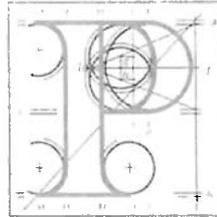


Our Case Number: ABP-321826-25

Your Reference: Maughanaclea Ltd.



An
Coimisiún
Pleanála

MKO
Planning & Environmental Consultants
Tuam Road
Galway
Co. Galway
H91 VW84

Date: 10 February 2026

Re: Proposed development of 15 wind turbines, a substation and all associated works.
Maughanaclea and adjacent townlands, Co. Cork

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act, 2000 as amended, the Commission hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Commission has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must therefore be made directly to An Coimisiún Pleanála under section 37E of the Act.

Please also be informed that the Commission considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is,

- Appendix 1: Prescribed bodies to be notified of the application for the proposed development.
- Appendix 2: Schedule of Information which is considered necessary to submit in order to facilitate the undertaking of the Completeness Check under Section 37JA of the Planning and Development Act 2000, as amended.

In accordance with section 146(5) of the Planning and Development Act, 2000 as amended, the Commission will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The following information relates to challenges to the validity of a decision of An Coimisiún Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Teil
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(01) 858 8100
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www.pleanala.ie
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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Judicial review of An Coimisiún Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Commission decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Commission.

The validity of a decision taken by the Commission may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Commission. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

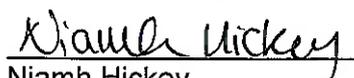
Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Commission or email sids@pleanala.ie quoting the above mentioned An Coimisiún Pleanála reference number in any correspondence with the Commission.

Yours faithfully,


Niamh Hickey
Executive Officer
Direct Line: 01-8737145

PC09

Teil	Tel	(01) 858 8100
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Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	communications@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
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Appendix 1 – Prescribed Bodies

- Department of Housing, Local Government and Heritage
- Department of Climate, Energy and the Environment
- Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media
- Cork County Council
- Southern Regional Assembly
- Transport Infrastructure Ireland
- An Chomhairle Ealaíon (Arts Council)
- The Heritage Council
- Fáilte Ireland
- An Taisce
- Inland Fisheries Ireland
- Irish Aviation Authority
- HSE
- The Commission for Regulation of Utilities

Further notifications should also be made where deemed appropriate.

Appendix 2 - Schedule of Information required to inform the Completeness Check

This Schedule of Information seeks to provide details which will facilitate An Coimisiún Pleanála in undertaking the completeness check required by Section 37JA of the Planning and Development Act 2000, as amended, in order to process the application. It shall not be construed as comprising an assessment of the application documentation or a consideration of the merits of the proposed development.

Details of Proposed Development at Closure

Pre-Application Ref.	ABP 321826-25
Prospective Applicant:	Maughanaclea Ltd.
Date of Final Meeting:	16 th November 2025
Number of Turbines:	14
Design Flexibility opinion:	No
Is Grid Connection Included:	Yes
Is a BESS included:	No
Accommodating works for TDR:	No

Information

Plans and Particulars	
Public Notice	<ul style="list-style-type: none"> • Time period for consultation and fee for submissions • Standalone website address • EIAR and NIS referenced • Reference to Section 37JA • All townlands within the site boundary to be correctly referenced.
Prescribed Bodies	<ul style="list-style-type: none"> • Notification of all Prescribed Bodies and a copy of the correspondence sent to same.
Land Ownership	<ul style="list-style-type: none"> • Interest in land

	<ul style="list-style-type: none"> • Written consent of all other landowners (incl. legally binding agreement & land registry map if required)
Design Flexibility	Design flexibility not sought.
Fee	
EIA Portal	Letter from Portal
Planning Statement	<ul style="list-style-type: none"> • Renewable Energy Designation Policy Statement • Statement outlining compliance with all relevant policies and objectives in the County Development Plan including a justification for material contravention of same if relevant. • Consultation overview • Community Benefit Fund • Planning history
Drawings	<ul style="list-style-type: none"> • Drawing schedule • Site location map • Site layout plan • Plans, elevations, sections and cross-sections • Wayleaves shown • Grid connection route • Scales appropriate

EIAR	
No design Flex	14 no. turbines with an overall tip height of 169 metres and rotor diameter of 133 metres and hub height of 102.5 metres
Non-Technical Summary	To be provided as a standalone section.
Introduction	<ul style="list-style-type: none"> • Legislative context

	<ul style="list-style-type: none"> • Scoping consultation • Community Engagement Report • Methodology/methodologies for the assessment of the environmental factors and for the description and consideration of the significance of effects • Study area(s) and justification for same. • Project Team (author qualifications, experience and expertise) • Technical difficulties/limitations
Description of the Proposed Development	<ul style="list-style-type: none"> • Detailed description (all stages) of the characteristics of the proposed development including use of natural resources, production of waste, emissions & disturbances • Construction Environmental Management Plan • Decommissioning Plan • Waste & Resource Management Plan
Consideration of Alternatives	<ul style="list-style-type: none"> • Site selection & design process • Reasonable alternatives considered (layout, scale, technologies, grid connection, turbine delivery, substation infrastructure, construction methodology etc.)
Population and Human Health	<ul style="list-style-type: none"> • Population & settlement patterns • Economic activity & employment • Tourism & amenities (incl. recreational trails) • Human health & wellbeing (reference up to date studies/research) • Property devaluation/house prices (reference up to date studies/research)
Biodiversity	<ul style="list-style-type: none"> • Ecological Impact Assessment • Terrestrial Surveys (habitat protected flora, invasive plant species, mammals, amphibians and reptiles as relevant)

	<ul style="list-style-type: none"> • Bat Surveys (to include as relevant): <ul style="list-style-type: none"> ○ Preliminary Roost Assessment Surveys, ○ Bat activity transect surveys, ○ Static bat detector deployments, ○ Emergence/re-entry bat roost, • Aquatic surveys (incl. river habitat, macroinvertebrate, electro-fishing, fisheries as relevant) • Extent and location of tree felling • Invasive Species Management Plan. • Derogations (required/obtained) • Biodiversity Enhancement Areas and Biodiversity Enhancement Plan (incl. extent and location of priority habitat to be lost)
Ornithology	<ul style="list-style-type: none"> • Surveys (vantage point, breeding & non-breeding, hinterland, Dusk, walkover, roost & winter surveys as relevant) • Connectivity with European sites • Collision Risk Model (CRM) Assessment • Cumulative assessment • Monitoring Programme
Noise and Vibration	<ul style="list-style-type: none"> • Baseline noise levels • Map of all receptors within 4 x Tip of Turbines (to include any extant planning permissions) • Predicted noise levels • Proposed noise limits (cumulative) • Operational noise monitoring proposals • Mitigation strategy for operational Amplitude Modulation and Tonal Noises • Cumulative Noise Assessment

Shadow Flicker	<ul style="list-style-type: none"> • Map of all receptors (to include any extant planning permissions) • Shadow flicker analysis • Wind turbine control measures
Air and Climate	<ul style="list-style-type: none"> • Carbon Impact Assessment including Embodied Energy Assessment and Climate Change Vulnerability Assessment • Dust generation/emissions and management • Vehicle emissions and management
Land, Soils & Geology	<ul style="list-style-type: none"> • Ground Condition Assessment (incl): <ul style="list-style-type: none"> ○ Ground Investigations Report ○ Site Investigations Report ○ Peat Stability Risk Assessment and Report ○ Slope Stability Analysis • Peat and Spoil Management Plan
Hydrology, Hydrogeology & Water Quality	<ul style="list-style-type: none"> • Hydrological Assessment • Hydrogeological Assessment • Flood Risk Assessment • Surface water/Drainage Management Plan • Standalone Water Framework Directive Compliance Report • Emergency Response Plan
Landscape & Visual	<ul style="list-style-type: none"> • Photomontages • Landscape and Visual Assessment to include: <ul style="list-style-type: none"> ○ ZTV Analysis (25km radius from development site). ○ Landscape Character Assessment ○ Viewpoint Assessment
Traffic & Transportation	<ul style="list-style-type: none"> • Turbine Delivery Route & Swept Path Analysis • Haul Route & Swept Path Analysis

	<ul style="list-style-type: none"> • Traffic and Transport Assessment • Traffic Management Plan (including construction traffic) • Stage 1 Road Safety Audit
Material Assets	<ul style="list-style-type: none"> • Telecommunications Impact Study • Any other relevant material assets identified in consultation process
Cultural Heritage	<ul style="list-style-type: none"> • Heritage Impact Assessment • Archaeological Impact Assessment
Major Accidents and Disasters	<ul style="list-style-type: none"> • Construction Stage • Operational Stage • Impact of Climate Change
Cumulative Assessment	Projects considered should be clearly identified and the location of the cumulative assessment clearly labelled within each chapter as relevant. Assessment to include existing, permitted and proposed wind farm development within a 25 km radius of the site.
Interactions of the Foregoing	Description of interactions between factors.
Compendium of Mitigation Measures	<p>Intent expressed for the implementation of mitigation measures to be clearly set out as – 'shall'.</p> <p>Commitments need to be expressed clearly and be specific.</p>
Appendices	<p>All appendices and sub appendices to be submitted in hard and soft copy. To include:</p> <ul style="list-style-type: none"> • Glossary of Terms • Noise survey results & calibration certificates • Material volume calculations • Statement of competency • Other relevant documents
AA Screening report	<ul style="list-style-type: none"> • Author qualifications, experience and expertise

	<ul style="list-style-type: none"> • Methodology • Zone of Influence (ZOI) and identification of relevant European Sites to be based on a Source-Pathway-Receptor Model using the precautionary principle • Must include consideration of Bandon River SAC
NIS	<ul style="list-style-type: none"> • Author qualifications, experience and expertise • Methodology • Biodiversity & Ornithology Surveys for QI & SCI species and habitats in accordance with Best Practice • Consideration of relevant land, soils & geology reports/assessments* • Consideration of relevant hydrological, hydrogeological & water reports/assessments* • Assessment in view of conservation objectives • Compendium of Mitigation Measures (intent expressed for implementation of mitigation measures – ‘shall’) • Clear statement on site integrity in view of conservation objectives <p>* As stipulated above for EIAR.</p>
Appendices	All appendices and sub appendices to be submitted in hard and soft copy.
Other Documents (To include):	
Civil Engineering Report	<ul style="list-style-type: none"> • Site Entrances • Access Tracks • Wind turbines • Cable routes & connections • Substation (Compound & Buildings) • Meteorological Mast

	<ul style="list-style-type: none">• Temporary construction compounds• Borrow Pits & Deposition Areas• Haul Route• Turbine Delivery Route• Surface Water Design• Wastewater• Potable Water• Decommissioning & Restoration
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