

## FORMAL SUBMISSION

**Reference:** An Coimisiún Pleanála Case Ref. 324429 — Strategic Infrastructure Development

**Applicant:** Cunlaghfadda Green Energy Ltd.

**Development:** Proposed 110 kV substation, loop-in grid connection and two lattice end masts, a 36 m telecommunications tower and associated development, in the townland of Cloonbaul, Co. Mayo — part of the wider “Cunlaghfadda Green Energy Project” comprising a 7-turbine wind farm (Mayo County Council P.A. 2660398, now under appeal), this substation and grid connection (ACP Case 324429), and a battery energy storage system (Mayo County Council P.A. 2660653).

**Submitted by:** Thomas McNamara, New Road, Knockroe, Mayo Abbey, Claremorris, Co. Mayo, F12 RR99.

**Date:** 31 August 2026

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## Introduction

I write to object to this Strategic Infrastructure Development application in good faith, on the basis of my own review of the application documents and of information shared locally. This is a submission on planning grounds only, and is not intended as legal advice.

Knockroe is my home place, and this development — together with the wind farm and battery storage it serves — would change it, and the wider Plains of Mayo around Mayo Abbey, permanently.

This substation forms part of the applicant's wider **Cunlaghfadda Green Energy Project**, which has been divided across three separate consent processes. It should therefore be assessed both for its own effects and as part of the integrated project, including the wind farm and BESS. However, this application also fails on its own merits.

At the pre-application stage, the Commission's inspector specifically warned that the EIAR should be "not only a replication of the proposed wind farm EIAR" and that "all potential impacts, including the wind farm, should be identified."<sup>1</sup> The applicant, in turn, advised that the assessments would be prepared separately, albeit using similar survey data. Yet many of the documents submitted under this application appear to be the same documents previously prepared for the wind farm, including the original wind farm report numbering.

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<sup>1</sup> An Bord Pleanála, Inspector's Report for pre-application consultation ABP-319153-24 (Senior Planning Inspector Karen Hamilton, 25 June 2024), §6.0 (Consultation Meetings) and §5.0 (“transmission node on the national grid”); Board decision 3 July 2024.

The issue is not that the EIAR considers the wind farm. It was required to do so. The issue is that the application does not appear to contain a distinct assessment of the substation's own effects, despite the inspector's clear direction that such impacts be separately identified and assessed. At the same time, the BESS is absent from the cumulative assessment.

As a result, the Commission cannot be satisfied that it has before it either a complete assessment of the substation itself or a complete assessment of the cumulative effects of the integrated project. The application therefore fails to provide the information necessary for a lawful and informed assessment of the proposed development.

Separately, it is also important to be clear on the weight to be given to climate and renewable-energy policy, because it colours the entire application. The Supreme Court has made clear, in *Coolglass Wind farm Ltd v An Coimisiún Pleanála* [2026] IESC 5, that climate objectives — however important — do not override the ordinary requirements of proper planning, including the protection of human health, residential amenity, cultural heritage, landscape and the natural environment.<sup>2</sup> A renewable-energy proposal must still be assessed on its merits. The applicant's case rests on the premise that approval is "imperative"<sup>3</sup> and that renewable energy developments are "presumed to be in the overriding public interest."<sup>4</sup> That is the reading of section 15 of the Climate Act that the Supreme Court rejected. I ask the decision-maker to apply the correct legal position from the outset: to weigh the climate benefit, but not to treat it as a trump card, and to assess this development on its planning merits — on which, as I set out below, it should be refused.

There is a second principle of EU law that runs alongside *Coolglass* and applies with equal force. In *People Over Wind and Sweetman v Coillte Teoranta* (Case C-323/17),<sup>5</sup> the Court of Justice held that mitigation measures cannot be taken into account at the screening stage of an Appropriate Assessment: the question at screening is whether the project, as proposed, is likely to have a significant effect, before any account is taken of measures intended to avoid or reduce that effect. I return to this principle in Ground 3 below, but it is worth stating plainly here because of what it exposes about this scheme as a whole. On the applicant's own case, the acceptability of this development — for the European sites, for protected habitats and species, for water quality, for the setting of Mayo Abbey, and for the living conditions of the homes affected by shadow flicker — depends extensively on mitigation: sensors, software, curtailment systems, habitat-management plans, silt traps, shut-down protocols. All of that is asked to work correctly, and continuously, not for one year or five years, but for the full 35-year life of the development. The Commission must therefore be satisfied that those measures are sufficiently detailed, secured, effective and capable of implementation throughout the life of the development. I note, too, that the planning context has moved on

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<sup>2</sup> *Coolglass Wind farm Ltd v An Coimisiún Pleanála* [2026] IESC 5.

<sup>3</sup> Applicant's First-Party Grounds of Appeal (McCarthy Keville O'Sullivan, 7 August 2026), §1.6.

<sup>4</sup> Wind EIAR, §1.2 (bold and underlined in the original).

<sup>5</sup> Case C-323/17 *People Over Wind and Sweetman v Coillte Teoranta*, EU:C:2018:244 (mitigation cannot be taken into account when screening for the likelihood of significant effects on a European site).

since the Council's decision: the site is now classified, under the Council's own current, adopted Renewable Energy Strategy for County Mayo 2026, only as an area "Open for Consideration" — the weakest of the Strategy's categories, assessed case-by-case<sup>6</sup> — rather than the "Preferred for Cluster of Turbines" designation the applicant's EIAR was written to fit (Ground 11).

I note that the environmental assessments before the decision-maker were commissioned and paid for by the applicant, which has a direct financial interest in a favourable outcome. That is the nature of the system, but it is a reason for the decision-maker to scrutinise the conclusions rather than accept them at face value — particularly where, as I set out below, the applicant's own documents contain material internal contradictions.

I should also note that this is an application of exceptional scale and complexity — in truth three linked applications, running to well over a hundred documents and many thousands of pages of technical material. The applicant has had years to prepare it. I, like other members of the public, have had only a short statutory window in which to respond, while balancing work and other commitments. This submission is therefore necessarily partial rather than exhaustive. I have taken care that the points I make are accurate and fairly stated, and I respectfully ask that any inadvertent error be read in that light and not allowed to distract from the substance.

I set out sixteen grounds below, leading with the substation-specific replication deficiency, before turning to the wider grounds that apply to the Cunlaghfadda Green Energy Project as a whole. Several of them — including the replication point (Ground 1), the project-splitting point (Ground 2), the failure of the Appropriate Assessment (Ground 3), and the water assessment (Ground 5) — are each, in my respectful submission, sufficient on their own to require refusal. For the reasons given, I respectfully request that **permission be refused**.

In summary, my grounds are:

1. The applicant was warned against replication, and replicated the wind-farm EIAR anyway.
2. One project, assessed in pieces (project-splitting and cumulative effects).
3. The Appropriate Assessment of European sites is flawed.
4. Harm to protected habitats and wildlife.
5. Water quality and the Water Framework Directive.
6. Flood risk and the impact on agricultural land.
7. Landscape and visual impact (the Council's Refusal Reason 1).
8. The setting of Mayo Abbey (Refusal Reason 2).
9. Shadow flicker and health (Refusal Reason 3).
10. Noise.
11. Reasonable alternatives were not properly assessed.

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<sup>6</sup> Mayo County Development Plan 2022–2028, Variation No. 2 (Renewable Energy Strategy for County Mayo 2026, adopted 13 July 2026), site classified as "Open for Consideration."

12. Over-development of the site.
13. The public could not participate effectively.
14. Climate policy does not require approval.
15. The battery storage: fire and major-accident risk.
16. Economic and community-benefit claims.

## Ground 1 — The Applicant Was Warned Against Replication, and Replicated Anyway

At the substation’s pre-application consultation, Senior Planning Inspector Karen Hamilton recorded the Board’s advice that the EIAR documentation “should be clear to inform the Board of the impact of any SID proposal and **not only a replication of the proposed wind farm EIAR,**” and that “regarding the cumulative impact, **all potential impacts, including the wind farm, should be identified.**”<sup>7</sup> The Board’s decision issued on 3 July 2024. The applicant told the Board at that meeting that it would prepare the assessments “separately ... although both would use similar survey results.”

What has been filed is not a separate assessment using similar survey results. The substation’s Chapter 9 (Water), its Water Framework Directive Compliance Assessment and its Surface Water Management Plan carry the **identical consultant’s report numbers** as the wind farm’s — for example the WFD assessment, HES report P1646-0\_WFD\_F0, dated 30 April 2026 — and define “the Proposed Project” throughout as the wind farm and grid connection, not the substation as a standalone SID.<sup>8</sup> In other words, the water assessment supporting this application is the wind farm’s water assessment, filed again.

A 110 kV substation compound of this scale — some 12,000 m<sup>2</sup> of hardstand, switchgear, transformers and control buildings — has its own drainage footprint, its own construction disturbance, and its own discharge points. A water assessment written for the wind farm’s turbine bases and access tracks cannot simply be re-filed for the substation without demonstrating that the substation’s own effects have been separately considered. Nothing in this file does that. And the BESS — the third element of the project, connected to this substation by a 220 m cable — is entirely absent from both the wind farm’s and the substation’s assessments. The documents do not demonstrate either a complete assessment of the substation’s own effects or a complete cumulative assessment of the integrated project.

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<sup>7</sup> An Bord Pleanála, Inspector’s Report for pre-application consultation ABP-319153-24 (Senior Planning Inspector Karen Hamilton, 25 June 2024), §6.0 (Consultation Meetings) and §5.0 (“transmission node on the national grid”); Board decision 3 July 2024.

<sup>8</sup> Substation SID (ACP 324429): Chapter 9 (Water), Appendix 9-4 (WFD Compliance Assessment, HES report P1646-0\_WFD\_F0, 30 April 2026) and Appendix 4-7 (Surface Water Management Plan) — identical report numbers, titles and content to the wind-farm versions; “Proposed Project” defined as the wind farm and grid connection.

On this ground alone, the Commission should not be satisfied that it has an adequate environmental assessment of the development before it, and I respectfully request refusal.

## Ground 2 — One Project, Assessed in Pieces

### **This is a single project**

In substance this is one development — the applicant’s own “Cunlaghfadda Green Energy Project” — made up of the wind farm, the 110 kV substation and grid connection, and the battery energy storage system (BESS). That is the applicant’s own description. Its Grounds of Appeal call it “the Cunlaghfadda Green Energy Project” and accept that it has been divided into separate applications.<sup>9</sup> The statutory site notice for the battery storage says the battery documents assess it “as well as integral elements of the wider project infrastructure, consisting of an associated wind farm development and grid connection.”<sup>10</sup> The three parts sit in the same townlands, share the same access roads and the same water environment, and are physically linked: the turbines feed the substation, and the battery charges and discharges through it. None of them has any purpose on its own.

### **The law does not allow a project to be split**

A project may not be divided so that its full scale and combined effects avoid assessment. Under the EIA Directive the whole project, and the way its effects add together, must be assessed.<sup>11</sup> The Irish courts have applied this directly to wind farms: in *Ó Grianna v An Bord Pleanála* the High Court held that a wind farm and its grid connection are one project and cannot be split, with the grid connection assessed separately and later.<sup>12</sup> That is what has happened here, and then a step further, with the battery storage split off again.

### **No assessment looks at the whole project**

The result is that **no document before the decision-maker on this application assesses the project as a whole**. I say this on the basis of the applicant’s own documents:

- The wind farm’s list of other plans and projects — the part of the assessment that is meant to capture combined effects — runs to 114 pages and does not mention the

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<sup>9</sup> Applicant’s First-Party Grounds of Appeal (MKO, 7 August 2026), §1.1.

<sup>10</sup> BESS statutory site notice, erected 14 August 2026 (P.A. 2660653).

<sup>11</sup> Directive 2011/92/EU (as amended by 2014/52/EU), Article 3 and Annex IV; Case C-392/96 *Commission v Ireland*; C-2/07 *Abraham*; C-142/07 *Ecologistas en Acción*; C-244/12 *Salzburger Flughafen*.

<sup>12</sup> *Ó Grianna v An Bord Pleanála* [2014] IEHC 632 (and the later [2017] IEHC 434).

applicant's own substation or battery storage even once.<sup>13</sup> Its cumulative chapter then concludes there is no combined adverse effect.<sup>14</sup>

- The substation application does not fill the gap. Its water chapter, its Water Framework Directive report and its surface-water plan are the **wind farm's own documents, re-used** — they carry the identical consultant's report numbers and describe "the Proposed Project" as the wind farm and grid connection.<sup>15</sup> There is no substation-specific assessment, and no whole-project assessment, in that file.
- Only the battery-storage application contains a whole-project assessment, and it was lodged last — after the wind farm had already been refused and appealed.<sup>16</sup>

### The applicant was warned

This is not a technicality, and the applicant was expressly cautioned. At the substation's pre-application stage, An Bord Pleanála's own recorded advice was that the substation documents "should be clear to inform the Board of the impact of any SID proposal and not only a replication of the proposed wind farm EIAR," and that "regarding the cumulative impact, all potential impacts, including the wind farm, should be identified."<sup>17</sup> The applicant told the Board it would prepare the assessments "separately ... although both would use similar survey results," and then did the very thing it was cautioned against.

### Conclusion on Ground 2

The decision-maker cannot lawfully grant permission for one part of this project on the basis that the whole, and its combined effects, will be assessed later, in a different application, before a different body. I respectfully request refusal; failing that, that the linked applications be considered together and a proper whole-project assessment be advertised for public comment before any decision.

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<sup>13</sup> Wind NIS (AA Screening Report and Natura Impact Statement, dated 18 May 2026), Appendix 9 (List of Plans and Projects), 114 pp — no reference to the substation (ACP 324429), the BESS, "Cunlaghfadda" or "Greensource".

<sup>14</sup> Wind NIS, §8.2 (in-combination) and §8.4 (conclusion of no cumulative adverse effect; pathways "robustly blocked").

<sup>15</sup> Substation SID (ACP 324429): Chapter 9 (Water), Appendix 9-4 (WFD Compliance Assessment, HES report P1646-0\_WFD\_F0, 30 April 2026) and Appendix 4-7 (Surface Water Management Plan) — identical report numbers, titles and content to the wind-farm versions; "Proposed Project" defined as the wind farm and grid connection.

<sup>16</sup> BESS EIAR, Chapter 9 (Water) and Appendix 9-4 (WFD Compliance Assessment) — "Proposed Project" defined to include the Proposed Wind farm, Proposed Grid Connection and Proposed BESS; BESS NIS, Appendix 9 (List of Projects and Plans), which lists the wind farm (P.A. 2660398).

<sup>17</sup> An Bord Pleanála, Inspector's Report for pre-application consultation ABP-319153-24 (Senior Planning Inspector Karen Hamilton, 25 June 2024), §6.0 (Consultation Meetings) and §5.0 ("transmission node on the national grid"); Board decision 3 July 2024.

## **Ground 3 — The Appropriate Assessment Is Flawed**

### **The scope and adequacy of the Stage 2 assessment**

Before turning to the deficiencies, one framing point is necessary. The developer filed a combined AA Screening Report and Natura Impact Statement. By filing the NIS, the developer accepts that likely significant effects could not be excluded for the European sites taken forward to Stage 2. The remaining questions are whether the screening exercise properly excluded the other potentially connected sites and whether the NIS contains the complete, precise and definitive findings required for the sites it addresses. As set out below, it does not.

### **The legal test is strict**

Before permission can be granted, the decision-maker must be satisfied — as a matter of European law — that the development will not harm the integrity of any protected European site, on its own or combined with other projects. The standard is a demanding one: there must be no reasonable scientific doubt, based on complete and precise findings, and mitigation cannot be taken into account at the screening stage.<sup>18</sup> The burden is on the applicant, and any gap or doubt means permission must be refused.

### **The site drains towards protected sites**

On the applicant's own maps, water leaves the site in two directions: south, by the "Meander River", towards the River Moy SAC; and east, from the centre of the site, to Drumady Lough and on by the River Robe towards Lough Mask — the Lough Carra/Mask Complex SAC and the Lough Mask SPA.<sup>19</sup> Inland Fisheries Ireland, the State body responsible for fisheries, confirms in its submission to Mayo County Council that the Meander is good habitat for wild Atlantic salmon (a protected species), that the Robe\_030 stream is of "good ecological status", and that the Drumady/Robe channel is salmon spawning and nursery water feeding Lough Mask — expressly linking the site to the Lough Mask SPA and the Lough Carra/Mask Complex SAC.<sup>20</sup> IFI also notes that it has its own fisheries habitat-development project planned for this very channel. That is the pollution pathway, confirmed by the State's own expert body.

### **The reason given for screening these sites out is contradicted by the applicant's own evidence**

The applicant screened out the Lough Carra/Mask Complex SAC, Lough Corrib and the turlough sites, saying the flow-paths are long and there is "no karst ... thick low-permeability

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<sup>18</sup> Habitats Directive 92/43/EEC, Article 6(3); European Communities (Birds and Natural Habitats) Regulations 2011; Case C-127/02 *Waddenzee*; C-258/11 *Sweetman*; C-323/17 *People Over Wind and Sweetman* (no mitigation at screening).

<sup>19</sup> Wind EIAR, Chapter 9 (Water), §9.3; Wind NIS, §4.1, Table 4-1.

<sup>20</sup> Inland Fisheries Ireland (Galway), submission on P.A. 2660398 to Mayo County Council.

overburden ... low recharge”.<sup>21</sup> But the applicant’s own Water chapter, quoting the Geological Survey, says the opposite about the aquifer under the site: groundwater there flows “beneath surface water channels and across surface water catchment divides”, recharges “by means of swallow holes and collapse features / dolines” despite the peat and till, and discharges “to the rivers, large springs, Lough Mask and Lough Corrib”.<sup>22</sup> The site sits on a **Regionally Important Karstified (conduit) aquifer**. The “no karst at the site” finding rests on a thin investigation — 262 peat probes, 28 trial pits and a single borehole, with no tracer testing.<sup>23</sup> And it is contradicted again by the applicant’s own Geotechnical report, which records **groundwater in 15 of the 28 trial pits, at 0.6–3.2 m depth**.<sup>24</sup> In plain terms: the applicant says there is no meaningful groundwater pathway, but its own hydrogeology and its own trial pits say there is. On the correct, cautious test, the possibility of a significant effect on these sites cannot be excluded, and they should have gone forward to full assessment. Lough Corrib SAC does not appear to have been assessed at all.

The consequence is that the Natura Impact Statement before the Commission is **incomplete**. It assessed only three European sites at Stage 2. If the Commission accepts — as the applicant’s own hydrogeology evidence indicates — that a significant effect on the Lough Carra/Mask Complex SAC, the Lough Corrib SAC and the turlough SACs could not be excluded at screening, those sites should also have been assessed at Stage 2, and they were not. An Appropriate Assessment that omits sites it should have included cannot provide the complete, precise and definitive findings the law requires. That is itself a ground for refusal — the Commission cannot lawfully grant permission on the basis of an AA that does not assess all the sites it needs to — and it cannot be cured by further information within this process, because any NIS adequate to address these additional sites would be significant new environmental material requiring fresh public participation.

### **The rest of the assessment relies entirely on mitigation**

The three sites that were assessed were cleared only on the basis that mitigation will work — the assessment states that “once the above listed mitigation measures are implemented, there will be no potential for residual adverse effects on European Sites,” and that pathways have been “robustly blocked through measures.”<sup>25</sup> Generic best-practice measures cannot,

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<sup>21</sup> Wind NIS, §4.1, Table 4-1 (screening of Lough Carra/Mask Complex SAC: “not within the Likely Zone of Influence”).

<sup>22</sup> Wind EIAR, Chapter 9 (Water), ~p. 9-30 (GSI characterisation of the Cong-Robe Groundwater Body; “Regionally Important Aquifer – Karstified (conduit)”).

<sup>23</sup> Wind EIAR, Chapter 9 (Water), ~p. 9-32 (site investigation: 262 peat probes, 28 trial pits, 1 rotary borehole; no tracer testing); “Karst Features”, ~p. 9-33.

<sup>24</sup> Wind EIAR, Appendix 8-1 (Geotechnical and Peat Stability Report, Fehily Timoney), §5.1 (groundwater recorded in 15 of 28 trial pits, 0.6–3.2 m below ground level).

<sup>25</sup> Wind NIS, §6.5 (“Once the above listed mitigation measures are implemented, there will be no potential for residual adverse effects on European Sites”) and §8.4 (“robustly blocked through measures”).

on their own, remove all reasonable scientific doubt,<sup>26</sup> and they cannot be assumed to control the karst groundwater pathway the applicant's own chapter describes. Nor can they be assumed to hold in extreme rainfall: the drainage mitigation on which the "robustly blocked" conclusion depends is designed for a 10-year return-period storm with a 20% climate uplift — yet this region experienced severe flooding in 2009–2010 and 2015–2016 that exceeded such design standards. In those conditions the documents do not demonstrate that the settlement ponds and silt traps would remain effective, and untreated runoff could carry suspended sediment and dissolved peat pollutants into the Meander and the Drumady/Robe channel feeding the European sites. The "robustly blocked" conclusion assumes weather this area has already shown it does not reliably get. The combined effects with the substation and battery storage are, as Ground 1 explains, assessed nowhere.

### Conclusion on Ground 3

As regards this substation specifically: its construction involves the excavation of some 2,600 m<sup>3</sup> of peat and 14,400 m<sup>3</sup> of spoil for a hardstand of approximately 105 × 125 m — a substantial ground disturbance on the same karst aquifer — yet its Appropriate Assessment is, as Ground 1 establishes, the wind farm's replicated NIS, not a bespoke assessment of the substation's own pathways. The screening evidence raises a material question as to whether significant effects on the Lough Carra/Mask Complex SAC, Lough Corrib SAC and the turlough SACs could properly be excluded. Those sites were not taken forward to Stage 2. The Commission therefore cannot be satisfied, on the material before it, that the requirements of Article 6(3) have been met. I respectfully request refusal. Any materially revised NIS required to cure these deficiencies should be subject to fresh public participation.

## Ground 4 — Harm to Protected Habitats and Wildlife

### What is on the site

Separately from the European-sites question in Ground 3, this development would harm protected habitats and species. On the applicant's own surveys the site contains two **Annex I habitats** — Molinia meadows and transition mires / quaking bogs;<sup>27</sup> the **Marsh Fritillary butterfly**, a strictly protected species, with its larval webs recorded on the site;<sup>28</sup> a probable breeding pair of **Curlew**, one of Ireland's most threatened birds (the applicant's own chapter

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<sup>26</sup> Case C-461/17 *Holohan v An Bord Pleanála; Grace and Sweetman v An Bord Pleanála* [2017] IESC 10.

<sup>27</sup> Wind EIAR, Appendix 6-1 (Botanical Assessment Report), §3.1 (Molinia meadows [6410]) and §3.2 (transition mires and quaking bogs [7140]).

<sup>28</sup> Wind EIAR, Chapter 6 (Biodiversity), §6.5 (Marsh Fritillary; "in the absence of mitigation ... a significant effect to the population at the County Scale"; dust deposition on larval webs); larval webs mapped at Confidential Appendix 6-7.

puts the national breeding population at only about 105–119 pairs);<sup>29</sup> **Whooper Swan**; and four species of **bat**.<sup>30</sup> It also has spreading **Japanese Knotweed**.<sup>31</sup>

### The applicant's own assessment concedes significant harm before mitigation

Tellingly, the applicant's own Biodiversity chapter accepts that, without mitigation, the harm would be significant, and only reaches "not significant" by relying on mitigation and "enhancement":

- Of the Marsh Fritillary it says that, "taking a precautionary approach, in the absence of mitigation, the potential for direct impacts on marsh fritillary would be a significant effect to the population at the County Scale".<sup>32</sup>
- Of the Annex I transition mire (which it rates of County Importance, lying only about 40 m from the Turbine 4 cabling) it accepts "the potential for significant effects on this habitat as a result of habitat loss and potential drainage impacts".<sup>33</sup>
- Of the Annex I Molinia meadows it goes further and calls the result "long-term, positive" through enhancement<sup>34</sup> — in other words it presents an offset as a benefit.

### Why "not significant" does not hold

Avoiding a turbine base does not avoid the **drainage damage** to these wet, peat-dependent habitats from the works described in Ground 5 — a risk the applicant itself acknowledges for the transition mire. Creating replacement habitat, especially for the Marsh Fritillary, is slow and uncertain, and cannot be treated as if it were avoidance. The **breeding Curlew** is played down on the basis that it was not seen in later single seasons,<sup>35</sup> which is a weak answer for a species in national decline. The bird, bat and invasive-species conclusions all depend on mitigation working reliably. These concerns are independently raised by the

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<sup>29</sup> Wind EIAR, Chapter 7 (Birds) (probable breeding pair of Curlew recorded 2022; national breeding population c. 105–119 pairs, citing Colhoun et al., 2022).

<sup>30</sup> Wind EIAR, Appendix 6-2 (Bat Report), §5 (Leisler's bat, soprano pipistrelle, common pipistrelle, Nathusius' pipistrelle — collision risk).

<sup>31</sup> Wind EIAR, Chapter 6 (Biodiversity) (Japanese Knotweed recorded spreading on the Site).

<sup>32</sup> Wind EIAR, Chapter 6 (Biodiversity), §6.5 (Marsh Fritillary; "in the absence of mitigation ... a significant effect to the population at the County Scale"; dust deposition on larval webs); larval webs mapped at Confidential Appendix 6-7.

<sup>33</sup> Wind EIAR, Chapter 6 (Biodiversity), §6.5 (transition mire [7140], County Importance, ~40 m from Turbine 4 cabling; "potential for significant effects ... habitat loss and potential drainage impacts").

<sup>34</sup> Wind EIAR, Chapter 6 (Biodiversity), §6.5 summary table (Annex I Molinia meadows [6410]; residual "long-term, positive / Not Significant" via enhancement).

<sup>35</sup> Wind EIAR, Chapter 7 (Birds) (probable breeding pair of Curlew recorded 2022; national breeding population c. 105–119 pairs, citing Colhoun et al., 2022).

submission to Mayo County Council of Dr Phelim Ryan (Curlew and Marsh Fritillary breeding, bat collision and the Knotweed risk), which I adopt.<sup>36</sup>

### The ecological harm runs deeper than the applicant acknowledges

Beyond the specific findings above, five further points show that the true ecological cost of this development is worse than the applicant's "not significant" conclusions suggest.

- **Uncertainty as to mitigation.** The applicant's conclusions depend extensively on habitat-management measures, operational controls and enhancement proposals. The Commission must therefore examine whether those measures are sufficiently detailed, secured, effective and capable of implementation throughout the life of the development, rather than assume that generic commitments will succeed.
- **A 35-year assumption with no track record.** The "not significant" conclusion for the Annex I habitats depends on 35 years of habitat management under the applicant's Biodiversity Mitigation and Enhancement Plan (BMEP) working as intended, on cutover peatland, with no demonstrated long-term track record of success on a peatland site of this kind.<sup>37</sup> That is the same 35-year fragility identified in Ground 9 in relation to shadow-flicker control, applied here to habitats rather than to homes.
- **Curlew and continuous noise.** The applicant's assessment plays down the loss of breeding Curlew habitat, but does not properly grapple with the effect of continuous operational turbine noise on a ground-nesting wader. The ecological assessment does not appear to address whether continuous operational turbine and substation noise could affect the behaviour or use of the site by breeding Curlew.<sup>38</sup>
- **The pollinator cascade.** The assessment does not appear to examine whether construction dust and disturbance could indirectly affect Devil's-bit Scabious or the pollinator habitat on which the Marsh Fritillary population depends.<sup>39</sup>
- **Irreversible peat loss.** Peat compaction, altered drainage and damage to the acrotelm may be difficult to reverse within the operational life of the development. The assessment does not adequately address the likely recovery period or whether full

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<sup>36</sup> Submission of Dr Phelim Ryan on P.A. 2660398 to Mayo County Council.

<sup>37</sup> Wind EIAR, Chapter 6 (Biodiversity), Appendix 6-4 (Biodiversity Mitigation and Enhancement Plan) — 35-year management commitment for the Annex I habitats; no equivalent long-term implementation record cited for a peatland site of this kind.

<sup>38</sup> Wind EIAR, Chapter 7 (Birds) and Chapter 12 (Noise and Vibration) — operational noise assessed for human receptors only; no assessment of the effect of continuous operational noise on breeding-wader behaviour or habitat use.

<sup>39</sup> Wind EIAR, Appendix 6-1 (Botanical Assessment Report) (Molinia meadow and associated flora) and Chapter 6 (Biodiversity), §6.5 (Marsh Fritillary; dust deposition on larval webs) — Devil's-bit Scabious (*Succisa pratensis*), the sole larval foodplant of the Marsh Fritillary, is not separately assessed for construction dust or pollinator effects.

restoration is realistically achievable.<sup>40</sup> Against that reality, the applicant's description of the effect on these Annex I habitats as "long-term, positive" is not credible.

None of this is answered by the mitigation package described elsewhere in the EIAR; if anything, it shows how much weight that package is being asked to carry.

#### Conclusion on Ground 4

On the merits, the biodiversity case does not support permission, and I respectfully request refusal.

### Ground 5 — Water Quality and the Water Framework Directive

#### The scale of ground disturbance

The development would be built on cutover peatland over a karst aquifer, and it involves very large earthworks — on the applicant's own figures, about **34,300 m<sup>3</sup> of peat and 59,900 m<sup>3</sup> of spoil excavated**, with turbine bases, hardstands, a 6 m-deep borrow pit and the substation dug down through the peat.<sup>41</sup>

#### The applicant's no-deterioration conclusion depends entirely on mitigation

The Water Framework Directive is clear: a development must not cause any water body to deteriorate. The applicant's own WFD report predicts that, **without mitigation, the project would drop the Robe\_030 water body from "Good" to "Moderate", and the Meander and Tullymore water bodies from "High" to "Good"** — and only restores a "no-deterioration" result by applying its mitigation package.<sup>42</sup> The law treats deterioration of even one quality element by one class as a breach.<sup>43</sup> Permission therefore depends on the Commission being satisfied that the proposed measures are sufficiently detailed, effective and enforceable to prevent deterioration in practice.

#### The mitigation is silt control only, and is deferred

The drainage design is a construction-stage silt-management scheme — settlement ponds, check dams and silt fences — with buffers stated only as "where possible" and the whole

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<sup>40</sup> Wind EIAR, Appendix 8-1 (Geotechnical and Peat Stability Report) and Appendix 4-3 (Peat and Spoil Management Plan); cf. Chapter 6 (Biodiversity), §6.5 residual-effects table ("long-term, positive").

<sup>41</sup> Wind EIAR, Appendix 4-3 (Peat and Spoil Management Plan, Fehily Timoney), Table 6.1 (34,300 m<sup>3</sup> peat and 59,900 m<sup>3</sup> spoil excavated).

<sup>42</sup> Wind EIAR, Appendix 9-4 (WFD Compliance Assessment, HES P1646-0\_WFD\_F0, 30 April 2026), Table F (construction phase, unmitigated) and Table K (summary): Robe\_030 Good→Moderate; Meander\_010 and Tullymore(Mayo)\_010 High→Good; mitigated status returned to no change.

<sup>43</sup> Case C-461/13 *Bund für Umwelt und Naturschutz Deutschland (Weser)*.

design marked “for planning purposes only” and left to be finalised after permission.<sup>44</sup> The documents do not appear to assess whether the proposed silt-control measures would also control dissolved pollutants potentially released by disturbing 34,300 m<sup>3</sup> of peat. The karst aquifer creates a potential groundwater pathway requiring specific assessment.

### Dewatering and peat instability

The excavations are to be “kept reasonably free from water ... by pumping”,<sup>45</sup> on an aquifer the applicant’s own trial pits show holds shallow groundwater (Ground 3). The peat-stability plan relies on wooden monitoring posts and, if a peat slide begins, on rock barriers placed across watercourses after the event — the applicant accepting that “due to the terrain and the inability to predict locations it may not be possible to implement any on-land prevention measures”.<sup>46</sup> That is not a sound basis for ruling out serious harm to the watercourses.

### Conclusion on Ground 5

As regards this substation: the compound, at approximately 12,000 m<sup>2</sup>, is the single largest impermeable area in the entire project, yet the “negligible 0.135%” runoff figure on which the WFD assessment relies was calculated for the wind farm alone — the substation’s own contribution is not separately assessed. Inland Fisheries Ireland’s submission to Mayo County Council confirms the sensitivity of these waters (Ground 3).<sup>47</sup> The applicant’s no-deterioration conclusion depends on mitigation, but the documents do not demonstrate with sufficient clarity that those measures are quantified, secured and effective against all relevant pathways. The Commission therefore cannot safely rely on that conclusion.

## Ground 6 — Flood Risk and the Impact on Agricultural Land

### A distinct impact, separate from water quality

Ground 5 addresses the harm this development would do to the ecological and chemical status of protected watercourses. The harm addressed here is different, and no less serious: the practical effect of the development’s altered drainage on neighbouring farmland that does not belong to the applicant, and on flood risk more generally, for the life of the development. It merits consideration as a distinct ground in its own right.

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<sup>44</sup> Wind EIAR, Appendix 4-4 (Drainage Design), Drawing D501 and notes (settlement ponds sized for silt retention; buffers “where possible”; “drawings issued are for planning stage only”).

<sup>45</sup> Wind EIAR, Appendix 4-3 (Peat and Spoil Management Plan), §7 (excavations “kept reasonably free from water ... by pumping”).

<sup>46</sup> Wind EIAR, Appendix 4-3 (Peat and Spoil Management Plan), §11 (Contingency Measures; “it may not be possible to implement any on-land prevention measures”).

<sup>47</sup> Inland Fisheries Ireland (Galway), submission on P.A. 2660398 to Mayo County Council.

### Already a flood-prone area

The surrounding lands are a mix of reclaimed peat, cutover bog, wet grassland and improved agricultural pasture — all sensitive to changes in drainage. Many of these lands are already prone to flooding or waterlogging during heavy rainfall, operating at or close to the limits of their drainage capacity.<sup>48</sup> In those conditions, even relatively modest changes in water movement or runoff intensity can cause disproportionate impacts on neighbouring farmland that does not belong to the applicant.

### Site-wide averages do not capture the real-world impact

The application does not properly assess this. It relies on generalised conclusions about overall runoff — the “negligible 0.135% increase” — without addressing how drainage changes will affect the ground in practice.<sup>49</sup> The usability of agricultural land is determined not by annual averages but by the frequency and duration of waterlogging after rainfall: how often adjoining fields become saturated, and how long they stay that way. There is no meaningful assessment of that. The development introduces extensive excavation, new tracks and engineered drainage across the peatland, which have the potential to concentrate runoff into defined channels and alter the speed and form in which water reaches neighbouring land.<sup>50</sup> As Chris Foster’s submission to Mayo County Council puts it, the real concern is construction and operational runoff flowing onto “neighbouring properties and agricultural farmlands.”<sup>51</sup>

### A ten-year design standard for a 35-year development

The drainage design is based on a **10-year return-period storm** with a 20% climate-change uplift.<sup>52</sup> The applicant has not demonstrated that this design standard is adequate for infrastructure intended to operate for 35 years, including during more intense or prolonged rainfall and when surrounding soils are already saturated, as occurred during the abnormal rainfall and flooding experienced locally in 2009–2010 and 2015–2016 — which are

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<sup>48</sup> Wind EIAR, Appendix 9-1 (Flood Risk Assessment, HES P1646-0\_FRA\_F0, 30 April 2026), §4.3.3–4.3.5 (OPW past flood events and GSI winter 2015/2016 surface-water flood mapping showing recurring floods at Barnagreggaun, flooding at Lough Fark ~1 km NW, and historic flood zones at Drumady Lough immediately east of the site).

<sup>49</sup> Wind EIAR, Appendix 9-1 (Flood Risk Assessment), §5.2 (“the footprint of the impermeable areas and the associated increase in runoff rate is very small in the context of the catchment size and therefore represents a negligible increase in downstream flood risk”); and Appendix 9-4 (WFD Compliance Assessment), §4.2.2.1 (operational runoff increase of 0.135%).

<sup>50</sup> Wind EIAR, Appendix 4-4 (Drainage Design), Drawing D501 and notes (settlement ponds sized for silt retention; buffers “where possible”; “drawings issued are for planning stage only”).

<sup>51</sup> Submission of Chris Foster on P.A. 2660398 to Mayo County Council (concern regarding construction runoff onto neighbouring properties and agricultural land).

<sup>52</sup> Wind EIAR, Appendix 4-4 (Drainage Design), Drawing D501 and notes (settlement ponds sized for silt retention; buffers “where possible”; “drawings issued are for planning stage only”).

expected to become more frequent. The settlement ponds are sized for silt retention, not for flow attenuation in extreme weather.<sup>53</sup>

### Contrary to national flood-risk policy

The applicant's own Flood Risk Assessment quotes the principle from the DoEHLG 2009 Guidelines that development should "avoid... increasing flood risk elsewhere, including that which may arise from surface water run-off."<sup>54</sup> Yet the assessment then dismisses the downstream impact as "negligible" on a site-average basis, without testing the localised effect at the discharge points shown on the drainage drawings — points that sit near Drumady Lough, Lough Nambrackkeagh and the surrounding agricultural land. And, once again, the "negligible" claim is for the wind farm alone; the BESS compound (~3,200 m<sup>2</sup>) and the substation compound (~12,000 m<sup>2</sup>) are excluded from the calculation.

### Insurance and community sustainability

There is also no assessment of the **insurance consequences**. In practice, insurers respond to increased flood risk on a precautionary basis; the introduction of large-scale infrastructure with altered drainage may lead to higher premiums or reduced cover for neighbouring homes and farms. This is a foreseeable socio-economic effect that the EIA does not address. The local community around Mayo Abbey remains significantly agriculture-based, and increased flood risk on agricultural land goes directly to the sustainability and viability of that community — a consideration the Mayo County Development Plan expressly protects.

### Conclusion on Ground 6

The applicant's own Flood Risk Assessment acknowledges the governing policy that development must not increase flood risk elsewhere; on the matters set out above, it has not demonstrated that this development meets that standard for the neighbouring agricultural land, or for the wider catchment, over the 35-year life of the scheme. I respectfully request refusal on this ground also.

## Ground 7 — Landscape and Visual Impact (Refusal Reason 1)

### The Council's finding

Mayo County Council refused permission because the development is located "within an exposed and open landscape, designated Policy Area 4 in Landscape Sensitivity Matrix" and would "directly impact both significantly and negatively on this sensitive Policy Area 4 and

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<sup>53</sup> Wind EIAR, Appendix 4-4 (Drainage Design), Drawing D501 and notes (settlement ponds sized for silt retention; buffers "where possible"; "drawings issued are for planning stage only").

<sup>54</sup> Wind EIAR, Appendix 9-1 (Flood Risk Assessment), §4.1, quoting the DoEHLG 2009 Planning System and Flood Risk Management Guidelines: "avoid inappropriate development in areas at risk of flooding; avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off."

on designated scenic route with a protected view,” and the Council’s planner found that Chapter 13 “significantly understates the likely real significant impact”.<sup>55</sup><sup>56</sup> That conclusion is well founded — and it is borne out by the applicant’s own assessment.

#### The applicant’s own assessment finds “Significant” effects

The appeal’s main answer is that the site is in the “lowest sensitivity” landscape class, and so is acceptable. But the applicant’s own Landscape and Visual Impact Assessment, using its own method, rates the visual effect as **“Significant” at four viewpoints — VP2 Knockaunakill, VP4 Knockrickard, VP7 Knockroe and VP14 Clogher Beg** — each with a “Moderate” residual effect even after mitigation.<sup>57</sup> VP7 is in Knockroe, my home townland. These are the applicant’s own findings of significant effects on people’s homes and surroundings. “Lowest sensitivity” is not “no sensitivity”, and it does not answer a conclusion of significant effect that the applicant itself reached at four separate viewpoints.

#### Open landscape cuts against the applicant

The substation’s own two lattice end masts, connecting into the existing Castlebar–Cloon 110 kV overhead line, compound the visual effect on this open landscape.

The flat, open character of the land supports the refusal; it does not excuse it. This is the landscape known as the Plains of Mayo — the flat, green, open expanse that gave the county its name — and its very openness, the quality that defines it, is what makes it most vulnerable to structures of this height. The open character of the landscape provides limited opportunities for screening and increases the visibility of 160 m turbines over a wide area. The applicant cannot treat the landscape as open and exposed here, while relying on vegetation to screen the same turbines from Mayo Abbey under Ground 8. The two positions cannot both be right.

#### Policy and designations

The scenic route and protected view are current Development Plan designations and remain in force. The wider western-lakes landscape also lies within roughly 20 km of the new UNESCO Joyce Country and Western Lakes Geopark — the proposed turbines would be visible from Lough Mask at 17 km, which is part of the Geopark — and the applicant’s own

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<sup>55</sup> Mayo County Council, Notification of Decision to Refuse Permission, P.A. 2660398 (order dated 13 July 2026), Second Schedule, Reasons 1–3.

<sup>56</sup> Mayo County Council Planner’s Report on P.A. 2660398 (Landscape and Visual assessment).

<sup>57</sup> Wind EIAR, Appendix 13-3 (Photomontage Visual Impact Assessment Tables): VP2 Knockaunakill, VP4 Knockrickard, VP7 Knockroe and VP14 Clogher Beg each “High × Moderate = Significant” (residual “Moderate”); VP9 Mayo Abbey “High × Slight = Moderate” (residual “Slight”); VP12 Lough Mask “Slight”.

EIAR understates this when it states there are no UNESCO sites.<sup>5859</sup> I do not press the most distant viewpoint (Lough Mask, which the applicant rates only “Slight”); Reason 1 rests on the dominance of the turbines across the nearer public views, which the applicant’s own “Significant” ratings confirm.

### Conclusion on Ground 7

The Council’s separate finding on landscape and visual impact should be given full weight in assessing the cumulative project, and permission for the substation should be refused.

## Ground 8 — The Setting of Mayo Abbey (Refusal Reason 2)

### An asset of the first rank

Mayo County Council refused permission because the development would constitute “a highly obtrusive development that would detract from the existing cultural heritage of the area, and would undermine the setting of Mayo Abbey Cemetery and Church ruins, a very important early Christian ecclesiastical site.”<sup>60</sup> Mayo Abbey — the early-medieval monastery of St Colmán, once known as “Mayo of the Saxons”, which gave this county its name — is a heritage site of the first rank, and a central part of its value is its setting in an open, undeveloped landscape. Professor Dame Rosemary Cramp, an internationally distinguished scholar of the early medieval period, has described the site as “one of outstanding importance.”<sup>61</sup>

### The EIAR treats this landscape as isolated receptors, not an integrated heritage landscape

The applicant’s own archaeological assessment records **ninety-four archaeological sites or site groups within five kilometres** and **forty-six previously unrecorded cultural heritage features within two kilometres** — a remarkable concentration of heritage assets.<sup>62</sup> Yet the EIAR treats these as isolated receptors rather than recognising Mayo Abbey and its surroundings as an integrated archaeological landscape whose cumulative

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<sup>58</sup> Submission of Olivia Lardner on P.A. 2660398 to Mayo County Council, referring to the Joyce Country and Western Lakes UNESCO Global Geopark; and Wind EIAR, Chapter 14, §14.3.1.

<sup>59</sup> Submission of Olivia Galvin on P.A. 2660398 to Mayo County Council (visibility from Lough Mask at 17 km).

<sup>60</sup> Mayo County Council, Notification of Decision to Refuse Permission, P.A. 2660398 (order dated 13 July 2026), Second Schedule, Reasons 1–3.

<sup>61</sup> Submission of Olivia Galvin on P.A. 2660398 to Mayo County Council, quoting Professor Dame Rosemary Cramp.

<sup>62</sup> Submission of Joseph Brett on P.A. 2660398 to Mayo County Council, citing the applicant’s own archaeological assessment (94 archaeological sites/site groups within 5 km; 46 cultural heritage features within 2 km).

significance is greater than its parts. As Joseph Brett’s submission to Mayo County Council puts it, the assessment “fails to consider the cumulative significance” of the landscape.<sup>63</sup>

### The “Slight” rating understates the harm

The applicant rates the effect on Mayo Abbey as “Slight / Not significant”.<sup>64</sup> Its own figures show how it got there: at the Mayo Abbey viewpoint (VP09) it scored the *magnitude* of change as only “Slight”, which reduced a highly sensitive, nationally important site to a “Slight” residual.<sup>65</sup> Rating the arrival of seven 160 m rotating turbines into the views around and from this monument as “Slight” does not capture the harm — exactly as the Council’s planner found. The effect cannot be mitigated away: screening cannot hide 160 m turbines, and the effect lasts the life of the development.

### The heritage baseline remains unresolved.

The “Slight” conclusion rests on an incomplete record. The substation is sited at Cloonbaul. The Council’s Senior Archaeologist recorded that a site treated in the EIAR as “CH Site 10” has since been added to the statutory Record of Monuments and Places and needs re-assessment, and that a previously unrecorded mound at Cloonbaul must also be assessed.<sup>66</sup> A Heritage-Council-funded LiDAR survey undertaken by the Mayo Abbey Heritage Committee has revealed previously unrecorded medieval and earlier settlement patterns in the immediate vicinity of Mayo Abbey village — findings described as “far richer than anticipated” — that the EIAR does not reference. The LiDAR report is attached to Elizabeth Nestor’s submission to Mayo County Council.<sup>67</sup> And an expert opinion by Dr Christopher Grocock, an internationally respected Anglo-Saxon scholar, addresses the significance of the Abbey and the harm to its setting; that opinion is attached to Joseph Brett’s submission to Mayo County Council.<sup>68</sup>

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<sup>63</sup> Submission of Joseph Brett on P.A. 2660398 to Mayo County Council.

<sup>64</sup> Wind EIAR, Chapter 14 (Archaeological, Architectural and Cultural Heritage), and Appendix 14-2 (Assessment of Impacts) — operational effect on Mayo Abbey assessed as “Slight / Not significant”.

<sup>65</sup> Wind EIAR, Appendix 13-3 (Photomontage Visual Impact Assessment Tables): VP2 Knockaunakill, VP4 Knockrickard, VP7 Knockroe and VP14 Clogher Beg each “High × Moderate = Significant” (residual “Moderate”); VP9 Mayo Abbey “High × Slight = Moderate” (residual “Slight”); VP12 Lough Mask “Slight”.

<sup>66</sup> Mayo County Council Senior Archaeologist’s report/memo on P.A. 2660398 (1 July 2026) — CH Site 10 added to the Record of Monuments and Places (MA101-106); previously unrecorded mound at Cloonbaul.

<sup>67</sup> Submission of Elizabeth Nestor on P.A. 2660398 to Mayo County Council, Appendix 1 (Mayo Abbey Heritage Committee LiDAR Report, 2023).

<sup>68</sup> Submission of Joseph Brett on P.A. 2660398 to Mayo County Council, Appendix 1 (expert opinion of Dr Christopher Grocock).

## Conclusion on Ground 8

The Council's separate finding on the setting of Mayo Abbey should be given full weight, and permission for the substation should be refused.

## Ground 9 — Shadow Flicker and Health (Refusal Reason 3)

### The Council's finding, on the applicant's own numbers

Mayo County Council refused permission because "the extent of technology required to attempt to address the potential for the proposed development to impact negatively on the residential amenity of 40 residential properties as a result of the potential for excessive shadow flicker, indicates that the proposed site location is unsuitable for a development of this nature and scale."<sup>69</sup>

The point comes straight from the applicant's own assessment: on its worst-case model, **40 homes are predicted to exceed the shadow-flicker guideline limit unless the turbines are shut down**, and the "mitigation" is control units that switch the turbines off in real time.<sup>70</sup> That is not good siting — it is a scheme that has to be turned off to protect people's homes, which is the clearest sign it is in the wrong place.

### The affected population may be understated

The applicant states that there are "90 sensitive receptors" in the shadow-flicker study area, but as Elizabeth Nestor's submission to Mayo County Council demonstrates, the study-area map (Figure 5-3) actually shows approximately **130** receptors (dwelling IDs 1–113 plus derelict structures 329–337), and shadow-flicker **data are missing for 38** of them — including all dwellings numbered 88–113 (22% of dwellings) and most derelict structures. Ms Nestor's own house, labelled ID 90 on Figure 5-3, is one of those for which data are simply absent.<sup>71</sup> The "40 homes" figure may therefore understate the true number affected.

### The people behind the numbers

The submissions to Mayo County Council on this application show what these numbers mean in practice:

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<sup>69</sup> Mayo County Council, Notification of Decision to Refuse Permission, P.A. 2660398 (order dated 13 July 2026), Second Schedule, Reasons 1–3.

<sup>70</sup> Wind EIAR, Chapter 5 (Population and Human Health), §5.4, Table 5-9 (40 dwellings predicted to exceed the 30 minutes/day guideline, unmitigated), Table 5-10 (Shadow Flicker Control Modules).

<sup>71</sup> Submission of Elizabeth Nestor on P.A. 2660398 to Mayo County Council (shadow-flicker data absent for 38 of ~130 receptors shown on Figure 5-3, including dwellings 88–113; her house ID 90 excluded).

- **Cyril Reid** (Knockaunakill), owner of property **H006, some 670 m from Turbine T7** — one of the closest houses to a turbine.<sup>72</sup>
- **Karen Morley** (Knockaunakill), at property **H004, approximately 658 m from Turbine T6** and within roughly 1 km of four turbines (T6, T7, T4 and T2). Ms Morley chose this rural location specifically to manage a **clinical health condition** requiring a stable, tranquil environment, and took up residence in December 2025. She points to the applicant’s own technical evidence showing shadow-flicker safety breaches, excessive noise, a “Significant” visual dominance, and the permanent “red industrial glow” of aviation warning lighting.<sup>73</sup>
- **Marcella Foster** (Knockaunakill), whose home would be just **695 m from the 110 kV substation and 570 m from the nearest end-grid mast** — closer than the turbines themselves — and who would experience both the continuous electrical hum of the substation *and* the pulsing noise of the turbines.<sup>74</sup>
- **Laura Killeen**, who describes the family’s lived experience of previously living approximately 1.5 km from two wind turbines: as parents of a **neurodiverse child with a very low sensory-overload threshold**, the proximity “became infeasible” once the turbines were operational — their child suffered sleeplessness, sensory overload from the spinning blades, and behavioural difficulties. The family relocated to Mayo Abbey specifically for its quiet, where the child has since thrived.<sup>75</sup>
- **Liam Rushe** (Knockroe) and **Shane Vahey** (Knockroe), both of whom raise the effects on family members living with **epilepsy** — for whom flickering light from turbine blades is a genuine and specific health concern. Mr Vahey invokes the precautionary principle: “where uncertainty exists regarding potential impacts on human health, particularly among vulnerable groups, the burden should not fall upon affected residents to demonstrate harm after the development has been constructed.”<sup>76</sup>

### A 35-year dependence on mitigation, with no real remedy

Because acceptability depends on these control units working correctly and continuously for the **35-year** life of the wind farm, everything turns on sensors and software that can fail or be mis-set, and on an operator with a financial incentive to keep generating. If the mitigation fails, affected residents have no effective remedy: planning enforcement is slow and discretionary, and the only way to actually stop the harm is High Court proceedings — as

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<sup>72</sup> Submission of Cyril Reid on P.A. 2660398 to Mayo County Council (property H006, ~670 m from Turbine T7).

<sup>73</sup> Submission of Karen Morley on P.A. 2660398 to Mayo County Council (property H004, ~658 m from T6 and within ~1 km of T6/T7/T4/T2; clinical health condition; aviation warning-light glow).

<sup>74</sup> Submission of Marcella Foster on P.A. 2660398 to Mayo County Council (property H060, ~695 m from the 110 kV substation, ~570 m from the nearest end-grid mast).

<sup>75</sup> Submission of Laura Killeen on P.A. 2660398 to Mayo County Council (Receptors 001 and 052 on Figure 5-3; prior experience 1.5 km from wind turbines with a neurodiverse child).

<sup>76</sup> Submissions of Liam Rushe and Shane Vahey on P.A. 2660398 to Mayo County Council.

residents were driven to in *Byrne & Moorhead v ABO Energy* (the Gibbett Hill wind farm), at great cost, before the turbines were shut down.<sup>77</sup> That burden should not fall on ordinary neighbours.

### Conclusion on Ground 9

The Council's separate finding on shadow flicker and residential amenity should be given full weight, and permission for the substation should be refused.

## Ground 10 — Noise

Noise is a distinct impact from the shadow flicker addressed in Ground 9, and it stands as an independent basis for refusal in its own right, on the applicant's own material.

The noise assessment uses the dated ETSU-R-97 method.<sup>78</sup>

It does not properly deal with the intrusive "thumping" (amplitude modulation) that residents most often report,<sup>79</sup> or the combined noise of seven turbines in a quiet rural area.

The assessment models the substation using a source sound-power level of 92 dB(A) and predicts approximately 30 dB LAeq,T at the nearest sensitive residential location.<sup>80</sup> The lower predicted residential level does not make the source level irrelevant to wildlife closer to it. The ecological assessment does not appear to examine the effects of that continuous tonal source on wildlife, either alone or cumulatively with turbine noise.

Knockroe, my home townland — where the applicant's own photomontage VP07 records a "Significant" visual effect (Ground 7) — sits in this quiet, low-background setting, and the combined effect of visual dominance, shadow flicker and noise has not been assessed together.<sup>81</sup>

### Conclusion on Ground 10

The likely noise impacts on residents, including those in Knockroe, have not been properly assessed, either under the study's outdated methodology or cumulatively with the

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<sup>77</sup> *Byrne & Moorhead v ABO Energy* (Gibbett Hill Wind farm), High Court.

<sup>78</sup> Wind EIAR, Chapter 12 (Noise and Vibration), §12.5 (ETSU-R-97 (1996) applied via the 2006 Wind Energy Development Guidelines).

<sup>79</sup> Wind EIAR, Chapter 12 (Noise and Vibration), §12.4.4 ("Other" amplitude modulation described but not assessed).

<sup>80</sup> Wind EIAR, Chapter 12 (Noise and Vibration), §12.6.3.2 (onsite 110 kV substation modelled source level 92 dB(A) L<sub>w</sub>; predicted 30 dB L<sub>Aeq,T</sub> at nearest sensitive location H003, ~366 m).

<sup>81</sup> Wind EIAR, Appendix 13-3 (Photomontage Visual Impact Assessment Tables): VP2 Knockaunakill, VP4 Knockrickard, VP7 Knockroe and VP14 Clogher Beg each "High × Moderate = Significant" (residual "Moderate"); VP9 Mayo Abbey "High × Slight = Moderate" (residual "Slight"); VP12 Lough Mask "Slight".

development's other effects. The assessment also fails to adequately address amplitude modulation, tonal and cumulative turbine noise, substation noise, or the impact of continuous noise on wildlife. I therefore respectfully request that permission be refused.

## **Ground 11 — Reasonable Alternatives Were Not Properly Assessed**

### **The legal duty**

The EIA Directive requires the applicant to study, and its report to describe and compare, the reasonable alternatives — expressly including alternatives of “location, size and scale” — and to give the main reasons for the option chosen.<sup>82</sup>

### **No genuine comparison of alternative sites**

The applicant asserts that the site was identified through “a nationwide search of suitable lands” using a “constraints and facilitators led” analysis.<sup>83</sup> But the Alternatives chapter presents **no actual comparison of alternative sites** — no shortlist, no named candidate locations, and no comparative environmental assessment. Instead it justifies the chosen site against a list of criteria (commercial viability at “€1.5 million” per megawatt, grid proximity, the applicant’s own landholding, and the planning designation), and concludes it is suitable.<sup>84</sup> That is a post-hoc rationalisation of a pre-selected site, not the “description of the reasonable alternatives studied” that Article 5(1)(d) requires. Tellingly, the very criteria the applicant claims its search honoured — including “avoidance of direct impacts on known cultural heritage assets” and “setbacks from sensitive receptors” — are the ones the Council found this site *fails*, having refused on the setting of Mayo Abbey and the amenity impact on 40 homes. Either the search did not properly capture these sensitivities, or it did and the applicant proceeded regardless.

### **No genuine alternative of scale**

Every alternative the applicant considered is designed around a **fixed output of about 31.5 MW**, tied to national climate targets.<sup>85</sup> Where the report looks at scale, it does so only within that fixed figure: it rejects smaller (2.5 MW) turbines because “over 12” would be needed “to achieve a similar output”, and picks the seven-turbine layout as the “smallest development

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<sup>82</sup> Directive 2011/92/EU, Article 5(1)(d) and Annex IV(2).

<sup>83</sup> Wind EIAR, Chapter 3 (Consideration of Reasonable Alternatives), §3.2.5 (“nationwide search of suitable lands”; “constraints and facilitators led”) and §3.2.5.1 (criteria including commercial viability, grid proximity, site scale).

<sup>84</sup> Wind EIAR, Chapter 3 (Consideration of Reasonable Alternatives), §3.2.5 (“nationwide search of suitable lands”; “constraints and facilitators led”) and §3.2.5.1 (criteria including commercial viability, grid proximity, site scale).

<sup>85</sup> Wind EIAR, Chapter 3, Parts 1 and 2 (fixed target output “an estimated 31.5 MW”, tied to the Climate Action Plan).

footprint ... while still achieving the optimum output”; the only layout choice compared is seven turbines against eight.<sup>86</sup> The output itself is never treated as something that could change.

The applicant’s own report admits that “a smaller number of turbines could result in a lower MW output” and would reduce environmental effects,<sup>87</sup> yet no such scheme was taken forward. Choosing between two versions of a scheme delivering the same fixed output is not the same as assessing whether a *smaller, lower-output* development would be acceptable where the full-scale one is not. I do not concede that any wind development is acceptable on this site (see Grounds 7–10); my point is that the applicant has not even demonstrated that this is the least harmful option.

### The designation the applicant relies on has been superseded

The applicant’s EIAR (dated May 2026) expressly relies on the site being classified as “Preferred for Cluster of Turbines” under the old Renewable Energy Strategy.<sup>88</sup> That designation was **superseded** on 13 July 2026 — the very day the Council refused this application — when the Council adopted the **Renewable Energy Strategy for County Mayo 2026 (Variation No. 2 to the Development Plan)**, under which the site is classified as merely an area “**Open for Consideration**”: the weakest category, case-by-case, and expressly subject to cumulative and Article 6 assessment.<sup>89</sup> The applicant’s own Grounds of Appeal concede this.<sup>90</sup> The applicant built its alternatives case, and its site-selection justification, on a designation that no longer exists.

### Conclusion on Ground 11

The applicant has not met its duty to assess reasonable alternatives of location or scale, and I respectfully request refusal.

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<sup>86</sup> Wind EIAR, Chapter 3, §3.2.6.1 (Alternative Turbine Numbers and Model — smaller 2.5 MW turbines rejected as “over 12” needed for “similar output”; seven-turbine layout “smallest development footprint ... while still achieving the optimum output”) and §3.2.6.2 (layout iterations: 7-turbine v 8-turbine).

<sup>87</sup> Wind EIAR, Chapter 3, §3.2.6.1 (“a smaller number of turbines could result in a lower MW output”).

<sup>88</sup> Wind EIAR, Chapter 3, §3.2.5.1.1 (Local Policy: “the proposed turbines are wholly located within an area designated as ‘Preferred for Cluster of Turbines’”).

<sup>89</sup> Mayo County Development Plan 2022–2028, Variation No. 2 (Renewable Energy Strategy for County Mayo 2026, adopted 13 July 2026), site classified as “Open for Consideration.”

<sup>90</sup> Applicant’s Grounds of Appeal, §1.4.5 (conceding site is “Open for Consideration” within Mayo RES 2026).

## Ground 12 — Over-Development of the Site

### No policy invites a site to be filled to capacity

No planning or energy policy permits, still less encourages, a developer to place on a single site the maximum it will hold — turbines, a substation and a battery park. Policy is a framework of limits, not a licence to fill a site. Under the current, adopted Renewable Energy Strategy for County Mayo 2026, this site is classified only as “Open for Consideration” — the weakest category, assessed case-by-case — and there is no endorsement of this scale of development at this location.<sup>91</sup>

### The capacity of the infrastructure is unexplained

The scale of the associated infrastructure raises a fair question. The 110 kV substation was described at pre-application as a “transmission node on the national grid”,<sup>92</sup> and the battery storage has its own substation building and ten battery clusters — infrastructure of a different order from a single 31.5 MW farm. As Cyril Reid’s submission to Mayo County Council points out, the Cunlaghfadda substation compound is over 12,000 m<sup>2</sup> — and he compares this to the Ballivor wind farm’s 110 kV substation compound of roughly 15,400 m<sup>2</sup>, which serves **26 turbines**.<sup>93</sup> The scale comparison raises a question the application should answer: what installed capacity and future connection capacity are the substation and BESS designed to accommodate? If spare capacity is intended to facilitate additional generation, those cumulative implications require assessment. In the absence of clear information on design capacity and expansion capability, the Commission cannot determine the full development implications of this infrastructure.

### Future restrictions on the community

That concern is shared by the local community. Mayo Gaels GAA Club, in its submission to Mayo County Council, objects in part on the ground that the development would impose **future planning restrictions in the immediate catchment area** — a concern that becomes acute if the infrastructure is indeed built for more than seven turbines.<sup>94</sup> The combination of an over-sized transmission node, an industrial-scale battery park and the prospect of further

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<sup>91</sup> Mayo County Development Plan 2022–2028, Variation No. 2 (Renewable Energy Strategy for County Mayo 2026, adopted 13 July 2026), site classified as “Open for Consideration.”

<sup>92</sup> An Bord Pleanála, Inspector’s Report for pre-application consultation ABP-319153-24 (Senior Planning Inspector Karen Hamilton, 25 June 2024), §6.0 (Consultation Meetings) and §5.0 (“transmission node on the national grid”); Board decision 3 July 2024.

<sup>93</sup> Submission of Cyril Reid on P.A. 2660398 to Mayo County Council (Cunlaghfadda substation compound >12,000 m<sup>2</sup>; comparison with Ballivor wind farm 110 kV substation ~15,400 m<sup>2</sup> serving 26 turbines).

<sup>94</sup> Submission of Mayo Gaels GAA Club on P.A. 2660398 to Mayo County Council (future planning restrictions in the immediate catchment).

turbines could constrain future development, including community facilities, across the catchment.

### Conclusion on Ground 12

I respectfully request that the decision-maker require the applicant to disclose the capacity for which the substation and battery are designed and any plans for further turbines in the vicinity, and, in the absence of that disclosure, treat the assessment as incomplete and refuse.

## Ground 13 — The Public Could Not Participate Effectively

### The windows do not line up

This concern is particularly acute for this application: the substation submission deadline falls first, on or about 1 September 2026, before the BESS whole-project assessment's own participation window has even closed (on or about 17 September).

Public participation is a real requirement of the system, not a formality.<sup>95</sup> Because this one project has been split into three applications before two authorities, the public has never had a proper chance to consider and comment on the **whole** project within any single window. The only assessment that looks at all three parts together — the battery-storage documents — appeared last, and the three submission deadlines are staggered, so anyone addressing the substation or the wind farm must do so before the only whole-project assessment's own window has even closed. That I have attempted, in this submission, to piece together the aggregate picture does not answer the point: this submission is necessarily partial, as I have said at the outset, and other members of the public who lacked the time, resources or expertise to track three parallel applications across two authorities were effectively shut out of the process.

### Too much, too fast, and too little consultation

The problem is made worse by scale — three linked industrial-scale assessments running to many hundreds of pages, against short statutory deadlines — and by weak consultation. Peter Carney's submission to Mayo County Council records that he lives 1.2 km from proposed Turbine 7 and was never consulted, and the pre-application record shows the developer had years to prepare "with practically zero public consultation."<sup>96</sup> Chris Foster's submission to Mayo County Council raises a further point: the statutory notices gave only the five townlands followed by "County Mayo," which he questions as a proper recognisable postal address for the lands concerned.<sup>97</sup>

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<sup>95</sup> Directive 2011/92/EU, Article 6; Aarhus Convention, Article 6.

<sup>96</sup> Submission of Peter Carney on P.A. 2660398 to Mayo County Council.

<sup>97</sup> Submission of Chris Foster on P.A. 2660398 to Mayo County Council (statutory-notice postal-address point).

### Conclusion on Ground 13

The public has not had an effective opportunity to participate in the assessment of the project as a whole. I raise this expressly to preserve it, and respectfully request refusal or, at the least, that the project be assessed as a whole and re-advertised with an adequate period for comment.

## Ground 14 — Climate Policy Does Not Require Approval

### The applicant's premise is wrong in law

The applicant's case leans heavily on climate and energy policy and on section 15 of the Climate Action and Low Carbon Development Act 2015, arguing in effect that permission must be granted.<sup>98</sup> Its Grounds of Appeal describe permission as "not just beneficial" but "imperative,"<sup>99</sup> and its EIAR states that "renewable energy developments, including related grid and storage infrastructure, are now presumed to be in the overriding public interest."<sup>100</sup> That is not the law. In *Coolglass Wind farm Ltd v An Coimisiún Pleanála* [2026] IESC 5 the Supreme Court rejected the "traffic-light" reading of section 15 that the appeal relies on, holding the question is "much more complex than a traffic light system."<sup>101</sup> Section 15 requires the decision-maker to have regard to climate objectives and to weigh them; it does not require approval, does not override the Development Plan, and does not license over-development (Ground 12).

### The balance here

The climate benefit — which I do not dispute — must be weighed, not treated as decisive, and here it is outweighed: the Council refused for three separate reasons, each a proper consideration; the site is only "Open for Consideration" under the current adopted Mayo Renewable Energy Strategy 2026, subject to cumulative and habitats assessment.<sup>102</sup> The applicant has not demonstrated, through its alternatives assessment, that the proposed location and scale represent the least environmentally damaging reasonable option (Ground 11). Above all, section 15 applies only "in so far as practicable" and cannot override the absolute requirements of the Habitats Directive (Ground 3).

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<sup>98</sup> Applicant's Grounds of Appeal (MKO, 7 August 2026), §1.5 and §1.6.

<sup>99</sup> Applicant's First-Party Grounds of Appeal (McCarthy Keville O'Sullivan, 7 August 2026), §1.6.

<sup>100</sup> Wind EIAR, §1.2 (bold and underlined in the original).

<sup>101</sup> *Coolglass Wind farm Ltd v An Coimisiún Pleanála* [2026] IESC 5.

<sup>102</sup> Mayo County Development Plan 2022–2028, Variation No. 2 (Renewable Energy Strategy for County Mayo 2026, adopted 13 July 2026), site classified as "Open for Consideration."

## Conclusion on Ground 14

A refusal that engages with the climate benefit and finds it outweighed is fully consistent with section 15 and with *Coolglass*. I respectfully request refusal on that reasoned basis.

## Ground 15 — The Battery Storage: Fire and Major-Accident Risk

### A serious hazard the wind and substation files ignore

The BESS connects directly to this substation by a cable of approximately 220 m. A thermal-runaway fire at the BESS — with its acutely toxic hydrogen-fluoride plume and contaminated firewater — is therefore a foreseeable risk to this substation’s immediate receiving environment, on the same karst aquifer feeding the same European sites.

The battery storage introduces a major-accident hazard the EIA Directive requires to be assessed.<sup>103</sup> The applicant’s own fire consultants describe lithium-battery “thermal runaway” that can cause “a fire, toxic plume or explosion”, releasing hydrogen fluoride (an “acutely toxic” gas), and generating firewater that “will pick up toxic and corrosive by-products such as hydrofluoric acid, heavy metals, electrolytes”.<sup>104</sup> This hazard is assessed only in the battery-storage application — it is absent from the wind and substation assessments, even though all three are one project on the same karst system feeding the same protected sites (Ground 1).

### The safety case is not fail-safe

The safety case is reactive. The applicant’s fire material describes a response based principally on cooling and containment. The fire service is stated to be a retained brigade approximately 20–25 minutes away, with a two-pump response, while the 500,000-litre firewater store is calculated by reference to cooling one battery unit for approximately four hours. Containment of contaminated firewater depends on staff manually closing two valves and operating a pump during a fire that may be producing an acutely toxic plume.<sup>105</sup> The documents do not explain why contaminated-firewater containment depends on manual intervention rather than an automatic or fail-safe system. The applicant’s own drainage design for the battery compound requires an impermeable liner “to break the infiltration pathway to the underlying groundwater system”<sup>106</sup> — itself an admission that a real pathway

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<sup>103</sup> Directive 2011/92/EU, Article 3(1) and Annex IV(8).

<sup>104</sup> BESS EIAR, Appendix 4-10 (Fire Risk Management and Emergency Response, D.M. Flaherty & Associates), §9 (thermal runaway; hydrogen fluoride) and §9.8 (firewater contamination).

<sup>105</sup> BESS EIAR, Appendix 4-10, §7.9 (500,000 litre static firewater store) and §9.5 (fire-service attendance ~20–25 minutes; two-pump PDA); Appendix 4-4, Drawing D101\_BESS, Note 6 (firewater retained by manually closing two penstock valves and pumping).

<sup>106</sup> BESS EIAR, Appendix 4-4 (Drainage Design), Drawing D101\_BESS, Note 2 (“BESS compound ... to be lined with an impermeable liner to break the infiltration pathway to the underlying groundwater system”).

to the aquifer exists, even as the water documents elsewhere dismiss it. On an aquifer feeding the Moy and Carra/Mask SACs, that is an unacceptable risk to both people and water (Grounds 3 and 5).

### **Conclusion on Ground 15**

I respectfully request that permission for the substation be refused because the assessment before the Commission does not address the cumulative major-accident, groundwater and firewater implications of the connected BESS proposal.

## **Ground 16 — Economic and Community Benefit Claims**

### **Money cannot offset planning harm**

I make this ground briefly. The key point is one of principle: this development must be judged on its planning merits. A community-benefit payment cannot restore a damaged heritage setting, replace lost habitat or repair water damage, and cannot make acceptable a development that is otherwise contrary to the proper planning of the area.

### **The claimed local benefit is overstated**

In any event the local benefit is overstated and unsecured: the construction jobs are short-term with no commitment to local hiring; there is no binding local-purchasing requirement; the community-benefit payment (around €145,000 a year) appears to be no more than the standard Renewable Electricity Support Scheme minimum, with no uplift for a site of this sensitivity (notwithstanding that the impact could not be compensated in any case) and, the applicant being a subsidiary of a company based in Co. Limerick, the long-term profits would largely leave the county while the burdens stay here.<sup>107</sup>

### **Conclusion on Ground 16**

The asserted economic and community-benefits cannot remedy the harms identified above. The application should be judged on its planning merits, on which permission should be refused.

## **Conclusion**

This application should be refused for two independent reasons, either of which is sufficient on its own.

First, the substation fails on its own terms. The Commission's own inspector warned the applicant, in terms, not to replicate the wind-farm EIAR and to assess all potential impacts including the wind farm's. The applicant replicated the wind-farm EIAR anyway — filing the wind farm's own water chapter and WFD assessment under the substation's cover, with the

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<sup>107</sup> Wind EIAR, Chapter 5 (Population and Human Health), socio-economic section; and see the first-instance objection, Ground 7.

same report numbers.<sup>108109</sup> Beyond that central defect, the substation compound is of unexplained scale and capacity for a seven-turbine farm;<sup>110</sup> it is modelled as a continuous noise source with a sound-power level of 92 dB(A), but the assessment does not adequately address tonal correction, cumulative noise or effects on wildlife closer to the source;<sup>111112</sup> the Senior Archaeologist required assessment of a previously unrecorded mound discovered in or in the vicinity of Cloonbaul, but the substation material does not appear to resolve that issue;<sup>113</sup> and no document before the Commission addresses the foreseeable fire and firewater risk of the battery storage to which it is directly connected by a 220 m cable.<sup>114</sup>

Second, the wider project cannot lawfully be assessed, or permitted, in pieces. On the applicant's own material: its landscape assessment rates the visual effect as "Significant" at four residential viewpoints;<sup>115</sup> its water assessment predicts deterioration of the Robe\_030 water body from Good to Moderate in the absence of mitigation, making the no-deterioration conclusion dependent on the proposed measures;<sup>116</sup> its biodiversity assessment accepts that the effect on the Marsh Fritillary would be significant at County scale without mitigation;<sup>117</sup>

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<sup>108</sup> An Bord Pleanála, Inspector's Report for pre-application consultation ABP-319153-24 (Senior Planning Inspector Karen Hamilton, 25 June 2024), §6.0 (Consultation Meetings) and §5.0 ("transmission node on the national grid"); Board decision 3 July 2024.

<sup>109</sup> Substation SID (ACP 324429): Chapter 9 (Water), Appendix 9-4 (WFD Compliance Assessment, HES report P1646-0\_WFD\_F0, 30 April 2026) and Appendix 4-7 (Surface Water Management Plan) — identical report numbers, titles and content to the wind-farm versions; "Proposed Project" defined as the wind farm and grid connection.

<sup>110</sup> Submission of Cyril Reid on P.A. 2660398 to Mayo County Council (Cunlaghfadda substation compound >12,000 m<sup>2</sup>; comparison with Ballivor wind farm 110 kV substation ~15,400 m<sup>2</sup> serving 26 turbines).

<sup>111</sup> Wind EIAR, Chapter 12 (Noise and Vibration), §12.6.3.2 (onsite 110 kV substation modelled source level 92 dB(A) L<sub>w</sub>; predicted 30 dB L<sub>Aeq,T</sub> at nearest sensitive location H003, ~366 m).

<sup>112</sup> Submission of Marcella Foster on P.A. 2660398 to Mayo County Council (property H060, ~695 m from the 110 kV substation, ~570 m from the nearest end-grid mast).

<sup>113</sup> Mayo County Council Senior Archaeologist's report/memo on P.A. 2660398 (1 July 2026) — CH Site 10 added to the Record of Monuments and Places (MA101-106); previously unrecorded mound at Cloonbaul.

<sup>114</sup> BESS EIAR, Appendix 4-10 (Fire Risk Management and Emergency Response, D.M. Flaherty & Associates), §9 (thermal runaway; hydrogen fluoride) and §9.8 (firewater contamination).

<sup>115</sup> Wind EIAR, Appendix 13-3 (Photomontage Visual Impact Assessment Tables): VP2 Knockaunakill, VP4 Knockrickard, VP7 Knockroe and VP14 Clogher Beg each "High × Moderate = Significant" (residual "Moderate"); VP9 Mayo Abbey "High × Slight = Moderate" (residual "Slight"); VP12 Lough Mask "Slight".

<sup>116</sup> Wind EIAR, Appendix 9-4 (WFD Compliance Assessment, HES P1646-0\_WFD\_F0, 30 April 2026), Table F (construction phase, unmitigated) and Table K (summary): Robe\_030 Good→Moderate; Meander\_010 and Tullymore(Mayo)\_010 High→Good; mitigated status returned to no change.

<sup>117</sup> Wind EIAR, Chapter 6 (Biodiversity), §6.5 (Marsh Fritillary; "in the absence of mitigation ... a significant effect to the population at the County Scale"; dust deposition on larval webs); larval webs mapped at Confidential Appendix 6-7.

its shadow-flicker assessment shows forty homes must have turbines shut down;<sup>118</sup> and its own Grounds of Appeal admit this is one project split into three applications, assessed in pieces despite the Board’s own warning.<sup>119</sup><sup>120</sup> These are the applicant’s own conclusions, not mine. The wind farm this substation serves has already been refused by Mayo County Council on three separate grounds — landscape and visual impact, the setting of Mayo Abbey, and shadow flicker and residential amenity — addressed separately in Grounds 7, 8 and 9. Granting the substation would put in place the critical enabling infrastructure for a development the planning authority has found to be unacceptable.

I therefore respectfully request that **permission be refused**.

Thomas McNamara

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<sup>118</sup> Wind EIAR, Chapter 5 (Population and Human Health), §5.4, Table 5-9 (40 dwellings predicted to exceed the 30 minutes/day guideline, unmitigated), Table 5-10 (Shadow Flicker Control Modules).

<sup>119</sup> Applicant’s First-Party Grounds of Appeal (MKO, 7 August 2026), §1.1.

<sup>120</sup> An Bord Pleanála, Inspector’s Report for pre-application consultation ABP-319153-24 (Senior Planning Inspector Karen Hamilton, 25 June 2024), §6.0 (Consultation Meetings) and §5.0 (“transmission node on the national grid”); Board decision 3 July 2024.