

12/19/2020.
Observations concerning Substitute Consent Application
Clearrath Wind Farm.

Reference number - PL04.307939

AN BORD PLEANALA	
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ABP-	
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To whom it maybe concern,

My name is Eurya Heubach, I am the daughter of Hannah Heubach and Klaus Balz who won the Supreme Court Case against Clearrath Wind Farm.

I have several observations to make what regards the Substitute Consent Application.

Firstly concerning the Red Aviation Lights of the wind turbines. These are shockingly intrusive at night, looming above the property, where once the skies had been very quiet and exceptionally dark. The importance of such dark sky areas is becoming greater and is also being recognized, - for example the Kerry International Dark Sky reserve, however the Clearrath area, and surrounding Lee Valley are becoming more and more light-polluted as more windfarms are constructed. The particular aggressive red colour of the lights is additionally designed to ~~break~~ create an alarmed response in people, for aviation safety, - however this response of alarm and unease is also created in those who see the lights from the ground, - a sky full of red lights while one is trying to sleep or enjoy an evening creates the opposite of calm and wellbeing, - instead an ever anxiety is felt.

Technical changes could be made to make these lights more bearable, - for example lights which only come on when activated by the proximity of an aircraft, - a system

which is already in use in Germany, and would greatly help the intrusion and noise created by the Red Aviation Lights. Everytime Now that I visit my home I am repeatedly shocked by a sky no longer gently dark or starry, but full of towering red lights.

Additionally the property of my parents has been significantly devalued by the construction of Clearath Windfarm so near by, a fact which greatly hinders their future mobility and freedom.

Lately I have been made aware that the Irish legislation allowing for the granting of substitute consent is in conflict with binding legal obligations created under EU law, - in particular the Directive on Environmental Impact Assessment. (This confirmed by the case of *An Taisce v An Bord Pleanála*, *An Taisce v An Bord Pleanála & Ors*, *Sweetman v An Bord Pleanála & Ors*, 1 July 2020). Therefore there appears to be no lawful basis for the Board to grant substitute consent.

I hope my observations regarding the case of PL 04.307939 will be duly noted.

Kind Regards,

Enya Heubach,
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Germany

Enya Heubach

