

Response to Submissions

Lemanaghan Wind Farm
(ACP Ref. 324161)





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1. INTRODUCTION

MKO has been instructed by Lemanaghan Wind Farm DAC (the Applicant) to prepare a response to the request issued by An Coimisiún Pleanála (the Commission) on 10th June 2026 relating to Third Party and Statutory Bodies Observations as part of the live Strategic Infrastructure Development (SID) planning application before them for consideration (ACP Ref: 324161).

The Proposed Project will comprise 15 no. wind turbines with a tip height of 220 metres (m) and will have an estimated installed capacity of c. 90MW, located in County Offaly (the 'Proposed Project'). The Commission did not request responses to specific observations made to the planning application; rather they invited the Applicant to make a submission in response to the observations received.

The letter of 10th June 2026 states that the deadline for submitting a response to the observations is the 8th July 2026.

It should be noted from the outset that there is no new information contained within this submission; rather, all information or referenced information can be found in the application documentation lodged with the application.

1.1 Overview of the Proposed Project

The Applicant lodged a planning application to the Commission in March 2026 for the Proposed Project as set out in the public notices as follows.

The proposed development will comprise:

- (i) 15 no. wind turbines with the following dimensions:
 - a. A total tip height of 220m;
 - b. Rotor diameter of 150m;
 - c. Hub height of 145m.
- (ii) Permanent turbine foundations, hard-standing and assembly areas;
- (iii) Underground electrical and communications cabling connecting the 15 no. wind turbines to the proposed 220kV onsite electrical substation;
- (iv) A new permanent 220kV electrical substation compound (c. 9611m²) in the townland of Cooldorragh consisting of 1 no. Gas Insulated Substation (GIS) building, 1 no. Independent Power Producer (IPP) control building, 2 no. gantry structures, all associated electrical and communications plant and equipment, welfare facilities, 2 no. foul water holding tank, 2 no. bored wells, access roads, security fencing and gates, lightning masts, signage, landscaping, drainage infrastructure and all other ancillary works;
- (v) A permanent telecommunications tower with a height of 36m and associated foundation and hard-standing area;
- (vi) The permanent installation of c. 800m of 220kV overhead line, 4 no. new steel masts, temporary tower build areas, temporary tower crane pads and associated hard-standing areas to facilitate the new 'loop-in/loop-out' connection into the existing 220kV Shannonbridge to Maynooth line;
- (vii) The new permanent overhead line grid connection will require the decommissioning / removal of 1 no. existing steel mast and c. 75m of existing 220 kV line;
- (viii) A meteorological mast with a height of 145 metres and associated foundation and hard-standing area;
- (ix) The permanent upgrade of c.1.14km of existing internal site roads/tracks and the provision of c.17.1 km of new permanent internal site access roads, passing bays and a layby area;
- (x) The permanent upgrade of c.1.8km of existing tracks and the provision of c.3.9km of new permanent tracks for the purposes of amenity, seating areas, and amenity signage;

- (xi) *The provision of temporary access track off the L7001 local road during the construction phase;*
- (xii) *Removal of an existing agricultural shed to accommodate the new temporary access track off the L7001 local road;*
- (xiii) *2 no. new gated site entrances off the L7002 local road;*
- (xiv) *Upgrade of 3 no. existing site entrances off the N62 national road, R436 regional road and L7001 local road;*
- (xv) *A temporary access track from the N52 national road to the N62 national road at Kennedy's Cross in the townland of Ballindown to facilitate the delivery of turbine components and other abnormal loads;*
- (xvi) *5 no. temporary construction compounds with temporary offices, containers and staff facilities;*
- (xvii) *3 no. permanent amenity car parks each including 15 no. spaces for private vehicles, 3 no. spaces for accessible parking, parking for buses and bicycle rack facilities;*
- (xviii) *4 no. temporary borrow pits;*
- (xix) *5 no. temporary security cabins;*
- (xx) *2 no. clear span watercourse crossings;*
- (xxi) *Peat and Spoil Management;*
- (xxii) *Site Drainage;*
- (xxiii) *Removal of c.1.02ha of immature woodland and c.0.64 hectares of scrub;*
- (xxiv) *Biodiversity management and enhancement measures;*
- (xxv) *Operational stage site signage; and*
- (xxvi) *All ancillary apparatus and site development works above and below ground, including hard and soft landscaping and drainage infrastructure.*

A 10-year planning permission and a 35-year operational life of the wind farm from the date of full commissioning is sought.'

1.2

Terminology

The terminology used within this report remains consistent with the terminology used throughout the original planning application documents including the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) and is outlined below.

- Where the 'Proposed Project' is referred to this encompasses the entirety of the project for the purposes of the Environmental Impact Assessment (EIA) in accordance with the EIA Directive. The Proposed Project is described in detail in Chapter 4 of the EIAR.
- Where the 'Proposed Wind Farm' is referred to, this refers to turbines and associated foundations and hard-standing areas, meteorological mast, internal roads, amenity track, temporary construction compounds, underground cabling, peat and spoil management, borrow pits, site drainage, biodiversity mitigation and enhancement, turbine delivery route and associated junction accommodation works, and all ancillary works and apparatus. The Proposed Wind Farm is described in detail in Chapter 4 of the EIAR.
- Where the 'Proposed Grid Connection' is referred to, this refers to the onsite 220kV substation, wind farm control building, 2 no. gantry structures, 2 no. crane pads, 2 no. tower pads, 4 no. steel masts, telecommunications tower, temporary access track, and OHL connecting to the existing Shannonbridge-Maynooth 220kV OHL, and all ancillary works and apparatus. The Proposed Grid Connection is described in detail in Chapter 4 of the EIAR.
- Where the 'Proposed Project site' or 'site' is referred to, this relates to the primary study area for the EIAR, as delineated by the EIAR Site Boundary in green and encompasses an area of approximately 1,258 hectares.

2.

RESPONSE TO PRESCRIBED BODIES

The following section provides responses to each of the Prescribed Bodies observations made on the Proposed Project.

There were 11 no. prescribed bodies which made a submission on the planning application as follows:

- > An Taisce
- > Department of Agriculture, Food, and the Marine
- > Department of Defence (DoD)
- > Department of Housing, Local Government and Heritage (DAU)
- > Environmental Protection Agency (EPA)
- > Inland Fisheries Ireland (IFI)
- > Irish Aviation Authority (IAA)
- > Office of Public Works (OPW)
- > The Heritage Council
- > Transport Infrastructure Ireland (TII)
- > Uisce Éireann

2.1

An Taisce

2.1.1

Environmental and Ecological

2.1.1.1

IPC Licence / Rehabilitation of Peatlands

An Taisce expressed concerns in relation to the overlap of the Proposed Project site with a cutover bog site which is subject to Integrated Pollution Control (IPC) Licence Ref: P0500-01, where Condition 10 requires a rehabilitation plan. The An Taisce submission states that the installation of wind turbines at this location may conflict with the rehabilitation requirements of the site, in view of its ecological features, active rehabilitation and potential resident species. As such, any inconsistency in this regard requires close consideration by An Coimisiún Pleanála to ensure that decarbonisation objectives are not in conflict with the rehabilitation requirements mandated by this licence.

Response

As identified in Section 2.5 of Chapter 2 Background to the Proposed Project of the EIAR, peatland rehabilitation and wind farm development have been proven to successfully coexist, as seen with BnM's Cloncreen Wind Farm, Mountlucas Wind Farm and other similar sites across Ireland. These projects demonstrate how renewable energy generation and ecological rehabilitation can operate in parallel, delivering both climate and biodiversity benefits. Section 2.5.4 of the EIAR Volume 2 points to the key fact that the permanent footprint of an onshore wind farm on BnM land holdings varies between 2 and 4% of each site. Therefore, in excess of 95% of the remaining cutover peatland outside the wind farm development footprint is available for rehabilitation. This approach presents a unique opportunity to meet Ireland's climate change and biodiversity enhancement commitments within the same site, by providing the opportunity to develop and deliver renewable energy infrastructure on land that can function as a carbon store and has the potential to revert to a carbon sink as well as enhance wildlife habitats.

As stated in Section 1.1.1 of Chapter 1 of the EIAR, the site encompasses an area of approximately 1,258 hectares (ha). The permanent infrastructure footprint of the Proposed Project measures approximately 34.3ha, which represents approximately 3% of the site and does not impact or change the overall goals and outcomes of the proposed rehabilitation plans for Lemanaghan Bog.

As outlined in Section 2.10.2.3 of Chapter 2 of the EIAR, the cumulative impact assessment contained within each impact assessment chapter consider all potential significant cumulative effects arising from the discharging of the IPC Licence conditions and the Proposed Project. The Draft Cutaway Bog Decommissioning and Rehabilitation Plan for Lemanaghan Bog (contained as Appendix 2-4 of the EIAR), hereafter the Draft Rehabilitation Plan, which has been prepared under Condition 10.2 of the IPC Licence is described in detail in Section 2.10.2.3 of the EIAR. The Draft Rehabilitation Plan provides a description of Lemanaghan Bog and its ecology and that has been taken into account in describing the baseline environment in the EIAR. It also provides a framework and outline of the works that will be undertaken to achieve the aims of successful rehabilitation (the criteria for which are defined in the Draft Rehabilitation Plan) and a timescale for when the various elements of the Draft Rehabilitation Plan will be implemented which has facilitated the identification of future baseline trends in the EIAR, most notably in the Biodiversity and Birds impact assessments contained in Chapters 6 and 7 of the EIAR, respectively, and in assessment of potential cumulative effects.

The Draft Rehabilitation Plan has due consideration for future wind energy development at the site, with the wind farm design forming a ‘constraint’ in the plans for rehabilitation and as presented in the Draft Rehabilitation Plan mapping. Furthermore, the Proposed Project has been designed with consideration to the Draft Rehabilitation Plan to ensure that the design is compatible with the planned rehabilitation for the site. Furthermore, the Draft Rehabilitation Plan states that *‘Lemanaghan Bog will be rehabilitated either in association with the proposed Lemanaghan Wind Farm Project, with peatland rehabilitation integrated into the proposed project, or will be completed in the event of an unsuccessful planning application.’*

The ecological considerations associated with the interaction between the Proposed Project and the Draft Rehabilitation Plan is discussed in Section 2.1.1.2 below.

In summary, the Draft Rehabilitation Plan has due consideration of the Proposed Project and the Proposed Project has due consideration of the Draft Rehabilitation Plans in its design, and as reflected in the EIAR & NIS which accompany the planning application. For clarity, the site will continue to be subject of the conditions of the IPC Licence irrespective of the Proposed Project, i.e., undergo implementation of rehabilitation measures. As outlined above, the delivery of renewable energy in tandem with rehabilitation measures provides the greatest opportunity to maximise environmental benefits and is an approach which has been proven to be successful at BnM’s Clonreen Wind Farm and Mountlucas Wind Farm.

Carbon Assessment

The carbon sequestration potential of the bog within the context of the Proposed Project and the Draft Rehabilitation Plan is considered in Chapter 11 (Climate) of the EIAR. Please refer to the Heritage Council response, Section 2.9.1.1 below which further outlines the carbon sequestration loss potential of Lemanaghan Bog resulting from the Proposed Project.

2.1.1.2 Ecology

An Taisce notes that the site may harbour important ecological features and biodiversity due to active rehabilitation. This may also correspond to migratory species associated with the following ecological sites in the vicinity of the proposal:

- Clara Bog SAC (site code: 000572)
- Grand Canal pNHA (site code: 002104)
- Ferbane Bog SAC (site code: 000575)
- Moyclare Bog SAC (site code: 000581)
- Clonydonnin Bog NHA (site code: 000565)
- Fin Lough (Offaly) SAC (site code: 000576)
- Mongan Bog SAC (site code: 004017)
- Middle Shannon Callows SPA (site code: 004096)

➤ River Shannon Callows SAC (site code: 000216)

Furthermore, An Taisce notes that Wetlands Survey Ireland mapping demonstrates an abundance of cutover bog sites in the vicinity of the proposal who may be undergoing regeneration and supporting species such as sensitive ornithological receptors. They request that a robust Ecological Impact Assessment (EcIA) and/or biodiversity section of an EIAR fully account for potential impacts to migratory bird species associated with these areas, in-combination with designated sites. A cumulative effect lens should be adopted to consider impacts alongside other existing and permitted projects in the region, including other wind farm proposals. BirdWatch Ireland's Wetland Bird Survey data is recommended to be utilised to inform decision-making on the ornithological sensitivity of the region, particularly data on birds most susceptible to wind turbine collision due to their flight heights.

In addition to consideration of the proposal's impact upon pNHA/NHA and wetland receptors, An Taisce notes that a likelihood of significant effects, under Article 6(3) of the Habitats Directive, may arise not only from plans or projects located within a protected European site but also outside the strictly delineated boundary of the site with an essential consideration being the potential for the subject site to support commuting, foraging and nesting activity for ornithological receptors associated with nearby European Sites.

Response

Rehabilitation

Chapter 6 Biodiversity of the EIAR assesses the Draft Rehabilitation Plan cumulatively in Section 6.5.3 with respect to all Key Ecological Receptors (KERs) and all potential interaction pathways, i.e., habitat condition and availability, hydrology and surface water quality, and indirect effects on downstream ecological receptors.

In relation to aquatic habitats and species, Section 6.5.3 of Chapter 6 of the EIAR states that both the Proposed Project and the Draft Rehabilitation Plan include measures to protect surface water quality. These measures are complementary and are not predicted to interact in a manner that would result in adverse cumulative effects on receiving watercourses or downstream designated sites.

Overall, when assessed in combination from an ecological perspective, the Proposed Project and the Draft Rehabilitation Plan are not predicted to give rise to significant cumulative effects on biodiversity at any geographic scale. The rehabilitation of cutaway peatlands is expected to contribute positively to the wider ecological context over the longer term, independent of the Proposed Project.

It is therefore considered that the EIAR and accompanying documentation provide An Coimisiún Pleanála with sufficient information to satisfy itself that no material conflict between the Proposed Project and rehabilitation exists.

Ecology

Chapter 6 Biodiversity and Chapter 7 Birds of the EIAR, as well as the NIS, provide a comprehensive assessment of all potential impacts on KERs, Key Ornithological Receptors (KORs) and associated impact on designated sites within the zone of influence (ZOI). The ZOI is defined in Section 6.1 of Chapter 6 of the EIAR as *'the zone within which potential effects are anticipated. ZOIs differ depending on the sensitivities of particular habitats and species and were assigned in accordance with best available guidance and through adoption of a precautionary approach.'*

The designated sites considered for assessment are those located within the likely ZOI for each habitat or species. Table 4-1 in the NIS notes all relevant European Sites that have a potential pathway for Likely Significant Effects, and delineates which are contained within the ZOI and therefore progressed for assessment. Please note, as outlined above the likely ZOI is based on establishing which sites are potentially in the zone of influence using a source-pathway-receptor model, and so is determined by the

nature and scale of the project, hydrological connectivity, habitat connectivity, and foraging/commuting ranges for SCI bird species or QI species. The European Sites listed in An Taisce's submission are detailed in Table 4-1 in the NIS (European sites only) with the following progressed for assessment in the NIS:

- Middle Shannon Callows SPA (site code: 004096)
- River Shannon Callows SAC (site code: 000216)

All other referenced sites by An Taisce were not identified to have any hydrological connectivity to the site, and no potential for significant effect, therefore they were not included in the likely ZOI, and no further assessment was deemed to be required, please refer to Section 5.1.1, Section 5.1.2, and Section 6 of the NIS for the assessment of the Middle Shannon Callows SPA and River Shannon Callows SAC.

Section 7 of the NIS states:

'Based on the above, in view of best scientific knowledge, on the basis of objective information, there is no potential for adverse effect on the identified QIs/SCIs and their associated targets and attributes, or on any European Site. Potential pathways for effect have been robustly blocked through measures to avoid impacts and the incorporation of best practice/mitigation measures into the project design.'

Further assessment on cumulative effects on European Sites is detailed in Section 8 of the NIS; this included a review of online Planning Registers, Development Plans and other available information and served to identify past and future plans and projects, their activities and their predicted environmental effects. Cumulative wind farms within 25km, other large-scale projects within 10km, existing habitats and land uses, decommissioning and rehabilitation as per the Draft Rehabilitation Plan, and nearby Peatland Climate Action Scheme (PCAS) activities all form part of the cumulative assessment. Section 8 of the NIS concludes:

'Having considered other projects in the area as listed above, no potential for the Proposed Project to contribute to any adverse cumulative effects on any European Sites was identified when considered in combination with other plans and projects.'

With Section 9 of the NIS stating:

'Following an examination, evaluation and analysis, in light of best scientific knowledge and the conservation objectives of the site, and, on the basis of objective information, having taken into account the relevant mitigation measures, it can be concluded that the Proposed Project will not have an adverse impact on any European Sites, either alone or in combination with other plans or projects.'

The referenced NHA and pNHAs are included in Section 6.3.1 of Chapter 6 of the EIAR, where it is noted that there is no potential for significant effects as there is no pathway for effects, they are not included in the likely ZOI, and therefore no further assessment was deemed to be required.

The Proposed Project site does harbour important ecological features and biodiversity, i.e., populations associated with, or connectivity to the identified designated sites. Furthermore, the Proposed Project will continue to facilitate these features and populations as rehabilitation occurs as per the IPC Licence requirement under Condition 10 and alongside the proposed ecological and ornithological enhancement proposals which form part of the Proposed Project. Rehabilitation is not currently ongoing on the site as initial decommissioning activities are underway; it is noted that a small part of the site is already re-vegetated due to the time elapsed from when peat extraction ceased (June 2020). Proposed Project infrastructure is not proposed in this location.

In relation to migratory species, Section 7.5.2 of Chapter 7 identifies that the Proposed Project site does not lie on a migratory corridor or regular commuting route for lapwing, whooper swan, or golden plover. Therefore, significant displacement effects are not anticipated.

In relation to methodology, BirdWatch Ireland resources are utilised throughout Chapter 7 Birds of the EIAR, with Section 7.3.5 detailed the Irish Wetland Bird Survey which was coordinated by BirdWatch Ireland.

2.1.1.3 Water Framework Directive Assessment

An Taisce note that the subject site overlaps with two river waterbodies, namely the moderate status 'Lemanaghan Stream_010' and 'Brosna_100' and request that the proposal should be assessed against Article 4 of the Water Framework Directive (WFD) to determine whether the project may cause a deterioration of the status of a surface or ground water body or if it may jeopardise the attainment of good surface or ground water status or of good ecological potential and good surface or ground water chemical status.

Response

Appendix 9-3 of the EIAR contains a WFD Compliance Assessment report which is aligned with all requirements of the WFD, including the obligations set out under Article 4 of Directive 2000/60/EC. The assessment has been prepared in accordance with the non-deterioration and good status objectives of Article 4(1), which requires that member states prevent deterioration of the status of all bodies of surface water and groundwater and protect, enhance and restore all bodies of surface water with the aim of achieving good status.

Appendix 9-3 of the EIAR identifies all relevant surface waterbodies (SWBs) and groundwater bodies (GWBs) with the potential to be affected by the Proposed Project and reviews all available WFD information. Table B details the WFD information for downstream surface water bodies, including Lemanaghan Stream_010 and Brosna_100, with Table D identifying the screening justifications for assessment for each of the referenced waterbodies.

Section 4 of Appendix 9-3 of the EIAR provides an assessment of potential effects, detailing the unmitigated and mitigated scenarios of potential impacts on each of the screened-in waterbodies from Table D, as well as a cumulative assessment with other projects and plans in the hydrological study area (Section 9.5.7 of Chapter 9 Water of the EIAR). This assessment has been conducted at the level of individual water body status, which is aligned with the requirement established in *Bund für Umwelt und Naturschutz Deutschland eV - v- Bundesrepublik Deutschland* (Case C-461/13 (Weser)). The assessment concludes that no such deterioration will occur in any quality element of any screened-in waterbody.

It is further noted that several downstream SWBs, including Lemanaghan Stream_010 and Brosna_100, are currently at Moderate status. The assessment has specifically considered the construction, operational, and decommissioning phase risks to these waterbodies given their existing status. The mitigation measures detailed in Section 4.3 of Appendix 9-3 of the EIAR are designed to ensure that no deterioration in status class occurs during construction, operation or decommissioning. In this context, it is considered that the assessment adequately demonstrates that status of the waterbodies will be maintained with the implementation of the prescribed mitigation measures.

Appendix 9-3 of the EIAR concludes that there will be no change in GWB or SWB status in the underlying GWBs or downstream SWBs resulting from the Proposed Project. There will be no change in quantitative (volume) or qualitative (chemical) status, and the underlying GWBs and downstream SWBs are protected from any potential deterioration. As such, the Proposed Project is compliant with the requirements of the WFD (2000/60/EC), and specifically with the Article 4(1) non-deterioration

obligation. The full list of legislation utilised in relation to hydrology and hydrogeology is included in Section 9.1.4 of Chapter 9 of the EIAR

2.1.2 Archaeology

An Taisce notes that the subject site supports a substantial amount of archaeological heritage, indicative of a highly sensitive landscape which requires a robust Archaeological Impact Assessment as part of the proposal. The area in which the subject site is situated was the subject of the Lemanaghan Heritage Conservation Plan (2007) whose objectives should be assessed and balanced with decarbonisation need.

An Taisce expresses concerns in relation to Proposed Project infrastructure proposed locations and ensuring that there is no encroachment upon archaeological artefacts. In line with national policy, as set out in the Framework and Principles for the Protection of Archaeological Heritage (1999), there should always be a presumption in favour of avoiding development impacts on archaeological heritage.

An Taisce further highlights the importance of ensuring maximum protection of Irish national monuments under the National Monuments (Amendment) Act 1994 and suggest that an archaeological investigation and test is carried out before the development consent determination.

Response

The Applicant notes the archaeological importance of the Proposed Project site and the surrounding area. The Lemanaghan Conservation Plan (The Heritage Council, 2007) referenced by An Taisce is detailed in Section 13.2.2.1.6 of Chapter 13 Cultural Heritage of the EIAR. The requirement for the Lemanaghan Conservation Plan largely stemmed from the vulnerability of heritage sites identified along authenticated medieval pilgrimage routes, including the pilgrim way to Clonmacnoise, which formed part of the Pilgrim Paths Project, a millennium project set up by the Heritage Council in 1997.

The Lemanaghan Conservation Plan affirms that Lemanaghan Monastic Complex, which is located outside of the Proposed Project site and approximately 1.2km from the nearest proposed turbine, is of national archaeological significance with both the setting and structures associated with the site being of note within the Lemanaghan Conservation Plan. The balance of the need for decarbonisation in relation to the objectives of the conservation plan is included in the EIAR, with Chapter 1 and Chapter 2 of the EIAR outlining the need for the Proposed Project and associated legislation, policy and guidance – internationally, nationally, and locally – that supports the development of the Proposed Project.

The Proposed Project design underwent a constraints-led design approach, focusing on avoidance of constraints, including those of archaeological significance insofar as possible. The design of the Proposed Project and all reasonable alternatives is detailed in Section 3.2.5 of Chapter 3 Site Selection and Reasonable Alternatives of the EIAR.

The proposed turbines avoid all recorded monuments located within the site and are positioned outside the 50m buffer that has been applied to all such monuments. A Proposed Project internal access track interacts with a recorded monument at 2 no. locations – i.e., the proposed new road to T10 and T11 and associated cabling which crosses OF007-350— Road - gravel/stone trackway. As discussed in Sections 13.2.2.1.3 and 13.2.2.1.13 of Chapter 13 of the EIAR this road is shown on the available historic mapping and is also apparent on the ground, being visible during the walk-over survey carried out as part of this assessment. It survives as both a grassy track and also as patches of gravel and stone which are visible where vegetation is not present. It is considered that this monument is extant with physical remains present both at ground level and potentially beneath the peat surface. In this regard the assessment concluded that the construction of the proposed new road has the potential to directly affect the monument. Consequently, in order to mitigate the potential impact the proposed new road will be floated over the trackway at both locations. Section 4.2 of the Peat & Spoil Management Plan,

included as Appendix 4-3 of the EIAR, provides a detailed methodology for floating road construction specific to archaeological monuments.

The rich archaeological heritage of the Proposed Project site is evidenced by the numerous recorded monuments therein and the large number of archaeological objects recovered from the bogs within and surrounding the Proposed Project site over its lifetime as an industrial peat extraction site. Peat depths vary considerably through the site ranging from 0m-7m; however, large areas have surviving peat depths of 1m-3m with areas of deeper peat (c. 3m-4m and 4m-5m) also present. The potential therefore exists for the presence of sub-surface archaeological finds, structures and deposits within the peat, particularly where deeper peat remains in situ. Section 13.3.3.5 of Chapter 13 of the EIAR outlines the dedicated monitoring and mitigation measures which will be undertaken in order to ensure that direct impacts to sub-surface archaeological finds, structures or deposits, if present, will be ameliorated. Mitigation measures include pre-development archaeological testing and reporting and construction stage archaeological monitoring and reporting. Any archaeological features or sites, if detected during the testing or monitoring will be preserved by record (archaeologically excavated) or preserved in-situ (avoidance) and therefore a full record made of same. In this regard, the potential effect after the implementation of mitigation measures is likely to be Long-term, Negative and Slight which is Not Significant.

It is noted that An Taisce has proposed that an archaeological investigation and test is completed prior to any determination of permission for the Proposed Project. The desk-based assessment and walkover survey completed as part of Chapter 13 Cultural Heritage of the EIAR has established a comprehensive baseline of the known archaeological resource, and the nature of the sub-surface archaeological potential within the peat is well understood and comprehensively covered within the impact assessment. Pre-determination test trenching in deep peatland environments would itself cause unnecessary disturbance, potentially damaging any archaeological deposits it seeks to identify, as well as the peat hydrology and ecological integrity of the bog, prior to any decision being made on the application. A post-consent programme of pre-construction testing and construction phase archaeological monitoring is an accepted approach for wind farm developments in peatland settings in Ireland, consistent with established practice on comparable consented projects and the guidance of the National Monuments Service (NMS). It is therefore considered that the post-consent mitigation framework set out in Section 13.3.3.5 of Chapter 13 of the EIAR provides a robust and proportionate approach to the sub-surface archaeological potential of the Proposed Project site.

2.2 Department of Agriculture, Food, and the Marine

The Department of Agriculture, Food, and the Marine outlined that if the proposed development will involve the felling or removal of any trees, the developer must obtain a Felling License from the Department before trees are felled or removed. The Department has also provided a comprehensive overview of the felling licence requirements under the Forestry Act 2014 and Forestry Regulations 2017.

Response

As outlined in Section 4.4.1.8 of Chapter 4 Description of the Proposed Project of the EIAR, no commercial forestry felling requiring a forestry licence will occur as part of the Proposed Project.

There will be the removal of 1.02ha of immature woodland (WS2), referred to as vegetation removal throughout the EIAR. The estimated 1.02 hectares of immature woodland (WS2) that will be removed within and around the Proposed Wind Farm footprint along with existing linear boundaries is not subject to a Felling Licence from the Forestry Service and will be replanted within the site as part of the proposed ecological enhancement detailed in Section 4.4.1.7 of Chapter 4 and Appendix 6-5 Biodiversity Management and Enhancement Plan (BMEP) of the EIAR.

2.3 Department of Defence

The Department of Defence (DoD) outlined two key points for consideration within the EIAR:

- All turbines should be illuminated by Type C, Medium intensity, Fixed Red obstacle lighting with a minimum output of 2,000 candela to be visible in all directions of azimuth and to be operational H24/7 days a week. Obstacle lighting may be incandescent. If LED or other lighting types are used, should be a type visible to Night Vision equipment. Obstacle lighting must emit light at the near Infra-Red (IR) range of the electromagnetic spectrum, specifically at or near 850 nanometres (nm) of wavelength. Light intensity to be of similar value to that emitted in the visible spectrum of light.
- In the event of negative impacts on future military radar systems, the owner will engage with the Department of Defence and will provide suitable mitigations as soon as practical.

Response

The first point identified by the DoD in relation to turbine lightings was a requirement outlined in the scoping response to MKO received on 8th November 2024. As identified in Section 15.2.4.2 of Chapter 15 Material Assets of the EIAR, the proposed turbines will be included on mapping, fitted with obstruction lighting and entered into aircraft navigation databases to ensure they will be avoided during flight.

In relation to the request for engagement with the DoD in the event of negative impacts on future military radar systems, the Applicant agrees and welcomes this condition as part of any planning application.

2.4 Development Applications Unit

2.4.1 Environmental and Ecological Concerns

2.4.1.1 Ornithology

2.4.1.1.1 Collision Risk

The Development Applications Unit (DAU) of the Department of Housing, Local Government and Heritage has requested that further detail on searcher efficiency, details of reports which have established known removal rates, search frequency and search radii must be specified within the programme of monitoring for collision risk.

Furthermore, the DAU requests that details should be provided of mitigation measures to be undertaken should Whooper Swan or other bird mortality turn out to be of higher significance than predicted through modelling.

The DAU notes that whilst there is a detailed analysis in the NIS on the potential for significant effects from collision risk from the proposed turbines on a number of Species of Conservation Interest (SCI) bird species from nearby SPAs, there has been no analysis on the potential for significant effects from collision risk from the overhead line that is proposed.

Response

A detailed Bird Monitoring Programme has been prepared for the pre-construction/construction, operation, and decommissioning phases of the Proposed Project, included as Appendix 7-7 to the EIAR. Section 7.7 of Chapter 7 and Appendix 7-7 of the EIAR outline the proposed monitoring proposals for the Proposed Project in relation to birds with Section 7.8.1, 7.8.2 and 7.8.3 outlining the commencement and construction phase, post-construction (operational) phase, and decommissioning phase monitoring frequency and proposed distance from the Proposed Project infrastructure footprint in which these surveys will be carried out.

As outlined in Section 2.4 in Appendix 7-7 of the EIAR a report summarising the findings of monitoring surveys will be submitted to the Planning Authority at the end of each prescribed monitoring year. The report will discuss potential impacts on birds (particularly KORs) and any recommendations that may inform additional mitigation measures during the operational phase of the Proposed Wind Farm. At this time more specific mitigation may be proposed based on the monitoring results. This is an accepted and proven method for monitoring to ensure proposed mitigation is acceptable for a specific project.

As detailed in Section 7.2.4 of Chapter 7 of the EIAR, the 0.8km of overhead line (OHL) proposed as part of the Proposed Grid Connection was included within the viewsheds of VP4/VP4a, therefore the location of the Proposed Grid Connection infrastructure was thoroughly covered during ornithological surveys, comprising four breeding seasons and five winter seasons. Across all surveys over these 4.5 years of surveying, there were no regular flight paths recorded in the vicinity of the proposed new 0.8km of OHL. Furthermore, there were no flights of overwintering waterbirds species identified as KORs recorded crossing the location of the Proposed Grid Connection OHL cabling (i.e. golden plover, whooper swan, lapwing) over the 4.5 years of surveying. Section 7.5.4 of Chapter 7 of the EIAR notes that, following best practice, the 0.8km of OHL will include line markers to increase their visibility to birds in flight. Furthermore, the length of the proposed OHL (0.8km in total) is insignificant in the context of the existing Shannonbridge-Maynooth 220kV OHL to which it connects, and which passes through the north of the Proposed Project site. As such, based on the low levels of activity recorded at the location of the Proposed Grid Connection infrastructure over the 4.5 years of surveying and the scale of the OHL in the context of the existing Shannonbridge-Maynooth 220kV OHL, the line marker, the effect significance for all KORs is classed as no greater than **Low** (Percival, 2003) or a **likely long-term slight negative effect** (EPA, 2022). It is noted that the modelling method used is the Collision Risk Model provided by Band (2024); this model is not capable of calculating collisions for OHL. Currently, there is no accepted statistical modelling available. Therefore, based on the above, with consideration to best practice guidance and available methodology, and the proposed mitigation (i.e., line markers) that the collision risk associated with OHL is comprehensively covered and collision risk has been modelled appropriately.

2.4.1.1.2 Methodology

The DAU notes that Chapter 7 of the EIAR utilises the Environmental Protection Agency (EPA) Environmental Impact Assessment Guidance (2022) and the Percival guidance (2003) to determine likely significant effects. The DAU notes that it is more appropriate to use the Chartered Institute of Ecology and Environmental Management (CIEEM) (2024) approach and terminology for defining significance at the relevant geographic scale of reference.

Response

All legislation, policy and guidance applied is outlined in Section 7.1.2 of Chapter 7 of the EIAR.

Percival (2003) was developed specifically to assess avoidance behaviour and collision risk for birds at wind farms and remains the standard reference embedded in collision risk modelling methodology used across the Irish and UK wind sector, including by NatureScot/SNH guidance (2009, 2017) which

itself underpins the Bird Monitoring Programme (Appendix 7-7). CIEEM (2024) provides a more recent and more general framework for ecological impact assessment significance terminology across taxa and geographic scales, but it does not supersede or replace species/taxon-specific collision risk methodologies such as Percival, which addresses a different technical question (probability of collision and avoidance) rather than significance terminology alone.

The impact assessment methodology, as defined in Section 7.2.5.3 of Chapter 7 of the EIAR applies both Percival (2003) and the EPA Environmental Impact Assessment Guidelines (2022) in parallel: the two assessment criteria have been used to independently characterise impacts to inform a robust assessment of potential impacts. EPA impact assessment criteria have been used for consistency between the Biodiversity (Chapter 6) and Birds (Chapter 7) chapters of the EIAR, while Percival (2003) has also been followed given its specific focus on birds.

2.4.1.1.3 **Lighting**

The DAU expresses concern that the potential impacts of lighting on turbines have not been considered by the Applicant in the Birds Chapter of the EIAR, noting that migrating birds such as Whooper Swan, are more at risk than other species as they can migrate at nighttime. The DAU recommends that Further Information is requested on this. Aviation lighting design should consider best practice guidance, such as the NatureScot *Information Note on the Effects of Aviation Obstruction Lighting on Birds at Wind Turbines, Communication Towers and Other Structures*.

Response

As some bird species are known to be attracted to artificial lighting (phototaxis), there is potential for some bird species to be put at increased risk of colliding with a turbine if attracted to artificial lighting on the proposed turbines. As outlined in Section 2.3 and 2.7.1 below, the IAA has outlined specific lighting requirement to ensure no effects on aviation during the operational phase.

It is noted that only some taxonomic groups (e.g. some burrow nesting seabirds) and nocturnally migratory species (especially passerines) are more attracted to lights than others. It is noted that there were no KORs from either of these groups identified at the Proposed Project site. Please see Section 7.4.2 of the EIAR for further details of KOR identification. As detailed in the guidance document referred in the DAU submission: *Effects of Aviation Obstruction Lighting on Birds at Wind Turbines, Communication Towers and Other Structures*. It is stated that:

“It is likely that collision risk at lit turbines for non-passerine taxa are likely to be relatively low in general.”

This is of note as all of the KORs identified at the Proposed Project site were non-passerines. No significant effects are therefore predicted.

2.4.1.2 **Hydrology**

The DAU expressed concerns that while the NIS notes that there is no hydrological connection via surface or groundwater between the Proposed Project and the Ferbane Bog SAC (Site Code: 000575) Clara Bog SAC (Site Code: 00572), both SACs and the Proposed Project are located within the Clara Ground Waterbody (GWB). The DAU notes that consideration must be given to the hydrogeological connectivity between the proposed development site and Natura sites as any adverse impacts on groundwater could negatively affect the Site-Specific Conservation Objectives (SSCOs) for Natura 2000 sites.

The DAU further notes that the maintenance of a high-water table is essential to sustain raised bog habitats and species and recommends that further clarification on the potential for hydrogeological effects from the proposed development on nearby SACs is provided and expanded upon.

Response

As outlined by the DAU submission, Table 4-1 in the NIS notes that there is no pathway for direct effects on the Ferbane Bog SAC or the Clara Bog SAC, this is due to the SACs being entirely outside the Proposed Project footprint and in excess of 1km and 3km, respectively, from the Proposed Project site. No hydrological connectivity is noted via groundwater or surface water, which is affirmed in Chapter 9 Water of the EIAR in Section 9.3.1.6. Please note, Section 9.3.1.6 does note that the Clara GWB has been progressed for assessment to determine any potential effects on its WFD status; see Section 4.2.1.2 of Appendix 9-3 WFD Compliance Report which notes that the Proposed Project will have no impact on the WFD Status of the Clara GWB.

Furthermore, the NIS and Chapters 6 (Biodiversity), 7 (Birds), and 9 (Water) of the EIAR all assess potential impacts on designated sites, with Chapter 9 of the EIAR and the NIS providing a focus on the potential hydrological impacts of the Proposed Project and designated sites. Due to the distance of the Ferbane Bog SAC and Clara Bog SAC from the Proposed Project and the lack of hydrological connectivity to the Proposed Project site there was no potential for direct or indirect impacts and therefore they were not progressed for assessment. The qualifications and experience of the authors of all the above referenced documentation is included within Chapter 1 (Introduction) of the EIAR and within the Statement of Authority of each of the above referenced documents.

As part of the measures contained within the Draft Rehabilitation Plan (Appendix 2-4 to the EIAR), the water table will rise to improve the local bog hydrogeological regime. During the construction phase of the Proposed Project excavation works and installation of the piled foundations may affect the water table. Section 9.5.2.2 and Section 9.5.2.7 in Chapter 9 of the EIAR assess this potential effect. No effect on the water table was identified as a result of either excavation works or the installation of piled foundations. As there is no potential to impact on the water table as part of the Proposed Project, there is no potential for effects on surrounding designated sites.

2.4.1.3 Natura Impact Statement

The Department advises that a Condition be attached to planning (should permission be granted) that all mitigation measures outlined in the Natura Impact Statement (NIS) and all other relevant documents must be implemented in full.

Response

The Applicant agrees and welcomes these conditions as part of any planning application.

2.4.2 Archaeology

The DAU expresses concern that there has been no comprehensive programme of advance prospection, such as Archaeological Geophysical Survey or advance Archaeological Test Excavation or systematic recent Peatland Survey, which would provide greater clarity as to the potential presence of sub-surface archaeological features or deposits. The DAU notes that there are Peatland Surveys from the period 1998–2013 which were consulted, but as industrial peat extraction activities continued until 2020, a more up-to-date Peatland Survey is needed.

The DAU advises that advance systematic Peatland Survey and advance Archaeological Test Excavation of all greenfield areas of the proposed development site should be carried out in advance of any development to determine if previously unknown sub-surface archaeological features or deposits are present. If such material is present, then additional mitigation measures to ensure the preservation in-situ or preservation by record (i.e. full archaeological excavation) of such discoveries will be necessary. The DAU advises that this can be addressed by the inclusion of an appropriate Condition if the development is permitted.

The DAU further outlines 6 no. conditions that should be attached to any grant of permission.

Response

The methodology for the desktop assessment and field inspection is provided in Section 13.1.7 and 13.1.8 of Chapter 13 Cultural Heritage of the EIAR. Furthermore, as outlined in Section 4.4.1.1.2 of Chapter 4 Description of the Proposed Project of the EIAR, site investigations were undertaken across the Proposed Project site to provide detail and clarity on the nature and extent of subsoils and bedrock as a means of characterising the Proposed Project site. Section 13.2.2.1.4 of the EIAR notes that archaeological monitoring of the excavation of geotechnical site investigation trial pits excavated for the Proposed Project was carried out by Tobar Archaeological Services and IAC Archaeology under licence from the National Monuments Service. The monitoring was undertaken in three phases and supervised by Tobar Archaeological Services in 2021 (Licence No. 21E0132) and 2022 (Licence No. 21E0132 Ext) and by IAC Archaeology in 2023 (Licence No. 23E0885).

Over three phases of site investigative works, a total of 62 no. trial pits were carried out at all proposed turbine locations and at other key locations (i.e., internal access roads and met mast location). No potential archaeological features, deposits or artefacts were uncovered during archaeological monitoring of three phases of Site Investigation trial pits (see Section 13.2.2.1.4 in Chapter 13). Please note, it is accepted in Ireland that geophysical survey is not a suitable assessment technique in peatland environments, which has been acknowledged by the Heritage Council as per their submission in Section 2.9.1 below. The Applicant welcomes this acknowledgement in relation to the unsuitability of this assessment methodology in peatland environments.

Previous archaeological surveys within the Proposed Project site are outlined in Section 13.2.2.1.4 of Chapter 13 of the EIAR, comprising the Irish Archaeological Wetland Unit (IAWU) peatland survey in 1993-4, an assessment and mitigation survey of Lemanaghan Bog in 1998 (McDermott et al. 1999. *Final report on the assessment and mitigation project 1998 undertaken in Lemanaghan, Co. Offaly*) and the reassessment peatland survey carried out by ADS Ltd. in 2013. The field inspection carried out as part of the archaeological assessment of the Proposed Project was focused on areas of Lemanaghan Bog that would be impacted by the Proposed Project footprint. It was determined that a full comprehensive peatland survey at pre-application stage of the entirety of Lemanaghan Bog was not required to inform a robust archaeological assessment. If the development is permitted, the Applicant welcomes any condition relating to further survey work. In addition, mitigation measures are proposed in Section 13.3.3 of Chapter 13 of the EIAR in relation to pre-development test trenching and the requirement for archaeological monitoring prior to and during construction phase activities; Section 13.3.3.3 of the EIAR identified mitigation associated with recorded monuments and Section 13.3.3.5 of the EIAR identifies mitigation associated with sub-surface archaeological potential within the site.

The Applicant agrees and welcomes these conditions as part of any planning application.

2.5 Environmental Protection Agency

The Environmental Protection Agency (EPA) note that the Integrated Pollution Control (IPC) Licence (Reg No: P0500-01) for the Boora Bog group encompasses part of the project site. The EPA also note the various legislative requirements should an IPC licence amendment application be made to accommodate the Proposed Project.

Response

The Applicant wishes to confirm that no amendments to the IPC licence are proposed at this stage. Should an IPC licence amendment be required at a later date, the licence holder will engage with the EPA. Any IPC licence amendment application will be prepared in accordance with the requirements

under the EPA Act 1992 (as amended), the Planning and Development Act 2000 (as amended), and any other relevant legislation in effect at the time of the making of such an application.

2.6 Inland Fisheries Ireland

IFI notes that a number of receiving waters within the wider catchment are currently classified as moderate or poor ecological status waters under the WFD and may therefore be particularly vulnerable to additional sedimentation, hydrological alteration and any pollutant loading associated with the proposed development. Given the scale of the proposed development, the peatland characteristics of the site, the extent of excavation and drainage works proposed and the direct hydrological connectivity to downstream fisheries waters, IFI considers that there is significant potential for adverse impacts on the aquatic environment unless robust mitigation and monitoring measures are implemented throughout all stages of the development.

IFI outlines 16 no. conditions that should be attached to any grant of permission.

Response

Appendix 9-3 (WFD Compliance Report) of the EIAR outlines the WFD status for SWBs and GWBs, see Section 2.1.1.3 above for further detail on this assessment. Section 2 of Appendix 9-3 of the EIAR identified the WFD for all SWBs and GWBs that are hydrologically linked to the Proposed Project site. Section 5 of Appendix 9-2 of the EIAR states that the Proposed Project does not involve any significant abstraction of groundwater or alteration of drainage patterns. Therefore, the quantitative status (i.e., the available quantity (volume) of groundwater and surface water locally) to the receiving waters will remain unaltered during the construction and operational phase of the Proposed Project. Furthermore, there is no direct discharge from the Proposed Project site to downstream receiving waters.

There will therefore be no change in GWB or SWB status in the underlying GWB or downstream SWBs resulting from the Proposed Project as outlined in Table I and Table J. There will be no change in quantitative (volume) or qualitative (chemical) status, and the underlying GWB and downstream SWBs are protected from any potential deterioration. Mitigation is provided within Appendix 9-3 of the EIAR where appropriate, all mitigation will be deployed throughout the construction, operation, and decommissioning phases of the Proposed Project.

The Applicant agrees and welcomes these conditions as part of any planning application.

2.7 Irish Aviation Authority

The IAA notes that, in the event of planning consent being granted, the Applicant should be conditioned to contact the Irish Aviation Authority (IAA) to:

1. *'To agree an aeronautical obstacle warning light scheme for the Proposed Development*
2. *To provide as-constructed coordinates in WGS84 format together with above mean sea level tip height elevations at each wind turbine location*
3. *To notify the Authority of intention to commence crane operations with at least 30 days prior notification of their erection.'*

Response

The request outlined by the IAA aligns with the scoping response received by MKO both on 25th May 2021 and 22nd November 2024. As identified in Section 15.2.4.2 of Chapter 15 Material Assets of the EIAR, the conditions will be adhered to by the Applicant.

Office of Public Works

The OPW has requested that the impact on the Photomontage 2 is assessed with regard to the view from the L7013 local road in the townland of Clonascra, located approximately 9.8km west of the nearest proposed turbine (T01). This viewpoint is also located at designated scenic view 3 in the Offaly County Development Plan 2021-2027 and on the 'Pilgrim's Road to Clonmacnoise' walking trail.

Furthermore, the OPW has identified 3 no. national monuments which require assessment as proximity to the proposed turbines is an indicator of a possible visual impact on them:

- Gallen Abbey (NM 504) and associated monuments is located c. 4.1km south-west of the nearest proposed turbine, T3 and the ZTV demonstrates theoretical visibility of 11-15 proposed turbines from this location.
- The National Monument at Rahan (NM 82) and the churches associated with it are located in an area in which the ZTV demonstrates theoretical visibility of 11-15 proposed turbines.
- The National Monument Clonfinlough Rock Art is situated just over 10km from the nearest proposed turbine, T01, in an area in which the ZTV suggests theoretical visibility of 11-15 proposed turbines.

Furthermore, the OPW considers that the presence of forestry screening is not an absolute guarantee or a permanent assurance against visual impact.

Response

The views as requested by the OPW in their submission have been considered and assessed within the EIAR, most notably in Volume 2: Photomontage Booklet.

As per Table 14-14 in Chapter 14 Landscape and Visual (LVIA) of the EIAR, the scenic route comprising *"Views from Pilgrims Road (Road No. L-07013) in the townlands of Clonmacnoise, Clonascra, Ballyduff and Bloomhill. View to Clonmacnoise and River Shannon, Eskers, Mongan Bog and Finlough."* (OCDP 2021-2027) has been scoped in for assessment, with the view from the L7013 local road captured in Photomontage 2 of EIAR Volume 2: Photomontage Booklet.

Section 1.3.2 of Appendix 14-3 of the EIAR (Photomontage Assessment Tables) assesses the view from L7013 Local Road, in the townland of Clonascra as referenced by the OPW in their submission and outlines the overall sensitivity of visual receptors (high), magnitude of change (slight), appropriate mitigating factors (discussed in Section 14.7.3.2.3 of Chapter 14 of the EIAR), and the final residual effect (slight).

Table 14-18 outlines the cultural heritage and tourist destinations within the LVIA Study Area (see Section 1.4 of Appendix 14-1 of the EIAR), noting that Gallen Abbey and the Rahan Monastic Site are scoped in for further assessment. Views from Gallen Abbey with theoretical visibility and from Rahan Monastic Site are shown as PWVP-G and PWVP-D respectively in Appendix 14-5 Photowires Visualisation.

Section 14.7.3.2.3 of Chapter 14 of the EIAR identified that visibility from Gallen Abbey, while marked as full theoretical visibility, will likely have significantly reduced visibility due to dense vegetative screening enclosing the abbey. PWVP-G, captured directly north of the Gallen Cemetery, and shown in Appendix 14-5 Photowires Visualisation, shows that the proposed turbines are located beyond a dense stretch of forestry and are not visible from this receptor. As such, no visual effects will occur at Gallen Abbey. As stated in Section 13.4.4.3 of Chapter 13 of the EIAR, no potential visual effects to these monuments are identified.

Section 14.7.3.2.3 of Chapter 14 of the EIAR identified that Rahan Monastic Site and Church Ruins, while marked as full theoretical visibility, will likely have significantly reduce visibility due to the monastic site itself is enclosed by dense hedgerow vegetation. This, in combination with the presence of intervening vegetation across the low-lying and the flat landscape between Rahan Monastic Site and the proposed turbines, results in a substantial reduction in visibility. This can be seen in PWVP-D in Appendix 14-5 Photowires Visualisation, where the proposed turbines are fully screened from within the Monastic Site. Overall, given the distance, and limited visibility, no direct visual effects will occur on the Rahan Monastic Site. As stated in Section 13.3.4.2 of Chapter 13 of the EIAR, given the distance of the National Monuments at Rahan and the existing natural screening and topography no potential visual effects as a result of the Proposed Project are identified.

In relation to Clonfinlough Rock, referred to as Clonfinlough Stone in Section 13.3.4.2 of Chapter 13 Cultural Heritage of the EIAR, it is stated that this comprises a large earthfast boulder the surface of which is covered with water solution holes, incised lines and several other unusual symbols or features. It is situated just over 10km from the nearest proposed turbine, T01, in an area in which the ZTV suggests theoretical visibility of 11-15 proposed turbines. Given the distance of this monument from the nearest proposed turbine, effects to its immediate setting will not occur. A change to the wider setting in which the monument is located is acknowledged, however, given the intervening distance and existing natural screening the potential effect is considered to be imperceptible. No further visual impact assessment was required at this location.

It is acknowledged that the presence of vegetation is not a guarantee or a permanent assurance against visual impact, therefore the impact assessment contained in Chapter 14 of the EIAR notes that seasonal variation will influence visibility of turbines during winter months when deciduous trees have shed their foliage, and this has been accounted for in the impact assessment.

2.9 The Heritage Council

2.9.1 Environmental and Ecological

2.9.1.1 IPC Licence / Rehabilitation of Peatlands

The Heritage Council queries whether the licence rehabilitation of the bog would be compromised by the project; noting that a statement contained within Chapter 11 (*'habitat loss not as extensive as that of an intact bog'*) is incorrect as the bog is evolving.

Furthermore, the Heritage Council noted that there is a need to understand if there will be any losses to the carbon fixing and sequestration potential associated with the rehabilitation in a general sense as how the 'carbon sequestration potential' section fits within the overall calculation presented in Table 11-6 is not clear and if there are any subsequent changes required to the impact assessment these should be identified.

Response

As previously outlined, Lemanaghan Bog is subject to IPC Licence (P0500-01) and the associated Draft Rehabilitation Plan for the site (supplied as Appendix 2-4 to the EIAR) outlines the measures that will be deployed within Lemanaghan Bog to facilitate rehabilitation. As outlined in Section 2.1.1.1 above, peatland rehabilitation and wind energy development have been proven to successfully co-exist. The carbon sequestration loss potential (assessed in Section 11.4.3.1.1 of Chapter 11 of the EIAR) of the site will not be compromised as a result of the Proposed Project.

The identified statement in relation to habitat loss is identified in Section 11.4.1 of Chapter 11 of the EIAR and it is given in the context of the current land use of the site, i.e., *'The Proposed Wind Farm is situated on a mixture of bare cutaway peat, re-vegetated bare peat, degraded raised bog, scrub, and*

remnants of high bog. Please note that the Proposed Wind Farm has been subject to industrial peat extraction and drainage over several decades and consequently, the peatland habitats and hydrology are highly degraded and modified from their original state. This statement is included to determine the current, surveyed condition of the site, as outlined above. This current condition – rather than a future baseline accounting for rehabilitation – is the comparison point used to complete the climate impact assessment, consistent with standard EIA practice of assessing effects against the existing environment. However, it is noted that a key assumption within the Macauley Institute Carbon Calculator is that the habitat being impacted is ‘Acid Bog’, rather than cutover or degraded peatland. This is done under a precautionary scenario as the emission factor of ‘Acid Bog’ habitat is higher than that of ‘Fen’ and even more so than cutover peatland, which, as outlined above, reflects current onsite conditions. This assumption is clearly defined in Section 11.4.3.1 of Chapter 11 of the EIAR.

It is acknowledged that the baseline of the Proposed Project site is evolving as natural recolonisation is already occurring in parts of the site, and the wider Lemanaghan Bog is subject to rehabilitation requirements under Condition 10 of the IPC Licence, which will proceed irrespective of whether the Proposed Project is permitted, in order to ensure compliance with the IPC Licence. This changing baseline, and the associated uncertainty in quantifying carbon losses and savings against a moving target, is expressly addressed in Section 11.4.3.1.1 (Carbon Sequestration Potential) of Chapter 11 of the EIAR, in the cumulative assessment in Section 11.6 of the EIAR, and is reflected in the deliberately conservative assumptions used throughout the carbon assessment (for example, by assuming the ‘Acid Bog’ carbon-loss factor as outlined above), and by including a precautionary 5m construction buffer in the carbon sequestration loss calculation).

There will be a loss of carbon sequestration potential within Lemanaghan Bog as outlined in Section 11.4.3.1.1 of Chapter 11 of the EIAR. On the basis of a number of conservative assumptions outlined within the aforementioned section, the percentage loss of carbon sequestration arising from the Proposed Project is determined to range from 8.2% - 17.6%. The overall carbon loss assessment, which utilises the Macauley Institute carbon calculator (Version 2.15.0 utilised for the assessment) and the TII Carbon Tool (version 0.9.0 utilised for the assessment) is presented in Table 11-5 of the EIAR, demonstrating that the Proposed Project will give rise to an expected 261,360 tonnes of CO₂ equivalent losses over its 35-year life. The data in Table 11-5 is a standalone carbon assessment, while Table 11-6 represents the potential carbon loss percentage from Lemanaghan Bog as a result of the Proposed Project infrastructure footprint, both are brought through the impact assessment contained in Section 11.5 of Chapter 11 of the EIAR.

This carbon sequestration potential percentage loss is outlined within the impact assessment as long-term, negative, slight effect for the construction phase, which is Not Significant in accordance with the EPA 2022 classification criteria as outlined in Section 1.7.2 of Chapter 1 of the EIAR. During the operational phase, other carbon losses resulting in a potential long-term slight negative effects due to maintenance and monitoring activities, including the removal of carbon fixing vegetation as part of the proposals detailed in Section 3 of the Biodiversity Management and Enhancement Plan (Appendix 6-5 to the EIAR), as well as peat reinstatement and associated drainage is identified. However, further detail is provided noting that while not forming part of this application, the requirements under Condition 10 of the IPC License (P0500-01) will be implemented on within Lemanaghan Bog regardless of whether the Proposed Project proceeds or not. These measures will serve to reduce greenhouse gas emissions and aim to restore the site to a carbon sink. As stated in Section 11.5.3.1 of Chapter 11 of the EIAR, as these measures are separate from the Proposed Project, they have not been included in the impact assessment.

The carbon losses in Table 11-5 of the EIAR and other effects associated with the loss of carbon fixing vegetation are offset by the Proposed Project's own operational carbon savings (56,375 tonnes CO₂e per annum which arise from displacing fossil-fuel generation) within approximately 56 months (4.6 years) of operation – meaning all carbon losses identified in Section 11.4.3 of the EIAR will be offset within the operational life of the Proposed Wind Farm. Furthermore, as stated in Section 2.1.1.1 above, the permanent footprint of the Proposed Project measures approximately 34.3ha, which represents

approximately 3% of the site (total area of 1,258ha) and therefore does not impact or change the overall goals and outcomes of the Draft Rehabilitation Plan.

The overall findings of the climate impact assessment remain correct and appropriate for the Proposed Project, with the operational phase residual effect being a long-term moderate positive effect on climate as a result of reduced greenhouse gas emissions during the operational phase, which is Not Significant.

2.9.1.2 Ecology

Broadly, the Heritage Council has confirmed that the biodiversity and ornithological assessments are sound in terms of the identification of KERs, as well as the key species-specific requirements including the mitigation measures identified for KORs. However, the Heritage Council request that the potential habitat that will be created through active restoration measures is accounted for in the assessment. In general terms, the Heritage Council do note the relatively small surface area, as a percentage of the bog, that will be lost and accept that as presented that there is not necessarily an incompatibility with the rehabilitation and the proposed project. However, the following key points are raised for consideration:

- The biodiversity enhancement measures as provided for by this development need to be couched within the rehabilitation plan for the entire bog, to ensure that they are broadly aligned with the ecological restoration ambitions.
- Any subsequent extension permission should be contingent on a monitoring regime of the successful licence rehabilitation plan during the life of the wind farm. Peatland restoration is a long-term process and given the complex hydrological and biochemical regimes of such habitats, there will be a need to monitor the development's impact on the restoration in real time. A condition of permission is essential for this.

This is needed to ensure compliance with Policy BLP-01 and BLP-14 of the adopted Offaly County Development Plan 2021-2027.

Response

The Draft Rehabilitation Plan is considered throughout the impact assessments contained in Chapter 6 and Chapter 7 of the EIAR. Within Section 6.4.3.1 of Chapter 6, it is noted that the assessment of operational phase effects on fauna has been undertaken with consideration of the ongoing peatland rehabilitation of Lemanaghan Bog, within which the majority of the Proposed Project site is located, as required as part of the IPC License (P0500-01). Potential interactions between the operational Proposed Project and rehabilitation-driven changes in the Proposed Project site have been considered and cumulative assessment is included in Section 6.5.3 of the EIAR.

Section 6.5.3 of the EIAR further details that the objectives of the Draft Rehabilitation Plan are to achieve environmental stabilisation of cutaway peatlands, including the management of drainage, reduction of suspended solids and protection of receiving water quality. While the rehabilitation measures are not specifically designed as biodiversity enhancement, their implementation is expected to result in gradual changes in ecological conditions over time through rewetting and natural revegetation.

The Proposed Project has been designed to be compatible with the rehabilitation of Lemanaghan Bog as outlined in Section 2.1.1.1 above. There is no overlap in activities or impact pathways that would give rise to significant cumulative effects on terrestrial habitats or fauna. It is noted that the Heritage Council acknowledges the relatively small surface area, as a percentage of the bog, that will be lost and accept that as presented that there is not necessarily an incompatibility with the rehabilitation and the proposed project in relation to ecology. This same logic can also be applied with regard to the small footprint and carbon sequestration potential. The loss of carbon sequestration potential is detailed in Section 2.9.1.1 above.

In relation to aquatic habitats and species, both the Proposed Project and the Draft Rehabilitation Plan include measures to protect surface water quality. These measures are complimentary and are not predicted to interact in a manner that would result in adverse cumulative effects on receiving watercourses or downstream designated sites.

Overall, when assessed in combination, the Proposed Project and the Draft Rehabilitation Plan are not predicted to give rise to significant cumulative effects on biodiversity at any geographic scale. The rehabilitation of cutaway peatlands is expected to contribute positively to the wider ecological context over the longer term, independent of the Proposed Project should it not proceed.

Within Section 7.5.2 of Chapter 7 of the EIAR, it is noted that there is potential within the site for favourable habitat to be created for birds as a consequence of the implementation of the Draft Rehabilitation Plan. Associated impacts on birds were outlined with due consideration given to the Draft Rehabilitation Plan. Section 3.2.5 below further identifies the assessment of the ecological baseline, outlining the extensive survey effort on the site to date as well as the dedicated site investigative works which have informed the impact assessments contained in Chapter 6 Biodiversity, Chapter 7 Ornithology, Chapter 8 Land Soils and Geology and the NIS.

The changing baseline and potential effects on KERs and KORs have been considered throughout Chapter 6 and Chapter 7 in line with the provisions outlined in the Draft Rehabilitation Plan.

It is agreed that any subsequent extension permission will be contingent on a monitoring regime as outlined in Chapter 6 and Chapter 7, and associated appendices to the EIA. Monitoring proposals contained within the EIAR will be implemented in full and will be available for consideration in assessment should any extension of permission be sought at the end of the Proposed Wind Farm operational life if granted. Furthermore, any condition included in a consent of planning which requires the full implementation of all mitigation and monitoring proposals, including those contained within the BMEP is welcomed by the Applicant.

2.9.2 Archaeology

The Heritage Council acknowledges that peatland environments are not conducive to geophysical surveying, and therefore the location of the turbines, access routes, and the main development components have not been informed by a level of investigation/surveying that would be possible in other environments. However, the Heritage Council notes that given the large number of records on site (491), it should therefore be assumed that the entire area is an area of high archaeological potential.

Furthermore, the Heritage Council contends that the use of publicly available LiDAR should have been utilised and that the limitation in the survey effort as posed by rains being obscured by water or vegetation was not sufficiently detailed in Section 13.2.1 of Chapter 13 of the EIAR.

The Heritage Council expresses concern over the lack of reference to recovery of human remains (portion of a bog body) from Tumbeagh in 1998 and queries the absence of monuments in the central area of the bog around T1 to T8.

The Lishen mine development in Tipperary to date represents the most detailed archaeological and paleo-environmental investigation ever undertaken in an Irish peatland and as far as we are aware, this an approach that has yet to be undertaken in a Bord na Mona bog.

Response

Section 13.2.2.1.8 of Chapter 13 of the EIAR notes that based on the 491 recorded monuments within the site and stray finds from the area, including important items such as the Lemanaghan Crozier, there is still a high potential for the presence of additional archaeological finds, features and structures within the peat. Due consideration to the archaeological importance of Lemanaghan Bog and the surrounding

areas has been given throughout the EIAR, with extensive surveying and monitoring work forming part of the pre-application process as detailed in Section 13.1.7 and 13.1.8 of Chapter 13 of the EIAR.

The publicly available LiDAR was reviewed for use within the EIAR, however it is noted that open topographic viewer does not provide full coverage of the Proposed Project site, therefore it was determined to not be appropriate for use in the EIAR due to its incompleteness. Please see Section 3.1.2 and 3.4.2 above for further details on the archaeology assessment techniques carried out and appropriate mitigation that will be deployed during the pre-commencement/construction phase.

The Applicant welcomes the acknowledgement by the Heritage Council that geophysical surveying is not a suitable assessment methodology for peatland environments and notes this unsuitability when responding to the DAU in Section 3.4.2 above.

The results of the field inspection undertaken as part of the assessment are outlined in Section 13.2.1 of Chapter 13 of the EIAR. It is noted that no potential archaeological sites, structures or stray finds were noted within the site during the site walk-over survey. Similarly, no potential archaeological finds or features were exposed during archaeological monitoring of three phases of site investigation trial pits excavated within the Proposed Wind Farm (See Section 13.2.2.1.4 in Chapter 13 of the EIAR and Section 3.4.2 above for further detail). Section 13.1.8 of Chapter 13 of the EIAR notes that the site was subject to a walk-over survey in December 2024, January 2025 and December 2025. The inspection was undertaken by Miriam Carroll of Tobar Archaeological Services Ltd. The inspection consisted of a walk-over examination of the Proposed Project and bog field surfaces and drain sections where not vegetated or obscured by water, noting that visual inspection was not possible where those field surfaces and drain sections are re-vegetated. Section 13.1.9 of Chapter 13 provides a summary of the limitations associated with the field survey, noting that while access to all relevant areas of the Proposed Project site for the purposes of a walk-over survey and visual inspection was possible, standing water was present in places and recolonisation of some field and drain surfaces has taken place (as detailed above). It is further stated that the field survey undertaken in addition to previous archaeological monitoring of site investigation trial pits in 2021 and 2022 has allowed for a satisfactory inspection of the Proposed Project site for the purposes of the assessment despite some features not being able to undergo visual inspection. As stated in Section 13.1.8, those drains which remain uncolonised by vegetation have not been recently cut given that peat extraction ceased in Lemanaghan Bog in June 2020. Peatland surveys typically take place in peatland environments which are actively undergoing peat extraction and therefore have freshly milled field surfaces in addition to recently cut drain faces. Neither is the case within the Proposed Project site.

Appendix 13-4 (Excavation Database Entries) to the EIAR provides an overview of the human remains identified in Tumbleagh in 1998. The nearest proposed turbine, T10, is located over 150m from the area in which the human remains were identified and have since been removed from. Proposed Project infrastructure is over 50m away (i.e., the best practice buffer), however as outlined in Section 3.1.2, sub-surface archaeological potential and associated appropriate mitigation has been identified within Chapter 13 of the EIAR. In relation to the absence of recorded monuments within the centre of the site, the reasonings behind this gap are likely numerous. No previously unidentified monuments were noted as part of the survey carried out for this site (Section 13.3.3.4 of Chapter 13 of the EIAR) and the majority of the monuments recorded within same were identified during peatland surveys undertaken by the Irish Archaeological Wetland Unit (IAWU) in 1993-4 as part of the Archaeological Survey of Ireland Peatland Survey. As noted above, and in Section 3.1.2 of this report, sub-surface archaeological potential and associated mitigation have been identified within Chapter 13 of the EIAR.

Please note, it has been determined that the Lishen Mine underwent detailed test trenching. It is acknowledged that this is a proposal which has been supplied as mitigation within Chapter 13 Cultural Heritage of the EIAR (refer to Section 2.4.2 above for further details). It is considered that the assessment carried out on the site is robust and fully encompasses the requirements for an EIAR.

2.9.2.2 Hill of Uisneach

The Heritage Council notes a strong disagreement with the views set out in Section 13.2.2.1.1 that the Guidance and Toolkit for Impact Assessments in a World Heritage Context (UNESCO, 2022) cannot be used as there is no agreed framework for assessment for tentative sites or the suggestion that there needs to be a formally adopted Outstanding Universal Value (OUV) from an international organisation.

The Heritage Council identifies that an assessment of impacts on sites that seek UNESCO status based on their potential OUV is needed to ensure that the future success of applications for such status is not compromised. The most relevant and closely related assessment for this is the Toolkit and any attributes of OUV can be identified as a potential OUV within this assessment.

The Heritage Council requests that the Commission familiarises itself with the submissions of the Heritage Council and the National Monuments Service on the proposed development for the tentative World Heritage Site at the Valentia Trans-Atlantic Cable, where the principle of a Heritage Impact Assessment (HIA) of the potential OUV of a tentative site has been established by the country's relevant public bodies.

The Heritage Council would recommend that liaison with the NMS be undertaken to determine the need for a full HIA of the potential OUV of the Royal Sites. If there is a potential impact, attributes of authenticity can be deduced from the potential OUV and a full HIA can be requested. This is required to conform with policies CPO 14.22 of the Westmeath County Development Plan 2021-2027.

Response

Section 13.2.2.1.1 of Chapter 13 of the EIAR outlines the detailed assessment approach taken regarding the Hill of Uisneach in relation to cultural heritage.

As detailed in the aforementioned section, the Hill of Uisneach is not inscribed as a UNESCO World Heritage Site and does not currently have a UNESCO endorsed statement of 'Outstanding Universal Value' (OUV), therefore a full comprehensive impact assessment of the Proposed Project on OUV cannot be undertaken at this time. Section 14.7.3.1.5 of Chapter 14 LVIA of the EIAR expands on this point, noting that the UNESCO guidance for impact assessment comprises an approach tailored to protect sites whose OUV is recognised and binding. In contrast, tentative sites are not yet inscribed, meaning they do not have formal protection under the Operational Guidelines for the Implementation of the World Heritage Convention.

Tentative sites do not have a formally adopted OUV, meaning there is no agreed framework against which to assess the impact of a development. The tentative list status means a country has proposed a site for potential future nomination, but it has no legal or procedural standing under the World Heritage Convention. As, currently, there is **no** definitive statement of what constitutes OUV for the Hill of Uisneach, complete alignment with the UNESCO guidance is not currently possible. However, there are suggested frameworks and technical tools within the guidance which have been considered and adopted in the assessments contained in Section 13.3.4.1 of Chapter 13 of the EIAR. Furthermore, Section 14.7.5.3.1.5 of Chapter 14 of the EIAR gives appropriate and proportionate consideration to relevant UNESCO guidance and provides additional information and assessment supported by comprehensive baseline studies, spatial analysis, and photomontage visualisations (see Volume 2: Photomontage Booklet).

The conclusions in Section 14.7.1.3 of the EIAR identify that as the nearest proposed turbine is located 23km from the summit of the Hill of Uisneach, the proposed turbines will not alter the physical fabric of the Hill of Uisneach itself and only perceptual effects on the character of the landscape of the Hill have any potential to occur. Whilst the proposed turbines will be visible from elevated vantage points on the Hill, the proposed turbines will not alter the immediate setting, appearance and context of cultural heritage monuments at the Hill of Uisneach and its immediate landscape. Table 14-23 in Chapter 14 of

the EIAR and Section 1.3.20 of Appendix 14-3 (Photomontage Assessment Tables) to the EIAR provide further details on the sensitivity (very high), magnitude of change (negligible), appropriate mitigating factors (discussed in Section 14.7.3.2.3 of Chapter 14 of the EIAR), and the final residual effect (slight). In the context of national climate policy and evolving character of the Irish working landscape, the Proposed Project is considered acceptable and in alignment with emerging baseline trends. Please note, the UNESCO Toolkit Guidance quotes EIA as being an appropriate mechanism for conducting impact assessments. The key distinction between the Toolkit and EIA is the requirement to assess impacts on OUV of a site. As part of evaluating potential impacts on World Heritage Sites, it is important to define the type of change that will occur and if this change is reversible, temporary or permanent. In the context of the Proposed Project, it is only the proposed turbines which have the potential to impact the Hill of Uisneach (located approx. 23km from the nearest proposed turbine T15). The effects are therefore reversible as it is proposed that the proposed turbines will be decommissioned and removed at the end of their operational life.

Note 5 of the UNESCO Wind Guidance relates to Visual Impact Assessment. The methodology, tools and process for visual impact assessment in Note 5 are very much aligned with the methods used for the LVIA which follow best practice guidelines for the LVIA of wind energy developments in Ireland. The main differences would arise in the concept of assessing OUV, which is not possible in this case. Landscape effects are reported below, and visual effects on visual receptors from the Hill of Uisneach are reported in Section 14.7.3.2.3 of Chapter 14 of the EIAR.

It is acknowledged that the Heritage Council has made a submission on Valentia Trans-Atlantic Cable, noting that potential OUV exists for the Valentia Trans-Atlantic Cable as per the World Heritage in Ireland website. It is noted that the submission made by the Heritage Council on the Valentia Trans-Atlantic Cable was in relation to the restoration of the protected structures that form part of the Valentia Trans-Atlantic Cable Station.¹ As the Proposed Project is situated approx. 23km from the Hill of Uisneach, and are therefore not relating to any direct works on the Hill of Uisneach it is determined that the proposed turbines will not alter the physical fabric of the Hill of Uisneach itself and only perceptual effects on the character of the landscape of the Hill have any potential to occur.

Furthermore, the characteristics, sensitivity and cultural significance of the Hill of Uisneach have been explored in detail in the context of its current status forming part of the Royal Sites of Ireland bid for UNESCO World Heritage Status, and in terms of its potential interrelationship with other sites and monuments in the wider landscape. The panoramic views experienced from the summit of the Hill of Uisneach and the wider adjoining hinterland are integral to the setting and existing character of the Hill of Uisneach. The assessment takes cognisance of how setting contributes to this cultural significance and how the Proposed Project may affect such sensitivities. The assessment is founded on an analysis of the sensitivity and value of the asset, in this case demonstrated to be of exceptional or very high significance, and consideration of the magnitude of the potential impact. Therefore, it is determined that the methodology as outlined above is robust and appropriate in relation to the assessment of the Hill of Uisneach and potential impacts from the Proposed Project.

As part of the pre-application process, members of the Applicant and Project Team, including Environmental Scientist, Landscape and Visual Specialists, and Archaeologists (as outlined in Section 1.8.2 of Chapter 1 of the EIAR) met with the NMS on the 11th of November 2025. The meeting was held to discuss the likely effects of the Proposed Project on the cultural heritage within the Proposed Project site. The methodology for assessment of the Hill of Uisneach was a key point for discussion and the methodology proposed, as outlined above, was presented to the NMS. No commentary on the methodology, outside of the NMS request that the Hill of Uisneach was fully assessed from a visual perspective was raised. The Applicant welcomes any further consultation with the NMS in relation to the Proposed Project.

¹ <https://www.eplanning.ie/KerryCC/AppFileRefDetails/2561044/0>

2.9.2.3 National Monuments and Lemanaghan Monastic Complex

The Heritage Council identifies that should there be theoretical visibility of the turbines from any of the national monuments, then such locations should be included in the representative viewpoints analysis provided in the Landscape and Visual Assessment Chapter in order to have a full understanding of impacts on setting. This includes the monastic settlement of Clonmacnoise and Lemanaghan Monastic Complex. This is required to conform with policies BHP-41 and BHP-43 of the Offaly County Development Plan 2021-2027.

Furthermore, the Heritage Council retains the position that the site is of national archaeological significance and is a rich ensemble of archaeological and architectural features. With this in mind, two key points have been raised by the Heritage Council:

1. *Table 13-2: 'Sensitivity of Cultural Heritage Receptors Considered' has identified Sites and Monuments and Recorded Monuments on a Medium to High range in terms of sensitivity.*
2. *Table 13-4 and section 13.1.10.3 suggest that the maximum possible effect on setting is a moderate effect. 'Very Significant' and 'Profound' are reserved for adverse direct effects which result in the total removal of cultural heritage assets*

The Heritage Council contends that the second key point is fundamentally flawed as a 'significant' magnitude is also a possibility outside of 'very significant' or 'profound'. However, more importantly is the premise that there are no significant effects possible for setting (indirect effects) because it is suggested that significance be reserved for direct effects for 'cultural heritage' assets. To apply this premise universally is considered to be unsound. The Heritage Council has determined that it therefore cannot accept the premise of a maximum 'moderate' effect for setting of any cultural heritage asset.

Response

As stated in Section 13.2.2.1.2 of Chapter 13 of the EIAR, National Monuments are those recorded monuments which are in the ownership / guardianship of the Minister for Housing, Local Government and Heritage. They are frequently referred to as being in 'State Care'. National Monuments also include those which are subject to a Preservation Order. No National Monuments or those subject to a Preservation Order are located within the Proposed Wind Farm. Six National Monuments in State Care and eight monuments subject to a Preservation Order are located within 15km of the nearest proposed turbine and are listed in Table 13-5 and Table 13-6 and shown on Figure 13-6 of the EIAR. Visually, national monuments are assessed throughout Chapter 14 of the EIAR, both within Volume 2: Photomontage Booklet and Appendix 14-5 Photowires Visualisations.

The Lemanaghan Monastic Site is included as VP 12 and VP13 in the Photomontage Booklet, with the Hermitage shown in VP14 of the Photomontage Booklet. Clonmacnoise is represented by PWVP-B in Appendix 14-5 to the EIAR, with the Pilgrim Path being represented by VP02, VP05, VP70, VP18 of the Photomontage Booklet and PWVP-B in Appendix 14-5. Table 14-20 further identifies the relevant viewpoint or photowires for each visual receptor as outlined in Section 14.5.1 of Chapter 14.

As outlined in Section 13.3.4 of Chapter 13 of the EIAR, effects on settings of sites may arise when a development is proposed immediately adjacent to a recorded monument or cluster of monuments. While the Proposed Project may not affect a site, it may alter the setting of a monument or group of monuments. There is no standardised industry-wide approach for assessing the degree of effect to the setting of a monument. For purposes of assessing visual effects on setting, the uniqueness of the monuments, the potential interrelationships of monuments, the inter-visibility of monuments, visual dominance and whether a setting is altered or unaltered can be used to assess effect. The nature and dominance of the Proposed Project is also taken into consideration and the topography within which the Proposed Project is located. The assessment of effects on visual setting was undertaken using both the Zone of Theoretical Visibility (ZTV) map in the LVIA, as presented in Chapter 14 of the EIAR,

and also with reference to photomontages / Photowires from specific cultural heritage assets or other relevant locations. The ZTV is a bare-ground model which does not take screening vegetation into account.

Section 13.1.10.3 of the EIAR further outlines the methodology used for the assessment of indirect effects on visual setting, stating that the **potential** visual effects of the proposed turbines on the setting of other cultural heritage assets such as recorded monuments are graded according to two criteria (Table 13-4):

1. **Distance to the nearest proposed turbine:** Each increment of distance is numbered from 1-5 in severity with 1 being the lowest in severity (i.e. 4-5km from the nearest proposed turbine and 5 being the most severe (0-1km from the nearest turbine)).
2. **Number of proposed turbines visible on ZTV.** Each increment is also numbered from 1-3 with 1 being the least severe (i.e. 1-5 turbine visible) and 3 being the most severe (11-15 turbines visible).

The grades resulting from this calculation are then multiplied to arrive at a potential effect (from Imperceptible to Moderate). Please note, this table and associated scale of effects is specific to the Proposed Project, an increase of up to moderate was deemed the most appropriate scale based on the categories of the ZTV (i.e., visibility of 1-5 turbines, 6-10 turbines, and 11-15 turbines) and the professional judgement of the Project Archaeologist, based on the number of turbines and distance of same from receptors. Table 13-4 is used to ascertain the potential visual effect on Cultural Heritage assets within 5km of the Proposed Project not assuming any vegetation, existing buildings, and any other screening in the landscape, i.e., utilising the ZTV. Based on the above criteria, it was determined that the scale included within the Table 13-4 of the EIAR is an accurate and robust methodology to determine the potential effects on setting, coupled with the use of the ZTV, site visits, and professional judgement. The assessment of potential visual effects on Cultural Heritage assets was also carried out in consultation with the Landscape and Visual assessment contained in Chapter 14 of the EIAR.

For the purposes of the Proposed Project no significant effects were identified. Very Significant and Profound are reserved for adverse direct effects which result in the total removal of cultural heritage assets which does not occur from visual effects.

2.10

Transport Infrastructure Ireland

Transport Infrastructure Ireland (TII) support the Proposed Projects overall aim in contributing to the achievement of National Strategic Objective (NSO) 8 Transition to a Low Carbon and Climate Resilient Society and NSO 9 Sustainable Management of Water and other Environmental Resources.

TII make observations in relation to the following aspects of the Proposed Project:

- Direct access to the national road network where a 100 kph Speed Limit applies
- Mitigation of potential impacts of proposed construction delivery and haul routing on the national road network
- Mitigations measures identified to be considered in any grant of permission.

Response

With respect to the assessment of traffic effects, all relevant TII guidelines and policies have been taken into account in the preparation of the traffic and transport assessment included in Chapter 15 of the EIAR, including the following;

- PE-PDV-02045, Transport Assessment Guidelines, Transport Infrastructure Ireland, May 2014;

- PE-PAG-02017, Project Appraisal Guidelines, Unit 5.3, Travel Demand Projections, Transport Infrastructure Ireland, October 2021;
- DN-GEO-03060, Geometric Design of junctions, Transport Infrastructure Ireland, May 2023;
- GE-STY-01024 Road Safety Audit Guidelines, TII, December 2017; and
- DN-GEO-03030 Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes, TII, April 2021.

The traffic and transport assessment of the Proposed Project is therefore considered robust and adequate in line with best practice guidance for inclusion within the EIAR. TII's scoping response has been addressed within the traffic and transport assessment in Chapter 15. Further details on the scoping response are provided in Section 15.1.1.4 of the EIAR.

It is noted that Site Entrance 1 is located on the N62 and is an existing site access that is proposed to be upgraded for the Proposed Project. It is also, however, noted that Policy 2.6 of the National Roads Guidelines for Planning Authorities (January 2012) sets out exceptional circumstances where a less restrictive approach may be applied. The guidelines provide a list of matters to be accounted for when considering whether exceptional circumstances apply. The exceptional circumstances applicable to Site Entrance 1 are provided in Section 15.1.2.2 of the EIAR.

It should also be noted that, with regard to the upgrade to the existing access at the N62, the existing entrance has been designed to achieve the required visibility splays in accordance with TII DN-GEO-03060 (215m) taken from a setback of 3m. These splays are shown to be available in both directions as illustrated in Figure 15-6b of Chapter 15 of the EIAR. Forward visibility from 215m is also shown to be available in both directions, enabling general traffic approaching from both directions to observe a vehicle turning right into Site Entrance 1.

In response to the TII query regarding confirmation of the requirement for 'Exceptional Abnormal Load' (EAL) for the transportation of substation components to the Proposed Project site, it is noted that 'exceptional loads' as defined by TII are those in excess of 196 tonnes². It is not anticipated that any Proposed Project infrastructure being transported to site will exceed this weight limit, however, it is noted that all Proposed Project infrastructure of abnormal weight will be transported using appropriately specified haulage vehicles equipped with a suitable number of axles to ensure the load is distributed evenly. Therefore, loading will be below the maximum permissible axle loading in accordance with the Road Traffic (Construction Equipment & Use of Vehicles) Regulations 2003, SI 5 of 2003.

Furthermore, if following procurement, the load represents an EAL, all necessary permits will be obtained in advance from the relevant local authorities along the transport route, in full compliance with the applicable regulations. All structures along the haul route will be assessed to accommodate the proposed loading associated with delivery of components to site where the weight of the delivery vehicle and load exceeds that permissible under the Road Traffic Regulations. If required, the Applicant will ensure all structures to be crossed undergo a full structural assessment in accordance with TII Publications AM-STR-06048 to verify that they can sustain any EAL load safely and without any damage.

A detailed Traffic Management Plan (TMP) (Appendix 15-2 to the EIAR) will be provided specifying details relating to traffic management and included in the CEMP (Appendix 4-4 to the EIAR) prior to the commencement of the construction phase of the Proposed Project. The TMP will be agreed with the local authority and An Garda Síochána prior to construction works commencing onsite. TII will be engaged as part of the TMP process.

TII also note that the proposed underpass extension is adjacent to the N62 overbridge which is a TII structure. The Applicant confirms that, if granted and progressed to detailed design stage, compliance

² <https://cdn.tii.ie/publications/AM-STR-06048-01.pdf>

will be achieved with TII Publication DN-STR-03001 - Technical Acceptance of Road Structures on Motorways and Other National Roads, if required.

2.11

Uisce Éireann

Uisce Éireann identify that the Proposed Project is located within the water catchment for three water supplies. They note the proposed mitigation measures set out in the EIAR, the distance from the Proposed Project to the closest abstraction point, and state that the risk is considered low. Uisce Éireann requests that ACP, in any grant of permission, consider conditions in relation to the mitigation measures set out in the CEMP and Surface Water Management Plan, and a Drinking Water Risk Assessment.

Response

The potential effects of the Proposed Project on drinking water supplies during the construction phase of the Proposed Project is considered in Section 9.5.2.10 of Chapter 9 of the EIAR. Further mitigation measures to be implemented during operational stage are also outlined in 9.5.3 of Chapter 9. As stated in Section 9.5.8, post-consent monitoring is not deemed necessary.

The Applicant has demonstrated that the Proposed Project will be constructed, operated and decommissioned without giving rise to significant impacts on drinking water supplies.

The Applicant agrees and welcomes these conditions as part of any planning decision.

3. **RESPONSE TO OFFALY COUNTY COUNCIL**

The following section provides a response to the Offaly County Council's (OCC) Chief Executive's (CE) Report submitted to the Commission under Section 37E(4) of the Planning and Development Act (as amended). The purpose of this report is to set out the views of the Planning Authority on the effects of the Proposed Project on the environment and the proper planning and sustainable development of the area.

Several items are discussed within the report by OCC and are addressed in the sections below under the following topic headings:

- Planning Policy
- Environmental Impact Assessment Report (EIAR)
- Water Framework Directive
- Planning Considerations
- Recommended Conditions

The following sections outline the main topics raised within the OCC Report, and the Applicant's response to each topic, where relevant.

3.1 **Planning Policy**

OCC outline the plans and policies they deem relevant to the assessment of the Proposed Project. OCC's assessment of the relevant policies is provided in their assessment and commentary on the EIAR chapters. As such, the response to planning policy is considered in each relevant section of Section 3.2.

3.2 **EIAR**

3.2.1 **Chapter 2 Background to the Proposed Project**

OCC highlight the number of energy projects in the county and emphasise the policy objective CAEO-03, which aims achieve a reasonable balance between responding to government policy on renewable energy and in enabling the wind energy resources of the county to be harnessed in an environmentally sustainable manner.

OCC also make a number of observations in relation to community gain, primarily regarding the amenity proposal associated with the Proposed Project. OCC state that the design of the amenity network proposed does not fully reflect the proposed 'Midland Cycling Destination – Offaly'.

Response

In their submission, OCC highlight the wind energy target of 466.3 MW set out in the OCDP and the amount of wind energy and other renewable energy and non-renewable energy developments at various stages within the county. The development of renewable energy sources in County Offaly, which the Applicant has played a significant role in, reflects the proactive, positive, plan-led approach adopted by OCC which is commendable. The Applicant intends to continue to contribute to the economic dividend for the County and its citizens, and in this regard wishes to draw attention to relevant policies which underpin the development of initiatives such as Energy Parks that OCC have rightly highlighted in their submission. One such policy is the Large Energy Users Connection Policy (CRU, 2025), which provides that prospective large energy users must '*meet at least 80% of their annual*

*demand through provision or procurement of **additional** renewable electricity generated in the Republic of Ireland (e.g. through CPPAs with wind, solar etc, or through direct development of renewable energy projects) and feeding into the Irish electricity network'* [emphasis added]. In other words, existing renewable generation will not qualify to support such large energy users, including those which may be associated with the co-location of prospective demand and generation assets associated with the Energy Park model in the County, unless new renewable generation is made available. While Offaly is undoubtedly an excellent example of the benefits of embracing renewable energy, it is one of several counties seeking to realise the economic, climate and community benefits associated with renewable development. The Applicant is keen to ensure that Offaly realises its full potential in terms of the direct and indirect benefits of renewable energy and the economic, social and environmental opportunities it attracts and supports.

It is critical that local authority renewable energy targets are considered as minimum targets, not a maximum or a MW cap. It should also be recognised that the policy landscape and national wind energy target have shifted since the adoption of the OCDP in 2021. At the time of publication, the national onshore wind energy target was 8.2GW by 2030 as set out by the 2019 Climate Action Plan (CAP). The national onshore wind energy target is now 9GW as set out in the latest CAP 25. Other drivers, particularly energy security due to ongoing geopolitical conflicts, have also led to further policy support³ for the energy security via the acceleration of renewable energy roll-out.

In this context, it is not sufficient to suggest that a county has already accepted an adequate level of renewable energy development. The renewable energy market remains at an early stage of maturity, relative to national climate and renewables targets, while electricity demand is increasing rapidly and is expected to continue doing so as decarbonisation, electrification, enterprise investment and energy security requirements intensify. For avoidance of doubt, this does not imply any large energy user proposal for this site; rather, it demonstrates the type of indirect opportunity that can be enabled where counties remain open to appropriately sited renewable energy projects. Such counties and regions will be best placed not only to capture associated investment, employment and infrastructural benefits, but also to maximise climate benefits and secure wider community gains. Where a county prematurely concludes that it has accepted "enough" renewable development, it is ultimately the county itself, its communities and its citizens that risk missing out on those opportunities, including the direct local benefits that can arise through community benefit funds, local amenity improvements and other forms of community investment, while other counties and regions that remain open to enabling additional renewable generation move ahead and realise the climate, social and economic dividend that follows.

OCC highlight the importance of site selection, detailed project level assessment and maintaining a 'reasonable balance' between responding to renewable energy policy and enabling wind energy development in an environmentally sustainable manner, as per policy objective CAEO-03. The application for the Proposed Project is supported by a robust project level environmental assessment in the EIAR. As discussed below in Section 3.2.2 and in Section 3.2.3 of the EIAR, the Proposed Project site was selected following a detailed review of the site's characteristics and their suitability for wind energy. A key factor in selecting the site was its favourable wind energy designation, which corroborates with the 2-step site selection process carried out, identifying the site as having favourable characteristics for wind energy. Indeed, the planning application EIAR includes a policy assessment at Chapter 2 and the proposal is found to accord with policy objective CAEO-03. There is nothing new raised in the submission by OCC which alters this conclusion.

It is demonstrated in the EIAR, including within the cumulative assessment within each assessment chapter, that the Proposed Project does achieve a reasonable balance between responding to renewable energy policy and enabling wind energy development in an environmentally sustainable manner. The Proposed Project has been thoroughly assessed and with the mitigation measures outlined in the EIAR

³ *Energy Security in Ireland to 2030 (November, 2023. Available at: <https://assets.gov.ie/static/documents/energy-security-in-ireland-to-2030-265afb44-cdff-4acc-b507-afe44a2462c8.pdf>)*

in place, the Proposed Project will be capable of being constructed, operated and decommissioned without likely significant effects on the environment generally.

OCC acknowledge that, should the Proposed Project be granted and constructed, there will be a community benefit fund established and welcomes the inclusion of amenity tracks and facilities in the Proposed Project design. The wind farm access roads and dedicated amenity tracks will connect into the Midlands Trail Network which extends away to the west and to the southeast of the Proposed Project site. A planning application was submitted for the Offaly West section of the trail network on the 20th of January 2025 which was subsequently granted on the 12th of September 2025 (OCC Pl. Ref: 25/60014). No applications associated with the Midlands Cycle Network have been submitted to date.

3.2.2

Chapter 3 Site Selection and Reasonable Alternatives

OCC express concerns that little consideration was given to the Lemanaghan Monastic Complex and degree of cultural heritage artefacts found within Lemanaghan during project design. OCC notes that the proposed turbines would affect the setting, perception and experiential appreciation of key heritage assets particularly at the Lemanaghan Monastic Site, where proposed turbines are located at distances considered by OCC to be unacceptably close from an archaeological and conservation standpoint. Concerns raised are in relation to a sustained and overbearing visual impact on the Lemanaghan Monastic Complex.

OCC states that there has been no consideration given to local views and vistas across Lemanaghan Bog towards Bellair Hill from the Lemanaghan Monastic Complex in relation to the layout of and number of turbines proposed.

Furthermore, OCC alleges that the site selection and reasonable alternatives assessment only focuses on a wind farm with the potential to generate 90MW of renewable energy, with no consideration afforded to alternative scaled developments within other less sensitive more suitable sites as listed in Section 3.2.3.3 of the EIAR.

Response

The cultural heritage assets located within the site, and in the vicinity of the site, have been considered extensively throughout each phase of the Proposed Project. As noted in Chapter 3 of the EIAR, the design process was constraints led, with Section 3.2.5.2.1 of Chapter 3 Site Selection and Reasonable Alternatives of the EIAR providing details on each constraint identified and text detailing how this informed the overall design of the proposal.

Section 2.1.2 above provides further detail on the interaction of the Proposed Project infrastructure footprint with recorded monuments and for ease is not repeated here.

It is noted that the views from the Lemanaghan Monastic Complex and their impact on the Proposed Project design, i.e., proposed turbine layout, are clearly identified within Section 3.2.5.2.2 of the EIAR under the header 'Proposed Wind Farm Layout Iteration No. 3' which describes the constraints and facilitators design process noting:

'From a residential and visual amenity perspective and cultural heritage perspective, it was determined that the required setbacks between turbines with a tip height of 220m afforded more screening from nearby receptors and decreased the horizontal extent of the view of the proposed turbines in close proximity.... the increased setback distance of the turbines with a 220m tip height removes the turbines from the immediate visual context of the monastic site as identified in Section 14.7.3.4 of Chapter 14.'

Furthermore, the Proposed Project design was refined, as noted in Section 3.2.5.2.1 under header ‘Proposed Wind Farm Layout Iteration No. 2’ and ‘Proposed Wind Farm Layout Iteration No. 4’ to avoid impacting on cultural heritage constraints.

It is also noted that during Proposed Project design, no previously unidentified archaeological artefacts were found during desktop review or field survey, this is clearly stated in Section 13.3.3.4 of Chapter 13 of the EIAR. Further detail on the unknown sub surface archaeology is detailed in Section 2.1.2, Section 2.4.2, and Section 2.9.2 above.

Based on the above, it is clear that due consideration to the Lemanaghan Monastic Complex and all recorded monuments / archaeological artefacts was given throughout the design of the Proposed Project. The assertion by OCC that this is not the case is therefore refuted.

Bellair Hill is known locally but are not afforded any local or national protections in terms of scenic views or tourism. Therefore, while discussed in Chapter 14 LVIA of the EIAR, it was not required to include a specific assessment focus on the intervisibility of Bellair Hill from the Lemanaghan Monastic Site. It is noted that the views from the Lemanaghan Monastic Site are extensively covered in VP12 and VP13 of the Photomontage Booklet which show no visibility of Bellair Hill. VP11 of the Photomontage Booklet is taken from the R436 regional road, in close proximity to the Lemanaghan Monastic Site and also shows no visibility of Bellair Hill. It is noted that pre-application consultation was held with OCC from 2021 to 2025 with the most recent meeting (12th June 2025) providing extensive detail on landscape and visual impact assessment including photomontage viewpoint locations. OCC did not raise concerns in relation to Bellair Hill during pre-application consultation with the Applicant and Project Team.

The site selection process is outlined in Section 3.2.3 of the EIAR. The site selection process was focused on the BnM landbank with only lands which had subject to industrial peat extraction being considered. Further constraints mapping was then applied to identify suitable sites for renewable energy. This was a two-stage process: the first stage comprised the identification of a number of candidate sites via desk studies and on-site surveys of the landbank and the second stage was used to select the sites with the best potential to deliver a successful wind farm project by 2030 to be further developed. This site-specific assessment was guided by the 2013 ‘*Methodology for Local Authority Renewable Energy Strategies*’ report from the Sustainable Energy Authority of Ireland (SEAI) and informed by consultation with BnM’s Works Management, Central Engineering, Construction, Ecology, Land and Property, and Planning teams.

This process was not undertaken to identify one suitable site for a 90MW wind farm, rather this assessment was completed to determine which lands within the BnM landbank could potentially be progressed for renewable energy development to assist Ireland in meeting its international, national and local climate targets; see Section 3.2.1 above for further detail on these targets. It was not undertaken to secure a site for a development of any specific capacity; therefore, the 90MW figure is an output of the design process, not an input to it. Other sites identified in Section 3.2.3.3 of the EIAR will each be subject to their own separate site selection process as they are progressed.

Once Lemanaghan Bog was selected as being suitable for a renewable energy development, as detailed in Section 3.2.3.3.1 of Chapter 3 of the EIAR, the type of renewable energy and associated design was progressed. Other renewable energy technologies considered for the site are included in Section 3.2.4 of Chapter 3 of the EIAR.

The turbine layout was then developed through an iterative, constraints-led process (Section 3.2.5.2.1–3.2.5.2.2 of the EIAR), refining the design from an initial 17-turbine layout down to the 15-turbine layout which was ultimately subject to full ELA and advanced into the planning process, with turbine number and dimensions determined by the constraints exercise rather than by a target energy output. The 90MW figure is therefore the result of that constraints-led design process, not the basis on which the site or layout was chosen. As this is the confirmed output of the assessed layout, it is the appropriate

figure for the EIAR to use when considering, for example, the potential use of smaller turbines within the site as detailed in Section 3.2.5.2.2 of Chapter 3 of the EIAR.

In that vein, the above discussion cannot be read in isolation. It is undeniably relevant that Ireland is not on track to meet its legally binding renewable energy targets. Given the scale of the Proposed Project site, it is capable of accommodating a wind farm of a scale that can make a meaningful contribution to closing that gap; but, as set out above, the number and size of turbines proposed reflect the generating capacity of the site in light of its constraints, rather than any predisposed MW target.

3.2.3 Chapter 4 Description of the Proposed Project

OCC express strong concern in relation to the layout of the Proposed Project where internal roads and site access arrangements are to be located to the western 'spur' of the site adjacent to the N62 noting the number of recorded monuments, comprising a Class 1 Togher, Class 2 Toghers and Class 3 Toghers sited within this area.

OCC allege that the historical significance of this area of the site has not been duly examined and the layout as proposed is considered to pose a significant negative impact on the archaeological and heritage significance of this area of the site.

OCC note that the Draft Peatlands Climate Action Scheme (PCAS) measures are not shown in the Draft Cutaway Bog Decommissioning and Rehabilitation Plan 2024 and that the Chapter 4 would benefit from the inclusion of this detail.

Response

Please refer to Section 2.1.2 above for further detail on the interaction of the Proposed Project infrastructure footprint with recorded monuments.

Within the 'western spur' of the site, containing proposed new road, a temporary construction compound (to be an amenity car park during the operational phase), and the ornithological enhancement areas for whooper swan and lapwing, it is acknowledged and confirmed that there is a high density of archaeological artefacts, comprising peatland structures, 1 no. Class 1 Togher, Class 2 Toghers, Class 3 Toghers, and peatland structures / post row (all shown within Figure 13-8 to 13-20 in Chapter 3); all archaeological artefacts have been considered within the EIAR under relevant discipline specific impact assessment and within Proposed Project design. However, within this section of the site, no Proposed Project infrastructure or enhancement proposals encroach on the 50m recorded monument buffer or sites and monuments record (SMR) zone of any archaeological artefact. It is considered that all required setbacks have been accounted for in design and no significant impacts are determined to occur as a result of the Proposed Project.

The cultural heritage assets located within the site, and in the vicinity of the site, have been considered extensively throughout the duration of the Proposed Project. As noted in Chapter 3, the design process was constraints led, with Section 3.2.5.2.1 of Chapter 3 Site Selection and Reasonable Alternatives of the EIAR provided details on each constraint identified with text detailing how this informed the design.

As identified in Section 2.10.2.4 of the EIAR, PCAS is a form of enhanced peatland rehabilitation, which is above and beyond what is required under IPC Licence. There are currently no PCAS measures proposed within the Proposed Project site. Accordingly, PCAS measures are not included in the Draft Rehabilitation Plan. Curraghlassa Bog and Derrynagun Bogs to the south of the R436 regional road are excluded from the Draft Rehabilitation Plan as they were selected in 2024 to undergo enhanced rehabilitation under PCAS (see Section 2.10.2.4 of Chapter 2 of the EIAR). As there are no PCAS works proposed within the Proposed Project site, consideration of these activities is not required in Chapter 4 which serves to describe the Proposed Project. PCAS has been considered cumulatively

throughout the EIAR as outlined in Section 2.10.2.4 of Chapter 2 of the EIAR and relevant cumulative assessment sections in EIAR Chapters 5 through 17.

3.2.4 Chapter 5 Population and Human Health

OCC note that Chapter 5 would have benefited from a more coherent structure as they have outlined in their submission and is outlined below.

OCC note that Section 5.3 Baseline Population and Section 5.4 Baseline Health of Chapter 5 of the EIAR do not adhere to the Annex IV(3) of the EIA Directive which requires in relation to the baseline section of an EIA:

‘A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the project as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.’

OCC express concern that the baseline section is weighted towards the potential positive aspects of the proposed development rather than showing the baseline as it exists.

OCC have identified that Section 5.3.9.2 of the EIAR omits the Pilgrim’s Path from Ballycumber to Clonmacnoise and identifies that a map showing the location of the subject site relative to local tourist attractions would be beneficial to include. OCC have provided this figure within their submission for consideration.

OCC identify that the referenced studies in relation to the impact of renewable energy development on tourism are out of date and do not detail if the tourist destinations were heritage sites which is considered to be important in the context of this site.

OCC has queried the conclusions contained within Section 5.8.2 and 5.8.3 of Chapter 5 of the EIAR relating to the significance of the impacts of the construction and operational phase on the local population, noting the following are all of ‘moderate to high’ significance in the view of OCC:

- Construction
 - Impacts on heritage tourist produce in the area
 - Impacts on traffic and transport
- Operation
 - Impact on heritage tourism product in the area
 - Siting and operation of the turbines on property values

Response

With regard to the first comment by OCC noted above, we would stress that MKO have submitted over 8 no. EIAR wind farm applications in 2025 and 9 no. EIAR wind farm applications in 2026 (to date) alone. Our experience in the preparation – including structure – of these documents is therefore self-evident. We remain of the opinion that the Chapter as set out is clear and fit for purpose.

Sections 5.3 and Section 5.4 of Chapter 5 of the EIAR set out the baseline environment for population and human health (respectively) within the Population Study Area (defined in Section 5.3.1). All data – with the exception of the public perception of wind energy studies – is sourced directly from the Central Statistics Office, the Offaly County Development Plan 2021–2027, Fáilte Ireland, and other literature pertinent to the area. The public perception studies are drawn from peer-reviewed sources published by the Sustainable Energy Authority of Ireland, Wind Energy Ireland, and researchers at the University of St Andrews and the Macaulay Institute, Aberdeen.

The Applicant does not accept that this baseline is weighted toward the positive aspects of the Proposed Project. A benefit specific to the Proposed Project itself is identified only once, in the employment and economic activity discussion, where it is noted the Project will contribute to the economic value renewable energy brings to the country generally. The wider studies on employment and economics outline the proven positive economic benefits associated with renewable energy development in Ireland not a projected benefit specific to the Proposed Project. On this basis, Sections 5.3 and 5.4 of Chapter 5 of the EIAR are considered to provide an accurate account of the baseline, in line with Article IV(3) of the EIA Directive.

As set out in Section 13.2.2.1.6 of Chapter 13 of the EIAR, while an association between Lemanaghan and the Slí Mhór may exist, the physical manifestation of that historic route has been lost; the modern Pilgrim's Road from Ballycumber to Clonmacnoise runs along the existing public road network. The Pilgrim's Path is outlined extensively in Chapter 13 and Chapter 14 of the EIAR, it is noted that there are no significant effects identified for the Pilgrim's Path in relation to cultural heritage or landscape and visual. The impact assessment contained in Section 5.8.3.1.5 of Chapter 5 of the EIAR considers the conclusions of Chapter 13 and Chapter 14 of the EIAR in relation to all tourist attractions, therefore it is considered that impacts on Pilgrim's Path have been assessed and the impact assessment contained in Chapter 5 of the EIAR is robust.

The referenced tourism surveys were published in 2007, 2012 and 2021 and are considered to represent the most current and detailed information available covering Ireland and Scotland; the Applicant does not accept that they are outdated. During pre-application consultation with OCC, including the dedicated scoping exercise carried out in 2021 and 2025, no specific surveys relating to tourism were requested to be included within the assessment.

None of the referenced tourism surveys make specific mention to which 'tourist destinations' if any were used in their assessment, these surveys are weighted towards tourist perception of wind farms and associated economic benefits. The Applicant is not aware of any surveys specifically addressing tourism attitudes towards wind farms in proximity to cultural heritage assets within Ireland or the UK and considers the referenced studies to represent the best currently available evidence on this topic in the absence of heritage-specific research.

It is noted that "high" is not a defined significance category under EPA EIAR guidance; only OCC's use of "moderate" is engaged with below, as that is the only term corresponding to an EPA-defined category.

- *Construction Phase Tourism (Section 5.8.2.1.5):* the landscape has been subject to substantial historic human modification, and only one tourist attraction (the Banagher Line) is located within the site itself; its current use cannot be confirmed due to ongoing turbary activity and the modified nature of the landscape. The pre-mitigation effect was assessed as slight, reducing to imperceptible following mitigation applied under Chapters 13 and 14 of the EIAR.
- *Construction Phase Traffic and Transport (Section 5.8.2.2.6):* The pre-mitigation effect was assessed as slight (pre mitigation and in the residual effect), based on the technical assessment of abnormal loads and delivery routes detailed in Chapter 15 (Other Material Assets). Mitigation was not determined to reduce the identified impact to ensure the assessment was considered under a precautionary scenario.
- *Operational Phase Tourism (Section 5.8.3.1.5):* noting the Banagher Line (please see above), the pre-mitigation effect was assessed as slight on visitor experience to attractions in the wider area reducing to imperceptible following mitigation applied under Chapters 13 and 14 of the EIAR. It is noted that the operational wind farm will not affect the running of existing tourist attractions and it is considered that the Proposed Project will have a positive, slight, long-term impact on tourism due to the social and recreational benefits associated with the recreational amenity walkways/ paths proposed as part of the Proposed Project.
- *Operational Phase Property Values (Sections 5.5/5.8.2.1.4):* the pre-mitigation effect was assessed as slight under a precautionary scenario, reducing to imperceptible following

mitigation applied in Chapter 5 of the EIAR. Section 4.6 below sets out that the available scientific literature provides insufficient evidence to establish a significant effect on property values from the Proposed Project.

3.2.5 Chapter 6 Biodiversity and Chapter 7 Birds

OCC note that the assessments contained in Chapter 6 and Chapter 7 of the EIAR needs to be considered within the context of a highly sensitive and extensively modified bog and wetland landscape. According to OCC, particular emphasis must be placed on the protection, restoration and long-term management of peatland habitats, ensuring that hydrological regimes, habitat integrity and ecological functionality are maintained and enhanced over time as well as interactions with the Midlands bog complex.

OCC note the need to protect and strengthen bat populations, including roost sites, commuting corridors and foraging areas; consideration to the linear nature of the site must be considered in Proposed Project design.

In relation to ornithology, OCC requests a more comprehensive assessment of impacts on species such as Hen Harrier, Merlin, Curlew, Common Crane, Whooper Swan and other migratory birds, with particular attention to collision risk, barrier effects, disturbance, habitat loss and displacement from breeding, wintering and foraging areas. OCC further note that the assessment should reflect current population trends, known migration routes, functional ecological corridors and evidence of established winter roosts, rather than relying on speculative future habitat enhancement.

OCC notes that the Applicant must demonstrate full compliance with international best practice in avoiding, reducing and mitigating bird strike risk, including robust collision risk modelling that incorporated cumulative scenarios.

OCC flag that a comprehensive, enforceable, and adequately resourced long-term monitoring and adaptive management programme must be provided, covering the full operational lifetime of Proposed Project inclusive of triggers for corrective action where unforeseen impacts arise, in line with best practice under IPC (Integrated Pollution Control) licensing conditions and EPA guidance where applicable.

OCC note that the assessment must include a robust cumulative assessment, taking into account permitted, proposed and existing wind energy developments, ongoing peatland rehabilitation and restoration initiatives, agricultural intensification, and land use change. OCC alleges that the current approach fails to adequately capture the cumulative erosion of ecological resilience within the wider system. In a landscape where intact raised bogs have been reduced to small remnants, the incremental loss of marginal habitats, ecological corridors and buffer zones may significantly undermine long-term restoration objectives.

Furthermore, OCC note that the absence of a coordinated, strategic masterplan for the BnM Offaly and adjoining bog and wetland complexes significantly constrains the ability to assess long-term cumulative ecological effects in a meaningful way. Given this uncertainty, and in the context of emerging obligations under the EU Nature Restoration Law, any development not directly contributing to habitat restoration must be subject to the highest level of scrutiny. A precautionary approach is required, ensuring that the integrity, connectivity, and recovery potential of the wider bog and wetland landscape are not compromised.

Response

The nature of the existing land use within the Proposed Project site has been considered throughout Chapter 6 and Chapter 7 of the EIAR. Dedicated field surveys have established the ecological baseline (Section 6.3 of Chapter 6 of the EIAR) which outlines the current status of the site, noting that:

‘The Proposed Project site comprises primarily cutover raised bog. Peat production formally ceased at Lemanaghan Bog in 2020, although some areas have been out of commercial peat production for many years prior to this and thus vegetation, dominated primarily by birch scrub, common cottongrass and marsh arrowgrass, has regenerated over much of these areas. A habitat map is provided as Figure 6-5. A habitat map with the Proposed Project layout is provided as Figure 6-6. Small areas/remnants of uncut raised bog occur at various locations at the edges of the Proposed Project site with some small areas of active turbary present within the site.’

Consideration to the future plans for the site, habitats in the wider vicinity of the site, and designated sites within the surrounding network has been comprehensively addressed within Chapter 6 and Chapter 7 of the EIAR.

Section 6.3.2.1.5 of the EIAR notes that linear landscape features are present along field boundaries including sections of hedgerow and treeline. No hedgerow or treeline removal is proposed as part of the Proposed Project. Section 6.4.2.2.3 of the EIAR further identifies that there will be no net loss of linear landscape features for commuting and foraging bats and there will be no loss of any roosting site of ecological significance. The habitats on the site will remain suitable for bats and no significant displacement of individuals or populations is anticipated. Therefore, the Proposed Project design will have no impact on linear connectivity within the site. Further detail on Bats is contained in Appendix 6-1 to the EIAR.

Impacts on migratory birds is addressed in Section 2.1.1.2 and 2.4.1.1.3 above. Furthermore, potential displacement, disturbance and barrier effect is assessed in Section 7.5.2 of Chapter 7 of the EIAR; it is noted that there are no significant effects identified for any KOR following mitigation. For further detail on the referenced species by OCC (i.e., Hen Harrier, Merlin, Curlew, Common Crane, Whooper Swan) in Section 7.5.2 of Chapter 7 of the EIAR. Please note, Curlew was not identified as a KOR. There were only three observations of curlew within, or partially within, the Proposed Project site despite undertaking a comprehensive suite of survey, further detailed below. It was therefore determined that the Proposed Project is of **No Ecological Importance** to Curlew given how infrequently the species was observed.

The survey effort used to inform Chapter 7 of the EIAR was based on 5 years of survey work, covering the period October 2020 to March 2025, consisting of four breeding seasons (April – September) and five non-breeding seasons (October – March). It is noted that the duration of surveys greatly exceeds the typical minimum requirement of two years of surveying.

In relation to the consideration of future plans for the site, the Draft Rehabilitation Plan for Lemanaghan Bog was utilised to inform this assessment. Rather than being a future speculative plan, the rehabilitation plans for BnM bogs are based on a combination of desktop and field surveys, consultations with internal and external stakeholders. The development of the Lemanaghan Bog rehabilitation plan considered published guidance issued by the EPA in 2020. Section 2 of Appendix 2-4 to the EIAR outlines the detailed methodology which informed the Draft Rehabilitation Plan for the Proposed Project site. Therefore it is considered that the Draft Rehabilitation Plan is the most accurate and appropriate resource to advise on the future habitats of the site. Furthermore, as outlined in Appendix VIII of the Draft Rehabilitation Plan, as per Condition 10.2.2 of the IPC Licence (Reg. P0500-01), the Draft Rehabilitation Plan will be reviewed every two years and proposed amendments thereto notified to the EPA for agreement as part of the Annual Environmental Report for the Licence. No amendments to the Draft Rehabilitation Plan may be implemented without the written agreement of the EPA. This is important, as this regular review of site conditions and their taking into consideration in the Draft Rehabilitation Plan in agreement with the EPA ensures that the most optimal rehabilitation and monitoring measures are put in place to maximise the success of rehabilitation outcomes with full regard to the most up-to-date information on the condition of the site.

The Collision Risk Model (CRM) utilised and associated assessment contained in Section 7.2.5.4 and Section 7.5.2 of Chapter 7 of the EIAR and in Appendix 7-6 to the EIAR is in full compliance with best

practice guidance (i.e., NatureScot). The cumulative assessment has incorporated the cumulative scenario with all plans and projects within the cumulative study area. Collision risk from cumulative wind farms was considered in Section 7.10.2 of the EIAR, with Table 7-13 in the EIAR outlining the cumulative predicted collision of KORs. No significant cumulative effects were predicted.

The cumulative assessment in Chapter 6 and Chapter 7 of the EIAR assesses all relevant permitted, proposed and existing wind energy developments, the measures as outlined in the Draft Rehabilitation Plan (including proposed land use change), enhanced peatland rehabilitation under PCAS within Derrynagun and Curraghlassa bogs, ongoing peatland rehabilitation and restoration initiatives, forestry, agriculture practices, amenity, and land use change.

The Applicant does not agree that the impact assessment fails to adequately capture the cumulative erosion of ecological resilience within the wider system. The current status of the Proposed Project site has been robustly defined based on 5 years of dedicated multidisciplinary surveys by qualified experts (see Section 1.8.2 in Chapter 1 of the EIAR for all statements of authority for each qualified expert), as well as detailed site investigative works. Based on the findings of this comprehensive survey effort the ecological baseline has been established, with due consideration given to the previous land use on the site, i.e., historic peat extraction activities. Future projections for the site under its rehabilitation requirements are appropriately assessed via the Draft Rehabilitation Plan as outlined above. It is further noted that as part of the Proposed Project, dedicated ecological and ornithological measures are proposed which will align with and further supplement the measures outlined in the Draft Rehabilitation Plan to enhance the habitats within the site.

The requirements of the IPC Licence are separate from the proposals contained within the planning application for the Proposed Project, therefore the monitoring and management proposals are not relevant to the conditions of the IPC Licence. However, as noted in Section 2.9.1.1 above, Condition 10 of the IPC Licence will proceed irrespective of whether the Proposed Project is permitted, in order to ensure compliance with the IPC Licence. Section 2.4.1.1.1 above outlines the bird monitoring programme as supplied in Appendix 7-7 to the EIAR and how unforeseen impacts arising from collision risk will be dealt with.

As outlined in Section 2.5.2 of Chapter 2 of the EIAR the EU Nature Restoration Law⁴ mandates the restoration of degraded peatlands, requiring EU Member States to implement rehabilitation measures. The proposal combines an overarching restoration objective for the long-term recovery of nature in the EU's land and sea areas with binding restoration targets for specific habitats and species.

The restoration of peatlands has been incorporated throughout the impact assessment for the Proposed Project, as the site is under IPC Licence and will undergo decommissioning and rehabilitation activities as a requirement of condition 10 of the licence. As outlined in Section 2.1.1.1 and Section 2.9.1.1 above, the Proposed Project does not impact or change the overall goals and outcomes of the Draft Rehabilitation Plan.

Please note, the Proposed Project impact assessments have been completed under a precautionary scenario for all disciplines. The methodology section within each impact assessment section clearly outlines the proposed methodology and relevant precautionary conditions.

The long-term cumulative effects with rehabilitation have been assessed insofar as practicable with the information available from the survey effort for the planning application (i.e., 5 years covering 2020 to 2025) and the survey effort by BnM to inform the Draft Rehabilitation Plans (i.e., 10 years covering 2012 to 2022, with monitoring data available in relation to the IPC licence since the granting of the Licence by the EPA in 2000). Furthermore, monitoring procedures are outlined to ensure the implementation of the proposed ecological and ornithological enhancement areas associated with the Proposed Project, as well as for the site in general in relation to collision risk of bats and birds. The

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1991&qid=1722240349976>

Applicant accepts and welcomes any condition relating to the full implementation of mitigation and monitoring measures as outlined in Chapter 6 and Chapter 7 of the EIAR, as well as those outlined in the NIS.

The assessment contained in the above referenced documents has been completed based on a precautionary scenario, which is detailed in Section 6.2.4 of Chapter 6 of the EIAR, Section 7.2.4.1 of Chapter 7 of the EIAR, and Section 1.4 of the NIS.

Taken together, the comprehensive survey effort, precautionary assessment approach, and enforceable management and monitoring framework clearly demonstrate full compliance with all relevant ecological and regulatory requirements and robustly rebut any suggestion that the Applicant has failed to adequately assess, address, or safeguard the long-term ecological resilience of the wider system.

3.2.6 Chapter 8 Land Soils and Geology

OCC suggests that Chapter 8 of the EIAR would have benefitted from the inclusion of the carbon quantification of the 207,527m³ of peat and associated mitigation measures.

Furthermore, OCC queries the design choice of placing the onsite 220kV substation within the NE of the site where areas of deep peat, which is they consider to be suitable for rehabilitation, as well as the consideration of the historic landscape between Lemanaghan Monastic Complex and Bellair Hill.

Response

The purpose of Chapter 8 Land Soils and Geology of the EIAR is to provide a baseline assessment of the environmental setting of the Proposed Project, as described in Chapter 4 of the EIAR, in terms of Land, Soils, and Geology and outline the potential likely significant effects that the construction, operation and decommissioning of the Proposed Project will have on the receiving environment. This chapter primarily assesses the impacts of peat and spoil volumes being excavated from the site; therefore, it is not considered that the carbon quantification of these excavation activities are required within Chapter 8. Rather, all carbon quantifications are contained within the carbon assessment section (Section 11.4) of Chapter 11 Climate of the EIAR and duly considered within the impact assessment therein.

The proposed location and justification of the same for the proposed onsite 220kV substation is extensively detailed in Section 3.2.5.3 of Chapter 3 of the EIAR. As outlined in Section 4.5 above, a key criterion for Proposed Project design was peat depths. A total of 722 no. peat probes have been carried out across the Proposed Project site. The combined peat probe dataset shows that peat depths across the Proposed Project site range from 0 to >6m with an average peat depth of 2m. 36% of peat depth probes recorded peat depths of 1.0m to 2.0m, and 23% of peat depth probes recorded peat depths of 2.0m to 3.0m. The remaining 20% of probes recorded peat depths of between 3.0 to 6.2m.

The stability risk of the site underwent assessment, with Appendix 8-1 Geotechnical Peat Stability Risk Assessment (PSRA) determining that peat depths on the site are '*suitable for development of the Proposed Project and is considered to be at low risk of peat failure*'. Section 8.5.2.13 of the EIAR notes that ground disturbance and peat and spoil relocation associated with the Proposed Grid Connection (including the proposed onsite substation) will be minimal due to the relatively small footprint of the works areas. As such the residual effects of these works are considered to be moderate, reducing to slight following mitigation as detailed in Section 8.5.2.9 of Chapter 8 of the EIAR. Therefore, it is considered that the design and location of the proposed onsite 220kV substation has had detailed consideration with respect to peat depths and stability, with this relevant detail provided within the EIAR.

Consideration of the landscape views between Lemanaghan Monastic Complex and Bellair Hill is outlined in Section 3.2.2 of this report.

3.2.7 Chapter 9 Water

OCC notes that the OCC Environment and Water Service Section have no objections to any proposals contained within Chapter 9 Water of the EIAR.

OCC specifically note that the Draft Rehabilitation Plan for the site is out of date and does not include any maps which would allow for the ascertainment of the level of synergies / interaction / new habitat conflict with the turbines and amenity.

Response

We welcome the fact that the OCC Environment and Water Service Section have no objections to any proposals contained within Chapter 9 Water of the EIAR.

In relation to the Draft Rehabilitation Plan, it is noted that this report is draft and will be prepared/refined (to the satisfaction of the EPA) for Lemanaghan Bog by BnM. Dedicated maps have not been included within the Draft Rehabilitation Plans as the plan is at a draft stage, once finalised and signed off by the EPA maps will be provided.

It has been noted in Section 2.1.1 of this report that the Draft Rehabilitation Plan for Lemanaghan Bog has had due consideration for future wind energy development at the site. Furthermore, the EIAR has had due consideration to the proposals within the Draft Prehabilitation Plans within all impact assessment chapters of the EIAR.

3.2.8 Chapter 10 Air Quality

OCC notes that the OCC Environment and Water Service Section have no objections to any proposals contained within Chapter 10 Air Quality of the EIAR.

Response

It is noted and welcomed that the OCC Environment and Water Service Section have no objections to any proposals contained within Chapter 10 Air Quality of the EIAR.

3.2.9 Chapter 12 Noise and Vibration

OCC notes that the candidate turbine utilised in the noise and vibration assessment makes reference to a V150 which only has a MW output of 4MW and 4.5MW outputs. Therefore, the claim in the EIAR of a 6MW turbine is incorrect.

Response

The above claim by OCC is incorrect. While the V150 turbine can have a MW output of 4MW to 4.5MW, it can also have an output of 6MW, as identified in Chapter 12 of the EIAR as the candidate turbine model and MW utilised for assessment. Please refer to the link below for more information on the identified candidate turbine from the Vestas website.

<https://www.vestas.com/en/energy-solutions/onshore-wind-turbines/enventus-platform/v150-6-0>

3.2.10 Chapter 13 Cultural Heritage

OCC have requested that proposed turbines T5, T9, T10, T11, T12, T13, T14, and T15 are removed from the Proposed Project to address the highlighted sensitivities and constraints attached to this historic

landscape. They further recommended that the proposed new road running from the N62 into the centre of the site is revised to ensure that the Applicant leaves this area untouched.

OCC note that the EIAR appropriately addresses the recorded monuments within the site, acknowledging that many of these monuments no longer have visible surface expression due to historic industrial peat extraction, but must be addressed appropriately in the EIAR as part of the archaeological record. OCC acknowledges this has been appropriately completed within the EIAR through design avoidance, floating road construction where required, archaeological monitoring and licensed testing.

OCC state that the conclusions of no significant impacts on protected structures and NIAH-listed buildings identified in the EIAR are considered to not reflect the sensitivity, complexity and cumulative vulnerability of the receiving heritage environment. Furthermore, OCC suggest that more weight needs to be given to the scale, proximity and cumulative visual impact of the proposed turbines and the manner in which the effect the setting of heritage assets, particularly the Lemanaghan Monastic Complex.

OCC again notes that the views between Bellair House and Bellair Hill have not been adequately addressed in the EIAR, with the absence of verified photomontages from Bellair representing a notable gap in the assessment.

OCC expresses concerns that Appendix 13-5 Lemanaghan Monastic Complex: Historical, Landscape and Visual Context is too narrowly focused on the monastic site itself and not the wider heritage and historic landscape context and appears to ignore that the archaeology, toghers (either visible in part or assumed), known parts of historic linkages, were very likely desire lines between the monastic site and sites to the north and could potentially be established through further study; and manifested into a partial re-establishment of pilgrim's routes forming a 'historic landscape' which warrants protection.

OCC contend that VP14 is taken from the rear of the site and makes best use of vegetation, but more importantly, the viewpoint looks towards the enclosure rather than from it or from the path leading towards the potentially historic landscape which the person is at, rather than from the monument. Furthermore, OCC allege that the point expressed in Section 1.6.1 that there are views across this landscape on the return journey from the Hermitage "*experienced for a short period of time*" completely misses the point in relation to the importance and context of this view and dismisses the potential connection or part of the *Sli Mor*. The report also dismisses the establishment of part of the Pilgrim's Route in Sections 1.3 and 1.4 noting that the action from the Lemanaghan Conservation Plan i.e. to consider re-instating or recreating it has yet to be completed. OCC note that Appendix 13-5 to the EIAR fails to mention that this route is picked up in the *Midland Cycling Destination – Offaly* (MCD-O) as part of the proposed Shannon Monastic Greenway, which has historic connotations.

Response

In relation to the design requests by OCC in their submission, the Applicant wishes to note that 2 no. pre-application meetings were held with OCC (see Section 2.8.3.1.1 of the EIAR) where the Proposed Project design was presented in detail. At no stage during pre-application consultation did OCC raise concerns in relation to the Proposed Project design, nor was the recommendation to remove turbines or redesign internal roads shared with the Applicant and Project Team. The siting of the proposed turbines and avoidance of cultural heritage constraints as part of the design of the Proposed Project, in particular at the western section of the site next to the N62 is detailed in Section 3.2.2 of this report. Therefore, the Applicant does not consider the removal of proposed turbines T5, T9, T10, T11, T12, T13, T14, and T15 a proportionate response to the identified impacts in Chapter 13 and Chapter 14 of the EIAR.

It is acknowledged that OCC has stated that the assessment of recorded monuments within the site is considered appropriate.

Protected Structures and NIAH Listed buildings are assessed throughout Chapter 13 of the EIAR. The impact assessments are summarised as follows:

- *Construction Phase Protected Structures (Section 13.3.3.6):* No Protected Structures subject to statutory protection are located within the Proposed Project site therefore no potential direct effects to this resource are identified.
- *Construction Phase NIAH Structures and Historic Gardens (Section 13.3.3.7):* No NIAH structures or historic gardens are located within the Proposed Project site therefore no potential direct effects to this resource are identified.
- *Operational Phase Protected Structures (Section 13.3.4.7):* The immediate setting of the Protected Structures within 5km will not be affected, however, a change to the wider setting within which they are located is acknowledged and ranges from Not Significant to Moderate, Negative, Long Term, which is Not Significant. The distance of Protected Structures from the proposed turbines will mitigate some potential visual effects. Additionally, many of these structures are located on private lands which are not formally accessible to the public. It is also noted that natural screening, boundaries, buildings and vegetation were not taken into consideration in the ZTV and will also potentially screen some visual effects.
- *Operational Phase NIAH Structures and Historic Gardens (Section 13.3.4.8):* Both the distance to the nearest proposed turbine and the number of turbines theoretically visible from cultural heritage assets are used to arrive at a level of potential effect on setting (see Table 13-4). The theoretical significance of effects to NIAH structures located within 5km of the nearest proposed turbine is listed in Table 13-13 while the theoretical significance of effects on the setting of historic gardens is listed in Table 13-14 and ranges from Moderate to Not Significant, Negative, Long Term, which is Not Significant. In regard to the historic gardens, it should be noted that many of these sites may not retain their original features and by their very nature are not readily visible in the wider landscape. Potential visual effects as identified in the table below will therefore be mitigated by distance to the proposed turbines, intervening natural screening and the low visibility nature of the gardens.

Cumulative direct and indirect effects are comprehensively assessed within Section 13.4 of Chapter 13 of the EIAR. The provided assessment assesses potential effects with other plans and projects within 20km, inclusive of other wind energy developments, as well as cumulative effects of the aforementioned projects and plans on UNESCO World Heritage Sites, National Monuments, Recorded Monuments, Archaeological landscapes, protected structures and NIAH, items of local cultural heritage merit, and sub-surface archaeology.

The provision of Appendix 13-5 as part of the EIAR was to provide further detail on the Lemanaghan Monastic Complex given its archaeological significance, supporting the impact assessments reported in Chapter 13 Cultural Heritage and Chapter 14 Landscape and Visual of the EIAR. The assertion that the scope of the appendix is narrowly focused on the Lemanaghan Monastic Site itself, to the exclusion of the wider historic landscape, toghers and desire lines, is not accepted. Section 1.3 of Appendix 13-5 to the EIAR is dedicated specifically to this wider context, addressing four toghers located within and adjacent to the Proposed Project site (OF015-084, OF007-329, OF007-279 and OF007-350), their excavation dates, and their possible relationship to the monastic foundation, together with a dedicated assessment of an tSlí Mhór and its association with pilgrimage routes to Clonmacnoise and other ecclesiastical centres.

In relation to the proposed re-establishment of the Pilgrim's Path, Appendix 13-5 to the EIAR does not dismiss this possibility without justification. Rather, Appendix 13-5 reflects the findings of the Lemanaghan Conservation Plan (The Heritage Council, 2007) itself, which identifies the vulnerability of the togher (OF015-084) to damage as a reason an alternative route alignment was proposed in place of the 1999 route, and which states in terms that the surface and terrain of the route are not necessarily suitable for visitors in its present state. No walking route across Lemanaghan Bog or Derrynagun Bog to the monastic site is currently established, waymarked or publicly accessible. The Pilgrim's Road to

Clonmacnoise is addressed in Table 14-4 and Section 14.7.3.2.3 of Chapter 14 of the EIAR, with relevant views considered in VP2 of the Photomontage Booklet.

In relation to VP14, OCC's characterisation of the viewpoint as looking towards the enclosure rather than representing the receptor's own experience is not accepted. VP14 is captured at the Hermitage itself, illustrating the experience of a visitor at that location, where mature vegetation provides a sense of enclosure and partially screens views of the proposed turbines. This is reflected in the impact assessment findings: VP14 is assessed as having a residual visual impact of Slight, in contrast to Moderate at both VP12 and VP13 (Appendix 14-3 to the EIAR). OCC's further point regarding the description of turbines being "*experienced for a short period of time*" on the return journey from the Hermitage should be read in the context of the full journey scenario set out in Section 1.4 of Appendix 13-5 to the EIAR, which describes the sequential visibility of the proposed turbines at each stage of a typical visit – approaching the site, within the monastic complex, enroute to and at the Hermitage, and on the return journey – rather than as an isolated or dismissive statement regarding the significance of the view.

As stated in Section 3.2.1 of this report, the Proposed Project includes the provision of amenity tracks which connect into the wider proposed network of amenity trails currently being progressed in the area. The wind farm access roads and dedicated amenity tracks will connect into the Midlands Trail Network which extends away to the west and to the southeast of the Proposed Project site. A planning application was submitted for the Offaly West section of the trail network on the 20th of January 2025 which was subsequently granted on the 12th of September 2025 (OCC Pl. Ref: 25/60014). No applications associated with the Midlands Cycle Network have been submitted to date.

In relation to the views of Bellair Hill, please see Section 3.2.2 above. Bellair House is assessed in Chapter 13 within protected structures, a theoretical effect of 'slight' has been applied to this protected structure. Please see the impact assessment for protected structures during the operational phase for further detail on the overall assessment of impact on protected structures resulting from the Proposed Project.

The concerns raised by OCC do not identify any substantive deficiency in the EIAR or the assessment of effects that would justify the removal of eight turbines or the redesign of the Proposed Project. Such changes would be disproportionate to the assessed residual effects and would materially reduce the renewable energy generation capacity of the Proposed Project without delivering a commensurate environmental benefit. In determining this application, An Coimisiún Pleanála is respectfully reminded of its obligations under the Climate Action and Low Carbon Development (Amendment) Act 2021 and the national policy objective to accelerate renewable energy deployment, and the Applicant therefore submits that the Proposed Project, as designed, achieves an appropriate and balanced outcome between the protection of cultural heritage and the delivery of critical climate and energy objectives.

3.2.11 Chapter 14 Landscape and Visual

OCC alleges that wind turbines can overwhelm historic features, interrupt key views and sightlines and fundamentally alter the visual balance of a landscape that contributes to the site's significance.

OCC express concern that the proposed turbines would alter the historic setting of the Lemanaghan Monastic Complex, noting that no significant landscape effects are projected there is still concern from a conservation perspective on potential impacts on the Lemanaghan Monastic Complex. Accordingly, OCC notes that while Chapter 14 of the EIAR provides a thorough and technically sound visual assessment, it is considered that greater weight should be afforded to experiential and setting-based impacts, particularly where historic places derive significance from isolation, openness and long-established views across the landscape.

Based on this, OCC requests that the overall project be completely reappraised in relation to its layout and that any revised proposal would ensure the removal of proposed turbine T5, T9, T10, T11, T12,

T13, T14, and T15 to meaningfully address the constraints of its historic landscape and to comply with the proper planning and sustainable development of the area.

OCC notes a strong disagreement with the evaluation of the visual and landscape impact experienced by VP1, VP9, and VP18 as being ‘moderate’ and ‘on balance not significant’.

OCC raise concerns with the following extract from Chapter 14 of the EIAR:

“There is value to the historic and cultural landscape of the site and setting, however it is a highly modified and degraded landscape from historic peat harvesting. The susceptibility of the landscape of the site to the proposed change of wind energy development is ‘Low’ considering local planning policy indicating the suitability of degraded cutover peatlands for wind energy development in County Offaly.”

Local policy designates the area as “open to consideration” for wind energy, but subject to other considerations per the many other relevant policies and objectives of the plan which are also applicable and required to form part of the assessment of this SID application. The Planning Authority would refer to the strong concept of ‘reasonable balance’ as required by Objective CAEO-03 and as directly espoused by the current Wind Energy Guidelines.

Response

The Applicant welcomes OCC's acknowledgement that Chapter 14 of the EIAR provides a thorough and technically sound visual assessment.

In relation to how a visual effect is perceived, i.e., as positive, negative, or neutral, involves a degree of subjectivity. What appears to be a positive effect to one viewer could be deemed to be a negative effect by another viewer. For this reason, the EIAR does not rely on subjective visual preference but applies the established methodology set out in the Guidelines for Landscape and Visual Impact Assessment Third Edition (hereafter referred to as the GLVIA3), combining receptor sensitivity with the verified magnitude of change to determine likely significant effects. The assessment is supported by photomontages, photowire visualisations and field survey, enabling an objective and transparent evaluation of the likely visual effects from representative viewpoints. The visual relationship between the monuments and the surrounding landscape has been assessed through both the Chapter 13 and Chapter 14 of the EIAR each applying methodologies appropriate to their respective disciplines and concluding no significant effects, with the exception of 1 no. location (VP11) resulting in a significant impact on visual receptors.

Pre-mitigation, VP1, VP9, and VP18 are considered to have a ‘Significant’ effect. The mitigating factors which are considered to reduce this down to a ‘Moderate’ residual effect are described in detail in Section 1.3.1, Section 1.3.9, and Section 1.3.18 of Appendix 14-3 to the EIAR. The residual ‘Moderate’ effect identified reflects specific, verifiable mitigating factors identified at each location, i.e., compliance with both the minimum 500m residential setback under the DoEHLG 2006 Guidelines and the 4x tip height setback under the Draft DoHPLG 2019 Guidelines, the coherent grid-based turbine layout, and intervening vegetation screening. Furthermore, the applied methodology to these viewpoints is consistent across all 20 assessed viewpoints and is transparently set out in Appendix 14-3 to the EIAR. It is noted that the proposed onsite substation has a screening plan proposed (Appendix 14-6 to the EIAR) which assists in the mitigation of this view when considered in combination with the proposed turbines.

In relation to the request that greater weight be afforded to experiential and setting-based impacts, it is noted that the LVIA methodology (Appendix 14-1 to the EIAR) already incorporates receptor sensitivity as a core variable, and that visual receptors associated with the Lemanaghan Monastic Complex, Hermitage, and associated walking routes have consistently been assigned High sensitivity ratings throughout the assessment (see VP12, VP13 and VP14), reflecting recognition of their setting-based and experiential value, not merely their designation status. The assessment does not treat

isolation, openness or long-established views as irrelevant; these qualities are embedded in the sensitivity rating applied, which is then tested against the actual, verified magnitude of change at each specific location using photomontage and photowire evidence, rather than assumed.

The concern raised by OCC in relation to the potential impacts on setting from the proposed turbines on the Lemanaghan Monastic Complex is noted. The archaeological significance of the Lemanaghan Monastic Complex and the wider area surrounding the Proposed Project site is detailed and addressed throughout the EIAR. It is worth noting that the purpose of an LVIA is to assess effects on the landscape resource and on people's views and visual amenity. The cultural heritage significance of a monument, and any effect of the proposed development on its setting, is a separate specialist matter. The GLVIA3 recognises that historic features are *"important in their own right as well as features of the landscape"* (para 5.9), and expressly cautions that landscape and cultural heritage baselines should not be conflated, *"or there will be a danger of both double handling and inappropriate judgements by non-experts"* (para 5.11). The Landscape Institute has confirmed the same position, noting that *"assessing the effects on the historic environment is a separate specialist topic in EIA,"* and that the terms *"visual impact"* and *"setting"* carry different meanings for the landscape and heritage disciplines (LI, 2021, Technical Note 01/21).

Accordingly, the LVIA contained in Chapter 14 of the EIAR assesses monuments as features of the landscape and assesses the visual amenity of people who experience views of and from them. The assessment of effects on the cultural heritage significance and setting of these assets, including any monuments that are not publicly accessible or are not experienced by the public (i.e. visual receptors) are properly addressed within the Chapter 13 of the EIAR, prepared by the appropriate specialist. Please see Section 2.9.2 of this report for further detail on the effects on setting of the Lemanaghan Monastic Complex.

The Applicant does not consider the removal of proposed turbine T5, T9, T10, T11, T12, T13, T14, and T15 necessary on the basis of perceived landscape and visual impact, a position supported by the findings of the thorough assessment undertaken in Chapter 14 of the EIAR. As set out above, the assessed effects on landscape and visual receptors are, with one exception (VP11), not significant, and the residual effects at the three viewpoints specifically noted by OCC (VP1, VP9, VP18) are Moderate following verified, site-specific mitigation rather than the assumed high sensitivity implied by a full layout reappraisal. A redesign is therefore not warranted on the evidence presented. Please see Section 3.2.10 of this report for the Applicant's response in relation to OCC's redesign requests.

Objective CAEO-03 of the OCDP is addressed in Section 3.2.1 of this report.

3.3

Planning Authority Recommendation

OCC, based on their review of the Proposed Project which has been outlined in the sections above, recommend that further information is sought by the Commission. OCC recommend that further information is sought on the following points:

- *'a significant reappraisal for the overall site*
- *a significant reduction in the scale of any future proposed wind farm development on this site to include the following revisions; omission of 8(no) turbines notably T5, T9, T10, T11, T12, T13, T14 and T15 as shown on Drawing No. Figure 4-1 in the in Chapter 4 of the EIAR; and submit a Revised Site Layout for any subsequent proposal, ensuring that internal roads and site access arrangements are not located at or within the western 'spur' of the site to the N62 (due to the substantial archaeological sensitivities of the site at this location (including a high number of recorded monuments, a Class 1 Togher, Class 2 Toghers and Class 3 Toghers)'*

Response

In response to OCC final recommendations, the following points are made for the Commission's consideration.

- The Applicant notes that 2 no. pre-application meetings were held with OCC where the Proposed Project design, amenity facilities, archaeology, among other topics were presented in detail. OCC did not raise concerns in relation to the Proposed Project design during the pre-application consultation process, nor was the recommendation to remove turbines or redesign internal roads shared with the Applicant and Project Team.
- The Applicant respectfully submits that OCC's recommendation to omit 8 no. turbines and remove internal access roads is disproportionate to the level of impact identified in the EIAR. As demonstrated in the responses above, the EIAR provides a comprehensive and robust evaluation of cultural heritage and visual impacts, demonstrating that residual effects are limited, appropriately assessed, and capable of being accommodated within the receiving landscape and heritage context.
- The removal of 8 no. turbines would significantly reduce the site's renewable generation capacity. This must be considered against the backdrop of the ongoing climate and geopolitical crises, which make the delivery of indigenous, renewable energy generation a matter of utmost national importance. The project has been comprehensively assessed in the EIAR, which has found that it can be constructed and operated without giving rise to significant effects on the environment generally.

4.

RESPONSE TO THIRD-PARTY OBSERVATIONS

There were 81 no. valid third-party observations received on the application. Table 4-1 below outlines the common themes identified within the third-party observations and specifies the lead author on the project team responsible for the corresponding response.

Table 4-1 Third Party Observation Themes

Observations Themes	Section Discussed
Planning Policy and Legislation	Section 4.1
Public Consultation & Community Engagement	Section 4.2
Land Ownership & Turbary Rights	Section 4.3
Cumulative Assessment	Section 4.4
Site Selection and Reasonable Alternatives	Section 4.5
Population & Human Health	Section 4.6
Biodiversity	Section 4.7
Ornithology	Section 4.8
Land Soils and Geology	Section 4.9
Water	Section 4.10
Air Quality	Section 4.11
Climate	Section 4.12
Cultural Heritage	Section 4.13
Landscape and Visual	Section 4.14
Material Assets	Section 4.15
Major Accidents and Natural Disasters	Section 4.16
Mitigation and Operational Controls	Section 4.17

4.1

Planning Policy and Legislation

4.1.1

Offaly County Development Plan Policy

A number of third-party observations referenced the planning policy relevant to the Proposed Project. These observations mainly related to local planning policy and specifically to the Offaly County Development Plan 2021-2027 (OCDP) and the Wind Energy Strategy (WES).

The content of these observations was mainly focused on the classification of the land on which T05 is located, which is on the boundary of land classified as 'Open for Consideration' and land classified as 'Not Deemed Suitable' for wind energy development. The observations questioned the suitability of these lands for the development of wind energy infrastructure given that they have not been classified in a suitable area for this type of development.

Response

As stated in Section 7.2 of the Planning Report submitted with the application, it is considered that the proposed location of T05 does not represent a material contravention of the OCDP. The basis for this consideration takes the following points into account:

- The rationale for the wind energy zoning in this area and the findings of the EIAR, in particular the conclusions of Chapter 13 and Chapter 14.

- The fact that T05 is located only 1.9m from the 'Open for Consideration' area (centre point of the turbine to boundary of Open for Consideration area).

A detailed site-specific constraints assessment has been undertaken as part of the design process (refer to Section 3.2.5.2 of Chapter 3 of the EIAR) which demonstrates that this area of the Proposed Project site is a suitable location for a single wind turbine.

4.1.2

Wind Energy Guidelines

A number of third-party observations highlighted concerns with the 2006 Wind Energy Development Guidelines. They consider the guidelines to be outdated and not fit for purpose when it comes to assessing modern wind farm proposals. Third-party observations also claim that the locations of the proposed turbines do not comply with the 2006 or 2019 Wind Energy Development Guidelines with regards to minimum separation distances between turbines.

Response

As set out in section 2.5.5 of the EIAR, 'Wind Energy Development Guidelines for Planning Authorities' (Department of the Environment, Heritage and Local Government (DoEHLG), 2006) (hereafter referred to as DoEHLG 2006 Guidelines) remains to be the relevant document in relation to Section 28 of the Planning and Development Act 2000, as amended ('the Planning Act'). In December 2019, The Department of Local Government and Heritage published 'Draft Wind Energy Development Guidelines' (Department of Housing, Local Government and Heritage (DoHLGH) (hereafter referred to as the Draft DoHPLG 2019 Guidelines). The Draft DoHPLG 2019 Guidelines is an update to the DoEHLG 2006 Guidelines, which were the subject of a 'focused review' undertaken by the Department of Housing, Local Government and Heritage with regards to noise standards, set back distances, shadow flicker, community consultation and community dividend and grid connections.

Given the timelines involved in renewable energy project planning applications, an updated draft may be finalised during the project's assessment. It has been demonstrated in the EIAR that the Proposed Wind Farm will be capable of adhering to the relevant standards set out in the Draft DoHPLG 2019 Guidelines, based on currently available information.

Section 5.2 of the Planning Report submitted as part of the planning application documents outlines how the Proposed Project was designed with regard to the DoEHLG 2006 Guidelines and Draft DoHPLG 2019 Guidelines. The DoEHLG 2006 Guidelines and Draft DoHPLG 2019 Guidelines outline that minimum distances between wind turbines will generally be three times the rotor diameter in the crosswind direction and seven times the rotor diameter in the prevailing downwind direction to ensure optimal performance and account for turbulence and wake effects. Further to this, DoEHLG 2006 Guidelines and Draft DoHPLG 2019 Guidelines note that the principle of the minimum separation distances should be respected in regard to permission for wind energy development granted on an adjacent site. There are no proposed, permitted, or operational wind farms within 5km of the Proposed Project site. As such, the Proposed Project achieves the minimum separation distance from adjacent wind energy developments as outlined in the DoEHLG 2006 Guidelines and Draft DoHPLG 2019 Guidelines.

It is noted that planning authorities/ the Commission are not bound to the provisions of the Wind Energy Guidelines, and they can (and do) consider updated standards/requirements/specifications in assessing impacts and the proper planning and sustainable development of the area.

4.1.3 Compliance with EU Directives

A number of submissions raised concerns regarding the Proposed Projects compliance with EU Directives, in particular the EIA Directive, the Water Framework Directive (WFD), EU habitats and Bird Directive.

Response

As detailed in Section 1.2 of Chapter 1 in the EIAR the Proposed Project complies with the EIA Directive 2011/92/EU as amended by Directive 2014/52/EU. In addition, Article 94 of the Planning and Development Regulations 2001 (as amended) sets out the information to be contained in an EIAR, with which the EIAR complies. The Environmental Impact Assessment (EIA) will be undertaken by the Commission, as the competent authority.

The EIAR provides information on the receiving environment and assesses the likely significant effects of the Proposed Project on it and proposes mitigation measures to avoid or reduce these effects. The function of the EIAR is to provide information to allow the Commission to conduct the EIA of the Proposed Project. All elements of the Proposed Project have been assessed as part of the EIAR.

Appendix 9-3 contains a WFD Compliance Assessment report which is aligned with all requirements of the WFD, including the obligations set out under Article 4 of Directive 2000/60/EC. The assessment has been prepared in accordance with the non-deterioration and good status objectives of Article 4(1), which requires that member states prevent deterioration of the status of all bodies of surface water and groundwater and protect, enhance and restore all bodies of surface water with the aim of achieving good status.

Article 6(3) of the Habitats Directive sets out the requirement for an Appropriate Assessment (AA) of any plan or project that is not directly related to the management of a protected site but is likely to have a significant effect on it. This assessment evaluates the potential implications for the site in light of its conservation objectives. Under Section 177U of the Planning and Development Act (as amended), the legal requirements pertaining to AA set out in Part XAB of the Planning Act, apply to this application for development permission under Section 37E. This application for planning permission is therefore accompanied by an AA Screening Report and a Natura Impact Statement (NIS). The AA will be undertaken by the Commission, as the competent authority.

The assessment presented in Chapter 7 Birds of the EIAR has been undertaken in accordance with the requirements of the Birds Directive (Directive 2009/147/EC on the conservation of wild birds) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended, which transpose the Birds Directive into Irish law. Furthermore, the AA Screening Report and NIS which accompany the planning application have adhered to the requirements of this Directive.

4.1.4 Project Splitting

Some third-party observations to the Commission raised concerns that the Proposed Project, together with surrounding separate wind energy projects are being treated as separate applications. They suggest that the Applicant may be engaging in project splitting, dividing the project into smaller parts to downplay the overall environmental and social impacts.

Response

The Proposed Project has been developed as a standalone project on lands that are geographically distinct from other wind energy developments in the wider area. The Proposed Project has been progressed to the planning stage through its own individual planning and design processes. Project splitting arises where a larger development is artificially divided into smaller parts in order to avoid or reduce the scope of environmental assessment. That is not the case here. The Proposed Project has

been assessed in full as a complete project, with all associated infrastructure and likely significant effects considered as part of the EIAR and NIS, where applicable. No element of the Proposed Project has been omitted from the EIAR assessment.

Furthermore, the EIAR recognises that separate developments may exist within the same geographic area. In such circumstances, the appropriate mechanism for considering potential interactions between projects is through the cumulative impact assessment. Accordingly, the EIAR includes a cumulative impact assessment, described in Section 2.10 of the EIAR, which considers cumulative effects with other existing, permitted, and proposed developments in the surrounding area. This approach is consistent with statutory requirements, relevant guidance, and established planning practice.

4.1.5 **Substitute Consent Application**

A number of submissions make reference to the substitute consent application made on the 12th of September 2025 (Case ref: SU19.323676). The submissions suggest that the wind farm application cannot be granted until permission is granted for substitute consent.

Response

The substitute consent application submitted on the 12th of September 2025 is a live case with the Commission awaiting a decision. The Commission will be aware of their duties and limitations regarding the legislative framework for substitute consent applications.

4.2 **Public Consultation & Community Engagement**

Concerns have been raised suggesting there was a lack of community consultation process undertaken as part of the Proposed Project. Submissions have claimed that there was a lack of meaningful public engagement, with insufficient information, and ineffective communication, leading to community consultation that has failed to meet the Aarhus Convention obligations.

Response

A Community Engagement Report is included as Appendix 2-2 of the EIAR, which outlines the steps that the Applicant has taken since project inception to ensure transparent community engagement through all phases of the project to date. This report has been prepared in line with the requirements as set out in the Draft Revised Wind Energy Development Guidelines (December 2019) – Community Engagement.

The Proposed Project was launched by BnM in March 2021, during the height of the Covid-19 pandemic. This timing presented a number of significant challenges, including restrictions on in-person meetings and community events. Despite these obstacles, the Project Team adapted by embracing virtual engagement tools and at all times endeavoured to carry out engagement on the Proposed Project in a proactive manner that was both safe and risk-free for the health and wellbeing of all involved and in full compliance with the Government's Covid-19 restrictions in place at the time.

As detailed in Section 4.3 of the Planning Report, a project Community Liaison Officer (CLO) was appointed, and an introductory information pack was delivered in April 2021 via door-door consultation to all householders within a c.2km radius of the area of the site. All the information sent to the local community was also made available for public viewing on the project information website, which went live in March 2021. Public consultation continued during the Covid-19 pandemic, with virtual and in-person clinics held with members of the community, as well as a virtual consultation room which was made available between March and May 2021. Details on how to book the consultation clinics were advertised locally via print and radio. Between April and May 2021, 11 online clinics were held, followed by 8 in-person clinics in June–July 2021 as restrictions eased, and two

further clinics in September 2021. In March 2024, an updated project information pack was distributed via another round of door-to-door engagement to the same radius, as well as information regarding the joint venture. In Summer 2024, an information pack including the final layout was distributed via door-to-door consultation to those within c.2km, followed by an in-person public information event was held in Ballycumber Community Centre in August.

The Proposed Project will provide a direct and prolonged economic benefit to the communities surrounding the site through the Community Benefit Fund, and through employment opportunities during the construction and operation phases. The Applicant is committed to maintaining the strong community engagement approach throughout the post-application stage and, if planning permission is granted, will continue to consult with and be available to residents through the construction and operational lifespan of the Proposed Project.

The planning has also been the subject of a public consultation period in accordance with the Planning Act, where the planning application including EIAR and NIS were available for public viewing. The planning application also included a dedicated project website where all planning application documents could be viewed or downloaded. It is considered that the planning application, and its associated statutory public consultation, is in compliance with the Aarhus Convention.

4.3 Land Ownership & Turbary Rights

Several submissions expressed concern that the Proposed Project may result in restricted access to turbary plots. Another submission questions the Applicant's ownership of land within the red line boundary of the planning application site.

Response

Access to turbary plots will remain open throughout the construction, operational and decommissioning phases of the Proposed Project. Turbary activities are identified as an ongoing land use in Section 2.10.3 of the EIAR and are assessed cumulatively with the Proposed Project.

The Applicant, Lemanaghan Wind Farm DAC, holds the title of the land or has provided landowner consent letters for all land within the red line planning application.

4.4 Cumulative Assessment

A number of submissions raise concerns regarding the impact of the Proposed Project cumulatively with other wind farms in the surrounding area. The issues identified where it is suggested that cumulative impacts may arise are noise, cultural heritage, landscape and visual and social impacts.

Some submissions also raise concern over the potential cumulative impact arising from historical BnM peat extraction activities for which a substitute consent application was lodged on 12th September 2025 (Case Ref: SU19.323676).

Response

The cumulative impact assessment methodology is set out in Section 2.10 of the EIAR. The aim of the cumulative impact assessment is to identify what influence the Proposed Project will have on the surrounding environment when considered collectively with proposed and existing projects, projects pending a decision from the planning authority, projects in the public domain such as those Strategic Infrastructure Development (SID) at pre-consultation with ACP, and land-uses in the vicinity of the Proposed Project site location. The long list of cumulative projects is compiled through the data sources listed in Table 2-7 of the EIAR. Each assessment within the EIAR carries out its cumulative assessment

based on the plans and projects within its cumulative study area, which are justified in Table 2-6 of the EIAR.

With regard to surrounding project proposals which are at an early stage in the design and development process, such as the proposal for a wind farm at Bellair Bog, it should be noted that sufficient publicly available information must be available in order to conduct a cumulative assessment. It is highlighted that future projects in the surrounding area, if they are to be progressed to the planning application stage, will be required to fully consider the Proposed Project as part of the cumulative impact assessment within their applications.

As identified in Section 2.10.2.11 of the EIAR, the application for substitute consent has been fully considered as part of this application. Due consideration of the substitute consent application, and in particular the findings of rEIAR and rNIS have been taken into account in describing the baseline environment and in the relevant assessments in the EIAR. The EIAR also considers current activities onsite including site management and environmental monitoring as required under IPC Licence P0500-01, the Draft Cutaway Bog Decommissioning and Rehabilitation Plan (included in Appendix 2-4 of the EIAR) required under condition 10 of the IPC licence, and the ongoing and planned Peatland Climate Action Scheme (PCAS) activities on surrounding bogs. The cumulative impact assessments carried out in each chapter of the EIAR consider all potential significant cumulative effects arising from these activities.

One submission notes that the proposal for a midlands regional airport has not been assessed as part of the cumulative assessment. It is highlighted that this proposal for a midlands regional airport has not been permitted and no planning application in relation to it has been submitted. It is considered unreasonable to consider the proposal for the midlands airport in terms of cumulative impacts as a sufficient amount of information is not publicly available. The midlands airport was deemed to be Strategic Infrastructure Development by ACP in August 2010. No SID application for the midlands airport has ever been lodged.

4.5

Site Selection and Reasonable Alternatives

Third-party submissions raise concerns that the EIAR limits its alternatives assessment to variants in turbine layout and design with no alternative development types evaluated, noting that some concerns express that a variation in turbine tip height and reduced turbine numbering was not considered in sufficient detail, the solar assessment has been flagged as not properly assessed, with the site selection approach being largely developer-led and restricted to BnM landholdings. Further concerns outline a lack of clarity on the methodology and a concern that the site was chosen due to grid proximity without enough consideration given to the ecological and archaeological sensitivities of the site.

Response

The site selection process is outlined in Section 3.2.3 of the EIAR, with detail provided in Section 3.2.2 above. This methodology notes that BnM owns circa 80,000 hectares (ha) of land, primarily in the midlands of Ireland. In line with the provisions of the Project Ireland 2040 National Planning Framework (NPF) and first revision published in April 2025, i.e., to harness the potential of renewable energy within the eastern and midlands region, *“focusing in particular on the extensive tracts of publicly owned peat extraction areas in order to enable a managed transition of the local economies of such areas in gaining the economic benefits of greener energy.”* The publicly owned peat extraction areas are largely what make up the BnM landbank, therefore, the site selection process identifying suitable areas for wind energy within these tracts of land is considered appropriate and in line with national policy. Restricting site selection to this landbank is not, in the Applicant's view, evidence of an inadequately narrow or developer-led process but rather reflects the site-specific and land-availability considerations which the EPA Guidelines expressly recognise as legitimate parameters for alternatives assessment.

The proximity of the national electricity grid is noted as a key criteria for determining suitable sites for renewable energy, however, as noted in Section 3.2.3.2, Section 3.2.3.3.1 and Table 3-2 contained in Chapter 3 of the EIAR, grid connection proximity is one of several criteria for consideration in the site selection process, other criteria include: planning policy context, proximity to sensitive receptors, proximity to national and European designated sites and onsite environmental sensitivities, peat depths, and suitable wind speeds. The above site selection criteria included for the review of environmental sensitivity within the site, with the key constraints of the site, i.e., ecological and archaeological sensitivities informing not only site selection, but also the iterative Proposed Project design as outlined throughout Section 3.2.5 and Section 3.2.5.5 of Chapter 3 of the EIAR.

The Applicant does not agree that the assessment of alternatives is limited to turbine layout and design variants only. Section 3.2.1 of Chapter 3 outlines the assessment methodology and details all legislation and guidance which has been aligned with in the provision of the alternative's assessment. Chapter 3 of the EIAR sets out a structured assessment of reasonable alternatives addressing the following:

- The 'Do-Nothing' Alternative
- Alternative Site Locations
- Alternative Renewable Electricity Technologies (offshore wind and solar)
- Alternative Project Design (covering all Proposed Project infrastructure and proposals)
- Alternative Delivery Routes

Therefore, it is considered that the layout and design variants of the Proposed Project itself form only one section of the overall alternatives assessment considered within Chapter 3 of the EIAR.

The Applicant does not agree that the Proposed Project did not consider a reduction in turbine numbering or tip heights, as outlined in Section 3.2.5.2.2 and in Section 3.2.2 above. The turbine layout was refined from an initial 17-turbine layout down to the 15-turbine layout ultimately assessed, with turbine number and dimensions determined by the constraints exercise. Furthermore, a tip height comparison was completed in Section 3.2.5.2.2, with a visual provided as Figure 3-2, demonstrating the early-stage landscape and visual assessment that was conducted to determine the potential effects of the Proposed Wind Farm on residential and visual amenity as well as cultural heritage. Section 3.2.5.2.2 of Chapter 3 further notes that there were eight separate iterations of Proposed Project design, while all eight iterations are not shown within Chapter 3, Plate 3-1 to Plate 3-5 gives an indication of how the design of the Proposed Project evolved during the design process, fully encompassing all aspects of the Proposed Project.

Section 3.2.4 of Chapter 3 of the EIAR outlined the alternative renewable energy technologies considered instead of the Proposed Project, this includes offshore wind and solar energy. The Applicant does not agree that alternative of solar energy at the Proposed Project site was inadequately assessed. Section 3.2.4.2 of Chapter 3 of the EIAR sets out a quantified, comparison of the potential environmental effects of the development of a solar PV array when compared against the chosen option of onshore wind within Table 3-3. The comparison is determined based on the verifiable sourced detail from the other EIAR impact assessment chapters and considered for each discipline within the EIAR. Table 3-3 is concluded with the following: *'While there are positive and negative environmental aspects of both renewable energy development options, neither is likely to have significant adverse effects; however, given the particular suitability of the site for wind energy development, the lesser area of land required and the greater positive impact of wind energy generation from a climate and air quality perspective, it was considered the more suitable option and the most efficient method of electricity production with the lesser potential for significant environmental effects.'*

Therefore, the Applicant is satisfied that Chapter 3 of the EIAR is aligned with the requirements of the EIA Directive and EPA 2022 Guidelines and that the assessment provided appropriately described the reasonable alternatives considered and the site selection process.

4.6.1

Health

Third party submissions raised concerns in relation to potential health and well-being effects associated with the Proposed Wind Farm, noting concerns relating to residential amenity. Specific concerns in relation to the impact of shadow flicker on the local community (i.e., loss of sleep, mental health, impacts on persons with autism) and livestock, with emphasis given to concerns relating to cumulative shadow flicker effect not being adequately assessed within the EIAR.

Noise pollution from the Proposed Wind Farm was also flagged as a concern among residents, noting that the Proposed Project would not comply with the 2018 WHO Environmental Noise Guidelines for the Protection of Human Health.

Additionally, concerns were raised in relation to the devaluation of homes in the area as a result of the Proposed Project.

Response

Residential Amenity

Residential amenity is addressed in Section 5.6, Section 5.8.2.1.6, and Section 5.8.2.1.6 of Chapter 5 of the EIAR. Residential amenity relates to the human experience of one's home, derived from the general environment and atmosphere associated with the residence. The quality of residential amenity is influenced by a combination of factors, including site setting and local character, land-use activities in the area and the relative degree of peace and tranquillity experienced in the residence. The impact on residential amenity is derived from an overall judgement of the combination of impacts due to shadow flicker, changes to land-use and visual amenity, noise, traffic, dust and general disturbance.

Section 5.8.3.1.6 outlines the potential impacts during the operational phase as a result of the above mentioned EIAR disciplines. Noting that, with the implementation of the mitigation measures outlined in relation to shadow flicker, air quality, and noise as identified in their relevant EIAR chapter (i.e., Section 5.8.3.2.8 of Chapter 5, Chapter 10 and Chapter 12 of the EIAR), the Proposed Project will have a negative, slight, long-term, residual effect on residential amenity, which is Not Significant. Therefore, it is determined that there are no significant effects.

Shadow Flicker

As discussed in Section 5.4.2 of Chapter 5 of the EIAR, while there are anecdotal reports of negative health effects on people who live very close to wind turbines, peer-reviewed research has not supported these statements. There is currently no published credible scientific evidence to positively link wind turbines with adverse health effects.

Extensive research has been carried out in the US, Canada, UK, Australia, and by the World Health Organisation (2018) and the HSE (2017). All studies conclude that that exposure to wind farms does not trigger adverse health effects.

It is noted that there is not anticipated to be any danger to the public or livestock from the proposed turbines. Potential shadow flicker, noise, and vibration effects on the equine industry are detailed in Sections 5.2.3.4 and 5.3.7.1 of Chapter 5. Although no known studies have been carried out in Ireland on the impacts of wind farms on the equine industry, relevant studies from the United States and Australia, together with guidance from the British Horse Society, have been considered, and the applicable setback requirements have been adhered to. On a precautionary basis – assuming every inhabitable dwelling owns a horse or horses – the closest inhabitable dwelling (excluding involved properties) is located approximately 896 metres from the nearest proposed turbine, over four times the blade tip height. As outlined in Section 5.2.3.4, the closest stud farm/equestrian facility is located approximately 9.0 km from the nearest proposed turbine (T03). This distance exceeds the British Horse Society's recommended

minimum separation distance of blade tip height plus 10%. The minimum separation distance from the proposed turbines also exceeds the required 370 metres (based on twice the maximum turbine blade tip height of up to 185 metres) between a turbine and any routes used by horses. Furthermore, as no registered thoroughbred stud farms or other equestrian facilities are located within the Shadow Flicker Study Area, none have been included as sensitive receptors for the purposes of the shadow flicker assessment. Accordingly, no impacts on equine receptors are anticipated.

None of the submissions received in relation to this topic area have set out any clear and credible evidence which in any way alters the findings of the EIAR in this regard. As such, it is concluded that the information contained within the EIAR remains valid and robust.

In accordance with the DoEHLG 2006 Guidelines, the Shadow Flicker Study Area for the shadow flicker assessment is ten times the rotor diameter – which comes to a 1.5km buffer from all proposed turbines. As detailed in Chapter 5 Section 5.2.3.5 of the EIAR there are 157 no. third party properties (referred to ‘Sensitive Receptors’) located within 1.5 km of the proposed turbine locations. The Shadow Flicker software modelled 157 no. Sensitive Receptors for potential shadow flicker impact. Of these, a total of 128 no. Sensitive Receptors are theoretically predicted to experience shadow flicker. The Shadow Flicker Study Area and Sensitive Receptors locations are shown in Figure 5-3 of the EIAR.

The proposed mitigation measures stated in Chapter 5 Section 5.8.3.2.8 of the EIAR, which will be employed at the potentially affected properties to ensure that the current DoEHLG 2006 Guidelines are complied with at any property within the Shadow Flicker Study Area. The same mitigation measures also demonstrate that the proposed turbines can be operated in accordance with the shadow flicker requirements of the Draft DoHPLG 2019 Guidelines, i.e. zero shadow flicker occurrences, should they be adopted as currently proposed, while the planning application is being determined. The mitigation measures include both screening measures, such as planting of vegetation, and wind turbine control measures.

The Applicant does not agree that cumulative shadow flicker was not adequately addressed within the EIAR. Section 5.8.5.2.2 notes that the cumulative assessment of shadow flicker arising from the Proposed Wind Farm and other wind farms was carried out based on the methodology, assumptions and criteria outlined in Section 5.2.3 of Chapter 5. For the assessment of cumulative shadow flicker, any other existing, permitted or proposed wind farms are considered where the project’s ten times rotor diameter shadow flicker study area are located within the Shadow Flicker Study Area of ten times the rotor diameter for the Proposed Wind Farm. In this case, the closest wind farm is the proposed Bellair Wind Farm located 2.7 km north of the Proposed Wind Farm at its closest point, and as such the ten times rotor diameter shadow flicker study for this proposed project would not overlap with that of the Proposed Project ten times rotor diameter Shadow Flicker Study Area. At this distance, any potential properties that would be considered within the proposed Bellair shadow flicker study area are excluded from the Proposed Wind Farm’s Shadow Flicker Study Area and therefore are beyond the range for potential cumulative shadow flicker impacts. Therefore, there is no potential for shadow flicker in combination with the Proposed Wind Farm and therefore no cumulative shadow flicker assessment is required. This approach is considered to be robust and accurate for an EIAR cumulative assessment.

Noise

For details on potential health effects associated with noise, please see text under the ‘Shadow Flicker’ header above. Health effects associated with low frequency noise and infrasound is detailed in Section 12.3.2.4.5 of Chapter 12, concluding that, post-review of relevant documentation from the EPA, low frequency noise and infrasound 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 (NSLs). There are no criteria proposed for assessing low-frequency noise or infrasound as part of the EIAR; this approach is standard practice in Ireland when assessing wind turbine noise at planning stage.

Third party concerns in relation to the Proposed Project not being aligned with the 2018 WHO Environmental Noise Guidelines for the Protection of Human Health are not considered to be valid. As

stated in Section 5.1.2 of Chapter 5 and Section 12.3.2.4.5 of Chapter 12 Noise and Vibration, as the quality of evidence used for the WHO Environmental Noise Guidelines research is classified by WHO as being 'Low', the recommendations are therefore conditional. Furthermore, it is considered that the conditional WHO recommended average noise exposure level (i.e., 45 dB L_{den}), if applied as target noise criteria for an existing or proposed wind turbine development in Ireland, should be done with caution. The conditional WHO recommendation for average noise exposure level (i.e., 45 dB L_{den}) may be a poor characterisation of wind turbine noise and may limit the ability to observe associations between wind turbine noise and health outcomes.

Please refer to Chapter 5 and Chapter 12 of the EIAR for further details.

Property Values

This issue has been addressed in Section 5.5 of Chapter 5 of the EIAR.

As outlined in Chapter 5 of the EIAR, the only Irish study, a 2023 working paper by the Centre for Economic Research on Inclusivity and Sustainability (CERIS), suggests a potential 14.7% decrease in property values within 1km of a turbine. However, the study is based on a small sample of 225 houses and acknowledges that no significant price reductions were found beyond 1km, with any observed effects diminishing over time. Considering that this is a working paper which has not been subject to peer review, and that it is based on a small sample size where local conditions have the potential to disproportionately impact the local housing market, further research is required before relying on its findings.

Extensive research in the United States provides a broader perspective. The 2009 and 2013 studies by the Lawrence Berkeley National Laboratory (LBNL) analysed thousands of home sales near wind farms and found no measurable, consistent impact on property values. A 2023 study published in *Energy Policy* reported temporary value decreases post-announcement but found these effects faded once the wind farms became operational.

In the UK, studies commissioned by RenewableUK (2014) and Climate Exchange (2016) concluded that wind farms do not have a consistent negative impact on property prices. Instead, county-wide market trends drive local house prices rather than the presence of wind farms.

In May 2016, EirGrid conducted a literature review and evidence-based field study on the effects of high voltage transmission development on patterns of settlement and land use. A literature review of transmission projects from around the world was carried out, including review of EIAs. To investigate effects of transmission projects on patterns of land use and settlement, 31 case studies were chosen: 17 with existing overhead line (OHL) circuits, 10 with substations and 4 in construction. This study has established no evidence of any significant impact arising from the construction or existence of transmission infrastructure in terms of patterns of settlement and land use; however, transmission infrastructure can be a local physical constraint on development.

Overall, the literature described above demonstrates that there is insufficient evidence from the scientific literature and studies conducted to determine that there is the potential for a significant effect on property values as a result of the Proposed Project. While localized 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.

4.6.2 Tourism

Third-party submissions identify concerns in relation the Proposed Project negatively affecting the tourism potential the site and the wider area; alleging that the visual and acoustic intrusion of industrial-scale wind energy infrastructure is fundamentally incompatible with the quiet, contemplative tourism existing within the area. Third parties claim that the EIAR underestimates the impact on tourism, particularly in relation to cultural heritage.

Response

Section 5.3.9.2 identifies the tourist attractions located in proximity to the Proposed Project, and Section 5.3.9.3 sets out a literature review of wind farm and tourism interactions. The weight of that evidence indicates that wind farm development does not deter visitors to tourist attractions or scenic landscapes where turbines are visually evident. The assertion that the Proposed Project is incompatible with tourism is not supported by the evidence base and is not accepted by the Applicant. Please see Section 3.2.4 above which further details the tourism surveys utilised in the assessment and their credibility for use within the EIAR.

In relation to the potential effect on archaeological features and cultural heritage sites in proximity to the site from the operational phase of the Proposed Project have been addressed in detail within Chapter 13: Cultural Heritage and Chapter 14: LVIA of the EIAR; no significant effects have been identified. The assertion that the Proposed Project has underestimated impacts on cultural heritage tourism is not supported by the evidence base and is not accepted by the Applicant.

Specific detail in relation to impact assessment of the Lemanaghan Monastic Site is outlined in Section 2.9.2 and Section 3.2.10 above.

Based on the detail provided in Chapter 5 Population and Human Health, Chapter 13: Cultural Heritage and Chapter 14: LVIA, the Applicant does not agree that the assessment underestimates impact on tourism or that the Proposed Project is incompatible in the landscape. In support of this, the impact assessment contained in Chapter 5 notes that the Proposed Project will have a positive, slight, long-term impact on tourism due to the social and recreational benefits associated with the recreational amenity walkways/ paths, it will provide during the operational phase. Furthermore, the operational wind farm will have no impact on the running or operation of local and regional tourist attractions. Under a precautionary scenario, it has been determined that the Proposed Project will have a negative, imperceptible, long-term, residual effect of visitor experience to attractions in the wider landscape which is Not Significant.

4.7 Biodiversity

4.7.1 Habitats and Fauna

Third-party submissions express concern that the Proposed Project will have damaging effect on the current habitat and future rehabilitation opportunities for the area. Third parties allege that the Proposed Project is fundamentally incompatible with Ireland's commitments to peatland restoration. This will have an associated knock-on effect on local wildlife, including bird and protected species. Furthermore, it is contended that the long-term ecological consequences for the Proposed Project have not been adequately addressed and that the proposals for amenity and enhancement will only further disturb the habitats on site.

One third-party submission notes that the Department of Agriculture website identifies 22 no. badger setts within the site which have not been assessed in the EIAR.

One submission notes a 2024 parliamentary question to the European Parliament in relation to a wildlife displace resulting from wind farms. The question was based on a study by the Finnish Institute of Natural Resources which notes that up to 63% of bird species, 72% of bats and 67% of mammals move up to 5 km away from areas where wind turbines are installed.

Response

As outlined in Section 2.1.1.1 and Section 2.9.1.1 above, the infrastructure footprint of the Proposed Project will represent 3% of the site area and therefore does not impact or change the overall goals and

outcomes of the Draft Rehabilitation Plan for Lemanaghan Bog. The co-existence of rehabilitation of peatlands and renewable energy developments within a site is proven within Ireland: please see Section 2.1.1.1 and Section 2.9.1.1 above for further details. The international, national, and local targets relating to peatland habitats are acknowledged, and alignment with these targets is outlined in Section 2.5 in Chapter 2 of the EIAR.

Section 3.2.5 of this report outlines how the current ecological baseline for the site has been established and how the future projections for the site under the Draft Rehabilitation Plan has been considered throughout Chapter 6 of the EIAR. The validity of using this plan for such a purpose is outlined in Section 3.2.5 above.

The amenity proposals form part of the Proposed Project infrastructure footprint, which, as stated above, represents 3% of the total area of the site and is included in this 3%. Furthermore, Section 6.4.2.1 assesses effects on habitat during construction, noting that a total of 60.8ha of habitat will be lost due to the Proposed Project, 50.66 ha of which is bare cutover bog. An additional 18.52 ha of habitat will be temporarily impacted by the peat deposition areas, all of which is bare cutover peat of low ecological value and will be used for the temporary storage of excavated peat during construction. Section 6.4.2.1 and Section 6.43.1 of Chapter 6 of the EIAR notes that there is no significant effect on habitats pre-mitigation during the construction or operational phase of the Proposed Project. Therefore, the potential for proposed amenity to negatively impact habitats on site is not considered to be significant.

The ecological and ornithological enhancement areas represent a total of 20ha (10ha for Whooper Swan and 10ha for Lapwing), which represents 1.6% of the site (based on an area of 1,258ha as per Section 1.1.1 in Chapter 1 of the EIAR). While Section 6.4.2.1.3 notes that there may be a short-term negative effect in the early stages of implementation of the BMEP in the form of habitat loss where scrub encroachment is managed, but as new habitats develop as a result of the proposed enhancement measures, there is potential for the Proposed Project to result in an overall long-term positive effect on habitats at a local scale. Therefore, the claim that the enhancement areas will negatively impact habitats on site is not considered to be accurate based on the above and the detailed assessment contained in Chapter 6.

The submission which alleges that the total number of badger setts on site have not been accurately detailed within the EIAR is disputed. As outlined in Section 6.3.2.3.1 dedicated surveys for badger were undertaken between 2021 and 2024 (specific dates supplied in Table 6-2), in addition to incidental records recorded during other species-specific surveys. One sett was recorded within the Proposed Project site, over 370m south of the footprint of the Proposed Project. The location is shown within Confidential Appendix 6.5⁵ of the EIAR. The entrances associated with this sett did not display spoil heaps, fresh digging, bedding material, or other indicators of active or regular use as defined in TII (2005a). Camera-trap monitoring confirmed that badgers were present in this area. During dedicated badger surveys, signs of badger, i.e., badger foraging signs, latrines etc. were predominantly restricted to the margins of the Proposed Project site, as, due to the nature of the cutover peatland habitats recorded within the Proposed Project site, these habitats do not provide optimal foraging habitat for badger. In their submission the Department of Agriculture (Section 2.2 above) makes no reference to incorrect badger sett identification. The website supplied in the submission was reviewed (<https://maps.biodiversityireland.ie/Map/Terrestrial/Dataset/30>) and it is noted that there is no record of 22 no. badger setts within the site, while a few setts are noted along the margins of the site (in accordance with the findings of the dedicated Proposed Project badger surveys), the most recent year a badger sett was identified on the Department of Agriculture website was 2015. It is therefore concluded that the assessment undertaken for the planning application are the most up to date data source for badger setts that should be utilised within the EIAR assessment.

⁵ Following standard best practice, the location of breeding or resting places of protected species should be provided as a confidential appendix for review by the competent authority and not made available to the public in order to avoid potential for persecution.

In relation to the paper noting wildlife displacement, this paper was submitted as a parliamentary question to the European Parliament and relates specifically to the displacement of birds, bats, and mammals resulting from wind farms (https://www.europarl.europa.eu/doceo/document/E-9-2024-000264_EN.html#def2). It is noted that the percentages cited in the submission refer to the proportion of distinct displacement distances, termed “cases” in the paper, that reported any displacement, and do not represent the proportion of species displaced up to 5km. Chapter 6 and Chapter 7 of the EIAR considers displacement and disturbance within the impact assessment for all KERs and KORs (Section 6.4.2.2 and Section 7.5 respectively). The proposed enhancement measures for ornithology further represent areas which will offset the loss of habitat for Whooper Swan and Lapwing within the site. It is noted that Section 4.3 of the referenced paper states that *“the use of bird and bat migration routes and other valuable habitats can be avoided if suitable degraded and low-quality habitats and habitats located close to infrastructure are found. For example, in Finland, former peat excavation sites provide potential areas for wind power production due to their high degradation (Räsänen et al., 2023).”* As outlined in Section 2.1.1.2 and Section 3.2.5 above, there is no impact on migratory routes or linear connectivity within the site, and as the site itself is a degraded peatland it is considered that the referenced paper supports the proposal of the wind farm within Lemanaghan Bog, i.e., a former peat excavation site.

4.7.2 Bats

Third-party submissions raised concerns in relation to impacts on Bats. One submission in particular raised detailed comments regarding the bat survey methodology, survey effort and coverage, the assessment of bat activity levels, site risk classification, collision risk assessment, cumulative effects with other wind farm developments, the assessment of roosting bats, and the proposed mitigation and monitoring strategy. The responses provided below address these matters with reference to the findings of the Bat Report (Appendix 6-1 of the EIAR) and demonstrate that the surveys, assessment and proposed mitigation and monitoring have been undertaken and designed in accordance with current recognised best practice guidance for onshore wind developments.

Response

Survey Methodology, Survey Effort and Adequacy of Baseline Data

The bat surveys and assessment undertaken for the Proposed Project were carried out in accordance with the current recognised industry guidance for onshore wind farm developments, namely *Bats and Onshore Wind Turbines: Survey, Assessment and Mitigation* (NatureScot, 2021), with additional reference to Collins (2023) as referenced in Section 1.2 and 1.3 in Appendix 6-1 Bat Report. The survey programme was specifically designed to meet the requirements of NatureScot (2021), which is widely recognised as the current industry standard for wind farm bat assessments.

Ground-level static detector surveys formed the core dataset upon which the impact assessment was based, as recommended by NatureScot (2021). A total of 12 static detectors were deployed across the site, providing coverage equivalent to the requirements for a 15-turbine wind farm with a good spatial and temporal spread covering a variety of available habitats and seasons. Surveys were undertaken during spring, summer and autumn 2024 and generated 71 detector nights (excl. 1 no. redeployment), of which 64 nights were undertaken during ‘suitable’ weather conditions for bat activity surveys. This significantly exceeds the minimum survey effort recommended by current guidance.

The 2024 survey programme was further supplemented by extensive baseline bat surveys undertaken across the site in 2022, including habitat appraisal, roost inspections, manual activity surveys and static detector surveys. While the 2022 data falls outside the temporal validity period for inclusion as baseline survey data, it provides additional context regarding bat usage of the site and demonstrates consistency in activity patterns recorded across multiple years.

NatureScot guidance identifies manual transects as a 'supplementary' survey method which may be applied on a site-specific basis to complement static detector surveys. The guidance does not require repeated manual transects within a particular season where adequate static detector data has been obtained. At this site, manual activity surveys were completed during spring, summer and autumn and recorded bat activity across the site. In accordance with NatureScot guidance, the collision risk assessment was informed primarily by the extensive static detector dataset rather than manual transect results alone.

Accordingly, MKO considers that the surveys undertaken provide a robust and comprehensive baseline dataset and that the assessment has been completed in accordance with current best practice guidance. Please see Appendix 6-1 for further detail on the above.

Activity Levels, Ecobat and Interpretation of High Activity Results

The assessment of bat activity levels followed the methodology outlined within Section 3 of Appendix 6-1 and was developed with reference to NatureScot (2021). While NatureScot recommends the use of the Ecobat platform, Ecobat was unavailable during assessment of the 2024 survey data due to ongoing maintenance and redevelopment of the platform. Consequently, a site-specific activity assessment methodology was adopted. This approach is clearly outlined in Section 3.4.1 of Appendix 6-1.

As explained in the Bat Report, the Ecobat threshold values presented in NatureScot guidance were considered overly precautionary when applied to this site and resulted in bat activity appearing artificially low across the majority of detector locations. Therefore, site-specific activity thresholds were developed using the recorded dataset, following an approach adapted from Mathews *et al.* (2016). Importantly, these thresholds were deliberately adjusted conservatively to ensure a precautionary, worst-case-scenario assessment of activity levels and collision risk.

Leisler's bat represented approximately 13% of all static detector records during 2024 and was identified as a high collision-risk species in the assessment. The species was therefore specifically assessed through the risk assessment process set out in NatureScot (2021). Although high median activity was recorded at detector D12 (associated with proposed turbine T14), this was limited to a single location and was fully incorporated into the site-specific collision risk assessment and mitigation strategy.

Overall, the assessment concluded that, when considered alongside habitat risk, project scale and proposed mitigation, the overall collision risk for Leisler's bat was Low to Medium. Furthermore, a comprehensive mitigation and monitoring strategy is proposed, including habitat buffers, blade feathering and three years of operational monitoring, with adaptive management measures available should monitoring identify a requirement for further mitigation.

The site-risk assessment was undertaken in accordance with the methodology set out in Table 3a of NatureScot (2021) (Table 6-1 in Appendix 6-1), which considers both habitat risk and project scale to determine overall site risk. The Proposed Wind Farm was classified as a Medium-sized project, while habitat risk was assessed as Moderate due to the presence of a small roost and some suitable commuting and foraging habitat associated with scrub, woodland edge and drainage features. However, the site does not comprise an extensive network of high-quality bat habitat and therefore does not meet the criteria for a High habitat-risk site.

The combination of a Moderate Habitat Risk and Medium Project Size resulted in a Medium Site Risk classification, which was then used within the NatureScot collision risk assessment framework to determine species-specific collision risk. The assessment was informed by the desk study, habitat appraisal, roost surveys, manual surveys and extensive static detector surveys, and is considered appropriate and consistent with current best practice guidance.

A precautionary approach was also adopted through the use of conservative activity thresholds and a comprehensive mitigation and monitoring strategy, including habitat buffers, blade feathering, adaptive management measures and three years of post-construction monitoring.

Accordingly, the assessment concludes that no significant effects on local bat populations are anticipated provided the proposed mitigation and monitoring measures are implemented.

Roosts and Proximity to Turbines

The presence of bat roosts within and around the Proposed Wind Farm was comprehensively assessed through bat habitat appraisal surveys, detailed inspections and emergence surveys undertaken in both 2022 and 2024. Three structures were identified within the survey area and assessed for their potential to support roosting bats.

A small roost comprising four soprano pipistrelles and one suspected brown long-eared bat was recorded within the stone house during an emergence survey undertaken in April 2024. No roost activity was recorded during the subsequent August survey.

The roost location, nearest turbine and separation distances are clearly provided within Table 3-2 of the Bat Report (Appendix 6-1). The stone house is located approximately 400m from the nearest proposed turbine (T13). The adjacent structures are located approximately 390-410m from the nearest turbine.

The identified roost will be retained and no works are proposed to the structure. The Bat Report specifically concludes that there will be no loss or disturbance of the roost and no significant effects on roosting bats as a result of the Proposed Project.

Turbine Delivery Route and Habitat Impacts

The turbine delivery route and associated accommodation works were assessed as part of the multidisciplinary surveys undertaken for the Proposed Project. The route was visited and assessed for its suitability to support commuting, foraging and roosting bats.

The proposed temporary bypass route at Kennedy's Cross follows an existing track and comprises habitats including recolonising bare ground, grassland, scrub and a drainage channel. The route itself was assessed as providing Negligible to Low suitability for commuting and foraging bats and Negligible suitability for roosting bats. Adjacent scrub habitat was assessed as providing Low to Moderate suitability for commuting and foraging bats but negligible roosting potential.

Importantly, no loss of trees or vegetation with roosting potential is required to facilitate the turbine delivery route. The Bat Report (Appendix 6-1) concludes that the turbine delivery route will not result in the loss of roosting habitat and will not result in significant impacts on commuting or foraging bats.

Other Wind Farms and Cumulative Effects

An assessment of cumulative effects was undertaken in Section 7.4 of the Bat Report (Appendix 6-1) in accordance with NatureScot (2021) and included a review of existing, permitted and proposed wind farm developments located within 10km of the Proposed Wind Farm.

The assessment identified three relevant wind energy developments within 10km of the Proposed Wind Farm: Lea More Turbine (permitted), Leabeg Wind Farm (existing) and Bellair Wind Farm (proposed). These projects were considered during the cumulative effects assessment.

Following detailed assessment, and having regard to the survey results, site characteristics and mitigation measures proposed, the Bat Report concluded that the Proposed Project would not result in significant residual effects on bats, either alone or in combination with other plans and projects in the surrounding area. No cumulative adverse effects on bat populations were identified.

The Bat Report identified all existing, permitted and proposed wind farm developments within 10km of the Proposed Project and considered these as part of the cumulative impact assessment. The assessment

concluded that the Proposed Project would not contribute to significant cumulative impacts on bat populations.

Comparison With Third-Party Bat Survey Findings

Differences between the findings of ecological surveys do not necessarily indicate deficiencies in either survey and may arise due to differences in survey timing, weather conditions, survey effort, detector type, survey extent or natural variation in bat activity.

The surveys undertaken by MKO recorded five bat species/groups during manual activity surveys and six species/groups during static detector surveys, including *Myotis* spp.

A small bat roost was identified by MKO within the stone house during the April 2024 emergence survey, comprising four soprano pipistrelles and one suspected brown long-eared bat. No emergence was recorded during the August survey by either MKO or Doire Environmental.

Accordingly, survey results should be interpreted in the context of the total survey effort and survey timing rather than by direct comparison of individual survey visits undertaken at different times.

MKO considers the survey effort, proposed mitigation and monitoring plan outlined in Appendix 6-1 of the EIAR to be appropriate and in line with best practice guidance to ensure no significant impacts on local bat populations occurs during the construction phase.

Mitigation and Operational Monitoring

The Proposed Project incorporates a comprehensive mitigation and monitoring strategy in accordance with NatureScot (2021). Mitigation measures include:

- 50m bat buffers between turbines and suitable habitat features.
- Blade feathering during the main bat activity season, where appropriate.
- Lighting controls designed to minimise impacts on bats.
- Habitat enhancement measures, including woodland and hedgerow creation.
- Three years of post-construction bat monitoring including static detectors, activity surveys and carcass searches.
- Provision for adaptive management, including curtailment where required by monitoring results.

The mitigation package has been developed specifically for the site and the Bat Report concludes that significant residual effects on bats are not anticipated.

MKO considers the proposed mitigation and monitoring plan outlined in Section 7 of Appendix 6-1 of the EIAR to be appropriate and in line with best practice guidance to ensure no significant impacts on local bat populations occurs during the construction phase.

4.8

Ornithology

Third-party submissions allege that the EIAR does not provide multi-seasonal bird surveys nor wintering-bird assessments and that the Hen Harrier surveys were not done in the correct time period. As hen harrier was identified within the site, third parties contend that this is indicative of a roost within the Proposed Project site that has not been accounted for in the EIAR.

Response

It is determined that the claim that the EIAR does not provide multi-seasonal bird surveys or wintering-bird assessments is not accurate. The ornithological survey effort informing Chapter 7 was undertaken

over five years (October 2020 to March 2025), comprising four breeding seasons (April–September) and five non-breeding/wintering seasons (October–March) – substantially exceeding the standard minimum requirement of two years' survey effort applied to wind farm EIARs in Ireland. The full survey suite is set out in Section 7.2.4 of Chapter 7 and includes:

- Vantage Point Surveys
- Breeding Walkover Surveys
- Breeding Raptor Surveys
- Breeding Woodcock Surveys
- Breeding Kingfisher Surveys
- Breeding Barn Owl Surveys
- Winter Walkover Surveys
- Hen harrier Roost Surveys
- Waterbird Distribution and Abundance Surveys

This suite explicitly covers both the breeding and non-breeding seasons across multiple years, directly addressing the multi-seasonal and wintering-bird survey requirement.

With respect to hen harrier specifically, dedicated roost surveys were undertaken in areas of suitable habitat within a 2km radius of the Proposed Project site (Section 7.2.4.2.8), from six vantage point locations, surveyed from dusk until last visible light – the standard methodology for detecting communal roost use, since it captures the pre-roost gathering and flight-to-roost behaviour by which roost sites are identified. Each vantage point was surveyed once per month between October and March inclusive across all five winter seasons (2020/21 to 2024/25), with full details of survey dates, times and weather conditions presented in Appendix 7-2. Hen harrier roost in the non-breeding season, and the survey window applied (October–March, monthly, dusk-to-dark) is therefore consistent with established methodology for this purpose, i.e., Gilbert (1998)⁶ and O'Donoghue (2019)⁷ as referenced in Chapter 7 and was correctly targeted at the appropriate time of year and time of day.

Furthermore, as noted in Section 7.5.2.3, no confirmed roosting sites were recorded within the Proposed Project site over the five winter seasons surveyed. A total of 20 observations of hen harrier were recorded within the Proposed Project site, the majority related to birds observed travelling, with only three observations of birds actively hunting/foraging. While it can be assumed that birds observed travelling may have also been foraging within the Proposed Project site, this is nonetheless a low rate of occurrence of habitat utilisation within the site. The low level of site utilisation given the extensive survey effort applied is consistent with – rather than contrary to – an absence of roosting or significant foraging dependence on the site. This is further corroborated by the wider-area results of the roost surveys and waterbird distribution and abundance surveys, which recorded significantly higher winter hen harrier activity in other peatland habitats away from the Proposed Project site (Appendix 7-4, Figures 4-3 and 4-4), indicating that hen harrier in the area preferentially use habitat elsewhere.

On this basis, and having regard to the small proportion of the site given over to permanent infrastructure (34.3ha, c. 3% of the total site area), the retention of extensive suitable foraging habitat post-construction, and the availability of similar habitat in the surrounding landscape, no significant effects on hen harrier roosting or foraging are predicted.

4.9

Land, Soils and Geology

⁶ Gilbert, G., Gibbons, D.W. and Evans, J. (1998) *Bird monitoring methods*. Bedfordshire, England: Pelagic Publishing, Royal Society for the protection of Birds.

⁷ O'Donoghue (2019). *Hen Harrier Roost Types and Guidelines to Roost Watching*. Hen Harrier Winter Survey Report. Available at: http://www.ihhws.ie/IHHWS_Guide.p

Third-party submissions raise concerns that the EIAR submitted is materially deficient and fails to adequately address peat stability risks, including the potential for peat slippage, and that the EIAR itself does not appropriately assess the damage to peatlands as a result of excavation activities which undermines the 2015 National Peatland Strategy and the 2025 National Climate Action Plan.

It is noted in third party submissions that the site contains deep unstable peat, with submissions alleging that construction traffic, turbine foundations and access roads carry a serious risk of peat slippage. Submission notes the Derrybrien 2003 peat failure and demand robust, site-specific geotechnical analysis, noting that the EIAR assessment is superficial and inadequate.

Response

The Derrybrien peat failure occurred in October 2003, the Applicant and Project team are acutely aware of this case, with Appendix 8-1 PSRA noting that the guidance utilised in the PSRA (i.e., Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (2nd edition, PLHRAG, 2017)) was developed following the Derrybrien case. It is noted that the Proposed Project site is materially different from the locations of Ireland's more recent peat slide events at Shass Mountain (2020, Co. Leitrim) and Meenbog (2020, Co. Donegal), both of which occurred on sloping upland ground. The Proposed Project site is flat lowland cutover bog, with an elevation range of only 50–62mOD (Section 8.3.1). The GSI's Landslide Susceptibility Map classifies the probability of a landslide at the site as "Low" on this basis (Section 8.3.9.4), and no historic landslides are recorded at the site.

The claim by third parties that the EIAR is materially deficient, superficial, and fails to adequately address peat stability risks, is inaccurate and appears to not be informed by the information contained within the EIAR. As identified in Section 3.2.6 above, and within Chapter 8 of the EIAR and Appendix 8-1, 722 no. peat probes have been carried out across the site by Fehily Timoney (FT), MKO, and Hydro-Environmental Services (HES), 62 no. trial pits and 10 no. boreholes, have been carried out at the site (across 3 no. rounds of site investigative works) with 281 no. locations located throughout the Proposed Project infrastructure footprint assessed for a Factor of Safety (FoS) under both undrained (short-term, construction) and drained (long-term, operational) conditions, and under two loading scenarios including a precautionary 10kPa surcharge equivalent to 1m of stockpiled peat. The minimum required FoS under BS6031:1981 is 1.3. Every one of the 281 no. locations assessed returned a calculated FoS in excess of 1.3, with results ranging from 2.01 to 21.56 (Table 8-8 and Table 8-9 within Chapter 8). This represents a substantial margin of safety, not a marginal one, and demonstrates that the site is suitable for the type of development proposed. Please note, FT completed in-situ shear vane testing at selected location across the Proposed Project site to provide a representative coverage of indicative peat strengths. The results of the vane testing are presented in the PSRA (Appendix 8-1). The hand vane results indicate undrained shear strengths in the range 12 to 65kPa, with an average of 43kPa. The recorded shear strengths are typical of well-drained peat and are significantly greater than those which were recorded at sites of known peat failures. For example, the undrained shear strength of the site of the Derrybrien failure was estimated to be 2kPa.

The PSRA concludes that the findings of the PSRA showed that the Proposed Project site has an acceptable margin of safety, is suitable for development of the Proposed Project and is considered to be at low risk of peat failure. The findings include recommendations and control measures for construction work in peat lands to ensure that all works adhere to an acceptable standard of safety.

Potential effects on peatlands are assessed throughout the EIAR under relevant disciplines. The alignment of the Proposed Project to international and national peatland targets is outlined in Chapter 2 of the EIAR. Section 2.2.2.1 in Chapter 2 states: *'The Proposed Project aligns with the national climate policy objectives. The Proposed Project will make a significant contribution to achieving the [Climate Action Plan 2025 (CAP25) target of 9GW of onshore wind energy by the year 2030. Furthermore, the Proposed Project will aid Ireland in adhering to, or limiting the exceedance of, the country's carbon budgets. Currently, the electricity sector is rapidly approaching the designated sectoral ceiling of 40*

MtCO₂eq for the first carbon budget period from 2020 to 2025. The national renewable energy targets and the carbon budgets are integral to the government's response to the climate crisis.'

The Proposed Project site is a cutover, industrially worked peatland rather than an intact undisturbed peatland. As set out in Section 2.5.1 of Chapter 2, CAP25 explicitly recognises the role that peatland rehabilitation plays in achieving Ireland's emissions reduction targets. The site remains subject to an EPA Integrated Pollution Control Licence (P0500-01) under which a Draft Rehabilitation Plan (Appendix 2-4) has been prepared in accordance with Condition 10; this rehabilitation obligation will proceed, irrespective of the Proposed Project.

Published Irish research supports the compatibility of peatland rehabilitation with co-located infrastructure. Wilson et al. (2016, 2022) demonstrated significant reductions in greenhouse gas emissions following the rewetting of former BnM cutover peatlands in Ireland. Peatland rehabilitation and onshore wind development have already been proven to coexist successfully in Ireland, as detailed in Section 2.1.1 above.

It is suggested by third parties that the Proposed Project is not in accordance with the National Peatland Strategy published by the NPWS in 2015. In this regard, it should be noted that the National Peatland Strategy 2015 identifies post-industrial peatlands as an opportunity to expand Ireland's wind energy capacity. The National Peatland Strategy states that *'Cutaway bogs have a number of advantages over other categories of land in terms of potential windfarm development of scale. The appropriate development of such bogs may assist energy projects which will contribute to meeting our renewable energy targets and developing an export market for renewable electricity. Windfarms on cutaway bogs could be developed in conjunction with recreational and natural amenity.'* The National Peatland Strategy also notes that *'rehabilitation is compatible with wind energy installation'*. With regard to the policies of the National Peatland Strategy and the conclusions of Chapter 8 of the EIAR, it is clear that the Proposed Project is in accordance with the National Peatland Strategy.

4.10

Water

Third party submissions raise concerns that the provided hydrological assessment is not aligned with the EU Water Framework Directive (2000/60/EC), noting that the risk of contamination of watercourses for livestock drinking water raises concerns in relation to public and animal health as well as agricultural sustainability.

Third party submission allege that the EIAR does not provide hydrological modelling and does not consider the seismic effect on existing drinking water wells/boreholes across the catchment.

Furthermore, concerns were raised in relation to the Shannon and Brosna catchments, and the cumulative impact as these catchments are already under pressure; therefore, a development at their hydrological source is inconsistent with sustainable planning and environmental protection principles.

Response

The alignment of the Proposed Project with the WFD is outlined in Section 2.1.1.3 above, please refer here for a detailed response.

As noted in Section 4.6 above, there is not anticipated to be any danger to the public or livestock from the proposed turbines. Drinking water protection areas (DWPA) are assessed within the assessment contained in Chapter 9 of the EIAR. Section 9.5.2.10 identified that construction activities at the Proposed Project site pose a threat to surface water DWPA linked with the Proposed Project. Proven and effective measures to mitigate the risk of surface and groundwater contamination have been proposed which will break the pathway between the potential source and the downstream receptor. These mitigation measures will ensure that surface water runoff from the Proposed Project site will be

equivalent to baseline conditions and will therefore have no effect on downstream water quality. There is therefore no potential for effects on drinking water that will alter the health of the public or livestock.

While the exact type of hydrological modelling that is alleged to not be included within the EIAR is not explicit, hydrological modelling has been undertaken in the form of a site water balance (Section 9.3.2), baseline runoff assessment for the wettest recorded month (Section 9.3.6), and a dedicated Flood Risk Assessment based on OPW, CFRAM and National Indicative Fluvial Mapping data (Section 9.3.7, full report included as Appendix 9-1), with the proposed drainage design based on extreme rainfall return-period data up to the 1-in-100-year event (Table 9-6, Section 9.4.1). While it is unclear what modelling requirements and exact concerns were being raised by third parties, it is noted that there are no significant impacts on hydrology identified within Chapter 9 of the EIAR.

The submission's reference to "seismic effects" appears to conflate standard construction vibration (from piling and excavation) with seismic/geological hazard in the sense used in geotechnical practice. No blasting is proposed at the Proposed Project site; rock within the borrow pit footprints will be removed by mechanical breaking based on assessed excavatability (Section 4.11.1.7.1 of Chapter 4), not by explosive means, which is the primary source of significant construction-related seismic/vibration effects on groundwater structures. Vibration from piling is a well-understood, localised and temporary construction effect, and potential effects associated with piled foundations on the hydrogeological environment are specifically assessed in Section 9.5.2.7, noting a moderate effect on groundwater quality/hydrochemistry reducing to imperceptible following mitigation.

In relation to the catchment pressures on the Shannon and Brosna catchments, it is firstly noted that Lemanaghan Bog is not the hydrological source of either catchment. the Proposed Project site (1,258ha) drains via small first- and second-order streams (typical flows of 2–20l/s) that are tributaries within these much larger systems, not their source.

With respect to the specific waterbodies that actually receive discharge from the site Table 9-19 in Chapter 9 Water of the EIAR outlines the current status of the waterbodies under the WFD and their associated pressures: the Boor_020 SWB is "Moderate" status but classified "not at risk" with no pressures identified; the Lemanaghan Stream_010 SWB status is "under review" with no pressures identified; and the Brosna_100 and Brosna_110 SWBs, while classified "at risk," have agriculture (and, for Brosna_110, hydro morphology) identified as the significant pressure.

The site's drainage has operated under an EPA Integrated Pollution Control licence since 2000, with 24 years of monitoring data available. Over that period, effluent from the Lemanaghan Bog outfalls has shown no exceedances of the ammonia limit across 57 no. samples, and 93% compliance with the suspended solids limit, with the majority of historic exceedances confined to the early years of the licence prior to improvements in silt control (Section 9.3.8.3, Table 9-15 in Chapter 9). The Proposed Project will operate within this existing, regulated drainage framework rather than introducing a new, uncontrolled pressure on the receiving catchments.

4.11

Air Quality

Third party submission raise concern in relation to the air quality assessment not appropriately identifying the effects of air quality during construction.

Response

It is not clear from the submission which effects from air quality raised the concern, however the Applicant wishes to clarify that the air quality assessment contained in Chapter 10 of the EIAR is aligned with best practice guidance and legislation as is appropriate to wind farm applications in Ireland. Relevant guidance and legislation is outlined in Section 10.1.2 of Chapter 10 of the EIAR.

Chapter 10 provides a detailed assessment on exhaust emissions (Section 10.3.2.1 and Section 10.3.3.1) and dust emissions (Section 10.3.2.2 and Section 10.3.3.2). No significant negative effects are identified for the construction, operation, or decommissioning phases of the Proposed Project.

Section 10.3.3.3 of Chapter 10 states: *‘Although a long-term, imperceptible, negative effect on air quality is expected during the operational phase due to exhaust and dust emissions from maintenance vehicles, there will be a net reduction in carbon dioxide (CO₂) emissions from operation of the Proposed Project. By providing an alternative to electricity derived from coal, oil or gas-fired power stations, will result in emission savings of carbon dioxide (CO₂), oxides of nitrogen (NO_x), and sulphur dioxide (SO₂). The production of renewable energy from the Proposed Project will have a long-term, moderate, positive effect on air quality, which is not significant. Further details on the carbon dioxide savings associated with the Proposed Project are presented in Section 11.4.3.2 of Chapter 11: Climate’*

It is therefore considered by the Applicant that the air quality assessment contained in Chapter 10 is robust and fully covers all potential impacts on air quality arising from the Proposed Project.

4.12

Climate

Third-party submissions raised concerns in relation to the loss of carbon-storing vegetation and habitat within Lemanaghan Bog as a result of the Proposed Project. Submissions identify that the benefits of the wind farm will not outweigh the loss of peatlands excavated for the Proposed Project, with one submission alleging that the carbon loss from peat extraction has not been considered in the impact assessment.

The link between national peatland restoration commitments and the Proposed Project was queried by third parties, noting the importance of peatland habitats for carbon sequestration and concern that the Proposed Project will have a delay in the restoration timeline of Lemanaghan Bog.

One submission notes that the carbon assessment is incorrect due to the assumption that the baseline environment is degraded and continuing to degrade. It notes that this approach does not reflect the current legal and policy context in which degraded peatlands are subject to structured restoration. Furthermore, the EIAR compares the proposed development against continued degradation and a static grid capacity factor rather than against a realistic scenario in which emissions would decline.

Response

It is noted that all excavated peat volumes are considered within the Macauley Institute carbon Tool as demonstrated within Appendix 11-2 of the EIAR. The tool is designed to calculate the impact of wind farm developments on the soil carbon stocks held in peat, this encompasses all peat excavated for the proposed turbines, internal access roads, and borrow pits, with the ‘additional excavated peat’ as outlined on the ‘Core Data Input’ sheet of Appendix 11-2 covering off excavated peat for all other Proposed Project infrastructure as outlined in the Peat and Spoil Management Plan (Appendix 4-3).

Peatland rehabilitation and renewable energy form a core part of the international, national, and local climate targets for Ireland. Please refer to Section 2.5 and 2.6 of Chapter 2 of the EIAR for further details on the aforementioned targets.

Please see Section 2.1.1.1 and Section 2.9.1.1 above which further addresses the concerns raised by these third-party submissions.

4.13

Cultural Heritage

Third-party concerns were raised in relation to the cultural heritage impact of the site and the surrounding areas as a result of the Proposed Project. The assessment was deemed to not adequately cover off cultural heritage and archaeology in line with the sensitivity of the Proposed Project site.

One submission notes that the EIAR does not discuss the human remains identified at St Mellas Cell in early 2025 as a result of Strom Eowyn, identifying this as a major omission from the EIAR.

Response

Please see Section 2.1.2, Section 2.4.2, Section 2.9.2, and Section 3.2.10 above which fully addresses the concerns raised by these third parties.

The identification of human remains at St Mella's Cell is addressed in Section 13.2.2.1.6 of Chapter 13 of the EIAR. These finding forms part of the assessment of the Lemanaghan Monastic Complex, within which St Mella's Cell is located, and is considered as part of that cultural heritage receptor's baseline and significance assessment. Accordingly, the human remains were not omitted from the EIAR; they were identified and assessed as part of the Lemanaghan Monastic Complex.

The identification of human remains at St Mellas Cell is identified in Section 13.2.2.1.6 of Chapter 13 of the EIAR. This identification forms part of the assessment of the Lemanaghan Monastic Complex within which St Mella's Cell is located. Therefore, this finding was not omitted from the EIAR and assessed as part of the Lemanaghan Monastic Complex cultural heritage receptor.

It is determined that the cultural heritage assessment contained in Chapter 13 of the EIAR is robust and provides a full comprehensive assessment of all potential effects on cultural heritage.

4.14

Landscape and Visual

Third-party observers contend that the Proposed Project would fundamentally transform the character of the area from a peatland landscape into an industrial energy landscape, resulting in significant and potentially permanent adverse effects on its landscape, cultural and historical value. Noting that the Proposed Project would industrialise a culturally significant landscape, adversely affect local identity, and may materially contravene the relevant development plan, including the location of Turbine T05 within an area identified as not being open to consideration.

Concerns were also raised that the EIAR does not adequately assess the effects on landscape character, sensitive receptors such as residential properties, heritage landscapes and amenity routes, or the cumulative visual effects of the proposal.

Observers also allege that the EIAR substantially underestimates the extent and significance of visual impacts. They contend that the Zone of Theoretical Visibility (ZTV) mapping relies on idealised assumptions and does not adequately account for real-world conditions, including seasonal vegetation changes, clear atmospheric conditions, elevated viewpoints and night-time aviation lighting. They further question the reliance on topographical screening, the selection of viewpoints and screening analysis, and the use of language perceived as minimising landscape effects, arguing that these factors collectively understate the Proposed Project likely visual prominence and long-distance visibility.

Response

Section 2.1.2, Section 2.4.2, Section 2.9.2, Section 3.2.10 and Section 3.2.11 above comprehensively outline the scope of the cultural heritage and LVIA assessments (i.e., Chapter 13 and Chapter 14 respectively) and the degree of consideration given to these elements within the EIAR. It is identified that Lemanaghan Bog itself is classified as an industrial peatland in the midlands as per the OCDP. As identified in Section 2.1.1 above, Lemanaghan Bog is under IPC Licence and will undergo

decommissioning and rehabilitation activities as a requirement of condition 10 of the licence, irrespective of the Proposed Project. The concern that the Proposed Project would convert a natural peatland landscape into an industrial one does not reflect the existing land-use classification or regulatory context.

It is noted that Chapter 14's viewpoint selection specifically addresses the cultural heritage sensitivity of the area: following a meeting with the National Monuments Service on 11/11/2025, two additional viewpoints were captured beyond the standard programme — VP13 (Lemanaghan Monastic Site), captured in winter specifically to illustrate a 'winter view', and VP14 (Hermitage), captured from within the Lemanaghan Hermitage site itself to represent the view as experienced by a visitor there (Appendix 14-1, Section 1.6.1.1). This demonstrates that the cultural and historical sensitivity of the area was a specific driver of the assessment methodology.

Regarding siting of proposed turbine T05 in an area deemed not open to consideration, please see Section 3.1 above.

All LVIA guidance applied in Chapter 14 — including GLVIA3, the DoEHLG 2006 Guidelines and the Draft DoHPLG 2019 Guidelines — treats wind farm development as a reversible land use by definition (Appendix 14-1, Section 1.7.4, Table 1-3). This is reflected in the Proposed Project's own design: the EIAR includes a Decommissioning Plan (Appendix 4-8) providing for full removal of turbines and associated above-ground infrastructure at the end of the operational life of the Proposed Project (35 years). The "permanent infrastructure footprint" figure (34.3ha, 3% of site) referred to in Section 2.1.1.1 above describes the proportion of the site occupied at any one time during the operational period — it is not a statement that this land use is irreversible.

The concern raised in relation to ZTV representing an idealised scenario is incorrect. The ZTV explicitly models a "bare ground" scenario — that is, visibility of the proposed turbines in the total absence of vegetation, hedgerows, forestry and buildings — and is acknowledged in the methodology itself that weather and atmospheric conditions are not considered. However, it is clearly outlined that the ZTV represents a precautionary scenario, not an underestimate of theoretical visibility; i.e., ZTV presents an overestimate of visibility. Details outlining the limitations of ZTV mapping is provided in Section 1.5.2 of Appendix 14-1 of the EIAR.

Furthermore, to ensure that the assessment was as accurate as possible to the conditions of the Proposed Project site, the LVIA was supplemented by a dedicated Route Screening Analysis (RSA), a ground-truthing methodology in which the N62 National Road, R444 Regional Road and R436 Regional Road to a distance of 5km from the Proposed Project site were physically driven and the actual screening condition recorded in real time using GPS-referenced tablet logging and dashcam footage, classified into 'Little/No', 'Intermittent/Partial' and 'Dense/Full' screening categories (Appendix 14-1, Section 1.5.3). This directly addresses the third party's concern and was not only a desk-based exercise.

The concerns raised in relation to an overreliance of topographical screening are not considered to be founded in established methodology. Multiple field surveys were conducted during 2021, 2022, 2023, 2024, and 2025 to determine the actual visibility from locations where the ZTV has indicated full theoretical visibility. These surveys determined that visual screening from localised undulations in topography, vegetation and man-made elements substantially reduce the likelihood of viewing turbines in vast areas of the LVIA Study Area (Section 14.3.2 of Chapter 14).

In most instances, visual screening existent in the gently undulating and highly vegetated landscape beyond 5km from the proposed turbines did not permit open views in the direction of the proposed turbines. Visibility is only likely to occur in isolated, elevated vantage points where open, long-ranging landscape views in the direction of the proposed turbines were found. Representative photomontages were captured from elevated locations where open views towards the proposed turbines were found; please see Volume 2 Photomontage Booklet. As demonstrated and discussed throughout the submitted

LVIA, the flat terrain is a positive attribute of the receiving landscape that greatly restricts actual visibility of the proposed turbines in areas beyond 5km from the Proposed Wind Farm.

Viewpoint selection was based on the Draft DoHPLG 2019 Guidelines, GLVIA3 (LI & IEMA, 2013) and SNH Guidance v.2.2 (2017). The selection of viewpoints is designed to provide a representative range of views of the proposed turbines. Viewpoints were chosen after compiling the 'Visual Baseline' (Section 14.5 of Chapter 14). The main purpose of establishing the visual baseline was to identify the key visual receptors that should be considered for viewpoint selection. To this end the following seven types of receptors were identified:

- Designated Scenic Routes and Views;
- OSi Viewing Areas
- Settlements;
- Recreational Routes:
 - Waymarked Walking Routes;
 - Cycle Routes;
 - Scenic Drives;
 - Tourist Routes;
- Recreational, Cultural Heritage and Tourist Destinations;
- Transport Routes;
- Residential Receptors.

Each category was tabulated in Chapter 14 with associated theoretical visibility, and the 20 photomontage viewpoints (plus 16 additional Photowire viewpoints in Appendix 14-5) were selected specifically to be representative of this full range of receptor types, distances, aspects and elevations, in line with SNH Guidance v.2.2 (2017). Residential receptor sensitivity is specifically defined and assessed via the Visual Receptor Sensitivity criteria at Table 1-6 of Appendix 14-1. The claim that the EIAR refers only generally to "receptors" without demonstrating how visibility was assessed from specific sensitive locations is not supported by the methodology.

Furthermore, where third parties allege that the viewpoint selection was selective to favour the Proposed Project, it is determined that this is not supported by the methodology presented in Chapter 14 and Appendix 14-1. Viewpoint selection followed a structured process based on representativeness of the seven identified receptor categories, not an arbitrary or selective subset, and was directly responsive to third-party input, as shown by the two additional viewpoints (VP13, VP14) captured specifically at the National Monuments Service's request.

As identified in Section 1.8 of Appendix 14-1, 'Visual effects' relate to the changes in views and visual amenity of the surroundings of individuals or groups of people, brought about by the development of a proposed wind farm. Therefore, where visual effects are identified in Chapter 14 and its associated appendices, this encompasses amenity within the surrounding area of the Proposed Project site. Seasonal variation is discussed in Section 2.8 above.

Cumulative landscape and visual effects are assessed comprehensively across the 25km LVIA Study Area, addressing all existing, permitted and known proposed wind energy developments identified through a search of planning portals across seven local authorities (i.e., Co. Offaly, Co. Roscommon, Co. Westmeath, Co. Galway, Co. Tipperary, Co. Laois) and the An Coimisiún Pleanála database (Appendix 14-1, Section 1.10.1). All photomontage viewpoints present cumulative wireline and photomontage views showing the Proposed Project in combination with all other turbines of all other existing, permitted and under construction are presented in the photomontages and wireline views; also, well-developed wind farm proposals⁸ with project details in the public domain are included in

⁸ Cumulative effects between the proposed turbines and other proposed wind farms (not permitted) are more uncertain and reliant on an outcome of the planning and consenting system

these views (Section 1.10.2 of Appendix 14-1). Therefore, it is not considered that the cumulative assessment is inadequate.

Lighting requirements for the proposed turbines are outlined in Section 15.2.4.2 of Chapter 15. These requirements are further recommended as conditions by the IAA in Section 2.7 above. These requirements are consistent with national practice, and significant visual effects from aviation lighting are not anticipated.

4.15 Material Assets

Several third-party observations are made regarding concerns over the Proposed Project's impact on traffic and transport, telecommunications, and aviation. The main concerns are listed below:

- Road safety concerns
- Traffic disruptions
- Damage of the road network
- Suitability of the site entrances to accommodate HGVs
- Emergency access
- Telecommunication interference
- Aviation interference
- Turbine Delivery Route accommodation works

Response

Road Safety Concerns

Traffico Road Safety Engineering Consultants Ltd were commissioned to undertake a Stage 1 Road Safety Audit for the access arrangements for the Proposed Wind Farm, in accordance with GE-STY-01024 Road Safety Audit Guidelines, TII, December 2017. The Stage 1 Road Safety Audit Report is attached as Appendix 15-4 of this EIAR.

The Stage 1 Road Safety Audit raised 3 potential road safety problems. The Design Team agreed with each problem and each recommendation suggested by the Audit Team and provided a detailed solution describing each mitigation measure proposed. It is confirmed that each solution was to the satisfaction of the RSA Team. The problems identified (shown in Appendix 15-4 of the EIAR), together with the Design Teams response is provided in Section 15.1.11 of the EIAR.

Disruption to Local Traffic

As detailed in Chapter 15 Section 15.1.14.2.1 of the EIAR, for 15 days when concrete is delivered to the Proposed Wind Farm for the construction of the turbine foundations via the identified construction delivery routes, an additional 454 PCUs will travel to and from the site. During these days it is forecast that the increase in traffic volumes will range from between +2.5% to +9.2% on the N52 between the M6 and the junction with the N62 (Links 1 to 3). For the section of the N62 travelling north from Ferbane toward Site Entrance 1 (Links 4 and 6) it is forecast that the construction traffic will result in a 5.0% to 5.1% increase in traffic volumes, and for the R436 heading east from Ferbane towards Site Entrance 2 (Link 5) it is forecast that the additional traffic will result in an 11.1% increase on these 15 days. It is forecast that this will have a temporary, slight, negative effect, which is Not Significant, on existing traffic on the delivery route and at the access junctions on the N62 and R436.

During the 440 days during which the main element of the construction phase of the Proposed Project will occur an additional 646 PCUs will travel to and from the site via the identified construction delivery routes. On these days it is forecast that the increase in traffic volumes will range from between +3.6% to +13.1% on the N52 between the M6 and the junction with the N62 (Links 1 to 3). On the section of the N62 travelling north from Ferbane toward Site Entrance 1 (Links 4 and 6) it is forecast that there will be

a maximum +7.3% increase in traffic volumes, and for the R436 heading east from Ferbane towards Site Entrance 2 (Link 5) it is forecast that there will be a +15.8% increase on these 440 days. During this period, it is forecast that the additional traffic generated by the Proposed Project will have a temporary, slight, negative effect, which is Not Significant, on existing traffic on the delivery route and at the access junctions on the N62 and R436.

As detailed in Section 15.1.14.6.1 of the EIAR, during the 24-month construction stage of the Proposed Project, it is forecasted that the additional traffic that will appear on the public road network serving the Proposed Wind Farm and during the construction of the Proposed Grid Connection will have a temporary, slight, negative effect on existing road users, which will be minimised with the implementation of the mitigation measures included in the proposed traffic management plan (TMP) included as Appendix 15-2 of the EIAR. There will be no significant impacts following the implementation of the proposed mitigation.

As detailed in Section 15.1.14.3 of the EIAR, the impacts on the surrounding local highway network will be negligible given that there will only be an average of approximately 1 to 2 trips made by site staff and approximately 20 amenity trips to the Proposed Wind Farm by car or light goods vehicle per day with no regular visits required for the Proposed Grid Connection. The effects of the maintenance traffic on the surrounding highway network will therefore be imperceptible, negative and long term, which is not significant.

Damage to the Road Network

The turbine delivery vehicles for the construction phase of the Proposed Project have been modelled in the swept path assessments for the site, as detailed in Chapter 15 of the EIAR. It should also be noted that while there will be abnormally sized vehicles associated with the Proposed Project, it is envisaged that all axle loads will be within weight accepted limits.

As outlined in Table 15.1.14.5.2 of Chapter 15 of the EIAR, roads condition surveys pre-construction surveys where required will be completed in accordance with TII recommendations and requirements of OCC Roads Department. A pre-condition survey of roads associated with the Proposed Project will be carried out prior to construction commencement to record the condition of the roads. A post construction survey will be carried out after works are completed. Where required the extent and timing of these surveys will be agreed with the local authority, as set out in the Traffic Management Measures. All road surfaces and boundaries will be re-instated to pre-development condition, as agreed with the local authority engineers. All works will be done in accordance with the Guidelines for the Opening, Backfilling and Reinstatement of Openings in Public Roads, DTTOS, September 2015.

It is noted that a financial security to secure the reinstatement of public roads which may be damaged by the transport of materials to the site is typically conditioned should the Commission decide to grant permission. The Applicant welcomes any such condition should permission be granted.

Suitability of Site Entrances to accommodate HGVs

It is proposed to upgrade 3 no. existing entrances and facilitate 2 no. new site entrances. These site entrances will be used throughout the construction, operation, and decommissioning phases of the Proposed Project to enable delivery of materials and turbine components (construction phase), amenity access and maintenance and monitoring use (operational phase), and removal of Proposed Project infrastructure (decommissioning phase). The proposed use for each site entrance is set out in table 15-2 of the EIAR. Each site entrance has been designed to a specification that allows for the safe entry and exit of HGVs from the site. Please see figure 15-6a to 15-9b of Appendix 15-2 TMP.

Emergency Access

As set out in Section 15.1.14.5.2 and in the TMP (Appendix 15-2 of the EIAR), it is stated that locals in the area will be informed of any upcoming traffic-related matters e.g. the delivery of turbine

components at night via letter drops and posters in public places. Information will include the contact details of the Project Co-ordinator, who will be the main point of contact for all queries from the public or local authority during normal working hours. An "out of hours" emergency number will also be provided.

Telecommunications interference

As detailed in Chapter 15 Section 15.2.4 of the EIAR, MKO contacted the relevant national and regional broadcasters, fixed and mobile telephone operators, and other relevant telecommunication consultees. Further consultation was carried out with ComReg in order to identify any other additional licenced operators in the vicinity of the Proposed Project to be contacted, who may not have been on the list of main operators previously contacted.

Ai Bridges were engaged to carry out a Telecommunications Impact Assessment for the Proposed Project, which is included as Appendix 15-6 of the EIAR. The Telecommunications Impact Assessment identified twelve radio links that cross over/through the Proposed Project. Only one of these links was identified as being impacted by the proposed turbine layout. This link, as identified in Section 15.2.4 is an Enet link between Corr Hill and to Scoil Muire Naofa, Castlecuff. However, it has been confirmed that this link is scheduled to be decommissioned prior to construction of the Proposed Project, and as such, there are no potential impacts.

In relation to emergency service telecommunications, TETRA was contacted as part of the scoping consultation periods and no response was received. It is not anticipated that the Proposed Project will have any potential impact on TETRA services.

Aviation

As identified in Section 15.2.6.3.2 of Chapter 15 of the EIAR, with the exception of Proposed turbine T14 and T15 of the Proposed Project site being located on the boundary of MOA 5, there are no other IAA or DoD assets within the Proposed Project site or surrounding landscape as listed in the IAC Position Paper that may be impacted by the Proposed Project. In the absence of mitigation, impacts to aviation is considered to have a negative, slight, long-term impact, which is Not Significant, reducing to imperceptible following mitigation.

As outlined in Section 2.3 and Section 2.7 above, the Applicant has accepted all conditions as outlined by the IAA and DoD.

4.16

Major Accidents and Natural Disasters

A third-party submission notes that the EIAR does not contain an emergency response plan or assessment of the risk of a major fire.

Response

The Applicant notes that the risk of fire is comprehensively addressed throughout Chapter 16 Major Accidents and Natural Disasters of the EIAR and within the Emergency Response Plan contained in Section 6 of Appendix 4-4 Construction and Environmental Plan (CEMP).

It is noted that the likelihood of a major fire occurring at the Proposed Project is anticipated to be low due to best practice measures of storing fuel in bunded containers during the construction phase. The likelihood of fire occurring will be further lowered by the implementation of good site management practices during the construction, operational and decommissioning phases.

The assessment on bog fires was reviewed in the context of the detailed within the Annual Environment Reports for the Boora Bog Group as required under the IPC Licence (P0500-01), noting that a total of 7 bog fires, occurring in 2009, 2011, and 2020.

As per Section 16.4.2.1.1, there is a potential risk of fire at the Proposed Project site. However, as outlined in Section 16.3.3.4, the scope of this assessment has been based on the understanding that the Proposed Project will be designed, built and operated in line with current best practices in wind energy development. Further, in accordance with Chapter 19 of the Safety, Health and Welfare at Work Acts 2005 to 2014, the Proposed Project shall be subject to a fire safety risk assessment which will assist in the identification of any major risks of fire on site.

Therefore, the risk of fire occurring at the Proposed Project resulting in a major accident and/or disaster was given a risk score of 4 on a precautionary basis. This indicates a scenario that is 'very unlikely' to occur and having 'limited' consequences should it do so, representing a 'low-risk scenario' during the construction, operational and decommissioning phases.

The Emergency Response Plan contained in Section 6 of Appendix 4-4 CEMP details fire as a hazard for the site noting that in the case of fire, the emergency evacuation of the site should proceed, without exception. The site evacuation procedure is outlined in Section 6 of Appendix 4-4.

4.17

Mitigation and Operational Control

Third party submissions outline concerns in relation to the mitigation and operational controls that will be in place during construction and operation and the effectiveness of these measures in line with Article 1(2)g, 5, 8a(1)(b), and Annex IV Part 5 of the EIA Directive.

Furthermore, it is alleged that the proposed mitigation does not satisfy the requirement of proper planning and sustainable development and no clear enforceable actions were identified to ensure that mitigation and operational controls are implemented.

One third-party submission notes that the NIS uses mitigation to "avoid" adverse effects which is not permitted under Article 6(3).

Response

The mitigation measures set out throughout the EIAR are of a type routinely applied to, and demonstrated to be effective in, wind farm developments in Ireland, and have been prepared by an experienced team as outlined in Section 1.8.2 of Chapter 1.

On enforceability, clear and defined mechanisms are in place to ensure mitigation and operational controls are implemented. Section 4.1 and Section 8 of the CEMP (Appendix 4-4) set out the roles and responsibilities for all construction-phase works. The Project Developer will appoint a design team to finalise the detailed design prior to construction and to ensure all planning and environmental obligations are met, and a Project Contractor who will construct the Proposed Project in accordance with the CEMP, updated as required during construction. An Environmental Clerk of Works (EnvCoW) will be appointed to oversee the Contractor's implementation of environmental requirements and obligations and will have the power to halt works where necessary, with the developer's support in enforcing that instruction. The EnvCoW will call on the Project Ecologist, Hydrologist, Archaeologist, or other design team members as required. The construction-stage governance structure is set out in Figure 4-1 of the CEMP, and Section 8 sets out the monitoring programme, including frequency and responsibility, for the pre-construction and construction phases. On this basis, the Applicant does not accept that enforceable actions are absent from the EIAR. It is also noted that the Commission have the power to enforce the implementation of mitigation measures and operational controls via conditions attached to any grant of permission.

Operational-phase environmental monitoring will be undertaken throughout the Proposed Project's lifetime to verify that effects remain consistent with those assessed and that mitigation continues to operate effectively, in accordance with the programmes set out in the EIAR: bat monitoring (Section 6.4.3.2.1 of Chapter 6 and Section 7.2 of Appendix 6-1), bird monitoring for KORs (Appendix 7-7), and noise compliance monitoring and complaint management (Section 12.6.4 of Chapter 12 and Appendix 12-6). Chapter 18, Schedule of Mitigation and Monitoring, provides the full consolidated suite of mitigation and monitoring commitments for the Proposed Project.

On the NIS, the specific provision of Article 6(3) referenced is not identified in the submission but is inferred to relate to the Habitats Directive (92/43/EEC). The NIS fully complies with Article 6, having been prepared in accordance with the European Commission's *Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological Guidance* (2021) and *Managing Natura 2000 Sites: The Provisions of Article 6 of the "Habitats" Directive 92/43/EEC* (2018), as set out in Section 1.4 of the NIS.

The submission's concern appears to conflate the two distinct stages of assessment under Article 6. Section 4.2 of the NIS confirms that mitigation and best-practice measures were **not** taken into account at the screening stage. As the screening stage concluded that the Proposed Project was likely to have significant effects, the assessment properly proceeded to Stage 2 (the NIS), where mitigation measures are permitted to be, and have been, proposed, detailed, and evaluated, in order to establish that the Proposed Project will not adversely affect the integrity of the European site(s) in question. Accordingly, the NIS is fully aligned with the requirements of Article 6(3) of the Habitats Directive.

5.

CONCLUSION

This response document has been prepared to address submissions made in respect of planning application reference ACP Ref. 324161 regarding the Proposed Project.

It is re-iterated here that a robust EIAR and NIS were completed and accompanied the planning application for the Proposed Project, and this is demonstrated by the fact that detail from the EIAR has been reproduced and/or referenced in this document in order to respond to the observations made. The information provided within this document is confined to the issues raised within the observations received by the Commission and there is no additional information provided that would be considered 'significant' or 'material' in the meaning of the legislation in place.

The information provided in this document constitutes a full and robust response to the matters raised and we trust that this allows the Commission to progress with their assessment of the Proposed Project.

