Glenafalla,
Cappoquin,
Co. Waterford
P51V6W8

20th November 2025

The Secretary
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902

To whom it may concern

An Coimisiún Pleanála Case Reference: VA93.323791

Strategic Infrastructure Development Application (SID Determination ref: ABP-317824-23)
By TOBIN Consulting Engineers on behalf of **FuturEnergy Scart Mountain Designated Activity Company**
Description: Proposed Development of a 110kV underground Grid Connection from the proposed Scart Mountain Wind Farm development (case ref: PA93.321522, currently awaiting decision) to Dungarvan substation in County Waterford.

The proposed 110kV grid connection and related works are located within the townlands of of Ballykerin Middle, Ballymacmague North, Carrigaun (Hely), Carrowgarriff Beg, Carrowgarriff More, Churchquarter, Colligan More, Colliganmountain, Colliganwood, Coolroe, Glen Lower, Glen Upper, Graigue Beg, Graigue More, Inchindrisla, Inchindrislawood, Killadangan, Lisroe, Newtown, Parkmore, Scart (Hely), Scart (Sergeant), Scartmountain, Staigbraud, and Vicarstown South, Co. Waterford.
www.scartmountaingridplanning.ie

I wish to make the following Observation against the above planning application for the construction of Scart Mountain Grid Connection:

This planning application is for construction of an underground 110kV Grid Connection (and all associated infrastructure) that will connect the proposed Scart Mountain Wind Farm (ACP Ref. 321522) development (approximately 4 km northeast of Cappoquin and approximately 13 km northwest of Dungarvan) to the existing 110kv Dungarvan substation in County Waterford. The cable route will be constructed primarily within public roads within the jurisdiction of Waterford City and County Council.

The site of the no. 15-turbine proposed Scart Mountain Wind Farm itself is located in an area deemed a 'Wind Energy Exclusion' area and 'Highly Sensitive' in the Landscape and Seascape Character Assessment by Waterford City and County Council (WCCC) under the Waterford City and County Council Development Plan 2022-2028. And while I understand I can no longer make an Observation against the wind farm development, I wish the Commission to bear in mind that its unsuitability needs to be taken into consideration when making a decision on the Grid Connection Application as both developments are interdependent on each other and one cannot function without the other – as the Applicant themselves states.

There are many alternative location options within Waterford, where land is zoned as 'Preferred' and 'Open to Consideration' under the Wind Energy Strategy of the Development Plan. One of the aims of the Renewable Energy Strategy is to maximise the opportunities for renewable energy development, whilst safeguarding the environment and other amenities, subject to Strategic Environmental Assessment and Habitats Directive Assessment requirements.
Much research and careful consideration was undertaken by WCCC when deciding the areas of suitability for wind farm development. And as the Commission will be aware, the Planning Authority of Waterford County Council does not recommend that planning permission be granted for the proposed wind farm development – this was unanimously agreed by all councillors present at the Dungarvan and Lismore District Meeting on 26 February 2025 (please refer to correspondence from WCC dated 10 March 2025).

A very poor attempt has been made in preparing this application for the Development of a 110kV Electrical Substation and Grid Connection. It is evident that the consultancy involved has simply taken the original documentation submitted for the wind farm and resubmitted it with minimal changes. Many of the documents remain identical to the previous application, while others contain mismatching quantities and inconsistencies. This approach suggests that the submission was made merely to "tick a box" rather than to adequately assess and address the combined impacts of both developments. By including this second application, the overall scale and cumulative impact of the project significantly increases, yet this has not been properly considered or evaluated within the supporting documentation.

My main concerns for this Grid Connection planning application are:

This submission forms Part 2 of the comprehensive planning objection previously submitted regarding the Scart Mountain Wind Farm (PA93.321522). As both applications form a single, interdependent project, this objection must be read in conjunction with the original wind farm objection.

The proposed Scart Mountain Grid Connection (Case Ref. VA93.323791) is functionally and environmentally inseparable from the proposed 15-turbine Scart Mountain Wind Farm. The developer explicitly confirms in multiple documents that the wind farm cannot operate without this 110kV underground grid connection. Therefore, the cumulative impacts, policy conflicts, and environmental risks outlined in my wind farm objection apply equally here.

This objection expands upon the original report by addressing:
- Additional environmental risks associated with the grid works
- Hydrological and hydrogeological vulnerabilities
- Traffic and public safety impacts
- Impacts on protected European sites
- Non-compliance with EU Directives and national planning policy
- Massive cumulative effects ignored in the EIAR
- Extensive omissions identified by Uisce Éireann, Inland Fisheries Ireland, and Waterford County Council
- Direct conflicts with the Waterford County Development Plan

RELATIONSHIP BETWEEN GRID CONNECTION & WIND FARM (SINGLE PROJECT)
Under the EIA Directive (2014/52/EU) and Appropriate Assessment (AA) obligations, projects that are functionally linked must be assessed together. An Coimisiún Pleanála case law confirms that project splitting is unlawful.

- The grid connection is not a standalone project.
- The developer states explicitly that 'the wind farm cannot operate without the grid connection'.
- Therefore, the wind farm's unsuitability — already highlighted by WCCC councillors, environmental experts, and community submissions — directly undermines the grid connection.

POLICY CONFLICTS CARRIED OVER FROM WIND FARM OBJECTION
The wind farm is located in:
- A 'Wind Energy Exclusion Zone'
- A 'Highly Sensitive Landscape'

These conflicts remain relevant because the grid connection facilitates a development that the Development Plan specifically discourages.

Key policy conflicts (previously submitted):
- UTL13 (Wind Energy Strategy – Exclusion Zone)
- LO2 (Protection of Sensitive Landscapes)
- ENV01, BD01, BD02 (Biodiversity Protection and Natura 2000 Sites)
- Water Framework Directive obligations

The grid connection is therefore an indirect contravention of these policies.

TRAFFIC, ROAD SAFETY & PUBLIC HEALTH IMPACTS
The Applicant has 'failed to carry out traffic counts' on multiple affected roads. This is a significant omission given the narrow geometry, blind corners, lack of hard shoulders, and reliance on these roads by:

- School buses
- Agricultural machinery
- Local commuters
- Pedestrians and cyclists
- Emergency services

Key risks:
- Road closures on rural routes with no alternative access
- Detours adding 15–30 minutes travel
- Heavy construction traffic on roads with widths below TII standards
- Increased collision risk at blind bends
- No mitigation for school bus schedules
- No assessment of emergency access constraints

The Traffic Management Plan is deferred to contractors, meaning An Coimisiún Pleanála cannot rely on it as enforceable mitigation during EIAR decision-making.

CUMULATIVE TRAFFIC EFFECTS IGNORED
Three wind farm grid connections overlap:
- Scart Mountain (current case)
- Dyrick Hill
- Coumnagappul

The EIAR fails to acknowledge:
- Simultaneous road closures
- Overlapping use of the N72 and R672
- High Court appeals keeping other projects "live"
- Multi-year construction windows

This is a significant legal and procedural failing, as cumulative impacts are mandatory under the EIA Directive.

RISKS TO PUBLIC WATER SUPPLIES (CRITICAL AND UNADDRESSED)
Uisce Éireann's formal submission on the wind farm application highlights 'serious omissions' still present in the grid connection EIAR:

- Modeligo Public Water Supply (PWS), serving 192 residents
- Ballinamuck Water Supply (Dungarvan PWS), serving 12,034 residents
- Bawnfoun / Moores Well PWS

EIAR FAILINGS:
- Omits Modeligo PWS entirely
- Fails to map the ZOC (Zone of Contribution)
- No assessment of groundwater contamination from trenching
- No pre-mitigation impact assessment
- No assessment of hydrocarbon leakage during HDD
- No hydrological modelling

This alone is sufficient grounds for refusal.
RISK TO SAC/SPA – BLACKWATER & DUNGARVAN HARBOUR
The grid route has hydrological connectivity to:
- 'Blackwater River SAC' (via River Finisk)
- 'Dungarvan Bay SPA' (via Colligan River)

Drilling risks include:
- HDD drilling frac-outs discharging bentonite slurry into rivers
- Contaminated runoff
- Suspended sediments impacting salmon, lamprey, and trout
- Hydrocarbons and lubricants entering water bodies

This is especially critical following the 2025 ecological disaster resulting in the death of 50,000 fish in the Blackwater SAC.

BIODIVERSITY & HABITAT LOSS
Carried over from wind farm objection:
- Destruction of Annex I habitats
- Disturbance to Hen Harrier, Snipe, otter, badger, bats
- Loss of hedgerows, foraging corridors, riparian vegetation
- Breach of Flora Protection Order 2022

Grid impacts include:
- Removal of trees in Colligan Wood
- Habitat fragmentation

• Disturbance of roosting bats during trenching
• Impact on wintering birds in Dungarvan Bay SPA

HERITAGE IMPACTS
The grid route passes historic and archaeological sites including:
• Ringfort WA022-011
• Modeligo Church & Graveyard WA022-026001 / WA022-02600

Risk of:
• Irreversible damage to archaeological deposits
• Destabilization during trench excavation
• Loss of historic setting and character

The EIAR heritage assessment is superficial and fails to meet best-practice standards.

FLOOD RISK & HYDROLOGICAL INSTABILITY
At Killadangan and other low-lying areas:
• Surface water flow will be altered
• Soil permeability will decrease due to compaction
• Flood likelihood increases under heavy rainfall events
• EIAR does not provide modelling or mapping

DEFICIENCIES IN THE EIAR (MAJOR AND SYSTEMIC)
The EIAR omits:
• Public water supply risk assessment
• Accurate cumulative impact assessment
• Full hydrological modelling
• Full utility mapping
• Traffic surveys
• Assessment of trenching effects on private wells
• Clear mitigation measures (deferred to contractors)

Any one of these deficiencies is reason for refusal.

RELEVANT CASE PRECEDENTS SUPPORTING REFUSAL
• ABP-317265-23 (Dyrick Hill) – refused for Exclusion Zone conflict, landscape impact, biodiversity risk
• Knock Iveagh Grid Connection – refused due to heritage and improper assessment
• Meenbog Landslide – national precedent for grid/wind energy soil failure causing catastrophic river pollution

These cases demonstrate real-world risks and legal requirements.

GROUNDS FOR REFUSAL
The project must be refused because:
1. It is interdependent with a wind farm located in a prohibited Exclusion Zone.
2. The EIAR contains critical omissions relating to public water supply safety.
3. Cumulative effects with other grid connections are ignored.
4. Risks to SAC/SPA sites are inadequately assessed.
5. Traffic management measures are unenforceable and insufficient.
6. Heritage sites are imperilled.
7. Legislative conflicts with EU Directives and the Waterford Development Plan are extensive.
8. The project carries unacceptable public safety, hydrological, and ecological risks.

Loss of natural habitats and protected species

- **Hen Harrier**
    - Hen Harrier and Snipe Activity:

      It is well known locally that Hen Harriers and Snipe are very active and are breeding, particularly within the Knocknanask area. This activity must be thoroughly considered in the planning process.

    - Disregard for Breeding Grounds:

      The mitigation measure suggesting that construction work may be possible within 1 km of a Hen Harrier breeding site shows a complete disregard for the protection of breeding grounds. The disturbance distance of 1 km is critical to ensure the safety and success of breeding Hen Harriers.

    - Infeasibility of Construction:

      Based on the site in Knocknanask, it is not possible for any construction work to take place if the 1 km disturbance distance is respected. The remote location and the fact that previous bird surveys were completed several kilometres away highlight the need for a site-specific study.

    - Requirement for Comprehensive Site Study:

      A full study of the site should be completed prior to any planning submission. This study must include comprehensive surveys of breeding birds, specifically Hen Harrier and Snipe surveys. Granting permission in advance of such a study would be against environmental laws and regulations.

- Environmental Laws and Regulations:

  Under Directive 2009/147/EC (Birds Directive) and Article 6 of the Habitats Directive, Ireland is obliged to prevent the deterioration of Special Protection Areas (SPAs) and ensure that projects do not adversely impact the integrity of these areas. The Hen Harrier is a protected species, and any development must be supported by clear scientific evidence that it will not harm the species or its habitat.

- Precedent of Successful Objections:

  Similar concerns have led to the refusal of other wind farm projects in Ireland. For example, the Derrybrien Wind Farm in County Galway faced objections due to its impact on local habitats and water quality. The Cullenagh Wind Farm in County Laois was refused due to concerns about its carbon footprint and environmental impact.

Hen Harrier Activity:

- Local Activity: It is well known locally that the Hen Harrier is active across the Knockmealdowns and particularly on Knocknanask, where it is proposed to install 5 turbines. The bird survey vantage points do not account for several blind spots, and therefore a full study from the proposed turbine locations should be undertaken. As stated in the report, most of the interior of the site was over 1000 m from the nearest vantage point.
- Limited Survey Coverage: The proposed wind farm site consists of 981.4 ha, so only a tiny portion of the site was explored for Hen Harrier breeding territories. No information is provided on Hen Harrier nest sites, and it is urged that An Coimisiún Pleanála view the redacted information.

Displacement of Hen Harrier Foraging Habitat:

- Potential Displacement Effects: The potential displacement effects on the availability of Hen Harrier foraging habitats is 15%. The northern group of seven turbines overlapped with the distribution of Hen Harrier breeding season flight activity. These include five turbines with buffers largely occupied by bog/heath habitat on Knocknanask Hill and two turbines with buffers largely occupied by forestry habitat.

Collision Risk for Hen Harriers:

- Predicted Collision Risks: The predicted collision risks to the breeding population indicate an approximately 23% chance of at least one collision, and a 3% chance

of at least two collisions, occurring within the wind farm lifespan. As the breeding population is underestimated, this figure will likely be higher.

Case Studies:

- Derrybrien Wind Farm, County Galway: This project faced significant objections due to its impact on sensitive habitats and bird species, leading to severe environmental damage.
- Strathy South Wind Farm, Scotland: An extensive site investigation was required to assess the environmental impact on bird species, including Hen Harriers.
- Lilbourne Wind Farm, Northamptonshire, England: This project faced objections due to its predicted impact on bird populations and the extensive material requirements for construction.

Environmental Laws and Regulations:

- Directive 2009/147/EC (Birds Directive): Under this directive, Ireland is obliged to prevent the deterioration of Special Protection Areas (SPAs) and ensure that projects do not adversely impact the integrity of these areas.
- Article 6 of the Habitats Directive: This article requires that any development must be supported by clear scientific evidence that it will not harm protected species or their habitats. The Hen Harrier is a protected species, and any development must adhere to these regulations.
- Ref: Chapter 19 – schedule of mitigation final - Page 19-4

- **Marsh fritillary butterfly and Devil's bit Scabious**
  - Incomplete Environmental Study:

    The environmental study conducted for the proposed wind farm site, covering 981.4 hectares, was not comprehensive. An accurate and thorough study is essential to assess the potential impacts on local biodiversity and habitats.
  - Presence of Devil's-Bit Scabious:

    Devil's-Bit Scabious, the food plant of the Marsh Fritillary butterfly, was recorded at another nearby proposed wind farm location Dyrick Hill. This indicates the potential presence of suitable habitats for the Marsh Fritillary within the region, which should be considered in the assessment.
  - Marsh Fritillary Records:

    The Marsh Fritillary butterfly was recorded during the desk study to the west and east of the proposed wind farm site as recently as 2021 (refer to Table 6-3).

Despite this, no suitable habitats or its food plant, Devil's-Bit Scabious, were recorded within the proposed wind farm site during the habitat surveys. This discrepancy raises concerns about the accuracy and thoroughness of the habitat surveys conducted.

- Potential Habitat Overlooked:

  The conclusion that the Marsh Fritillary is absent from the study area and not considered further within the assessment is premature. Given the proximity of recorded sightings and the presence of its food plant nearby, a more detailed investigation is warranted to ensure that potential habitats are not overlooked.

- Impact on Local Biodiversity:

  The potential impact on local biodiversity, including the Marsh Fritillary and its habitats, must be thoroughly assessed. The absence of a comprehensive study undermines the credibility of the environmental impact assessment and could lead to significant ecological harm.

- Precedent of Successful Objections:

  Similar concerns have led to the refusal of other wind farm projects in Ireland. For example, the Derrybrien Wind Farm in County Galway faced objections due to its impact on local habitats and water quality. The Cullenagh Wind Farm in County Laois was refused due to concerns about its carbon footprint and environmental impact.

- **Red Grouse**

  Red Grouse Population:

  - Local Population: The Co. Waterford population of Red Grouse is estimated to be less than 84 birds (see Section 7.5.3.2). This small population size makes the species particularly vulnerable to habitat disturbance and displacement.

  Construction Disturbance:

  - Habitat Removal: The construction of the wind farm will remove around 4 hectares of bog and heath habitat on Knocknanask Hill. This represents approximately 2% of the total area of these habitats on Knocknanask Hill. The displacement of Red Grouse territory due to this habitat loss would be a very significant impact on the local population.

Case Studies:

- Derrybrien Wind Farm, County Galway: This project faced significant objections due to its impact on sensitive habitats and bird species, leading to severe environmental damage.

Environmental Laws and Regulations:

- Directive 2009/147/EC (Birds Directive): Under this directive, Ireland is obliged to prevent the deterioration of Special Protection Areas (SPAs) and ensure that projects do not adversely impact the integrity of these areas.
- Article 6 of the Habitats Directive: This article requires that any development must be supported by clear scientific evidence that it will not harm protected species or their habitats. The Hen Harrier and Red Grouse are protected species, and any development must adhere to these regulations.

- **Wet heath**
  - Wet Heath Coverage:

    Habitat Presence: Some areas of wet heath were recorded on the western side of Knocknasheega, but the most substantial area of this habitat was recorded on Knocknanask, covering most of the mid-range of the entire mountain. Species recorded included Cross-leaved Heath (Erica tetralix), Bell Heather, Bilberry, Purple Moorgrass, and Deer Grass (Trichophorum germanicum). The moss layer was poor, with generally only Hypnum jutlandicum and Sphagnum capillifolium recorded.

  - European Wet Heath Classification: This habitat was assessed to be Annex I Atlantic wet heath (4010) but, especially in Knocknanask, was considered to be in poor condition with an 'unfavourable bad' conservation status following the condition assessment methodology defined by Perrin et al., 2014. The main cause for this undesirable conservation status is likely from historic peat cutting and recent burning that has taken place (see Appendix 6-2).
  - County Importance: Considering the degraded nature of the wet heath, the habitat was assessed as being of County Importance. This is based on the 'poor' condition and 'unfavourable bad' conservation status of wet heath Annex I habitats (refer to Appendix 6-2).
  - Misleading Report:

    The Environmental Impact Assessment Report (EIAR) section 6.5.2.16 PB2 only mildly refers to the presence of wet heath. The report is misleading in stating

that no upland blanket bog will be impacted, which requires further investigation to ensure accurate representation of the site's ecological value.

- Case Studies:

  Derrybrien Wind Farm, County Galway: This project faced significant objections due to its impact on sensitive habitats, including wet heath and blanket bog, leading to severe environmental damage.

- **Dry heath**
  - Dry Heath Coverage:

    Dry heath was recorded on the lower, southern, and western slopes of Knocknanask. In Knocknasheega, it was recorded throughout the proposed wind farm site in all locations where conifer has previously been cleared. Moss cover within the dry heath of Knocknasheega was generally high and included species such as Rhytidiadelphus loreus, Hylocomium splendens, and Pleurozium schreberi. The habitat was generally dominated by Ling and Bilberry with frequent Cladonia portentosa and Bell Heather (Erica cinerea) present.

  - European Dry Heath Classification:

    This habitat is classified as European dry heath (4030) using the European Union classification system. The example of this habitat in Knocknanask is considered to be in poor condition with an 'unfavourable bad' conservation status following the condition assessment methodology defined by Perrin et al., 2014. The main cause for this undesirable conservation status is likely from historic peat cutting and recent burning that has taken place in Knocknanask (see Appendix 6-2).

  - County Importance:

    Considering the degraded nature of the dry heath, the habitat was assessed as being of County Importance. This is based on the 'poor' condition and 'unfavourable bad' conservation status of dry heath Annex I habitats (refer to Appendix 6-2).

  - Misleading Report:

    The Environmental Impact Assessment Report (EIAR) section 6.5.2.16 PB2 only mildly refers to the presence of dry heath. The report is misleading in stating that no upland blanket bog will be impacted, which requires further investigation to ensure accurate representation of the site's ecological value.

- Case Studies:

  Derrybrien Wind Farm, County Galway: This project faced significant objections due to its impact on sensitive habitats, including dry heath and blanket bog, leading to severe environmental damage.

- **Blanket bog**
  - Blanket Bog Coverage:

    Blanket bog covers the entire summit of Knocknanask. This critical habitat is only mildly referred to in section 6.5.2.16 PB2 of the Environmental Impact Assessment Report (EIAR). Further investigation is required to accurately assess the impact on this sensitive ecosystem.

  - Misleading Report:

    The EIAR misleadingly states that no upland blanket bog will be impacted. Given the extensive coverage of blanket bog on the summit, this claim is inaccurate and requires a thorough reassessment. The Environmental Impact Assessment Report (EIAR) section 6.5.2.16 PB2 only mildly refers to the presence of blanket bog. The report is misleading in stating that no upland blanket bog will be impacted, which requires further investigation to ensure accurate representation of the site's ecological value.

  - County Importance: Considering the degraded nature, the habitat was therefore assessed as being of County Importance.

  - Case Studies

    Derrybrien Wind Farm, County Galway: This project faced significant objections due to its impact on blanket bog and subsequent landslides, leading to severe environmental damage.

Lack of engagement with local community

Low Attendance at Community Clinics:

- The community clinics held on November 22-23, 2023, had a notably low attendance of just 20 people. This low turnout suggests that the engagement efforts were not effective in reaching or involving the broader community.

Lack of Genuine Engagement:

- It appears that the communication and engagement efforts were perceived as merely ticking a box rather than genuinely involving the community. Effective community engagement should involve proactive outreach, transparent communication, and meaningful opportunities for residents to provide input and feedback.

Communication Methods:

- The methods used to communicate with the community, such as newsletters, virtual exhibitions, and information hubs, may not have been sufficient or accessible to all residents. Ensuring that communication methods are diverse and inclusive is crucial for effective engagement.

Transparency and Accountability:

- Transparency in the engagement process is essential. This includes providing clear information about the project, its potential impacts, and how community feedback will be used to shape the final proposal. This was not provided for this project as project updates were non-existent from November 2023 until notification of planning was provided in December 2024.
- No information was provided to the local community in respect to this application for the Development of a 110kV Electrical Substation and Grid Connection.

Significant Material Requirement:

- Volume of Material: The construction of the wind farm will require over 120,000 m^3 of stone and aggregate fill material. Approximately 65,000 m^3 of this material will come from onsite sources, with the remaining being sourced from offsite quarries. This is a substantial amount of hard material, and the Environmental Impact Assessment Report (EIAR) does not specify where this material will be excavated from or the potential environmental effects of such excavation.

- 55,000 m^3 of stone and aggregate fill material will be required to be delivered to site. Additionally temporary hardcore surfaces are required for turbine delivery. The EIAR does not provide detail on truck delivery. It notes deliveries from Roadstone Kilmacow Quarry which is approx. 64km away.
  The 9 no. passing bays proposed to be constructed on the L5055 is insufficient to allow safe passing of vehicles on this road through all phases of the project. Potentially thousands of truck deliveries.

  Lack of Detailed Information:

- Excavation Sites: The EIAR fails to provide detailed information on the specific locations where the 65,000 m^3 of onsite material will be excavated. This lack of transparency raises concerns about the potential environmental impact on the local landscape and ecosystems.

- Environmental Effects: The potential environmental effects of sourcing such a large volume of material from onsite and offsite locations are not adequately addressed in the EIAR. This includes the impact on local habitats, water quality, and soil stability.

Case Studies:

- Derrybrien Wind Farm, County Galway: This project faced significant objections due to its impact on sensitive habitats and the extensive excavation required for construction, leading to severe environmental damage.

Biodiversity Management Plan (BMP)

1. **Vagueness of Management Measures**:
   - The BMP's management measures are indeed vague and lack specific details. Effective biodiversity management requires clear, actionable steps and robust monitoring mechanisms. The plan should specify how farming activities will be monitored, who will be responsible for this monitoring, and what actions will be taken if deviations from the plan occur. Without these details, the BMP risks being ineffective and merely a formality.
2. **Confidentiality of Landowner Agreements**:
   - The confidentiality of landowner agreements is a significant concern. While confidentiality can protect proprietary information and privacy, it also limits transparency and accountability. There should be a mechanism for independent verification of these agreements to ensure they are fit for purpose and genuinely contribute to biodiversity enhancement. This could involve third-party audits or reviews by an independent body.

3. **Burning and Grazing Regime Changes**:

    - The issue of burning at Knocknanask is critical. Burning is identified as a key degradation factor and poses a future threat to moorland habitats. The BMP should outline specific consequences for non-compliance with burning restrictions. Additionally, the proposed change from sheep to cattle grazing needs detailed planning. The BMP should specify how the transition will be managed, including whether the existing number of sheep will be reduced, or sheep will be prevented from grazing to accommodate this change. Clear guidelines and enforcement mechanisms are essential to ensure compliance.

4. **Hen Harrier Habitat**:

    - The proposed grassland to replace the habitat for displaced foraging for the hen harrier needs careful review. Intensively farmed agricultural land does not provide suitable habitat for this species.

    - The BMP should include a thorough assessment of the suitability of these lands for biodiversity enhancement. It should also consider alternative habitats that may be more appropriate for the hen harrier.

5. **Biodiversity Enhancement Measures**:

    - Lack of Feasibility and Scale. The proposed enhancement measures cannot compensate for the permanent loss of Annex I habitats such as wet heath, dry heath and blanket bog. These habitats are highly specialized ecosystems that take decades to develop under specific hydrological and soil conditions. Attempting to recreate them through restoration or planting schemes is unrealistic given the scale of disturbance and the complexity of peatland hydrology. Even small changes in water flow caused by turbine foundations and access roads can irreversibly alter these habitats, making restoration efforts ineffective.

    - Hydrological and Ecological Constraints. Enhancement measures like riparian planting and drainage management cannot fully address the hydrological disruption caused by extensive road networks, turbine bases, and cable trenches. Altered water tables and peat drying will persist, reducing the viability of wetland restoration and impacting species dependent on intact hydrology, such as Atlantic Salmon and Lamprey. Additionally, the proposed measures do not mitigate collision risks for bats or displacement of Hen Harrier and other Annex I bird species. These fundamental ecological constraints mean that the measures are tokenistic rather than transformative and cannot offset the significant residual impacts identified in the Environmental Impact Assessment.

- The BMP's biodiversity enhancement measures are very similar to existing schemes offered by the Department of Agriculture, such as ACRES and BISS. While these schemes are beneficial, the BMP should offer additional, site-specific measures that go beyond existing schemes to truly enhance biodiversity. This could include tailored actions to address specific local biodiversity challenges and opportunities.
- Some lands identified for Biodiversity enhancement are currently not farmed, referring mainly to the lands in Crowhill folio number WD19074F, most of this area is heather and mountain and no animals have grazed this area for 20 + years.
- The farmland identified in the Biodiversity Management Plan (BMP) will continue to be farmed as usual, including the application of slurry and fertiliser. This ongoing agricultural activity is not conducive to creating a suitable alternative habitat for the hen harrier. Grassland, particularly when intensively farmed, is not an appropriate replacement habitat for the hen harrier. The hen harrier requires specific habitat conditions that are not met by typical agricultural grasslands. The BMP should consider more suitable habitat types that can support the hen harrier's ecological needs.
- The identified lands are located adjacent to a road, which introduces additional challenges such as traffic and noise. These factors can further disrupt the habitat and make it less suitable for the hen harrier and other wildlife. The BMP should address these issues and consider alternative locations that are less impacted by human activities.

Noise

Bias in Noise Monitoring :

The assessment has identified specific properties as being 'financially involved' with the project, and noise monitoring was conducted at one of these locations. This raises concerns about the impartiality of the noise assessment, as properties with a financial stake in the project may not represent the broader community's experience. According to planning objection guidelines, it is crucial to ensure that noise assessments are conducted impartially and representatively to avoid any bias that could undermine the validity of the findings.

The potential for bias in this case suggests that the noise levels experienced by the wider community may not have been accurately captured, leading to an incomplete and potentially misleading assessment.

While the noise report claims that the predicted noise levels will be within best practice noise limits recommended in the Wind Energy Development Guidelines (WEDGs), I have several concerns regarding the operational phase of the turbines.

Firstly, the noise report's summary is insufficiently detailed. It lacks comprehensive analysis and supporting data, such as noise graphs, which are essential for a thorough assessment. The report only includes a few paragraphs on the operational phase, which does not provide enough information to evaluate the potential impact on the surrounding community.

From reviewing similar projects, it is evident that detailed noise assessments typically include:

- **Noise contour maps** showing predicted noise levels at various distances from the turbines.
- **Graphs and tables** illustrating the expected noise levels during different times of the day and under various weather conditions.
- **Comparative analysis** with existing noise levels in the area to understand the incremental impact.

Without these critical details, it is challenging to determine whether the noise levels will indeed be within acceptable limits and what the real impact on residents will be. The absence of such information raises concerns about the transparency and thoroughness of the noise assessment.

Furthermore, the potential for noise-related disturbances, such as low-frequency noise and amplitude modulation, has not been adequately addressed. These factors can significantly affect the quality of life for nearby residents, leading to sleep disturbances and other health issues.

Given these shortcomings, I urge the planning authority to require a more comprehensive noise assessment that includes detailed data and analysis. This will ensure that the potential impacts are fully understood and mitigated before any decision is made.

EIAR Report Noise – Refer to table 12-10 and mainly to location NML 1.

While the noise report claims that the predicted noise levels will be within best practice noise limits recommended in the Wind Energy Development Guidelines (WEDGs), I have several concerns based on the provided noise readings.

Noise Readings:

- **Daytime:** 29.8 dB to 42 dB
- **Nighttime:** 27.7 dB to 40.4 dB

Objection Criteria:

1. **Proximity to Noise Limits:**
    - The highest daytime reading of 42 dB is just 3 dB below the 45 dB limit set by the WEDGs.
    - The highest nighttime reading of 40.4 dB is only 2.6 dB below the 43 dB limit.
    - These readings are very close to the maximum allowable limits, leaving little margin for error or variations in actual operational conditions.
2. **Potential for Exceeding Limits:**
    - Given the proximity to the noise limits, any slight increase in noise levels due to changes in wind conditions, turbine maintenance, or other operational factors could result in exceeding the permissible noise levels.
    - The lack of detailed noise graphs and comprehensive analysis in the noise report makes it difficult to assess the potential for such exceedances accurately.
3. **Insufficient Noise Assessment:**
    - The noise report's summary is insufficiently detailed, lacking comprehensive analysis and supporting data such as noise contour maps and graphs.
    - A more thorough assessment is needed to ensure that the noise levels will remain within acceptable limits under all operational conditions.
4. **Impact on Local Residents:**
    - The close proximity to noise limits raises concerns about the potential impact on the quality of life for nearby residents.
    - Noise-related disturbances, such as low-frequency noise and amplitude modulation, have not been adequately addressed in the report.

Given these concerns, I urge the planning authority to require a more comprehensive noise assessment that includes detailed data and analysis. This will ensure that the potential impacts are fully understood and mitigated before any decision is made.

Adverse Health Effects:

- **Noise Types**: Wind turbines produce several types of noise, including tonal noise, low-frequency noise, and amplitude modulation. These noises can be particularly intrusive and have been linked to various health issues

- **Health Impacts**: Exposure to wind turbine noise can lead to increased annoyance, sleep disturbances, and psychological distress. The character of wind turbine noise, especially the dominance of low frequencies and amplitude modulation associated with blade passage, makes it particularly disruptive. These disturbances can significantly impact the quality of life for nearby residents, leading to issues such as headaches, tinnitus, and vertigo

2. **Noise Assessments**:

    - **Comprehensive Assessments**: It is crucial that noise assessments for wind turbine projects are comprehensive and accurately reflect the experiences of the broader community, not just those financially involved with the project. This includes considering the cumulative impact of noise from multiple turbines and the specific characteristics of the noise produced.

    - **Regulations and Standards**: Noise assessments should adhere to established guidelines and standards, such as those outlined in the ETSU-R-97 methodology, which provides a framework for assessing and rating wind turbine noise. These assessments should include background noise surveys, noise predictions, and the evaluation of potential impacts on nearby residents.

3. **Community Involvement**:

    - **Engagement**: Involving the community in the noise assessment process is essential. This can help ensure that the assessments are accurate and that the concerns of residents are addressed. Community engagement can also help build trust and support for the project

    - **Transparency**: Transparency in the noise assessment process is crucial. This includes making the results of noise assessments publicly available and providing clear information on how the assessments were conducted and how the results will be used to mitigate potential impacts. The details were not shared prior to the planning application submission.

Forestry removal and Impact

1. **Extent of Clear-felling**:

    - The proposed wind farm site covers 981.4 hectares, with 10% (98.34 hectares) designated for clear-felling. This large-scale removal of forested land raises concerns about the loss of biodiversity and the disruption of established ecosystems. The idea that this biodiverse area can simply be cut and replanted or replaced elsewhere within the state is overly simplistic and does not account for the unique ecological characteristics of the site.

2. **Carbon Sequestration**:
    - The total forest carbon that would be removed due to the proposed wind farm project is estimated at 22,816 tCO2e. This significant carbon loss undermines efforts to combat climate change and highlights the need for careful consideration of the environmental trade-offs involved in such projects.
3. **Impact on Wildlife Habitats**:
    - Clear-felling will have a substantial impact on wildlife habitats, particularly through the removal of the forest canopy. Mature conifer stands provide important habitats for a variety of birds and other fauna. The sudden and large-scale removal of these habitats can lead to displacement and potential loss of wildlife populations.
4. **Biodiversity Effects**:
    - The report suggests that the effects on biodiversity from clear-felling would be similar in a "do-nothing" scenario, implying that the forest would be harvested eventually regardless of the wind farm. However, this comparison is misleading. The proposed project involves the permanent removal of 98.34 hectares of forest in one go, which is far more disruptive than a gradual, managed harvesting process.
5. **Replanting and Replacement**:
    - The assumption that the clear-felled area can be replanted or replaced elsewhere does not consider the time required for new plantations to mature and the interim loss of habitat and carbon sequestration capacity. Additionally, the ecological value of mature forests cannot be easily replicated by new plantations. Also, Coillte are continually pursuing forestry as a business so no additional forestry will be planted above and beyond the normal business.

Road Safety / Traffic

1. Traffic – Haul Route and/or Grid Connection Route

- **Increased Traffic**: The construction phase will significantly increase traffic on local roads due to the transportation of turbine components and construction materials. This could lead to congestion, road damage, and increased risk of accidents.
- **Sub-standard Roads**: The local roads are narrow, bendy, and not designed to handle the extra traffic and size of vehicles required for the construction phase. This could

exacerbate existing road damage and create hazardous conditions for local residents and visitors.

- **Narrow Junctions and Blind Spots**: Many of the junctions along the proposed haul route are narrow and have hazardous blind spots, increasing the risk of accidents.
- **Bus Routes**: The access route for the wind farm overlaps with bus routes for local primary and secondary school children, posing safety risks.
- **Safety for Motorists and Pedestrians**: The increased heavy traffic will be highly dangerous for motorists, cyclists, and pedestrians who use these roads.
- **Emergency Services Access**: The increased traffic and potential road damage could hinder emergency services' ability to access areas quickly in the event of an emergency.

2. Visual Impact

- **Landscape Alteration**: The installation of 15 turbines, each 185 meters tall, will significantly alter the visual landscape, potentially affecting the scenic quality of the area. The visual impact assessment views from key vantage points and the cumulative visual effects of the wind farm show the scale of this impact on the landscape. The visual impact assessment doesn't show the full impact as the points are carefully selected and show bias.
- **Impact on Residents and visitors**: The visual presence of the proposed wind turbines will significantly affect the aesthetic enjoyment of the landscape for both local residents and visitors. The area is known for its natural beauty, and the introduction of large, industrial structures will alter the visual character of the region. This is particularly concerning given the area's designation as 'Highly Sensitive' in the Landscape and Seascape Character Assessment.

  Additionally, St. Declan's Way, a very popular walking route, passes by this area. This historic trail attracts numerous walkers and tourists who come to enjoy the scenic views and tranquil environment. The construction and operation of the wind farm will detract from the experience of those using the trail, potentially reducing its appeal and negatively impacting local tourism. The visual intrusion of the turbines will disrupt the natural landscape that is a key attraction of St. Declan's Way, diminishing the overall enjoyment for visitors.

3. Effects on Tourism

- **Tourism Deterrent**: The visual and noise impacts of the wind farm could deter tourists, particularly those seeking a natural and tranquil environment. The potential negative effects on local tourism businesses should be carefully evaluated.

- **Visitor Experience**: The presence of turbines may alter the visitor experience in the area, potentially reducing the attractiveness of local tourist destinations.

4. Risk to Human Health

- **Noise Pollution**: Wind turbines generate noise, including low-frequency noise and amplitude modulation, which can lead to sleep disturbances, annoyance, and other health issues for nearby residents.
- **Shadow Flicker**: The rotating blades can cause shadow flicker, which may be disturbing to residents living close to the turbines.

5. Biodiversity – Wildlife, Flora & Fauna, Birds

- **Habitat Disruption**: The construction and operation of the wind farm will disrupt local habitats, affecting wildlife, flora, and fauna. Specific concerns include the impact on bird species, such as the hen harrier, and the loss of mature forest habitats.
- **Biodiversity Management**: The Biodiversity Management Plan should include detailed measures to protect and enhance local biodiversity, with clear monitoring and enforcement mechanisms.

6. Devaluation of Property, Future Planning Applications

- **Property Values**: The presence of a wind farm can lead to a perceived or actual devaluation of nearby properties. This impact should be considered in the planning process.
- **Future Planning**: The wind farm could affect future planning applications in the area, potentially limiting development opportunities and altering land use patterns.

These criteria highlight the need for a comprehensive and transparent assessment of the proposed wind farm's impacts. It is crucial to ensure that the benefits of renewable energy are balanced with the protection of local communities and environments.

Water Impact

1. **Strategically Important Aquifer**:
    - **Source of Water**: The site is located on a strategically important aquifer, which serves as a crucial source of water for the local population. Any potential contamination or disruption to this aquifer could have significant impacts on the community's water supply and quality of life.

2. **Proximity to Group Water Scheme:**
    - **Borrow Pit Location**: The proposed location of the borrow pit is only 500 meters from the group water scheme. This close proximity poses a substantial risk to water quality. Any contamination from construction activities, such as sediment runoff or chemical spills, could directly affect the water supply, impacting the health and well-being of residents.
3. **Hydrological Connection to Blackwater River**:
    - **Pollution Risk**: The site is hydrologically connected to the Blackwater River via the River Finisk. This connection means that pollutants from the construction site could easily drain into the river system, posing a severe threat to important aquatic species, including trout, salmon, and mussels. The potential for water pollution must be thoroughly assessed and mitigated to protect these valuable ecosystems.
4. **Protected Status of River Glennafallia**:
    - **Environmental Protection**: The River Glennafallia, which is part of the hydrological network connected to the site, is protected. Any activities that could lead to pollution or habitat disruption in this river must be carefully controlled to comply with environmental protection regulations and preserve the river's ecological integrity.

Concerns About Impartiality of TOBIN Consultants' Reports

I would like to express my concern regarding the impartiality of the reports prepared by TOBIN consultants for this application. It appears that important aspects of the environmental and community impact assessments have been downplayed to favour the application. This raises serious questions about the objectivity and thoroughness of the review process. An impartial and comprehensive evaluation is crucial to ensure that all potential risks and impacts are fully considered. I urge An Coimisiún Pleanála to critically assess the validity of these reports and ensure that the decision-making process is based on accurate and unbiased information.

Applications that have been refused by An Bord Pleanála

- **County Waterford:** An Bord Pleanála refused planning permission for a 12-turbine wind farm at Dyrick Hill in West Waterford. The decision was based on the site's location within an identified exclusion zone for wind energy and the potential loss of biodiversity, including 3.5 hectares of dry heath habitat.
- **County Donegal:** An Bord Pleanála rejected a 19-turbine wind farm near Glenties due to concerns about the Golden Eagle's habitat and the visual impact on the Wild Atlantic Way.
- **County Cork:** A proposal for seven turbines near Gougane Barra was denied because it would significantly harm the visual appeal of the scenic area.
- **County Clare:** A seven-turbine wind farm was refused due to potential impacts on the Marsh Fritillary butterfly and bird species such as the Golden Plover and Hen Harrier.
- **2024 Rejections:** Throughout 2024, An Bord Pleanála rejected planning applications for 12 wind farms, representing a total estimated combined capacity of 677MW. These refusals were based on various environmental and visual impact concerns.

Relevant Legislation

- The Habitats Directive. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora;
- The Birds Directive. Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds;
- European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011), as amended.
- The Wildlife Act 1976 (as amended), herein referred to as the Wildlife Act;
- The Flora (Protection) Order 2022 (S.I. No. 235 of 2022);
- The Inland Fisheries Acts 1959-2017, as amended;
- The EU Water Framework Directive (2000/60/EC);
- The EIA Directive 2011/92/EU, as amended by Directive 2014/52/EU;
- Planning and Development Act 2000 (as amended).

Conclusion

Given the significant concerns outlined above, I trust that An Coimsiún Pleanála will refuse to grant planning permission for the proposed Grid Connection, based on the grounds of this Observation and other reasons which the Commission consider appropriate for refusing permission. The development poses substantial risks to the environment, local heritage, public health, and the well-being of the community. There are alternative locations within Waterford that are more suitable for such developments, as identified in the Waterford City and County Council Development Plan 2022-2028. I refer the board to review the reasons they refused planning permission for a 12-turbine wind farm at Dyrick Hill in West Waterford (Case reference: PA93.317265).

Thank you for considering this objection.

Yours faithfully,

Daniel Bray

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Daniel Bray