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Date 22/01/2026

Aighneacht chuig An Bord Pleanála

Forbairt Infreastructúir Straitéiseach – Feirm Ghaoithe Ghleann Óra

Curtha isteach ag:

Grúpa Cosanta Tírdhreacha Phobal Leacáin/Baile An Chaisil
c/o Teresa Fagan

Achoimre Feidhmiúcháin

Déantar an aighneacht bhreise seo ag Teresa Fagan thar ceann Ghrúpa Cosanta Tírdhreacha Phobal Leacáin/Baile an Chaisil, i gcoinne na Forbartha infreastructúir straitéiseach atá molta don fheirm Ghaoithe i nGleann Óra. Bunaíodh an Grúpa mar fhreagra ar mhéadú leanúnach i scála, minicíocht agus tiúchan carntha forbartha fuinnimh gaoithe i réigiún Iarthuaisceart Mhaigh Eo, agus ar na tionchair dá bharr ar charachtar tírdhreacha, portaigh, bithéagsúlacht, hidreolaíocht, turasóireacht, oidhreacht chultúrtha agus folláine pobail.

Tá 22 tuirbín suas le 180 méadar ar airde i gceist leis an bhforbairt atá beartaithe, mar aon le tochailt agus leagan móna ar scála mór, claiseanna iasachta, leagan foraoise, tógáil bóithre agus bonneagar gaolmhar i dtírdhreach íogair ardchríche portaigh. Tá an suíomh ceangailte go hidreolaíoch le roinnt suíomhanna Eorpacha lena n-áirítear Coimpléasc Portaigh Bhéal an Choire (SAC) agus SAC agus SPA Chuan Chill Ala / Inbhear na Muaidhe. Tar éis don Ghrúpa an Tuarascáil

ón Údarás Pleanála, an EIAR, an NIS agus an comhthéacs beartais agus dlí ábhartha a mheas, cuirtear isteach go dteipeann ar an togra cloí le dlí comhshaoil an AE agus le dlí náisiúnta, agus gur cheart diúltú don chead pleanála.

1. Seasamh agus Cuspóir an nGrúpa

Is eagraíocht phobalbhunaithe é Grúpa Cosanta Tírdhreacha Phobal Leacáin/Baile an Chaisil, a bunaíodh chun seasamh ar son tírdhreacha uathúla ardchríche, portaigh, oidhreacht seandálaíochta agus bhonn eacnamaíoch inbhuanaithe Iarthuaisceart Mhaigh Eo. Áirítear i gculpóirí an Ghrúpa comhlíonadh dlí comhshaoil an AE a chinntiú, sócmhainní turasóireachta a chosaint, áiseanna cónaithe a chaomhnú agus cosc a chur ar dhamáiste comhshaoil dochúlaithe a eascraíonn as forbairt mhórscála mhíchuí.

2. Cur Síos ar an bhForbairt atá Beartaithe

Moltar tógáil 22 tuirbín gaoithe i bhFeirm Ghaoithe Ghleann Óra, gach ceann acu le hairde barr thart ar 180 méadar, trastomhais rótair thart ar 162 méadar, agus cumas giniúna comhcheangailte de thart ar 158 MW. Áirítear leis an bhforbairt infreastructúir fairsing lena n-áirítear bunsraitheanna tuirbíní, bóithre rochtana nua agus uasghrádaithe, claiseanna iasachta, tochailt agus leagan móna, leagan foraoise, campáil tógála agus crann tomhais bhuan meitéareolaíochta.

Deimhníonn an EIAR go mbeidh saolré oibríochta thart ar 35 bliain ag an bhforbairt. Tá an nasc leis an eangach leictreachais, a shíneann thart ar 26 ciliméadar, eisiata ón iarratas agus beidh sé faoi réir próiseas ceada ar leith, rud a fhágann measúnú ilroinnte.

3. Bunús Beartais As Dáta – Treoirlínte Fuinnimh Gaoithe 2006

Braitheann measúnú na forbartha go mór ar na Treoirlínte um Fhorbairt Fuinnimh Gaoithe do Údarás Phleanála (2006). Tá na treoirlínte seo as dáta i bhfianaise scála na dtuirbíní atá molta, an tuiscint eolaíoch chomhaimseartha ar hidreolaíocht agus stóráil carbóin portaigh, caighdeán nua-aimseartha torainn agus scáthlúbín, agus tionchair charntha forbartha gaoithe ar scála SID.

Cuireann an spleáchas ar threoir as dáta bonn faoi láidreacht an phróisis mheasúnaithe agus tá sé ar neamhréir leis an gceanglas go mbunófaí cinntí pleanála ar an eolas eolaíoch agus teicniúil is fearr atá ar fáil.

4. Suíomhanna Eorpacha agus Measúnú Cuí

Deimhníonn Tuarascáil an Údaráis Phleanála nach bhféadfaí éifeachtaí suntasacha a chur as an áireamh ag an gcéim scáthaithe do SAC Choimpléasc Phortaigh Bhéal Átha Chomhraic, do SAC Chuan Chill Ala/Inbhear na Muaidhe agus do SPA Chuan Chill Ala/Inbhear na Muaidhe. Mar thoradh air sin, bhí Measúnacht Chúí iomlán agus Ráiteas Tionchair Natura ag teastáil.

Faoi Airteagal 6(3) den Treoir maidir le Gnáthóga, ní féidir toiliú a dheonú ach amháin nuair atá an t-údarás inniúil sásta, thar amhras réasúnach eolaíoch, nach ndéanfaidh an tionscadal dochar do shláine aon láithreáin Eorpaigh (Cás C-127/02 Waddenzee; Cás C-258/11 Sweetman). Níor comhlíonadh an tairseach ard dlí seo.

5. Portaigh – Méid, Cur isteach agus Dochúlaitheacht

Deimhníonn Caibidil 7 (Hidreolaíocht agus Hidreageolaíocht) agus Caibidil 6 (Bithéagsúlacht) den EIAR gur ithreacha móna le doimhneachtaí éagsúla is mó atá ar an láithreán. Aithníonn mapáil suirbhé doimhneacht móna (lena n-áirítear Fíoracha EIAR 7.1 go 7.4) limistéir fhairsing de mhóin éadomhain go domhain trasna leagan amach na dtuirbíní, rianta rochtana, claiseanna iasachta agus limistéir láithrithe móna.

Aithníonn an EIAR trí chlais iasachtaithe agus trí limistéar socrúcháin móna déag. Tá bunsraitheanna tuirbíní agus rianta rochtana suite go díreach ar mhóin. Is gnáthóga do-athsholáthair iad tailte móna a foirmíodh thar na mílte bliain. Cailtear struchtúr agus feidhm hidreolaíoch go buan mar thoradh ar thochailt, athrú draenála, luchtú agus dhlúthú. Faoi Sweetman, is ionann aon laghdú buan ar struchtúr nó ar fheidhm ghnáthóg agus drochthionchar ar shláine an láithreáin.

6. Nascanna Hidreolaíoch agus Tionchair Síos an Abhainn

Léiríonn an EIAR Chaibidil 7 go bhfuil an suíomh trasnaithe ag Abhainn Ghleann Óra, go bhfuil sé gar don Abhainn Ghleann Cuilinn agus in aice leis an Abhainn Chíor Ghleanna (EPA Code 33K01), cuid de ghabháltas An Fód Dubh–Cnocán na Líne agus ceangailte le suíomhanna Eorpacha níos faide síos an córas uisce. (Figures 7.1–7.4)

7. Maolú, Athchoiriú agus Easnamh Dílíúil

Braitheann an NIS ar bhearta maolaithe amhail athchóiriú portaigh, baint foraoise agus bacáil draenacha. Ní féidir brath ar mhaolú chun conclúid a bhaint amach nach mbeidh aon tionchar díobhálach ann, de réir dlí an AE.

Faoi Chás C-461/17 Holohan, ní mór do Mheasúnú Cuí éifeachtaí indíreacha agus lasmuigh den láthair a mheas, lena n-áirítear iad siúd a eascraíonn trí chonairí hidreolaíocha. Braitheann an NIS ar rialuithe agus ar mhonatóireacht dea-chleachtais seachas ar chinnteacht a léiriú faoi na coinníollacha is measa, lena n-áirítear teagmhais bháisteach mhór agus athrú aeráide.

8. Tionchar Carntha agus Sáithiú Tírdheacha

Léiríonn EIAR Caibidil 15 (Measúnú Tionchair Tírdheacha agus Amhairc) agus léarscáiliú carnach ZTV idir-infheictheacht fhairsing le feirmeacha gaoithe atá ann cheana féin agus feirmeacha ceadaithe lena n-áirítear Béal Átha Chomhraic, Abhainn Eidhneach Céimeanna 1–3 agus Seisceann. Is é an toradh a bhíonn ar chomhchruinniú carnach na dtuirbíní ná sáithiú tírdheacha laistigh de thírdheach íogair ardtalún portaigh.

Faoi Waddenzee agus Holohan, ní mór deireadh a chur le tionchair charnacha gan amhras réasúnach eolaíoch. Níl sé seo bainte amach.

9. Turasóireacht agus Tírdhreach – Fianaise Fáilte Éireann

Deir Fáilte Éireann go bhfuil “tírdhreach nádúrtha na hÉireann ar cheann de na sócmhainní turasóireachta is tábhachtaí atá againn agus ina phríomhspreagthóir do chuairoteoirí thar lear” agus “go bhfuil sé rithábhachtach cáilíocht, carachtar agus saineúlacht ár dtírdhreacha a chosaint chun turasóireacht a chothú.” Tá turasóireacht in Iarthuaisceart Mhaigh Eo ceangailte go dlúth le tírdhreacha gan mhilleadh, tailte móna, spéartha dorcha agus suaimhneas.

Baineann tionsclaíocht an tírdhreacha ardtalún trí thuirbíní 180 méadar agus an bonneagar gaolmhar an bonn den gheilleagar turasóireachta agus tagann sé salach ar bheartas turasóireachta náisiúnta.

10. Srianta ar an Eagach Leictreachais

Tá an eangach leictreachais réigiúnach i dTuaisceart Mhaigh Eo srianta cheana féin. Tarlaíonn ciorrú ar fheirmeacha gaoithe atá ann cheana féin agus ní oibríonn siad ag a lánacmhainneacht. Tá sé mí-éifeachtach agus contrártha le planáil chuí agus forbairt inbhuanaithe cead a thabhairt do ghiniúint bhreise gaoithe ar mhórscála gan acmhainn ghreille imleor.

Baineann eisiámh na nasc eangaí ón iarratas an bonn de mheasúnú cuí.

11. Oidhreacht Chultúrtha agus Achaidh Céide

Tá an fhorbairt a bheartaítear suite laistigh de shuíomh níos leithne thírdhreach seandálaíochta Achaidh Céide, suíomh lena mbaineann tábhacht idirnáisiúnta. Cé gur féidir tionchar fisiceach díreach a sheachaint, bheadh drochthionchar ag scála agus feiceálacht na dtuirbíní ar thimpeallacht, ar thuiscint agus ar luach cultúrtha an tírdhreacha seo.

12. Comhsheasmhacht le Cinneadh Roimhe Seo de Chuid An Bord Pleanála

Dhiúltaigh an Bord Pleanála roimhe seo d’fhorbairtí feirmeacha gaoithe i Maigh Eo Thuaidh agus tírdhreacha tailte móna comhchosúla ar fhorais lena n-áirítear tionchar carnach, íogaireacht tírdhreacha, suaitheadh tailte móna agus teip tairseach cinnteachta Airteagal 6(3) a chomhlíonadh. D’fhágfadh cead a dheonú sa chás seo imeacht gan údar ón bhfasach.

13. Bainistiú Móna, Dramhaíola agus Gníomhaíochtaí Cairéalaithe

Is éard atá i gceist leis an bhforbairt ná móin agus ithreacha a thochailt suas go dtí doimhneacht 6-7 méadar, agus doimhneacht san áireamh, gan aon uasdoimhneacht sainithe. Is é cuspóir na tochailte seo ná rochtain a fháil ar an gcarraig íon faoi bhun le húsáid i ngníomhaíochtaí tógála ar an bhforbairt a bheartaítear amháin. Ní tochailt theagmhasach é seo – is oibríocht eastóscah neamhspleách í agus mar sin teastaíonn measúnú ceart faoi rialacháin an tionscail eastóscah. Níl aon teorainneacha mionsonraithe

tochailte nó prótacail athchóirithe curtha ar fáil san fheidhmchlár. Déanaimid an tuairim go dtagann an ghníomhaíocht seo laistigh den bhrí atá le ‘tionscal eastóscach’ mar atá sainmhínithe faoi na Rialacháin um Pleanáil agus Forbairt 2001 (arna leasú) agus Rialacháin na gComhphobal Eorpach (Measúnú Tionchair Timpeallachta) 2012 (S.I. Uimh. 352 de 2012). Dá réir sin, ba cheart é a mheasúnú de réir Sceideal 5, Cuid 2, Aicme 2 — ‘eastóscadh mianraí (lena n-áirítear móin)’ — agus ba cheart é a láimhseáil mar ghníomhaíocht cairéalachta seachas mar ghnáthoibríocht tógála.

Móin Dramhaíola – Aicmiú Dlíthiúil

Tá méid suntasach móna le tochailt gan aon úsáid thairbheach aitheanta nó le bogadh as an mbealach ó na limistéir talún sin ina bhfuil bonneagar le forbairt. Faoi Acht um Bainistiú Dramhaíola 1996 agus an Chreat-Treoir Dramhaíola (2008/98/CE), aicmítear go dlíthiúil mar dhramhaíl aon ábhar a chuirtear i leataobh nó a bheartaítear a dhiúscairt. Toisc nach mbeidh aon úsáid ag an líon mór móna atá beartaithe a thochailt laistigh de theorainn dearglíne an láithreáin a bheartaítear ní mór é a mheas mar ábhar Dramhaíola. Déantar dramh-mhóin a chatagóiriú faoi gcód Liosta Dramhaíola (EWC) mar “17 05 04 Ithir agus Clocha” ach níl sé támh mar gheall ar a cion orgánach an-ard. Is ionann adhlacadh éiginnte ar an láthair ar mhaithe le fáil réidh leis an móin féin agus gníomhaíocht diúscairta dramhaíola neamhúdaraíthe nó líonadh talún. Faoi Alt 5 den Acht um Bainistiú Dramhaíola 1996 agus den Chreat-Treoir Dramhaíola (2008/98/CE), déantar aon ábhar nach bhfuil aon acmhainn athúsáide ann a rangú go dleathach mar dhramhaíl agus ní mór é a chóireáil dá réir.

Bheadh aon rún móin a stoc-charnadh ar an láthair agus í a chur isteach i bhfolús tochailte ina dhiaidh sin ina líonadh talún gan údarú faoi Acht um Bainistiú Dramhaíola 1996 nó faoi rialacháin Airteagal 28, agus bheadh gá le measúnú faoi gcód Liosta Eorpach um Dhramhaíl Íseal 17 05 04 (Ithir agus Clocha). Ní féidir le móin feidhmiú mar líonadh struchtúrach mar gheall ar ardchion orgánach, riosca lonnaithe, agus poitéinseal soiléir díghrádaithe agus láiste. In éagmais saoráide ceadúnaithe, Cead Saoráide Dramhaíola, fógra Airteagal 27, nó Plean Bainistíochta Móna, is ionann an togra reatha agus diúscairt neamhúdaraíthe dramhaíola.

Tagann an togra salach ar a chéile leis an Straitéis Náisiúnta Tailte Móna (2015), an Plean Gníomhaíochta ar son na hAeráide (2024), agus na gealltanais náisiúnta maidir le leithlisiú carbóin agus athchóiriú tailte móna.

Ba cheart go mbeadh gach gluaiseacht móna ar aon dul le prótacail bhunaithe bainistíochta dramhaíola agus leis an reachtaíocht reatha; 821 de 2007 (arna leasú ag S.I. Uimh. 86 de 2008, S.I. Uimh. 197 de 2020), na Rialacháin um Bainistiú Dramhaíola (Ceadúnú) 2004, S.I. Uimh. 2007 - S.I. Uimh. 820 de 2007 (arna leasú le S.I. Uimh. 87 de 2008 agus S.I. Uimh. 546 de 2020).

Tá baol ann don togra imirce truailléan agus díghrádú timpeallachtaí íogaire uisceacha.

Tagann tochailt níos mó ná 10 heicteár de thalamh portaigh i gcoimhlint leis an Straitéis Náisiúnta Tailte Móna (2015) agus leis an bPlean Gnómháochta Aeráide (2024), a thugann tosaíocht d'athchóiriú tailte móna agus do leithlisiú carbóin. Ba cheart go dtacódh forbairt fuinnimh ghaoithe le cuspóirí aeráide – gan an bonn a bhaint díobh trí thochailt a bhfuil astuithe gáis cheaptha teasa i mbaol.

14. Conclúid

Ar na cúiseanna atá leagtha amach thuas, áitíonn Grúpa Cosanta Tírdhreacha Leacáin/Bhaile an Chaisil go dteipeann ar Fheirm Gaoithe Glenora molta dlí comhshaoil an AE a chomhlíonadh, go mbaineann suaitheadh do-aisiompair ar thalamh portaigh, go ndéanann sé tionchair charnacha, go mbaintear an bonn den turasóireacht agus d'fhorbairt inbhuanaithe tuaithe, agus go bhfuil sé beartaithe in éagmais acmhainne eangaí imleor. Ba cheart mar sin cead pleanála a dhiúltú.

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Teresa Fagan (Chairperson of Lacken Ballycastle
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Date 22/01/2026

Submission to An Bord Pleanála

Glenora Wind Farm Strategic Infrastructure Development

Submitted by:

Lacken, Ballycastle Community Landscape Protection Group
c/o Teresa Fagan

Executive Summary

This additional submission is made by Teresa Fagan on behalf of the Lacken Ballycastle Community Landscape Protection Group in opposition to the proposed Glenora Wind Farm Strategic Infrastructure Development (SID). The Group was established in response to the escalating scale, frequency and cumulative concentration of wind energy developments in the North West Mayo region and the resulting impacts on landscape character, peatlands, biodiversity, hydrology, tourism, cultural heritage and community wellbeing.

The proposed development comprises 22 turbines of up to 180 metres in height, extensive peat excavation and placement, borrow pits, forestry felling, road construction and associated infrastructure within a sensitive upland peatland landscape. The site is hydrologically connected to multiple European sites including the Bellacorick Bog Complex SAC and the Killala Bay/Moy Estuary SAC and SPA. Having considered the Planning Authority Report, the EIAR, the NIS and relevant policy and legal context, the Group submits

that the proposal fails to comply with EU and national environmental law and should be refused.

1. Standing and Purpose of the Group

The Lacken Ballycastle Community Landscape Protection Group is a community-based organisation formed to advocate for the unique upland landscapes, peatlands, archaeological heritage and sustainable economic base of the North West Mayo region. The Group's objectives include ensuring compliance with EU environmental law, safeguarding tourism assets, protecting residential amenity and preventing irreversible environmental damage arising from inappropriate large-scale development.

2. Description of the Proposed Development

The Glenora Wind Farm SID proposes the construction of 22 wind turbines each with a tip height of approximately 180 metres, rotor diameters of approximately 162 metres, and a combined generating capacity of approximately 158 MW. The development also includes extensive associated infrastructure comprising turbine foundations, new and upgraded access tracks, borrow pits, peat excavation and placement areas, forestry felling, construction compounds and a permanent meteorological mast.

The EIAR confirms that the operational lifespan of the development is approximately 35 years. The grid connection, which extends approximately 26 kilometres, is excluded from the application and will be subject to a separate consent process, resulting in piecemeal assessment.

3. Outdated Policy Basis – Wind Energy Guidelines 2006

The assessment of the proposed development relies heavily on the Wind Energy Development Guidelines for Planning Authorities (2006). These guidelines pre-date turbines of the scale proposed, contemporary scientific understanding of peatland hydrology and carbon storage, modern noise and shadow flicker standards, and the cumulative impacts associated with clustered SID-scale wind energy developments.

The reliance on outdated guidance undermines the robustness of the assessment process and conflicts with the requirement that planning decisions be based on the best available scientific and technical knowledge.

4. European Sites and Appropriate Assessment

The Planning Authority Report confirms that significant effects could not be ruled out at screening stage for the Bellacorick Bog Complex SAC, the Killala Bay/Moy Estuary SAC and the Killala Bay/Moy Estuary SPA. As a result, a full Appropriate Assessment and Natura Impact Statement were required.

Under Article 6(3) of the Habitats Directive, consent may only be granted where the competent authority is satisfied, beyond reasonable scientific doubt, that the project will

not adversely affect the integrity of any European site (Case C-127/02 Waddenzee; Case C-258/11 Sweetman). This high legal threshold has not been met.

5. Peatlands – Extent, Disturbance and Irreversibility

EIAR Chapter 7 (Hydrology and Hydrogeology) and EIAR Chapter 6 (Biodiversity) confirm that the site is dominated by peat soils of varying depth. Peat depth survey mapping (including EIAR Figures 7.1 to 7.4) identifies extensive areas of shallow to deep peat across the turbine layout, access tracks, borrow pits and peat placement areas.

The EIAR identifies three borrow pits and thirteen peat placement areas. Turbine foundations and access tracks are located directly on peat. Peatlands are irreplaceable habitats formed over thousands of years. Excavation, drainage alteration, loading and compaction result in permanent loss of structure and hydrological function. Under Sweetman, any permanent reduction in habitat structure or function constitutes an adverse effect on site integrity.

6. Hydrological Connectivity and Downstream Impacts

EIAR Chapter 7 and associated surface water mapping (Figures 7.1–7.4) demonstrate that the site is intersected by the Glencora River, lies adjacent to the Glencullin River and adjoins the Keerglen River (EPA Code 33K01). These watercourses form part of the Blacksod–Broadhaven catchment and are hydrologically connected to downstream European sites.

Under Case C-461/17 Holohan, Appropriate Assessment must consider indirect and off-site effects, including those arising via hydrological pathways. The NIS relies on best practice controls and monitoring rather than demonstrating certainty under worst-case conditions, including extreme rainfall events and climate change.

7. Mitigation, Restoration and Legal Deficiency

The NIS relies on peatland restoration, forestry removal, drain blocking and management plans to conclude that no adverse effects on site integrity will arise. These measures constitute mitigation. Under Case C-323/17 People Over Wind, mitigation cannot be relied upon to justify a conclusion of no adverse effects. Under Case C-521/12 Briels, habitat enhancement cannot offset damage elsewhere.

The proposal therefore fails to meet the requirements of Article 6(3).

8. Cumulative Impact and Landscape Saturation

EIAR Chapter 15 (Landscape and Visual Impact Assessment) and cumulative ZTV mapping demonstrate extensive intervisibility with existing and permitted wind farms including Bellacorick, Oweninny Phases 1–3 and Sheskin. The cumulative concentration of turbines results in landscape saturation within a sensitive upland peatland landscape.

Under Waddenzee and Holohan, cumulative impacts must be eliminated beyond reasonable scientific doubt. This has not been achieved.

9. Tourism and Landscape – Fáilte Ireland Evidence

Fáilte Ireland states that “Ireland’s natural landscape is one of our most important tourism assets and a key motivator for overseas visitors” and that “protecting the quality, character and distinctiveness of our landscapes is fundamental to sustaining tourism.” Tourism in North West Mayo is intrinsically linked to unspoilt landscapes, peatlands, dark skies and tranquillity.

The industrialisation of the upland landscape through 180-metre turbines and associated infrastructure undermines the tourism economy and conflicts with national tourism policy.

10. Electricity Grid Constraints and Inefficiency

The regional electricity grid in North Mayo is already constrained. Existing wind farms experience curtailment and do not operate at full capacity. Granting permission for additional large-scale wind generation without adequate grid capacity is inefficient and contrary to proper planning and sustainable development.

The exclusion of the grid connection from the application further undermines proper assessment.

11. Cultural Heritage and Céide Fields

The proposed development is located within the wider setting of the Céide Fields archaeological landscape, a site of international significance. While direct physical impacts may be avoided, the scale and prominence of the turbines would adversely affect the setting, appreciation and cultural value of this landscape.

12. Consistency with An Bord Pleanála Precedent

An Bord Pleanála has previously refused wind farm developments in North Mayo and similar peatland landscapes on grounds including cumulative impact, landscape sensitivity, peatland disturbance and failure to meet the Article 6(3) certainty threshold. Granting permission in this case would represent an unjustified departure from precedent.

13. Peat removal, Waste and Quarrying activities

The development involves excavation of peat and soils up to and including depths of 6–7 meters with no defined maximum depth. The purpose of this excavation is to access the underlying virgin rock solely for use in the construction activities on the proposed development. This is not incidental excavation – it is a standalone extractive operation and as such requires proper assessment under extractive industry regulations. No detailed excavation limits or restoration protocols have been provided in the application. We make the observation that this activity falls within the meaning of ‘extractive industry’ as defined under the Planning and Development Regulations 2001 (as amended) and the European Communities (Environmental Impact Assessment) Regulations 2012 (S.I. No. 352 of 2012). Accordingly, it should be assessed in accordance with Schedule 5, Part 2, Class 2 —

'Extraction of minerals (including peat)' — and treated as a quarrying activity rather than a normal construction operation.

Waste Peat – Legal Classification

Significant amounts of peat are to be excavated with no identified beneficial use or than to move it out of the way from those areas of land where infrastructure is to be developed. Under the Waste Management Act 1996 and the Waste Framework Directive (2008/98/EC), any material discarded or intended for disposal is legally classified as waste. As the proposed large volume of peat to be excavated will have no use on within the redline boundary of the proposed site then it must be considered as a Waste material. Waste peat is categorised under List of Waste (EWC) code as " 17 05 04 Soil and Stones" but is not inert due to its very high organic content. Indefinite burial on-site for the sake of getting rid of the peat itself constitutes unauthorised waste disposal or landfill activity. Under Section 5 of the Waste Management Act 1996 and the Waste Framework Directive (2008/98/EC), any material with no reuse potential is legally classified as waste and must be treated accordingly.

Any intent to stockpile peat on-site and subsequently deposit it into excavation voids would constitute a landfilling of waste without authorisation under the Waste Management Act 1996 or Article 28 regulations, and would require assessment under the European List of Waste Code LoW 17 05 04 (Soil and Stones). Peat cannot serve as structural fill due to high organic content, settlement risk, and blatant potential for degradation and leaching. In the absence of a licensed facility, a Waste Facility Permit, Article 27 notification, or Peat Management Plan, the current proposal amounts to unauthorised disposal of waste.

The proposal conflicts with the National Peatlands Strategy (2015), Climate Action Plan (2024), and national commitments to carbon sequestration and peatland restoration.

All peat movements should be in line with established waste management protocols and current legislation; Waste Management (Facility Permit and Registration) Regulations 2007 – S.I. No. 821 of 2007 (as amended by S.I. No. 86 of 2008, S.I. No. 197 of 2020), Waste Management (Licensing) Regulations 2004, S.I. No. 395 of 2004 (as amended) and Waste Management (Collection Permit) Regulations 2007 - S.I. No. 820 of 2007 (as amended by S.I. No. 87 of 2008 and S.I. No. 546 of 2020).

The proposal risks pollutant migration and degradation of sensitive aquatic environments.

The excavation of more than 10 hectares of peatland conflicts with the National Peatlands Strategy (2015) and Climate Action Plan (2024), which prioritise peatland restoration and carbon sequestration. Wind energy development should support climate objectives – not undermine them through excavation that risks greenhouse gas emissions.

14. Conclusion

For the reasons set out above, the Lacken Ballycastle Community Landscape Protection Group submits that the proposed Glenora Wind Farm fails to comply with EU

environmental law, involves irreversible peatland disturbance, exacerbates cumulative impacts, undermines tourism and sustainable rural development, and is proposed in the absence of adequate grid capacity. Planning permission should therefore be refused.