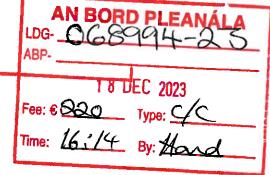


Submission prepared by Sabrina Joyce-Kemper (Planning Consultant) on behalf of;

Maire Ni Raghallaigh, Oldtown Moycullen Co. Galway

Date of Submission: 19th December 2023



Page 1 of 10 not incl appendices - Galway CoCo ref 23/225 MNR submission

Submission

1. Introduction

1.1 Planning consultant, Sabrina Joyce-Kemper, has prepared this appeal on behalf of the appellant above who is local to the proposed development and wish to object to and appeal this grant of permission. The appellant made observations to the planning application and their confirmation of submission is at **Appendix 4**. Ms. Joyce-Kemper has an Advanced Diploma in Planning and Environmental Law from the Honorable Kings Inn. This observation is relating to Planning application reference 23/225 with Galway Council which is described as follows;

for the following: (1) alterations to the Cnoc Raithní (Knockranny) Wind Farm (Galway County Council pl. ref. no. 13/829 & ABP ref: 07.243094 comprising 11no. wind turbines with an overall ground to blade tip height of 150m (an increase of 19.5m & 9.5m from 130.5m & 140.5m, as previously permitted), a rotor blade length of 68m or 69m & a hub height of 81m or 82m; associated increase in turbine foundations; & omission of permitted on-site 110kV substation & underground cabling; (2) provision of underground electrical (33kV) & communications cabling connecting the 11no. wind turbines to the Ardderroo wind farm substation for the purposes of connection to the national grid, including a new cable service track (with watercourse/culvert crossings) & widening of an existing access road; extension of the Ardderroo substation within the existing substation compound, including control building extension, new 110kV transformer & electrical plant & apparatus; (3) all associated site development & ancillary works above & below ground in support of the above, including site drainage & tree felling; (4) an operational period & planning permission duration to align with the existing permission (ABP ref: 07.243094). An Environmental Impact Assessment Report (EIAR) & Natura Impact Statement (NIS) have been prepared & will be submitted to the Planning Authority with the application

- This submission identifies a number of issues in relation to peat slippage assessment, Hydrological modeling of the site and contributing catchments, lack of assessment under the Water Framework Directive, lack of assessment of embodied carbon of the development, Impact on the NATURA2000 Network, and lack of cumulative assessments in the EIA and AA.
- 1.3 Below is laid out the reasons and considerations for this submission. This submission is made in objection to the proposed development. Primarily because this amendment and the previous parent permission did not carry out robust EIA and AA assessments and the decision maker did not apply the precautionary principle, when issues of lack of complete, precise and definitive findings and conclusions, due to lacunae or gaps in the EIAR and AA and reports underpinning the conclusions.

2. Issues with application form and administrative issues.

- 2.1 Section 2.2.1 of the planning report indicates that planning took place in January 2013, due to the fact that this is 10 years ago could the applicant be referring to planning for the parent permission? If this was reference to the parent permission was there any pre-planning consultations under 247 of the Planning and Development Acts of 2000? If there was the pre planning minutes do not appear to be uploaded on the planning portal which is a statutory requirement. It would have perhaps have been prudent to carry out a pre planning meeting in light of the passage of time, and change in the legislative and policy landscape since 2013.
- 2.2 In the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018 sections 5.3 and 5.4 state:
 - "5.3 The 2014 Directive places strong emphasis on effective public participation in the decision-making procedures for EIA cases. It refers to the need to strengthen public access to information and increased transparency, and to ensure that timely environmental information with regard to the implementation of the Directive is accessible in various formats, including electronic format
 - "5.4. To this end the applicant is required, in electronic form that is electronically searchable to the extent possible, to submit an EIAR accompanying any application for development consent, any revised EIAR requested by the competent authority and any remedial EIAR. Normally all text should be searchable by key words"
- 2.3 The EIAR was split into five scanned documents that were not searchable, which hampered the preparation of this submission substantially. This failure to comply with the Act of 2014 should not have been overlooked by the Local Authority and should have invalidated the original application. Large sections appear to be missing.
- 2.4 It is a statutory requirement that all planning applications are valid. To avoid unnecessary delays and additional expense, applicants should ensure their planning applications are valid. The Planning Authority has *no discretion* in the validation process and accordingly all invalid applications should be returned.
- 2.5 There are references a tertiary road which may possibly be a public road, if there are any public roads that works will take place on (eg cables run under) Section 22(2)(g)(ii) applies. This article states the following;
 - (ii) in the case of a proposed development, or part of a proposed development, that is in, on, over or under a public road, written confirmation that the proposed development concerned is to be undertaken by a statutory undertaker having a right or interest to provide services in connection with the proposed development, or
- 2.6 A statutory undertaker is any public utility body, including railway, canal navigation body, airport or harbour authority, gas, electricity, telecommunications service provider or an entity

¹ recital 18 of the 2014 EIA Directive.

- providing services connected with or carrying out works for the purpose of the activities of that public undertaking.
- 2.7 If this written confirmation was required and was not submitted this invalidates the consent.

 The applicant should be asked to comment by way of further information.

3. EIA and AA issues

- 3.1 There was a list in the planners report of prescribed bodies and in EIAR, that were contacted but there was no copies of the letters purported to be in appendix 1.1 with responses in 1.2 to the EIAR, that were sent to those prescribed bodies, uploaded to the planning portal. The dates and addresses to which the consultation letters to prescribed bodies should be identified. Were hard copies of the application sent to these prescribed bodies. In fact a number of sections of the EIAR and its appendices appear to be missing from the online portal. As a Dublin based planning and environmental consultant this gave me some difficulty in preparing a robust response for my clients.
- 3.2 In section 4.2 of the EIAR non Technical summary the applicant recognises that part of the subject site is in location zoned "not permissible" in the Development Plan, a change that was made in 2022-2029 Development plan from Strategic Area. There is no real engagement with this by the applicant. No Material contravention statement on non compliance with zoning, was submitted with the application.
- 3.3 On the whole the approach taken by the applicant with regards to this permission is deficient. The parent permission was granted during a previous development plan in 2016. Over seven years ago. The parent permission and this amendment permission are not a usual amendment application where you have some changes to the permission some additions or removals. This permission seeks to substantially scale up the elements of the original permission, and make major changes to the associated infrastructure. Every development element changed essentially replaces the original element.
- 3.4 We cannot just asses the additional circumference of the base or a section of the length of new blade in isolation. It must be assessed as a whole new element which cannot be split from the parent element. This means that the surveys taken in 2013 and modeling carried out in 2013 are deficient (ecological, noise, water quality, policy, development plan compliance) and must be updated in order for the board to make a decision that is in accordance with the law.
- 3.5 Attached at Appendix 1. Please find an advice note on the lifespan of ecological reports and surveys from the Chartered Institute of Ecology and Environmental Management (CIEEM). The advice clearly states that reports over three years cannot be relied upon and gives examples of what time frames are acceptable and why Ecological reports may become outdated and why they must be recent to be relevant. As such in order for the application to legally comply with the EIA Directive and Habitats Directive all surveys and reports must be brought up to date.

3.6 Cumulative impact assessment. The applicant in section 3.7 of the non technical summary, states the following:

0 1 JUN 2023 0 2 2 5

3.7 Alternative Mitigation

The original EIS fully assessed all environmental aspects and proposed suital amtigation where required. These measures, in conjunction with the conditions attached by An Bord Planal their decision to grant permission (An Bord Pleanála Reference PL07.243094) form a comprehensive suite of mitigation measures which will ensure that potential risks are minimised.

The individual chapters of this EIAR contain analysis of the proposed amendments in comparison with the Permitted Development and further mitigation measures have been proposed where required to ensure any potential effects arising from the Proposed Development will not result in a significant impact. An alternative to this approach would be to deviate from the best practice mitigation and monitoring proposals that were set out in the original Permitted Development documentation and further supplemented where necessary in the EIAR, this was not the preferred option.

This confirms that the applicant has not updated the mitigation measures from the original development. They also seek to use the conditions made by An Bord Pleanála in 2016 to screen out the need to screen out further assessment in EIA and the same approach appears to have been taken with the AA. The applicant cannot seek to use conditions of a planning permission that were made 7 years ago and therefore could not take into account changes to policy, legislation and development plans in the intervening time, as a mitigation measure to screen out impacts before full EIA and AA assessment.

- 3.7 This illegality of this approach has already been identified in "People over Wind" judgment which held that measures which will be taken to mitigate or avoid the harmful effects of a proposed development project cannot be taken into account when deciding whether an appropriate assessment is necessary at the screening stage under the Habitats Directive. Therefore the entirety of the development must be assessed up to date, all impacts identified but through a full screening process before identifying mitigation measures.
- 3.8 Landscape visual assessments. there are no photo montages of the before and after viewpoint Locations. Due to the sensitive nature of this landscape and the already substantial wind farm development in this area my client believes that in order to properly assesses this chapter of the EIAR photo montages are required.
- 3.9 Cumulative impact assessment. The applicant has largely failed to carry out a correct cumulative impact assessment, both for the EIAR and the AA. The cumulative impacts of the numerous wind farms in the area on the NATURA2000 Network and with regards to the requirements of the EIAR must be assessed robustly. Legal precedent would be case C-392/96 which states;

"The purpose of the EIA Directive cannot be circumvented by the splitting of projects and the failure to take account of the cumulative effect of several projects must not mean in practice that they all escape the obligation to carry out an assessment when, taken together, they are likely to have significant effects on the environment within the meaning of Article 2(1) of the EIA Directive." (C-392/96, Commission v. Ireland, paragraphs, 76, 82; C-142/07, Ecologists en AcciónCODA, paragraph 44; C-205/08, Umweltanwalt von Kärnten, paragraph 53; Abraham and Others, paragraph 27; C-275/09, Brussels Hoofdstedelijk Gewest and Others, paragraph 36)

- 3.10 The problem that is frequently encountered in planning applications is that of carrying out an AA/ EIA on a development and having a finding of no significant effect. Then incorrectly carrying out a cumulative impact assessment by concluding because each development in isolation had a finding of no significant effect then cumulatively there could be no significant effects. This method is manifestly wrong. All effects identified within each development no matter how significant must be assessed in a cumulative matrix. Below at Figures 1 and 2 we give a visual representation via info-graphic of the correct and incorrect methods of cumulative assessment to be used in AA and EIA assessments.
- 3.11 Taking the correct methodology into consideration we can safely conclude that there are no matrices of cumulative effects between the identified developments in the area, that could inform proper mitigation measures. These needs to be requested by ABP.

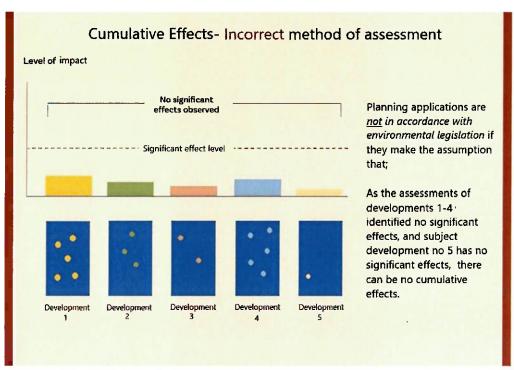


Figure 1: Incorrect method of cumulative assessment.

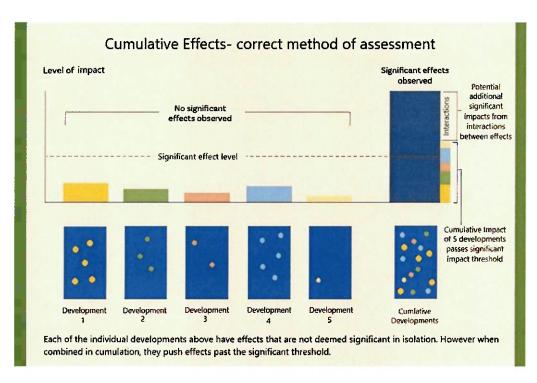


Figure 2. Correct method of cumulative assessment

- 3.12 Section 50 Consent required. This application requires the construction of at least one culvert. It also requires physical alterations to riverbanks. These activities require consent from the Office of Public Works (OPW) also referred to as "The Commission" in Irish legislation. According to the OPW Section 50 consent information booklet; The construction, replacement or alteration of a bridge or culvert has the potential to change the hydraulic characteristics of a watercourse. If significant, this change may result in:- "Flood levels upstream of the bridge being increased due to the creation of a restriction in the watercourse. - Flood levels downstream of the bridge being increased due to the removal of a beneficial restriction from the watercourse. - Erosion of the watercourse and/or floodplain being initiated or accelerated due to the restriction increasing flow velocities and turbulence. - Deposition of material in the watercourse or on the floodplain due to a change in flow velocities and turbulence. - Overland flow paths on the adjacent floodplain being blocked or diverted due to the construction of bridge approaches. The above changes to the hydraulic characteristics of a watercourse or floodplain may impact on local flood risk management plans. The OPW has a broader interest in ensuring that the adverse hydraulic effects created by new or existing bridges and culverts are avoided."
- 3.13 In a similar way to the EPA is the state authority for Waste Water Discharge Licence consent, the OPW are the state authority on flood risk and the designated designated body to be consulted in relation to flood works under Section 50(1) of the Arterial Drainage Act 1945 which states "Restrictions on the construction or alteration of bridges. 50. (1) No person, including a body corporate, shall construct any new bridge or alter, reconstruct, or restore any existing bridge over any watercourse without the consent of the Commissioners or otherwise than in accordance with plans previously approved of by the Commissioners."
- 3.14 While there appears to be no direct or specific provision made in national legislation for compulsory consultation by local authority's or The Board with the OPW in terms of developments subject to Section 50 consent, In light of legislative precedence set by similar issue in relation to Waste water discharge licenses and dual assessment, it would follow that the same arguments and judicial determinations could be applied to the OPW and Section 50 Consents. Directive 2011/92/EU legislate for the precautionary principle and that Effects on the environment should be taken into account at the earliest possible stage in all the technical planning and decision-making processes.
 - Article 6 (a) of Directive 2011/92/EU as amended by 2014/52/EU which states; 1. Member States shall take the measures necessary to ensure that the authorities likely to be concerned by the project by reason of their specific environmental responsibilities or local and regional competence.
- 3.15 The applicant lists the OPW as a consultee but we cannot see the appendices or reply anywhere on the site and would request clarification on if there was indeed a reply. In any case as there were changes made to the revised NIS that indicate additional culverts that may require section 50 consent, we would ask that the board to contact the OPW for a consultation with regards to Section 50 consent despite there being no memorandum of understanding between the two

competent authorities. If the Board do not feel it appropriate we ask that in the event of upholding the decision that a condition be attached in relation to consultation with the OPW before commencement of the development.

- 3.16 The applicant failed to correctly transpose the SCI "Wetlands & Waterbirds" A999 instead just listing as wetlands in the Natura Impact Statement and therefore did not fully assess the "waterbirds" feature of the SCI. Thus, in turn the Inspector and the Local Authority only assessed the Wetland feature of this SCI. if we take Lough Corrib SAC as an example we can see the additional list of waterbirds as declared on the NATURA2000 report to EU at Appendix 2. The NIS should be updated for any SACs with A999 special conservation interest.
- 3.17 Peat instability report: my client is extremely concerned about the peat stability in the location, particularly in light of increased duration and intensity rainfall events in recent years. The issues that occurred at Derrybrien windfarm, also in Galway, have only increased those concerns as there was no indication of any potential impact in that application and yet a serious slippage event occurred. If such an event was to occur in the development site and surrounding areas then it could be very serious for my client in terms of their safety and security. For this reason a robust review of the applicants documents must be carried out by The Board. My clients would ask that the Board bring in an independent expert to review the material and conclusions produced by the applicant, to assess robustly for Risk of Major Accident.
- 3.18 The FOS parameters appear to consider only static loading, not the impacts of vehicle movements or temporary loading. While not experts my client feels that the report fails to go into detail of the characteristics of the peat at the subject site nor the potential cumulative impact of slippage and drainage or water infiltration from neighboring windfarms. The report also appears to fail to consider an increase in rainfall due to climate change for the full design horizon of the development.
- 3.19 The applicant should be requested to produce a report on embodied carbon of the development so as to inform the carbon footprint of the commissioning, operating period and decommissioning of the development.

4. Other issues:

4.1 In a consultation submission the defence forces requested the following:

All turbines should be illuminated by Type C, Medium intensity, Fixed Red obstacle lighting with a minimum output of 2,000 candela to be visible in all directions of azimuth and to be operational H24/7 days a week. Obstacle lighting should be incandescent or, if LED or other types are used, of a type visible to Night Vision equipment. Obstacle lighting used must emit light at the near Infra-Red (IR) range of the electromagnetic spectrum, specifically at or near 850 nanometres (nm) of wavelength. Light intensity to be of similar value to that emitted in the visible spectrum of light.

- 4.2 Has this been assessed in the AA and EIAR for impact on landscape, bats, inspects, birds, and on the community living locally. The impact at night of such lighting may be substantial particularly in cumulative impact with other windfarms. There is also no raw data/ reports for the current species surveys which do not appear to be up to date.
- 4.3 Some EIAR chapters appear to be missing from the planning portal site (list uploaded at appendix 3). Including chapter 12 on noise and vibration. We could only examine the overview of the chapter in the Non Technical Summary but we could not make any conclusion on the efficacy of the assessments nor their impact on my clients.
- 4.4 It may be in the missing chapters but the application does not appear to assess up to date waterbody status under Water Framework Directive and the cumulative impact of multiple windfarms and forestry operation so the affected waterbodies. Nor is there a corresponding catchment based Hydromorphology modeling and assessment.

Conclusion:

We welcome the fact that An Bord Pleanála now has a dedicated windfarm section. In the first instance my client asks that the Board overturn the grant of permission due to the deficiency in the EIAR and AA and paucity of supporting scientific data as identified in the above submission. If the Board is not minded to overturn the decision, my client asks that The Board request updated surveys and modeling required to have up to date information to properly inform the EIA and AA. They also request that ABP look for the documents missing from the Planning Authority site and bring in an expert consultant (as provided for in the 2014 EIA Directive) to assess the input metrics and parameters and conclusions of peat slippage report and request any additional data required to make an informed assessment. They ask that an updated chapter assessing compliance for the entirety of the parent permission and amendment application with the current Galway County Development Plan. They also ask that this further information be put out for public and prescribed body consultation in accordance with provisions of the EIA Directives and Aarhus convention.

Yours Sincerely

Maire Ni Raghallaigh

Appednix 1- CIEEM advice Note

Appendix 2- Lough Corrib SAC NATURA2000 Declared

Appendix 3- Dox that appear on Galway CoCo planning portal

Appendix 4- Receipt of Submission document

ADVICE NOTE



ON THE LIFESPAN OF ECOLOGICAL REPORTS & SURVEYS

APRIL 2019

It is important that planning decisions are based on up-to-date ecological reports and survey data. However, it is difficult to set a specific timeframe over which reports or survey data should be considered valid, as this will vary in different circumstances. In some cases there will be specific guidance on this (such as for the age of data which may be used to support an EPS licence application). In circumstances where such advice does not already exist, CIEEM provides the general advice set out below.

For some projects the time taken between commencing the scoping or design and submitting a planning application can be several years, and this can result in the early ecology surveys becoming out-of-date (based on the advice set out below); this can lead to additional costs for developers associated with updating survey data. Nevertheless, there are considerable advantages associated with undertaking surveys early during the scoping or design phases of a project.

Ecological consultants should give careful consideration to which, if any, surveys need to be updated; design their data collection in a way which maximises the benefits of early surveys whilst minimising the costs to developers; and provide clarity on the likely lifespan of surveys in their reports.

AGE OF DATA

REPORT / SURVEY VALIDITY

Less than 12 months

Likely to be valid in most cases.

12-18 months

Likely to be valid in most cases with the following exceptions:

- Where a site may offer existing or new features which could be utilised by a mobile species within a short timeframe (see scenario 1 example);
- Where a mobile species is present on site or in the wider area, and can create new features of relevance to the assessment (see scenario 2 example);
- Where country-specific or species-specific guidance dictates otherwise.

Report authors should highlight where they consider it likely to be necessary to update surveys within a timeframe of less than 18 months.

18 months to 3 years

A professional ecologist will need to undertake a site visit and may also need to update desk study information (effectively updating the Preliminary Ecological Appraisal) and then review the validity of the report, based on the factors listed below. Some or all of the other ecological surveys may need to be updated. The professional ecologist will need to issue a clear statement, with appropriate justification, on:

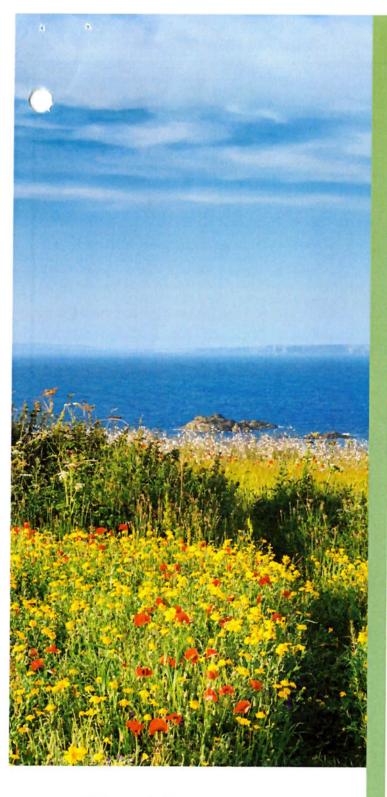
- The validity of the report:
- · Which, if any, of the surveys need to be updated; and
- The appropriate scope, timing and methods for the update survey(s).

The likelihood of surveys needing to be updated increases with time, and is greater for mobile species or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken. Factors to be considered include (but are not limited to):

- Whether the site supports, or may support, a mobile species which could have moved on to site, or changed its distribution within a site (see scenario 1&2 examples);
- Whether there have been significant changes to the habitats present (and/or the ecological conditions/functions/ecosystem functioning upon which they are dependent) since the surveys were undertaken, including through changes to site management (see scenario 3 example);
- Whether the local distribution of a species in the wider area around a site has changed (or knowledge of it increased), increasing the likelihood of its presence (see scenario 4 example).

More than 3 years

The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated (subject to an assessment by a professional ecologist, as described above).





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EXAMPLE SCENARIOS

1

- Trees or buildings on site have been surveyed for evidence of bat roosts and none were found; new roosts may be present, and trees or buildings may have developed new features which were not previously present. An update bat roost survey is likely to be required.
- One or more potential otter resting sites have been identified, although there was no evidence of use at the time of the survey; such features may have been used by otters during the intervening period. An update otter survey is likely to be required.

2

 A badger survey confirmed the presence of badgers on site; new setts may have been excavated within the site. An update badger survey is likely to be required.

3

An area of grassland was heavily grazed by cattle at
the time of the original survey and was considered
to be unsuitable for reptiles, although slow-worms
were known to be present in the wider area; grazing
has since ceased and the grassland has been cut once
annually, which has encouraged the development
of a tussocky sward which provides suitable habitat
for slow-worms. A reptile survey is now likely to be
required.

4

 A water vole survey confirmed their absence from the site but identified them as present in the wider area surrounding it; a recovery project is underway in the local area through a mink control programme, which is encouraging the spread of water voles. Database release: End2021 --- 06/10/2022

SDF



NATURA 2000 - STANDARD DATA FORM

For Special Protection Areas (SPA), Proposed Sites for Community Importance (pSCI), Sites of Community Importance (SCI) and for Special Areas of Conservation (SAC)

SITE

IE0000297

SITENAME

Lough Corrib SAC

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- 1. SITE IDENTIFICATION
- 2. SITE LOCATION
- 3. ECOLOGICAL INFORMATION
- 4. SITE DESCRIPTION
- 5. SITE PROTECTION STATUS
- 6. SITE MANAGEMENT
- 7. MAP OF THE SITE

Print Standard Data Form

1. SITE IDENTIFI	CATION
1.1 Type	Back to top
В	
1.2 Site code	
IE0000297	
1.3 Site name	
Lough Corrib SAC	
1.4 First Compilation d	late
1998-01	
L.5 Update date	
2020-10	
1.6 Respondent:	
Name/Organisation:	National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht
Address:	
Email:	datadelivery@chg.gov.ie

1.7 Site indication and designation / classification dates

Date site proposed as SCI:	1998-05
Date site confirmed as SCI:	No information provided
Date site designated as SAC:	No information provided
National legal reference of SAC designation:	No information provided

2. SITE LOCATION

2.1 Site-centre location [decimal degrees]:

Back to top

Longitude:	-9.170191
Latitude:	53.434936

2.2 Area [ha]

25188.1576

2.3 Marine area [%]

0.0000

2.4 Sitelength [km] (optional):

No information provided

2.5 Administrative region code and name

NUTS level 2 code	Region Name	
IE01	Border, Midland and Western	

2.6 Biogeographical Region(s)

Atlantic	(0.00 %)

3. ECOLOGICAL INFORMATION

3.1 Habitat types present on the site and assessment for them

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Anne	(IH	abita	t types			Site assessment								
Code	PF	NP	Cover [ha]	Cave [number]	Data quality	AIBICID	A B C							
						Representativity	Relative Surface	Conservation	Global					
3110 B			497.498	0.00	P	С	С	С	С					
3130 8			11572.3	0.00	P	С	С	С	С					
3140 ()			21460.7	0.00	М	A	Α	A	A					

Anne	хІН	abita	at types			Site assessment	:		
Code	PF	NP	Cover [ha]	Cave [number]	Data quality	A B C D	AIBIC		
						Representativity	Relative Surface	Conservation	Globa
3260 8			252.48	0.00	М	С	В	В	В
<u>6210</u> H	x		252.48	0.00	M	В	С	В	В
6410 B			252.48	0.00	М	В	С	В	В
7110 8			39.22	0.00	G	В	С	В	В
7120 8			17.74	0.00	G	В	В	С	В
7150 8			1.6769	0.00	М	A	С	С	В
7210 ()			252.48	0.00	M	A	В	В	В
722 <u>0</u>			252.48	0.00	М	С	С	В	В
7230 B			252.48	0.00	М	A	С	В	В
3240			252.48	0.00	М	A		В	В
1 <u>40</u>			252.48	0.00	M .	A			A
1D0		1	1.22	0.00	G ,	4			A

PF: for the habitat types that can have a non-priority as well as a priority form (6210, 7130, 9430) enter "X" in the column PF to indicate the priority form.

NP: in case that a habitat type no longer exists in the site enter: x (optional)

Cover: decimal values can be entered

Caves: for habitat types 8310, 8330 (caves) enter the number of caves if estimated surface is not available.

Data quality: G = 'Good' (e.g. based on surveys); M = 'Moderate' (e.g. based on partial data with some extrapolation); P = 'Poor' (e.g. rough estimation)

3.2 Species referred to in Article 4 of Directive 2009/147/EC and listed in Annex II of Directive 92/43/EEC and site evaluation for them

3	pecies	:cies					ion in t	he site	e	Site assessment				
G	Code	Scientific Name	s	NP	т	Size		Unit	Cat.	D.qual.	A B C D	AjBj	С	
						Min	Max				Pop.	Con.	Iso.	Glo.
В	A056	Anas clypeata			w				P	DD	С	Α	С	В
В	<u>A052</u>	Anas crecca			w				Р	DD	С	Α	C	С
В	<u>A050</u>	Anas penelope			w				Р	DD	С	В	С	С
В	<u>A053</u>	Anas platyrhynchos			w				Р	DD	С	A	С	C
В	<u>A051</u>	Anas strepera			w				P	DD	С	Α	С	В
В	<u>A395</u>	Anser albifrons flavirostris			w				Р	DD	В	В	С	A
I	1092	Austropotamobius pallipes			p				Р	DD	С	Α	С	A
3	<u>A059</u>	Aythya ferina			w				Р	DD	A	A	С	Α

S	pecies				P	opulat	ion in 1	the sit	e	Site assessment				
G	Code	Scientific Name	s	NP	т	Size		Unit	Cat.	D.qual.	AIBICID	A[B]	С	
						Min	Max				Pop.	Con.	Iso.	Glo.
В	<u>A061</u>	Aythya fuligula			w				P	DD	В	Α	С	В
В	A067	Bucephala clangula			w				Р	DD	С	Α	С	В
В	A036	Cygnus olor			w				Р	DD	С	В	С	С
В	<u>A125</u>	Fulica atra			w				Р	DD	Α	Α	С	Α
Р	6216	Hamatocaulis vernicosus			р	3725	3725	area	Р	G	В	Α	С	А
F	1096	<u>Lampetra planeri</u>			р				Р	DD	С	Α	С	Α
M	<u>1355</u>	Lutra lutra			р				P	DD	С	Α	С	Α
I	1029	Margaritifera margaritifera			р				Р	DD	С	Α	С	Α
В	<u>A065</u>	<u>Melanitta nigra</u>			r	40	40	р		G	Α	В	В	Α
В	<u>A069</u>	Mergus serrator			w				Р	DD	С	С	С	С
Р	<u>1833</u>	Najas flexilis			p				Р	DD	В	Α	С	В
В	A160	<u>Numenius</u> <u>arquata</u>			w				P	DD	С	В	С	С
F	1095	Petromyzon marinus			r				Р	DD	С	В	С	В
В	<u>A017</u>	Phalacrocorax carbo			w				P	DD	С	В	С	С
M	1303	Rhinolophus hipposideros			р				Р	DD	С	В	В	В
F	1106	Salmo salar			r				С	DD	С	Α	С	Α
В	A193	Sterna hirundo			r	37	37	р		G	С	В	С	В
В	A194	Sterna paradisaea			r	60	60	p		G	В	В	С	В
В	A142	Vanellus vanellus			w				P	DD	С	В	С	С

Group: A = Amphibians, B = Birds, F = Fish, I = Invertebrates, M = Mammals, P = Plants, R = Reptiles \mathbf{S} : in case that the data on species are sensitive and therefore have to be blocked for any public access enter: yes

 ${\bf NP:}$ in case that a species is no longer present in the site enter: ${\bf x}$ (optional)

Type: p = permanent, r = reproducing, c = concentration, w = wintering (for plant and non-migratory species use permanent)

Unit: i = individuals, p = pairs or other units according to the Standard list of population units and codes in accordance with Article 12 and 17 reporting (see reference portal)

Abundance categories (Cat.): C = common, R = rare, V = very rare, P = present - to fill if data are deficient (DD) or in addition to population size information

Data quality: G = 'Good' (e.g. based on surveys); M = 'Moderate' (e.g. based on partial data with some extrapolation); P = 'Poor' (e.g. rough estimation); VP = 'Very poor' (use this category only, if not even a rough estimation of the population size can be made, in this case the fields for population size can remain empty, but the field "Abundance categories" has to be filled in)

3.3 Other important species of flora and fauna (optional)

Specie	5				Popu	lation in	the sit	e	Mot	ivati	on			
Group	CODE	Scientific Name	s	NP	Size		Unit	Cat.	Spe	cies ex		her lego	ries	
					Min	Max		CIRIVIP	IV	V	A	В	С	D
I		Corynocera ambigua												x
Р		Eriophorum gracile									х			
Р		Frangula alnus									Х			
Р		<u>Potentilla</u>									Х			

Specie	5				Popu	lation in	the sit	te	Мо	tivati	on			
Group	CODE	Scientific Name	s	NP	Size		Unit	Cat.	Spe	cies ex		her tead	ries	
		fruticosa			Min	Max		CIRIVIP	IV	V	A	В	С	E
P		Spiranthes romanzoffiana												
>		Vicia orobus									X			

Group: A = Amphibians, B = Birds, F = Fish, Fu = Fungi, I = Invertebrates, L = Lichens, M = Mammals,

CODE: for Birds, Annex IV and V species the code as provided in the reference portal should be used in

S: in case that the data on species are sensitive and therefore have to be blocked for any public access

NP: in case that a species is no longer present in the site enter: x (optional)

Unit: i = individuals, p = pairs or other units according to the standard list of population units and codes in accordance with Article 12 and 17 reporting, (see reference portal)

Cat.: Abundance categories: C = common, R = rare, V = very rare, P = present

Motivation categories: IV, V: Annex Species (Habitats Directive), A: National Red List data; B:

Endemics; C: International Conventions; D: other reasons

4. SITE DESCRIPTION

4.1 General site character

Back to top

		Back to to
Habitat class	% Cover	
N17	1.00	
N22	1.00	
N09	1.00	
N16	1.00	
N07	3.00	
N14	4.00	
N08	3.00	
N19	1.00	
106	85.00	
otal Habitat Cover	100	

Other Site Characteristics

Lough Corrib is situated directly north of Galway city and is the second largest lake in Ireland. The lake supports extensive Chara beds, many wooded islands and large areas of swamp and fen in the shallow south-east section which lies on limestone. The north-west part is deeper, wider and more oligotrophic. Shore is mainly karst, bog and small areas of callow. The surroundings are farmland and holiday-home areas. Most of the main rivers and their tributaries which flow into the lake are included within the site, including the Abbert, Clare, Cong, Cornamona, Dalgan, Drimeen, Grange, Owenwee, Owenriff and Sinking rivers. The River Corrib flows from the southern point of the lough into the sea at Galway city.

4.2 Quality and importance

The site is of immense importance for the occurrence of scarce and specialised habitats, as well as animal and plant species. Lough Corrib is the second largest oligotrophic lake in the country and is a superb example of a hardwater system. The site holds 14 Annex I habitats, 6 of these are priority Annex I habitats of the EU Habitats Directive, 5 Red Data Book plant species, also Drepanocladus vernicosus and Lutra lutra, and a rare chironomid Corynorera ambigua, good populations of Margaritifera margaritifera, Austropotamobius pallipes, Petromyzon marinus and Lampetra planeri. The site also supports an important population of Salmo salar. Important for wintering and breeding birds with Anser albifrons flavirostris, Sterna hirundo and Sterna paradisea.

4.3 Threats, pressures and activities with impacts on the site

The most important impacts and activities with high effect on the site

Nega	tive Impacts		
Rank	Threats and pressures [code]	Pollution (optional) [code]	inside/outside [i o b]
Н	A02.01		b
Н	C01.03.02		i
Н	G05	i	
Н	H01.08		0
Н	I01		İ
L	C01.01		0
L	E03.01		i
M	A04.03		i
М	A08		b
М	A10.01		i
М	B01		b
М	D01		i
М	D03.01.02		i
M	E01.01		o
М	E01.03		i
М	J02.01.03		i
M	J02.15		b

Positi	ve Impacts		
Rank	Activities, management [code]	Pollution (optional) [code]	inside/outside [i o b]
Н	A04		i
Н	H01.08		0

Rank: H = high, M = medium, L = low

Pollution: N = Nitrogen input, P = Phosphor/Phosphate input, A = Acid input/acidification, T = toxic inorganic chemicals, O = toxic organic chemicals, X = Mixed pollutions

i = inside, o = outside, b = both

4.4 Ownership (optional)

No information provided

4.5 Documentation (optional)

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5. SITE PROTECTION STATUS

5.1 Designation types at national and regional level (optional):

Back to top

Code	Cover [%]	
IE11	93.00	

5.2 Relation of the described site with other sites (optional):

Designated at national or regional level:

Type code	Site name	Туре	Cover [%]
	Lough Corrib	+	93.00
IE11	River Corrib and Lough Corrib	+	93.00

Designated at international level:

Туре	Site name	Туре	Cover [%]
Other	Lough Corrib	+	93.00

5.3 Site designation (optional)

No information provided

6. SITE MANAGEMENT

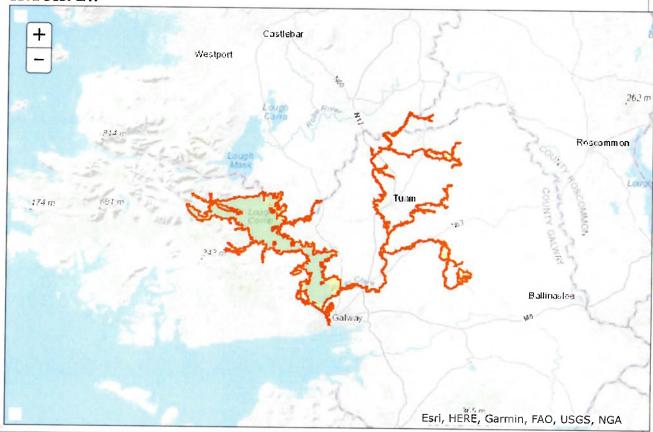
6.1 Body(ies) responsible for the site management: No information provided 6.2 Management Plan(s): An actual management plan does exist: Yes No, but in preparation No information provided 6.3 Conservation measures (optional) No information provided

7. MAP OF THE SITE

Map delivered as PDF in electronic format (optional)

Yes X No

SITE DISPLAY



English (Default.aspx)

Gaeilge (Default.aspx?lang=ga)



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Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463575)	Tommy Keady	04/07/2023	0.066Mb
Submission Acknowledgment (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463667)	[E] Jason & Lorraine Bohan	04/07/2023	0.050Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463646)	James Caulfield	04/07/2023	0.070Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463702)	[E] Matthew O'Connor (redacted)	04/07/2023	0.995Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463576)	Fidelma Keady	04/07/2023	0.066Mb
Submission Acknowledgment (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463668)	[E] Matthew O'Connor	04/07/2023	0.050Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463361)	[E] Jason & Lorraine Bohan	04/07/2023	0.325Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463665)	Richard and Elizabeth Bohan	04/07/2023	0.355Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463554)	Sally & Matthew Faherty	04/07/2023	0.077Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463666)	Siobhan and Sean O Connor	04/07/2023	0.115Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463276)	Raymond Cooley & Aine Bohan	03/07/2023	0.132Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463275)	Michael O Shaughnessy	03/07/2023	0.168Mb

Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463137)	[E] Teresa Joyce	03/07/2023	0.142Mb
Submission Acknowledgment (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463334)	[E] Teresa Joyce	03/07/2023	0.050Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463138)	[E] Colin Joyce	03/07/2023	0.140Mb
Submission Acknowledgment (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463335)	[E] Dara Canavan	03/07/2023	0.050Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463266)	Trish Canavan	03/07/2023	0.440Mb
Submission Acknowledgment (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463337)	[E] Colin Joyce	03/07/2023	0.050Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463136)	[E] Dara Canavan	03/07/2023	1.110Mb
Submission (ViewPDF.aspx? RefNo=23225&ViewFind=true&ref=2463278)	Roswell and Susan Stanley	03/07/2023	0.812Mb



Galway County Council Aras an Chontae Prospect Hill Galway

05/07/2023 11:27:28

Receipt No.: L1HQ/0/453597

MARIE NI RAGHALLAIGH OLDTOWN MOYCULLEN

PLANNING OBJECTIONS/OBSERVATS 20 GOODS 20.00 VAT Exempt/Non-vatable 23-225

Total:

20.00 EUR

Tendered:

Cash

20.00

Change

0.00

Issued By : KAREN NALLY From : Cash Office County Hr.: Vat reg : 40 00221940

05/07/2023

Maire Ni Raghallaigh Dr Shane Murray Aoibhe Ni Mhuiri Tomas o Muiri Oldtown Moycullen Co Galway

TAG: Uimh. Thag. Pleanála: RE: Planning ref. no.:



23/225 - PERMISSION for the following: (1) Alterations to the Cnoc Raithni (Knockranny) Wind Farm (Galway County Council Planning Ref. No. 13/829 and An Bord Pleanála Ref: 07.243094 comprising 11 no. wind turbines with an overall ground to blade tip height of 150m (an increase of 19.5m & 9.5m from 130.5m & 140.5m, as previously permitted), a rotor blade length of 68m or 69m & a hub height of 81m or 82m; associated increase in turbine foundations; & omission of permitted on-site 110kV substation & underground cabling; (2) Provision of underground electrical (33kV) & communications cabling connecting the 11 no. wind turbines to the Ardderroo wind farm substation for the purposes of connection to the national grid, including a new cable service track (with watercourse/culvert crossings) & widening of an existing access road, extension of the Ardderroo substation within the existing substation compound, including control building extension, new 110kV transformer & electrical plant & apparatus; (3) All associated site development & ancillary works above & below ground in support of the above, including site drainage & tree felling; (4) An operational period & planning permission duration to align with the existing permission (An Bord Pleanala Ref: 07.243094) is sought. An Environmental Impact Assessment Report (EIAR) & Natura Impact Statement (NIS) have been prepared & will be submitted to the Planning Authority with the application

i mbaile fearainn / in the townland of : Knockranny, Ardderroo, Letter

RIALACHÁIN PLEANÁLA AGUS FORBARTHA, 2001-2002

ADMHÁIL ar AIGHNEACHT nó TUAIRIM atá FAIGHTE ar IARRATAS PLEANÁLA

PLANNING AND DEVELOPMENT REGULATIONS, 2001-2002

ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a PLANNING APPLICATION

IS DOICIMÉAD THÁBHACHTACH É SEO!

COINNIGH AN DOICIMÉAD SEO GO SÁBHÁILTE. BEIDH ORT AN ADMHÁIL SEO A THAISPEÁINT DON BHORD PLEANÁLA MÁS MIAN LEAT ACHOMHAIRC A DHÉANAMH AR CHINNEADH AN ÚDARÁIS PLEANÁLA

THIS IS AN IMPORTANT DOCUMENT!

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANÂLA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY

Tá aighneacht/tuairim faighte i scríbhinn ó Maire Ní Raghallaigh ar an 05/07/2023 maidir leis an iarratas pleanála thuas.

Tá an táille cui de €20 ioctha.

Tá an t-aighneacht/tuairim de réir na forálacha cuí de na Rialacháin um Pleanáil agus Forbairt, 2001 agus cuirfidh an tÙdarás Pleanála san áireamh iad nuair atá cinneadh dhá dhéanamh ar an iarratas pleanála.

AIRE

Tabhair faoi deara gur é an dáta is déanaí do chinneadh ar an gcomhad seo ná 26/07/2023

Má thariaíonn sé nach bhfaigheann tú fógra maidir leis an gcinneadh seo laistigh de 3 – 5 lá den dáta thuas, déan teagmháil leis an oifig seo ar an bpointe ag 091 509 308 nó ar ríomhphost ag planning@galwaycoco ie, chun a chinntiú go gcloíonn tú le sprioc amanna achomharc an Bhord Pleanála.

A submission/observation in writing has been received from Maire Ni Raghallaigh on 05/07/2023 in relation to the above planning application.

The appropriate fee of € 20 has been paid.

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 and will be taken into account by the planning authority in its determination of the planning application.

<u>N.B</u>

Please note that the latest date for decision on this file is 26/07/2023

Should you not receive notification of this decision within 3 – 5 days of the above date, please contact this office immediately at 091 509 308 or email at planning@galwaycoco.ie, in order to ensure that you meet an Bord Pleanála appeal deadlines.

E. Talmone

Administrative Officer, Planning

Eao

The Secretary,
Planning Department,
Galway County Council,
Áras an Chontae,
Prospect hill,
Galway

Oldtown

Moycullen

Co.Galway

4/7/23

OBJECTION:

Re: Planning Reference 23-225 Planning Application for Alteration to the Cnoc Raithní(Knockranny) Wind farm(Galway County Council Planning Ref. 13/829 and An Bord Pleanála Ref:07.243094), including underground electrical and communications cabling at Cnoc Raithní(Knockranny), Na hArd-Doiriú (Ardderroo) and Leitir (Letter), Moycullen, Co Galway.

I wish to make the following submission to object to the Knockranny Windfarm development (Planning reference 23/225)

- The Planning reference number i.e. 23/225 related to this new planning application was omitted from Galway County Councils notice displayed and erected at the bottom of the Oldtown road.
- 2. Turbines T1,T2,T5,T8 and T13 should be refused planning permission in this New Application as the granted application 13/829 from 2013 when the Galway County development plan 2015-2021 was applied. If the current Galway County Development Plan 2022-2028 is applied then these Turbines lie within a location which is "Not Normally Permissible" for wind energy and that has a landscape sensitivity rating of "Special". The other categories being "Acceptable in principle" and "Open to consideration". One would hope that the current County development plan would be adhered to and especially seen as it appeared to be acknowledged at the pre planning consultation between the developers and Planners.
- 3. T8 is aprox.1.2kms from my home, because of the land topography (valley in between) this will actually as the crow flies be more like 500metres. It will be situated at a higher level and to the west. T8 is shown to be one of the turbine locations with highest risk of peat slippage. Of course mitigation measures are mentioned but there were also mitigation measures in "Derrybrien". These are unacceptable risks for me and for my family.
- 4. The proximity to homes in Oldtown, Knockranny, Knockaunranny and Pillagh will adversely impact on amenities and the overwhelming visual impact (which cannot be screened due to elevation) is not acceptable. We currently live visualising the Only island/buffer within a growing accumulation of new windfarm developments (? Ribbon development) and landscape intrusion.

This development will also negatively impact the pristine relict landscape of Cnoc Raithní. This is at odds with the policy objectives of the County Council in relation Architectural and Archaeological heritage. AH2 Appendix 6 (c):

"Ensure that development proposals are appropriate in terms of architectural treatment, character scale and form to existing protected structure and not detrimental to the special character and integrity of the protected structure and its setting" i.e. recorded National monument, fulacht Fia, holy well, lime kiln and Cillín.

5. The exclusion of T1, T2, T5, T8 and T13 would reduce the total output of the proposed development by 6MW. However it would prove the compliance/commitment of the local authority with/to its own spatial planning and wind energy strategy thereby restoring public confidence in the planning system and social attitudes to repewable dergy. It would also address the severe negative visual impacts of an industrial disconnent close to residential properties and visual amenity.

6. Noise:

Noise:

Our home (H91V6T4) is located approx. 3.2kms east of the Aidderroo Wind farm. The turbines closest to my home were activated recently. turbines closest to my home were activated recently. The noise and vibration from these two turbines was unbearable, the vibration at the threshold of my patio doors was something I had not experienced before. The wind was blowing from a south westerly direction. I heard the droning sound inside my house and when I went outside I thought there was a jet flying low overhead. Then I thought that maybe the river was high as it had rained and that that was the source of the noise. When I went upstairs to sleep I looked out the top window and realised it was the two newly activated/operational turbines. It was impossible to fall asleep and when I woke in the morning I felt exhausted. I fear now the cumulative noise impact of:

- 1. The not yet commissioned turbines to the north of the Letter rd., Ardderroo
- 2. The commissioned turbines at the Galway wind park and
- 3. The proposed Knockranny wind farm.

The newly commissioned turbines were 3.2kms from my home and T8 is 1.2kms from my home. These excessive noise impacts are not acceptable and the planning permission should be turned down because of negative/excessive noise impacts.

Noise during the construction phase is also of grave concern to me.

In March 2022 and the preceding months there was blasting heard at my home from the construction phase at Arderroo site. I contacted the Gardai in Galway to ask why this blasting was taking place as the local residents were not informed. They were aware that blasting was taking place in that area.

This prompted the question "Why was there blasting going on at this location"? A borrow pit was referred to in the planning application but no licensed quarry. I understand that No blasting takes place in a borrow pit?

This development should be turned down for planning permission on the basis that it will lead to excessive cumulative noise impacts.

7. The European Directive informs that the documents should be available for 28 days for public viewing 85/337 as amended. The documents were available in the offices of the

County Council from 1/6/23 before the bank holiday weekend. I work from 8:30 -4:30 daily therefore I cannot attend in person during the County Council opening hours. The documents related to this development were not up online until 16/6/23. This allowed for 20 days including weekends to view the documents online.

8.

The residents of Oldtown, Knockranny, Knockaunranny and Piliagh have already bourne the burden of noise, visual impact and the lost value of "Placemaking" in a overly congested wind farm area.

For the 8 points outlined above I strongly believe that the proposed development should be refused planning permission.

Yours sincerely, Máire Ní Raghallaigh Dr Shane Murray Aoibhe Ní Mhuirí Tomás O Muirí.

