



Planning and Development Act 2000, as amended

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 2660215

Application for Leave to Appeal against the decision of the planning authority by Timothy Scanlon having an interest in land adjoining the land in respect of which Limerick City and County Council decided on the 23rd day of July 2026 to grant, subject to conditions, a permission to Winter Winds Limited in accordance with the plans and particulars submitted.

Proposed Development: The development will consist of: (a) removal of selected items of existing grid support equipment and plant at the Kilathmoy wind farm substation (two number battery containers and associated inverters, transformers and HVAC units, diesel generator and associated diesel tank, pre-fabricated electrical containers, sections of compound security fencing), and (b) construction of a Long Duration Energy Storage (LDES) facility containing a Battery Energy Storage System (BESS) compound consisting of BESS units, (approximately five metres in height) with associated HVAC units, transformers, inverters; underground cabling; one number pre-fabricated communications and control container; lighting, CCTV, lightning masts; diesel generator and associated diesel tank; water storage tanks (approximately 3.6 metres in height); store containers; securing fencing, internal

access track and access gates and all associated ancillary works including drainage, earthworks and retaining structures necessary to facilitate the development at Kilathmoy Substation, Athea Upper, Athea, County Limerick. The application will replace the previously consented (but unbuilt) BESS facility granted under planning ref (21/1702). A 10 year permission is being sought in respect of the development. A Natura Impact Statement has been prepared as part of the application. This development is covered by the provisions of the Renewable Energy Directive III (Directive (EU) 2023/2413) and it is important to note that the planning application may be subject to section 34D of the Planning and Development Act, as amended. When a notice issues in accordance with section 34D(b), the provisions of article 26A of the Planning and Development Regulations 2001 to 2025 shall apply.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

It is considered that it has not been demonstrated that the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission, by reason of the conditions imposed by the planning authority to which the grant is subject. Having considered the conditions attached to permission reference number 26/60215, the Commission was satisfied that the said conditions did not materially change the development as proposed. The Commission therefore considered that the applicant had not met the requirements of section 37(6)(d)(i) of the Planning and Development Act 2000, as amended, and consequently, the Commission refused the application for leave to appeal.



MaryRose McGovern

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



Dated this 11th day of September 2026