

An
Coimisiún
Pleanála

Inspector's Report ABP-319676-24

Development	Proposed Wind Farm development consisting of 8 wind turbines with an estimated energy capacity of between 50.4 and 57.6 MW
Location	Townland of Cahermurphy, Knocknahila More South, Carrownagry South, Caheraghcullin and Drummin, Co. Clare
Prospective Applicant(s)	Cahermurphy Renewables DAC
Type of Application	Pre-Application Consultation under Section 37B of the Planning and Development Act 2000, as amended.
Planning Authority	Clare County Council
Date of Site Inspection	1 st December 2025
Inspector	Donogh O' Donoghue

1.0 Introduction

- 1.1. The Commission received a request dated 2nd May 2024 to enter into pre-application consultations under Section 37B of the Planning and Development Act, 2000, as amended, in relation to a proposed wind farm development at Cahermurphy, County Clare with an estimated generating capacity of between 50.4 and 57.6 MW.
- 1.2. The prospective applicant sought closure of the pre-application consultation by correspondence dated 5th January 2026.

2.0 Site Location

- 2.1. The site is located in the townlands of Cahermurphy, Knocknahila More South, Carrownagry South, Caheraghcullin and Drummin in Co. Clare. The proposed windfarm is located circa 25km southwest of Ennis, circa 5km northwest of the village of Kilmihil and is accessed via numerous local and regional roads which provide connectivity between various settlements. The area is rural in nature with low density /one off residential houses along local roads.
- 2.2. The site comprises agricultural lands, peatland and coniferous forestry. There is an existing windfarm, known as Cahermurphy No 1 Windfarm, comprising 4 turbines located immediately east of the proposed site.
- 2.3. The site is circa 28km west of Shannon Airport.

3.0 Description of Proposal

- 3.1. The proposed development comprises the following:
 - 8 no. wind turbines with an overall turbine tip height of 180 to 185 metres, a hub height range of 98.5 to 110.5 metres and a rotor diameter range of 149 to 163 metres, and associated foundations and hard-standing and assembly areas.
 - 1 no. permanent 110 kV electrical substation including 2 no. control buildings and welfare facilities,
 - Underground electrical (33kV) and communications cabling,
 - A meteorological mast with a height of 100 metres above ground level,

- New permanent access roads and upgrade of existing roads to provide access within the site,
- Upgrade of 1 no. new existing agricultural access to the site, off the L6254 local road, to serve as the sole entrance to the wind farm during its operational phase and to facilitate the delivery of the construction materials and turbine components to site during the construction and operational phases,
- Development of 2 no. borrow pits,
- Construction of 2 no. temporary construction compounds,
- Temporary works at 3 no. locations along the L-2074, L-2082 and L-2048 local roads and the R484 regional road associated with the facilitation of turbine component and abnormal load delivery to site,
- Permanent and temporary Site Drainage,
- Operational Stage Site Signage,
- Ancillary forestry felling to facilitate construction and operation of the Proposed Wind Farm,
- Biodiversity enhancement measures including the permanent removal of commercial forestry (deforestation) over an area of 52.4ha and restoration of farmland habitat to good quality hen harrier foraging habitat through diversifying the range and extent of habitats over an area of 67.4ha, and,
- All related site works and ancillary development including landscaping.

3.2. The applicant sets out that the grid proposed connection was the subject of a separate SID pre-application consultation, which has been concluded under Section 182E of the Planning and Development Act 2000 (ABP Ref. 315645-23), and will be submitted to the Commission concurrently.

3.3. The applicant indicates that of the 8 proposed turbines, 7 are located within an area identified in the Clare County Development Plan as being 'Strategic Areas' with the remaining turbine located in an area 'Acceptable in Principle.'

4.0 Planning History

- 4.1. ABP 311044-21 – On the proposed site an application for 10 no wind turbines (known as Cahermurphy II Windfarm) was refused by ABP. Following a Judicial Review, ABP decision was quashed by the High Court and the matter was remitted back to ABP for a new decision. The application was given a new number (318525-23) and is currently under consideration by the Commission.
- 4.2. PL03.245189 – Permission was granted for 4 no wind turbines (known as Cahermurphy No 1 Windfarm) on the adjacent site to the east. This windfarm has been constructed and is operational.

5.0 Precedent Decisions

- 5.1. The following table outlines a sample of other SID pre-application determinations for wind farm developments of similar scales decided by the Commission:

ABP Ref.	Location	Development Description	ABP Decision
320900	Kilkenny	10 turbines. Output of 72MW	Is SID
316466	Galway	9 turbines. Output of 54MW and 64.8MW	Is SID
321507	Galway	11 turbines. Output of 66MW and 73MW	Is SID
320745	Limerick	17 turbines. Output of 75MW and 95MW	Is SID
320703	Mayo	19 turbines. Output of 70.05MW	Is SID
319215	Clare	9 wind turbines. Output of 51.3MW and 64.8MW	Is SID
319139	Limerick	9 wind turbines. Output of 54MW	Is SID
318203	Offaly	9 wind turbines. Output of 50.4MW	Is SID

6.0 Pre-Application Consultation Meetings Held

6.1. Two pre-application consultation meetings were held between An Coimisiun Pleanala and the prospective applicant. Full details of the meetings and matters discussed are contained in the Commission's records for the meetings.

6.2. The first pre-application consultation meeting took place on the 9th August 2024. The principal matters arising related to:

- Policy Context
- Grid Connection
- Consideration of links to Natura 2000 sites and Designated sites
- Landscape and Visual Impact Assessment
- Turbine Delivery Route
- An outline of Chapters for EIAR presented
- Public Consultation to date
- Engagement with Clare County Council and NPWS
- Hen Harrier studies
- Noise
- Cumulative effects as well as direct and indirect impacts arising from the project
- Intended energy output of proposed development to be clarified
- Potential Design Flexibility consultation request

6.3. A second pre-application consultation meeting took place on the 2nd December 2025. The principal matters arising related to:

- Since the first meeting was held the RED III Directive has been transposed into Irish Legislation
- Intended minimum energy output of proposed development
- Engagement with NPWS
- Schedule of information to inform Completeness Check

- Policy Context noting that 7 of the proposed turbines are located within strategic areas for wind while the remaining turbine is located in an area acceptable in principle in the Clare County Development Plan.
- Site boundary and overall EIAR assessment boundary
- Engagement with IAA and the Shannon Airport Group
- Biodiversity Enhancement Measures/Areas
- Key ecological issues to be focused on
- Surveys to be undertaken using best practice methodology
- Peat stability assessment including water impacts
- Forestry felling and water quality
- Water framework directive assessment
- Noise – amplitude modulation and tonal noise to be included
- Site drainage
- Cumulative impact of noise, visual and ornithology
- Mitigation measures
- Cahermurphy II application is currently with the commission, and it is applicants' intention to only implement one application if approval is granted for both

7.0 Legislation

7.1. Planning and Development Act 2000, as amended

7.1.1. Section 2(1) of the Planning and Development Act 2000, as amended ('the Act'), defines 'strategic infrastructure' as including, inter alia:

(a) any proposed development in respect of which a notice has been served under section 37B(4)(a),

7.1.2. Section 37A of the Act states that:

(1) An application for permission for any development specified in the Seventh Schedule (inserted by the Planning and Development (Strategic Infrastructure) Act

2006) shall, if the following condition is satisfied, be made to the Commission under section 37E and not to a planning authority.

(2) That condition is that, following consultations under section 37B, the Commission serves on the prospective applicant a notice in writing under that section stating that, in the opinion of the Commission, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely—

(a) the development would be of strategic economic or social importance to the State or the region in which it would be situated,

(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situated,

(c) the development would have a significant effect on the area of more than one planning authority.

7.1.3. The current SID thresholds are set out within the 7th Schedule of the Planning and Development Act 2000, as amended. The relevant threshold for the proposed project is 'an installation for the harnessing of wind power for energy production (a wind farm) with more than 25 turbines or having a total output greater than 50 megawatts'.

7.2. Environmental Impact Assessment

7.2.1. Section 37E(1) of the Planning and Development Act, 2000, as amended requires that an application for permission for development in respect of which a notice has been served under section 37B(4)(a) shall be made to the Commission and shall be accompanied by an environmental impact assessment report in respect of the proposed development. Therefore, the submission of an EIAR is mandatory.

7.3. Appropriate Assessment

7.3.1. The nearest Natura 2000 sites are the Carrowmore Point to Spanish Point and Islands Special Area of Conservation (Site Code: 001021) located circa 5.8km by land and circa 7.6km by water from the site, the Carrowmore Dunes Special Area of Conservation (Site Code: 002250) located circa 6.6km by land and circa 12.9km by water from the site and the Mid-Clare Coast Special Protection Area (Site Code: 004182) located circa 5.8km from the site. The applicant intends to submit a Natura Impact Statement.

8.0 Assessment

8.1. Seventh Schedule Development

- 8.1.1. The proposed development will comprise of 8 no wind turbines with an estimated generating capacity of between 50.4 and 57.6 MW.
- 8.1.2. The current SID thresholds are set out within the 7th Schedule of the Planning and Development Act 2000, as amended. The relevant threshold for the proposed project is 50MW for wind farms as set out in Class 1 (Energy Infrastructure) of the Seventh Schedule of the Act.
- 8.1.3. Having regard to the proposed output of between 50.4 and 57.6 MW of the proposed development, I am satisfied that the development accords with Section 37A(1) of the Act.

8.2. Section 37A(2) Criteria

In addition to Accordingly, under Section 37A(2), the proposed development must fall within one or more of the following conditions:

(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate

- 8.2.1. The proposed development will contribute to the transition to a low carbon, climate resilient and environmentally sustainable economy in line with national policies and objectives such as the Climate Action and Low Carbon Development Act 2015 (as amended), Climate Action Plan 2025 (CAP 25), and Project Ireland 2040: The National Planning Framework - First Revision, April 2025 specifically National Policy Objective 70. I further consider the proposed development would involve significant capital investment in the region and will create employment opportunities relating to the construction, operation, and decommissioning of the development. Additionally, rates will be made payable to Clare County Council by the developer, and a Community Benefit Scheme will be put in place. All of these considerations will result in a positive impact on the economic profile of the subject area and investment in the region.
- 8.2.2. Having regard to the national and regional policy context and the details of the subject proposal outlined above, I am satisfied that the development would be of strategic

economic importance to the State and the Region and would therefore, comply with the condition set out in section 37A(2)(a) of the Act.

(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate,

- 8.2.3. It is submitted by the prospective applicant that the proposed development would contribute to the objectives of the National Planning Framework (NPF) and the provisions of the National Mitigation Plan 2017, the Climate Action Plan (CAP) 24, CAP 25, and the Regional Spatial and Economic Strategy for the Southern Region 2020-2032 (RSES).
- 8.2.4. Having reviewed the NPF - First Revision, I note the following relevant National Strategic Outcome 8 (NSO 8) and National Policy Objectives (NPOs) 69, 70 and 74 which seek to encourage, facilitate and harness renewable energy sources including wind at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.
- 8.2.5. At a regional level, the Spatial and Economic Strategy for the Southern Region 2020-2032 supports the sustainable development of renewable wind energy (on shore and off shore) at appropriate locations and related grid infrastructure in the region in compliance with national Wind Energy Guidelines.
- 8.2.6. The proposal to generate over 50MW of renewable energy by using wind as a resource would assist in reducing greenhouse gas emissions and would contribute significantly towards the achievement of a low carbon economy.
- 8.2.7. Having regard to the above, I am satisfied that the development would meet relevant national policy objectives of the NPF and would serve to fulfil the relevant regional policy objectives of the RSES for the Southern Regional Assembly. The development would, therefore, satisfy the requirement set out in section 37A(2)(b) of the Act.

(c) the development would have a significant effect on the area of more than one planning authority.

- 8.2.8. The site is fully contained within the area of one planning authority, Clare County Council. Accordingly, I am of the opinion that the proposal would not come within the

scope of this requirement to be considered as complying with section 37A(2)(c) of the Act.

8.3. **Prescribed Bodies**

- 8.3.1. In view of the scale, nature, and location of the proposed development, as described in this report, it is recommended that the prospective applicant should consult with the prescribed bodies listed in the attached Appendix 1 in respect of any future application for approval.

Note: The prospective application should be advised to submit a standalone document (which may form part of the EIAR) with the planning application, which outlines the mitigation measures, in the interest of convenience and ease of reference.

8.4. **Schedule of Information to Inform the Completeness Check**

- 8.4.1. Attached as Appendix 2 is a 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.

9.0 **Recommendation**

- 9.1. Based on the foregoing assessment, it can be concluded that the proposed development would exceed the threshold set out in the Seventh Schedule of the Planning and Development Act 2000, as amended, and therefore satisfies Section 37A(1) of the Act. It can also be concluded that the development is of strategic importance by reference to the requirements of Section 37A(2)(a) and Section 37A(2)(b) of the Act.
- 9.2. I recommend that the Commission serve a notice on the prospective applicant, pursuant to Section 37(B)(4) of the Planning and Development Act 2000, as amended, stating that it is of the opinion that the proposed development constitutes a strategic infrastructure development within the meaning of Section 37A of the Act for the reasons and considerations set out below.

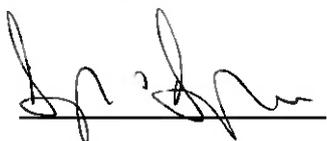
10.0 REASONS AND CONSIDERATIONS

Having regard to the size, scale and location of the proposed windfarm development and related development, and to the policy context, it is considered that the proposed development comprising the development of 8 no wind turbines with an estimated generating capacity of between 50.4 and 57.6 MW including 1 no. permanent 110 kV electrical substation on a site in the townlands of Cahermurphy, Knocknahila More South, Carrownagry South, Caheraghcullin and Drummin in Co. Clare constitutes development that falls within the definition of Energy Infrastructure in the Seventh Schedule of the Planning and Development Act 2000, as amended, thereby satisfying the requirements set out in Section 37A(1) of the Act.

The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended.

An application for permission for the proposed development must therefore be made directly to An Coimisiun Pleanála under Section 37E of the Act.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Donogh O' Donoghue

Planning Inspector

Date: 21st January 2026

Appendix 1 – Prescribed bodies

- Department of Housing, Local Government and Heritage
- Minister for Climate, Energy and the Environment
- Clare County Council
- The Southern Regional Assembly
- Transport Infrastructure Ireland
- An Chomhairle Ealaíon (Arts Council)
- The Heritage Council
- Fáilte Ireland
- An Taisce
- Uisce Éireann
- Inland Fisheries Ireland
- Irish Aviation Authority
- Air Nav Ireland
- The Shannon Airport Group
- Department of Culture, Communications and Sport
- Minister for Agriculture, Food and the Marine
- Department of Enterprise, Tourism and Employment
- HSE
- EPA
- The Commission for Regulation of Utilities
- Office of Public Works
- ESB
- EirGrid

Further notifications should also be made, where deemed appropriate.

Appendix 2 – Schedule of Information 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-319676-24
Prospective Applicant:	Cahermurphy Renewables DAC
Date of Final Meeting:	02 nd December 2025
Number of Turbines:	8
Design Flexibility opinion:	Yes – ACP-323567-25
Is Grid Connection Included:	No
Is a BESS included:	No
Accommodating works for TDR:	Yes

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 • Design Flexibility Opinion referenced • All townland within site boundary to be correctly referenced
Prescribed Bodies	<ul style="list-style-type: none"> • Notification of All Prescribed Bodies and a copy of correspondence sent included
Land Ownership	<ul style="list-style-type: none"> • Interest in land including proposed biodiversity enhancement areas • Written consent of all other landowners (<i>Including legally binding agreement & land registry map where required</i>)

Design Flexibility	<ul style="list-style-type: none"> • Application to be in accordance with Design Flexibility Opinion issued
Fee	
EIA Portal	<ul style="list-style-type: none"> • Letter from Portal
Planning Statement	<ul style="list-style-type: none"> • Renewable Energy Designation Policy Statement • All relevant policies and objectives addressed • Consultation Overview • Community Benefit Fund • Planning History • Compliance with pre-application determination
Drawings	<ul style="list-style-type: none"> • Drawing Schedule • Site location map • Site layout plan • Plans, elevations, sections and cross-sections • Wayleaves shown • Scales appropriate
EIAR	
Design Flexibility sought	<ul style="list-style-type: none"> • All turbine types
Non-Technical Summary	<ul style="list-style-type: none"> • Provided as a standalone section.
Introduction	<ul style="list-style-type: none"> • Legislative context • 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

	<ul style="list-style-type: none"> • 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 (Inc. recreational trails) • Human Health & Wellbeing (Reference Studies) • Property Devaluation/House Price Study
Biodiversity	<ul style="list-style-type: none"> • Derogations (Required/Obtained if applicable) • Ecological Impact Assessment • Biodiversity Enhancement Areas/Management Plan • Invasive Species Management Plan • Terrestrial Surveys (<i>Habitat & ecology (inc protected flora, invasive plant species, mammals, amphibians and reptiles)</i>) • Bat Surveys (<i>inc Preliminary Roost Assessment Surveys, Bat activity transect surveys</i>), • Aquatic Surveys (<i>Habitat & ecology (inc river habitat, macroinvertebrate, electro-fishing, fisheries)</i>)
Ornithology	<ul style="list-style-type: none"> • Surveys (<i>Vantage Point, Breeding & non-breeding, hinterland, Dusk, Walkover, Roost & Winter surveys</i>) • Hen Harrier Assessment and habitat enhancement measures • Connectivity with European Sites • Collision Risk Model (CRM) Assessment • Monitoring Programme • Cumulative Assessment
Noise and Vibration	<ul style="list-style-type: none"> • Baseline Noise Levels • Map of all receptors within 4 x Tip of Turbines • Predicted Noise Levels • Proposed Noise Limits (cumulative) • Operational Noise Monitoring Proposal

	<ul style="list-style-type: none"> • Mitigation Strategy for Operational Amplitude Modulation and Tonal Noises • Cumulative Noise Assessment
Shadow Flicker	<ul style="list-style-type: none"> • 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 (inc): <ul style="list-style-type: none"> ○ Description of Geology and Soil Types - maps ○ Ground Investigations Report ○ Site Investigations Report ○ LIDAR Survey ○ On site precipitation monitoring and use of climate data ○ Ground and surface water monitoring and in-situ hydraulic conductivity testing. • Geotechnical and Peat stability Risk Assessment • 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 • Forestry felling and water quality • Standalone Water Framework Directive Compliance Report • Emergency Response Plan • Water Quality Management Plan • Drinking Water Source (UE and GWSS) Assessment
Landscape & Visual	<ul style="list-style-type: none"> • Photomontages • Landscape Character Assessment • Viewpoint Assessment • ZTV Analysis • Cumulative Assessment
Traffic & Transportation	<ul style="list-style-type: none"> • Turbine Delivery Route

	<ul style="list-style-type: none"> • Haul Route & Swept Path Analysis • Traffic and Transport Assessment • Traffic Management Plan (including Construction traffic) • Stage 1 Road Safety Audit • Design Report (TII requirements)
Material Assets	<ul style="list-style-type: none"> • Gas/ESB networks • Telecommunications Impact Study • Aviation Review Statement (inc. full aeronautical assessment) • Any other relevant material assets identified in consultation process
Cultural Heritage	<ul style="list-style-type: none"> • Heritage Impact Assessment & a Historic Landscape Character 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.
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 • Methodology

	<ul style="list-style-type: none"> • 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: the Carrowmore Point to Spanish Point and Islands Special Area of Conservation (Site Code: 001021), the Carrowmore Dunes Special Area of Conservation (Site Code: 002250) and the Mid-Clare Coast Special Protection Area (Site Code: 004182).
NIS	<ul style="list-style-type: none"> • Author qualifications, experience and expertise • Methodology • Collision Risk Modelling (CRM) • 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* • Compendium of Mitigation Measures (<i>Intent expressed for implementation of mitigation measures – ‘shall’</i>) <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 • Temporary construction compounds • Borrow Pits & Deposition Areas • Haul Route • Turbine Delivery Route

- Surface Water Design
- Wastewater
- Potable Water
- Decommissioning & Restoration