Objection to

An Bord Pleanala
(The Board)
64 Malborough Street,
Dublin 1
D01V902

Objection from: Markus, Andrea and Michael Milley,

Address: Clonanny, Portarlington, Co. Laois, R32Y320

Email: Ma.milley66@gmail.com

Date: 30.03.2026

Case reference: PAX09.324055

Planning Application: Development of the Derrynadarragh Wind Farm (& 110kV grid connection), Co.Offaly/Co.Kildare/Co.Laois, and all other associated work. Case Reference: PAX09.324055

We are writing to make an objection to the proposed planning of the Derrynadarragh Wind Farm (& 110kV grid connection), Co.Offaly/Co.Kildare/Co.Laois

I strongly request that the inspector and the board consider all the points listed in the objection below.

Executive Summary

This objection is made by the owners and operators of an established agricultural family holding extending across Counties Kildare in Derrylea Folio 11939 and Offaly in Chevychase Folio 16067 on the direct adjoining land to the proposed wind energy development extending across Counties Offaly, Kildare and Laois.

While we recognise and support Ireland's transition to renewable energy, the proposed turbine layout gives rise to significant planning, environmental and agricultural concerns due to its exceptional proximity to our continuously occupied farmyard and operational agricultural lands, together with the wider environmental sensitivity of the River Figile corridor.

The principal concerns arising from the proposed development include:

- The siting of multiple turbines at exceptionally proximity to our farmyard, including a turbine located approximately 355m from the operational centre of the holding and several turbines positioned within metres of actively used grazing paddocks.
- Significant departure from recognised setback guidance and established planning practice for wind energy development.

- The potential for long-term sterilisation of adjoining agricultural lands and restriction of future farm development.
- Insufficient assessment of operational impacts on farming activities, livestock welfare, and agricultural infrastructure.
- The proximity of turbine infrastructure, access roads and drainage works to our private well, which supplies potable water to our household and livestock, without a detailed hydrogeological risk assessment.
- Potential hydrological and flood risk impacts within the River Figile floodplain corridor.
- Incomplete ecological survey data relating to protected species and habitats within the River Figile landscape.
- The presence of protected and red-listed bird species within the Cushina–Figile floodplain landscape, including Eurasian Curlew, Hen Harrier, Northern Lapwing and wintering Whooper Swan, with recorded activity occurring near the proposed turbine layout.
- Potential impacts on local road infrastructure, traffic safety and rural accessibility during the construction and operational phases.
- Wider cumulative impacts on neighbouring rural communities.

When considered collectively, these matters raise serious concerns regarding the compatibility of the proposed turbine layout with the proper planning and sustainable development of the area and with the continued operation of an established agricultural enterprise.

For the reasons outlined throughout this objection, it is respectfully submitted that the proposed development should be refused.

1. Procedural Fairness, Multi-County Context and Environmental Sensitivity

As mentioned above, we are the owners and operators of a single agricultural holding extending across Counties Kildare and Offaly as to be seen in Photo2. Our enterprise comprises suckler and tillage operations, livestock housing, paddocks, farm infrastructure and a continuously occupied farmyard. The principal farmyard and operational centre of the holding is located within County Kildare.

This application comprises an integrated wind energy development extending across Counties Offaly, Kildare and Laois. Several of the proposed turbines are in immediate proximity to lands within our ownership, including lands adjoining the Kildare-based farmyard. Despite our status as immediately adjoining landowners operating an established agricultural enterprise spanning two administrative jurisdictions, no prior targeted engagement was undertaken with us before turbines were proposed close to our property. Given the scale, height and operational lifespan of the proposed turbines, and their proximity to a continuously occupied agricultural workplace, the absence of early engagement with directly affected landowners is notable.

During the initial project proposal, we attempted on several occasions to contact the developer but were unable to obtain a response. Meaningful contact only occurred during the applicant's second application attempt, and only after we succeeded in establishing contact following the erection of the statutory site notices. A meeting subsequently took place; however, several of the matters raised in this objection, including turbine proximity to our farmyard, sterilisation of our land, the traffic situation, operational impacts on the agricultural holding, and ecological considerations, and the flooding concerns were not addressed in detail at that stage. Given the immediate proximity of several turbines to a continuously occupied agricultural workplace and a cross-county agricultural enterprise, earlier and more substantive engagement with directly affected landowners would reasonably have been expected as part of the project design process. This raises a question as to whether the operational characteristics and spatial extent of the agricultural holding were fully considered during the turbine layout design stage.

A significant planning consideration arises from the cross-boundary nature of our agricultural holding, which extends across Counties Kildare and Offaly. While the turbine located in closest proximity to our principal farmyard is situated within County Kildare, the proposed development as a whole span's multiple administrative areas, with turbines in County Offaly located near lands within our ownership in both counties. In such circumstances, careful coordination of Development Plan policies and cumulative spatial assessment is required to ensure that development across administrative boundaries does not prejudice the proper planning and sustainable development of an integrated agricultural enterprise operating across both jurisdictions. This cross-boundary context is a material consideration in the assessment of the proposed development.

A further issue arises in relation to the accuracy of the mapped site boundary as presented in the application documentation. In sections of the proposed development, the site boundary is defined by reference to a river channel. However, this river was subject to historical realignment and straightening over 60 years ago and its current physical course on the ground differs from that shown on older deed-based mapping.

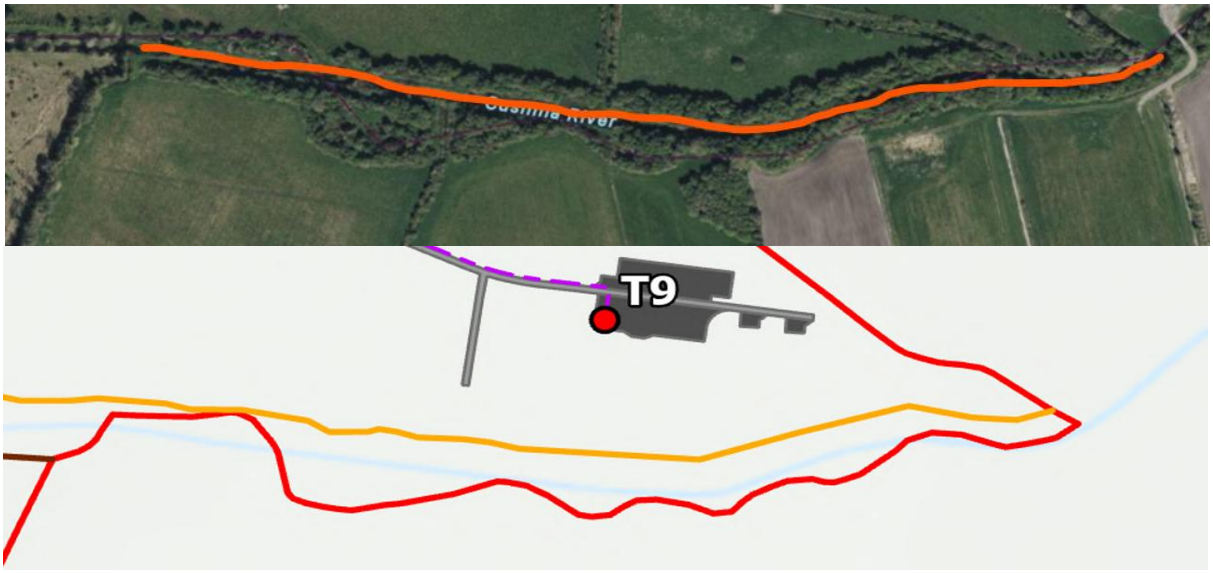


Photo1: The top shows in orange the location of the Cushina river that is the boarder to the proposed site. The bottom shows that parts of our land have been taking into the site boundaries.

It appears that the application may rely on historic mapping rather than the current alignment of the watercourse (Photo 1). As a result, lands which are situated on our side of the present river Cushina and which form part of our agricultural holding, appear to be included within the application site boundary. To our knowledge this land is within our ownership and are not subject to any agreement with the applicant. This raises concerns regarding the accuracy of the red line boundary, the identification of land ownership and control, and the reliability of the spatial data underpinning the Environmental Impact Assessment Report.

In circumstances where the application boundary does not accurately reflect on-the-ground conditions or land ownership, there is a risk that the assessment of environmental effects, land-use impacts and hydrological interactions may be based on incorrect assumptions. This matter warrants clarification and careful scrutiny by the Board.

Furthermore, under Section 230 of the Planning and Development Act 2024, planning authorities are required to consider the environmental sensitivity of geographical areas likely to be affected by proposed development. Our holding constitutes an active agricultural enterprise including livestock, land, water supply, farm buildings, wildlife and a continuously occupied working yard. These are recognised environmental receptors within Environmental Impact Assessment practice. The proximity of turbines to our active agricultural workplace, within a multi-county development framework and across a single integrated holding, gives rise to material planning considerations that warrant detailed scrutiny by the Board.

In addition, Ireland is a party to the Aarhus Convention, which emphasises the importance of early and meaningful public participation in environmental decision-making, particularly for developments subject to Environmental Impact Assessment.

In circumstances where large-scale turbine infrastructure is proposed in immediate proximity to an established agricultural workplace and lands forming part of a cross-county holding, early engagement with directly affected landowners represents an important element of transparent and participative environmental governance. The planning, environmental and operational implications arising from these matters are examined in detail in the sections that follow, including consideration of turbine siting and setback distances, impacts on the agricultural holding, ecological sensitivities within the Cushina–Figile floodplain landscape, and potential effects on local infrastructure and amenity.

2 To Close to our Property

2.1 Proximity to Main Farmyard (County Kildare)

Photo2: Our Farm In the townlands, Derrylea and Chevychase/Derrynadarragh and circled in white is our farmyard with all our buildings.

Photo3: One of the Cattle sheds with room for up to 50 animals also location of one of our owl boxes (November 2025)

Photo4: Other cattle shed with space for up to 50 animals and our hayshed (November 2025)

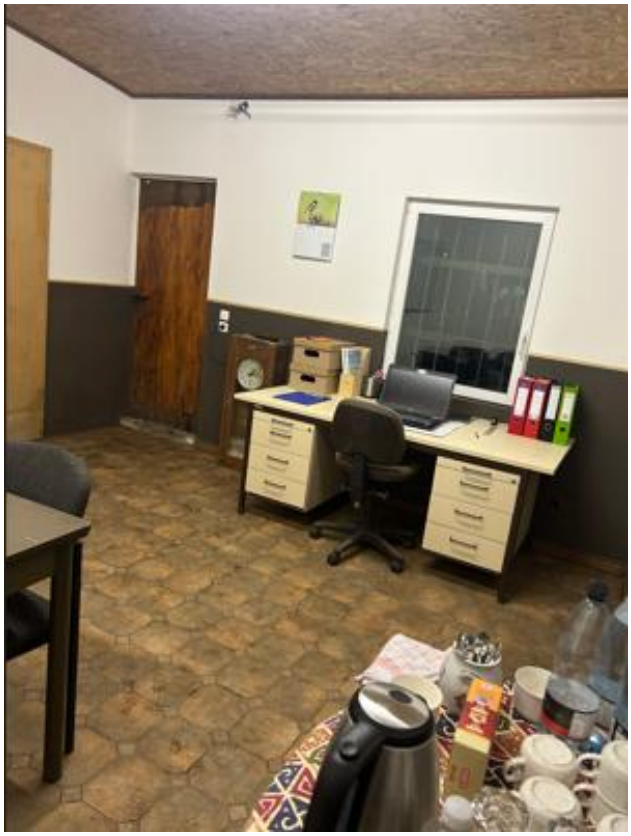


Photo5: Photo of our office that's located on the Farmyard (November 2025)

Photo6: Back half of the office, with a whiteboard that is used for planning, a kitchen table for breaks and a drawing board with a drawing of a potential new farm building (November 2025)

Photo7: Two slatted sheds on the left with room for up to 350 depending on size of cattle. The shed on the right is our calving unit, with room for additional 40 to 50 animals and with our workshop and our office.

Photo8: Picture of the view from inside the front gate. On the photo there is our calving shed with our office.

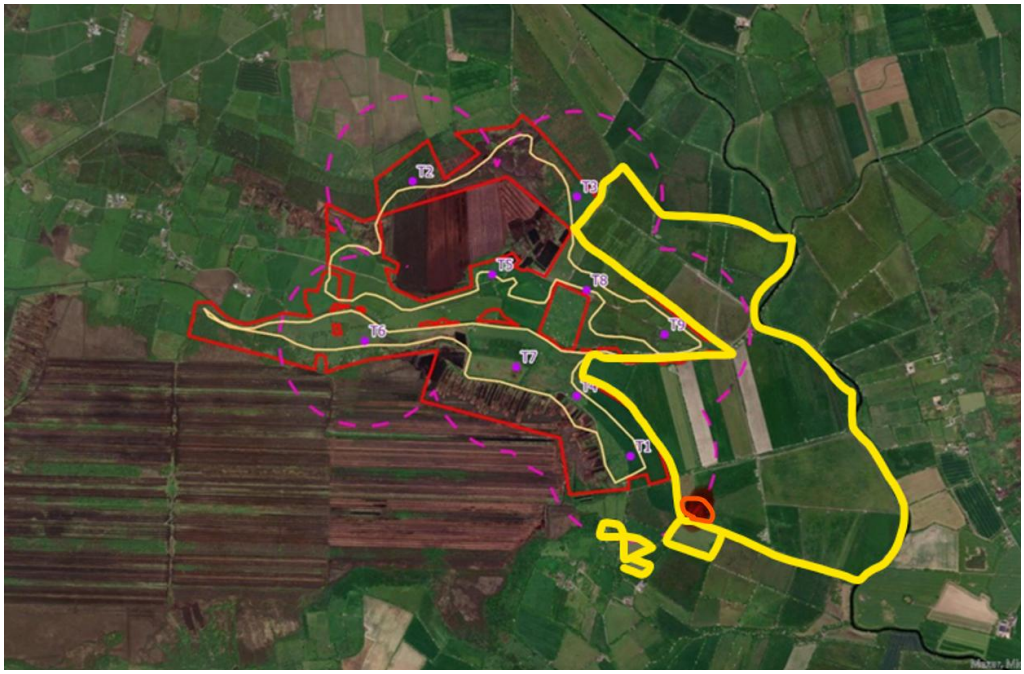


Photo 9: Our land in comparison to the proposed development, marked in yellow our boundary in compassion to the development, marked in orange and red our main farmyard as it was hidden under the buffer zone marking.

The farmyard and operational centre of our agricultural holding is located within County Kildare. This yard contains livestock housing, calving facilities, slatted sheds, machinery storage, a private well, and a farm office. It is a continuously occupied agricultural workplace with daily operational activity throughout the year. Proposed Turbine 1 is located at an extremely limited separation distance from this farmyard. Based on GPS measurement using Irish Grid references (Photo10), the closest operational position of the rotor results in an approximate separation distance of:

- 355m from rotor sweep envelope, and
- 436m from mast to the farmyard.

As modern turbines rotate to face prevailing wind direction, separation distance must be assessed by reference to the full 360-degree rotor sweep envelope rather than the blade orientation illustrated on layout drawings.

The Draft Revised Wind Energy Development Guidelines (2019) recommend a minimum setback of four times the turbine tip height between turbines and residential properties, subject to a mandatory minimum of 500m. With a proposed tip height of 187m, four times tip height equates to 748m. Although framed in the context of residential curtilage, the underlying planning rationale of the setback requirement is to ensure appropriate land-use compatibility, safeguard amenity, and avoid significant adverse effects arising from proximity to large-scale turbine structures.

In this case:

- The farmyard is a continuously occupied workplace.
- Livestock housing and calving facilities are located within the yard.
- The yard functions as the operational centre of a commercial agricultural enterprise.

The separation distance of 355m to the rotor sweep represents less than half of the 4x tip height guideline distance and even going from the mast it is less then. The Kildare County Council Development Plan 2023–2029 (Appendix 2 – Wind Energy Strategy, Section 6.5 Siting, Layout and Design) states

> "*Wind turbines will not be permitted to locate within a distance of four times the tip height between a wind turbine and the nearest point of the curtilage of any existing or permitted residential property, subject to a mandatory minimum setback of 500 metres (or four times the tip height of the turbines). An exception may be provided for a lower setback requirement from existing or permitted dwellings or other* ***sensitive properties*** *to new turbines where the owner(s) and occupier(s) of the relevant property or properties are agreeable to same, but the noise requirements of these Guidelines must be capable of being complied with in all cases. In such exceptional reduced setback situations, the relevant parties must provide written confirmation to the satisfaction of the planning authority that they have agreed to a reduced setback and have no objection to the proposed wind energy development*.",
> Full Appendices for Printing.pdf

No such agreement has been sought from or provided by us.

Furthermore, Section 230 of the Planning and Development Act 2024 requires planning authorities to consider the environmental sensitivity of geographical areas likely to be affected by proposed development. The Environmental Protection Agency's 2022 Guidelines (EPA 2002) on the preparation of Environmental Impact Assessment Reports recognise receptors as including land, animals, soil, water, and built structures, all of which are present within an active agricultural holding.

Our farm comprises livestock, agricultural buildings (Livestock housing), a private well, soil resources, and a continuously occupied yard with an operational office. It therefore constitutes a sensitive and continuously active receptor in planning terms.

The siting of a 186 to 187m industrial turbine at a separation distance of 355m from this operational farmyard places the structure in immediate functional relationship with livestock handling areas, machinery operation zones, and daily occupational activity. Taken together, the limited separation distance, the absence of any landowner agreement for reduced setback, and the proximity to a continuously occupied agricultural workplace give rise to significant land-use compatibility concerns. The proposed layout does not reflect the precautionary intent underlying national and local wind energy setback policy and therefore raises a material planning concern that warrants careful scrutiny by the Board.

*Photo10: Distance from Turbine 1 (659937, 714994) to our Farmyard with all our Buildings and our well in Derrylea, **436m** to mast, **355m** from rotor sweep, Irish grid reference*

2.2 Proximity to Adjoining Property, Non-Compliance with Section 5.13 (Wind Energy Development Guidelines 2006)

The proximity of the proposed turbines to our property boundary is exceptionally limited. Measured from rotor sweep to boundary:

- Turbine 4: 24m to boundary.
- Turbine 3: 40m to boundary.
- Turbine 9: 44m to boundary in Chevychase and 76m to the boundary of Derrylea
- Turbine 1: 86m to boundary.
- Turbine 8: 134m to boundary.

These distances have been mapped with the Irish grid reference using the coordinates provided by the developer and are illustrated in the photographic evidence provided below (Photos 11–16).

Section 5.13 of the Wind Energy Development Guidelines for Planning Authorities (2006) advises that a setback distance of not less than “two rotor blades” from adjoining property boundaries will generally be appropriate to prevent wind take and to safeguard the future development potential of adjoining lands.

Clarification issued by the Department under Circular Letter PD 6/06 (6 September 2006) confirms that the reference to “two rotor blades” is to be interpreted as two rotor diameters, and that separation distance should be measured from the outer edge of the rotor sweep (blade tip) rather than from the tower centre. The proposed turbines have a rotor diameter of 162m. Two rotor diameters therefore equate to a recommended separation distance of 324m from adjoining property boundaries. All

distances referenced below have been measured from the outer edge of the rotor sweep, being the blade tip at its closest operational position, in accordance with Circular Letter PD 6/06.

Measured from blade tip to our property boundary, the following turbines fall substantially short of the recommended 324m setback:

- Turbine 4 to boundary 24m from rotor sweep (one blade), 105m from tower centre (81 m radius) complying with the Circular letter PD6/06 it falls 300m short.
- Turbine 3 to boundary 40m from rotor sweep (one blade), 121 m from tower centre, complying with the Circular letter PD6/06 it falls 284 m short.
- Turbine 1 to boundary 86m to rotor sweep (one blade), 167m to mast, complying with the Circular letter PD6/06 it falls 238m to short.
- Turbine 9 to Chevychase boundary is 44 m to rotor sweep (one blade) and 125m from tower centre and 76m from rotor sweep (one blade) to Derrylea boundary and 157m from tower centre. complying with the Circular letter PD6/06 it falls its 248m too short to our Derrylea boundary and 280m short to the Chevychase boundary.
- Turbine 8 is 134m from blade tip (one blade), 215m from tower centre, complying with the Circular letter PD6/06 it falls, 190m short.

These are not marginal deviations from national guidance. Several turbines are located well within a single rotor diameter (162m) of our adjoining property boundary, representing an extremely limited spatial buffer between large-scale industrial structures and neighbouring agricultural lands.

Section 5.13 of the Wind Energy Development Guidelines is specifically intended to prevent wind take effects on adjoining lands and to safeguard the future development potential and reasonable use of neighbouring property. The proposed turbine siting materially undermines both objectives. The spatial envelope created by the turbines positioned at such limited separation distances would directly constrain the reasonable use and future development potential of our adjoining lands. In practical terms, it would sterilise significant portions of our holding for the operational lifetime of the wind farm, which may extend for 30–35 years. While Section 5.13 constitutes guidance rather than an absolute prohibition, it establishes a clear national benchmark intended to ensure equitable spatial planning between neighbouring landholdings. Any substantial departure from that benchmark requires clear planning justification. No such justification has been demonstrated in respect of the extreme proximity proposed in this instance.

Furthermore, where turbines are located at such limited distances from adjoining property boundaries, the operational envelope of the development and any associated mitigation measures may extend close to, or potentially affect, adjoining lands. In such circumstances, the implementation of the development could rely on the cooperation or consent of adjoining landowners. It is a well-established principle of planning practice that development proposals should not be designed in a manner that relies on the agreement of third parties over whom the applicant has no control. The purpose of the setback guidance is not solely related to safety or visual separation. It also reflects a broader planning principle that wind energy resources

should not be appropriated in a manner that unfairly constrains neighbouring landowners.

Where turbines are located at extremely limited distances from adjoining property boundaries, the operational wind envelope and associated planning constraints effectively extend beyond the applicant's landholding. In such circumstances, adjoining landowners may be prevented from reasonably utilising their own lands for future development, including potential renewable energy projects or agricultural infrastructure. The effect is that one landholding captures the operational wind resource while simultaneously restricting the ability of neighbouring lands to benefit from that same resource. The setback guidance therefore exists to ensure equitable spatial planning and to prevent the unintended transfer of development potential or wind resource from one property to another.

It is also notable that the turbines have been positioned at extremely limited distances from our adjoining property boundaries despite the availability of greater separation within the wider landholding available to the developer. This suggests that the layout has been optimised primarily to maximise turbine yield and site efficiency, rather than to provide appropriate spatial buffers between the development and neighbouring land users. While optimisation of energy generation is an understandable objective for renewable energy projects, it must be balanced against the requirements of proper planning, including the need to safeguard the reasonable use and future development potential of adjoining lands. In this instance, that balance does not appear to have been achieved.

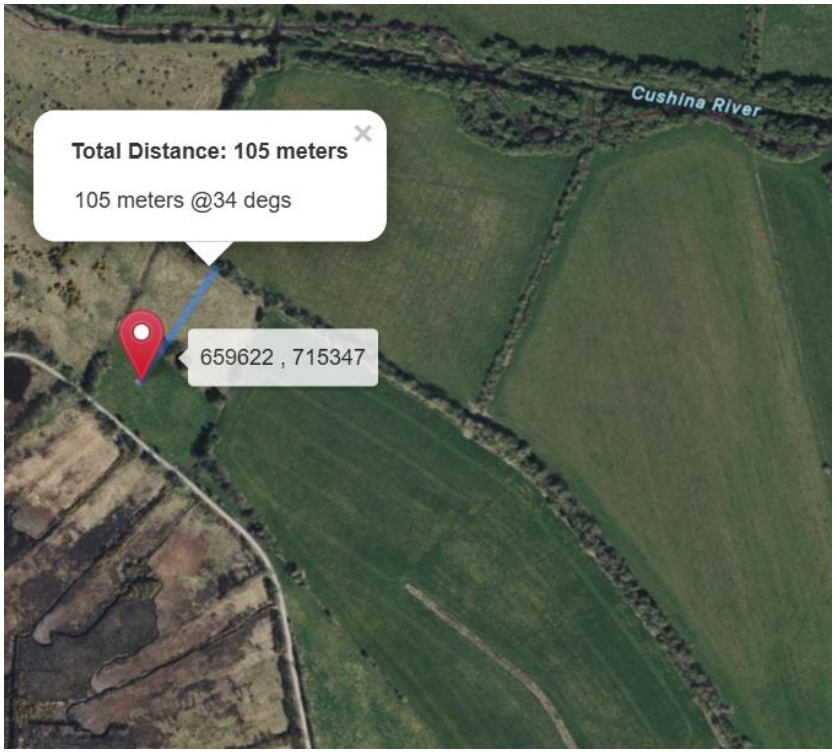


*Photo11: Distance from Turbine 4 (ITMx 659622, ITMy 715347) to our Paddock in Derrylea (approximately **105m to mast, 24m to rotor sweep**, Irish grid reference)*

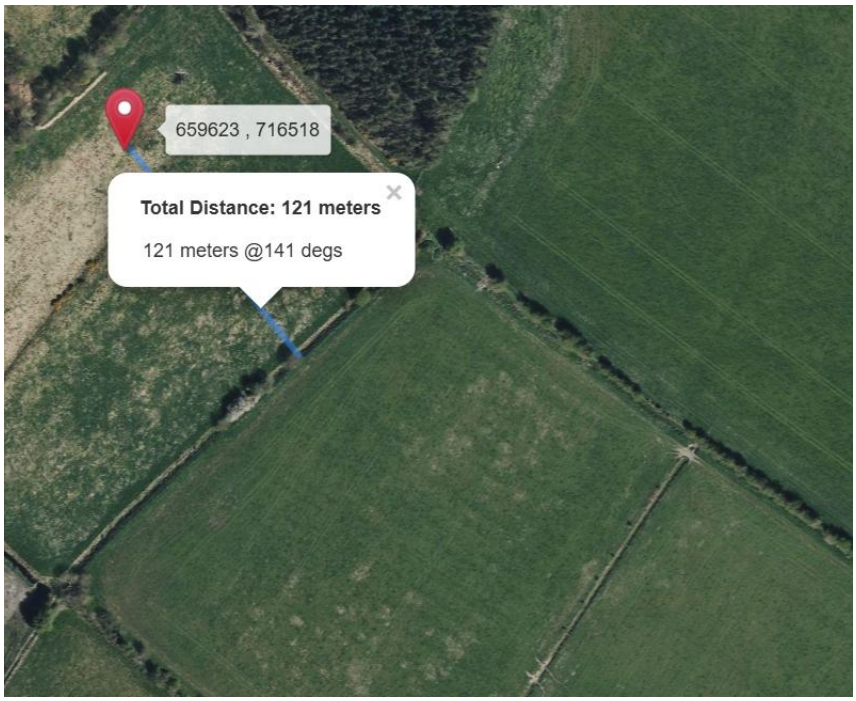


*Photo12: Distance from Turbine 3 (ITMx 659623, ITMy 716518) to our Paddock in Chevychase (approx. **121m to mast, 40m to rotor sweep**, Irish grid reference)*

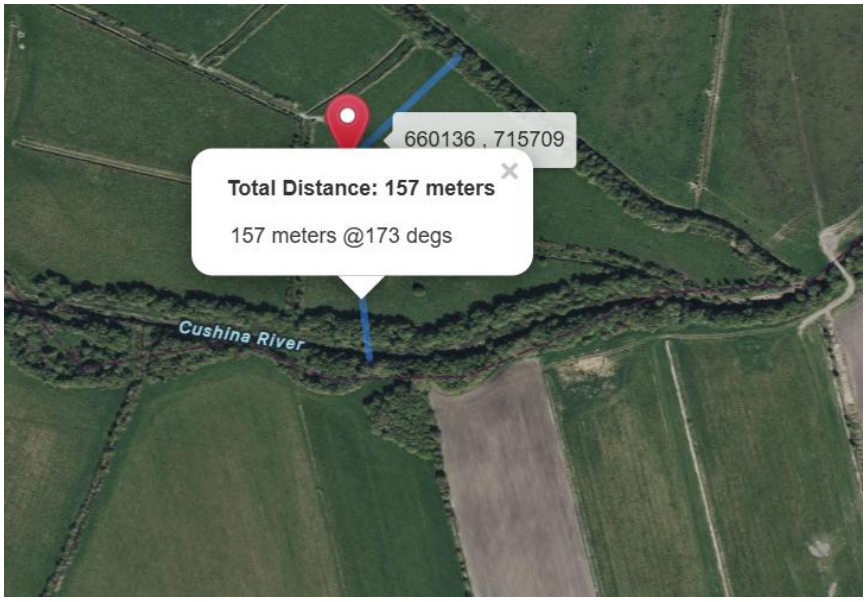


*Photo 13: Distance from Turbine 9 (ITMx 660136, ITMy 715709) to our Paddock in Derrylea (approx. **157m to mast, 76m to rotor sweep**, Irish grid reference)*

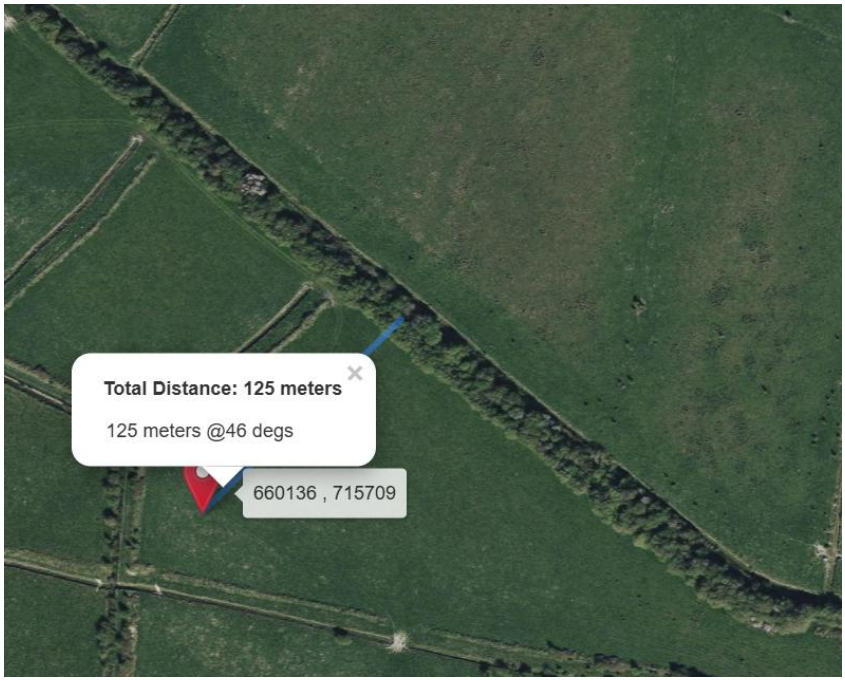


*Photo14: Distance from Turbine 9 (ITMx 660136, ITMy715709) to our Paddock in Chevychase (approx. **125m to mast, 44m to rotor sweep**, Irish grid reference)*

*Photo15: Distance from Turbine 1 (ITMx 659937, ITMy 714994) to our Paddocks in Derrylea (approx. **167m to mast, 86m to rotor sweep,** Irish grid reference)*

*Photo16: Distance from Turbine 8 (ITMx 659680, ITMy 715968) to our Paddock in Chevychase (approx. **215m to mast, 134m to rotor sweep,** Irish grid reference)*

2.3 Fall Distance and Consequence Based Risk

With a proposed tip height of 187m, the theoretical collapse radius in the unlikely event of structural failure would extend approximately that distance from the base of the mast. Given the separation distances outlined above, portions of our lands fall within this theoretical fall envelope.

While structural failure is rare, planning assessment must consider consequence as well as probability, particularly where adjoining lands are actively farmed and regularly occupied. Recognised operational risks associated with large-scale wind turbines include blade failure, ice throw, mechanical malfunction and fire. Such risks are ordinarily mitigated through prudent siting and the provision of adequate setback distances.

2.4 Immediate Visual Impact Arising from Proximity

The applicant's photomontage (Photo 18) illustrates the proposed turbines from a viewpoint approximately 1.5km away across the River Figile. While such long-distance viewpoints are useful for assessing broader landscape effects, they do not represent the experience of receptors located in immediate proximity to the development.

In our case, five turbines would be located between approximately 24m to 134m from our property boundary, with tower centre distances ranging from approximately 105m to 215m.

For contextual comparison, Photo 17 illustrates a turbine of comparable height viewed from approximately 240m. At that distance, which is greater than the separation distances of the proposed turbines in our case, the structure is visually dominant within the landscape.

The turbines proposed adjacent to our lands (particularly T1, T3, T4, T8 and T9) would be located closer. The visual experience from our farmyard and paddocks fields would therefore differ materially from that depicted in the applicant's 1.5km photomontage (Photo18). At the proposed distances, turbines of 187m in tip height would occupy an immediate, dominant and unavoidable presence in the working agricultural environment. The proximity of structures of this scale transforms the visual impact from a landscape issue into a direct land-use compatibility issue.

Photo17: Wind Turbine of Comparable Height Viewed from Approximately 240m (Cushaling Wind Farm)

Photo18: Photomontage from an area that is 1.5km from my yard, shows that due to us being so close they will be on top of us.

2.5 Shadow Flicker -Inadequate Assessment and Absence of Mitigation

The submitted shadow flicker mapping (Photo 19) demonstrates that our entire farm, including the farmyard and all paddocks, will be subject to shadow flicker effects. Despite this clear impact, the application provides no site-specific assessment of the operational implications for our active agricultural holding, nor does it propose any meaningful or enforceable mitigation measures.

Our farmyard is a primary work area involving daily livestock handling, machinery operation, vehicle movements, and other safety-critical agricultural activities. Intermittent and repetitive shadow flicker across these areas has the potential to cause visual disturbance and distraction, giving rise to foreseeable Health & Safety risks. This is particularly concerning given the presence of livestock and agricultural machinery, both of which require consistent visibility and sustained operator concentration.

The Wind Energy Development Guidelines for Planning Authorities (2006), Section 5.12, require that shadow flicker be assessed at nearby sensitive locations and that mitigation measures be implemented where significant effects are predicted. In this case, turbines are proposed at extremely close distances to our farmyard and paddocks, with blade tips located as near as 24m, 40m,44m, 76m, 86m and 134m from lands in continuous agricultural use. The EIAR provides no shadow flicker assessment specific to our property, no evaluation of operational impact on farming activities, and no mitigation strategy, such as turbine shutdown protocols or operational curtailment during predicted flicker periods. No binding planning condition is proposed to prevent excessive exposure.

Given the extreme proximity of turbines, the absence of a site-specific assessment and enforceable mitigation measures represents a material omission. Granting permission under these circumstances would be inconsistent with the requirements of the 2006 Guidelines and would expose an established agricultural enterprise to ongoing operational disruption and foreseeable Health & Safety risks. Accordingly, it is respectfully submitted that permission should not be granted, as no proper assessment has been undertaken in respect of our land, nor have clear and enforceable mitigation measures been secured by condition.

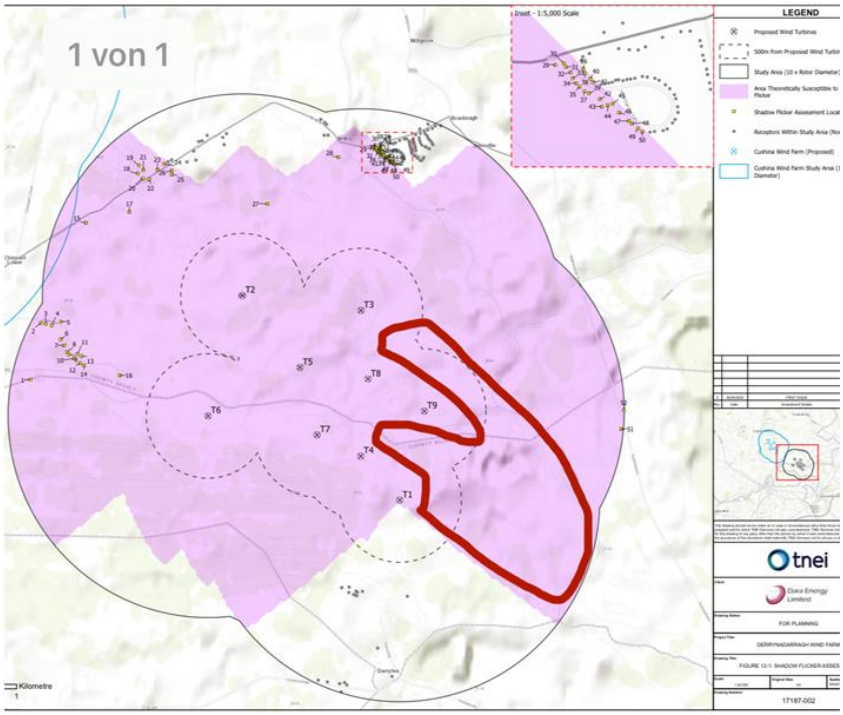


Photo19: Map of the Shadow flicker taken from "P22-145_Figure 12-1 Shadow Flicker Assessment R0.pdf", and inserted in red the approximate land boundary

2.6 Noise Assessment - Failure to Assess Farm Buildings and Adjacent Paddocks

The EIAR fails to include our farmyard buildings or adjoining paddocks as identified noise receptor locations, despite their immediate proximity to multiple proposed turbines.

Our farm buildings are located approximately 355 m from the rotor sweep of Turbine 1 (tip height 187 m). In addition, several turbines are positioned extremely close to our actively farmed paddocks, with blade tips located approximately 24m, 40m, 44m, 76m, 86m, and 134m from lands in continuous agricultural use. Photo 20 clearly demonstrates that no noise monitoring point or modelled receptor has been placed within or at the boundary of our property, despite these extremely limited separation distances.

The Wind Energy Development Guidelines for Planning Authorities (2006), Section 5.6, require that noise impacts be assessed at all relevant noise-sensitive locations. A farmyard functioning as the operational centre of an active agricultural enterprise, with daily livestock handling, machinery use, and year-round occupational presence, constitutes an established and lawful land use that clearly warrants receptor-specific assessment where turbines are proposed in proximity.

Despite this requirement, the EIAR provides no receptor-specific modelling for:

- Farmyard buildings
- Livestock housing structures
- Yard working areas
- Adjoining paddocks within 24–134 m of turbine blade tips

Without modelling at these locations, it is not possible to determine the actual predicted noise exposure, nor whether guideline limits would be met at these receptors. The omission of our property as a noise receptor prevents the decision-maker from properly assessing compliance with the 2006 Guidelines and from determining whether mitigation measures or enforceable planning conditions are required.

Given the extreme proximity of multiple turbines to our land, the absence of receptor-specific assessment renders the noise evaluation incomplete and materially deficient in respect of our agricultural enterprise. At these distances, turbine noise is likely to disturb livestock, interfere with daily farm operations, and reduce the functional usability of the paddocks. Permission should not be granted based on an assessment that has failed to evaluate noise impacts at one of the closest and most continuously occupied properties adjoining the development.

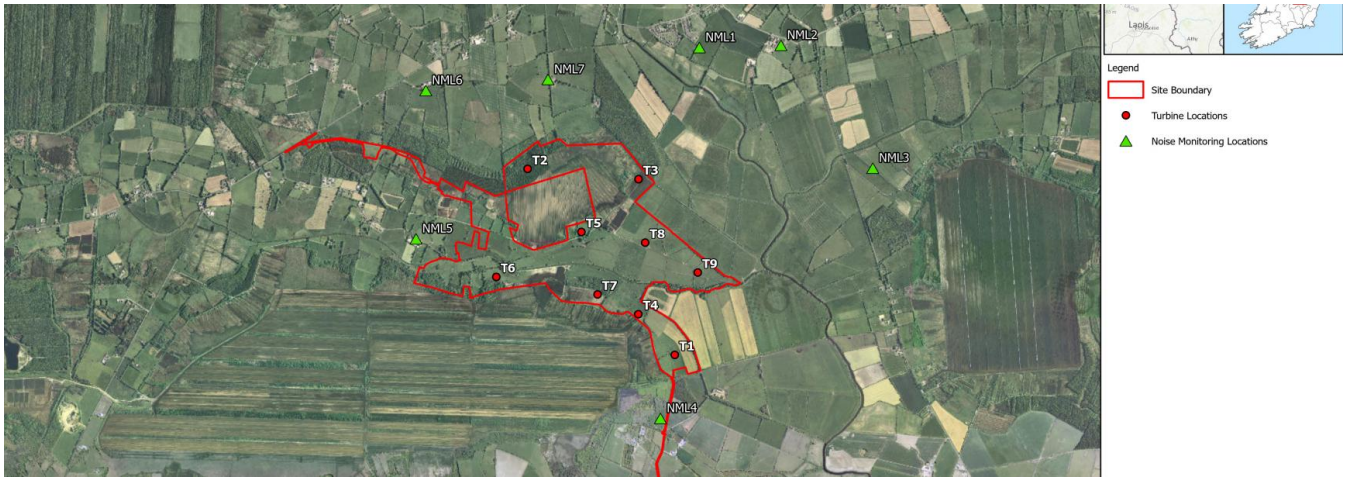


Photo20: Map of the monitoring points, no monitoring at our premisses (Yard or paddocks) even though we are right beside it.

2.7 Stray Voltage

Stray voltage associated with electrical infrastructure is a recognised concern within agricultural settings, particularly in relation to livestock behaviour, milk yield, water intake and general animal welfare.

The proposed development includes turbines, transformers and underground electrical cabling in close proximity to our grazing lands and farmyard infrastructure, including livestock watering systems.

Despite this proximity, the application documentation contains:

- No stray voltage risk assessment specific to our holding.
- No baseline (pre-construction) voltage monitoring.
- No post-construction monitoring programme; and
- No mitigation or remediation protocol if elevated voltage levels are detected.

Given the sensitivity of livestock to low-level electrical currents and the reliance of our farm enterprise on water troughs, metal fencing and grounded infrastructure, the absence of any assessment or monitoring framework represents a material omission. At a minimum, independent pre- and post-construction stray voltage monitoring should be required by condition to safeguard agricultural operations and ensure that the development does not adversely affect livestock welfare or productivity

2.8 Cumulative Yard Level Impact (Chapter Conclusion)

When considered collectively, the matters raised throughout this Chapter demonstrate a significant and unjustified departure from the setback and receptor assessment principles set out in Section 5.13 of the Wind Energy Development Guidelines for Planning Authorities (2006), as clarified by Circular Letter PD 6/06,

and result in a concentrated and sustained impact immediately adjacent to an established agricultural workplace.

These matters include:

- Non-compliance with recommended setback distances and failure to prevent wind take.
- Turbines located substantially within the advised boundary separation distance and within the theoretical fall radius of adjoining lands.
- Sterilisation of substantial areas of agricultural land for the operational lifetime of the development.
- An immediate and dominant visual presence within a continuously occupied farm environment.
- Extensive shadow flicker exposure across the farmyard and paddocks, in direct contravention of Section 5.12 of the 2006 Guidelines, which requires shadow flicker to be assessed at all sensitive locations and mitigated where significant effects are predicted.
- Failure to model noise at farm buildings and operational lands, contrary to Section 5.6 of the 2006 Guidelines, which requires noise impacts to be assessed at all nearby sensitive receptors, including farm buildings and operational areas where there is continuous occupational activity.
- Absence of stray voltage assessment or monitoring; and
- Fire and operational risk associated with extreme turbine proximity.

While each of these matters individually raises serious concern, their cumulative effect is particularly significant. The proposed layout results in multiple industrial-scale turbines being positioned at exceptionally close range to a continuously occupied and intensively managed agricultural enterprise. This clustering of impacts creates long-term operational constraints over the anticipated 30–35-year lifespan of the development.

The EIAR does not adequately assess this cumulative yard-level effect, nor does it demonstrate that the proposal is compatible with the continued safe and sustainable operation of our farm. In planning terms, the issue is not simply one of individual technical deficiencies, but of overall land-use compatibility, proper spatial planning, and compliance with national wind energy guidance (Sections 5.6, 5.12, and 5.13).

The concentration of risk, disturbance, and operational constraint immediately adjoining our holding is contrary to the intent of national wind energy guidance and is prejudicial to the proper planning and sustainable development of the area.

3. EPA Guidelines Environmental and Operational Concerns

We raise the following concerns under the framework of the Environmental Protection Agency (2022) Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (EIAR). These Guidelines require

comprehensive identification, assessment, and mitigation of impacts on environmental receptors**,** including human occupation, agricultural land use, ecological habitats, groundwater resources, soils, and hydrological systems.

3.1 High-Sensitivity Multi-Receptor Environment

Our landholding constitutes a **high-sensitivity, multi-receptor environment** within the zone of influence of the proposed development. The presence of:

- Regular human occupation (farm office and daily operations)
- An active suckler/beef and tillage enterprise
- A private groundwater supply
- Sensitive peat and soil resources
- Hydrological connectivity to a downstream Special Area of Conservation pathway
- Documented use by red-listed bird species

collectively elevates the vulnerability of the site to environmental and operational impacts.

The exceptional proximity of multiple turbines, including infrastructure located approximately 24m, 40m, 44m, 86m and 134m from the paddock boundary, significantly increases exposure risk to operational noise, vibration, shadow flicker, visual dominance, and safety impacts associated with agricultural activity.

Based on the documentation reviewed, receptor-specific baseline data, impact modelling, and targeted mitigation measures do not appear to have been adequately provided. This represents a material uncertainty in the environmental appraisal process.

3.1. Farm Office, Farmyard – Human Occupation and Amenity

The farm office is regularly occupied and is integral to livestock management, regulatory compliance, and day-to-day agricultural administration. Although non-residential, it constitutes a human receptor under EIAR methodology and falls within the EPA's definition of "population and human health" as an environmental receptor (EPA, 2022), given its status as a place of routine occupational presence.

- Distance to turbines: approximately 355 m to 436 m
- Potential impacts: operational noise (including low-frequency sound and amplitude modulation), vibration, and shadow flicker.
- Identified gap: No receptor-specific noise modelling, vibration assessment, or mitigation measures appear to have been undertaken for this regularly occupied workplace.

The assessment appears to focus exclusively on residential dwellings and does not evaluate potential effects on non-residential buildings subject to sustained human occupation. In the absence of site-specific analysis, the potential impact on this essential operational workspace has not been adequately addressed.

Photos 5 and 6 confirm the location and established use of the farm office within the yard complex.

3.2 Livestock and Agricultural Operations

Our holding supports an active suckler livestock enterprise were maintaining a stable, low-stress environment is essential for animal welfare, health, and productivity. The proposed turbines, located near our livestock buildings and paddocks, introduce potential exposure to:

- Operational noise (including low-frequency sound and amplitude modulation),
- Shadow flicker,
- Visual movement effects from rotating blades,
- Possible vibration transmission.

Such factors may be particularly relevant during sensitive management periods, including calving and winter housing, when livestock are more susceptible to disturbance.

Under Article 3 of Directive 2011/92/EU on Environmental Impact Assessment, as amended by Directive 2014/52/EU, an Environmental Impact Assessment must identify, describe, and assess likely significant effects on:

- Population and human health
- Land and soil
- Material assets
- And the interaction between these factors

An operational agricultural enterprise, including livestock, grazing lands, and associated farm infrastructure, forms part of this receiving environment. Livestock and agricultural productivity represent material assets, while grazing lands fall within the categories of land and soil. Where development has the potential to affect animal welfare, behavioural patterns, or agricultural output, such effects fall within the scope of environmental assessment.

However, the planning documentation does not appear to include any assessment of potential behavioural, welfare, or productivity impacts on livestock arising from turbine proximity.

- Identified gap: No livestock-specific impact assessment and no mitigation strategy are proposed in respect of this operational holding.

Given the limited separation distances and the continuous nature of livestock management on the site, the omission of receptor-specific analysis represents a material gap in the overall environmental assessment.

3.3 Breeding Waders – Curlew, Snipe and Lapwing

The land is utilised by red-listed ground-nesting species, including:

- Eurasian Curlew (Numenius arquata)
- Northern Lapwing (Vanellus vanellus)
- Snipe (Gallinago Gallinago)

Mapped observations and seasonal usage (referenced in Section 9 of this objection) indicate regular habitat utilisation. In accordance with the precautionary principle, regularly used habitat for protected species must be treated as a sensitive ecological receptor.

Our holding is currently participating in the Breeding Waders EIP (European Innovation Partnership Programme), a national conservation initiative aimed at supporting the recovery of breeding wader populations in Irish farmland landscapes. The presence and breeding activity of Curlew and Lapwing on the holding form part of the ecological basis for that participation. The species are classified as Red-listed Birds of Conservation Concern in Ireland and are priority species under national conservation initiatives.

- Identified gap: The EIAR does not adequately assess disturbance, displacement, or cumulative habitat fragmentation impacts on these species, as required under national legislation and the EU Birds Directive.

Photo21: ArcGis map showing the observations done by the Breeding Waders EIP on our land from this year and that the area is a important breeding ground for waders (March 2026)

3.4 Private Groundwater Supply

Our farm relies on a private groundwater well which supplies drinking water for both domestic and livestock use. The integrity and reliability of this supply are critical to the viability of the agricultural enterprise and to population and animal health.

Under the EPA Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (2022), water, including groundwater, is identified as a core environmental receptor requiring assessment. Article 3 of Directive 2011/92/EU (as amended) requires an Environmental Impact Assessment to identify, describe, and assess likely significant effects on water and on population and human health.

While the EIAR maps certain nearby wells within the study area, our private well (E:260343 Y:214677) which lies within the receiving environment of the proposed development is not identified, described, or assessed.

The omission of an existing private groundwater supply from the baseline receptor mapping raises concern as to whether:

- The hydrogeological assessment has fully identified all relevant receptors.
- The potential impact pathways to this specific well have been evaluated.
- Any monitoring or protective measures have been considered.

In the absence of acknowledgement and assessment of our well within the EIAR documentation, it is not possible to conclude that the proposed development adequately safeguards this essential water source.

3.5 Soil, Peatland and Agricultural Productivity

Soil resources are fundamental to agricultural productivity, drainage regulation, carbon storage, and ecological stability. Portions of the surrounding area are underlain by peat soils, which are particularly sensitive to disturbance due to their high organic content, low structural stability, and hydrological complexity.

Under Article 3 of Directive 2011/92/EU (as amended) and the EPA Guidelines (2022), land and soil are identified as core environmental receptors requiring assessment.

Construction activities associated with turbine foundations, cable trenching, access roads, and hardstanding areas introduce potential risks including:

- Soil compaction
- Erosion and sediment displacement
- Alteration of existing drainage patterns
- Dust deposition affecting adjoining farmland

Given the proximity of works to neighbouring agricultural lands, off-site impacts represent a relevant impact pathway.

- Identified gap: The EIAR does not appear to include a site-specific assessment of potential off-site soil impacts on our adjoining agricultural lands, nor does it clearly define mitigation measures.

In the absence of such assessment and defined controls, it cannot be concluded that neighbouring soil resources and agricultural productivity are adequately protected.

3.6 Hydrological Connectivity to Protected Habitat

The subject lands are hydrologically connected via the Cushina River to the Figile River and ultimately to the River Barrow Special Area of Conservation (SAC), establishing a direct surface water pathway between the proposed development site and a designated European site.

The EIAR includes hydrological modelling and concludes that no significant downstream effects are likely to arise. However, given the established connectivity and the sensitivity of the receiving environment, it is essential that such conclusions are supported by clearly defined, site-specific mitigation measures and transparent modelling assumptions.

Potential construction-phase risks include:

- Sediment mobilisation
- Nutrient release
- Accidental contamination events
- Increased runoff rates during heavy rainfall

Under Article 6(3) of the Habitats Directive (92/43/EEC), projects must demonstrate, beyond reasonable scientific doubt, that no adverse effect on the integrity of a European site will occur. Given the direct pathway to the River Barrow SAC, further clarity is required regarding:

- The assumptions underpinning the hydrological modelling
- The sensitivity analysis applied to extreme weather events
- The long-term effectiveness and monitoring of controls
- The interaction with cumulative impacts

3.7 Cumulative Boundary Proximity Effects

Nine turbines are proposed, with multiple turbines clustered in extreme proximity to the western boundary and one on the northern property boundary. This clustering increases the likelihood of cumulative environmental and operational effects, including:

- Noise propagation
- Repeated shadow flicker exposure
- Visual dominance
- Occupational and livestock safety concerns
- Identified gap: The EIAR does not demonstrate that cumulative boundary effects have been adequately modelled or mitigated.

3.8 Integrated Sensitivity and Precautionary Assessment

The combination of active agricultural operations, human occupation, protected ecological receptor presence, groundwater dependency, sensitive soil resources, hydrological linkage to a SAC pathway, and extreme turbine proximity establishes the subject property as a high-sensitivity, multi-receptor environment. In the absence of comprehensive receptor-specific baseline monitoring, impact modelling, and mitigation planning, it cannot reasonably be concluded that the proposed development would avoid significant adverse environmental or operational impacts.

4 Future Planning and Development Potential of our Property

4.1 Impact on Future Residential Development

The proposed turbine layout has the potential to materially constrain the reasonable future residential development potential of our holding. The provision of on-site family accommodation is consistent with the established rural character of the area and aligns with national and local planning policy objectives supporting the long-term viability and intergenerational continuity of family farms.

The Kildare County Council Development Plan 2023–2029, reflecting the Draft Revised Wind Energy Development Guidelines (2019), requires a minimum separation distance of 500m or four times the turbine tip height (whichever is greater) between wind turbines and residential properties (as referenced in Section 2.1 of this objection). Where turbines are positioned near adjoining lands, any future residential dwelling may fall within prescribed setback distances, predicted noise contours, or shadow flicker zones. This can give rise to a sterilisation effect, whereby otherwise reasonable residential development potential is significantly restricted for the operational lifetime of the wind farm.

Irish planning practice recognises separation distance and residential amenity as material considerations in wind energy development. An article published in the Irish Independent Independent (Wind farm company challenges planning permission for Tipperary woman's home | Irish Independent, 11 November 2025) reported that a wind farm company challenged planning permission for a residential dwelling in County Tipperary based on proximity to turbine infrastructure. While each case must be assessed on its own merits, the example illustrates how separation distance and compatibility between turbines and residential development are actively relied upon in Irish planning decisions.

Given the anticipated operational lifespan of the proposed development, the potential restriction of future residential use on adjoining lands represents a significant long-term land-use planning consideration that warrants careful evaluation in the interests of proper planning and sustainable development.

4.2 Impact on Future Agricultural and Renewable Development

Our yard is an active tillage and suckler enterprise, and the continued viability of the farm depends on its ability to adapt, modernise, and expand. Future development plans include:

- Additional livestock housing
- Grain storage facilities
- Machinery storage sheds
- Feed and bedding infrastructure.
- A potential on-farm anaerobic digester as part of our own renewable energy transition

The proximity of the proposed turbines introduces material uncertainty and potential constraint in respect of these developments. Any future planning applications may become subject to additional environmental, safety, separation, or noise-related assessments arising solely from the presence of the wind farm infrastructure. Buffer zones, safety margins, shadow flicker exposure, and operational risk considerations may significantly restrict the siting or scale of agricultural buildings within our yard.

Having regard to Section 5.13 of the Wind Energy Development Guidelines (2006), which advises that a setback of not less than two rotor diameters from adjoining property boundaries will generally be acceptable to avoid wind take and to safeguard the future development potential of adjoining lands, the proposed turbine siting fails to adequately protect our landholding.

By reason of its extreme proximity to our boundary (as detailed in Section 2.2), the proposal would create an effective exclusion zone on our lands without our consent or agreement. This constitutes an undue and unjustified constraint on the reasonable future development and use of our property. The practical effect would be the sterilisation of part of our holding for the operational benefit of the applicant. Such an outcome is contrary to the intent of Section 5.13, inconsistent with established planning principles, and prejudicial to the proper planning and sustainable development of the area.

4.3 Insurance Risk and Increased Operational Costs

The exceptional proximity of multiple turbines to our property boundary also gives rise to legitimate concerns regarding insurance risk exposure and associated cost implications. Commercial farm insurance policies assess risk partly on proximity to large-scale industrial infrastructure.

Given the scale, height, and blade span of the proposed turbines, together with the limited setback distances (as detailed in Section 2.1 and 2.2), insurers may reasonably classify our holding as presenting elevated risk exposure in relation to:

- Structural collapse during extreme weather events
- Blade throws or component failure
- Fire events involving turbine nacelles or associated electrical infrastructure.
- Debris dispersal beyond the turbine base

- Third-party liability exposure arising from adjacency to industrial scale infrastructure.
- Ice throwing

Even where such events are statistically infrequent, proximity at distances as low as approximately 24 m from the rotor sweep to our boundary materially increases perceived risk exposure. This may result in increased insurance premiums, policy exclusions, enhanced public liability requirements, or difficulty securing coverage for future agricultural or residential development. As an active working farm with livestock, staff presence, machinery operations, and regular occupation of the farm office, comprehensive insurance cover is essential. Any increase in premiums or restriction in cover attributable to turbine siting would constitute an ongoing financial burden directly arising from this development.

No assessment within the EIAR addresses the potential economic consequences for adjoining landowners arising from insurance risk reclassification. This represents a further deficiency in the cumulative impact evaluation.

In addition, the proposed development is located within a floodplain landscape associated with the River Figile corridor. Where infrastructure is located within areas of recognised flood susceptibility, insurers may apply enhanced risk assessment criteria. The interaction between flood risk exposure and large-scale industrial structures may therefore contribute to increased insurance premiums or additional policy conditions for adjoining landowners. No assessment within the EIAR considers these implications.

4.4 Cumulative Financial and Development Prejudice

When assessed cumulatively, the proposed development imposes a significant and disproportionate planning burden on our established family farm. The extreme proximity of multiple turbines to our boundary not only risks sterilising land for essential residential succession, but also constrains agricultural expansion, renewable diversification, and operational flexibility.

In addition, the foreseeable reclassification of our holding as an elevated insurance risk location introduces the likelihood of increased premiums, coverage limitations, and long-term financial exposure arising solely from adjacency to the proposed infrastructure. The combined effect of residential sterilisation, agricultural constraint, renewable limitation, and increased insurance and liability exposure amounts to a material interference with the reasonable use and future development potential of our lands. In planning terms, this represents an unjustified transfer of risk and restriction to our adjoining landholding without consent, agreement, or compensation. Such an outcome is contrary to the principles of proper planning and sustainable development, inconsistent with the safeguarding intent of Section 5.13 of the Wind Energy Development Guidelines (2006) and fails to equitably balance private development gain against the rights and long-term viability of an established agricultural enterprise. In the absence of clear, receptor-specific evidence demonstrating that these cumulative impacts have been fully assessed and proportionately addressed, the proposed development cannot reasonably be regarded as compliant with sound planning practice.

5. Peatland and Floodplain

The proposed wind farm development on designated floodplain and peatland areas raises serious environmental, hydrological, and regulatory concerns. Peatlands are internationally recognized as critical carbon sinks, storing vast amounts of greenhouse gases. According to the Irish Peatland Conservation Council (IPCC, 2023), Ireland's peatlands play a vital role in climate regulation by sequestering carbon and mitigating greenhouse gas emissions. However, degradation and drainage have significantly reduced their capacity to function as carbon sinks, resulting in increased emissions. The Council's action plans emphasize the urgent need for peatland restoration and protection to enhance their carbon storage potential and support national climate targets. Any disturbance, such as excavation, drainage, or heavy construction, can release significant amounts of stored carbon, thereby undermining Ireland's climate action goals.

Developing on these landscapes' risks transforming peatlands from carbon sinks into carbon sources, exacerbating greenhouse gas emissions and climate change (Irish Peatland Conservation Council, 2023) Similarly, floodplains play a vital ecological and protective role by naturally absorbing and storing excess rainfall, helping to mitigate downstream flooding. These low-lying areas adjacent to rivers act as natural buffers, reducing the velocity and volume of floodwaters while also supporting biodiversity and groundwater recharge. The Office of Public Works (2021) highlights that interference with these natural systems, through development, drainage, or river channel modification, can drastically alter natural drainage patterns, increasing flood risk for adjacent lands and communities. The loss or degradation of floodplains not only exacerbates the frequency and severity of flooding but also diminishes the ecological functions they provide. As climate change continues to intensify extreme weather events, protecting and restoring floodplains has become an essential component of sustainable flood risk management in Ireland.

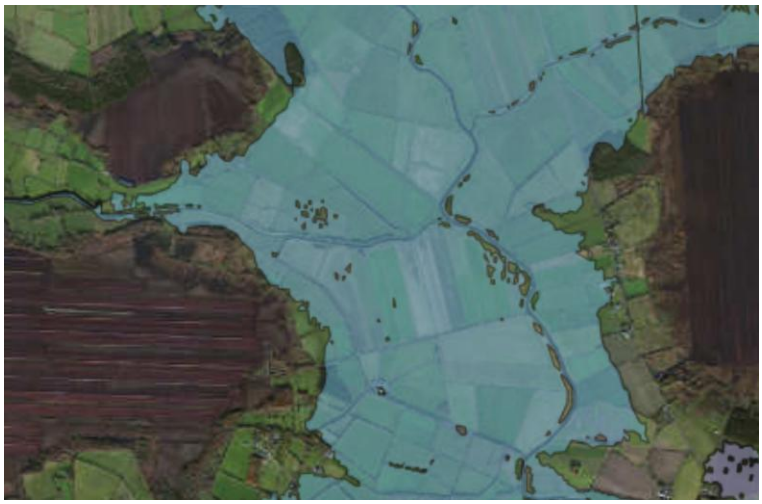
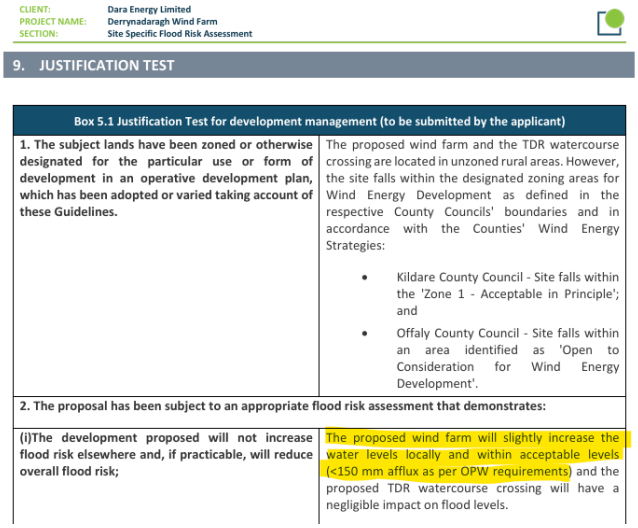


Photo22: taking from Flood Maps - Floodinfo.ie, showing the flood plain of the area.



CLIENT: Dara Energy Limited
PROJECT NAME: Derrynadaragh Wind Farm
SECTION: Site Specific Flood Risk Assessment

9. JUSTIFICATION TEST

Box 5.1 Justification Test for development management (to be submitted by the applicant)	
1. The subject lands have been zoned or otherwise designated for the particular use or form of development in an operative development plan, which has been adopted or varied taking account of these Guidelines.	The proposed wind farm and the TDR watercourse crossing are located in unzoned rural areas. However, the site falls within the designated zoning areas for Wind Energy Development as defined in the respective County Councils' boundaries and in accordance with the Counties' Wind Energy Strategies: • Kildare County Council - Site falls within the 'Zone 1 - Acceptable in Principle'; and • Offaly County Council - Site falls within an area identified as 'Open to Consideration for Wind Energy Development'.
2. The proposal has been subject to an appropriate flood risk assessment that demonstrates:	
(i)The development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk;	The proposed wind farm will slightly increase the water levels locally and within acceptable levels (<150 mm afflux as per OPW requirements) and the proposed TDR watercourse crossing will have a negligible impact on flood levels.

*Photo23: Taken from the EIAR Volume III for the proposed development, p55 of the document (*Appendix 12 Hydrology and Water Quality 2026.pdf)

In this context, the applicant's NIS states that local water levels will be slightly increased, reportedly within "acceptable" limits below 150 mm (Photo 23). However, this designation of "acceptable" is misleading. Our farm's location on low-lying floodplain land means that even minor rises in water level can cause significant operational and economic impacts. Historical flooding events demonstrate that small increases in water levels can flood fields, damage roads and infrastructure, compromise livestock housing, and contaminate fodder. Therefore, a rise of 150 mm cannot reasonably be considered negligible or safe for a continuously occupied agricultural enterprise.

Rising the water level in this area will result in:

- Increased flooding of low-lying agricultural land,
- Waterlogging and soil degradation,
- Potential crop loss and reduced productivity,
- Damage to infrastructure, field boundaries, and livestock areas.
- Contamination of fodder.
- Flooding of animal housing what will create a hazard to the animals and the environment.
- Photo24 below shows the flood of 2020 that did severe damage to our property. Also, the flooding that year flooded the L-7178 and Derrylea was only assessable with a tractor Photo25
- The rain in November 2025 has completely flooded our land and has done damage to our roads and crops Photos 26 - 29 below also the QR Code below shows a video taken from a drone to the flooding of our yard. An interview with RTE radio 1 to this event can be found under Michael Miley's flooded farm | CountryWide - RTÉ Radio 1 , https://www.facebook.com/share/r/17BhSvBstK/?mibextid=wwXIfr
- Sadly, for the second time since November 2025, we have been flooded again in February 2026, due to this second flood we have lost a lot of good fodder

crops and took substantial damages to our roads. Increasing the flood risk and rising the water table (as shown in Photo23) will be fatal for our running farm as it could result in flooding sheds, animal housing and fodder storage Photo 30 + 31.

QR- Code1: Flooding of our yard in November 2025

Photo24: Floods of February 2020

Photo25: Shows the flooding of the L-7178 from February 2020

Photo26: Taken on the 16/11/25 after the heavy rainfall.

Photo27: Taken on the 16/11/25 after the heavy rainfall.

Photo28: Taken on the 16/11/25 after the heavy rainfall.

Photo29: Taken on the 16/11/25 after the heavy rainfall.

Photo30: Taken on the 14/02/26 after the second flood.

Photo31: Taken on the 15/02/26 after the second flood.

These risks are not hypothetical; they are well-documented outcomes when hydrological balances are disrupted by land development in sensitive areas (OPW, 2021). Moreover, the construction of infrastructure on peat soils and floodplain terrain can lead to.

Hydrological disruption of peat and floodplain soils can also result in:

- Soil erosion and peat instability
- Habitat destruction and biodiversity loss
- Sediment mobilisation and deterioration of water quality

Teagasc (2025) identifies sediment runoff from disturbed soils as a significant contributor to water quality decline in agricultural catchments. Furthermore, recent research coordinated by Peat Hub Ireland under the EPA confirms that peatland degradation is contributing to reduced water quality in the Irish midlands, posing an escalating threat to aquatic ecosystems and environmental management (EPA, 2025). Development within sensitive peat and floodplain landscapes risks compounding these existing pressures. These concerns are further governed by Good Agricultural and Environmental Conditions (GAEC) standards and Environmental Impact Assessment (EIA) regulations. As reported by the Farmers Journal (2023), stricter drainage controls and environmental protections are increasingly applied to developments affecting deep peat, high water tables, and hydrologically sensitive lands. Proceeding with industrial-scale development in such a location is inconsistent with national policy objectives relating to climate mitigation, biodiversity protection, water quality preservation, and sustainable land management.

Proceeding with a wind farm in such a location contradicts Ireland's climate mitigation and biodiversity protection goals. The cumulative impact on carbon storage, flood resilience, habitat integrity, water quality, and agricultural productivity in the surrounding area including my own land is substantial and long-term. In addition, the long-term integrity of the peatland must be considered in the context of decommissioning. The planning documentation indicates that turbine foundations will remain in situ and be covered with soil. However, once peatland hydrology is disturbed, it cannot be fully restored to its original ecological and hydraulic function. The permanent alteration of subsurface drainage pathways may compromise the peatland's ability to retain water, filter sediments, and store carbon.

5.1 Floodplain zone A and B

The proposed development is located within Flood Zones A and B (Photo 22), as defined under the Planning System and Flood Risk Management Guidelines (2009), representing areas of high (1% Annual Exceedance Probability, AEP) and moderate (0.1% AEP) likelihood of fluvial flooding. The introduction of substantial turbine foundations, crane hardstands, internal access roads, drainage infrastructure, and associated land regrading within an active floodplain has the potential to materially alter existing hydraulic conditions. Such works may displace established floodplain storage, reduce natural attenuation capacity, increase runoff rates, and interfere with established overland and fluvial flow paths during flood events.

While the applicant's documentation indicates that a site-specific Flood Risk Assessment incorporating detailed hydraulic modelling (including 1D/2D design storm scenarios) has been undertaken, material concerns remain regarding the modelling's scope, transparency, calibration against observed flood events, and independent verification. The predicted impacts on neighbouring lands, including our directly adjoining farm, may not fully capture documented historical flooding, weather events, cumulative catchment effects, or potential obstruction of natural floodplain connectivity. As acknowledged within the applicant's own documentation, local water levels are expected to slightly increase (Photo 23). Our farm has already experienced significant flood events, as evidenced in Photos 24–31 show from 2020 and 2025. Any alteration to flood hydraulics could reasonably increase the frequency, depth, and duration of flooding, with serious consequences for farm viability and the long-term productive use and value of the property.

In accordance with national policy, development within Flood Zone A is considered inappropriate unless it satisfies the Justification Test and is supported by a robust Flood Risk Assessment demonstrating compliance with the Sequential Approach and incorporating appropriate climate change allowances. It must also clearly demonstrate that the development will not increase flood risk elsewhere, particularly on adjoining third-party lands. In the absence of clearly demonstrated compliance with these requirements, there remains a significant and material concern that the proposed development could exacerbate flood risk to neighbouring agricultural property. This position is supported by the Planning System and Flood Risk Management Guidelines (2009), issued under Section 28 of the Planning and Development Act 2000 (as amended).

6. Impact on Livestock and Agriculture Operations

Our holding supports an active suckler and tillage enterprise, with pedigree breeding stock, calving activity, housed livestock, and paddock grazing occurring near the proposed turbines situated close to our boundaries.

Livestock constitute recognised environmental receptors within the Environmental Impact Assessment framework. However, the EIAR appears to focus primarily on residential receptors and does not include any specific assessment of potential impacts on livestock behaviour, welfare, or farm management arising from turbine proximity. Five of the proposed turbines are located at limited separation distances from both livestock buildings and paddocks as illustrated in point 2.1 and 2.2 of this document. During sensitive periods such as calving and winter housing, cattle are particularly susceptible to disturbance.

- Elevated and persistent Operational noise,
- shadow flicker exposure from multiple turbines at different times of the day,
- blade movement
- construction-phase activity
- Ice Throwing

All may have implications for animal management and handling in a continuously occupied agricultural setting. While the scientific literature does not establish conclusive evidence of reproductive harm from wind turbines, the absence of any receptor-specific assessment for livestock means that potential operational and management impacts have not been examined in the context of our land and due to the limited distances of 24m, 40m, 44m, 76m, 86m and 134m and it raises serious concerns on the welfare impact to our livestock on our agricultural holding.

In addition, the EIAR identifies the presence of badger setts (N6, N5, N15, N7) in proximity to where Turbine 9 is proposed to be seen in Photo 32. Construction-phase disturbance may alter badger movement patterns. Given the well-established link between badgers and bovine tuberculosis (TB) transmission in Ireland, any displacement effects that increase wildlife interaction with adjoining farmland warrant careful consideration and appropriate mitigation. Taken together, the proximity of turbines to livestock buildings and grazing areas, combined with the absence of livestock-specific assessment, represents a material gap in the environmental evaluation of the development.

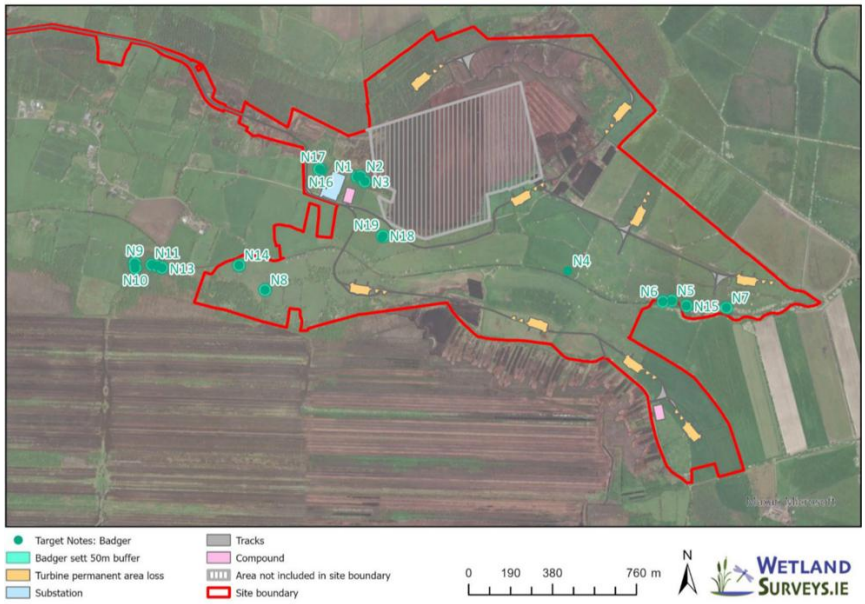


Photo32: Taking from Chapter 9 – Biodiversity [Chapter 9 - Biodiversity.pdf, p.52]

7. Health Impact to Us

The farmyard and adjoining paddocks form a continuously operated agricultural workplace associated with an active suckler and tillage enterprise. Daily activities include livestock handling, machinery operation, calving supervision, winter housing management and routine stock movement. Personnel are present for extended periods throughout the year, including early mornings, late evenings and night-time attendance during calving season.

The nearest proposed turbine blade tip is approximately 355 m from the main operational yard. Several paddocks used for grazing and livestock management are located at an even less separation distance. Between March/April and late October, these paddocks are intensively used for rotational grazing. During this period cattle are moved frequently, stock is inspected daily, fence lines are walked, and dosing, breeding management and welfare checks are carried out in open fields located close to the proposed turbines. This results in sustained and repeated outdoor occupational exposure during peak agricultural months.

The EIAR primarily assesses noise impacts by reference to residential receptors. However, it does not appear to provide a receptor-specific assessment of a continuously occupied agricultural workplace or adjoining grazing lands where prolonged daytime exposure occurs. The World Health Organization 2018 Environmental Noise Guidelines for the European Region (WHO, 2018) recognise environmental noise, including wind turbine noise, as a public health concern, particularly in relation to annoyance and stress-related impacts. While this holding does not contain a dwelling within the yard, it is nonetheless a workplace where prolonged exposure may arise during normal farm operations. And given the sort distances that we will be working at it raises concerns about the health and safety risk you us and our staff.

Given the proximity of large-scale turbines to these operational areas, it is necessary that the Board be satisfied that noise modelling at this specific holding has been robustly undertaken, that compliance with applicable Irish wind energy noise guidance is clearly demonstrated, and that adequate margins exist between predicted levels and relevant limits. The interaction between turbine operation and concentration-sensitive tasks such as livestock handling and machinery operation should also be considered.

Recent High Court proceedings in County Wexford, reported by The Irish Times "Wexford wind farm must pay almost €1m towards legal costs of couple who won noise nuisance case – The Irish Times", illustrate that turbine noise impacts can give rise to significant dispute where effects are underestimated. While that case concerned a dwelling and turned on its own facts, it underscores the importance of rigorous, site-specific modelling and enforceable safeguards.

Also, the EIAR does not clearly demonstrate that shadow flicker modelling has been undertaken for all operational areas of the farmyard and adjoining paddocks. In a working agricultural environment, intermittent shadow flicker and large-scale blade movement may affect livestock handling, animal movement, machinery operation and worker concentration during animal restraint procedures. This is particularly relevant in an enterprise involving breeding stock and calving activity, where agitation can increase the risk of injury to both livestock and personnel.

During construction, the activities near the holding will introduce heavy vehicle movements, temporary noise peaks, ground vibration and potential access disruption. Given the operational nature of the enterprise, such impacts have direct implications for livestock management, biosecurity, farm logistics and worker safety. These operational considerations do not appear to have been specifically assessed in the context of an active commercial agricultural workplace. In circumstances where large-scale turbines are proposed at limited separation distances from a continuously occupied agricultural holding, a clear, receptor-specific evaluation of occupational and operational impacts is required. The absence of such analysis represents a material consideration in the planning balance.

8. Wildlife

Our Farm in Derrylea and Chevychase/Derrynadarragh are home to a variety of birds/ bats and mammals and a vacation spot for our winter visitors. We as a farm are proud of our biodiversity, and it is something we want to keep down in this area. From not cutting trees to leaving land as a habitat for waders/rabbits/hedgehogs etc. and this is something we will continue to do as a farm. The boundaries that are close to turbine 1, 4, 9 contain tall trees that are a home to various buzzards, owls, bats, various small birds, Insects, rodent, and small mammals.

Due to how close the turbines are we are concerned that this biodiversity will be harmed especially because turbine 1, 4, 9 are close to our tree lines and under no circumstances will the trees be touched as they are no hazard to any person and are a home to Wildlife.

Photos33+34: Boundaries to turbine number one, four and nine

Wildlife that we have encountered since winter 2024 and now are the following:

- Eurasian Curlew (Numenius arquata)
- Mute Swan (Cygnus olor)
- Lapwing (Vanellus vanellus)
- Snipe (Gallinago Gallinago)
- Barn Owl (Tyto alba) Not mentioned in the EIAR.
- Short-eared Owl (Asio flammeus) Not mentioned in the EIAR.
- Buzzard (Buteo buteo)
- Kingfisher *(Alcedo atthis)*
- Cormorant (Phalacrocorax carbo)
- Whooper Swan (Cygnus cygnus)
- Hen Harrier (Circus cyaneus)
- Mallard (Anas platyrhynchos)
- Feral Pigeon (Columba Livia f. domestica)
- Woodpigeon (Columba palumbus)
- Golden Plover (Pluvialis apricaria)
- Lesser Black-backed Gull (Larus fuscus)
- Gray Heron (Ardea cinerea)
- Sparrowhawk (accipiter nisus)
- Raven (Corvus corax)
- Skylark (Alauda arvensis)
- Stonechat (Saxicola rubicola)
- Meadow Pipit (Anthus pratensis)
- Goldfinch (Carduelis carduelis)
- Reed Bunting (Emberiza schoeniclus)
- Mistle Thrush (Turdus viscivorus)
- Various small birds

- Various of Bats
- European Rabits (Coinin)
- Red squirrel (Lora Rua)
- Pine Martin (Martes Martes)
- Eurasian Otter (Lutra Lutra)
- Yellowhammer (Emberiza citronella)
- Irish Hare (Giorria Eireannach)
- Hedgehogs (Erinaceus europaeus)
- Red Fox (Vulpes Vulpes)
- Deer
- Various Insects

9.1. Wildlife Survey Methodology and Access – Wind Farm EIAR

We wish to raise concerns regarding the methodology and completeness of the bird and wildlife surveys referenced in both the Natura Impact Statement and the Environmental Impact Assessment Report (EIAR) associated with the proposed wind farm development adjacent to our property.

Our lands form part of the Cushina–Figile floodplain landscape and support a range of protected and red-listed bird species, as outlined throughout this objection, including Eurasian Curlew, Northern Lapwing and Common Snipe. Despite this ecological importance, no authorised personnel acting on behalf of the applicant sought permission to access our land at any stage, nor were we consulted in relation to ecological surveys undertaken in the area.

The only official engagement in relation to wildlife on our lands was a visit by a representative of the Department of Culture, Heritage and the Gaeltacht in connection with confirmed nesting Curlew. No equivalent engagement occurred as part of the EIAR or Natura Impact Statement survey process. In the absence of access to our lands, it is unclear how site-specific ecological data relating to this portion of the landscape was obtained. This raises questions regarding the completeness and representativeness of the survey data, particularly in circumstances where the EIAR identifies bird activity within lands described as lying to the east of the site, which correspond to fields within our ownership.

Furthermore, several species recorded on our lands and referenced within this objection do not appear to be fully reflected within the EIAR documentation. This includes the presence of breeding Northern Lapwing across multiple fields within our holding, as well as recent observations of Common Snipe within the same wet grassland habitat, both of which are supported by field observations and monitoring undertaken in connection with the Breeding Waders EIP programme. This suggests that the ecological baseline may not fully capture the extent of biodiversity present within the receiving environment.

In this context, it is submitted that the ecological assessment may be based on incomplete site-specific information, and that the potential for underestimation of ecological sensitivity and species utilisation within the Cushina–Figile floodplain

landscape warrants careful consideration. The specific implications of these survey limitations are further demonstrated in the species-specific assessments set out in the sections that follow

9.2.Unauthorised Access and Trespass

- The EIAR states that a 120-hour bird observation was conducted at Vantage Point 3 (VP3), located directly beside our main entrance gate on a private lane. No individual or organisation ever sought permission to access this point, nor were we informed of any such prolonged monitoring effort.
- Under Irish law, access to private property without the consent of the landowner is considered trespassing, which is a legal offence.
- Our family and helpers are present on the property daily. At no time was any person observed conducting a 120-hour survey or spending extended periods beside our main entrance gate in the ditch as to be seen in photo 33 to 35.
- As marked in orange in Photo 42 that part of the route means he would have to cross the river Cushina and that would mean entering our land what again is trespassing as no permission was granted.

Photo35: Our main entrance that is where vantage point 3 is located.

Photo36: View from the Vantage Point 3, Photo taken during the winter

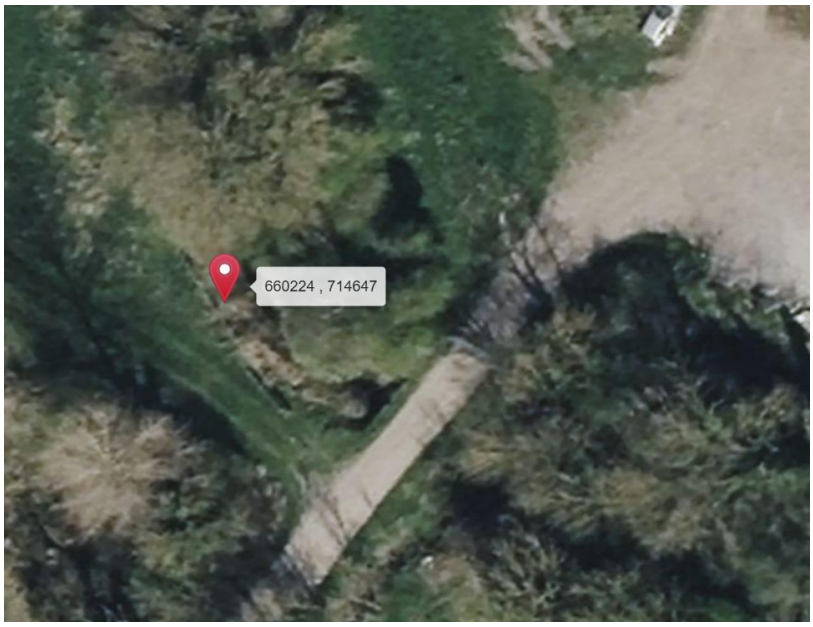


Photo37: The coordination of vantage point 3 are showing the survey point with in the ditch to the left of our gate.

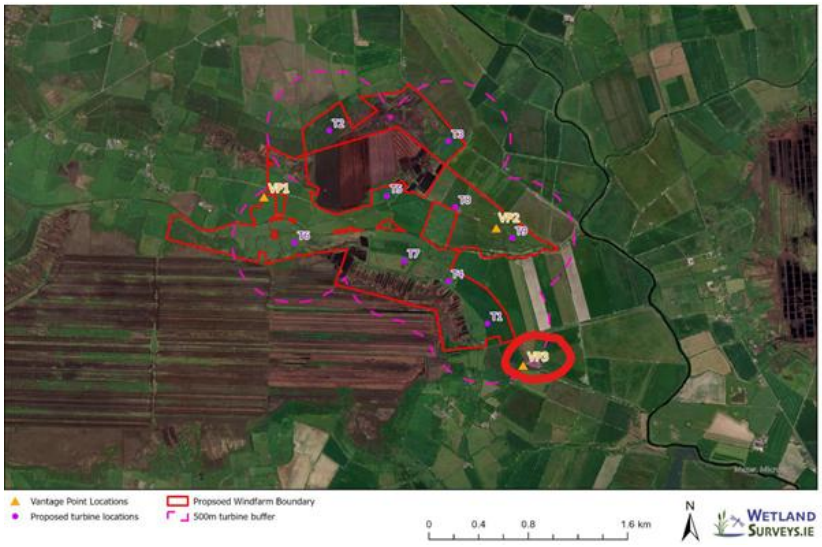


Photo38: Taking from the Appropriate Assessment Screening and Natura Impact Statement, P22-145.

- As shown in Photo 35 to 37, is VP3 right beside our gate within the ditch this location offers limited visibility, facing primarily into trees and our concrete yard and won't give any view of Derrylea.
- Most of our property is bordered by dense tree lines, which further restrict visibility. Accurate long-range bird monitoring is not feasible from outside the land boundaries unless access is granted, which it was not.

9.3 Species of Conservation Concern in Ireland

Several species of conservation concern are known to occur within and adjacent to the proposed development area. Many of these species are Red- or Amber-listed in the *Birds of Conservation Concern in Ireland (BoCCI)* and are protected under Irish and European legislation, including:

- EU Birds Directive (2009/147/EC)
- Wildlife Acts 1976–2018
- EU Habitats Directive (92/43/EEC)

9.3.1 Ecological Context and Legal Protection

The EIAR identifies wintering waterbird activity within the Irish Wetland Bird Survey (I-WeBS) network, including the River Barrow (Monasterevin–Portarlington) site (0S301). Table 10-8 of the EIAR references I-WeBS locations as being approximately 1.5 km to 3 km from the proposed wind farm site.

However, mapping of I-WeBS Subsite 0S399 (Derrylea North of Monasterevin), as illustrated in Photo39, confirms that the subsite boundary extends significantly closer to the proposed development footprint than suggested by these generalised distance references. Photo40 demonstrates that a portion of this mapped I-WeBS subsite lies

within approximately 400m to the mast of a proposed turbine and 319m to the rotor sweep. This spatial distinction is material, as I-WeBS subsites are delineated based on functional habitat use by wintering waterbirds rather than broad geographic proximity.

Our farm is located within this mapped I-WeBS subsite, confirming that it forms part of the active wetland habitat network associated with the River Figile corridor. This area lies immediately adjacent to the proposed wind farm site and functions as feeding and movement habitat for wintering waterbirds, making it ecologically sensitive. The presence of the Whooper Swan (*Cygnus cygnus*), a species listed under Annex I of the EU Birds Directive and protected under the Wildlife Acts 1976–2018, confirms that the area supports species requiring strict protection and careful assessment of disturbance risk.

The proposed turbines in this development have a blade tip height of approximately 186–187m. Whooper Swans and other large waterbirds regularly undertake low- to mid-altitude flights when commuting between feeding and roosting areas, particularly along river corridors and floodplains. In such landscapes, birds frequently follow linear features such as watercourses and floodplain margins. Where turbine rotor-swept zones extend to heights approaching 187m and are positioned within several hundred metres of functional wetland habitat, there is potential for vertical and spatial overlap between turbine blades and established flight paths. This creates an increased risk of collision and behavioural displacement, particularly for large-bodied Annex I species.

In addition to collision risk, displacement effects must also be considered. Large wintering waterbirds are known to exhibit sensitivity to tall vertical structures and operational turbine movement. The introduction of turbines within proximity to feeding habitat may alter foraging behaviour, reduce habitat usability, and fragment the functional wetland corridor.

Despite the ecological sensitivity of this area, no authorised ecological surveyors have requested or obtained permission to access our lands to conduct bird or mammal surveys. Given that our lands form part of the mapped I-WeBS subsite and lie immediately adjacent to turbine infrastructure, it remains unclear whether species usage patterns within this functional wetland corridor have been comprehensively assessed.

It should also be noted that the ecological baseline presented within the EIAR appears to rely primarily on surveys undertaken from publicly accessible locations or lands where access permission was obtained. As no request was made to access our lands for the purpose of conducting bird or mammal surveys, it remains uncertain whether ecological observations within this portion of the mapped wetland habitat have been directly recorded or whether assumptions have been made based on distant vantage points. Where lands form part of a functional wetland habitat network and are known to support breeding and wintering bird activity, the absence of direct field survey coverage may limit the spatial accuracy of the ecological baseline data. In such circumstances, there is a risk that species usage patterns, breeding locations, and flight activity within this section of the habitat corridor have not been fully characterised.

Chevychase/Derrynadarragh, which includes our property, is identified by BirdWatch Ireland as a Wader Hotspot under the *BirdWatch Ireland Hotspot Mapping Project*. Furthermore, Clonsast, where one of the turbines is proposed and others border, is described as a wildlife corridor in the *Offaly County Development Plan 2021–2027 (p.18)*.

Our farm has recently been accepted into the Breeding Waders EIP (European Innovation Partnership Programme) due to the presence of suitable breeding habitat and recorded activity of species such as Lapwing (*Vanellus vanellus*) and Curlew (*Numenius arquata*) on our lands. Lapwing are known to breed across different parts of our holding, confirming that the farmland within the River Figile corridor functions as active breeding habitat for this Red-listed species. Both Lapwing and Curlew are recognised as species of high conservation concern in Ireland, with Curlew in particular experiencing severe national population decline.

Participation in the Breeding Waders EIP reflects the recognised ecological value of these lands and confirms that the habitat is considered suitable for targeted conservation management. The presence of breeding wader species further highlights the ecological sensitivity of the area and reinforces the need for a precautionary and comprehensive assessment of potential disturbance, displacement, and habitat fragmentation arising from the proposed wind farm development. Given that breeding activity occurs across different parts of our holding, several of the fields used by nesting Lapwing lie within close proximity to the proposed turbine locations. Ground-nesting wader species are particularly sensitive to disturbance during the breeding season, and the introduction of large vertical structures, associated construction activity, and long-term turbine operation within proximity of breeding fields has the potential to alter breeding behaviour, reduce habitat suitability, and negatively affect nesting success.

The wider landscape also functions as part of a wetland movement corridor associated with the River Figile and River Barrow floodplain system, supporting commuting flights of waterbirds and waders between feeding, nesting, and roosting locations. Where turbines with rotor-swept zones extending to approximately 186–187m are positioned close to such habitats, there is potential for spatial overlap between established bird flight paths and turbine rotor zones. This interaction can increase the risk of collision as well as behavioural displacement, particularly for large-bodied species such as Whooper Swan and other waterbirds using the wetland corridor.

Under the Offaly County Development Plan 2021–2027 (2021), the development site falls within the scope of policies BLP 01 and BLP 02, which place obligations on developers and the planning authority to:

• BLP 01: Protect, conserve, and seek to enhance the County’s biodiversity and ecological connectivity.
• BLP 02: Conserve and protect habitats and species listed in the Annexes of the EU Habitats Directive and the EU Birds Directive.

Given the proximity of Annex, I species habitat to turbine infrastructure, the presence of breeding wader species, and the recognised function of this landscape as a

wetland and wildlife corridor, the proposal raises significant ecological sensitivity and policy compliance considerations.

In circumstances where breeding habitat, wetland movement corridors, and protected species occur near proposed turbine infrastructure, a precautionary approach and robust ecological assessment are required to demonstrate that the development will not adversely affect protected species, habitat connectivity, or the ecological functioning of the wider wetland network. Furthermore, permitting turbine infrastructure at such proximity to a mapped wetland bird habitat and recognised wildlife corridor could establish a planning precedent whereby developments in similar landscapes may seek to rely on limited separation distances from ecologically sensitive areas. Careful consideration is therefore required to ensure that planning decisions remain consistent with the precautionary principle and national biodiversity protection objectives.

Photo39: Extract from I-WeBS Coverage showing Derrylea within the 0S399 survey area.

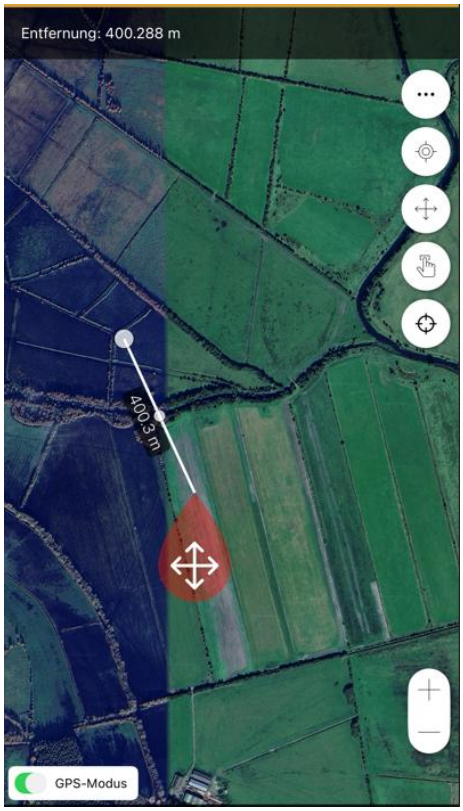


Photo40: Showing the distance between Turbine 9 and the iWebs subsite code 0S399

9.3.2 Notable Species Recorded in the Area

9.3.2.1 Curlew (Numenius arquata)

The EIAR (Section 10.3.4.2) confirms breeding-season activity of the Eurasian Curlew (*Numenius arquata*) within and adjacent to the proposed development site. Recorded observations include:

- Breeding-season flight activity (2022)
- A possible breeding pair heard east of the site (June 2023)
- An adult male and adult female observed foraging in suitable breeding habitat (April 2025)
- Daily acoustic detections recorded until 7 May.

The EIAR states that the pair was presumed to have failed breeding and dispersed thereafter. However, the sustained presence of an adult pair during the breeding season, together with repeated calling behaviour, indicates that the lands east of the site form part of an active breeding territory. The 2023 survey map plots a Curlew record (“CU”) on lands east of the site (Photo42), corresponding to our field. A measured distance assessment confirms that this mapped Curlew location lies approximately 500m from the nearest proposed turbine (see Photo41).

The EIAR establishes an 800m disturbance-free buffer for Curlew nests during construction works. The turbine location therefore lies approximately 300m inside the stated 800m disturbance-free buffer. In addition, earlier breeding season survey mapping (2018/2019) records breeding wader activity within the same river floodplain corridor landscape (Photo 43). This demonstrates recurring use of the habitat across survey cycles and reinforces the ecological sensitivity of the area in which the mapped Curlew record occurs.

Curlew is Red listed in Ireland and listed under Annex I of the EU Birds Directive (2009/147/EC), requiring special conservation measures relating to its habitat. Our holding has recently been accepted into the Breeding Waders EIP (European Innovation Partnership Programme), a national conservation initiative aimed at supporting the recovery of declining breeding wader populations such as Curlew and Lapwing in suitable farmland habitats. It is also identified as a priority species in Ireland's National Biodiversity Action Plan 2023–2030 (Objective 1.3), which calls for urgent habitat protection and restoration for declining waders such as Curlew and Lapwing.

Breeding Curlew are widely recognised as highly disturbance-sensitive in open wet grassland and floodplain environments and exhibit strong site fidelity to established territories. The introduction of turbine infrastructure with a tip height of 186–187m, together with associated construction activity, access tracks, and operational disturbance, within approximately 500m from the mast of a recorded breeding territory presents a clear potential for disturbance and displacement effects.

Where breeding activity has been confirmed within suitable habitat, the precautionary principle requires that mitigation commitments be demonstrably upheld. In this case, the spatial relationship between the turbine location and the mapped Curlew record appears inconsistent with the 800 m disturbance buffer established in the EIAR. This represents a material ecological concern and raises questions regarding compliance with the project's stated mitigation framework and with protection obligations arising under Annex I of the EU Birds Directive.

Given that the EIAR itself identifies an 800 m disturbance-free buffer as necessary to protect breeding Curlew during construction, the siting of turbine infrastructure at approximately 500 m from the mast, 419m to the rotor sweep, from a recorded breeding territory raises a clear inconsistency between the project's stated mitigation framework and the proposed turbine layout.

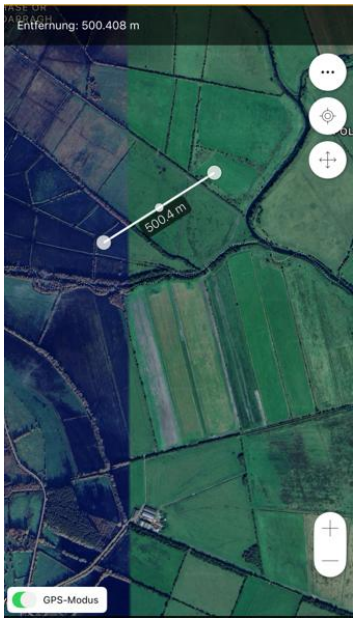


Photo41: Distance from Turbine 9 centre to the area where the curlew has been sighted as shown in Photo 39

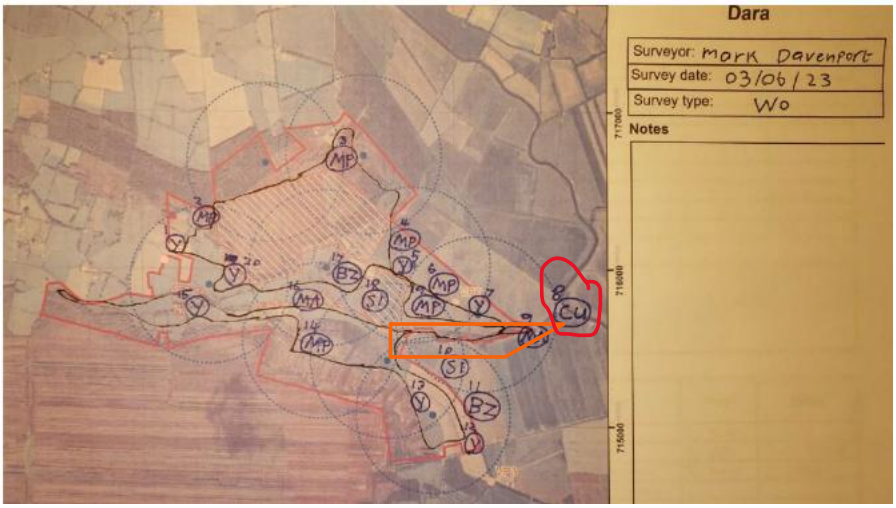


Photo42: Extract from EIAR Survey showing Curlew sightings on our land. (June 2023)

Photo43: Map taken from the Umeras Wind Farm showing the presence of protected waders within our land.

9.3.2.2 Lapwing (Vanellus vanellus)

The Lapwing (*Vanellus vanellus*) is a Red-listed species in Ireland due to significant national population declines and is identified as a priority wader species under Ireland's National Biodiversity Action Plan 2023–2030, which calls for the protection and restoration of breeding habitats for declining farmland and wet grassland birds. Lapwing breed annually across our landholding within paddocks and open grassland fields forming part of the Cushina–Figile river floodplain landscape.

Our holding has recently been accepted into the Breeding Waders EIP (European Innovation Partnership Programme) due to the presence of breeding Lapwing on the land, as part of a national conservation initiative supporting the recovery of declining breeding wader populations such as Lapwing and Curlew in suitable farmland habitats. The species does not nest in a single fixed location but utilises multiple fields within a breeding territory, with nest locations varying between seasons. Flocks from approximately 30 to over 100 Lapwing are regularly observed (Photo 42 – 43) within the Cushina–Figile river floodplain corridor, indicating that the landscape functions not only as breeding habitat but also as an important foraging and post-breeding gathering area for the species. In the QR Code2 below it shows a video of the Lapwing in Derrylea calling

QR-Code2: Lapwing calling in Derrylea during night March 2026

In addition to the long-established presence of breeding Lapwing on these lands, further recent observations confirm continued activity within the area during the current season. Lapwing have been observed across the farmland landscape during the past three weekends. One observation was recorded on the BirdTrack monitoring platform on 7 March 2026, while two additional observations were recorded during field visits by a nest protection officer associated with the Breeding Waders European Innovation Partnership (EIP) programme. These observations (Photo21) confirm active use of the landscape during the current breeding period and reinforce the ecological importance of the farmland habitat surrounding the proposed turbine locations.

The EIAR establishes a 350m disturbance-free buffer for breeding Lapwing nests during construction works. Measured distances confirm that proposed turbines rotor sweep is located approximately 24m, 40m, 44m, 76m, and 86m from lands that function as active Lapwing breeding habitat. Given the widespread and shifting nature of Lapwing nesting across these fields, it is not possible to assume that active nests would consistently fall outside the 350m disturbance buffer. Construction activity, heavy machinery, and operational disturbance within such proximity have the potential to affect nesting success within this breeding landscape. In this context, the proximity of turbine infrastructure to regularly used breeding habitat raises material considerations regarding the practical implementation of the 350m disturbance buffer and the effectiveness of the mitigation measures proposed in the EIAR.

The siting of a turbine as close as 24m from lands that function as active Lapwing breeding habitat is therefore difficult to reconcile with the 350m disturbance buffer identified in the EIAR, raising questions regarding the practical effectiveness of the proposed mitigation measures.

Photo44: A flock of Lapwing taking off in our paddocks in Derrylea, hard to get a good photo (ITMx 660168, ITMy 715419) (October 2025)

Photo45: A large group of Lapwing taking off once approached in Derrylea (ITMx 660168, ITMy 715419) (October 2025)

9.3.2.3 Snipe (Gallinago Gallinago)

The Common Snipe (*Gallinago gallinago*) is a Red-listed species in Ireland associated with wet grassland, marsh and floodplain habitats. Section 10.3.4.15 of the EIAR records multiple observations of Snipe during the survey period, including fourteen records during vantage point surveys and additional observations during winter and breeding walkover surveys.

The EIAR further notes that two Snipe were recorded drumming during targeted Curlew surveys to the east of the Wind Farm Site during summer 2025, behaviour which is widely recognised as indicative of territorial breeding display activity and therefore suggests the presence of breeding Snipe within this landscape.

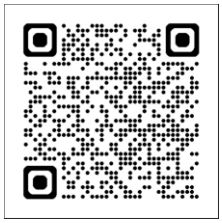
The farmland referred to in the EIAR as lying to the east of the proposed wind farm corresponds to lands within our holding. In addition to the EIAR survey data, Snipe were recently observed on our lands by a Nest Protection Officer (NPO) associated with the Breeding Waders European Innovation Partnership (EIP) programme, further confirming the continued presence of the species within this wet grassland habitat.

The occurrence of Snipe alongside other wet grassland species recorded within this objection, including Northern Lapwing and Eurasian Curlew, further demonstrates the ecological importance of the Cushina–Figile floodplain landscape as functioning breeding and foraging habitat for declining farmland and wetland bird species

9.3.2.4 Whooper Swan (Cygnus cygnus)

The Whooper Swan (*Cygnus cygnus*) is listed under Annex I of the EU Birds Directive (2009/147/EC) and is a qualifying interest species of several Special Protection Areas (SPAs) in Ireland. It is a wintering migratory species that relies on open wet grassland and lowland floodplain habitats for feeding and roosting.

Whooper Swans are regular winter visitors to the Derrylea and Chevychase/Derrynadarragh area. Photographic evidence (Photos 44 and 46) confirms the presence of a large wintering group on our lands during the current season, consistent with annual use of the site. Also, the QR Code below shows the daily activity of the Whooper Swan in Derrylea. The Environmental Impact Assessment Report (EIAR) also acknowledges the presence of Whooper Swan within the wider study area. Section 10.3.4.18 records three Whooper Swan flightlines during the survey period, including observations of 4 birds in November 2021, 7 birds in December 2022, and 8 birds in March 2023, with two flightlines recorded within rotor height. The EIAR further states that “a flock of Whooper Swans are known to occasionally forage in farmland areas adjacent the River Figile to the southeast of the site.” The flock as mentioned to be seen in photo 46. The flock was located within 250 to 300 from proposed Turbine 9. The farmland referred to in the EIAR as lying to the south-east of the site corresponds to lands within our holding, forming part of the Cushina–Figile river floodplain landscape. This floodplain landscape forms part of a wider network of wet grassland and river corridor habitats associated with the River Figile, which supports a range of wintering and breeding bird species, including Annex I migratory birds and red-listed breeding waders recorded within this objection. The recorded location of the flock documented in Photos 46 to 48 lies in proximity to proposed Turbine No. 9, with measured distances indicating that these fields are approximately 250–350m from the turbine location.



QR-Code3: Whooper Swan in Derrylea November 2025

While the EIAR acknowledges the presence of this flock within farmland to the south-east of the site, it does not identify the precise location of the foraging fields or their proximity to the proposed turbine layout. The omission of this spatial context is notable, as the farmland used by Whooper Swans lies near turbine infrastructure, substantially closer than might reasonably be inferred from the narrative description provided in the EIAR. Annex I species such as Whooper Swan are recognised as sensitive to disturbance and collision risk, particularly in landscapes where wind turbine infrastructure introduces vertical structures up to a tip height of 186–187m. The introduction of additional turbine infrastructure near a regularly used winter feeding area presents a risk of disturbance, displacement, and altered flight behaviour, which may result in reduced habitat utilisation within the local landscape.

National Biodiversity Action Plan 2023–2030 Objective 2.1 requires the minimisation of disturbance and collision risk for migratory birds. In this context, the presence of a recurrent wintering Annex I species within approximately 250–350m of proposed Turbine No. 9 raises material ecological considerations that warrant careful assessment. Considering the documented presence of wintering Whooper Swans within proximity to the proposed turbine location, the ecological sensitivity of the Cushina–Figile floodplain landscape and its role as a feeding area for Annex I migratory species warrants careful consideration in the assessment of turbine siting and associated disturbance risk.

Photo46: Over 250 Whooper swan in Derrylea (ITMx 660273, ITMy 715498) (November 2023)

Photo47: Whooper swan flying over Derrylea (ITMx 660416, ITMy 715393) (November 2025)

Photo48: Whooper swan in Derrylea located close to where Turbine 9 (ITMx 660136, ITMy 715709) will be located (December 2025)

9.3.2.5 Barn Owl (Tyto alba) and Short-eared Owl (Asio flammeus)

The Barn Owl (*Tyto alba*) is Red listed in Ireland and protected under the Wildlife Acts. The Short-eared Owl (*Asio flammeus*) is listed under Annex I of the EU Birds Directive (2009/147/EC), requiring special conservation measures relating to its habitat. Photographic evidence submitted Photos 49 to 53 confirms the presence of both Barn Owl and Short-eared Owl within the Derrylea landscape. Barn Owls are

regularly observed in the area, and Short-eared Owls are recorded during spring months, indicating that the open farmland and river–floodplain corridor provide suitable foraging habitat.

Purpose-built Barn Owl nesting boxes are installed on our agricultural sheds within the site one can be seen in Photo 3. One of the Owl boxes is located approximately 355 m from one of the proposed turbines illustrated in Photo 54. The presence of nesting infrastructure reflects recognised habitat suitability and the potential for breeding within the immediate landscape. The Owl to be in Photo51 has been seen exiting and entering the nesting box from Photo54. The QR-Code below is a video taken on the 30.03.2026 from the pair of Barn Owls that are potentially nesting within the Owl Box from Photo54. Owls typically forage at low altitude over rough grassland, field margins, and wet pasture habitats present within and around the proposed turbine locations. The introduction of turbine infrastructure and associated disturbance within approximately 355 m of installed nesting habitat and active foraging territory has potential implications for disturbance and collision risk.

QR-Code4: Barn Owls in Derrylea March 2026

Despite confirmed local presence of these protected species and the existence of suitable nesting infrastructure, the EIAR does not appear to provide explicit assessment of Barn Owl or Short-eared Owl within the ornithological impact evaluation. In the case of Short-eared Owl, an Annex I species, this omission raises questions regarding the completeness of the avian assessment. Where protected species are demonstrably present within the receiving environment, their absence from site-specific assessment represents a material ecological consideration.

Photo49: Barn Owl observed on our property in October 2025 (ITMx 661498, ITMy 714655) (night camera footage).

Photo50: Barn Owl observed on our property in End October 2025 (ITMx 660933, ITMy 714513) (night camera footage).

Photo51: Barn owl flying over our Farmyard. (ITMx 660396, ITMy 714682, March 2026)

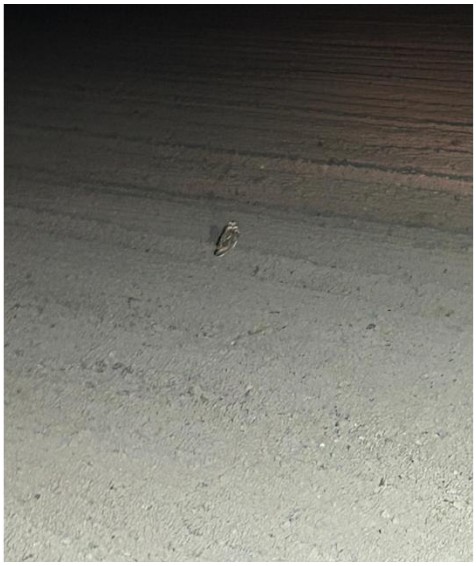


Photo52: Short-eared Owl in Derrylea (ITMx 660692, ITMy 715116) (April 2025)

Photo53: Short-eared Owl in Derrylea (ITMx 660461, ITMy 714881) (March 2025).

Photo54: One of our Owl Boxes located on the structure that is 355 m from proposed Turbine 1 (ITMx 660271, ITMy 714701)

9.3.2.6 Mute Swan (Cygnus olor)

The Mute Swan (*Cygnus olor*) is a resident species of the Figile and Cushina river system. Typically, groups of 5–7 individuals are regularly observed travelling between the two rivers, using the watercourses as a commuting and feeding corridor.

These swans are frequently seen moving between the Cushina and Figile Rivers and have been observed attempting to nest at the confluence where the Cushina flows into the Figile. This demonstrates consistent use of the river corridor for both movement and breeding activity. Mute Swans are protected under the Wildlife Acts and are large-bodied birds with broad wingspans, making them potentially vulnerable to collision where flight paths intersect turbine rotor-swept areas.

The documented regular movement of swans between the two rivers indicates that the river–floodplain landscape functions as an established avian movement corridor. Turbine placement in proximity to this corridor therefore warrants careful assessment of potential disturbance and collision risk. While Mute Swan is not an Annex I species, its regular and predictable use of the site contributes to the cumulative ecological sensitivity of the receiving environment.

Photo55: Mute Swan pair on the river Figile (ITMx 661261, ITMy 715144) (April 2024).

9.3.2.7 Cormorant (Phalacrocorax carbo)

The Cormorant (*Phalacrocorax carbo*) is a regular winter visitor along both the Figile and Cushina Rivers. Individuals are frequently observed foraging within the river system, indicating reliance on fish stocks and water quality within this catchment.

Cormorants are piscivorous and depend on clean, well-oxygenated waters capable of sustaining healthy fish populations. The presence of this species within the

receiving environment demonstrates that the river system currently functions as viable aquatic habitat. Construction-related peat disturbance, sediment mobilisation, or surface water runoff associated with turbine foundations, access tracks, or drainage works has the potential to impact downstream water quality if not carefully controlled. Increased turbidity or siltation can adversely affect fish populations, which in turn may influence species dependent on those resources.

While Cormorant is not an Annex I species, its regular presence reinforces the ecological value of the river corridor and highlights the importance of robust hydrological and sediment control measures within the project design.

Photo56: Cormorant along the River Figile (ITMx 661428, ITMy 714900) (October 2025).

9.3.2.8 Pine Marten (Martes martes) and Red Squirrel (Sciurus vulgaris)

Pine Marten (*Martes martes*) and Red Squirrel (*Sciurus vulgaris*) are present within the treelines and small forestry plots bordering the property. Both species utilise woodland edge habitat and riparian corridors for movement and foraging.

The Pine Marten is listed under Annex V of the EU Habitats Directive and is protected under the Wildlife Acts. Red Squirrel is similarly protected under national legislation and remains vulnerable to habitat fragmentation and landscape disturbance.

The presence of these species demonstrates that the site functions as an ecological linkage corridor between woodland patches and riparian habitat along the Figile and Cushina river systems. Linear features such as treelines, hedgerows, and small forestry plots provide connectivity across the agricultural landscape.

Infrastructure development, access tracks, vegetation clearance, and increased disturbance have the potential to affect habitat continuity within this corridor. Where development occurs within or adjacent to such linkage zones, careful consideration should be given to maintaining ecological connectivity.

The confirmed presence of protected woodland mammals further reinforces the biodiversity value of the receiving environment and supports the conclusion that the site forms part of a functioning multi-habitat ecological network.

9.3.2.9 Eurasian Otter (Lutra lutra)

The Otter (*Lutra lutra*) is listed under Annex II of the EU Habitats Directive and is protected under the Wildlife Acts. The species is regularly observed travelling along both the Figile and Cushina Rivers, indicating active use of the river corridor within and downstream of the proposed development site.

EU Annex I Habitat [EU Code]	Potential for likely significant effects (in the absence of mitigation)	Potential for significant effects
Lampetra planeri (Brook Lamprey) [1096]	The exact distribution of these species is not mapped within the SAC (NPWS 2025). Lamprey depend on clean gravels on the river bed for breeding. Potential effects due to sedimentation of spawning beds cannot be ruled out.	Yes
Lampetra fluviatilis (River Lamprey) [1099]		
Salmo salar (Salmon) [1106]	This species was recorded in the Cushina River during the Aquatic Ecology surveys conducted to inform the EIAR (see Appendix 4) and so can be assumed to pass through the proposed development Site on their upward and downward spawning migrations. The habitats within the Cushina and Figile surveyed were assessed as being sub-optimal for Salmon. The species is dependent on good water quality and clean gravel habitats for spawning. Given the hydrological connection between the proposed development Site and the SAC and the presence of Salmon within the Cushina upstream of the Site, potential effects due to sedimentation or water pollution cannot be ruled out.	Yes
Lutra lutra (Otter) [1355]	Evidence of Otter was recorded within the proposed development Site along the River Cushina. Otter are likely to occur in the Figile River and other rivers connected downstream of the development site, including the River Barrow. Considering the nature and scale of the proposed development, and the hydrological connectivity between the proposed development and the SAC, pre-mitigation the proposed development could potentially lead to a deterioration of water quality downstream which could cause significant effects on foraging habitat for Otter. No evidence of Otter was found in Philipstown River in the vicinity of the proposed new bridge. The low fisheries potential and low ecological status of this river indicates the low potential for Otter to occur at this locations and significant effects here are not likely.	Yes

Photo57: Taken from the NIS of the development, p.52, NIS Main 2026.pdf

The Natura Impact Statement acknowledges that:

“Pre-mitigation, the proposed development could lead to deterioration of water quality downstream, potentially causing significant effects on foraging habitat for Otter.” This statement confirms that the project has the potential to affect aquatic habitat quality prior to mitigation measures being applied.

Otters are highly dependent on healthy fish populations and unpolluted river systems. Any deterioration in water quality, including increased sedimentation, turbidity, or contamination associated with peat disturbance and construction runoff may affect foraging habitat along the river corridor. Such impacts would not be limited to Otter alone but would extend to wider aquatic biodiversity and water-dependent users of the river system. Objective NHBH-07 of the Offaly County Development Plan 2021–2027 requires the protection of aquatic ecosystems and water-dependent species, reinforcing the need for robust protection of riverine habitat. Given the acknowledged pre-mitigation risk and the confirmed presence of Otter within the receiving environment, strict adherence to precautionary and mitigation measures is essential.

9.3.2.10 Irish Hare (Lepus timidus hibernicus)

The Irish Hare *(Lepus timidus hibernicus)* is regularly observed within small forestry plots and adjoining grassland areas on the subject lands. The species is protected under the Wildlife Acts 1976–2023 and is recognised as a species of national conservation concern. It relies on open grassland, rough pasture, and scrub mosaics for feeding, shelter, and breeding. The mosaic of small forestry plots interspersed with pasture on these lands provides suitable habitat structure for the species.

The introduction of turbine bases, crane hardstands, widened access roads, drainage works, and associated construction activity would result in localised habitat fragmentation and increased disturbance within these grassland–scrub interfaces. Given the species' reliance on contiguous open habitat and its sensitivity to sustained disturbance, the potential effects of habitat fragmentation and operational disturbance require careful assessment and, where necessary, appropriate mitigation.

9.3.2.11 Badger (Meles meles)

The Badger (*Meles meles*) is protected under Section 23 of the Wildlife Act 1976 (as amended), which prohibits the wilful disturbance, destruction, or interference with a badger sett, particularly during the breeding season.

Photographic evidence (Photo 32) confirms the presence of active badger setts within the proposed wind farm development boundary. These sets are therefore located within the zone of potential construction disturbance.

Badgers are known to be sensitive to sustained noise, vibration, and ground disturbance. Agnew, Smith and Fowkes (2016) reported elevated cortisol levels in badgers living in proximity to wind farm developments, suggesting potential physiological stress responses associated with environmental disturbance. While causation in such studies can be complex and site-specific, the findings indicate that disturbance-related impacts warrant careful consideration where active sets are present. Construction activities associated with turbine foundations, access tracks, excavation works, and heavy machinery have the potential to generate vibration and sustained noise within the immediate vicinity of badger setts. Where setts occur within the development footprint, detailed assessment and appropriate mitigation, including setback distances and monitoring, are essential to ensure compliance with statutory protection requirements.

Given the confirmed presence of active setts within the site boundary, the protection measures outlined in the Wildlife Act must be demonstrably upheld throughout both construction and operational phases.

9.3.2.12 Hen harrier (Circus cyaneus)

The Hen Harrier is listed under Annex I of the EU Birds Directive and is a species of high conservation concern in Ireland. Section 10.3.4.6 of the EIAR confirms five Hen Harrier observations recorded across winter 2021/2022, summer 2022, and winter 2022/2023. The EIAR states that flightlines were concentrated east of the proposed wind farm site, corresponding to the Derrylea and Chevychase/Derrynadarragh farmland, including the undersigned's lands. Flight activity was recorded in the vicinity of proposed turbines T01, T03 and T08. Measured distances from turbine blade tip to the eastern land boundary are approximately:

- T08 – 134m
- T01 – 86m
- T03 – 40m

In addition to the observations recorded within the EIAR surveys, further recent Hen Harrier activity has been documented within our surrounding farmland. A Hen Harrier sighting was recorded on the BirdTrack monitoring platform on 7 March 2026 (Photo 58). In addition, two further observations of a female Hen Harriers actively hunting across the same farmland landscape were recorded during field visits by a Nest Protection Officer (NPO) associated with the Breeding Waders European Innovation Partnership (EIP) programme. These recent observations indicate continued utilisation of the Derrylea and Chevychase/Derrynadarragh farmland landscape by Hen Harriers beyond the EIAR survey period and further support the conclusion that the area forms part of the species' active foraging range.

Photo58: Recording of the flight path of the observed Hen Harrier by Neil J. Bourke (Birdwatch Ireland and Breeding Waders EIP) (March 2026)

Given that Hen Harriers hunt at low to moderate altitude across open farmland and rough grassland, the proximity of rotor-swept areas to documented flightlines indicates direct spatial overlap between turbine infrastructure and active foraging habitat. Although the EIAR concludes that the site is not regularly used as a winter

roost, the confirmed multi-season presence demonstrates that this landscape forms part of the species' foraging range.

Considering:

- Annex I protection status,
- EIAR-confirmed flightlines,
- Rotor-swept areas within 40 –134m of recorded activity,

the potential for disturbance and collision risk warrants careful and precautionary assessment. The presence of additional recent observations outside the EIAR survey window highlights the dynamic and seasonal nature of Hen Harrier foraging behaviour within agricultural landscapes and indicates that the full extent of habitat utilisation in the Derrylea and Chevychase/Derrynadarragh area may not be fully captured by the survey periods presented in the EIAR.

9.3.2.13 Yellowhammer (Emberiza citronella)

The subject lands provide suitable habitat for the Yellowhammer, a species listed as Red under Birds of Conservation Concern in Ireland (BoCCI 2020–2026). This species is associated with mixed farmland landscapes, including hedgerows, field margins, and cereal-based systems, all of which are present within and around our holding.

The Yellowhammer is regularly observed within the farmyard and adjoining paddocks, utilising hedgerows and field boundaries for perching, nesting, and foraging. Notably, a count of 12+ individuals was recorded on the lands on Saturday 28.03, confirming active and ongoing use of the site by this species (Photo59). The presence of this species reflects the ecological value of the existing agricultural landscape and the importance of maintaining suitable habitat conditions within the area.

The proposed development introduces potential disturbance factors including:

- Operational noise
- Visual disturbance from turbine movement
- Habitat disturbance and fragmentation during construction
- Increased human and vehicular activity

These factors have the potential to alter habitat use, reduce breeding success, or lead to displacement of farmland bird species such as Yellowhammer, particularly where turbines and associated infrastructure are in close proximity to actively used agricultural land and field boundaries.

While the EIAR references the presence of Yellowhammer and assigns a low value classification to the habitat, this assessment does not appear to reflect the actual use of our lands by the species. The regular presence and observed activity of Yellowhammer within the farmyard and adjoining paddocks indicate that these areas function as actively used habitat, rather than being of low ecological value in practice.

In intensively managed farmland landscapes, species such as Yellowhammer are dependent on hedgerows, field margins, and mixed farming systems. The presence of these features within our holding, together with repeated observations of the species, suggests that the site provides locally important habitat conditions.

Under the Environmental Impact Assessment framework and the EU Birds Directive, the presence of conservation-listed bird species within the receiving environment requires that likely significant effects be identified, described, and assessed.

- Identified gap**:** The EIAR does not appear to include any species-specific assessment of Yellowhammer, nor does it adequately address the potential for disturbance, displacement, or cumulative habitat effects on this farmland bird within our land in the immediate vicinity of the proposed turbines.

Given the documented presence of this Red-listed species within our holding and the proximity of proposed turbines and associated infrastructure, a site-specific assessment and appropriate mitigation measures are required to ensure that the proposed development does not adversely affect the local population.

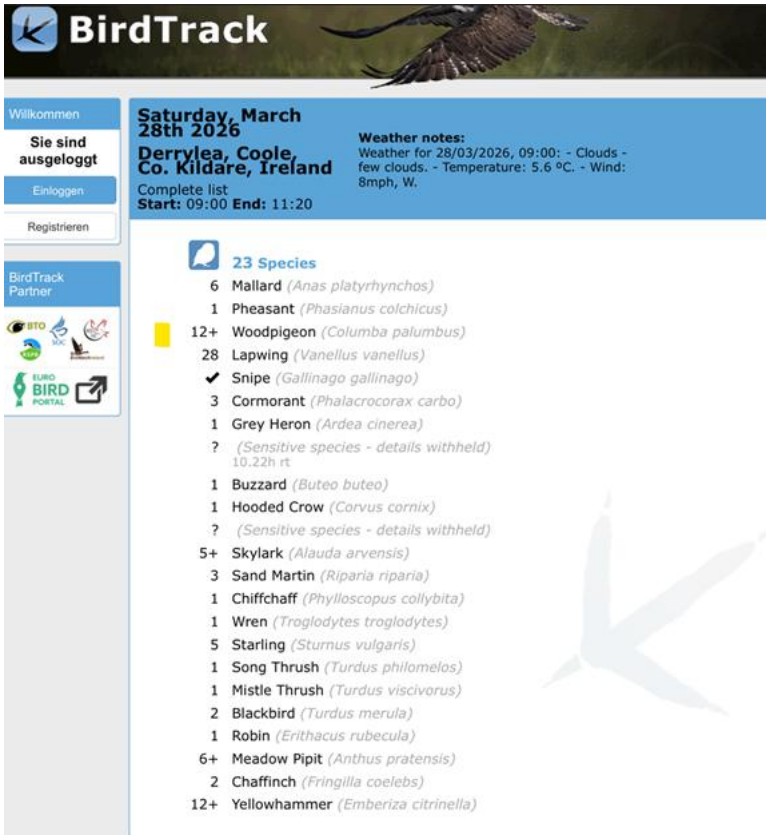


Photo 59: A 2 ½ hour Survey done on the 28.03.2026 by Neil J Bourke chairman of the Kildare branch of Birdwatch Ireland and the part of the Breeding Waders EIP

9.3.3 Policy Alignment and Compliance Analysis

The confirmed presence of Annex I bird species, Annex II mammals, protected bat species, and legally protected badger setts demonstrates that the River Figile corridor constitutes an ecologically sensitive and functionally important wildlife corridor linking wetland, riparian, woodland, and agricultural habitats.

The ecological value of this landscape elevates the threshold for development and requires strict adherence to national and European environmental protection policy.

- Offaly County Development Plan 2021–2027 (Offaly County Council 2021):

    - BLO-01 to BLO-03: Require the protection of biodiversity, ecological networks, and environmental corridors, and ensure development occurs within environmental capacity limits.
    - BLO-04 to BLO-06: Mandate ecological impact assessment; prevent pollution or deterioration of habitats; and require full compliance with the EU Birds and Habitats Directives.
    - BLO-11 to BLO-13: Protect riparian zones, safeguard watercourses, and ensure compliance with water-quality legislation.

  Given the documented presence of protected species and the acknowledged risk of water-quality impacts (as identified in the NIS in relation to Otter foraging habitat), the proposed turbine infrastructure, access roads, drainage works, and excavation activities require clear demonstration that these objectives will not be undermined.

- National Planning Framework (NPF 2018)
    - National Policy Objective 59 states: "*Ensure the conservation and enhancement of biodiversity, including the protection of habitats and species.*"

  This objective applies nationally and requires that renewable energy development proceed in a manner that does not compromise ecological integrity or the functioning of ecological corridors.

- EU Birds Directive (2009/147/EC) and Habitats Directive (92/43/EEC)

  These Directives legally require:

    - Protection of Annex I bird species and Annex II mammal species.
    - Prevention of disturbance, habitat deterioration, and fragmentation.
    - Appropriate Assessment of any plan or project likely to have a significant effect on protected sites or species.
    - Demonstration that there will be no adverse effect on the integrity of protected sites.

The confirmed presence of Annex I species (including breeding and foraging activity), Annex II species such as Otter, and protected mammal species within and

adjacent to the development footprint indicates that the receiving environment is ecologically sensitive.

Accordingly, the proposed development must conclusively demonstrate that turbine placement, hydrological alteration, construction disturbance, and operational effects will not result in:

- Habitat fragmentation,
- Disturbance of protected species,
- Deterioration of riparian or wetland habitat,
- Or adverse effects on ecological corridor functionality.

Where documented flightlines, active territories, river-dependent species, and protected mammal setts occur near turbine infrastructure, a precautionary and fully evidence-based approach is required to ensure compliance with statutory obligations.

10. Local Acesses to our Land and the Derrylea Alley

I wish to formally raise serious concerns regarding the proposed grid connection construction works and the associated traffic management plans, particularly in relation to access to our property and the surrounding road network. Access to our property is limited to a narrow backroad that is a dead end, meaning we have only one point of entry and exit. The road is single lane in most areas, with tight bends and limited passing points. It is not suitable for heavy or oversized vehicles without significant upgrades. Increased construction traffic on this route would create serious safety concerns and practical access difficulties for our farming operations.

Furthermore, part of the route includes an old tree-lined avenue with mature trees of significant ecological and historical value. The installation of underground cables through this section would likely cause root damage and long-term harm to these trees and long-term harm to the road. This would result in irreversible environmental damage. I strongly urge that alternative cable routing options to be considered to protect these trees and the surrounding environment.

It is also essential that any access or traffic management plans be developed in close consultation with local landowners. The L7178 is used daily by large agricultural machinery and provides an essential route that allows us and neighbouring farmers to avoid bringing heavy machinery and animals (Photo 64) through Portarlington town. Redirecting this traffic into Portarlington would create a public safety hazard and significantly increase risk within the town.

According to Appendix 2.1B, Grid Connection Construction Methodology, the grid will be constructed in stages. Several of these stages would have a major impact on our farming operation due to potential detours and road closures:

- **Section J–I:** A detour at this stage would add approximately 19 km per run (one way). As we must make this journey multiple times per day, this would result in substantial additional fuel costs and increased wear and tear on machinery, they state they will provide local access but to be seen on Photo 60 - 63 due to the lane and the avenue that is impossible.
- **Sections I–H and G–F:** These would require an additional 12 km per journey and would force us to travel directly through Portarlington, creating safety risks for the public and for operators of large agricultural machinery.
- **Sections D–E and E–F:** These would add approximately 6 km one way and require the use of an escort vehicle due to the narrow nature of the R424. This presents further safety concerns for general traffic and significant additional operational costs.
- **Section G-H:** Photo 65 demonstrates the detour that they provide won't have enough room for oncoming traffic when in a tractor this could risk a safety hazard for the public

The cumulative impact of these additional kilometres would be considerable, resulting in major financial strain on our farm due to increased diesel consumption, machine wear, labour time, and the need for escort vehicles. In addition, forcing large agricultural machinery through crowded and narrow urban areas creates unnecessary public safety risks (Photo 65) and would be problematic from a risk assessment perspective.

Photo60: Derrylea Avenue, enterance into Derrylea (October 2025)

Photo61: Derrylea Alley with the sign that it is a dead end and only entrance into our Farm (October 2025)

Photo62: Part of the section J-I and the only entrance into our farm. No possibility to drive around road works, ditch on the right-hand side. Road is approximately 3m wide (February 2026)

Photo63: Part of the section J-I and the only entrance into our farm. No possibility to drive around road works, ditch on the right-hand side. Road is approximately 3m wide (February 2026)

Photo64: The L7178 is used by all local farmers and with the number of trucks that will be on this road it will be a big risk (November 2025)

Photo65: Shows a tractor on the detour for section H-G, it shows that there won't be any passing because the tractor fills the road, this could lead to crashes

11. Longterm Operational Responsibility and Potential Transfer of Ownership

During engagement with representatives of the applicant, it was indicated that the company is acting primarily as a development entity and that the wind farm, if permitted, may potentially be sold to another operator following the development stage. While such arrangements are not uncommon within the renewable energy sector, they highlight the importance of ensuring that all environmental mitigation measures, operational controls and monitoring obligations are clearly defined and enforceable through the planning permission itself.

Wind energy developments of this scale typically operate for several decades. In circumstances where ownership or operational control may change over the lifetime of the project, it is important that the planning authority ensures that all conditions relating to ecological protection, turbine operation, environmental monitoring and site management remain fully enforceable regardless of any future change in ownership or site operator.

Given the ecological sensitivity of the surrounding landscape, including functional wetland habitat and breeding wader activity identified on adjoining lands, the long-term implementation and enforcement of environmental safeguards is of particular importance in this case

12. Conclusion

We recognise and support Ireland's transition to renewable energy. However, renewable energy development must be delivered in a manner consistent with proper planning, environmental protection, and the sustainable operation of existing rural enterprises. This objection has demonstrated, across Chapters 1–12, that the proposed development would impose a disproportionate and cumulative burden on our established agricultural holding and on the environmentally sensitive River Figile corridor. In particular, the proposal would introduce multiple industrial-scale turbines in exceptionally proximity to a continuously occupied farmyard and agricultural workplace that forms the operational centre of our holding.

Based on the matters outlined throughout this objection, the proposed development gives rise to the following key planning concerns:

- Significant departure from established setback guidance, with turbines positioned as close as 355 m to our yard and as close as 24m, 40m, 44m, 86m and 134m to actively used paddocks.
- Long-term sterilisation of adjoining agricultural lands and restriction of future development potential.
- Inadequate assessment of operational impacts at farm buildings and grazing lands, including noise, shadow flicker, stray voltage, and cumulative safety exposure.
- Proximity within theoretical fall radius and associated fire and debris risk.
- Siting within a hydrologically sensitive floodplain corridor, with insufficient consequence-based assessment of drainage alteration, groundwater interaction, and flood risk.
- Proximity of turbine foundations, access roads, cabling and drainage works to our private well, which supplies potable water for our household and livestock, without a site-specific hydrogeological risk assessment, groundwater protection plan, or monitoring framework.
- Omission and inadequacy of ecological survey data, including protected bird and mammal species within the River Figile corridor.
- Potential adverse effects on livestock welfare, productivity, and farm viability.
- Economic and insurance uncertainty arising from extreme proximity.
- Impacts on rural road capacity, safety, and access during construction and operation.
- Cumulative impacts on neighbouring communities including Derrylea, Chevychase/Derrynadarragh, Quinnsboro, Monasterevin, Bracknagh, Cushina, and Treascon.
- No Wildlife assessment done on our adjoining land

Individually, each of these matters raises legitimate planning concerns. Collectively, they demonstrate a pattern of excessive proximity, inadequate site-specific assessment, and poor land-use compatibility between industrial-scale infrastructure and an intensively operated agricultural enterprise. The River Figile corridor supports protected species and sensitive habitats. The absence of comprehensive ecological survey data, combined with acknowledged hydrological disturbance risk and the potential interaction between flood pathways and turbine infrastructure, raises serious questions regarding compliance with statutory environmental obligations and

national biodiversity policy. When considered in their totality, the matters raised throughout this objection, including the exceptional proximity of multiple turbines to a continuously occupied agricultural workplace, the substantial departure from national setback guidance, the potential impacts on farming operations, biodiversity, water resources, local infrastructure, and the wider environmental sensitivity of this cross-county landscape, give rise to significant concerns regarding the appropriateness of the proposed layout and its compatibility with the proper planning and sustainable development of the area.

In circumstances where significant environmental uncertainty remains, including incomplete ecological survey data, unresolved groundwater protection issues relating to our private well, and insufficient site-specific assessment of agricultural operational impacts, the precautionary principle should apply. Where the potential for serious or irreversible environmental harm exists, and where scientific certainty has not been fully established, proper planning requires that such risks be avoided rather than assumed to be acceptable.

The planning framework requires that development be consistent with the proper planning and sustainable development of the area. Renewable energy objectives do not override the requirement to avoid disproportionate impact, long-term land sterilisation, environmental risk, groundwater vulnerability, or undue burden on adjoining lawful land uses. In reaching its determination, the Board must consider not only national renewable energy objectives but also the site-specific planning, environmental and agricultural context within which this development is proposed.

The proposal concentrates multiple large-scale turbines at exceptionally close proximity to our farm for a projected operational lifespan of 30–35 years. The cumulative yard-level effect, environmental sensitivity, agricultural impact, groundwater risk to our private well, and infrastructural strain have not been adequately addressed within the Environmental Impact Assessment documentation.

Accordingly, it is respectfully submitted that the proposed development:

- Is inconsistent with national setback guidance.
- Fails to adequately assess environmental, hydrological, and agricultural impacts.
- Creates long-term sterilisation and operational constraint of adjoining lands.
- Introduces unacceptable risk to groundwater and private water supply.
- Is incompatible with the safe and sustainable operation of our farm; and
- Is prejudicial to the proper planning and sustainable development of the area.

For the reasons set out above, it is respectfully submitted that planning permission for the proposed development should be refused

Submitted respectfully,

Markus, Andrea and Michael Milley
Clonanny, Portarlington, Co.Laois, R32Y320
30/03/2026

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