

Balinayrou,  
Dromin North,  
Kilmallock,  
Co. Limerick

The Secretary,  
An Coimisiun Pleanala,  
64, Marlborough St,  
Dublin 1,

ACP Reference No: ACP-323780-25

ACP Case Reference: PAX91.323780

**Re: 10 year planning permission for Ballinlee Wind Farm consisting of 17 no. wind turbines, a permanent 110kV substation and ancillary development**

Dear Sir/Madam,

My wife, three children and I are residents of the Ballingayrou area and I am writing to object to the proposed Ballinlee Wind Farm development. My objection is based on three core concerns:

1. The lack of meaningful, inclusive and transparent community engagement, framed against the standards outlined within the Aarhus Convention (UNECE, 1998)
2. The potential negative impact on my family and I's wellbeing, living environment and family life,
3. The absence of a dedicated Health Impact Assessment (HIA), despite the development's scale, proximity and the presence of homes and community facilities, which is inconsistent with WHO Health in All Policies (WHO, 2014) principles and best international practice.

## **1. Inadequate and non-inclusive engagement**

The engagement process did not reflect national or international best practice in public participation. The Aarhus Convention, ratified by Ireland in 2012, requires early, meaningful, accessible, and informed engagement for environmental decision-making. Engagement is not fulfilled by notification alone; it must include two-way dialogue, explanation, transparency, and equal access to information. The methods and timing of communication, as experienced locally, did not support residents to fully evaluate risks or implications.

There is no evidence of tailored inclusive practice or compliance with Public Sector Equality and Human Rights Duty (Irish Human Rights and Equality Commission Act 2014). Vulnerable groups, including those experiencing literacy, disability, digital exclusion, or social disadvantage, were not visibly supported in participation. This falls short of standards outlined in the National Participation Framework for Local Government (2017) and is inconsistent with Sláintecare's emphasis on partnership-based community involvement. Coupled with this we saw the introduction of the Assisted Decision Making Capacity Act 2015 in April 2023. This mandates all organisations under Irish law to engage with those who may have capacity issues around decisions which may impact their lives. In the area around the proposed development we have Scoil Dean Cussen ASD units, Care Bright Dementia Centre, a first of its kind in the state, St Joseph's Disability Day Service and dedicated Ukrainian accommodation. Based on the proposed development these individuals will be impacted and under Irish law they must be engaged with using methods which suit their needs. This did not take place

## **2. Wellbeing, quality of life and amenity impact**

I am deeply concerned about the long-term effects on my personal wellbeing and sense of place. Research highlights that uncertainty, fear, chronic noise exposure, altered visual environment, and loss of rural character can negatively affect mental wellbeing and sleep (WHO Environmental Noise Guidelines for the European Region, 2018). Home is central to security, identity and life course stability. The rural, quiet, low-light landscape character that currently supports my family and my health and wellbeing would be permanently altered, with no evidence of protective mitigation proportional to risk.

## **3. Absence of an independent Health Impact Assessment**

An Environmental Impact Assessment is not a substitute for a Health Impact Assessment. WHO defines HIAs as tools used to systematically identify both positive and negative health implications of a project (WHO, 2014). The scale, turbine height, operational lifespan, and proximity to existing homes justify the requirement for a standalone HIA. Without it, health protection, monitoring and mitigation cannot be

assured. Closely related international case law (e.g., Scotland and Australia) recognises that cumulative and long-term health determinants must be evaluated where residential exposure is expected for decades. Failing to complete an HIA prior to determining consent is inconsistent with a precautionary public health approach.

#### **4. Statements made during engagement sessions**

During direct engagement with the developer representatives, several statements were made which have contributed to uncertainty, concern, and reduced confidence in the level of transparency and evidence supporting the project, including:

- A claim that turbine blades could be stopped within one minute as mitigation for shadow flicker. Based on the scale, height, and rotational inertia of the turbines proposed, this appears technically unlikely in normal operating conditions, and no independent engineering evidence or certification was provided to community members.
- Developer representatives acknowledged that residential property values may be negatively affected. This represents a serious long-term socioeconomic implication that should be formally assessed. We have seen the recent introduction of the Housing Action Plan, a proposed development of 17 160m turbines in close proximity to residential settings will result in housing issues. We have seen recent cases in Ireland whereby a lady was denied a mortgage because of a proposed wind turbine farm. In another documented case in Tipperary we have now seen a wind energy company appeal a local authority decision to grant permission for a family home. To grant permission for this proposed windfarm in Balinlee would impact housing availability and in turn impact greatly rural Ireland
- It was acknowledged that residents in proximity to the turbines will be affected by noise. No comprehensive, person-centred mitigation, monitoring, or escalation plan was provided to address the long-term nature of this exposure.
- It was indicated that no engagement outside a 1km radius was required or undertaken. This does not reflect modern public participation practice, nor contemporary understanding of risk pathways related to noise, visual impact, shadow flicker, and wellbeing.

#### **5. Precautionary and Evidence-Based Decision Making**

In accordance with the EU Precautionary Principle (Article 191, Treaty on the Functioning of the European Union), where there is scientific uncertainty regarding potential harm to health, wellbeing, or the environment, decision-makers are required to prioritise protection and prevention over risk acceptance. The absence of a Health Impact Assessment, coupled with acknowledged noise and shadow flicker impacts, places residents in a position of uncertainty that is inconsistent with precautionary governance standards.

#### **Requested Clarifications for the Public Record:**

To ensure transparency, accountability, and informed decision-making, I respectfully request written clarification on the following points based on engagement interactions:

1. The technical feasibility and verified maximum stopping time for turbine blades under normal operating conditions for shadow flicker mitigation.
2. The basis on which property value depreciation was acknowledged and whether a formal socioeconomic assessment was undertaken.
3. The rationale for limiting engagement boundaries to 1km and whether broader impact modelling (visual, noise, wellbeing, community cohesion) was considered.

**Property Value Consideration:**

International evidence and planning appeal outcomes (including UK, Canadian and Australian cases) indicate that proximity to large onshore wind turbines can negatively affect perceived and actual property value. While outcomes may vary, acknowledgement of potential depreciation underscores the need for formal assessment and mitigation consideration within the planning process. My wife and I are 34 with three young children we worked very hard to build our family home in the area in which we grew up. Based on the lack of clarity from the developer regarding health impacts, property devaluation etc if this development is granted permission to proceed it will force my family and many more in the area to leave their homes. This will result in many families being unable to purchase another home or sell their own.

**Closing Statement:**

In line with Aarhus Convention rights, WHO Health in All Policies, Sláintecare principles, Assisted Decision Making Capacity Act 2015, and the Public Sector Equality and Human Rights Duty, I respectfully request refusal of this application as the levels of concern cannot be rectified

Thank you for considering my submission.

Yours sincerely,

Michael & Caoimhe Cronin

Ballingayrou,

Dromin North, Kilmallock,

Co. Limerick