



IRISH PEATLAND CONSERVATION COUNCIL

COMHAIRLE CHAOMHNATHE PHORTAIGH NA HÉIREANN

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An Coimisiún Pleanála

64 Marlborough Street

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19th May 2026

RE:Case Reference: PAX04.324165 - 10 year planning permission for Maughanaclea Wind Farm consisting of 14 no. wind turbines, a 110kV substation and 110kV underground cabling connection and associated works.

Dear An Coimisiún Pleanála,

The IPCC was established in 1982 and has 44 years of experience in peatland conservation. IPCC's aim is to conserve a representative sample of intact peatlands. Only 18% of Ireland's original range of peatland habitats are deemed worthy of conservation. 82% have become degraded from multiple pressures such as peat extraction, agriculture, forestry, habitat fragmentation and development (Ireland's Peatland Conservation Action Plan 2020, Malone & O'Connell, 2009). Peatland originally accounted for approximately 1/5th (~1.2M ha) of the habitat in Ireland, yet with only 18% functioning ecologically and hydrologically Ireland has experienced heavy biodiversity loss which the Government officially announced in 2019 by declaring a Climate and Biodiversity Emergency.

It is in this regard that the IPCC are making an **Observation** to the SID application with file reference **PAX04.324165** and we have the following comments to make which we hope you will take into account within your decisions.

Hen Harrier

Hen harrier is an ANNEX I species under the European Union Birds Directive due to its population decline in Ireland and internationally. The hen harrier population in Ireland declined by 22% between 2015 and 2022, from 106 breeding pairs to 85.

It is imperative that this species is granted the protection it deserves. The Appropriate Assessment and Natura Impact Statement states that 19 observations of hen harrier occurred during the vantage point surveys, 3 observations made during the winter walkover surveys, 3 observations were made during the breeding bird walkover surveys, 5 observations recorded during the roost surveys and 5 incidental observations were recorded throughout the data collection period. 33 observations in total.

This is conclusive evidence that this species is utilising this site and that it should be zoned out of renewable energy development. The latest Hen Harrier Threat Response Plan (*which was not mentioned in the AA and NIS*) states that wind farms had a non-significant impact on breeding success within 1000m of wind turbines (non significant as the population is so low statistical certainty is not possible, further cause for concern) but has been observed as being a biologically relevant pattern (NPWS, 2024).

Article 4(4) of the Birds Directive also states that "Member States shall also strive to avoid pollution or deterioration of habitats" outside of SPA's, meaning hen harrier is also protected outside of SPA's. Ireland was found by the European Court of Justice (418/04) to not have transposed and enacted these regulations so in 2011 it was transposed into Irish Law under Regulation 27.

The Threat Response Plan also highlights that there has been at least 3 confirmed (and 1 possible) hen harrier kills by turbine strikes up to 2015. It is reasonable to assume that if hen harrier refugia is developed with turbines then an unacceptable loss of hen harrier will occur. It is also noteworthy that if there was a 22% decline in the species nationally (108 pairs down to 85) between 2015 and 2022 (7 years) then there could be another ~10% decline between 2022 and 2026 (4 years). The calculations assessing how important these birds observed during the surveys are in terms of the national population may not be accounting for further losses that have occurred.

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Charity Numbers/Uimhir Carthanacht: CHY6829 & RCN 20013547 Registered in Ireland No/Uimhir Cláráithe in Éirinn: 116156

Registered Office/Oifig Cláráithe: Lullymore, Rathangan, Co. Kildare, R51 V293, Ireland

Governance Code Statement of Compliance: IPCC confirm that our organisation complies with The Governance Code for the Community, Voluntary and Charitable Sector in Ireland.

Company Secretary/Rúnaí Comhlacht: Catherine Fitzgerald

Directors/Stiúrthóirí: Martin Kelly, Catherine Fitzgerald, Kate Macnamara, John Pierce, Tiernan Murray, John Lynch, Eugene Dunbar, Rebecca Kummert

Patrons: Don Conroy, HRH Princess Irene of the Netherlands, Eanna Ni Lamhna, Matthijs Schouten, Her Excellency Maaïke van Koldam - Netherlands Ambassador to Ireland, Kathrine Geoghegan Tina Claffey, Monty Don OBE, Helen Conneely.

Habitat Loss

Within the Non-Technical Summary and EIAR Chapter 6 Biodiversity it is noted that the NPWS highlighted the proposed site contains one of the last open peatland/heath sites in the area. This gives weight to the importance of the habitat and IPCC could not see that re-creation of this habitat is proper mitigation. Habitat recreation is an estimate at best. We have no real data to show that it works. There are examples of where species were moved to allow development and it failed, such as the Rannoch Rush (the only specimen in Ireland was transplanted to Clara Bog where it ultimately went extinct) and the Grey Partridge of Lullymore which was declining so much they bolstered the population with birds from the continent, this also failed so they moved the last of Lullymore's Grey Partridge to Lough Boora where a conservation program headed by the National Parks and Wildlife Service are spending decades undoing the damage caused by development. Developers should not be deciding where conservation of habitats happen, even more so when there is direct evidence of a species on the brink of extinction (hen harrier) are know to be utilising the area.

Hen harrier and the wind energy sector (NPWS,2022)

Please ensure that the information and research contained within the National Parks and Wildlife Service's report on the impacts of wind energy development on hen harrier including construction and operation have been taken into account throughout the entirety of this proposed renewable energy development (Hen Harrier Conservation and the Wind Energy Sector in Ireland. Supporting document to the Hen Harrier Threat Response Plan, NPWS, 2022) . This report states that the WINDHARRIER research (Wilson et al, 2015) found that while collision risk between hen harrier and turbines is considered generally low for juveniles and adults during the breeding season, the cumulative impact of increased wind energy development on a long lived species with a low reproduction rate may increase collision mortality.

Conclusion

In view of all the information outlined above, the Irish Peatland Conservation Council asks An Coimisiún Pleanála to give full and careful consideration to the ecological sensitivity of the Maughanaclea site. The repeated presence of the hen harrier, a species in serious decline and protected under both European and Irish legislation, together with the fact that this area contains one of the last remaining open peatland/heath habitats in the region, makes it clear that this landscape provides vital refuge for vulnerable wildlife.

The survey results, the findings of the Hen Harrier Threat Response Plan, and the obligations set out under the Birds Directive and Regulation 27 all point to the same conclusion: the proposed development carries a high risk of habitat loss, disturbance, and potential mortality for a species already under severe pressure. The suggestion that these impacts can be offset through habitat re-creation is not supported by reliable evidence and cannot replace the value of an intact, functioning ecosystem.

For these reasons, the IPCC believes the precautionary principle must guide the decision in this case. Protecting what remains of Ireland's peatland habitat and ensuring the survival of the hen harrier requires that planning permission for this development be **Refused**.

Yours Sincerely,



Tristram Whyte -- Applied Freshwater & Marine Biology B.Sc(hons)
Conservation, Policy & Fundraising Officer

References

Ireland's Peatland Conservation Action Plan 2020, Malone & O'Connell, 2009, Irish Peatland Conservation Council, Lullymore, County Kildare.

Hen Harrier Threat Response Plan 2024-2028, National Parks & Wildlife Service, 2024.

Hen Harrier Conservation and the Wind Energy Sector in Ireland, Supporting document to the Hen Harrier Threat Response Plan. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, 2022.

WINDHARRIER - The interactions between Hen Harriers and wind turbines, Wilson *et al* , University College Cork, 2015.