

**Planning and Development Act 2000, as amended**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: 11360**

**WHEREAS** McMahon Finn Wind Acquisitions Limited appealed against the decision made on the 12<sup>th</sup> day of July 2011 by Clare County Council to refuse permission for the proposed development.

**AND WHEREAS** the Commission is of opinion the following information is necessary for the purpose of enabling it to determine the appeal/referral:

Having regarded to the planning history of the proposed development which has resulted in the information on the proposed development being outdated in nature, the Board hereby requests the applicant to submit an Environmental Impact Assessment Report (EIAR) and a revised Natura Impact Statement (NIS) together with supporting accurate up-to-date drawings for the proposed development.

The Board considered that the submitted EIAR and revised NIS needs *inter alia* to address the following issues:

### *The Development and Its Context*

- Details on the proposed turbines, the associated technology, and turbine bases;
- An examination of the grid connection and/or options;
- Clarity on physical changes to the site, including drainage, the established land uses, and intended land uses, including post tree felling;
- An understanding of new development in the vicinity, including new houses;
- Information on the nature and extent of constructed wind farm development in the area;
- Confirmation of drainage and water management provisions;

### *Appropriate Assessment*

- Clarity on specific relevant mitigation measures to be employed to allow for an appropriate assessment and a response given to the altered physical changes to the environmental context of this proposed development since the preparation of the applicant's Natura Impact Statement;

### *Environmental Impact Assessment*

- An understanding of the changed physical context for the proposed development, having regard to the details referenced above;
- An up-to-date understanding of the current distribution of the resident population and houses in the vicinity of the site to allow for an informed assessment of noise and shadow flicker;

- Updated and *appropriately timed* ecological surveys, including habitat, bird and bat surveys, with due regard to hen harrier and the commissioning of wind farm development in the vicinity;
- A landscape and visual assessment which accurately reflects the existing baseline environment in which the proposed wind farm would be set;
- A soils and geology assessment which provides comprehensive geotechnical ground investigations and the results of specific trial pitting at the locations for each of the proposed four turbines;
- A hydrology and hydrogeology assessment which clarifies drainage, surface and groundwater conditions, with due regard given to up-to-date geotechnical investigations on the site;
- A noise assessment which provides details on the current existing baseline noise environment, with due regard to new residential development in the area, the existing Slievecallan wind farm and an assessment of potential cumulative noise impact, while giving some consideration to the impact of infrasound;
- A shadow flicker assessment that has due regard to the commissioned Slievecallan wind farm in the vicinity and with clarity on the impact on any recent residential development that may have been developed in the vicinity;
- Reasons for the changed haul route and selected site entrance to the north;

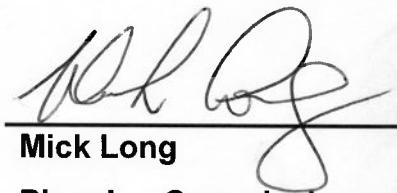
#### *Policy Context*

Clarity on the compatibility of the proposed development with current objectives of the Clare County Development Plan, based upon relevant, up-to-date information.

**AND WHEREAS** the Commission, on the 14<sup>th</sup> day of March 2022, served notice on the said applicant, requiring the said applicant to submit on or before the 26<sup>th</sup> day of September 2022, as extended to the 3<sup>rd</sup> day of November 2023, and further extended on request of the applicant to 31<sup>st</sup> day of October 2025, the above-mentioned particulars:

**AND WHEREAS** the said particulars were not received by the Commission within the period specified in the said notice served under section 132 of the Planning and Development Act, 2000, and the Commission issued a further notice under Section 132 on the 28<sup>th</sup> day of November 2025 seeking a response before 22<sup>nd</sup> day of December 2025. No response was received by the said date.

**NOW THEREFORE**, An Coimisiún Pleanála, in exercise of the powers conferred on it by section 133 of the Planning and Development Act, 2000 hereby dismisses the said appeal.



Mick Long

Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this 29<sup>th</sup> day of January 2026

