Nichola Meehan

From:	Communications
Sent:	Tuesday 2 December 2025 13:07
To:	Marine
Subject:	FW: Case No ABP-319307-24
Attachments:	Laurclavagh 2.docx

Kind regards,
Shane

Shane Larkin
Communications Department
An Coimisiún Pleanála

From: Peter Tyndall <petetyndall@gmail.com>
Sent: Monday, December 1, 2025 6:25 PM
To: Communications <communications@pleanala.ie>
Subject: Case No ABP-319307-24

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Attn ; Sinead White.
Please find my attached second response to the above referenced case number.
Sincerely,
Dr. Peter Tyndall

Dr. Peter Tyndall,

Glenrevagh,

Corrandulla,

Co. Galway.

H91 HXV1.

11th Nov. 2025.

To: The Secretary,

An Bord Pleanala,

64, Marlborough Street,

Dublin 1.

Further observations to An Coimisiun Pleanana with regards to Case No PA07, 319307, Laurclavagh in reply to MKO's response to the Bord's request for additional information.

MKO's response leans heavily on the requirement for Ireland to achieve defined greenhouse gas emissions by certain dates. It also relies strongly on Mr. Justice Humphrey's Coolglass judgement delivered on 10th Jan 2025. While An Coimisiun Pleanala may have to consider conformity with the climate plans and objectives as Judge Humphreys states clearly in his judgement "this does not mean allowing an application which is prohibited by law". As the proposal is contrary to Environmental and Biodiversity Law (Wildlife Act, 1976, Wildlife [Amendment] Act, 2000 and2023, EU Nature Restoration Law which came into force in August 2024, EU Habitats Directive [Council Directive 92/43/EEC], EU Birds Directive [updated by Directive 2009/147/EC]) it must, in line with Judge Humphrey's ruling, be dismissed. Planners must equally take full account of the National Biodiversity Plan with the 2023 Act giving it legal

weight and requiring public bodies, by legal obligation, to integrate its targets into their work. The application also infringes the property rights of the home which are protected in the Irish Constitution (Article 40.3.2) and which include quiet enjoyment and minimum standards. Both the construction and operation of the proposed electricity generating site run contrary to the Constitutional rights of the 2,800 residents who would be impacted should permission be granted.

Environmental and Biodiversity Law.

Bats have a high conservation status across Europe and all species have been listed on Annex IV of the Habitats and Species Directive and some, such as the lesser horseshoe bat, which we are fortunate to have in this area, are further listed on Annex II. The domestic legislation, which implements this directive, combined with the Wildlife Acts (1976 and 2000), ensures that individual bats and their breeding sites and resting sites are fully protected. This has very important implications for those who own, manage or knowingly permit the construction of windfarm turbines if they are to avoid potential breaches of the law and criminal offences being committed.

The MKO assessment of the local bat population is inadequate and error strewn. Bats are abundant in the area as shown by MKO's ground level static survey where 62,368 bat passes were recorded. (This was over about 40 suitable nights (page 19, Appendix 6-2) giving a bat pass rate of 1,559 per night). Quoting the MKO report they state "the calculated activity thresholds in Table 3-6 were considerable high for all species surveyed. Thresholds were therefore adapted to more representative activity levels for agricultural/wet grassland habitats based on MKO's experience with similar habitats as presented in Table 3-7. "This seems extraordinary and in effect amounts to "we didn't like the high figures we actually measured so we lowered them to what we thought they should look like"!

I have frequently surveyed the area, using a Magenta 5 heterodyne bat detector and agree with the comprehensive species list identified in the application. The lesser horseshoe bat is the species of most concern and has the highest conservation status. In a Vincent Wildlife Trust article written by Dr. Kate McAney, who studied the lesser horseshoe bat for her PhD, she quotes a Bat Conservation Ireland Publication "landscape conservation for Irish bats and species specific roosting characteristics" whose authors state that the small region currently occupied by the lesser horseshoe bat represents the only suitable range for this species in Ireland, based on habitat association and landscape modelling. As a result even low levels of habitat modification or changes to roost availability could have significant adverse effects on the lesser horseshoe bat in Ireland. The proposed construction is vastly more than low level habitat modification and there can be little doubt that the huge amount of rock breaking, transport and explosives blasting will, during the construction phase of the proposed windfarm, have a detrimental effect on the roosts and feeding areas of this most sensitive species. The removal of hedgerows is particularly damaging to the lesser horseshoe bat as it has a uniquely high frequency, low range call which it uses to navigate, using hedgerows, between roosting and feeding areas. Once hedgerows are removed the bat is lost. The promoters plan to remove 1.8km of these essential hedgerows which can only prove detrimental to this most vulnerable species.

The proposers state that the only SAC designated lesser horseshoe bat roost is 27.8km from the proposed site. This is intentionally misleading as SAC designation is not required for the bats' protection. I know of, and have visited, 3 lesser horseshoe bat roosts and hibernation areas which are only a few kilometres distance to the North of the proposed site and these can be confirmed by communication with local NPWS staff. In the interests of reporting the truth why were these sites not mentioned and were excluded from the report? This proves that the MKO survey is not comprehensive, their survey is not adequate and it has failed to record lesser horseshoe bat roosts and hibernation sites close to the immediate area.

Bats are negatively impacted by windfarms and no amount of imaginary mitigation measures alters this reality. Direct impacts include collisions and barotrauma (damage to tissues from air pressure changes around the rotating

blades resulting in the collapse of the bat's lungs). Indirect impacts can include habitat loss (roosts, commuting routes and foraging area) and fragmentation of populations.

"An updated review of hypotheses regarding bat attraction to wind turbines" was published in 2022 in the US by the National Library of Medicine and states that "patterns of bat activity and mortality at wind energy facilities suggest that bats are attracted to wind turbines." Attraction hypotheses of noise, roost sites, foraging and water, mating behaviour, lights and olfaction have all been examined. It is still unknown why bats are attracted to turbines and until such a time as an understanding is acquired and proof of effective mitigation measures exist, turbines must be excluded from areas such as this which hold such strong bat populations.

MKO state (page 68, Appendix 6-2 in the original submission and page 43 [6.5.3.2.2] in the subsequent submission) that when wind speeds are below the cut-in speed, the blades will be feathered and that this measure has been shown to reduce bat fatalities by up to 50%. This is an admission that even when the blades are turning slowly they are aware that they will be breaking European and national law and will be knowingly killing bats –a totally illegal activity and more than sufficient grounds to reject this application.

Over 3 decades Birdwatch Ireland has collected data on the populations of swans, geese, ducks, waders and other associated birds in the turloughs, callows and lakes which surround the proposed site (see iWeBs data, Birdwatch Ireland). Unfortunately, this data highlights sharp declines in many species over this period. Lines connecting the adjacent iWeBs (Irish Wetland Bird Survey) areas (Belclare Turlough, River Clare Callows, Doolough Headford, Lough Corrib sites, Lough Hackett, Levelly Lough, Summerville, Gardenfield, Rahasane Turlough, inner Galway Bay along with many more temporary turloughs which are known to hold populations of these birds,) clearly demonstrate that the flight paths connecting many of these sites will be severely impacted through the installation of these massive structures. It must be remembered that many wetland birds roost on the water during the night and move to grassland areas to feed during the daylight with many of these

passages taking place in the dark. What chance has a whooper swan of seeing, never mind avoiding, a huge blade travelling towards him from above in the dark at perhaps 150 mph on a wet windy night? This is a very important area for certain Annex 1 species under the European Habitat's Directive. Protection must be provided to species such as Whooper Swan, Greenland White fronted Geese, Hen Harrier, Merlin and Peregrine Falcon which are all present on this site. The fact that they are all present and confirmed by MKO's own survey, should be sufficient to terminate further consideration of the application as the provision of protection for these endangered species, as the country is obliged to do by European and National law, and the granting of construction permission are diametrically opposed. In addition to Annex 1 species, other endangered birds such as shoveler, wigeon, lapwing, golden plover, curlew, herring gull, and black headed gull are all present in good numbers over the Winter months and travel between the above water bodies and their shores.

A review of the literature on the impacts of wind farms on swans and geese by Eileen C Rees of the University of Cambridge found that 8 studies of flight behaviour all reported changes in flight- lines for swans and geese initially seen heading towards the turbines, at distances ranging from a few hundred metres to 5Km. As key knowledge gaps remain in area such as the long term effects of birds not returning to their wintering grounds, wastage of flight energy, effects of weather, wind farm size, cumulative effect of multiple wind farms, habituation, alignment of turbines all that can be ascertained at present is that the proposed construction will impact negatively on these Annex 1 species. The conservation status of these threatened species is such that any decision must apply the precautionary principle and err, as is required by law, on the side of their protection. The application of the law under the European Habitats Directive is obligatory and is not discretionary.

A study entitled "Bird displacement by wind turbines: Assessing current knowledge and recommendations for future studies" by Marques, Natalha and Bernardino reviewed 71 peer-reviewed studies on displacement and found that wind turbines can affect bird populations by causing collision mortalities and 40.6% of the studies found displacement effects. Causing deaths and displacing Annex 1 birds from their habitat is contrary to the provision of protection as legally required.

The 5 sightings of hen harriers, 4 of which were within 500m of proposed turbines is of National importance and should ring alarm bells in the minds of decision makers. The National hen harrier survey of 2015 found that there were only between 108 and 157 pairs remaining and when this survey was repeated in 2022 a further very significant decline to 85 to 106 pairs was recorded. This rare bird is vulnerable to being killed by wind turbines and the Government's own paper of 2024 entitled "Threat response plan for the hen harrier 2024-2028" identifies wind turbines as a threat to the survival of the species. Critically, this paper quotes the UCC (University College Cork) study of 2015 (Wilson et al) which states "the density of all bird species, including prey species for hen harrier, was lower at wind energy sites than control sites, and lower again close to turbines". There is a known Winter roost on Lough Corrib where they have also been recorded breeding. Research undertaken by UCC has shown that hen harriers will forage up to 11.4Km from their base and this plan to construct a towering industrial site in the nearby countryside places this long established roost in real jeopardy. National parks and Wildlife Service (NPWS) have recorded a number of hen harrier deaths directly by impacting turbine blades. It should be noted that records of mortalities are always very conservative as scavengers, such as the fox, are quick to learn that free meals of birds and bats are available at the base of these power plants.

What is thought to be the highest number of buzzards recorded in a single location in Galway was reported to Birdwatch Ireland from this area (Bunnahevna More) only a few years ago (April '20), when 12 were sighted together. This wonderful species is now recovering from extinction in Ireland which came about through human interference. Both this species and the hen harrier are especially vulnerable to being killed by blades impacting them from above while they look downwards focusing on the ground below them in search of prey.

Residents of 3 houses surrounding the proposed site (Eircodes H54WK12, H54X295 and H54N256) agreed between them to record whooper swans observed in flight transecting the proposed power plant area. Between 11th Oct '23 and 17th Feb '24 these incidental observations recorded 15 flights of flocks of up to 19 whooper swans flying through the area. Given that each of these observers is working away from home and that they could only casually

observe a small part of the area for short periods, it is clear that large numbers of whooper swans transit the area on an ongoing basis for the 6 months of the year when these highly protected birds are in the area. Separate occasional counts were made of whooper swans and Greenland white fronted geese in turloughs and lakes on 32 different dates between 29th Oct '23 and 20th March '24 in the water bodies in the local vicinity. A total of 2,414 whooper swan sightings were recorded along with those of 64 Greenland white-fronted geese (iWeBs data). The highest daily count was of 317 whooper swans. Tagging trials have shown that these birds consist of family groups which return to the same locality after their Icelandic breeding season. The planned construction would prove extremely damaging to this internationally endangered Annex 1 species, both through impact mortalities and disturbance.

As mentioned above whooper swans frequently fly in the dark between roosting and feeding areas. They are large heavy birds which often fly at low altitude and in straight lines and will undoubtedly be killed by these huge industrial turbines. MKO made no effort to record night flights within the area despite recording 198 whooper swans in the area between Oct. '23 and March '25. MKO also failed to provide collision risk assessments for whooper swans.

The NPWS have released 20 juvenile white tailed sea eagles on Lough Corrib over the last two years and I have had the pleasure of watching these birds on numerous occasions in different locations around the lake and at distances of several miles from the lake. Wind farm promoters in Donegal assured ABP that the chance of mortality through impact with turbines was minimal. The reality was very different when, in a short 8 months between Oct '24 and May '25 three eagles were illegally killed by turbines in the Killybegs and Inver areas. The indisputable evidence provided by the deaths of these birds is that the collision risk modelling in planning applications for windfarms is seriously flawed and should be rejected by planning authorities.

Section 6.4.2.2 of MKO's submission states that no evidence of otter was found. They provide a photograph of the clearspan bridge over the river Clare where it is proposed to carry out works. There was a dead otter on this bridge on 17th Nov '25.

The National Biodiversity Plan requires public bodies, by law, to implement this plan. The complete destruction by removal of 1.8Km of ancient hedgerow, and all it's associated wildlife, constitutes environmental vandalism and it's substitution with saplings which will take many decades to partially replicate the loss of this rich habitat is little more than window dressing.

The quality of MKO's assessments and research is drawn into question where, on page 42, it is stated that while it is possible that dormice are either known to occur at the site or are likely to occur at the site. There are no dormice in Ireland other than a tiny population which has been questionably introduced into Co. Kildare in recent times. When such blatant misinformation is presented as fact, it raises serious concerns about the quality of much of the submission which strangely, for a supposedly objective assessment, finds little negativity with the proposal. The submission could be perceived to be written from the perspective of a promoter rather than that of an independent assessor. It is strange that despite significant numbers of Annex 1 bird species in the area and despite the known and undisputed fact that wind turbines kill birds, those in the study area are, according to MKO, going to live a charmed life and in essence be unaffected by the installation of 185m structures, the blade tips of which move at astonishing speeds of up to 150mph. MKO's assessment stretches credibility beyond all reason. An Coimisiun Pleanala must be seen to uphold environmental and biodiversity law and in line with Justice Humphrey's ruling must not allow "an application which is prohibited by law".

Dr. Peter Tyndall