action should be taken to prevent harm without awaiting full scientific certainty. This principle applies strongly here given documented risks of noise and infrasound exposure on children's cognitive development, sleep, and mental health.
- 5.8 Refuse permission for Turbine 15, Turbine 13, Turbine 14, Turbine 17 and Turbine 5 due to the proximity of less than 2.5 Km to childcare and educational facilities as a contravention of the UN Convention on the Rights of the Child (UNCRC) Articles 3 and 24 which require authorities and developers to ensure environments support the physical, mental, and social well-being of children.
- 5.9 Refuse permission for Turbine 15, Turbine 13, Turbine 14, Turbine 17 and Turbine 5 due to the proximity of less than 2.5 Km to childcare and educational facilities due to An Coimisiún Pleanála's obligations under Children First Act and Children First: National Guidance for the Protection and Welfare of Children to ensure the best interests of the child are paramount in all decisions affecting them, to identify and respond to risks that may impact a child's health, safety, and welfare and to take proactive steps to prevent harm and protect children from any environment that could compromise their well-being.

Thank you for considering this submission,
Yours sincerely,

Kate Hayes

Chairperson BGM Community Childcare

On behalf of BGM Community Childcare Committee, Brackvoan, Bruff, Co. Limerick. V35 K208.

bgmchildcare@gmail.com

6.0 Appendices

6.1 Visual Evidence of proximity of Turbine and Construction site entrance to the preschool, school and childcare facility which are all co-located at V35 V821.

Map provided shows:

- 6.1.1 Turbine T15 located 1.7 km from the preschool, primary school and childcare facility, T14 located 2 km from the preschool, primary school and childcare facility with a further 3 turbines (T13, T17, T5) within 2.5 km.
- 6.1.2 Main construction site entrance on L1414, directly impacting routes to the preschool, childcare facility and primary school.
- 6.1.3 Seven site entrances concentrated near local roads used by families, confirming traffic and safety concerns.

