

File With

SECTION 131 FORM

Appeal No

ABP— 321285

Defer Re O/H

☐

Having considered the contents of the submission dated/received 16-12-24
 from Orla Nhill I recommend that section 131 of the Planning
 and Development Act, 2000 be/not be invoked at this stage for the following reason(s):

no new material planning issues.

Section 131 not to be invoked at this stage.

☒

Section 131 to be invoked — allow 2/4 weeks for reply.

☐

Signed

Litz Clore

Date

15-01-25.

EO

Signed

Date

SEO/SAO

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

Date

EO

Signed

Date

AA



Planning Appeal Online Observation

Online Reference
NPA-OBS-004100

Stapisa
BP40 to
ISSUE
07/30/24

Online Observation Details

Contact Name
Orlaith Nihill

Lodgement Date
16/12/2024 23:51:29

Case Number / Description
321285

Payment Details

Payment Method
Online Payment

Cardholder Name
Orlaith Nihill

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Orlaith Nihill

EO

Date

19/12/24

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG—*076830-24*

Reason for Refund

Documents Returned to Observer

☐ Yes ☐ No

Request Emailed to Senior Executive Officer for Approval

☐ Yes ☐ No

Signed

EO

Date

Finance Section

Payment Reference

ch_3QWo4TB1CW0EN5FC0ZdxXV1d

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board Member

Date

Date

Ryehill
Ardnatagle
O' Brien's Bridge
Co. Clare
V94 R9D7

An Bord Pleanala
64 Malborough Street,
Dublin 1,
D01V902

Date: 16/12/2024

Re: ABP – PL03.321285

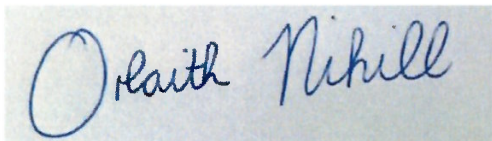
In the townlands of Kilbane, Killeagy (Ryan), Shannaknock, Killeagy (Stritch), Killeagy (Goonan), Ballymoloney, Magherareagh and Lackareagh Beg, Co. Clare.

To whom it concerns,

Please find enclosed our observation regarding the above planning appeal. We are against this development and ask that An Board Pleanala uphold Clare County Councils decision to refuse planning permission for this development. It is also imperative that ABP considers this application in tandem with **Fahybeg Windfarm (ABP: 317227)** as both are intrinsically linked with a high probability of significant cumulative effects. In addition to the Fahybeg Windfarm development, consideration should also be given to the potential cumulative impacts of the **Knockshanvo Windfarm (ABP: 320705)**, **Oatfield Windfarm (ABP: 318782)**, Ballycar Windfarm (ABP: 318943) and **Carrownagowan Windfarm (ABP: 314127)**.

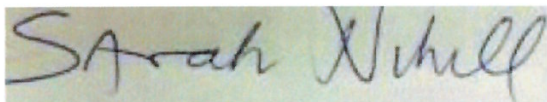
Thank you for taking the time to read my observation.

Yours Sincerely,



Orlaith Nihil

Orlaith Nihill (**Main Point of Contact for any future correspondence**)



Sarah Nihill



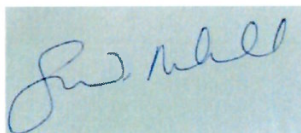
Eoghan Nihill



Deirdre Nihill



Tadhg Nihill



Sinead Nihill

1) **Negative Effects on the village of Kilbane and the surrounding area**

Under the 'Clare County Development Plan Volume 3c Killaloe Municipal District', the General Objectives for the village of Kilbane are outlined as follows:

To promote small-scale development in the village to meet the housing needs of the local rural community, increase the local population and support a vibrant community while maintaining the rural character of the village;

To facilitate the provision of the necessary infrastructure to allow for future growth in the village.

(Emphasis Added)

It is important to note the emphasis on small-scale development here. 7 wind turbines measuring 180m high on elevations of up to 366m high certainly could not be considered small in scale. Quite the opposite in fact.

Table 4-1 Proposed Wind Turbine Locations and Elevations

Turbine	ITM Coordinates		Top of Foundation Elevation (m OD)
	X (ITM)	Y (ITM)	
T1	562207	673988	230
T2	562283	673588	187
T3	564015	673305	366
T4	563865	672753	291
T5	563990	672374	295.5
T6	563315	672290	201
T7	563402	671882	202

The highest turbine, Turbine 3 (180m + 366m) measures in total 546m high. In turn Turbine 2, collectively the shortest measurement (180m + 187m) measures 367m high. To put these figures into perspective the Spire in Dublin is 120m tall and the landmark of Paris, the Eiffel Tower, merely measures 330m in comparison.

Granting permission for this windfarm development would contravene Clare County Council's general objective for the village of Kilbane, as the wind turbines would be out of proportion in the landscape and sully the rural character of the village. This development will also decrease not increase the population of the village, as these visually overbearing and intrusive turbines will act as a deterrent for people to locate or remain in this idyllic and picturesque area, especially when

one factors in the noise and shadow flicker associated with these proposed turbines. The Shadow Flicker report in Chapter 5 of the EIAR states 45 houses in the surrounding area will potentially be susceptible to shadow flicker and 5 houses will potentially suffer cumulative shadow flicker from both the Lackareagh and Fahybeg Windfarms developments proposed.

Chapter 5 'Population and Human Health' of the EIAR makes the following statement:

'Turbines pose no threat to the health and safety of the general public. The DoEHLG 2006 Guidelines state that there are no specific safety considerations in relation to the operation of wind turbines. Fencing or other restrictions are not necessary for safety considerations. People or animals can safely walk up to the base of the turbines.' [Emphasis Added]

These statements with regards to humans and animals are not true. Vulnerable people who would be susceptible to sensory overload from wind turbine noise, infrasound and shadow flicker cannot safely walk up to the base of the turbines. In addition to this, EDF is entirely owned by the French government. In France 'Wind Turbine Syndrome' is recognized. The EIAR report is not cognizant of this fact.

The recent red warning Storm Darragh was recently reported as wreaking havoc on Porth Wen Solar Farm in Anglesey, North Wales. Among the destruction was a wind turbine which detached from its pole as shown below, which as storms become more plentiful presents a very real potential threat to the health and safety of the general public.



With regards to animals safely walking up to the base of the turbines, animals such as the badger cannot. Studies have found that wind turbines cause chronic stress in badgers, which can lead to an increased risk of infection and disease and reduced reproductive rates. In fact, one paper found that badgers within 1km from a wind farm had 264% higher cortisol levels than badgers living within 10km away and that "the animals do not become habituated to turbine disturbance". (See "*Wind Turbines Cause Chronic Stress in Badgers*" (Meles Meles) in Great Britain by Agnew, Smit & Fowkes).

Animals who fly certainly cannot as birds and bats are at risk of wind turbine collisions or in the case of bats succumbing to barotrauma. It is worth noting that White-Tailed Eagles have been successfully reintroduced not far from the windfarm development at Lough Derg. White-Tailed Eagles are not only negatively impacted by turbines through collision but also studies have shown

that wind turbines near nests negatively affect them leading to lower breeding success and nest abandonments (Dahl et al., 20212).

2) Blade Transition Area/Turbine Delivery Route Effects on R466 Scenic Route

Chapter 4 of the EIAR states the following with regards to the planning application:

“This chapter also describes elements of the overall project, i.e., the underground 38kV cabling from the 38kV on-site substation to the national grid at Ardnacrusha 110kV substation and the turbine delivery route (TDR), which are not subject to this planning application but are assessed in this EIAR.”

With regards to the Grid Connection Route Chapter 4 also states:

“To ensure clarity, the Proposed Grid Connection Route will be the subject of a separate future planning application to CCC.”

(Emphasis Added)

There is no mention of the Turbine Delivery Route being part of a separate application despite the fact there are proposed works along the route which do not have the requisite third party consent to carry out these said works. When does the applicant intend to address this?

The only reference in the application to the Turbine Delivery Route is the accommodation works needed to facilitate the blade transition area. The purpose of this blade transition is outlined in the EIAR as follows:

‘At this point, the turbine delivery vehicles that are delivering blades will offload the blades which will instead be placed onto blade adapter vehicles which have the capability of carrying the blades at an angle.’

The EIAR is not coherent on the precise location of this blade transition area point (Location 9) throughout the report. Some parts of the report state its location is at the junction of the R463/R466. This is not the case. The location of the blade transition area is a field on the R466, as shown in Figure 4-22a and Figure 4-22b in chapter 4 of the EIAR.

Figure 4-22b has been attached for ease of reference below.

Map Legend

- Proposed Turbine Delivery Route
- EDF Blade Transition Area
- EIAR Site Boundary



© Ordnance Survey Ireland. All rights reserved. Licence number
C/YAL50267517

Drawing Title

Turbine Transport Delivery Route Accommodation Areas

Project Title

Lackareagh Wind Farm, Co. Clare

Drawn By

CF

Checked By

CJ

Project No.

220245

Drawing No.

Figure 4-22b

Scale

1:36,000

Date

2024-08-14

MKO

Planning and
Environmental
Consultants

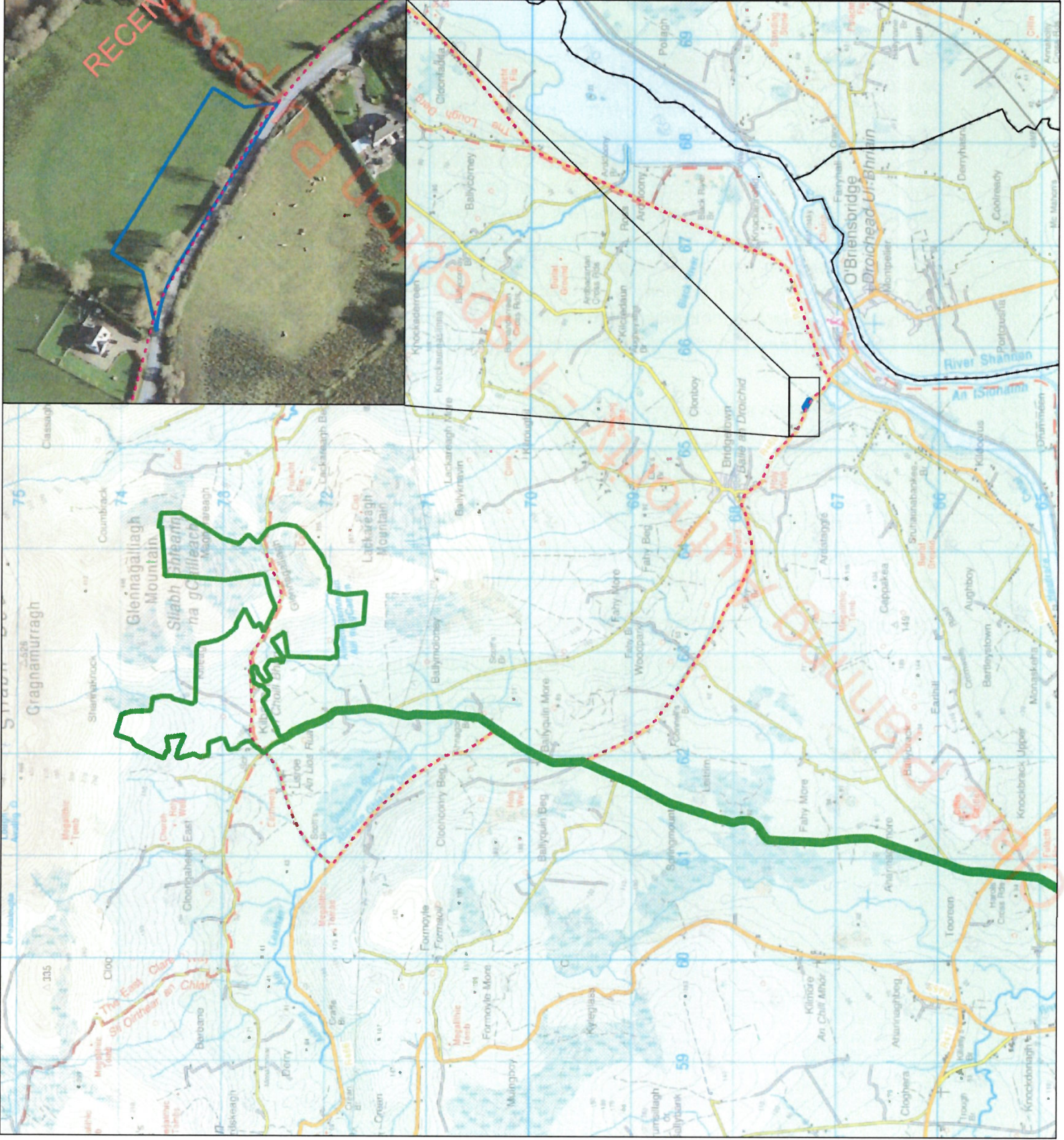
Tuam Road, Galway

Ireland, H91 VW84

+353 (0) 91 735611

email:info@mkofireland.ie

Website: www.mkofireland.ie



When discussing this blade transition area fleeting references are made throughout the EIAR report with regards to it.

Chapter 6 of the EIAR report states:

'The Proposed Wind Farm will also result in the temporary loss of approximately 112m of hedgerow at the accommodation works area, turbine blade transition area.'

It also states with regards to the habitat of the blade transition area the following:

*'It has been identified that accommodation works at Location 9 – O'Briensbridge Cross R463/R466 (see Figure 4-22b, Chapter 4) will require the temporary loss of habitat due to the proposed blade transition area in the field north of the Regional road R466. Habitats within this accommodation area comprised of a mosaic of improved agricultural grassland (GA1) and wet grassland (GS4) comprised of Cuckoo flower (Cardamine pratensis), Creeping buttercup (Ranunculus repens), Soft rush (Juncus effusus), Perennial ryegrass (Lolium perenne), Meadow foxtail (Alopecurus pratensis), Rough meadow grass (Poa trivialis), Meadow buttercup (Ranunculus acris), Common daisy and Germander speedwell (Veronica chamaedrys). Drainage ditches (FW4) lie adjacent to the western and northern field boundary. Treelines (WL2) comprised of Ash (Fraxinus excelsior), **Horse** chestnut (Aesculus hippocastanum), Willow (Salix spp.) and Sessile Oak (Quercus robur) are located along the west, north and eastern boundaries. **Hedgerow (WL1) comprised of Hawthorn (Crataegus monogyna), Ivy (Hedera hibernica), Bracken (Pteridium aquilinum), Bramble (Rubus fruticosus agg.) and Elder (Sambucus nigra) lies along the southern boundary.'***

(Emphasis Added)

Chapter 8; Land Soils and Geology briefly mentions that:

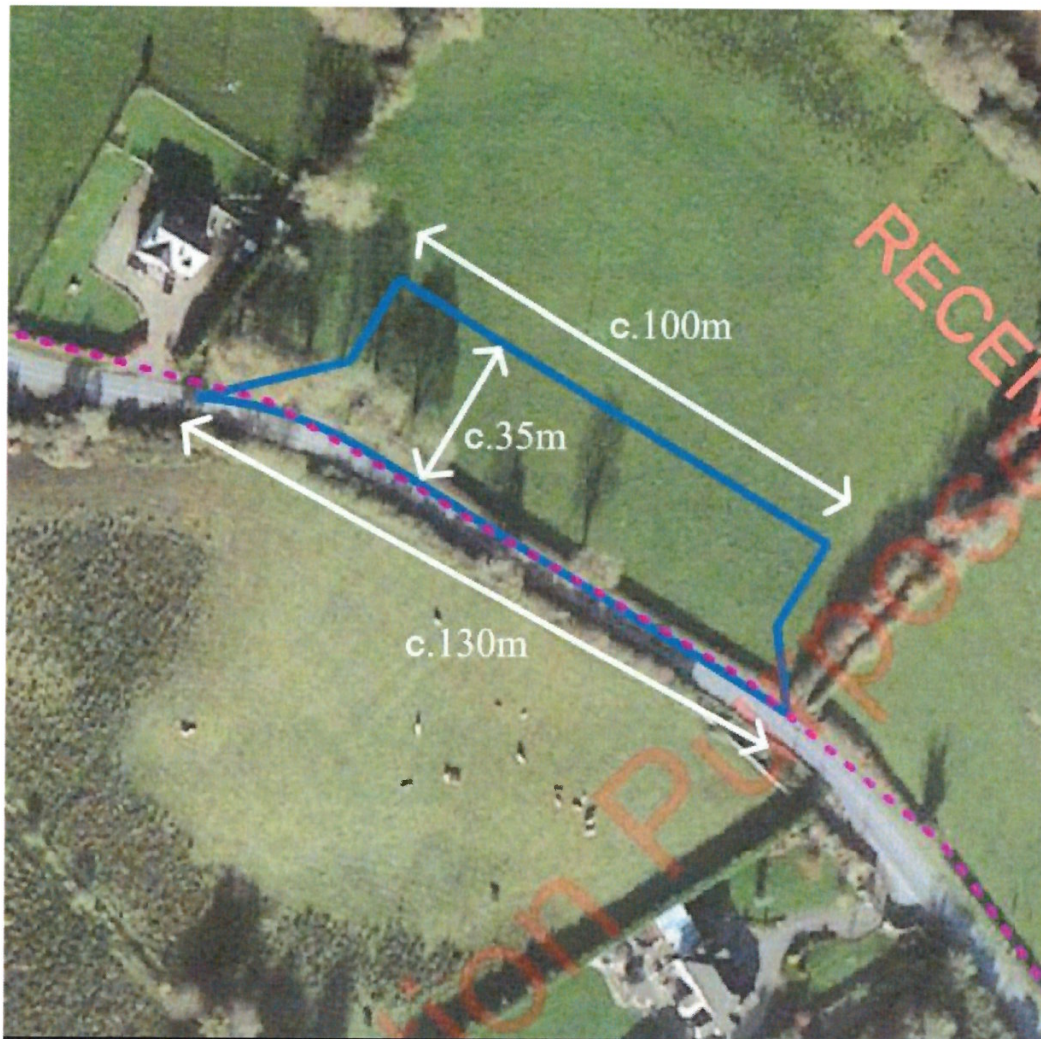
'Excavation of material will also be required at the proposed blade transition area along the TDR. Any surplus material arising will be managed locally.'

Also in Chapter 8 it states:

'With regards to the TDR, there will be a loss of 0.47ha of agricultural land which will be replaced by the proposed blade transition area to facilitate the delivery of the turbine components.'

Chapter 9 Water when considering the potential effects of the TDR works says:

'Minor earthworks are required for the construction of the blade transition area along the TDR.'



This blade transition area will be approximately 130metres in length.

There are 3 mature trees on the roadside of the southern boundary unaccounted for in the EIAR: 2 Ash and 1 Horse Chestnut. These trees will be felled to facilitate the blade transition area. No analysis was done with regards to bat roosting potential to determine if a bat survey was needed. It is therefore inconclusive as to whether a bat survey is needed. As a local amateur bat enthusiast who is also a member of Bat Conservation Ireland, I can attest to high levels of bat activity in Bridgetown and the surrounding area.

The applicant has not procured the relevant landowner consent for this accommodation work as evidenced by the landowner consent document included in this planning submission. The works to be carried out as shown above on the turbine delivery route are significant, so why were they not included in the planning permission application?

An interesting analysis can be drawn by comparing the approach taken with regards to the blade transition area in this applications EIAR and the approach taken with regards to the recent the

Knockshanvo Windfarm (ABP: 320705) application which refers to a 'temporary transition compound'. Although different terminology is used, they appear in essence to be for the same purpose ie. to facilitate the turbine blade delivery to their respective Wind Farm sites. Knockshanvo includes this temporary transition compound, measuring 200m long and 60m in width in its planning application and provides a thorough analysis of the area in its bat survey from identifying and detailing the potential roost features of the trees present, providing ample photographic evidence of the temporary transition compound, searching available bat records in the area and even supplying a 'Bat Habitat appraisal of transition compound area' diagram on page 30 of the Bat Baseline Report.

This approach is in stark contrast to the approach taken in analyzing the 'blade transition area' in this application, which is all the more curious when one considers the fact that MKO was tasked with writing up both windfarm application reports. There also appears to be an overlap to some degree of personnel contributing to each of these respective turbine transition areas analyses. The disparity between these two approaches taken leads one to ask could the blade transition area in this application be considered to have been competently covered. Article 5(3)(a) of the EIA Directive states that the EIAR must be prepared by competent experts.

Apart from the image of Figure 4-22b referred to above, it appears the only image of the blade transition area supplied in the EIAR is the following image below:



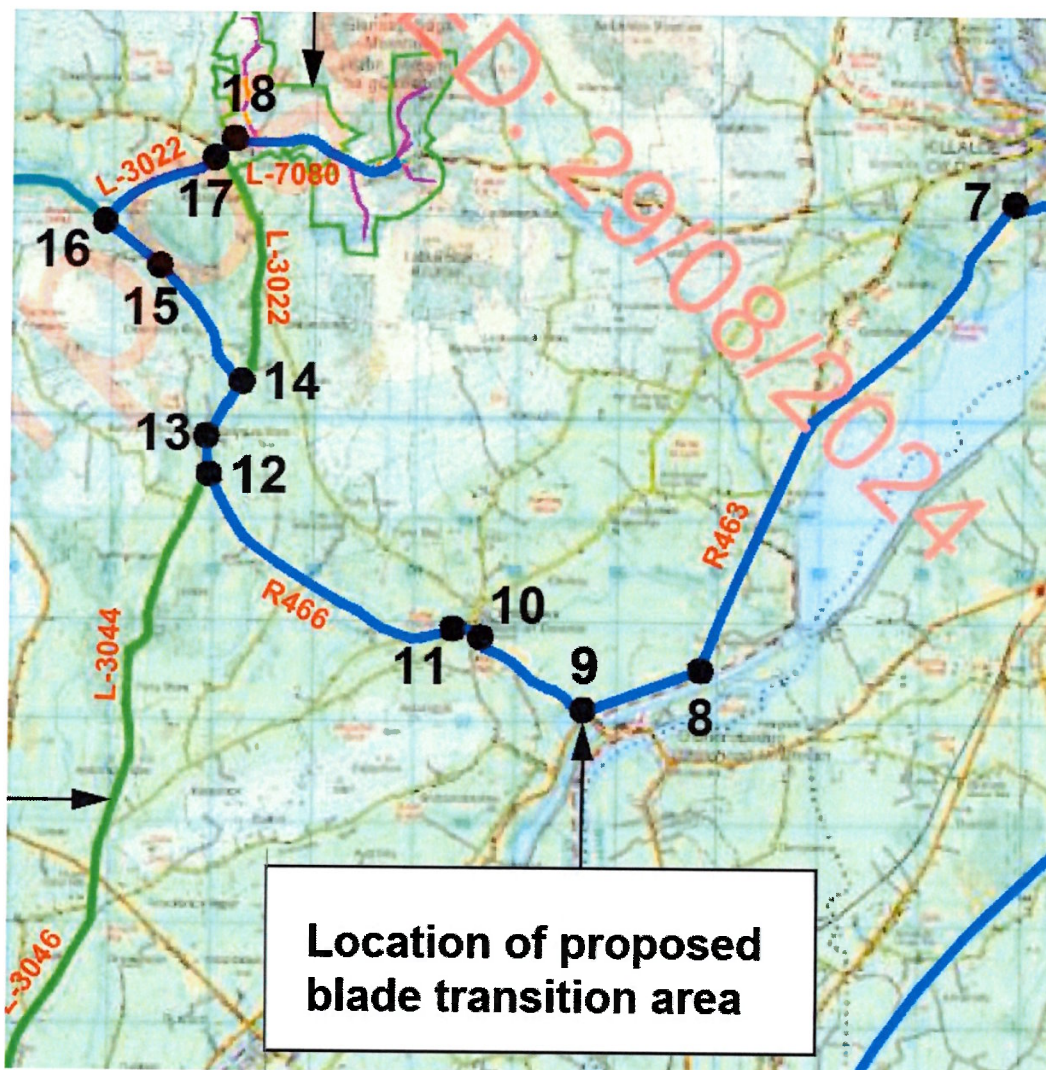
Plate 6.1: Photo showing receiving habitat along the proposed TDR (Accommodation Area: Proposed turbine blade transition area)

This image does not include the southern boundary with the roadside trees.

Cumulative Impact with Fahybeg Windfarm (ABP: 317227)

Fahybeg Windfarm and this proposed Windfarm are using the exact same turbine delivery route so why are we not given a cumulative analysis of the impact both these developments will have on the R466? The EIAR is incomplete as it does not fairly analyze the true impact this development individually and cumulatively with other windfarm developments, namely the Fahybeg Windfarm, will have on the R466 which is a designated scenic route by Clare County Council.

This snippet below taken from 'Figure 15-2 Turbine delivery route autotrack assessment locations' shows the various alterations of a varying nature that need to be made along the R466 for this proposed development only. (Locations 9 -16.)



With regards to Fahybeg Windfarm Clare County Council in their Planning Authority Report when considering the effects of the Turbine Delivery Route on Visual Amenities singled out one

accommodation work (Node 31) and stated the effects at Node 31 alone would 'fundamentally alter the character of the village of Bridgetown'. Node 31 is along the same stretch of road entering Bridgetown village from the east ie. from O' Briens Bridge as the blade transition area.

Node 31 requires the removal of approximately 160 metres of preserved roadside trees and in a similar vein to the blade transition area referred to in this application, it is inconclusive as to whether a bat survey is needed as we are not informed of the bat roost potential of all these mature trees and therefore we cannot rule out the potential need for a bat survey to be carried out along the TDR route.

For Node 31 only two ash trees are referred to when discussing bat roosting potential. A mature pedunculate oak tree is identified as a tree to be removed but we are not given any analysis as to whether the mature pedunculate oak tree has bat roosting feature and as a result it is inconclusive as to whether a bat survey is needed along the Turbine delivery route. In addition to this, both the Fahybeg and Lackareagh EIARs never consider checking the uninhabited protected structure called 'The Forge' for a potential bat roost (RPS No. 073).

In addition to this, the cumulative impact of the multiple accommodation works for both Lackareagh Windfarm and Fahybeg Windfarm has the potential to fundamentally alter the characteristics of not only the village of Bridgetown, but also has the potential to fundamentally alter the characteristics of the designated scenic route R466 and contravene **CDP14.7**.

3) Negative Effects on Bats

Bats are protected under the Wildlife Act 1976 (amended) in Ireland and also under the EU Habitats Directive. The lesser horseshoe bat is also listed under Annex II of the Habitats Directive.

"The Bats and Onshore Wind Turbines: Survey, Assessment and Mitigation" by Scotland's Nature Agency (2021) surmises as follows:

Wind farms can affect bats in the following ways:

1. Collision mortality, barotrauma and other injuries (although it is important to consider these in the context of other forms of anthropogenic mortality)
2. Loss or damage to commuting and foraging habitat, (wind farms may form barriers to commuting or seasonal movements, and can result in severance of foraging habitat);
3. Loss of, or damage to, roosts;
4. Displacement of individuals or populations (due to wind farm construction or because bats avoid the wind farm area).

It is worth noting the following information supplied in the bat survey report:

'While the bat surveys for the Proposed Wind Farm were carried out in 2022 and are therefore considered out of date according to existing guidance, the site has been visited by MKO ecologists in 2023 and 2024, and no significant changes in the baseline environment were identified to justify repeated surveys.' (Emphasis Added)

In addition to this, it is also worth noting that in a scoping response received from NPWS dated 19 January 2023, the following advice with regards to carrying out bat surveys was given:

"The Department would like to highlight new research on patterns of bat activity in upland wind farms which indicates it is more appropriate to use 30 day survey periods with static automated detectors, in each season, and in different weather conditions to reduce sampling bias and to accurately determine when the curtailment mitigation is required during the operational phase. This survey should include use of detectors at different heights."

It is stated in the EIAR that *"All recommendations by the Department were fully considered in the design of the bat surveys and the preparation of this report"*. However, when one looks at the bat survey it becomes apparent that this advice was not fully taken on board.

Table 3-4 2022 Survey Effort - Ground-level Static Surveys

Season	Survey Period	Total Survey Nights per detector location	Nights with Appropriate Weather
Lackareagh – 2022			
Spring	28 th April - 11 th May *	-	-
Spring	2 nd June – 14 th June 2022	12	11
Summer	2 nd August – 8 th September 2022	37	22
Autumn	21 st September – 10 th October 2022	27	24
Total Survey Effort		76	57

*Data upload failure – data not used for assessment

For example, we can see from the Ground-level Static Survey table above that the 30 day survey period in each season was not adhered and it appears the information was recorded with little variation in the weather. Also, the Spring survey period was scuppered by a data loss.

3.1 Lesser Horseshoe Bat Roost

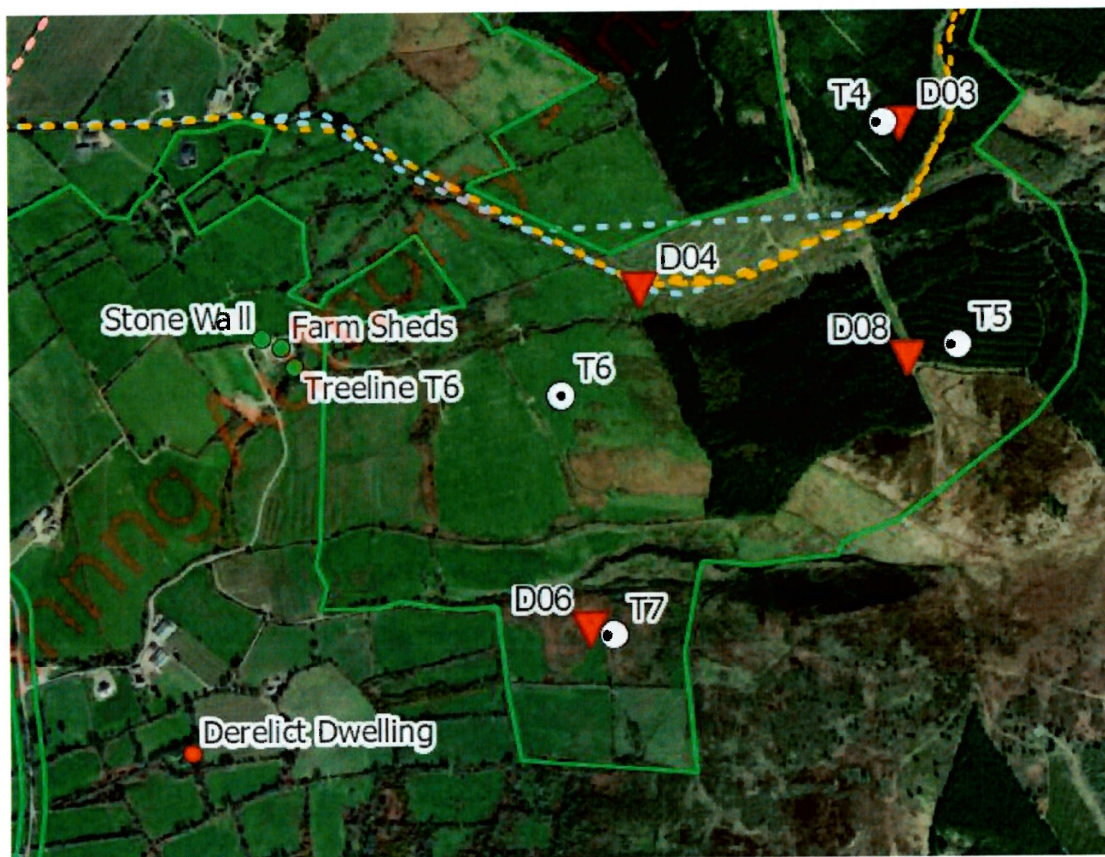
Chapter 6 of the EIAR surmises the following:

'A lesser horseshoe bat roost was identified at a derelict house located approximately 710m west of proposed turbine T6. However, this is not located in proximity to any works and will not be affected by the Proposed Wind Farm.' (Emphasis Added)

The foraging range of the lesser horseshoe bat is 2.5km. Turbine 6 is stated as being merely 710m away from this roost. Therefore, it is not correct to conclude that since the derelict house/dwelling is not located in proximity to any works it will not be affected by the proposed wind farm. Habitat areas within 2.5km of known roosts are important for supporting bat populations. We are not told

how far away the lesser horseshoe roost in the derelict dwelling is from Turbine 7 or any other turbines for that matter. Factoring in the location of the lesser horseshoe roost in the map below, it is highly probable that this lesser horseshoe roost is within foraging range of more than one turbine. Add to this the potential cumulative impact of Fahybeg Windfarm which is 250m away from the proposed windfarm at its closest point and this places this lesser horseshoe roost in a potentially precarious position.

Snippet below taken from 'Fig 3-1 Survey Effort 2022' located in Appendix 6-2 Bat Survey Report:



The proposed development would have adverse effects on the foraging sites and commuting routes of the lesser horseshoe bat in this area. In addition, the lesser horseshoe bat is extremely sensitive to light pollution. It is submitted that the high intensity aircraft warning beacons that will illuminate these 7 turbines at night-time will also adversely affect the lesser horseshoe bat.

This contravenes **CDP15.12 b)** which states it is an objective of Clare County Council 'to promote the conservation of biodiversity through the protection of sites of biodiversity importance and wildlife corridors, both within and between the designated sites and wider Plan area' and **CDP 15.12 d)** of the Clare County Development Plan which states it is an objective of Clare County

Council 'to ensure there is no net loss of potential Lesser Horseshoe Bat feeding habitats, treelines and hedgerows within 2.5km of known roosts'.

3.2 High level activity levels of Leisler and Common Pipistrelles

Due to high levels of activity recorded of Leisler and Common Pipistrelles turbine specific curtailment measures have been suggested at Turbine 3 and 5. Leisler bats and Common Pipistrelles are both high risk species in relation to wind turbine collisions.

The Leisler is a high-flying bat that flies in open spaces between 10-70m and has been known to reach heights of 500m. As a result, it is considered a high-risk species in relation to wind turbines as flying at such heights means it has a high risk of direct collision with wind turbines.

Studies have shown that pipistrelles have a high risk of direct impact from wind turbines. In the UK, studies have found that pipistrelles are one of the most frequently found casualties at wind turbine sites.

Table 6-1 Turbine Specific Curtailment Strategy for High-risk Species

Turbine No.	Proposed Curtailment Period		
	Spring (April to May)	Summer (June to mid-August)	Autumn (mid-August to October)
Turbine 3	Yes	No	No
Turbine 5	Yes	Yes	Yes

These curtailment measures do not have due regard to the cumulative impacts of nearby wind farm developments, namely Fahybeg Windfarm, which when considered collectively will have a larger landscape scale effect on the bat species that use this site and weaken the effectiveness of mitigation measures being implemented.

3.3 Lack of Proper Cumulative Impact Analysis

"The Bats and Onshore Wind Turbines: Survey, Assessment and Mitigation" by Scotland's Nature Agency (2021) advocates taking account of

"The location of other wind energy developments, including the number of turbines and their size, within the surrounding 10km in order to inform an assessment of cumulative pressure."

There is a significant amount of windfarm development proposed within 10km of this proposed development from Carrownagowan, to Knockshanvo, and in particular Fahybeg, which is merely 250m from Lackareagh Windfarm at its closest point. Despite this extreme proximity, the applicant fails to adequately assess the cumulative impact of this wind farm development, with Fahybeg Windfarm.

3.4 No Bat Analysis at Blade Transition Area

Please see point 2 above for further information.

The bat survey fleetingly mentions the turbine delivery route in two instances in the entirety of the report:

'The Proposed Grid Connection Route and Turbine Delivery Route (TDR) were visited as part of the multidisciplinary surveys outlined below and in Chapter 6 of the main EIAR.'

'No potential for significant effects with regard to the loss of, or damage to, roosting habitat as a result of the Proposed Wind Farm, Proposed Grid Connection Route, or the Turbine Delivery Route, is anticipated.'

4) Insufficient Marsh Fritillary Information supplied in EIAR

The Marsh Fritillary butterfly is protected under the Berne Convention and also under Annex II of the European Union Habitat's Directive 1992. All EU member states are required to designate, protect and manage core areas of habitat for species listed in Annex II of the Habitats Directive. Ireland currently has designated 16 sites for the Marsh Fritillary, however on some of those sites the butterfly is extinct while on others the breeding is sporadic, and the butterfly is frequently absent from the site. For example, the butterfly has not been recorded at the Killarney National Park since the early 1990s or Ballynafagh Lake, County Kildare since the late 1990s.

We are not furnished in this application with the Marsh Fritillary Report in the EIAR or any diagrams of survey findings with regards to this species despite the fact surveys were carried out in September 2022 and 2023.

Table 6-2: Ecology Surveys Informing the EIAR

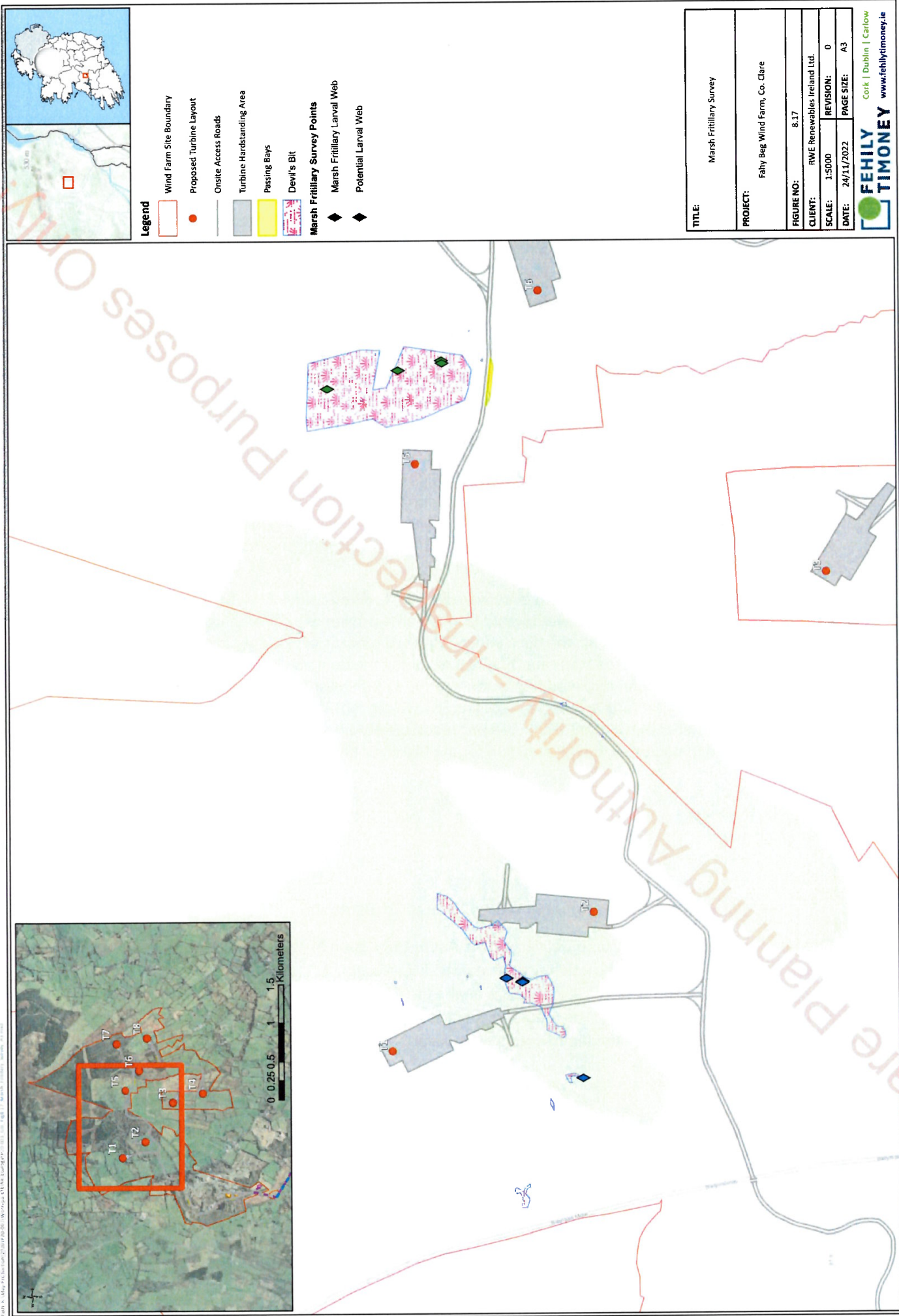
Survey Type	Dates	Appendix
Multi-disciplinary walkover (incl. habitats)	<ul style="list-style-type: none"> > 21st and 23rd September 2022 > 28th September 2023 > 21st February 2024 	N/A
Detailed Botanical Surveys – Irish Vegetation Classification (IVC)	<ul style="list-style-type: none"> > 21st and 23rd September 2022 > 28th September 2023 > 21st February 2024 	Botanical Report, Appendix 6-1
Badger/Mammal survey and camera trap set up	<ul style="list-style-type: none"> > 4th November 2022, 1st December 2022 > 5th January 2023 	N/A
Marsh fritillary survey	<ul style="list-style-type: none"> > 21st and 23rd September 2022 > 28th September 2023 	N/A
Bat Surveys	> Various (detailed in Bat Report)	Bat Report, Appendix 6-2
Aquatic surveys (including otter)	<ul style="list-style-type: none"> > 6th, 7th and 8th July 2022 > 6th March 2024 	Aquatics Report, Appendix 6-3
Survey of Blackwater Bridge	<ul style="list-style-type: none"> > Various (detailed in Bat Report) > 6th March 2024 (Otter) 	Bat Report, Appendix 6-2

Very little is reported about the Marsh Fritillary in the EIAR. On Chapter 6 page 61 of the EIAR under 6.4.2.5. 'Other Fauna' the report summarizes its findings with regards to the Marsh Fritillary as follows:

“Pygmy shrew, Red squirrel, Pine marten, Hedgehog, Irish hare and Marsh fritillary were all recorded within the wider landscape during the desk study. Scatter areas of patches of devils bit scabious which is the foodplant of Marsh Fritillary were found along grassy roadside verges, which were searched. No larval webs were recorded and no evidence of the forementioned species inhabiting the Proposed Wind Farm was recorded during survey days.”

[Emphasis Added]

It is important to note however that a Marsh Fritillary survey was carried out from 19th -20th September 2022 by a neighbouring windfarm development, Fahybeg Windfarm. The results of this survey which were included in its planning application, found that there existed within that proposed development site sufficient density of devil’s bit scabious to support Marsh Fritillary. In addition to this, larval webs and potential larval webs were discovered. A diagram of these findings supplied in Fahybeg Windfarm EIAR and Marsh Fritillary Report has been included below for ease of reference.



Disappointingly, as stated above we are not furnished with the Marsh Fritillary Report in the EIAR or any diagrams of survey findings with regards to this species in this planning application. Instead, we are told that scatter areas of patches of devils bit scabious were discovered only, and no larval webs were recorded. Due to the extreme proximity of Lackareagh Windfarm and Fahybeg Windfarm, it is important however to consider the interesting characteristics of the Marsh Fritillary butterfly.

Marsh Fritillary are famous for their extreme fluctuations in numbers from one year to the next, which is often described as 'boom and bust'. They can appear in vast numbers one year, and then almost entirely disappear the next year. They rely on habitat networks for their long-term survival and have been known to form sub-populations which often die out before subsequently becoming recolonized from adjacent sites.

The "Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes" by National Roads Authority aptly surmises that 'Furthermore, due to the sometimes ephemeral nature of their sub-populations, their absence from otherwise suitable sites in the vicinity of existing populations in a given year cannot rule-out the use of the area in the subsequent seasons. As such, suitable but currently unoccupied habitat near to existing populations should also be considered of value, as these habitats may be critical to the long-term survival of the population.'

The fact that Marsh Fritillary habitat was discovered within the boundary of the Proposed Development, that the proposed development is in extreme proximity to a windfarm development where larval webs were recorded, the desk study identified records of this species, Marsh Fritillary is an Annex II species under the Habitats Directive requiring the designation of sites, and no diagrams or survey has been included to provide concrete illumination on the matter in this application, it's clear that further independent study is warranted. This is an exciting opportunity to explore the potential of this habitat within the proposed development and outside it in the surrounding area to become a designated site for the Marsh Fritillary butterfly.

5) Permission Denied for R466 Works Through Bridgetown

Chapter 4 of the EIAR lists Turbine Delivery Route Accommodation Areas which includes 'Location 11 – Left bend on the R466 at junction with Riverdale, Bridgetown.' At this location it states trees need to be trimmed and pruned. The trees are on the land southwest of St. Thomas' Church in the village of Bridgetown and cannot be modified in any way (see land folios CE12777 and CE1811) as the applicant does not have the landowner's permission.