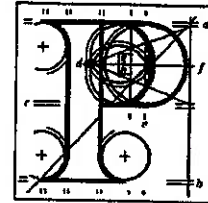


Our Case Number: ABP-316051-23

Planning Authority Reference Number:



**An
Bord
Pleanála**

Peter & Frances Cunningham
Moyvoughley
Moate
Co. Westmeath

Date: 05 May 2023

Re: Renewable energy development comprising 9 no. wind turbines and associated infrastructure.
Umma More and adjacent townlands, County Westmeath.

Dear Sir / Madam,

An Bord Pleanála has received your observation or submission in relation to the case mentioned above and will take it into consideration in its determination of the matter. Please accept this letter as a receipt for the fee of €50 that you have paid.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the Local Authority and at the offices of An Bord Pleanála when they have been processed by the Board.

For further information on this case please access our website at www.pleanala.ie and input the 6-digit case number into the search box. This number is shown on the top of this letter (for example: 303000).

Yours faithfully,

Niamh Thornton
Executive Officer
Direct Line: 01-8737247

BL50A

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The Secretary,
An Bord Pleanála,
64 Marlborough St,
Dublin 1
D01 V902
01th May 2023

Observation on Ummamore Renewable Energy Development. Case Ref: 316051

We would like to make our observations to An Bord Pleanála regarding the recent application made by Umma More Ltd (the Applicant) for the development of 9 X 185 metre wind turbines in the townlands of Ummamore and surrounds in County Westmeath.

It is our belief that the application submitted is flawed and the entire project is ill-judged given the low-lying, central location of the site. It is also evident that the proposed site is too small for the size of development that is being proposed.

Setback Distance

In the Community Report the Applicant has labelled our house as H5 in Figure 1 of their drawings. It is noted in the Applicant's Shadow Flicker Assessment that the nearest turbine to our home will be T4 at 763 metres. The Applicant states the following in Ch.5 Population and Human Health:

'The closest inhabitable dwelling is located approximately 757 metres from the nearest proposed turbine location (T1).'

This will mean that our home will be one of the closest to the proposed development and as such, the setback distances used are very important to us as every additional metre away from these sizeable turbines will matter when it comes to noise, shadow flicker and the visual impact that they will have.

According to Section 6.18 of the Draft Wind Energy Guidelines a developer should:

'ensure that a setback distance for visual amenity purposes of 4 times the tip height of the relevant wind turbine shall apply between each wind turbine and the nearest point of the curtilage of any residential property in the vicinity.'

In an application to An Bord Pleanála in 2020 for a wind farm at Derrinlough, Co. Offaly (Case Ref: PA19.306706) working on behalf of Bord na Mona, the same consultants used by Umma More Ltd, MKO stated:

'The constraints map for the site, as shown in Figure 3.1, encompasses the following constraints and associated buffers: Residential dwellings plus a minimum 750-metre buffer (exceeding the proposed requirement for a 4 times tip height separation distance from the curtilage of properties in line with the new draft guidelines).' (Appendix 1)

In an application to Clare County Council in 2022 for a wind farm at Slieveacurry, Co. Clare (File Number: 21126), again the same consultancy agency MKO, this time on behalf of the Enerco Energy company, Slieveacurry Ltd, stated in Section 3.3.5.2.3 that:

'Turbine No. 5 was also relocated to achieve the requirement for a 4x tip height separation distance from the curtilage of properties in line with the new draft guidelines.' (Appendix 2)

With the above, the Applicant and its environmental consultant has set a clear precedent of following and adhering to the draft guidelines.

These guidelines have not been adhered to with this proposed development and we believe that this is a complete injustice and these double standards should not be accepted.

Going by the co-ordinates the Applicant has given it appears as though:

T1 is within 740 metres to the curtilage of two dwellings.

T4 is within 740 metres to the curtilage of two dwellings. (710 metres to the curtilage of one dwelling and approximately 735 metres to the curtilage of our home)

T5 is within 740 metres to the curtilage of one dwelling.

T9 is well within 740 metres to the curtilage of one dwelling.

The Applicant cannot be allowed to pick and choose what guidelines they work off to suit the site that they are assessing.

Our garden is as important to us as what lies within the four walls of our home. During the recent Covid-19 pandemic, when we were not permitted to hug our own grandchildren and people our age were told to cocoon and isolate in our homes, the outdoor space around our home became the only haven where we could enjoy each other's company while maintaining a safe social distance.

We insist that the curtilage of our home and the homes of our neighbours be respected by the Applicant. The same respect that has been shown to the communities around Derrinlough and Slieveacurry should also be afforded to us.

When the first maps of the proposed development began to be circulated, I, Peter, broached the topic of having T4 moved further away from our home on multiple occasions with the CLO. His response to me was that if I signed a co-operation agreement, they would consider bringing my request to the design team. I brought the topic up with him again at the community evening in Rosemount last year and I have not seen the CLO since. The Applicant was happy to move a turbine in Slieveacurry because it was too close to the curtilage of a dwelling so they must move the relevant turbines in Umma More too.

Sterilisation of Property from Future Residential Developments

Part of the reason why we wanted T4 moved further away from our home was because the 740-metre radius from this turbine engulfs up to 610 metres of road frontage to the west of our family home within Folio No. WH8634F. I, Peter, am the fifth generation of the Cunningham family to reside along the Umma Road. At the time of writing, we have seven children and 8 grandchildren. It is our hope that we are not the last generation of this family to live along this road. If this development proceeds it will make large swathes of our land completely uninhabitable for future generations.

Soon after the meeting in Rosemount the Applicant published a map outlining the chosen location for the substation. This revelation disheartened us further. It has been positioned as close as it possibly could be to our home. It is to be situated approximately 290 metres to the east of our family home.

It could now be considered that another 275 metres of road frontage has been written off because of the proposed siting of the substation. Given the noise and visual impact of this building none of our family is going to build within close proximity to it.

This concern is even more prevalent when we take into account the observation made by Galetch Energy Services on a planning application (File 17/380) for a private dwelling in Graiguenahown, Spink, Co. Laois in August 2017 which can be viewed on the Laois County Council website. The wind developer's submission in this case was quick to remind the County Council that:

'If permitted and constructed, there could potentially be amenity noise and shadow flicker impacts in excess of the guideline thresholds included in the Wind Energy Development Guidelines for Planning Authorities, 2006.'

Even if our children or grandchildren opt to build a home within the 740-metre setback distance in future they can expect the council to receive a submission from Umma More Ltd stating why a residential dwelling would not be suitable within the 4x setback distance of these turbines.

We believe that T4 and the onsite substation should not be permitted within such a close distance to our family home and land. The location of T4 is in breach of the Draft Wind Energy Guidelines which the Applicant has adhered to in previous applications and the substation could be positioned quite literally anywhere on site that is further away from our family home.

Grid Connection and Substation Location

The positioning of the substation to the southern extremity of the wind farm site, so removed from the proposed internal road network makes no sense whatsoever. We believe that the grid connection should be going towards either Athlone or Mullingar so it would make more sense to have the substation located near the entrance on the Baskin Road.

Even with the chosen route to Tullamore in mind, surely it would make far more sense to position the substation somewhere between T8 and T9 where it would be along the internal road network and they could make use of an existing farm roadway to bring the cabling to the Umma Road. It would cut the distance of public road that would have to be disrupted and it would also be situated much further away from any residential dwellings.

This would also eliminate the need to dig a trench along much of the Umma Road which has a deep river on the south of the road and a deep drain on the north side of the road where the proposed substation and grid cabling is currently intended to come out from the wind farm site. This unnecessary destruction could cause this section of the road to become quite unstable given the already deep and steep falls on either side of the road.

We believe this present plan concerning the substation and cabling route to Tullamore is deeply flawed. Especially given the fact that the proposed new layout for the upgrade of the N52 between Kilbeggan and Tullamore has not yet been established or decided upon.

This proposed route appears to lack proper planning. It shows a complete lack of knowledge of local ground conditions and the capability of the diversion routes suggested to be able to facilitate any excess traffic. The chosen route and traffic management plan is not fit for purpose. The current grid connection plan should be thrown out and replaced with a safer and more practical alternative.

Forestry Felling

The felling of 6.4Ha of coniferous forest to accommodate T4 and roadways will leave a full view of this turbine from our home and farmyard. The Applicant has placed much emphasis on the role vegetation will play in screening these turbines from view. Unfortunately, the complete removal of these trees will leave this ground completely bare and will result in us having a full view of this turbine.

This forestry felling will have a major, irreversible impact on the visual amenity of our home, farmyard and land as the turbine will rise 185 metres above our home. With no mitigation in place, at just 735 metres from the curtilage of our home this will impact our lives in a negative way.

Placing T4, its adjoining roadways and cabling to a depth of 1.5 metres where the Dungolman river once flowed will potentially form a dam across the entire area surrounding T4. Given the removal of trees, with their stumps to be left in situ and some of this area being designated for spoil management we will be looking over at an ecological wasteland from our home.

This site is simply too small for the development proposed. The area chosen to locate T3 and T4 should have been ruled out given its history of flooding and its proximity to the river. Most wind farm locations where deforestation is a requirement are located on the side of a hill or on higher ground. Not in marshy, low-lying river plains that are prone to regular flooding. We believe that to construct turbines in this location should be deemed environmental vandalism, bad planning and should not be granted permission.

Importation of Materials

In Ch.3 Alternatives the Applicant lists quarries that could potentially supply stone and concrete to the Wind Farm Site. This list looks quite impressive and thorough. However, a quick Google search tells a different story.

The website for Midlands Stone Company Ltd will show the wide range of stone that they supply for patios, gardens and graves among other residential projects. It is quite clear that this company is not a viable option to supply stone to a development of this magnitude.

Second on the list is Master Stonemasons, Athlone. Again, a quick search of this business will show that they are Ireland's leading supplier of stone masonry labour, products and fitting solutions. It is hard to envisage this company being able to supply over 8km of wind farm roadways to the Umma More site.

The final company listed for supplying stone to the wind farm site is Roadstone, Tullamore. Given that their access route to the wind farm site will come via Athlone and the R390 it seems incomprehensible to think that the only company that the Applicant has listed who may actually have the capacity to supply enough stone for the roadways will have to travel approximately 50km to and from the wind farm site (100km round trip) to deliver the stone required for the roadways.

It is estimated in Ch.14 Material Assets that the roadways will require 5,070 truckloads of stone to be delivered to the Wind Farm site. If each of these must travel 50km to and from the quarry, then surely the carbon footprint and plausibility of the development must be called into question.

Any company that would consider these suppliers adequate for a project such as this shows either a complete lack of respect for our intelligence or a complete lack of knowledge of the requirements needed to bring this project to completion.

This list is even more astounding given the fact that two local quarries, adjacent to the wind farm site supply material to the construction industry in the local area. They source all their raw material from the quarries in Dungolman and Baskin. Forget about the promise of a Community Benefit Fund. Why haven't either of these quarry operators been listed as options for delivering stone to the wind farm site? Stone from these quarries would hardly even have to travel on a public road and it would also support local enterprise and jobs.

Failing this, six landowners whose land Umma More Ltd now claim a beneficial interest in, in Baskin and within the wind farm site are part of the same hills which contain the two existing quarries. These six properties contain vast supplies of stone and gravel. Considering the distance that 5,070 trucks are going to have to travel to import stone for the roadways the idea of a borrow pit on site must be revisited.

This would eliminate a huge amount of heavy vehicle traffic from our local roads and would considerably reduce the carbon footprint of the project. Isn't the whole purpose of the proposed development to try and reduce Ireland's carbon emissions?

We have not been able to establish where MKO state the environmental benefit of sourcing 5,070 truckloads of stone from a decorative stone mason, a supplier of ornamental/paving stone or a quarry located approximately 50km away but surely a local quarry or borrow pit would make far more sense both environmentally and financially.

The Applicant's estimation of requiring c.107 concrete loads for each turbine as stated in section 14.1.4.1.1 must also be questioned given the fact that the recently poured foundations of the first turbine at the Yellow River Wind Farm in Co. Offaly only required 46 loads of concrete.

<https://www.offalyexpress.ie/news/tullamore-tribune/1155196/concrete-poured-for-first-turbine-base-at-offaly-s-biggest-wind-farm.html>

Has the Applicant grossly over-estimated the quantity of concrete required for Umma More or is the ground that unsuitable that they require well over twice the amount of concrete that is being used in Co. Offaly?

All the above calls into question, once again, the competency of MKO and their substandard EIAR for this development.

Noise and Shadow Flicker

We would like to raise our reservations about the noise and shadow flicker assessments that were carried out. The impact of noise and flicker should not be measured to the wall of our house at 763 metres but to the curtilage of our dwelling at 735 metres. As stated above, our garden is very important to us and we should not be forced indoors because of the effects of overbearing turbine noise and flicker.

I, Peter, have farmed the land adjacent to the southern boundary of the wind farm site since inheriting it from my uncle in 1974. I am a full-time farmer and spend most of my day outdoors tending to my livestock and maintaining the land. The nearest turbine to my land boundary is c.464 metres and the proposed substation is located just 50 metres from my land. At this distance, the impact of noise, flicker and general nuisance is likely to be unbearable at times and it will inevitably drive me indoors.

Neighbouring landowners facilitated by a Cork company should not have the ability to drive me off the land that has been in the ownership of my family since the 1850s.

When I am not doing something in one of my fields, I can be found in my farmyard which is located just 700 metres from T4. Once again, at such a distance I can expect the turbines to not only cause a noise disturbance but also a visual disturbance as every time I pause from my work I will be greeted by these massive turbines.

I would also like to bring to the attention of the Board the presence of a derelict dwelling within Folio No. WH8634F which is located just 645 metres from T4. This building was constructed c. 1850 to facilitate the workers of the local tile kiln, where clay pipes that were used for the extensive drainage of the surrounding lands were manufactured. When this kiln had served its purpose, it was remodelled c.1865 and became the family home of my great-grandfather Michael and his wife Marcella.

This house was occupied by my ancestors up until the death of my uncle Jack in 1982. Following this we used the house for storage and other purposes up until a fire caused substantial damage to the building in 2008. It had been my intention to repair the roof soon after but subsequent serious illness in 2010 and 2013 put paid to my plans. Two of our children have expressed an interest in building a family home at this site but the presence of Enerco Energy in the area since 2019 has left them waiting to see their plans before proceeding with any residential development of their own.

The criteria stated by the Applicant for selecting properties to be assessed for shadow flicker was:

'Former residential dwellings termed as "derelict" within this assessment are defined as properties that are currently in an uninhabitable condition.'

Within the 10x rotor diameter Shadow Flicker Study Area the Applicant was only able to label two properties as being derelict but still warranting a shadow flicker study. What was the thought process for including the derelict properties at H1 and H77 but ignoring multiple other properties that arguably, given their locations, are more likely to be renovated in the years to come?

H1 and H77 are in the middle of fields, quite a distance from public roads and electricity supplies. It is impossible to establish why these former residential dwellings were assessed but our property as well as three properties along the road between Raheen and Moyvoughley and a property lying at the junction between Lissanode, Bryanbeg and Ardbuckan were ignored for assessment. Each of these five properties are adjacent to the public road and an electricity supply so should they not have been deemed more viable 'former residential dwellings' than those selected and labelled as derelict by the Applicant.

We believe that if the above criteria for assessing former residential dwellings applies to H1 and H77 then these additional five derelict, former dwellings should be considered for the nuisance of noise and flicker given the fact that these dwellings still remain on site.

Damage to a Protected Structure

In measuring the water levels of the Dungolman River the Applicant has caused lasting damage to a protected structure. The 19th century stone bridge linking Moyvoughley to Lissanode had a steel bar attached to it using bolts and strapping, with drilled holes. As chairperson of Drumraney National School for the best part of twenty years I, Peter, am all too familiar with the process of trying to carry out work in and around protected structures. When we sought permission to install a stair lift in the school, we had to seek permission. We also had to pay for heritage architects and for reports to be written up before any works could be carried out.

Section 57 of the Planning & Development Act provides that any works which would affect the character of a protected structure require planning permission, even where those works would normally be exempt under Section 4 (1)(h) of the 2000 Act.

When removing the steel object from the bridge the Applicant decided to leave the bolts and strapping attached, thus affecting the character of this structure. We do not believe that they sought

permission and we now wonder what they are going to do to repair the damage. The Applicant has had little respect for our community or landscape since arriving here first in 2019.

This damage can be seen in **Appendix 3**.

To compound this further the Applicant intends to oversee the intentional ruination of the once dominating and lauded Umma House that is situated within the wind farm site. This property was lived in up until the early 2000s so it certainly cannot be considered a lost cause as far as restoration works are concerned. This property contains many architectural significant features and is in many ways similar to Lissanode House which itself is classed as a protected building. Has the Applicant fully assessed the historical, architectural and cultural significance of Umma House before condemning it to inevitable demolition?

Flood Risks

In Appendix 9-1 Flood Risk Assessment (2.2 Site Location and Topography) the Applicant states that 'The total wind farm site is approximately 487Ha.' Yet in Question 6 of the application form they state that the area of site to which the application relates to is 337.8Ha. This already calls into question the legitimacy of the flood risk assessment as they appear to be working off two different sized sites.

In 4.10.1 Site Survey the applicant states:

'An initial walkover of the Wind Farm Site was undertaken on 14th May 2021, and a subsequent survey was undertaken on 20th June 2021. During both site visits the lands, specifically the areas identified from the PFRA and OSI base mapping (discussed above), were surveyed for any signs or anecdotal evidence of flooding. The local landowners were also consulted in relation to historical flooding on their lands, of which there were no notable instances of anecdotal flooding within the Wind Farm Site.'

Surely site walkovers should have been carried out in months of the year when rainfall is a bit more prominent than May and June. If we go out onto our land in the middle of June most years, we are not going to find much evidence of flooding. Anecdotal or not.

We contest the fact that local landowners were consulted regarding historical flooding. Participating landowners are obviously going to have inherent bias towards the success of this development given the financial benefits that will come their way if the development proceeds. We, nor any other local landowners we have spoken with around this area were consulted about the flooding history around the wind farm site.

In section 4.7 National Indicative Fluvial Mapping of the flood risk assessment the Applicant states:

'Turbine T3 is located within a mapped flood zone which is separated from the river channel by ~250m of land not mapped within the flood zone (presumably interpreted as higher ground). The mapped flood zone creates islands of higher ground nearer the river channel, particularly along the western side of the channel with areas of mapped flood zones further west of these "islands". In reality, these areas of high ground do not exist from site walkover data'.

This is incorrect and also must be challenged. This raised ground/islands between the river and the mapped flood zone do exist and are the result of extensive drainage works. In 1846-47, the Dungolman and Mullaghmeehan rivers meandered through this low-lying land causing regular flooding and swamp like conditions. As part of Famine relief work a new channel was dug on firmer ground and the river was subsequently diverted into this new channel. This left the old riverbed isolated from the new river. Today when water levels rise following heavy rainfall the water backs up

the drains flowing into the river. When this occurs, the area where the original riverbed was located floods. This water then gets trapped in the old riverbed where the Applicant intends to position T3 and T4. With very little soakage in this ground, it can take months for these floods to evaporate and the ground to dry.

In the Dungolman District Report to the Commissioners on the Drainage of the Lands in the Above District in 1846, the author Thomas J. Mulvany, C.E stated:

'At the Townland of Dungolman, about a mile above Baskin Bridge, the high lands run down close to the river on each side. The course at this point is very crooked and cannot be made straight at any moderate expense. Above this, there is a very extensive tract of flooded land, part of which is almost reduced to the state of a marsh.'

This is the area of land in which the Applicant has opted to position T3 and T4. It also shows that MKO, in their flood risk assessment did not take due care to look beyond the last few years for evidence of historical flooding. Given the number of open drains and underground shores that are going to be disturbed by this development, it is not beyond the realms of possibility that field conditions seen in the 19th century could be made a return if this development proceeds.

See Appendix 4 for a summary of Mr. Mulvany's assessment in 1846 which lists the quantity of lands in a flooded or injured state before drainage took place. The list includes lands in the townlands of Lissanode, Ummamore, Ballynacorra, Baskin High, Baskin Lower, Dungolman and Toorbeg where the Applicant now intends to construct nine turbines and place over 8km of roadways with cabling cased in concrete and steel. All the work carried out as part of the Famine Relief could very easily be undone because of a substandard EIAR.

Drainage of the river in the 1960s by the Board of Works with mechanical diggers exasperated this flood problem. By deepening the riverbed further upstream towards Moyvoughley Bog the flow of water was increased during the wet season and the low-lying plains of Ummamore/Lissanode cannot cope with this excess water causing regular and extensive flooding along the old riverbed.

It is our concern that the importation of large quantities of concrete, steel, stone and gravel will further destabilise the ground surrounding the river. The presence of a second bridge in such proximity to the existing one on the Umma Road is also likely to impact the flow of water downstream. We do not feel that the impact that this development will have on the river and its connecting drains has been adequately assessed.

As stated above, the Cunningham family has farmed this land since the 1850s. We know as much as any local person regarding the ins and outs of this area. For example, in September 1963 the cocks of hay that had been saved on our land earlier that summer were carried by floods along the Dungolman river and destroyed.

What historical flooding knowledge does the owner of the 168.2Ha block of land around Umma House have seeing as he is an Athlone man and the first bit of their land was only bought by his father in 2002? What knowledge does the Tubber man who owns nearly 42Ha have about the history of flooding on his land?

Very few participating landowners live or have lived in this community. They are not familiar with the land outside of their own boundaries and they certainly do not have an adequate level of knowledge regarding the historical flooding in and around the wind farm site. If this flood risk assessment is based on site walkovers in the months of May and June and the local land knowledge of absentee landowners then we would have to question whether this assessment, overall, is fit for purpose.

Our concern regarding the flood assessment is heightened further by the Applicant and MKO's poor track record when it comes to preventing flooding on their wind farm development sites. Many people in Ireland are aware of the catastrophic bog slide which took place in Meenbog, Co. Donegal in 2020. Meenbog wind farm is another Enerco project, via one of its many subsidiaries, Planree Ltd. As with Umma More, the EIAR for Meenbog was prepared by the planning consultants MKO.

We need not doubt but that MKO had ensured that Drainage Drawings were completed and that a Flood Risk Assessment was carried out. All of the necessary mitigations apparently needed to prevent any disaster were presumably identified. Nonetheless an ecological disaster took place and Planree Ltd has pleaded guilty before Donegal District Court in relation to this matter. A cross-border multi-agency investigation remains ongoing.

To make matters worse, the MKO website still contains a case study boasting of their success in securing planning permission for Meenbog:

<https://mkoireland.ie/meenbog-wind-farm-codonegal/>

This background cannot but give rise to concerns regarding the Drainage Drawings and Flood Risk Assessment submitted as part of the Umma More Ltd application.

A quick glimpse at the map on pg 5 of Appendix 4-4 Harvest Management Plan shows the extensive network of 'aquatic zones' that are running all throughout this development site.

This will not end well, considering that the Applicant appears to be unaware of the history of the river in this location.

Following the episode at Meenbog, has the Applicant ever paused to consider that the Dungolman River Plain may not actually be a suitable location within which to squeeze in a wind farm of this size?

Wind Measuring Mast Debacle

The wind measuring mast was erected in the early weeks of March 2021. I, Peter, had a full view of the work as it progressed from my farmyard which is situated about 700 metres from the site of the mast. On Saturday evening, the 13th March as darkness was falling I was finishing up my day's work in the yard and as I looked towards the mast I thought I could see some movement at the top of it. After a couple of minutes, I could see it buckle half-way up and the top half fell to the ground. As it was getting dark, I decided I'd investigate it the following morning.

On Sunday morning, I visited the site and the mast had indeed broken a third of the way up with the top section scattered across the field. As I am a qualified fitter (engineering), my first thought was to check the stay wires and their ground supports. They all seemed to still be secured and in place so whatever caused the collapse was a fault up towards the top of the structure.

On Tuesday morning, the 15th March I was walking on the Umma Road when a car approached from the Drumraney direction. The driver got out and enquired from me for directions to the entry point to the mast site and I told him to proceed to where he had to go. As he had good shoes on, I told him he was going to need more appropriate footwear to reach the mast site by foot. He said he was meeting a rep from Enerco who was going to bring him into the site in his jeep.

Sometime later, I could see the two men walking the site from my farmyard. When they finished their inspection, they returned by my house and pulled up. The CLO of Enerco, Mr. Stakelum, who I had already met numerous times, introduced me to this other gentleman whom I had been speaking

to earlier. He told me that he was Garda John Kelly from Athlone Garda Station. They had concluded that the mast had been sabotaged after their brief look around the site.

When I queried how it had fallen considering all the stay wires were still in the ground, Mr. Stakelum stated that the wires had been cut further up the mast. He also stated that enquires would continue and that CCTV cameras had recorded the individual on site. In jest, he confirmed that I was not the suspect caught on camera. At least I presume he was joking.

The two men then departed in their separate vehicles.

The thoughts of Garda John Kelly driving a private car and dressed in civilian clothes puzzled me. It was only afterwards that I began to wonder why he did not introduce himself originally as a Garda or show any identification to me. On 9 April I decided to phone Athlone Garda Station and made enquiries about Garda John Kelly and the possibility of receiving an update on the progress of the investigation. I was informed by the Garda on duty that there was no Garda John Kelly stationed in Athlone. He also was not familiar with a Garda John Kelly in any local stations.

I did not pursue the issue any further at the time and heard no more about the CCTV footage or any further Garda enquiries into the fallen mast.

I have verified the above details against diary records from March 2021 and text messages dated 9 April 2021 and I am fully satisfied as to the accuracy of my recollection. This episode epitomises my experience of the Applicant's community engagement efforts, which I found to be utterly unsatisfactory.

Community Engagement

The Community Report perhaps reflects some of the evident risks of sending out engineers to engage with a community on a part-time basis. Due attention has not been paid to following best practice across a number of issues.

Too often we have had to rely on local newspapers to find out what is going on. This was our experience most recently in relation to the Applicant's pre-application consultation with An Bord Pleanála. On 10th May 2022 we learned through an article in the Westmeath Independent that almost a month prior the Applicant had lodged their request for a consultation (<https://www.westmeathindependent.ie/2022/05/10/first-planning-step-logged-for-local-wind-farm/>).

It is well-known locally at this stage that Umma More Ltd have largely copied and pasted their Community Report from the one submitted by Slieveacurry Ltd in Co. Clare back in 2018. This reflects very badly on the Applicant and perfectly sums up their time within the community over the last four years.

For the most part, the two CLO's assigned to this development have refused to engage with people who have brought their genuine concerns to them either privately or at community engagement meetings. We got plenty of small talk from them in the beginning, but we received no answers to the more difficult questions and no alternative proposals for the location of turbines or the substation when requested.

The Applicant distributed misleading leaflets in the locality in 2019 with unsubstantiated claims and biased reports which were proven by the results of an investigation by the Advertising Standards Authority of Ireland.

They do not care what the people of this community think so long as they can get their nine turbines erected. We, as a community now rely on An Bord Pleanála to protect us from any further damage from this company.

Future Wind Energy Developments

As can be seen in **Appendix 5, I**, Frances, was approached in October 2020 by Highfield Renewable Energy. At that time, they proposed placing a wind turbine on my land, Folio No. WH14573F which is situated to the South of our family home. As we were aware of what Enerco had planned to the North of our home we were fearful that we would be surrounded by turbines on three sides of our home.

Many other landowners in Moyvoughley and back towards Ballycloughduff were approached by both Enerco Energy and Highfield Renewable Energy about the possibility of placing turbines on their lands. We are gravely concerned about the prospect of these landowners being approached once again if the Umma More Wind Farm is granted permission. As can be seen in places like Slieveacurry, Balivor and across most of Co. Offaly as well as many other locations nationwide, once one wind farm is granted permission more appear on the horizon very quickly.

Ash Dieback

We feel that the impact that Ash Dieback has had and will continue to have on this landscape must be noted and acknowledged by the Applicant. They have placed heavy significance on the role that vegetation will play in blocking the views of these turbines. Ash trees that are now dying also generate a substantial portion of the foliage-related background noise in the vicinity of our dwelling. Yet they have made no reference to a disease that is predicted to kill 90% of the Ash trees across the country. Within the past six months, we have found it necessary to remove three mature Ash trees that stood on the roadside to the west of our house. All of the other Ash trees here showed signs of disease in 2022 and will need to be removed imminently.

A quick drive around the wind farm site will show that Ash trees are by far the most prominent tall trees along every roadway and hedgerow surrounding this area. This is also evident from the photomontages produced by the Applicant. When 90% of these trees are removed from the landscape it will be left very bleak and these proposed turbines will be even more visually dominant.

Please see **Appendix 6** for some examples of Ash trees already being cut down along local roads because of Ash Dieback.

Conclusion

We believe that Umma More Ltd and MKO have portrayed a complete lack of knowledge in what is necessary to bring this project to completion. Their EIAR is full of errors and cannot be considered an adequate proposal to obtain planning permission for a development of such magnitude, that will have a lasting impact on the lives of local people and wildlife for years to come.

This application appears to have been made in haste. With rushed and error-strewn assessments of noise, shadow flicker and flood risks amongst other things as well as the listed suppliers of stone and gravel being completely inadequate.

The prevailing issue with this development is that the site is too small for the size of turbine that is proposed. In their insistence on reaching the coveted 50MW capacity we fear that the Applicant has not carried out a thorough assessment that could be deemed fitting of proper planning and sustainable development. The Applicant has clearly ignored the 2019 Draft Wind Energy Guidelines

regarding setback distance from the curtilage of dwellings despite having been proven to adhere to them in other planning applications. We do not accept these double standards and we do not believe that An Bord Pleanala should either.

The Applicant appears to have placed so much emphasis on fitting in a ninth turbine that it can be easily argued they have forgotten to take due care in planning this development. Large swathes of the development works will be carried out in lands that are prone to regular flooding in a low-lying plain just 60 metres above sea level.

The Applicant has disregarded the thoughts of local people relating to the positioning of turbines and the substation to suit themselves. They have ignored the vast supplies of raw stone and gravel in the hill of Baskin. They have ignored the two suppliers from quarries located adjacent to the wind farm site. They have included some derelict buildings for assessment but not others. They have included one inhabitable mobile home for assessment but have ignored at least three others. They have chosen a grid connection route that will cause chaos on our roads locally. They damaged a protected structure. They insulted our intelligence by duplicating a Community Report that glorifies to the Board what a stellar job they believe they have done in engaging with this community.

Perhaps most importantly for us: They have closed off much of our land from our family to be able to construct their own family homes so that they too can enjoy the peace, tranquillity and satisfaction that comes with rearing a family along the Umma Road, Moyvoughley.

We believe that An Bord Pleanala should refuse permission for this development. When one studies the application and the observations that are submitted by concerned local people, the amount of errors within the EIAR cannot go unnoticed. The copying and pasting of the Community Report cannot go unchecked. The clear and obvious double standards shown by the Applicant between this application and many others around the country cannot be accepted as an adequate application for a development of this size.

To grant permission for this development would set a dangerous and lasting precedent for future developments of this scale. Work of such a poor standard simply cannot be deemed to be in line with proper planning and the overall sustainable development of this area.

Yours in good faith,

Peter & Frances Cunningham,
Moyvoughley,
Moate,
Co. Westmeath.

[REDACTED]



3.3.5.1 Constraints Mapping

The design and layout of the proposed wind energy development follows the recommendations and guidelines set out in the 'Wind Energy Development Guidelines' (Department of the Environment, Heritage and Local Government (DoEHLG), 2006) and the 'Best Practice Guidelines for the Irish Wind Energy Industry' (Irish Wind Energy Association, 2008). The 'Wind Energy Development Guidelines' (DoEHLG, 2006) are currently the subject of a targeted review. The proposed changes to the assessment of impacts associated with onshore wind energy developments are outlined in the document 'Proposed Revisions to Wind Energy Development Guidelines 2006 - Targeted Review' (2013), the 'Review of the Wind Energy Development Guidelines 2006 - Preferred Draft Approach' (June 2017), and the Draft Revised Wind Energy Development Guidelines, December 2019.

The constraints mapping process involves the placing of buffers around different types of constraints so as to identify clearly the areas within which no development works will take place. The size of the buffer zone for each constraint has been assigned using a combination of desktop assessments, baseline information and guidance presented in the 'Wind Energy Development Guidelines' (DoEHLG, 2006). As it is considered likely that the new guidelines will be adopted during the application process timeframe, current proposed changes have been incorporated into the design.

The constraints map for the site, as shown in Figure 3.1, encompasses the following constraints and associated buffers:

- Residential dwellings plus a minimum 750-metre buffer (exceeding the proposed requirement for a 4 times tip height separation distance from the curtilage of properties in line with the new draft guidelines);
- 2km setback from Cloghan Village Core as per Galway County Development Plan;
- Natura 2000 and Designated sites plus 200-metre buffer;
- Habitats of County Importance (see Chapter 6: Biodiversity);
- Telecommunication Links plus operator specific buffer;
- Overhead transmission lines plus 3.5 times proposed rotor diameter buffer (as required by EirGrid);
- Design distances from adjacent wind farms (constructed and consented) to take account of turbulence and wake effects in accordance with relevant guidance requirements.
- Watercourses plus 50-metre buffer; and
- Archaeological Sites or Monuments, 50-metre buffer, plus 'Zone of Notification' as required by the National Monuments Service (ROI).

Facilitators at the site build on the existing advantages and include the following:

- Lands are available for development;
- No Natura 2000 or Designated sites located within the proposed development site;
- Proximity to existing 110kV transmission lines for grid connection;
- Absence of recognised flood points on site; and
- Accessibility of site via National/Regional Roads;
- Existing site access points/entrances.

The inclusion of the constraints on a map of the study area allows for a viable area to be identified. An initial turbine layout is then developed to take account of all the constraints mentioned above and their associated buffer zones and the separation distance required between the turbines.

Following the mapping of all known constraints, detailed site investigations were carried out. These investigations included habitat mapping and ecological surveying of the site and also hydrological and geotechnical investigations of the site of the proposed development.



Mercury Renewable Energy Development, Co. Ltd.
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3.3.5.2.3 Proposed Layout Iteration No. 3

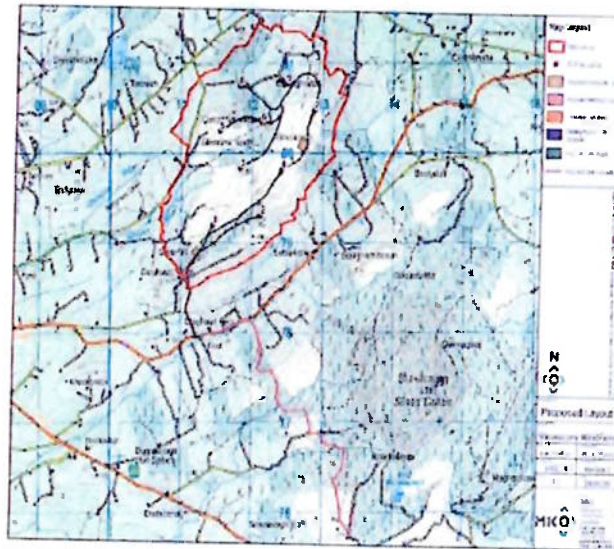


Figure 3-5: Proposed Layout Iteration No. 3

Iteration No. 3 which is presented in Figure 3-5 comprised of 9 No. turbines, a met mast, one construction compound and two borrow pit locations. As mentioned in Section 3.3.5.2.2 iteration No. 2 was subject to detailed investigations which led to further refinement of the layout.

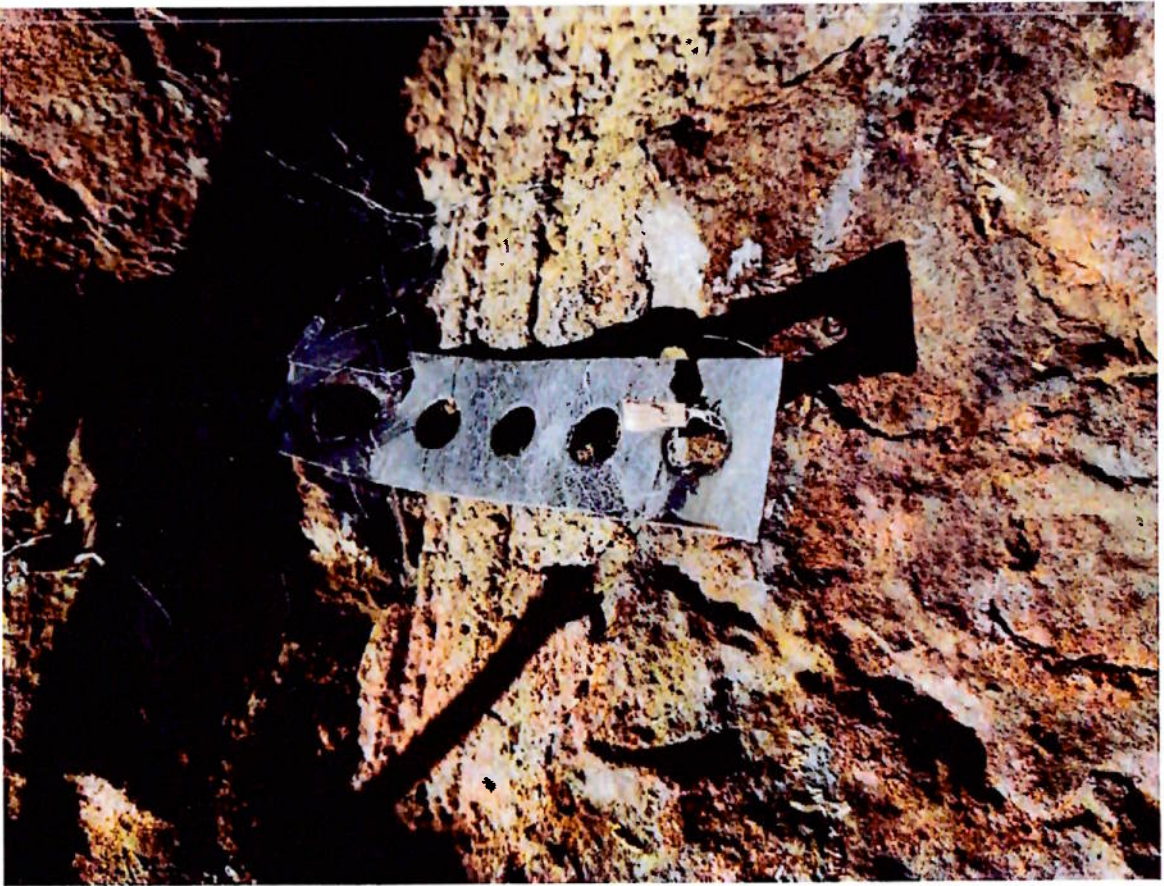
For iteration No. 3 the following changes were made:

- > The borrow pit to the north of turbine no. 6 was removed due to its proximity to watercourses in the area.
- > Turbine No. 5 was also relocated to achieve the requirement for a 4 x up height separation distance from the curtilage of properties in line with the new draft guidelines.
- > Turbines No. 3, 6 and 8 were relocated to avoid sensitive ecological habitats.
- > Change in road layout to avoid sensitive ecological habitats.

Appendix 3







DRAINAGE.		
Summary proceedings under Act 10th Vict., cap. 4.		
DUNGOLMAN RIVER,		
COUNTIES WESTMIDLAND AND LONGFORD.		
List of PROPRIETORS, and QUANTITY of LAND Flooded or Injured.		
REPUTED PROPRIETORS.	TOWNSLANDS.	Quantity of Land Flooded or Injured. Stat. Acres.
Arabin, Charles, Esq.	Moyvoughly,	42
Blake, John, Esq.	Harrytown,	42
Boyd, George A., Esq.	{ Lissanade,	268
Barber, Robert, Esq.	{ Ummamore,	
O'Connor, Mrs.	{ Rathmore,	41
Carden, R. M., Esq.	{ Carrickungower,	113
Dawson, William, Esq.	{ Milltown,	
Didson, George, Esq.	{ Ballynacorra,	181
Grogan, Edward, Esq., M.P.	{ Ardacrany North,	
Griffith, Arthur Hill, Esq.	{ Nonghal,	65
Harman, Hon. L. Harman K.	{ Ballycloghloff,	22
Homan, Richard, Esq.	{ Moyvoughly,	130
Jones, Captain William	{ Liscade,	171
Lowry, Robert W., Esq.	{ Gartmore,	
Montgomery, Alex., Esq.	{ Carreen,	171
Mugan, W. H., Esq.	{ Carrickbeg,	
Strain, Dean,	{ Ballydoogan,	17
Talbot, ——— Esq.	{ Corbrack,	17
	{ Drakin tower,	6
	{ Baskin High,	227
	{ Dungolman,	
	{ Toorbeg,	51
	{ Ardracken,	
	{ Callinphaloun,	152
	{ Ballynaloun,	89
	{ Ballynaloun,	
	Total.	1,801



Ms Anne F. Cunningham
Mayvoughly
Moate
Co. Westmeath

Our ref: [REDACTED]

15 October 2020

Re: Opportunity for Renewable Energy Project

Dear Ms Cunningham,

At Highfield Renewable Energy, we look for good locations for renewable energy projects across the country and then work with landowners to get the projects realised and built.

We have completed a land search in the Land Registry and we believe that some lands belonging to you are in a location that has the potential for a wind farm. A wind farm can provide an attractive additional income to farming income and would not affect existing farming practices and activity. The areas involved for a wind farm only a small part in relation to the overall size of a farm.

The usual form for one of our wind farms would be a lease, paying you a guaranteed fixed income per year and an additional bonus payment when the years are more windy than average. We would carry all the costs in developing the wind farm, with no risk or cost to you.

We understand through years of working across Ireland, that this would be a project based on your land and very much feel landowners are central to the project. We would work closely with you throughout, in progressing the wind farm.

Highfield Energy is a wholly Irish company based in Dublin and Wexford. The company founders have been successfully developing and operating renewable energy generation projects across Ireland and internationally, for over 15 years. Highfield Renewable Energy is a joint venture with Temporis Aurora whose main investor is the Ireland Strategic Investment Fund ("ISIF"), which is controlled and managed by the Government's National Treasury Management Agency.

Renewable energy projects like this address our Climate Change obligations. The Government have set a policy to achieve 70% of our electricity being generated by renewable energy sources by 2030. Additional new wind farms will be needed to achieve this target.

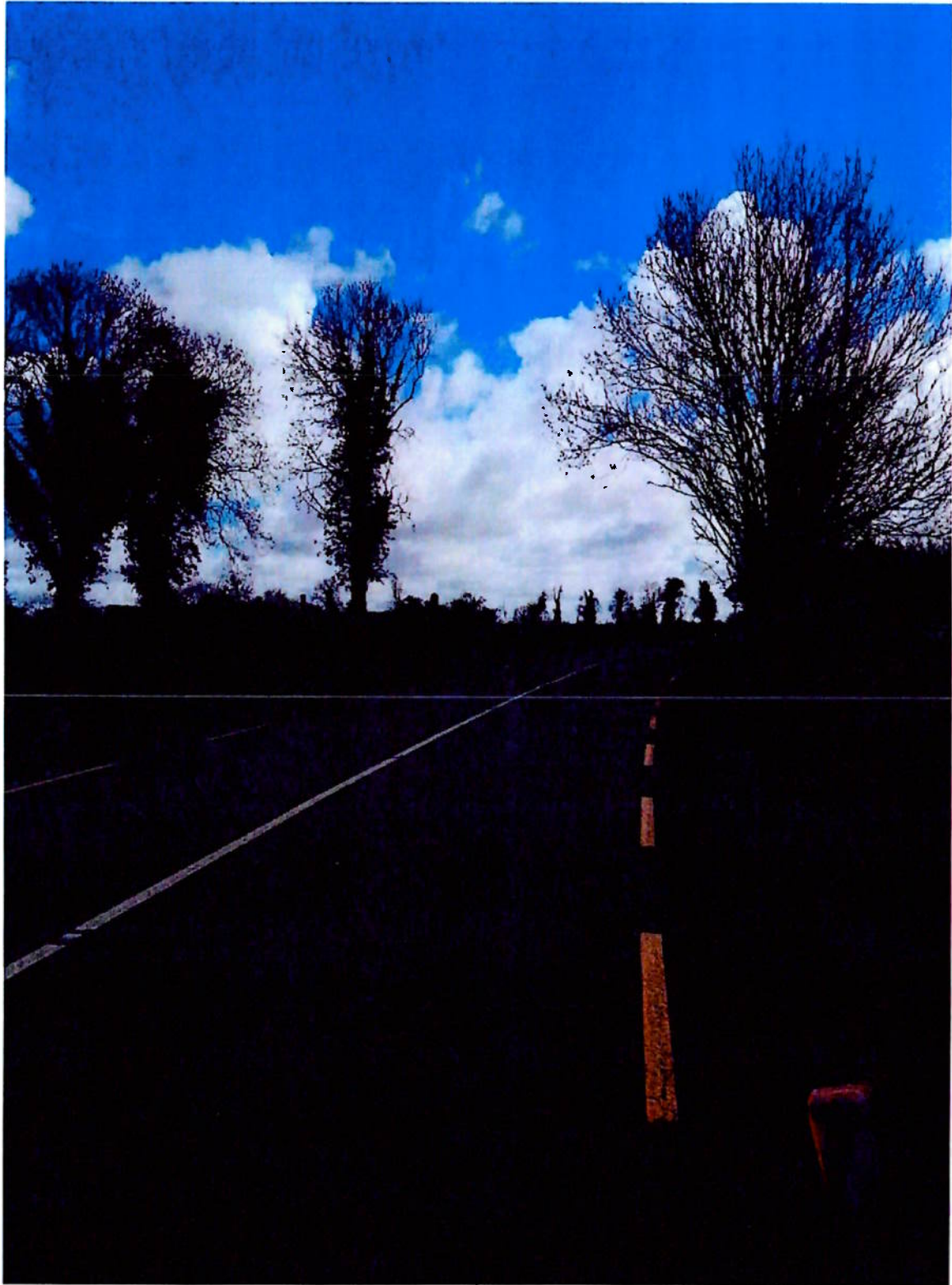
Highfield Renewable Energy Ireland Limited | Directors [REDACTED]
Design Studio 7 | Old Castle View | Kiggobbin Road | Dublin D18 A243 | Ireland
Company registered in Ireland | No. 662334 | Email | contact@highfieldrenewable.ie

The financial benefits of renewable energy projects for rural areas into the future are significant. Not only to the landowners involved in the project but also to the wider community, as a sizeable community fund, generated from the wind farm, will also be set up.

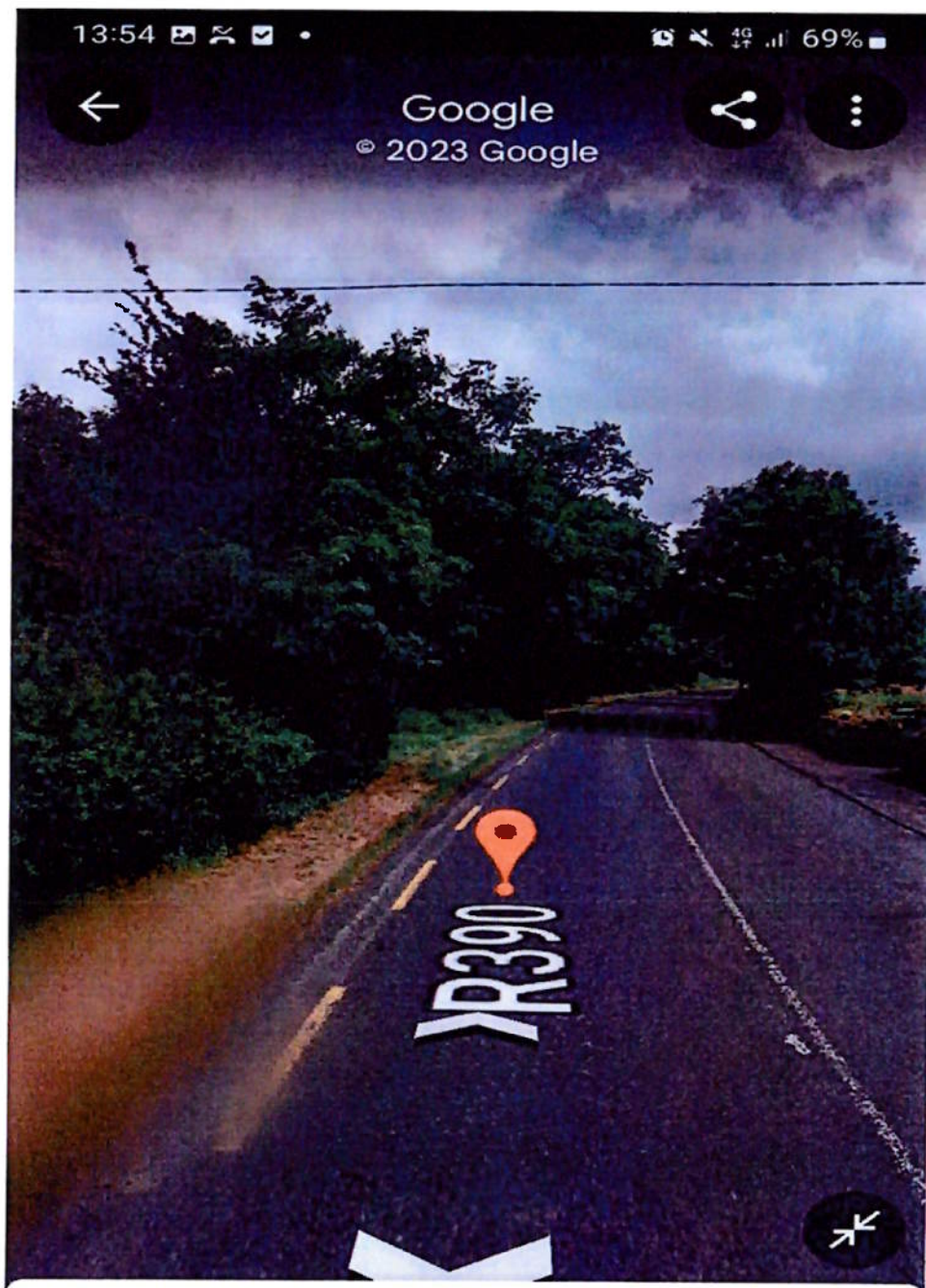
We would very much like to talk things over further at a time that suits you. We can explore if you may be interested and also explain more about the form the wind farm would take and what is involved. Our Land Manager [redacted] will make contact with you over the next few days. We are acutely aware of the current COVID-19 measures and we will be acting in line with best practice Government Guidance and keeping up to date with that at all times. In the meantime, if you have any queries or wish to talk to us, please feel free to contact [redacted] directly, his number is [redacted].

[redacted]
[redacted]
Director
Highfield Renewable Energy

Highfield Renewable Energy Ireland Limited | Directors | [redacted]
Design Studio 7 | Old Castle View | Kilgobbin Road | Dublin D18 A243 | Ireland
Company registered in Ireland | No. 662334 | Email | contact@highfieldrenewable.ie



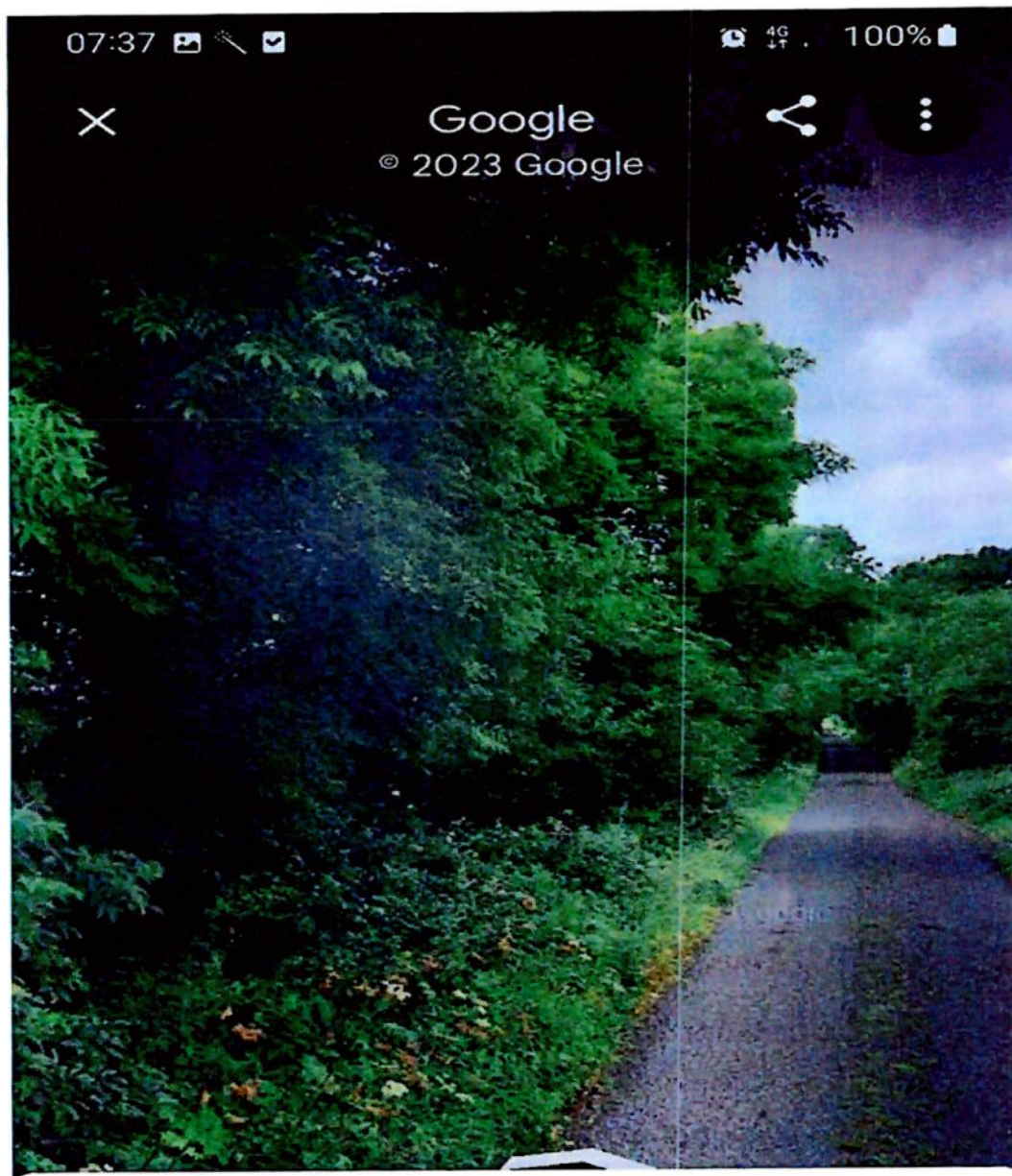
Appendix 6



R390

3 years ago · See more dates

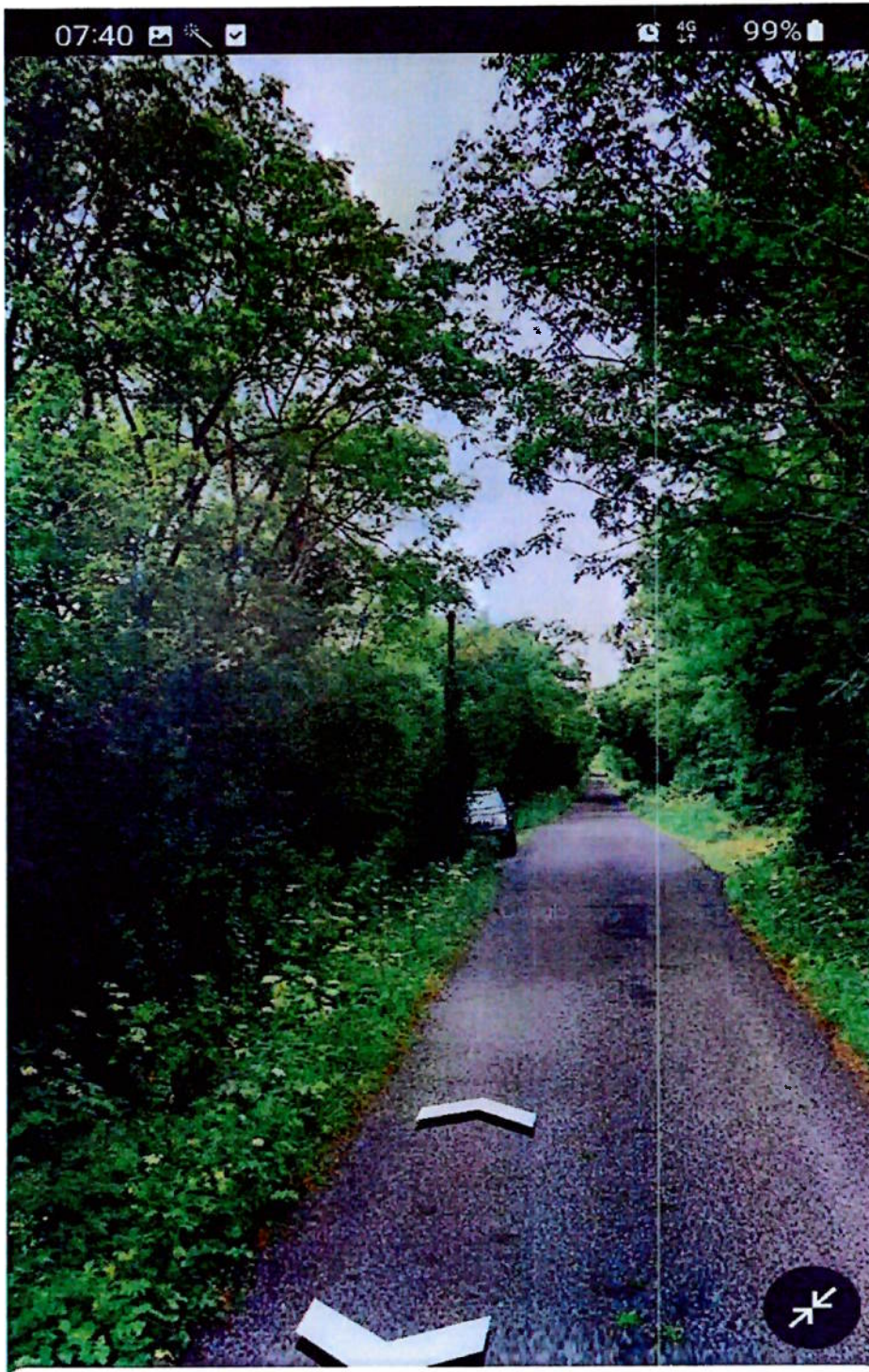




County Westmeath



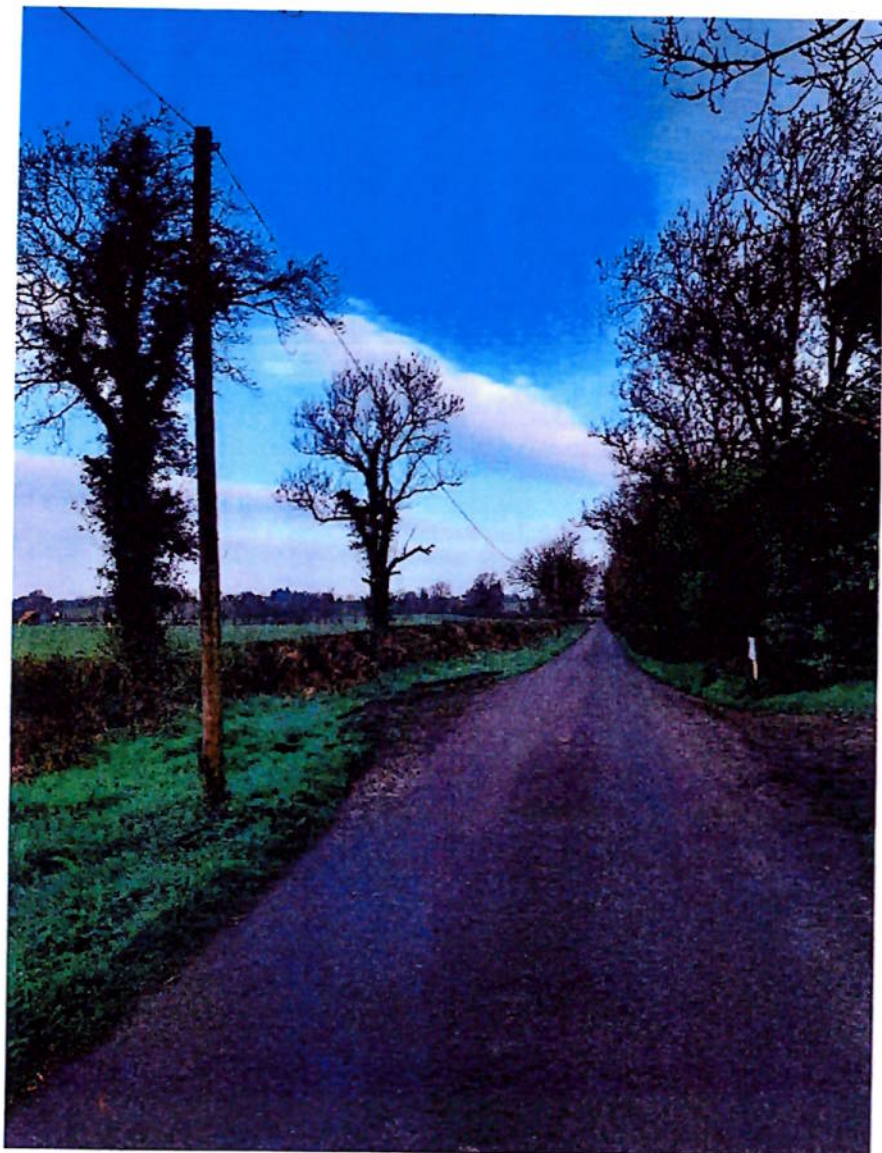


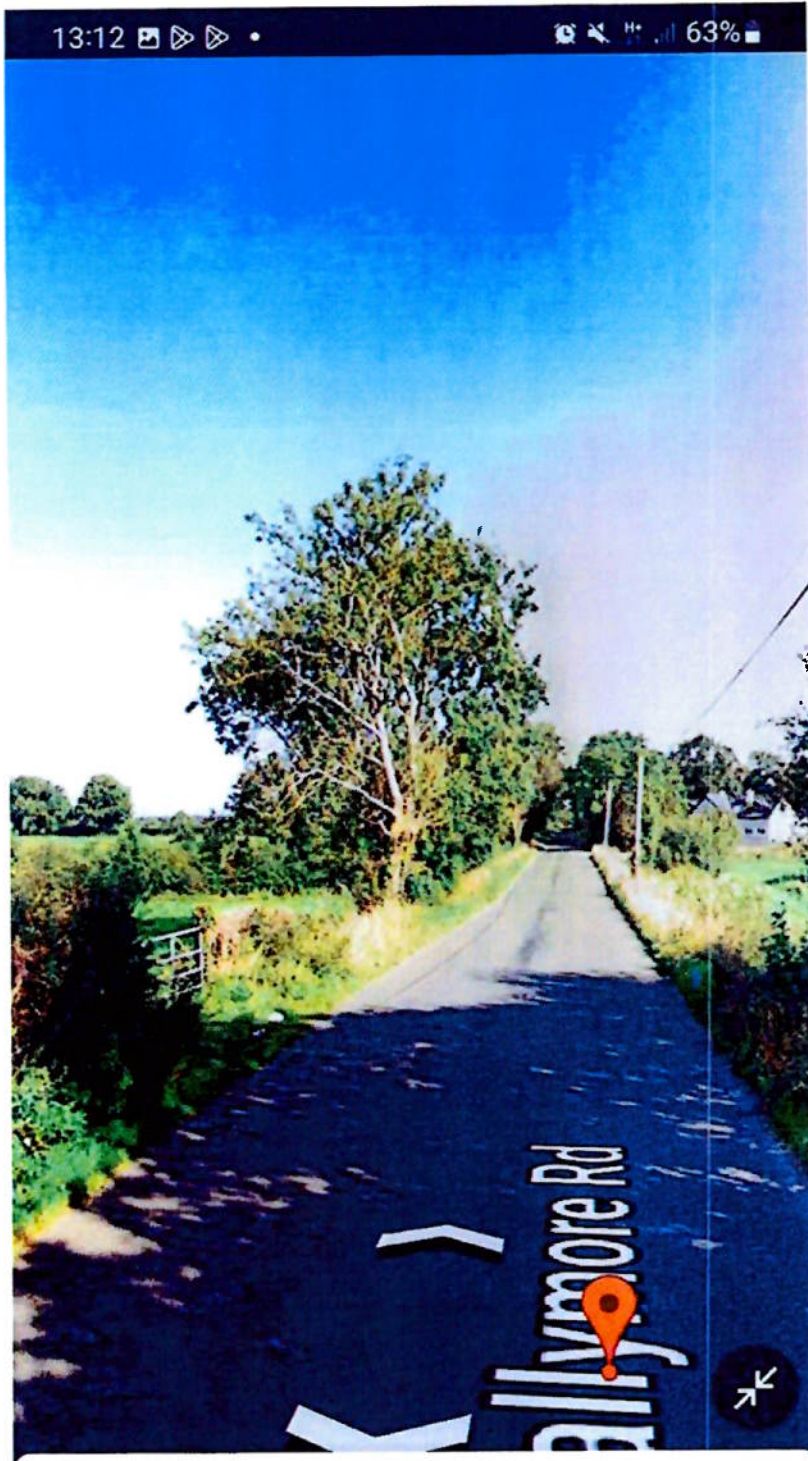


County Westmeath

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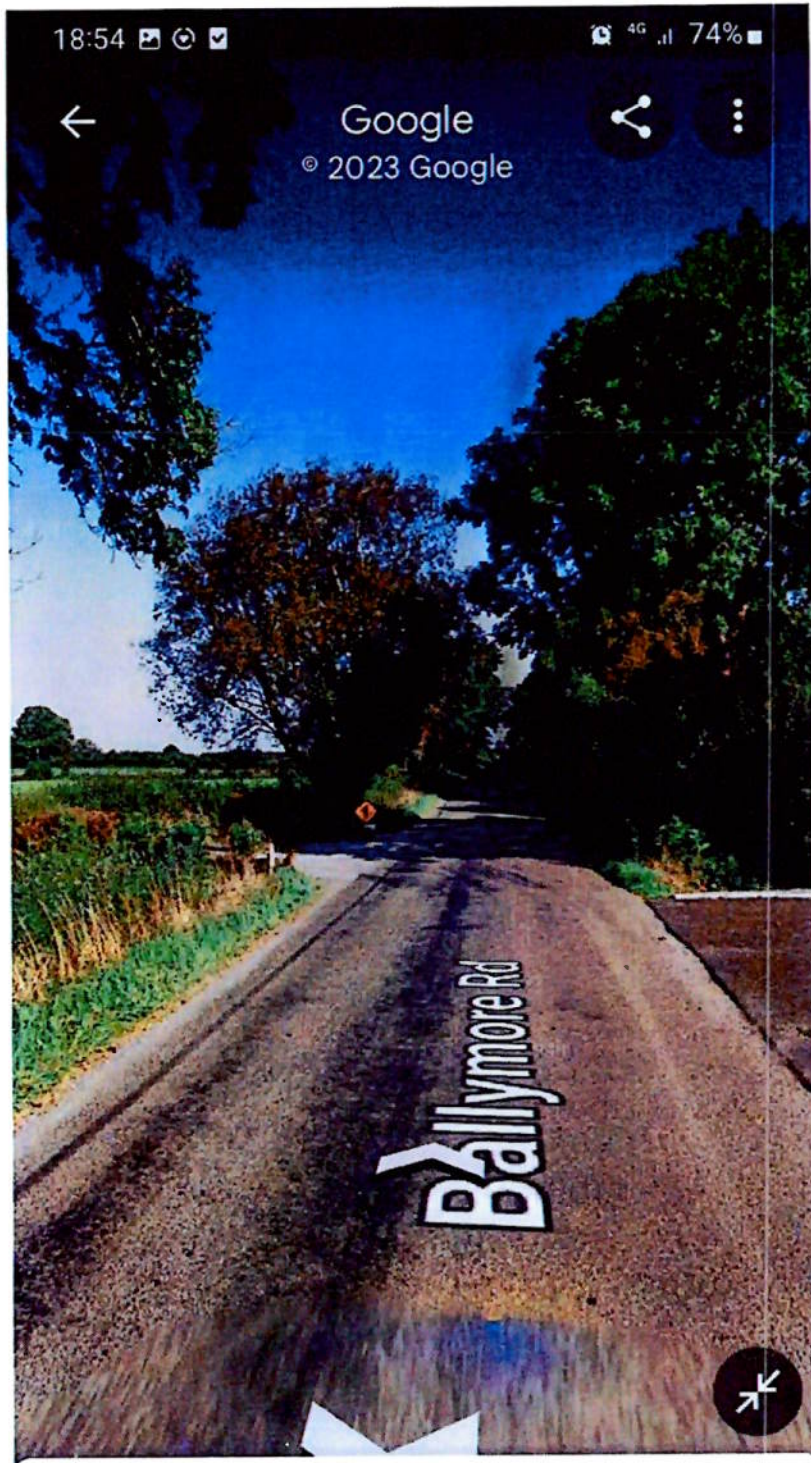


Ballymore Rd

a year ago · See more dates







Ballymore Rd

a year ago · See more dates



