

An
Bord
Pleanála

Observation on a Planning Appeal: Form

AN BORD PLEANÁLA

LDG- 030187-20

ABP- _____

04 SEP 2020

Fee: € 50 Type: P.O

Time: 9.35 By: Post

Your details

1. Observer's details (person making the observation)

Your full details:

(a) Name

Nikki O' Sullivan.

(b) Address

Derrineanig, Renaniree, Macroom, Co. Cork

Agent's details

2. Agent's details

If an agent is acting for you, please also provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Click or tap here to enter text.

(b) Agent's address

Click or tap here to enter text.



Operation on a
Planning Application Form

All
Board
Planning

AN BORD PLEÁNEALA	
Ref. No.: 09543453	Date: 06-09-2018
ABP:	Fee: € 60
BA: 60	Time: 13:00
04 SEP 2018	
Dated at Dublin, Republic of Ireland	

Your details

1. Operator's details (person making the application)

(a) Name

(b) Address

Derrinseanig, Renvyle, Macloughlin, Co. Cork

Agent's details

2. Agent's details

If this sheet is suitable for you, please also provide their details below. If you
are not using an agent, please write "Not applicable" below.

(a) Agent's name

(b) Agent's address

Postal address for letters

3. During the appeal process we will post information and items to you or to your agent. For this observation, who should we write to? (Please tick ✓ one box only.)

You (the observer) at the
address in Part 1

The agent at the address
in Part 2

Details about the proposed development

4. Please provide details about the application you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

(a) Planning authority

(for example: Ballytown City Council)

Cork County Council

(b) An Bord Pleanála appeal case number (if available)

(for example: ABP-300000-19)

ABP-306272-19

(c) Planning authority register reference number

(for example: 18/0123)

Click or tap here to enter text.

(d) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Cleanrath wind farm development in the townlands of Reananerree, Cloontycarthy, Cleanrath North, Derrineanig, Cleanrath South, Milmorane, Coombilane, Rathgaskig,

Postal address for letters

1

The sheet at the address
in Part 2

Yon (the operator) set the
address in Part I

Pisces Subfamily (g)

(for example: Ballylow City Council)

Cook County Council

(d) Au Bond Please! ~~please!~~ case unper (it saysisple)

(for example: ABP-30000-1a)

ABP-3008232-1a

(c) Plugged Suction Line with Reference Dumper

(for example: 18\01\\$3)

Location of proposed development (b)

(For example: 1 Main Street, Suite Faisilu, Co. Antrim)

Augeris, Gorteenakilla, Carrignadoura, Gurteenowen, Gurteenflugh, Lyrenageeha and Lackabaun, Co. Cork.

Observation details

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Permission was granted for the construction of 11 turbines at the aforementioned site in 2017. Objections were raised by Klaus Balz & Hanna Heubach to said construction which culminated in a Supreme Court judgement delivered on 12th December 2019 which held that it was necessary to quash the earlier grant of permission by the Board. By way of Order of the Supreme Court delivered on 19th of June 2020, the order quashing the decision to grant permission made in 2017 was stayed pending an application for substitute consent. This was done on the undertaking that the wind farm would not be operational during the intervening period. The site, however, was operational for the period between December 2019 and April 2020 and therein lies the basis of the objection.

The site lies overlooking and adjacent to a number of domestic dwellings, certainly 637m from one dwelling and no more than 750m from others. The rural nature of such housing enjoys quiet contemplation of the countryside which was significantly impacted during the operational dates of the windfarm. The turbines generated such noise on occasion as to denigrate the day to day enjoyment of the dwelling house, as well as emitting a humming sound which felt like vibrations on windy days. The placement of one particular turbine in proximity to a cluster of houses is invasive by its very nature and disruptive to the health and wellbeing of those residing in the neighbourhood.

The turbines being some 150m in height contributes to the noise nuisance felt by the neighbouring dwellings. Thus far, the impact of noise on the dwelling houses has not had valid consideration by the Board. The Board failed to have due regard to previous objections raised pursuant to guidelines issued under section 28 of the Planning Act. Should the wind farm become operational on a full time basis, the noise emitting from same, at such a proximity to residential housing, will be relentless and incredibly disruptive. It will serve as a rapid increase to noise pollution in the area.

Whilst green energy solutions are needed, increasingly so to meet EU targets, the location of this particular wind farm is inappropriate in its proximity to residential dwellings. Given that 9 of the 11 turbines have already been constructed, we are passed the point of any objections in relation to construction traffic, demolition and altering the landscape. The mountain area is forever changed by the construction already undertaken. The primary issue now concerns the long term impact on residents of the area and ongoing aerodynamic noise nuisance leading to a reduction in the health and wellbeing of the neighbourhood.

Operation details

2. Please describe the dynamics of your operation (including reasons and slippage). You can also type or write them in the space below or you can attach them separately.

The permission was granted for the construction of IT premises at the site mentioned above in 2017. Operations were issued by Kisan Basu & Hossain Hossaini to said construction which peaked in 2018. By May October of the Supreme Court delivered on 16th June 2020, the order suspending the decision made in 2017 was stayed pending an application for suspension consequent to the under-taking that the wind farm would not be operational during the intervening period. The site, however, was operational for the period between December 2018 and April 2020 and therefore lies the basis of the application.

The site lies overlooking and adjacent to a number of domestic dwellings currently 337m from one dwelling and no more than 750m from others. The main issue of such housing closer direct consultation of the community which was significantly impacted during the operational stages of the windfarm. The impact has been noted on occasion as to deteriorate the quality of life environment of the dwelling houses as well as emitting a humbling sound which left like vibrations on nearby areas. The placement of one participant impact in proximity to a cluster of houses is invasive by its very nature and disruption of those residing in the neighborhood.

The impact being some 150m in height contributes to the noise nuisance felt by the neighbouring dwellings. This far, the impact of noise on the dwelling houses has not had any significant impact by the Board. The Board failed to place the leading to previous operations issued pursuant to guidelines issued under section 28 of the Planning Act. Should the wind farm become operational on a full time basis, the noise emitted from same, if such a proximity to residential housing, will be pollution in the area.

Whilst there already solutions are needed, interestingly so to meet EU targets, the location of this residential wind farm is impossible in its proximity to residential dwellings. Given part 9 of the II Impact have already been constructed, we are based the point of this operation in relation to construction traffic, demolition and clearing the landscape. The mountain site is located cleared by the construction already undertaken. The industry issue now concerns the long term impact of loss of life and biodiversity disruption. It will serve as a rapid increase of noise pollution in the area.

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

The proximity of one turbine to a cluster of houses also carries the risk of shadow flicker on the houses below. They sit directly downhill from the turbine. As the Board is well aware, shadow flicker can be an intermittent source of nuisance to static buildings and has potential to cause headaches and poor health in residents.

I hope the Board considers the issued raised and I await correspondence in due course.

2. Please describe the grounds of your application (including reasons and submissions). You can type or write them in the space below or you can attach them separately.

The proximity of one trip to another is often due to a cluster of houses that creates the risk of shadowing or the houses below. They will quickly develop from the trip. As the housing is well aware, shadowing ticket can be an infringement of someone's right to privacy or the right to reside in peace.

I hope the Board considers the issues raised and I await correspondence in due course.

Supporting material

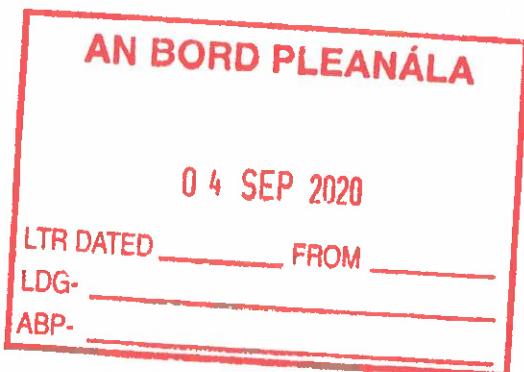
6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Fee

7. You must make sure that the correct fee is included with your observation. You can find out the correct fee to include in our Fees and Charges Guide on our website.



NALA has awarded this document its Plain English Mark

Last updated: April 2019.



Approved by NALA

Subpoenaed material

6. If you wish, you can include subpoenaed materials with your application.

Subpoenaed materials include:

- photographs
- bills
- statements
- diagrams
- digital copies or DVDs
- technical drawings, or
- other subpoenaed materials.

Fees

7. You must make sure that the correct fee is included with your application. You can find out the correct fee to include in our Fees and charges Guide on our website.

AN BOARD PLEADING	
ABP-	FROM _____
LDG-	TO _____
LTR DATE _____	
RECEIVED _____	
04 SEP 2000	

NALA has awarded this document the Plain English Mark

Last updated: April 2010

Operation on a Plain English Appeal:

Form - April 2010