

FORMAL NOTICE OF OBJECTION

TO:

The Board of An Coimisiún Pleanála

Strategic Infrastructure Development Division

Via Online Portal (www.pleanala.ie)

IN THE MATTER OF PLANNING APPLICATION REF: PAX16.324387

DEVELOPMENT TITLE: Muingmore Wind Farm, 110kV Substation & Battery Energy Storage System (BESS)

LOCATION: Muingmore and Doolough, County Mayo

SUBMITTER & PROPERTY STANDING

- Registered Landowner: John O'Donoghue
- Affected Holding: Agricultural Lands & Private Residence, Gortleatilla, Glenamoy, Ballina, Mayo, Ireland. F26Y7H6.
- Relationship to Site: Direct Down-Gradient Landowner & Primary Resident

I write as the legal title holder of an active multi-generational family farm in Glenamoy. My property sits directly down-gradient from the proposed 13-turbine development, 110kV substation, and utility-scale Battery Energy Storage System (BESS). I formally petition An Coimisiún Pleanála to REFUSE PLANNING PERMISSION based on the following grounds:

SUBSTANTIVE GROUNDS FOR REFUSAL

1) Breaches of the EU Habitats Directive (92/43/EEC) & Downstream Hydrological Threats

- The site comprises deep blanket bog and cutaway peatland within the sensitive Blacksod–Broadhaven water catchment.
- Ground excavation, piling, access road construction, and drainage alteration on unstable peatland create significant risks of peat slides, erosion, and heavy sediment runoff into the watercourses flowing through Glenamoy.

- This poses a direct threat to soil stability and agricultural land viability, while threatening downstream European designated sites (Broadhaven Bay SAC/SPA and Blacksod Bay SAC).
- Under Article 6(3) of the EU Habitats Directive and established CJEU jurisprudence (Waddenzee, Kelly v. An Bord Pleanála), planning permission cannot lawfully be granted where scientific uncertainty remains regarding adverse impacts on European Site integrity.

2) Environmental Impact Assessment Directive (2014/52/EU) – Baseline Flaws

- The Environmental Impact Assessment Report (EIAR) fails to meet statutory standards due to reliance on standardized, cloned receptor dimensions across local dwellings to model noise and shadow flicker.
- The EIAR omits a comprehensive cumulative baseline assessment that accounts for continuous 24/7 low-frequency noise generated by the BESS cooling units and 110kV substation transformers operating alongside turbine aerodynamic noise.
- The Board cannot complete a valid statutory assessment on defective baseline data.

3) Destruction of Active Carbon Sinks & Climate Action Act 2021 Non-Compliance

- Under Section 15 of the Climate Action and Low Carbon Development (Amendment) Act 2021, the Board is statutorily bound to align planning decisions with national carbon budgets.
- Excavating deep blanket bog oxidizes stored peat, converting a permanent natural carbon sink into an active carbon source.
- Destroying high-value peatland for energy generation on a constrained rural grid fails the statutory test of sustainable climate mitigation.

4) Major Accident Hazard – BESS Firewater Containment Failure

- The proposed BESS facility presents an unmitigated thermal runaway fire and toxic off-gassing hazard.
- The application lacks a localized, fully bunded firewater containment plan. Toxic chemical firewater runoff entering local streams creates an unacceptable risk of contaminating Glenamoy agricultural land and downstream aquatic habitats.

DETERMINATION REQUESTED

Because the proposed development threatens European protected sites, relies on defective baseline EIA data, violates statutory climate obligations, and introduces unmitigated toxic runoff risks, I request that An Coimisiún Pleanála refuse planning permission for Case Ref PAX16.324387.

Signed: John O'Donoghue)

Date: 7th August 2026