

Application reference number is [PAX09.324055]

Date 30/03/2026

Full Description of the Project

The applicant is for 9 wind turbines and in the town lands of Cushina, Clonsast lower, and Chevychase or derrynadarragh near Bracknagh, in County Offaly and the town lands of Aughrim and Derrylea near Monasterevin in County Kildare.

Applicant: [Derrynadarragh wind farm]

Fee enclosed is 50 Euros.

Contact person: [Declan de Monge, 34 Saint Brochans park, Bracknagh, Rathangan, Co.Kildare R51VH61]

Introduction.

I am writing to formally register my objection to the proposed wind farm development at above location.

While I acknowledge the national importance of transitioning to renewable energy, I believe this specific proposal is fundamentally unsuitable for the chosen location due to its significant adverse impacts on the local environment, residential amenities and cultural landscape.

Visual and landscape impact.

The proposed site is within an area of open countryside and also an ancient flood plain.

The installation of 9 turbines each exceeding 180 metres high would industrialise a currently natural and tranquil landscape. The scale and cumulative visual dominance of the structures would be completely out of character with the surrounding area and would cause irreversible harm to the distinctive views that define the local identity.

Noise and Shadow flicker.

The development poses a direct threat to the amenity and health of nearby residents. The low frequency noise and amplitude modulation (swooshing) generated by the turbines, particularly at night is well documented to cause sleep disturbance, stress and other adverse health effects for sensitive individuals.

Several dwellings including my own in Bracknagh village fall within the safe separation distances. Furthermore the potential for shadow flicker for homes to the east and west of the turbines would create a significant nuisance for a substantial portion of the year.

Also the high powered lights on top of the turbines to prevent aircraft collisions could also shine directly into my home due to my skylights and south facing extension.

I also recommend the application be refused. I cite these grounds as the reason.

The government plans or programmes for renewable energy including the National Renewable Energy Action Plan 2010 under EU Directive 2009/28/EC and subsequent plans or programmes including Project Ireland 2040 and the National Energy and Climate plan 2021-2030 were all enacted during the period after 21st July, 2004 when the Strategic Environmental Assessment Directive 2001/42/EC (SEA) was in force. Articles 2 to 4 stipulate an assessment must be done with public participation, transboundary consultation ending in an Environmental Report. Article 3(2) specifically required such plans for energy be assessed. No such assessment was done and no Environmental Report exists. Any such development plan in County Carlow or Kilkenny must include wind energy and must be assessed under the directive. It is not and no Environmental Report exists.

The construction of wind farms in Belgium was meant to be guided by local government circulators similar to the Irish Wind Energy Guidelines 2006. They were not assessed. The Court of Justice of the European Union has ruled in case C-24/19 that a circular issued by an authority to guide wind farm development;

1. is a plan or programme under the SEA Directive
2. The Belgium circular was not assessed and any planning consent given under them must be annulled and
3. Any existing wind farm already operating and built under these guidelines must have their permission annulled.

The Irish Wind Energy Guidelines 2006 are almost identical to the Belgium circular covering noise and shadow flicker and other effects. The Irish Guidelines are therefore unlawful and cannot be used to justify or guide the decision making process in this instant case by Bord Pleanála.

The 2019 guidelines in Ireland are only a draft, they are made outside the SEA Directive and have no legal standing. The government representative answering an Access to Information Request has stated that any new guidelines will be processed within the SEA Directive.

The Board has its own legal section which has never been known to become involved in Judicial Reviews which it should. The Board should seek the views of its own legal section and include them in the report to grant or refuse this application. The mention of the 2006 or 2019 guide lines is invalid.

Here is the wording of Directive 2001/42/EC Article 3 in italics.

"Scope

1. An environmental assessment, in accordance with Articles 4 to 9, shall be carried out for plans and programmes referred to in paragraphs 2 to 4 which are likely to have significant environmental effects.
2. Subject to paragraph 3, an environmental assessment shall be carried out for all plans and programmes,

(a) which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use and which set the framework for future development consent of projects listed in Annexes I and II to Directive 85/337/EEC"

The EIAR accompanying this application is the modern equivalent of the earlier ERIA Directive. As the SEA Environmental Report sets the framework for projects under the EIA Directive and there is no such report, The EIAR accompanying this application is invalid.

Any national plan for wind energy in Ireland must set the framework at national level. The Board cannot assess such a plan or programme because it must be done under the Directive. The Board cannot assess the impact or noise, shadow flicker and other impacts on the environment or this proposed wind farm because that is the function of the SEA.

If the Irish government claims the 2006 Guidelines were compiled outside the period of the SEA in which the first proprietary act commenced before 21 st July 2004 then those guidelines expire on the 21st July 2004. The 2006 Guidelines have been used for 17 years during which they had no probative value. Ruling 24/1 9 clearly stipulates any grant must be annulled.

Evidence must be produced by the developer that the turbines are exactly described as per High Court ruling and a copy of the type certification under the machinery Directive must be included. Many existing turbines have no certification under the Directive. This information must be sought.

Summary:

It should be borne in mind that if this wind farm is granted consent and built, a legal challenge can be taken under Section I 60 of the Planning and Development Act 2000. It will be in the same position as the Derrybrien wind farm in Co. Galway. Anyone including us can apply to have it taken down which means it will not be sustainable under the Planning and Development Act. This application is premature, the SEA for the plan or programme and for new guidelines must be done first. It is incumbent on you to abide by the law. - References: Ruling C-24/19 can be found by searching cases in the Court of Justice of the European Union online search form.