Addendum 4 – Response to Q18 of SID Application Form

SID Status Confirmation & Completeness Schedule

Our Case Number: ABP-314186-22

Your Reference: Killoshulan Renewable Energy Limited

An Coimisiún Pleanála

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

MKO
Received on
12 OCT 2026
26 0172

Date: 09 October 2026

Re: Proposed development of 13 no. wind turbines together with all associated works.
Killoshulan and adjacent townlands, Co. Kilkenny.

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 (2)(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 a list of prescribed bodies to be notified of the application for the proposed development.

- Department of Housing, Local Government and Heritage
- Department of Climate, Energy and the Environment
- Department of Transport
- Department of Culture, Communications and Sport
- Department of Enterprise, Tourism and Employment
- Department of Agriculture, Food & Marine
- Kilkenny County Council
- Southern Regional Assembly

Teil **Tel** (01) 858 8100
Glao Áitiúil **LoCall** 1800 275 175
Láithreán Gréasáin **Website** www.pleanala.ie
Ríomhphost **Email** communications@pleanala.ie

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Baile Átha Cliath 1
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64 Marlborough Street
Dublin 1
D01 V902

- Transport Infrastructure Ireland
- An Chomhairle Ealaíon (Arts Council)
- The Heritage Council
- Failte Ireland
- An Taisce
- Uisce Éireann
- Inland Fisheries Ireland
- Irish Aviation Authority
- Air Nav Ireland
- EPA
- HSE
- Health and Safety Authority
- The Commission for Regulation of Utilities
- ESB
- EirGrid
- GSI
- Office of Public Works

Further notifications should also be made where deemed appropriate.

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.

Teil	**Tel**	(01) 858 8100		
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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.

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.

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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,

pp Daniel O'Connor

Honor Caird Marren
Executive Officer
Direct Line: 01-8049315

PC09

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An Coimisiún Pleanála

Direction
CD-022531-26
ABP-314186-22

At a meeting held on 07/10/2026, the Commission considered the documents and submissions on file, including the written record of the consultation meetings and the report of the Inspector.

The Commission determined, generally in accordance with the inspector, 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 Commission agreed to close the consultation.

Planning Commissioner: MaryRose McGovern

Date: 07/10/2026

Appendix A: Prescribed Bodies

The following is a list of prescribed bodies considered relevant for the purposes of section 37E(3)(c) of the Act:

- Minister of Housing, Local Government and Heritage

- Minister of Climate, Energy and the Environment
- Minister of Transport
- Minister of Culture, Communications and Sport
- Minister of Enterprise, Tourism and Employment
- Minister of Agriculture, Food & Marine
- Kilkenny County Council
- Southern Regional Assembly
- Transport Infrastructure Ireland
- An Chomhairle Ealaíon (Arts Council)
- The Heritage Council
- Failte Ireland
- An Taisce
- Uisce Éreann
- Inland Fisheries Ireland
- Irish Aviation Authority
- Air Nav Ireland
- EPA
- HSE
- Health and Safety Authority
- The Commission for Regulation of Utilities
- ESB
- EirGrid
- GSI
- Office of Public Works

Further notifications should also be made where deemed appropriate.

Appendix B: 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.

Details of Proposed Development at Closure

Pre-Application Ref.	ABP-314186-22
Prospective Applicant:	Killoshulan Renewable Energy Limited
Date of Final Meeting:	15th September 2026
Number of Turbines:	10
Design Flexibility opinion:	No
Is Grid Connection Included:	Yes
Is a BESS included:	Yes
Accommodating works for TDR:	Yes

Information

Plans and Particulars	
Response Letter detailing Compliance with SIICC	Letter responding to all of the matters outlined below.
Public Notice	• 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	• Notification of All Prescribed Bodies and a copy of the correspondence sent to same.

Land Ownership	• Interest in land • Written consent of all other landowners (*Inc. legally binding agreement & land registry map if required)*
Design Flexibility	Design flexibility not sought.
Fee	
EIA Portal	Letter from Portal
Planning Statement	• 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 • Property Devaluation/House Prices
Drawings	• 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	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.
Non-Technical Summary	Provided as a standalone section.
Introduction	• 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	• Detailed description (all stages) of the characteristics of the proposed development including use of natural resources, production of waste, emissions & disturbances • Table of Turbine Location Details to include details to nearest features and receptors. • Construction Environmental Management Plan • Decommissioning Plan • Waste & Resource Management Plan
Consideration of Alternatives	• Site selection & design process • Reasonable alternatives considered (Layout, scale, technologies, grid connection, turbine delivery, substation infrastructure, construction methodology etc)
Population and Human Health	• Population & Settlement Patterns • Economic Activity & Employment • Tourism & Amenities (Inc. recreational trails/waterways) • Human Health & Wellbeing (Reference Studies)
Biodiversity	• Derogations (Required/Obtained) • Ecological Impact Assessment • Biodiversity Enhancement Areas/Management Plan • Bat Surveys shall be carried out by surveyors with demonstrable expertise in bat surveying. The suite of bat surveys chosen shall be site specific and in accordance with best practice guidance as standard. • Invasive Species Management Plan • Terrestrial Surveys (*Habitat & ecology (inc protected flora, invasive plant species, mammals, amphibians and reptiles*) • Aquatic Surveys (*Habitat & ecology (inc river habitat, macroinvertebrate, electro-fishing, fisheries)*)
Ornithology	• Surveys (*Vantage Point, Breeding & non-breeding, hinterland, Dusk, Walkover, Roost & Winter surveys*) • Connectivity with European Sites • Collision Risk Model (CRM) Assessment (*incl. over lifetime of the windfarm*). • Monitoring Programme

	• Cumulative Assessment
Noise and Vibration	• Baseline Noise Levels • Map of all receptors within 4 x Tip of Turbines referenced by way of Eircode or other appropriate method (*not ITM coordinates*). • Details of the Noise Sensitive Receptors (dwellings) which are associated with each of the baseline monitoring locations. • Predicted Noise Levels • Proposed Noise Limits (cumulative) • Operational Noise Monitoring Proposal • Include a noise impact assessment of the BESS facility and in combination with turbine operational noise assessment. • Mitigation Strategy for Operational Amplitude Modulation and Tonal Noises. • Detailed curtailment plan, if necessary. • Cumulative Noise Assessment.
Shadow Flicker	• Shadow Flicker Analysis • Wind Turbine Control Measures
Air and Climate	• Carbon Impact Assessment including Embodied Energy Assessment and Climate Change Vulnerability Assessment • Dust Generation/Emissions and Management • Vehicle Emissions and Management
Land, Soils & Geology	• Ground Condition Assessment (inc): o Ground Investigations Report o Site Investigations Report o LIDAR Survey o On site precipitation monitoring and use of climate data o Ground and surface water monitoring (*using piezometres*) and in-situ hydraulic conductivity testing. o Slope Stability Analysis (*Justification of model employed. Deterministic model recommended*). • Spoil Management Plan • Tabulate the ground investigation findings for trial pits, geophysics and boreholes for each turbine location and other infrastructure sites.
Hydrology, Hydrogeology & Water Quality	• Hydrological Assessment • Hydrogeological Assessment • Flood Risk Assessment

	• Surface water/Drainage Management Plan to include focus on the locations proposed for disposal/infiltration sites and for both the limestone area and poorly draining area to the north. • Standalone Water Framework Directive Compliance Report • Emergency Response Plan • Water Quality Management Plan • Drinking Water Source (UE and GWSS) Assessment • A Karst Protocol to include a method statement for dealing with any karst features encountered during excavations and construction.
Landscape & Visual	• Photomontages • ZTV Analysis (20km radius from development site) • Landscape Character Assessment • Viewpoint Assessment • Details of residential receptors likely to be significantly impacted.
Traffic & Transportation	• Turbine Delivery Route & Swept Path Analysis • 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	• Gas/ESB networks • Telecommunications Impact Study • Aviation Review Statement • Any other relevant material assets identified in consultation process
Cultural Heritage	• Heritage Impact Assessment & an Historic Landscape Character Assessment. • Archaeological Impact Assessment
Major Accidents and Disasters	• 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	Intent expressed for the implementation of mitigation measures to be clearly set out as – 'shall'. Commitments need to be expressed clearly and be specific.
Compendium of Significant Effects	Chapter detailing all the pre-mitigation and post mitigation (residual) significant effects and magnitude/duration
Appendices	All appendices and sub appendices to be submitted in hard and soft copy. To include: • Glossary of Terms • Noise Survey Results & Calibration Certificates • Material Volume Calculations • Statement of Competency • Other relevant documents
AA Screening report	• Author qualifications, experience and expertise • 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: River Nore SPA (site code 004233), Spahill and Clomantagh Hill SAC (site code 000849), The Loughans SAC (site code 000407), Cullahill Mountain SAC (site code 000831), River Barrow and River Nore SAC (site code 002162).
NIS	• 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 (*Intent expressed for implementation of mitigation measures – 'shall')* * *As stipulated above for EIAR.*
Appendices	All appendices and sub appendices to be submitted in hard and soft copy.
Other Documents/Plans (To include):	
	• BESS • Fire Risk and Safety Assessment and Emergency Response Plan • Battery Management System • 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