

Our Case Number: ABP-322292-25

Your Reference: Manogate Limited



An
Coimisiún
Pleanála

Tobin Consulting Engineers
Block 10-4
Blanchardstown Corporate Park
D15 X98N

TOBIN CONSULTING ENGINEERS	
PROJECT NO:	
FILE REF:	
Date Received	13 NOV 2025
PASS TO	DATE

Date: 12 November 2025

Re: Design Flexibility Request for the proposed wind farm of 10 wind turbines with MEC of approx. 72MW including on-site 110kV electrical substation.

Ballyfasy Wind Farm, in the townlands of Ballinlammy, Ballyfasy Upper, Ballymartin, Ballynoony East, Ballyquin, Ballywairy, Bishopsmountain, Darbystown and Knockbrack, County Kilkenny.

Dear Sir / Madam,

I have been asked by An Coimisiún Pleanála to refer to the above-mentioned proposed development.

Please be advised that following consultations under section 37CC of the Planning and Development Act 2000, as amended, the Commission has formed an opinion on design flexibility. A copy of the opinion is enclosed.

Please note that the Commission's opinion on design flexibility will not be available for public inspection until an application is made to it under section 37E of the Act. Information in relation to challenges to the validity of a decision of An Coimisiún Pleanála under the provisions of the Planning and Development Act 2000, as amended, is also enclosed.

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,



Honor Caird Marren
Executive Officer
Direct Line: 01-8049315

CC03

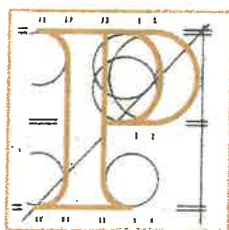
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An
Coimisiún
Pleanála

An Coimisiún Pleanála Opinion on Flexibility

1) Request for meeting	
Request under section 37CC of the Act:	Request for Design Flexibility in relation to the proposed Ballyfasy Wind Farm.
Request reference Number:	ABP-322292-25
Name of the requestor/ prospective applicant:	Manogate Limited
Location, townland or postal address of the land or structure to which the application relates (as may be appropriate):	Ballinlammy, Ballyfasy Upper, Ballymartin, Ballynoony East, Ballyquin, Ballywairy, BishopsMountain, Darbystown and Knockbrack, County Kilkenny.
Nature and extent of the proposed development:	10 wind turbines with a maximum blade tip height of between 169m-180m, with an estimated export capacity in the range of 57 MW to 72 MW and including an 110kV electrical substation.
Date of receipt of the request:	10 th April 2025
Opinion Reference Number:	ABP-322292-25
Date of Opinion:	6 th November 2025

2) Was the following Information included where relevant, with the Flexibility Meeting Request under section 37CC of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended.

Information	Enclosed with Request		
(a) A site location map sufficient to identify the land on which the proposed development would be situated.	Yes: [X]	No: []	
(b) A brief description of the nature and purpose of the proposed development and of its possible effects on the environment.	Yes: [X]	No: []	
(c) A draft layout plan of the proposed development.	Yes: [X]	No: []	
(d) A description of the details, or groups of details, of the proposed development that, owing to the circumstances set out in (e) below, are unlikely to be confirmed at the time of the proposed application.	Yes: [X]	No: []	
(e) A description of the circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided, before the prospective applicant has confirmed the details referred to in (d) above.	Yes: [X]	No: []	
(f) An undertaking to provide with the proposed application, either - <div style="margin-left: 40px;"> i. two or more options, in respect of each detail or group of details referred to in (d) above containing information on the basis of which the proposed application may be made and decided, ii. parameters within which each detail referred to in paragraph (d) above will fall and on the basis of which the proposed application may be made and decided, or </div>	Yes: [X]	No: []	

iii. a combination of (i) and (ii).			
(g) Such other information, drawings or representations as the prospective applicant may wish to provide or make available.	Yes: []	No: []	N/A: [X]
(h) The appropriate fee.	Yes: []	No: []	N/A: [X]

At a meeting held on 5th November 2025 the Commission considered the report of the Inspector, the documents submitted as part of the pre-application consultation under section 37CC of the Planning and Development Act 2000, as amended on design flexibility.

In this regard an opinion on design flexibility shall issue to the prospective applicant as set out below:

3) Opinion of the Commission under section 37CD of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended.	
Information	Details/ Circumstances
a) The details, or groups of details, of the proposed development that may be confirmed after the proposed application has been made and decided.	<p>1. Turbine Dimensions</p> <p>a) Turbine Tip Height</p> <p>b) Rotor Diameter</p> <p>c) Hub height</p> <p>Following legal advice on the matter, as consideration of electricity infrastructure flexibility is specifically provided for in s.182F, it is considered that it cannot be addressed within the provisions of s.37CC. Therefore, the consideration of flexibility in relation to substation layout cannot be addressed in this section 37CC request.</p>

	It is considered that alterations to the substation layout may be provided for in other sections of the Act, as amended.
b) The circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided before the prospective applicant has confirmed the details referred to in paragraph (a) above.	<ul style="list-style-type: none"> i. To avail of ongoing advances in technology; ii. To facilitate the procurement process; iii. To ensure against the potential obsolescence of existing technology.

For each detail, or groups of details, referred to in paragraph 3(a) above, the proposed application shall, in addition to any other requirement imposed by or under the Planning and Development Act 2000, as amended, be accompanied by the information referred to in the undertaking submitted with the flexibility meeting request under section, 37CC(2)(f) of the Planning and Development Act 2000, as amended.

The proposed application must be consistent with the opinion provided in accordance with section 37CD of the Act.



Patricia Calleary

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

Dated this 11th day of November 2025