

To; The Secretary,
An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1, DO1 V902.

AN COIMISIÚN PLEANÁLA	
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ACP-	
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**Submission to An Coimisiún Pleanála
In relation to a proposed Windfarm (Strategic Infrastructure Development)
ABP – 317616-23
ACP case reference number – 323783-25**

Date 17th November 2025

**Planning Permission to develop a Windfarm located within the townlands
of Glenconauun More, Craghera and Cloonkett, Co. Clare.**

Dear Inspector,

I, Bernie Foley, address Clonola, Kildysart Co Clare, wish to formally object to the proposed Cloonkett Wind Farm Development at Cloonkett and Burrenfadda, County Clare.

1. Personal issues and concerns

My home is within one km of the proposed wind farm. When I built my home in 2005, the architect included as many windows as possible as my house is located by the lake with breathtaking scenery of Gortlass lake and the surrounding countryside. If this project goes ahead, I will be able to see all 14 wind turbines from my house, and I am adjacent to a cluster of them. The sheer scale of the 14 turbines with a ground tip height of 150 meters will dominate the local skyline where there are no tall buildings to balance their present. The surrounding trees reach a height of 20-30 meters, making the wind turbine 6 to 9 times taller than the nearby Forestry. The tallest building in the republic of Ireland is College Square, an 82-meter residential and office building in Dublin – These are nearly twice as high.

I have turbary rights on part of the lands of Glenconauun More marked 7b on the office maps. (attached please find a photocopy of the same). I believe a turbine is going into this field. If the proposed wind farm goes ahead, will I have access to my banks of turfs? During construction will this field be a construction site with no access to our banks of turf.

As some of my land borders Gortlass lake, my farm advisor in Tarpey's was told that I wasn't allowed to claim ACRES on the SAC area beside the lake as it was classed as heritage land, if this is the case how can a Strategic Infrastructure Development be granted planning in the area.

In the future my daughters may look for planning permission; the proposed wind farm may prevent this from happening. The guidelines regarding turbines date back to 2006. The law is now outdated for these new large-scale wind farms and super-size turbines.

I paid a visit to the Crossmore Wind Farm. On this wind farm there are 7 turbines with a tip height of 125 meters. The aerodynamic noise was very audible and sounded like a whooshing sound. This noise can lead to numerous health issues affecting both the physical and mental aspects of life. Research has shown that individuals living near wind turbines experience a range of problems, including decreased quality of life, stress, sleep disturbance, headaches, anxiety, depression, and cognitive issues. Sound travels faster and is much clearer near water, there are two lakes parallel to this proposed wind farm. (Jeffery, et al., 2013) (Webster & Anor V Meenacloghspar (Wind) Limited)

My house and land will devalue because of the proximity to the proposed wind farm. This would have significant financial consequences to my family.

The road infrastructure in the area is not suitable for heavy traffic or large vehicles. I am living in the area for over 20 years and the roads have never been tarred or resurfaced.

In West Clare alone there are 115 wind farms permitted, 29 awaiting decisions and 29 proposed, that is 173 in total. It seems like west Clare is a dumping ground for these wind farms.

2. Ecological Sensitivity – Hen Harrier, Marsh Harrier and Curlew

The site lies within a foraging and potential breeding range for both the Hen Harrier (*Circus cyaneus*) and Marsh Harrier (*Circus aeruginosus*), species listed under Annex I of the EU Birds Directive. The developer's EIAR recorded 65 Hen Harrier observations and over 15,500 flight-seconds within the site boundary — yet no flightline mapping or cumulative collision risk analysis was presented. Similarly, there is no dedicated survey for the Marsh Harrier, despite multiple local reports of sightings.

The Curlew (*Numenius arquata*), now red-listed in Ireland and the subject of the National Curlew Conservation Programme, has also been recorded in this bogland. Curlews depend on open peat and wet grassland habitats for breeding and are highly sensitive to disturbance. Its presence alongside the Hen and Marsh Harrier underlines the exceptional avian biodiversity of this landscape a rarity even within Ireland. In recent years I have seen a nest of these in the field beside my house.

The omission of adequate survey data for these species represents a material deficiency in the EIAR and breaches from the Birds Directive, the Wildlife Acts, and the standards established under Article 6(3) of the Habitats Directive.

In their ecology report, they have named 9 red listed birds, 23 amber listed (hen harrier is a amber listed) 8 of those species are also listed as annex 1 requiring EU member states to take special conservation measure in relation to their habitats. The white eagle was also spotted 4 times. They also fail to mention any connection between the lake and the bog habitats even though both Gortlass lake (001015) and Cloonsnaghta lake (001004) are proposed national heritage areas.

3. Peatland Integrity, Hydrology and the Lower River Shannon SAC

The proposed turbines and access routes are sited on deep blanket peat that drains via surface and subsurface flows into tributaries leading directly to Gortglass Lough and the Lower River Shannon SAC. This creates a clear hydrological connectivity between the construction area, the drinking-water reservoir, and the SAC, which supports the Freshwater Pearl Mussel (*Margaritifera margaritifera*) — a qualifying interest species dependent on pristine water quality and low sedimentation.

Any peat excavation, drainage, or silt disturbance poses a direct threat to this hydrological balance. The EIAR provides no calibrated peat stability model, no quantitative hydrological assessment, and no downstream sediment or nutrient transport model. This failure contravenes the Habitats Directive and lessons from the Derrybrien Wind Farm (C-215/06; C-261/18), where poor peat management led to catastrophic slope failure and EU infringement fines against Ireland.

In the cities in the parks they are leaving the edges of the grassland for the birds and the bees, we have a natural habitat here why destroy it?

Given the sensitivity of the peatland and its downstream receptors, permission cannot lawfully be granted without conclusive evidence that no adverse effect on the SAC will occur — a test the developer's documentation clearly fails.

4. Public Drinking Water Supply – Gortglass Lough

Gortglass Lough serves as the public water abstraction point for the Kildysart Public Water Supply, operated by Uisce Éireann. This lake provides treated drinking water to over one thousand homes in the Kildysart and Coolmeen areas. The river draining the Cloonkett bog feeds into this lake, meaning that any sediment, chemical, or pollutant runoff from turbine construction, peat disturbance, or maintenance will flow directly into the drinking-water catchment.

Under the Water Framework Directive and EU Drinking Water Directive (2020/2184), Ireland is required to prevent deterioration of surface-water quality at public abstraction points. The precautionary principle therefore mandates that no project be permitted where such contamination cannot be ruled out beyond reasonable scientific doubt.

5. Turbine Blade Erosion and Microplastic Pollution

Modern turbine blades are manufactured from glass-fibre and epoxy resin composites with polyurethane coatings. Over time, their leading edges erode due to wind, rain, and particulate abrasion — releasing microplastic and polymer particles into the surrounding environment. Peer-reviewed research estimates losses between 8–50 grams per blade per year, with larger modern turbines releasing more. These fragments are chemically stable, buoyant, and capable of travelling long distances through surface-water runoff.

Given the hydrological link between the turbine sites and Gortglass Lough, these microplastics could enter the public water supply and the aquatic ecosystem of the Lower River Shannon SAC. The EIAR provides no assessment of this risk — an omission inconsistent with the precautionary principle and with national obligations to safeguard water resources.

6. Fisheries and Recreational Amenity

Gortglass Lough is also a popular angling and recreational lake, regularly stocked with fish and used by the local community. Any decline in water quality — through increased turbidity, chemical leaching, or microplastic contamination — would directly harm fisheries and recreational use, diminishing local amenity value and tourism potential. The EIAR's Landscape and Visual Impact Assessment completely omits any assessment from the perspective of Gortglass Lough, despite its ecological, social, and scenic importance.

When you google things to do in Kildysart, the following comes up " Kildysart is blessed with some lovely walks, one of which includes the Gortlass loop. Gortlass Lake is also a popular trout fishing lake and is a great amenity for swimming, paddleboarding, canoeing and is home to the local Curragh club. It also has a crannog dating back to the Bronze Age."

7. Mapping and Survey Deficiencies

The application mapping is based on outdated Ordnance Survey maps that fail to show numerous residential properties — some built over 20 years ago. My house has been omitted from one of the maps they used.

8. Visual and Landscape Impact

The proposed turbines would dominate the visual landscape, particularly from Gortglass Lough, where they would intrude on the open natural views across the lake and surrounding bogland. The developer's Visual Impact Statement is superficial, based on limited and selectively chosen viewpoints, and fails to provide any realistic photomontages from key public vantage points. Given the importance of this landscape for biodiversity, recreation, and local identity, the proposed wind farm would cause permanent and irreversible landscape degradation.

9. Case Law and Legal Precedents

Several key legal precedents support refusal of this application:

- People Over Wind (C-323/17) – Mitigation cannot be used to avoid full Appropriate Assessment.
- O’Grianna v An Bord Pleanála [2014] IEHC 632 – Prevents project splitting; grid connection must be assessed.
- Derrybrien (C-215/06; C-261/18) – Found Ireland liable for poor peat stability and hydrology assessment.
- Sliabh Luachra Wind Farm (HC 2019) and West Clare Wind Farm (ABP 303945-19) – Permissions refused or quashed for insufficient raptor/hydrology data.
- Sweetman (C-258/11) – Reinforces the “no reasonable scientific doubt” standard for adverse effects.

Collectively, these cases confirm that the proposed Cloonkett Wind Farm, as currently assessed, cannot lawfully be approved.

10. Conclusion

The proposed Cloonkett Wind Farm presents unacceptable risks to protected species, public drinking water, peatland stability, biodiversity, and community wellbeing. The new information concerning Gortglass Lough as a drinking-water source and the presence of the Freshwater Pearl Mussel and Curlew only amplifies the case for refusal. The EIAR is materially incomplete, its mapping outdated, and its hydrological assessment inadequate.

Under the Habitats Directive, Water Framework Directive, and Planning and Development Regulations, the Planning Authority and An Bord Pleanála must apply the precautionary principle and refuse this application outright.

Yours Sincerely


Bernie Foley

Local Registration of Title (Ireland) Act, 1891.

Land Registry of Ireland.

REGISTER OF FREEHOLDERS.

DESCRIPTION OF LANDS.

DUPLICATE

6

RE-M...
MAF...
hw.

PART of the lands of Kiloonulla

containing fifty-nine _____ acres, one roods, and four _____ perches, or thereabouts, statute measure, situate in the Electoral Division of _____, Barony of Clonderalaw and County of Clare.

INDEXED
15,

OS 59/7

There is appurtenant to the said lands a right of herbage on part of the lands of Glenconaur More marked 7^B on the Official maps (being portion of the land numbered in 7479).

The registration of the ownership of these lands does not extend to the mines or minerals therein, the same being subject to the provisions in that behalf of the Irish Land Act, 1903.

The sporting rights within the meaning of the said Act, to which the Vendor John Bianconi was _____

entitled, exclusive of the Tenant, previously to the sale under the said Act, are reserved to the said Vendor during his life _____

BURDENS.

The lands above described are subject to:

An annuity of eight _____ pounds, eight _____ shillings, and _____ pence, beginning on the 1st of December, 1919, and payable half-yearly to the Irish Land Commission, until an advance of £ _____ has been repaid.

CANCELLED 91 CL0 0002

ENTRY NOTE: These lands are registered subject to the rights or equities (if any) arising from the interest vested in Bridget Bianconi by Fiat of the said Commission, dated the 5th of June, 1919, being deemed to be a graft on her previous interest in the land, or arising in any other manner from the existence of such previous interest.

OWNERSHIP.

The said Bridget Bianconi of Kiloonulla, Clonderalaw, County Clare, is registered as owner in fee simple of the lands comprised in this folio.

Raymond Smith
A.P.

These lands are subject to the restrictions as to sub-division, sub-letting, charging, &c., contained in Section 54 of THE IRISH LAND ACT, 1903, and to the restrictions as to the purchase of other holdings and as to timber contained in Section 32 of THE IRISH LAND ACT, 1909.

Estate of John Bianconi
John Bianconi
E. C. _____
L. R. _____

Registered 1919
of 1919

COLLECTION No. _____

(B)