

## 4.0 POLICY, PLANNING & DEVELOPMENT CONTEXT

### 4.1 INTRODUCTION

This chapter considers the proposed project works (hereafter referred to as the proposed project) in terms of legislative context and in relation to Strategic, National, Regional and Local Planning policies and objectives, in order to ascertain whether it is consistent with the relevant legislation and with the proper planning and sustainable development of the area.

The nature and location of the proposed project is described fully in Chapter 2 and will include 19 wind turbines. The proposed wind farm site is in an upland area within the townlands of Clogherachullion, Cloghercor, and Derryloaghan, with associated works in Aghayeevoge, Cashelreagh Glebe, Darney, Drumard, and Drumnacross Co. Donegal. The nearest settlements are Doochary and Glenties, which lie approximately 5 km north and 7.75 km south of the wind farm site, respectively. The wind farm site is located inland from the Gweebarra Estuary on the eastern site of the Gweebarra River.

In general terms, the area surrounding the site can be described as rural with dispersed settlement type.

As such, the proposed wind farm site and the associated areas lies within the functional areas of Donegal County Council and thus informed by the provisions of the Donegal County Development Plan.

The relevant Global, European, National and Regional climate, energy and planning Policies as set out in Section 4.4 emphasise the need to generate renewable energy and the importance of moving towards decarbonising the economy. The proposed project will contribute to the expansion of the renewable wind resource in Ireland and contribute towards Governmental, National and Regional goals and targets by generating more power from renewable resources. The 2009 EU Renewable Energy Directive (2009/28/ EC) set Ireland a legally binding target to meet 16% of our energy requirements from renewable sources by 2020. In 2018, the Directive was recast (2018/2001/EU) to move the legal framework to 2030 targets, setting a new binding target of at least 32% with a clause for a possible upwards revision by 2023. Ireland is committed to meeting 40% of electricity demand from renewable sources, with 10% for transport and 12% for heat. It is now established that Ireland has not met the 2020 renewable energy targets. A report issued by the Sustainable Energy Authority of Ireland (SEAI) entitled 'Renewable Energy in Ireland – 2020 Update' shows that Ireland is still heavily dependent on fossil fuels.<sup>1</sup> Out of the 27 EU member states, plus the UK, Ireland had made the second lowest progress towards hitting the targets, with only the Netherlands performing worse. Ireland will be subject to tariffs through the EU Emissions Trading System (ETS) until these targets are realised.

The Irish Government published the Climate Action Plan 2021<sup>2</sup> which set ambitious actions to ensure our 2030 targets can be achieved. This is in the context of substantial and continuing failure by Ireland in meeting climate targets to date. According to a report by Climate Action

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<sup>1</sup> <https://www.seai.ie/publications/2020-Renewable-Energy-in-Ireland-Report.pdf>

<sup>2</sup> <https://www.gov.ie/en/publication/6223e-climate-action-plan-2021/yes>

Network Europe (CAN), Ireland is “Way off track with its greenhouse gas emission reductions in sectors such as transport, buildings, waste and agriculture (non-ETS) both for 2020 and 2030”<sup>3</sup>.

The Climate Action Plan 2021 and subsequent plans (2022 and 2023) recognise that Ireland must significantly increase levels of renewable energy in the country in order to halve Ireland’s emissions by 2030 and reach net zero no later than 2050. The CAP21 states that “We should be radically reducing our reliance on carbon; Ireland’s greenhouse gas emissions have been rising rapidly. We are currently 85% dependent on fossil fuels. We have a short window of opportunity to reverse this trend and secure a better, healthier, more resilient future for the country...This plan identifies how Ireland will achieve its 2030 targets for carbon emissions and puts us on a trajectory to achieve net zero carbon emissions by 2050.”

To achieve Ireland’s 2030 target of a reduction in emissions by 51% and subsequent net zero carbon energy system by 2050, sectoral emission ceilings have been published under the Climate Action and Low Carbon Development Act, 2015 (as amended). Over the period 2021 to 2030, the government has set a carbon budget of average total emissions of 495 Mt CO<sub>2</sub> eq.<sup>4</sup>

The analysis in this chapter will include a review of relevant European, National, and Local planning policy documentation, planning legislation, strategies and plans and examines the local planning context of the project. It will also review the Regional Spatial and Economic Strategy for the Region (RSES), County Development Plans County Wind Energy Strategies the current and draft revised Wind Energy Guidelines, and other appropriate renewable/wind energy development policies. As mentioned previously, the proposed project (as described in Chapter 2 (Description of the Proposed Project)) is located within County Donegal and thus informed by the provisions of the Donegal County Development Plan 2018-2024. Therefore, this chapter will include a review of the relevant wind energy development policies included in the Donegal County Development Plan. The site was previously identified in the Donegal County Development Plan 2018-2024 – Wind Energy Strategy as ‘Open for Consideration’ for the development of wind energy.

On 18 July 2022, Donegal County Council (the Council) decided to adopt a variation of the County Donegal Development Plan 2018-2024, in respect of the Wind Energy Policy Framework (Variation No. 2). On 12 August 2022, the Office of the Planning Regulator (OPR) issued a recommendation to the Minister for Housing, Local Government and Heritage (the Minister) to make a direction in respect of Variation No. 2. On 29 August 2022, the Minister issued a notice of intention to issue a Direction together with reasons for the proposed Direction. Following a public consultation exercise on the proposed direction, the Chief Executive of the Council issued a report to the OPR, who in turn provided a further recommendation to the Minister on 8 November 2022 in relation to the final Direction.

On 20 December 2022, the Minister issued a final Direction in relation to Variation No. 2 under section 31 of the Planning and Development Act 2000 (as amended) (the Direction), which directed as follows:

“The Planning Authority is hereby directed to take the following steps with regard to Variation No. 2 to the Development Plan:

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<sup>3</sup> <https://caneurope.org/report-time-to-pick-up-the-pace-insights-into-the-draft-national-energy-and-climate-plans/>

<sup>4</sup> <https://www.gov.ie/en/press-release/dab6d-government-announces-sectoral-emissions-ceilings-setting-ireland-on-a-pathway-to-turn-the-tide-on-climate-change/>

- a. Omit Policy E-P-23 (2) and (3) and associated endnote and Policy E-P-24.
- b. Amend map 8.2.1 to change the designation of “Lifford -Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns” and “Moderately Low” and “Moderately High” landslide susceptibility areas identified as ‘Not Normally Permissible’ to ‘Open-to-Consideration’.”

Under section 31(17) of the Planning and Development Act 2000 (as amended) the Direction is deemed to have immediate effect and its terms are considered to be incorporated into the plan, or, if appropriate, to constitute the plan. We have therefore set out the planning policy position on this basis.

A review of all existing, consented and proposed renewable energy projects (wind and solar) local to the site has been carried out. In addition, a review of the Donegal County Council planning portal shows small scale residential and rural developments (e.g. residential one-off housing and extensions for same) in the areas surrounding the proposed wind farm. The existing, consented and proposed developed considered for cumulative assessment throughout this EIAR is further detailed in this chapter.

## 4.2 PLANNING LEGISLATION

The 7th Schedule of the Planning and Development Act 2000 (as amended) sets out classes of development which, following consultation with An Bord Pleanála, may be considered to constitute Strategic Infrastructure Development (SID) under Section 37A of that Act. Class 1 of the 7<sup>th</sup> Schedule includes the following:

*“An installation for the harnessing of wind power for energy production (a Wind Farm) with more than 25 turbines or having a total output greater than 50 megawatts”.*

In view of the fact that the development proposed fits into this category, consultations were held with the Board under Section 37B of the Planning and Development Act (as amended). The Board by letter dated 2<sup>nd</sup> of November 2022, confirmed that the proposed development falls within the scope of paragraphs 37A(2)(a), (b) and (c) of the Act. Accordingly, the Board have confirmed that the proposed development would be strategic infrastructure within the meaning of Section 37A of the Planning and Development Act, 2000 (as amended), and that any application for permission must therefore be made directly to the Board. A copy of this correspondence is included in Appendix 1-1. The planning application for the proposed development, which this EIAR accompanies, is made to An Bord Pleanála under Section 37E of that Act.

## 4.3 PLANNING HISTORY

A full review of the Donegal planning register, the An Bord Pleanála website and the EIA Portal was conducted to establish all approved projects that are to be considered cumulatively with the proposed project and including any renewable energy developments i.e. wind and solar farm developments. The full list of these approved projects is included in Appendices 4-1, 4-2 and 4-3. As previously mentioned, the closest operational wind farm turbines to the proposed site are at the Loughderryduff (Maas) Wind Farm which is c. 8.5 km to the south west of the site. The site was commissioned in 2008 and has a capacity of 7.65 MW. A summary of the nearest proposed wind farms is provided in this section with those located within 20 km of the site illustrated in Figure 4-1 below.

A review of the Donegal County Council planning portal shows small scale residential and rural developments (e.g. residential one-off housing and extensions for same) in the areas surrounding the proposed wind farm site.

There are no properties located or proposed within 800m of the proposed turbine locations. A 2 km radius was used to identify all properties proximal to the proposed site. The distances and potential impacts of the proposed project on residential properties are discussed further in individual chapters in this EIAR and in Chapter 5 Population and Human Health.

Finally, a 'zone of influence' was identified for other developments for the purpose of the cumulative assessment. This was set at a 10 km radius of the proposed wind farm site and is based on the nature and scale of the proposed project and its anticipated interaction with projects with this zone. The zone of influence includes an examination of 'other development' which has planning permission or is planned in the future. These other developments included searches for any Electricity Infrastructure, Quarries, Waste Water Treatment Plants, Piggeries, Power plants, Biomass Developments and any other large developments within a 10 km radius of the proposed wind farm site. Again, these are all included in Appendices 4-1, 4-2 and 4-3.

#### **4.3.1 Planning History of the Proposed Wind Farm Site**

Planning history searches have been conducted on the proposed wind farm site boundary over a 10-year period up to December 2022. There are no prescriptive techniques used in determining the period but as planning permission normally lasts for 5 years, it was felt a 10-year planning history period was appropriate in this instance. The following applications form part of the planning history of the proposed wind farm site:

- PL. Ref. 1750424 - A New Water Main In The L-6373-1, L6373-2 And L-6363-1 Public Roads, From The N56 Junction To A Proposed Water Storage Reservoir At Derryloughan (Ref Planning No 16/51737). Part Of The Watermain Is Inside The Boundary Of A Special Area Of Conservation (Sac) Known As West Of Ardara/Maas Road Sac. The Pipelines Are Part Of Improvements To The Regional Water Supply Scheme. A Separate Planning Application For A Booster Pumping Station At Kintrum (Ref Planning No 16/50917) Also Refers. The Planning Application Is Accompanied By A Natura Impact Statement (Nis) at Kintrum, Lettermacaward And Cleengort And Derryloughan, Doochary, Donegal Po, Co. Donegal. This application was granted permission subject to 2 no. conditions.
- PL. Ref. 1751928 - (1) Maintaining And Continuing The Use Of The Existing 30m Telecommunications Structure, Associated Antennae, Link Dishes For The Emergency Service Users And Associated Equipment Cabinets And (2) Additional Telecommunication/Broadband Equipment And Associated Cabinets, All Within Existing Security Fence And Access Track. The Development Will Continue To Form Part Of The Existing Gsm, 3g And 4g Broadband Networks As Well As Providing Infrastructure In Support Of Local Wireless Broadband Networks At Coilte Derkmore, Derkmore Td, Cleengort Hill, Glenties Co. Donegal. The planning application was granted approval subject to 4 no. conditions.
- PL. Ref. 19/51040 - Construction of a New Forest Access Road Entrance at Clogherachullion Td, Glenleheen, Donegal Po, Co. Donegal. This Planning Application was granted permission on the 2nd of September 2019 subject to 6 no. conditions.
- PL. Ref. 20/50720 - Erection Of A Temporary 100m Meteorological Mast That Will Be Fixed To The Ground By Guy Wires, Together With All Ancillary Site Works For A Period Of Up To Five Years For The Purpose Of Measuring Local Climate Conditions And Collecting Meteorological Data at Clogherachullion & Cloghercor, Donegal Po, Co. Donegal. This application was refused permission by Donegal County Council for 2

reasons and subsequently granted permission by appeal by An Bord Pleanála on the 1st March 2021 with 6 conditions attached (ABP-308008-20).

#### 4.3.2 Planning History of Wind Farm Developments in County Donegal

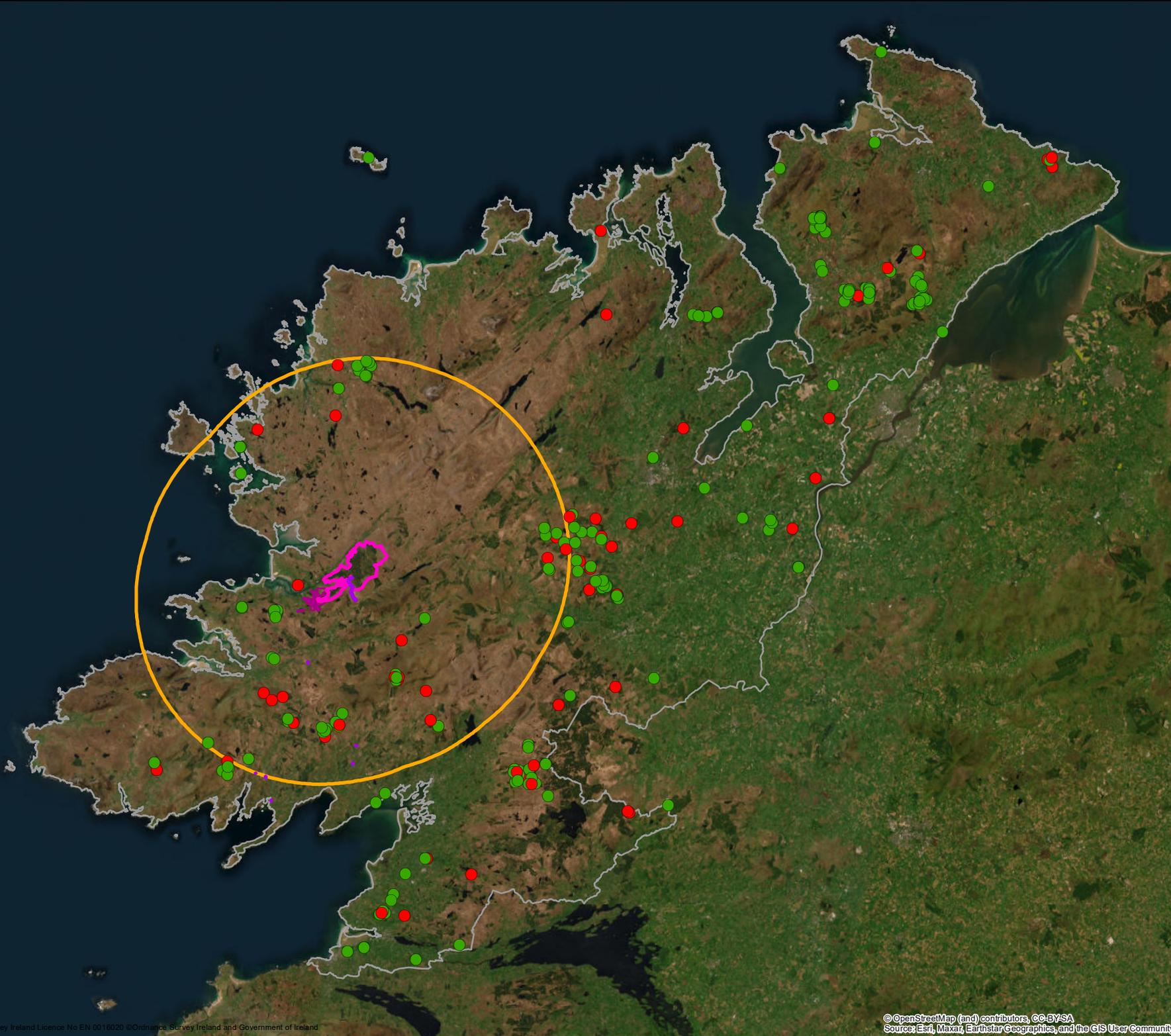
Currently the closest operational wind farm turbines to the proposed site are located at the Loughderryduff (Maas) Wind Farm which is c. 8.5 km to the south west of the site. The site was commissioned in 2008 and has a capacity of 7.65 MW.

There have been several applications submitted over the last number of years in Donegal for wind farm development. Table 4-1 below indicates a number of Wind Farm Developments in Donegal that have been connected to the national grid. Figure 4-1 below illustrates Wind Farm Planning Applications within County Donegal and Figure 4-2 illustrates Wind Farm Planning Applications located within 20 km of the proposed wind farm site. Appendix 4-1 provides a list of approved Wind Farm Developments within County Donegal and Appendix 4-2 provides a list of approved Wind Farm Developments within a 20 km radius of the proposed wind farm site.

Table 4-1: Wind Farm Developments in Donegal connected to the National Grid

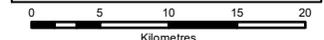
Name	Year Connected	Capacity (MW)	No. of Turbines	Proximity to the proposed wind farm site (km)
Barnesmore	1997	15	25	25
Cark	1997	15	25	19
Cronalaght 1&2	1997	4.8	8	19
Drumlough	1997	4.8	8	60
Crockahenny[14]	1998	5	10	66
Culliagh[16]	2000	12	18	19
Burtonport	2003	0.66	1	17
Meenadreen	2003	3.4	4	25
Anarget	2004	1.2	2	10
Meenanilta	2004	2.55	3	23
Meenanilta 3	2004	3.2	4	23
Meentycat[31]	2005	72	38	20
Sorne Hill	2006	38	19	60
Anarget Extension	2007	0.9	1	10
Cornacahan	2007	2.7	3	25
Beam Hill	2008	14	8	60
Glackmore	2008	2.3	1	65
Killybegs	2008	13.8	6	22
Loughderryduff	2008	7.65	9	5
Lurganboy	2008	5.4	6	45
Meenachullalan	2008	13.8	6	19
Sheeragh	2008	4.6	2	58
Flughland[20]	2009	9.2	4	65

Meentycat Extension[32]	2009	14	7	20
Shannagh	2009	2.7	3	25
Corkermore	2011	9.99	5	17
Acres	2015	17.5	7	35
Meenadreen II	2017	95	38	25



- Legend \***
- Proposed Wind Farm Site Boundary
  - Turbine Delivery Route works
  - Biodiversity Enhancement lands
- Wind Farm associated Planning Applications**
- Granted
  - Refused

\* all land identified is within Boundary of the Proposed Project



**NOTES**

1. FIGURED DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING
2. ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR ON SITE
3. DESIGNER TO BE INFORMED OF ANY DISCREPANCIES BEFORE ANY WORK COMMENCES
4. ALL LEVELS RELATED TO ORDNANCE SURVEY DATUM AT BALIN HEUL

Issue	Date	Description	By	CHKD
A	24/01/2023	Final issue	S.P	J.S

**Client:**  
Cloghercor Wind Farm Ltd.

**Project:**  
Cloghercor Wind Farm

**Title:**  
Figure 4-1:  
Wind Farm Planning Application  
within Co. Donegal

**Scale @ A4:** 1:550,000

**Prepared by:** S. Pezzetta      **Checked:** J. Staunton      **Date:** January 2023

**Project Director:** O. Fitzpatrick

**TOBIN**  
CONSULTING ENGINEERS  
Consulting, Civil and Structural Engineers,  
Block 10-4, Blanchardstown Corporate Park,  
Dublin 15, Ireland.  
tel: +353-(0)1-8030406  
fax: +353-(0)1-8030409  
e-mail: info@tobin.ie  
www.tobin.ie

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- Legend \***
- Proposed Wind Farm Site Boundary
  - Turbine Delivery Route works
  - Biodiversity Enhancement lands
  - 10km Buffer from proposed Development
  - 20km Buffer from proposed Development
- Wind Farm associated Planning Applications**
- Refused
  - Granted

\* all land identified is within Boundary of the Proposed Project



- NOTES**
1. FIGURED DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING
  2. ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR ON SITE
  3. DESIGNER TO BE INFORMED OF ANY DISCREPANCIES BEFORE ANY WORK COMMENCES
  4. ALL LEVELS RELATE TO ORDNANCE SURVEY DATUM AT MSL IN HEAD

Issue	Date	Description	By	Chk
002	08/03/2023	Draft issue	S.P.	J.S.

**Client:**  
Cloghercor Wind Farm Ltd.

**Project:**  
Cloghercor Wind Farm

**Title:**  
Figure 4-2:  
Wind Farm Planning Applications  
within 10/20km of the proposed project

**Scale @ A4:** 1:250,000

**Prepared by:** S. Piazzevici  
**Checked:** J. Staunton  
**Date:** March 2023

**Project Director:** D. Grehan

**TOBIN**  
CONSULTING ENGINEERS  
Consulting, Civil and Structural Engineers,  
Block 10-4, Blanchardstown Corporate Park,  
Dublin 15, Ireland.  
tel: +353-(0)1-8030406  
fax: +353-(0)1-8030409  
e-mail: info@tobin.ie  
www.tobin.ie

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### 4.3.3 Other Developments and Cumulative Impact Assessments

The EIA Directive and associated guidance documents state that as well as considering any indirect, secondary, transboundary, short, medium and long-term, permanent and temporary, positive and negative effects of the project (all of which are considered in the various chapters of this EIAR), the description of likely significant effects should include an assessment of cumulative impacts that may arise. The factors to be considered in relation to cumulative effects include population and human health, biodiversity, land, soil, water, air, climate, material assets, landscape, and cultural heritage as well as the interactions between these factors.

To gather a comprehensive view of cumulative impacts on these environmental considerations and to inform the EIA process being undertaken by the consenting authority, each relevant chapter within this EIAR includes a cumulative impact assessment. The potential for cumulative impacts arising from other projects have therefore been fully considered within this EIAR.

The projects considered in relation to the potential for cumulative impacts and for which all relevant data was reviewed include those listed in Appendices 4-3.

For the purpose of the evaluation of potential cumulative impacts the following have been considered:

- Any permitted electricity transmission developments, or proposed developments currently in the planning process
- Permitted or proposed developments with the potential for significant cumulative effects with the proposed development, e.g. major linear infrastructure development, such as proposed road development, windfarms, other Strategic Infrastructure Development (SID), or public utilities and services along the grid route corridor.

The section above identifies the proposed, permitted and the constructed wind farms within a 20 kilometre radius of the proposed wind farm site. The cumulative impact of the proposed development in association with adjoining wind turbines has been assessed in the relevant sections of this report.

Currently the closest operational wind farm turbines to the proposed wind farm site are located at the Loughderryduff (Maas) Wind Farm which is c. 8.5 km to the south west of the site. The site was commissioned in 2008 and has a capacity of 7.65 MW. The nearest proposed wind farms are:

- Drumnahough Wind Farm - 12 no. wind turbines located approximately 23 km east of this proposed development site (ABP-308806-20). Application granted permission by An Bord Pleanála on the 30th of August 2022 with 18 conditions attached.
- Maas Wind Farm - 3 no. wind turbines located approximately 8.5 km south west of this proposed development site (Reg. Ref.: 2251393). Application refused permission by Donegal County Council for 4 reasons and subsequently appealed to An Bord Pleanála on the 9th of November 2022. Decision pending consideration (ABP-315071-22).

A review of the relevant local authority planning register documents approved projects and planning applications pending decision in the vicinity of the proposed wind farm site and the grid connection route, most of which relate to the provision and/or alteration of one-off rural housing and agriculture-related structures. These existing, approved and in-planning projects have also been taken into account in describing the baseline environment and in the relevant assessments.

Details of all these developments in the wider area of the site are provided in Appendix 4-3, which provides a full list of approved projects and developments for which applications are being considered by the local planning authority to be considered cumulatively with the proposed project. A review of the Donegal County Council Planning Register, the An Bord Pleanála website and the EIA portal shows the following 'other developments' as described below are relevant planning applications in terms of the 10 km zone of influence radius surrounding the proposed wind farm site:

**2151990** – Planning permission for a 10 year permission for an amended wind farm development, with an operational life of 30 years from the date of the first commissioning, in lieu of the previously permitted wind farm development [An Bord Pleanála reference number: pl 05b.237656] consisting of (a) erection of eight wind turbines. The application was refused by Donegal County Council on the 30th November 2021 and subsequently appeal to An Bord Pleanála (ABP-312385-22). A decision is pending consideration.

**2151846** – planning permission for a 1) change of use of industrial sawmill to a 16 bedroom tourist accommodation facility (2) change of use of existing detached office to coffee shop/shop (3) construction of 7 two-bed cabins (4) car parking and associated hardstanding (5) tertiary wastewater treatment system (wwts) in combination with sand polishing filter (6) landscaping walk including a pedestrian bridge over the stream (7) stormwater drainage system, including an oil/petrol interceptor (8) decommissioning of 2no. existing septic tanks (9) all associated site works. Application granted approval on the 24<sup>th</sup> February 2022 with 15 conditions attached.

**20/50189** – Planning permission was granted on 16/04/2020 for the erection of sheep wire fencing and associated site works in a Special Conservation Area in Coolvoy, Doochary, Co. Donegal. The application included a Natura Impact Statement.

**19/51040** – Planning permission was granted for the construction of a new forest access road and entrance at Clogherachullion, Glenleheen.

**18/51755** – Planning application for the completion of a partially constructed dwelling previously granted under ref 08/30242 in Cloghercor, Co. Donegal. Planning permissions was granted stating it would not injure the amenities in the area.

**17/50424** – Planning application for a new water main in the L-6373-1, L6373-2 and L-6363-1 public roads, from the N56 junction to a proposed water storage reservoir at Derryloughan (ref planning no 16/51737). Part of the watermain is inside the boundary of a Special Area of Conservation known as West of Ardara/Maas Road SAC. The pipelines are part of improvements to the regional water supply scheme. A separate planning application for a booster pumping station at Kincrum (Planning ref no: 16/50917). DCC granted permission subject to 2 no. conditions. 2 no. third party appeals were submitted to An Bord Pleanála, which cumulatively raised the following issues;

- Permission is sought for watermain to connect to a water storage reservoir that is subject to an appeal;
- Submitted NIS is incomplete and insufficient;
- Lack of consultation with local landowners;
- Devaluation of property;
- Visual impact;
- Incorrect townland names;
- Road opening licence required and not submitted;
- Impact on tourism and recreation; and
- Potential health implications/potential leaks.

An Bord Pleanála upheld the decision of the local authority to grant permission for the development having regard to the development plan objective to provide adequate and secure supply of clean and wholesome drinking water to existing areas of supply and those identified for growth in the settlement hierarchy. Together with the limited scale of the proposed project, it was considered that the development would not adversely impact on the visual or residential amenities of the area and would not impact on the natural environment nor be prejudicial to public health.

**16/51737** – A ten-year planning permission for the construction of a 464m<sup>2</sup> water storage reservoir, 34sqm chlorine control building, access road with new entrance onto the local county road, perimeter fence and associated site works as part of improvements to the regional water supply scheme at Derryloughan, Glenties, Co. Donegal. Planning permission was granted by DCC subject to 3 No. conditions. 2 No. third party appeals were submitted to An Bord Pleanála, which cumulatively raised the following issues. The issues which arose in relation to this appeal are:

- The principle of the development;
- Residential amenity and devaluation of property;
- Landscape and visual amenity and the impact on tourism;
- Archaeology;
- Surface water;
- Incomplete planning application;
- The Aarhus Convention and stakeholder and public consultation;
- Health;
- Project splitting and the need for EIA and deficient screening for AA; and
- Natural heritage and appropriate assessment.

An Bord Pleanála upheld the decision of the local authority and granted permission for the development as it considered the development would not adversely impact on the visual amenities of the area or on residential amenities and would not impact on natural heritage.

**1550054** – Permission for extension of duration application for the construction of 4 Wind Turbines at Garvegort Glebe. Application granted approval on the 19th March 2015.

**1450070** – Permission for extension of duration application for the extension to existing wind farm, consisting of 11 of Wind Turbines at Loughderryduff. Application granted approval on the 25<sup>th</sup> March 2014 by Donegal County Council.

**09/30274** – Ten-year planning permission for the (1) retention, completion and continuation of: (a) quarrying works, operations, excavations within the present quarry area reg ref 02/0914; (b) blasting within the present quarry area; (c) bunding, access tracks, weighbridge / site office with chemical WC, wheelwash, cattle grid, settlement ponds and oil interceptor; and for proposed development of: (2) the installation and construction of concrete apron at site entrance, oil interceptor at entrance, modified entrance with gates, bunded refuelling area, recycle wheelwash, drainage protection works, fencing, landscape and restoration works; an all ancillary development and associated site works at Coolvoy, Doochary, Co. Donegal. Planning permission was granted on 10th /08/2009

- Further planning applications for this site include: 08/30254 - Planning refused 12/02/2009 for the extension of the current planning permission granted under ref no: 02/2914 for quarry and retention permission of weigh bridge and site office. The Local Authority were not satisfied that the applicant has complied with the terms and conditions of the parent permission ref no. 02/2914 resulting in concerns over the

impact of the development on public health and safety through the risk of pollution to local water courses.

- 03/2745 - Planning Application for the blasting of rock in quarry previous ref: 02/2914. Incomplete application.
- 02/2914 - Planning granted 19/05/2003 for the retention of existing quarry works, permission for a wheel wash area, oil interceptor & a 6 x 3m portable building with chemical toilet. No scanned items available on file re reports.

Other existing large developments were noted in the area through the desk study and include a timber processing and treatment facility in Shallogan More c.1.2 km south of the proposed wind farm site and a large agricultural facility c.3.3 km south of the proposed wind farm site.

The existing neighbouring Wind Farms as described in Section 4.3.2 above are considered in the cumulative impact assessments in this EIAR, as are all the projects listed in Appendix 4-3. Ongoing forestry and agricultural activities in the area are also considered.

#### 4.4 PLANNING AND DEVELOPMENT POLICY CONTEXT

When considering wind as an energy source, it is important to place its development in an international, national, and local policy context from the perspective of environment, energy, and planning. This section outlines the legislative mechanisms and requirements from a global to local level, which have been formulated to support the generation of energy from renewable sources and reduce the dependency on fossil fuels and increase in national energy security.

The Irish planning policy system (Figure 4-2) is set within a hierarchical structure. National policy is informed by EU Directives, Planning Legislation, Ministerial Guidelines. Government Policy and Capital programmes.

## Irish Planning System An Overview

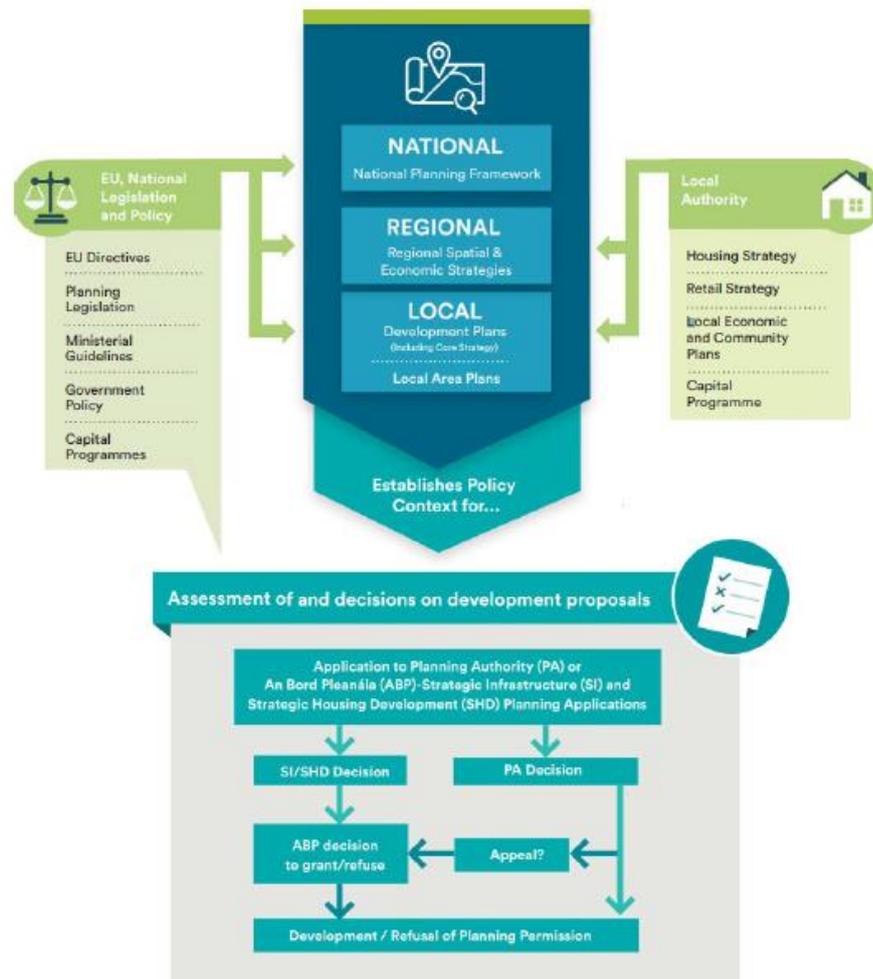


Figure 4-3: The Irish Planning System Overview<sup>5</sup>

### 4.4.1 International and European Policy

#### 4.4.1.1 The 1992 United Nations Framework Convention on Climate Change

The United Nations Framework Convention on Climate Change (UNFCCC) is an international environmental treaty negotiated at the United Nations Conference on Environment and Development (UNCED), in Rio de Janeiro in 1992. Fifty countries ratified an international treaty, the United Nations Framework Convention on Climate Change (UNFCCC), as a framework for international efforts to combat the challenge posed by climate change. The UNFCCC seeks to limit average global temperature increases and the resulting climate change. In addition, the UNFCCC seeks to cope with impacts that are already inevitable. It recognises that the climate system is a shared resource whose stability can be affected by industrial and other emissions of carbon dioxide and other greenhouse gases.

<sup>5</sup> Project Ireland 2040, National Planning Framework

The framework set no binding limits on greenhouse gas emissions for individual countries and contains no enforcement mechanisms. Instead, the framework outlines how specific international treaties (called "Protocols" or "Agreements") may be negotiated to set binding limits on greenhouse gases. The convention enjoys near universal membership, with 197 countries listed as being Parties to the Convention<sup>6</sup>.

#### **4.4.1.2 The Kyoto Protocol Targets**

The Kyoto Protocol is an international treaty which extends the 1992 United Nations Framework Convention. The Kyoto Protocol came into effect in 2005, as a result of which, emissions reduction targets agreed by developed countries, including Ireland, are now binding. Under the Kyoto Protocol, the EU agreed to achieve a significant reduction in total greenhouse gas emissions of 8% below 1990 levels in the period 2008 to 2012. Ireland's contribution to the EU commitment for the period 2008 – 2012 was to limit its greenhouse gas emissions to no more than 13% above 1990 levels.

#### **4.4.1.3 The Doha Amendment to the Kyoto Protocol**

In Doha, Qatar, on 8th December 2012, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes:

- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from 1 January 2013 to 31 December 2020;
- A revised list of greenhouse gases (GHG) to be reported on by parties in the second commitment period; and amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period. During the first commitment period, 37 industrialised countries and the European Community committed to reduce GHG emissions to an average of 5% against 1990 levels. During the second commitment period, parties committed to reduce GHG emissions by at least 18% below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of parties in the second commitment period is different from the first.

Under the protocol, countries must meet their targets primarily through national measures, although market-based mechanisms (such as international emissions trading) can also be utilised.

#### **4.4.1.4 The Paris Agreement 2015**

This is an agreement within the United Nations Framework Convention on Climate Change (UNFCCC) dealing with greenhouse gas emissions mitigation, adaptation and finance, starting in the year 2020, which aims to keep the global average temperature rise this century to below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius.

In 2016, the threshold for entry into the agreement was adopted and came into force. Ireland is legally bound by Article 7 of the United Nations COP21 Paris Agreement to prepare and submit periodic updates on its national adaptation and mitigation plans in the global effort to keep global warming below 1.5 °C.

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<sup>6</sup> [https://ec.europa.eu/knowledge4policy/organisation/unfccc-United-nations-framework-convention-climate-change\\_en](https://ec.europa.eu/knowledge4policy/organisation/unfccc-United-nations-framework-convention-climate-change_en)

An article published by the IPCC (Intergovernmental Panel on Climate Change) on the 6th October 2018 titled '*Global Warming of 1.5 °C*', notes the impacts of global warming of 1.5°C above preindustrial levels and related global greenhouse gas emission pathways; in the context of mitigation pathways, strengthening of the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty. This special report is part of an invitation contained in the Decision of the 21<sup>st</sup> Conference of Parties of the United Nations Framework Convention on Climate Change to adopt the Paris Agreement and provides an update on the impact of climate change if emissions are not reduced.

The Conference of Parties, more commonly known as COP, is held annually to agree policies for limiting global temperature rises and policies for adapting to impacts associated with climate change.

In 2021, the following agreements were reached by participating parties under COP26:

- Recognition that impacts from climate change will be lower at a temperature increase of 1.5 °C when compared with an increase of 2 °C;
- A request for participating countries to provide stronger national action plans for the year 2022 instead of the original agreed timeline of 2025;
- Agreement for participating nations to phase-down coal power and phase-out inefficient fossil fuel subsidies;
- A reaffirmed commitment by all parties to deliver financial aid to developing countries with a request for this aid to be doubled;
- An agreement on issues contained within the "Paris Rulebook", pertaining to operational details for the practical implementation of the Paris Agreement;
- An acknowledgment that the impacts of climate change are increasing with developing nations especially affected;
- Agreement to strengthen the Santiago Network for the connection of at-risk countries for the provision of assistance, knowledge and resources.

COP27 was held in November 2022, where it was agreed for the first time to set up a loss and damage fund for the most vulnerable countries.

#### **4.4.1.5 The European Green Deal 2019**

The European Green Deal 2019 resets the European Commission's commitment to tackling climate and environmental-related challenges. It is a new growth strategy that aims to transform the EU into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. The various elements of the deal are indicated in the infographic below:

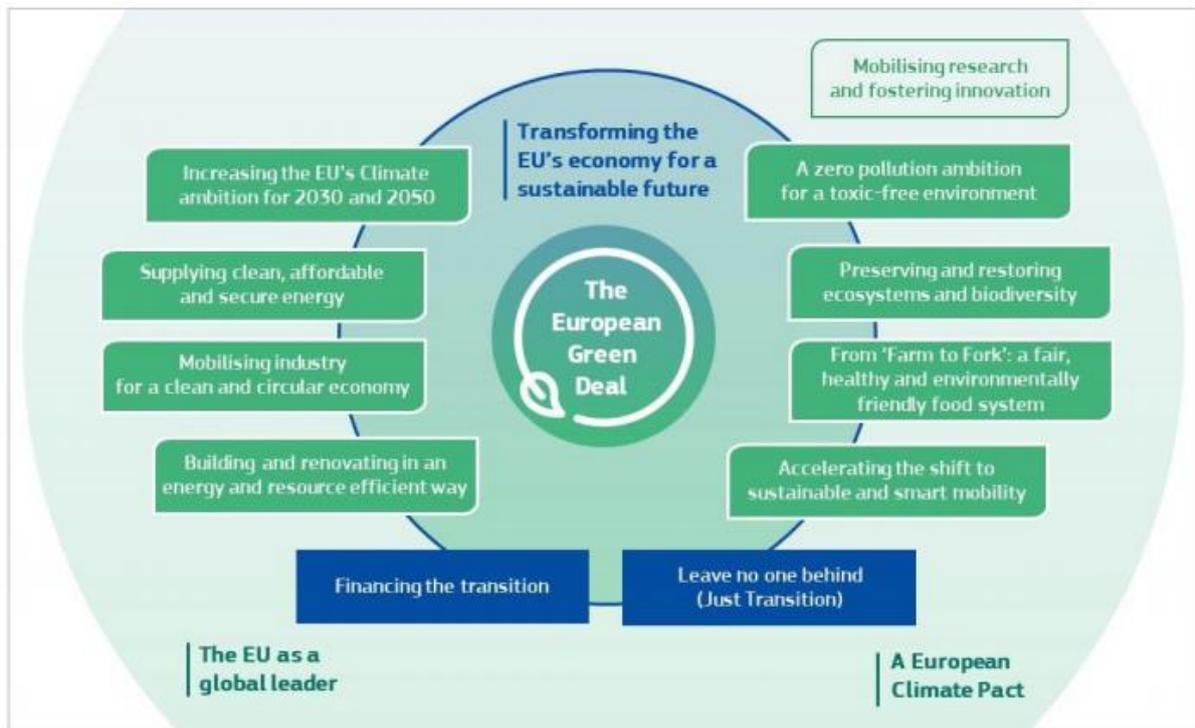


Figure 4-4: Elements of the Green Deal<sup>7</sup>

First climate action initiatives under the Green Deal include:

- European Climate Law to enshrine the 2050 climate-neutrality objective into EU law;
- European Climate Pact to engage citizens and all parts of society in climate action.

By summer 2020, the Commission proposed to present an impact assessed plan to increase the EU's greenhouse gas emission reductions target for 2030 to at least 50% and towards 55% compared with 1990 levels in a responsible way. In a speech by the President of the European Commission, Ursula Von der Leyen, on September 8th, 2020, it was confirmed that the EU would increase the reduction target from the 40% in the Europe 2030 and Energy Framework to a new target of 55%. This will put the EU on track for climate neutrality by 2050 and for meeting its Paris Agreement obligations. The Carbon Border Adjustment mechanism will help ensure others will follow Europe's lead.

In July 2021, the European Commission launched the first tranche of its 'Fit for 55%' measures that will support Europe's climate policy framework and put the EU on track for a 55% reduction in carbon emissions by 2030, and net-zero emissions by 2050. The interconnected proposals cover areas of climate, land use, energy, transport and taxation to bring them into line with the targets agreed in the European Climate Law (Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law'). The package is comprised of thirteen proposals, with the follow changes of note:

<sup>7</sup> [https://ec.europa.eu/info/sites/info/files/european-green-deal-communication\\_en.pdf](https://ec.europa.eu/info/sites/info/files/european-green-deal-communication_en.pdf)

- Amendment of the Renewable Energy Directive, setting a new 2030 target of 40% (up from 32%) energy use from renewables by 2030 and strengthening bioenergy sustainability criteria;
- Revision to the Alternative Fuels Infrastructure Directive to require aircraft and ships have access to clean energy supply in major ports and airports; and
- Revision of the Energy Taxation Directive to align taxation of energy products with climate policies and promote clean technologies.
- A Social Climate Fund to help citizens finance investment in energy efficiency, clean mobility and renewable energy.

The proposed project will support the EU's commitment to tackling climate and environmental-related challenges.

#### **4.4.1.6 Renewable Energy directive 2009/28/EC**

The Renewable Energy Directive (RED) recognises the need to promote renewable energy sources and technologies. It is the most important legislation influencing the growth of renewables in the EU and Ireland.

Originally RED set out mandatory targets for Ireland, which were commonly referred to as the overall RES target. A target was set of 20% of EU energy consumption from renewable sources by 2020 and a 20% cut in greenhouse gas emissions by 2020, the was termed the 20:20:20 plan.

In addition to the EU mandatory targets, Ireland had two further national renewable energy targets for 2020 for the electricity and heat sectors, which according to the SEAI's publication "Renewable Energy in Ireland, 2020 Report" <sup>8</sup>, Ireland failed to meet.

In 2018, the renewable energy directive 2018/2001/EU was revised and became legally binding in 2021 (Renewable Energy – Recast to 2030 (RED II Directive), which is discussed further in Section 4.4.1.7 below.

The proposed project supports a shift towards increased levels of renewable energy production and helps Ireland towards achieving its renewable energy targets as set out in the 2009/28/EC and the revised figure as outlined in the RED II Directive.

#### **4.4.1.7 A Sustainable Europe by 2030 and RED II**

'A Sustainable Europe by 2030' (January 2019) is the EU's ten-year growth strategy for years 2020-2030 which focuses on the implementation of the United Nations 2030 Strategic Development Goals (SDG's) and informs the EU Strategic Agenda 2019-2024. The plan identifies several key areas of importance to the sustainable growth of the Eurozone through to 2030 while transitioning to a carbon friendly economy and maintaining rankings in the 2030 SDG's. The four important policy areas include:

1. Transitioning from a linear to a circular economy;
2. Sustainability from Farm to Fork;
3. Future proofing energy, buildings and mobility; and,
4. Ensuring a socially fair transition (to ecologically sustainable economic growth).

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<sup>8</sup> <https://www.seai.ie/publications/2020-Renewable-Energy-in-Ireland-Report.pdf>

In 2019, more than half of the European Union's energy supply was climate neutral, underpinning the importance of renewable energy to the EU. As part of the Energy Union regulation, the European Commission framework for energy transition brings together climate, energy, transport, research and other policies. It is this framework which is responsible for requiring under EU legislation that at least 32% of all energy consumption be from a renewable energy source by 2030. This framework also seeks to have 32.5% energy efficiency by 2030. A strategic aim of this policy is to reduce greenhouse gas emissions by at least 40% by 2030 compared to 1990 levels, in alignment with the EU commitment under the Paris Climate Agreement and beyond.

*“Beyond 2030 more is needed to live up to the letter as well as the spirit of the Paris Climate Agreement, exploiting the full economic potential of the energy transition. The EU can significantly decrease its costly dependency on fossil fuels, reduce its fossil fuel import bill of some EUR 260 billion, increase its energy autonomy, and contribute to a fairer energy market. It is essential that we continue the integration of the energy market by building the missing interconnections and facilitating cross-border energy trade. The clean energy transition can also be supported by ocean energy and offshore wind energy. As a leader in this field, the EU should continue enjoying its first-mover advantage.”*

The EU indicates in this policy document that it can significantly decrease the costly dependency on fossil fuels, increase energy autonomy, lower our carbon footprint and contribute to a fairer energy market while growing the EU economies. It is understood that the economic measures to keep the EU at the forefront of SDG's in the world rely heavily on renewable energy. However, not all EU countries, such as Ireland are on par with their renewable targets as indicated in Figure 4-5 below:

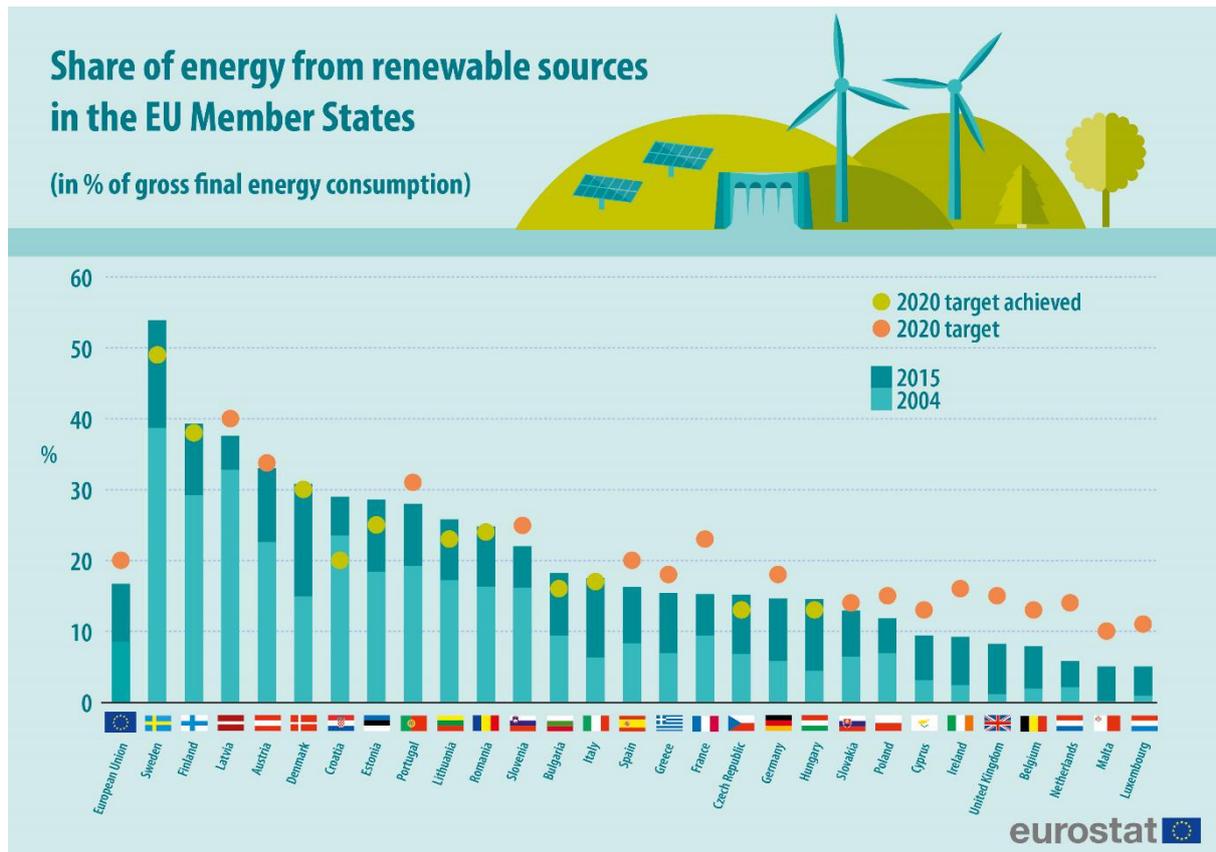


Figure 4-5: 2020 Renewable Energy Targets<sup>9</sup>

In 2018, the Directive was recast to RED II (2018/2001/EU) to move the legal framework to 2030 targets, setting a new binding target of at least 32% with a clause for a possible upwards revision by 2023. The recast Directive includes new provisions for enabling self-consumption of renewable energy, an increased 14% target for the share of renewable fuels in transport by 2030 and strengthened criteria for ensuring bioenergy sustainability. The revision aims to ensure that renewable energy fully contributes to achieving the higher EU climate ambition for 2030, in line with the 2030 Climate Target Plan<sup>10</sup>. The strategy will help build an integrated energy system, based on renewable energy and fit for climate neutrality, and help reach the objectives of the European Green Deal.

The proposed project will contribute to the EU’s ten-year growth strategy by increasing Ireland’s share of energy sourced from renewable generators and by reducing the country’s dependence on fossil fuels.

#### 4.4.1.8 The 2030 Climate and Energy Framework

The 2030 Climate and Energy Framework was adopted by EU leaders in October 2014 and marks a further development of EU renewable energy policy. The Framework sets out a policy framework for climate and energy in the period from 2020 to 2030 and aims to make the European Union’s economy and energy system more competitive, secure and sustainable. The framework defines further EU wide targets and builds on the 2020 climate and energy package in setting three key targets for the year 2030 as follows:

<sup>9</sup> [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Infographic\\_REN-2004-2015.png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Infographic_REN-2004-2015.png)

<sup>10</sup> [2030 Climate Target Plan – European Environment Agency \(europa.eu\)](https://european-council.europa.eu/media/en/press-communications/16444/initiative/16444/attachment/2030-climate-target-plan-main-communication.pdf)

- A binding commitment at EU level of at least 40% domestic Green House Gas reduction by 2030 compared to 1990;
- An EU wide, binding target of at least 27% renewable energy by 2030; and
- An indicative EU level target of at least 27% energy efficiency by 2030.

The European Commission published its proposal for an effort sharing regulation on the allocation of national targets for greenhouse gas emissions for the period 2021-2030 in July 2016. The proposal implements EU commitments under the Paris agreement on climate change (COP21) and marks an important milestone in the allocation to Member States of a package of climate targets formally adopted as part of the 2030 Climate and Energy Framework.

On the 27th of June 2018, EU ambassadors endorsed the provisional agreement reached by the Bulgarian Presidency on the revision of the renewable energy directive. The new regulatory framework is expected to pave the way for Europe's transition towards clean energy sources such as wind, solar, hydro, tidal, geothermal, and biomass energy. The agreement sets a headline target of 32% energy from renewable sources at EU level for 2030.

The grant of permission for the proposed Cloghercor Wind Farm development will directly contribute to Ireland's on-going progression towards its 2030 targets in line with the 2030 Climate and Energy Framework.

#### **4.4.1.9 Roadmap for moving to a competitive Low-Carbon Economy in 2050**

The low carbon Roadmap sets out cost-efficient pathways for key economic sectors for achieving an overall 80% reduction in the EU's emissions by 2050 (compared to 1990). Extensive economic modelling undertaken to prepare the Roadmap shows that domestic emission cuts of the order of 40% and 60% below 1990 levels could be achieved in a cost-effective way by 2030 and 2040, respectively. Current policies are projected to reduce emissions domestically to -30% in 2030 and -40% in 2050.

Figure 4-6 below illustrates the pathway towards an 80% reduction by 2050, shown in 5-year steps. The upper "reference" projection shows how domestic greenhouse gas emissions would develop under current policies. A scenario consistent with an 80% domestic reduction then shows how overall and sectoral emissions could evolve, if additional policies are put in place, considering technological options available over time.

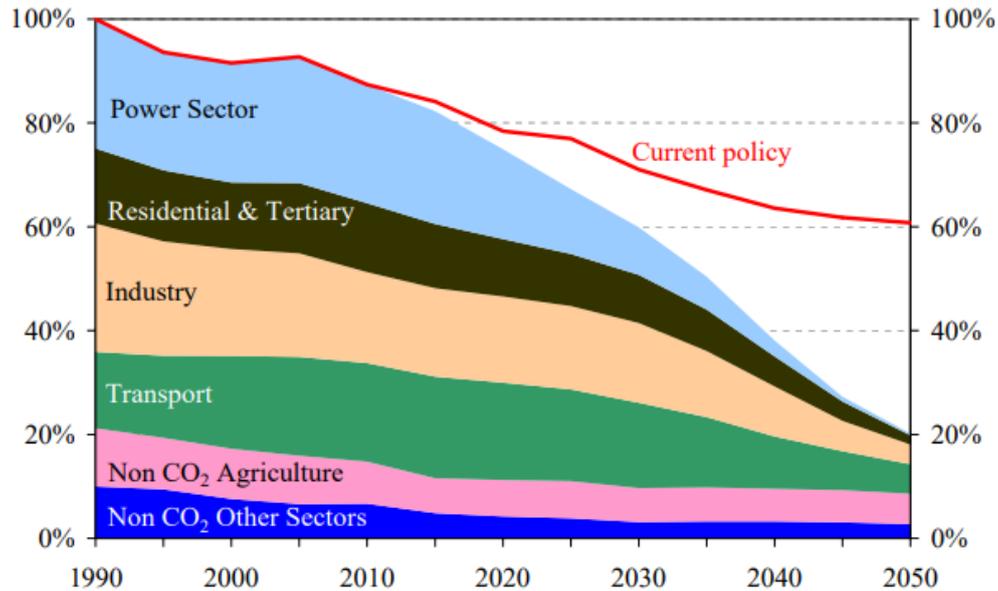


Figure 4-6: EU GHG emissions towards an 80% domestic reduction (100% = 1990)<sup>11</sup>

The Commission intends to use the Roadmap as a basis for developing sector specific policy initiatives and Roadmaps. They will ensure that the EU Emissions Trading System remains a key instrument to drive low carbon investments in a cost-efficient manner. It will also remain attentive to the risk of carbon leakage in order to ensure a level-playing field for industry.

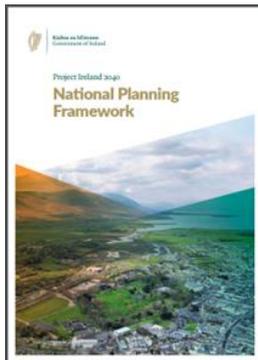
The EU policy outlined throughout Section 4.4.1 has highlighted the EU-wide shift towards sustainable energy generation, reducing emissions, reducing fossil fuel dependency and promoting energy security. These policies have shaped Ireland's national energy policy, which is outlined in the following section 4.4.2.

#### 4.4.2 National Policy Context

The following section sets out the relevant national policies which will influence the development of the country in the coming decades with respect to energy production, carbon neutrality and climate change mitigation. These policies are supported by the latest Programme for Government (2020) 'Our Shared Future' which presents strong climate governance in rapidly reducing climate change in order to protect and improve public health and quality of life.

<sup>11</sup> <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0112:FIN:EN:PDF>

#### 4.4.2.1 The National Planning Framework : Project 2040



The National Planning Framework (NPF) and the National Development Plan (NDP) together make up Project Ireland 2040. It was published by the Department of Housing, Planning and Local Government in February of 2018. The NPF is a framework to guide Ireland's development and investment in the coming years. It is the Government's high-level strategic plan to shape Ireland's development until the year 2040. It contains a set of national objectives and key principles from which more detailed and refined plans will follow. This document acknowledges that new energy systems and transmission grids will be necessary for a more distributed, more renewables focused energy generating system from energy sources such as wind.

The NPF sets out the key goals and objectives for the State, and central to this is the theme of *Realising Our Sustainable Future*. In particular, the NPF notes in section 9.2: Resource Efficiency and Transition to a Low Carbon Economy that our transition to a low carbon energy future requires:

- *“A shift from predominantly fossil fuels to predominantly renewable energy sources;*
- *Increasing efficiency and upgrades to appliances, buildings, and systems;*
- *Decisions around development and deployment of new technologies relating to areas such as wind, smart grids, electric vehicles (EVs), buildings, ocean energy and bio energy; and*
- *Legal and regulatory frameworks to meet demands and challenges in transitioning to a low carbon economy.”*

With respect to the locating of renewable energy projects, the NPF states that *“Rural areas have significantly contributed to the energy needs of the country and will continue to do so, having a strong role to play in securing a sustainable renewable energy supply.”* Furthermore, the NPF goes on to state that, *“In meeting the challenge of transitioning to a low carbon economy, the location of future national renewable energy generation will, for the most part, need to be accommodated on large tracts of land that are located in rural settings, while also continuing to protect the integrity of the environment and respecting the needs of people who live in rural areas.”*

A series of National Policy Objectives were developed with the NPF to set the context for regional and local policy in Ireland. National Policy Objective 55 of the NPF has a stated aim to: *“Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.”*

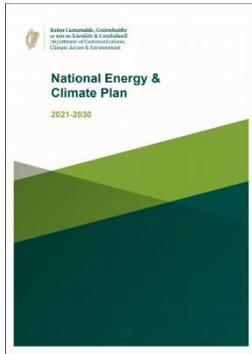
#### 4.4.2.2 Revised National Development Plan 2021-2030

The revised NDP 2021 – 2030 is aligned with the delivery of the objectives of the National Planning Framework. It sets out the significant level of investment, almost €165 billion, which will underpin the successful implementation of the National Planning Framework and drive it forward over the next 10 years.

The NDP includes National Strategic Outcome 8 – Transition to Climate-Neutral and Climate Resilient Society. The NDP recognises that the national objective of transitioning by 2050 to a competitive low-carbon, climate resilient, and environmentally sustainable economy and society must influence public capital investment choices over the next 10 years. It acknowledges that Ireland's energy system requires a radical overhaul to achieve its energy and climate objectives by 2050. This means that how energy in Ireland is generated and used needs to fundamentally change. Investment in renewable energy sources, ongoing capacity renewal, and future technology affords Ireland the opportunity to comprehensively

decarbonise our energy generation. Renewable energy, including wind technology, will play a key role in helping to diversify away from a reliance on fossil fuels.

#### 4.4.2.3 National Energy and Climate Plan (NECP) 2021-2030

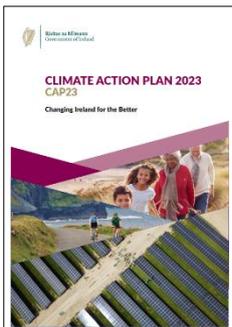


The National Energy and Climate Plan (NECP) builds on the existing national energy and climate policy framework documents, which aim to diversify and decarbonise Ireland’s electricity generation sector, with the long-term objective of decarbonising the energy sector and achieving an economic transformation with a carbon neutral agriculture and land use sector by 2050.

The NECP envisages a target of at least 55% renewable energy in electricity by 2030, with at least 3.5 GW of offshore renewable energy and an increase in onshore wind capacity of up to 8.2 GW.

However, as of June 2020, under the Programme for Government, Our Shared Future, Ireland is committed to achieving a 7% annual average reduction in greenhouse gas emissions between 2021 and 2030. The NECP was drafted in line with the current EU effort-sharing approach, before the Government committed to this higher level of ambition, and therefore does not reflect this higher commitment, as set out in the Climate Action Plan 2021. Ireland is currently developing those policies and measures.

#### 4.4.2.4 Climate Action Plan 2023 (CAP23) Changing Ireland for the Better



CAP23 sets out the government’s ongoing and urgent response to the climate crisis. The Plan implements carbon budgets and sectoral emission ceilings, first introduced in 2022 and builds on previous climate action plans, which set a roadmap to halve Ireland’s emissions by 2030 and reach net zero no later than 2050. The Plan sets out how Ireland can accelerate the actions that are required to respond to the climate crisis, putting climate solutions at the centre of Ireland’s social and economic development.

The updated action plan has a greater focus on system change and recognises the milestones already achieved such as the start of Ireland’s offshore wind energy programme. The Plan lists six vital high impact sectors, with Powering Renewables identified as being critical to decarbonising the power section as well as enabling the electrification of other technologies. The Plan seeks to accelerate the delivery of onshore wind by providing up to 9 GW of onshore wind.

The Plan outlines the current state of play across key sectors including Electricity, Transport, Built Environment, Industry and Agriculture and charts a course towards ambitious decarbonisation targets. The Plan also acknowledges that some sectors and communities will be more impacted than others with the costs of transition to a low carbon economy. To address this, the Plan embodies Just Transition principles and a Just Transition Commission will be established to provide advice to the Government.

The Plan retains one of the most important measures of the previous action plan (CAP21) which is to increase the share of electricity demand generated from renewable energy sources to up to 80% by 2030.

The Plan notes that in 2020 42% of all electricity generated in Ireland came from renewable sources, while in 2021 electricity accounted for just 14.4% of Ireland's greenhouse gas emissions.

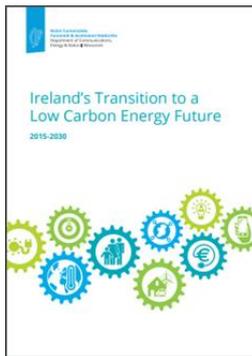
Prior to CAP21, climate action plan policies estimated a reduction in electricity emission to 4-5 MtCO<sub>2</sub> eq by 2030. Under CAP21 and CAP23, it is recognised that a significant step up is now required to meet 2030 targets and to deliver a decarbonised economy for Ireland by 2050, with the key metric identified:

Theme	2025 KPI	2025 abatement (vs 2018) MtCO <sub>2</sub> eq.	2030 KPI	2030 abatement (vs 2018) MtCO <sub>2</sub> eq.	2031-2035 measures
<b>Accelerate Renewable Energy Generation</b>	50% renewable electricity share of demand	1.3	80% renewable electricity share of demand	8.7	Roadmap for a net-zero power system  Green Hydrogen Production via 2 GW Offshore Wind
	6 GW onshore wind capacity		9 GW onshore wind capacity		
<b>Accelerate Flexibility</b>	Up to 5 GW solar PV capacity including at least 1 GW of non-new grid solar	1.3	At least 5 GW offshore wind capacity	8.7	Long Duration Storage technologies  Increased zero emission gas generation to enable a net zero power system
	Level of renewables at any one time on grid: 85%		8 GW solar PV capacity including 2.5 GW of non-new grid solar		
<b>Accelerate Flexibility</b>	Dispatch down (excluding oversupply) of renewables below 7%	1.3	Green Hydrogen in production from surplus renewable electricity	8.7	Long Duration Storage technologies  Increased zero emission gas generation to enable a net zero power system
	Minimise oversupply		Level of renewables at any one time on grid: 95-100%		
<b>Accelerate Flexibility</b>	Required long term storage (4 hour plus) in place	1.3	Dispatch down (excluding oversupply) of renewables below 7%	8.7	Long Duration Storage technologies  Increased zero emission gas generation to enable a net zero power system
	Minimise oversupply		Minimise oversupply		
<b>Accelerate Flexibility</b>	Required long term storage (4 hour plus) in place	1.3	Required Long term storage (4 hour plus) in place	8.7	Long Duration Storage technologies  Increased zero emission gas generation to enable a net zero power system
	Minimise oversupply		At least 2 GW of new flexible gas fired generation		
<b>Accelerate Flexibility</b>	Required long term storage (4 hour plus) in place	1.3	Zero Emission gas fired generation from biomethane and hydrogen commencing by 2030	8.7	Long Duration Storage technologies  Increased zero emission gas generation to enable a net zero power system
	Minimise oversupply				

Figure 4-7: CAP23 Key Metrics to Deliver Abatement in Electricity

The Plan reinforces the Government's commitment to a significant increase in clean, renewable energy and to accelerate onshore wind electricity generation.

#### 4.4.2.5 White Paper on Energy – Irelands Transition to a Low Carbon Future 2015-2030



This White Paper on energy policy (Department of Communications, Energy and Natural Resources (December 2015) provides a complete energy policy update for Ireland. It sets out a framework to guide policy and actions that the Government intends to take in the energy sector up to 2030. It also outlines a transition to a low carbon energy system by 2050. It is significant as it was the first time a government has proposed the eventual elimination of fossil fuels from Ireland’s energy system. The then Minister for Energy Alex White stated that “*high-carbon fuels like peat and coal will give way to lower-carbon or renewable alternatives in the short to medium term before fossil fuels are largely replaced by renewable energy sources by 2050. Greenhouse gas emissions from the energy sector will “fall to zero or below by 2100”.*

The 2015 White Paper’s stated objective is to “guide a transition to a low carbon energy system, which provides secure supplies of competitive and affordable energy to our citizens and businesses” as Ireland progresses towards a low carbon energy system. In doing so, it takes into account European and international climate change objectives and agreements, as well as Irish social, economic and employment priorities.

The White Paper sets out how Ireland’s energy transition will be facilitated by an accelerated and diversified programme of renewable energy generation, and an increased focus on energy efficiency, facilitated by innovative financing. It promises strong regulation, effective markets, appropriate infrastructure, and deeper European cooperation. It heralds a new focus on citizens and communities as agents of change in the way Ireland generates, transmits, stores, conserves and uses energy. And it sets out actions to enable people to participate in energy-related decisions, including decisions about grid and renewable energy infrastructure.

The White Paper, and achievements since its introduction, underpins government policy to continue to support development of both onshore and offshore wind energy developments in accordance with published planning guidelines and local development plan policy.

#### 4.4.2.6 Climate Action and Low Carbon Development Act 2015



This Act provides the statutory basis for the national transition objective set in the national policy position. It commits Ireland to being carbon neutral by 2050 and to also match Ireland’s targets with those of the EU. It requires that the Minister for Communications, Climate Action, and the Environment must make and submit to Government a series of successive National Mitigation Plans and National Adaptation Frameworks. While there are no explicit targets set out within the Act itself, the legislation obliges the State to consider any existing obligations of the State under the law of the European Union or any international agreement. In effect the Act formally obliges the State to adhere to EU targets.

#### 4.4.2.7 Climate Action and Low Carbon Development (Amendment) Act, 2021

The purpose of the Climate Action and Low Carbon Development (Amendment) Act, 2021 is to provide for the approval of plans ‘for the purpose of pursuing the transition to a climate resilient and climate neutral economy by the end of the year 2050’. The 2021 Climate Act will also ‘provide for carbon budgets and a decarbonisation target range for certain sectors of the economy’. The

2021 Climate Act removes any reference to a national mitigation plan and instead refers to both the Climate Action Plan, and a series of National Long Term Climate Action Strategies.

In addition, the local authority shall prepare a 'local authority climate action plan' lasting five years which specifies the mitigation measures and the adaptation measures to be adopted by the local authority. This represents a mandate for Local Authorities to adapt to climate change.

The Act has set a target of a 51% reduction in the total amount of greenhouse gases over the course of the first two carbon periods ending 31 December 2030 relative to 2018 annual emissions. The 2021 Climate Act defines the carbon budget as 'the total amount of greenhouse gas emissions that are permitted during the budget period'.

#### 4.4.2.8 Renewable Electricity Support Scheme (RESS) 2020

RESS is a Renewable Electricity Support Scheme, which provides financial support to renewable electricity projects in Ireland. It is a pivotal component of the National Energy and Climate Plan and is essential for achieving Ireland's renewable electricity target by 2030, with a primary focus on cost effectiveness, the RESS will deliver a broader range of policy objectives, including:

- An enabling framework for community participation through the provision of pathways and supports for communities to participate in renewable energy projects;
- Increasing technology diversity by broadening the renewable electricity technology mix (the diversity of technologies);
- Delivering an ambitious renewable electricity policy to 2030; and
- Increasing energy security, energy sustainability and ensuring the cost effectiveness of energy policy.

On 27th February 2020, the Department of Communications, Climate Action and Energy published the final terms and conditions for the first competition under the Scheme. The RESS will be implemented through a series of renewable electricity competitions, providing a renewable electricity roadmap and indicative timelines and capabilities.

The first RESS auction (RESS 1) was delivered by a number of organisations and agencies, namely the DCCAE, Commission for Regulation of Utilities (CRU) and EirGrid, working together. RESS 1 took place August 2020. A total of 114 projects applied to participate, with 82 successful projects.

Following this, the Renewably Electricity Scheme 2 (RESS 2) auction process commenced with qualification for RESS 2 opening in December 2021. The new auction seeks to support the implementation of the National Development Plan (NDP) and the Climate Action Plan 2021 (CAP21) to secure new renewable energy targets of 80% renewable electricity by 2030. The scheme is crucial in helping Ireland to meet new climate targets and ambitions.

The final results<sup>12</sup> of the RESS 2 auction were approved by government and have been published on the EirGrid website<sup>13</sup>. The successful projects in RESS 2 represent a potential increase of nearly 20% in Ireland's current renewable energy generation capacity; 2,748 GWh of the 3,772 GWh bids submitted were successful in the auction. This equates to approximately

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<sup>12</sup> <https://www.gov.ie/en/publication/7f0bb-renewable-electricity-support-scheme-2-ress-2/>

<sup>13</sup> [https://www.eirgridgroup.com/site-files/library/EirGrid/RESS-2-Final-Auction-Results-\(R2FAR\).pdf](https://www.eirgridgroup.com/site-files/library/EirGrid/RESS-2-Final-Auction-Results-(R2FAR).pdf)

414 MW of onshore wind and 1,534 MW of solar. These projects will be delivered between 2023 and 2025.

Renewable energy projects supported through the RESS scheme are required to provide a community benefit fund for the area local to the proposed project. This is to ensure that communities most impacted by the transition to a greener energy system receive the greatest benefit. This a policy initiative to deliver on CAP21.

The terms of the fund are set out under the RESS Good Practice Principles Handbook for Community Benefit Funds. The handbook is in place to ensure there is a good relationship between the developers and communities to ensure they work together to maximise the benefits of the funds to local communities living in proximity to RESS Projects.

Key stakeholders involved are the community, the developer, the fund committee, and the administrator. The community is the heart of the scheme, and they should benefit from the development due to the location e.g. retrofitting of homes. The fund committee is the decision making body of the fund, it is made up of volunteer community representatives, the developer and the administrator. The committee aims to represent the community and ensure funds are being used to facilitate climate action and sustainability. Ultimately the developer is responsible for ensuring the fund is compliant with the RESS meaning there are limits. Without the developer there is no project, they play a critical role in delivering on Ireland's objective of fully supporting our economy with clean, green energy. It is within a developer's best interest to work collaboratively with the community and have established good relationships. They are responsible for ensuring the fund is fully compliant with the RESS. The role of the administrator is to guide the committee. This role is not mandatory; however, the Developer may appoint a third-party administrator or employee. The SEAI have been appointed the Funds support, oversight, and compliance body and as such have a key role in supporting the successful delivery of Funds. The Department has taken the decision to establish a RESS Communities Steering Board for the purpose of providing strategic direction for the ongoing development of this new sector.

If the proposed Cloghercor Wind Farm is successful in receiving planning consent, Cloghercor Wind Farm Ltd will likely apply for support through the RESS process. Therefore, a community benefit fund will apply to the project. The community benefit fund is further detailed in Section 2.2 of the EIAR.

### **4.4.3 Other Relevant Policies**

#### **4.4.3.1 National Energy Security Framework**

The National Energy Security Framework was launched in 2022 to provide an overarching and comprehensive response to Ireland's energy security needs in the context of the war in Ukraine.

The Framework sets out how the government can support households and businesses, with a particular focus on protecting those most at risk of fuel poverty, how it is already ensuring Ireland's energy security, and how it will speed up the country's shift to increased energy efficiency and indigenous renewable energy systems. It also sets out how consumers and businesses can be supported to save energy and save money.

The Framework sets actions in response to issues such as ensuring the security of energy supply in the near-term and over the longer term, reducing Ireland's dependency on imported fossil fuels.

Within the context of the proposed project, the framework seeks to replace fossil fuels with renewable energy sources such as wind.

#### **4.4.3.2 Wind Energy Development Guidelines 2006**

In 2006, the Department of the Environment, Heritage and Local Government (DoEHLG) published 'Wind Energy Development Guidelines for Planning Authorities' under Section 28 of the Planning and Development Act, 2000. The Wind Energy Development Guidelines (WEDG) provide statutory guidance for wind energy development, including consideration of environmental issues, such as noise and shadow flicker, design, siting, spatial extent and scale, cumulative effect and spacing, as well as the layout and height of wind turbines having regard to the landscape and other sensitivities. Planning authorities must have regard to the Guidelines on planning for wind energy through the development plan process and in determining applications for planning permission. The guidelines are intended to ensure a consistency of approach throughout the country in the identification of suitable locations for wind energy projects and in the treatment of planning applications for wind energy developments.

Relevant points include:

- Visual impact is among the more important considerations and advice is given on spatial extent, spacing, cumulative effect, layout, and height. There is an emphasis on the distinctiveness of landscapes and their sensitivity to absorbing different types of development;
- Environmental considerations such as the impact on habitats and birds and the need for habitat management are discussed. It is noted that designation of an area of natural and cultural heritage does not in itself preclude development, unless it is judged to be such that it would impact on the integrity of such sites and their natural heritage interests;
- The need for information on the underlying geology of the area including a geotechnical assessment of bedrock and slope stability and the risk of bog burst or landslide. Geological consultants should be employed to ensure that sufficient information is submitted;
- Impacts on human beings such as noise and shadow flicker.

These guidelines have been considered in the design and siting of the proposed wind farm, and in the preparation of this EIAR as at the time of writing they are the current guidelines.

#### **4.4.3.3 Draft Revised Wind Energy Development Guidelines - December 2019**

The Draft Revised Wind Energy Development Guidelines were published in December 2019 and issued for public consultation, which concluded in February 2020. The Revised Guidelines primarily focus on addressing a number of key aspects including noise, visual amenity setback, shadow flicker, community consultation obligations, community dividend and grid connections.

The draft guidelines propose the following main changes to the 2006 Guidelines:

- New noise standards;
- Setback distances;
- Automatic shadow flicker control mechanisms;
- Community consultation;

- Community dividend;
- Grid connections;

These revised guidelines are still under review and until such time as the new guidelines are published, the 2006 guidelines remain the statutory policy guide in relation to all wind energy developments. As demonstrated in the subsequent chapters, the Cloghercor Wind Farm development will not result in any likely significant effects on the environment and is in accordance with the principles of proper planning and sustainable development and has been designed such that it is anticipated it is capable of adhering to the draft guidelines.

#### 4.4.3.4 Irelands Greenhouse Gas Emission Projections

The National Climate Change Strategy designated the Environmental Protection Agency (EPA) with responsibility for developing annual national emission projections for greenhouse gases for all key sectors of the economy.

The International Panel on Climate Change has put forward its clear assessment that the window for action on climate change is rapidly closing and that renewable energy sources such as wind energy will have to grow from 30% of globally electricity at present to 80% by 2050 if we are to limit global warming to below 2 degrees<sup>14</sup>.

The EPA's most recent publication, the State of the Environment Report (2020) defines Climate and biodiversity as the most pressing issues to be addressed in Ireland. It highlights concerns about environmental indicators which are regressing. The report states that "Climate change is the defining challenge for this century". Last year, the government published its Climate Action Plan, "an important step," the EPA says in reaching national and EU climate goals. However, when it comes to tackling the causes of climate change – greenhouse gas (GHG) emissions in the form of carbon dioxide, methane and nitrous oxide – the EPA grades the country's current performance as "very poor".

The report says air pollution is the "single largest environmental health risk in Europe". The three main sources of air pollution in Ireland are:

- Emissions from burning of solid fuels in homes
- Transport emissions from vehicles in urban areas
- Ammonia emissions from agriculture

The Cloghercor Wind Farm will contribute positively to both climate and air quality in Ireland. This will come about through increased electrification of home heating and transport, along with increased renewable electricity generation (and associated avoidance of fossil fuel burning generation) with an overall reduction in air pollution. When the forestry replanting (and the associated balance of carbon) is accounted for, over the 35-year life of the wind farm it is anticipated that between 2,938,140 and 4,455,312 tonnes of carbon will be offset in the production of electricity (See Chapter 14 (Air Quality and Climate) for further detail.

The previous EPA report (May 2014) stated that current projections indicate that Ireland is not on a pathway to a low-carbon economy. Total national greenhouse gas emissions are projected to, at best, decrease by an average of 0.4% per annum up to 2020 if all national policies are implemented and delivered. Furthermore, emissions are projected to increase between 2020 and 2030 (12% in total), with transport a key contributor to this trend, in the absence of additional policies and measures. However, it should be noted that renewable electricity

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<sup>14</sup> "IPCC Fifth Assessment Synthesis Report" Intergovernmental Panel on Climate Change AR5 report

generation in the Ireland is estimated to have saved 778 Kilotonne of Oil Equivalent (ktoe) of fossil fuel, with an associated CO<sub>2</sub> emissions reduction of 1.94 million tonnes.<sup>15</sup> Wind generation is the largest contributor, with savings estimated at 586 ktoe of fossil-fuel and a CO<sub>2</sub> emissions reduction of 1.51 million tonnes.

The key findings of the EPA's latest projections for Ireland's Greenhouse Gas Emissions (2021-2040) published in 2022 indicate that urgent implementation of all climate plans and policies, plus additional new measures, are needed for Ireland to meet the 51% emissions reduction target and put Ireland on course for climate neutrality by 2050. Furthermore, it states that *"Ireland can meet its non-ETS EU targets of a 30% emission reduction by 2030 (compared to 2005) assuming implementation of planned policies and measures and the use of the flexibilities available. These include a land use flexibility using the Climate Action Plan 2021 afforestation rate of 8,000 hectares per annum"* (EPA, 2022)<sup>16</sup>.

The operational stage of this proposed project will have moderate, long term, positive effect on climate and a potential slight long-term effect on air quality. Further details relating to the positive effects of the Cloghercor Wind Farm development on air quality and climate change are included in Chapter 14 (Air Quality & Climate) of this EIAR. Wind Energy Ireland (Irish Wind Energy Association)- Best Practice Guidelines for the Irish Wind Energy Industry, 2012.

Wind Energy Ireland (formerly known as the Irish Wind Energy Association or IWEA) published 'Best Practice Guidelines for the Irish Wind Energy Industry' in 2008 with Guideline aims updated in 2012. The guidelines aim to encourage and define best practice development in the wind energy industry, acting as a reference document and guide to the main issues relating to wind energy developments. The purpose of the guidelines is to encourage responsible and sensitive Wind Farm development, which takes into consideration the concerns of local communities, planners, and other interested groups.

The guidelines outline the main aspects of wind energy development with emphasis on responsible and sustainable design and environmental practices, on aspects of development which affect external stakeholders, and on good community engagement practices. In approaching the development of IWEA's guidelines the aim was to be complementary to the Department of the Environment Heritage and Local Government's 'Wind Energy Development Guidelines' (2006). The design of the proposed project considered these guidelines.

#### **4.4.3.5 Commission for Regulation of Utilities: Grid Connection Policy**

The Commission for Regulation of Utilities (CRU) launched a new grid connection policy in March 2018 for renewable and other generators, known as the Enduring Connection Policy (ECP-1), which sought to allow "shovel ready" projects, that already have a valid planning permission, connect to the electricity networks. The principal objective which guides this decision is to facilitate greater opportunities for advanced projects to connect to the network in addition to preparing for future, more regular batches for connection. In August 2018, the successful applicants for new connection capacity under ECP-1 were published.

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<sup>15</sup> SEAI Quantifying Irelands Fuel and CO<sub>2</sub> Emissions Savings from Renewable Electricity in 2012

<sup>16</sup><https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/irelands-greenhouse-gas-emissions-projections-2021-2040.php#:~:text=Under%20the%20Existing%20Measures%20scenario,the%202021%20Climate%20Action%20Plan.>

On the 10<sup>th</sup> of June 2020, the CRU further published the Enduring Connection Policy – Stage 2 (ECP-2) Decision (CRU/20/060). This decision marks a major milestone in the Enduring Connection Policy regime and provides for three batches of new generation connection offers to access the electricity network.

The number of connection offers represents an increase in ambition from ECP-1 and sets a challenging but achievable programme for the System Operators. This will facilitate new renewable generators competing in forthcoming RESS auctions as well as conventional generators and system service providers.

Cloghercor Wind Farm Ltd will apply for a grid connection for the proposed project through the ECP process subject to receipt of a grant of planning permission which is required to qualify for an application.

#### **4.4.3.6 Code of Practice for Wind Energy Development in Ireland Guidelines for Community Engagement (DCCAE, 2016)**

In December 2016, the Department of Communications, Climate Action and Environment DCCAE published a Code of Practice for Wind Energy Development in Ireland on Guidelines for Community Engagement. The code cites ten key areas that Wind Farm promoters must comply with when engaging with communities. These include:

1. Contact and visibility;
2. Arrangement for making contacts;
3. Engagement;
4. Compliance with statutory and regulatory obligations;
5. Community benefit;
6. Impact mitigation;
7. Independent advisory and information bodies;
8. Expert professional advice;
9. Ancillary development;
10. Reports.

It is intended to ensure that wind energy development in Ireland is undertaken in observance of best industry practices, and with the full engagement of communities around the country. Community engagement is required through the different stages of a project, from the initial scoping, feasibility, and concept stages, right through construction to the operational phase. The guidelines advise that ignoring or poorly managing community concerns can have long-term negative impacts on a community's economic, environmental, or social situation. Not involving communities in the project development process has the potential to impose costly time and financial delays for projects or prevent the realisation of projects in their entirety.

The proposed project fully complies with the Code of Practice for Wind Energy Developments in Ireland.

#### **4.4.4 Regional Policy Context**

##### **4.4.4.1 Regional Spatial and Economic Strategy (RSES) Northern and Western Region 2020**

The Regional Spatial and Economic Strategy (RSES) came into effect on the 24th of January 2020 and provides a high-level development framework for the Northern and Western Region that supports the implementation of the National Planning Framework (NPF) and the relevant economic policies and objectives of Government. It provides a 12-year strategy to deliver the

transformational change that is necessary to achieve the objectives and vision of the Northern and Western Regional Assembly (NWRA).



Figure 4-8: RSES Northern and Western Spatial Area

The RSES is aligned with the *Europe 2020* strategy, which is the EU's agenda for growth and jobs for the current decade to 2020. It emphasises smart, sustainable and inclusive growth as a way to overcome the structural weaknesses in Europe's economy, improve its competitiveness and productivity and underpin a sustainable social market economy. The Post 2020 Strategy focuses on key priorities, which include:

*P02 A Greener, carbon-free Europe, implementing the Paris Agreement and investing in energy transition, renewables and the fight against climate change.*

The RSES considers the region to have a huge potential for growth in renewables, with its diverse and growing environmental goods and services sector, and not least because of the proactivity and drive with which it embraces this agenda. Demonstrating its commitment through the support of test sites, innovative green policies and investing in infrastructure to support a low carbon future. To achieve this, policies must encourage:

- Practices to reduce the production of CO<sub>2</sub>;
- Increase in our energy security;
- Reduced cost of electrical power for domestic purposes, and regional development of value-adding of primary production;
- Increased industry development of modern high efficiency building materials;
- Increased efficiency in the development of renewable energy production
- Improved efficiency of freight and passenger transport systems;
- Greater protection of areas of high primary production value;
- Greater protection of environmentally sensitive areas; and,
- Increase cluster of R&D focused on technological application to renewable energy.

Figure 4-8 illustrates the operational windfarms in the NWRA region (at the time of its publication).

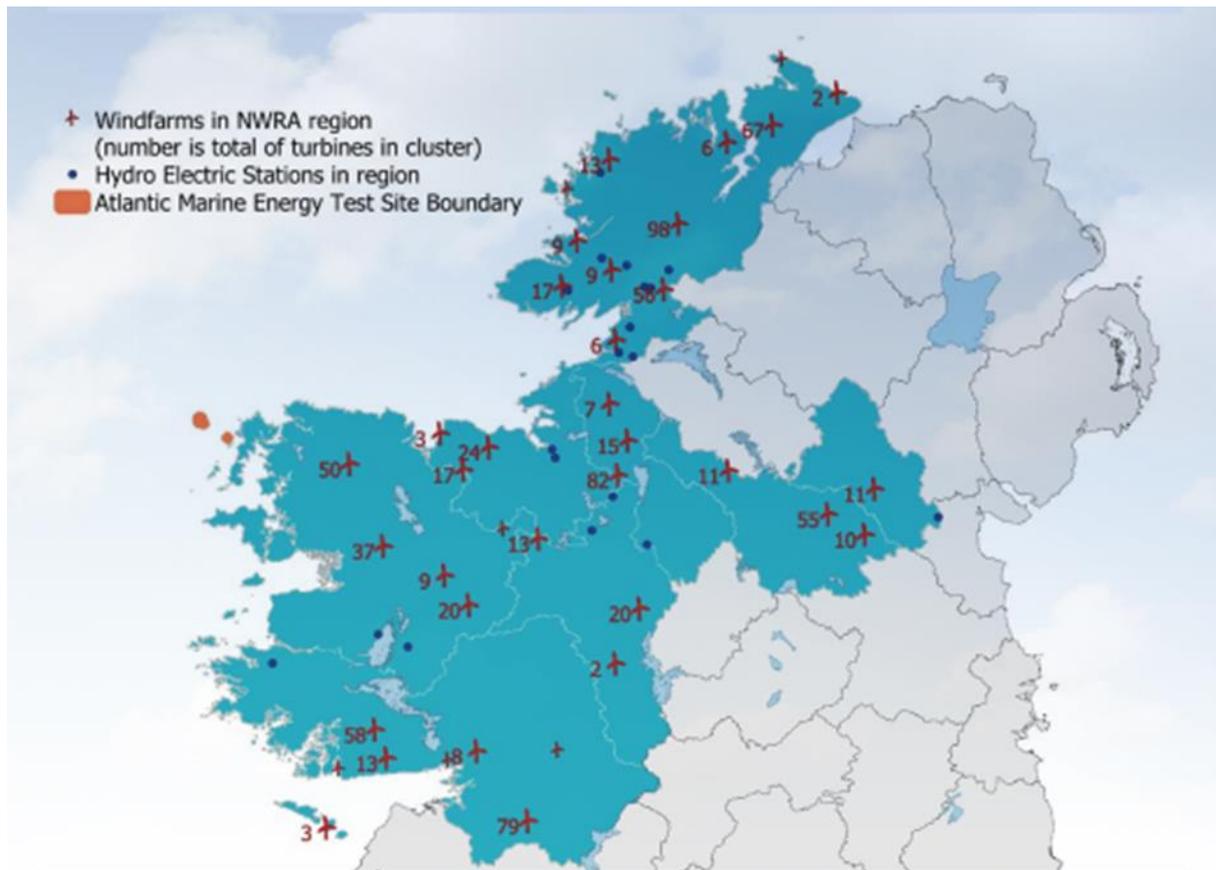


Figure 4-9: Windfarms and Hydro Electric Stations in RSES Spatial Area, Northern and Western Region

The NWRA RSES sets out the following Regional Policy Objectives (RPO) in support of the proposed project:

- Regional Policy Objective 4.16: The NWRA shall co-ordinate the identification of potential renewable energy sites of scale in collaboration with Local Authorities and other stakeholders within 3 years of the adoption of the RSES. The identification of such sites (which may extend to include energy storage solutions) will be based on numerous site selection criteria including environmental matters, and potential grid connections.
- Regional Policy Objective 4.17: To position the region to avail of the emerging global market in renewable energy by:
  - Stimulating the development and deployment of the most advantageous renewable energy systems
  - Supporting research and innovation
  - Encouraging skills development and transferability
  - Raising awareness and public understanding of renewable energy and encourage market opportunities for the renewable energy industry to promote the development and growth of renewable energy businesses
  - Encourage the development of the transmission and distribution grids to facilitate the development of renewable energy projects and the effective utilization of the energy generated from renewable sources having regard to the future potential

- Regional Policy Objective 4.18: Support the development of secure, reliable, and safe supplies of renewable energy, to maximise their value, maintain the inward investment, support indigenous industry and create jobs.
- Regional Policy Objective 4.19: Support the appropriate development of offshore wind energy production through the adequate provision of land-based infrastructure and services, in line with national policy and in a manner that is compatible with environmental, ecological and landscape considerations.
- Regional Policy Objective 5.1: The Assembly will support through Climate Change Action Plans (CARO) and Local Authorities the preparation and implementation of Local Climate Strategies which will, inter alia, address vulnerability to climate risks and provide prioritised actions in accordance with the guiding principles of the National Adaptation Framework.

Section 8.2 of the RSES relates to the electrical grid network and again reinforces the strengths of the region in relation to renewable energy resources. It notes that the existing transmission network is predominantly lower capacity 110 kV with very little higher capacity of 220 kV and 400 kV transmission infrastructure as depicted in Figure 4-10.



Figure 4-10: North West Transmission Grid Infrastructure

Developing the grid will enable the transmission system to safely accommodate more diverse power flows from surplus regional generation and also to facilitate future growth in electricity demand, particularly from wind. The RSES states that these developments will strengthen the network for all electricity users, and in doing so will improve the security and quality of supply. This is particularly important if the region is to attract high technology industries that depend on a reliable, high-quality, electricity supply. The following relevant regional policy objectives are listed:

- Regional Policy Objective 8.1: The Assembly support the development of a safe, secure and reliable electricity network, and the transition towards a low carbon economy

centred on energy efficiency and the growth projects outlined and described in this strategy.

- Regional Policy Objective 8.3: The Assembly support the necessary integration of the transmission network requirements to allow linkages with renewable energy proposals at all levels to the electricity transmission grid in a sustainable and timely manner.
- Regional Policy Objective 8.4: That reinforcements and new electricity transmission infrastructure are put in place and their provision is supported, to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs. Ensure that development minimises impacts on designated areas.

The proposed project is in compliance with the above regional policy objectives.

#### 4.4.5 Local Policy Context

Chapter 2 of this EIAR sets out an overall description of the proposed project and provides a list of all townlands that the proposed project is located within. As previously mentioned, the proposed project is located entirely in Co. Donegal and is thus informed by the provisions of Donegal County Development Plan 2018-2024. Therefore, this section will set out the relevant objectives, policies, and provisions for wind energy in the Donegal Development Plan which are relevant to the proposed project.

##### 4.4.5.1 Donegal County Development Plan 2018-2024

The Donegal County Development Plan 2018-2024 (hereafter referred to as the “CDP”) was adopted in 2018 and sets out a range of policies with respect to economic, social, cultural and heritage development in Donegal. It is the strategic aim of Donegal Council to:

*“facilitate the development of a diverse energy portfolio by the sustainable harnessing of the potential of renewable energy including ocean energy, bioenergy, solar, wind and geothermal, along with the sustainable use of oil and gas, and other emerging energy sources in accordance with National Energy policy and guidance. It is also an aim to facilitate the appropriate development of associated infrastructure to enable the harnessing of these energy resources and to promote and facilitate the development of Donegal as a Centre of Excellence for Renewable Energy.”*

Chapter 8 (Natural Resource Development) of the CPD sets out the following planning policies relating to renewable and wind energy:

- **Policy E-P-2:** It is a policy of the Council to facilitate the appropriate development of renewable energy from a variety of sources, including, hydro power, ocean energy, bioenergy, solar, wind and geo-thermal and the storage of water as a renewable kinetic energy resource, in accordance with all relevant material considerations and the proper planning and sustainable development of the area.
- **Policy E-P-10:** It is a policy of the Council that development proposals for wind energy shall be in accordance with the requirements of the Wind Energy Development Guidelines: Guidelines for Planning Authorities, 2006 (or as may be amended).

The site of the proposed project is predominately contained within a ‘Moderate Scenic Amenity’ (MSA) designation – the lowest of three scenic amenity classifications within the current Donegal CDP. Nonetheless, an ‘Especially High Scenic Amenity’ (EHSA) designation occurs along the northern and western boundary of the site and principally relates to the corridor of the Gweebarra River, whilst an EHSA designation occurs along the eastern and

southern periphery of the site and is associated with the upland ridge that contains the Gweebarra River valley to the south. As such, the following CDP policies are of relevance to the proposed project:

- **NH-P-6:** It is a policy of the Council to protect areas identified as Especially High Scenic Amenity on Map 7.1.1: “Scenic Amenity”. Within these areas, only developments assess to be of strategic importance or developments that are provided for by policy elsewhere in this Plan shall be considered.
- **NH-P-7:** Within areas of “High Scenic Amenity” (HSC) and “Moderate Scenic Amenity” as identified on Map 7.1.1: “Scenic Amenity”, and subject to the other objectives and policies of this Plan, it is the policy of the Council to facilitate development of a nature, location and scale that allows the development to integrate within and reflect the character and amenity designation of the landscape.

It should be noted that under the following High Court Order, certain provisions of the Donegal CDP relating to Wind Energy were ordered to be deleted/removed from the CDP:

*“By Order made on the 5th day of November, 2018, in proceedings bearing Record Number 2018/533JR between Planree Limited, Applicant and Donegal County Council, Respondent, certain provisions of the County Donegal Development Plan 2018-2024, being Section 6.5(c) and (f) of the Wind Energy standards at Part B: Appendix 3, Development Guidelines and Technical Standards and Map 8.2.1 as contained in the County Donegal Development Plan 2018-2024 as published were ordered to be deleted and/or removed from the County Donegal Development Plan 2018-2024. The Development Plan should be read in light of the Order in question pending any possible future variation of same.”*

This order required the removal of Map 8.2.1 of the Donegal County Development Plan 2018–2024. It is noted that prior to removal of this map, the proposed wind farm site was entirely located within an area classified as ‘Open for Consideration’ for wind development.

Following this, Donegal Council prepared a draft variation to the CDP (Variation no. 2) which was adopted at a Plenary Council meeting on 18<sup>th</sup> July 2022. This document set out the policy direction of Donegal Council with regards to wind energy and included a new Map 8.2.1.

It is important to note that the adoption of Variation no. 2, involved rejecting a number of recommendations made by the Office of the Planning Regulator (OPR). Consequently, on 20 December 2022, the Minister issued a final Direction in relation to Variation No. 2 under section 31 of the Planning and Development Act 2000 (as amended) (the Direction), which directed as follows:

“The Planning Authority is hereby directed to take the following steps with regard to Variation No. 2 to the Development Plan:

- a. Omit Policy E-P-23 (2) and (3) and associated endnote and Policy E-P-24.
- b. Amend map 8.2.1 to change the designation of “Lifford -Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns” and “Moderately Low” and “Moderately High” landslide susceptibility areas identified as ‘Not Normally Permissible’ to ‘Open-to-Consideration’.”

Under section 31(17) of the Planning and Development Act 2000 (as amended) the Direction is deemed to have immediate effect and is expected to be ratified at a Plenary Council meeting on 30th January 2023.

Under this Direction, the new designation of “not normally permissible” remains on the proposed wind farm site.

To address this zoning designation, a planning statement has been submitted with the supporting documents of the planning application. The Statement demonstrates that there are no concerns with respect to the zoning designation and provides justification for the proposed wind farm to be considered favourably by An Bord Pleanála.

It is further noted and demonstrated throughout this EIAR, that the proposed project will have no significant impacts with respect to the surrounding environment.

#### 4.5 PLANNING NEED FOR THE PROPOSED PROJECT

Section 4.4 of this chapter outlines national policy that clearly drives the need for the type of development proposed and addressed in this EIAR. Of particular relevance is the Energy White Paper – Ireland’s Transition to a low Carbon Energy Future, as well as targets outlined by the Climate Action Plan 2021. Ireland faces significant challenges to meet these targets and its commitment to transition Ireland to a low carbon economy.

In October 2022, EirGrid published ‘Ireland Capacity Outlook 2022-2031’ report which comprises of a Capacity Summary for Ireland 2022-2031 and the Generation Capacity Statement (GCS) 2022-2031’. The GCS is an annual report from EirGrid and System Operator Northern Ireland (SONI), which examines the balance between electricity demand and supply on the island of Ireland and considers demand, generation and adequacy of electricity supply for the next decade. The latest GCS has stated that Ireland’s electricity system will face a shortfall of supply over demand for the next 10 years and highlights how in the short-term the shortfall in energy supply has increased.

The GCS also notes that power demand from existing data centres contracted to the grid is now expected to be higher than previously estimated. In 2021, data centres and other large users accounted for 17% of demand. Overall, EirGrid anticipates demand for electricity rising by 37% over the next decade, with 28% of demand by 2031 coming from data centres and other large users. It also predicts the share required by Electric Vehicles and heat pumps will rise from 2% (2021) to 13% (2031), dependent on targets for these being met under the CAP21.

This latest GCS report highlights the need for renewable energy resources to ensure energy security for the island of Ireland, in addition to a parallel development of the electrical grid infrastructure nationally.

The proposed Cloghercor Wind Farm is critical to helping Ireland address these challenges as well as addressing the country’s over-dependence on imported fossil fuels, and energy security challenges in the coming years.

It should be noted that there is a considerable economic benefit to the development of Wind Farms nationally. In the national context, Baringa published a report in October 2018 titled ‘70 by 30 - A 70% Renewable Electricity Vision for Ireland in 2030’. In the report Baringa analysed two different scenarios for the energy sector on the island of Ireland in 2030. ‘Renewable Energy’ is a scenario where the island of Ireland continues to be a world leader in renewable electricity and in wind and solar power in particular. In this scenario Ireland achieves a renewable electricity target of 70% by 2030. ‘Fossil Fuel’ is a scenario where there is no further deployment of renewable generation after the 2020-target of 40% renewable electricity is met. In this scenario, Ireland still primarily relies on fossil fuels to generate electricity in 2030.

Baringa's '70 by 30' report demonstrated that 70% renewable electricity by 2030 in Ireland can be achieved at a net financial benefit to end consumers<sup>17</sup>. This report played an important role in influencing Ireland's renewable energy ambitions and in March 2019 the Irish government pledged a binding target of 70% renewable electricity by 2030, which was later increased to 80% under CAP21. Further to this, both the Irish<sup>18</sup> and UK<sup>19</sup> governments have set a goal of net-zero emissions by 2050 and decarbonisation has also been made a primary goal in the strategies of key all-island stakeholders such as the Commission for Regulation of Utilities, Water and Energy (CRU), the Utility Regulator in Northern Ireland, and the Transmission System Operators (TSOs) EirGrid and SONI.

The analysis shows that:

- Procuring system services from zero-carbon providers could reduce all-island power sector emissions by almost 2 million tonnes of CO<sub>2</sub> per year by 2030. This is equivalent to one third of total 2030 power sector emissions that could be avoided by transitioning to a Zero-Carbon Model.
- There are significant operational cost savings associated with sourcing all system services from zero-carbon sources, with up to €90m per year of savings by 2021, increasing to €117m per year by 2030, primarily from avoided fuel and carbon costs. They project an annual operational cost saving of €57m per year by 2030 if reserve requirements alone are met by zero-carbon technologies.
- There is a significant reduction in renewable curtailment if system operational constraints are met using zero-carbon service providers. In 2030, the analysis suggests a greater than 50% reduction in renewable curtailment from 8.1% to 4.0%. This reduction in the curtailment of zero-marginal cost renewables results in lower electricity generation costs as it displaces more expensive, typically fossil-fuelled, generators in the production of electricity.

Pöyry also published a report in March 2014 titled 'The Value of Wind Energy to Ireland'. The report stated that the sector could support 22,510 jobs in the construction stage and double the amount of existing jobs in the operational phase by 2030. It also projected an investment of €4.8 billion in the time period from 2020 to 2030. Based on the proposed project capacity of between 95-136.8MW, it is estimated that between 142 and 205 jobs across a number of different sectors would be created. It is estimated that between 96 to 139 persons will be directly employed during the peak construction period. The institute of Sustainable Futures (2015) estimates that the operational and maintenance job output for the Cloghercor Wind Farm would be 0.3 jobs per MW of total installed capacity (based on an average of 7 studies examined). This is further discussed in Chapter 5 (Population & Human Health).

The proposed project will have several significant long-term and short-term benefits for the local economy including job creation, landowner payments, local authority commercial rate payments and a Community Benefit Scheme. In addition, during construction, additional employment will be created in the region through the supply of services and materials to the proposed project. In addition to this, there will also be income generated by local employment from the purchase of local services i.e. travel and lodgings.

Secure supplies of energy are essential for Ireland's economy and for maintaining safe and comfortable living conditions. Energy import dependency is a significant indicator of the

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<sup>17</sup> <https://www.iwea.com/images/files/70by30-report-final.pdf>

<sup>18</sup> <https://www.dccae.gov.ie/en-ie/climate-action/publications/Pages/Climate-Action-Plan.aspx>

<sup>19</sup> <https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law>

country's energy security. Ireland is one of the most energy import-dependent countries in the European Union, importing 67% of its fuel in 2018 at an estimated cost of €5 billion (SEAI, 2020). The largest share of energy imports in 2018 was oil, accounted for 73% of total energy imports, natural gas 17%, coal 8.2% and renewables 1.4%. Import dependency increased to 69% in 2019 (SEAI, 2020).

The Energy White Paper, Ireland's Transition to a Low Carbon Energy Future 2015-2030 (DoCENR, 2015) sets out a framework to guide policy and actions that the government intends to take in the energy sector. The paper notes that "There will be substantial increases in the cost of carbon in the short and medium term, through the EU Emissions Trading Scheme". Recent events in Eastern Europe, which prompted the National Energy Security Framework, highlights the fossil fuel dependency throughout the EU and interruption to energy insecurity as a result of unrest. These events have encouraged the need for greater energy independence for each EU nation.

The need for the proposed project is driven by the following factors:

1. A legal commitment from Ireland to limit greenhouse gas emissions under the Kyoto protocol to reduce global warming;
2. A requirement to increase Ireland's national energy security as set out in the Energy White Paper and National Energy Security Framework;
3. A requirement to diversify Ireland's energy sources, with a view to achievement of national renewable energy targets and an avoidance of significant fines from the EU (the EU Renewables Directive);
4. Provision of cost-effective power production for Ireland which would deliver local benefits; and
5. Increasing energy price stability in Ireland through reducing an over reliance on imported gas.

The proposed project will produce energy from indigenous, renewable resources. As such, it will contribute towards international, EU, national, regional, and local policy regarding the reduction of dependence on fossil fuels, increased reliance on renewable energy and reducing emissions of GHGs. It will contribute towards national policies to increase wind electricity generation capacity in the country and assist in the exploitation of Ireland's renewable energy resources. It will also contribute to meeting the EU's challenging target of 32% renewable energy by 2030.

## 4.6 CONCLUSION

There are significant International, European, National and Local policy supports for renewable energy technologies in the country. In September 2022, it was confirmed that Ireland yet again missed its targets for reducing greenhouse gas emissions as per the latest report from the Climate Change Advisory Council – 'Annual Review September 2022'<sup>20</sup> – "Ireland has failed to meet its 2020 EU target of a 20% reduction in greenhouse gas emissions and will have to use allowances purchased from other Member States to meet the shortfall".

2050 European targets mean that Europe's energy production will have to be almost carbon-free by that time, and while Ireland has come a long way in recent years to increase renewable energy generation, the targets are ever increasing. It is this commitment on energy and climate policy that justifies a clear need for renewable energy generation in Ireland. It is recognised

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<sup>20</sup> <https://www.climatecouncil.ie/media/climatechangeadvisorycouncil/contentassets/publications/CCAC-ANNUAL-REVIEW-2022.pdf>

that there are a range of renewable resources alternatives that could be explored to meet our International and European commitments however, onshore wind is recognised as being the most economically competitive and viable at this point in time.

Ireland is fortunate to have access to the lowest cost renewable electricity resources in the world. As a small island nation, the challenges are to deliver a secure supply of energy to meet our growing needs and drive economic prosperity, while making sure cost is to the forefront of decision-making, alongside reducing CO<sub>2</sub> emissions to protect the environment and limit the impact of climate change for future generations.

Ireland is one of the leading countries in its use of wind energy and is in fifth place worldwide based on 2021 usage after Denmark, Uruguay, Spain and Portugal<sup>21</sup>. As mentioned previously the Irish government is ramping up its aspirations on renewables, aiming for 80% renewable electricity by 2030. Wind energy provides a clean, sustainable solution to our energy problems. It can be used as an alternative to fossil fuels in generating electricity, without the direct emission of greenhouse gases.

The benefits of wind power are considered to be many and these can be summarised as follows:<sup>22</sup>

- Wind energy releases no pollution into the air or water.
- Wind energy is both renewable and sustainable. The wind will never run out, unlike the earth's fossil fuel reserves (such as oil and gas).
- Adding wind power to the energy supply diversifies the national energy portfolio and reduces reliance on imported fuels.
- Wind turbines have a relatively small footprint. Although they can tower high above the ground, the impact on the land is minimal. The area around the base of the wind turbine can often be used for other purposes such as agriculture.
- Wind turbines are considered relatively low maintenance. A new wind turbine can be expected to last some time prior to any maintenance work needing to be carried out.
- Local and Economic Benefits. As well as attracting investment into Ireland, wind energy is also contributing to our national growth through paying taxes and is predicted to contribute a tax revenue of €1.8 billion by 2030<sup>23</sup>. Ireland saves money (over €1 billion in the last five years) on wind energy from cutting down on expensive fossil fuel imports. Energy in Ireland 2021 Report published by the SEAI has indicated that wind energy accounted for 86% of renewable electricity in Ireland in 2020. In addition, the SEAI reports that the CO<sub>2</sub> intensity of electricity generation fell to 296gCO<sub>2</sub>/KWh in 2020, which is noted as a historic low for Ireland and 39% lower than in 2016 (481 gCO<sub>2</sub>/KWh).<sup>24</sup>

It is requested that the Planning Authority have regard to the national objectives to support wind energy development as part of the International, European, and National binding agreements to increase the use of renewable energy. The proposed project fits with the overall strategic aim of the Donegal County Development Plan 2018-2024 by facilitating the development of a diverse energy portfolio by the sustainable harnessing of the potential of

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<sup>21</sup>[https://www.ren21.net/wp-content/uploads/2019/05/GSR2022\\_Full\\_Report.pdf](https://www.ren21.net/wp-content/uploads/2019/05/GSR2022_Full_Report.pdf) [Accessed January 2023]

<sup>22</sup> <https://www.esb.ie/tns/education-hub/future-energy/wind-energy>

<sup>23</sup> [Wind Energy \(esb.ie\)](https://www.esb.ie)

<sup>24</sup> [https://www.seai.ie/publications/Energy-in-Ireland-2021\\_Final.pdf](https://www.seai.ie/publications/Energy-in-Ireland-2021_Final.pdf)

renewable energy. It also complies with the RSES, and the Wind Energy Development Guidelines 2006. The proposed project is cognisant of the Draft Revised Wind Energy Development Guidelines (2019) and other policies as described above.