

L/D-278 *Ronan*

From: Aine Conaghan <aineconaghan@gmail.com>
Sent: Tuesday 25 August 2026 20:55
To: Appeals2
Subject: Observation to Substitute Consent Application: Case Reference: SU05E.324433

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Observation submitted by: Dr Aine Conaghan, Kinletter, Ballybofey, Co. Donegal F93T92H

Case Reference: SU05E.324433

Dear Sir/Madam,

I wish to make a formal objection to the application for Substitute Consent under 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).

I previously made submissions and objections in relation to this development during the original planning process in 2015 and 2018. My concerns related to environmental sustainability, peatland disturbance, landscape impacts, biodiversity, tourism, recreation and the suitability of industrial-scale development within this sensitive upland environment.

The Board is now being asked to retrospectively regularise and facilitate the completion of a development that has already caused significant damage. The central fact of this application is straightforward:

- Concerns were raised by local communities and independent experts regarding peat stability, hydrology, environmental impacts and the suitability of the site.
- Those concerns were ultimately not given sufficient weight.
 - The development proceeded.
- The environmental harm that objectors warned about subsequently occurred.
- A major peat slide resulted in significant environmental damage cross border.
- The outcome demonstrates that objectors' concerns were justified from the outset.
- The courts subsequently found that the 25 material deviations from the approved development rendered the entire wind farm unauthorised. These were not minor technical adjustments. They were significant departures from the development that had been assessed and approved.

The applicant is now asking the Bord to place confidence in a further set of assessments, mitigation measures and assurances. However, this is the same developer that proceeded with a development that was materially different from that approved, was associated with a significant pollution incident, and was subsequently found by the courts to have constructed an unauthorised development. These facts are directly relevant when considering the weight that should be attached to the applicant's current claims and assurances. Granting Substitute Consent given the circumstances would undermine public confidence in environmental governance, planning compliance and the integrity of the planning system itself.

Failure of the Original Assessment and Site Suitability

The requirement for Substitute Consent and remedial environmental assessment arises because the development was not constructed in accordance with the permission granted. This is, in itself, evidence that the original assessment process failed to properly identify, assess and mitigate the risks associated with this development. The subsequent history of the site has been characterised by environmental damage, pollution, regulatory concerns, legal proceedings and findings of unauthorised development. The events at Meenbog demonstrate the vulnerability and sensitivity of the landscape. The fact that significant infrastructure has already been constructed cannot become an argument for granting consent. To do so would effectively reward failure and a process that has demonstrably failed.

Tourism Impacts Were Underestimated

Tourism concerns were not given sufficient weight during the original assessment process. During the planning process, the Planning Inspector specifically referred to my submission on tourism and accepted that the tourism evidence relied upon by the applicant was outdated. The Inspector further concluded that the scale and extent of the proposed development would seriously detract from the intrinsic character of the area and would be likely to have a negative impact on tourism, recreational routes, scenic views and the setting of Barnesmore Gap. These concerns were not afforded sufficient weight. Nor was sufficient weight given to the perspectives of those whose livelihoods, activities and interests depend upon the protection of the area's landscape, environmental quality and natural assets. The subsequent history of this development has upheld those concerns. What was originally presented as a landscape and tourism issue has become associated with environmental damage, legal proceedings and planning controversy. The qualities that underpin the tourism value of this area, including its landscape character, environmental integrity and sense of place, cannot simply be restored through mitigation measures, remedial assessments or retrospective planning processes.

The history of this development demonstrates that this landscape was unsuitable for this form of development when concerns were first raised, that those concerns were justified, and that the consequences of disregarding those concerns are now matters of public record.

I therefore respectfully request that the Bord refuse Substitute Consent, refuse permission for the completion of the development, and require the comprehensive decommissioning and removal of all infrastructure associated with the unauthorised development, including the 110kV substation, grid connection infrastructure and all associated works.

The fact that substantial infrastructure has already been constructed cannot justify its retention. To permit the regularisation of an unauthorised development that has already caused significant environmental damage would undermine the principles of planning compliance, environmental protection and public confidence in the planning system.

Yours sincerely,

Dr Aine Conaghan
Tourism Consultant