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SUBMISSION TO AN COIMISIÚN PLEANÁLA

Re: Strategic Infrastructure Development Application by Slieveacurry Ltd. for a Wind Energy Development within the townlands of Tooreen, Fahanlunaghta More, Glendine North, Curraghodea, Silverhill, Cloghaun More, Letterkelly, Doonsallagh East, Knockalassa, Boolinrudda, Magherbaun, Slievealoughaun, Cloonlaheen Middle and Fahanlunaghta Beg, County Clare.

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Introduction

I am a resident and landowner within the project area, residing in Glendine North approximately 800 metres from the proposed location of Turbine 7. I have a long-standing connection to this landscape and possess extensive local knowledge of the mountain, its ecology, wildlife, heritage and communities developed over many years of living and working within this environment.

I recognise the importance of renewable energy in addressing climate change and acknowledge the considerable body of work undertaken by the applicant in preparing this Strategic Infrastructure Development application. Equally, however, the scale of the proposed development, its operational lifespan, and the sensitivity of the receiving environment require that the application be examined to the highest evidential and legal standard.

This submission is not an objection to renewable energy in principle. Rather, it concerns whether the environmental information presented to An Coimisiún

Pleanála is sufficiently complete, robust and scientifically reliable to enable a lawful determination of this application.

My concerns arise from what appear to be significant omissions and deficiencies within the ecological and cultural heritage baseline that underpins the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS). Where important environmental receptors have not been fully identified, characterised or assessed, confidence in the conclusions reached by the wider assessment is necessarily reduced.

Several of the matters identified in this submission relate to protected species afforded strict protection under European and Irish law, including the Hen Harrier (*Circus cyaneus*) and Barn Owl (*Tyto alba*). Others concern long-established native woodland and cultural heritage features that appear to have received insufficient consideration despite their potential significance.

While each issue warrants examination in its own right, their cumulative effect is more significant. Collectively, they raise legitimate questions regarding the completeness of the ecological and cultural heritage baseline upon which the applicant's conclusions are founded. Where uncertainty remains regarding the likely environmental effects of a development, that uncertainty should be resolved through further assessment rather than assumed away.

For these reasons, I respectfully request that An Coimisiún Pleanála carefully examine the adequacy of the information before it and apply the precautionary principle where material uncertainty remains. The purpose of this submission is to assist the Commission by identifying matters that, in my view, require further scrutiny before a lawful determination can be made.

1. Compliance with the Birds Directive, Habitats Directive and the Precautionary Principle

Before considering the detailed ecological matters raised in this submission, it is important to recognise that the assessment of this application is governed by specific legal obligations arising under European environmental law.

The Hen Harrier (*Circus cyaneus*) is an Annex I species protected under the EU Birds Directive (Directive 2009/147/EC) and remains one of Ireland's most vulnerable breeding birds of prey. Its conservation is therefore not simply an ecological consideration but a legal obligation requiring the competent authority to ensure that decisions do not undermine the protection afforded to the species.

Article 4 of the Birds Directive requires Member States to maintain and protect sufficient habitat for Annex I species and to avoid deterioration of habitats and

disturbance affecting these protected birds. These obligations extend beyond the boundaries of designated Special Protection Areas and apply wherever habitats are important to maintaining favourable conservation status.

BirdWatch Ireland's publication, *Bird Sensitivity Mapping to Wind Energy Development in Ireland*, identifies the Hen Harrier as one of Ireland's most wind-sensitive bird species. The guidance states that highly sensitive raptors, including Hen Harriers, are vulnerable to wind energy development through disturbance, displacement and collision. It also highlights scientific evidence demonstrating reductions in breeding density around wind farms and raises particular concern regarding cumulative impacts where multiple wind energy developments occur across a species' extensive home range.

The guidance notes that breeding Hen Harriers in Ireland may utilise territories extending 12 to 15 kilometres from nest sites. This demonstrates that impacts cannot be assessed solely within the immediate footprint of the proposed development but require consideration of the wider landscape, including cumulative effects arising from existing, permitted and proposed wind farms.

The National Parks and Wildlife Service's *Hen Harrier Threat Response Plan* similarly recognises that the species remains under significant pressure nationally and establishes a framework for restoring its conservation status. Decisions relating to developments with the potential to affect breeding success, habitat availability or mortality should therefore be considered within the context of these national conservation objectives.

Given the recognised sensitivity of Hen Harrier to wind energy development, I question whether the Environmental Impact Assessment has adequately assessed cumulative disturbance, habitat displacement, collision risk and barrier effects across the wider landscape. I also question whether the assessment has fully considered the significance of functionally connected habitat beyond the immediate development footprint.

Where this proposal has the potential to affect a Special Protection Area designated for Hen Harrier, or habitat that supports birds associated with such sites, the requirements of Article 6(3) of the Habitats Directive must also be satisfied. Consent may only be granted where the competent authority can conclude, beyond reasonable scientific doubt, that the proposal will not adversely affect the integrity of any European site, either alone or in combination with other plans or projects.

In light of the Hen Harrier's unfavourable conservation status in Ireland, the recognised uncertainty surrounding wind farm impacts, and the legal obligations arising under the Birds and Habitats Directives, I respectfully submit that the precautionary principle should guide the Commission's assessment of this application. The ecological matters identified in the following sections should therefore be considered within that legal framework.

2. Adequacy of the Ecological Baseline

The Environmental Impact Assessment process relies fundamentally upon the quality, accuracy and completeness of the environmental baseline used to identify, predict and assess likely significant effects.

The Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) provide the foundation upon which An Coimisiún Pleanála must determine whether the proposed development is environmentally acceptable and whether sufficient information exists to support a lawful decision. Consequently, the reliability of the conclusions reached throughout the assessment is directly dependent upon the completeness of the underlying baseline.

Where important ecological receptors have been omitted, incompletely surveyed or insufficiently characterised, the resulting assessment is inevitably weakened. The issue is not simply whether an individual species or habitat has been overlooked, but whether omissions within the baseline undermine confidence in the assessment as a whole.

In the present case, a number of concerns arise regarding the completeness of the ecological baseline, including:

- the apparent omission of Barn Owl (*Tyto alba*), despite known records and nesting activity within the project area;
- questions regarding the treatment of known Hen Harrier (*Circus cyaneus*) breeding activity and winter roosting habitat in close proximity to proposed infrastructure;
- the apparent under-recognition of a substantial area of long-established native Oak-Birch-Holly woodland identified through historic mapping and the national Ancient and Long-Established Woodland Inventory.

Each of these matters is independently significant. However, when considered collectively they raise broader concerns regarding whether the ecological baseline adequately reflects the environmental characteristics of the receiving environment.

This is particularly important where protected species are concerned. The purpose of ecological survey work is not merely to record species observations but to establish a sufficiently robust understanding of species distribution, habitat use, breeding behaviour, seasonal movements and ecological function so that likely impacts can be properly assessed and appropriate mitigation developed where necessary.

Where protected species or ecologically significant habitats appear to have

been omitted or incompletely assessed despite evidence of their presence, legitimate questions arise regarding the adequacy of the survey methodology, the extent of survey effort, the interpretation of survey results and the robustness of the conclusions subsequently drawn.

Similarly, where important habitat resources appear to have been under-characterised, there is a risk that ecological value has been underestimated and that indirect effects, including habitat fragmentation, disturbance and changes in ecological function, have not been fully evaluated.

These concerns are not presented as isolated criticisms of individual chapters within the EIAR. Rather, they represent a pattern of apparent omissions that collectively reduce confidence in the completeness of the ecological assessment upon which the application relies.

The following sections set out specific examples that, in my view, warrant further examination by the Commission. While each issue is capable of influencing the assessment individually, together they raise a broader question as to whether all likely significant environmental effects have been identified and adequately assessed.

Where uncertainty remains regarding the completeness of the ecological baseline, the precautionary principle requires that such uncertainty be resolved through further investigation rather than assumed to be insignificant. It is only on the basis of a complete and scientifically robust understanding of the receiving environment that the Commission can be satisfied that the requirements of the Environmental Impact Assessment Directive, the Birds Directive and, where applicable, the Habitats Directive have been fully met.

3. Barn Owl (*Tyto alba*)

The Barn Owl (*Tyto alba*) is afforded strict protection under the Wildlife Acts 1976-2023 and the EU Birds Directive (Directive 2009/147/EC). As a protected species, its presence and the potential effects of development upon its nesting, roosting and foraging habitat require careful assessment where there is evidence that the species occurs within, or in proximity to, a proposed development.

In this instance, I have significant concerns regarding the apparent omission of Barn Owl from the ecological baseline underpinning the Environmental Impact Assessment Report.

I have personally observed Barn Owls within the project area on numerous occasions over a period of years and retain dated records documenting these observations. In addition, I am aware of established nesting and roosting

locations within the wider landscape, including a nest site located approximately 700 metres from one of the proposed turbines.

The presence of Barn Owl within the project area is therefore not based upon isolated or anecdotal sightings. Rather, it reflects repeated observations over an extended period and knowledge of breeding activity within the surrounding landscape.

Furthermore, information concerning the presence of Barn Owl within this locality has previously been shared with individuals possessing relevant ecological expertise prior to the preparation of this application. In these circumstances, it is difficult to understand how a protected species known to occur within the project area appears to have been omitted from the ecological baseline.

The ornithological assessment does not appear to identify Barn Owl as a species requiring assessment, nor does it appear to evaluate the potential effects of the proposed development on nesting sites, roosting locations, commuting routes or foraging habitat. Similarly, there appears to be no assessment of potential impacts arising from turbine operation, construction activity, forestry clearance, tree felling, road widening, habitat disturbance or timber haulage associated with either the wind farm itself or the proposed Biodiversity Management and Enhancement Plan.

This omission is particularly significant because Barn Owls are highly dependent upon predictable commuting routes between nesting and foraging areas and are known to be sensitive to changes in habitat structure, disturbance and mortality associated with infrastructure development. Without identifying where birds breed, roost and forage, it is not possible to meaningfully assess whether the proposed mitigation measures are sufficient or whether significant adverse effects may occur.

The issue is therefore not simply that Barn Owl has not been discussed in detail. Rather, it is that the apparent absence of a protected species from the ecological baseline raises legitimate questions regarding the completeness of the ornithological surveys undertaken and whether the survey methodology was sufficient to identify all protected bird species known to occur within the development area.

Where a protected species appears to have been omitted despite credible evidence of its presence, confidence in the completeness of the wider ecological assessment is necessarily reduced. If one protected species has not been fully identified or assessed, it is reasonable to question whether other ecological receptors have similarly been under-recorded or insufficiently characterised.

Given the known occurrence of Barn Owl within the project area, I respectfully

request that the Commission carefully consider whether the ecological baseline is sufficiently complete to enable a lawful assessment of likely impacts on this protected species. In the absence of a comprehensive assessment of nesting sites, roosting locations, commuting routes, foraging habitat and potential disturbance or collision risk, I do not believe it can be concluded with confidence that the likely effects of the proposed development on Barn Owl have been adequately identified or assessed.

4. Hen Harrier (*Circus cyaneus*)

The applicant is to be commended for recognising the Hen Harrier as a key ecological receptor within the project area and for undertaking a substantial programme of ornithological surveys. Given the importance of the species, it is entirely appropriate that considerable survey effort has been devoted to understanding its distribution and behaviour.

However, the issue is not whether Hen Harrier has been considered. Rather, it is whether the full significance of known breeding activity, winter roosting habitat and the wider ecological requirements of the species have been adequately reflected within the Environmental Impact Assessment Report and Natura Impact Statement.

The Hen Harrier is an Annex I species protected under the EU Birds Directive and remains one of Ireland's most vulnerable breeding birds of prey. The National Parks and Wildlife Service's Hen Harrier Threat Response Plan recognises that the species continues to face significant pressures and identifies habitat protection and the avoidance of additional pressures as essential components of restoring the national population.

Breeding Territory Adjacent to Proposed Turbine 7

A Hen Harrier breeding territory recorded and monitored by National Parks and Wildlife Service personnel during the 2023 breeding season was located approximately 200 metres from the proposed location of Turbine 7.

This was not evidence of occasional overflight or transient foraging behaviour. Rather, it represented an active breeding territory in the immediate vicinity of proposed infrastructure.

Observations included adult birds, juveniles and repeated activity associated with the territory throughout the breeding season. These observations are understood to have been formally recorded by National Parks and Wildlife Service personnel.

The significance of the territory is reinforced by direct observations made by senior National Parks and Wildlife Service staff, who witnessed nesting activity and multiple birds associated with the breeding territory, including adults and

juveniles. On some occasions, as many as five Hen Harriers were observed within this area.

Community-based observations undertaken during the same period also recorded extensive Hen Harrier activity throughout this part of the mountain.

Given the close proximity of a documented breeding territory to proposed Turbine 7, it is difficult to reconcile these observations with conclusions suggesting that the proposed development will not result in significant adverse effects on breeding Hen Harriers. At a minimum, the assessment should clearly explain how these records have informed its evaluation of disturbance, displacement, habitat utilisation and breeding success.

Winter Roosting Habitat

Of equal concern is the apparent absence of any meaningful assessment of a known Hen Harrier winter roost within the wider project area.

Winter roosts represent one of the most important ecological resources used by Hen Harriers outside the breeding season. They may support multiple birds and are often utilised repeatedly over many years. The predictable movement of birds to and from these locations at dawn and dusk makes them particularly sensitive to disturbance and changes in the surrounding landscape.

The apparent omission of a known winter roost raises important questions regarding whether the assessment has adequately considered the full annual ecological requirements of the species rather than focusing primarily upon the breeding season.

Wind Energy Sensitivity

BirdWatch Ireland's publication, *Bird Sensitivity Mapping to Wind Energy Development in Ireland*, identifies the Hen Harrier as one of Ireland's most wind-sensitive bird species.

The guidance states that highly sensitive raptors, including Hen Harriers, are vulnerable to wind energy development through disturbance, displacement and collision. It also references scientific studies demonstrating substantial reductions in breeding density around wind farms and highlights the importance of cumulative impacts where birds are exposed to multiple developments across their home range.

The guidance further notes that breeding Hen Harriers may utilise territories extending 12 to 15 kilometres from nesting sites. Consequently, the ecological effects of a wind energy development cannot be considered solely within the immediate project footprint but must be assessed across the wider landscape used by breeding birds.

Cumulative Effects

One of the principal concerns identified within the BirdWatch Ireland guidance is the cumulative impact of multiple wind energy developments.

Hen Harriers are wide-ranging birds whose territories frequently overlap existing, permitted and proposed wind farms. As a consequence, individual developments that may appear acceptable in isolation can collectively contribute to increasing habitat fragmentation, displacement from preferred foraging areas, increased collision risk and the creation of barriers to movement.

It is not clear from the assessment whether cumulative effects have been comprehensively evaluated across the wider landscape occupied by breeding and wintering Hen Harriers.

In particular, I respectfully request that the Commission consider whether sufficient assessment has been undertaken regarding:

- cumulative disturbance arising from multiple wind farms;
- cumulative habitat displacement;
- cumulative collision risk;
- cumulative barrier effects on movements between nesting, foraging and roosting areas; and
- the interaction of this proposal with existing and permitted developments within the wider region.

Functional Habitat

The assessment of Hen Harrier should not be confined solely to identified nest locations.

Breeding Hen Harriers depend upon extensive areas of suitable foraging habitat extending well beyond the nest itself. Equally, habitat used during dispersal, commuting and winter roosting forms an integral part of the species' ecological requirements.

The Environmental Impact Assessment should therefore demonstrate that these functionally connected habitats have been identified, mapped and assessed, including those occurring beyond the immediate footprint of the development where they contribute to the viability of breeding territories.

Birds Directive and Precautionary Principle

Article 4 of the Birds Directive requires Member States to protect Annex I

species by maintaining sufficient habitat and avoiding deterioration of habitats and disturbance that would significantly affect those species.

Where uncertainty remains regarding likely impacts on a species whose conservation status remains unfavourable, the precautionary principle should guide decision-making.

Furthermore, where this proposal has the potential to affect a Special Protection Area designated for Hen Harrier, or habitat functionally connected to such a site, the requirements of Article 6(3) of the Habitats Directive must also be satisfied. Consent may only be granted where the competent authority can conclude, beyond reasonable scientific doubt, that the proposal will not adversely affect the integrity of any European site, either alone or in combination with other plans or projects.

Conclusion

The issue is not whether Hen Harrier has been considered within the application. Rather, it is whether the ecological significance of known breeding activity, winter roosting habitat and functionally connected landscape has been fully reflected within the assessment.

Given the documented breeding territory in close proximity to Turbine 7, the apparent omission of a known winter roost, the recognised sensitivity of the species to wind energy development, its unfavourable conservation status in Ireland and the acknowledged importance of cumulative impacts, I respectfully submit that further scrutiny of the assessment is warranted.

Should the Commission not be satisfied that these matters have been comprehensively addressed using the best available scientific evidence, the precautionary principle requires that any remaining uncertainty be resolved before consent is granted.

5. Long-Established Oak-Birch-Holly Woodland (WN1) within Glendine North

The Biodiversity Chapter identifies the presence of Oak-Birch-Holly Woodland (WN1) within the project area. However, the ecological significance of this habitat appears to receive relatively limited consideration when compared with other habitats described within the Environmental Impact Assessment Report.

Based upon historic Ordnance Survey mapping together with the GeoHive Ancient and Long-Established Woodland Inventory, this woodland appears to have remained continuously wooded since the earliest available mapping. If confirmed, this would indicate that it represents a long-established native woodland of considerable ecological importance.

This distinction is significant. The value of native woodland is not determined solely by its size or species composition at a single point in time, but also by its continuity through time. Woodland that has remained continuously wooded over centuries can support ecological communities that develop only over long periods and cannot readily be recreated through planting or habitat restoration.

The woodland extends to approximately fifteen acres, representing a substantial area of native woodland within a landscape where such habitats have become increasingly fragmented and scarce.

Its location within Glendine North, or *Gleann Doimhinn* ("Deep Valley"), further enhances its potential ecological significance. Across western Ireland, deep glens and sheltered valleys have historically acted as refugia for ancient native woodland, protecting them from agricultural clearance, exposure and other forms of landscape change that have removed much of Ireland's original woodland cover.

Many of Ireland's remaining fragments of Atlantic oak woodland and temperate rainforest occur within these sheltered landscapes, where stable, humid microclimatic conditions support exceptionally rich assemblages of bryophytes, lichens, ferns, fungi and woodland flora. Such habitats are increasingly recognised as being of exceptional national and international conservation importance.

Consequently, the ecological value of this woodland cannot be assessed solely by reference to its current vegetation classification. Its historical continuity, landscape context, ecological function and potential to support long-established woodland communities are equally important considerations.

The Environmental Impact Assessment Report states that no Ancient and Long-Established Woodland Inventory records occur within the site boundary. However, this conclusion appears inconsistent with information available through the GeoHive Ancient and Long-Established Woodland Inventory together with historic mapping of the area.

If this apparent discrepancy is confirmed, it raises important questions regarding whether the baseline has accurately characterised one of the most ecologically valuable habitats within the project area.

This is particularly relevant because long-established native woodland provides ecological functions extending beyond the woodland itself. Such habitats support protected bird species, bats, invertebrates, fungi and plant communities while also contributing to habitat connectivity, hydrological regulation and overall ecosystem resilience.

Any assessment of likely effects should therefore consider not only direct impacts on woodland habitat but also indirect effects arising from habitat

fragmentation, changes to local hydrology, edge effects, disturbance and alterations to the surrounding landscape that may influence the long-term ecological integrity of the woodland.

The issue is therefore not simply whether this woodland has been mapped correctly. Rather, it is whether its full ecological significance has been recognised and reflected within the assessment.

Given the increasing national importance attached to the protection and restoration of Ireland's remaining native woodland and temperate rainforest habitats, I respectfully submit that the ecological function, historical continuity, conservation significance and landscape context of this woodland warrant considerably closer examination than is presently evident within the application.

6. Omission of a Significant Nineteenth-Century Heritage Structure

In addition to the ecological matters outlined above, I have concerns regarding the apparent omission of a significant nineteenth-century hand-built stone bridge from the Cultural Heritage assessment.

The bridge is located at approximately 52°51'20.6"N, 9°20'15.2"W and appears to represent an important element of the historic landscape within the project area. Based upon its construction, character and apparent age, it is likely to possess local, and potentially regional, cultural heritage significance.

The Environmental Impact Assessment Report is required to identify and assess cultural heritage receptors that may be directly or indirectly affected by the proposed development. The omission of a potentially significant historic structure from the baseline assessment represents a material deficiency, as it prevents a proper evaluation of the likely effects of the development on that asset.

This concern extends beyond the bridge itself. The proposed development includes substantial construction activity, road upgrades, excavation works, forestry operations and timber haulage, all of which have the potential to affect historic structures through physical damage, vibration, increased loading, alterations to drainage and changes to their historic setting.

The bridge also appears to lie on, or in close proximity to, routes that may be used for forestry management and timber extraction associated with the proposed Biodiversity Management and Enhancement Plan. If this is the case, its structural capacity and long-term preservation should have been specifically considered within the assessment.

No assessment appears to have been undertaken regarding:

- the architectural or historic significance of the bridge;
- its structural condition;
- its contribution to the historic landscape;
- the potential effects of construction traffic or timber haulage;
- potential impacts arising from vibration or increased loading; or
- measures required to protect the structure during construction and operation.

Where a heritage asset has not been identified within the baseline, it follows that no meaningful assessment of likely effects can have been undertaken. Consequently, the conclusions of the Cultural Heritage chapter, insofar as they relate to this structure, cannot be relied upon with confidence.

More broadly, this omission raises concerns regarding the completeness of the cultural heritage baseline itself. The purpose of a baseline assessment is to identify all heritage assets that may be affected by a development so that informed decisions can be made regarding avoidance, mitigation or preservation. Where a significant structure appears to have been overlooked entirely, confidence in the completeness of the wider assessment is necessarily reduced.

This issue is of particular importance because the bridge is not an isolated feature but forms part of the historic character of the landscape. Such structures provide tangible evidence of the area's historical development, traditional engineering and patterns of land use, contributing to the cultural identity of the locality.

I respectfully request that An Coimisiún Pleanála carefully consider whether the omission of this structure represents a material deficiency in the Cultural Heritage assessment. If the bridge has not been identified or evaluated within the baseline, it is difficult to conclude that the likely effects of the proposed development on this aspect of the historic environment have been fully assessed.

Particularly concerning is the apparent absence of any assessment of the bridge within the Transport Assessment or timber haulage strategy. If the structure is proposed to carry construction or forestry traffic associated with the development, its omission from both the Cultural Heritage and Transport assessments represents a significant gap in the application. Without an engineering assessment of its capacity or an evaluation of potential impacts arising from heavy vehicle loading, the Commission cannot be satisfied that the bridge's structural integrity and heritage value will be protected.

7. False Framing of the "Do Nothing" Scenario

A further concern relates to the treatment of the "Do Nothing" scenario presented within the Environmental Impact Assessment Report.

The assessment appears to frame the future of the project area as a binary choice between the proposed wind energy development and a future in which little or no meaningful change occurs. In my view, this presents an unduly narrow interpretation of the alternatives available to this landscape.

The purpose of considering a “Do Nothing” scenario is not to compare a proposed development against an unrealistic assumption that the receiving environment would remain static indefinitely. Rather, it is intended to provide a credible baseline against which the environmental consequences of the proposal can be assessed.

In reality, this landscape is dynamic. It has evolved over centuries and will continue to evolve irrespective of whether this particular proposal proceeds. The relevant question is therefore not whether change will occur, but what form that change may take and whether alternative pathways could better protect and enhance the environmental, cultural and social values of the area.

The project area contains a rich combination of ecological, cultural and community assets. It supports protected species including Hen Harrier and Barn Owl, contains extensive peatlands, long-established native woodland, streams and watercourses, productive agricultural land and a cultural landscape shaped by generations of local communities.

These natural and cultural resources provide opportunities for a wide range of future land uses that appear to have received limited consideration within the assessment. Such opportunities include:

- native woodland restoration and expansion;
- peatland restoration and carbon sequestration;
- enhancement of Atlantic temperate rainforest habitats;
- biodiversity recovery through landscape-scale ecological restoration;
- sustainable agriculture and regenerative land management;
- community-led rural enterprise;
- heritage conservation;
- recreation and responsible nature tourism;
- environmental education and research; and
- climate resilience initiatives based on nature-based solutions.

Many of these approaches are actively supported through evolving national and European policy and are increasingly recognised as contributing to climate mitigation, biodiversity recovery, water quality improvement and sustainable rural development.

The absence of this proposal would therefore not result in a landscape devoid of investment or environmental progress. Rather, it would preserve the opportunity for alternative forms of development that may deliver long-term

environmental, social and economic benefits while maintaining the ecological integrity and cultural character of the area.

Given the scale of the proposed development and its anticipated operational lifespan, it is reasonable to ask whether the consideration of alternatives has been sufficiently broad to enable the Commission to fully understand the range of realistic future scenarios for this landscape.

This is not an argument against renewable energy. Rather, it is a request that the environmental assessment properly acknowledges that there are multiple potential futures for this landscape, each with different environmental consequences. A balanced assessment should recognise these alternatives rather than presenting the choice as one between the proposed development and relative environmental inactivity.

In my respectful submission, the treatment of the “Do Nothing” scenario understates the capacity of this landscape to contribute to Ireland’s environmental and climate objectives through alternative pathways centred on ecological restoration, biodiversity recovery and sustainable rural development. A fuller consideration of these possibilities would provide a more balanced context within which to evaluate the proposed development.

8. Conclusion

This submission does not seek to challenge the principle of renewable energy development, nor does it question Ireland’s need to transition towards a low-carbon economy. These are important national objectives that deserve strong support.

However, renewable energy developments must also comply with the environmental safeguards established under Irish and European law. Those safeguards exist to ensure that the transition to renewable energy does not come at the unnecessary expense of biodiversity, protected species, irreplaceable habitats or cultural heritage.

The matters identified within this submission relate not merely to differences of opinion regarding environmental impacts, but to what appear to be material omissions and deficiencies within the ecological and cultural heritage baseline upon which the Environmental Impact Assessment Report and Natura Impact Statement rely.

These concerns include:

- the legal obligations arising under the Birds Directive and Habitats Directive in relation to Hen Harrier;

- the apparent omission of Barn Owl despite known records within the project area;
- questions regarding the assessment of Hen Harrier breeding activity, winter roosting habitat and cumulative impacts;
- the apparent under-recognition of a significant area of long-established native woodland;
- the omission of a potentially significant nineteenth-century heritage structure; and
- the limited consideration of realistic alternative futures for the landscape within the assessment of the "Do Nothing" scenario.

While each of these issues is significant in its own right, their cumulative effect is of greater concern. Collectively, they reduce confidence in the completeness of the environmental baseline and, consequently, in the conclusions drawn regarding likely significant environmental effects.

Where protected species, long-established habitats or heritage assets appear not to have been fully identified or adequately assessed, it cannot simply be assumed that the proposed mitigation measures are sufficient. The burden rests upon the applicant to demonstrate, through robust scientific evidence, that all likely significant effects have been identified and appropriately assessed.

Where uncertainty remains, particularly in relation to Annex I bird species and other protected ecological receptors, the precautionary principle requires that such uncertainty be resolved before consent is granted rather than after development has commenced.

The matters raised in this submission should not be interpreted as an exhaustive review of the application. Rather, they illustrate a series of independently identifiable concerns which, taken together, reduce confidence in the completeness and robustness of the Environmental Impact Assessment Report and Natura Impact Statement. In my respectful submission, these issues warrant careful scrutiny by An Coimisiún Pleanála before any determination is made.

Accordingly, I respectfully request that the Commission give particular consideration to the adequacy of the ecological and cultural heritage baseline informing this application and the extent to which the legal requirements of the Environmental Impact Assessment Directive, the Birds Directive and, where applicable, the Habitats Directive have been satisfied.

Should the Commission not be satisfied that the information before it is sufficiently complete and robust to enable a lawful assessment of the likely environmental effects of the proposed development, I respectfully submit that the application should either be refused or be the subject of a request for substantial further information before any determination is made.

References

- BirdWatch Ireland (2015). *Bird Sensitivity Mapping to Wind Energy Development in Ireland*.
- National Parks and Wildlife Service (2024). *Hen Harrier Threat Response Plan*.
- Directive 2009/147/EC of the European Parliament and of the Council on the Conservation of Wild Birds (Birds Directive).
- Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive).
- Environmental Protection Agency. *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports*.
- National Parks and Wildlife Service. *Ancient and Long-Established Woodland Inventory (GeoHive)*.