

Response to Observations

Cahermurphy West Wind
Farm Co. Clare

An Coimisiún Pleanála Ref
No: 324155-26



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EXECUTIVE SUMMARY

MKO have been instructed by Cahermurphy Renewables Designated Activity Company to prepare this Response to Observations, having been invited to respond to same by An Coimisiún Pleanála (the Commission) on the 5th of June 2026. The request was made in relation to a Strategic Infrastructure Development (SID) planning application under Section 37E of the Planning and Development Act 2000, as amended, which is currently before the Commission for consideration (Case reference: ACP-324155-26), concerning a proposed wind farm development, comprising of 8 no. wind turbines and associated infrastructure in the townlands of Cahermurphy and adjacent townlands Co. Clare.

As set out in Section 1, this Response to Observations document first comments on observations from Third Parties which have been categorised into themes, followed by commentary on observations from Statutory Bodies and finally deals with an observation made by Clare County Council.

As discussed in Section 2 of this Response to Observations, there were 64 no. submissions received on the application from Third Party Observers. Table 1 outlines the common themes identified within the Third-Party submissions and the relevant areas of expertise within the project team assigned to address each theme. Each theme is addressed in full in Section 2.

Section 3 of this Report deals directly with observations by Statutory Consultees, namely Transport Infrastructure Ireland, Health Service Executive, Development Applications Unit, Irish Aviation Authority and Geological Survey Ireland. Each Statutory Body is dealt with under a separate heading, and all relevant items are addressed in full, with appendices referenced where appropriate.

Section 4 of this report directly responds to observations contained in the Chief Executive's Report submitted by the local authority in which the Proposed Wind Farm is located, Clare County Council.

As set out in the summary section in Section 5, the information contained in this Response to Observations constitutes a full and robust response to all matters raised and the information provided here will directly assist An Coimisiún Pleanála in their ongoing consideration of the planning application. The Proposed Wind Farm will contribute to the national wind energy target of 9GW by 2030 and is strongly supported by a comprehensive suite of European, national, regional, and local policy.

To combat the effects of climate change, Ireland must decarbonise its economy by 2050. There is no "silver bullet" to do so. It will take multiple individual renewable energy projects to decarbonise the Irish economy. The scale of the challenge we face to decarbonise the Irish economy is enormous, but the climate change implications of not doing so are even greater. There is no other way to decarbonise a modern society except through renewable energy projects such as the Proposed Project.

The Proposed Project will deliver a range of benefits including the following:

- Supporting the transition to a low-carbon and climate resilient society by reducing greenhouse gas emissions, through the generation of wind energy and displacing electricity that would otherwise be produced from fossil fuel sources.
- Providing clean, renewable, electricity to the national grid, thus contributing to the decarbonisation of the electricity sector and in the process reduce the need for imported fossil fuels for electricity, improving national energy security.
- Helping to moderate energy costs for consumers over time, both locally and nationally.
- Delivering up to 57.6MW of onshore renewable energy, making a meaningful contribution towards achieving the transition to a low-carbon economy and climate resiliency, increasing renewable energy generation, and enhancing energy security. It will contribute directly towards the CAP25 goals of 9GW of wind energy by 2030 and renewable electricity share of 80% by 2030.

- › Contributing to the achievement of Clare County Council’s renewable energy targets of a minimum of 550MW, as set out in the Clare County Development Plan 2023-2029, through development on lands identified as suitable for renewable energy development.
- › Enabling the development of a self-sustaining, secure, reliable and efficient renewable energy supply and storage for County Clare, further advancing the Council’s goal of contributing to economic development and enhanced employment opportunities in the county.
- › Delivering a long-term positive impact on climate by offsetting of 37,110 tonnes of CO₂ from the largely carbon-based traditional energy mix per annum, including the 134,942 tonnes of CO₂ emissions associated with the construction and operational phase of the Proposed Project in approximately 43.6 months of operation.
- › Providing a significant positive benefit to the local community through the creation of sustainable local employment, contributing annual rates to the local authority and providing a local Community Benefit Fund in line with the new Renewable Electricity Support Scheme (RESS) to provide direct funding to those areas surrounding the project.

Having regard to the key points set out in this Response to Observations, it is respectfully requested that the Commission consider the relevant international, European national and regional and local legislative and planning policy framework. Particular regard is also had to the local planning context, including the designation of the site as eminently suitable area for the development of wind energy in the extant Clare County Development Plan 2023-2029.

1. INTRODUCTION

MKO have been instructed by Cahermurphy Renewables Designated Activity Company (the Applicant), to prepare this Response to Observations, having been invited to respond to same by An Coimisiún Pleanála (the Commission) on the 5th June 2026. The request was made in relation to a Strategic Infrastructure Development (SID) planning application under Section 37E of the Planning and Development Act 2000, as amended, which is currently before the Commission for consideration (Case reference: ACP-324155-26), concerning a proposed wind farm development, comprising of 8 no. wind turbines and associated infrastructure in the townlands of Cahermurphy and adjacent townlands Co. Clare. The letter from the Commission stated that the deadline for submission is the 2nd July 2026. A subsequent extension was granted to the 9th July 2026.

At the outset, it is reiterated that the Cahermurphy West Wind Farm development (i.e. the Proposed Project) is one integrated project comprising of two distinct components:

- The wind farm and its associated infrastructure, which is the subject of the current application under Section 37E of the Act.
- The electrical 110kV grid connection works to connect the wind farm to the national grid, which is the subject of a separate application under Section 182A of the Act.

For ease of reference, the following terminology is used throughout this document:

- Where the **‘Proposed Wind Farm’** is referred to, this relates to all components within the Wind Farm Application under Section 37E of the Act.
- Where the **‘Proposed Project’** is referred to, this relates to all the project components i.e. the Wind Farm Site and Grid Connection.
- Where **‘Proposed Grid Connection’** is referred to, this relates to all components within the Grid Connection Application under Section 182A of the Act.

Both the Environmental Impact Assessment Report (EIAR) and the Natura Impact Statement (NIS) consider the combined impacts of these individual elements of the Proposed Project. A separate response to observations relating to the Proposed Grid Connection planning application (Case Reference – ACP-324156-26) is also being submitted to the Commission.

1.1 Response Structure

This Response to Observations comments firstly on observations from Third Parties which have been categorised into themes, followed by commentary on observations from Statutory Bodies and finally deals with observations made by the relevant local authority, Clare County Council (CCC).

This response is structured as follows:

- **Section 1** – Introduces the document and its structure,
- **Section 2** – Addresses Third-Party observations in accordance with the Commission’s request,
- **Section 3** – Addresses Statutory Consultees’ Observations in accordance with the Commission’s request,
- **Section 4** – Addresses the Local Authority’s Chief Executive Report,
- **Section 5** – Concluding remarks.

2. RESPONSE TO THIRD PARTY OBSERVATIONS

2.1 Preamble

MKO wishes to reaffirm that the EIAR and Planning Application submitted to the Commission are both comprehensive and robust and are of a standard which enables the Commission to undertake an adequate assessment of the Proposed Project. MKO note that the Commission, in correspondence dated 30th April 2026, confirmed that the application was complete and contained the information required to allow for the application to be processed, in accordance with section 37JA (a) of the Planning and Development Act 2000, as amended (the Act).

MKO can only comment on the scope, quality and adequacy of the documentation submitted as part of this application. In this regard, MKO considers that the EIAR and supporting documentation provide a strong evidence base for the Commission to undertake an assessment of the Proposed Wind Farm.

The Cahermurphy site is an extremely well-studied site and has been the subject of extensive survey work since 2018, including 6 years of bird survey data, numerous ground investigations and ecological surveys, which have been collected at the site since 2018. The findings of these surveys have informed both the design and assessment of the Proposed Project presented with the application documentation.

Based on the evidence collected and assessments carried out, MKO considers the site appropriate for a proposed wind energy development. MKO acknowledges that submissions made on this application express an alternative view. However, from a review of those submissions, MKO does not consider that they have identified any clear deficiencies in the survey data, methodologies or assessments carried out which would alter the conclusions reached in the EIAR. Furthermore, it is considered that the submissions have not provided an equivalent body of technical analysis, survey data or assessment evidence that supports any alternative conclusions to those presented in the EIAR.

Notwithstanding the above, MKO acknowledges the concerns that have been raised in the submissions by local residents and every effort has been made to address these concerns throughout this Response to Observations.

2.2 Observation Themes

There were 64 no. submissions received on the application from Third Party Observers. **Table 1** below outlines the common themes identified within the Third-Party submissions and the relevant areas of expertise within the project team assigned to address each theme.

Table 1 Common themes identified within Third-Party submissions

Theme	Lead Expert for Response
Non-technical Summary	MKO Environment
Statement of Authority	MKO Environment
Difficulty in Accessing the EIAR	MKO Environment
Human Health	MKO Environment
Property Prices	MKO Environment
Landowner Consent	MKO Planning
Site Planning History	MKO Planning
Cumulative Assessment	MKO Planning
Employment and Economic Impact	MKO Environment
Landscape and Visual Impact	MKO Environment

Noise and Vibration	MKO Environment
Planning Policy Compliance	MKO Planning
Traffic and Transport	MKO Environment
Ornithology	MKO Environment
Public Consultation and Engagement	MKO Planning, FuturEnergy Ireland Community Engagement team
Hydrology	MKO Environment

2.2.1 Non-Technical Summary

Observations have been raised regarding the adequacy of the Non-Technical Summary (NTS) submitted with the EIAR, with a view that the NTS is deficient in detail and focuses on the generalities of the EIAR.

MKO notes that the aim of the NTS is to provide a proportionate and concise description of the EIAR, and to avoid convoluted details which can easily be accessed within the main body of the EIAR if desired. By its nature, the NTS is intended to present key findings and conclusions of the EIAR in a non-technical format, with full detail of all assessments, methodologies and conclusions contained within the main EIAR and accompanying documentation. The EPA¹ state that:

“The non-technical summary is generally laid out in a similar, but condensed, format to the main EIAR, i.e. describing the project, existing environment, effects and mitigation measures, etc”

And;

“The non-technical summary should be short and easily followed, but it should not omit or understate any effects which may be controversial. All key likely significant effects should be included.”

MKO are confident that the information contained in the NTS conforms to the above requirements, whilst remaining sufficiently condensed and easily followed.

Regardless of the above, MKO has reviewed the points raised regarding the NTS and wish to clarify that the Proposed Wind Farm will utilise the existing forestry site road network, and not the “existing wind farm site road network” as was incorrectly stated in the NTS.

2.2.2 Statement of Authority

An observation has been made in relation to the absence of TLI from a list of “Companies and Staff Responsible for EIAR Completion”, with a suggestion that the Applicant doesn’t endorse the work that has been undertaken by TLI.

MKO wish to clarify that the role of TLI was to produce planning drawings in support of the application. TLI were not involved in the preparation of the EIAR and therefore, were not included.

2.2.3 Difficulty in Accessing the EIAR

MKO notes the difficulties experienced by members of the public in accessing the Planning Application documentation on the Commission’s website.

¹ Guidelines on the information to be contained in Environmental Impact Assessment Reports, EPA 2012, available at: https://www.epa.ie/publications/monitoring-assessment/assessment/EIAR_Guidelines_2022_Web.pdf

However, the Planning Application documentation, including the EIAR were also publicly accessible via the dedicated website at <https://cahermurphywestplanning.ie/>.

Details of the website were provided in the statutory public notices which accompanied the application including details of how to make a submission on the application. This provided an alternative way of accessing all documentation throughout the public submission period.

2.2.4 Human Health

Some observations raise concern regarding the potential for shadow flicker effects on nearby residences and those in the wider area.

As stated in Section 5.4 of chapter 5 ‘Population and Human Health’ of the EIAR, the Proposed Wind Farm will operate in accordance with the draft 2019 Wind Energy Development Guidelines regarding shadow flicker (i.e. zero shadow flicker at any property in the surrounding area). Therefore, the EIAR does not identify any effects associated with the Proposed Project for shadow flicker. As such the assertion that the development gives rise to a high likelihood of shadow flicker is unfounded.

Observations have also questioned the use of certain studies which they consider to be out of date.

While some of the studies were published a number of years ago, their findings remain relevant and have not been invalidated or superseded by subsequent evidence.

MKO further notes that an observer cites literature relating to infrasound and low frequency noise which is several decades old and is significantly dated. As discussed in Section 12.3.2.2 subsequent publications have found that infrasound and low frequency noise associated with wind turbines is expected to be below perceptibility thresholds and are not likely to result in any significant effects at noise sensitive locations. Furthermore, it should also be noted that recently published UK government guidance² on the assessment and rating of wind turbine noise states that;

“Research has shown that, for modern upwind turbines (i.e. turbines where the rotor is positioned upwind of the tower when in operation), the levels of infrasound at typical receptor distances are well below the threshold of perception”

As discussed throughout Chapter 5 and Chapter 12 of the EIAR, modern research indicates that the Proposed Project will be below infrasound perceptibility thresholds, and if a noise related complaint is received arising from the operation of the Proposed Project, the measures outlined in Appendix 12-9 of the EIAR will be undertaken by the developer. These include but are not limited to:

- › Record the complaint details (date/time, location, description) and request that the complainant completes a noise complaint log/diary covering periods when the noise occurs at the dwelling/residence. (a template will be provided based on *ISO/TS 15666:2021 Acoustics – Assessment of noise annoyance by means of social and socio-acoustic surveys, Section 9 of EPA document ‘Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities NG4 EPA, 2016*, or another equivalent/agreed template)
- › Review the complaint log entries and classify the reported character
- › In collaboration with the turbine manufacturer, review the complaint log alongside available records of turbine operational conditions and meteorological condition for the relevant periods to determine whether an operational correlation is identifiable.

²Assessment and Rating of Wind Turbine Noise, UK Department for Energy Security and Net Zero (2026), available at: <https://assets.publishing.service.gov.uk/media/6a32b670e590e5e061c9a16b/wind-turbine-noise-guidance.pdf?ct=1782742321371>

- › If the log review and operational correlation are insufficient to identify the issue and/or to evaluate mitigation, determine whether noise measurements are necessary. Where required, undertake measurements at the complainant's location or a suitable agreed proxy location.
- › Where practicable, identify and implement mitigation measures appropriate to the cause/source identified. Mitigation measures may include
 - engineering modifications to mechanical and/or electrical components; and/or
 - software-based operational controls via the turbine control system (e.g., adjustments to operating mode, rotor speed and/or blade pitch).
- › On completion of the investigation, the Operator will prepare a technical report documenting the complaint, the investigation undertaken, the analysis performed (including any follow-up monitoring/analysis, where carried out), the findings, and any mitigation implemented or proposed. The report will be submitted to the Local Authority in accordance with the agreed NCMP. Where the investigation is protracted, the Operator will provide an interim update report at six-monthly intervals until the investigation is concluded.

2.2.5 Property Prices

Concerns have been raised about the potential for the Proposed Wind Farm to have adverse effects on the value of properties of local residents. This issue has been thoroughly addressed in Section 5.7 of Chapter 5 of the EIAR.

Firstly, one observation notes that the paper entitled *'Wind Turbines and House Prices Along the West of Ireland: A Hedonic Pricing Approach'* is not available for viewing. It should be clarified that this paper has been temporarily withdrawn whilst the author seeks to expand upon the research presented within the paper, which is why it is not accessible currently.

Overall, the existing body of research, particularly large-scale, peer-reviewed studies, do not support claims that wind farms significantly devalue nearby properties in the long term. While localised impacts may occur in specific cases, the evidence suggests these effects are not widespread or long-lasting, with house prices instead reacting negatively to the expectation of likely impacts and construction, but these prices recover during the operational phase. Furthermore, the placement of wind turbines at a 4x tip height distance to residential dwellings is not a new occurrence. The project design fully complies with the recommendations outlined in best practice guidance for wind energy developments in Ireland, specifically exceeding the 4x tip height setback distance for the protection of residential visual amenity as set out in the draft Guidelines.

Therefore, as stated in the EIAR, the literature described in Section 5.9 of the EIAR demonstrates that there is insufficient evidence from the scientific literature and studies conducted to determine conclusively that there is the potential for a significant effect on property prices as a result of the Proposed Wind Farm.

2.2.6 Landowner Consent

Observations on file raise concerns as to whether sufficient landowner consents have been attained, and whether or not the Proposed Hen Harrier Enhancement Plan can be enforced in the long term.

The Applicant is satisfied that the letters of consent submitted with the planning application, provide it and its associated companies with the requisite landowner consents to make the subject planning application. The Commission will also note Section 31(13) of the Planning and Development Act 2000 (as amended) which states the following;

'A person shall not be entitled solely by reason of a permission under this section to carry out any development'

The inference of this provision of the legislation is that a grant of planning permission does not authorise a developer to undertake works on land outside their ownership based solely on a grant of planning permission.

The Applicant confirms that no works will proceed without all required consents being in place.

Furthermore, the Commission have considered Landowner Consent as part of its completeness check of the application. By correspondence dated 30th April 2026, the Commission confirmed that the application was complete and contained the information required to allow for the application to be processed, in accordance with section 37JA (a) of the Planning and Development Act 2000, as amended (the Act).

Regarding the ability for the Hen Harrier Enhancement Plans being enforced, whilst sufficient consents have been obtained for these measures, this can be further strengthened by the attachment of a planning condition by the Commission in the event of a grant of planning permission which would require these measures to be carried out.

2.2.7 Site Planning History

Several observations raise concerns regarding the planning history of the site, with reference made to the existing Cahermurphy Wind Farm (ACP-245189) granted in July 2016 and the Cahermurphy II Wind Farm application (ACP-318525-23) which was lodged in September 2020.

It should be noted that the existing Cahermurphy Wind Farm constitutes a separate independent project. It has also been clearly outlined throughout the application that in the event that the Cahermurphy II Renewable Energy Development and Cahermurphy West Wind Farm are both granted planning permission, only one development will be implemented at the Site.

Both the Cahermurphy II Renewable Energy Development and Cahermurphy West Wind Farm developments have been designed and assessed independently from an EIAR and Appropriate Assessment perspective to reflect this single build out approach.

Furthermore, MKO notes that each planning application must be assessed on its own merits with regard to the relevant planning policy and legislation that is in place at the time of its submission.

2.2.8 Cumulative Assessment

Several observations raise concerns regarding the inadequacy of the cumulative impact assessment undertaken for the Proposed Wind Farm. In particular, concern is raised regarding the absence of 'Dehomad Wind Farm' and the 'Crag Wind Farm' from the cumulative assessment.

In relation to the 'Dehomad Wind Farm' and the 'Crag Wind Farm' not being included in the Cumulative search, it is noted that at the time the assessment was undertaken, sufficient information relating to these projects, such as site layout and turbine locations, was not in the public domain. Therefore, there was no reliable basis in which to undertake an adequate cumulative assessment. This still remains the case.

For clarity, a full Cumulative Impact Assessment was undertaken for the entire Proposed Project, including the Proposed Wind Farm and Proposed Grid Connection and the cumulative assessment methodology and the approach adheres to best-practise guidelines. This assessment specifically addressed the cumulative impact of all wind farms and other developments with the potential to give rise to potentially significant cumulative impacts within 25km of the Proposed Wind Farm, as identified in Appendix 2-2 of the EIAR, ensuring that the combined effects were fully evaluated.

The purpose of the Cumulative Impact Assessment was to identify the likely significant effects of the Proposed Project on the surrounding environment when considered collectively with approved and existing projects and projects pending a decision from the planning authority and land-uses in the defined

cumulative assessment study areas. The assessment specifically assessed the impacts arising from the Proposed Project in combination with other projects in the area inclusive of impacts on biodiversity, air and climate, noise, landscape, and material assets confirming that the predicted effects remain within acceptable thresholds.

Assessment material for the cumulative impact assessment was compiled on the relevant projects (see Appendix 2-2 of the EIAR) within the vicinity of the Proposed Wind Farm. The material was gathered through a search of relevant online Planning Registers and EIA portal, reviews of relevant EIAR (or historical EIS) documents, planning application details and planning drawings, and served to identify past and future projects, their activities, and their environmental impacts to ensure that cumulative impacts were assessed accurately.

To gather a comprehensive view of cumulative impacts within the cumulative study area and to inform the EIA process being undertaken by the consenting authority, each relevant chapter within the EIAR addresses the potential for cumulative effects where appropriate and within the context of their identified cumulative study area.

A long list of projects considered (i.e. the largest cumulative study boundary of 25 km list) across all disciplines in their cumulative impact assessment is included in Appendix 2-2 of the EIAR.

In conclusion, the cumulative impact of the Proposed Wind Farm, has been robustly assessed using a clear and detailed methodology. The findings confirm that, with the proposed mitigation in place, there will be no significant adverse cumulative effects on the receiving environment.

For a full breakdown of the Cumulative Impact Assessment methodology, please refer to Section 2.7 of Chapter 2 of the EIAR submitted with the application.

2.2.9 Employment and Economic Impact

An observation suggests that the EIAR provides conflicting information on the number of workers to be employed as a result of the Proposed Project. MKO wish to clarify that the numbers will vary between the Construction and Operation phase. Approximately 90 workers will be employed during the construction phase of the Proposed Wind Farm and 3-4 permanent jobs relating to the operational phase.

One observation raises concerns on the impact of the Proposed Wind Farm on tourism. As discussed in Section 5.6.3, 5.11.2.1.5 and 5.11.3.1.5 of the EIAR, studies indicate that wind farm developments do not deter tourists from tourist attractions and scenic landscapes. Similarly, there are no tourism assets which pertain specifically to the Proposed Wind Farm, nor any within 5km of the Proposed Wind Farm.

2.2.10 Landscape and Visual Impact

This section responds to Landscape and Visual Impact Assessment LVIA -related submissions and includes an overview of the various attributes and characteristics of the receiving landscape that make it an eminently suitable site for wind energy development.

A number of observations raise concern regarding the scale of the proposed turbines. The Proposed Wind Farm has been appropriately sited in a sparsely populated area of marginal upland and is a rural landscape suitable for accommodating wind energy development. Furthermore, the Proposed Wind Farm is located on lands identified as “Strategic Area” and “Acceptable in Principle” for wind energy development in the Clare County Development Plan 2023-2029 (CCDP) and the Clare Wind Energy Strategy (CWES).

The Proposed Wind Farm will not significantly impact any landscape of county level importance or sensitivity such as Co. Clare Heritage landscape, nor will it significantly impact the key scenic sensitivities of any designated scenic routes. In this regard, it is in alignment with local planning policy by Clare

County Council as well as designations in the CCDP pertaining to landscape and visual amenities, whilst balancing the requirements to facilitate renewable energy development in viable areas of the country.

Observations also note that the Proposed Turbines are of a much greater scale than envisaged when the CWES was introduced in 2010. However, this argument is not supported by the strategy itself. Section 1.4 of the CWES explicitly acknowledges that *“turbine heights are increasing and there is no prescription in relation to turbine heights...”* and further notes that *“each application will be assessed on its own merits against planning policy, objectives and legislation”*.

The CWES does not, therefore, provide a maximum turbine height or state that taller modern turbines are considered unacceptable. Rather, it considers that all proposals must be assessed on their own individual merits having regard to the relevant planning policy framework.

This interpretation is consistent with that carried out by an Inspector of the Commission regarding a proposed wind farm located in East Clare (Case reference: PA03.318943), where the Inspector specifically addressed concerns in relation to increased turbine size since the adoption of the CWES. The Inspector noted in that case, that it is explicitly recognised in the CWES that there are no limitations on proposed turbine height and that the application, should instead be assessed on its own merits against relevant planning policy, objectives and legislation.

Some observations also raise concern regarding the potential cumulative impacts between the existing Cahermurphy Wind Farm and the Proposed Wind Farm, due to the variation in turbine dimensions. This is discussed in detail in Section 14.7.4.5 of the EIAR and is not repeated in full here, however, it should be noted that in order to counter-act potential for visual incongruity, the proposed turbines are strategically sited at a lower base elevation within the landscape relative to the existing turbines. These characteristics of the two developments result in a broadly comparable scale when viewed from many viewpoints and receptors in the surrounding areas. Whilst the proposed turbines have a taller tip height, they do not raise the overall vertical profile of the wind farms (both the existing Cahermurphy and Cahermurphy West) within the landscape, whilst maximising the use of this viable ‘Strategic Area’ land for the production of renewable energy. This is illustrated below in Figure 1.



Figure 1: Extract of Viewpoint 08 comparing the perceived scale of the existing and proposed turbines relative to their hub height

2.2.11 Noise and Vibration

Some observations raise concern with the absence of consideration of Illaunbaun/Slievenalicka (PL03.500605/2660207), Crag and Dehomad Wind Farms in Appendix 12-2. As stated above, insufficient information was available at the time of assessment to undertake a meaningful cumulative noise assessment. Whilst Illaunbaun/Slievenalicka was not included in the list in Appendix 12-2, this development was considered, however, at 12km from the Proposed Wind Farm, there is no potential for cumulative noise impacts and therefore it was screened out of the detailed cumulative assessment.

Several observations raise concerns regarding compliance with relevant noise thresholds. As stated in Section 12.5.3.1.4 of the EIAR, during the operation of the Proposed Wind Farm, a majority of noise sensitive receptors are predicted to be within the noise criteria outlined in Section 12.3.2.2 of the EIAR and bulleted below, prior to the implementation of mitigation.

- › An appropriate absolute limit level in the range of 35 – 40 dB LA90 for quiet daytime environments with background noise levels of less than 30 dB LA90,10min;
- › 45 dB LA90,10min or a maximum increase of 5 dB above background noise (whichever is higher), for daytime environments with background noise levels of not less than 30 dB LA90,10min and;
- › 43 dB LA90,10min for night time periods.

Whilst some minor noise exceedances are predicted, the curtailment schemes displayed in Table 12-26 and Table 12-27 of the EIAR outline noise reductions required for wind direction sectors at multiple wind speeds during daytime and nighttime periods which will ensure that predicted noise levels are within the relevant criteria.

An observation questions the use of an assessment hub height of 103.5m, stating that it would have been more appropriate to have utilised the maximum hub height of 110.5m in Appendix 12-3. Table 12-7 of Chapter 12 ‘Noise and Vibration’ of the EIAR identifies the Nordex N149 turbine at a 103.5m hub height as having the highest sound power levels across a majority of wind speeds, with the N149 at a 110.5m hub height having a lower sound power level across all wind speeds than the lower hub height.

Therefore, the use of the 103.5m hub height constitutes the assessment of the “worst case scenario”.

2.2.12 Traffic and Transport

A number of observations raise concern regarding the road networks capacity to facilitate the construction traffic associated with the development. Furthermore, concerns are raised regarding road safety, road degradation and disruption to local residents.

Firstly, regarding road capacity, it should be noted that as stated in Section 15.1.13.2 of the EIAR that there will not be any significant impacts on road traffic during the construction phase of the Proposed Wind Farm. Whilst there will be a considerable increase in road traffic on rural local roads during the 8 days when concrete foundations are poured, this is a short-term impact. It should also be noted that these local links will still operate well within capacity during the days when concrete is to be poured as shown in Table 15-24 of the EIAR. Furthermore, the local road network has a proven capacity to accommodate similar projects successfully developed in the locality, with local roads ultimately being improved as a result of such projects, given the relatively poor quality of the surfaces prior to construction.

Regarding road safety, it should be noted that a Traffic Management Plan (Appendix 15-2), a Road Safety Audit (Appendix 15-4) and a TII design report (Appendix 15-5) have all been prepared for the Proposed Project which ensured that any potential road safety issues were identified and ameliorated. Furthermore, all construction works on the local road network will be undertaken in accordance with current guidelines including the “Traffic Signs Manual, Section 8 – Temporary Traffic Measures and Signs for Road Works” (DoT now DoTT&S) and “Guidance for the Control and Management of Traffic at Roadworks” (DoTT&S), as set out in the Traffic Management Plan included as Appendix 15-2. Resultantly, the Proposed Project will not result in any road safety issues.

2.2.13 Ornithology

Multiple observations raise concern about key ornithological receptors, in particular the hen harrier. One observation notes that table 7-1 of the EIAR incorrectly states that no issues were raised by the Development Applications Unit (DAU) regarding birds.

MKO wish to clarify that the requests of the DAU regarding ornithology, which largely related to bird survey methodologies and assessment of the effect of the Proposed Wind Farm on hen harrier, have been accounted for in the production of the EIAR and all associated surveys and that the concerns raised by the DAU regarding birds have been addressed in the below sections of the EIAR:

- › Survey methodologies: Comprehensively addressed in Section 7.2.4 to 7.2.6
- › Hen harrier: Hen harrier addressed in Sections 7.3.9.2, 7.4.1.2, 7.4.2, 7.5.2.1 and Appendix 7-8 (Hen Harrier Enhancement Plan)

It should also be noted that MKO held a consultation meeting with the National Parks and Wildlife Services (NPWS) on the 28th of January 2026, where, amongst other ecological receptors, the hen harrier, and in particular the Hen Harrier Enhancement Plan were discussed in detail. Some key points raised by the NPWS are noted in Section 7.3.6 of the EIAR and briefly outlined below:

- › Impact assessment should be undertaken with respect to impacts on the regional population of hen harrier,
- › Highlighted that the encroachment of trees in enhancement areas may prove difficult to control if saplings are not removed
- › Establishment of indicator species to monitor enhancement areas suitability,
- › Advised against removal of stumps of lodgepole pine.

MKO are content that despite the omission of the DAU's concerns in Table 7-1, that the issues raised by both the DAU and NPWS were fully considered and addressed throughout the preparation of the EIAR.

2.2.13.1 Impact on Hen Harrier

Multiple observations expressed concern on the impact of the Proposed Wind Farm on hen harrier. Whilst a potentially significant pre-mitigation displacement effect on hen harrier is predicted in Section 7.5.2.1 of the EIAR, a host of measures to enhance approximately 123.7ha of unproductive commercial forestry and agricultural pastures for the benefit of hen harrier will mitigate for the indirect loss of approximately 62ha of foraging habitat within the Proposed Wind Farm site. Please see Section 7.7.1 and Appendix 7-8 of the EIAR for a comprehensive list of details on these enhancement measures. The measures proposed are proven and effective, being based on the sound ecological principle of the "Harrier EIP project"³. The closest wind farm to the Proposed Wind Farm that is known to have such a scheme is Slievecallan Wind Farm. This site is located within the same uplands to northeast of the Proposed Wind Farm in County Clare. A condition of the planning permission for that wind farm was a farmland plan similar to that proposed for the Proposed Wind Farm, which has been proven to be successful in recent years. Additionally, similar management of habitats at Knocknatallig Wind Farm has proven to be successful for hen harrier populations. In the case of Slievecallan, hen harrier nested onsite in two of the four years since the wind farm first went operational (that are on the public record). In Scotland, a habitat enhancement area of 235ha was established as part of a mitigation plan to address the potential impacts of a wind farm on a pair of hen harrier. This consisted of commercial forestry felling. The use of the enhancement area by hen harrier increased considerably after the wind farm was built, although they continued to also use the wind farm consistently (discussed in Gómez-Catasús and Balotari Chiebao, 2022)⁴.

One observation raises concern regarding the enhancement plan, stating that the lands chosen are already suitable for hen harrier and therefore not a suitable mitigation measure. Firstly, it should be stated that the 56.3ha of commercial conifer forestry proposed to be deforested for the benefit of hen harrier is not suitable habitat for foraging, nor breeding hen harrier in its current form. This is due to the thickness and

³ <http://www.henharrierproject.ie/>

⁴ "A review of post-construction mitigation strategies to reduce impacts of wind energy on raptors, with particular attention to the golden eagle (*Aquila chrysaetos*)" (Gómex-Catasús and Balotari-Chiebao, 2022), available at: <https://www.ymparisto.fi/sites/default/files/documents/Liite%2019%20Lintuselvyty%202022%20%28Novia%20AMK%29.pdf>

height of the forestry. Whilst breeding hen harrier may opportunistically use very young swards of coniferous forestry, this is not the case for the 56.3ha of identified forestry, which are mature in age. Furthermore, whilst hen harrier may opportunistically forage within the identified 67.4ha of agricultural lands to be enhanced, the areas are currently predominately intensively grazed. The overall aim of the grassland management will be to create and enhance foraging and nesting opportunities for hen harrier prey species through changes to the grazing regime by changes to the length of time lands are grazed. Whilst some habitat within the 67.4ha of agricultural lands may be opportunistically used by hen harrier for foraging purposes, the grassland management practices will enhance already foraged areas, increase the availability of lands to be foraged, as well as provide nesting opportunities for hen harrier in areas previously uninhabitable for nesting purposes.

As outlined in Section 7.2.4 of the EIAR, in the absence of specific national bird survey guidelines, the ornithological surveys were designed and undertaken in full accordance with the guidance document ‘Recommended bird survey methods to inform impact assessment of onshore wind farms’ (NatureScot (formerly SNH), 2017). These survey methods have been specifically developed to ensure robust data is collected to inform a detailed impact assessment for this type of development. NatureScot (2017) survey guidance is widely accepted in the Irish onshore wind farm industry to provide best practice recommendations for undertaking bird surveys at a proposed wind farm site.

As outlined in Section 7.2.4, a comprehensive suite of bird surveys was undertaken, in line with industry best practice (SNH, 2017), at the Wind Farm Site from April 2023 and September 2025. The surveys undertaken provide the information necessary to allow a complete, comprehensive and robust assessment of the potential impacts of the Proposed Wind Farm on avian receptors.

2.2.13.2 The Area is of National Importance to Hen Harrier

Concerns were raised as to the potential conflict between wind energy developments and hen harrier, with submissions stating that the local area is of national importance to hen harrier.

As is acknowledged in Section 7.5.2.1 of the EIAR, in the absence of mitigation measures, there is the potential for a significant (indirect) habitat loss effect to result from the Proposed Wind Farm for hen harrier. Accordingly, a comprehensive hen harrier enhancement plan, as discussed above, is proposed. Details of the plan are provided below.

The EU Biodiversity Strategy, as well as Nature Restoration Law’s objectives is to put the EU’s biodiversity and degraded habitats on the path to recovery/restoration by 2030, 2040 and by 2050, all of the EU’s ecosystems will be restored, resilient and adequately protected. It is noted that, among other things, climate change is a key underlying driver of biodiversity loss. While the Proposed Project has the potential to negatively impact hen harrier, renewable energy plays a key role in counteracting climate change. It is this dichotomy that necessitates the consideration of reasonable alternatives that limit biodiversity loss while facilitating the construction of renewable energy developments such as the Proposed Wind Farm. To that end, the Hen Harrier Enhancement Plan that accompanies this application aims to ensure that the construction of the Proposed Wind Farm will not reduce the availability of suitable hen harrier habitats locally. In the case of the Proposed Wind Farm, a 2:1 net gain of suitable foraging and breeding habitat is proposed. As such the Proposed Wind Farm has the opportunity to aid the transition to a climate-resilient, biodiversity rich, environmentally sustainable, and climate-neutral economy, as outlined in the Climate Action Plan 2025 (CAP25)⁵. This opportunity for the wind farm industry to fund the restoration of hen harrier habitat was highlighted in the most recent National Survey of Breeding Hen Harrier (2022) report. Section 4.6.7 states:

“There are opportunities for the wind energy industry to increase levels of land management certainty, and regulation/management of the activities within and surrounding windfarms (e.g.

⁵ Climate Action Plan 2025, DECC (2025), available at:
https://assets.gov.ie/static/documents/c491032e/DECC_Climate_Action_Plan_2025_Main_Report_-_Final_Web.pdf

recreational users, dog walkers etc) and identify opportunities for the retention and restoration of habitats suitable for breeding (and wintering) hen harrier within and surrounding renewable energy developments.”

The Hen Harrier Threat Response Plan (HHTRP) (2024-2028) identifies a need for innovation and collaboration to achieve the goals of the plan. Section 7 of the HHTRP sets out the actions that need to be taken to realise the objectives of the plan between 2024 and 2028. Collaboration with non-governmental stakeholders is identified as a key to the delivery of the plan.

Whilst the Site is located in an area of National Importance for hen harrier, the establishment of a Hen Harrier Enhancement Plan (Appendix 7-8 of the EIAR) which aims to avoid any contribution to a significant cumulative effect on the nationally important hen harrier resources in the area by reducing existing pressures, such as intensive agricultural practice and commercial conifer plantations.

Although the decline of the North and West hen harrier stronghold population is acknowledged and the proliferation of turbines is likely one of the factors implicated in the decline, the Proposed Wind Farm will not contribute to a significant cumulative effect based on the following rationale:

- › The successful implementation of the enhancement plan ensures that the commissioning of the Proposed Wind Farm is not at the expense of suitable hen harrier habitats. In terms of the quantum of land proposed, the amount of deforestation (56.3ha) alone mitigates the majority of the total habitat loss figures of the Proposed Wind Farm (62ha). This is before the consideration of the benefits of enhancing a further 67.4ha of farmland.
- › The Proposed Wind Farm will not contribute to a significant cumulative effect, as there is no net loss of hen harrier habitat, and instead, a net gain of suitable foraging and breeding habitat.

In summary, following the successful implementation of enhancement measures, no significant residual impacts are predicted. The sustainable development of the Proposed Wind Farm site will ensure the continuing/increased availability of suitable habitat for hen harrier locally.

2.2.13.3 Concerns over the Hen Harrier Enhancement Plan

Concerns were raised about the validity of the landowner consents for the compensation and enhancement lands.

The Applicant holds legal agreements with all relevant landowners, to enable the full implementation of the Hen Harrier Enhancement Plan. As outlined in Appendix 7-8 of the EIAR, these agreements place a legal obligation on the landowner to comply with the requirements of the developer upon exercising the lease option. In other words, there is a legal document in place that allows the developer to implement land management measures to benefit biodiversity with particular emphasis on hen harrier foraging and breeding habitats.

In addition to holding Option to Lease agreements with all relevant landowners, the Applicant invites the Commission to condition the implementation of the enhancement plan as part of any grant of permission. This will ensure the implementation of the Plan and the ongoing land management measures therein are implemented.

2.2.14 Public Consultation and Engagement

Concerns have been raised about the lack of community consultation with local residents in relation to the Proposed Wind Farm.

A Community Consultation Report detailed the full and comprehensive community consultation effort that was undertaken for the overall Proposed Project and is included at Appendix 2-4 of the EIAR. As

outlined in that document, the key elements of the Applicant's community engagement model is as follows:

- › Appointment of two dedicated Community Liaison Officers (CLOs) who have been available to respond to queries since the project was launched.
- › Detailed and systematic engagement with all 'near neighbours' to the project (within 2km) from a very early stage of project design.
- › Wider community outreach through online platforms, local print media advertisements, distribution of an introductory newsletter and a detailed brochure, issued within a 2km radius of the Proposed Wind Farm and via public community clinics.
- › A commitment to open, transparent dialogue and communications.
- › Creating opportunities for discussion on key issues via CLO door-to-door visits.
- › Ensuring that the local community has access to all relevant information, as soon as it is available, in a user-friendly format.

Throughout the lengthy consultation period the CLO's have continued to liaise with any interested parties and answer any questions as promptly as possible.

Also, on the 27th of June 2024, a public information event was held in Kilmihil village. This was to further introduce the Proposed Project and brief the local residents on ways to get involved and provide feedback. This event also provided an opportunity for residents to ask any questions they had about the Proposed Project. A further public event was held in Kilmihil village on the 27th of August 2025. This event was held to inform the local residents of the expected final wind farm design, showcase photomontage booklets, as well as the community benefits that the Proposed Project would provide.

In conclusion, active engagement and consultation with the local community has taken place from an early stage during the pre-application phase of the Proposed Project. The consultation process has been an extremely valuable exercise and has provided a detailed, and enhanced understanding of the key issues and concerns of the local community, which have ultimately shaped the final project proposal. The CLOs remain active and are available to the community for discussion on any matter relating to the project.

Please refer to the Community Consultation report at Appendix 2-4 of the EIAR for further details.

3.

RESPONSE TO PRESCRIBED BODIES OBSERVATIONS

A total of 5 submissions were submitted to the Commission from Statutory Consultees in relation to the Wind Farm Site. **Table 2** below identifies the Statutory Consultees who lodged a submission to the Commission in relation to the Proposed Wind Farm and who in the project team is responsible for the corresponding response. The submission from Clare County Council is addressed in **Section 4.1** of this document.

Table 2: List of Statutory Consultees and Lead Author for Response

Statutory Consultee	Themes	Lead Author for Response
The Department of Housing, Local Government and Heritage	Archaeology	MKO Environment
Geological Survey Ireland	Geology/Hydrogeology	N/A
Health Service Executive	Health Impacts	MKO Environment
Irish Aviation Authority	Aviation	MKO Environment
Transport Infrastructure Ireland	Traffic & Transport	MKO Environment

3.1

The Department of Housing, Local Government and Heritage (Development Applications Unit)

The Department of Housing, Local Government and Heritage (DoHLGH) raised 4 no. archaeological requirements in relation to Archaeology, which are discussed individually below:

Archaeology

Requirement 1:

“All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 13 of the EIAR (IAC Ltd; dated 20 February 2026) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.”

Response:

The Applicant confirms that all mitigation measures as set out in Chapter 13 of the EIAR will be implemented in full, except as may otherwise be required in order to comply with the conditions of any grant of permission.

Requirement 2:

“The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service of the Department, in advance of any site

preparation works or groundworks, including site investigation works/topsoil stripping/site clearance and/or construction works,

- a. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (archaeological excavation) and/or monitoring may be required*
- b. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service of the Department, shall be complied with by the developer.*
- c. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority"*

Response:

As detailed in Section 13.5.2.1 of Chapter 13 pre-development archaeological testing of the proposed wind farm infrastructure will be carried out under licence from the National Monuments Service. A report on the testing will be compiled on completion of the work and submitted to the NMS and the Planning Authority. The report will include an archaeological impact statement and mitigation strategy. Further mitigation including preservation in situ (avoidance), preservation by record (excavation) and/or buffer zones may be required depending on the results of the testing.

Requirement 3:

"The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 1 3 of the EIAR and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity."

Response:

As detailed in Chapter 13 of the EIAR all mitigation measures set out therein pertaining to archaeological or cultural heritage constraints will be included in the updated CEMP. It should also be noted that the CEMP submitted as Appendix 4-5 of the EIAR contains multiple archaeological management measures in Section 3.3 of the CEMP, as well as a variety of archaeological mitigation measures to be employed during the construction phase of the Proposed Wind Farm in Section 7. The updated CEMP will include the location of all archaeological and cultural heritage constraints, will identify any potential direct or indirect impacts to same and will detail all mitigation measures to be implemented to ensure the protection of the archaeological and cultural heritage assets during all phases of site preparation and construction activity. The CEMP will be updated with the locations of any unrecorded monuments which may be discovered during the pre-development archaeological testing. The Applicant is open to a condition being attached to any planning permission to comply with DAU's requirements.

Requirement 4:

"The planning authority and the National Monuments Service of the Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer."

Response:

A final report detailing the results of archaeological monitoring of ground works and any archaeological investigations such as archaeological testing and excavation undertaken as part of the Proposed Wind Farm will be compiled on completion of the site work. The report will be illustrated with relevant drawings, photographs and plans and will also contain any necessary specialist reports. The final report will be submitted to the National Monuments Service and the planning authority.

3.2 Geological Survey Ireland (GSI)

Whilst the GSI made a submission to the Commission on the 30th of April 2026, no areas of concern were highlighted.

3.3 The National Environmental Health Service (NEHS)

The National Environmental Health Service (NEHS) submitted a report dated the 14th May 2026. For the purposes of this submissions response, requests/conditions raised by the NEHS have been extracted from the report and responded to below:

Point 1: Community Engagement

The Draft Revised Wind Energy Development Guidelines (2019) state the following 'In order to promote the observance of best practice, planning authorities should require applicants to prepare and submit a Community Report with their planning application and a condition on any subsequent planning permission should require developers to carry out the development in accordance with the approved Community Report'. It is important that the developers keep updating the local community should this proposed development proceed.

Response

A community engagement report has been included as Appendix 2-4 of the EIAR, the key principles of which are discussed in Section 2.2.13 of this Response to Observations document. The commitments to the local community outlined within this document will be carried out should the Proposed Wind Farm receive a grant of planning permission. The applicant commits to updating the local community should the Proposed Wind Farm receive a grant of planning permission.

Point 2: Hydrological Protection

The NEHS has considered Chapter 9 – Water of the EIAR and the sections referenced. Based on the information provided in chapter 9, the NEHS would concur with the conclusions that there is adequate protection of surface and ground water during construction and operation of the proposed development if all the mitigation identified is implemented in full.

Response

The Applicant will ensure that all mitigation measures as outlined in Chapter 9 of the EIAR will be implemented in full for the protection of surface and ground water features. It is acknowledged that these measures have been deemed to provide “adequate protection of surface and ground water” by the NEHS during the construction and operation of the Proposed Wind Farm.

Point 3: Noise & Vibration

If consent is given for this development, mitigation measures such as a noise curtailment strategy should be made a condition of the consent for all phases i.e. construction, operation, maintenance and

decommissioning phases. Particularly to prevent sleep disturbance. This recommendation is made in the interest of protecting Public Health.

Response

As stated in Section 12.6.2.1.1 of the EIAR, should permission be granted for the Proposed Wind Farm, the curtailment scheme as outlined in Tables 12-26 and 12-27 will be implemented. This scheme has been designed to ensure that noise levels remain within the acceptable levels (see Section 2.2.10 of this Response to Observations document for more details). As such, the Applicant is agreeable to this proposed condition.

Point 4: Shadow Flicker

In the interest of the protection of Public Health the proposed condition in the 2019 Draft Guidance should be implemented if consent is given for the development. The technology has advanced since the publication of the 2006 Guidance and it is a reasonable health protection measure to be included in any conditioning of a wind farm development. The mitigation measures that will eliminate exposure to shadow flicker are technologically robust and established. This mitigation should be implemented irrespective of whether the current guidance is updated.

Response

The Applicant is agreeable to the above condition. As stated in Sections 5.11.3.1.6 and 5.11.3.2.7 of the EIAR, the Proposed Wind Farm will be compliant with the draft 2019 Wind Energy Development Guidelines requirements for zero shadow flicker occurrences. As acknowledged by the NEHS, modern turbine technologies, such as shadow flicker shut-off and SCADA systems to eliminate shadow flicker are robust and established and will ensure zero shadow flicker occurrences at sensitive receptors within the 1.63km (i.e. the Shadow Flicker study area) of the Proposed Wind Farm.

Point 5: Construction Phase Operating Times

The NEHS recommend that operating times during the construction phase are limited as follows in order to minimise the impact of noise on residents. It is advised that the applicant should not operate outside these time limits unless absolutely necessary and with prior approval from the Planning Authority. Monday to Friday 07:00 – 19:00 Saturday 08:00 – 13:00 Sundays and Public Holidays - No noisy operations on site.

Response

The Applicant agrees to the above recommendation, however, to ensure that optimal use is made of good weather periods or at critical periods within the programme (i.e. concrete pours, turbine component deliveries) it could occasionally be necessary to work out of these hours. Any out of hours works will be communicated with local residents and the local authority in advance of any works.

Point 6: Water Quality & Dust

The plan is detailed and it is the opinion of the NEHS that there is adequate protection of Public and Environmental Health during the construction phased if all mitigation measures identified are implemented in full Additional considerations in the interest of the protection of Public Health.

All drinking water and water used for the preparation of food in the temporary construction compounds should meet the requirements of S.I. No. 122/2014 - European Union (Drinking Water) Regulations 2014

There should be no direct emission to ground or surface water of any foul wastewater. All wastewater should be contained and taken off site to a licensed treatment facility.

Site drainage should ensure the protection of surface and ground water during the construction phase. These are detailed in the CEMP and the NEHS has no additional comments.

The dust monitoring is a monthly average standard. Compliance with standard can incorporate short periods of very high levels of dust deposition followed by low levels and still be compliant. It is therefore important that dust minimisation is continually implemented and any complaints are investigated and responded to.

The NEHS has no additional observations on the proposed mitigation measures and considers there will be adequate protection of Public and Environmental Health during the construction phased if all mitigation measures identified are implemented in full. It is stated in Appendix 4-5, should the Proposed Project secure planning permission, the CEMP will be updated, in line with all conditions and obligations which apply to any grant of permission. The CEMP due to its structure and nature will also require constant updating and revision throughout the construction period, as set out below, therefore it is a working document.

Response

No foul wastewater will be directly emitted to ground or surface water sources within the Site. A Surface Water Management Plan (Appendix 4-7), A Construction and Environmental Management Plan (Appendix 4-5) and Chapter 9 'Water' of the EIAR outline a range of mitigation measures which will ensure the protection of surface and groundwater sources in the area.

A range of mitigation measures proposed in Section 10.4.2.3 and 10.4.2.4 of the EIAR will be employed to minimise dust impacts on nearby receptors for the duration of the construction phase of the Proposed Wind Farm. These include but are not limited to:

- › Sporadic wetting of loose stone surface
- › All plant and materials vehicles will be stored in dedicated areas within the Site
- › Turbines and construction material will be transported to the Site on specified haul routes only.
- › The agreed haul route road adjacent to the Site will be regularly inspected for cleanliness and cleaned as necessary.
- › The transportation of materials from the borrow pit around the Site will be covered by tarpaulin or similar covered vehicles where necessary.

The Applicant commits to updating the CEMP in line with all conditions and obligations which may apply to a grant of permission, prior to, as well as throughout the construction period as stated in Section 1 of the CEMP (Appendix 4-5 to the EIAR).

3.4 Irish Aviation Authority (IAA)

The Irish Aviation Authority (IAA) have raised no objections to the Proposed Wind Farm and requested that conditions related to aeronautical obstacle warning light scheme and as-constructed coordinates are provided to them under planning conditions, should planning permission be granted. The applicant is amenable to providing this information and agreeable to a condition in this regard should the Commission approve planning permission for the Proposed Wind Farm.

The IAA have also recommended that the Applicant should be required to engage with Shannon Airport Authority and the air navigation service provider AirNav Ireland to confirm that the Proposed Wind Farm development and any associated cranes that would be utilised during its construction would have no impact on Instrument Flight Procedures, Communications, Navigation and Surveillance (CNS) equipment or the safety of flight operations at Shannon Airport.

It should be noted that MKO has contacted both the IAA and Shannon Airport as part of the pre-planning process, with both consultees responding to MKO. Neither consultee highlighted any issues with the Proposed Wind Farm in relation to the aviation resource. Furthermore, an aviation review statement has been included as Appendix 15-6 of the EIAR which did not identify any impacts on aviation. Regardless of the above, the Applicant is willing to engage with the Shannon Airport Authority and AirNav Ireland on these matters.

3.5 Transport Infrastructure Ireland

A response to the issues raised by Transport Infrastructure Ireland (TII) is provided by Alan Lipscombe Traffic and Transport Consultants and MKO below.

Issue 1:

“It is noted that a Design Report is included in Appendix 15-5 of the EIAR submitted and Section 15.1.11 EIAR indicates that the report will be uploaded onto TII’s Departures Portal upon submission of this EIAR and planning application, TII advises as of 18 May, 2026, TII has no record of any Design Report formally submitted in relation to the proposed works.”

Response:

The TII Design Report is available to view as Appendix 15-5 of the EIAR. Whilst not currently uploaded to the TII Departures Portal, this will be uploaded once fully discussed with the local authority’s road section.

Issue 2:

“In relation to any temporary enabling works to facilitate turbine and substation component delivery to site, TII advises that the national road network is managed by a combination of PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) and local road authorities. The applicant/developer should consult with all PPP Companies, MMaRC Contractors and road authorities over which the haul routes traverse to ascertain any operational requirements such as delivery timetabling, etc. and to ensure that the strategic function of the national road network is maintained.

TII requests referral of all proposals agreed between the road authorities, PPP Concessions and MMaRC Companies and the applicant impacting on national roads. Mitigation measures identified by the applicant should be included as conditions in any decision to grant permission. Where temporary works within any MMaRC Contract Boundary are required to facilitate the transport of any abnormal loads to site, the applicant/developer shall contact thirdpartyworks@tii.ie in advance, as a works specific Deed of Indemnity will be needed by TII before the works can take place,”

Response:

The Applicant agrees to the above recommendations.

Issue 3

“All national road and ancillary overground/underground assets shall be subject to proper undamaged reinstatement and properly certified to the relevant standards in accordance with the assets’ functions together with any working widths/depths which they require Any damage caused to the pavement of the existing national road due to the turning movement of abnormal ‘length’ loads (eg. tearing of the surface course) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.”

Response:

The Applicant agrees to the above recommendations.

Issue 4:

“The applicant further states that notwithstanding the need to use specialist vehicles to facilitate turbine delivery, it should be noted that the number of load-bearing axles for any specialist vehicles carrying large loads are designed to ensure that the load on any one axle does not exceed acceptable load bearing statutory limits, and, therefore, the structural integrity of the national and regional road network used during the construction of the Proposed Project is adequate to provide for these accepted loads. While TII notes the confirmation provided in relation to turbine component delivery to site, it is unclear if any substation components may represent an abnormal load.

In the interests of clarity and for the Commissions consideration, any operator who wants to transport a vehicle or load whose weight falls outside the limits allowed by the Road Traffic (Construction Equipment & Use of Vehicles) Regulations 2003, SI 5 of 2003, must obtain a permit for its movement from each Local Authority through whose jurisdiction the vehicle shall travel”

....

Proposed Condition;

Prior to the first delivery of any abnormal or exceptional abnormal load associated with the development, the applicant shall submit to, and agree in writing, with the relevant Roads Authority(s) an Abnormal Load and Exceptional Abnormal Load Management Plan. The Plan shall confirm the final haul route, pre- and post-delivery condition surveys of the public road network (including bridges and culverts where required), any necessary accommodation works, traffic management measures, and confirmation of statutory abnormal load permits and Garda escort arrangements. Prior to the first delivery of any exceptional abnormal load, the permitting process required under Department of Transport Circular RWI 8 of 2024 ('Exceptional Abnormal Loads') shall be completed to the satisfaction of the planning authority.

"The delivery of abnormal or exceptional loads may take place outside standard construction working hours where required under the statutory abnormal load permitting process and as agreed with the relevant Roads Authority(s).

'Reason: in the interests of road safety, protection of public infrastructure, and the orderly management of abnormal load movements'.

Response:

For all abnormal or exceptional loads associated with the development, the Applicant is agreeable to the proposed condition above.

4. RESPONSE TO LOCAL AUTHORITY OBSERVATIONS

4.1 Clare County Council

A Chief Executive's Report (CER) was received on the application from Clare County Council (CCC), in accordance with the requirements of Section 37E(4) of the Act. Minutes of the May Monthly Meeting of Clare County Council on Monday the 11th of May 2026 were appended to this Report, in which, the Proposed Wind Farm was discussed as Item 8.

A number of concerns were raised in relation to the Proposed Wind Farm within the CER and Clare County Council Monthly Meeting, which have been grouped into the following themes and addressed:

- › Visual Amenity,
- › Residential Amenity - Noise,
- › Road and Traffic Issues,
- › Hen Harrier,
- › Peat Management.

Each of these items is addressed in detail below.

4.1.1 Visual Amenity

4.1.1.1 Impacts on Visual Amenity

Distance of Perceived Visual Effects

CCC have raised concerns that the proposal would be injurious to the visual amenities of the area and would have a significant visual impact locally, and in the wider area given the height and scale of turbines and the potential cumulative impact of the Proposed Wind Farm with other wind energy developments in the area.

Firstly, it should be stated that the LVIA was informed by Zone of Theoretical Visibility (ZTV) mapping, field surveys, a route screening analysis and verified photomontages. The methods and processes followed during the LVIA and resultant Chapter, Appendices and Visualisations included in the EIAR were produced in accordance with the frameworks, specifications and standards set out in the below best practice policy guidance documents:

- › GLVIA3 (LI & IEMA, 2013);
- › Appendix 3 'Landscape Impact Assessment of Wind Energy Development Proposals' of the WEDGs (2006);
- › Appendix 3 'Landscape and Visual Impact Assessment of Wind Energy Development Proposal' of the Draft WEDGs (2019).

Furthermore, a geographically broad LVIA study area of 25km was selected for the purposes of the EIAR in order to assess the Burren and Cliffs of Moher UNESCO Global geopark. In terms of cumulative landscape and visual effects, only wind energy projects have been considered, as only these would be described as very tall vertical elements in the landscape and therefore have the most potential to give rise to significant cumulative effects. Other wind energy developments and projects with the potential to have significant cumulative environmental effects within 25km of the Proposed Wind Farm were identified by

searching past planning applications lodged through the online planning portals of relevant planning authorities (i.e. Clare County Council, and An Coimisiún Pleanála). As cumulative visual effects depend on the aspect from which the turbines will be seen, various viewpoints were selected to give a thorough overview of the how the proposed turbines will appear in conjunction to turbines already present, permitted or proposed. As such, any statement that the LVIA has not comprehensively considered the cumulative impact of the Proposed Wind Farm and the existing, proposed and permitted wind energy developments in the wider landscape is incorrect. While the above is but a brief summary of the LVIA methodology employed for the purposes of the EIAR, a detailed LVIA Methodology document is provided as Appendix 14-1 to the EIAR.

With respect to EPA (2022) significance of effects ratings, the LVIA of the Proposed Wind Farm concludes that outside of a few residential receptors in close proximity of the proposed turbines (albeit at least 740m from the nearest proposed turbine), no other “Significant” landscape or visual effects are predicted. It should be noted that all residential receptors exceed the 4-times-tip-height set-back distance set out for residential visual amenity prescribed by the Draft WEDGs (2019).

Furthermore, the Proposed Wind Farm is not likely to have any significant effects for any Landscape Character Areas (LCAs), scenic routes or key scenic sensitivities and views in County Clare. The LVIA reports that the “Significant” visual effects which are likely to occur will be highly localised, only occurring for a very small number of residential receptors in close proximity to the proposed turbines and locally sensitive routes which traverse or run adjacent to the Proposed Wind Farm. This is supported by Table 5-5 of the EIAR Chapter 5 Population and Human Health, which reports that the landscape surrounding the Proposed Wind Farm site has a significantly lower population density compared to both the national figure and that of Co. Clare.

Furthermore, the Proposed Wind Farm is primarily located in a ‘Strategic Area’ which is considered to be “eminently suitable for wind farm development” in the CWES. It should be noted that the Proposed Wind Farm is primarily located within Landscape Character Area (LCA) 17 - Slieve Callan Uplands which primarily comprises of upland areas and as stated is the CWES has the capacity to capacity to absorb large wind farms. It should be noted that the Proposed Wind Farm is considered a ‘medium’ size wind farm as defined in the CWES (“Medium – 6 to 10 turbines”).

Section 14.7.4.5 of the LVIA conducts a robust assessment of potential cumulative landscape and visual effects between the Proposed Wind Farm and other wind energy developments identified in the 25km LVIA Study Area. In the interest of brevity, no residual cumulative effects greater than ‘Slight’ significance were identified in the EIAR.

4.1.2 Residential Amenity - Noise

CCC have raised concern in respect of the noise generated by the Proposed Wind Farm and recommend that the full details of the mitigation and noise management measures are clarified before permission is granted. CCC also recommends that details be provided regarding how said mitigation measures will be implemented in order to address any concerns arising from local residents at the operational stage.

The background noise survey was conducted through installing unattended sound level meters at 5 no. representative locations in the surrounding area. On the back of this data, a robust noise assessment has been carried out as part of the EIAR process and noise levels associated with the operation of the proposed turbines in the Proposed Wind Farm have been calculated for all noise sensitive receptors identified within approximately 2 km of the proposed turbines. This assessment has assumed a ‘worst-case scenario’ (i.e. noisiest turbine model) and multiple wind speeds to inform all calculations.

MKO wish to clarify that a curtailment strategy is provided in Section within 12.6.2.1.1 of Chapter 12 ‘Noise & Vibration’ of the EIAR to keep noise levels within the criteria, as outlined below;

- An appropriate absolute limit level in the range of 35 – 40 dB LA90 for quiet daytime environments with background noise levels of less than 30 dB LA90,10min;

- › 45 dB LA90,10min or a maximum increase of 5 dB above background noise (whichever is higher), for daytime environments with background noise levels of not less than 30 dB LA90,10min and;
- › 43 dB LA90,10min for night time periods.

Furthermore, a noise complaint management protocol is provided as Appendix 12-9 of the EIAR to ameliorate any noise complaints residents may have during the operation of the Proposed Wind Farm.

4.1.3

Road and Traffic Issues

Whilst much of the road and traffic issues in the CCC submission relate to the Proposed Grid Connection (which have been addressed in a separate submission response document relating to the Proposed Grid Connection Application (VA03.324156)). The below issues relating to the Proposed Wind Farm have been broken down and responded to individually.

Issue 1 – Bridges/Culverts/Pipelines

- › Pre-condition survey to be carried out on all Bridges/Culverts and pipelines along the route to the site
- › Damage to any structure will require immediate notification to the Kilrush Municipal District Office - full replacement will be required to damaged structures and pipelines
- › Post works surveys of each Bridge/Culvert structures will be required

Response

The applicant is agreeable to the proposed conditions above in the event that the Commission decides to grant planning permission.

Issue 2 - Wind Turbine/Blade Delivery

- › Wind Turbine/Blade Delivery routes to be agreed with the Kilrush Municipal Districts in County Clare
- › Land take/land dedications are the responsibility of the applicant
- › Road Opening License will be required if the road network is to be temporarily altered
- › Transport times and dates to be agreed with Local Gardai and Local Authority

Response

As stated in Section 15.1.13.6 of the EIAR the deliveries, including dates and times, will be made in consultation with the Local Authorities, and An Garda Síochána. Furthermore, delivery of turbine components will be carried out under Garda escort. Similarly, as stated in Table 15-1b of the EIAR, it is noted that works within the public road corridor will be subject to a Road Opening License.

Furthermore, the Applicant has secured sufficient control over all lands which are required for temporary or permanent land take in the form of letters of consent from the relevant landowners, which were submitted as part of the planning application.

Issue 3 - Bond

It is recommended that a planning condition is attached to include for a bond to cover damage to national, regional and local roads within the county that will be affected by this development.

Response

Any works on or adjacent to local, regional or national roads will be fully reinstated as per the Road Authority specifications. Furthermore, it is noted in Table 15-1b of the EIAR that The Road Opening Licence process includes for a long-term impact and reinstatement fees, that are held for a minimum of two years following the completion of works, to cover any road maintenance works that may be required.

4.1.4

Hen Harrier

CCC have raised concerns in relation to the efficacy of hen harrier enhancement measures which are proposed, in particular the separation distance between the Proposed Wind Farm and the Proposed Enhancement Lands, as well as the cumulative effect of other wind farms in the area and disturbance during felling works at the Proposed Enhancement Lands.

As stated in Appendix 7-8 'Hen Harrier Enhancement Plan' and Chapter 7 of the EIAR, Pre-mature felling of forestry will be undertaken before the first breeding season prior to the beginning of the construction phase of the Proposed Wind Farm. This would allow time for the clear-felled site to revegetate in advance of the operational phase, whilst also avoiding displacement effects during the hen harrier breeding season, thereby ensuring replacement habitat would be available should the predicted displacement effect occur. As stated in Section 2.2.12.1 of the Response to Observations document, the implementation of similar measures has proved effective at Slievecallan Wind Farm, which is located within the same uplands to the northeast of the Proposed Wind Farm, as well as Knocknatallig Wind Farm in Co. Cork. In the case of Slievecallan, hen harrier nested onsite in two of the four years since the wind farm first went operational (that are on the public record). In Scotland, a habitat enhancement area of 235ha was established as part of a mitigation plan to address the potential impacts of a wind farm on a pair of hen harrier. This consisted of commercial forestry felling. The use of the enhancement area by hen harrier increased considerably after the wind farm was built, although they continued to also use the wind farm consistently (discussed in Gómez-Catasús and Balotari-Chiebao, 2022)⁶. Furthermore, the majority of the turbines of the Proposed Wind Farm are sited in commercial forestry, noting there will also be a loss of some higher-value peatland habitat. The enhancement plan proposes to compensate for the loss of predominantly low ecological value habitat with good quality hen harrier habitat through the deforestation and restoration of the underlying peatland habitat to heath and scrub as well as agricultural management.

CCC query the distance of the Hen Harrier Enhancement Lands to the Proposed Wind Farm. MKO wish to note that the 46.04ha of enhancement is proposed within 2km (i.e. the core foraging range of hen harrier) of the Proposed Wind Farm site. This represents approximately 72.5% of the 62ha of foraging habitat to be lost to the hen harrier within the Proposed Wind Farm. Furthermore, approximately 72.96ha of enhancement lands, which is an increase of 10.96ha on the foraging area to be lost to hen harrier within the Proposed Wind Farm site, is located within 2km from the attempted breeding locations 800m west of the Proposed Wind Farm. As stated in Section 2.1 above, the Cahermurphy site and its surroundings have been investigated since 2018, with 6 years of bird surveys informing the locations of enhancement lands. It should be noted that the local population of hen harrier have remained within a "core area" c.5km east of the proposed turbines, and it was considered that the Proposed Enhancement Lands would be of far greater benefit to the local population than other alternatives. It is also important to note that hen harrier can forage up to 20km or more from roost locations.

As all enhancement parcels are within 5.6km of the proposed turbines (the separation distances of which have been shown in Figure 2 below), the distance between the enhancement lands and the Proposed Wind Farm is considered to be an appropriate distance between The Proposed Wind Farm site and the Hen Harrier Enhancement Lands.

⁶ "A review of post-construction mitigation strategies to reduce impacts of wind energy on raptors, with particular attention to the golden eagle (*Aquila chrysaetos*)" (Gómex-Catasús and Balotari-Chiebao, 2022), available at: <https://www.vmparisto.fi/sites/default/files/documents/Liite%2019%20Intuselvitys%202022%20%28Novia%20AMK%29.pdf>

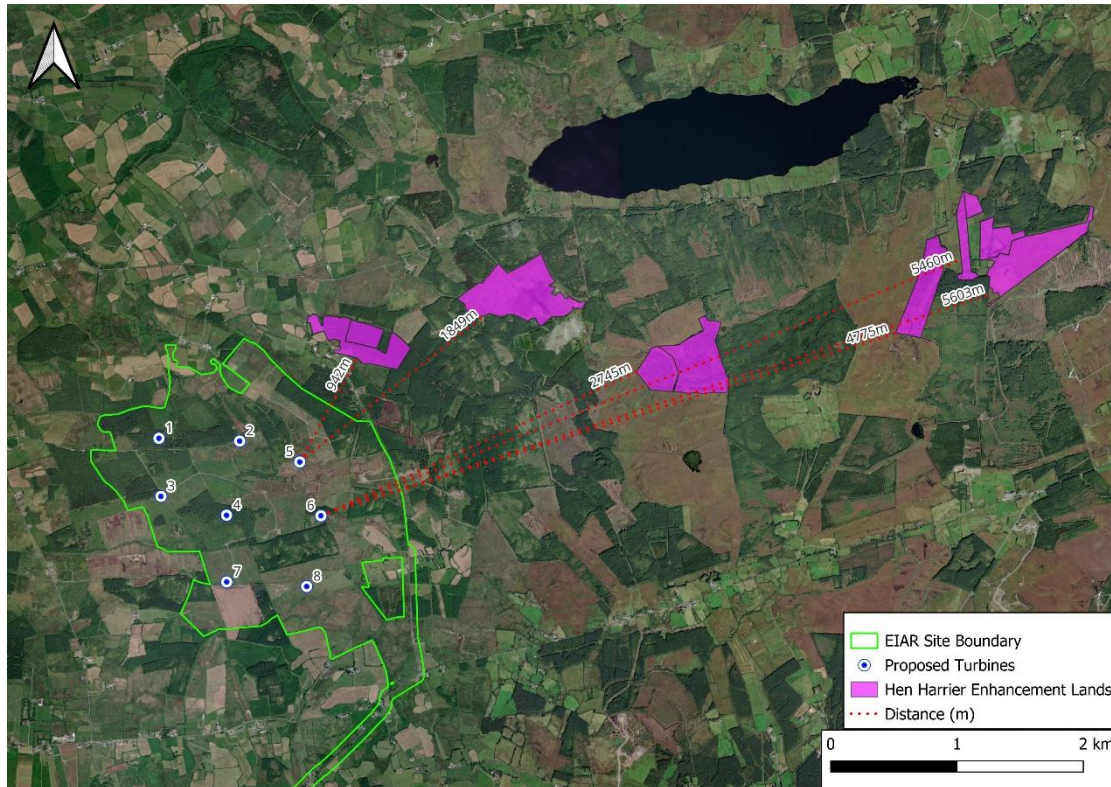


Figure 2: Distance between proposed turbines and Hen Harrier Enhancement Lands

The adequacy of the cumulative assessment with respect to hen harrier was also questioned by CCC. MKO wish to clarify that a detailed species-specific cumulative assessment is provided in Section 7.10 of the EIA, with wind farms being discussed in 7.10.1.2.3; no significant cumulative effects are identified for any key ornithological receptor, including hen harrier.

CCC raise a concern that the application does not adequately or conclusively demonstrate that windfarm development in the area, either individually or cumulatively with the proposed scheme, is not contributing to a decline in breeding success within the locality. MKO consider that the information provided, and the conclusion reached in Chapter 7 of the EIA conclusively demonstrate that the Proposed Wind Farm will not have a significant residual impact on hen harrier, nor any other key ornithological receptor as identified in Section 7.4.2 of the EIA

4.1.5 Peat Management

CCC raise concerns in respect of peat management having regard to the upland nature of the Site, the prevalence of blanket bog soils, the extensive network of drainage channels, the proposed clear-felling of forestry and the requirement for watercourse crossings and road upgrades within the Proposed Wind Farm site.

A detailed and robust geotechnical and peat stability report is provided as Appendix 8-1 and a peat and spoil management plan as appendix 4-3. These have been informed by an extremely robust programme of site investigation works, including a total of 583 peat probes, 36 no. trial pits and 2 no. rotary core boreholes undertaken within the Proposed Wind Farm (inclusive of the Hen Harrier Enhancement Lands).

The results of these site investigations informed the peat stability assessment which concluded that the risk rating for the Proposed Wind Farm Infrastructure was designated as having negligible or low risk of peat instability following the implementation of the prescribed mitigation measures outlined in Appendix B of the Peat Stability Assessment Report (Appendix 8-1 of the EIA).

Similarly, no peat stability concerns were forecast with the works relating to the Hen Harrier Enhancement Lands. Furthermore, the implementation of the proposed drainage design, in conjunction with 50m hydrological buffers will ensure that the extraction of peat will have no significant impacts on the hydrological regime within the Proposed Wind Farm site.

Having regard to the findings of the geotechnical and hydrological investigations within the Site, it is considered that the Proposed Wind Farm will not exhibit any significant risk to the environment in relation to peat management.

5.

SUMMARY

This Response to Observations has been prepared to address the observations made by Third-Party observers, Statutory Consultees and the Local Authority in respect of this application for the proposed Cahermurphy West Wind Farm development. It provides a comprehensive and robust response to all matters raised and the information provided is designed to directly assist the Commission in their ongoing consideration of the planning application.

The Proposed Wind Farm is a strategically important renewable energy project that will make a substantial contribution to Ireland's energy security as well as climate and renewable energy objectives at an international, European, national, regional and local level. The delivery of projects such as the Proposed Wind Farm is essential to achieving the transition to a low-carbon, climate resilient economy whilst also reducing our dependency on imported fossil fuels.

In exercising its functions under the Climate Act, the Commission is required, insofar as practicable, to perform its functions in a manner consistent with the requirements of Section 15(1) of the Climate Act, namely:

- › the most recent approved climate action plan,
- › the most recent approved national long term climate action strategy,
- › the most recent approved national adaptation framework and approved sectoral adaptation plans,
- › the furtherance of the national climate objective, and
- › the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

In determining the application, the Commission is therefore required to have regard to these statutory obligations. In this regard, the Proposed Wind Farm will make a meaningful contribution to the implementation of the Climate Action Plan, the delivery of renewable energy infrastructure, the reduction of greenhouse gases and the furtherance of the national climate objective. These are material considerations to which the Commission should attach significant weight in their assessment of the application.

Ireland has committed to decarbonising its economy by 2050. Achieving this objective will require the delivery of renewable energy infrastructure across the Country. No single project on its own will achieve this goal, rather, this will be dependent upon the accumulation of many individual renewable energy developments. The Proposed Wind Farm is one such development, which will deliver a range of benefits including the following:

- Supporting the transition to a low-carbon and climate resilient society through the generation of wind energy and displacing electricity that would otherwise be produced from fossil fuel sources, thereby reducing greenhouse gas emissions,
- Providing clean, renewable, electricity to the national grid, thus contributing to the decarbonisation of the electricity sector and in the process reduce the need for imported fossil fuels for electricity, improving national energy security.
- Helping to moderate energy costs over the longer term for consumers through increased renewable energy generation.

- Delivering up to 57.6MW of onshore renewable energy, making a meaningful contribution towards the CAP25 goals of 9GW of wind energy by 2030 and a renewable electricity share of 80% by 2030.
- Contributing to the achievement of Clare County Council's renewable energy targets of a minimum of 550MW, as set out in the Clare County Development Plan 2023-2029, through development on lands identified as suitable for renewable energy generation.
- Enabling the development of a self-sustaining, secure, reliable and efficient renewable energy supply and storage for County Clare, further advancing the Council's goal of contributing to economic development and enhanced employment opportunities in the county.
- Delivering a long-term positive impact on climate by offsetting of 134,942 tonnes of CO₂ emissions associated with the construction and operational phase of the Proposed Project in approximately 43.6 months of operation.
- Providing a significant positive benefit to the local community through the creation of sustainable local employment, contributing annual rates to the local authority and providing a local Community Benefit Fund in line with the new Renewable Electricity Support Scheme (RESS) to provide direct funding to those areas surrounding the project.

Having regard to the key points set out in this Response to Observations, it is respectfully requested that the Commission give appropriate weight to the significant contribution that the Proposed Wind Farm will make towards Ireland's National Climate Objective and, having regard to the relevant international, European, national, regional and planning context that applies to the Proposed Wind Farm grant permission for the application as proposed.