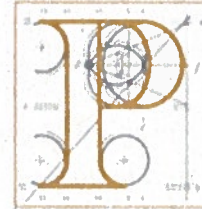


Our Case Number: ACP-322902-25

Your Reference: Coole Wind Farm Limited



An
Coimisiún
Pleanála

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



Date: 28 July 2025

Re: Proposed development of up to 15 no. wind turbines with a tip height of up to 175m and laying of approximately 26km of underground electricity cabling to facilitate the connection to the national grid, and all associated site development works
Townlands of Camagh, Carlanstown, Coole, Clonrobert, Clonsura, Doon, Monktown, Mullagh, Newcastle and other townlands, Co. Westmeath.

Dear Sir / Madam,

I have been asked by An Coimisiún Pleanála to refer to the above-mentioned application bearing reference number ACP-322902-25.

An Coimisiún Pleanála had previously made a decision on this application by Order dated 20th March 2024 and under reference number ABP-309770-21. That decision was conceded by the Commission, and the case was remitted back to An Coimisiún Pleanála for a new decision. The application has now been reactivated under reference number ACP-322902-25.

A copy of the High Court Order is attached to this letter for your information.

Having regard to the Commission's concession in this case, the Commission considers that it is appropriate in the interest of justice and in accordance with the provisions of section 37F(1)(a) of the Planning and Development Act 2000 as amended to request you to update the planning documents (including the EIAR and the NIS) with this application. It is noted that the original Inspector's report considered there were inadequacies in the NIS in relation to: Peat Harvesting and management of the peatlands; implications for assessment of impacts on birds due to rehabilitation/rewetting/revegetation of the peatlands; and Peat Stability and site drainage, therefore it is requested that you address these issues in particular.

In addition, the Commission considers that you may wish to comment on the proposed workings of the Interactions Management Group.

Furthermore, you may wish to comment on relevant considerations including REPowerEU as well as the application of the TRE Regulation, the RED III Directive and any policy changes since the previous decision (such as CAP25).

Tell
Glaao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Fax
Website
Email

(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
communications@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Having regard to the above following a technical assessment of the remitted case the Commission may request further information from you in due course. You are reminded to re-activate the standalone website which contains all of the application documentation.

Any response to this notice must be received on or before 5.30 p.m. on 8th September 2025.

If you have any queries in relation to this matter, 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,

Ellen Moss

Ellen Moss
Executive Officer
Direct Line: 01-8737285

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AN ARD-CHÚIRT
THE HIGH COURT

PLANNING AND ENVIRONMENT

H.JR.2024.0000657

MONDAY THE 10TH DAY OF FEBRUARY 2025

BEFORE MR JUSTICE HUMPHREYS

BETWEEN

COOLE WIND FARM LIMITED

APPLICANT

AND

AN BORD PLEANÁLA

RESPONDENT

AND

NORTH WESTMEATH TURBINE ACTION GROUP

(Joined as a Notice Party by Order of this Court on the 10th day of June 2024)

NOTICE PARTY

The Motion of Counsel for the Applicant pursuant to Notice of Motion filed herein on the 17th day of June 2025 seeking the following reliefs: “

1. An Order of Certiorari by way of application for judicial review quashing the decision of An Bord Pleanála (the “Board”) dated 20 March 2024 (Board reference no. ABP 309770 21) refusing permission for the development of Coole Wind Farm at Clonsura, Co. Westmeath.
2. An Order remitting the said application for planning permission in respect of Coole Wind farm to the Board for reconsideration in accordance with law.

3. Such declaration(s) of the legal rights and/or legal position of the applicant and persons similarly situated and/or of the legal duties and/or legal position of the respondent as the court considers appropriate.
4. A Declaration that Section 50B of the Planning and Development Act 2000, as amended, and / or Sections 3 and 4 of the Environment (Miscellaneous Provisions) Act 2011 and/or that the interpretative obligation set out in Case C-470/16 North East Pylon Pressure Campaign Limited v. An Bord Pleanála whereby in proceedings where the application of national environmental law is at issue, it is for the national court to give an interpretation of national procedural law which, to the fullest extent possible, is consistent with the objectives laid down in Article 9(3) and (4) of the Aarhus Convention apply to these proceedings.
5. Further or other orders
6. Costs.”

having come before the Court for mention in the presence of said Counsel and in the presence of Counsel for the Respondent and Counsel for the Notice Party

And upon reading said Notice of Motion filed on the 17th day of June 2025 the Statement of Grounds filed on the 14th day of May 2024 the Affidavit of Claire Walsh filed on the 14th day of May 2024 the Affidavit of Pierce Dillon filed on the 7th day of November 2024 and the Affidavit of Caroline Pilkington filed on the 20th day of December 2024 and the documents and exhibits in said Affidavits referred to

And on hearing said respective Counsel

And the Court being informed that there is agreement between the parties

BY CONSENT THE COURT DOTH GRANT

1. An Order of Certiorari quashing the decision of An Bord Pleanála (the “Board”) dated 20 March 2024 (Board reference no. ABP 309770 21) refusing permission for the development of Coole Wind Farm at Clonsura, Co. Westmeath.
2. An Order remitting the matter back to the Respondent, An Bord Pleanála for reconsideration.

3. An Order for the Applicant's costs including reserved costs as against the Respondent, An Bord Pleanala, to be adjudicated in default of agreement.

GARETH REDMOND
REGISTRAR
Perfected 3rd March 2025

McCann FitzGerald LLP
Solicitors for the Applicant

Fieldfisher LLP
Solicitor for the Respondent

WP Toolan & Sons
Solicitor for the Notice Party

