

SUBMISSION / OBSERVATION TO AN COIMISIÚN PLEANÁLA

Re: Crumhach Wind Farm, Co. Sligo

Case Reference: PAX21.324561

Submitted by: John Nugent

Address: Dunowla, Templeboy, Co Sligo F91C6V6

Date: 27th Sept 2026

1. Introduction

I wish to make a submission objecting to the proposed Crumhach Wind Farm and respectfully request that An Coimisiún Pleanála refuse permission for the development as presently proposed.

I recognise the importance of renewable energy and Ireland's climate and energy obligations. However, those objectives do not remove the requirement to properly protect residential amenity, landscape and recreational amenity, or the integrity and restoration objectives of protected European sites.

I own the residential property which is the subject of a number of the concerns raised in this submission. It is my intention to make this house my **primary residence next year when I reach the age of 66.**

The effects described below are therefore not abstract or temporary concerns. If permission is granted, I expect to experience the visual, noise and shadow-flicker environment created by this development on a daily basis in my home. I would have turbines, each with a flight area greater than a football pitch, **on three sides** of my house..

My principal concerns relate to:

1. The failure of the proposed layout to observe the applicant's claimed 720-metre residential visual-amenity setback, when the distance is correctly measured to the nearest point of residential curtilage;
2. the implications of that apparent failure for the applicant's own assessment of residential visual impact;
3. uncertainty regarding the reliability of predicted operational wind turbine noise levels;
4. significant predicted shadow flicker requiring active turbine shutdown;
5. significant effects on residential receptors, Scenic Route SR-58 and the Sligo Way;
6. the extension of wind-farm development into a substantial new greenfield development area rather than simple replacement of existing turbines; and
7. the proximity and interaction of the development with Ox Mountains Bogs SAC and the wider sensitive ecological setting, including Easkey Bog Nature Reserve.

I ask the Commission to assess these matters cumulatively rather than treating noise, visual impact, shadow flicker, recreation and ecology as unrelated individual effects.

2. This is not simply the repowering of an established wind farm

The proposal should not be approached on the basis that it merely replaces turbines within an established wind-farm landscape.

The Commission's own pre-application documentation records that significant elements of the proposed development extend into new greenfield areas to the west.

Importantly, during the pre-application process the Commission advised that the proposal should be considered a **new development rather than repowering, given the extent of the greenfield areas included to the west.**

That distinction is important.

The existence of the older Dunneill and Kingsmountain turbines should not provide a general justification for introducing substantially larger turbines into additional greenfield areas or for accepting significant additional effects upon nearby residents, recreational users and the surrounding landscape.

The new development area should therefore be assessed on its own merits and not treated as though all of its impacts already form part of an established wind-farm baseline.

3. Residential visual amenity and the 720-metre setback

This is one of my principal concerns.

The proposed turbines have a maximum tip height of 180 metres, almost 3 times the current turbines

The 2019 Draft Revised Wind Energy Development Guidelines therefore indicate a visual-amenity setback of four times tip height, equivalent to:

180 metres × 4 = 720 metres.

Crucially, the draft provision is expressed as the distance between the turbine and the:

nearest point of the curtilage of any residential property.

It is not a measurement merely to a nominated receptor coordinate, the centre of a dwelling or a dwelling façade.

I acknowledge that the 2019 Guidelines remain in draft form. However, the Sligo County Development Plan expressly provides for regard to be had to both the 2006 Wind Energy Guidelines and the 2019 Draft Revised Wind Energy Development Guidelines.

The 720-metre curtilage-based provision is therefore directly relevant to consideration of this application.

3.1 SSE's own use of the 720-metre setback

SSE's project consultation material described a:

"4X proposed turbine tip height buffer (720m) from residential buildings."

There is an important distinction between measuring a buffer from a residential building and measuring the setback from the **nearest point of the residential curtilage**, as provided for in the 2019 Draft Guidelines.

More importantly, the claimed 720-metre compliance is carried into the formal Environmental Impact Assessment Report.

At **Viewpoint VP15 – SR-58 at Crumhach**, the applicant identifies receptors including nearby residential properties, Scenic Route SR-58 and the Sligo Way as having **High sensitivity**.

Sixteen of the seventeen proposed turbines are visible.

The magnitude of visual change is assessed as **Substantial**.

The resulting initial visual effect is consequently assessed by the applicant as:

High × Substantial = Very Significant.

This is an important admission in the applicant's own assessment.

The EIAR then relies upon a number of mitigating considerations to reduce the residual effect from **Very Significant** to **Moderate**.

One of the considerations expressly relied upon is that the project:

"adheres to the prescribed 4-times-tip-height (720m) setback distance for residential visual amenity".

The claimed 720-metre compliance is therefore not a peripheral detail.

It forms part of the applicant's reasoning for downgrading an acknowledged **Very Significant visual effect** to **Moderate**.

If that claimed setback is not actually achieved when measured from the appropriate point of residential curtilage, one of the stated premises supporting the reduced residual-impact assessment is incorrect.

3.2 My property (F91C6V6) and proposed turbine T10

The applicant's shadow-flicker documentation identifies **House ID 2**, which appears from the stated coordinates to correspond to my residential property.

The applicant records this receptor as approximately **728 metres from proposed turbine T10**.

However, a distance to a nominated receptor coordinate cannot establish compliance with a setback which is expressly defined by reference to the **nearest point of residential curtilage**.

For the purpose of independently checking the applicant's distances, two corners of my dwelling nearest the proposed turbines are located approximately at:

Point A: 54.207854, -8.828737

Point B: 54.207878, -8.828851

My residential curtilage extends beyond those dwelling walls towards the proposed turbines.

Based on measurements undertaken from the mapped property, the nearest point of my curtilage is approximately **6 metres closer to T10 than the nearest part of the dwelling itself**.

The nearest curtilage is also approximately **10 metres closer to T8 than the nearest part of the dwelling**.

The measurements available to me consequently indicate that the relevant curtilage-to-T10 distance falls **below the 720-metre four-times-tip-height distance**.

I therefore specifically request that An Coimisiún Pleanála independently calculate the shortest distance between proposed T10 and the **nearest point of the residential curtilage**, rather than relying upon the applicant's nominal House ID/receptor distance.

I attach the coordinates of the nearest corner of my house (deduct a further 6m for curtilage to T10), of the turbines and a map in Appendix A

This is a straightforward matter capable of objective verification from the application GIS data and the residential property boundary.

If the curtilage distance is less than 720 metres, the Commission should not accept the EIAR statement that the development adheres to the four-times-tip-height residential visual-amenity setback in relation to my property.

More significantly, because that claimed compliance is expressly relied upon in the visual-impact assessment as a mitigating factor, the Commission should reconsider whether the applicant has justified reducing the acknowledged **Very Significant** effect at VP15 to **Moderate**.

A residual-impact conclusion should not depend upon a mitigation premise which is factually incorrect.

A short schedule of the relevant coordinates and measurements is included at **Appendix A**.

4. Lack of property-specific visualisation and photographic evidence

Because of the proximity of my property to the proposed turbines and the scale of the structures involved, I requested that SSE provide **front and side photomontages specifically showing the proposed development from my house.**

SSE subsequently declined to provide those property-specific photomontages, explaining that the planning application had already been lodged.

This is disappointing because the application itself acknowledges a Very Significant visual effect in the Crumhach area before mitigation, while my property appears to lie at or inside the very residential setback relied upon as part of that mitigation.

The general VP15 assessment cannot, in my submission, substitute completely for understanding the actual effect upon one of the closest affected residential properties.

I have therefore included photographs/images at **Appendix B** to assist the Commission in appreciating the scale and visual relationship of the proposed turbines to my property and its surroundings. I apologise for the poor quality, but they were taken from an SSE laptop screen at a public consultation they hosted in Dromore West.

These images should be considered together with the applicant's photomontages and its own conclusion that the initial visual effect at VP15 is **Very Significant**.

My concern is not simply that turbines will be visible. It is the combination of:

- their 180-metre tip height;
- their proximity;
- the number of turbines visible;
- the apparent failure of the curtilage-based setback;
- the elevated and exposed landscape;
- That my property is almost surrounded by turbines, they would be visible on 3 sides of my property
- and the fact that I intend this property to become my permanent home next year.

The Commission should therefore assess residential visual amenity from the perspective of the actual experience of living at this property and not solely by reference to more distant representative viewpoints.

5. Scenic Route SR-58 and the Sligo Way

The applicant's own LVIA demonstrates that the visual issue extends well beyond a private residential view.

At VP15 the receptors specifically identified as having High sensitivity include:

- Scenic Route SR-58;
- residential receptors within the surrounding area; and
- the Sligo Way waymarked walking trail through Dunneill Mountain.

Sixteen of the seventeen turbines would be visible from this viewpoint.

The applicant assesses the magnitude of change as **Substantial**, resulting in the initial **Very Significant** effect described above.

The Sligo County Development Plan requires wind-energy development to be assessed having regard to landscape sensitivity, scenic routes, recreational routes and public access to the countryside.

The extension of substantially larger turbines into new greenfield areas inevitably changes the character and experience of this part of the landscape.

The presence of older turbines elsewhere in the wider area should not be used to suggest that this additional impact is negligible, particularly when the Commission itself previously recognised the proposal as new development rather than straightforward repowering.

6. Operational noise and the reliability of pre-construction predictions

The proposed development relies heavily upon modelling to predict the noise environment which nearby residents will experience if permission is granted.

The critical issue is not simply whether numbers produced by a computer model fall below a specified planning limit.

The Commission must also be satisfied that sufficient confidence can reasonably be placed in those predictions before residents are exposed to the actual operating development.

This is particularly important because post-construction enforcement cannot restore the residential environment which existed before construction.

Given the uncertainty of predicted modelling, if permission were to be granted then there should be a condition included which states if their predicted noise levels were found to be exceeded at any nearby residential property then the turbines should be decommissioned. I appreciate the level of excess and the frequency should be grounded in common sense, I am not unrealistic, but if they predictions upon which planning is granted were found to be wrong there has to be consequences.

6.1 Independent Irish evidence – Gibbet Hill Wind Farm

There is relevant Irish evidence demonstrating that planning-stage wind turbine noise predictions do not invariably bound the noise subsequently measured after construction.

Wexford County Council commissioned RPS to undertake independent operational noise monitoring at **Gibbet Hill Wind Farm**.

The resulting 2017 *Gibbet Hill Wind Farm Noise Monitoring Report* expressly compared post-construction measurements with the operational noise levels predicted in the original planning-stage EIS.

At **Site 01**, RPS concluded that the measured/background-corrected trendline exceeded the noise levels predicted in the EIS at higher wind speeds.

At **Site 03**, the measured/background-corrected results likewise exceeded the levels predicted in the EIS under higher-wind conditions.

The report's final assessment records that the trendlines for Sites 01 and 03 exceeded the original predicted levels at corrected wind speeds greater than approximately 8 m/s.

This evidence is particularly relevant because the original Gibbet Hill assessment had presented its modelling as a worst-case assessment.

Nevertheless, independent monitoring after construction demonstrated that actual operational results at certain receptors and operating conditions exceeded those planning-stage predictions.

I do not suggest that Gibbet Hill proves that Crumhach will necessarily produce the same outcome.

It does, however, demonstrate an important planning principle:

Predicted compliance before construction is not proof that the operational wind farm will necessarily perform at or below those predicted levels after construction.

The Commission should therefore apply appropriate caution to Crumhach's predicted noise levels, particularly where nearby residential amenity depends upon relatively small modelling margins.

The Gibbet Hill report is not anecdotal evidence or a record of complaints. It is an independent technical investigation commissioned by an Irish local authority which directly compared predicted and measured operational noise.

6.2 Subsequent Gibbet Hill High Court proceedings

The seriousness of the wider Gibbet Hill noise issue is demonstrated by the subsequent High Court proceedings in:

Byrne & Anor v Abo Energy Ireland Ltd & Ors [2025] IEHC 330.

The defendants ultimately admitted liability for noise nuisance substantially interfering with the residents' use and enjoyment of their home and garden, and the High Court ultimately ordered the permanent shutdown of three turbines.

I rely upon the RPS report, rather than the nuisance proceedings, as the technical evidence of prediction-versus-measurement differences.

The High Court proceedings nevertheless demonstrate how serious the consequences for residents can become where operational turbine noise is not adequately anticipated and prevented through the planning process.

6.3 Oweninny and Sliabh Bawn evidence requests

I have also sought comparable Irish post-construction evidence concerning **Oweninny Wind Farm Phases 1 and 2** and **Sliabh Bawn Wind Farm** through Access to Information on the Environment requests. This was in August.

Mayo County Council on 15th Sept has advised me that it does not hold the relevant Oweninny noise survey records and that these matters were handled through An Bord Pleanála.

A further request has therefore been directed to yourselves, An Coimisiún Pleanála seeking, specifically, any direct comparison between the original Oweninny planning-stage predictions and subsequent operational measurements.

Those records are unlikely to become available within the period available for making this submission, but are available to yourselves.

Their absence at this stage should not be interpreted as evidence that the original Oweninny predictions were confirmed in operation.

The independent Gibbet Hill evidence already establishes that prediction error of the type about which I am concerned has occurred at an Irish wind farm.

7. Shadow flicker at my property

The applicant's own Comparative Shadow Flicker Report demonstrates significant predicted pre-mitigation shadow flicker at nearby dwellings.

House ID 2 appears from the coordinates supplied in the application to correspond to my property.

For the maximum turbine scenario, the applicant predicts at this property approximately:

Maximum daily shadow flicker: 1 hour 28 minutes

and

Adjusted annual shadow flicker: approximately 42 hours 42 minutes.

The applicant consequently identifies both **daily and annual mitigation as required**.

This is important.

It means that acceptable residential conditions at my property are not achieved inherently by the turbine layout.

They depend upon an active control system shutting down turbines at relevant times.

The need for operational shutdown to prevent unacceptable shadow flicker should be considered cumulatively with:

- the close turbine setback;
- the Very Significant initial visual effect;
- the uncertainty inherent in noise prediction; and
- my intended permanent occupation of the house from next year.

These are multiple impacts affecting the same residential receptor.

8. Ox Mountains Bogs SAC and Easkey Bog Nature Reserve

The ecological setting requires a particularly precautionary approach.

The proposed site is adjacent to **Ox Mountains Bogs SAC** and **Easkey Bog Nature Reserve**.

The applicant's Natura Impact Statement records that the wind-farm boundary directly overlaps the boundary of Ox Mountains Bogs SAC at two locations and that western and southern parts of the development boundary adjoin the SAC.

The documentation also identifies potential pathways for effects upon qualifying habitats and records road works immediately adjacent to qualifying habitat.

The conservation objective for blanket bog at Ox Mountains Bogs SAC is not simply to maintain its present condition but to **restore favourable conservation condition**.

That distinction is important.

On 25 June 2026, Advocate General Kokott delivered her Opinion in **European Commission v Ireland, Case C-196/25**.

Ox Mountains Bogs SAC is among the blanket-bog Natura 2000 sites discussed in that Opinion in the context of damage associated with peat cutting.

The Advocate General also considered restoration measures at Ox Mountains Bogs and concluded that it was not apparent that the measures identified had remedied all of the damage.

I recognise that an Advocate General's Opinion is **not a final judgment of the Court of Justice**, and I do not present it as such.

Nevertheless, it provides highly relevant and very recent context concerning the condition and restoration requirements of the protected site directly adjoining the proposed development.

The Commission should therefore satisfy itself beyond reasonable scientific doubt not merely that immediate habitat loss can be mitigated, but also that construction, drainage, road works, hydrological effects and associated development will not impede achievement of the SAC's restoration objectives.

The existing degraded state of an ecological receptor should not become justification for allowing further pressure upon it.

9. Cumulative residential impact

One of my strongest concerns is that the individual assessments can obscure the actual experience of a resident living beside the proposed development.

At my property the proposal involves, cumulatively:

- an 180-metre-high turbine at approximately the four-times-tip-height residential setback threshold;
- a residential curtilage which falls inside that 720-metre threshold;
- my property will be surrounded on 3 sides by turbines
- an applicant-assessed **Very Significant** initial visual effect in the immediate Crumhach area;
- extensive visibility of the turbine array;
- significant predicted shadow flicker requiring active turbine shutdown;
- exposure to future operational turbine noise which can presently only be predicted by modelling;
- and the wider transformation of a sensitive upland landscape.

The planning decision will directly determine the environment in which I expect to live on a permanent basis.

I respectfully submit that these effects should be assessed together.

A turbine layout should not be regarded as acceptable simply because each individual impact can separately be described as capable of mitigation.

Where the same dwelling is subject simultaneously to close visual dominance, shadow-flicker control requirements and operational noise exposure, the combined effect upon residential amenity may be substantially greater than the impression created by assessing each technical chapter in isolation.

10. Conclusion

For the reasons set out above, I respectfully request that An Coimisiún Pleanála **refuse permission for Crumhach Wind Farm as presently proposed.**

I particularly ask the Commission to consider the following matters.

First, the applicant's own LVIA identifies a **Very Significant** initial visual effect at VP15.

Second, claimed compliance with the four-times-tip-height **720-metre residential visual-amenity setback** is expressly relied upon as one of the considerations supporting reduction of that impact to Moderate.

Third, the relevant draft-guideline distance is measured to the **nearest point of residential curtilage**, while the distances relied upon by the applicant appear to be based upon dwellings or nominated receptor positions.

Fourth, my property measurements indicate that the nearest point of my residential curtilage is approximately 6 metres closer to T10 than the nearest part of the dwelling and falls **inside the 720-metre distance.**

This should be independently verified by the Commission before any decision is made. I have commissioned a firm to do this but haven't got a result in time before the final date for submissions. Should the commission require this at a later date I am happy to supply.

Fifth, independent Irish evidence from Gibbet Hill demonstrates that operational wind turbine noise measured after construction at certain receptors and wind speeds **exceeded the levels predicted at planning stage.** This demonstrates why modelled compliance should not be treated as a guarantee of the noise environment residents will experience after construction.

Sixth, the applicant's own assessment predicts substantial shadow flicker at the residential receptor corresponding to my property and relies upon active turbine shutdown as mitigation.

Seventh, the effects extend beyond individual residential amenity to the Sligo Way, Scenic Route SR-58 and an environmentally sensitive landscape.

Finally, the project directly borders and partly overlaps Ox Mountains Bogs SAC, whose blanket-bog conservation objective requires restoration, while very recent European-level proceedings highlight the continuing restoration challenges affecting this protected site.

Taken together, these matters create substantial doubt that the proposed layout represents an appropriate development of this sensitive location.

I therefore respectfully request that permission be refused.

If the Commission is not minded to refuse permission outright, I submit that permission should at minimum **not be granted on the basis of the present turbine layout and assessments** without:

A condition that allows for the decommissioning of the turbines should noise levels be found to exceed repeatedly the levels predicted in the submission.

Name: John Nugent

Address: Dunowla, Templeboy, Co Sligo F91C6V6

Date: 27th September 2026

APPENDIX A

Residential Setback – Property and Measurement Information

Relevant proposed turbines: T10 and T8

Maximum turbine tip height: 180 metres

Four-times-tip-height distance: 720 metres

House coordinates

Two corners of the dwelling nearest the proposed turbines are approximately:

	Point	Latitude	Longitude
House corner A		54.207854	-8.828737
House corner B		54.207878	-8.828851

Turbine co-ordinates (from the applicants submission)

Turbine	ITM Easting	ITM Northing	Approx. latitude	Approx. longitude
T8	545257	828620	54.203570	-8.839064
T9	545425	828224	54.200030	-8.836417
T10	546041	828377	54.201470	-8.827005
T11	546688	828662	54.204099	-8.817141

Curtilage

The nearest boundary of the residential curtilage extends beyond the dwelling in the direction of the proposed turbines.

Based upon measurement of the mapped property:

- the nearest point of residential curtilage is approximately **6 metres closer to T10** than the nearest wall/corner of the dwelling; **This is approx. 715 metres**, well inside the 720m guideline
- the nearest point of residential curtilage is approximately **10 metres closer to T8** than the nearest wall/corner of the dwelling.

The applicant's shadow-flicker documentation gives a distance of approximately **728 metres between House ID 2 and T10**.

However, House ID 2 is a nominated receptor position. It is not the nearest point of residential curtilage. Now established as 715 metres

Issue requiring verification

The 2019 Draft Revised Wind Energy Development Guidelines specify a visual-amenity setback of four times turbine tip height measured to the:

"nearest point of the curtilage of any residential property".

For a 180-metre turbine this corresponds to **720 metres**.

My measurements indicate that the shortest distance between T10 and my residential curtilage is **less than 720 metres**.

I therefore request that An Coimisiún Pleanála independently calculate the shortest turbine-to-curtilage distance using the applicant's definitive T10 coordinates and the mapped residential curtilage boundary.

This measurement is material because the EIAR expressly relies upon claimed compliance with the 720-metre setback as a mitigating consideration in reducing an assessed **Very Significant** visual effect to **Moderate**.

I have attached one map showing:

- A.** dwelling outline;
- B.** residential curtilage/property boundary;
- C.** proposed T10;
- D.** proposed T8

I make the distance of T10 to my curtilage as 715 metres.

This map is a combination of sheets 4/5 and 3/5 from the applicants own planning drawing submitted in their application. Interestingly I couldn't find a map with my house and all relevant turbines submitted so this is the best I can do. It shows the impact the turbines will have on 3 sides of my property

Applicant layout - combined Sheets 3/5 and 4/5

My house / curtilage is the small red outline north of T10 and west of T13.

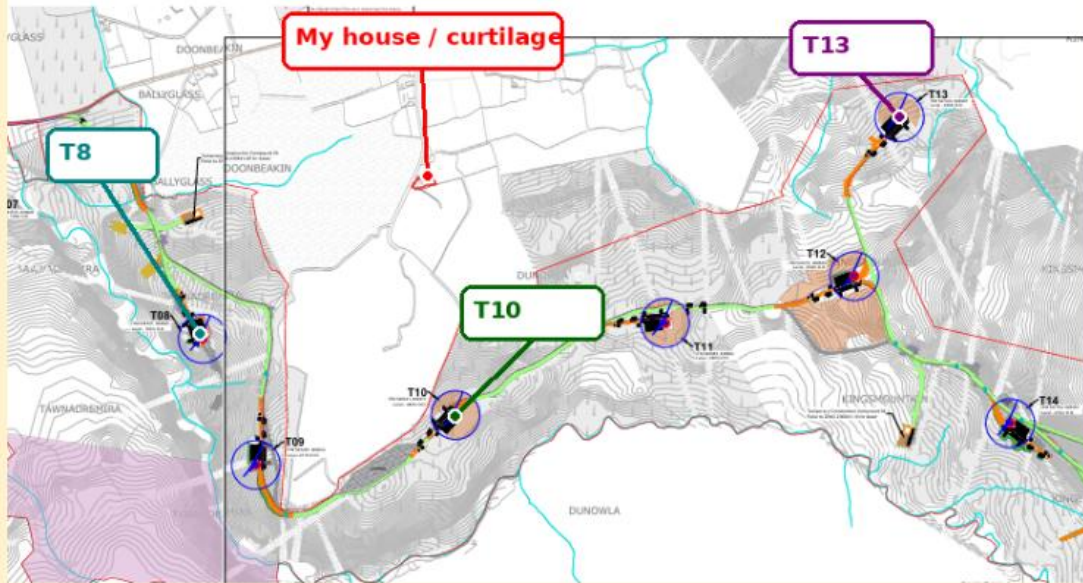


Figure A1. Combined excerpt from the applicant's submitted Sheets 3/5 and 4/5, annotated to identify my house / residential curtilage and nearby turbines T8, T10 and T13.

The map is included to illustrate the curtilage-based 720 m setback issue. I request that An Coimisiún Pleanála independently verify the shortest distance between T10 and the nearest point of the residential curtilage using the application GIS data.

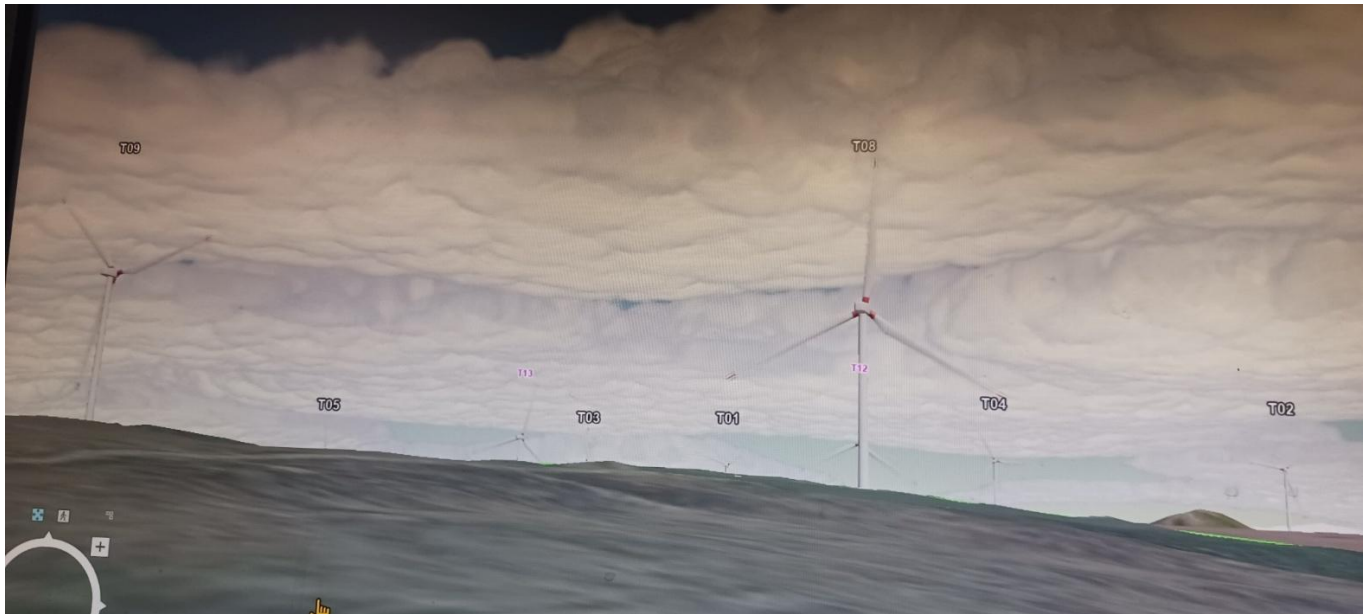
APPENDIX B

Photographic Evidence of Residential Visual Impact

The following photographs/images are included to assist the Commission in understanding the potential visual effect of the proposed turbines from and in the immediate vicinity of my residential property.

I requested property-specific front and side photomontages from SSE showing the proposed turbines in relation to my house. These were not subsequently provided, SSE indicating that the planning application had already been lodged.

Photograph / Image 1



Location: Front left of property

Direction of view: South West

Description: View from the residential property towards the proposed turbine development.

Purpose: To demonstrate the existing open outlook and the relationship between the residential property and the proposed turbine landscape.

Photograph / Image 2



Location: Side of property / garden

Direction of view: Southwards

Description: View towards the proposed turbines from the residential property.

Purpose: To assist in understanding the likely scale and prominence of the proposed turbines when experienced from the dwelling and its residential curtilage.

These images are relevant because the applicant's formal LVIA itself assesses the initial visual effect at VP15 in the Crumhach area as **Very Significant**, before applying mitigation factors including claimed compliance with the 720-metre residential visual-amenity setback.

My photographs/images should therefore be considered as supplementary evidence assisting the Commission in understanding how that impact relates to the actual residential environment.

DOCUMENTS REFERRED TO

1. An Coimisiún Pleanála – Crumhach Wind Farm, Case PAX21.324561.
2. An Coimisiún Pleanála – Crumhach Wind Farm pre-application consultation, PCX21.320934.
3. Crumhach Wind Farm EIAR, Appendix 13-2 – Photomontage Visual Impact Assessment Tables.
4. Crumhach Wind Farm EIAR, Appendix 5-2 – Comparative Shadow Flicker Report.
5. Crumhach Wind Farm Appropriate Assessment Screening Report and Natura Impact Statement.
6. Sligo County Development Plan 2024–2030.
7. Draft Revised Wind Energy Development Guidelines, December 2019.
8. SSE Renewables, Crumhach Wind Farm public consultation material, July 2025.
9. RPS, *Gibbet Hill Wind Farm Noise Monitoring Report*, prepared for Wexford County Council, 26 June 2017.
10. *Byrne & Anor v Abo Energy Ireland Ltd & Ors* [2025] IEHC 330.
11. Opinion of Advocate General Kokott, *European Commission v Ireland*, Case C-196/25, 25 June 2026.