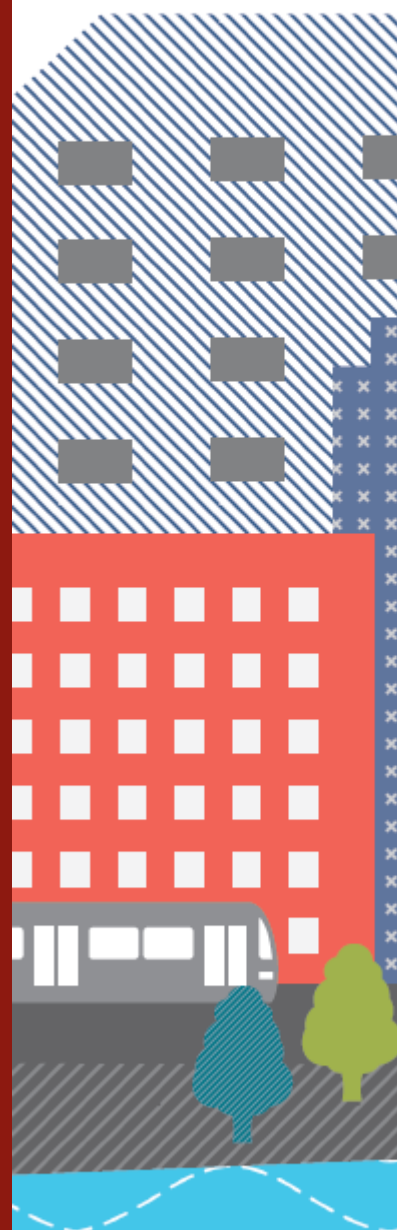


An
Coimisiún
Pleanála

Renewable Energy Directive (RED) III Information Guide



About this guide

The following information provides a Guide for prospective applicants and members of the public in respect of the implications of the recent transposition of the RED III Directive as it relates to Strategic Infrastructure Renewable Energy Developments which are submitted directly to **An Coimisiún Pleanála**.

This is a Guide only and prospective applicants should satisfy themselves that they are advised of the new process.

This Guide is set out under the following headings and should be read in conjunction with the flow chart.

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1. What is RED III?

The original Renewable Energy Directive (2009/28/EC) – RED I - came into effect in June 2009 and was recast by RED II (EU 2018/2001), which came into effect in 2018 with a requirement to be transposed from June 2021. This was amended by the RED III Directive (EU/2023/2413), which entered into force on 20 November 2023.

The RED III Directive has been transposed into Irish legislation by way of European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025) with the majority of the provisions coming into effect on 7th August 2025. As outlined in Circular CEPP1/2025 from the Department of Housing, Local Government and Heritage (15 August 2025), *the Directive is broad ranging and includes provisions that aim to speed up the permit granting process for renewable energy projects by providing mandatory permit granting timelines for various types of renewable energy projects, as well as provisions concerned with environmental protection Directives and how they are applied to certain renewable energy projects.*

European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025), in addition to introducing mandatory permit granting timelines, also introduces a completeness check process which commences once the application is received (Section 4 below) and mandatory scoping for EIAR's (for application lodged from 1 October 2025). The Commission must also notify the Single Point of Contact (the SEAI) of receipt of applications for renewable energy development.

The provisions of the Regulations apply to **onshore** and **offshore** renewable energy development.

The Regulations define renewable energy as:

'Renewable energy' means energy from a renewable non-fossil source, namely wind energy, solar energy (including solar thermal and solar photovoltaic energy), geothermal energy, osmotic energy, ambient energy, tide, wave and other ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas or biogas;

Renewable energy developments which are administered by **An Coimisiún Pleanála** are those listed in the Seventh Schedule of the Planning and Development Act 2000, as amended, which comply with the definition of renewable energy as outlined in the definition and alterations to same.

These developments are subject to the pre-application consultation requirements of Section 37B of the Planning and Development Act 2000, as amended.

2. Pre-Application Consultation Requests

The pre-application consultation request process will remain as it currently operates under the provisions of the Planning and Development Act, 2000 as amended.

Section 37B(3) of the Act provides that:

In any consultations under subsection (1), the Board may give advice to the prospective applicant regarding the proposed application and, in particular, regarding—

- (a) whether the proposed development would, if carried out, fall within one or more of paragraphs (a) to (c) of section 37A(2),
- (b) the procedures involved in making a planning application and in considering such an application, and
- (c) what considerations, related to proper planning and sustainable development or the environment, may, in the opinion of the Board, have a bearing on its decision in relation to the application.

Having regard to the new completeness check requirement and the provisions of both subsections (b) and (c) above, the information and documentation required to facilitate the completeness check to process the application will form part of the discussion and advice provided in the pre-application process.

Prospective applicants should also consider the following commentary in Circular CEPP1/2025 from the Department of Housing, Local Government and Heritage (15 August 2025):

“It is within the applicant’s control to ensure the application is complete in terms of the information submitted with the application, but also in terms of the quality of that information, including of plans and drawings and of the environmental assessments. It is critical that these matters are agreed with planning authorities and the Commission at pre-application stage, and the applicant uses the pre-application process to interrogate such issues in a thorough and in a systematic way. This will enable the identification of all relevant information necessary to accompany the application. It would also be advisable to make the application as soon as feasible following completion of the pre-application stage”.

3. Scoping

From 1 October 2025, any application lodged with the Commission for renewable energy developments are subject to mandatory EIA scoping.

Please note that an application submitted from 1 October onwards, even where the pre-application process has closed, will be required to undergo mandatory EIA scoping.

As per Section 37D(1) of the Planning and Development Act, 2000 as amended, a request for an opinion in respect of the scope of an EIAR can only be made once a Notice has been served to a prospective applicant under section 37B(4)(a). This has not been amended by the new provisions set out in European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025).

This means that the pre-application stage must be complete before the scoping opinion can be requested.

The relevant fee is €5,000.

The legislative provisions as set out in the Planning and Development Act, 2000, as amended in relation to scoping as amended by S.I. 274 of 2025 are as follows:

37D.—(1) Where a notice has been served under section 37B(4)(a) in relation to proposed development, a prospective applicant may, “or, where the application is for renewable energy development or repowering development, shall” request the Board to give to him or her an opinion in writing prepared by the Board on the scope and level of detail of the information to be included in an environmental impact assessment report in relation to the development.

(2) On receipt of such a request the Board shall—

(a) consult with the requester and such bodies as may be specified by the Minister for the purpose, and

(b) after taking into account the information provided by the prospective applicant, in particular on the specific characteristics of the proposed development, including its location and technical capacity, and its likely impact on the environment, comply with the request as soon as is practicable.

(3) A prospective applicant shall, for the purposes of the Board's complying with a request under this section, supply to the Board sufficient information in relation to the proposed development so as to enable the Board to assess the proposed development.

(3A) Where an opinion referred to in subsection (2) has been provided, the environmental impact assessment report shall be based on that opinion, and include the information that may reasonably be required for reaching a reasoned conclusion on the significant effects on the environment of the proposed development, taking into account current knowledge and methods of assessment.

(3B) Where the proposed development referred to in subsection (1) is renewable energy development or repowering development, and an opinion is given under this section, An Coimisiún Pleanála shall not subsequently extend the scope and level of detail of the information to be included in the environmental impact assessment report.

(4) The provision of an opinion under this section shall not prejudice the performance by the Board of any other of its functions under this Act or regulations under this Act and cannot be relied upon in the formal planning process or in legal proceedings.

4. Completeness Check stage

Upon receipt of the application, the Commission will acknowledge receipt of the application and will outline that a notice in respect of completeness will follow within 45 days of receipt of the application. It is the acknowledgement of completeness of an application, which triggers the start of the permit granting timelines.

The prospective applicant should satisfy themselves that they have the requisite documentation submitted to facilitate the Commission in the processing of the application at this stage. The schedule of information required to inform the completeness check will be addressed during the pre-application request consultation process.

The time period within which submissions can be made by observers and prescribed bodies will be stated in the public notices. The planning authority's report must be submitted within 10 weeks from the date of receipt of the application.

The following provides a guide in respect of the information and documentation which the Commission would require in order to undertake a completeness check of any RED III application. However, as outlined above, it is important to note that the schedule of information required to inform the completeness check will be addressed during the pre-application request consultation process.

Miscellaneous

Fee - €100,000

Application Form

Standalone website provided

Two hard copies and 8 soft copies

Interest of applicant in land

Public Notices

Is a full description of the proposed development provided

Is the location of the proposal provided

Is time period and fee for submissions/observations specified

Includes standalone website Address

Is Section 37JA referenced

Transboundary environmental effects (if applicable)

If Design Flex Opinion provided, is this referenced (if applicable).

Are the EIAR and NIS referenced

Is site subject to an EPA licence or is an EPA licence required

Are Notices in Irish (If proposal is located within the Gaeltacht)

Documentation – as applicable

Renewable Energy Designation Policy Statement

Design Flexibility Compliance Statement

Natura Impact Statement with Screening Report

EIAR

Appendices included

Compliance with Article 94 and Schedule 6 of PDR

Survey and methodology requirements clearly outlined

Peat Stability/Landslide Susceptibility investigations undertaken as applicable.

Derogations

Drawings

Appropriate scales.

Wayleaves shown

5. Application Stage

Once the application is deemed complete the permit granting timeline commences.

The relevant timelines are as follows:

Type of Development	Permit Granting Timeline
Onshore	52 weeks
Onshore Repowering	30 weeks
Offshore	65 weeks
Offshore Repowering	52 weeks

The period within which submissions can be accepted from the Public, Prescribed Bodies and the Planning Authority will end subject to the relevant timelines and notice period.

As is the current practice in relation to SID applications the applicant will be invited to make a submission on the submissions/observations/planning authority's report as submitted during the course of the application.

There will be limited opportunities within which the Commission can seek further information. A defined response time will be provided which will not be extended, save for exceptional circumstances. The permit granting timeline will not be extended nor can it be 'stopped' and restarted.

As currently applies, the Inspector will prepare a Report and Recommendation for the Planning Commission who will issue a Decision.

6. Section 146B Alteration of SID applications

Requests to alter SID decisions, section 146B requests, are also subject to the provisions of RED III where they apply to renewable energy development.

The completeness check stage (4) and application stage (5) processes outlined above are therefore applicable to the Section 146B request process.

7. Flowchart: Application Process - Onshore & Offshore

