

ERRIS ACTION GROUP

FORMAL OBSERVATION AND SUBMISSION

To: An Coimisiún Pleanála

Case Reference: PAX16.324387

Pre-Application Consultation Reference: ABP-318372-23 (January 2024)

Subject: Proposed RWE Renewables Ireland Limited — Muingmore Wind Farm

13 Wind Turbines | 180m Tip Height | 86MW Capacity | 35-Year Operational Life

Site Notices Erected: 19 June 2026

Submission Deadline: 7 August 2026

Submitted by: Brian Bakeberg, on behalf of Erris Action Group

1. Introduction

1.1 Who We Are

Erris Action Group is a community group representing residents, landowners, marine users, fishing families, tourism operators, and other stakeholders in the Erris region of County Mayo. Our members live, work, and depend on the same landscape, coastline, and water system that this application would irreversibly alter.

1.2 Position of Erris Action Group

Erris Action Group formally and unequivocally opposes the proposed Muingmore Wind Farm in its entirety. We submit that permission must be refused because the application fails to provide the scientific certainty, technical completeness, and legal compliance required for approval.

1.3 Basis of This Submission

This observation is based on the applicant's own application documents, including the EIAR, NIS, technical appendices, pre-application consultation record, and public communications. Where we identify defects, we identify them directly from the applicant's own material.

2. The Development

2.1 Scale of the Proposal

The proposed development consists of 13 wind turbines with blade tip heights of up to 180 metres, a 110kV substation, a battery energy storage system, access roads, underground cabling, a meteorological mast, construction compounds, peat management works, and ancillary infrastructure.

2.2 Physical Footprint

This is not a small upland wind farm. It is a large industrial construction project in an Atlantic blanket bog landscape, requiring turbine foundations, hardstands, drainage alteration, peat excavation, road formation, cabling corridors, and long-term operational infrastructure.

2.3 Why Scale Matters

The applicant seeks permission for a 35-year industrial transformation of a sensitive peatland environment. The scale of the proposal directly increases the risks of habitat loss, water pollution, peat instability, landscape harm, and cumulative impact on protected sites and local communities.

3. Protected Sites and Receptors

3.1 European and International Designations

The application affects a landscape hydrologically and ecologically connected to the Mullet/Blacksod Bay Complex SAC (000470), Broadhaven Bay SAC (000472), Blacksod Bay/Broad Haven SPA (004037), Ramsar Site No. 844, and Trista Bog NHA.

3.2 Why These Sites Matter

These are not optional designations. They impose binding conservation obligations. The applicant must show, beyond reasonable scientific doubt, that the project will not adversely affect the integrity of those sites.

3.3 The Source-Pathway-Receptor Chain

The applicant's own record confirms the source-pathway-receptor chain: disturbance of active peatland on site, runoff and suspended sediment through the Doolough Stream catchment, onward transport to Blacksod Bay, and tidal connectivity from Blacksod Bay into Broadhaven Bay.

4. The Site Is Priority Habitat

4.1 Applicant's Own Habitat Survey

The applicant's own Technical Appendix 5-1 confirms that "all areas of lowland blanket bog habitat on site (including degraded areas)" have been classified as EU Habitats Directive Annex I habitat *7130, specifically Priority active blanket bog. That is the highest level of habitat protection under the Directive.

4.2 Additional Annex I Habitats

The same survey confirms additional Annex I habitats on site, including Northern Atlantic wet heaths with Erica tetralix, Transition mire and quaking bogs, and European dry heaths across the main site. These habitats are not peripheral. They are concentrated in the same landscape unit draining toward the Doolough Stream.

4.3 Legal Consequence

The applicant is proposing permanent excavation and infrastructure on a site that its own ecologists classify as Priority habitat across the board, including degraded central areas where peat remains deep at over 3 metres. That is not a marginal planning issue; it is a direct conflict with the protection of Annex I habitat.

4.4 Public Mischaracterisation

RWE's public description of the site as "cutaway bog, agricultural land and forestry" is inconsistent with its own habitat survey and peat hazard assessment. A site cannot simultaneously be described as broadly cutaway land in public communications and as Priority active blanket bog in the technical record without that contradiction being explained.

5. Peat Instability and Geological Risk

5.1 Applicant's Own Peat Assessment

The applicant's own Technical Appendix 6-2 is a peat landslide and hazard risk assessment prepared by its own consultants. No independent verification has been provided.

5.2 Why This Matters

The danger of peat instability is not hypothetical. The development would require large-scale excavation, road formation, and deep disturbance of waterlogged peat with extremely low shear strength.

5.3 The Site Is Physically Unsuitable

The applicant's own material acknowledges deep peat in places, and the site lies on Atlantic blanket bog where all surface and near-surface water flows downhill to the sea with no effective filtration. The Scottish Government guidance cited in the file identifies peat instability and suspended solids pollution as the primary risks of wind farm construction on blanket bog.

Formal Request: Erris Action Group requests that An Coimisiún Pleanála require an independently commissioned and independently verified peat stability assessment, including worst-case slide modelling for each turbine, access road, cable corridor, substation, and BESS location.

6. Hydrology and Water Quality

6.1 Doolough Stream Is Poor and At Risk

The applicant's own Technical Appendix 7-4 repeatedly records the Doolough Stream as being of Poor WFD status and At Risk due to sediment and nutrient pollution from agriculture and peat extraction and drainage pressures. The same chapter confirms that water classified as less than good must be restored.

6.2 The Applicant's Own Legal Standard

"In accordance with the Surface Water Regulations, water classified as 'High' or 'Good' must not be allowed to deteriorate. Water classified as less than good must be restored."

That is the legal standard the applicant chose to apply to its own water assessment.

6.3 Why the Application Fails

The proposal would introduce a major new construction footprint into the catchment of an already Poor-status watercourse that the applicant itself says must be restored. The application does not explain how a 455-hectare construction project involving peat excavation, drainage alteration, and access road formation can be reconciled with that obligation.

6.4 Laboratory Outlier

The applicant's own surface water laboratory results contain an extreme outlier at sampling point SW-7, with COD recorded at 1,190 mg/l O₂, far above the other samples and above typical domestic sewage ranges. That result is not explained or resolved in the application documents reviewed.

Formal Request: Erris Action Group requests that the applicant identify the precise location of SW-7, confirm whether resampling was undertaken, and explain whether the outlier reflects a genuine baseline condition, a laboratory issue, or a transcription error before the dataset is relied upon.

7. Marine Habitats Will Be Harmed

7.1 Blacksod Bay SAC

The applicant's own material relies on the Mullet/Blacksod Bay Complex SAC conservation objectives, including protection of large shallow inlets and bays, maerl-dominated communities, reef communities, mudflats and sandflats, otter, and harbour seal.

7.2 Maerl Beds

The MERC survey records maerl in Blacksod Bay as a new scientific record, and the conservation objective requires maintenance of the extent and quality of maerl-dominated communities. Maerl is among the most sensitive marine habitats to fine sediment deposition and cannot recover within any planning timeframe if smothered.

7.3 Seagrass and Bird Food Sources

The same marine system supports seagrass beds in excellent condition, which are essential for the Light-bellied Brent Goose and other qualifying SPA species. Increased turbidity from peat disturbance threatens both the habitat itself and the food resources of the birds that depend on it.

7.4 Broadhaven Bay Connectivity

Broadhaven Bay is hydrodynamically connected to Blacksod Bay by the Belmullet canal, and pollutants entering Blacksod Bay will be transported into Broadhaven Bay. The applicant's treatment of the bays as if they were separate, isolated systems is scientifically inadequate.

8. The SPA Is Inadequately Assessed

8.1 SPA 004037 Is Missing From the NIS

The Blacksod Bay/Broad Haven SPA has 14 qualifying species. The applicant's NIS does not adequately assess the site's full bird interests and does not provide the level of certainty required under Article 6(3).

8.2 Collision and Displacement Risk

The applicant's own avian assessment must address direct collision risk from 13 turbines at 180 metres, as well as displacement and loss of feeding habitat. This is especially important for divers, Brent Geese, curlew, and other species vulnerable to collision or food-resource loss.

8.3 Cumulative Impact

The NIS must also assess the project in combination with Oweninny Phases 1, 2, and 3, including Phase 3, which was granted shortly before site notices were erected. The application does not adequately do so.

9. The Marsh Fritillary Survey Is Incomplete

9.1 Applicant's Own Survey Coverage

The applicant's own Marsh Fritillary Survey Report was designed around 11 proposed turbine locations, not the 13 turbines now before the Board. The report therefore does not cover the full scheme.

9.2 Protected Species Concern

Marsh Fritillary is the only insect species in Ireland afforded Annex II protection under the Habitats Directive. The applicant's own report identifies suitable habitat and Devil's-bit Scabious within multiple subsites on the development area.

9.3 What Is Missing

Two turbines were added to the application beyond the survey basis, yet no equivalent habitat assessment is shown for those areas. That is a material gap and means the development has not been fully assessed for a protected species.

Formal Request: Erris Action Group requests a complete updated Marsh Fritillary survey for the full 13-turbine layout, including the 50-metre buffers around the additional turbine locations.

10. Shadow Flicker Is a Fatal Admission

10.1 Applicant's Own Admission

Chapter 11 of the EIAR and Technical Appendix 11-1 contain the shadow flicker assessment. The applicant acknowledges that without the automatic shutdown system, the 30-hour per year threshold would be exceeded at one or more residential properties.

10.2 Scale of Non-Compliance

The applicant's own figures show 38 properties exceeding the annual threshold before mitigation in the largest scenario, 49 properties exceeding the daily threshold, and even after mitigation 8 properties still exceeding the annual 30-hour threshold.

10.3 Why This Is Serious

This is not a minor residual effect. It is an admission that the scheme, as designed, causes unacceptable shadow flicker unless it is permanently dependent on software-based shutdown. Even then, the applicant says residual exceedances remain.

10.4 Faulty Input Data

The shadow flicker model uses identical templated window dimensions across 92 properties and 368 windows, without individual survey of the windows concerned. A mitigation system built on templated, unsurveyed, non-property-specific data cannot be relied upon to deliver "near zero" flicker at real dwellings.

11. Aviation and Telecommunications Are Incomplete

11.1 Two Turbines Missing

Technical Appendix 13-2, the Aviation Review Statement, assesses only 11 turbines and omits T07 and T11 from the coordinate schedule. That means the aviation assessment did not assess the full 13-turbine proposal.

11.2 Outdated Layout

The aviation assessment is based on a turbine layout dated 13 February 2025, yet the application was submitted much later. If the layout changed, the aviation assessment does not reflect the final proposal.

11.3 Telecommunications Also Deficient

Technical Appendix 13-3 contains only 12 turbines and omits T11, while the coordinate schedules in the aviation and telecommunications reports do not match each other. The two reports are internally inconsistent.

11.4 Legal Consequence

Aviation and telecommunications assessments must be based on the exact turbines applied for. An incomplete and inconsistent coordinate set cannot support a valid conclusion of no significant effect.

12. Traffic and Construction Impacts

12.1 L5252 Traffic Increase

The applicant's own Chapter 14 records HDV traffic on the L5252 rising from 12 to 323 movements per day — a 2,592% increase.

12.2 Why This Matters

That level of increase is not a routine construction impact; it is a wholesale transformation of local road conditions. It affects road safety, local residents, cyclists, farm traffic, school access, and emergency access.

12.3 Abnormal Load Route

The AIL route from Killybegs Port requires 69 points of intervention along the route, including removal or alteration of utility lines, signs, barriers, and road infrastructure. This is a major off-site construction impact that must be treated as part of the project, not as an afterthought.

13. Residential Amenity Is Materially Undervalued

13.1 Proximity to Homes

The nearest dwelling is 719.24 metres from Turbine 12, and the nearest dwelling to any turbine is 740 metres. These are not comfortable setback distances for 180-metre turbines.

13.2 Local Facilities Omitted

The applicant's own Chapter 4 under-identifies local sensitive receptors, including schools, community facilities, beaches, sports clubs, and amenity sites. That is a serious omission in a rural community-based planning assessment.

13.3 Visual Dominance

At 180 metres tip height, the turbines would dominate views from Blacksod Point, Elly Bay, ferry routes, Bangor Erris, and the waters of Blacksod Bay itself. Visual harm of this scale is not a peripheral issue; it is one of the central impacts of the scheme.

14. Planning Policy Conflicts

14.1 Mayo County Council's Adopted Renewable Energy Strategy — Variation No. 2

Mayo County Council formally adopted the Renewable Energy Strategy for County Mayo as Variation No. 2 to the County Development Plan 2022–2028 on 13 July 2026 — during the observation period for this application. This document is now operative law, not a draft.

The adopted RES states in terms:

"Areas located outside of 'Areas Open to Consideration' with the exception of the established clustered wind farm areas are not deemed suitable for commercial wind farm development because of their overall sensitivity arising from landscape, ecological, recreational and or cultural and built heritage resources."

The Muingmore site is outside the Areas Open to Consideration, as confirmed by Map 6.14 of the adopted RES and as admitted by the applicant's own EIAR (Chapter 10, page 54). The development is in direct, conceded, material contravention of the current operative County Development Plan. Under Section 37(2)(b) of the Planning and Development Act, permission for development in material contravention of a development plan requires specific justification. None has been provided.

The adopted RES further states explicitly:

"Given the heightened risk of peat desiccation and the associated loss of carbon storage capacity, such soils are considered unsuitable for wind energy development in Mayo. It is therefore appropriate to exclude these areas at the planning policy stage."

The Muingmore site is on deep Atlantic blanket bog with confirmed peat depths of up to 6.4 metres. The planning authority's own adopted strategy was written to exclude exactly this site.

14.2 Mayo Has Already Exceeded Its Renewable Energy Targets

The adopted RES confirms that Mayo already has 1,114 MW of combined existing and permitted renewable energy capacity against a Development Plan target of 600 MW. Wind energy output alone stands at 793.3 MW — more than 32% above the target. There is no strategic necessity for this development.

14.3 Tourism Strategy

The proposal is also inconsistent with the Wild Mayo Destination and Experience Development Plan and with the adopted RES's own identification of the Wild Atlantic Way, Mayo Dark Sky Park, and the recently awarded UNESCO Global Geopark as protected tourism assets. The area's tourism value depends on the very landscape qualities the development would irreversibly diminish.

15. Conclusion

Erris Action Group submits that permission must be refused. The applicant's own documents establish Priority habitat loss, poor-status watercourses, unassessed or incomplete ecological surveys, fatal shadow flicker admissions, incomplete aviation and telecommunications assessments, severe traffic impacts, and major conflicts with binding conservation and planning policy.

The Board cannot lawfully conclude, on this record, that the development will not adversely affect protected sites, protected habitats, residential amenity, or the proper planning and sustainable development of the area. This application should be refused in its entirety.

Mise le meas,

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On behalf of Erris Action Group

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