



Outlook

Fw: Maughanlea ACP-32 4165-26

From SIDS <sids@pleanala.ie>

Date Mon 9/14/2026 8:59 AM

To Honor Caird Marren <honor.cairdmarren@pleanala.ie>

From: Michael Colk <colklinc1@icloud.com>

Sent: Friday, September 11, 2026 4:47 PM

To: SIDS <sids@pleanala.ie>

Subject: Re: Maughanlea ACP-32 4165-26

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Thank you for your help in this

KR. Michael Colk

Sent from my iPhone

> On 11 Sep 2026, at 16:18, SIDS <sids@pleanala.ie> wrote:

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> Hi Michael,

>

> I am unable to open one attachment. It is the only non pdf file.

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> I have attached a screenshot of the said file.

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> Kind regards,

>

> Honor

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> -----Original Message-----

> From: tcnotebook@icloud.com <tcnotebook@icloud.com>

> Sent: Friday 11 September 2026 15:10

> To: SIDS <sids@pleanala.ie>

> Cc: colk Michael <colklinc1@icloud.com>

> Subject: Maughanlea ACP-32 4165-26

>

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> <https://aka.ms/LearnAboutSenderIdentification>]

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>
>
> Hello Honor,
>
> Please find attached my observations, last page - signed- and my covering letter for the above
application.
>
> Can you please confirm for me their safe receipt and that they have all opened up successfully
>
> Thank you. Michael Colk
> <Screenshot 2026-09-11 161638.png>

Honor Caird Marren
Executive Officer
Strategic Development Infrastructure Department
An Coimisiún Pleanála
64, Marlborough Street
Dublin 1.
D01 V902
14/09/2026

Council: Cork County Council.
Applicant: Maughanaclea Ltd: Enerco Energy Ltd, A member of the Craydel Group.
Company Directors/Subscribers: Michael Murnane. David Murnane.
Agents: MKO Planning and Environmental Consultants., Galway.

Re: 10 year Planning permission for Maughanaclea Wind Farm consisting of 14 no. Wind Turbines, a 110vK substation and 110Vv underground cabling connection and associated works located in Ardrah, Maughanaclea, Ballynamought, Gortloughra, Cousane, Coomclogh, Derragh, Glanycarney, Keenrath, Derrynacaheragh, Shiplough, Coolsnaghtig, Mallabracka, Derrylahan, Derreens, Demesne, Dunmanway North, Milleenanannig, and Ballyhalwick, Co. Cork. The surrounding area includes operating windfarms, such as Grousemount, 3.7km to north of Site, and Shehy More, 5.5km southeast of Site, and proposed sites, Curraglass, Gortloughra and Derreenacrinnig, which are currently in the planning process with ACP.

A Chara

I have been invited to make a submission or observation relating to the response to observations from MKO, the consultants who prepared this response dated 25/05/2026 on behalf of the applicant. The letter advises that any such comments should relate only to the contents of section 4.3.2 Nature Conservation.

In the Departments of Housing, Local Government and Heritage letter of 07.04.2025 which was sent to MKO before they submitted their application for the Maughanaclea Wind Farm, it was pointed out;

The European Commission has indicated its concerns in relation to compliance of Irish practice in the area of wind farm developments and grid connection with the EIA Directive, as well as the Habitats Directives, which resulted in the Commission opening an EU Pilot infringement case (8398/16/ENVI) on this matter.

Response to Section 4.3.2 Nature Conservation

There were many letters of observation regarding Ornithology, well researched and written, as well as an Ecologist's report from Dr Will O'Connor Fellow of the Royal Society of Biology, and a Chartered Biologist, Character Environmentalist. An independent planners report covering Ornithology from Hazel McCarthy BA, MSc, MRUP, and a

submission from the Irish Peatland Conservation Council providing substantial evidence on the impact on Birds Species.

There are actually two letters from the Department of Housing, Local Government and Heritage, one of requirements 07.04. 2025 before MKO applied for planning permission and a submission 25.05.2026 forwarded to MKO once the application was made.

The letter of 07.04.2025 set out the concerns of the DAU and the necessary assessments that would be required, in terms of gaining planning permission.

The letter sent in 2025 was very comprehensive and clearly set out the Departments concerns and what was required of MKO in terms of evidence to support their application.

Two important points were:

1. 2025 Cumulative effects (précised): data required in terms of best scientific evidence. ie. The area of displacement /foraging loss through other wind farm developments.... Assess their overall combined cumulative impact and in combination effect. For example, results for species need to be referenced back to the overall populations and their dynamics as, in some cases even a small risk to a population could be considered significant in view especially of other pressures/developments.

2. 2025 Cumulative effects and surrounding areas Cumulative impact on birds from all wind farms in the area needs to be assessed and the data from surrounding sites needs to be considered in the assessment. [ie. Data from the surveys, as opposed to software interpretation].... The Department highlights and emphasises that specific calculations of area of available habitat in the overall area would be required for some species. A quantitative measurement of the availability of habitat in the wider surroundings is required when considering cumulative loss of a species' habitat.

It is very questionable as to whether these points have been assessed in their EIAR to the standard required .

MKO responded to the submission of 25.05.2026 which came from Julie Sullivan, Assistant Principle, Development Applications Unit .

In section 5.2.2 they have stated, 'we would refer the Commission to Section 4.3.2 above where a comprehensive response to any concerns in relation to Ornithology is provided.

This comprehensive response supposedly covers third party submissions, interested bodies, independent experts as well as the Department of Housing, Local Government and Heritage.

Neither sections 4.3.2. or 5.2.2. directly answer or address the observations submitted by one hundred and twenty (120) Third Party Observers. MKO notes in 5.2.2. that 'number of submissions raise concerns that the Proposed Project will have an impact on bird species (e.g. white tailed eagle, hen harrier and other birds of prey). Their response is simply: We would refer the Commission to Section 4.3.2 above where a comprehensive response to any concerns in relation to Ornithology is provided. Given therefore that MKO has only responded to the one government source in 4.3.2, they have chosen not to respond comprehensively to the concerns raised by others. However, MKO has been selective in their response and shows very little if any scientific evidence that the proposed wind will not have a negative effect on bird population of the proposed site.

I have to say that MKO have treated all of the people who wrote submissions with disregard, echoing the lack of community engagement carried out throughout this planning application process. They have also dismissed out of hand all the evidence and reports from independent experts in their field.

However, they have responded to the DAU, which I will look at closely and in great detail. After my first reading of their response it appears very vague, fails to answer many of the concerns raised and lacks any evidence or data to support their view that this wind farm will not have a negative impact upon the Ornithology and Natural Habitats of the proposed site and wider hinterland.

In the pre-application letter from the Development Applications Unit (DAU) the expectations of the DAU in terms of the application clearly state,

'Within the combinations effects and cumulative impacts sections of the assessment regarding the potential effects of the wind farm project. When carried out by the competent authority the appropriate assessment cannot have lacunae and must contain complete, precise and definite findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the project on European sites.'

4.3.2.2 Habitats

Before I comment on whether MKO have comprehensively covered all concerns and in particularly those of the DAU, I need to clarify some confusing areas within MKOs response.

Landscape Attributes Vs Land Use.

Throughout the Habitat section MKO confuses land use with the landscape's attributes, which are entirely different. In many ways it confuses the reader, it appears to suggest that much of the site is commercial forestry, which is misleading and incorrect.

Let's be clear first which landscape attributes are present at the proposed site.

If we look at MKO's Chapter 13 Landscape, they describe the area as, *'the proposed turbines are located along the ridge lines of an upland moorland landscape interspersed with patches of heath, agricultural pastures and commercial forestry'*.

In section 13.4.2, *'the wind farm is located within a remote, sparsely populated, marginal upland landscape, characterised by a mosaic of landcover of agricultural fields, moorland and commercial forestry'*.

Looking at MKO's section Soils and Geology 8.2.7 *'The proposed Wind Farm is located approximately 2.8 km to the East of Kealkill village from the nearest turbine within the Maughanaclea Hills, which is an upland area characterised by rocky outcrops, upland peat and forestry plantations. At lower elevations on these hills there is typically a transition into improved grassland and we heathland'*.

Throughout the Habitat section MKO confuses land use with the landscape attributes. In many ways it confuses the reader, it would appear that MKO are again trying to hide and confuse the issue, by referring to the landscape use and suggesting the proposed site only incorporates commercial forestry and degraded land. Equally, MKO are suggesting that the area has been degraded due the commercial forests and agricultural use. Yes, it is now recognised the damage that has been caused by past decisions; however, these mistakes can be reversed. It is not the case with the building of 14X169 m wind turbines which become a permanent feature.

Based on the Corine 2018 land cover mapping, the majority of the northern turbine cluster of the proposed wind farm comprises peat bogs with some areas in the centre comprising coniferous forests. The southern turbine cluster of proposed wind farm comprises peat bogs and coniferous forests with areas of moors and heathland mapped on the western side.

Land Use is simply what the land is used for. Looking at MKO's original application 7.7.2.2 Forestry and Agricultural Practices, *'some areas within the proposed site and surrounding area are planted with commercial forestry'*, note some areas.

In section 4.3. 2 MKO's suggestion is in conflict with their original descriptions of the area, in saying *'large sections of the proposed site are characterised primarily by commercial forests, considered to be of low value'*. This statement is untrue of the 14 proposed turbines: only, T01, T07, T08, T09, T10 will sit at the edge of the forests. As we will see later in my submission the land is not necessarily of low value.

With reference to the above statements some important points need to be highlighted.

Why do MKO mix landscape attributes and land use? Maybe because they wish to place their focus on commercial forests as main pressure and threat to birds rather than

wind turbines. This goes counter to their own data highlighting a range of birds. Hen Harrier, Chough, White-tailed Eagle, Peregrine Falcon, Kestrel, Red Grouse, Snipe, Buzzard and Sparrow Hawk are present at the proposed site and they thrive. Many of these are birds evaluated by MKO, however there are many more protected birds, as the Development Application Unit (DAU) states: *'from the documents provided it appears that approximately 16 bird species that are either Annex 1 Birds Directive species or Red listed Birds of Conservation Concern in Ireland (BoCC1) were recorded during the field work.'* Issues concerning these birds are raised by the DAU., yet MKO only writes of its KOR birds in this response.

In contrast to the Ecology Report by Dr O'Connor, MKO points out that parts of the proposed site are covered as Conifer Plantations dominated by Silka Spruce. In response, Dr O'Connor makes the valuable point, *'many of these conifer plantations are located on peat soils and contain wet ground, bryophyte and Sphagnum species, ... including around turbines and proposed infrastructure.'*¹

Dr O'Connor adds, *'Conifer plantations on peat can still have hydrological relevance representing modified peat rather than low value forests'*. It is also recognised the boundaries, the outside edges of these plantations support a multitude of birds and other wild life many of which are prey to other bird species.

Edges of forest are not dead as MKO would have us believe, they are teeming with biodiversity, especially with small breeds. I have a forest directly behind my house, during the winter I carry out the Bird Watch survey. I watch the smaller birds, of many breeds, great tits, blue tits, coal tits, chaffinches etc come and feed, many will return to the forest edges. These smaller breeds are also prey for the birds of prey, something I have seen happen, they are part of the natural food chain.

Dr O'Connor points out that MKO's report confirms *'peatlands are a prominent feature within and adjacent to the site....it does not describe low-value agricultural or forestry site alone'*². It identifies a modified upland landscape containing still ecologically important peat land and heathland systems. They contain characteristic vegetation, hydrological function and restoration potential.

The report also confirms three Annex 1 habitat types: dry siliceous Heath, Wet heath and Upland blanket bog.³

¹ Ecology Report, Dr W.O'Connor, page 18.

² Ecology Report, Dr W.O'Connor, page 18.

³ Ecology Report, Dr W.O'Connor, page 18.

MKO 4.3.2.3 Cumulative Effects.

MKO is only considering the letter from the DAU, 25.05.2026. According to MKO this response will cover all the concerns raised comprehensively. MKO focuses its attention on a number of birds, Chough, Hen Harrier, Peregrine Falcon, White-Tailed Eagle, Kestrel, Red Grouse, Snipe, Sparrow Hawk, and finally the Buzzard all of which are considered by them as their KOR species.

MKO presents its answer to the concerns by discussing each bird species individually, they give an explanation of the landscape use, a list of wind farms that sit in their devised category of landscape use, and using limited data and evidence for every bird they have selected.

In MKO Annex 1 Bird Species and Red Listed Species, MKO highlight the key potential risks to bird regarding Wind Farms:

Direct habitat loss, Disturbance/ Displacement and Death through collision.

Their evaluation of these three area of concern are always the same: no significant residual effects of habitat loss, displacement or collision they always add '*no significant impacts on this particular bird are anticipated at county, national or international scale*'.

The main bulk of this section, for each selected bird in turn, MKO gives reasons why the landscape use influences the availability of the habitat for these different bird species.

MKO follows the same focus for each bird species it has evaluated. We start with a long introduction describing the 'land use': this seems to attempt to persuade us that it has been commercial forestry, agricultural use and peat extraction that has been a threat to the habitats which supports birds and wildlife in general. This may have been the case in the past, however, the new threat to the landscape and habitats which is supporting a wide range of bird species, will be the erection of 14 X179 m wind turbines and all the necessary infrastructure to support them. We must not forget the prospect of two years of massive construction activities, an issue that has been totally ignored in regards to the bird species and biodiversity in this land use evaluation.

MKO when discussing each selected bird, states that the main national threats are forest and agriculture. These threats were in the past, such as the main threats for example to the Hen Harrier. However, they totally ignore the threat from Wind Farms as though they do not exist. The Hen Harrier Threat Response Plan 2024-2028, which MKO have not used in their assessment, highlights that the known causes of mortality of adult breeding pairs of Hen Harriers are; natural causes, collision with wind turbines and deliberate persecution⁴. It would be reasonable to say all birds face the threat from wind turbines.

⁴Hen Harrier Threat Response Plan 2024 to 2028, NPWS, Department of Housing, Local Government and Heritage, Department of Agriculture, Food and Marine, Department of Environment, Climate and Communications.

It is also important to acknowledge that the damage and destruction to habitats that support not just the Hen Harrier but a wide range of birds covered under the Annex 1 Birds Directive.

MKO seems to be suggesting throughout their Biodiversity Chapter 6 that this site is a degraded landscape, due to the past practices. However, Dr Will O'Connor Ecologist, *'the assessment at times appears to use habitat degradation as a basis for reducing ecological importance'*⁵.

He further points out that *'under Irish and EU ecological policy, degraded peatland and heath habitats often remain important because they retain restoration potential. Although these habitats are repeatedly described as degraded, the relevés recorded within the site still contains characteristic peatland and heath species'*⁶.

The site has changed but MKO's own evidence shows it is ecologically sensitive peatland and heath land that is supportive of a wide range of protected birds as well as bats, and other mammals of some significance. MKO points out the obvious, yes the forestry and farming has influenced the bird population, however, the introduction of wind farms is now the threat which will influence the birds habitats.

Conifer forests have had a negative effect on birds like the Hen Harrier, but at this site the forests were established many years ago, and there is an abundance of bird species in residence. In the NPWS report Hen Harrier Threat Response Plans 2024-2028⁷ it makes the point that it has been recognised that past forestry and farming practices have had a dramatic impact on bird species, introducing wind turbines into the equation is now the biggest threat to birds such as the Hen Harrier.

However, I have to repeat that the commercial forests are only a part of the site, as can be seen from maps and visiting the site. Studying MKO's data there is an abundance of bird species that are either Annex 1 Birds Directive species or Red listed Birds of Conservation Concern in Ireland at this location as well as a whole range of habitats available to the different bird species and their populations.

The Commission directed the DAU submission to MKO, as it is the government respondent and therefore has authority to highlight concerns on a number of bird species in regards to their proposals. However, MKO has chosen not to comment on bird species that are not on their KOR list. At the same time MKO has stated that they have made a comprehensive response to all concerns in their reply to the submission

⁵ Review of ecology reports, Maughanaclea Renewable Energy Development Ecofact, Dr Will O'Conner p 9 May 2026

⁶ As above

⁷ Hen Harrier Threat Response Plan 2024 to 2028, NPWS, Department of Housing, Local Government and Heritage, Department of Agriculture, Food and Marine, Department of Environment, Climate and Communications.

from the DAU in section, Section 4.3.2 Nature Conservation. A rather confusing situation it seems a case of the tail wagging the dog. It is not for MKO to say which birds they will cover and which they will ignore: they should provide answers and evidence to the concerns that have been raised by a government body as well as other submissions.

I will cover a few of those bird species MKO have made mention, although the outcomes are always the same. Then I will look at some of those they have decided to ignore.

Choughs

There are a number of very good third party submissions looking at the impact of wind turbines on protected birds such as the Chough.

The Chough is listed as a protected species on Annex 1 of the EU Birds Directive. They are on the decline in many areas and their Amber status is considered vulnerable. The Chough has been listed on four close-by WF bird surveys, Maughanaclea, Gortloughra, Derreenacrinnig and Curraglass showing that the local area is unique in that Choughs are being found inland of the coastline.

At the proposed Maughanacalea site the Chough has been observed 186 times from the vantage point surveys alone. Some Choughs have been observed within 300 metres of a proposed turbine site, clearly there is extensive open ground to attract the Chough to this area.

Numbers of Choughs have begun to colonise inland upland areas moving from their traditional habitat preferences. However, it is important to bear in mind that they are an ecological sensitive species. As Bird Watch Ireland pointed out in 2015 report, adult Choughs remain in the same nesting site throughout their reproductive life, round 10 years and some instances lasting 20 years. Some nests have remained active across multiple generations. Choughs are very vulnerable to disturbance during feeding and habitat loss.

The Collision risk is not the main danger for the Chough: it is the loss of the habitat, their nesting sites as well as displacement. MKO's earlier paragraph Annex1 Bird Species points out very clearly a major threat to birds is direct habitat loss, an issue that MKO has not covered effectively enough in regard to this protected species.

In the case of the Chough the risk of collision with turbine blades will be minimal partly as it is a low flying bird. The danger will be dramatic loss of habitat particularly during the construction phase, an area of major concern that has not considered or evaluated by MKO. They fail to take this into account in 7.5.5 Likely effects, 7.5.5.1 Displacement from construction activity is not reported for the Chough. MKO followed guidance from BioSphere Services which is not available. The effect is considered not significant;

knowing the behaviour of the Chough this evaluation seems incorrect and not scientifically proven.

MKO has ignore the impact of these turbines during construction and final completion , on direct habitat loss, disturbance and displacement. They produce no evidence or data to show that that will the case. A 2018 report from the UCC concluded , *'further research into wind farm impacts on birds should look beyond the effects of turbine presence and take into consideration effects of construction, associated infrastructure, and changes in land use and habitat composition'*⁸.

MKO has stated in their EIAR that heavy machinery and explosives will be used when constructing the turbine bases. Constructing turbine bases for 14 turbines over a period of two years. will cause enormous disturbance and stress for such a sensitive bird.

In the final paragraph MKO, *'no significant residual effects of habitat loss, displacement were reported else where,'* but MKO have not given an explanation or shown us data or evidence with regard to the Maughanaclea site if they have it. The very nature of the Chough means the construction period will have a dramatic effect on them in terms of direct habitat loss, disturbance and displacement. In support of their assertion we also are told no other wind farm within a radius of 25 Km has a significant problem, which seems very unlikely.

MKO suggests that the Chough can move elsewhere. The important point is the Chough are often dependent on specific grazing regimes, prey availability and landscape structure. MKO have over simplified the ecological reality, they can not say with any certainty that Cough will simply move elsewhere, and this again is not scientifically proven.

Finally, for Choughs (like the other KORs) some predicted collision data is provided. We are told that information on collision risk at other wind farms was available; however, they only provide predicted data from two Wind Farms out of a long list, in fact, Gortrahilly and Gortloughra. Rather strange as Gortloughra planning application was refused by Cork County Council, and now with ACP. Gortrahilly has been given planning permission and may not yet be constructed. Simple question, why did MKOs response not show their own own predicted collision risk data, during the breeding season, 0.088 and winter 0.014.

As Dr O'Connor points out on numerous occasions MKO down play their own evidence. *'the principle issue is not an absence of ecological information, but rather the*

⁸Effects of development of wind energy and associated changes in land use on bird densities in upland land area, Conservation Biology, UCC, 2018

interpretation of that information and the degree to which ecological sensitivity and residual uncertainty are downplayed within the assessment'.⁹

MKO have not proven their arguments effectively, using data or other evidence so as to leave substantial scientific doubt. The effect of the turbines on the Chough in terms of habitat loss or disturbance or displacement which are the direct significant dangers for these birds. Again the DAU, *'disturbance, displacement, fragmentation may also be an issues and the comment on available data should be considered in the context of any scientific doubt'*.

The general description of cumulative effect on Choughs seems very vague in response to the DAU, a government body. More significantly the response is very poor in regards to providing data and evidence to support MKOs claims of *'no significant effects'* which seems to run throughout this document, in particular I would expect a much more data driven approach to gain planning permission from ACP.

We need to bear in mind that in terms of cumulative effect this West Cork area has numerous other wind farms within 25km of this site, reducing the ability of the Chough to find alternative feeding and breeding grounds. There is also a possibility that there will be a reduction in possible flight corridors. The DAU makes a very valid comment, many of the documents state that species can use habitats else where but this does not seem to take into account the other 28 wind farms within 25 Km, 8 within 8Km. I would point out this includes three recent applications sitting with ACP for Curraglass, Gortloughra and Derreenacrinnig West, which will be within 5Km of the proposed site. More worrying is that MKO in their Landscape and Visual Section 13 of their EAIR suggest on a number occasions that in their opinion the Maughanacneas Hills are an ideal site for further development of Wind Farms, so these may not be the end game.

I have along with other third party submissions raised a number of concerns in regards to MKO evaluation of evidence and their dismissal of barriers to their project.

The responsibility for addressing these issues and concerns now lies with An Coimisiun Inspectorate to explore and assess.

Hen Harrier

The Hen Harrier is Ireland's rarest raptor. Ireland is home to the most westerly population of these raptors with 60% of the population within the counties of Muster. This bird species feed on small birds and small mammals such as mice. They are found in areas of low intensity farming, young conifer forests, in bogs and in moorlands, which is a good description of this particular site.

⁹Review of ecology reports, Maughanacnea WF, Dr W.'Conner, Ecofact 2026

According Dr O'Connor Ecologist, the Hen Harrier is the most important ornithological issue arising from MKOs assessment. The surveys carried out by MKO highlighted the repeated use of the site by Hen Harriers during post-breeding and winter periods. There is a strong possibility that some Harriers may originate from Mullaghanish to Musheramore Mountains SPA. This raises the question as to whether Hen Harriers using the Maughanaclea are linked to the SPA site. Birds do not recognise boundaries drawn on a map, or abide by assumptions made by humans.

The Hen Harrier has been observed at the site, it is an Annex 1 species under the EU Birds Directive. Irelands population has declined by 22% between 2015 and 2022 from 106 breeding pairs to 85, possibly due to its loss of habitat, peatland. MKO report 33 observations in total on the Maughanaclea proposed site.

According to the Irish Peatland Conservation Council (IPCC) , the total of 33 sightings is, 'conclusive evidence that this species is utilising this site and that it should be zoned out of renewable energy development'¹⁰.

This site location suggested by the IPCC for the Hen Harrier is prefect, and there are a number of areas that are ideal for Hen Harriers . One example is located at the westerly end of the site, Lough Naibree and the Ardrah Bog. From a hydrology perspective, the bog and the lake appear linked. There are also nearby water bodies including Lough Carrignaneane. In Non-Technical Summary Chapter 6 the NPWS highlights the site consists one of the last open peatland, heath sites in the area. There are other sites near the Cousane Gap which are clearly being used by the Hen Harrier.

MKO proposes major construction and excavation work at the Lough Naibree location. Chapter 4 in their EAIR describes the construction plans, new internal access tracks across the site, and the erection of turbines 12, 13 and 14. This will not only destroy the peatland, bog and Lough Naibree but a valuable habitat for the protected Hen Harrier and other protected birds.

The IPCC points out in their submission, 'Article 4(4) of the Birds Directive states that "Member States also strive to avoid pollution or deterioration of habitats",¹¹ outside of SPA meaning the Harrier is also protected outside of the SPAs'. This has been incorporated in Irish Law under Regulation 27. Thus, there is an obligation on public authorities such as the An Coimisiun Pleanala to take steps in their decision-making to strive to avoid pollution or deterioration of [Hen Harrier] habitats outside SPAs when making their decisions and providing consents.

This requirement also reflects the fact that although areas may not be identified as appropriate for classification as SPAs for particular bird species, birds rely on movement

¹⁰ Irish Peatland Conservation Council, Submission to ACP, Maughanaclea Wind Project, 19.04.2026

¹¹ Irish Peatland Conservation Council, Submission to ACP, Maughanaclea Wind Project, 19.04.2026

throughout the countryside to support a range of important behaviours and ecological requirements.

The DAU in their submission clearly points out that *'a large area of the proposed development site is comprised of potentially suitable Hen Harrier foraging habitat (including heath and bog habitat, which is of particularly high value for the species) and the displacement attests of the wind farm could potential result in the loss of large foraging resource for the known Hen Harrier population¹²'*. This point has not been effectively addressed. The DAU highlights the foraging behaviour of breeding pairs may be influenced at distances conceivably up to 11.4km from extant turbines, an issued not considered by MKO in terms of cumulative effect¹³.

As pointed out in the letter from the DAU, taking their data from MKO application, *'a large area of the proposed development site is comprised of potentially suitable Hen Harrier foraging habitat, heath and peat bog'*. MKO provides their opinion in that this land is degraded; however, according to Dr O'Connor this is far from the truth. He points out that MKO constantly down grades the actual habitat within the area of this project. This results in MKO failure to consider the impact of their project on the Peatland Habitats that are present across the site, an important habitat for many birds such as the Hen Harrier.

Dr Will O'Connor's section 2.2.3 in his report makes a number an important point regarding this issue. , MKO's assessment, *'repeatedly identify failures associated with drainage, erosion, disturbed bare ground etc. ...these...demonstrate that the peat systems are already under pressure and potentially hydrologically vulnerable. This can be a danger to the habitats of different protected bird species'*.¹⁴

Clearly this location is not as MKO suggests mainly commercial forestry, it should be again noted that NPWS highlighted the proposed site contains one of the last open peat land/heath sites in the area. In terms of the Hen Harrier MKO proposes that a stronger and more detailed case is the threat to Hen Harriers is the commercial forests. and the removal of features for agriculture. The next paragraph again makes comments of forestry being of no value to the hen harrier, in direct contrast to my comments regarding the edge of the forest provides a habitat for small birds that are prey for the Hen Harrier.

Revisiting a comment I made earlier, The Hen Harrier Threat Response Plan 2024-2028 highlights that the known causes of mortality of adult breeding pairs of Hen Harriers are; natural causes, collision with wind turbines and deliberate persecution. This can be applied to number of bird species present at this location.

¹²DAU, Letter 07/04/2026

¹³DAU, Letter 07/04/2026

¹⁴Review of ecology reports, Maughanaclea WF, Dr W.'Conner, Ecofact 2026

The Wind Harrier Project found that Hen Harrier densities were lower at wind energy sites and densities were lower closer to the turbines than at control sites possible indirect negative effects of wind turbines. Later research observed lower nest successes within 1KM of wind turbine.

In their section on Hen Harriers MKO considers the cumulative effects of the surrounding wind farms again gives names of wind farms located in commercial forestry, farm land and open uplands. Again is not clear as to the purpose of these statements.

As with each of KOR birds MKO discusses the predicted risks to birds from five Wind Farms a mix of existing, permitted and proposed. Again as with the Chough, MKO using very limited data state there will be 'no significant of habitat loss, displacement or collision risk to Hen Harriers'. MKO focuses mainly upon the danger of bird strikes as the main issue rather than habitat loss, a disturbance and displacement.

As before, predicted results are used, looking at the figures again they suggest no significant effect in terms of collision, however, there is no data or evidence of no effect to habitat loss, disturbance or displacement.

In terms of habitat loss the evidence clearly shows that the loss of habitats would have devastating effect on the Hen Harriers. The IPPC¹⁵ points out recreation of creating this type of habitat else where has not proved to be successful. They also make a strong point that it is not up to developers to decide where conservation will happen, especially where there is evidence of a species on the brink of extinction. The recreation of a biodiversity area cannot replace the value of an intact, functioning ecosystem. Clearly there is no scientific evidence that the recreation of a biodiversity will work.

It should be noted that the issue of displacement is not considered by MKO in any detail. In terms of displacement alone, the DAU¹⁶ points out evidence suggests Hen Harriers avoidance of suitable habitat within 250m of turbines, with a predicted flight activity within 500m. This issue has also been highlighted in the Hen Harrier Threat Plan. This Wind Farm construction would mean a potential loss of a large area of foraging resource. Foraging behaviour of breeding pairs may be influenced at distances up to 11.4 m from extant turbines.¹⁷ There is no indication of a response to this very relevant point from MKO.

Wind Farms can affect Hen Harriers through behavioural displacement, reduced habitat use, fragmentation of foraging area, and cumulative landscape avoidance.

¹⁵ See submission Irish Peatland Conservation Council, Letter of submission 19th May, re Maughancleas Wind Farm

¹⁶ See submission Irish Peatland Conservation Council, Letter of submission 19th May, re Maughancleas Wind Farm

¹⁷ Hen Harrier Threat Response Plan 2024 to 2028, NPWS, Department of Housing, Local Government and Heritage, Department of Agriculture, Food and Marine, Department of Environment, Climate and Communications.

There is no response to the DAU's point that no assessment seems to have been carried out regarding the impact on winter harriers.

The DAU raised its concerns regarding cumulative effects, clearly the data presented is very limited and weak, MKO just repeats its assertion that there will be *no significant cumulative effect* due to high concentration in the area, possibly up to 300 individual turbines within 25km, let alone the possibility of four closely together in this location.

I have along with other third party submissions raised a number of concerns in regards to MKO evaluation of evidence and their dismissal of barriers to their project. The responsibility for addressing these now lies with An Coimisiún Inspectorate to explore and assess.

The responsibility for addressing these issues and concerns now lies with An Coimisiún Inspectorate to explore and assess.

White-tailed Eagle

I will only briefly discuss this bird as there has been a lot said already in many third-party submissions and similar. MKO accept that this rare bird the White-tailed Eagle collisions have occurred in the state. However, the consultants believe they have not spent much time in the air within the rotor swept area of this Wind Farm proposal, so here is little risk of collision.

First of all, it is important to point out that many people in the local area have seen these birds.

The DAU clearly points out that this area along the Cork-Kerry border has been used regularly by this bird over the years with a number of casualties, the most recent last year at nearby Grouse Mount wind farm.¹⁸

*'Cumulatively turbine strikes now account for 19% of casualties where the cause of death has been established.'*¹⁹

MKO has said that due to the lack of flights it is not possible to predict possible collisions. However, they have not researched the introduction to the area of this bird species. Did they approach the NPWS?

They do however highlight that the location of the wind farm, *'provides attractive thermals or corridors for travelling and hunting'*.

¹⁸ See letter to MKO from the DUA, 26 May 2026, page 3.

¹⁹ White-tailed Eagle Phase 11 release: report 2025

However, as the DAU points out siting the of wind turbine on ridges above the valleys where White-Tailed Eagles are likely to use rising air current to obtain "*orographic lift to gain altitude*",²⁰ will attract eagles into rotor swept areas of the turbines which in turn is likely to increase the risk of collision. This possibility should have been assessed. A study carried out in the Baltic regions regarding White-tailed Sea Eagles found that this species of bird, '*might be negatively impacted by wind turbine proximity, ... impactful distances between breeding raptors and wind turbines can be much larger than often considered*'²¹.

The Maughanaclea wind farm is one of a number of wind farm proposals along this Scenic Route following the R585, thus creating a corridor effect of wind farms, adding to the cumulative risk of collision for this species of bird. The DAU asked for this to be considered during the the collision and mortality risk assessment²². This issue was also pointed out in the DAU pre application letter,²³ however, this assessment is not evident.

Again the first letter from the DAU it was pointed out '*the reintroduction programme is at a very critical phase, where production of sufficient wild bred eagles over the next few years will determine the survival of the population. studies emphasised the importance of controlling mortality in the current early stages*'²⁴.

There is plenty of doubt regarding the effect of wind farms in regards to this bird, MKOs response does not meet the DAU requirement of providing complete, precise and definite findings and conclusions capable of removing reasonable scientific doubt.

The Curlew Bird Species

MKO have said that they have responded comprehensively to any concerns in relation to Ornithology. 5.2.2. However, there is no response to the DAUs concern regarding the Curlew. This especially concerning as the DAU points out that the breeding and other observations of the Curlew is a major conservation concern nationally. In Ireland it is critically endangered, it has been seen on this site this by MKO so why no comprehensive response. The Curlew is endangered and facing extinction as a breeding bird due to a catastrophic collapse of its population. It is listed as Red List (BoCCI) and Near Threaten globally (IUCN). This development threatens its habitat and restoration of bog areas are needed to prevent local extinction. It is pointed out by the DAU wind farms significantly affect Curlews through as with other bird species habitat

²⁰ See letter to MKO from the DUA, 26 May 2026, page 4.

²¹ Reduced survival in soaring bird breeding in wind farm proximity along the northern Baltic coast, Biological Conservation, Science Direct 2024.

²² Letter from the DAU, 25.05.2026, this is the letter MKO are answering to 4.3 Development Application Unit.

²³Pre Planning letter from the DAU 07.04.2025

²⁴Pre Planning letter from the DAU 07.04.2025

loss and disturbance during the construction period. This will lead to Curlews abandoning their breeding sites, which often do not recover. MKO has totally failed to respond to the major concerns regarding the endangered Curlew.

Other Bird Species of Concern

There are concerns about other important birds of prey species such as the Merlin. With regards to this bird there are indirect effects with the reduction of prey birds due to the closeness of wind turbines.

With regards to the Merlin there are disturbance effects as well as indirect effects with the reduction of prey birds. The Windharrier study²⁵ highlighted that small bird densities were lower at wind farm sites.

The DAU highlights the Meadow Pipit, a BoCCI Red Listed prey species of conservation concern in Ireland as well as the Skylark Amber listed, neither of these bird species are mentioned in MKO's response to 4.3.2 Nature Conservation.

It appears that MKO have been very selective in the bird species they have commented upon, their elected KORs. They have not commented on a number of birds that DAU has concerns about in regards to habitat loss, disturbance and displacement. These birds however, are listed on MKO Ornithology Appendix 7-4 Survey Data. They failed to answer concerns for other birds species including : Golden Plover, Goshawk, Goldeneye, Grey Wagtail, Ring Ouzel, Stock Dove, Woodcock and finally the Whooper Swan.

Birds General

The surveys themselves demonstrate that the site forms part of an active upland ecological landscape used by multiple protected and endangered bird species.

Dr O'Connor notes that the chapter openly acknowledges repeated Hen Harrier activity within the site, post-breeding and winter use by Hen Harrier, confirmed breeding Chough, breeding Red Grouse territories, Peregrine activity associated with likely breeding territories and the presence of multiple raptor species. This gives the assessment a degree of credibility because it demonstrates that the ecological sensitivity of the site has not been ignored.

However, despite this, Dr O'Connor points out the assessment repeatedly concludes that the resulting impacts are generally slight, low or not significant. He states: in several areas, these conclusions appear more optimistic than the underlying survey data fully support.

²⁵ Windharrier, Final Project Report 2015, School Biological, Earth and Environment Science, UCC.

Time does not allow me to discuss all the KORs MKO did assess in their response; however, each follows a similar pattern to conclude that there is *'no significant residual effects of habitat loss, displacement or collision risk to these protected birds'*. This seems very unlikely.

As Dr O'Connor points out MKOs conclusion *'illustrates a recurring issue throughout the chapter whereby ecological effects are frequently down classified through significant matrices despite substantial ecological sensitivity being acknowledged within the baseline'*.

Just one last point, counting up the non-target bird species recorded by MKO there were 70 different species. There is mass of data that shows the this site is unsuitable for wind farms, this site is not only awash with different bird species but it is a biodiversity haven needing protection.

Mullaghanish to Musheramore Mountains SPA

MKO acknowledges the proposed development lies within a wider ecological landscape section of Mullaghanish to Musheramore Mountains SPA and the Bandon River SAC. The application area is hydrologically linked to the Bandon River SAC 2171 via tributaries and appears also at the eastern end of the application site to be partly within the SAC²⁶.

However, within section 4.3.2 of their response they fail to discuss that the proposed site lies within this protected ecological landscape and the possibility of an ecological connection. Birds do not recognise artificial boundary lines drawn on a planning map. These protected birds species migrate, forage, roost and beyond the formal but invisible limits of designated protected European sites.

Birds species, such as the Hen Harrier associated with the SPA have been recorded at the proposed wind farm site. As Dr O'Connor points out from MKOs report, *'the origins of the Hen Harrier cannot be confirmed and that they may be associated with this SPA. Once the ecological connection is accepted, the assessment must consider whether the wind farm site provides functionally linked habitat supporting the SPA population'*.²⁷

In the independent planners report, it was pointed out, *'the fact that protected bird species associated with the adjacent SPA have been recorded within and around the proposed development area materially strengthens the concern regarding collision risk, replacement, disturbance and cumulative ecological pressure'*.²⁸

²⁶ G Pre Planning -C-Maughanaclea, 07.04.2025 Developement Application Unit, Wexford.p 2

²⁷ Review of Ecology Issues, Maughanacneas WF, Dr W.O'Connor.

²⁸ Independent Planners Report, Hazel McCarthy BA, MSc MRUP, planning sport submitted by Joe Noonan Solicitor.

They further added, ' *it also demonstrates that the proposed turbines would not operate in ecological isolation from the designated site*'.

The loss of Annex1 habitats outside the SACs areas should be avoided, MKO confirms the presence of Annex 1 habitat types, dry siliceous Heath, Wet heath and Upland blanket bog

In terms of cumulative effect it is reasonable and possible to state that the proposed wind farm and other wind farms proposals in the area awaiting decisions could have negative effect on the Mullaghanish to Musheramore Mountains SPA, in terms of endangering protected birds as well as negatively affecting the overall biodiversity of this location.

Habitats Directive requires that planning decisions must ensure that there are no adverse effects on the integrity of European, or Natura, sites, for a project or plan to be consented to under Article 6(3) of the Habitats Directive. Furthermore, judgments of the European Court of Justice and the Irish courts have set out that appropriate assessments should "*include complete, precise and definitive findings and conclusions that are capable of removing all scientific doubt as to the effects of the proposed development on ... [sites] concerned*" (High Court, 2014).

Conclusion followed by final words

At this stage I need to assess whether MKO in section 4.3.2 have comprehensively met the DAU requirements, as well as my own. The DAU asked for precise and definite findings and conclusions capable of removing all reasonable scientific doubt and as third-party respond I would be looking for similar.

The DAU has stated very clearly in regard to collision and mortality, '*risk must be fully assessed it should be borne in mind that assessment cannot have lacunae and must contain complete, precise and definite findings and conclusions capable of removing all reasonable scientific doubt*'.²⁹ This is made clear in their pre application letter to MKO April 2025. This statement was repeated again in the DAUs letter of May 2026, which incorporates the concerns that MKOs section 4.3.2 should be addressing.

MKO have focused on the possibility of bird collision with the wind turbines. The data and evidence they present is very limited, reason given that most Wind Farms in this area had not reported birds being killed by turbine blades. This needs to be challenged hard and data collected, failure to do that highlights the lack scientific certainty. MKO chose not to use the data they collected or to see if different statistical modelling may have resulted in more accurate results for bird collisions.

²⁹DAU letter to MKO 07/04/2025

Taking for example the possible collision data for the Chough: only two wind farms out of a long list are used to show how that there is no danger to birds using this small level of predicted data. Looking at the collision data for the Hen Harrier there were only four wind farms figures. This is supposed to judge the cumulative impact of all these Wind Turbines in terms of possible collisions. We need comprehensive evidence and data to make such an important decision, not just two or four predicated results. The question has to be where is the up-to-date data. My understanding is that Wind Farms are supposed to supply this data to the County Councils each year, for at least 10-15 years, so why is this not being used to assess the cumulative effect on the bird population at this location?

Collision Monitoring

The DUA raised concerns in the first letter of 07 April 2025 regarding collision effect. They point out 'collision assessment and modelling will be very important and there is a need to note that a Tipperary study showed scavengers were present at a bird course within 45 minutes of being placed in the vicinity of a wind turbine that 72% of corpses were gone within 5 days. It also been suggested by Ornithologists that collecting dead birds near turbine does not give a full picture as bird hit and injured by turbines blades manage to fly further away before they hit the ground. Counting the bodies of dead birds is hardly a very accurate way of assessing the number bird killed by turbine blade.

Dr O'Connor makes a very valid point regarding collision conclusions, '*certainty expressed in some conclusions arguable exceeds the precision of the available evidence*'.

The responsibility for addressing these issues now lies with An Coimisiun Inspectorate to explore and assess.

Habitat Loss

Looking at the consequences due to habitat loss, disturbance and displacement, it is suggested that in all cases involving KOR bird species 'there is no significant effect'. However, there is little or no evidence to support this opinion. Again there is a distinct lack of credible evidence to support these claims, and remove scientific doubt. The DAU points out that displacement effects are often not calculated for or migrated for.

In terms of habitat loss, MKO suggests effects are not significant because habitats are wide spread else where. However there is little evidence to support this claim. There is plenty of evidence to show the area is part of active upland ecological landscape used by multiple protected birds. Dr O'Connor points out it is not the absence of ecological data, but MKOs interpretation and their degree of certainty to their conclusions.

Concerns about disturbance and displacement are similarly dismissed as 'no significant effect' on the bird species in the area. The reasoning is as for habitat loss, bird species can go else where.

This forms the basis of their conclusion that there will no significant effect on the bird species at this site. The principle issue is the interpretation of the ecological data and the extent to which MKO downplays ecological sensitivity, habitat function and cumulative landscape effects.

MKO's general conclusions suggest that habitat loss , disturbance and displacement are not a problem as birds can easily go elsewhere. As pointed out earlier in my submission, the DAU suggests that MKO 'misses the point of cumulative impact. it was noted that many of the documents state that species can find habitats elsewhere' totally ignoring the large number of wind farms within 25Km of this site.

MKO's response to the Development Application Units is very limited and has failed to provide comprehensive evidence and data that the issues raised by them have been resolved. The data and evidence produced has highlighted an area of ecological importance, and MKO approach has been to down play what has been found in terms bird species, the range of habitats to be found. There are indications of some area of degraded landscape due to forestry and agriculture, but not to the point that this degradation cannot be reversed.

Final Words.

An Coimisiun Pleana has now to decide whether MKO has addressed the Ornithology concerns of the Development Application Unit, consideration must be given to the independent reports submitted on the communities behalf, as well as the many comprehensive submissions made by individuals.

MKO has not comprehensively answered many of the points raised by the DAU, if any. They have deliberately ignored what has been asked of them and have set their own agenda rather than provide evidence and data to answer very legitimate questions and concerns by a Government Department. Many of the points raised by the DAU have not been answered, where they have they do not meet the requirement of providing complete, precise and definite finding and conclusions capable of removing reasonable scientific doubt.

A particular area of concern for the DAU was the cumulation of the number of wind farms within a 25 Km radius of this site. The assessment methodology for the cumulative effect was very weak leading to scientific doubt.

The cumulative effect of other wind turbines within 25Km has not been assessed in any meaningful way. The possibility of 300 turbines according to MKO will have, 'no significant effect' on the area, in particular regards to Ornithology. MKO has a very

simple answer, bird species will go elsewhere, which would be difficult being surrounded by wind farms. Clearly MKO/Enerco also have further ambitions to expand even further into this location with more wind farms.

MKO presents lots of data in their planning application, in many respects very detailed and comprehensive. The question concerns MKO's interpretation of their data, Dr O'Connor states, *'the principle issues relate to the interpretation of the ecological data and concludes that the resulting impacts are generally slight, low or not significant, ... these conclusions appear more optimistic than the underlying data fully support'*. This is an issue that he raises throughout his evaluation of MKO Ecology reports in the application.

A comprehensive response this is not, it is just brief resume leaving out the detail and data needed to be an answer to the legitimate question from the DAU. The reality is that MKO's data does not support their application as it shows a location with a high density of protected birds supported by valuable habitats, with a possible link to the Mullaghanish to Musheramore Mountains SPA.

We have looked at cumulative effect of the surrounding areas due to this wind farm proposal. I will briefly look at the issue from a different direction, the cumulative effect of very wide range of bird species at this location, supported by a wide range of habitats and biodiversity. MKO's data clearly supports and highlights this fact. Many of the bird species are in decline and protected, likewise the different elements of the habitats are under threat. The landscape is not as degraded as MKO suggests, in reality the landscape can be restored over time. Climate change is linked to other crises facing Ireland. Ireland has a target of 30% restoration of its natural environment. We have a biodiversity crisis, Ireland has one of the worst levels of biodiversity degradation in Europe. It is clear from the evidence gathered by MKO that this site is unsuitable for Wind Farm development.

There are two questions for An Coimisiún Pleanála;

- 1) Have MKO met the criteria; the appropriate assessment cannot have lacunae and must contain complete, precise and definite findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the project on European sites?
- 2) Does MKO's response demonstrate that the proposed development will meet Ireland's and European nature conservation obligations?

Thank You

Honor Caird Marren

Executive Officer,

An Coimisiún Pleanála 64, Marlborough Street Dublin 1. D01 V902

PAX04. 324165.

Re: 10 year Planning permission for Maughanaclea Wind Farm consisting of 14 no. Wind Turbines, a 110vK substation and 110Vv underground cabling connection and associated works located in Ardrah, Maughanaclea, Ballynamought, Gortloughra, Cousane, Coomclogh, Derragh, Glanycarney, Keenrath, Derrynacaheragh, Shiplough, Coolsnaghtig, Mallabracka, Derrylahan, Derreens, Demesne, Dunmanway North, Milleenanannig, and Ballyhalwick, Co. Cork. The surrounding area includes operating windfarms, such as Grousemount, 3.7km to north of Site, and Shehy More, 5.5km southeast of Site, and proposed sites, Curraglass, Gortloughra and Derreenacrinnig, which are currently in the planning process with An Coimisiún Pleanála.

Please find enclosed my observation to MKO's response of 14/07/2026.

To confirm my details:

Name: Michael Colk

Address: The Gathering, Gortnacowly, Bantry, P75 V065, County Cork.

Email Address: tcnotebook@icloud.com. colklinc1@icloud.com

Enclosures: My observations (21 pages),
A copy of the last page with my signature,
Appendices A/B

Could it please be noted that this application is one of a group of FOUR wind farm applications currently with An Coimisiún Pleanála for consideration. All four locations are within FOUR/FIVE kilometres of each other in this tiny area of West Cork, North of Bantry. The cumulative impacts of one on another and the receiving environment must be evaluated rigorously for the potential devastating effects they may cause.

Details of the applications are as follows:

Name	References	Potential Decision Date	Details
Curraglass	PL88.500665	Soon	3 turbines, 156.5m tip height
Derreenacrinnig	PL-501243-WC-26	October 2026	3 turbines, 119.5m tip height.
Gortloughra	322743-25	Open for further information.	8 turbines, 175m tip height.
Maughanaclea (SID)	PAX04. 324165	29/04/2027	14 turbines, 169m Tip height.

Thank you.

simple answer, bird species will go elsewhere, which would be difficult being surrounded by wind farms. Clearly MKO/Enerco also have further ambitions to expand even further into this location with more wind farms.

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- 1) Have MKO met the criteria; the appropriate assessment cannot have lacunae and must contain complete, precise and definite findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the project on European sites?
- 2) Will MKO's response, demonstrate that the proposed development will meet Ireland's and European nature conservation obligations.

Thank You

Michael Colk 11.09.26

Michael Colk B, BSc (Hons), MA. The Gathering, Gortnacowly, P75 V065, Bantry, County Cork