
Fw: Maughanaclea ACP-324165-26

From SIDS <sids@pleanala.ie>

Date Fri 9/11/2026 2:53 PM

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

 1 attachment (16 MB)

PDF FINAL 11 09 TLC Maughan Birds .pdf;

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

Sent: Friday, September 11, 2026 2:30 PM

To: SIDS <sids@pleanala.ie>

Cc: colk Michael <colklinc1@icloud.com>

Subject: Re: Maughanaclea ACP-324165-26

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Hello Honor

Please find attached my observations, The covering letter, appendix A/B and a copy of the last page is on the next email to you.

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Thank you. Teresa Colk Lynch

> On 9 Sep 2026, at 12:41, SIDS <sids@pleanala.ie> wrote:

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Honor Caird Marren
Executive Officer
An Coimisiún Pleanála
64, Marlborough Street
Dublin 1.
D01 V902

11/09/2026

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 110V/k underground cabling connection and associated works located in Ardrah, Maughanaclea, Ballynamought, Gortloughra, Cousane, Coomclogh, Derragh, Glancyrne, 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 Derreenacinnig, which are currently in the planning process with An Coimisiún Pleanála.

A Chara

I have been invited to make a submission or observation relating to the response to observations from MKO, the consultants who prepared the response dated 14/07/2026 on behalf of the applicant. The letter from An Coimisiún Pleanála advises that any such comments should relate only to the contents of Section 4.3.2 Nature Conservation. Whilst mindful of not making comment on other sections, I am first linking back to a small part of my original submission to bring a few salient points to the Commission's attention once again, and then the main part of this observation is directed towards the section itself, and includes a quantitative evaluation of the Cumulative Collision Risks presented, (pp.11-13).

My original submission to An Coimisiún Pleanála is strictly grounded in planning law and policy. Its observations demonstrated clearly that the proposed wind energy complex materially contravenes multiple planning policies and legal requirements, and the documents presented in the application have significant substantive shortcomings.

First, MKO states that they only make a cursory nationwide search for possible sites before choosing these townlands, whilst confirming their decision-making is based on whether a site would be profitable or not:

3.2.3. The process of identifying a suitable location for a development such as the Proposed Project is influenced by a number of factors. While wind speeds, the extent of suitable or available land, proximity to the grid connection point, and planning policy are all very important, a wind farm project must be commercially viable/competitive, as otherwise it will not attract the necessary project finance required to see it built. The Site has been identified

as having potential for a wind energy development as a result of a nationwide search of suitable lands.¹

It is the slightly arrogant expression of '*all very important*' that shows clearly the priorities and intentions for this project are purely commercial: not fancifully meeting climate objectives, energy targets, respecting biodiversity or nature conservation, which all go unmentioned.² No alternative sites, local or national, new or to be re-powered, are provided for An Coimisiún Pleanála to consider. Commerciality is however, not something to be considered under the Planning and Development Act 2000 with amendments, and/or its guidelines, which are there to ensure proper planning and sustainable development takes place.

Second, it is important to bear in mind that part of the actual proposed site, situated in the townland of Ardrah, has already been assessed rigorously for wind farm development and subsequently refused by An Bord Pleanála; a factor that is completely missing from the completed application. Having been refused permission in July 2014³ the individual landowners seemingly accepted the decision and did not take this further to the High Court. Having bided their time, the same consortium have now placed their lands within Enerco's proposed development even though the reasons for the ABP's refusal have not changed. The agent finally acknowledges that a high level planning refusal exists for Ardrah, which is a step forward. The ABP planning refusal states that the proposed wind farm development would seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area. (An Coimisiún Pleanála may wish to consider that that 3 of MKO's proposed 14 turbines (T14, T13 and T12) are proposed for these Ardrah lands, as well 5 turbines for the adjacent townland). In comparing the two applications, the turbines of 2014 had a hub height of 64 metres and a rotor diameter of 71 metres, making a tip height of 99.5metres, whilst the 2026 application is for wind turbines with a hub height of 102.5 metres, a rotor blade diameter of 133 metres, and turbine an overall turbine tip height of 169 metres. So, it is clear the current proposed project certainly differs materially from the refused development in terms of scale, design, and turbine technology in that its negative impact will be appreciably greater! As far as the present planning policies are concerned, the national, regional and county policies are complex, constantly tying together objectives of improving biodiversity and the development of renewable energy generation, but with a constant caution that this must only be at appropriate locations. As shown on pages 67-68

¹ p.3-7 MKO EAIR Chapter 3 on Alternatives.

² From this it can also be questioned as to whether the mitigation measures so aptly displayed will only be carried out at minimum cost? One reason for choosing this part of West Cork is the natural lands are cheaper having less commercial value - and of course mountains tops of full of rock and granite? Rock can be blasted away with only the cost of a few cheap workers and heavy machinery which have been used many times before.

³ ABP 240461 CCC 11/318 Refused permission 08/07/2014.

of my submission, the chosen townlands are not an appropriate location for a wind energy complex, either of the magnitude offered now, or of one much smaller.⁴

Third: included in my original submission is an analysis of the Supreme Court judgement of 04/02/2026 and the erroneous interpretations that MKO has placed upon this, which I would ask An Coimisiún Pleanála to peruse once again. The Supreme Court analysed in depth the level of obligation that 'consistent with' placed on bodies like An Coimisiún Pleanála in carrying out its functions, and concluded that this would still produce a range of outcomes, allowing for a 'degree of tolerance', in the way this obligation was met. Relevant bodies do not have to comply with the precise climate objectives under Section 15(1), just in a manner consistent with climate objectives, so the decision-making will vary widely on a case-by-case basis.

Fourth, if this wind farm were to be permitted it is beyond any possibility that this 14 turbine complex would be fully operational by 2030, so unable to contribute towards the Climate Targets extolled by MKO.⁵ Even worse, up to 2030 the developer could be involved in pre-releasing tons of carbon dioxide into the atmosphere by peat removal.⁶ Even if calculations are moderated to a 78,000 tons of carbon released by peat removal during the construction period, this fact is well-hidden behind MKO's less-than-quiet boast that the purpose of this wind farm is to deliver a positive impact on climate by offsetting tonnes of carbon dioxide through the displacement of fossil fuel based energy generation.

- **Section 4.3.2 Nature Conservation: Documentation and Process.**

I am pleased to see that the An Coimisiún Pleanála has asked ALL those who submitted observations on the completed application to comment on MKO's Section 4.3.2, Nature Conservation. Having read through Section 4.3.2. there are inconsistencies and unsubstantiated conclusions that I have addressed later in this observations. First, are my overall observations on the processes MKO has elected to follow.

- Section 4.3.2 only directly addresses the concerns and recommendations from the 'DAU', dated 25 May 2026. It is worth noting that MKO constantly uses this acronym in the whole of Section 4.3. without acknowledging the importance of a ministerial department in its role of managing the Irish State's nature conservation and architectural heritage

⁴ Whilst the Ardrah planning history is considered by MKO as not being determinative of the suitability of the Maughanadea proposal, for their Curraglass application the exact opposite is true. As shown in my original submission, for the Curraglass site they included its full site history, all the planning processes, decisions of permissions and refusals from 12/10/2001 to 27/08/2020 and 15/05/2024.

⁵ NB: MKO consultancy and the applicants have requested the standard TEN year planning permission.

⁶ According to Appendix 11-2 Carbon: Calculations states that the peat removed from turbine bases and hard standings is either 0 or an unknown figure! p.8-12 Chapter 8 Land Soils and Geology Table 8-10, provides different figures. It states that a Worst Case Peat Volume to be extracted would be a total of 173,429 cubic metres, and this includes 52,200 cubic meters for 14 Turbines and Hard Standing Areas including foundations. MKO's own minimal figures declare that with a removal of 92,950 cubic meters of peat from the general areas during the upfront construction period, the carbon release would be 56,522 tons - With up to 52,200 cubic metres of peat being removed from the foundation/ hard standing areas, then 78,000 tons of carbon released to the atmosphere is ok as a ball park figure.

responsibilities under National and European law. The Department of Housing, Local Government and Heritage, (Dept of HLG&H) is the Government's respondent and has the authority to set out concerns on its behalf. The report referred to is from Julie Sullivan, the Assistant Principal of the Development Application Unit within the Dept of HLG&H, who has applied her knowledge and experience of nature conservation to great effect.

- 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 that MKO has only responded to the one government source in 4.3.2, evidently they have chosen not to respond comprehensively to the concerns raised by others. At least eight of the third party submissions contain five pages and more on significant negative impacts that the proposed wind farm would have on bird species.
- Neither Section 4.3.2. or 5.2.2. directly addresses concerns or observations submitted by independent professionals as included in the submission from Annabel Seymour, including Dr. Will O'Connor who is a senior ecologist with over thirty years experience, and Hazel McCarthy, a Planning Consultant from Cork. Likewise, MKO has chosen not to answer points raised by another statutory consultee: the Irish Peatland Conservation Council. This adds to the evidence that this is not a comprehensive response. I would therefore ask the Inspectorate and Commissioners to re-engage with the actual third party submissions and the independent professional reports, in order to come to their own fair conclusions regarding the many concerns raised.
- There appears to be a further complication, in that this is a REDIII application and the completeness check has been signed off. Before making the application, the developers and their agents MKO went through the pre-application process. They wrote to all statutory consultees, with the DAU within the Department of Housing, Local Government and Heritage replying on 07/04/2025, and outlining its heritage-related observations and recommendations of nature conservation. This reply in effect gave MKO a whole year and ample opportunity to ensure their resulting analysis from the surveys answered all the points raised, and it contained, without lacuna, *complete, precise, definitive findings and conclusions capable of removing all reasonable scientific doubt*'. The year from April 2025 to April 2026 also provided an opportunity for concerns arising from their surveys to be accepted, or addressed, and for MKO and Enerco to re-evaluate whether the turbine locations, infrastructure, and even the three sites, were actually suitable for their proposed

technology.⁷ In submitting the full application in April 2026, MKO has stated that it had complied with the completeness check, so signing off their consultancy work on ornithology for the 'maughanaclea' sites as complete. In their second letter, of 25/05/2026 the DAU has resubmitted some of the same concerns, and has highlighted lapses in the application. The consultants now seems content to have a 'second bite of the cherry', providing basic statistical details for eight(8) KOR bird species without substantiation, whilst not addressing many of the outstanding issues. It is worth noting that continuing concerns raised by the Dept of Housing Local Government & Heritage were not resolved, and that MKO's 'completeness' was not actually complete. It begs the question as to whether MKO's detailed response for nature conservation, and possibly other sections, is valid or not as it is beyond the completeness process? Ultimately, this may have to be decided by the courts some time in the future?

• **Section 4.3.2 Nature Conservation. Comparing Two letters.**

Many concerns are expressed by the Dept of HLG&H in two letters from the DAU: the first of 07/04/25 during the pre-application stage addressed to MKO and the second of 25/05/2026 in the post-application phase when observations were sought and the letter addressed An Coimisiún Pleanála. This part of this observation assesses to whether points and implicit instructions raised in the first letter were taken up by MKO, to the satisfaction of the DAU. Parts of the two letters are quoted at length simply for ease of comparison.

- Peatlands: In the first letter of 07/04/2025, the DAU addresses its concerns to MKO regarding the nature of the site chosen, and its potential loss and/or degradation of dry heath, blanket bog, and other peatland habitats arising from the overall wind farm proposal.⁸ It is apparent that the consultant's application has not satisfied the DAU's concerns and in their letter of 25/05/26 these are now addressed to the Commission itself, as follows:

*'The Commission should note the fact that the project is located within peatland habitats and soil. Potential negative effects could arise through through direct excavation of peatland habit, exposure of underlying peat, increased risk of erosion, opening up of areas of habitats to new or increased exploitation or disturbance through the provision of new and upgraded roads, peat slippage, landscaping, side casting, drain installation, excavate storage, sediment disposal etc.'*⁹

- White Tailed Sea Eagle: The 04/2025 DAU letter states that collision and mortality risk must be fully assessed for the project....and quotes from Dahl et al's conclusions that it will be difficult to employ mitigation measures to decrease the W-TE collusion hazard. The DAU letter emphasises certain points and instructions:

⁷ MKO states that its scoping responses to the Department's letter of 07/04/2025 are fully contained in Ch. 6: Biodiversity, Ch.8: Land, Soils and Geology, Ch 9, Hydrology and Hydrogeology, App 4-3 Construction and Environmental Management Plan, App 4-2 Peat and Spoil Management Plan.

⁸ p.1 and top of p.2. from the Development Applications Unit, Department of Housing, Local Government and Heritage, Letter dated 07/04/2025.

⁹ p.5. from the Development Applications Unit, Department of Housing, Local Government and Heritage, Letter from Ms Julie Sullivan, Assistant Principal, dated 25/05/2026.

'[2025, The emphasis for WTE is] on the importance of thorough pre-construction studies to identify wind-power plant locations with low densities of species vulnerable to collision....

It should be assessed... whether models such as that in Hanssen et al (2020) are applicable at this wind-farm in detecting microsite susceptibility to generating 'orographic lift' which may attract eagles into the rotor-swept zones of these turbines.

Consideration should be given to the effect of the availability of sheep carcasses.' ¹⁰

On looking through MKO's application these points seem unresolved, and the DAU now addresses the Commission in stating that turbines strikes account for 19% of casualties¹¹, whilst adding back the same request regarding microsite susceptibility. It also notes

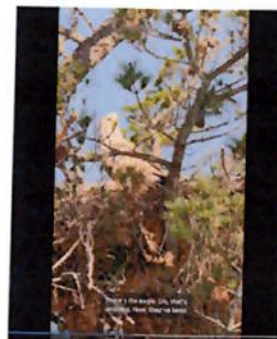
*that White Tailed Sea Eagles were recorded near the site. This area along the Cork-Kerry border has been regularly used by white-tailed eagles over the years, with a number of casualties. The most recent being an adult female at the nearby Grousemount wind farm last year approximately 5 kilometres to the north....*¹²

MKO makes no comment in their Section 4.3.2 on the actual fatalities, or the fact that other EIA's had concluded that no significant risk for eagles existed only for a subsequent collision mortality



to occur. Their response falls back to the argument that site-specific factors are more pertinent, eagles were not recorded with any regularity on site, and there was no evidence of them using the commercial forestry. These points were countered in my own submission but this has been ignored: even the basic survey figures are incomplete as it is minuted by ACP that MKO Consultancy knew of a further eagle sighting at 2km from the site,¹³ the left photo over Maughanaclea shows that eagles avail themselves of the local forest, and in reality, of

course, White-Tailed Sea-Eagles are not infrequent visitors to our valley and local area, mainly due to the breeding pair(s) at Glengarriff.¹⁴



- Displacement:

The 2025 DAU letter to MKO explains quite clearly the requirements for the 'maughanaclea' proposal:

2025 Ornithology: As well as direct habitat loss there is far larger potential habitat loss to species through displacement and this has not been mentioned in the scoping report but must be fully assessed. Potential significant effects... requiring assessment includes displacement effects, barrier

¹⁰ p.2 for first line, p.3 for second/third. DAU, 07/04/25. The answer on 'orographic' lift has not been answered.

¹¹ p.3 end paragraph, quoting White-tailed Eagle Phase II release: DAU, 07/04/25.

¹² p.3 05/26. Letter from Ms Julie Sullivan, Assistant Principal, dated 25/05/2026.

¹³ Survey data only shows one sighting which is in August 2022 at 4-5km from viewpoint. It is stated in the report this is 3.2Km from the proposed wind farm site. Chapter 7 says there was another observation: a single immature bird being mobbed by a raven approximately 750m from the Proposed Wind Farm site in February 2023.

¹⁴ Please see Appendix B for much larger images of those contained within this observation. These small ones are designed more to assist with the text.

effects, direct and indirect habitat loss and degradation... with data required in terms of best scientific evidence of, eg. the area of displacement/foraging loss...¹⁵

Data would be required in terms of best scientific evidence of an area of displacement/foraging habitat through these developments (or others) in terms of overall habitat availability for the relevant species.... For the Annex 1 bird species under the EU Birds Directive Article 4(4) requires Member States to strive to avoid deterioration of habitats outside Special Protection Areas (SPAs).¹⁶

The 2026 letter from the Dept of HLG&H to The Commission clearly highlights the lack of rigour as far as assessing Habitat displacement, disturbance and fragmentation is concerned. This is mentioned time and again in the second letter, either set out in each paragraph for an individual bird species¹⁷ or when speaking of the sixteen (16) Annex 1/Red listed birds species recorded during the field work for the 'maughanaclea' sites:

*As the majority of [the 16] are known to be impacted by habitat loss and /or displacement or direct collisions etc., this is a concern. This has previously been pointed out but the response was that this species are more common than thought (which would be incorrect.)'*¹⁸

When considering other wind farms in the local area, the DAU also cautions that: 'Displacement effects are often not calculated for or mitigated for.'

• Cumulative Effects:

The DAU stresses the wish to see a robust assessment of the cumulative impact and in combination effects of wind farms that are proposed, permitted or being constructed or operating within 25 kilometres of the proposed wind farm. Again, from the pre-application period, the 2025 letter to MKO sets out the terms:

- 2025 Cumulative effects (precised): '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. '¹⁹
- 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 quantitive measurement of the availability of habitat in the wider surroundings is required when considering cumulative loss of a species' habitat.'

The 2026 letter to The Commission clearly highlights the 'unhappiness' of the DAU in the way that different topics such as individual bird species, cumulative effects of nearby wind farms

¹⁵ p.8 07/04/2025. First/2nd paragraph. Letter from DAU.

¹⁶ p.9. 07/04/2025 First paragraph. Letter from DAU.

¹⁷ Please see later in Observation, when this is looked at in detail.

¹⁸ p.5 25/05/26 Letter from DAU.

¹⁹ p.8/ p.9. 07/04/25 Letter from DAU.

and surrounding availability of habitat have been assessed. The DAU's request for quantitative measurement and the use of actual data has seemingly been ignored, leading to a lack of rigour in MKO's assessments. Their thoughts are perhaps captured in paragraph 3 of page 5:

*'Regarding cumulative impact and in combination effects it is mentioned that as all other windfarms in the area have mitigation in place there will be no effects. However, this misses the point of cumulative impact and in combination effects. It should be noted that it is noted that many of the documents state that species can use habitat elsewhere but this does not seem to take into account the other 28 wind farms with 25 kilometres /8 within 10 kilometres... A conclusion of no individual significance so no cumulative is a concern. Displacement effects are often not calculated for or mitigated for...'*²⁰

There is a response to the above from MKO that reads:

*'The DAU raises concern over the level of detail provided on in-combination effects and cumulative impacts from other wind farms in the cumulative assessment. The below provides additional specific detail and assessment of cumulative effects for each of the KORs including information on collision risk estimates for other wind farms where it is available.'*²¹

The 'below' just provides page upon page of text précised from information already provided in Chapter 7 of the Application, which the DAU has already critiqued and found wanting. There is still insufficient information on Habitat displacement, disturbance and fragmentation, and a lack of primary data and quantitative measurements. (The collision risk estimates are also insufficient and is covered this later in this observation). MKO's response set out in Section 4.3.2 does read as though they have satisfactorily responded to the second DAU letter of 05/2026, yet there are obviously outstanding instructions/issues that have not been answered satisfactorily, or answered at all. The responsibility for addressing these now lies with An Coimisiún Pleanála's Inspectorate and Commissioners to explore and assess:

- 1) whether the outstanding issues from the Department of Housing Local Government & Heritage materially affect the overall validity of the MKO's ornithology Chapter 7.
- 2) whether, even with its shortcomings, it is abundantly clear the application, and MKO's response, demonstrates the proposed development would fail to meet Ireland's nature conservation obligations.

• **My Own Concerns and Observations on Section 4.3.2.**

• Landscape attributes v Land Use.

We must first address a statement within MKO's responses that sets up the wrong premise by which judgements are made when it comes to impacts on bird species.

MKO's 4.3.2 response states that their impact assessment in EIAR Section 7.5.5:

'includes consideration of direct (physical) and indirect (eg. disturbance and displacement) habitat loss and collision risk effects associated with the Proposed Project. Key considerations included:

²⁰ p. 5. 25/05/26 Letter from DAU.

²¹ p. 37. Response. MKO's Section 4.3.2 Nature Conservation.

- *Large sections of the Proposed wind farm site is characterised primarily by commercial forestry. Commercial Forestry is typically considered to be of low ecological value.*
- *The rate of occurrence of the receptor...*
- *Context: The suitability and abundance of habitat on site relative to the wider surroundings' [+3 more]*²²

Their conclusion begins: *'The balance of this evidence informed a comprehensive and robust impact assessment. As Outlined in Section 7.6.3: no significant effects were identified for any KOR.'* Just a reminder a KOR is a Key Ornithological Receptor, or in plain English a bird species selected by MKO for further study.

Stating the proposed site is characterised primarily by commercial forestry is incorrect. It is characterised by so much more: forestry is a mere land-use term and not the attributes the land has as a habitat for birds, wildlife and biodiversity. Stating it has large sections of this forestry is also incorrect, as it makes up less than 50% of the proposed sites. Other Chapters provide far better definitions: MKO's own Chapter 8 on soils and geology says the northern site comprises of peat bogs with a central area of forest, the southern site has peat bogs, forest, moors and heathlands. Chapter 13 states:

'The proposed turbines are located along the ridge lines of an upland moorland landscape interspersed with patches of heath, agricultural pastures, and commercial forestry.'

Chapter 6, states *'The Proposed Project is located primarily on forestry, heath, peatland and grassland.'*²³ Dr Will O'Connor remarks that the chapter (6) confirms the importance of the peatlands as a prominent feature, which he says is important because it is not then describing a low-value agricultural or forestry site alone.²⁴ The Irish Peatland Conservation Council confirms this view and notes the proposed site contains one of the last open peatland/heath sites in the area and region.

MKO's note at the end of its first consideration, ie. forestry typically being of low ecological value, does not apply to this site, as its commercial forests are growing on both deep and shallow peat. Dr Will O'Connor says: *'many of these conifer plantations areas are on peat soils and contain wet ground and Sphagnum species....and may represent modified peatland rather than simple low value forestry.'*²⁵

²² p.36 MKO Response: 4.3.2 Nature Conservation.

²³ p.120. MKO. 6.5.2. Chapter 6 Biodiversity

²⁴ p.16 of Will O'Connor's professional report: Review of Ecology Issues: Maughanaclea Renewable Energy Development, Co.Cork. Submitted with Annabel Seymour's submission.

²⁵ p.18 of Will O'Connor's professional report: Review of Ecology Issues: Maughanaclea Renewable Energy Development, Co.Cork. Submitted with Annabel Seymour's submission.

When considering forestry and bird sightings, it is well voiced by Tom Gittings that:

*'for upland wind farm sites with rugged terrain and extensive forestry...due to distance effects, most of the the flight activity detected will be outside of the wind farm site. This may give false impressions of low use of the site by bird populations of concern and can cause further biases to the collision risk modelling.'*²⁶

One can see this so clearly on the Vantage Point Surveys for Kestrels, attached. The survey results gave a total of 327 sightings²⁷ for this Red listed bird species.²⁸ The map shows very little flight in the forest and across the southern edge - or were the birds just lost from view? Kestrels are well known to use the forest edges for lookouts to spot rodents in the open ground ie. perch hunting, and if they are not in flight can they be seen to be counted?

This all illustrates that MKO's assessment for habitat loss, disturbance and displacement for the KOR species is based on the wrong premise of forestry/land use, and numbers for kestrels lay unrecorded. But essentially it is not that the survey results are inadequate, it is that adjustments are not being made to take into account the landscape's attributes such as peatlands to arrive at correct and robust conclusions, without lacuna.²⁹

- Birds and MKO's quantitative evaluations of Cumulative Collision Risks. (Kestrels).

Dr Will O'Connor states: *'the surveys demonstrate that the site forms part of an active upland ecological landscape used by multiple protected bird species'*.³⁰

MKO have carried out more than adequate surveys on these protected species. Sixteen (16) bird species, that are either Annex 1 or Red-Listed, were recorded during the fieldwork. However, many of the results for these were analysed in a generic way, and only a select few (KORs) were pulled out for special study, to include collision risk modelling.

For some of eight KOR bird species the consultants have used their response to list other wind farm collision risk figures, so as to arrive at one cumulative figure per annum; however, for all eight KORs the section ends with the same statement: *'no significant impacts on [name of bird] are anticipated at the county, national and international scale'*.

²⁶ Beyond the 100/36 standard: an evidence-based review of wind energy ornithological guidance - by Tom Gittings MCIEEM, 12/02/2024. On 12th March 2024 Tom Gittings has produced many a report for consultants of wind farm applications. This is from his Blog.

²⁷ According to the MKO survey: 306 sightings were of single Kestrels, 18 of a pair, 2 of a threesome, 1 observation of 4 kestrels giving a total of 353 individual sightings. Kestrels were signed once every five hours on average.

²⁸ See Appendix F for the Kestrel flight pattern maps produced by MKO. Map attached for ease shown here to assist the text and in a larger form in Appendix B.

²⁹ As Will O'Connor says: 'the principal issue is not survey adequacy but the interpretation of results'.

³⁰ p.10 of Will O'Connor's professional report submitted with Annabel Seymour's submission.

Using a Red listed bird species of conservation concern as an example, the following bullet points considers how MKO came to the single cumulative figure of 5.393 kestrels killed per annum, and illustrates the shortcomings in the methods and figures used.

- First, the vantage point surveys for the 'Maughanaclea' sites alone provide a total of 352 individual sightings of kestrels. It was noted that kestrels were regularly hunting, even within 200m of turbine locations, and actively breeding 330metres away from the perimeter.



- In my submission, I question the low collision figure of 0.55 birds per annum, and still contend this is far too low a grading given the frequency and number of sightings, as the map aside amply shows. However, MKO stands by this figure in its response, and we will work with it for now.
- Based on an now age-ed estimate of 13,500 birds, a nationally important population would be 135 birds, and a regular occurring population of 14 birds is required for classification of county importance.³¹ Taking the three nearby wind farm surveys, and noting how breeding pairs and juveniles have been observed regularly, the Kestrels recorded for the three together can easily be classified as being of County Importance.

- Now is the most interesting part. Taking from the response of Section 4.3.2:

Information on collision risk at other wind farms was available. The predicted number of collisions per annum were: 1.013 for Knockmourk, [Permitted, County Cork, 22.7km away],
0.87 for Gortahilly, [Permitted, CC, 13km],
0.23 for Curraglass, [with ACP on Appeal, CC, 4km]
2.40 for Gortloughra, [with ACP on Appeal, CC, 2km]
0.28 for Carrigariel Extension [Permitted, CC, 9.4km away]
[0.55 for Maughanaclea, CC proposed]

This is a cumulative 5.393 birds per annum, this would increase the annual mortality of the county population by 1.08%.

Observations on the above paragraph from the response, follows:

- The above figures are not Data. They are results turfed out by collision-software which takes many generic factors into account, but is unable to adjust for local factors from terrain, to disturbances, and other bird species etc. The DAU letter of 05/2026 states clearly: *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.* Data is easily available to the consultants from the bird surveys that sit behind these interpreted figures.
- The writer of the section has only collated collision figures from 6 proposed/permitted West Cork wind farms within the study area of 25km,. These have a total of 34 turbines. However, in the Maughanaclea application, MKO actually lists 21 proposed, permitted

³¹ p.7-42 Chapter 7 Birds Taken from MKO's application of April 2026. As per NRA (2009) criteria, a regularly occurring population of 135 birds is required for classification as Nationally Important.

and existing wind farms to consider for this part of the county, and these have a total of 132 turbines! The other 15 West Cork wind farms³² and their 98 turbines, where vulnerable bird species may be present, are dismissed vaguely in stating '*no significant residual effects [for collision] were reported for any of the other wind farms*'.³³ As Hazel McCarthy states: ABP '*Inspectors have repeatedly emphasised that, absence of certainty is not equivalent to absence of impact.*

- MKO knows more data/information exists that would allow them to make a far more complete and robust assessment. Certainly, their own citations from local planning files for Wind Farm applications³⁴ show that kestrels frequently use some of the other sites cited. Collision reports exist as well, which could be requested. These reports would be usable if the figures are correctly uplifted to take into account the DAU's statement that '*a study in County Tipperary showed that scavengers were present at a bird copse with 45 minutes of it being placed in the vicinity of a wind turbine and 72% of corpses were gone in 5 days.*'
- Having said all this, it is worth trying a combination of interpolation/extrapolation with MKO's simple statistical figures to see if more accurate collision figures can be obtained? Interpolation is a mathematical/scientific method of estimating unknown values that fall in between known data points, and extrapolation goes beyond the data range.
- First, We have a set of known data points and measurements from MKO which produces cumulative kestrel fatalities of 5.393 birds per annum.
- Second, from MKO's Chapter 7 we know that out of the 15 West Cork windfarms they are excluding (ie. those without figures), there are at least ten(10) where surveys have recorded kestrels, or there is a high potentiality for this bird species. Going with numbers of turbines first: rounding up, and making a reasonable assumption each turbine on a site 'offers' equal risk to a kestrel, then if MKO's chosen 34 turbines kills (5.393) 5.4 kestrels per annum, 6.3 turbines could potentially kill 1 kestrel. 63 turbines can kill 10 birds per annum at favourable sites for kestrels, and so on. The 10 other favourable wind farms have 59 turbines, the 6 wind farms cited by MKO have 48 turbines. So, 107 turbines could potentially cause the demise of

³² p.7-81 Chapter 7 Ornithology Table shows the following wind farms in West Cork : Shehy More, Milane Hill, Carrigariert, Carrigariert Ext, Lahanaght, Kilaveenoge, Ballybane, Derragh, Cleanrath, Coomataillin, Kilvinane, Reenascreena, Garranereagh. Derreenecrinnig is listed as existing when it is actually still 'In Planning', but its EIAR Collision figures not used.. Barnadivane is listed as 'In Planning' but again EIAR Collision figures not used.

³³This statement is exactly the same for each of the eight KORs cited. It does suggest it may be just a catch-all, even a generic statement without foundation - MKO has not explained: What these reports actually are, what is the level of detail, which authority holds them, and what is MKO's criteria for 'significant'?

If say the collision statistics for one wind farm shows deaths say of 0.55 per annum, MKO may say 'not significant' ? This hides the real problem and is where cumulative monitoring is so important.

There is an additional caveat: if these reports exist but show little residual effects at all, then the process of monitoring may be deeply flawed.

³⁴ As an example, Shehy More's application records kestrel flights as overwintering in 2011, and 15 flights between April-July 2012. Carrigarick Extension surveys cover the wider area and Gortloughra bird report includes hinterlands.

16.98 (17) kestrels each year, in just a single span of 10 years up to **170** kestrels could be killed, and **595** through turbine collision alone in 35 years. This is with the sad caution that these figures could only hold true if enough of kestrels survived in to breed and the local population isn't totally decimated.³⁵

- As an alternative interpolation/extrapolation, the number of wind farms may simply be used, as MKO has done. Adopting MKO's low collision figure for Maughanaclea of 0.55 (nb. It is the fourth lowest of the six figures quoted), the ten(10) relevant wind farms together may add another 5.50 kestrel fatalities per annum to MKO's running total of 5.393, making a cumulative total of 10.893 (11) per annum. This provides the almost frightening prospect that in just ten years this small area of the county could lose up to **110** kestrels through turbine collision alone, and up to **385** kestrels over the normal operational life of 35 years. I would suggest this prospect would be of significant concern at both county and national level. Either Method - using number of turbines or number of wind farms - illustrates clearly the urgent need to protect this red-listed bird species: planning permission for wind farms should be refused for this area of West Cork.

The interpolation exercises may be creative, but they do prove that MKO has produced a response on local Kestrel collision rates which has very little validity. They actually have no idea how high the fatalities for the kestrels could be, not just for a year but over a lifetime of 35 years for the wind farms cited. A similar exercise should be applied by An Coimisiún Pleanála to other KORS cited for Maughanaclea such as Hen Harriers, Peregrine Falcons, Buzzards and Sparrowhawks. This will show just how many protected birds-of-prey could be killed, and will add even more weight to the argument that permission should be refused for all present wind farm applications for this part of West Cork, and especially when it is of the magnitude proposed for the Maughanaclea.³⁶

³⁵NB DETAILS OF THE TEN WIND FARMS: this information is taken from Derreena Application and Chapter 7 Ornithology which the writer of the response could have used when assessing collision risks of kestrels at other West Cork WFs.

7.82 **Shehy More:** no species listed in Red BOCCI were recorded during bird survey work. Since this time Kestrels are now on the Red List and were on Shehy More survey.

7.83 **Derreenacrinnig:** MKO's Chapter 7, Derreena, only refers to a Inspectors report over ten years old. There is a public application of July 2025 which the response could have referred to. For Kestrels, it records 26 occasions inc. flights at RSA heights. Single collision risk 8.77%. None of this data was used in MKO's calculations. Derreenacrinnig's KORS: Swallow, Buzzard, Kestrel, Starling, Gold Crest, Gulls, Hen Harrier, Sparrow, Mallard, Meadow Pipit, Peregrine Falcon, Chough, Skylark, Snipe, Sp.Hawk, Willow Warbler.

7.83 **Milane Hill:** Applying the precautionary principal, there is potential for KOR species of the Proposed Project to occur at the Milane Hill Wind Farm.

7.84 Same for **Lahanaght** Hill Wind Farm. 7.85 **Cleanrath:** The EIAR for the Cleanrath Wind Farm was consulted. The EIAR identified the following species as Key Ornithological Receptors: hen harrier, chough, golden plover, merlin, peregrine, kestrel, sparrowhawk and common snipe. 7.86 **Coomatallin:**... there is potential for KOR species of the Proposed Project to occur at the Coomatallin Wind Farm. 7.86 **Kilvinane:** Using the precautionary principal, there is potential for some KOR species of the Proposed Project to occur at the Kilvinane Wind Farm as they will utilise farmland for hunting. 7.87 **Barnadivane:** The EIAR for the Barnadivane Wind Farm was consulted. The EIAR assessed the following high conservation concern species as key ornithological receptors: buzzard, golden plover, grey wagtail, hen harrier, kestrel, meadow pipit, peregrine, redwing, snipe, sparrowhawk, swift and yellowhammer. 7.87 **Reenascreena** Wind Farm is located within farmland...there is potential for some KOR species of the Proposed Project to occur... as they will utilise farmland for hunting. 7.87 **Garranereagh** Wind Farm is located within farmland...there is potential for some KOR species of the Proposed Project to occur at the Garranereagh Wind Farm as they will utilise farmland for hunting.

³⁶ County Kerry is a similar situation in that its 9 wind farms within the 25Km radius have no less than 136 turbines, so the above fatality figures could easily be doubled and the implication for the two counties would also need to be considered by An Coimisiún Pleanála looking at this from a national level.

Before ending this particular section, I wish to return to the kestrels with my submission's conclusion, which is repeated here:

Given that 'Maughanaclea' has the highest activity of kestrels around therein lies the greatest potential for significant disturbance and fatalities for this bird species. This cannot be allowed to happen, especially as Kestrels have already moved from the Amber List of medium concern to the Red List within the last five years. Bird Watch Ireland says the causes for the decline of Kestrel in Ireland are not clear cut, but is possibly due to prey availability, agricultural changes, reduced feeding opportunities and loss of habitat. Given the quote from Fennelly, wind farms appear to be adding to this exponentially. Kestrels typically breed and forage in conifer plantation, dry heath, dry meadows, grassy verges, improved agricultural grassland, and scrub. Following the EU Habitats directives of a precautionary principle the natural habitat for the 'Maughanaclea' kestrels should be left undisturbed, and the three sites be deemed as unsatisfactory for development. This would also concur with EU Dir. 2024/1203, and CCDP 15.3.2, which cites the EU Birds Directive to provide for the protection of sites used (for breeding or feeding) by species of birds that are vulnerable.

- Other Bird Species.

This part considers birds classified outside of the 'bird of prey' groupings. My submission already covers much on the Choughs, which MKO has chose not to answer or comment on. It is worth considering in detail not only the 'maughanaclea' survey for the Choughs, and also the Curlew.

- Red Billed Choughs:

For the proposed 'Maughanaclea' sites, Choughs were observed 186 times during the three years of vantage point surveys alone, notably the birds were sometimes well within 300metres of proposed sites for turbines. Choughs have been recorded mainly from viewpoints in townlands of Ardrah and Maughanaclea: their behaviours are noted as flying, calling, foraging, roosting, clustering in numbers up to twenty five, and breeding pairs with young chicks. In the supplementary surveys, Choughs were seen 28 times in winter walkover surveys with between 1-12 birds flying, calling and foraging; and 35 times during the breeding walkover surveys with 1-20 birds. It is worth noting that 25 is not the largest flock recorded just beyond the northern site: in the Gortloughra survey, there was one flock recorded comprising of 59 individuals, both adults and juveniles, feeding.



However, despite these extensive sightings of flocks of Choughs, 'maughanaclea' sightings dissipate into very little or nothing:

Construction phase: direct habitat loss, Disturbance, low effect significance.

Operational phase: direct habitat loss: No effect, Displacement, low effect significance.

Collision Risk: Breeding Choughs, Wintering Choughs: both very low effect significance.

Possibly in answer to this, the DAU highlights that MKO says

'in their application that collision mortality is not likely to significantly impact [the Choughs]. However disturbances, displacement, fragmentation may also be issues and comment on available data should be considered in the context of any scientific doubt.'

The DAU concurs with the many concerns amongst ornithologists regarding these effects on this bird species, such as Pearce-Higgins et al., 2012) who note a definite decline in population densities for species, such as Choughs, at wind farm sites after the construction period.

As with other KORs, the agent's response regarding the Choughs is simply to provide lists of other wind farms, suitable or not, as a substitute for comments and/or analysis. These lists do not gauge the effects of displacement and disturbances on the Chough's population or well-being. The response does not move one iota forward from the application, where MKO relies on the argument of suitable habitat is available elsewhere? As stated before, Bird Watch Ireland is mindful that the Chough's mature adults will remain at the same nesting sites, and multiple generations are very vulnerable when disturbed by the presence of humans.

There is a rather odd response from MKO on a separate concern expressed by the DAU, part of Dept of HLG&H. MKO's section 4.3.2.3.2, titled [Special Protection Areas for Choughs](#), states:

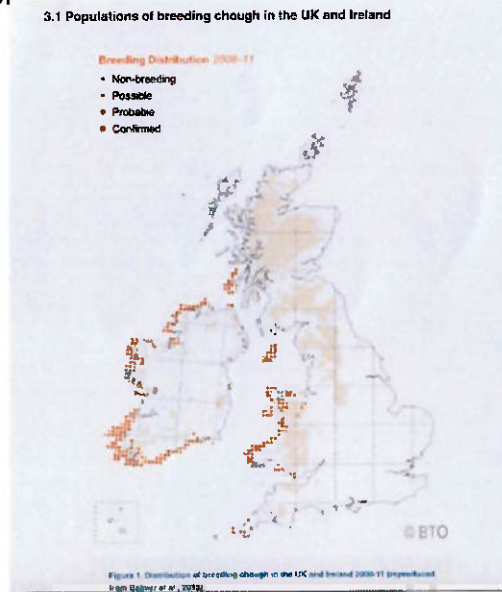
The DAU expresses concern that breeding chough recorded during field surveys are associated with Special Protection Areas.

This proposed wind farm site is outside the chough foraging range of any Special Protection Area. Therefore it is unlikely that foraging birds observed during the breeding season originated from a Special Protection Area. The breeding chough recorded during field surveys were nesting within and in proximity to the Proposed Wind Farm Site and foraging close to their nest sites, therefore are not dependent on the SPA for breeding...

Answering this is in a few bullet points:

- The first sentence is not what the DAU has stated. They say that *'the territories (ie.CF-1,CF-2,CF-3) are likely to be connected to SPA populations.'*
- It is perfectly feasible that young, immature Choughs came from the SPA and are now breeding near the proposed 'maughanaclea' turbines. Choughs do not breed for their first two to three years, coming away from their parents and gather into wandering sub-adult flocks. Twenty kilometres from the Mullaghanish to Musheramore Mountains SPA would be a mere hop in comparison to a flock that went from Ireland, crossed the Irish Sea and settled in Cornwall of their own accord.³⁷

³⁷ Taken from the Roaring Water Journal 2017: Choughs naturally crossed the Celtic Sea from Ireland to successfully re-colonise Cornwall after decades of absence. They 'just turned up one day'!



- After the Chough's previous demise in Cornwall due to agricultural methods, other Curlew populations resisted all attempts by humans to reintroduce them. If this bird species is lost from the Maughanaclea sites, no artificial mitigation initiatives will bring them back.
- The 'maughanaclea' breeding sites may be established nurseries for SPA birds of the future, who as mature adults will then remain there to breed for up to twenty years. These sites must be free of disturbance for the birds to breed freely so the connection continues.

- The EU Birds Directive 1979 has two main sets

of measures, the first being: habitat conservation and the need to preserve, maintain or re-establish a sufficient diversity and area of habitats for Europe's wild bird species, particularly for threatened species listed in Annex I, such as the Red-Billed Chough.³⁸ In or away from an SPA, this protection still holds for this bird species. Given that NatureScot predicts Choughs may become extinct in Scotland within decades,³⁹ it is vital that all sites where these Annex1 birds are breeding/foraging are protected from 'industrialisation'. Aside is the map which NatureScot has on its website. It illustrates clearly that the Choughs favour habitats, like that of 'maughanaclea', in alarmingly few places outside of the coastlines.

Closing up the subject of SPAs, Dr O'Connor concludes that MKO's NIS for ornithology, arguably underplays the potential functional importance of post-breeding and wintering habit and relies too heavily on distance from the SPA. He raises a question that they must re-assess :

*'...the assessment agreeable gives insufficient weight to the functional importance of such ex situ habitat. Under Article 6(3), the issue is not simply whether similar habitats exist elsewhere. The question is whether the affected habitat contributes to the ecological function of the SPA population and whether that function can be lost, degraded or displaced without undermining the conservation objectives of the SPA.'*⁴⁰

There is no response from MKO in attempting to answer or address this.

³⁸ p.6/7. European Commission: Directorate-General for Environment, The Birds Directive – 40 years of conserving our shared natural heritage, Publications Office, 2019, <https://data.europa.eu/doi/10.2779/622146>.

p.9 07/04/2025 The letter from Dept of Housing, Local Government and Heritage also states for 'Annex 1 bird species under EU Bird Directive Article 4(4) of the Directive requires Member states to strive to avoid deterioration of habitats outside Special Protection Areas.

³⁹ NatureScot 23/01/2024.

⁴⁰ pp.6/7. Dr Will O'Connor Review of Ecology Issues: Maughanaclea Renewable Energy Development, Co.Cork.

Before ending this part on Choughs, I wish to return to my submission's conclusion on this bird species, which is repeated here:

'With the 'Maughanaclea' sites, it may not be the risk of colliding with turbines that would decimate our local population of Choughs.⁴¹ Instead it would be from the dramatic loss of habitat and disturbance whilst feeding, during the construction period and then beyond with maintenance crews. This is not tolerable for a protected bird species, listed in Annex I the EU Birds Directive, Amber-listed as of conservation concern and of National Importance for the area. One can only conclude that a genuine requirement exists once again for the Inspectorate to assess the actual data, and come to very cautious conclusions rather than merely accepting entries from MKO's desk-top study.'

- Curlew Bird Species:

In the second letter from the Dept of HLG&H, dated 25/05/2026, Ms Sullivan writes at length on the Curlew and its special place in representing one the highest conservation priorities in Ireland for a bird species. It is worth repeating her paragraph here:

The breeding and other observations of Curlew the species is a major conservation concern/ issue nationally. In Ireland is critically endangered, facing near extinction as a breeding species due to a catastrophic population collapse (over 97% in 40 years). It is also listed as Red List (BoCCI) and Near Threatened globally (IUCN). Therefore, urgent action such as restoration of bog areas would be an important measure to try to prevent local extinction. Wind farms can significantly affect curlews, primarily through habitat loss and disturbance during construction, leading to major population drops (e.g., 40% in a UK study) that often don't recover, as they abandon breeding sites, creating higher energetic costs for migration and reduced breeding success, making cumulative impacts crucial for this already threatened species. Low activity does not correspond to low proportional impact on a species from losses in the case of rare species.

The Curlew is recorded in the breeding walkover surveys produced by MKO. Three Curlews were seen together on improved grassland approx. 415metres from the proposed wind farm site, on the 17/08/2022 at 8.49am.⁴² This was just three months after MKO's surveys began, the visibility was good and cloud cover was around 33%. It was August, and so past the Curlews' normal breeding season: the three birds may be fledglings from the same year and an indicator that Curlews are returning to lands where they were once plentiful. Alternatively, they may have been Adults, who have the same 'high site fidelity' as Choughs, and so had been there a while - the scant detail provided by MKO doesn't say. One thing for certain is that the grasslands attracted the Curlews to feed there. If this was an independent bird survey, one can imagine the delight in finding them. This may well have kicked in closely timed visits to keep a watch out for them, given all the legislative protections in place: the Curlew being Ireland's only Red Listed bird species on the IUCN list of threatened species; and in 2021 only 105 breeding pairs were recorded for the Republic of Ireland. Further, its breeding productivity is so low that 2018's population viability

⁴¹ Ireland holds a significant portion of the European population (~60%), specifically along the west coast, making their protection crucial.

⁴² p.71, MKO Survey Data: Appendix 7-1

analysis predicted in 2018, that unless 0.425 fledglings are produced by every pair, the Curlew will go extinct as a breeding species in Ireland within say 5 -10years?⁴³

But no 'special bells were rung' by MKO consultancy to engage their ornithologists or bird-walkers in additional visits: more typical, as breeding walkthrough surveys are a MKO variant, there were no walkthrough surveys during the rest of August and the season ended with just a two 'day' September event starting much later in the mornings. Further, in assessing the occurrence of the three Curlews, MKO puts forward the view:

*'No population of ecological significance was recorded utilising the Wind Farm Site during the extensive suite of surveys conducted. As such, the potential for direct habitat loss, disturbance/displacement and collision risk are limited and there is no evidence to suggest that the development site is of significance to this species.'*⁴⁴

All of this highlights the inherent weakness in the ornithological surveys' format and execution. The in-situ physical counting/recording of birds is very valuable when it is for birds of sufficient numbers and have sufficient regularity on and around proposed sites. However, birds such as critically-endangered Curlews are of low numbers, so they fall below any statistical threshold. It is not really unexpected that none were recorded for 2023/4 given the bird-walkers visited the sites at irregular intervals, and of course no further surveys were organised for 2025/6 so MKO is already working on old data. The people who live locally have every confidence Curlews are here, suddenly gaining sight and sound of them when walking on the lands; one day this could be a regular occurrence if the Maughanaclea Hills and Shehy Mountains are allowed to be replenished further by nature and time itself.

Where to go from here? The sighting of three Curlews by MKO's bird walker shows they are in-situ on the grasslands of 'Maughanaclea'. Given its extremely low numbers in Ireland, the actual recorded presence of the Curlew is of far greater significance than any actual numbers of sightings. To repeat, Ms Sullivan of the DAU states that '*wind farms can significantly affect curlews, primarily through habitat loss and disturbance during construction, leading to major population drops... that often don't recover...*'⁴⁵ This means that the utmost precaution must be taken by the Commission when deciding whether the 'maughanaclea' is in any way suitable for wind turbines and accompanying paraphilia, given the significant effects the actual construction period will have on the populations of birds which enjoy the natural habitats therein.

- Other bird species cited by Ms Sullivan of the Dept of Housing Local Government & Heritage.

⁴³ A. Lauder, unpubl. data. Taken from *Curlew Conservation Programme: Annual report 2018 from what was then the Department of Culture, Heritage and the Gaeltacht*.

⁴⁴ p. 7-47 MKO Chapter 7: Table 7-11 Receptor evaluation and selection criteria rational.

⁴⁵ p.7 from the Development Applications Unit, Department of Housing, Local Government and Heritage, Letter from Ms Julie Sullivan, Assistant Principal, dated 25/05/2026.

In my observations on MKO's responses I have covered White Tailed Eagles, Kestrels, Choughs and Curlews. However, Ms Sullivan of the DAU has actually highlighted that MKO has presented survey data for approx 16 bird species, which have the protected status of Annex 1 or Red-Listed Birds of Conservation Concern in Ireland (BoCCI). It will now be for ACP to study and assess the provided data for all 16 bird species to draw out a far fairer assessment.

It is extraordinary though that consultants appear to choose which bird species they wish to present as part of their application, without taking notice of guidance given? In their first letter, the Dept of HLG&H seems to set out clear requirements for bird surveys, stating specific target species, such as Annex I Kingfishers and Short Eared Owls, and Amber-listed Skylark and Dippers. The last two species were frequently found on site but not included in the numerical surveys, only

MKO

Species	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Oulks	2019												
	2020												
	2021												
Skylarks	2019												
	2020												
	2021												
Song Thrush	2019												
	2020												
	2021												

on tick-sheets, as they were deemed by MKO to be 'non-target species'. Certainly, it is known that wind farms are something of an anathema for Skylarks, in that their singing behaviour may be affected by turbine noise and occasionally they are killed by turbines during their breeding displays.⁴⁶

It is worth noting that in this 'almost hidden' set of tables are survey records for no less than seventy (70) 'non-targeted' bird species: their presence is simply denoted by simple 'ticks' as the example shows.⁴⁷ This additional data illustrates that MKO presents a far from complete picture of potential disturbance/displacement/collision risks as well as loss of local bird populations. Again, it will now be within ACP's remit to assess the overall impact that this proposed wind farm would have on the wildlife and habitat for the Maughandlea, which is certainly a well-favoured haven for birds. As Hazel McCarthy, as an Independent Planner, has written:

The more cautious and defensible conclusion is that significant uncertainty remains regarding long-term ornithological effects and cumulative ecological pressure within the wide upland West Cork landscape ... Inspectors have repeatedly emphasised that: absence of certainty is not equivalent to absence of impact; cumulative effects require careful assessment; and mitigation measures cannot automatically be assumed to fully resolve ecological risk.⁴⁸

• Conclusion:

There is little doubt that MKO has all the information it needed to respond in a constructive way to observations submitted from third parties, professionals and statutory respondees. The consultants have chosen not to respond to any of these, apart from the Dept of HLG&H. Section

⁴⁶ Academic Paper: Differential mortality of birds killed at wind farms in Northern Portugal, which begins: The Skylarks had the highest overall mortality in ten Northern Portuguese wind farms surveyed between 2006 and 2011.

⁴⁷ p.20-29. Appendix 7-3 Table 7 - 3 - 9 Summary of non-target species records, although these only provide sightings per month using simple ticks rather than by activity or numbers seen. If the daily and seasonal activity data was no longer available, then MKO could have arranged for a short twelve month survey to be carried out for the Skylarks and Dippers between April 2025 and March 2026. This did not happen. A larger example of the tick sheet for the Skylarks and other birds is in Appendix B.

⁴⁸p.37/ p.36 Hazel McCarthy's report submitted by Joe Noonan Solicitor on behalf of Annabel Seymour.

4.3.2 is not therefore not the comprehensive response it purports to be. Further in MKO using parts of its Chapter 7, without re-evaluation, inherent weaknesses have been carried forward into their response and repeated. As a result, MKO still presents a far from complete picture of potential losses to our local bird populations due to disturbance, displacement and collision risks, for its 'maughanaclea' project. Their approach is indicative of an organisation that continues to avoid meaningful engagement with third parties who affected by their proposals, and purposefully fails to understand the usefulness of public participation. MKO ignores the *raison d'être* of the Aarhus Convention which extols that: '*public participation in decision-making enhances the quality and the implementation of decisions*'.

The responsibility now lies with An Coimisiún Pleanála's Inspectorate and Commissioners to assess:

1. and re-engage with the submissions received from third parties, as well as the reports from independent professionals and statutory respondees.
2. whether these submissions and reports, along with outstanding issues from the Department of Housing Local Government & Heritage, materially affect the overall validity of the MKO's Ornithology Chapter 7.
3. Whether, even with the shortcomings, it is abundantly clear that the application and its subsequent response demonstrates the proposed development would fail to meet Ireland's nature conservation obligations, and so fail the EU Habitat and Birds Directives. This would naturally lead to a refusal of planning permission for this proposed project on the Maughanaclea, and in so doing protect the birds and wildlife, habitats, landscape, blanket bogs and peatlands which are so much part of the beautiful Mealagh Valley and the grandeur of the Shehy Mountains.

Mise le Meas

Teresa Colk Lynch BA (Hons) MA
Gortnacowly, Bantry P75 V065 County Cork

11/09/2026

Fw: Maughanaclea ACP-32 4165-26

From SIDS <sids@pleanala.ie>

Date Fri 9/11/2026 2:53 PM

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

 3 attachments (18 MB)

PDF App AB TLC Maughanaclea.pdf; PDF Covering Letter Maughanaclea.pdf; PDF signed last page.pdf;

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

Sent: Friday, September 11, 2026 2:35 PM

To: SIDS <sids@pleanala.ie>

Subject: Maughanaclea ACP-32 4165-26

[You don't often get email from tcnotebook@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Caution: This is an External Email and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Hello Honor,

Please find attached my covering letter, appendix A/B and a copy of my last page signed. My Observations should already be with you.

Can you please confirm for me their safe receipt and that they have all opened up successfully

Thank you. Teresa Colk Lynch

Appendix A

A synopsis of the Bird Target Species, as per DAU Letter of 25 May 2026:

Some examples were given by Ms Sullivan of the Department of Housing, Local Government, and Heritage:

- **KOR:** (AMBER BoCCI, ANNEX I) Red Billed Chough - territories are likely to be connected to SPA populations. MKO states that collision related mortality is not likely to significantly impact this species, based on available data. However, disturbances, displacement, fragmentation, etc may also be issues and the comment on available data should be considered in the context of any scientific doubt.
- (RED BoCCI, ANNEX I) Golden Plover - there is potential for a large habitat loss to the species through displacement. For Annex 1 bird species under EU Birds Directive Article 4(4) requires Member States to strive to avoid deterioration of habitats outside of SPAs.
- **KOR:** (RED BoCCI) Kestrel - breed on the site. This species has been previously recorded in similar upland heath and bog habitat within wind farm as a collision victim... Kestrels are a species known to continue foraging activity close to turbines and to be susceptible to collision.
- (RED BoCCI) Red Grouse recorded during breeding season. The species is known to have collision mortality at wind farm projects. Requires combination effects and cumulative impacts and amount of suitable habitat in wider area.
- **KOR:** (RED BoCCI) Common Snipe - red-listed species potential for loss of breeding and foraging habitat. Data is not provided in terms of habitat displacement and loss etc regarding the overall density of wind farm projects in the area affecting the amount of similar habitat.
- (RED BoCCI) Breeding Woodcock - a decrease in abundance may be due to barrier effect of turbines and acoustic effects interfering with display flights and mating. (red-listed due to long-term declines in its breeding population and range).
- (RED BoCCI in UK, Amber in Ireland, ANNEX 1) Wintering Merlin - as well as potential disturbance effects, indirect effects may be due to reduced density of prey species near wind energy developments - refers to WINDHARRIER survey for this species,

in that small bird densities were lower at wind farm sites, and within the site lower closer to the turbines. (this is the same for meadow pipits and Hen Harrier).

- (RED BoCCI) Meadow Pipit - Red Listed due to declining numbers Important prey species for Hen Harrier and Merlin. Negative impacts from wind farms have been recorded.
- (AMBER BoCCI) Skylark, breeds on site. Important prey species for Hen Harrier and Merlin. Negative impacts to Skylarks from wind farms have been recorded.
- (AMBER BoCCI, ANNEX I) Whooper Swans: accurate assessment REQUIRED of potential cumulative impacts from multiple wind farms along a flyway / requires detailed information of birds' migration routes.
- **KOR:** (AMBER BoCCI, ANNEX I) Hen Harriers: Displacement effects from upland wind farms (Pearce-Higgins, 2009) provide evidence of significant Hen Harrier avoidance of apparently suitable habitat with 250m of turbines, predicted 53% reduction of flight activity with 500 m. A large area of the proposed development site could potentially result in the loss of a large foraging resource for the known Hen Harrier population. Foraging behaviour of breeding pairs may be influenced at distances conceivably 11.4 kilometres from extant turbines. No reference made by MKO to the Hen Harrier Threat Response Plan.
- (Red List (BoCCI) and **Red List (IUCN)**). Curlew - This bird species is on the near threatened globally (IUCN) Red List. The breeding and other observations of the Curlew is major conservation concern/issue nationally. In Ireland it is critically endangered facing near extinction as a breeding species due to a catastrophic population collapse (over 97% in 40 years). Restoration of bog areas required. Windfarms can significantly affect Curlews, primarily through habitat loss and disturbance during construction, leading to major population drops (40% in a UK study) that do not recover. NB: recorded at the site in 2025 and site contains potential breeding habitat. This species is a major conservation concern/issue nationally. In Ireland it is critically endangered, facing near extinction as a breeding species It is also listed as Therefore, urgent action such as restoration of bog areas would be an important measure to try and prevent local extinction. Wind farms can significantly affect curlews, primarily through habitat loss and disturbance during construction..... **low activity does not correspond to low proportional impact on a species from losses in the case of rare species.**

05/26 P.8. Numerous other species for potential displacement and habitat loss:

Goshawk (Amber List (BoCCI) - potential collision risk ,

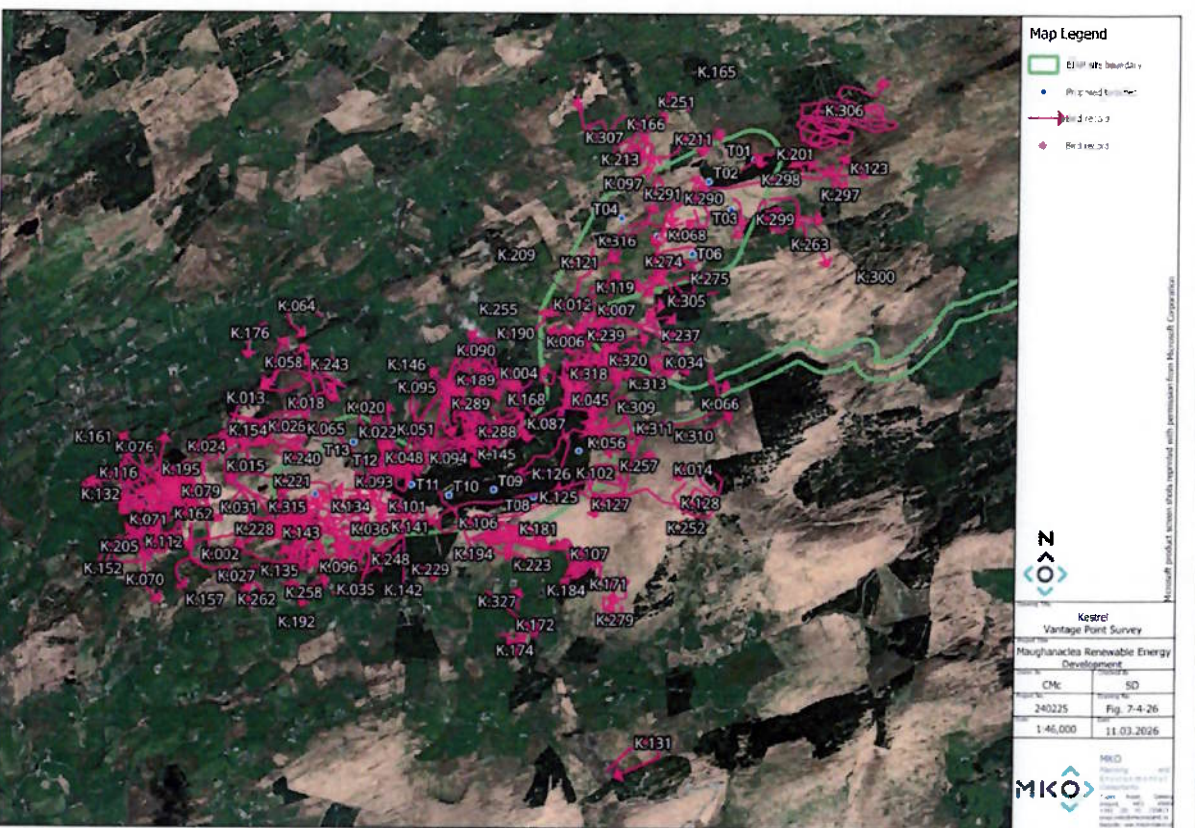
Goldeneye (Red List (BoCCI)) - potential disturbance,
Grey Wagtail, (Red List (BoCCI)) - potential water quality, disturbance issues,
Redwing, (Red List (BoCCI)) - collision risks,
Peregrine Falcon, (Annex 1) -known collision risks,
Swift, (Red List (BoCCI)) - known collision risks,
Stock Dove, (Red List (BoCCI))
Ring Ouzel, (Red List (BoCCI))- displacement & habitat loss & fragmentation, disturbance:
construction.

MKO's Response of 14/07/2026

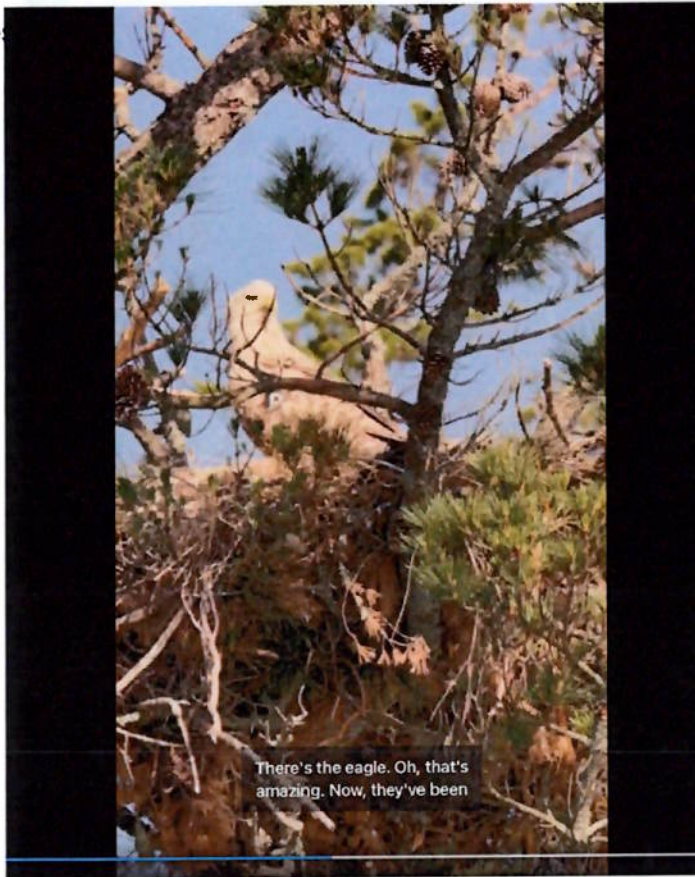
The DAU, having studied MKO's application's Chapter 7 and Appendices on the ornithological surveys, set out the above species-specific points, questions and concerns. MKO answer all them as one, by providing a short response ending as follows:

...the surveys undertaken provide the information necessary to allow a complete, comprehensive, and robust assessment of the potential impacts of the proposed impacts of the Proposed Project on avian receptors. The best practice surveys are the scientific basis for the impact assessment that followed.

these are larger versions of the images within the my observations so that more details can be seen.



Tere

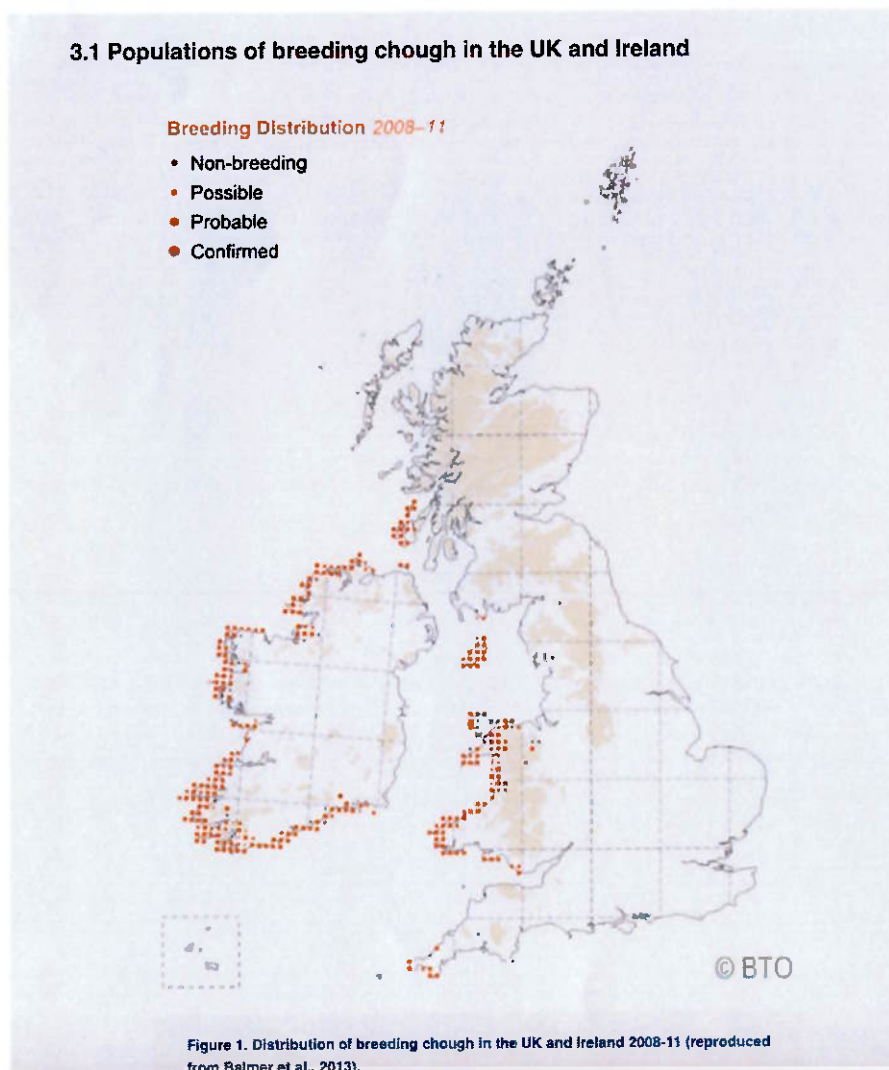


1) Photo of a yearling White Tailed Eagle taken at Glengarriff 2025.

2). Photo taken by our neighbours who live in the Maughanaclea Hills of a White Tailed Eagle visiting over their lands and conifer forest.



3.1 Populations of breeding chough in the UK and Ireland



Appendix 7.3 Summary Data

[illegible]

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: Teresa Colk Lynch.

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

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

Enclosures: My observations (20 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.

4.3.2 is not therefore not the comprehensive response it purports to be. Further in MKO using parts of its Chapter 7, without re-evaluation, inherent weaknesses have been carried forward into their response and repeated. As a result, MKO still presents a far from complete picture of potential losses to our local bird populations due to disturbance, displacement and collision risks, for its 'maughanaclea' project. Their approach is indicative of an organisation that continues to avoid meaningful engagement with third parties who affected by their proposals, and purposefully fails to understand the usefulness of public participation. MKO ignores the *raison d'être* of the Aarhus Convention which extols that: *'public participation in decision-making enhances the quality and the implementation of decisions'*.

The responsibility now lies with An Coimisiún Pleanála's Inspectorate and Commissioners to assess:

1. and re-engage with the submissions received from third parties, as well as the reports from independent professionals and statutory respondees.
2. whether these submissions and reports, along with outstanding issues from the Department of Housing Local Government & Heritage, materially affect the overall validity of the MKO's Ornithology Chapter 7.
3. Whether, even with the shortcomings, it is abundantly clear that the application and its subsequent response demonstrates the proposed development would fail to meet Ireland's nature conservation obligations, and so fail the EU Habitat and Birds Directives. This would naturally lead to a refusal of planning permission for this proposed project on the Maughanaclea, and in so doing protect the birds and wildlife, habitats, landscape, blanket bogs and peatlands which are so much part of the beautiful Meallagh Valley and the grandeur of the Shehy Mountains.

Mise le Meas



Teresa Colk Lynch BA (Hons) MA
Gortnacowly, Bantry P75 V065 County Cork

11/09/2026