

LID 17/8

Daniel O'Connor

From: Marie Scanlon <mariescan82@gmail.com>
Sent: Thursday 27 August 2026 22:43 ✓
To: Appeals2
Subject: Meenbog Substitute Consent

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Cronalaghey

The Cross
Killygordon
Co. Donegal

The Secretary,
An Bord Pleanala,
64 Marlborough Street,
Dublin 1
27/08/2026

Ref: SU05E.324433

Development Description

Substitute Consent pursuant to Section 177E of the Planning and Development Act 2000, as amended. Development consists of the retention of the partial construction of a 19-turbine wind farm previously permitted under ABP 300460-17 (as amended by ABP-303729-19).

Please find attached a submission in respect of the above development.

Dear Sir/Madam,

I would like to make a submission on the above application for Substitute Consent.

This development as constructed to date, it is now clear, should never have received planning permission in the first instance and any Substitute consent should not be granted.

I refer to the findings of Dr. Padraig O'Cathain on peat stability and Professor Paul Johnston on Hydrology and their subsequent submitted reports to the original application.

Both independent experts warned of the high risk of Peat Slides occurring on this site. These warnings were ignored in favour of the now evident fatally flawed reports and findings by the developer.

The devastating catastrophic peat Slide in November 2020, a massive peat failure resulting in thousands of tonnes of bog and trees to slide into the Mournebeg River and Shruhangerve burn confirms my belief that this development should not be granted substitute consent, and furthermore all trace of this development should be removed.

The proof stands that this important habitat and landscape was and remains unsuitable for such development.

In the substitute consent application, the developer states the "Consideration of Alternatives"

- > **Alternative 1** - "Do-Nothing". substitute consent not granted. Existing Development remains in situ as an unauthorised development.
- > **Alternative 2**- Decommissioning of Existing Development. substitute consent not granted. Orders made to remove unauthorised development and restore site to the greatest extent practicable. Under this scenario access tracks would most likely remain in-situ for forestry/ agricultural use and the 110kV substation and grid connection would be de-energised, secured, remain in-situ pending further planning application to retain them.
- > **Alternative 3**- Retain Existing Development and Complete the Prospective Development (Preferred Alternative). Retain and regularise all existing infrastructure as constructed, and complete and operate the Subject Development.

"Alternative 1" how could the developer "do nothing" again, considering this is was their powerless reaction to the initial catastrophic peat slide, confirming this developer has already demonstrated its inability to control such peat slides.

This developer failed to act on 2 earlier peat slides that they were aware of which contributed to the catastrophic environmental disaster of November 2020.

"Alternative 3" should not be permitted. This infrastructure should not remain or be considered in any further developments as it forms part of the original unauthorised development.

"Alternative 2" mentions some aspects of reinstatement on the original site. This option should include all development granted in the original application including access tracks, cable ducts, grid connection and the 110kV Substation.

The proposed site of this development is also known habitat for the Hen Harrier, a protected species under European law, namely the EU Birds Directive (2009/147/EC).

The area between Carrickaduff hill and Lough Mourne is a confirmed breeding area for Hen Harrier, and the Lands around Tievecloghoge and Kinletter a known winter roost site for Hen Harrier. Confirmed breeding was reported for the location during the 2007-

2011 atlas survey, and breeding was confirmed in the vicinity of the development and immediate Buffer Zone following a number of national surveys (Ruddock et al., 2012) and the most recent 2015 Irish Raptor study group survey.

During the pre application consultation with An Bord Pleanála on April 2017 , the developer advised that no breeding Hen Harrier has been recorded on the site since 2014. It said that discussions have taken place between it and representatives from the NPWS. With respect to proposed mitigation measures, the prospective applicant said it is satisfied with its approach which would ensure that there will be no net loss of Hen Harrier habitat, the developer commented that an extensive amount of survey work has been carried out with vantage points mapped and everything documented in terms of the viewshed analysis. Having regard to the breeding season, the prospective applicant said that survey work is up to date and on-going and that there have been many additional surveys carried out since the previous planning application, and followed the advice in the Scottish Natural Heritage Guidance.

The Board also referred to the presence of the Hen Harrier as observed on the site in 2014. The Board again stressed the requirement for robust data in this regard.

Scottish National Heritage Guidance recommend that surveys for Hen Harrier be conducted 2 km from the boundary of a wind farm. However survey data from chapter 7 in the EIAR shows that Vantage Points consistently subject to recommended survey effort were only located within a 500m buffer of the proposed Wind Farm.

Clearly the developer did not adhere to SNH Guidance and this again demonstrated the flawed methodologies used by the developer to assess the initial application adequately.

Furthermore considering that the any further consideration of this site for any development would require up to date independent bird surveys as nearly 8 years has passed since the initial application.

Yours faithfully

Carl Scanlon