

An Bord Pleanála,  
64 Marlborough St.  
Dublin 1.



Kristin Laubach,  
Tooreen,  
Dunmanway,  
Co Cork.  
27<sup>th</sup> May, 2022.

Re: ABP SU04.307939. Application for substitute consent for Cleanrath Windfarm Ltd.

Dear Sir/Madam,

I would like to make a submission on the case involving an application for substitute consent for Cleanrath Windfarm Ltd, County Cork.

I believe that ABP should refuse this application for substitute consent. The Supreme Court case was being argued on the grounds of proximity and noise which are of vital importance to the residents local to this windfarm. Klaus and Hannah Heubach have been so concerned about this that they have explored every avenue open to them in order to prevent this windfarm being built so close to them.

The developers knew this and would have known that Klaus and Hannah would make an application for leave to go to the Supreme Court as they did to the High Court. However, they chose to begin construction even after leave was given to put the case to the Supreme Court. Even while arguments were being made in that court they continued with the building works. What were they thinking?

I believe they either just assumed that they would win the court case and, if they didn't, then a completed windfarm would simply be given retention. This means that they did not respect the fact that the Supreme Court had not made their judgement yet. This decision would have been made with full knowledge at the highest level of Enerco Ltd.

If Cleanrath Windfarm Ltd is granted retrospective planning permission it would set a precedent in future cases not to await a court decision before commencing construction work. This would render the court's decision ineffective and obsolete. Klaus and Hannah Heubach went to great personal and financial effort to take this case to the Supreme Court and they won. The judge declared that this windfarm should not have been approved. There has to be a point where the Supreme Court's decision is final. Ireland has already been singled out by the European Court of Justice for granting substitute consent too easily and this has to stop now.

I would ask that you refuse this application for substitute consent for Cleanrath Windfarm Ltd,

Yours sincerely,

Kristin Laubach.

*Kristin Laubach*

