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Policy and Planning Context

Carrownagowan Wind Farm

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1 INTRODUCTION

This report has been prepared by Malachy Walsh and Partners, on behalf of Coillte Cuideachta Ghníomhaíochta Ainmnithe (Coillte CGA) to accompany a planning application to An Bord Pleanála for the Carrownagowan Wind Farm.

Planning permission is being sought through the Strategic Infrastructure Development consent process. Two pre-application meetings were held with An Bord Pleanála in 2019, with representatives from Coillte and Malachy Walsh and Partners in attendance. The Board confirmed the project would be Strategic Infrastructure, in correspondence dated the 4th of November 2019, and advised on the list of prescribed bodies.

An Environmental Impact Assessment Report (EIAR) has been compiled for the project and accompanies the planning application submission. The EIAR considers the environmental impacts and proposes appropriate mitigation measures where necessary.

A Stage 1 Screening for Appropriate Assessment has also been completed which identified the need for a Stage 2 Natura Impact Statement due to possible impacts on two Natura 2000 designated sites.

This report provides a concise overview of the policy and planning context of the proposed development application. It underscores how the proposed development accords with relevant national, regional and local planning policies. The report should be read in conjunction with the supporting studies in the Environmental Impact Assessment Report and the Natura Impact Statement, submitted with the planning application, which have been carried out to provide the requisite information to An Bord Pleanála to enable a thorough assessment of the project.

1.1 THE APPLICANT

Coillte Cuideachta Ghníomhaíochta Ainmnithe (Coillte) (the Applicant) is seeking planning permission from An Bord Pleanála (ABP) to construct and operate a wind farm project on lands at Slieve Bearnagh, Co. Clare.

Coillte is a commercial semi-state company operating in forestry, land-based businesses, renewable energy and panel products. Coillte Group is organised into the following three divisions:

- *Coillte Panel Products Division - manages two major panel product manufacturing companies;*
- *Coillte Forest Division - manages the Group's forestry business; and*
- *Coillte Land Solutions Division - manages a portfolio of assets in energy, land sales and development where the primary focus is on initiatives that are aligned to government policy.* This division also includes *Coillte Nature which will target the delivery of new woodlands facilitating species diversity, biodiversity and carbon sequestration as part of the Government's National Forestry Programme. The establishment of Coillte Nature will also see the conversion of certain commercial Coillte forests to recreational forests.*

Coillte has been and will continue to be a significant contributor to achieving Ireland's renewable energy objectives and targets over the next decade. Coillte is one of the largest developers of renewable energy in the State and has enabled in excess of 30% of all installed wind farms through

wayleaves/rights of way and as a land supplier and developer. Coillte has identified an extensive pipeline of 1GW of new on-shore wind development and energisation on their lands by 2030 and the potential for further significant development thereafter. Coillte therefore seek to be a significant contributor to the transformation of the Energy sector in the coming decades.

1.2 THE PROJECT INCLUDING THE PROPOSED DEVELOPMENT

It is proposed that two separate planning applications will be made by Coillte to An Bord Pleanála, in respect of the proposed wind energy project as set out below:

1. Current application, under section 37E of the Planning and Development Act 2000, as amended, for the Carrownagowan Wind Farm, including 19 wind turbines, substation, met mast, access tracks, borrow pits, visitor cabin and works on the turbine delivery route; and

2. Application (at a later date) under section 182A of the Planning and Development Act 2000, as amended, for the Grid Connection, which consists of development comprising or for the purposes of electricity transmission - the underground cable to provide a connection to the national grid from the Carrownagowan Wind Farm.

The project, assessed in the Environmental Impact Assessment Report and Natura Impact Statement, includes both the proposed development, as outlined in item 1 above and the grid connection, as outlined in item 2 above. Furthermore, replacement forestry lands, associated with the permanent felling to allow the construction of the wind farm, are also included as a project component.

2 PLANNING CONTEXT AND NEED FOR THE DEVELOPMENT

This Section considers how the proposed development accords with relevant national, regional and local planning policies including any new and emerging policy and development objectives relating to climate change and renewable energy.

2.1 FROM KYOTO TO PARIS

The Paris Agreement evolved from the historic United Nations Framework Convention on Climate Change in Kyoto where participants agreed to limit total greenhouse gas emissions to a defined percentage below their 1990 levels. The first commitment period under the Kyoto Protocol was over the five-year period 2008–2012. Ireland's commitment was to limit increases in greenhouse-gas emissions to 13 per cent above the 1990 levels. Ireland complied with the first commitment period (helped in part by the recession).

The Doha Amendment sought to extend that period beyond 2012 and has now been succeeded by the Paris Agreement and Agenda 2030. Ireland did not meet commitments to 2020.

The Paris Agreement is focused on strengthening the global response to Climate Change with a target to limit the increase in global average temperature to well below 2^{o}C and for nations to increase their ability to adapt to the adverse impacts of climate change and foster climate resilience. The agreement does not specify targets but requires all parties to put forward a plan including

Nationally Determined Contributions (NDCs) to achieve the goal set out. The EU requires a reduction in greenhouse gas emissions of at least 40% by 2030, compared to 1990 levels. The EU expects member states to outline their NDCs in national climate action plans. Ireland published a Climate Action Plan in 2019.

2.2 EU AND NATIONAL POLICY AND GUIDANCE

In recognition of fossil fuels as a finite resource, Ireland's dependence on others to meet our energy requirement and the cost of importing this energy, national policy encourages the development of local renewable energy. A host of relevant legislation and policy exists at an International and European level, which supports the development of renewable energy.

Irish renewable energy policy is framed in the context of these European and other International policy initiatives. The following is a broad list of selected legislation, policies and guidance which are relevant to wind energy developments:

- EU Directive 2009/28/EC (Renewable Energy Directive) - now Recast Directive (RED II)
- National Renewable Energy Action Plan (NREAP) 2010
- Strategy for Renewable Energy 2012-2020, DCENR 2012
- Transition to a Low Carbon Energy Future 2015-2030
- White Paper - Irelands Transition to a Low Carbon Energy Future 2015-2030
- Climate Action Plan 2019
- Planning Guidelines for Wind Energy, DEHLG 2006 (draft WEDG 2019)
- Best Practice Guidelines for the Wind Energy Industry, IWEA 2012
- Code of Practice for Wind Energy Development in Ireland, DCCAE 2016

Directive 2009/28/EC specified national renewable energy targets for 2020 for EU member states, taking into account a starting point and overall potential for renewables. The 2009 Renewable Energy Directive has now been recast by the 2018/2001/EU Renewable Energy Directive (RED II). In the recast Directive, the overall EU target for Renewable Energy Sources consumption by 2030 has been raised to 32%. This is increased from the 20% target required by 2020.

2.3 THE KEY POLICY CONTEXT FOR THE PROJECT

The Irish Government declared a climate and biodiversity emergency in May 2019, becoming the second country in the world to do so (after the UK). In November 2019, the European Parliament declared a Climate and Environmental Emergency. Ireland published a Climate Action Plan in 2019, outlining Ireland's path to decarbonisation and to achieving net zero carbon emissions by 2050.

2.3.1 Climate Action Plan (2019)

The Irish Government published its Climate Action Plan which includes wide targets and policy objectives for the period from 2021 to 2030. The objective of the Plan is to enable Ireland to meet its EU targets to reduce its carbon emissions by 30 per cent between 2021 and 2030 and lay the foundations for achieving net zero carbon emissions by 2050. At present 30% of Ireland's electricity comes from renewable resources. Under the Plan this is to increase to 70% by 2030. To achieve the 70% Renewable Energy target by 2030, this will involve a total increase of onshore wind capacity of up to 8.2-Gigawatt. The Programme for Government (June 2020) acknowledges that energy will play a central role in the creation of a strong and sustainable economy over the next decade and that the

reliable supply of safe, secure and clean energy is essential in order to deliver a phaseout of fossil fuels. The Programme confirms its commitment to take the necessary action to deliver at least 70% renewable electricity by 2030.

The proposed Carrownagowan Wind Farm is fully compatible with the provisions relating to renewable energy set out in the Climate Action Plan (CAP), summarised as follows:

- The project will contribute directly to the CAP commitment that 70% of national electricity will come from renewable sources by 2030, up from 30%.
- The project will contribute directly towards meeting Ireland's renewable energy production targets by 2030 and 2040.
- The project will contribute directly to the specific objectives for onshore wind capacity in Ireland by 2025 and 2030.
- The project will contribute directly to the objectives of the CAP through the provision of grid connection infrastructure to support the renewable energy output.
- The technology to be used is recognised as a least cost technology by the CAP.

The project will lead to a reduction in greenhouse gas emissions by using a least cost technology recognised in the CAP. The development will provide approximately 224,694 MWh per year of renewable electricity to the national grid.

2.3.2 Regional Policy

The Southern Regional Assembly is responsible for the preparation and implementation of a Regional Spatial and Economic Strategy (RSES) for the Southern Region. The RSES for the Southern Region came into effect on 31st January 2020 and the primary aim of the RSES is to implement Project Ireland 2040 - the National Planning Framework. Furthermore, the Southern Regional Assembly supports the implementation of the Irish Government's Climate Action Plan. The RSES recognises and supports the many opportunities for onshore wind as a major source of renewable energy.

The Planning and Development Act 2000 (as amended) requires County Development Plans and variations to be consistent with the RSES and relevant national policy, with draft development plans or proposed variations to development plans to be referred by the relevant local authority to the Regional Assembly. Clare County Council are currently in the process of preparing the next County Development Plan.

2.3.3 Local Policy

2.3.3.1 Clare County Development Plan 2017 - 2023 (As Varied)

In September 2020, Clare County Council officially commenced the process of preparing the new Clare County Development Plan for the period 2022-2028. The current plan is the Clare County Development Plan 2017 - 2023 (As Varied).

The current plan states that progression towards a low carbon economy is a central theme and Chapter 8 of the current plan, titled Physical Infrastructure, Environment and Energy, outlines Strategic Aims including;

'To reduce County Clare's dependence on imported fuels and to provide alternative energy sources by harnessing the County's potential for renewable energy sources'

The plan includes Renewable Energy as a Development Plan Objective (CDP8.40) and aims to;

'To encourage and to favourably consider proposals for renewable energy developments and ancillary facilities in order to meet national, regional and County renewable energy targets, and to facilitate a reduction in CO2 emissions and the promotion of a low carbon economy'

And further states an objective;

'To assess proposals for wind energy development and associated infrastructure having regard to the Clare Wind Energy Strategy and the associated SEA and AA, or any subsequent updated adopted strategy'

The Clare Renewable Energy Strategy 2017-2023 constitutes Volume 6 of the current County Development Plan. Volume 5 contains the Clare Wind Energy Strategy (discussed further below).

Co Clare's landscapes are categorised into areas which have similar characteristics for which similar planning policies are applicable. The County Development Plan notes that the approach builds on the Landscape Character Assessment (LCA) of County Clare. The 'Living Landscapes' approach sets out three main categories, recognising that different parts of the County have different potential and that landscapes are not constant but seen as alive and continually changing. The three categories include:

- **Settled Landscape** – areas where people live and work
- **Working Landscapes –** intensively settled and developed areas within Settled Landscapes or areas with a unique natural resource
- **Heritage Landscapes –** areas where natural and cultural heritage are given priority and where development is not precluded but happened more slowly and carefully

The proposed Carrownagowan project is in a Settled Landscape. The County Development Plan notes that Settled landscapes accommodate roads, powerlines, quarries and piped services that service settlements and industry. Uses which area envisaged include energy, along with agriculture, forestry, extraction, transportation, industry, commerce, tourism, recreation and leisure, education, healthcare and social infrastructure.

2.3.3.2 Clare County Wind Energy Strategy 2017-2023

The Clare Wind Energy Strategy (WES) constitutes Volume 5 of the County Development Plan. A key priority was to identify sites of strategic regional and national importance which have the potential to accommodate wind energy development. The WES identifies the optimum locations for wind energy developments in the County having regard to environmental and geographical constraints and the protection of the amenities of local residents.

The WES designates areas as follows:

- Strategic Areas
- Acceptable in Principle
- Open to Consideration
- Not Normally Permissible

Figure 1 Excerpt from Clare Wind Energy Strategy

The site of the proposed development is located in a Strategic Area/Acceptable in Principle. Some area to the south and north are designated as Acceptable in Principle, while lands to the east including Moylussa and the shores of Lough Derg are designated as Not Normally Permissible.

Landscape capacity and suitability of the development site

The WES states that it takes into account landscape designations including Scenic Routes, and Heritage Landscapes. The Landscape Character Assessment of County Clare was also used as a baseline to assess the capacity of areas to accommodate wind energy development. In addition, the WES states that landscape designations of neighbouring counties were also taken into consideration. Viewshed analysis, which maps visibility from a particular location, was also undertaken in certain upland areas such as Sliabh Callan and Slieve Bernagh. However, the WES notes that this does not include vegetation or buildings and does not replace detailed modelling of wind farm developments but are a useful guide. Consideration was also given to areas which are considered important for recreation or tourism including the Burren and Lough Derg.

The capacity for wind farms, relative to the Sliabh Bernagh LCA, where the development is proposed, is described in the WES as follows:

There are certain parts of this LCA that are highly sensitive due to their nature designations and scenic qualities. In particular, the foothills and mountains over-looking Lough Derg and the unenclosed bogs of Lackeragh and Glenvagalliagh Mountain.

However, other areas on the north west and westerly aspects of the mountain are more robust and can accommodate number of large or medium wind farms.

The latter area, on the north-west slopes of the Slieve Bernagh hills, is the location for the proposed development and is considered to have low sensitivity to wind farm developments, and able to accommodate large wind farms, defined in the WES (Section 1.4) as between 11-25 turbines as shown in Figure 2 below.

LCA's within areas designated as Strategic Areas

LCA	Overall Sensitivity to Wind Farm Developments	Appropriate size of wind farms (turbine numbers)	Capacity	LCTs in Co. Clare. LCA and Corresponding LCTs in 2006 Planning Guidelines	Cumulative Advice from 2006 Planning Guidelines
Sliabh Callan This LCA encompasses upland hills and slopes of Sliabh Callan and Ben Dash	Medium to Low	Large	The rolling hills, low settlement, extensive plantations reduce the overall sensitivity of this LCA to wind farm development. The area could accommodate a number of large or medium wind farms subject to careful siting to avoid significant impacts on skylines. Potential Renewable Energy Generation for this area is 250 MW (Limerick Clare Energy Agency).	Upland Hills Moorland Hills Planning Guidelines: Moorland Mountain	Acceptable, depending on topography as well as siting and design of wind energy developments involved.
Sliabh Bernagh Uplands This LCA encompasses the Sliabh Bernagh Range and Broadford Hills.	Medium to low	Large	There are certain parts of this LCA that are highly sensitive due to their nature designations and scenic qualities. In particular, the foothills and mountains over-looking Lough Derg and the unenclosed bogs of Lackeragh and Glenvagalliagh Mountain. However, other areas on the north west and westerly aspects of the mountain are more robust and can accommodate number of large or medium wind farms. In the Broadford Hills areas, the areas around Woodcock Hill, Ballycar, Corlea and Knockaunnamoughily are identified as Strategic Areas. Potential Renewable Energy Generation for this area is 150 MW (LCEA).	Upland Hills Upland Fringe Glacial Valley. Planning Guidelines: Moorland Mountain	Acceptable, depending on topography as well as siting and design of wind energy developments involved.

Figure 2 LCAs within Strategic Areas in Co. Clare Source: Clare County Council WES (2017)

3 NOTE ON CLIMATE CHANGE

The Irish Government published the Climate Action Plan in 2019 to address climate disruption which is already impacting Ireland's environment, society, and economic and natural resources. Weather patterns are changing and becoming more extreme. If these weather events become more frequent, damage to homes and buildings from storms, wind and flooding will also become more frequent. Increasing global temperatures adversely affects ecosystems and biodiversity. Alternating cycles of drought and floods can profoundly impact soils and peat. Ireland is already witnessing seasonal rainfall intensity and seasonal water shortages.

The United Nations published 17 Sustainable Development Goals in 2015 as a call to action for all countries. The Carrownagowan Project relates to Goal 13 on Climate Action, which calls for a global warming limit of 1.5 degrees Celsius and a greenhouse gas emission reduction of 7.6% each year from 2020. These are the measures included in the Paris Agreement. The Carrownagowan Project is a renewable energy project which will contribute to Ireland's commitments in the Climate Action Plan, in the Paris agreement and Goal 13 of the UN's Sustainable Development Goals. The Project has been designed to avoid areas of biodiversity value with infrastructure predominantly sited within conifer forest (17 of 19 turbines), and with the remaining two turbines sited in cutover bog. Biodiversity enhancement measures are also outlined for the site where opportunities to improve biodiversity can be achieved (Chapter 6 Biodiversity).

A surface water management plan has been completed as part of the project to outline the designed drainage system for the upland wind farm site. The runoff control measures for the site have been designed in the context of extreme storm events of varying duration and intensity (Chapter 3 Civil Engineering). The drainage design is modular to manage run-off from each turbine area as a unit which includes keeping clean water isolated from the works area to limit the volume of sediment laden run-off to be managed and also to maximise natural recharge of run-off. Since the surface water management plan is designed for the construction phase (worst case), no additional allowance has been made for a possible increase in rainfall intensity due to climate change in the future. While the design remains the same (designed for extreme storm events), the potential for extreme rainfall events may be more frequent which may result in more incidences of stopped

works during or after heavy rainfall. The proposed stream crossings on the site (eg. clear span arches) are designed at a scale much larger than could be required for watercourses, as they are designed to accommodate road infrastructure.

Carbon savings and losses from the Carrownagowan Wind Farm were conservatively calculated using the methodology by the Scottish Government titled *Calculating carbon savings from wind farms on Scottish peatlands* (an excel worksheet). This is an established methodology which has been approved by the Scottish government and the Scottish Environmental Protection Agency (EPA).

The calculation takes account of the following losses in the construction of the wind farm;

- Losses due to turbine manufacture, construction & decommissioning
- Losses due to reduced plant fixation
- Losses due to leaching
- Losses from soil organic matter (peat)
- Losses due to felling forestry

The spreadsheet calculates a payback period time of 1.8 years (Chapter 14 Air and Climate Change) which represents a quick payback over the life of the Wind Farm. The proposed Wind Farm will displace 2,825,310 tonnes of CO_2 over its lifetime. This is a long-term beneficial effect.

In the context of climate change, there is the potential for increased storm events and severe weather during the operational life of the wind farm. Wind turbines are designed for specific wind parameters and will shut down during high wind speed events. Therefore, the potential effects of climate change on the operational development may involve curtailment where the turbines will be restricted from operation due to severe winds.

4 CONSULTATION WITH THE LOCAL COMMUNITY

From the project outset, Coillte consulted with the local community and commenced this engagement prior to the start of the project design and environmental assessment, with the objective being to ensure that the views and concerns of all members of the local community were considered as part of the project design and the Environmental Impact Assessment process. The final project design achieved a 1km setback to the nearest dwellings in the local community.

The key elements of this approach are referred to as Coillte's 'Fair Play' model, which is outlined within the Community Report (EIAR Volume III, Appendix 5-1 for the Community Report).

Coillte also established a project website (www.carrownagowanwindfarm.ie) to provide information throughout the EIA process. As an Open Evening was not an option due to COVID-19 public health restrictions, Coillte organised a virtual reality open event accessible on the project website.

During operation, the wind farm development will provide a community benefit fund. This fund would assist local communities to enhance and/or maintain a range of amenities and services for residents in the local towns, villages and surrounding hinterland, which in turn would help sustain existing population levels in the area. Two important areas of Government policy development are nearing completion which will have a bearing on the establishment of future community benefit

funds, the updated Wind Energy Development Guidelines and the Renewable Energy Support Scheme (RESS). Both sets of policy will provide the Government requirements on future community benefit funds for renewable energy projects. Coillte's approach to community benefit is fully outlined in the Community Report included as Appendix 5-1 of Volume III of the EIAR.

5 SUMMARY OF KEY POLICY AND LEGISLATION ALIGNMENT

Recast Renewable Energy Directive (RED II) 2018	The wind farm will contribute to the EU's 2030 Target as set out in RED II (and Ireland's contribution under the Paris Agreement)
Climate Action Plan 2019	The wind farm is fully compatible with the provisions of the Climate Action Plan and will make a positive contribution towards decarbonisation.
Regional Spatial and Economic Strategy 2020	The wind farm will contribute directly towards RSES goal of increasing the Region's renewable energy provision.
Clare County Development Plan 2017-2023	The wind farm will harness a renewable energy source within County Clare.
Clare Wind Energy Strategy 2017-2023	The wind farm is in one of the optimum locations for wind energy development of the Clare WES. The layout and scale of the project has been designed and revised throughout the EIA process.
EIA Directive 2014	In line with the EIA Directive, an EIAR has been prepared for the project. No significant residual effects were identified from the study. A Schedule of Mitigation Measures (many which include best practice) and a Construction Environmental Management Plan are included in the EIAR.
Habitats Directive (Art 6)	A Natura Impact Statement has been prepared for the project in respect of two sites; • Slieve Bernagh Bog SAC (0023102) • Slieve Aughty Mountains SPA (004168) and concluded that the Carrownagowan Wind Farm project will not have an adverse impact on the integrity of these Natura 2000 sites.

6 CONCLUSION

A host of legislation and policy exists at International, European and National level, which supports the development of renewable energy, and there are binding agreements for Ireland to increase the use of renewable energy. This report sought to highlight the relevant policies in the context of the Carrownagowan project.

The proposed development site is in a sparsely populated area within a settled landscape. The proposed development complies with the Wind Energy Guidelines and the current Clare County Development Plan and Wind Energy Strategy. The environmental studies and assessments completed demonstrate the project would not create an unacceptable impact on the environment and residential amenity. The proposed development is therefore in accordance with the proper planning and sustainable development of the area and will contribute towards achieving National and EU targets and in particular the objectives of the Climate Action Plan.