



EUROPEAN PARLIAMENT

2014 - 2019

*Committee on Petitions*

3.8.2016

## NOTICE TO MEMBERS

**Subject: Petition No 1056/2013 by Kevin Corcoran (Irish) concerning the construction of wind turbines in County Cork, Ireland**

### **1. Summary of petition**

The petitioner states that a wind farm comprising 11 wind turbines is planned for construction in County Cork, Southern Ireland. The maximum height of the tip of the blades is to be 126 metres. The petitioner considers that the project will have a serious impact on a Natura 2000 area and that it is contrary to Ireland's Habitats Directive (Article 6(3)). Bord Pleanála (the Planning Board), an independent national body which has a remit to ensure that significant infrastructure projects comply with the principles of sustainable development, including environmental protection, has approved the project.

### **2. Admissibility**

Declared admissible on 17 February 2014. Information requested from Commission under Rule 216(6).

### **3. Commission reply, received on 30 July 2014**

#### The Commission's observations

This petitioner argues that Ireland has failed to comply with Article 6(3) of the Habitats Directive ("the Directive") in relation to the protection of the "Gearagh alluvial forest" Special Area of Conservation ("SAC"). The alleged non-compliance with the Directive relates to the granting of planning permission for a windfarm within this SAC.

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It should be noted that the petitioner sent a complaint alleging an infringement of the Directive to the Commission on the same day.

Following evaluation of the complaint received from the petitioner, the Commission initiated an informal exchange with the Irish authorities with a view to determining, inter alia, whether Article 6(3) was indeed complied with in the context of the planning permission granted for a windfarm within the Gearagh SAC. These exchanges with the Irish authorities are on-going.

#### **4. Commission reply, received on 3 August 2016**

Since the Commission submitted its initial observations on this petition, the Commission has pursued the issues raised in the context of the follow up to the complaint it received from the petitioner, in which identical issues were raised. The Commission has been in close contact with the Irish authorities who undertook to deal with the matter at local and national level.

The Irish authorities recognise the sensitivity of the Gearagh SAC as an ecologically important area and the need to take measures to protect it. They have been following up with the complainant directly with a view to addressing his concerns. A site visit took place in April 2015. On the basis of reports following the site visit and several meetings involving all stakeholders, the Irish authorities decided that the best course of action would be to develop a management plan for the SAC, which would take account of all the environmental sensitivities. Work is ongoing with a view to developing this plan. The development of the plan also involves all key stakeholders. The Irish authorities have kept both the Commission and the complainant informed of progress in this regard.

#### Conclusions

The matters raised in this petition are being fully addressed within the context of the follow up to the petitioner's identical complaint to the Commission. In this regard, the Commission is confident that the Irish authorities will ensure that EU environmental legislation is complied with in relation to the protection of the Gearagh SAC.