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Planning Consultants

AN COIMISIÚN PLEANÁLA  
LDG- 088081-26  
ACP- \_\_\_\_\_  
27 MAY 2026  
Fee: € 50 Type: Cash  
Time: 15:00 By: Hand

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Strategic Infrastructure Development Section,  
An Coimisiún Pleanála,  
64 Marlborough Street,  
Dublin 1.

27<sup>th</sup> May 2026

Dear Sir / Madam,

**Re: Submission on the Carrow Wind Farm Strategic Infrastructure Development Application  
(ACP Reg. Ref. PAX91.324164)**

We are submitting this observation to An Coimisiún Pleanála (ACP) on behalf of our Clients, Caoimhín and Caitlín Ó Raghallaigh, Gleann Páidín, Áth an Chuilinn, Tiobraid Árann, Co. Thiobraid Árann, E34 D861 in relation to the proposed Carrow Wind Farm Strategic Infrastructure Development (SID) application. This submission is accompanied by a €50 fee being the appropriate fee for a third-party submission/observation on a SID application.

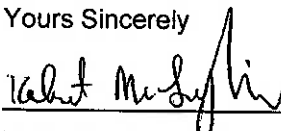
The description and location of the proposed development, as per the ACP website is as follows:

*"A renewable energy development including 14 wind turbines, 110kV underground cabling connection, and all associated infrastructure and works in the townlands of Carrow, Moheragh, Gortaderry, Co. Tipperary; Toomaline Lower, Toomaline Upper, Doon South, Lisgaugh, Cooga Upper, Coolyhenan, Milltown and Killonan, Co. Limerick. (<https://carrowwindfarm.com/>)"*

The attached Report sets out the principal planning and environmental concerns arising from the proposed large-scale development and the reasons why permission should be refused by ACP.

We look forward to acknowledgement of this submission and request that all correspondence relating to this submission and the application is sent to RMLA Ltd. at the above address.

Yours Sincerely



**Robert McLoughlin,**

Managing Director

For and on Behalf of RMLA Limited



RMLA Limited, trading as RMLA is registered in the Republic of Ireland number 720031.  
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**RMLA.**

Planning Consultants

**Submission on the Proposed  
Carrow Wind Farm Strategic  
Infrastructure Development  
(ACP Reg. Ref. PAX91.324164)**

**Prepared by RMLA Limited**

On behalf of Caoimhín and Caitlín Ó Raghallaigh

May 2026

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Prepared By: CNR  
Position: Director  
Status: Final

**For and on behalf of RMLA**

# 1 Introduction

- 1.1 We are submitting this observation to An Coimisiún Pleanála (ACP) in relation to the proposed Carrow Wind Farm Strategic Infrastructure Development application on behalf of our Clients, Caoimhín and Caitlín Ó Raghallaigh, Gleann Páidín (Glenpaudeen), Áth an Chuilínn, Tiobraid Árann, Co. Thiobraid Árann, E34 D861. As required, this submission is accompanied by a €50 fee being the appropriate fee for a third-party submission/observation. All correspondence relating to this submission and the subject application should be sent to RMLA Ltd. at the above address.
- 1.2 Our Clients are the owners and long-term occupiers of the residential property located within the Glenpaudeen area in close proximity to the proposed large scale wind farm infrastructure (ACP Reg. Ref. PAX91.324164), which has been their family home for almost 50 years. During this period, the surrounding rural landscape has undergone significant change through commercial forestry planting and renewable energy developments. Our Clients fully accept there must be a move to renewable energy sources and thus did not previously object to any of the many wind farm developments in the area, including Cappawhite, Hollyford and Glencarbery wind farms. However, this existing concentration of windfarms is now having a serious cumulative negative impact on our Client's quality of life, specifically in terms of noise pollution, and thus they have serious concerns about the addition of another large scale wind farm development, even closer to their home than previous developments.
- 1.3 Our Clients feel the area in which they live has already accommodated a significant amount of large scale wind farm infrastructure, that has negatively impacted this sensitive rural setting, their residential amenity and the enjoyment of their home in retirement. Table 1 below taken from Chapter 14 of the EIAR highlights the extent of wind farm developments both operational and permitted in the surrounding area. In this regard, the Hollyford Hills and mountain mosaic area "*holds the highest concentration of both operational granted and submitted applications for windfarms in County Tipperary*<sup>1</sup>". In fact, we would question if the area does not in fact have one of the highest concentrations of operational, granted and submitted applications for windfarms in the entire Country on an area basis.

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<sup>1</sup> Tipperary County Council Wind Energy Strategy 2016. 3.2.1. Page 18.

Cumulative Wind Farm Name	Status	No. of Turbines	Distance to proposed turbines	Hub Height	Tip Height
Glencarbry 1	Existing.	9 no.	632m	85.6m	126.6m
Glenough	Existing.	14 no.	2.4km	80m	125m
Glencarbry 2	Existing.	2 no.	2.8km	81m	126m
Cappawhite	Existing.	17 no.	2.9km	84m	140m
Turaheen Lower	Existing.	3 no.	3.3km	81.6m	126.6m
Holyford	Existing.	3 no.	3.6km	74.5m	125m
Falleennafnoga	Existing.	2 no.	4.4km	68.3m	109.5m
Garracummer	Existing.	15 no.	4.4km	65m	110m
Mienvee Turbine	Existing.	1 no.	4.7km	55m	81m
Turaheen Upper Turbine	Existing.	1 no.	5.2km	60m	91m
Inchivara Turbine	Existing.	1 no.	7.3km	73.5m	126m
Milestone	Existing.	3 no.	7.5km	73.5m	126m
Upperchurch	Permitted.	22 no.	8.1km	90m	158m
Knockastanna	Existing.	4 no.	8.4km	64.7m	99.95m
Gortnalhalla Turbine	Existing.	1 no.	12.5km	70m	99m
Templederry	Existing.	2 no.	18.4km	65m	100.5m
Kill Hill	Existing.	17 no.	18.9km	80.5m	121.5m
Curraghgrague 1	Existing.	3 no.	19.9km	49m	75m
Curraghgrague 2	Existing.	3 no.	20.0km	49m	75m
Brittas	Proposed.	10 no.	20.0km	105.5m	180m

Table 1– List of windfarms within a 20km radius of the subject site – Source: Chapter 14 of the EIAR, Table 14-12

1.4 To permit yet another wind farm development, which is also immediately adjacent to an existing large wind farm, and which is of such a significant scale, would have serious negative cumulative impacts not just on our Client's residential amenity (with turbines T7 and T8 only c. 1km from their home) but on the landscape character of the area which is identified as 'sensitive' in the Tipperary County Development Plan, 2022 – 2028. In addition, the scale of the proposed development means there is significant infrastructure required to accommodate it which will impact traffic safety and will have extensive environmental impacts across the administrative area of 2 no. Local Authorities. Cumulatively the provision of such a concentration of wind turbines in a relatively limited geographical area would result in the industrialisation of the local rural environment. There are many other locations around

Tipperary that are suitable for wind energy infrastructure, this area has reached saturation point.

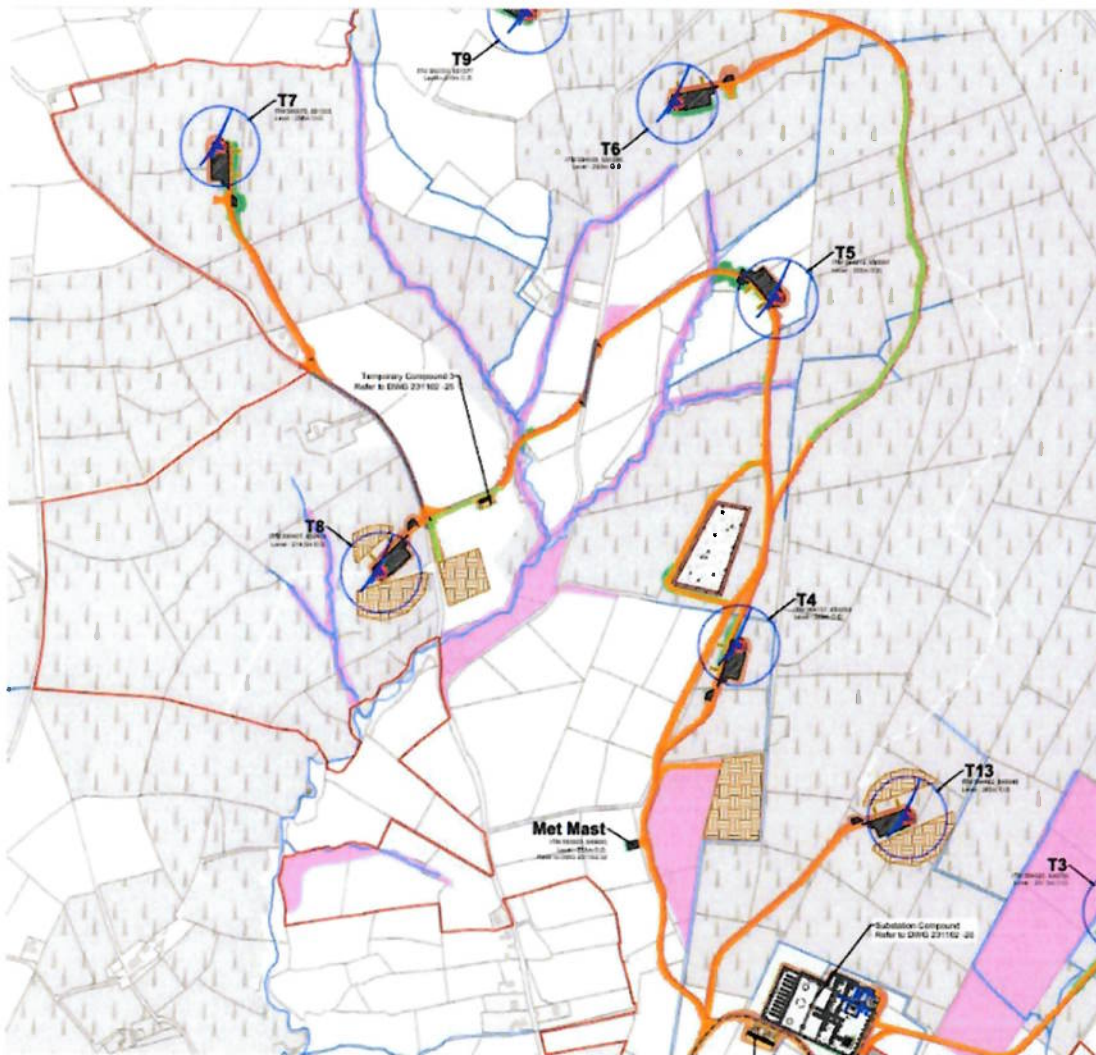
- 1.5 In addition, given the topography of the area, with the proposed wind turbines located at height and our Client's home located in a valley, of particular concern is the concentration of proposed infrastructure within the Glenpaudeen / Moheragh area, including turbines T7 and T8 which are only c. 1km from our Client's home and will tower over the valley. In addition, the proposed substation compound is only c. 2.5 km from our Client's home, the noise from which will be at a different frequency to the turbines and like the turbines will be amplified by the valley, contributing further to the continuous noise pollution experienced by our Client's on a daily basis. In addition, there will be a range of other related works required to facilitate the windfarm development including forestry removal, construction traffic movements, road upgrade works, the Battery Energy Storage System (BESS) infrastructure and associated electrical infrastructure all of which will further negatively impact our Client's daily lives over the 10 year permission period and for the 35 year operational period.
- 1.6 It is considered that the proposed development would materially alter the character, environmental quality and residential amenity of the area and would result in a significant negative impact on the receiving environment surrounding our Client's home and nearby residential properties. As above, this area and its residents have already accommodated a disproportionately large number of wind turbines compared to most areas. To continue to permit more and more wind farm developments when residents are already having to live with the many negative impacts of such a large concentration of existing turbines is contrary to proper planning and sustainable development and infringes on our Client's fundamental right to the 'Peaceful Enjoyment' of their home as prescribed by the EU Charter of Fundamental Rights.
- 1.7 Having set out the context for our Client's objection, the below sets out the principal planning and environmental concerns arising from the proposed development and the reasons why permission should be refused.

## **2 Overview of the Proposed Development (ACP Reg. Ref. 324164)**

- 2.1 The subject application (ACP Reg. Ref. 324164) relates to a substantial Strategic Infrastructure Development proposal for a large-scale wind energy development extending across parts of Counties Tipperary and Limerick. The proposed development seeks a ten-year planning permission and a 35-year operational lifespan, comprising of 14 no. wind turbines with a

maximum height of up to 185 metres, rotor blade diameter of 163 metres; and hub height of 103.5 metres, together with associated turbine foundations and hardstanding areas, a permanent 110kV substation compound, Battery Energy Storage System (BESS), underground electrical and communications cabling, internal access roads, borrow pits, spoil management areas, forestry felling, hedgerow removal, accommodation works along the public road network, drainage infrastructure and all associated ancillary development works.

- 2.2 The proposed development further includes extensive upgrade works to the national, regional and local road networks, the provision of multiple new access points along local roads including the L1154, L-5117, L-5206 and L-52061, together with 3 no. temporary construction compounds and significant accommodation works required to facilitate the delivery of turbine components and other abnormal loads. The application also includes a substantial underground grid connection extending to the existing Killonan 110kV substation together with associated joint bays, communications chambers and ancillary electrical infrastructure.
- 2.3 The accompanying EIAR confirms that the proposed development encompasses an extensive geographical area and includes a grid connection corridor extending approximately 37.6km across local and regional roads, sections of the national road network and off-road private lands. In this regard, the proposed development is not confined to the immediate wind farm site but extends across a substantial rural receiving environment spanning Counties Tipperary and Limerick, thereby highlighting the significant geographical extent, infrastructural footprint and cumulative reach of the development. It also highlights the significant potential environmental impact of the development not just in isolation but the cumulative impact given its extent.
- 2.4 Of particular concern to our Clients is the concentration of large scale infrastructure proposed within the Glenpaudeen / Moheragh area adjacent to their home. Specifically, the proposed turbines identified as T7 and T8 (see Figure 1) together with the proposed substantial substation compound, BESS infrastructure, underground cabling works, forestry clearance, road upgrade works and associated construction activity all of which will be located within the immediate receiving environment surrounding their family home. Again, noting the topography of the land, with our Client's home located in a valley and this large scale infrastructure towering over it, this infrastructure will have a significant impact on their quality of life and will further exacerbate ongoing noise pollution being funnelled down the valley.



**Figure 1– Site Layout Plan showing the proposed T7 and T8 turbines and substation in proximity to our Client's Home**

2.5 As shown in Figure 1, the proposed turbines identified as T7 and T8 are the closest turbines to our Client's home. Having regard to the topography of the area, and the exceptional height and scale of these turbines, they would introduce highly dominant and visually intrusive structures into this sensitive rural landscape. In addition, the proposed substation compound, only 2.5km from our Client's home and again at height over the valley, BESS infrastructure, associated cabling works and road infrastructure would collectively result in a significant negative impact on this rural area. This significant industrial scale development will not sit in isolation in this area, with multiple other large scale wind farm developments already accommodated in this area, see Figure 2 and which in combination with the subject proposal would result in the irreparable transformation of this sensitive rural landscape.

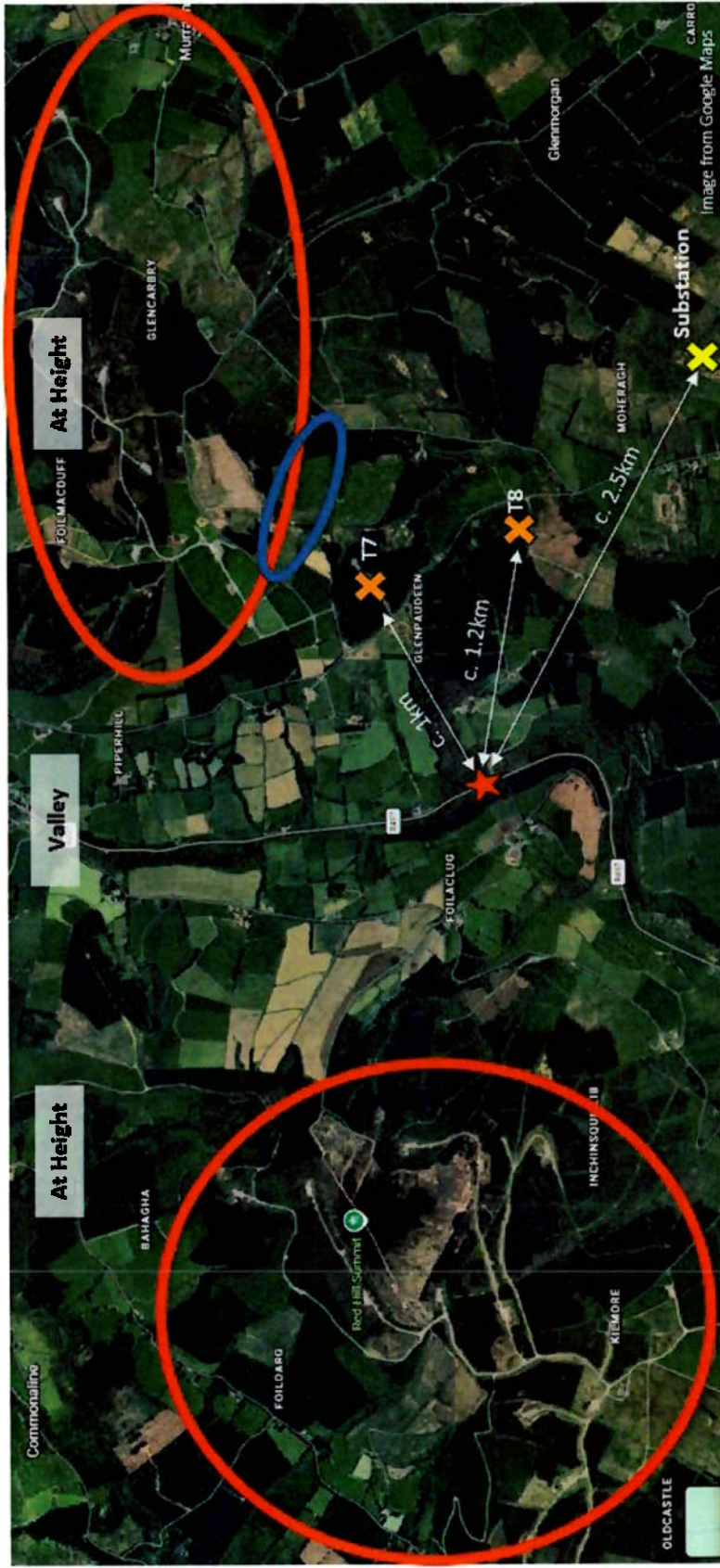


Figure 2 – Aerial Image putting in context the proximity of the proposed T7 and T8 turbines and the proposed substation to our Client's home, as well as the proposed development's proximity to several other large wind farm developments in the immediate area.

**Legend**

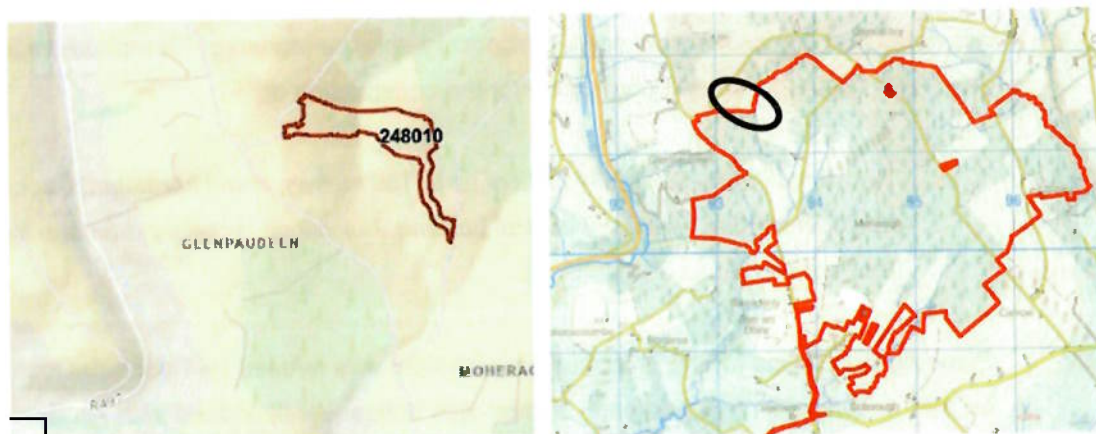
- ★ Client's Home
- ✕ Wind Turbine
- ✕ Substation
- Existing Wind Farms in the Immediate Area
- Refused Application for a small wind farm development (ACP Reg. Ref. PL92.248010)

- 2.6 Having regard to the overall scale, extent and intensity of the proposed infrastructure, and noting the fact the area has already accommodated a significant number of wind farm developments which would be in close proximity to the proposed development, it is considered that the proposed development would materially alter the established character of this sensitive rural area. In addition, it will have a serious negative visual impact, will impact the environmental quality of the locality, further exacerbating ongoing noise pollution, and would result in significant cumulative impacts on the residential amenity and environmental quality enjoyed by residents. In addition, given the 10 year permission sought and the 35-year operational lifespan, these are not short term impacts but will impact the lives of local residents for many years to come.

### **3 Previous Refusal of a Wind Farm in the area (ACP Reg. Ref. PL92.248010)**

- 3.1 It is noted that a previous wind energy proposal within the Moheragh/Glenpaudeen area under Reg. Ref. 15601088 sought permission for the construction of:
- "2 no. wind turbines overall height of up to 150 metres, crane hardstands, access roads, electrical cabling, electrical control building, borrow pit, ancillary drainage system and ancillary site works."*
- 3.2 Planning permission for the proposed development was refused by Tipperary County Council on 19<sup>th</sup> January 2017. A first-party appeal was subsequently lodged with An Bord Pleanála (now referred to as ACP) in February 2017; however, ACP upheld the decision of the Planning Authority and refused permission for the proposed development.
- 3.3 The refusal related to *inter alia* the location of the development within an area identified as "*Unsuitable for New Development*" under the South Tipperary County Development Plan Wind Energy Strategy, together with concerns regarding the extent of standalone infrastructure proposed, including roadways, cable routes, borrow pits and electrical control infrastructure.
- 3.4 In addition, the Planner's Report raised concerns regarding the adequacy and robustness of the ecological assessment submitted in support of the application, specifically in relation to potential impacts on the Hen Harrier, a Protected Amber List Species. The refusal noted that greater detail regarding mitigation measures was required in order to provide sufficient confidence in the conclusions reached and considered the proposed development contrary to Policy LH6 and the proper planning and sustainable development of the area.

- 3.5 Importantly, the previously refused development was materially smaller in scale, geographical extent and infrastructural intensity than the currently proposed Strategic Infrastructure Development (ACP Reg. Ref. 324164). The refused proposal related to only 2 no. turbines with an overall height of up to 150 metres together with associated site infrastructure contained within a comparatively limited site area in the Moheragh/Glenpaudeen locality.
- 3.6 A review of the submitted site location plans indicates that the area associated with the previously refused Moheragh Windfarm proposal substantially overlaps with, and will be located within, the wider site area covered by ACP Reg. Ref. 324164. By contrast, the current Strategic Infrastructure Development proposal seeks permission for 14 no. turbines with a maximum tip height of 185 metres, together with a permanent 110kV substation compound, Battery Energy Storage System (BESS), extensive underground cabling infrastructure, forestry felling, borrow pits, accommodation works and a grid connection corridor extending approximately 37.6km across the wider receiving environment.



**Figure 3 – Comparative Site Location Plans illustrating the previously refused Moheragh Windfarm (Reg. Ref. 15601088, ACP PL92.248010) and the proposed Carrow Wind Farm SID application (ACP Reg. Ref. 324164). As shown, the previously refused development substantially overlaps with, and will be located within, the wider site area now proposed.**

- 3.7 It is also noted that the Inspector's Report on ACP Ref. PL92.248010 highlights that the Hollyford Hills and mountain mosaic area has the highest concentration of both operational granted and submitted applications for windfarms in County Tipperary. The Inspector further noted that the area had experienced significant wind energy development pressure and that cumulative impact considerations were particularly relevant within the locality. Given this consideration was significant in the context of the 2 no. 150m wind turbines proposed under ACP Ref. PL92.248010, it is even more important in the context of the subject large scale proposed development which as shown in Figure 3 above would result in a further 14 no. 185m wind turbines directly adjacent to the Glencarby windfarm.

- 3.8 In addition, the Inspector's Report acknowledged the significance of cumulative impact consideration given the nature of wind energy proposals and the potential effects on environmental receptors<sup>2</sup>. Accordingly, it is considered that substantial weight should be attached to the cumulative landscape, residential amenity and environmental impacts associated with the current proposal, having regard to its significantly increased scale, geographical extent and infrastructural intensity relative to the previously refused development.
- 3.9 In fact, we would question how a significantly larger wind farm development, with extensive associated infrastructure across the administrative area of 2 no. Local Authorities could be found to be acceptable when a much smaller development was only recently refused by ACP in the same general area.

## 4 Material Contravention of the Development Plan

- 4.1 Particular regard should be had to the landscape sensitivity of the wider receiving environment within which the proposed development is located. Appendix 3 of the Tipperary County Development Plan 2022–2028, entitled '*Landscape Character Assessment and Schedule of Views and Routes*', identifies the subject lands as forming part of the "Upperchurch, Kilcommon and Hollyford Hills Mountain Mosaic" Landscape Character Area within the broader "Foothills" Character Area. The Landscape Character Assessment identifies how many sensitivity factors occur in the same area as the more factors cause more sensitivity.
- 4.2 As shown in Figure 4 below taken from Appendix 3, the proposed development is located in an area that has been identified as having a combination of all 4 no. factors that make it sensitive. While it is questionable how Table 5.2 of Appendix 3 classifies the Upperchurch–Kilcommon / Hollyford Hills Mountain Mosaic landscape as a "Class 3 – Sensitive" Landscape Character Area, as opposed to a Class 5 'Vulnerable' landscape, given its own guidance on classification, Class 3 is also recognised as having "**High sensitivity to change**" with significant change to, or loss of, appearance or character to be avoided, as prescribed by Table 5.1.

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<sup>2</sup> Inspector's Report, ACP Reg. Ref. PL92.248010, pg. 19.



which sets out the various Landscape Sensitivity Designations<sup>3</sup>. However, when undertaking the assessment of the '*Landscape Sensitivity of the Proposed Wind Farm site*', the EIAR does not acknowledge this 'sensitive' designation in relation to its 'Landscape Designations<sup>4</sup>'. How an assessment can be undertaken when the fact that the receiving landscape is categorised as 'sensitive' is not considered or any of the guidance in relation to this landscape, which as set out below primarily seeks to avoid significant change to, or loss of, appearance or character of such landscape, is of serious concern and calls into question the validity of the landscape and visual assessment undertaken and its findings.

4.4 Table 2.1 of Appendix 3 of the Tipperary County Development Plan sets out the likely drivers of change and likely landscape effects. In relation to Energy Infrastructure and specifically wind farms, the likely landscape effects are identified as '**high**'. In this regard, while the determination that the likely landscape effects of a wind farm development would be 'high' in a designated 'sensitive' landscape, we cannot see how wind farm development is also considered 'high' in terms of compatible in the Upperchurch – Kilcomommon/ Hollyford Hills Mountain Mosaic area, as per Table 6.2. In fact, this finding of Table 6.2 appears to directly contradict the other findings and guidance contained in Appendix 3.

4.5 In addition, Table 6.1 '*Land-Use Compatibility between LCAs and Land-Use Types*' of the Landscape Character Assessment goes on to set out that the objective for the Upperchurch, Kilcommon and Hollyford Hills Mountain Mosaic is 'Wise Use Best Choice' with the following Guideline:

*"Facilitate development that conclusively demonstrates wise use and best choices to continue and enhance established patterns of use and settlement **without significant change to, or loss of, appearance or character**" (Emphasis added)*

4.6 The proposed development, which would include 14 no. 185m high wind turbines, a substation and extensive infrastructure across the immediate and wider area directly contradicts this guidance. As set out in Table 5.1 of the Landscape Character Assessment, the Objective for this area is '**Control**' and given the saturation of wind farms in this area it is now crucial that the Development Plan is adhered to and control is applied by ACP and this excessive development is refused. In fact, given the designation of the area as 'sensitive', as the proposed large scale wind energy development, in combination with the many other existing and permitted wind energy developments in the area, would significantly change character and

<sup>3</sup> Chapter 14, EIAR submitted with ACP Reg. Ref. PAX91.324164, pg. 14-24

<sup>4</sup> Chapter 14, EIAR submitted with ACP Reg. Ref. PAX91.324164, pg. 14-37

appearance of this rural area, the proposed development **materially contravenes the Tipperary County Development Plan, 2022–2028.**

- 4.7 We would again question the accuracy of the landscape and visual assessments undertaken as part of the EIAR, again noting the failure to address the ‘sensitive’ designation of these lands and the above requirement to avoid development that would significantly change or alter their character. The LCA Assessment Outcomes describes the lands as having ‘low’ sensitivity, see Table 2 below, something which is not supported by the Development Plan categorisation or by our Client’s who have lived here for over 50 years. In turn the LCA Assessment Outcomes finds that the significance of the effect will be ‘slight’ which is unsurprising when the proper landscape categorisation has not been considered. Even from a layperson’s perspective, there can be no question that the insertion of energy infrastructure of this scale, especially given the heights of the proposed turbines and their potential cumulative impact with existing turbines, into a ‘sensitive’ landscape will not have a ‘slight’ effect.

LCA Ref	Name	LCA Sensitivity	Magnitude of Change in LCA	Significance of Effect
T-LCA-2	Thurles Hinterland	Low.	Negligible.	<b>Imperceptible.</b>
T-LCA-4	River Suir Central Plain	Low.	Slight.	<b>Not Significant.</b>
T-LCA-17a	Hollyford Hills Mountain Mosaic	Low.	Moderate.	<b>Slight.</b>
L-LCA-1	Agricultural Lowlands	Low.	Slight.	<b>Not Significant.</b>

Table 2 – Extract of Table 14-13 from Chapter 14 of the EIAR

- 4.8 Given there are extensive areas within County Tipperary that are not sensitive and which are identified in the ‘Landscape Character Assessment and Schedule of Views and Routes’, as having very high and high capacity which could accommodate wind energy development, many of which have limited if any such development, we cannot see any basis for materially contravening the Development Plan to allow yet another wind farm to be built in this ‘sensitive’ rural landscape. We thus ask that ACP refuse this application outright on the basis of a Material Contravention of the Development Plan. We would argue that there is no basis for ACP to consider granting permission despite the Material Contravention as national guidance in relation to the delivery of renewable energy can continue to be delivered by Tipperary County Council at other more appropriate locations, which are not saturated with wind energy developments, and which would not have detrimental impacts on a designated ‘sensitive’ rural landscape.

## 5 Principle of Development

5.1 Appendix 2 of the Tipperary County Development Plan contains the Renewable Energy Strategy for the County, Map 15 of which shows the extensive concentration of proposed wind farm grid connections in the area in 2016. In this regard, and as noted above, there are large areas within the County which have no wind energy infrastructure, but which have been identified as having very high and high capacity which could accommodate wind energy development. Having regard to this fact, and the fact that the proposed development would materially contravene the Development Plan, as set out above, we can see no justification for the provision of more large scale energy infrastructure in this sensitive landscape.

5.2 In fact the Renewable Energy Strategy itself acknowledges:

*“One of these areas, located in and around the Hollyford Hills and Mountain Mosaic in the Northwest of South Tipperary holds the highest concentration of both operational, granted and submitted applications for wind farms, as shown in Map 1<sup>5</sup>”.*

5.3 The map referenced in relation to the above gives an even clearer picture of the saturation of wind farm development in the area as it also includes granted and constructed wind farms, with this area accommodating a completely disproportionate number of wind farms not just for a designated ‘sensitive’ landscape but in comparison to the rest of County Tipperary.

5.4 It is clear from Figures 5 and 6 that as far back as 2016 the area within which the proposed development is located was already accommodating the majority of the granted and constructed/under construction wind farms in the entire County, despite there being expanses of area that were Open for Consideration for such development. In this regard, the 2016 Wind Energy Strategy, Appendix 1 of the County Tipperary Renewable Energy Strategy, acknowledges that the cumulative effect of wind energy development is an emerging issue with the Hollyford Hills uplands specifically noted and the Wind Energy Strategy stating:

*“Significant parts of these uplands are also subject to Natura 2000 Designations and are designated as Secondary Amenity Areas in the County Development Plan (as varied). The combined area at this location has seen the greatest intensity of wind energy development in recent years and there remains approximately 80 permitted turbines yet to be constructed in this area. It is recommended, in view of the significant numbers of turbines yet to be constructed, and in view of the environmental designations of the area, that over the lifetime of this Strategy that a precautionary*

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<sup>5</sup> Renewable Energy Strategy, Appendix 2 of the Tipperary County Development Plan 2022-2028, pg. 14A.

approach to wind energy development in these areas be undertaken and that they be designated as unsuitable for new wind energy development<sup>6</sup>.”

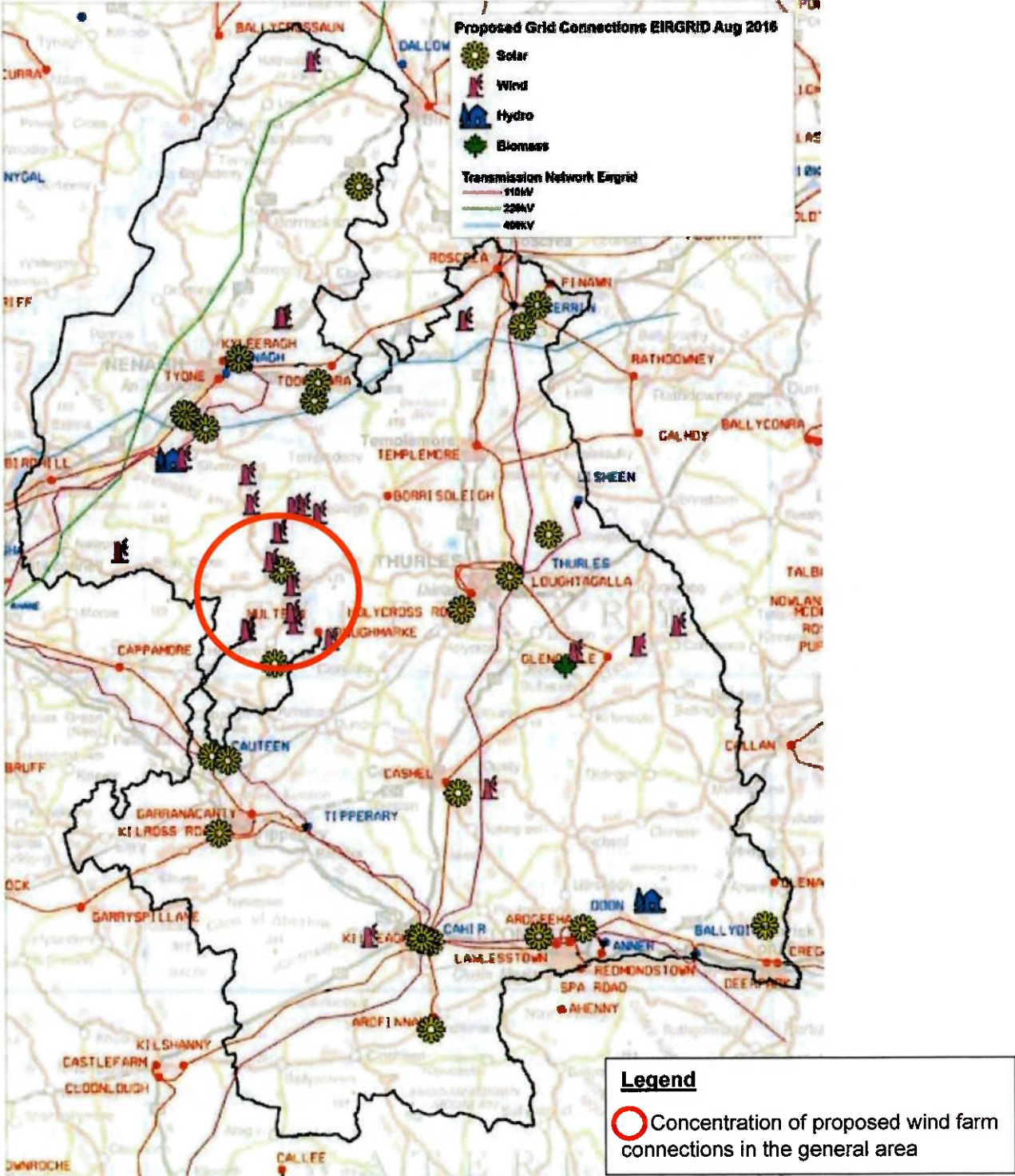


Figure 5 – Extract of Figure 15: Location of proposed grid connection applications August 2016 from the County Tipperary Renewable Energy Strategy

<sup>6</sup> 2016 Wind Energy Strategy for Tipperary, Appendix 1 of the County Tipperary Renewable Energy Strategy, pg. A28.

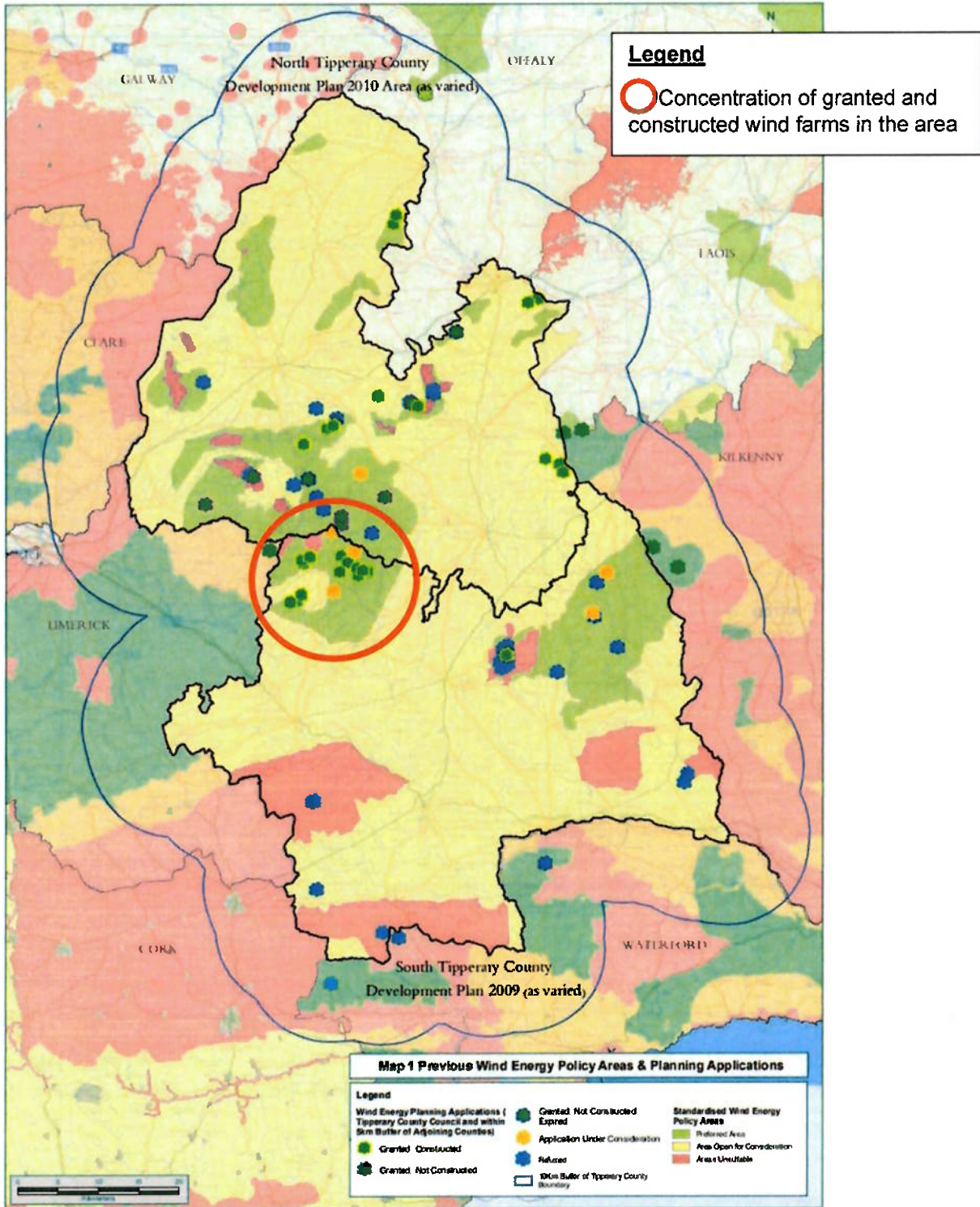


Figure 6 – Extract of Map 1 of Appendix 1, Tipperary Wind Energy Strategy 2016, of the County Tipperary Renewable Energy Strategy

5.5 Map 11 of the 2016 Wind Energy Strategy, Appendix 1 of the County Tipperary Renewable Energy Strategy sets out areas which are 'Unsuitable for New Wind Energy Development'. The clear purpose of which, as above, is to take a precautionary approach to wind energy development in areas where there is already a significant concentration of wind farm

development, with the Hollyford Hills uplands specifically referenced. The proposed large scale wind energy development, which includes 14 no. 185m turbines, a substation and significant associated infrastructure, is partially within and directly adjoining an area designated as 'Unsuitable for New Wind Energy Development', see Figure 7.

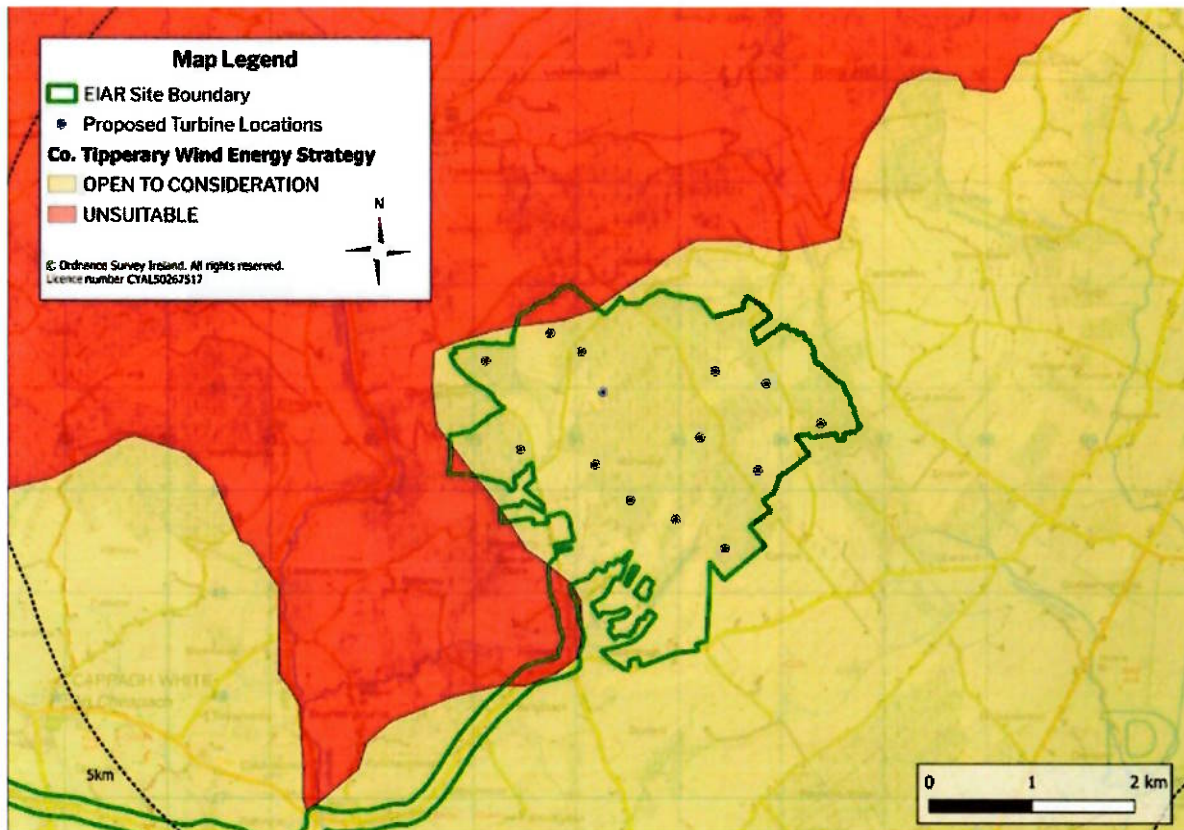


Figure 7 – Wind Energy Designation within and adjacent to the proposed development, as per Appendix 2 of the Tipperary County Development Plan, 2022 – 2028 (image included in EIA Chapter 14 page 27).

- 5.6 In this regard, we note our Client's home being in a valley is in an area which is identified as 'Unsuitable for New Wind Energy Development', however, the proposed large wind energy development which is only c. 1 km from their home and will tower over the valley is only partially within this area. In this regard, the section of wind farm closest to our Client's home is within the area designated as 'Unsuitable for New Wind Energy Development', further supporting the basis that the proposed development is inappropriate and should be refused outright.
- 5.7 In addition, we would question how an arbitrary line was drawn to denote areas that are unsuitable when areas directly adjacent have an equal concentration of wind farms and landscape sensitivity. In fact, the topography of the area means that the noise and visual impacts associated with large scale wind energy infrastructure located in areas immediately adjacent to those identified as 'Unsuitable for New Wind Energy Development' will be the same, and in some cases worse, than in those areas identified as unsuitable. In this regard,

the 2016 Wind Energy Strategy, Appendix 1 of the County Tipperary Renewable Energy Strategy states that:

*“It is intended that this area will be re-examined again at the next review of wind energy in the county to determine if it is appropriate to permit further wind energy development in this area having consideration to cumulative impact of existing development<sup>7</sup>.”*

- 5.8 This review does not appear to have been undertaken with the 2016 Wind Energy Strategy for Tipperary readopted as an appendix of an appendix of the Development Plan. In this regard, the Inspector’s Report on the previously referenced refused wind farm development (ACP Reg. Ref. PL92.248010) states:

*“Clearly the proper planning and sustainable development of the area requires ongoing monitoring and evaluation of the capacity of the landscape to absorb wind energy development and that development should be plan led<sup>8</sup>.”*

- 5.9 In this regard, we would note that the 2016 Wind Energy Strategy for Tipperary is now 10 years out of date and the areas deemed unsuitable need to be considered in the context of the reason for this designation in the first instance i.e. a disproportionate concentration of wind farms. As shown in Figure 2 the proposed large wind energy development is located in an area where there is already a concentration of wind farms, being located directly adjacent to one and across the valley from another. In fact, it is one of the few remaining large parcels of land that retains its original landscape character and is not covered in wind turbines. It is thus the exact type of area which the 2016 Wind Energy Strategy for Tipperary sought to protect from over development of wind energy infrastructure.

- 5.10 The fact that the proposed development is partially within and immediately adjacent to an area which was designated as unsuitable 10 years ago, and where there is an existing high concentration of wind farm developments, further demonstrates the unsuitability of the area for further wind farm development. Figure 8 demonstrates the extent of the concentration of wind farms in this sensitive rural landscape, with a significant number within a relatively small 5km radius of the proposed development.

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<sup>7</sup> 2016 Wind Energy Strategy for Tipperary, Appendix 1 of the County Tipperary Renewable Energy Strategy, pg. A28.

<sup>8</sup> Inspector’s Report, ACP Reg. Ref. PL92.248010, pg. 19.

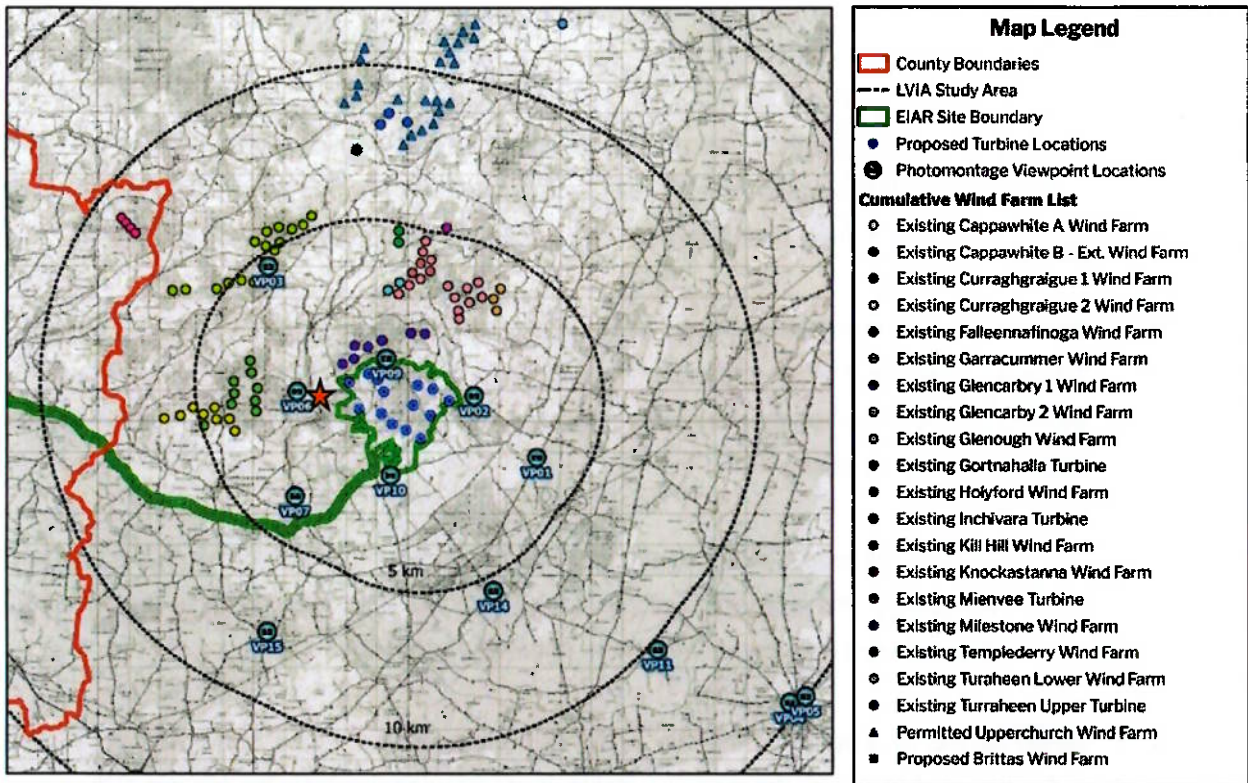


Figure 8 – Concentration of wind farms within 5km of the proposed development – clients home indicated by red star

- 5.11 It is clear that there has been a significant increase in wind energy developments in the area since the 2016 Wind Energy Strategy. In line with the previous refusal by ACP based on a wind farm development being within the area designated as 'Unsuitable for New Wind Energy Development' (ACP Reg. Ref. PL92.248010), we request that the Inspector consider the purpose of this designation and the context of the proposed development and refuse the proposed development due the significant numbers of turbines already constructed in the area.
- 5.12 In addition, the scale and extent of the proposed development must be taken into account. It is not a 'traditional' wind farm development but is a significant infrastructure project which spans the administrative area of 2 no Local Authorities and incorporating 14 no. 185m turbines, substations, BESS infrastructure, forestry felling, borrow pits, internal access tracks, underground cabling and a grid connection corridor extending approximately 37.6km across the wider receiving environment. This scale of development, which is applied for over a 10 year period, will have significant and expansive material impacts on the receiving environment.
- 5.13 Local to our Client's home this is demonstrated by the fact that while the proposed turbines are located within lands identified as "Open for Consideration" under the Tipperary Wind Energy Strategy parts of the development, including the infrastructure required for it to function, are within the area identified as "Unsuitable for New Wind Energy Development". This further

supports our request that ACP consider the purpose of this designation and the context of the proposed development and refuse the proposed development as it cannot function without being partially located on lands upon which wind energy infrastructure is not permitted as per the County Development Plan.

## 6 Impact on Residential Amenity

6.1 The proposed development would give rise to significant adverse impacts on the residential amenity of established dwellings within the Glenpaudeen/Moheragh area, including our Client's family home. Our Clients built and have lived in their home for over 50 years during which time the surrounding rural landscape has been dramatically altered through the introduction of multiple large scale wind farm developments in close proximity to their home, towering over the valley. In this regard, the EIAR is an environmental impact assessment of the potential impacts of the proposed development, and this specifically includes the impacts on human beings.

### Noise Impact

- 6.2 Our Clients already live with on-going noise disturbance from the existing wind farms, which can range from constant background noise levels to levels of noise that disturb their enjoyment of their home and disrupt their sleep. The addition of another large scale wind energy development, with turbines even closer to their home, only c. 1km, will cumulatively make this noise pollution worse and as demonstrated in multiple studies could have a serious negative impact on our elderly Clients' health.
- 6.3 The noise pollution is exacerbated due to the topography of the area, with our Client's home located within a valley landscape and the existing and proposed wind energy infrastructure situated on elevated lands to both the east and west of the valley. The valley acts as a natural amplifier of sounds funnelling sounds from the higher ground down into and along the valley. Serious concern, therefore, arises regarding the concentration of infrastructure proposed within the immediate receiving environment surrounding our Client's home, including turbines T7 and T8, the proposed substation compound, Battery Energy Storage System (BESS), internal access infrastructure, underground cabling and associated construction works and the cumulative noise impact these will have given this topography.
- 6.4 We note, however, that Chapter 12 of the EIAR which addresses the issue of Noise make no specific reference to the valley or the unique challenges this presents in terms of noise pollution. In addition, it is noted that none of the '*Indicative measurement locations*' as shown in Figure 12-2 of Chapter 12 of the EIAR are located within the valley, despite the concentration of identified noise sensitive locations being within the valley. This is of serious concern and

brings into question the completeness and accuracy of the noise impact assessment undertaken.

6.5 In addition, the EIAR states:

*"Significant noise sources in this area were noted to be distant traffic movements, activity in and around the residences and wind generated noise from local foliage and other typical anthropogenic sources typically found in such rural settings<sup>9</sup>".*

6.6 It is extremely surprising that no reference is made to the ongoing noise associated with the existing wind farms in the area, which our Client's state are audible on an on-going basis and disturb the peace of residences in the valley. In addition, while we note that the results for the full set of houses are presented in Appendix 12-7, as there is no associated map to show where the noise sensitive location numbers are we have no way of reviewing the results relating to our Client's home. Given the purpose of the EIAR and the fact it statutorily has to go on public display, the lack of a map to facilitate the review by the public of the potential noise impacts makes the EIAR deficient.

6.7 In relation to the Mitigation Measures identified as required these are extensive and call into question if the appropriateness of the noise impact in their absence. Specifically in relation to the operation noise the assessment of the operation noise levels undertaken as part of the EIAR determined that mitigation measures are required to reduce noise levels from the proposed turbines to within the criteria i.e. without such mitigation measures the proposed development would exceed noise criteria and should be refused based on environmental impact. Worryingly, the mitigation measure proposed is not to relocate the development or look at reducing its scale but rather to propose that the turbines are operated in reduced noise modes, referred to as curtailment, in specific wind conditions. However, in the same sentence it is noted that this typically results in a corresponding reduction in energy generation capacity for the turbine(s) and that any turbine curtailment strategy that is developed must consider the practical benefits as such curtailment may 'unnecessarily' reduce the electrical power generating capacity of a wind farm, for an imperceptible change to the overall turbine noise levels<sup>10</sup>.

6.8 It is clear that the focus is on revenue generation first and foremost, with the noise impact on the area and those resident within it a secondary consideration. This is extremely worrying for our Clients who already experience noise pollution from existing wind farms on a daily basis.

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<sup>9</sup> Chapter 12, EIAR submitted with ACP Reg. Ref. PAX91.324164, pg. 12-21

<sup>10</sup> Chapter 12, EIAR submitted with ACP Reg. Ref. PAX91.324164, pg. 12-53

In addition, we would ask ACP to genuinely consider if such mitigation measure are effective and enforceable. The approach to mitigation, in combination with the fact that no reference is made to the valley and its impact on noise, raises further questions about the noise assessment undertaken, its findings and the appropriateness of the mitigation measures which the EIAR has identified as necessary and is reliant on.

### **Visual Impact**

- 6.9 Having regard to the elevated siting of the proposed development within the upland landscape surrounding the valley, together with their proposed maximum tip height of 185 metres the proposed 14 no. wind turbines in combination with existing wind farms will have a significant impact on the visual amenity of the area. We would thus question why there is no viewpoint from within the valley at the point where the proposed wind farm is closest to a scenic route i.e. adjacent to our Client's home.
- 6.10 In fact, given the scale of the proposed wind energy development and the extensive views of it from within this sensitive rural landscape the EIAR provides limited local viewpoints and not enough to determine the true visual impact of the proposed development. In addition, we would question the use of forestry to 'shield' the full visual impact of the proposed development. In this regard, many of the forests in the area are coming to the point of feeling with live Licence applications within the immediate area. Following the felling of these trees the already significant visual impact of these large scale wind turbines will become the dominant feature of the landscape, significantly altering its rural character.
- 6.11 We also note that 1-4 turbines are 'theoretically visible' from our Client's home as per the baseline map contained in Appendix 14.4 of the EIAR. This would be a significant change to the environment surrounding our Client's home, given that the existing visual context is rural countryside, with none of the existing wind turbines visible. In this regard, the extremely close proximity of turbines T7 and T8, c. 1km at height from our Client's home would become highly prominent and visually dominant features within the receiving environment and would be highly visible from the valley floor and surrounding residential properties. This impact would be long term, throughout the operational lifespan of the development and would completely alter this rural landscape which has been categorised by the Development Plan as 'sensitive'.
- 6.12 The Photowire Visualisation Booklet contained in Appendix 14-5 of the EIAR provides an indication of just how significant and extensive the visual impact will be, with these excessively high wind turbines dominating the landscape for miles. This level and scale of visual impact directly conflicts with the 'sensitive' landscape designation of the area and results in a further material contravention of the Development Plan. It is also a further indication of the

inappropriateness of the location and scale of this development and its potential to have a detrimental on this rural environment.

### **Other Potential Impacts**

- 6.13 In addition to the above there are a range of other impacts on residential amenity due to the location and significant scale of the proposed wind energy development that we would ask ACP to consider including *inter alia*:
- Continuous turbine blade movement and associated visual activity;
  - Artificial lighting within a rural landscape setting;
  - Mechanical and aerodynamic turbine noise;
  - Construction traffic, excavation works and associated disturbance;
  - The cumulative visual and environmental presence of the proposed substation compound and BESS infrastructure; and
  - The long-term effects of large-scale infrastructure within the locality.
- 6.14 The above issues are well established as being associated with large scale wind energy developments and have been identified as impacting residential amenity and health and should thus be given due consideration in the assessment of this large scale wind energy development.
- 6.15 In this regard, and as highlighted above, the valley landscape setting of the Glenpaudeen/ Moheragh area, together with multiple existing wind farm developments and this significant proposed wind energy development all on elevated lands surrounding our Client's home, result in serious concerns regarding the cumulative visual and environmental impact of the proposed development. Our Clients are already exposed to on-going noise disturbance from the existing wind farms, a fact that does not appear to be acknowledged or considered in the EIAR. To add another, large scale wind energy development so close to their home that will also be visible from their home, and which will contribute further to the noise pollution at a range of pitches is of serious concern in terms of their health.
- 6.16 Concern also arises regarding the introduction of artificial lighting within an otherwise rural and low-light upland landscape. Having regard to the elevated siting of the proposed turbines, such lighting would introduce a persistent source of night-time visual disturbance within the receiving environment over the operational lifespan of the development. In this regard, concerns arise regarding the potential impact of such lighting on the existing rural character, dark landscape setting, the identified bat population in the area and the residential amenity currently experienced by nearby dwellings, including our Client's home. Our Client's ability to sleep at

night is already disturbed by noise from existing wind farms and will be further impacted by the light pollution from these substantial wind turbines which will tower over the valley.

- 6.17 In addition to the above, we note that our Client's home (sensitive receptor 198) is identified as now being subject to shadow flicker from the proposed large scale wind farm development with over 2 hours of flicker pre-mitigation (Max. Annual Shadow Flicker: Pre-Mitigation as per Table 5-9 of the EIAR), noting the same Table concludes that no mitigation is required. This is a significant impact on residential amenity, in an area where there is currently no shadow flicker. In addition, while the Cumulative Shadow Flicker is assessed, again there is a general failure to consider how all of these impacts in combination and cumulatively with existing wind farm developments will impact on human health and well-being.
- 6.18 This is further demonstrated by the fact that the 'significance of the effects' on residential amenity is found to be 'slight' during the construction phase, also found to be 'slight' in terms of the effect on residential amenity due to 'Air Quality: Dust and Exhaust Emissions' and 'slight' in relation to Noise and Vibration during construction. While we would question the overall 'slight' finding, these are all being considered in isolation but when considered together will have a significant effect. Again, our Clients do not feel that this significant negative cumulative impact is being captured and we would again as ACP to consider this.
- 6.19 In addition, the finding of the Residual Effects Overall, when considering potential effects due to shadow flicker, noise and visual effects, the residual effect is considered to be a negative, moderate, long-term impact on residential amenity. Given the designation of the area as 'sensitive' and the guidance in relation to avoiding significant change to, or loss of, appearance or character of the area, the findings of Chapter 5 further demonstrates the direct conflict of the proposed development with the objectives of the Development Plan and further support the proposed development being refused by ACP due to a material contravention of the Development Plan.
- 6.20 While the EIAR separately assesses matters such as visual impact, noise, shadow flicker and human health, concerns remain as to the completeness of the assessment of the cumulative impact of the development. This large scale wind infrastructure development will be located within an area that is already densely populated with wind turbines that negatively impact the daily lives of residents, who live in a 'sensitive' rural landscape. As prescribed by the EU Charter of Fundamental Rights everyone, including residents of this area, have the right to the 'Peaceful Enjoyment' of their home, something which our Clients once took for granted but now are having to fight for after many wind farm development. In fact, there are no less than 42 no. turbines within 3 km of our Client's home, all of which have a disproportionate impact on their residential amenity due to their elevated nature above the valley.

- 6.21 The residents within the valley and the wider Glenpaudeen/Moheragh area, including along the R497 corridor, will experience the actual cumulative visual, environmental and residential amenity impacts associated with the operation of the proposed wind energy infrastructure located on the surrounding elevated lands. Having regard to the scale, extent and operational lifespan of the proposed development, together with the concentration of existing, permitted and proposed wind energy infrastructure within the locality, it is considered that the development would in reality have serious and lifelong negative impacts on residential amenity, diminishing the remaining rural character of the area.
- 6.22 While an EIAR has been undertaken, some of which we would have concerns about as highlighted in this objection, we do not feel that the actual impact on a human level has been considered. While tables of data and significant mitigation measures can be proposed to demonstrate the proposal is within acceptable parameters, we would ask that ACP actually consider the impact on human beings in terms of living in a valley that is already surrounded by large wind infrastructure, the noise pollution from which is an existing issue and now even more large scale infrastructure is proposed and closer to your home.

## 7 Noise Assessment

- 7.1 As highlighted above, noise pollution is of serious concern to our Clients who already experience significance noise disturbance due to existing wind farms in the areas. As above, the existing and continuous noise disturbance caused by the multiple adjacent operational wind energy developments does not appear to have been fully captured in Chapter 12. In this regard, we note the multiple noise sensitive locations identify within the valley, and the fact that there is not a single survey location in the valley. We thus cannot see how accurate noise levels could have been established. The scale, proximity and cumulative concentration of wind infrastructure now proposed under the current application gives rise to serious concerns in relation to the cumulative noise impact, when the actual existing noise pollution is accounted for.
- 7.2 The submitted documentation identifies numerous operational and permitted wind energy developments within the wider area, see Figure 8 and Table 1, including Glencarbry, Cappawhite, Garracummer, Hollyford and Glenough. In this regard we note the assessment methodology in the EIAR, Appendix 12.3, states that it is in accordance with the Institute of Acoustics document 'A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise (2013) hereafter referred to as the IOA GPG' which summarises the guidance from the IOA GPG for the selection of background noise survey locations including *inter alia*:

*“Any contribution to background noise levels from an existing wind farm must be excluded when assigning background noise and setting noise limits for a new development.”*

- 7.3 While we understand the basis of the above guidance in terms of setting background noise levels, we have concerns regarding the general discounting of the noise levels from existing wind farms and this being captured in terms of the cumulative assessment of the noise impact of the proposed wind energy infrastructure in combination with other wind energy developments. The cumulative mapping submitted as part of the EIAR demonstrates the substantial concentration of wind energy infrastructure operational in the area, which will have a significant impact on the cumulative noise impact if this large scale wind energy development is permitted.
- 7.4 In addition, particular concern arises due to the proximity of turbines T7 and T8 to our Client's home, c. 1 km, as well as the proposed substation compound located c.2.5km from their home. While these separation distances may accord with 'standard guidance thresholds', case by case assessment must be undertaken, especially given the unique topography of the site and the already unusually high concentration of wind turbines in the area. In the current case separation distance alone is not considered a sufficient measure. We can confirm that while the existing wind farms are further removed from our Client's home, than the proposed large scale wind energy development, and thus accord with 'standard guidance thresholds' they cause significant and on-going noise disturbance at our Client's home.
- 7.5 The cumulative impact of turbine movement, mechanical and aerodynamic noise impacts on sensitive receptors, maintenance activity, substation noise, construction traffic and associated operational activity over the proposed 35-year operational lifespan of the development will significantly increase this noise pollution to the detriment of residential amenity. In addition, concerns also arise regarding the potential long-term impact of sustained noise disturbance and environmental change on the health and wellbeing of nearby residents. Our Clients do not feel that this has been given due consideration in the assessment undertaken as part of the EIAR and we would ask that ACP consider this.
- 7.6 In fact, Chapter 5 Population and Human Health, when addressing the issue of residential amenity appears to rely on a lack of revised energy development guidelines for onshore wind and mitigation measures stating:

*“Without benefit of the revised wind energy development guidelines for onshore wind, it is considered that since noise emissions and shadow flicker are controllable via inbuilt technologies, the Proposed Wind Farm is capable of compliance with any future guideline limits in this regard. Furthermore, it is considered that 4 times turbine tip*

*height set back from sensitive receptors has become an industry established accepted separation distance for visual amenity purposes<sup>11</sup> .”*

- 7.7 A lack of updated guidelines and self-adopted general industry standards are not considered sufficient in terms of assessing impact on residential amenity. In this regard, we have serious concerns about the cumulative experience of operational turbine noise within the receiving environment, particularly having regard to the topographical characteristics of the locality and the existing concentration of wind energy infrastructure surrounding the valley landscape.
- 7.8 While the submitted assessment concludes that operational noise levels would remain within applicable guidance thresholds, this assessment relies significantly on predictive modelling. In this regard, it is considered that predictive modelling may be limited in its accuracy and not fully reflect the lived residential experience associated with operational turbine noise within a rural valley setting, particularly during certain meteorological conditions. In particular, concerns arise regarding the cumulative experience of noise associated with existing and proposed wind energy developments, together with the continuous nature of turbine activity over the long-term operational lifespan of the proposed development.
- 7.9 Having regard to the cumulative wind energy context of the locality, the valley topography surrounding our Client's home, the proximity of proposed turbines T7 and T8 and the long-term operational duration of the proposed development, it is considered that the development would result in a further intensification of noise and disturbance within the receiving environment, to the detriment of residential amenity and the established rural character of the area.
- 7.10 In addition, given the nature of wind energy infrastructure, unlike other uses, it is difficult for lay people to quantify the disturbance it causes to their lives (without significant cost to secure professional input) and equally as difficult to seek to have it rectified (noting the inclusion of the Draft Noise Complaint Investigation Protocol as part of the EIAR pack). It is the role of the planning system in the first instance to regulate such development, including seeking to avoid over concentration that will cumulatively result in negative impacts on residential amenity in areas, especially in areas where such impacts on the environment directly conflict with the Development Plan. We thus again request that ACP refuse permission for the proposed development.

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<sup>11</sup> Chapter 5, EIAR submitted with ACP Reg. Ref. PAX91.324164, pg. 5-45

## 8 Impact on Private Water Supply

- 8.1 As outlined above, our Clients have resided at their family home within the Glenpaudeen area for almost 50 years. At the time the dwelling was constructed there was no public mains water connection available within the locality, and this remains the case today. Consequently, like many established rural properties within the area, our Clients rely entirely on a private well located adjacent to their home as their sole source of water, including drinking water.
- 8.2 Having regard to the upland and valley landscape setting of the locality, together with the hydrological and hydrogeological characteristics of the receiving environment, concerns arise regarding the potential interaction between groundwater conditions serving our Client's private well and lands located within and adjoining the proposed development area, including lands subject to extensive excavation, construction activity and associated infrastructure works. In this regard, serious concerns arise regarding the potential for the proposed development to adversely affect groundwater quality, groundwater flows and the long-term integrity and viability of our Client's private water supply.
- 8.3 Despite this potential serious impact on groundwater the submitted EIAR and accompanying mapping do not appear to clearly identify the precise groundwater flow paths, or hydrogeological connectivity associated with private wells serving established residential properties adjoining the proposed development, including our Client's home. Concerns therefore, arise that the absence of detailed site-specific assessment regarding private groundwater supplies introduces uncertainty regarding the potential impact of the proposed development on the existing groundwater conditions serving nearby existing dwellings, specifically during construction.
- 8.4 In addition, wider concerns arise regarding the potential hydrological and hydrogeological impacts associated with the proposed development. Chapter 9 of the EIAR states that the Proposed Wind Farm infrastructure is "*spread across several stream valleys*" and that the hydrology of the site is characterised by "*higher surface water runoff rates and lower groundwater recharge rates*". The submitted documentation also refers to public water abstractions within the wider receiving environment and identifies groundwater vulnerability across significant parts of the site.
- 8.5 The submitted EIAR identifies much of the site of the proposed large scale wind infrastructure development as having "High" to "Extreme" groundwater vulnerability, confirming that shallow bedrock conditions are present across significant parts of the site. Having regard to the extent of excavation works, drainage interventions and associated construction activity proposed throughout the site, concerns arise in relation to the potential for impacts on groundwater conditions and private water supplies within the receiving environment. It is further noted that

the submitted EIAR acknowledges limitations in the available groundwater well data within the locality and relies upon assumptions regarding the presence of private groundwater wells serving nearby properties. In this regard, we can confirm that at no point were our Clients contacted in relation to their well or water supply, despite it being known that there is no public water supply in the area.

- 8.6 The proposed development is also situated within a valley and upland catchment landscape where surface water pathways naturally drain downslope through the receiving environment surrounding established residential properties. In this regard, concerns arise regarding the potential for sediment release, groundwater disturbance and downstream water quality impacts during both the construction and operational phases of the proposed development. While the EIAR concludes that significant adverse hydrological and hydrogeological impacts can be avoided, it is considered that these conclusions rely significantly on mitigation measures, drainage controls, monitoring procedures and environmental management measures in order to minimise potential effects on the receiving environment over the operational lifespan of the development.
- 8.7 In addition, this conclusion is limited but the EIAR's own acknowledgement on the limitations in the available groundwater well data. In fact, in the absence of such data in a rural area where there is no public water supply and where topography increases risk of water pollution in the valley, we cannot see how such a conclusion could have been reached and would question the comprehensiveness of Chapter 9 in this regard. This is especially significant given that the Miltien River, located in the valley, is a key protected tributary within the Lower River Suir Special Area of Conservation (SAC).

## **9 Traffic and Construction Impacts**

- 9.1 The submitted documentation confirms that substantial sections of the proposed underground grid connection route are to be constructed along national, regional roads and local roads, including 16.2km along local roads. In this regard, concerns arise regarding the extent of construction activity proposed across the wider rural road network and the associated potential for prolonged traffic disruption, road safety impacts and residential disturbance within established rural communities.
- 9.2 Significant concern arises regarding the extent and duration of construction activity proposed within the immediate receiving environment surrounding our Client's home, including excavation works associated with turbines T7 and T8, crane hardstanding areas, internal access infrastructure, underground cabling, forestry felling, the proposed substation

compound and the Battery Energy Storage System (BESS). Having regard to the scale and geographical extent of this significant wind energy infrastructure project, it is anticipated that substantial levels of construction-related activity would occur within the locality over a prolonged construction period given that a 10 year permission is sought.

- 9.3 The submitted documentation further confirms that turbine component deliveries are proposed via escorted convoys and abnormal loads, including deliveries during night-time periods in order to minimise disruption to the wider road network. Concerns thus arise regarding the potential impact of construction-related traffic, abnormal loads, HGV movements, excavation plant and associated disturbance on nearby residential properties, including the noise impact associated with same. In this regard, the roads in the area are narrow rural roads with limited capacity and are often in close proximity to established residential properties, including sections of the proposed construction corridor. These roads were not designed to accommodate the scale of vehicle required to transport such large-scale infrastructure and unlike in an urban environment, alternative routes to facilitate the significant disturbance that will be caused, are not readily available. In fact, in the general area where alternative routes do exist these are extremely narrow and dangerous, and completely inappropriate for the level of traffic that would need to be diverted to them. This is yet another serious impact on residential amenity that our Clients feel is not captured in the assessment of the cumulative impacts but will in reality have a significant impact on people living in the area and their ability to go about their daily lives.
- 9.4 Additionally, it is noted that the EIAR confirms that a Stage 1 Road Safety Audit was undertaken in respect of the proposed access junctions associated with the proposed development. However, the documentation further states that the Road Safety Audit Report itself was not submitted as part of the planning application documentation and would instead be provided to Tipperary County Council prior to construction. In this regard, concerns arise regarding the extent to which the full road safety implications of the proposed development can be comprehensively assessed at this stage of the planning process.

## **10 Environmental and Ecological Impacts**

### **Habitat Loss and Ecological Disturbance**

- 10.1 The proposed development would give rise to significant habitat disturbance and ecological alteration within the wider Glenpaudeen/Moheragh receiving environment by reason of the scale, extent and intensity of the proposed wind energy infrastructure and associated site development works. The submitted EIAR confirms that the proposed development would require substantial forestry felling and habitat disturbance in order to facilitate turbine infrastructure, internal access roads, underground cabling, drainage works and associated

ancillary infrastructure. In this regard, the EIAR states that approximately 51.6 hectares of forestry will be permanently felled within and around the footprint of the proposed development in order to facilitate infrastructure delivery, together with sections of hedgerow, treeline and woodland habitat. This is an extensive area which will contain many types of species and birds and will significantly alter both the landscape as well as the visual character of the area, contrary to its 'sensitive' landscape character designation.

- 10.2 In addition, the EIAR identifies that the construction phase of the proposed development would require the removal of c. 2.2km of hedgerow habitat together with sections of treeline habitat, wet woodland habitat and additional linear habitat associated with the proposed grid connection and turbine delivery route infrastructure. These habitats contribute to the ecological connectivity of the wider rural landscape and provide established foraging, commuting and sheltering corridors for a range of species, including protected bats and bird species. Again this is an extensive area which will have a significant negative impact on flora and fauna.
- 10.3 The submitted biodiversity assessment further acknowledges that sections of habitat within the site are used by commuting and foraging bats and identifies the presence of higher-risk bat species including Leisler's bat, common pipistrelle, soprano pipistrelle and Nathusius' pipistrelle. The EIAR also notes that several monitoring locations recorded high levels of bat activity and that habitat alteration would occur during the construction phase as part of the implementation of turbine buffer areas. Our Clients can further confirm that the general area is home to bats which they see and hear at night. Bats are protected by the Wildlife Act 1976 (as amended) and by the European Union law (EU Habitats Directive) with many legal cases taken to ensure that such protected species are not impacted by inappropriate development, such as the large scale energy infrastructure proposed in this 'sensitive' rural landscape.
- 10.4 We thus have serious concerns regarding the extent of habitat loss, habitat fragmentation and ecological disturbance within the wider upland landscape, particularly having regard to the scale of forestry felling, vegetation clearance, excavation works and associated land disturbance now proposed across the receiving environment.

### **Hen Harrier and Ecology**

- 10.5 The submitted EIAR confirms that Hen Harrier roost surveys and breeding raptor surveys were undertaken within and surrounding the proposed development, acknowledging the ecological sensitivity of the receiving environment and the presence of protected bird species within the wider area. In this regard, our Clients can confirm that Hen Harriers are present in the area and have only recently witnessed them hunting over forestry proximate to their home.

- 10.6 The Hen Harrier is listed on Annex 1 of the Birds Directive (Directive 2009/ 147/EC) and is Amber listed on the Birds of Conservation Concern in Ireland. Furthermore, Birdwatch Ireland identifies Tipperary as one of only 11 counties where the Hen Harrier breeds. The impact of afforestation on the breeding and wintering ground of this bird is a growing concern. In this regard, we note that concerns relating to potential impacts on Hen Harrier formed part of the refusal for the Moheragh Windfarm proposal (ACP. Reg. Ref. 15601088), wherein concerns were raised regarding the adequacy and robustness of the ecological assessment information submitted and the level of certainty associated with the proposed mitigation measures.
- 10.7 In fact, the National Parks and Wildlife Service (NPWS) have prepared a guidance document "*Hen Harrier Conservation and the Forestry Sector in Ireland*" which identifies the subject site as being within a '*Regional Zone Designated*' for Hen Harriers, with the site also located in an area identified as a confirmed breeding ground for the Hen Harrier, see Figures 9 and 10 respectively . The document notes the concerns raised in relation to the observed decline in the abundance of breeding birds in the Hen Harrier strongholds and the fact that "*research indicates (see O'Donoghue, 2010) that forestry operations can cause nest failure event<sup>12</sup>.*"
- 10.8 In this regard we note that there we no less than 6 individual observations of Hen Harriers during the vantage point surveys, a significant number given the relative low population of these birds and their stealth when hunting. Notwithstanding this, the Appropriate Assessment Screening Report and Natura Impact Statement concludes that:
- "There was no evidence of hen harrier breeding at the Proposed Wind Farm site during surveys and no regularly used hen harrier roosts were identified. It was therefore determined that the Proposed Wind Farm site is not of significance to hen harrier populations associated with Slievefelim to Silvermines Carrow Wind Farm Natura Impact Statement NIS F – 2026.03.25 - 231102 54 Mountains SPA, given how infrequently the Proposed Wind Farm site is utilised by this species, and that the habitats on-site are sub-optimal compared to the surrounding landscape<sup>13</sup>."*
- 10.9 We would question this conclusion which contradicts the number of recoded sightings. As avid bird watchers our Clients can not only confirm the presence of Hen Harrier but also that sightings of same are limited and intermittent. To witness so many Hen Harriers in a relatively short time period indicates the importance of the subject site as a hunting and foraging ground, and potentially as a breeding ground. And if not a breeding ground itself as an important hunting and foraging ground to support nearby breeding.

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<sup>12</sup> Hen Harrier Conservation and the Forestry Sector in Ireland, 2015, NPWS, pg. 41

<sup>13</sup> Appropriate Assessment Screening Report and Natura Impact Statement, ACP Reg. Ref. PAX91.324164, pg. 53

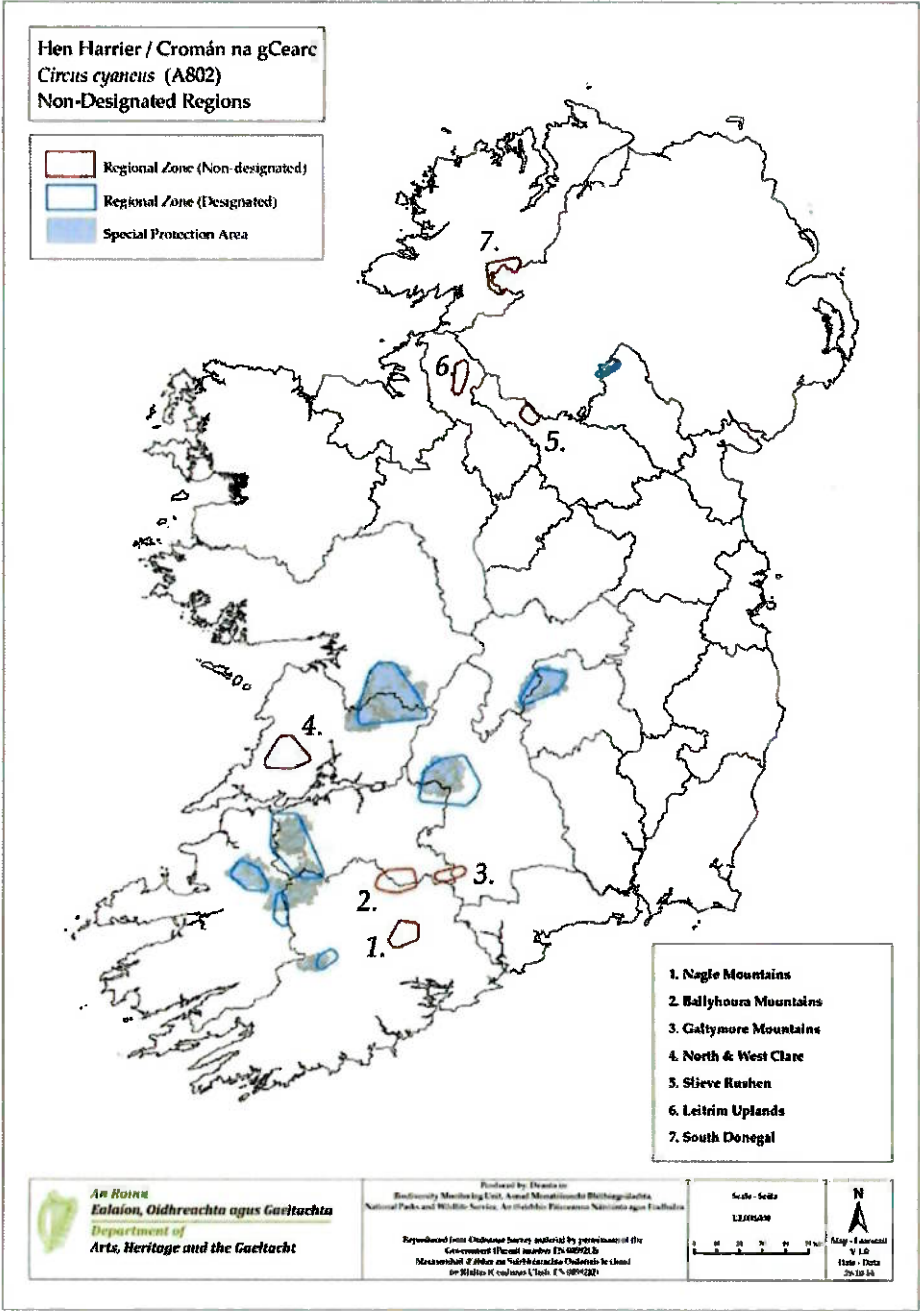


Figure 9 - from the document "Hen Harrier Conservation and the Forestry Sector in Ireland" showing the subject site within a 'Regional Zone Designated' for Hen Harriers

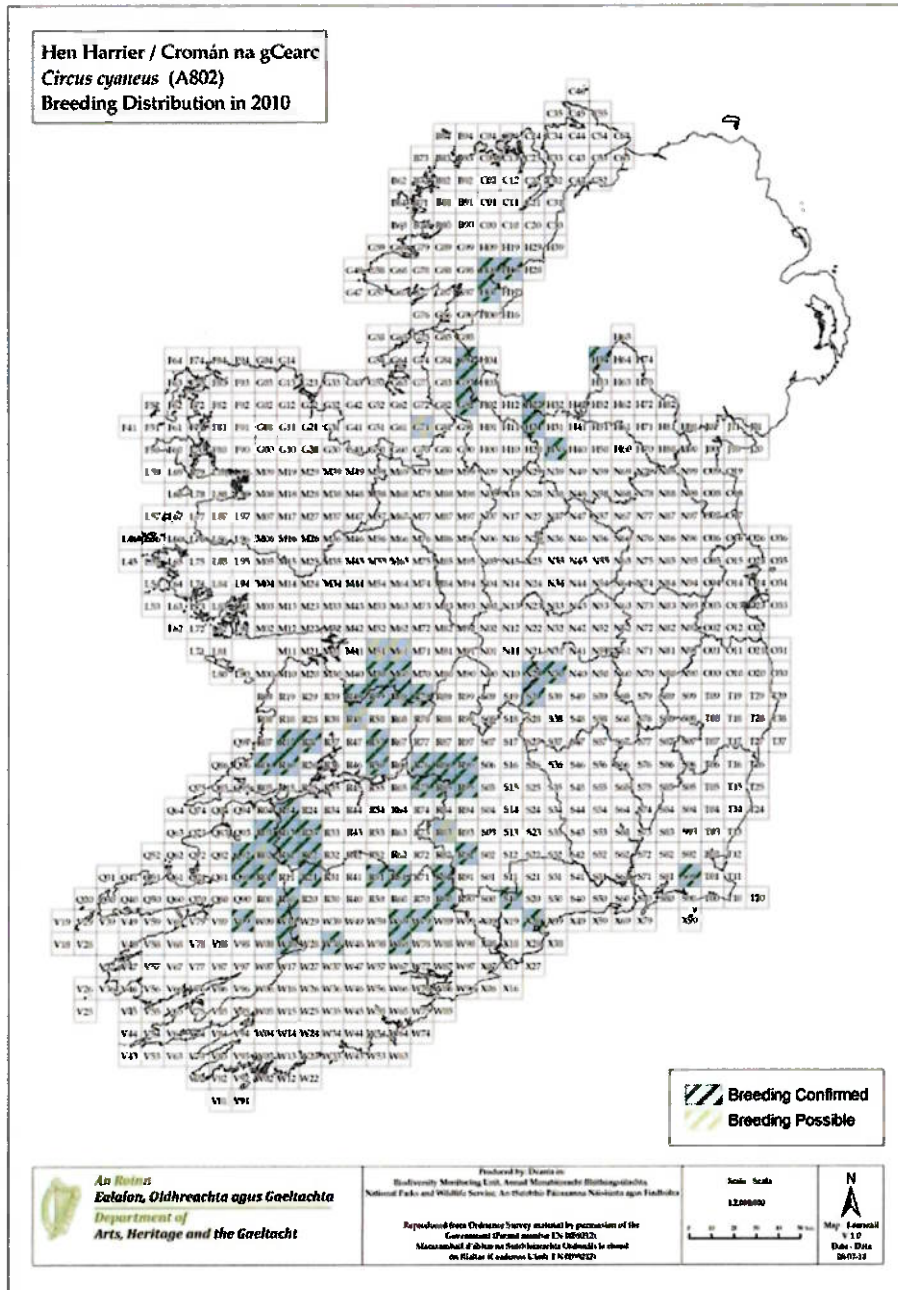


Figure 10 - from the document "Hen Harrier Conservation and the Forestry Sector in Ireland" showing the subject site within the area designated as 'Breeding Confirmed'

10.10 In this regard we would also note that while the screening and assessments were undertaken having regard to the fact that the proposed development in parts is within the 10 km maximum foraging range (SNH, 2016) for the single SCI of the Slievefelim to Silvermines Mountains SPA (004165), Hen Harrier, we would note that the NPWS identify Hen Harrier in non-designated areas, see Figure 9, including the subject site. However, the above referenced guidance document, "Hen Harrier Conservation and the Forestry Sector in Ireland" which is directly relevant given the c. 51.6 hectares of forestry that will be permanently felled to accommodate

the proposed large scale wind energy development, it is not considered as part of the AA Screening or NIS. In addition, the fact that the NPWS also identify the site as being located in a breeding ground is not addressed. This raises serious concerns in relation to the robustness of the NIS, given the Annex 1 designation of the Hen Harrier.

10.11 In addition, we note the findings of Chapter 7 - Birds of the EIAR that:

*"The Proposed Wind Farm site is of No Ecological Importance to this species given how infrequently the area is utilised by this species and that the habitats on-site are sub-optimal compared to the surrounding landscape<sup>14</sup>."*

10.12 We would question the rationale behind this statement as the relatively limited numbers of Hen Harriers, which warrant their protection in the first instance, means that sighting will by their nature be limited. In fact, a single breeding pair in Ireland conforms to National Importance as per NRA criteria. In this regard Chapter 7 of the EIAR notes:

*"This species was recorded on six occasions during the breeding season, four of which were during the core breeding season for hen harrier (April to July). In 2021, an adult hen harrier was observed carrying prey within the Proposed Wind Farm site. As previously discussed, it is unlikely that this bird held a territory within the study area of the Proposed Wind Farm (i.e., within 2km of the Proposed Wind Farm site). It is assumed that this bird is associated with the known nest north of the Proposed Wind Farm site<sup>15</sup>."*

10.13 This a significant assumption to make and we would question the basis of same, when a Hen Harrier has been witnesses during breeding season within the subject area with prey for its young. While roosts may not have been found this is not surprising given the thick forestry at this location, however, the above provides confirmation of the importance of this area to the Hen Harrier, as already established by the abovementioned NPWS guidance.

10.14 Chapter 7 goes on the state that:

*"Taking a precautionary approach, it is likely that the individuals recorded during the breeding season are associated with a Nationally/Internationally important population from the wider area<sup>16</sup>."*

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<sup>14</sup> Chapter 7, EIAR submitted with ACP Reg. Ref. PAX91.324164, pg. 7-25

<sup>15</sup> Chapter 7, EIAR submitted with ACP Reg. Ref. PAX91.324164, pg. 7-25

<sup>16</sup> Chapter 7, EIAR submitted with ACP Reg. Ref. PAX91.324164, pg. 7-26

- 10.15 While the national importance of the Hen Harrier and the significance of the area to it is unquestionable, the conclusion that they are 'likely' in the 'wider area' again is questionable as is the basis for same having regard to the findings set out in the EIAR and NIS. While undoubtedly convenient to allocate the Hen Harrier to the 'wider area' given the Annex 1 categorisation of the Hen Harrier a statement is not sufficient and there must be certainty in order to avoid impacting the Hen Harrier contrary to both Irish and European Law.
- 10.16 In addition, while Hen Harrier breeding must be of a central concern and fully assessed it is also important that their hunting and foraging ground are retained as without these the population of Hen Harrier are also in danger. In this regard, both the EIAR and NIS acknowledge sightings that confirm the subject site is an important hunting and foraging ground. Given the limited concentration of Hen Harrier sites in the entire Country, as per Figures 9 and 10, we would question how it can be justified that a hunting and foraging ground and potential breeding site is destroyed to accommodate a conflicting use which can be accommodated at a more appropriate location.
- 10.17 As its cannot be categorically stated that the subject site is not a breeding ground for the Hen Harrier, then the precautionary approach would be to assess the potential impact of the proposed development as if it were a breeding ground. The above unfounded conclusion that it is not a breeding ground has however, been used throughout the assessments including the assessment of the 'Likely Effects of the Proposed Wind Farm' on the Hen Harrier including in terms of habitat loss, disturbance and displacement and barrier effect. The results, while favourable for the proposed development, are not considered to represent a robust assessment of the potential impacts on the Hen Harrier and we would ask ACP to refuse the proposed development having regard to the potential impact on this Annex 1 bird.
- 10.18 In addition, we would note that the topic of '*Negative impact of wind farms on the environment*' was recently raised at Parliamentary Questions in the EU (E-001434/2025) which cited both fines and the dismantling of a wind farm due to the damage it caused to the environment, specifically birds. It is thus an important issue, especially in the context of Annex 1 birds, and is an area where negative impacts should be avoided in the first instance rather than trying to address them retrospectively after the Hen Harrier's hunting and foraging ground and potential breeding sites are destroyed.

### **Designated Ecological Sites**

- 10.19 The submitted EIAR identifies a number of designated ecological sites and sensitive habitats within the wider zone of influence of the proposed development, including European sites, Special Protection Areas (SPAs), Special Areas of Conservation (SACs), proposed Natural Heritage Areas (pNHAs) and upland habitats of ecological importance.

- 10.20 In particular, the EIAR identifies the Slievefelim to Silvermines Mountains SPA, the Lower River Suir SAC, the Lower River Shannon SAC and the Aughnaglanny Valley pNHA (000948) within the wider receiving environment surrounding the proposed development. The Aughnaglanny Valley pNHA is identified as partially overlapping with lands within the wider Proposed Wind Farm site and is noted within the EIAR as being hydrologically connected to parts of the proposed development area.
- 10.21 Having regard to the scale, geographical extent and infrastructural intensity of the proposed development, concerns arise regarding the potential cumulative ecological pressure associated with substantial forestry felling, habitat disturbance, drainage alteration and infrastructure development within an already environmentally sensitive upland landscape. In this regard the significant scale of this proposed wind energy development, across 2 no. Local Authority areas, must be fully understood.
- 10.22 The proposed development would introduce a substantial level of landscape and environmental disturbance across a wide geographical area extending through sensitive upland habitats and hydrologically connected receiving environments. In this regard, concerns arise regarding the cumulative impact of habitat fragmentation, hydrological alteration and ongoing infrastructure intensification within a landscape already subject to significant commercial forestry activity and wind energy development pressure and which is designated by the County Development Plan as 'sensitive' and where alteration to the landscape should be avoided.

### **Reliance on Mitigation Measures**

- 10.23 It is also considered that many of the conclusions contained within the EIAR and associated ecological assessments are significantly reliant on the successful implementation of mitigation measures, habitat buffers, environmental management plans, monitoring procedures and operational controls in order to conclude that residual ecological effects would not be significant.
- 10.24 In this regard, concerns arise regarding the extent to which the avoidance and reduction of ecological impacts relies upon ongoing mitigation and long-term management measures over the proposed 35-year operational lifespan of the proposed development, particularly having regard to the scale of the development and the ecological sensitivity of the wider upland receiving environment. In addition, ACP must be satisfied that the proposed mitigation measures are appropriate and that they will actually work in practice. In this regard, we would question how the implementation of many of the measures would be monitored, the potential for significant environmental impacts if they are not fully successful and the overall requirement for such extensive mitigation measures.

- 10.25 The nature of wind farm development, unlike other forms of development where operators/staff are on site, make it challenging to determine if mitigation measures are being implemented and if there are environmental impacts. As above, the mitigation in relation to noise impact on residents is clearly considered not in terms of residential amenity but in terms of revenue, which raises concerns in relation to the implementation of the many other mitigation measures set out, all of which will have a monetary impact.

## 11 Summary

- 11.1 The proposed development due to its significant scale and site area, is accompanied by extensive planning application documentation. We thus expect that the issues highlighted above are only a small portion of potentially many other issues within the planning documentation, which no doubt will be highlighted by others in objecting to this inappropriate large scale wind energy infrastructure proposal. In this regard, the proposed development will unquestionably result in a substantial intensification of wind energy infrastructure within a designated 'sensitive' upland rural landscape, identified as having 'high sensitivity to change', that has already accommodated more than its fair share of such large infrastructure.
- 11.2 For our Clients the above issues are of serious concern as the proposed development will be located adjacent to their home and will fundamentally alter their residential amenity through multiple impacts across a range of areas including *inter alia* noise pollution, shadow flicker, potential ground water contamination, visual impact on the landscape, traffic safety and destruction of wildlife habitat. Our Clients already live with the noise pollution of the existing operational wind farms, which they were also told would not be audible at their home and would not affect their quality of life. These are a greater distance from their home and thus the potential impacts of the proposed development, which includes turbines T7 and T8 c. 1 km from their home, the proposed substation compound, Battery Energy Storage System (BESS), underground cabling, forestry felling and associated construction works, on their residential amenity and their health would be significant.
- 11.3 As shown above the proposed development material contravenes the Tipperary County Development Plan in relation to the impact on this designated 'sensitive' rural landscape where significant change to, or loss of, appearance or character is to be avoided. It also extends into and directly adjoins lands identified within the Tipperary Wind Energy Strategy as "*Unsuitable for New Wind Energy Development*", the reason for refusal by ACP of a far smaller wind farm development in the same general area (ACP Ref. PL92.248010). While the entire site of the proposed development is not identified as "*Unsuitable for New Wind Energy Development*" the purpose of this designation is clearly set out as is the need for its updating. In this regard, the

subject site does not stand in isolation but is located within an area where there is a significant concentration of wind farm developments, being directly adjacent to one and across the valley from another. It thus meets the criteria and complies with the ethos of the Tipperary Wind Energy Strategy in terms of restricting any further wind energy developments in order to protect the rural character of the area.

- 11.4 In addition, we highlight above a number of concerns in relation to compliance with the Wind Energy Strategy, as well as the robustness of the assessments including *inter alia* the noise assessment, assessments relating to groundwater and ecological assessments. Given the scale and nature of the proposed development and its potential to cause significant and permanent environmental impacts, the development should be refused in light of the issues raised.
- 11.5 In fact, we would argue that the above issues, and the content of the EIAR and environmental assessment themselves along with the extensive mitigation measures identified as required demonstrate that the subject site is not the appropriate location for a wind energy development of this scale. In fact, given the area "*holds the highest concentration of both operational granted and submitted applications for windfarms in County Tipperary*" it already accommodates more than enough wind farm developments and is at saturation point. To permit further wind farm developments, yet along a development of the scale proposed, would materially alter the area and destroy its 'sensitive' rural character permanently, materially contravening the County Development Plan.
- 11.6 Finally, we would raise concerns in relation to the assessment of the impact on the Annex 1 Hen Harrier and the multiple assumptions made in relation to its breeding, hunting and foraging on the subject lands. A precautionary approach should have been adopted given the multiple sighting of the bird on the subject site and having regard to the extensive area of forestry that needs to be felled to accommodate the proposed development. The potential impact on the Hen Harrier as well as a number of protected bats species further indicates the inappropriateness of the proposed development in this 'sensitive' rural landscape.
- 11.7 Given the overall cumulative impacts and in the absence of sufficient certainty regarding the long-term protection of residential amenity, landscape character, ecological sensitivity, groundwater conditions and environmental quality within the receiving environment, it is respectfully requested that ACP refuse permission for the proposed development outright.

# RMLA.

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