

An
Coimisiún
Pleanála

Application Form for Permission / Approval in respect of a Strategic Infrastructure Development

1.

Please specify the statutory provision under which your application is being made:	Section 37E of the Planning and Development Act 2000 (as amended).
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2. **Applicant:**

Name of Applicant:	Maughanaclea Ltd
Address:	Lissarda Business Park, Lissarda, County Cork. P14 YN56
Telephone No:	021 7336034
Email Address (if any):	info@enercoenergy.ie

3. Where Applicant is a company (registered under the Companies Acts):

Name(s) of company director(s):	Michael Murnane David Murnane
Registered Address (of company)	Lissarda Business Park Lissarda Co. Cork
Company Registration No.	769457
Telephone No.	021 7336034
Email Address (if any)	info@enercoenergy.ie

4. Person / Agent acting on behalf of the Applicant (if any):

Name:	Alan McBride of MKO (AGENT)
Address:	Tuam Road, Galway, H91 VW84.
Telephone No.	091-735611
Mobile No. (if any)	N/A
Email address (if any)	amcbride@mkoireland.ie

Should all correspondence be sent to the above address? (Please tick appropriate box)

(Please note that if the answer is “No”, all correspondence will be sent to the Applicant’s address)

Yes: [] No:[]

Contact Name and Contact Details (Phone number) for arranging entry on site if required / appropriate:

[Alan McBride of MKO, Tel – 091-735611](#)

5. Person responsible for preparation of Drawings and Plans:

Name:	<ol style="list-style-type: none">1. Killian Devereux2. Paul O'Reilly & Ian Higgins3. Gabi Dabrowska, David Broderick & Michael Gill.
Firm / Company:	<ol style="list-style-type: none">1. MKO2. Fehily Timoney & Company3. Hydro Environmental Services Ltd.
Address:	<ol style="list-style-type: none">1. Tuam Road, Galway, H91 VW84 (MKO)2. Core House, Pouladuff Road, Ballyphehane, Cork3. 22 Lower Main Street, Dungarvan, Co. Waterford.
Telephone No:	<ol style="list-style-type: none">1. 091 735 6112. 021 496 41333. 05844122
Mobile No:	N/A
Email Address (if any):	<ol style="list-style-type: none">1. info@mkofireland.ie2. info@ftco.ie3. michael@hydroenvironmental.ie

Details all plans / drawings submitted – title of drawings / plans, scale and no. of copies submitted. This can be submitted as a separate schedule with the application form.

[A full schedule of drawings is included with the drawing pack submitted with this application. A total of 2 no. hard copies and 8 no. electronic copies of drawings have been provided.](#)

6. Site:

<p>Site Address / Location of the Proposed Development (as may best identify the land or structure in question)</p>	<p>located at the townlands of Ardrah, Maughanaclea, Ballynamought, Gortloughra, Cousane, Coomclogh, Derragh, Glanycarney, Keenrath, Derrynacaheragh, Shiplough, Coolsnaghtig, Mallabracka, Derrylahan, Derreens, Demesne, Dunmanway North, Milleenanannig, and Ballyhalwick, Co. Cork.</p>	
<p>Ordnance Survey Map Ref No. (and the Grid Reference where available)</p>	<p><u>OS Map References:</u> OS1004, OS1006, OS1204, OS1206</p> <p><u>OS Sheet References:</u> 6454 6455 6456 6457 6458 6459 6493 6494 6495 6496 6497 6498 6531 6533 6532 6534 6535 6536 6567 6566 6568 6569 6570 6571 6601 6597 6596 6598 6599 6600 6631 6626 6627 6628 6629 6630 6661 6656 6657 6659 6658 6660</p> <p><u>Grid Reference (ITM):</u> X 509121 Y 555275</p>	
<p>Where available, please provide the application site boundary, as shown in the submitted plans / drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided.</p>		
<p>Area of site to which the application relates in hectares</p>	<p>503.3Ha</p>	
<p>Site zoning in current Development Plan for the area:</p>	<p>The Proposed Project is located in an area designated as 'Open to Consideration' under the Cork County Development Plan 2022-2028 Wind Energy Strategy.</p>	
<p>Existing use of the site & proposed use of the site:</p>	<p><u>Existing</u> Agriculture, Forestry, areas under Coillte management, public road.</p> <p><u>Proposed</u> Wind Farm Development including 14 no. wind turbines, A 110kV substation compound, Underground electrical (110kV) and communications cabling from the proposed 110kV substation to the</p>	

	existing Dunmanway 110kV substation and associated works.
Name of the Planning Authority(s) in whose functional area the site is situated:	Cork County Council

7. Legal Interest of Applicant in respect of the site the subject of the application:

Please tick appropriate box to show applicant's legal interest in the land or structure:	Owner	Occupier
	Other <input checked="" type="checkbox"/>	
Where legal interest is "Other", please expand further on your interest in the land or structure.		
The Applicant has obtained consent from the relevant landowners – enclosed separately with this application.		
If you are not the legal owner , please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		
<ol style="list-style-type: none"> 1. Carol & Timothy Harrington – Newtown, Bantry, Co. Cork. 2. Donal Murnane – Maughanaclea, Kealkil, Bantry, Co. Cork. 3. Ita & John O'Rourke – Highcliffe Connaught Avenue, Co. Cork. 4. Catherine & Denis O'Sullivan – Ballinamought, Kealkil, Bantry, Co. Cork. 5. John Kearney – Ballynamought, Kealkil, Bantry, Co. Cork. 6. Donal O'Riordan – Cousane, Kealkil, Bantry, Co. Cork. 7. Mary & Patrick Lehane – Sweetbriar, dunmanway Road, Bandon, Co. Cork. 8. Ciaran Denis Kelleher – Kilmore, Ballingeary, Co. Cork. 9. William O'Rourke – Gortlouggra, Kealkil, Bantry, Co. Cork. 10. Eamonn McCarthy – Gortlouggra, Kealkil, Bantry, Co. Cork. 11. Linda Allen & Tony Whooley – Old Barrack Road, Bantry, Co. Cork. 12. James & Margaret Lehane – Cousane, Kealkil, Bantry, Co. Cork 13. Coillte - Dublin Road, Newtownmountkennedy, Co. Wicklow, A63 DN25, Ireland. 		

Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.

Yes – please refer to MKO drawing 240225 – 02 with landowner boundaries shown in blue.

8. Site History:

Details regarding site history (if known):

Has the site in question ever, to your knowledge, been flooded?

Yes: [] No: []

If yes, please give details e.g. year, extent:

Are you aware of previous uses of the site e.g. dumping or quarrying?

Yes: [] No: []

If yes, please give details:

Are you aware of any valid planning applications previously made in respect of this land / structure?

Yes: [] No: []

If yes, please state planning register reference number(s) of same if known and details of applications

Reg. Ref. No:	Nature of Proposed Development	Nature of Final Decision of Application Grant of Refusal by Planning Authority / An Coimisiún Pleanála

17431	<p>10 year permission for proposed development consisting of: (1) A 110kV electricity substation including 2 no. control buildings associated electrical plant and equipment, underground electricity cabling, fencing, alterations to a previously permitted borrow pit and temporary construction compound at the Carrigarierk Wind Farm (An Bord Pleanala Ref. PL04.246353, Cork County Council Ref. 15/730) in the townland of Carrigdangan; (2) 110kV underground electricity cabling connecting the proposed substation to the existing Dunmanway ESB substation in the townlands of Carrigdangan, Inchincurka, Kilnadur, Aultaghreagh, Aultagh, Ardcahan, Knockduff, Gurteennasowna and Ballyhalwick; (3) 33kV underground electricity cabling connecting the proposed substation to the permitted Carrigarierk Wind Farm through the townlands of Carrigdangan and Gortatanavally and the permitted Shehy More Wind Farm (ABP Ref. PL04.243486; Cork County Council Ref. 13/551), through the townlands of Shehy More, Coolcaum, Coolmountain, Tullagh, Lackabaun, Clogher, Farrannahineeny, Crushterra, Gurteen and Carrigdangan. Together with all ancillary works and apparatus. The proposed development is located north of Dunmanway, Co. Cork. This application is accompanied by An Environmental Impact Statement (EIS) and a Natura Impact Statement (NIS).</p>	<p>Granted by CCC on 16/04/2018, upheld by ACP on 21/06/2019</p>
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21902	<p>A ten year planning permission for proposed development consisting of a 20 kilovolt (kV) electrical powerline grid connection, approximately 10,117 metres in overall length (made up of approximately 9,983 metres of underground cable and approximately 134 metres of Over Head Line with three wooden support single poles), connecting the approved electrical substation at Knockeenboy Wind Farm (Planning Register Reference No. 11/00059 & An Bord Pleanala Ref. PL88.240070) to the existing Dunmanway 110kV ESB Networks substation at Ballyhalwick; together with all ancillary works and apparatus. The grid connection will be developed from the approved substation through the townlands of Knockeenboy, Kilonane West, Kilonane East, Moreagh, Nedinagh West, Acres and Ballyhalwick townlands. The proposed development is located to the east, south and southwest of Dunmanway, Co. Cork. The planning application is accompanied by an Environmental Impact Assessment Report (EIAR) and by a Natura Impact Statement (NIS).</p>	<p>Granted by CCC on 21/06/2022</p>
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23654	<p>The existing Bandon to Dunmanway 110 kV Overhead Line (OHL), which is approximately 26km long between the existing Bandon 110kV Substation in the townland of Mishells, Co. Cork (approximately 1km north of Bandon, Co. Cork) and the existing Dunmanway 110kV Substation in the townland of Ballyhalwick, Co. Cork (approximately 0.4km east of Dunmanway Co. Cork). The existing OHL is located in the townlands of Acres, Aghalinane, Ballyhalwick, Balteenbrack, Behagh, Caher, Carhoon West, Castlelands, Derrycool, Dromidiclogh, Dromidiclogh West, Gortnamucklagh, Gurteen, Gurteenroe, Kilnacranagh East, Kilnacranagh West, Laragh, Lissacroneen, Mallowgatton, Mishells, Murragh, Roughgrove East, Roughgrove West, Sranaviddoge, Teadies Upper, Toom and Tullyglass, Co. Cork. An uprate (refurbishment) of the existing Bandon to Dunmanway 110kv OHL, which consists of the : (i) replacement ("restringing") of the existing OHL conductor wires with a new higher capacity conductor including installation of a new fibre optic communication connection; (ii) replacement of 12 no. of the 13 no. existing steel towers including 11 no. angle masts (AM) and 1 no. end mast (EM) and their foundations with similar structures and member replacement and new bolts at 1 no. EM. Any replacement AMs will be constructed at, or immediately adjacent to the existing structures that they will replace, with a height difference of between 0.5-1.5m; (iii) Replacement of 16 no. of the 127 no. existing</p>	<p>Granted by CCC on 11/06/2024</p>
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	<p>intermediate Polesets (IMPs); with similar structures. Any replacement IMPs will be constructed in situ, with the exception of IMP128 which will be replaced at an offset of 10m. The height differences of the replacements will be 1m, with the exception of IMP113 and IMP115 which will be a 2m and 3m increase in height respectively, (iv) Carrying out of civil works for tower foundation strengthening at 1 no. location; (v) Replacement of hardware and fittings at all locations, including insulators, clamps, anti-climb guards, vibration dampers, and installation of new jumper arrangements, suspension weights, plump poles, pole bolts and anti-climb guards; (vi) replacement of a crossarm at 1 no. location; (vii) all associated works within the existing Dunmanway Substation to accommodate the updated 110 kV OHL and all associated site development works including above and below the ground works to gain access to the existing structures including timber cutting and vegetation clearance</p>	
25126	Construct a new dwelling house	Granted by CCC on 04/06/2025
<p>If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then any required site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended.</p>		
<p>Is the site of the proposal subject to a current appeal to An Coimisiún Pleanála in respect of a similar development?</p>		
<p>Yes: [<input type="checkbox"/>] No:[<input checked="" type="checkbox"/>]</p> <p>If yes please specify</p> <p>An Coimisiún Pleanála Reference No.: N/A</p>		

9. Description of the Proposed Development:

<p>Brief description of nature and extent of development</p>	<p>The proposed development will consist of the provision of the following:</p> <ol style="list-style-type: none"> i. 14 no. wind turbines with an overall turbine tip height of 169 metres, a rotor blade diameter of 133 metres, and turbine hub height of 102.5 metres, and a meteorological mast with a height of 30 metres, and subsequent decommissioning of the wind turbines and meteorological mast, following a thirty five-year operational period from the date of full commissioning of the wind turbines; ii. Associated wind turbines and meteorological mast foundations and hardstanding areas; iii. A 110kV substation compound (Including control buildings (with a combined floor area of 594Sq.m) with welfare facilities, all associated electrical plant and apparatus, security fencing, underground cabling, lightning protection poles, underground wastewater holding tank, site drainage and all ancillary works); iv. Underground electrical (110kV) and communications cabling from the proposed 110kV substation to the existing Dunmanway 110kV substation in the townland of Ballyhalwick (including joint bays, communication chambers, earth sheath links, and ancillary works along the underground electrical cabling route). This cabling route is primarily located within the public road corridor; v. Underground electrical (33kV) and communications cabling connecting the wind turbines and meteorological mast to the proposed 110kV substation; vi. 3 no. temporary construction compounds (including site offices and welfare facilities (with a combined floor area of 585Sq.m); vii. 2 no. temporary security cabins (with a combined floor area of 28.8Sq.m); viii. Junction accommodation works to facilitate turbine delivery and construction access to the site, including the upgrade of an existing site entrance off the R585 regional road, and the construction of a new access road off the R585 regional road, crossing the L8777 Local Road; including new permanent gated site entrances; ix. Upgrade of existing site tracks/ roads and provision of new site access roads, junctions and hardstand areas (including upgrade of a short section of the L8777 local road); x. 4 no. borrow pits; xi. Peat and Spoil Management; xii. Site Drainage; xiii. Tree felling and vegetation removal;
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	<p>xiv. Biodiversity Enhancement measures (peatland habitat enhancement, Kerry slug habitat enhancement, and native woodland planting);</p> <p>xv. Operational stage site signage and;</p> <p>xvi. All associated site development works and apparatus.</p> <p>The applicant is seeking a ten-year permission and an operational period of thirty-five-years for the wind turbines, meteorological mast and site signage from the date of full commissioning of the wind turbines. A permanent planning permission is being sought for all other works.</p> <p>An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and accompany this planning application. The EIAR and NIS include assessment of temporary accommodation works to facilitate the delivery of turbine components from the Port of Cork, Ringaskiddy, to the site entrances via the National (N28, N40 & N22) and Regional (R585) public road network.</p>
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10. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and a breakdown of the gross floor area of each class of development:

Class of Development:	Gross Floor Area in m ²
N/A	N/A
N/A	N/A
N/A	N/A
N/A	N/A

11. Where the application relates to a building or buildings:

Gross floor space of any existing buildings(s) in m ²	N/A
Gross floor space of proposed works in m ²	1,044.5 m ² Site Offices 9No x 40.5m ² = 364.5 m ² Eirgrid Building = 450 m ² IPP Building = 194 m ² Security Cabin 2x 18m ² = 36m ²
Gross floor space of work to be retained in m ² (if appropriate)	N/A
Gross floor space of any demolition in m ² (if appropriate)	N/A

12. In the case of residential development please provide breakdown of residential mix:

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4 + Bed	Total
Houses	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Apartments	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Number of car-parking spaces to be provided		Existing: N/A	Proposed: N/A			Total: N/A	

13. Social Housing:

Please tick appropriate box:	Yes	No
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?</i>		✓
<p>If the answer to the above question is “yes” and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act.</p> <p>If the answer to the above question is “yes” but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted).</p>		

If the answer to the above question is “no” by virtue of section 96 (13) of the Planning and Development Act 2000, details indicating the basis on which section 96 (13) is considered to apply to the development should be submitted.

14. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use (or previous use where retention permission is sought)
Agriculture, Forestry, areas under Coillte management, public road.
Proposed use (or use it is proposed to retain)
Wind Farm Development including 14 no. wind turbines, A 110kV substation compound, Underground electrical (110kV) and communications cabling from the proposed 110kV substation to the existing Dunmanway 110kV substation and associated works.
Nature and extent of any such proposed use (or use it is proposed to retain).
Wind Farm Development including 14 no. wind turbines, A 110kV substation compound, Underground electrical (110kV) and communications cabling from the proposed 110kV substation to the existing Dunmanway 110kV substation and associated works, as described in Section 9 of this Form.

15. Development Details:

Please tick appropriate box:	If answer is yes please give details	YES	NO
Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?			✓
Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?			✓
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?			✓
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994.		✓	

Does the application relate to work within or close to a European Site or a Natural Heritage Area?	<input checked="" type="checkbox"/>	
Does the development require the preparation of a Natura Impact Statement?	<input checked="" type="checkbox"/>	
Does the proposed development require the preparation of an Environmental Impact Assessment Report?	<input checked="" type="checkbox"/>	
Do you consider that the proposed development is likely to have significant effects on the environment in a transboundary state?		<input checked="" type="checkbox"/>
Does the application relate to a development which comprises or is for the purpose of an activity requiring an integrated pollution prevention and control license		<input checked="" type="checkbox"/>
Does the application relate to a development which comprises or is for the purpose of an activity requiring a waste license?		<input checked="" type="checkbox"/>
Do the Major Accident Regulations apply to the proposed development?		<input checked="" type="checkbox"/>
Does the application relate to a development in a Strategic Development Zone?		<input checked="" type="checkbox"/>
Does the proposed development involve the demolition of any habitable house?		<input checked="" type="checkbox"/>

16. Services:

Proposed Source of Water Supply:
Existing connection: <input type="checkbox"/> New Connection: <input type="checkbox"/>
Public Mains: <input type="checkbox"/> Group Water Scheme: <input type="checkbox"/> Private Well: <input type="checkbox"/>
Other (please specify): <input checked="" type="checkbox"/>
Water supply for the site office and other sanitation during the construction phase will be brought to site and removed after use from the site to be discharged at a suitable off-site treatment location.
Please refer to Chapter 4 of the EIAR for further detail.
Name of Group Water Scheme (where applicable):

N/A

Proposed Wastewater Management / Treatment:

Existing: New:

Public Sewer: Conventional septic tank system:

Other on site treatment system: Please Specify:

During the construction phase, a self-contained port-a-loo with an integrated waste holding tank will be used at each of the site compounds, maintained by the providing contractor, and removed from site on completion of the construction works;

Wastewater effluent will be collected in an underground concrete holding tank and periodically emptied by a licenced contractor for the operational phase of the Proposed Development.

Please refer to Chapter 4 of the EIAR for further detail.

Proposed Surface Water Disposal:

Public Sewer / Drain: Soakpit:

Watercourse: Other: Please specify:

A controlled drainage system will be used. Refer to Chapter 4 of the EIAR for more detail.

17. Notices:

Details of public newspaper notice – paper(s) and date of publication

Copy of page(s) of relevant newspaper enclosed Yes: No:

National Paper: The Irish Examiner, Published 27th March 2026, dated 27th March 2026.

Local Paper: The Echo, Published 27th March 2026, dated 27th March 2026.

Details of site notice, if any, - location and date of erection

Copy of site notice enclosed Yes: [] No:[]

Site notices have been erected on site on the 27th March 2026

Site notice locations are shown on MKO Drawing ref: 240225 - 02, 240225 – 02a, 240225 – 02b, 240225 – 02c, 240225 – 02d, 240225 – 02e, 240225 – 02f, 240225 – 02g, 240225 – 02h, 240225 – 02i, 240225 – 02j, 240225 – 02k, 240225 – 02l, 240225 – 02m, 240225 – 02n, 240225 – 02o, 240225 – 02p.

Details of other forms of public notification, if appropriate e.g. website

Project website: <https://maughanacleaplanning.com/>

18. Pre-application Consultation:

Date(s) of statutory pre-application consultations with An Coimisiún Pleanála

Schedule of any other pre application consultations –name of person / body and date of consultation to be provided as appropriate and also details of any general public consultations i.e. methods, dates, venues etc. This can be submitted as a separate schedule with the application form.

Enclosed:

Full details of Pre Application Consultation are included at Section 3.4.2 of the accompanying Planning Report. A copy of the SID Determination is included at Appendix 1 of this Application Form.

Yes: [] No:[]

Schedule of prescribed bodies to whom notification of the making of the application has been sent and a sample copy of such notification.

Enclosed:

Yes: [] No:[]

Refer to Appendix 1 of this planning application form.

19. Confirmation Notice:

Copy of Confirmation Notice

The EIA Portal Confirmation ID is 2026044, a copy of the confirmation email is enclosed separately with this application.

20. Application Fee:

Fee Payable	€100,000 (Paid via EFT on the 25 th March, see cover letter for further details)
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I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and that the application documents being deposited at the planning authority offices, and any other location specified by the Commission in pre application consultations, including a website (if any) will be identical to the application documents being deposited with the Commission.

Signed: (Applicant or Agent as appropriate)	Alan McBride, MKO Planning (AGENT), Tuam Road, Galway
Date:	27 th March 2026

General Guidance Note:

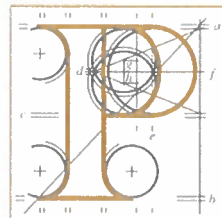
The range and format of material required to be compiled / submitted with any application in respect of a proposed strategic infrastructure development shall generally accord with the requirements for a planning application as set out in the Planning and Development Regulations, 2001 to 2018 and those Regulations should therefore be consulted prior to submission of any application.

September 2018

Appendix 1 – SID Determination

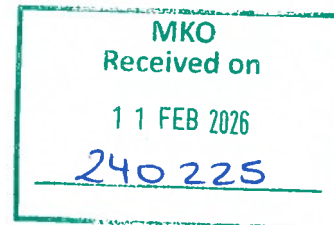
Our Case Number: ABP-321826-25

Your Reference: Maughanaclea Ltd.



An
Coimisiún
Pleanála

MKO
Planning & Environmental Consultants
Tuam Road
Galway
Co. Galway
H91 VW84



Date: 10 February 2026

Re: Proposed development of 15 wind turbines, a substation and all associated works.
Maughanaclea and adjacent townlands, Co. Cork

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.

Tel	Tel	(01) 858 8100
Glaos Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	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.

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 quoting the above mentioned An Coimisiún Pleanála reference number in any correspondence with the Commission.

Yours faithfully,


Niamh Hickey
Executive Officer
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Appendix 1 – Prescribed Bodies

- Department of Housing, Local Government and Heritage
- Department of Climate, Energy and the Environment
- Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media
- Cork County Council
- Southern Regional Assembly
- Transport Infrastructure Ireland
- An Chomhairle Ealaíon (Arts Council)
- The Heritage Council
- Fáilte Ireland
- An Taisce
- Inland Fisheries Ireland
- Irish Aviation Authority
- HSE
- The Commission for Regulation of Utilities

Further notifications should also be made where deemed appropriate.

Appendix 2 - Schedule of Information required 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 321826-25
Prospective Applicant:	Maughanaclea Ltd.
Date of Final Meeting:	16 th November 2025
Number of Turbines:	14
Design Flexibility opinion:	No
Is Grid Connection Included:	Yes
Is a BESS included:	No
Accommodating works for TDR:	No

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 • All townlands within the site boundary to be correctly referenced.
Prescribed Bodies	<ul style="list-style-type: none"> • Notification of all Prescribed Bodies and a copy of the correspondence sent to same.
Land Ownership	<ul style="list-style-type: none"> • Interest in land

	<ul style="list-style-type: none"> • Written consent of all other landowners (incl. legally binding agreement & land registry map if required)
Design Flexibility	Design flexibility not sought.
Fee	
EIA Portal	Letter from Portal
Planning Statement	<ul style="list-style-type: none"> • Renewable Energy Designation Policy Statement • Statement outlining compliance with all relevant policies and objectives in the County Development Plan including a justification for material contravention of same if relevant. • Consultation overview • Community Benefit Fund • Planning history
Drawings	<ul style="list-style-type: none"> • Drawing schedule • Site location map • Site layout plan • Plans, elevations, sections and cross-sections • Wayleaves shown • Grid connection route • Scales appropriate

EIAR	
No design Flex	14 no. turbines with an overall tip height of 169 metres and rotor diameter of 133 metres and hub height of 102.5 metres
Non-Technical Summary	To be provided as a standalone section.
Introduction	<ul style="list-style-type: none"> • Legislative context

	<ul style="list-style-type: none"> • 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 • 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 (incl. recreational trails) • Human health & wellbeing (reference up to date studies/research) • Property devaluation/house prices (reference up to date studies/research)
Biodiversity	<ul style="list-style-type: none"> • Ecological Impact Assessment • Terrestrial Surveys (habitat protected flora, invasive plant species, mammals, amphibians and reptiles as relevant)

	<ul style="list-style-type: none"> • Bat Surveys (to include as relevant): <ul style="list-style-type: none"> ○ Preliminary Roost Assessment Surveys, ○ Bat activity transect surveys, ○ Static bat detector deployments, ○ Emergence/re-entry bat roost, • Aquatic surveys (incl. river habitat, macroinvertebrate, electro-fishing, fisheries as relevant) • Extent and location of tree felling • Invasive Species Management Plan. • Derogations (required/obtained) • Biodiversity Enhancement Areas and Biodiversity Enhancement Plan (incl. extent and location of priority habitat to be lost)
Ornithology	<ul style="list-style-type: none"> • Surveys (vantage point, breeding & non-breeding, hinterland, Dusk, walkover, roost & winter surveys as relevant) • Connectivity with European sites • Collision Risk Model (CRM) Assessment • Cumulative assessment • Monitoring Programme
Noise and Vibration	<ul style="list-style-type: none"> • Baseline noise levels • Map of all receptors within 4 x Tip of Turbines (to include any extant planning permissions) • Predicted noise levels • Proposed noise limits (cumulative) • Operational noise monitoring proposals • Mitigation strategy for operational Amplitude Modulation and Tonal Noises • Cumulative Noise Assessment

Shadow Flicker	<ul style="list-style-type: none"> • Map of all receptors (to include any extant planning permissions) • 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 (incl): <ul style="list-style-type: none"> ○ Ground Investigations Report ○ Site Investigations Report ○ Peat Stability Risk Assessment and Report ○ Slope Stability Analysis • 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 • Standalone Water Framework Directive Compliance Report • Emergency Response Plan
Landscape & Visual	<ul style="list-style-type: none"> • Photomontages • Landscape and Visual Assessment to include: <ul style="list-style-type: none"> ○ ZTV Analysis (25km radius from development site). ○ Landscape Character Assessment ○ Viewpoint Assessment
Traffic & Transportation	<ul style="list-style-type: none"> • Turbine Delivery Route & Swept Path Analysis • Haul Route & Swept Path Analysis

	<ul style="list-style-type: none"> • Traffic and Transport Assessment • Traffic Management Plan (including construction traffic) • Stage 1 Road Safety Audit
Material Assets	<ul style="list-style-type: none"> • Telecommunications Impact Study • Any other relevant material assets identified in consultation process
Cultural Heritage	<ul style="list-style-type: none"> • Heritage Impact 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. Assessment to include existing, permitted and proposed wind farm development within a 25 km radius of the site.
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

	<ul style="list-style-type: none"> • Methodology • 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 Bandon River SAC
NIS	<ul style="list-style-type: none"> • Author qualifications, experience and expertise • Methodology • 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* • Assessment in view of conservation objectives • Compendium of Mitigation Measures (intent expressed for implementation of mitigation measures – ‘shall’) • Clear statement on site integrity in view of conservation objectives <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

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| | <ul style="list-style-type: none">• Temporary construction compounds• Borrow Pits & Deposition Areas• Haul Route• Turbine Delivery Route• Surface Water Design• Wastewater• Potable Water• Decommissioning & Restoration |
|--|---|

