

Formal Objection to the Proposed Cloonkett Wind Farm (SID)

To:

The Secretary
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1, D01 V902

Date: 05/11/2025

Subject

PC03.317616

Objection under Section 37E of the Planning and Development Act 2000 (as amended) –
Cloonkett Wind Farm, County Clare (14 turbines, 150 m tip height)

Dear Sir/Madam,

I hereby lodge a formal objection to the Strategic Infrastructure Development application by Cloonkett Green Energy Ltd. for the construction and operation of a 14-turbine wind farm and associated works in the townlands of Carrowreagh East, Cloondrinagh, Cloonkett, Burrenfadda, Shessiv, Craghera, Glenconaun More, Ballyduneen, and Carrowreagh West, County Clare. Having reviewed the Environmental Impact Assessment Report (EIAR), Natura Impact Statement (NIS), and addendums, I find the documentation legally and technically deficient. It fails to meet the standards required under the EU Habitats Directive (92/43/EEC), EIA Directive (2014/52/EU), and the Clare County Development Plan (2023–2029).

Submission / Objection: Shadow Flicker Impacts on Individuals with Vertigo and Vestibular Disorders

Subject:

Both my wife (Janette) and eldest daughter suffer from Vertigo.

Adverse Health and Residential Amenity Impacts from Shadow Flicker – Impact on Persons with Vertigo

Summary

This submission objects to the proposed wind energy development on the grounds that the predicted shadow flicker effects pose a material health and amenity risk to residents with diagnosed or medically documented vertigo and vestibular disorders. Such individuals are a recognised vulnerable group who can experience severe dizziness, nausea, and disorientation when exposed to visual flicker or moving shadow patterns caused by turbine blades.

1. Medical and Scientific Basis

- Visual–vestibular sensitivity: Individuals with vertigo or vestibular dysfunction are often visually dependent for balance. Rapid changes in light intensity — such as the intermittent shadow flicker caused by rotating turbine blades — can trigger episodes of dizziness, nausea, and loss of balance due to sensory conflict between the eyes and inner ear.
- Documented phenomenon: The effect, known clinically as flicker vertigo or visual motion sensitivity, is recognised in vestibular medicine. Even low-frequency flicker (0.5–3 Hz) can provoke significant symptoms in susceptible individuals.
- Health evidence: While national and international reviews (e.g. WHO, HSE) find no generalised public health impact, these reviews explicitly note that certain populations are more sensitive to light flicker and moving shadows. The precautionary principle should therefore apply for affected residents.

2. Relevant Irish Case Studies and Evidence

- Athea, Co. Limerick (2015): A household located approximately 330 metres from turbines publicly reported severe distress, including dizziness and inability to remain in affected rooms, due to persistent shadow flicker.
- Ballinla Wind Farm EIAR (2025): The Environmental Impact Assessment Report for this project predicted tens of hours per year of shadow flicker at nearby dwellings. Similar analyses in the Drehid and Croagh projects (2024–2025) confirm that flicker is an expected and quantifiable phenomenon across Ireland.
- These documented experiences and EIAR predictions demonstrate that shadow flicker exposure is not hypothetical and that it can occur frequently at nearby dwellings unless strictly mitigated.

3. Planning and Legal Considerations

- Under the Planning and Development Act 2000 (as amended), the Board must consider the protection of residential amenity and human health.
- The 2023 Draft Wind Energy Development Guidelines recommend limiting shadow flicker at dwellings and propose mitigation through turbine curtailment, screening, or layout changes.
- For vulnerable individuals, the standard threshold (30 minutes/day, 30 hours/year) is not protective, as even intermittent flicker may trigger debilitating vertigo episodes.
- The precautionary principle applies where there is plausible risk of serious adverse health effects for a specific resident.

4. Requested Actions / Relief Sought

Given the above, the Board is respectfully requested to:

1. Reject or modify the proposed development where turbines are sited such that they would cast shadow flicker onto dwellings occupied by persons with vertigo or related vestibular disorders.
2. Require a medical sensitivity assessment where affected residents provide clinical documentation of vertigo or vestibular dysfunction.

3. Mandate enforceable operational mitigation, including automatic turbine shutdown during flicker periods identified by modelling or monitoring, rather than relying on voluntary curtailment or household-level screening.

4. Require specific modelling evidence in the Environmental Impact Assessment showing the predicted duration and timing of flicker for each affected dwelling, with verification by independent experts.

5. Conclusion

While shadow flicker may not constitute a general public health hazard, for individuals living with vertigo or vestibular disorders it represents a serious and predictable health trigger. The Board has both the statutory authority and the moral responsibility to ensure that such residents are not exposed to preventable environmental stimuli that could endanger their wellbeing or safety in their own homes.

Accordingly, it is submitted that planning permission should be refused, or at a minimum, conditional mitigation imposed, where shadow flicker could affect any residence occupied by a person with medically documented vertigo or vestibular sensitivity.

6. Project Facts (as stated by the Applicant)

- 14 turbines (V136), 150 m tip height, ~63 MW total.
- 9.51 km of new access roads and 1.43 km of upgrades.
- 5 borrow pits (5.15 ha); 8.4 ha of forestry felling.
- 220 kV substation, 6 pylons over 800 m overhead line.
- Operational lifespan: 40 years.
- Peatland extent: ~73.5 ha within development area.

7. Protected Bats – Deficient Assessment and Mitigation

The lesser horseshoe bat (*Rhinolophus hipposideros*) is an Annex II species and Qualifying Interest of the Lower River Shannon SAC (002165). The EIAR/NIS lacks robust baseline data, omits roost surveys and commuting corridor mapping, and provides no enforceable curtailment protocol. Mitigation measures are vague and unenforceable under Article 6(3). Relevant case law includes *People Over Wind & Sweetman* (C-323/17) and *McEvoy v Meath County Council* [2020] IEHC 225.

8. Peatland Disturbance, Hydrological Change, and Freshwater Pearl Mussel Risk

The site includes extensive peatland intersecting the Cloon and Clondrinagh sub-catchments feeding into the Lower River Shannon SAC (002165). The EIAR fails to include peat-stability or

hydrological modelling and proposes in-situ peat deposition without engineered containment. This breaches S.I. No. 296/2009 (Freshwater Pearl Mussel Regulations).

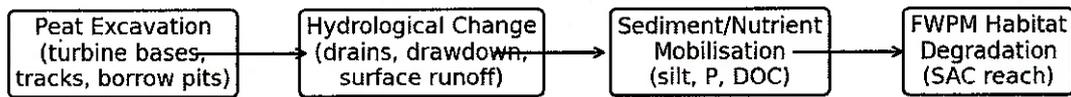


Figure 1. Conceptual impact pathway: peat excavation → hydrological change → sediment/nutrient mobilisation → FWPM habitat degradation.

Risk Matrix: Key Construction & Operational Risks

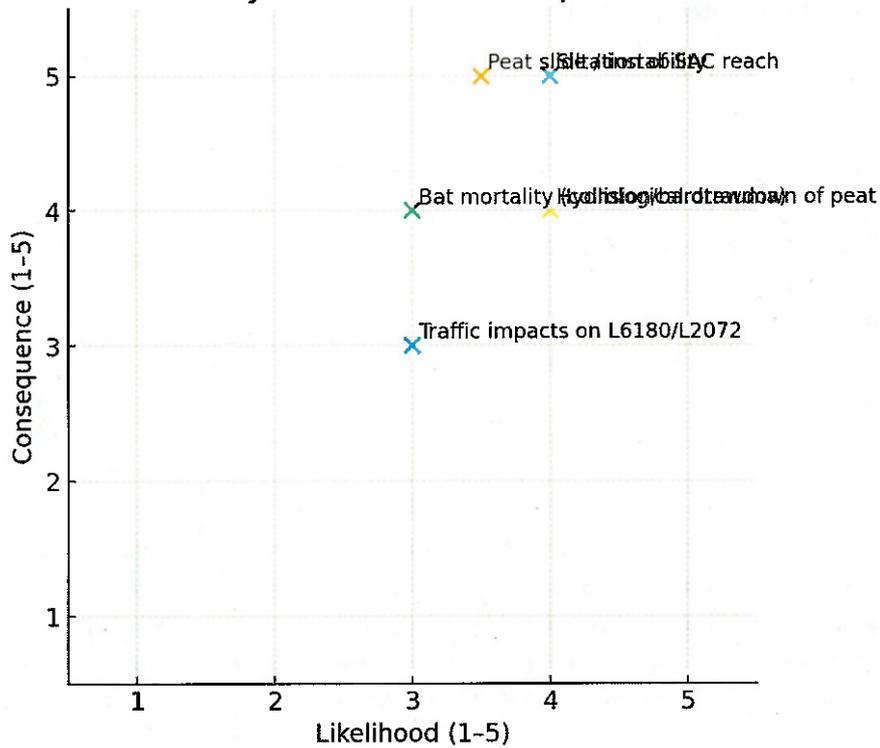


Figure 2. Risk matrix showing high-likelihood, high-consequence ecological risks.

9. Landscape and Visual Impact – Gortglass Lough and Shannon Estuary

The LVIA omits a Gortglass Lough viewpoint, fails to verify ZTV accuracy, and lacks cumulative assessment with nearby farms. This contravenes EPA (2022) guidance and Clare CDP policies 15.4 and 15.7 protecting scenic landscapes.

10. Procedural and Legal Deficiencies

- People Over Wind & Sweetman (C-323/17) – mitigation cannot be considered at screening.
- O’Grianna v An Bord Pleanála [2014] IEHC 632 – grid connection integral; cumulative assessment required.
- Derrybrien (C-215/06; C-261/18) – peatland instability and EIA failures resulted in infringement rulings.

11. National & EU Policy Context: Peatland Protection and Rewetting

Bord na Móna’s closure of industrial peat extraction and the Peatlands Climate Action Scheme signify national commitment to rewetting and carbon storage. Developments that disturb deep peat contradict Climate Action Plan 2024 and EU Nature Restoration Regulation targets.

12. Specific Requests to the Board

Refuse permission due to non-compliance with Article 6(3) Habitats Directive, Clare CDP policies (9.3, 10.4, 12.2, 15.4), absence of bat mitigation, hydrology modelling, and deficient LVIA for Gortglass Lough.

13. Without Prejudice – If the Board Considers Granting Permission

- Enforce turbine curtailment for bats with SCADA control and independent monitoring.
- Prohibit in-situ peat storage without containment.
- Continuous turbidity monitoring; stop-work triggers.
- Independent Ecological & Hydrological Clerk of Works.
- Verified LVIA and micro-siting revisions.

14. Conclusion

The application fails to exclude reasonable scientific doubt regarding effects on protected habitats, species, and landscapes. It conflicts with EU, national, and local policy. The precautionary principle dictates refusal.

References (for the Board’s assistance)

- CJEU C-323/17 – People Over Wind & Sweetman.
- High Court [2014] IEHC 632 – O’Grianna v An Bord Pleanála.
- CJEU C-215/06 and C-261/18 – Derrybrien Wind Farm.
- S.I. No. 296/2009 – Freshwater Pearl Mussel Regulations.

- NPWS (2024) – Conservation Objectives for Lower River Shannon SAC (002165) and River Fergus Estuary SPA (004077).
- EPA (2022) – Peatland Construction Guidelines.
- Clare County Development Plan (2023–2029) – Policies 9.3, 10.4, 12.2, 15.4.
- Bord na Móna Peatlands Climate Action Scheme (2023).
- EU Nature Restoration Regulation (2024).

Yours faithfully,
Janette & Kevin Casey
Blain, Kildysart, V95 T2Y6.