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Carrig
Birr
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R42 AH31
14/06/2026

An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Re: Planning Application ABP-PAX 92.324279, Ballincor Wind Farm, Counties Offaly and Tipperary

Dear Sir/Madam,

I write to you representing myself and my two adult daughters living at the above address. I have lived at this property for 39 years. We are not opposed to renewable energy in principle, and we would not be writing this letter if our concerns about the Ballincor Wind Farm were minor or hypothetical. They are not. We are asking the Commission to refuse this application, and we want to set out, plainly, why.

Our home is identified as Receptor H141 in the application. The front of the house looks directly toward the proposed site. Every room across the front has a full, open view of the landscape where these turbines would stand. There is no intervening ridge, no line of trees, no screening that would break the view from any of those windows. The nearest turbine, T03, would be 1,000 metres from where we sit. Eleven turbines, each 180 metres to the tip, would be spread across our horizon. That is not a turbine on the skyline. It is a turbine in the garden, in every practical sense of how this house sits in this landscape. Below is a Visual Impact image taken from the Developers LVIA. This was taken beside my road entrance.

BESS / Fire Risk Assessment

We will be living less than 1km from the proposed Battery Energy Storage System (BESS) facility comprising 90 lithium-ion battery containers on a 1.4-hectare industrial compound. The developer's own Fire Risk Assessment (Jensen Hughes, JG/1471/R1, March 2026) — prepared exclusively for and paid for by RWE — identifies that burning lithium-ion batteries produce toxic hydrogen fluoride gas, that fumes may cause dizziness or suffocation, and that the Novec 1230 suppression agent itself poses toxicity risks. Yet no dispersion modelling has been carried out, no assessment of how far these gases would travel towards my home, and no analysis of prevailing wind direction or impact on residential receptors.

The report concedes that an evacuation plan for surrounding residents "may be required" but provides none. It dismisses the risk to people in surrounding areas in two sentences, without stating the distance to the nearest home or considering what happens if someone is asleep when an incident occurs. The report acknowledges that its suppression systems may not prevent the most dangerous scenario: ongoing off-gassing and potential explosion after the initial fire is suppressed, because batteries continue to release flammable and explosive gases until they cool. The Pre-Incident Plan with the fire service has not been prepared. The waste disposal plan for toxic fire by-products has not been written. The Emergency Action Code signage has not been determined. The consultation with Tipperary Fire Service has not taken place, and the report itself acknowledges that firefighters may not be familiar with the specific techniques required for DC and lithium-ion battery fires. The report even contradicts itself on which suppression agent will be used — Novec 1230 on page 6, Sigma XT on page 27 — undermining any confidence in the specificity of the fire safety design.

The BESS containers are exempt from Building Regulations as structures "not frequented by people," meaning they are held to a lower fire safety standard than any occupied building — yet they will sit beside my occupied home. I am being asked to live next to an industrial-scale hazardous facility on the strength of a qualitative risk assessment containing no numerical probability analysis, no consequence modelling, and no completed emergency plans — only promises that these things will be done at some unspecified future date. As we live on a border between two counties, Offaly and Tipperary, our experience is that it can be extremely difficult to get emergency services as they seem to never know which jurisdiction we fall into. This can result in time wasted as we get passed back and forward and raises additional concern for us in the absence of a completed emergency plan. This is not acceptable. An Coimisiún Pleanála cannot grant permission on the basis of plans that do not yet exist.

Visual Impact

The visual impact of this development on our home would be total and permanent. We are aware that the developer's Landscape and Visual Impact Assessment classifies the turbine footprint as falling within "Moderate and Low Sensitivity" under the Offaly County Development Plan Landscape Character Assessment a classification that is simply not true. This area is deemed of High/Moderate sensitivity in the Offaly County Development Plan. The landscape does not begin and end at the red

boundary RWE has identified as its perimeter and it is highly disingenuous to present as such. From our windows the view would be of an industrial installation at a scale.

Our property is identified as Receptor H141 in the developer's documentation. This house has wind energy development on three sides. The proposed Ballincor turbines stand less than 1km to the South in front of the house. The permitted Carrig turbines stand 3 km to the North behind the house. The operational Lacka / Skehanagh turbines stand 2.5 to the East. From this property there is no aspect — no window, no point in the garden, no direction of view — that does not face an existing or proposed wind farm.

The Ballincor turbines proposed in this application would be 180 metres to blade tip, with a 163-metre rotor diameter, sited on bogland at 42 to 62 metres above sea level. Our home sits at 50m above sea-level. The geometry from this property is one in which we would not be looking up at distant features on a horizon. We would be looking across — and increasingly, around — at industrial-scale infrastructure occupying the entire visible landscape from our home in three directions of view.

The Applicant's Landscape and Visual Impact Assessment treats cumulative effect in brief, and concludes that even in combination the Lacka / Skehanagh and Carrig developments are "modest scale developments" and that our area "will not become a landscape that is defined by wind energy development." That conclusion is not defensible for this property. Twenty-six turbines (the 11 proposed Ballincor turbines, the 7 permitted Carrig turbines, and the 8 operational Lacka / Skehanagh turbines) would be visible from this home, on three different bearings, at distances ranging from approximately [1.5 to 5] kilometres. That is not a landscape with "occasional wind energy precedent." It is a landscape in which the residential receptor has been encircled.

The qualitative point matters. The LVIA's analytical framework — the assessment of effect at defined viewpoints, the language of "dominant but not overbearing," the categorisation of significance against an envelope of view from a single bearing — was developed for receptors who experience wind energy development on one side of their home and who can, in the ordinary course of their daily life, turn away from it. A receptor surrounded by three converging developments has nowhere to turn away to. There is no compensating direction in which the landscape remains undisturbed. There is no aspect of the home, internal or external, that escapes the development. This kind of cumulative reality has been ignored despite the request for it to be seriously assessed and considered.

The Wind Energy Development Guidelines (2006) contemplate wind farms as discrete features placed within a landscape. The guidance does not contemplate, and does not address, the situation of a residential receptor situated inside the convergence of three separate developments. There is no design guidance the Applicant can rely on to characterise this layout as a contained or coherent landscape intervention from this property's standpoint, because the cumulative form — Ballincor in front, Carrig behind, Lacka / Skehanagh to the east — was not created by any single design intention. It is the product of three commercial decisions made over time, each assessed in isolation, the cumulative effect of which has fallen on this household.

There are no screening options available to us. No planting scheme, no boundary treatment and no setback adjustment proposed by the Applicant can change the bearings on which the turbines would stand or the fact that they would be visible from three sides. The Mitigation by Design chapter offers nothing that addresses encirclement, because no mitigation at the level of an individual receptor can. The landscape we live in would be replaced, on every aspect, by industrial infrastructure.

The scale, siting, density and convergent configuration of the proposed development, taken cumulatively with the Carrig and Lacka / Skehanagh developments, create a significant adverse landscape and visual impact on this property of a kind that the LVIA does not assess and does not attempt to assess. Significant adverse effect cannot be ruled out.

Shadow Flicker and Health

There is one turbine within the area RWE assessed for our home. Just one. Turbine T1, at 1,417 metres to our west. That single turbine, on its own, produces a worst-case annual shadow flicker total of 65 hours and 49 minutes at our home. On its worst day it lasts 40 minutes. It affects our home on more than 30 minutes per day on 61 days of the year. RWE says this is within the permitted limits and that the expected realistic figure, adjusted for local sunshine, is 8 hours 23 minutes. But we want the Board to understand that 65 hours of shadow flicker a year from a single turbine at 1,417 metres is not a small impact. It is what RWE considers an acceptable result.

The first thing that troubles us is what the planning document does not say. RWE submitted a table to An Coimisiun Pleanala, Table 16-1 in Chapter 16. That table shows shadow flicker exceeds 30 minutes per day at our home on 61 days per year. That is what the Board sees. But their own software calculated how many days shadow flicker occurs at all, even briefly. That figure is 156 days per year. Nearly five months of the year. Their own software produced it. It is in their own technical appendix. It does not appear in Table 16-1.

Ninety-five days of shadow flicker at our home simply were not reported to the Board. On those 95 days, shadow flicker happens. It is real. It comes through our windows. It lasts less than 30 minutes on each of those days, so it falls below the threshold that triggers a report. But it still happens, and no one told the planning authority.

There is a second turbine that was never modelled at all. Turbine T2 sits 1,886 metres from our home, 256 metres outside the boundary RWE chose for this assessment. That boundary is 1,630 metres, defined as ten rotor diameters. T2 was 256 metres outside it and was never assessed. We are not saying T2 would produce significant shadow flicker at our home. We are saying we do not know. Nobody has calculated it. Nobody looked. The company drew a line, T2 fell just outside it, and that was the end of it. There is nothing in the planning documents that considers what T2 contributes, or whether the two turbines together would change the picture.

RWE says 8 hours 23 minutes is the realistic annual exposure at our home, produced by adjusting the worst case for actual sunshine levels in this area. RWE used sunshine data from Birr weather station to make that adjustment. Gurteen station, 4.5 kilometres from the site, records 27.5% more annual sunshine than the Birr figures. When the correct sunshine data is used, our expected annual figure rises from 8 hours 23 minutes to approximately 10 hours 41 minutes. That is a meaningful

increase, not a rounding error, and it moves our home closer to the 30-hour annual threshold than the figure RWE presented.

RWE will say the shutdown system deals with all of this. We have serious doubts about that. The shutdown system is set to intervene only when shadow flicker is predicted to exceed 30 minutes in a day or 30 hours in a year. On the 95 days where shadow flicker falls below 30 minutes, the system does not trigger. Shadow flicker happens on those days and the system does nothing about it. That is not protection from shadow flicker. That is a threshold above which protection applies, and below which it does not. On 95 days a year at our home, we are below that threshold and on our own.

Beyond that, who is checking whether any of this is working? RWE operates the system and RWE reports on it. There is no one standing independently between us and them. There is no measurement taken at our home. There is no named body we could go to if we believed the system was failing. We would have to gather our own evidence, at our own expense, and take it somewhere. That is an enormous thing to ask of a family who simply want to live in their own home without flickering shadows on their walls for five months of the year. We did not choose to live next to a wind farm. This development is coming to us. The least we are entitled to is a system that is checked by someone other than the company that profits from it.

One member of this household suffers from migraine with visual aura from flashing lights or sensory disruption. These episodes take hours and sometimes days to recover from. Shadow flicker is a known trigger for this type of episode. The peer-reviewed research is clear that migraine sufferers are sensitive to flickering visual stimuli at frequencies well below the photosensitive epilepsy threshold (Aurora and Wilkinson, 2007, Cephalalgia); that the maximum daily duration of shadow flicker is a better predictor of health annoyance than the annual total, and that people with migraine, dizziness or tinnitus have three times higher odds of shadow flicker annoyance than the general population (Voicescu et al., 2016). At 65.82 hours per year, on 156 days, with a daily peak of 40 minutes, the exposure at our home is significant by every metric the research identifies.

The health chapter of the EIAR does not mention migraine. It does not assess shadow flicker impact on migraine sufferers at all. The 30-hour per year and 30-minute per day thresholds the assessment is measured against are not clinical standards — they are legacy administrative limits derived from German planning practice in the 1990s, developed for turbines a fraction of the size of those proposed here. The independent review of Linden and Fouquet (2011) found that no jurisdiction adopted them on the basis of medical evidence. Applying those thresholds to a 180-metre turbine in 2026 is not health protection. It is the appearance of it.

The shadow flicker study area was capped at 1,630 metres, yet at the 3-degree sun elevation angle the study itself uses as its cut-off, shadows from 180-metre turbines extend to 3,435 metres. Our home is 1,000 metres from T03 — well within the study boundary — but the modelling as submitted does not reflect what would actually be experienced on the ground at H141. The 65.82-hour figure may understate the true position.

Noise

We raise noise carefully, because we want to be accurate. The Knockshegowna turbines sit roughly 4 to 5 kilometres from us. On a quiet night we hear them. It is a low, steady hum — like a generator running somewhere, or a combine harvester working in a distant field that does not stop. That is the honest comparison. At 1,000 metres from T03, with turbines 3 times the size, the noise environment from Ballincor would be of a different order entirely.

Our property is assigned to noise monitoring location NML6 in the noise assessment. The independent review commissioned in respect of this application has identified that NML6 is the monitoring location used to set noise limits for ten residential properties at which the developer's own predicted night-time levels exceed the permitted limit once the IoA Good Practice Guide section 4.3.9 valley correction — required by the methodology the developer itself adopted — is applied. The valley correction was not applied anywhere in the developer's noise assessment. Applying it to the developer's own figures produces confirmed night-time exceedances at at least 10 additional homes.

Separately, the Offaly County Development Plan, at Development Management Standard DMS-109, requires that the WHO Environmental Noise Guidelines (2018) be applied. The developer's acoustic consultant has not assessed against the WHO 2018 guidelines and has provided no Lden calculations. That is a direct gap in compliance with a County Development Plan standard. No background noise survey was carried out in winter — when wind speeds in Ireland are highest and background levels lowest — so the compliance margin at the very wind speeds where it matters most is extrapolated, not measured. The calibration certificates for all seven monitoring instruments are missing their second page — the page that records whether each instrument passed its pre- and post-deployment calibration check.

Taken together, these are not technicalities. They mean the inspector cannot be satisfied that the noise impact on our home, and on others in this area, has been properly assessed. The assessment as submitted does not demonstrate what it is required to demonstrate.

Biodiversity and the Sharavogue Bog SAC

We have watched kingfishers along the river at our end of the proposed site, near where T01 and T02 would stand. Kingfisher is an Annex I species under the Birds Directive and a bird whose presence tells you something reliable about the health of a river system. The developer's own surveys recorded kingfisher "observed on four occasions" across two winter seasons. Despite this, kingfisher was grouped within a collectively-assessed cohort of "rarely recorded" species and received no Annex I-specific treatment. That is not a defensible approach to an Annex I species recorded multiple times in the survey effort.

The Sharavogue Bog SAC boundary lies 10 metres from the site. Turbine T08 is approximately 0.1 km from the SAC boundary. Sharavogue is designated for Active Raised Bog [7110*], a Priority Habitat under the Habitats Directive, currently the subject of active, State-funded restoration. The

conservation objective is restoration, not maintenance — Active Raised Bog at the site is being brought from 25.8 hectares toward a target of 40.9 hectares through a drain-blocking programme that was 90% complete at the time of application. This is a Natura 2000 site in active recovery at the most sensitive moment of that recovery.

The developer's records document a confirmed breeding pair of merlin — also an Annex I species — at the Ballyduff/Clonfinnane SAC approximately 2.8 kilometres from the site, found by BirdWatch Ireland in 2025 but also said that *"during March 2026 surveys, a pair of Merlin (male and female) were observed within the southern section of the proposed project site engaging in courtship and mating behaviour."* The developer's bird survey programme over nine seasons did not include nocturnal surveys, acoustic monitoring or radar — none of the methods that would have been necessary to assess merlin or barn owl adequately. That their poor study effort still recorded this pair of Merlin gives you an indication of how vibrant the habitat is for Annex I species. Their status and level of protection cannot be ignored.

A barn owl breeding territory was confirmed by the National Parks and Wildlife Service at 75 metres from the site boundary in 2023; the developer's own assessment acknowledges that standard vantage-point surveys are unlikely to detect this species. No targeted Barn Owl survey was conducted and no nocturnal aspect was provided for in their Ornithology study. Capturing the true picture was never possible.

The Little Brosna River, which runs through this landscape, is assessed by the developer as having a baseline status of "Moderate" under the Water Framework Directive. The EPA's own classification is "Poor." Assessing from the wrong baseline is not a minor error in this context — after the Court of Justice's judgment in Weser (C-461/13), development cannot be permitted where it risks worsening the status of a water body, and that determination cannot be made from an incorrect starting point. The developer's own Appendix 9-1 records the correct "Poor" status; the impact assessment in EIAR Chapter 9 was carried out against "Moderate."

Local Road Network — L1071

L1071, the road that serves this area, is narrow in the way that many rural Offaly roads are narrow. Two cars cannot always pass safely; on some stretches that has been true for as long as we have lived here. The construction phase of a development of this scale would require HGV movements along these roads that they were not built to handle. We are concerned about road damage, about safety during construction — for residents using the road, for cyclists, for children at the school stop — and about what happens to the road network after construction is complete and the contractor has left. The application does not adequately address how the existing road infrastructure will cope, who will be responsible for restoring it, or what conditions of use will apply over the 30+ months of expected construction.

Offaly County Development Plan — The Site is Designated Unsuitable

The Ballincor site is designated "Not Suitable" for wind energy development in the Offaly County Development Plan Wind Energy Strategy. That designation did not arise from an oversight or from a failure to anticipate national renewable energy targets. It reflects a considered judgment by the planning authority, made under Strategic Environmental Assessment, Appropriate Assessment and Office of the Planning Regulator oversight, that this landscape — with its SAC, its river system, its housing density, and its landscape character — is not appropriate for this form of development. We live in an area with many windfarms and Offaly has had massive success on its renewable energy targets to-date. This development pushes outside the scope of what this County should be expected to deliver. Enough is enough.

Since the Supreme Court's judgment in Coolglass Wind Farm Limited v An Coimisiún Pleanála [2026] IESC 5, the Commission has been clear that County Development Plan designations of this kind carry real weight, and that the burden of justifying a departure from such a designation rests squarely on the developer. The application before the Commission does not discharge that burden. RWE claim renewable targets outweigh all other considerations. Their application does not engage seriously with why the designation should be set aside. In the absence of that engagement and the considered analysis of the Supreme court judgement the designation must stand as a material reason for refusal.

Conclusion

We are asking the Commission to refuse this application. The visual impact on our home would be severe and permanent. The shadow flicker exposure at Receptor H141 is among the highest in the receptor register and carries a specific health risk for this household that has not been assessed anywhere in the EIAR. The noise assessment is incomplete in several material respects. The biodiversity case is not rigorous, complete or exhaustive and the legal tests under the Habitats Directive and the Water Framework Directive cannot be passed on the evidence submitted. The site is designated as unsuitable in the County Development Plan, and nothing in this application justifies setting that designation aside.

We have lived in this house for many years between us. Our front windows face this site, and the view from those windows is the daily setting of our family life. We hope the Inspector will give careful consideration to what we and our neighbours have submitted, and we respectfully ask that planning permission be refused.

Yours faithfully,

Michele O'Brien

Denise O'Brien

Niamh O'Brien