

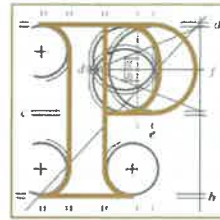


## APPENDIX 2-2

*SID DETERMINATION LETTER*

**Our Case Number:** ABP-320843-24

**Your Reference:** Carrow Renewable Energy Limited



An  
Coimisiún  
Pleanála

MKO  
MKO c/o Alan Clancy  
Tuam Road  
Galway  
H91 VW84



**Date:** 23 March 2026

**Re:** Proposed development of up to 13 no. wind turbines and associated infrastructure in the townlands of Carrowkeale, Scarrough, Moheragh, Glenpaudeen, Camus, Kilshenane, Gortarush Lower, Carrow, Co. Tipperary.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act, 2000 as amended, the Commission hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Commission has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must therefore be made directly to An Coimisiún Pleanála under section 37E of the Act.

Please also be informed that the Commission considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is,

- Appendix 1: Prescribed bodies to be notified of the application for the proposed development.
- Appendix 2: 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.

In accordance with section 146(5) of the Planning and Development Act, 2000 as amended, the Commission will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The following information relates to challenges to the validity of a decision of An Coimisiún Pleanála under the provisions of the Planning and Development Act 2000, as amended.

<b>Teil</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó Áitiúil</b>	<b>LoCall</b>	1800 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	www.pleanala.ie
<b>Ríomhphost</b>	<b>Email</b>	communications@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

## **Judicial review of An Coimisiún Pleanála decisions under the provisions of the Planning and Development Acts (as amended).**

A person wishing to challenge the validity of a Commission decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Commission.

The validity of a decision taken by the Commission may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Commission. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, [www.citizensinformation.ie](http://www.citizensinformation.ie).

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Commission or email [sids@pleanala.ie](mailto:sids@pleanala.ie) quoting the above mentioned An Coimisiún Pleanála reference number in any correspondence with the Commission.

Yours faithfully,



Niamh Hickey  
Executive Officer  
Direct Line: 01-8737145

PC09

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Ríomhphost	Email	<a href="mailto:communications@pleanala.ie">communications@pleanala.ie</a>

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## **Appendix 1: Prescribed bodies**

- Department of Housing, Local Government and Heritage
- Department of Climate, Energy and the Environment
- Department of Transport
- Department of Culture, Communications and Sports
- Department of Agriculture, Food and the Marine
- Department of Rural and Community Development and the Gaeltacht
- Tipperary County Council
- Limerick County Council
- Southern Regional Assembly
- Transport Infrastructure Ireland
- An Chomhairle Ealaíon (Arts Council)
- The Heritage Council
- Fáilte Ireland
- An Taisce
- Uisce Éireann
- Gas Networks Ireland
- Inland Fisheries
- Córas Iompair Éireann (CIE)
- Iarnród Éireann
- Irish Aviation Authority
- Air Nav Ireland
- Shannon Airport
- Environmental Protection Agency (EPA)

- Health Service Executive (HSE)
- Health and Safety Authority
- Office of Public Works
- The Commission for Regulation of Utilities
- ESB
- EirGrid
- Further notifications should also be made, where deemed appropriate.

## Appendix 2: Schedule of Information to Inform 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.

<b>Details of Proposed Development at Closure</b>	
<b>Pre-Application Ref.</b>	ABP-320843-24
<b>Prospective Applicant:</b>	Carrow Renewable Energy Limited
<b>Date of Final Meeting:</b>	8th January 2026
<b>Number of Turbines:</b>	14 no.
<b>Design Flexibility opinion:</b>	No.
<b>Is Grid Connection Included:</b>	Yes.
<b>Is a BESS included:</b>	Yes.
<b>Accommodating works for TDR:</b>	Yes.

### Information

<b>Plans and Particulars</b>	
<b>Public Notice</b>	<ul style="list-style-type: none"> <li>• Time Period for Consultation and Fee for Submissions</li> <li>• Standalone Website Address</li> <li>• EIAR and NIS referenced</li> <li>• Reference to Section 37JA</li> <li>• All townlands within the site boundary to be correctly referenced.</li> </ul>
<b>Prescribed Bodies</b>	<ul style="list-style-type: none"> <li>• Notification of All Prescribed Bodies and a copy of the correspondence sent to same.</li> </ul>
<b>Land Ownership</b>	<ul style="list-style-type: none"> <li>• Interest in land</li> </ul>

	<ul style="list-style-type: none"> <li>• Written consent of all other landowners (incl. legally binding agreement &amp; land registry map if required &amp; confirmation of measures proposed within blue-line boundary).</li> </ul>
<b>Design Flexibility</b>	<ul style="list-style-type: none"> <li>• Design flexibility not sought.</li> </ul>
<b>Fee</b>	
<b>EIA Portal</b>	<ul style="list-style-type: none"> <li>• Letter from Portal.</li> </ul>
<b>Planning Statement</b>	<ul style="list-style-type: none"> <li>• Renewable Energy Designation Policy Statement</li> <li>• Statement outlining compliance with all relevant policies and objectives in the County Development Plan including a justification for material contravention of same if relevant.</li> <li>• Consultation overview</li> <li>• Community Benefit Fund</li> <li>• Planning history</li> </ul>
<b>Drawings</b>	<ul style="list-style-type: none"> <li>• Drawing Schedule</li> <li>• Site location map</li> <li>• Site layout plan</li> <li>• Plans, elevations, sections and cross-sections</li> <li>• Wayleaves shown</li> <li>• Grid Connection Route</li> <li>• Scales appropriate</li> <li>• TDR Accommodation works</li> </ul>
<b>EIAR</b>	
No design Flex	<ul style="list-style-type: none"> <li>• One turbine type with a tip height of 185m, a rotor diameter of 163m, and a hub height of 103.5m with an individual turbine output of 6.2MW) and grid connection to be assessed.</li> </ul>
Non-Technical Summary	<ul style="list-style-type: none"> <li>• Provided as a standalone section.</li> </ul>
Introduction	<ul style="list-style-type: none"> <li>• Legislative context</li> <li>• Scoping Consultation</li> <li>• Community Engagement Report</li> <li>• Methodology/methodologies for the assessment of the environmental factors and for the description and consideration of the significance of effects</li> <li>• Study Area(s) and justification for same.</li> <li>• Project Team (Author qualifications, experience and expertise)</li> <li>• Technical Difficulties/Limitations</li> <li>• Glossary of Terms</li> </ul>

<p>Description of the Proposed Development</p>	<ul style="list-style-type: none"> <li>• Detailed description of the components, characteristics and all stages of the proposed development incl. use of natural resources, production of waste, emissions &amp; disturbances</li> <li>• Forestry felling and management.</li> <li>• Afforestation.</li> <li>• Construction Environmental Management Plan</li> <li>• GCR construction methodology</li> <li>• Temporary works reinstatement plan</li> <li>• Decommissioning Plan</li> <li>• Waste &amp; Resource Management Plan</li> </ul>
<p>Consideration of Alternatives</p>	<ul style="list-style-type: none"> <li>• Site selection &amp; the iterative design process.</li> <li>• Reasonable alternatives considered (layout, scale, technologies, grid connection, turbine delivery, substation infrastructure, BESS, construction methodology etc)</li> </ul>
<p>Population and Human Health</p>	<ul style="list-style-type: none"> <li>• Population &amp; Settlement Patterns</li> <li>• Economic Activity &amp; Employment</li> <li>• Tourism &amp; Amenities (incl. recreational trails/heritage sites/scenic view points)</li> <li>• Human Health &amp; Wellbeing (reference studies)</li> <li>• Property Devaluation (reference studies)</li> <li>• Cumulative Assessment</li> </ul>
<p>Biodiversity</p>	<ul style="list-style-type: none"> <li>• Designated sites</li> <li>• Habitat surveys (incl. detailed botanical survey and invasive species surveys)</li> <li>• Bat Surveys (full season and effort to reflect site, species and best practice)</li> <li>• Badger, otter, marsh fritillary, amphibians and other protective species surveys (reflect site, species, findings and best practice)</li> <li>• Aquatic Surveys (incl. aquatic habitat, macroinvertebrate, eDNA, electrofishing, river and fisheries assessment)</li> <li>• Surveys of GCR/TDR.</li> <li>• Baseline changes, gaps incl. survey coverage and timing.</li> <li>• Derogations (if applicable)</li> <li>• Ecological Impact Assessment</li> <li>• Mitigation and Monitoring Strategy</li> <li>• Invasive Species Management Plan</li> <li>• Biodiversity Enhancement Areas/Management Plan</li> <li>• Cumulative Assessment</li> </ul>
<p>Ornithology</p>	<ul style="list-style-type: none"> <li>• Surveys (min. 2 years incl. vantage point, breeding &amp; non-breeding, hinterland, dusk/dawn, walkover, roost &amp; winter surveys, effort to reflect site, species and best practice)</li> </ul>

	<ul style="list-style-type: none"> <li>• Baseline changes, gaps incl. survey coverage and timing.</li> <li>• Connectivity with European Sites</li> <li>• Ornithological impact assessment</li> <li>• Collision Risk Model (CRM) Assessment</li> <li>• Mitigation Strategy</li> <li>• Monitoring Programme</li> <li>• Cumulative Assessment</li> </ul>
Noise and Vibration	<ul style="list-style-type: none"> <li>• Noise monitoring locations</li> <li>• Appropriate background noise levels (account for cumulative effects as per current best practice GPG, ETSU-R-97 GPG)</li> <li>• Noise Survey Results &amp; Calibration Certificates</li> <li>• Map of all sensitive receptors within Zol (ref. consistent with Shadow Flicker)</li> <li>• Sensitive receptors GCR</li> <li>• Predicted construction noise (incl. wind farm, GCR, accommodation works)</li> <li>• Predicted operational noise levels (separate/cumulative for turbines, substation, BESS)</li> <li>• Predicted Cumulative Noise Levels</li> <li>• Proposed Noise Limits (cumulative)</li> <li>• Operational Noise Monitoring Proposal</li> <li>• Mitigation Strategy for Operational Amplitude Modulation and Tonal Noises</li> </ul>
Shadow Flicker	<ul style="list-style-type: none"> <li>• Map of all sensitive receptors within Zol (ref. consistent with Noise)</li> <li>• Shadow Flicker Analysis</li> <li>• Wind Turbine Control Measures</li> <li>• Cumulative Assessment</li> </ul>
Air and Climate	<ul style="list-style-type: none"> <li>• Carbon Impact Assessment including Embodied Energy Assessment and Climate Change Vulnerability Assessment</li> <li>• Dust Generation/Emissions and Management</li> <li>• Vehicle Emissions and Management</li> <li>• Cumulative Assessment</li> </ul>
Land, Soils & Geology	<ul style="list-style-type: none"> <li>• Ground Condition Assessment</li> <li>• Ground Investigations Report (incl. trial pit logs)</li> <li>• Slope stability.</li> <li>• Material Volume Calculations (incl. borrow pits)</li> <li>• Spoil Management Plan</li> <li>• Cumulative assessment</li> </ul>
Hydrology, Hydrogeology & Water Quality	<ul style="list-style-type: none"> <li>• Hydrological Assessment</li> <li>• Hydrogeological Assessment</li> <li>• Flood Risk Assessment</li> <li>• Water Quality Management Plan</li> <li>• Surface Water/Drainage Management Plan</li> </ul>

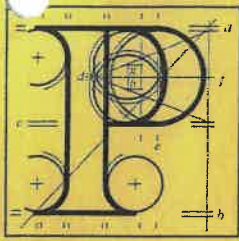
	<ul style="list-style-type: none"> <li>• Standalone Water Framework Directive Compliance Report</li> <li>• Emergency Response Plan</li> <li>• BESS, standalone Fire safety management plan and Emergency Response Plan</li> <li>• Drinking Water Source (UE and GWSS) Assessment</li> <li>• Mitigation Strategy</li> <li>• Monitoring Programme</li> <li>• Cumulative assessment</li> </ul>
Landscape & Visual	<ul style="list-style-type: none"> <li>• LVIA baseline maps</li> <li>• Landscape Character Assessment</li> <li>• Visual impact assessment</li> <li>• Viewpoint selection and Photomontages</li> <li>• ZTV Analysis (20km radius from development site)</li> <li>• Viewpoint Assessment</li> <li>• Cumulative landscape and visual impact assessment</li> </ul>
Traffic & Transportation	<ul style="list-style-type: none"> <li>• Turbine Delivery Route &amp; Swept Path Analysis</li> <li>• Haul Route &amp; Swept Path Analysis</li> <li>• Traffic Count Data</li> <li>• Road closure/diversions</li> <li>• Traffic and Transport Assessment</li> <li>• Traffic Management Plan (incl. public road crossings, haul routes, TDR and GCR)</li> <li>• TII Design Report</li> <li>• Cumulative Assessment</li> </ul>
Material Assets	<ul style="list-style-type: none"> <li>• Gas/ESB networks/Uisce Éireann</li> <li>• Iarnród Éireann</li> <li>• Telecommunications Impact Study</li> <li>• Aviation Review Statement</li> <li>• Any other relevant material assets identified in consultation process</li> <li>• Cumulative Assessment</li> </ul>
Cultural Heritage	<ul style="list-style-type: none"> <li>• Heritage Impact Assessment &amp; Historic Landscape Character Assessment incl. ZTV analysis and viewpoints</li> <li>• Archaeological Impact Assessment</li> <li>• Mitigation strategy</li> <li>• Cumulative assessment</li> </ul>
Major Accidents and Disasters	<ul style="list-style-type: none"> <li>• Construction and Decommissioning Stages</li> <li>• Operational Stage</li> <li>• Impact of Climate Change</li> </ul>
Cumulative Assessment	<ul style="list-style-type: none"> <li>• Identification of relevant cumulative study area and/or Zol for the relevant technical chapters.</li> <li>• Projects considered should be clearly identified and the location of the cumulative assessment</li> </ul>

	clearly labelled within each technical chapter as relevant.
Interactions of the Foregoing	<ul style="list-style-type: none"> <li>• Description of interactions between factors.</li> </ul>
Compendium of Mitigation Measures	<ul style="list-style-type: none"> <li>• Intent expressed for the implementation of mitigation measures to be clearly set out as – ‘shall’.</li> <li>• Commitments need to be expressed clearly and be specific.</li> </ul>
Appendices	<ul style="list-style-type: none"> <li>• All appendices and sub appendices to be submitted in hard and soft copy (incl. Statement of Competency and glossary of terms).</li> </ul>
<b>AA Screening report</b>	<ul style="list-style-type: none"> <li>• Author qualifications, experience and expertise</li> <li>• Methodology</li> <li>• Zone of Influence (ZOI) and identification of relevant European Sites to be based on a Source-Pathway-Receptor Model using the precautionary principle</li> <li>• Must include consideration of: Lower River Suir SAC (Site code. 002137), Anglesey Road SAC (Site code: 002125), Slievefelim to Silvermines Mountains SPA (Site code: 004165), Philipston Marsh SAC (Site code: 001847), Lower River Shannon SAC (Site code: 002165), River Shannon and River Fergus Estuaries SPA (Site code: 004077).</li> </ul>
<b>NIS</b>	<ul style="list-style-type: none"> <li>• Author qualifications, experience and expertise</li> <li>• Methodology</li> <li>• Collision Risk Modelling (CRM)</li> <li>• Biodiversity &amp; Ornithology Surveys for QI &amp; SCI species and habitats in accordance with Best Practice</li> <li>• Consideration of relevant Land, soils &amp; geology reports/assessments*</li> <li>• Consideration of relevant Hydrological, hydrogeological &amp; water reports/assessments*</li> <li>• Compendium of Mitigation Measures (Intent expressed for implementation of mitigation measures – ‘shall’)</li> <li>• Cumulative</li> <li>• * As stipulated above for EIAR.</li> </ul>
Appendices	<ul style="list-style-type: none"> <li>• All appendices and sub appendices to be submitted in hard and soft copy (incl. Statement of Competency and glossary of terms).</li> </ul>
<b>Other Documents (To include):</b>	

**Civil Engineering  
Report**

- Site Entrances
- Access Tracks
- Wind turbines
- Cable routes & connections
- Substation (Compound & Buildings)
- BESS
- Meteorological Mast
- Temporary construction compounds
- Borrow Pits & Deposition Areas
- Haul Route
- Turbine Delivery Route
- Surface Water Design
- Wastewater
- Potable Water
- Decommissioning & Restoration





An  
Coimisiún  
Pleanála

**Direction**  
**CD-022031-26**  
**ABP-320843-24**

The submissions on file and the inspector's report were considered at a Meeting held on 20/03/2026.

The Commission determined that the prospective applicant should be notified that the consultation process is closed. Based on the foregoing assessment, the Commission 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 and meets the requirements of Section 37A(2)(a) and Section 37A(2)(b) of the Act.

The prospective applicant should be informed that an application for permission for the proposed development must therefore be made directly to An Coimisiún Pleanála under Section 37E of the Act.

Attach Appendix 1 – Prescribed Bodies and Appendix 2 – Schedule of Information to Inform Completeness Check, as determined by Inspectorate.

**Planning  
Commissioner:**

Chris McGarry

**Date:** 20/03/2026

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