

The Secretary
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

5th August 2026

Our Ref. 26079

Re: Planning & Development Act 2000 and the Statutory Regulations made thereunder (as amended). Observation by Mary Finlay, Troiste, Baingear, Beal an Atha, Co. Mayo, F26 D1W4 in relation to Strategic Infrastructure Development application by RWE Renewables Ireland Limited that will consist of 13 wind turbines, a 110kV substation, battery energy storage system (BESS) and all associated infrastructure within the townlands of Muingmore (An Mhoing Mhór), Doolough (Dumha Locha), Tristia (Troiste), Moneynierin (Moing an Iarainn) and Bangor (Baingear) County Mayo.

An Coimisiún Pleanála Ref. PAX16.324387

Date of application: 19th June 2026

Period for making submissions / observations ends: on or before end of 7th August 2026

Dear Sir / Madam

We, Marston Planning Consultancy, 23 Grange Park, Foxrock, Dublin 18, are instructed by our client, Mary Finlay, Troiste, Baingear, Beal an Atha, Co. Mayo, F26 D1W4 to make the following observation to An Coimisiún Pleanála in respect of this application for approval lodged by RWE Renewables Ireland Limited (the applicant), for the above-described development at a site of c. 454 hectares.

In accordance with the statutory regulations, we enclose payment to An Coimisiún Pleanála (the Commission) for the appropriate statutory observation fee of €50. Our submission and the full reasons and considerations upon which this is based are set out below. We confirm that the submission is made within the statutory time period as set out under the statutory notices. We have inspected the subject site and examined the planning drawings and other particulars that form part of this wind farm planning application.

1. Overview

Our client's house is located in a rural community within which the 13 turbines and ancillary elements are proposed to be located. There are 225 homes within 2.5kms of the proposed main wind farm development. This is a highly rural location in low noise and highly scenic environment that is reflected in the route of the Wild Atlantic Way bounding the wind farm site to the west and south.

Environmental impact

Our client has significant concerns in relation to the inadequacy of the Environmental Impact Assessment Report, as well as its complexity being contrary to the principles and guidelines of the EIA Directive and the failure to adequately consider certain noise sensitive receptors; as well as hydrological and biodiversity concerns.

Negative impact on road infrastructure

Our client has serious concerns in relation to the impact on the local road infrastructure and amenity routes particularly during construction, and if permission is granted once in operation. These relate, in particular to the over-run proposals close to their house, and the lack of clarity of their design, and impact on the accessibility of the area and their property.

Negative impact on peatland stability and hydrology

There are strong planning and hydrological grounds for the refusal of permission that the applicant has failed to adequately address.

Residential and visual amenity

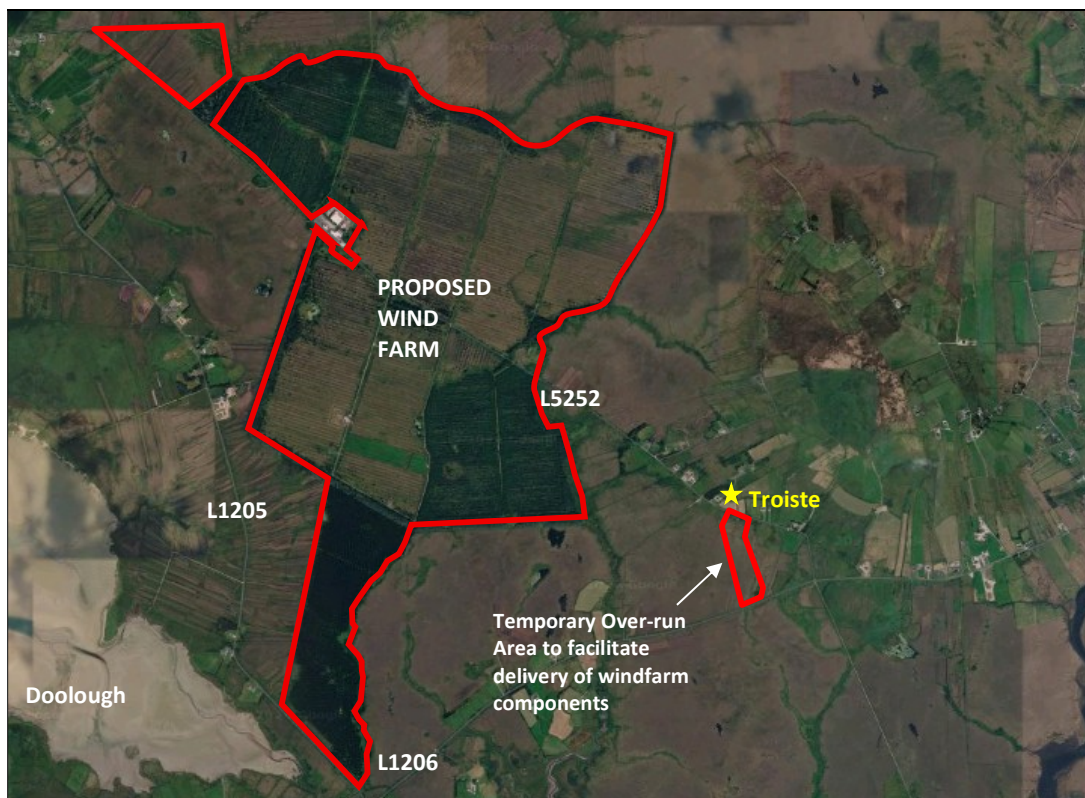
The proposed development will be seriously injurious to the existing established residential and visual amenity of our client's property and other adjoining residential properties. We therefore request that the Commission refuse permission in that the proposed development is materially contrary to the County Mayo Renewable Energy Strategy (2026) that states that this area is unsuitable for a wind farm.

We submit that it is critical that the location of all wind farms is plan led, using objective assessment criteria. The County Mayo Renewable Energy Strategy (2026) is such a strategy that takes appropriate notice of all statutory documents at a local and national level, including the most recent Climate Action Plan in reaching its sound and robust conclusions. This is further confirmed by the negative impact the proposal will have on the tourism industry of the area. The proposed development must therefore be refused by the Commission.

Prior to outlining the detailed grounds for our client's submission it is useful that the context of this application is laid out before the Planning Authority.

2. Proposed Development site and environs

The Proposed Development site of 429ha. is located in a rural area of north-west Co. Mayo. The existing land use of the main development site, where the proposed 13 turbines are proposed is peatlands and commercial forest plantations. The area around the main development site consists of one-off housing and ribbon development along the three local roads that bound the site to the west (L1205); to the south (L1206); and the local road L5252 which subdivides the main development site and connects from the L1206 to the south-east to the L1205 to the north-west of the site.



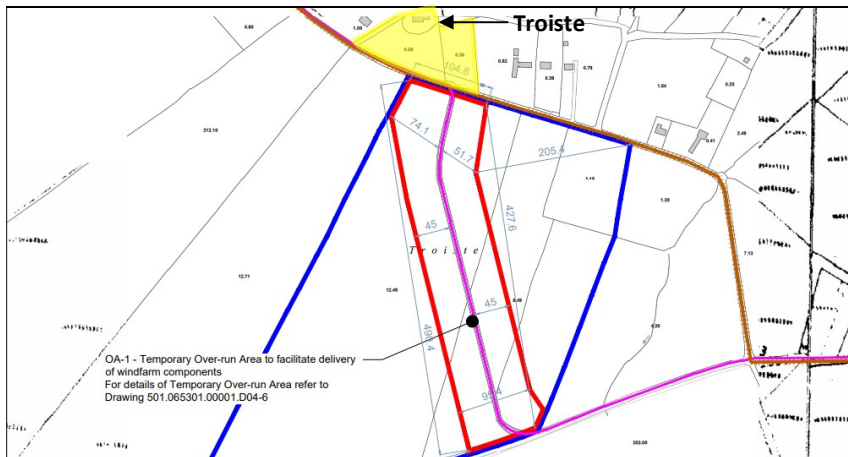
Aerial view of main application site, with our client's house marked by yellow star

The area is not well served by road infrastructure, with the R313 running in a generally east – west direction and some 4.8kms north of the L5252 / L1205 junction to the immediate north-west of the main development site. The N59 connects from Westport through Bangor Erris to the south-east of

the main development site. The local road infrastructure is a key consideration in our submission. The clear inadequacies of the local roads is shown by the proposed three 'over-run areas' that seek to enable delivery of wind farm components to the site.

There are no houses within the main development boundary, and there is a vacant industrial facility located immediately adjacent to the northern cluster of wind turbines, but is located outside, but bound on all sides by the planning application boundary.

Our client's property (outlined and shaded in yellow below) is located some 60m, and on slightly elevated ground, above and to the north of the L5252, with its access located some 740m north-west of the junction between the L5252 and L1206. The junction of the Proposed Over-run Area 1 with the L5252 is located to the immediate south/south-east, and some 90m from their single storey house. Their property has a south (front) to north (rear) alignment and is located c. 740m from, and to the east of the main development site.



Excerpt from Drawing no. 501.065301.00001.D04-6 showing our client's property relative to over-run area 1

The application site boundary is, at its closest point, c. 125m from the Atlantic Coastline with the nearest turbine c. 900m away from the coast. Due to its proximity to the sea, the site topography is close to sea level at its southern end and rises c. 30m generally in a south to north direction across the main development site.

The site includes a number of streams that run through the site generally in an east to west direction that flow into the Blacksod Bay / Broad Haven SPA (SPA Ref. 004037) and the Mullet / Blacksod Bay SAC (SAC Ref. 000470). It is beyond question that the Proposed Development site is therefore hydrologically linked to these Natura 2000 sites, and due to its location in close proximity to other Natura 2000 site, must be considered as one that is of the highest environmental sensitivity. The proposed development site is also located to the south-west of the Carrowmore Lake Complex SAC (SAC Ref. 000476) and SPA (SPA Ref. 004052), and to the north-west of the Owenduff / Nephin Complex SAC (SAC Ref. 000534) and SPA (SPA Ref. 004098).

Chapter 2 of the submitted EIAR states that there are 109 residential properties, including that of our client, within 1km of the Main Wind Farm Development Site. These, for the clarity of the Commission, are indicated on Figure 4-3 of Chapter 4 (not Figure 4-4) of the Environmental Impact Assessment Report (EIAR). Chapter 2 of the EIAR states that the nearest residential property is located c. 740m from the nearest wind turbine (T10).

The EIAR states that its assessment is based also on what is referred to as the 'Project' that includes the 'Grid Connection Route' which does not form part of this application. This indicates a route along the L5252, L1206 (to Bangor Erris) and along the N59 to the Bellacorrick 110kV substation. We would have grave concerns that given the rural location of the site, there is significant potential for this to change. The overall length of the GCR between the substation and the existing 110 kV substation is c. 23km.

There are two national schools to the north-west and south-west of the main development site, and due to the coastal location, has a high degree of visibility. The nearest part of the Wild Nephin National Park is located some 3.5kms to the south-east of the main development site.

Development Plan context

The Mayo County Development Plan 2022-2028 includes, as Volume 4, a Landscape Appraisal of the County. This indicates different landscape sensitivities throughout the County and indicates the coastline to the west of the site as being vulnerable as well as scenic routes to the north, south-west and south-east of the main development site. The Main Development site is located within Policy Area 2: Lowland Coastal Zone. This assessment recognises that this area has a different landscape character and sensitivity to development, which is stated as being based on:

“This area, despite the mildly variant terrain and land cover, has as a principle landscape factor a visual association with the coastline. The lowland coast is considered a separate core policy area, in relation to the other steeper coastal area, as it has significantly different landscape attributes, sensitivities and robustness.”

The County Development Plan (CDP), whilst recognising the pressures for wind energy in this landscape zone (Policy 8), it does not set out a basis for the assessment of wind farms in terms of their impact on this sensitive landscape. However, Policy 9, 10 and 11 all highlight the need for development to occur in a manner that respects the scale character and sensitivities of the landscape. Policy 10 also acknowledges that in such a low lying environment, tall development, such as a wind farm, can have a disproportionate impact against the landscape when viewed from the predominantly low lying areas of the public realm. Policy 11 in essence states that development that will have a disproportionate effect on the existing character of the landscape in terms of location, design, and visual prominence will not be encouraged. The CDP also states that policies, 3, 4, 5 and 6 within the ‘Montaine Coastal Zone’ should also be applied, as appropriate. These policies all seek to discourage development that would have a negative impact on the coastal landscape.

Wind farms are considered as a land use that has a high degree of potential development impact under Volume 4 of the CDP. The landscape sensitivity Matrix indicates that wind farms proposed in the area defined as Policy Area 2 have a high potential to create adverse impacts on the existing landscape character. This table importantly states that *“Having regard to the intrinsic physical and visual characteristics of the landscape area, it is unlikely that such impacts can be reduced to a widely acceptable level”*.

Renewable Energy Strategy for County Mayo

A new Renewable Energy Strategy for County Mayo was adopted by the County Council on the 13th July 2026. Map 4.1 of this new Strategy identifies the 14 connected wind farms in Co. Mayo that have a maximum export capacity of 366MW. There are other permitted but not built wind farms with an additional capacity of 181MW. There are other planned projects, either prior the application being lodged or in the planning system, that have the capacity to add a further 203MW to wind energy capacity output within the county. This figure predates the making of this application, which is not referenced in Table 6.1 of the Strategy.

The Strategy notes that one of the key matters for consideration in terms of renewable energy production in County Mayo is the capacity of the grid to cope with (a) the current levels of output capacity generated by operational producers and (b) to accommodate the contracted levels of capacity output (not yet operational).

The Strategy states that until such time as the area has the benefit of substantial investment in the necessary grid infrastructure to accommodate both its current and contracted output capacities, the potential of wind farm development is operating under notable limitations and restraints of the current grid system. The Strategy notes that there is a need for significant infrastructure upgrades and new infrastructure to be built. Whilst the Strategy acknowledges that there are a need for significant upgrades it fails to establish up to date positions on the required upgrades and is rather reliant on 2024 documents published by Eirgrid. Basing a Strategy on a document from 2024, in such a fast and changing area is, in our considered opinion, deeply flawed.

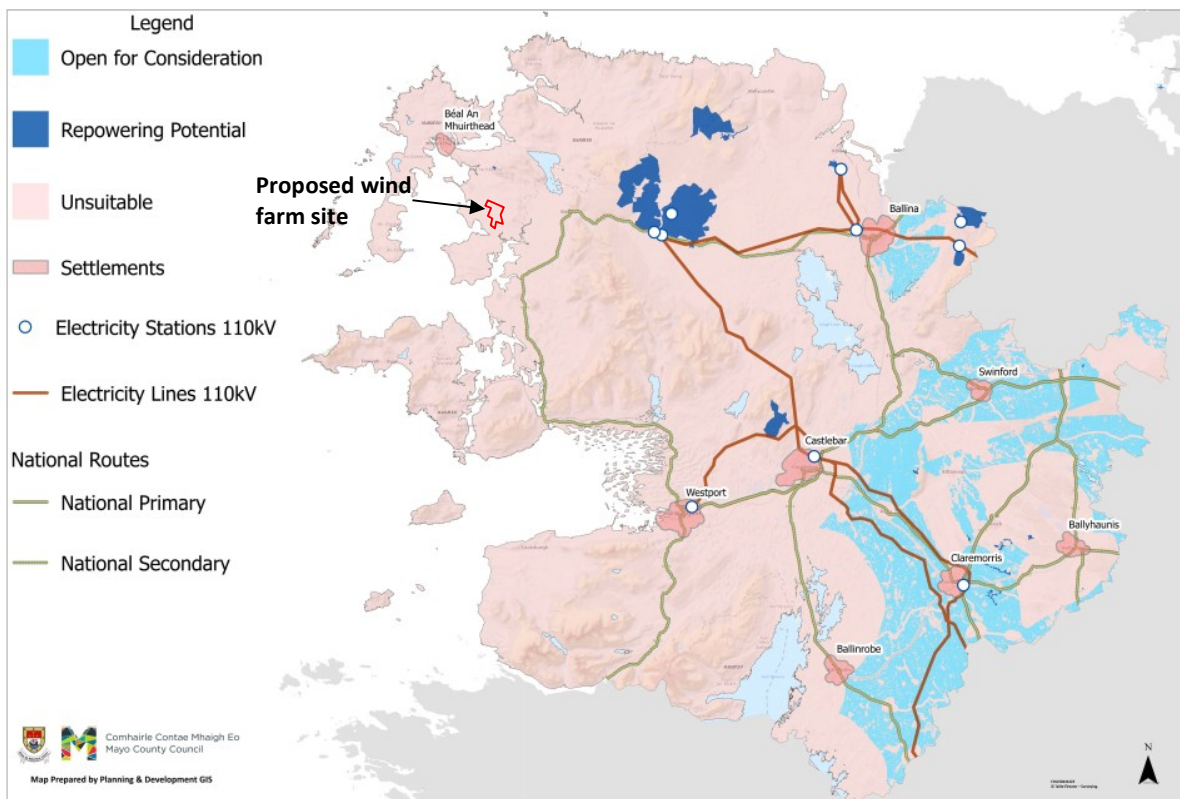
The new Strategy has built upon Volume 4 of the CDP and identified, based on landscape sensitivity, areas where there is potential for a wind farm project to create an adverse impact on the landscape of the area. The main Wind Farm development site is located in an area with a **‘High Potential to Create Adverse Impact’**.

This part of Mayo is identified within the Strategy as featuring some of the most dramatic and unspoiled coastal landscapes in Ireland. Mayo's section of the route, including Achill Island, Downpatrick Head, Killary Harbour and the Erris Peninsula. Fáilte Ireland 2023 report shows that the Wild Atlantic Way (WAW) generated €3 billion in revenue, the WAW is vital to County Mayo as it generates around €200 million annually, supports local jobs, and promotes rural development. It showcases Mayo's natural beauty while attracting a range of tourists. The route also fosters sustainable tourism and helps preserve the region's unique heritage and environment. As such, any development such as wind farms must be carefully planned and located appropriately to protect the visual and experiential integrity of this iconic route, ensuring that Mayo continues to thrive as a key destination along Ireland's Atlantic coast. The WAW runs along the L1205 and L1206 that abound the main wind farm development site.

It is a strategic objective to protect the integrity and authenticity of the unique unspoiled coastal landscapes of the County that form the essential context and backdrop for the Wild Atlantic Way which has become major tourism and economic asset for the county.

It is noted that the proposed development would not form part of a cluster of wind farms, which is contrary to the emergent trend, which is clustering of wind farm developments. The Wind Strategy aspect of the report breaks the County into, and excluding settlements, three areas where wind farms are open for consideration, repowering potential, and unsuitable. This is set out in map form in Map 6.14 of the Renewable Energy Strategy for County Mayo. The Proposed Development is located within an area identified in the most recent and up to date document as being Unsuitable for a wind farm, and as a result we request permission be refused.

Map 6.14 Wind Strategy Map (Wind Potential Lands)



Map 6.14 of the Wind Strategy Map (Wind Potential Lands) of the Renewable Energy Strategy with approximate location of proposed wind farm

3. Nature and extent of the proposed development

The proposed development will consist of the construction of a 13 no. turbine wind farm development, with associated 110 kV substation, battery storage, and all associated works on land within the townlands of Muingmore (An Mhoing Mhór), Doolough (Dumha Locha), Tristia (Troiste), Moneynierin (Moing an Iarainn) and Bangor (Baingear) County Mayo.

We note that under a separate case, An Coimisiún Pleanála (ACP Ref. PO16.321948) pursuant to section 37CD of the Planning and Development Act 2000 (as amended) enabled a design flexibility to be set out as part of this application in terms of turbine dimensions that include turbine tip height, rotor diameter and hub height. This allowed for each wind turbine to have an overall blade tip height between 179-180m inclusive, rotor diameter between 149-163m inclusive, and a hub height between 98.5-105m.

Contrary to the claims of the applicants, the proposal is not made in two 'clusters' but as a single entity that will be subdivided by the L5252 road on which our client's property is located. Turbines 1-7 are located to the north of the L5252 with turbines 8-13 located to the south of the road.

The proposed development will include a Battery energy storage system (BESS) compound with an adjoining 110 kV onsite electricity substation and onsite IPP (Independent Power Producer) substation will be located to the north of the L5252. Both will include various associated infrastructure, security, access and parking that will include the construction of a 33kV underground electricity and communications cabling to connect the windfarm and BESS to the proposed onsite substation.

The proposed development will be facilitated by the establishment of temporary construction compounds either side of the L5252. The delivery of the large construction material to site is made complicated by the existing road alignment along the local and regional roads. These are for the purpose of the construction phase, and when repairs are required, and are proposed in three locations along the route. One of these is to the immediate south-south-east of our client's property. Whilst questionable swept-path analysis assessments are provided at three junctions off the L5252 into the main wind farm site, that will be required to enable each of the 81.5m blades, that will include a 12.5m overhang to the rear, to access the site, no such detailed assessments, beyond Technical Appendix 14.1 are provided of the over-run areas and we would have grave concerns that any such swept path analysis would indicate the length of the tips and associated trucks would not be able to make the turns at the southern and northern end of over-run area 1. This would likely result in the blades oversailing our client's property as they turn the northern end of over-run area 1 that lies to the immediate north of the junction.

The proposed development will also include crane hardstands, laydown areas and turbine foundations; construction of permanent internal site access roads including passing bays and all associated drainage infrastructure.

The proposed development includes for the construction of three new entrance points into the site from the L5252 (two to the north and one to the south), and the erection of a permanent meteorological mast 100m in height. The application refers to the need to fell trees and replace trees within the site, to facilitate the proposed development.

The proposed development is for a 35-year operational life from the date of full commissioning of the entire wind farm. The proposed substation will continue to exist on a permanent basis. Permanent planning permission is being sought for these elements.

A separate planning application for a 110kV underground grid connection and all associated works, from the proposed onsite substation to the Bellacorick Substation will be lodged to An Coimisiún Pleanála.

We submit that the accuracy and correctness of the EIAR and other assessments are not reliable, given that it is unclear as to what the design and layout of the proposed wind farm will be. The EIAR would appear to have assessed different scenarios for different aspects of the environment.

We submit that the high degree of 'flexibility' is not supported by section 3.5.8 of the EPA 2022 Guidelines. This guidance states that the EIAR **must contain** adequate information to enable the Competent Authority (An Coimisiún Pleanála in this case) to carry out an assessment of all likely significant effects of the project on the environment (own emphasis).

The matters sought in terms of flexibility in layout and design in this instance go way beyond points of detail. In simple terms, our client at the time of making this submission do not know the exact height, dimensions and form of the wind farm. Whilst the turbine tip height has a minimal degree of flexibility the other elements indicate a degree of flexibility beyond that permissible under the EIA Directive.

4. Grounds of submission

The full grounds of our client's submission together with the arguments, reasons and considerations upon which it is based is set out below. We respectfully submit that the proposed development, by nature of its scale, density, design and layout at this location would be seriously injurious to the residential and visual amenities of the area and would be contrary to the proper planning and sustainable development of the area and should be refused.

The Proposed Project is classified as a Renewable Energy Plant which has general policy support from the EU as set out in the REPowerEU Plan of May 2022. REPowerEU, fit for 55, RED III and the European Green Deal all provide strong policy support from the EU for renewable energy. This is not contested and is reflected in the Energy Security in Ireland to 2030 strategy. RED III has been transposed into Irish legislation by way of European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025), which supports appropriate projects, which we would contest that this is not, and should be refused.

Contrary to national, regional and local planning policy

We submit that the scale, height and form of the proposed wind farm at this location is contrary to existing development plan policy as set out under the Mayo County Development Plan 2022 – 2028, which is the statutory development plan for the county. Wind Energy is addressed within Volume 1 (policies and objectives), as well as within Volume 4 of the CDP. The newly adopted Renewable Energy Strategy sets out a path to allow County Mayo to contribute to meeting the national legally-binding renewable energy targets and sets out opportunities for individuals, communities and businesses to harness renewable energy in a sustainable manner and to assist in combating climate change.

The CDP sets out a plan led renewable energy strategy that has already identified, from a range of environmental constraints, areas that can absorb wind farms, and those that cannot. It is beyond doubt that the area is one that, due to its near coastal location and local topography, as well as the surrounding Natura 2000 sites, is of the highest sensitivity.

The County Development Plan recognises that wind farms are a land use that has a high degree of potential development impact. The landscape sensitivity Matrix indicates that wind farms proposed have a high potential to create adverse impacts on the existing landscape character in the area. This table importantly states that *"Having regard to the intrinsic physical and visual characteristics of the landscape area, it is unlikely that such impacts can be reduced to a widely acceptable level"*.

The new Renewable Energy Strategy for County Mayo integrates with the CDP and the Climate Action Plan 2024-2029. It recognises that Mayo has already exceeded its renewable energy target and allows for future expansion of the renewable energy sector in the county.

However, it also sets out that there are large parts of the county where a wind farm has a high potential to result in adverse impacts on the landscape of the area. This is the case in this instance. This part of Mayo is identified within the Strategy as featuring some of the most dramatic and unspoiled coastal landscapes in Ireland, and forming part of the Wild Atlantic Way.

It is a strategic objective to protect the integrity and authenticity of the unique unspoilt coastal landscapes of the County that form the essential context and backdrop for the Wild Atlantic Way which has become major tourism and economic asset for the county.

The Proposed Development is located within an area identified in the most recent and up to date document as being unsuitable for a wind farm, and as a result we request permission be refused.

Failure to adequately consider traffic impacts

The proposed development includes for the construction of a temporary road of some 450m in length across the bogland (Annex I peatland) that provides a rich habitat to a wide range of protected species. The application lacks clarity in terms of how this road will be built and therefore how it will impact this rich habitat that has a rich biodiversity and provides a rich habitat for hares and deer.

As already noted the swept path analysis submitted with the application are both unclear in terms of the ability for the vehicles bringing the blades of the turbines to access the proposed development site, and notably, given where our client's own property is located adjacent to the over-run area 1; the swept path analysis provided within Volume 3, Appendix 14.1 of the EIAR (Drawing nos. SPA29 and 30) does not provide adequate clarity in terms of the degree of oversail and over-run that will occur. This is particularly the case given the narrowness of the L5252. The application lacks clarity in terms of how traffic will be managed during the use of this route, and the Construction Traffic Management Plan (Appendix 14-4) sets out some generic statements in terms of informing local residents ahead of the heaviest goods traffic, and a need for a stop / go system on the L5252. It is inferred that this stop / go system will manage the flow of traffic to a single direction, whilst the blades and other larger elements are delivered. This will function as a stop / stop system, given the size of the vehicles and width of the L5252, and will result in the road being unpassable in either direction, for long periods.

Whilst there are references within the EIAR for the need, along the proposed construction route for one-way systems to be put in place, there is no such proposal for either of the local roads at either end of this. Such a proposal would be unacceptable to our client.

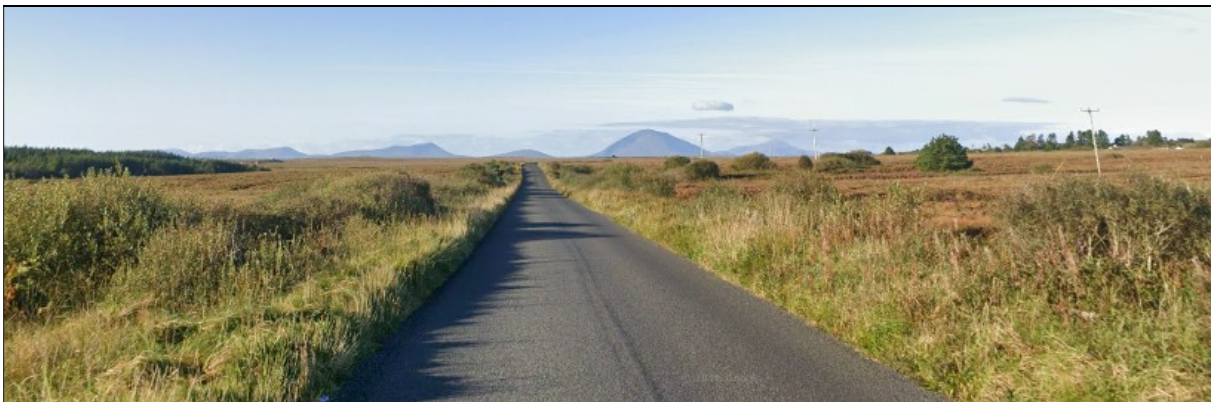
The application in terms of consideration of alternatives of the project, as set out under Chapter 3 of the EIAR, considers alternative turbine delivery options. Only two potential delivery routes from Killybegs were considered from Bangor Erris to the proposed development site. These were stated as being:

- Option 1 involved turning onto the L5254 (incorrectly named – the L5254 is a local road in Dublin and Cork) and a section of the L1206, which required the construction of a new, short offline track to safely transition onto the local road leading to the site entrance; and
- Option 2 utilised the L1206 before turning right onto the L1205 and onto a proposed site access track.

This section of the EIAR refers to a circular route to the west having also been considered, although no details on this are provided. Option 1 was ultimately chosen as the proposed delivery route as it was stated that it required fewer overall constraints for Abnormal Indivisible Load movements. Specifically, the swept path assessment undertaken on behalf of the applicants showed that the existing roads for Option 2 would require more disruptive mitigation works.



View along the L5252 towards the proposed development site (forestry area in background)

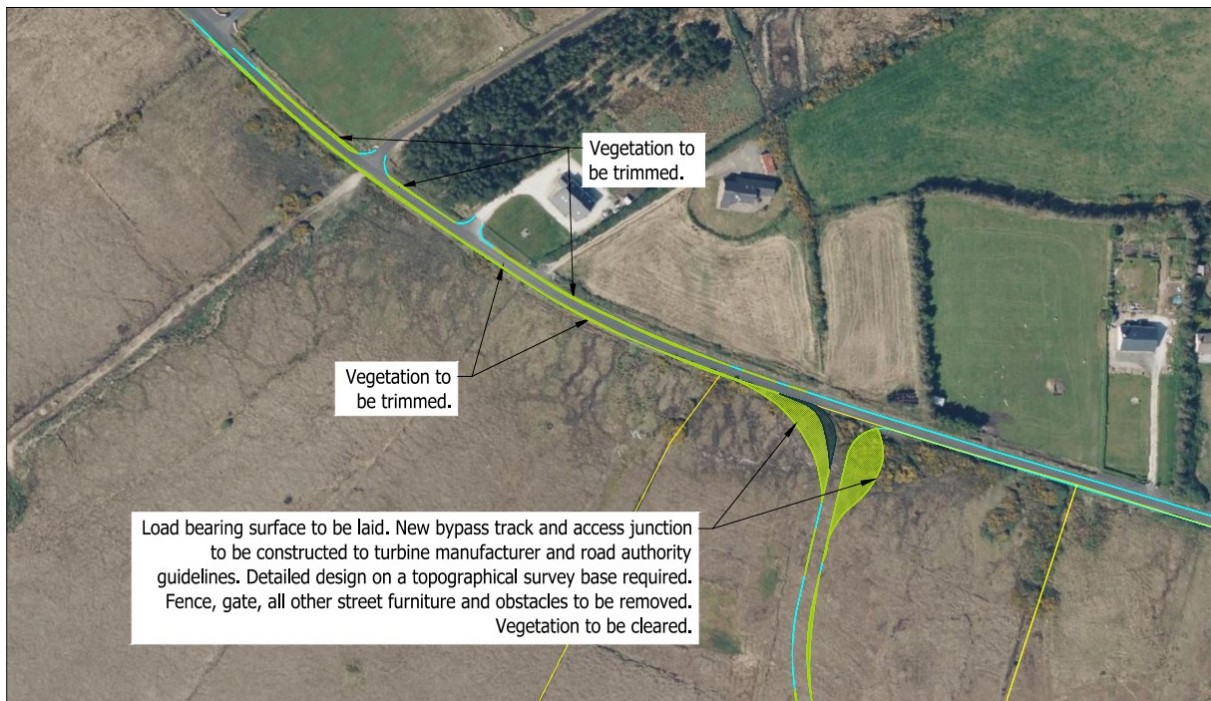


View along the L1206 to the south-east

Option 1 would require travelling on a local road for c. 12kms and would require the implementation of three over-run areas (new road lengths) to go from Bangor Erris to the site. The previous images are of the local road close to the proposed entrance to the site, and the L1206. As well as indicating the narrowness of the road carriageway, they also indicate the unspoilt and raised nature of the lands.

We respectfully submit that the route from Bangor Erris to Bunnahowen, along the R313; and then along the L1205 and the local road serving the proposed development, whilst a longer route, ensures that the construction loads utilise the roads with the greatest capacity for the longest period, and that a much shorter distance would be used for construction on local roads. Whilst longer in distance, over the entire route it is marginal and would appear to offer the most logical route avoiding, as much as possible local roads that do not have capacity to absorb and cope with the length of the vehicles required.

The submitted documents lack clarity in terms of the construction details of the over-run lengths of 'access track' to be constructed. We note that Drawing no. 10110851-PF-SPA-30A by Pell Frischmann just indicates that a load bearing surface will be laid at over-run area 1. No details are provided as to what that surface will be; how the track will impact the hydrology, biodiversity of the peatland habitat, or the dimensions of the track. The EIAR and submitted SID application is quiet on all these matters and must as a result be considered as inadequate. We note that these over-run areas consist of Annex I peatland habitats.



Excerpt from Drawing no. 10110851-PF-SPA-30A by Pell Frischmann indicating northern end of over-run 1

Failure to adequately consider impacts under the Environmental Impact Assessment Report (EIAR)

We submit that the proposed development is contrary to the Irish Government Department of Environment Heritage and Local Government document '*Wind Energy Development Guidelines, 2006*' (WEDG 2006) that sets noise limits for wind energy developments. We have serious concerns that the EIAR and the findings of the Natura Impact Statement does not comply with the requirements of Article 3(1)(b) of the EIA Directive.

We submit that the EIAR has failed to have adequate regard to EIA Directives (2011/92/EU and 2014/52/EU), European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (the bulk of which came into operation in September 2018), the European Communities (Environmental Impact Assessment) Regulations 1989-2006, Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001-2025. The cumulative impact of the proposal has not, in our considered opinion, been adequately assessed.

Negative noise impact

We submit to the Commission that the methodology used in terms of target noise levels is flawed. The applicant has failed to adequately justify the use of the operational noise limits for the proposed wind farm in this instance. A significant number of the noise sensitive receptors, including our client's property, which for some unknown reason was not included and noted as a noise sensitive receptor within Chapter 9 of the EIAR. However, it is noted that noise sensitive receptor 05 is located immediately to the west of their house. Their property is located within the 35dB LA90 study area noise contour identified within the EIAR. The use of an upper target noise limit base level of 40 dB(A) instead of 35 dB(A) is unjustified in this low noise environment

We submit that once a low noise environment has been acknowledged the target noise level should not be greater than 35 dB(A) base level; and there can be no basis for the night time limit to be greater than during the day. Our client's house is within a low noise environment, which has failed to be adequately considered in this instance. The survey from 2021 is also out of date, and we would have grave concerns that the cumulative impact of turbines 9, 10, 11, 12 and 13; in particular; would be profound and negative in this instance.

Negative impact on hydrology and other related matters

We request the Commission to consider how land use planning requires a more holistic approach than has been applied here by the applicant. Whilst the transmission line route has been considered as part of the project, this not fully defined and will form a separate SID planning application. We would question whether such works can be adequately considered in terms of the EIAR.

We request the Commission to consider the conflict in Land Use Planning terms between these two applications. If permission were refused for the transmission line application there would be an inherent conflict that must lead to the refusal of permission in this instance.

Contrary to SPPR2 of the Draft Revised Wind Energy Development Guidelines December (2019)

The proposed development is surrounded by houses as well as other properties. We refer the Commission to SPPR2 of the Draft Revised Wind Energy Development Guidelines December (2019), which remain in Draft form, that requires a set-back distance for visual amenity purposes of 4 times the tip height of the relevant wind turbine and the nearest point of the curtilage of any residential property in the vicinity of the proposed development.

This requires a set-back of at least 720m in this instance. Whilst it may not be adopted, the Draft Guidelines certainly forms a best practice guide to developers and Planning Authorities (the Commission) to govern the siting and scale of wind farms in this instance. The nearest residential property is stated by the applicants as being 740m away from the nearest turbine – we would severely question this. Our client's property is c. 1.1kms away from its nearest turbine (turbine no. 12).



Excerpt showing proposed wind farm from the lane above the L5252 looking north-west – view similar to that from our client's property indicating profound negative visual impact

The Zone of theoretical Visibility submitted as part of Appendix 10-2 of the EIAR indicates the high degree of visibility the wind farm will have from the most sensitive coastal locations in this part of County Mayo. The

falling topography from this local road means that the visual impact of the proposed wind farm is far more significant than would otherwise be the case. The overpowering visual impact of the turbines which are located in an area where the scale of wind turbines proposed, is not permitted is completely unacceptable and grounds for the refusal of this application.



Excerpt showing proposed wind farm from the L1206, looking north indicating profound negative visual impact

Negative impact on tourism industry

Our client has serious concerns in terms of the cumulative impact of the entire wind farm on the local and wider tourism industry. This part of Mayo is identified within the newly published Renewable Energy Strategy as featuring some of the most dramatic and unspoiled coastal landscapes in Ireland. Mayo's section of the Wild Atlantic Way, includes Achill Island, Downpatrick Head, Killary Harbour and the Erris Peninsula. It forms a key strategy of Fáilte Ireland in attracting tourists to the west of Ireland.

A Fáilte Ireland 2023 report indicated that the Wild Atlantic Way (WAW) generated €3 billion in revenue, and it is therefore not in question that the WAW is vital to County Mayo as it generates around €200 million annually, supports local jobs, and promotes rural development. It showcases Mayo's natural beauty while attracting a range of tourists. The route also fosters sustainable tourism and helps preserve the region's unique heritage and environment.

The proposed development, due to its position so close to the coast and WAW route along the L1205 and L1206 that bound the proposed wind farm will negatively impact upon the integrity of this tourism resource. It is, and will remain, a strategic objective to protect the integrity and authenticity of the unique unspoiled coastal landscapes of the County that form the essential context and backdrop for the Wild Atlantic Way which has become major tourism and economic asset for the county. Any proposed development that negatively impacts upon this resource and where it is not supported from a land use perspective under the County Development Plan, should be refused. It is notable that the EIAR, and other documents do not address the finalised and adopted Renewable Energy Strategy for Mayo that is at odds with the conclusions of the applicant in many aspects.

Inadequacy of Appropriate Assessment screening

We refer the Commission to the Appropriate Assessment that fails to remove all scientific doubt regarding potential adverse impacts on any Natura 2000 site. There is a lack of ex-situ impacts on birds foraging within the area; fails to consider Natura 2000 data that is readily available online; and failure to consider influences on habitats having regard to Natura 2000 sites.

Negative impact on residential amenity as a result of shadow flicker

Our client remains significantly concerned that our client and other local residents will experience shadow flicker in excess of the DoEHLG guideline as a result of the proposed development. We refer the Commission to the Draft Revised Wind Energy Development Guidelines December (2019), which whilst they are not fully adopted, are a more up to date guideline on flicker than the 2006 Guidelines, and may well be adopted during the Commissions assessment of the SID application, that states:

"A condition should be attached to all planning permissions for wind energy development to ensure that there will be no shadow flicker at any existing nearby dwelling or other relevant existing affected sensitive property

and that the necessary measures outlined in the shadow flicker assessment submitted with the application, such as turbine shut down during the associated time periods, should be taken by the wind energy developer or operator to eliminate the shadow flicker.”

The Guidelines state that if shadow flicker is not eliminated for any dwelling or other potentially affected property then clearly specified measures which provide for automated turbine shut down to eliminate shadow flicker should be required as a condition of a grant of permission. The applicant has failed to provide such proposals to address shadow flicker, in this instance. Our client's property will experience shadow flicker for nearly one third of the year for c. 40 minutes each day unless shadow flicker mitigation is introduced by shutting down the wind farm when wind and climactic conditions are such that shadow flicker could breach significance thresholds.

Reduction in property values

We submit that there will be a material reduction in the residential amenity of all surrounding houses as a result of the proposed development. This would have a material and significant reduction in the value of the all surrounding residents.

5. Conclusion

There are strong and unambiguous grounds for refusing permission for this application in this instance. We submit that the application has completely failed to adequately demonstrate compliance with the required policy of the County Development as well as best practice relating to EIAR, AA; and particularly the cumulative effect of the proposed development in relation to a range of environmental effects, including residential and visual amenity; as well as tourism.

Our client is also concerned that the sub-division of the project into two applications amounts to project splitting. Whilst the indicative grid connection route is assessed under the project EIAR, the integral nature of the grid connection route, which appears to be at best described as draft, and therefore has no basis for reaching any sound conclusions in terms of impacts of the proposal. The potential project splitting of this case must be thoroughly considered by the Commission.

The proposed development cannot be accessed via the existing road network, and requires a number of excessive and inappropriate interventions into the sensitive environment to just enable the turbines to be able to be brought to the proposed development site. This includes the oversailing of property in our client's ownership, for which they have no consent. If access for construction cannot be achieved in a reasonable manner and without the required legal consents then permission must be refused.

We submit that it is critical that the location of all wind farms are plan led, using objective assessment criteria. It is unequivocal that the proposed wind farm is located in an area where wind farms are not permitted under the recently adopted County Renewable Strategy that is informed by both the County Development Plan and achieving the requirements of the Climate Action Plan. We request the Commission to refuse permission on the basis of the following:

- Negative impact on the visual amenities of the area;
- Negative impact on the residential amenities of the area;
- Excessive scale and layout of the project,
- Negative visual impact of the proposal with respect to protected views, scenic routes and designated scenic landscapes;
- Negative impact on nature conservation, ecology, soil, hydrology, groundwater, archaeology, built heritage and public rights of way
- Negative impact on human health in relation to noise disturbance (including consistency with the World Health Organisations 2018 Environmental Noise Guidelines for the European Region), shadow flicker and air quality.

Our client is concerned that the operational noise emissions from the wind farm, as experienced at their house, will be above the thresholds of acceptability under multiple national and international standards. We request that the Commission refuse permission on the basis that the proposed development will be seriously injurious to the existing established residential and visual amenity of our client.

We respectfully submit that when considering all elements of this application it is incumbent on the Commission to conclude that the proposed development would be contrary to the proper planning and sustainable development of the area. We respectfully request the Commission based on these considered and objective planning arguments to refuse permission in this instance.

We trust that the Commission will give due consideration to all matters raised in this submission and request that planning permission be refused for the proposed development.

Yours faithfully,

A handwritten signature in dark ink, reading "Anthony Marston". The signature is written in a cursive, flowing style.

Anthony Marston (MIPI, MRTPI)
Marston Planning Consultancy