Submission of Conor Maguire

Re: Proposed Lissinagroagh / Dough Mountain Wind Farm – An Coimisiún Pleanála Reference PAX12.324290

Dear Sir/Madam,

I make this submission objecting to the proposed Lissinagroagh Wind Farm.

My name is Conor Maguire. I am 55 years of age and I live with my wife Maeve and our family at Grove House, Manorhamilton, Co. Leitrim. I was born and reared in Manorhamilton. I grew up in a family business, was lucky enough to receive a very good education, and now work as a solicitor in the town that reared me.

I feel privileged to live, work and raise a family in North Leitrim.

I mention my background not because this application should be decided on sentiment, but because I want to be clear about where this submission is coming from. My objection comes from a real and long-standing commitment to Leitrim.

I have served as secretary of the SLNCR Greenway campaign and as secretary of the Leitrim Tourism Network. I am on the board of Manorhamilton Chamber. I represent Manorhamilton on the Leitrim Tourism Forum and on the Leitrim Economic Forum. I have been on the board of Futurecast from its inception, an innovation company committed to sustainable construction methods and education in better building practices. I also turned our former family pub into a successful guesthouse.

In my own small way, I have tried to contribute to tourism, local enterprise, regeneration, greenway development, sustainable construction, and the promotion of Leitrim as a place of landscape, community, culture and opportunity.

I am not against renewable energy. Far from it. I drive my second electric vehicle. I support retrofitting, energy efficiency, electrification, bog restoration, offshore wind, rooftop solar, battery storage and a serious national response to climate change. I am also planning a deep retrofit of my own home. I know perfectly well that electricity has to come from somewhere, and I support Ireland's climate policies.

I am also not pretending to be a purist. I enjoy the quietness and instant torque of an electric car, but deep down I am still a petrol head. I love the Donegal International Rally and the sound and excitement of a proper rally stage. I say that simply because I want this submission to be honest. I am not anti-car, anti-progress, anti-energy, anti-development or a NIMBY.

My objection is site-specific.

I support renewable energy. I support Ireland generating more clean electricity. But supporting renewable energy cannot mean that every renewable energy project, in every location, should be accepted.

The question is not whether Ireland needs renewable energy. It plainly does.

The question is whether this particular development, in this particular location, is appropriate, proportionate, lawful and environmentally sound.

In my respectful submission, it is not.

This is not a modest renewable-energy proposal. It is an industrial-scale wind farm on a sensitive upland peatland landscape, close to a Natural Heritage Area, with hydrological links to protected European sites, and with recorded ecological constraints including hen harrier, bats, marsh fritillary butterfly, otter, peatland habitats, watercourses and sensitive upland hydrology.

As someone said at a local public meeting, this is North Leitrim, not Texas. The scale is simply enormous.

The proposed development comprises fourteen large turbines, turbine foundations, crane hardstands, access roads, borrow pits, site compounds, drainage, underground cabling, turbine delivery route works, biodiversity enhancement lands and associated infrastructure. The turbines would have blade tip heights of up to 180–185 metres and rotor diameters of up to 163 metres.

The applicant's own documents identify serious ecological and hydrological constraints. The applicant then seeks to address those constraints through mitigation, compensation, enhancement, translocation, curtailment, monitoring and adaptive management.

That is, in my view, the central weakness of the application.

In plain English, the applicant is not saying there is no risk. The applicant is saying: there are serious risks, but they can be managed.

In my submission, that is not enough for this site.

The applicant has not removed reasonable scientific doubt. The application does not demonstrate, to the legal standard required, that this industrial-scale development can be constructed and operated on this site without unacceptable effects on protected species, peatland, hydrology, downstream European sites, landscape, visual amenity, recreational amenity, tourism, agriculture, residential amenity and the proper planning and sustainable development of the area.

For the avoidance of doubt, my objection is to the grant of permission in its entirety. That includes the proposed 10-year permission period, the proposed 35-year operational life, the wind turbines, access roads, borrow pits, turbine delivery route works, biodiversity enhancement lands, substation and grid connection infrastructure, all associated works, and any failure to assess the complete, functionally interdependent project as one integrated development.

I respectfully request that An Coimisiún Pleanála refuse permission.

1. The correct legal and planning approach

This application should be assessed rigorously by reference to the Habitats Directive, the Birds Directive, the EIA Directive, national planning law, the Leitrim County Development Plan, proper planning and sustainable development, and the precautionary principle.

Where European sites are involved, the test is strict.

The question is not whether the applicant has made an effort to reduce harm. The question is whether An Coimisiún Pleanála can be satisfied, on the basis of complete, precise and definitive scientific evidence, that the project will not adversely affect the integrity of any European site, either by itself or in combination with other plans or projects.

If reasonable scientific doubt remains, permission cannot lawfully be granted under Article 6(3) of the Habitats Directive.

That is the key issue in this application.

The applicant's own documents identify serious risks before mitigation. The applicant then relies on buffers, curtailment, habitat enhancement, compensation lands, translocation, post-construction monitoring, farm plans, future biodiversity management plans, landowner compliance, adaptive management and remedial action.

That is not the same as eliminating risk at source.

There is an important difference between:

1. avoiding harm in the first place;
2. reducing harm with certainty; and
3. accepting harm and trying to offset it somewhere else or over time.

The applicant's documents repeatedly move into the third category. That is especially clear in relation to hen harrier, marsh fritillary and bats.

In my submission, this is not a case where the applicant has designed out the ecological risk. It is a case where the applicant has acknowledged ecological risk and then attempted to manage, compensate for, monitor and adapt to that risk after permission is granted.

That is not good enough for this site.

2. Project interdependence and grid connection

There is a further serious issue which should be addressed at the outset: the relationship between the proposed wind farm and its grid connection.

The Planning Statement submitted with the application states that the proposed wind farm and associated grid connection infrastructure are functionally interdependent and together constitute a single project. That is a very important admission. A wind farm of this scale cannot operate in any meaningful way unless it can export electricity from the site to the national electricity network.

The electrical infrastructure is therefore not a minor add-on. It is not just a cable at the end of the process. It is an essential part of the overall development, including substation infrastructure, the underground grid connection route and the connection into the national grid.

This matters legally and environmentally. In Ó Gríanna v An Bord Pleanála, the High Court held that the connection of a wind farm to the national grid formed an integral part of the overall development and that the cumulative effects of the turbines and grid connection had to be assessed together for Environmental Impact Assessment purposes. The applicant's own description of the wind farm and grid connection as functionally interdependent reinforces the need for An Coimisiún Pleanála to assess all elements as one integrated project.

The Environmental Impact Assessment Report identifies an underground grid connection route extending approximately 32 kilometres from the proposed wind farm to the existing ESB Networks substation at Srananagh. The environmental footprint of the project therefore extends well beyond the turbine site itself. It includes substantial linear infrastructure crossing a range of landscapes, habitats, watercourses, roads, communities and ecological receptors.

The application material indicates that several underground grid connection route options were considered before a preferred route was identified. I am concerned that An Coimisiún Pleanála should be fully satisfied that the relevant statutory consultees were given sufficient detail on those later-developed route options and on the preferred alignment. That detail should include, at a minimum, watercourse crossings, sensitive habitats, fisheries interests, karst and groundwater constraints, ecological receptors, residential receptors, road impacts and other relevant environmental considerations.

A broad reference at scoping stage to an underground grid connection is not necessarily the same as proper consultation on a developed route with identified crossings, constraints and likely effects. Bodies responsible for water quality, fisheries, ecology, protected habitats and

cross-border environmental matters can only comment properly where they have adequate information on the route and the receptors it may affect.

This is particularly important because the wider project area contains sensitive hydrological, ecological and geological features. The application documentation identifies protected habitats, hydrologically connected watercourses, sensitive aquatic environments, peatland systems and areas of geological significance. The grid connection route is therefore not secondary or merely ancillary. It forms an important part of the environmental assessment of the project as a whole.

The wider EirGrid transmission context also underlines the need for clarity. Public information issued by EirGrid in relation to North-West reinforcement proposals indicates that transmission infrastructure in the region, including infrastructure associated with Srananagh, is evolving through separate stages of development and consultation. I do not suggest that this removes the applicant's responsibility to assess the proposed grid connection relied upon in this application. Rather, it makes clarity even more important. The Commission should know exactly what connection infrastructure is being assessed now, where the relevant project area lies, and whether the route and associated effects are sufficiently defined for proper assessment.

Given the applicant's own position that the wind farm and grid connection constitute a single, functionally interdependent development, I respectfully request that An Coimisiún Pleanála ensure that all direct, indirect, cumulative and in-combination effects arising from the complete project are fully considered. Particular attention should be given to the combined effects of turbine construction, peatland disturbance, drainage and hydrological alteration, electrical infrastructure, watercourse crossings, road works and associated construction activities across the wider receiving environment.

The issue is not that the grid connection has been wholly omitted from the application documents. The real issue is whether the detailed grid route, its environmental constraints and its likely effects were sufficiently developed, consulted upon and assessed as part of the complete project before this application was lodged.

In the absence of clarity on those matters, there is a risk that An Coimisiún Pleanála is being asked to determine the wind farm before the full environmental implications of the functionally interdependent grid connection have been properly examined.

In a development of this scale and complexity, the environmental consequences of the wind farm, substation, grid connection and associated works should be considered as an integrated whole rather than as a series of separate components. The fact that the grid infrastructure extends the project footprint well beyond the immediate wind farm site reinforces the need for a comprehensive and precautionary assessment of the complete project.

For that reason, I say the application is premature unless An Coimisiún Pleanála is satisfied that the complete wind farm and grid connection project has been properly defined, properly consulted upon and properly assessed as one integrated development.

3. The applicant's own documents confirm serious ecological constraints

The applicant's Non-Technical Summary states that the baseline receiving environment includes ecological features of local to international importance, including peatland habitats and protected species such as bats, otter and marsh fritillary butterfly. It further states that the proposed project is hydrologically connected to protected European sites, most notably Lough Gill SAC and Lough Melvin SAC.

That point should frame the assessment of the entire application.

This is not a clean, low-risk, low-sensitivity site. It is a constrained upland site with peatland, protected species and hydrological pathways to European sites.

The same documents confirm that the project relies on:

1. pre-construction surveys;
2. exclusion zones;
3. solid screen barriers;
4. translocation of marsh fritillary turves if webs are found within the footprint;
5. surface-water protection measures;
6. sediment and erosion control;
7. drainage systems;
8. clear-span bridges;
9. horizontal directional drilling;
10. bat buffers;
11. feathering of blades;
12. turbine cut-in speed controls;
13. hen harrier nesting enhancement areas;
14. hen harrier foraging enhancement lands;
15. long-term habitat management;
16. monitoring; and
17. adaptive management.

The length of that list is telling. It shows that the applicant knows this site is sensitive.

The Board should not be reassured by the length of the mitigation schedule. On the contrary, the number and nature of the proposed measures demonstrate the scale of the ecological problem.

A development that can only proceed by relying on compensation, translocation, future farm plans, operational curtailment, monitoring and adaptive management is not a development where risk has been clearly avoided.

4. Hen harrier: displacement is admitted, and compensation is not avoidance

The hen harrier issue is one of the strongest reasons for refusal.

The applicant's own documents identify a likely significant effect on breeding hen harrier before mitigation and compensation. That likely significant effect relates to displacement of birds from nesting and foraging habitat during the operational phase.

This is not a speculative concern raised by objectors. It is acknowledged in the applicant's own material.

The applicant proposes a package of compensation and enhancement measures, including two nesting enhancement areas totalling approximately 54.15 hectares, management and enhancement of over 218 hectares of foraging habitat, long-term habitat management, monitoring and adaptive management.

That package does not eliminate the problem. It proves the problem.

The applicant is effectively saying that the operational turbines will displace hen harrier from habitat, and that this displacement can be addressed by creating or improving habitat elsewhere. That is compensation. It is not true avoidance of the impact.

The Outline Biodiversity Management Plan confirms the presence of one to two breeding pairs in and around the site, with variable nesting success but consistent territorial use. It also confirms that operational turbines have the potential to cause disturbance and effective displacement of both nesting and foraging birds. It proposes compensation sufficient for two breeding pairs.

Again, the applicant's own language is important: the plan is to "compensate".

The Board should not allow the language of enhancement or net biodiversity benefit to obscure the legal and ecological point. The proposal involves the loss or effective loss of hen harrier habitat through turbine-related displacement. The applicant then proposes to replace, improve or manage other lands.

The hen harrier is not a casual or incidental species. It is a scarce and protected raptor. The presence of one or two breeding pairs in this area is highly significant. The loss, displacement or reduction of nesting and foraging opportunity cannot be treated as a minor residual issue.

The Board should also treat collision modelling with caution. The applicant may predict low collision risk, but the central hen harrier issue is not just collision. It is displacement, avoidance, fragmentation, loss of nesting and foraging habitat, disturbance, cumulative pressure and possible reduction in breeding productivity.

A low collision model does not answer a displacement case.

The proposed turbines are very large moving structures. The Avian Collision Risk Report uses a candidate turbine with a rotor diameter of 163 metres, rotor radius of 81.5 metres, hub height of 103.5 metres, blade tip height of 185 metres, fourteen turbines and a rotation speed

of 8.8 rpm. Using those figures, the blade tip speed is approximately 75 metres per second, or roughly 270 kilometres per hour.

That does not mean every bird will collide with a blade. But it does show the physical scale and force of the rotor environment into which protected birds and bats are being introduced.

The applicant's conclusion that residual effects are not significant rests on a chain of assumptions: that hen harriers will use the nesting enhancement areas, that the foraging lands will perform as intended, that the habitat management will remain effective, that landowners will comply, that the measures will operate for the full 35-year life of the project, that monitoring will identify problems in time, and that adaptive management will be sufficient to correct them.

That is not certainty. It is a chain of hope, management and compensation.

Irish and European precedent shows that hen harrier habitat loss, displacement and compensation-style management plans must be scrutinised with great care. In Grace and Sweetman v An Bord Pleanála, the Court of Justice addressed the distinction between mitigation and compensatory measures in the context of a wind farm affecting hen harrier habitat. The lesson is clear: future habitat management and compensation cannot simply be treated as if they avoid the adverse effect at source.

In my submission, the applicant has not demonstrated, to the standard required, that the proposed development will not have an unacceptable effect on hen harrier.

5. Bats: the applicant's own bat report undermines the application

The bat evidence is also a major weakness.

The applicant's Bat Assessment records seven bat species within the survey area and describes this as a high level of bat biodiversity. It records bat activity at all or in the vicinity of all proposed turbine locations. It identifies one building within the proposed development area as a bat daytime roost for soprano pipistrelle, which is a high-risk species in relation to wind farms. It records additional bat roosts outside the proposed development area.

The same Bat Assessment identifies four High Risk turbines: T6, T7, T11 and T13. It identifies three Medium Risk turbines: T9, T10 and T12.

That means half of the proposed turbine array is identified as High or Medium Risk for bats.

The report states that the proposed development will impact local bat populations, particularly common pipistrelle, soprano pipistrelle and Leisler's bat. These are described as High Risk species in relation to wind farms. The report says the proposed wind farm is likely to have an overall Moderate impact on local bat populations and that mitigation will potentially reduce that to a Low Impact.

The word “potentially” matters.

Potentially is not certainty. Potentially does not remove reasonable scientific doubt. Potentially does not satisfy strict species protection where all Irish bat species are protected.

The bat mitigation proposed includes:

1. 100 metre bat buffers;
2. vegetation control;
3. blade feathering in low-wind conditions;
4. cut-in speed regulation;
5. acoustic monitoring;
6. carcass searches;
7. operational surveillance; and
8. adaptive changes if monitoring recommends them.

Again, this is not true risk elimination. It is post-permission risk management.

The applicant’s own report states that monitoring, including acoustic surveillance and carcass surveys, is essential to determine whether the recommended mitigation measures are reducing impacts on local bat populations. It also states that the operation of the wind farm should be flexible to implement changes if recommended by monitoring results.

That is not an upfront guarantee that bat mortality and population impact will be avoided. It means the applicant proposes to build and operate the wind farm, monitor what happens, and then adjust if necessary.

That is not adequate for a site where seven bat species are recorded, bat activity occurs at or near all turbine locations, several turbines are high or medium risk, and one bat roost is within the proposed development area.

Bats are especially vulnerable to wind turbines because the risk is not limited to direct collision. Barotrauma, blade movement, attraction to turbine features, foraging behaviour, commuting routes and weather conditions all matter. Operational curtailment can reduce risk, but it does not prove that risk is eliminated.

The Board should ask the following questions:

1. Why are four High Risk turbines and three Medium Risk turbines still proposed?
2. Why has the development not been redesigned to remove those turbines?
3. Why is the applicant relying on operational monitoring to confirm whether mitigation is working?
4. Why should protected bat species be exposed to an avoidable experimental risk?
5. What happens if monitoring shows unacceptable mortality after the project has already been built?
6. Who will independently verify the data?

7. What enforceable shutdown or curtailment obligations will apply?
8. How will the cumulative effect on local bat populations be assessed over the full lifetime of the wind farm?

In my submission, the bat assessment demonstrates that this is not an appropriate site for a turbine array of this scale. The applicant's proposed mitigation does not remove reasonable scientific doubt. It manages risk after permission. That is not enough.

6. Marsh fritillary: translocation and future habitat management are not certainty

Marsh fritillary is another central concern.

The applicant's documents recognise marsh fritillary butterfly as a protected species present in the ecological baseline. Marsh fritillary is a legally protected species listed under Annex II of the Habitats Directive. It is highly dependent on precise habitat conditions, including the presence of devil's-bit scabious, suitable wet grassland, appropriate sward structure, appropriate grazing and suitable hydrology.

Its populations are patchy and vulnerable. Habitat that appears suitable in one year may not function in another. The species can be affected by drainage, grazing changes, fertiliser use, scrub encroachment, fragmentation, poaching, overgrazing, undergrazing, hydrological alteration and construction disturbance.

The applicant states that the design avoids direct impacts on all known larval web locations and proposes exclusion zones and solid screen barriers. However, the applicant also states that if larval webs are identified within the footprint of the project at the time of construction, the supporting turves will be translocated to suitable habitat beyond the zone of influence.

That is not certainty. It is a rescue measure.

If a protected species is discovered within the construction footprint, the answer should not be to move pieces of habitat during construction. The answer should be that the site design avoids the risk in the first place.

Translocation of turves is inherently uncertain. It depends on the receiving site, hydrology, vegetation structure, microclimate, grazing regime, devil's-bit scabious frequency, future management and species behaviour. It cannot be treated as equivalent to preserving established habitat in situ.

The Outline Biodiversity Management Plan proposes management of wet grassland for marsh fritillary. It sets out grazing regimes, fertiliser cessation, habitat condition monitoring, larval web monitoring, landowner reporting, formal inspections, remedial actions and long-term management.

Again, this is a management experiment over time. It is not evidence that harm has been avoided at source.

The documentation is also not entirely consistent on marsh fritillary compensation. The Non-Technical Summary refers to management of 2 hectares of wet grassland for marsh fritillary. The Outline Biodiversity Management Plan refers to 2.58 hectares of wet grassland for marsh fritillary. Even if the difference is not large, it demonstrates the need for exact, precise and definitive information where a protected Annex II species is involved.

The Board should not accept broad assurances that compensation will be "functionally equivalent". Functional equivalence must be proven, not asserted.

For a species with such specific habitat requirements, it is not enough to say that habitat will be managed, monitored and adjusted. The Board must be satisfied in advance that the development will not cause unacceptable loss, fragmentation or degradation of marsh fritillary habitat.

In my submission, the applicant has not removed reasonable scientific doubt regarding marsh fritillary.

7. Peatland, carbon storage and the Dough/Thur Mountains NHA

Peatland is at the heart of this objection.

Dough Mountain and its upland setting are not waste ground. They form part of a peatland, hydrological, ecological and scenic system. The nearby Dough/Thur Mountains Natural Heritage Area is designated for peatlands. The applicant's own documentation identifies peatland habitats and acknowledges the need for peat stability and surface-water mitigation.

Blanket peat is a carbon store, a habitat, a water-management system and a long-term ecological asset. It forms over thousands of years. Once damaged, it cannot simply be replaced within the lifetime of a wind farm.

The development would require turbine bases, crane hardstands, access roads, borrow pits, drainage, cabling, site compounds, turbine delivery route works and long-term maintenance infrastructure. These works involve excavation, compaction, drainage interference, concrete, imported materials, sediment risk, storage of spoil and peat, and permanent alteration of landform and water movement.

It is contradictory to damage carbon-storing peatland in the name of climate action unless the applicant can demonstrate that no unacceptable impact will arise.

The applicant may argue that the peat stability risk is low or negligible. That conclusion should be treated with caution. It is not enough for a developer to produce a peat stability

assessment and assert that risk is acceptable. The Board must be satisfied that the assessment is complete, robust, conservative and capable of withstanding the precautionary principle.

Peatland wind farm cases in Ireland have repeatedly shown that the apparent engineering footprint of a project can underestimate the real environmental risk. The risks include:

1. peat slippage;
2. bog burst;
3. altered drainage;
4. sediment release;
5. downstream water pollution;
6. carbon release;
7. habitat degradation;
8. compaction;
9. hydrological disconnection;
10. cumulative drying of peat;
11. instability arising from access tracks and borrow pits; and
12. long-term effects beyond the construction phase.

The applicant's own Non-Technical Summary states that Dough/Thur Mountains NHA is located upslope of the proposed wind farm site and that potential significant effects assessed for the NHA include degradation of peatland habitat associated with peat instability, drainage impacts and dust deposition. The applicant then concludes that no direct or indirect effects on peatland habitats within the NHA are predicted.

That conclusion should not be accepted without rigorous scrutiny. The fact that the applicant had to assess peat instability, drainage impacts and dust deposition on a peatland NHA confirms that this is a sensitive location.

The proposed nearest infrastructure is said to be approximately 80 metres from the NHA boundary. In the context of upland hydrology and peatland systems, 80 metres is not a meaningful comfort if drainage, groundwater movement, surface water flow, slope processes, erosion, dust and construction disturbance are not fully and definitively understood.

Peatland does not respect red-line boundaries. Water does not respect red-line boundaries. Ecological systems do not respect red-line boundaries.

In my submission, this site is unsuitable for an industrial-scale wind farm of this size.

8. Hydrology, Lough Gill SAC and Lough Melvin SAC

Hydrology is one of the most serious issues in this application.

The applicant's own documents state that the proposed project is hydrologically connected to protected European sites, most notably Lough Gill SAC and Lough Melvin SAC.

That is a major legal and ecological fact.

Lough Gill SAC includes qualifying interests such as lake habitat, grasslands, oak woods, alluvial forests, white-clawed crayfish, sea lamprey, brook lamprey, river lamprey, salmon and otter. Lough Melvin SAC includes qualifying interests such as oligotrophic to mesotrophic standing waters, Molinia meadows, salmon and otter.

These are water-dependent ecological interests. They are sensitive to sediment, pollution, hydrological alteration and changes in water quality.

The Board should not treat water protection as a routine construction-management matter. On an upland peatland site with hydrological links to SACs, water is the legal pathway by which local works may become European-site impacts.

The applicant proposes surface-water protection measures, sediment and erosion controls, drainage systems, buffers, clear-span bridges, horizontal directional drilling and environmental supervision. Those measures are important, but they are also evidence that the risk exists.

The legal question is whether those measures remove reasonable scientific doubt. In my submission, they do not.

There are several reasons:

1. The project is large and complex.
2. It involves extensive infrastructure on upland peatland.
3. The works are not confined to a small footprint.
4. Drainage and sediment control are vulnerable to weather, extreme rainfall, contractor performance and site-specific conditions.
5. Climate change is increasing the intensity of rainfall events.
6. Peat and hydrological systems are difficult to model with certainty.
7. The SAC pathways are acknowledged by the applicant.
8. Monitoring and management are not the same as prevention.

The Board should ask:

1. Can adverse effects on Lough Gill SAC and Lough Melvin SAC be excluded beyond reasonable scientific doubt?
2. Are the hydrological pathways fully mapped?
3. Are there karst features or groundwater vulnerabilities?
4. Are extreme rainfall events sufficiently addressed?
5. Are cumulative effects with forestry, drainage, agriculture and other wind developments adequately assessed?
6. Are sediment controls truly fail-safe?
7. Are peat storage and spoil management arrangements certain?
8. Is there any reliance on monitoring after the event?

If the answer to any of these questions leaves uncertainty, permission should be refused.

9. The problem with mitigation, compensation, monitoring and adaptive management

The application repeatedly depends on mitigation, compensation, monitoring and adaptive management.

That is not a minor drafting issue. It is the core problem.

The applicant's documents propose:

1. hen harrier compensation;
2. hen harrier nesting enhancement areas;
3. hen harrier foraging enhancement lands;
4. bat operational curtailment;
5. bat acoustic monitoring;
6. bat carcass searches;
7. bat adaptive operation;
8. marsh fritillary habitat management;
9. marsh fritillary larval web monitoring;
10. possible marsh fritillary translocation;
11. peat management;
12. surface-water management;
13. ecological clerk of works supervision;
14. future detailed biodiversity management plans;
15. future farm plans;
16. landowner self-reporting;
17. formal inspections;
18. remedial actions; and
19. adaptive management over the life of the project.

This is not a development whose impacts have been designed out. This is a development that proposes to proceed through a long chain of future assumptions.

The Board should be particularly cautious about any measure that depends on:

1. future landowner behaviour;
2. future grazing regimes;
3. future forestry felling;
4. future habitat uptake by birds;
5. future monitoring;
6. future remedial action;
7. future agreement with NPWS;
8. future farm plans;
9. future adaptive management; or
10. future proof that mitigation has worked.

Under the Habitats Directive, the competent authority must be satisfied before consent is given. It is not enough to consent first and see whether mitigation works later.

Post-construction monitoring can be useful, but it cannot be used to fill gaps in the assessment. Monitoring may tell us later that harm has occurred. It does not prove now that harm will not occur.

Similarly, compensation may be environmentally desirable in some contexts, but compensation is not avoidance. If a project requires compensation because harm is expected or cannot be ruled out, the Board must be very careful not to treat compensation as Article 6(3) mitigation.

In my submission, the applicant's reliance on this package leaves reasonable scientific doubt and should lead to refusal.

10. Relevant Irish and European precedent

Irish and European precedent supports a cautious approach.

In Grace and Sweetman v An Bord Pleanála, the Court of Justice considered a wind farm affecting hen harrier habitat and the status of habitat management measures. The case is highly relevant because it concerned attempts to address hen harrier habitat impacts through management measures. The case confirms the importance of distinguishing between measures that genuinely avoid or reduce harm and measures that compensate for known adverse effects.

In People Over Wind and Sweetman v Coillte, the Court of Justice confirmed that mitigation measures intended to avoid or reduce harmful effects cannot be taken into account at the screening stage for appropriate assessment. That case also arose from Ireland and reinforces the strictness of the Habitats Directive approach.

In the Ballydesmond/Gneeveguilla wind farm litigation, planning permission for a 14-turbine wind farm was quashed by the High Court because the assessment did not contain sufficiently complete, precise and definitive findings in relation to the hen harrier. That is directly relevant to this case, where the applicant again seeks permission for 14 turbines in a landscape with hen harrier issues.

In Cahermurphy, An Bord Pleanála refused permission for a large wind farm in County Clare where hen harrier impacts and cumulative ornithological concerns were central issues. That precedent demonstrates that renewable-energy policy does not automatically trump protected bird impacts.

The lesson from these cases is not that wind farms can never be permitted. The lesson is that where protected species, European sites, peatland and hydrology are engaged, the Board must be satisfied on the basis of complete, precise and definitive evidence. If the assessment

contains gaps, assumptions, compensation-style measures, uncertain future benefits or unresolved reasonable scientific doubt, permission should be refused.

This application falls on the wrong side of that line.

11. Landscape and visual impact

Dough Mountain is not an anonymous or expendable location. It forms part of the setting of Manorhamilton and the North Leitrim Glens. It contributes to the sense of place, visual identity and landscape character of the area.

Turbines of up to 185 metres would not sit quietly in this landscape. They would dominate it. They would be visible over a wide area and would permanently alter the character of the mountain, the approaches to Manorhamilton, local roads, upland views, green lanes and recreational routes.

This is a landscape whose value lies in its openness, scale, quietness and natural character. The proposed turbines would introduce a level of industrialisation that is fundamentally out of keeping with that character.

The visual impact would not be temporary or minor. It would be long-term, cumulative and intergenerational.

The height of the turbines is especially important. At 180–185 metres, these are not the type of turbines contemplated in older public understanding of wind energy. They are enormous industrial structures. Their impact on a sensitive upland landscape cannot be minimised by reference to renewable-energy need.

The Board should also consider cumulative impact. Leitrim and the wider North West have already carried substantial renewable-energy infrastructure. Rural counties should not be treated as default repositories for industrial-scale infrastructure simply because they have lower population density and weaker political voice.

Landscape is not just a visual amenity. In Leitrim, landscape is social infrastructure, tourism infrastructure, cultural infrastructure and mental-health infrastructure.

In my submission, the scale of the proposed turbines is excessive and inappropriate for this upland setting.

12. Recreational amenity, green lanes and quiet upland walking

The proposed development would also harm recreational amenity.

The area around Dough Mountain is valued for walking, cycling, quiet roads, green lanes, open upland character and the sense of wildness that is increasingly rare. This is not a formal tourism attraction in the narrow sense. It is part of the ordinary lived amenity of the area.

The construction phase would involve heavy traffic, road works, turbine delivery route accommodation works, public road disruption, construction vehicles, warning signage, noise, dust and industrial activity. The operational phase would leave turbines, access roads, hardstanding areas, signage, maintenance traffic and an altered landscape.

Green lanes and quiet upland roads are fragile amenities. Once widened, engineered or altered for turbine delivery and maintenance, they may never recover their original character.

These routes are used by local people, farmers, walkers, cyclists, dog walkers and visitors. The fact that an amenity is informal does not make it unimportant. Indeed, informal access to quiet countryside is one of the things that makes rural Leitrim special.

The Board should give real weight to the loss of quietness, wildness, safety, openness and local recreational value.

13. Agriculture, rural land use and local community confidence

The land around Dough Mountain forms part of a lived and worked rural landscape.

Leitrim's farming community works in difficult conditions. Upland and marginal land may not always appear highly productive in conventional terms, but it forms part of a wider agricultural, ecological and cultural system. Water quality, drainage, grazing, access, land stability and local roads all matter.

The industrialisation of upland areas can place additional pressure on farming communities and rural households. The Board should consider not only the turbine footprint but also associated infrastructure, traffic, road alterations, drainage works, peat disturbance, water concerns, land-use change and cumulative alteration of rural character.

Local residents and landowners are entitled to be concerned about property values, saleability, insurance, peace of mind, health, noise, visual dominance and long-term quality of life. Even where a developer disputes the extent of these effects, the concerns themselves are real and relevant to residential amenity and community confidence.

Homes and farms are not abstract receptors in an EIAR. They are where people live, sleep, work, raise children, retire and feel safe.

A development of this scale should not be imposed where serious and unresolved concern exists about residential amenity and community wellbeing.

14. Noise, shadow flicker and human health

I am aware that wind farm EIARs typically conclude that noise and shadow flicker can be managed by standard conditions and modelling. However, the Board should not treat those issues as purely technical.

The size of these turbines, their elevated location, the rural quietness of the receiving environment and the scale of the proposed development all matter.

The issue is not simply whether the development can be made to comply with a numerical noise standard. The issue is whether the development would fundamentally alter the lived experience of nearby residents and users of the area.

The Board should consider:

1. existing low background noise levels;
2. night-time disturbance;
3. amplitude modulation;
4. cumulative turbine noise;
5. low-frequency concerns;
6. visual dominance;
7. shadow flicker;
8. anxiety and stress caused by perceived loss of control over one's home environment;
9. construction disturbance; and
10. the overall effect on rural residential amenity.

A person living near a development of this scale does not experience these impacts separately. They experience them together.

In my submission, human health and wellbeing must be considered in the round.

15. Tourism, Manorhamilton and the long-term future of Leitrim

Leitrim's future cannot be separated from its landscape.

The county has enormous potential in tourism, greenways, walking, cycling, nature-based recreation, cultural tourism, remote working, small enterprise, sustainable agriculture and high-quality rural living. I have personally been involved in efforts to promote that future through the SLNCR Greenway campaign, the Leitrim Tourism Network and the development of local accommodation.

Leitrim County Council has recently promoted the county through the "Most Definitely Leitrim" campaign, encouraging people to live, work and relocate here. I welcome that ambition. I believe in it. I have lived it.

But if Leitrim is to attract people who value quality of life, environment, community and landscape, then the county must protect the very things that make people want to come here.

People are not drawn to Leitrim because it resembles everywhere else. They are drawn here because it is distinctive. They are drawn by mountains, lakes, bogs, rivers, lanes, community, quietness, creativity, clean air, outdoor life and the possibility of living closer to nature.

If we are serious about encouraging people to live in Leitrim, then protecting sensitive landscapes such as Dough Mountain should be central to that vision.

Industrial-scale wind development on sensitive upland peatland is not consistent with that future. It risks making Leitrim less attractive to the very people the county says it wants to welcome: families, remote workers, returnees, nature lovers, small business owners, walkers, cyclists, creative people and those seeking a better quality of life.

Leitrim should not sell its future for short-term infrastructure gain.

16. Commercial rates and the role of the local authority

I recognise that wind farms can generate significant commercial rates for local authorities.

That fact should be acknowledged honestly.

However, planning and environmental judgment cannot be reduced to a question of rates. A local authority's need for income cannot justify the permanent industrialisation of an unspoiled upland landscape. Rates cannot compensate for the loss of scenery, clean water, clean air, quiet roads, peatland, ecological integrity, community amenity, tourism value and rural quality of life.

If Leitrim loses the very things that make it special, no rates income can put that right.

The long-term public interest must come first.

In my respectful view, Leitrim County Council should be a leading voice in calling for a better national renewable-energy strategy: one that protects peatlands, protects water, protects communities, maximises energy efficiency, uses existing renewable power properly, develops rooftop solar, invests in storage and directs large-scale wind development toward more appropriate locations, especially offshore.

17. Renewable electricity is already being wasted

There is a wider national energy issue which should weigh heavily in the planning balance.

Ireland is already failing to make full use of the renewable electricity it produces. EirGrid and SONI's Annual Renewable Energy Constraint and Curtailment Report 2024 records that 2,181 GWh of all-island wind energy was dispatched down in 2024. That represented 14% of the total available wind energy. In the Republic of Ireland alone, 1,266 GWh of wind energy was dispatched down, equivalent to 10.1% of available wind energy. Solar was also affected,

with 39 GWh dispatched down in Ireland, representing 5.3% of available solar energy. When all renewable sources are considered, 8.8% of available renewable electricity in Ireland was dispatched down in 2024.

In plain language, Ireland is already dumping clean electricity because the grid and the wider energy system cannot always use it when it is available.

That is a major warning sign.

It shows that the answer is not simply to build more turbines in more sensitive places. The priority must be to make better use of the renewable electricity we already generate.

In that context, companies such as FuturEnergy Ireland should be incentivised, and where appropriate required, to invest in grid reinforcement, battery storage, long-duration storage, pumped hydro, thermal storage, local demand flexibility, smart charging, community energy systems and better use of surplus renewable electricity.

The Board should ask a simple question: why should sensitive upland peatland be industrialised while significant quantities of existing renewable energy are already being curtailed or constrained?

The national energy system is strained. The grid is constrained. Storage is underdeveloped. Demand flexibility is inadequate. Rooftop solar is underused. Ports are underdeveloped for offshore wind. Retrofitting remains too slow.

Those are the problems Ireland should solve before sacrificing Dough Mountain.

18. Offshore wind is Ireland's strategic opportunity

Ireland's greatest renewable-energy opportunity is not on fragile upland peatland. It is offshore.

David McWilliams has described Ireland's renewable-energy potential in terms comparable to Saudi Arabia's fossil-fuel opportunity. That is the scale of the offshore wind resource available to this island.

The Government's own Future Framework for Offshore Renewable Energy identifies offshore wind as one of Ireland's greatest industrial opportunities, with targets of 20GW of offshore wind by 2040 and at least 37GW by 2050.

That is where strategic attention should be focused.

Offshore wind has obvious advantages over placing very large turbines on sensitive upland peatlands:

1. it does not require turbine haul roads across blanket bog;
2. it does not require the widening of rural Leitrim green lanes;
3. it does not require turbine bases and crane hardstands on upland peat;
4. it avoids the same direct impact on nearby homes, farms and walking routes;
5. it can be developed at a scale that matches Ireland's true renewable-energy potential;
6. it can support energy exports;
7. it can transform ports;
8. it can create skilled marine, engineering and electrical jobs;
9. it can support regional industrial development; and
10. it can reduce the pressure to industrialise sensitive inland landscapes.

Floating offshore wind is especially relevant to the west of Ireland. In deeper Atlantic waters, turbines can be placed on floating platforms secured by mooring systems. Depending on design and infrastructure, floating platforms may be assembled, serviced or, in some cases, towed to port for major maintenance. This creates opportunities for ports, tug operators, marine engineers, fabricators, technicians, electricians, crane operators and training providers.

Surplus renewable electricity that is currently being dispatched down should be treated as a resource, not a waste product. It could be used to power port operations, battery systems, electrolysers, electric or hybrid tug boats, cranes, winches, hydraulic systems, thermal storage, pumped storage and flexible industrial demand.

That is strategic climate action.

The answer is not simply more turbines in more sensitive places. The answer is an integrated energy system: offshore wind, stronger ports, grid reinforcement, storage, interconnection, electrified transport, rooftop solar, local demand management, retrofitting and protection of carbon sinks.

Before Dough Mountain is industrialised, the State should ask whether this project represents the best use of renewable investment.

In my submission, it does not.

19. Rooftop solar, built surfaces and local energy

Before further pressure is placed on peatlands, mountains and high-amenity landscapes, Ireland should make far greater use of rooftops and built surfaces.

Farm sheds, schools, public buildings, commercial buildings, industrial estates, community halls, car parks, large domestic roofs and other suitable built surfaces should be treated as part of Ireland's renewable-energy estate.

Where owners wish to use the electricity, they should be supported. Where they do not wish to use it themselves, they should be paid fairly for making suitable space available.

This would generate clean electricity closer to demand. It would reduce transmission pressure. It would provide income to households, farms, businesses and communities. It would increase public support for renewable energy. It would reduce pressure to industrialise sensitive upland peatlands.

That is a genuine no-regrets strategy.

Energy efficiency should also be treated as renewable infrastructure. The cheapest and cleanest electricity is the electricity we do not need to generate. Retrofitting, insulation, efficient lighting, heat pumps where suitable, smart controls, storage, demand management, electric vehicles and community energy systems should all be part of the national response.

Leitrim could be a blueprint for this alternative.

20. Leitrim as a blueprint for better rural climate action

Leitrim should not be seen as a soft target for industrial-scale wind development.

It should be a blueprint for ecological rural living.

That means:

1. retrofitted homes;
2. rooftop solar;
3. farm-building solar;
4. community energy;
5. local battery storage;
6. smart EV charging;
7. bog restoration;
8. sustainable farming;
9. clean water protection;
10. biodiversity recovery;
11. greenways;
12. walking and cycling tourism;
13. remote working;
14. small enterprise;
15. local food;
16. cultural tourism;
17. restored buildings;
18. nature-based recreation; and
19. careful stewardship of landscape.

That is not anti-renewable. It is more renewable, more intelligent and more sustainable.

The choice is not between climate action and landscape protection. The correct approach is to do both.

The present application offers the wrong model: large industrial structures on sensitive upland peatland, justified by national renewable targets, while the system continues to waste clean electricity and underinvest in storage, grid capacity, rooftop solar and offshore wind.

That is not a no-regrets strategy.

21. The RED III / critical-infrastructure context does not lower the ecological bar

I recognise that this application is being treated in the context of renewable-energy acceleration and RED III.

That does not remove the obligation to comply with the Habitats Directive, the Birds Directive, the EIA Directive, strict species protection, national planning law and the precautionary principle.

Renewable energy is important. Climate action is urgent. But urgency does not permit legal shortcuts where European sites, protected species, peatland and hydrology are engaged.

The Board should not allow the renewable-energy label to dilute the standard of assessment. On the contrary, if renewable-energy projects are to maintain public trust, they must be held to the highest environmental standards.

A bad renewable project in the wrong place undermines public confidence in renewable energy.

In my submission, this is such a project.

22. The application should be refused on proper planning grounds

In my submission, permission should be refused for the following reasons:

1. The proposed development is excessive in scale and inappropriate in location.
2. The turbines, at up to 185 metres high with rotor diameters of up to 163 metres, would have unacceptable landscape and visual impacts on Dough Mountain, Manorhamilton and the North Leitrim Glens.
3. The development would industrialise a sensitive upland landscape whose value lies in its openness, quietness, wildness, scenic quality and recreational amenity.
4. The applicant’s own documents identify peatland habitats, protected species and hydrological connectivity to Lough Gill SAC and Lough Melvin SAC.
5. The applicant has not removed reasonable scientific doubt regarding hydrological effects, sediment risk, peat stability, water quality and downstream European-site impacts.

6. The proposed development risks damaging or altering upland blanket peatland, carbon storage, hydrology and peatland ecological function.
7. The applicant acknowledges likely significant pre-mitigation effects on breeding hen harrier due to displacement from nesting and foraging habitat.
8. The proposed hen harrier response relies on compensation, enhancement, monitoring and adaptive management rather than true avoidance of the impact.
9. The applicant's bat assessment records seven bat species, activity at or near all turbine locations, one roost within the development area, four High Risk turbines and three Medium Risk turbines.
10. The bat mitigation proposed relies on curtailment, monitoring, carcass searches and operational flexibility, which does not eliminate reasonable scientific doubt.
11. Marsh fritillary butterfly, an Annex II protected species, is present in the ecological baseline and the applicant relies on avoidance of known larval webs, possible translocation, wet grassland management, grazing control, monitoring and remedial action.
12. Translocation and future habitat management are not equivalent to avoiding protected-species impact at source.
13. The applicant's reliance on compensation, monitoring and adaptive management demonstrates that the ecological risks have not been designed out.
14. The wind farm and grid connection are functionally interdependent and should be assessed as one integrated project, including all direct, indirect, cumulative and in-combination effects.
15. It would be premature and contrary to proper planning to grant a 10-year permission unless the detailed grid route, constraints and likely effects have been sufficiently developed, consulted upon and assessed as part of the complete project.
16. The project would harm rural roads, green lanes, quiet walking routes, recreational amenity and the lived experience of the upland landscape.
17. The development would create serious concerns for residential amenity, local community confidence, householder wellbeing, property perception and rural quality of life.
18. The project would undermine Leitrim's long-term tourism, greenway, remote-working and quality-of-life strategy.
19. The development is inconsistent with the spirit of promoting Leitrim as a place to live, work, visit and relocate.
20. The economic and rates benefits of wind development cannot outweigh unacceptable environmental, ecological and landscape harm.
21. Ireland is already dispatching down significant quantities of renewable electricity, demonstrating that grid, storage and demand-flexibility failures must be addressed before further sensitive landscapes are sacrificed.
22. Offshore wind, rooftop solar, storage, retrofitting, port development and local energy systems provide better no-regrets alternatives.

For all of these reasons, I respectfully submit that the proposed development would be contrary to the proper planning and sustainable development of the area.

23. Conclusion

This application should be refused.

The applicant has not demonstrated, to the standard required, that this industrial-scale wind farm can be constructed and operated on this peatland, hydrologically connected, ecologically sensitive upland site without unacceptable risk to protected habitats, protected species, water quality, hydrology, European sites, landscape, residential amenity, tourism and the long-term sustainable development of North Leitrim.

The applicant's own documents confirm the seriousness of the constraints. They acknowledge hen harrier displacement, bat risk, marsh fritillary issues, peatland sensitivity, hydrological connections and the need for extensive mitigation, compensation, monitoring and adaptive management.

That is not enough.

On this site, for this development, with these turbines, in this landscape, beside these ecological receptors, and with these hydrological connections, reasonable scientific doubt remains.

The applicant also seeks a 10-year permission in circumstances where the wind farm and grid connection are described as functionally interdependent and a single project. That is not a satisfactory basis for permission unless the Commission is satisfied that the grid route, substation infrastructure and associated effects have been sufficiently defined, consulted upon and assessed as part of the complete development.

I make this submission not as someone opposed to progress, but as someone who believes deeply in Leitrim's future.

I want my children, and their children after them, to inherit a county that has responded properly to climate change. But I also want them to inherit the mountains, bogs, water systems, farms, lanes, wildlife, clean air and sense of place that make North Leitrim worth loving.

Dough Mountain is the wrong place for a development of this scale.

Ireland can and must achieve its renewable-energy objectives, but it should do so through a wiser, more strategic and genuinely sustainable approach: offshore wind, stronger ports, grid reinforcement, storage, rooftop solar, retrofitting, bog restoration, community energy, sustainable farming and protection of sensitive upland landscapes.

For the avoidance of doubt, I object to the grant of permission in its entirety, including the proposed 10-year permission period, the proposed 35-year operational life, the wind turbines, access roads, borrow pits, turbine delivery route works, biodiversity enhancement lands, substation and grid connection infrastructure, all associated works, and any failure to assess the complete, functionally interdependent project as one integrated development.

For all of the above reasons, I respectfully request that permission be refused.

Yours faithfully,

Conor Maguire
Grove House
Manorhamilton
Co. Leitrim

04th July 2026