

## 4 PLANNING AND LEGISLATIVE CONTEXT

### 4.1 INTRODUCTION

This section sets out the planning policy context relevant to the proposed EIA Development by providing an overview of the international, national and regional legislation and policy of relevance, as well as a detailed review of the planning policy framework within which the application will be assessed.

### 4.2 STATEMENT OF AUTHORITY

This section has been prepared by Jennings O'Donovan & Partners Ltd. (JOD).

### 4.3 IRISH PLANNING LEGISLATION AND POLICY CONTEXT

**Table 4.1: Irish Planning Legislation and Policy Context**

Legislation / Policy	Context
<b>Planning and Development Act 2000 (as amended)</b>	The Planning and Development Act 2000 (as amended) sets out the planning framework. It consolidates all previous planning acts and is the basis for the Irish planning code, setting out the detail of regional planning guidelines, development plans and local area plans as well as the basic framework of the development management and consent system. It sets out the statutory basis for the carrying out of an Environmental Impact Assessment (EIA).
<b>Planning and Development Regulations 2001 (as amended)</b>	The Planning and Development Regulations 2001 (as amended) implement the Planning and Development Act 2000 by prescribing the details of the planning code.
<b>Planning and Development (Amendment) Act 2015</b>	The 2015 Act strengthens certain aspects of planning guidelines. Planning guidelines may now contain specific planning policy requirements that must be applied by planning authorities and An Bord Pleanála in the performance of their functions
<b>Habitats and Birds Directives</b>	The Habitats Directive 1992/43/EEC and the Birds Directive (revised) 2009/147/EC set out the requirements for the protection of habitats and species and in the case of the latter, Bird species, of European and national importance.

Legislation / Policy	Context
	For the purposes of planning, these Directives have been transposed into Irish legislation under the Planning and Development Act 2000, as amended, (in particular Part XAB, the Planning and Development Regulations 2001, as amended (in particular Part 20), and the European Communities (Birds and Natural Habitats) Regulations 2011.
<b>Wildlife Act 1976, as amended</b>	The requirements for the designation and protection of habitats and species in a natural heritage area (NHA) are set out in the Wildlife Act 1976, as amended.
<b>Climate Action and Low Carbon Development Act 2015</b>	The Act provides for the establishment of a national framework with the aim of achieving a low-carbon, climate-resilient, and environmentally sustainable economy by 2050 (referred to in the Act as the “national transition objective”). The Act was commenced in the days before the historic COP21 agreement in Paris where consensus was reached by 200 countries on the need to reduce greenhouse gas emissions.
<b>Climate Action Plan 2021</b>	The objective of the Plan is to enable Ireland to meet its EU targets to reduce its carbon emissions by 30 per cent between 2021 and 2030 and lay the foundations for achieving net zero carbon emissions by 2050. It also outlines the intention of the government to meet up to 80% of electricity demand from renewable power by 2030.
<b>Climate Action and Low Carbon Development (Amendment) Act 2021</b>	This Programme for Government commits to a 7% average yearly reduction in overall greenhouse gas emissions over the next decade, and to achieving net zero emissions by 2050. The Act brings in a system of 5-year economy-wide carbon budgets, which will outline a ceiling for total greenhouse gas emissions. These will be prepared by the Climate Change Advisory Council and presented to Government to consider and approve, with input from the Oireachtas.
<b>The National Planning Framework 2018-2027</b>	The National Planning Framework (NPF) (which is given statutory recognition in the Planning and Development (Amendment) Act 2018) is intended to guide development and investment through a shared set of national objectives and

Legislation / Policy	Context
	<p>principles. It is then left to the three regional planning bodies and the 31 city and county councils to take a lead in refining these into more detailed plans.</p>
<p><b>The National Development Plan 2018-2027</b></p>	<p>The National Development Plan (NDP) sets out the investment priorities that will underpin the implementation of the National Planning Framework, through a total investment of approximately €116 billion. This represents a very substantial commitment of resources and is expected to move Ireland close to the top of the international league table for per capita public investment.</p>
<p><b>Regional Planning</b></p>	<p>The Local Government Reform Act 2014 provided for three new regional assemblies: the Northern and Western, Eastern and Midland and Southern Regions. Members of the Regional Assemblies consist of the local authorities within that region.</p> <p>The Regional Spatial and Economic Strategy (RSES) for the Northern and Western Regional Assembly area provides a long-term regional level strategic planning and economic framework, to support the implementation of the National Planning Framework, for the future physical, economic and social development for the North West Region.</p>
<p><b>The Galway County Development Plan 2022-2028</b></p>	<p>The County Galway Development Plan 2022-2027 was adopted in June 2022. The Wind Energy Strategy is included with the CDP 2022-2028 and includes amendments to the existing WES in the 2015-2021 CDP.</p>
<p><b>The Wind Energy Development Guidelines 2006</b></p>	<p>The Wind Energy Development Guidelines 2006 offer advice to planning authorities on planning for wind energy through the development plan process and in determining applications for planning permission. These are statutory (s.28) guidelines to which the planning authority is required to have regard, until such time as the guidelines are revoked and/or replaced.</p>
<p><b>The Draft Wind Energy Guidelines December 2019</b></p>	<p>The key aspects for the new draft proposed wind energy guidelines include the following:</p> <ul style="list-style-type: none"> <li>• a visual amenity setback of 4 times the turbine height between a wind turbine and the nearest residential</li> </ul>

Legislation / Policy	Context
	<p>property, subject to a mandatory minimum distance of 500 metres</p> <ul style="list-style-type: none"> <li>• the elimination of shadow flicker</li> <li>• the application of a more stringent noise limit, consistent with World Health Organisation standards</li> </ul> <p>The introduction of new obligations in relation to community engagement with local communities along with the provision of community benefit measures.</p>
<p><b>The National Landscape Strategy for Ireland 2015-2025</b></p>	<p>Ireland signed and ratified the Council of Europe's European Landscape Convention (ELC) which came into effect on 1 March 2004. The Convention has been ratified by thirty-eight countries. It obliges Ireland to implement policy changes and objectives concerning the management, protection and planning of the landscape. The National Landscape Strategy will be used to ensure compliance with the ELC and to establish principles for protecting and enhancing it while positively managing its change. It is a high-level policy framework to achieve balance between the protection, management and planning of the landscape by way of supporting actions.</p>

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**4.4 INTERNATIONAL POLICY**

This section of the EIAR highlights the international perspectives with regards to climate change and wind energy.

There are several policies relevant to climate change and renewable energy that include:

- The 1992 United Nations Framework Convention on Climate Change (UNFCCC)
- The Kyoto Protocol 2005
- The Doha Amendment to the Kyoto Protocol 2012
- The Paris Agreement (COP21) 2015

**4.4.1 The United Nations Framework Convention on Climate Change**

The United Nations Framework Convention on Climate Change (UNFCCC) was set up in 1992 and sets an overall framework for intergovernmental efforts to tackle the challenge posed by climate change. The UNFCCC 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.

### **The Paris Agreement (2016)**

The Paris Agreement seeks to accelerate and intensify the actions and investment needed for a sustainable low carbon future. Its central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. The Agreement also aims to strengthen the ability of countries to deal with the impacts of climate change.

The Paris Agreement commits the EU as a whole to reduce greenhouse gas emissions by at least 40% by 2030, compared with 1990 levels. This figure was revised by the EU in April 2021 to 55% domestic Green House Gas reduction by 2030 compared to 1990 (this has yet to be finalised/accepted<sup>1</sup>).

#### **4.4.2 EU Directive 2011/92/EU**

European Union Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the 'EIA Directive'), was transposed into Irish planning legislation by the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). The EIA Directive was amended by Directive 2014/52/EU.

#### **4.4.3 The EU Directive 2014/52/EU**

Directive EIA 2014/52/EU amended environmental impact assessment (EIA) law in a number of respects by amending Directive 2011/92/EU. The Directive was transposed into Irish Law in September 2018. The objective of the Directive (Directive 2011/92/EU), as amended by Directive 2014/52/EU, is to ensure a high level of protection of the environment and human health, through the establishment of minimum requirements for EIA, prior to development consent being given, of public and private developments that are likely to have significant effects on the environment.

Planning Authorities and ABP have lengthy experience in assessing the effects of proposed developments on the environment as this is an integral part of considering whether the proposal is in the interests of the proper planning and sustainable development of the area. The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) transpose the requirements of the 2014 EIA Directive into existing planning consent procedures.

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<sup>1</sup> [https://ec.europa.eu/clima/policies/strategies/2030\\_en](https://ec.europa.eu/clima/policies/strategies/2030_en)

Amending Directive 2014/52/EU defined the EIA process as a process consisting of:

- (a) the preparation of an Environmental Impact Assessment Report (EIAR) by the developer
- (b) the carrying out of consultations
- (c) the examination by the competent authority of the EIAR, any supplementary information provided, where necessary, by the developer and relevant information received through consultations with the public, prescribed bodies and any affected Member States
- (d) the reasoned conclusion of the competent authority on the significant impacts of the project on the environment and
- (e) the integration of the competent authority's reasoned conclusion into any development consent decision.

#### **4.4.4 European Legislative and Policy Context**

In 2011, the European Council reaffirmed the EU objective of reducing greenhouse gas emissions by 80-95% by 2050 compared to 1990.

The EU adopted the 2020 Climate and Energy Package by the European Council in December 2008. The objectives of the package included:

- Reduce GHG emissions by at least 20% compared to 1990 levels
- Reduce primary energy consumption by 20% compared with projected levels
- Achieve a 20% level of EU energy consumption from renewable sources

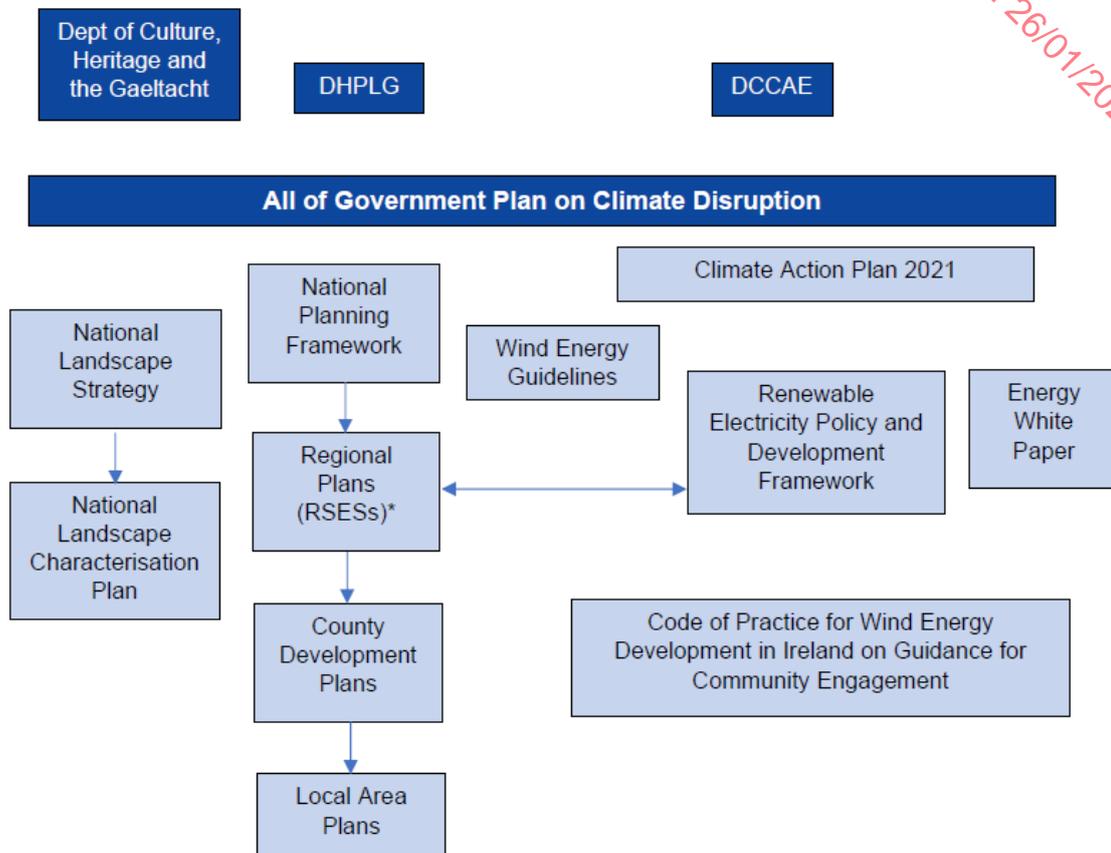
The Renewables Directive (EU Directive 2009/28/EC) introduced legally binding targets on Member States for the consumption of renewable energy (from electricity, heating and cooling, and transport) by 2020. This included the overall, legally binding target of 16% of Irish energy requirements from renewable sources by 2020.

The EU adopted the revised Clean Energy Package in May 2019, including the Renewable Energy Directive (recast) 2018/2001 (RED II) which sets a new binding EU-wide target for renewable energy of at least 32% by 2030, which provision for further increase from 2023. The RED II requires member states to adopt the necessary laws and procedures by June 2021 to comply with the requirements of the Directive.

#### **4.5 NATIONAL POLICY**

This sub-section contains information on national policy considered to be relevant to the Development and in particular how Ireland is responding to climate change. The 2014

National Policy Position on Climate Action and Low-Carbon Development establishes the fundamental national objective of achieving transition to a competitive, low-carbon economy by 2050.



**Figure 4.1: Overview of National Planning Policy Context**

**4.5.1 Climate Action and Low Carbon Development Act 2015**

The Climate Action and Low Carbon Development Act, 2015 was signed into law on 10 December 2015. The Act provides for the establishment of a national framework with the aim of achieving a low carbon, climate resilient, and environmentally sustainable economy by 2050, referred to in the Act as the “national transition objective”. The Act provides the tools and structures to transition towards a low carbon economy and it anticipates that it will be achieved through a combination of:

- A national mitigation plan (to lower Ireland’s level greenhouse emissions)
- A national adaptation framework (to provide for responses to changes cause by climate change)
- Tailored sectoral plans (to specify the adaptation measures to be taken by each Government ministry)
- Establishment of the Climate Change Advisory Council to advise Ministers and the Government on climate change matters.

#### 4.5.2 Climate Action Plan 2021

In May 2019 Parliament declared a “climate emergency”. As a response to combat this emergency the Government published The *Climate Action Plan 2019* on 17 June 2019. The plan recognises that decisive and urgent action is required to arrest the acceleration of greenhouse gas emissions within the limited window of opportunity that remains.

On the 4<sup>th</sup> of November 2021 the *Climate Action Plan 2021 (CAP 2021)* was published to replace the 2019 Plan. The CAP 2021 provides a detailed plan for taking decisive action to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and setting us on a path to reach net-zero emissions by no later than 2050, as committed to in the Programme for Government and set out in the Climate Act 2021.

The Plan is ambitious, affecting almost every sector of the economy. The key difference however, between this Plan and previous ones is that it creates new governance structures necessary to implement the far-reaching changes. The key focus of the Plan is to identify how the Government plans to reduce Ireland's, still growing, greenhouse gas emissions. The scale of the challenge is huge, and the Plan identifies the need for everyone to contribute in tackling the challenges posed by climate change. It includes increased renewable electricity targets, the end of single use non-recyclable plastics and new building regulations. It will impact how our homes and businesses are heated, how we generate and consume electricity, how we travel and how food is produced. The Plan includes a new commitment to make Ireland 100% carbon neutral by 2050 and contains action points designed to achieve our national climate change targets.

The main points in the 2021 Plan, in relation to electricity generation as follows:

- *“Increase renewable electricity – wind and solar up to 80% by 2030*
- *Separate small scale generator scheme for farmers, business and communities to generate electricity and sell to the grid*
- *Reduce emissions from electricity by 62% – 81% from 2018 levels*
- *Deliver three new transmission grid connections or interconnectors to Northern Ireland, Great Britain, and the EU*
- *Complete the phase-out of coal and peat-fired electricity generation*
- *Review data centre strategy to ensure the sector supports renewables and emissions targets”*

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

The Climate Action and Low Carbon Development (Amendment) Act is an ambitious piece of legislation. The Climate Action and Low Carbon Development (Amendment) Act 2021 sets out the legal framework for Ireland's transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by no later than 2050.

The Act includes the following key elements:

- This Act includes the process of setting binding and ambitious emissions-reductions targets in law
- The Act provides that the first two five-year carbon budgets to equate to a total reduction of 51% over the period to 2030, relative to a baseline of 2018
- The role of the Climate Change Advisory Council has been strengthened
- The government must adopt carbon budgets that are consistent with the Paris agreement and other international obligations.
- The Government will conduct consultation and determine how to apply the carbon budget and what each sector will contribute over the 5 year period
- Actions for each sector will be detailed in the Climate Action Plan which must be updated annually
- Government Ministers will be responsible for achieving the legally-binding targets for their own sectoral area with each Minister accounting for their performance towards sectoral targets and actions before an Oireachtas Committee each year
- Local Authorities must prepare individual Climate Action Plans, to be aligned with the Local Authority Development Plans, which will include both mitigation and adaptation measures and will be updated every five years.
- Public Bodies will be obliged to take account of Climate Action Plans in the performance of their functions.

#### 4.5.3.1 Energy Sector

The goal in the energy sector is to make Ireland less dependent on imported fossil fuels. To achieve this, energy needs to be decarbonised by harnessing renewable resources, particularly wind (both onshore and offshore), solar PV and biomass powered CHP.

The targets set out in the Climate Action Plan 2019 envisages a radical step-up of our existing targets in order to meet the required level of emissions reduction by 2030, including:

- A reduction in CO<sub>2</sub> eq. emissions by 50–55% relative to 2030 NDP projections
- An increase in electricity generated from renewable sources to 70%

- An objective to meet 15% of electricity demand by renewable sources contracted under Corporate Power Purchase Agreement (PPA)

The plan sets out four key measures to meet these targets:

### **1. Harnessing Renewable Energy**

The transition to 70% renewable electricity by 2030 will be made possible by a significant increase in onshore wind, offshore wind and solar PV. The recently announced Renewable Electricity Support Scheme (RESS) will be a key policy measure to drive this growth. The first and second RESS auctions were decided in August 2020 and May 2022, respectively, with further auctions scheduled over the coming years.

Although RESS is expected to be designed as a series of technology neutral auctions based on the lowest levelised cost of energy (LCOE), the Government has set out the following indicative levels of renewable electricity generation in the Plan:

- at least 3.5 GW of offshore wind
- up to 8.2 GW of onshore wind
- up to 1.5 GW of grid scale solar energy

The Plan also envisages that 15% of electricity demand will be met by renewable sources contracted under Corporate PPA's. It is expected that a key driver in the growth of Corporate PPA's will be the expected increase in data centres, which will lead in turn to a massive increase in demand for electricity.

### **2. Phasing out Fossil Fuels**

Removing fossil fuels from the grid will be essential in the coming years. There are plans to replace coal fired generation with low carbon and renewable technologies. Bord Na Móna are committed to transitioning away from peat by 2028. There will be an end to coal burning at ESB's Moneypoint generation plant by 2025.

### **3. Micro-generation**

In 2021 there was a change in the electricity market rules to enable micro-generated electricity to be sold by businesses and householders to the grid and offset their electricity bills, or recoup some of the costs of investing in renewable energy. The Plan provides this should include provision for a feed-in-tariff for micro-generation to be set at least the wholesale price point. Mechanical electricity meters will be replaced by new smart meters in households by 2024 under the Smart Metering Programme.

#### 4. Other Measures

Other measures include continued support for the DS3 programme, support for research on nascent ocean energy technologies (e.g. floating wind, tidal and wave technologies) and continued support for the development of combined heat and power generation (CHP).

##### 4.5.4 Department of Communications Climate Action and Environment: Renewable Electricity Support Scheme 2018 (RESS)

The RESS was published by the government in July 2018. Unlike previous schemes, renewable projects seeking support will compete against one another. This is intended to maximise financial benefits arising from falling technology costs. The new RESS is also intended to support increased community participation in windfarm projects and to facilitate an expansion of renewable electricity up to 55% by 2030. That target of 55% has now been superseded in the Climate Action Plan 2019 which sets out that a target 70% of power generation should come from renewable energy.

##### 4.5.5 Project 2040

Ireland has developed a strategic outlook for the future development of the country under the 'Project Ireland 2040.' Project 2040 comprises two plans, The National Planning Framework (NPF) and the ten-year National Development Plan (NDP) which will guide strategic development and infrastructure investment at the national level. The NDP 2018-2027 sets out investment priorities of €21.8 billion for climate action for the 10-year period, €7.6 billion is to come from the Exchequer. The remaining investment is to be made by Ireland's semi-state companies and by the private sector. In addition, some €8.6 billion funding has been made available for sustainable mobility projects, mostly in public transport. This substantial funding increase will facilitate upscaling of investments and implementation of actions needed to move the country towards its 2030 climate targets.

Section 1.5 of the NPF sets out that "*sustainability is at the heart of long-term planning and the National Planning Framework seeks to ensure that the decisions we make today, meet our own needs without compromising the ability of future generations to meet their needs.*"

The NPF with the NDP will also set the context for each of Ireland's three regional assemblies to develop their Regional Spatial and Economic Strategies taking account of and co-ordinating Local Authority County and City Development Plans in a manner that will ensure national, regional and local plans align. The National Planning Framework is based on a set of values that will ensure Ireland's "long term economic, environmental and social progress for all parts of the country".

The NPF sets a number of shared goals for Ireland which the Development will contribute to achieving, including:

- Strengthened Rural Economies and Communities
- A Strong Economy, supported by Enterprise, Innovation and Skills
- Transition to a Low Carbon and Climate Resilient Society

NPF Chapter 9 states that *"The Government is committed to a long-term climate policy based on the adoption of a series of national plans over the period to 2050, informed by UN and EU policy. This is being progressed through the National Mitigation Plan and the National Climate Change Adaptation Framework, both of which will be updated and reviewed periodically."*

*In addition to legally binding targets agreed at EU level, it is a national objective for Ireland to transition to be a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050, guided by a long-term vision based on:*

- *an aggregate reduction in carbon dioxide (CO<sub>2</sub>) emissions of at least 80% (compared to 1990 levels) by 2050 across the electricity generation, built environment and transport sectors; and*
- *in parallel, an approach to carbon neutrality in the agriculture and land-use sector, including forestry, which does not compromise capacity for sustainable food production."*

The NPF states that in relation to rural areas and renewable energy that:

### **Transition to a Low Carbon and Climate Resilient Society**

*"The National Climate Policy Position establishes the national objective of achieving transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050. This objective will shape investment choices over the coming decades in line with the National Mitigation Plan and the National Adaptation Framework. New energy systems and transmission grids will be necessary for a more distributed, renewables-focused energy generation system, harnessing both the considerable on-shore and off-shore potential from energy sources such as wind, wave and solar and connecting the richest sources of that energy to the major sources of demand."*

### **UN Sustainable Development Goals**

*There is significant alignment between the UN SDGs and the National Planning Framework's National Strategic Outcomes (NSOs) in areas such as climate action, clean energy, sustainable cities and communities, economic growth, reduced inequalities and innovation and infrastructure, as well as education and health."*

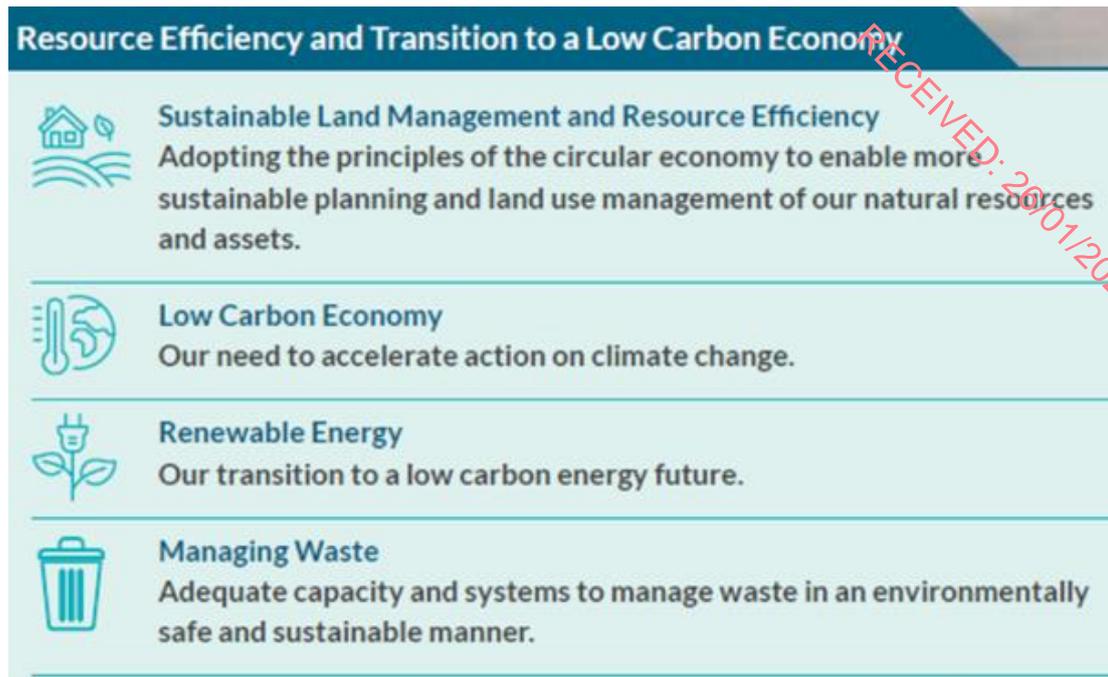


Figure 4.2: Extract from page 117 of the NPF

**National Policy Objective 54**

*“Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.”*

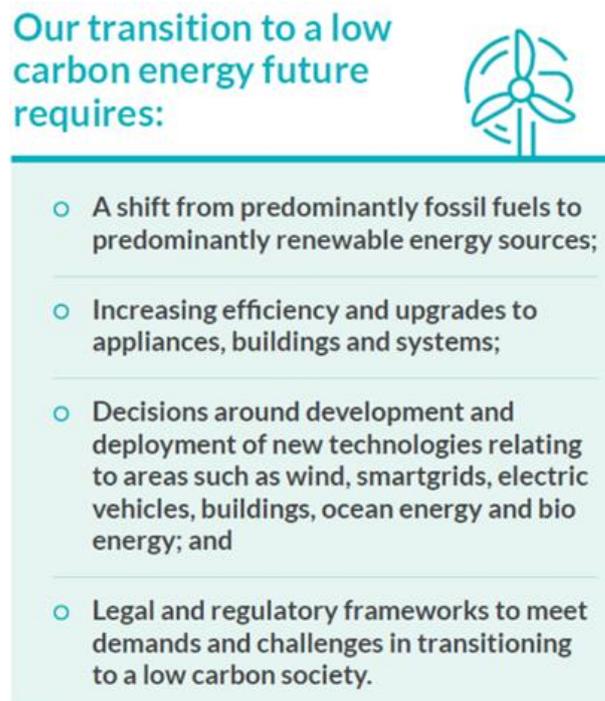


Figure 4.3: Extract from page 122 of the NPF

In the energy sector, transition to a low carbon economy from renewable sources of energy is an integral part of Ireland's climate change strategy and renewable energies are a means of reducing our reliance on fossil fuels. The forthcoming Renewable Electricity Policy and Development Framework will aim to identify strategic areas for the sustainable development of renewable electricity projects of scale, in a sustainable manner, compatible with environmental and cultural heritage, landscape and amenity considerations. The development of the Wind Energy Guidelines and the Renewable Electricity Development Plan will also facilitate informed decision making in relation to onshore renewable energy infrastructure.

#### **National Policy Objective 55**

*"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."*

#### **4.5.6 National Energy & Climate Action Plan 2021-2030**

In accordance with the Governance of the Energy Union and Climate Action Regulation, Ireland's first National Energy & Climate Plan (NECP) 2021-2030 was published in June 2020.

The first draft of the NECP took into account energy and climate policies to that date as well as the levels of economic and demographic growth predicted under Project 2040 and the climate and energy measures set out under the National Development Plan 2018-2027.

The NCEP produced in 2019 incorporates all planned policies and measures identified up to the end of 2019 which aim to deliver a 30% reduction in non-ETS greenhouse gas emissions (from 2005 levels) by 2030.

Ireland is committed to achieving a 7% annual average reduction in greenhouse gas emissions between 2021 and 2030. However, the NCEP reflects the current EU effort sharing approach and not this higher level of commitment. Therefore, the NCEP will be revised to take account of these commitments required for the increase in the overall EU contribution agreed as part of the Paris Agreement.

#### **4.5.7 Regional Planning Guidance – Regional Planning Guidelines (2010-2022)**

The Regional Planning Guidelines have been replaced by Regional Spatial and Economic Strategies (see below:).

## **The Regional Spatial and Economic Strategy (RSES) for the Northern and Western Regional Assembly (NWRA)**

The Regional Spatial and Economic Strategy (RSES) for the Northern and Western Regional Assembly (NWRA) was adopted in December 2019. The objective of the RSES is to support the implementation of the National Planning Framework and the economic policies and objectives of the Government by providing a long-term planning and economic framework which shall be consistent with the NPF and the economic policies or objectives of the Government.

The RSES provides a development framework of the region that supports the implementation of the National Planning Framework (NPF) and the relevant economic policies and objectives of the Government. It provides a 12 year strategy for the period 2020 – 2032 to achieve the objectives and vision of the Regional Assembly.

Among the Regional Policy Objectives (RPO) is RPO 4.17, 4.18 and 4.18 which state the following in relation to renewable energy:

**RPO 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 utilisation of the energy generated from renewable sources having regard to the future potential of the region over the lifetime of the Strategy and beyond.*

**RPO 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.*

**RPO 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.*

The RSES recognises that the northwest region has a rich natural energy resource, declaring that the region is open to renewables energy ideas, and recognises the required transition from fossil fuels to the use of renewables. The strategy further notes that this can contribute to new employment, community sustainability and attract additional people to the region.

The 2020 Regional Spatial and Economic Strategy (RSES) highlights the fact that Galway is the fastest growing city in Ireland over the past 50 years. One of the primary focuses of the RSES strategy is on the Metropolitan Area Strategic Plan (MASP) for Galway City which states the role of Climate Change in planning the growth and development of cities and towns in the county:

*“the reduction in our carbon footprint must be embedded through, for example, the delivery of sustainable land use patterns, sustainable transportation initiatives, protection and enhancement of the green network and enhancement of biodiversity, promotion of renewable energy technologies...”*

Action 102 of the Climate Action Plan, 2021 requires the publication of a framework to set out targets for onshore renewable electricity to inform spatial plans and that a Roadmap for the development of the Regional Electricity Strategies be published by Q4, 2022.

#### **4.5.8 The Galway County Development Plan 2012-2028**

The CDP was open for consultation between 20<sup>th</sup> May 2021 to 30<sup>th</sup> July 2021 and was formally adopted in June 2022. **Table 4.2** outlines the proposed policies from the CDP 2022-2028 which are relevant to wind energy development.

**Table 4.2: Relevant Planning Policies from the adopted County Development Plan (CDP) Galway 2022-2028 relevant to the Proposed Development type.**

Chapter	Policy Details
4	<p><b>Rural Living and Development</b></p> <p><i>Chapter 4 of the CDP has the following strategic aim:</i></p> <p><i>Galway County Council shall ensure that developments in rural areas are provided in accordance with the following strategic aims:</i></p> <ul style="list-style-type: none"> <li>• <i>To harness a pride of place among rural communities and to assist rural communities to promote their cultural and natural resources;</i></li> <li>• <i>To reinforce the vitality and future of rural villages and the open countryside and to recognise the roles that they play in the wider social and economic context;</i></li> <li>• <i>To encourage and support the social and economic development of rural parts of the County;</i></li> <li>• <i>To support local rural economies and facilitate the diversification of local rural enterprises;</i></li> <li>• <i>To maintain and support into the future the County's rural/coastal communities including the traditional family farm;</i></li> <li>• <i>To help foster 'green growth/management practices' (including food security, quality and diversity) in primary food production methods within the agri-food, fisheries and forestry sectors within the County;</i></li> <li>• <i>To support and promote the sustainable social and economic development of rural areas</i></li> <li>• <i>To protect and enhance the visual qualities of rural areas through the sensitive design of associated development.</i></li> </ul>

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Chapter	Policy Details
7	<p data-bbox="427 241 1107 275"><b>Infrastructure, Utilities and Environmental Protection</b></p> <p data-bbox="427 286 1174 320"><b>WM 5 Construction and Environmental Management Plans</b></p> <p data-bbox="427 331 1394 595"><i>“Construction Environment Management Plans shall be prepared in advance of the construction of relevant projects and implemented throughout. Such plans shall incorporate relevant mitigation measures which have been integrated into the Plan and any lower tier Environmental Impact Statement or Appropriate Assessment. CEMPs typically provide details of intended construction practice for the proposed development, including:</i></p> <ul style="list-style-type: none"> <li data-bbox="427 607 1394 685"><i>(a) location of the sites and materials compound(s) including area(s) identified for the storage of construction refuse;</i></li> <li data-bbox="427 696 1214 730"><i>(b) location of areas for construction site offices and staff facilities;</i></li> <li data-bbox="427 741 1007 775"><i>(c) details of site security fencing and hoardings;</i></li> <li data-bbox="427 786 1394 864"><i>(d) details of on-site car parking facilities for site workers during the course of construction;</i></li> <li data-bbox="427 875 1394 954"><i>(e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage;</i></li> <li data-bbox="427 965 1394 1043"><i>(f) measures to obviate queuing of construction traffic on the adjoining road network;</i></li> <li data-bbox="427 1055 1347 1088"><i>(g) measures to prevent the spillage or deposit of clay, rubble or other debris;</i></li> <li data-bbox="427 1099 1394 1223"><i>(h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public right of way during the course of site development works;</i></li> <li data-bbox="427 1234 1394 1312"><i>(i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</i></li> <li data-bbox="427 1323 1394 1447"><i>(j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained (such bunds shall be roofed to exclude rainwater);</i></li> <li data-bbox="427 1458 1394 1637"><i>(k) disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, including compliance with 2006 Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects, Department of the Environment, Heritage and Local Government;</i></li> <li data-bbox="427 1648 1394 1771"><i>(l) a water and sediment management plan, providing for means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local water courses or drains;”</i></li> </ul> <p data-bbox="427 1850 1026 1883"><b>EG 1 Enhancement of Electricity Infrastructure</b></p> <p data-bbox="427 1895 1394 1964"><i>“Support and promote the sustainable improvement and expansion of the electricity transmission and distribution network that supply the County, while</i></p>

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	<p><i>taking into consideration landscape, residential, amenity and environmental considerations.”</i></p> <p><b>EG 2 Delivery of Electricity and Gas Infrastructure</b>  <i>“Support the provision and extension of electricity and gas transmission networks within the county which are critical to the economic development of the County subject to environmental quality, landscape, wildlife, habitats or residential amenity.”</i></p> <p><b>EG 3 Power Capacity</b>  <i>“To support and liaise with statutory and other energy providers in relation to power generation, in order to ensure adequate power capacity for the existing and future needs of the County.”</i></p> <p><b>EG 4 Ireland’s Grid Development Strategy</b>  <i>“Support the implementation of Ireland’s Grid Development Strategy, while taking into account landscape, residential, amenity and environmental considerations.”</i></p> <p><b>ICT 8 Underground Cabling</b>  <i>“To co-operate with the relevant agencies to facilitate the undergrounding of all electricity, telephone and television cables in all environments, wherever possible, in the interests of visual amenity subject to fish and fisheries habitat considerations, especially where watercourse crossings are involved. Where undergrounding of cables is being pursued, proposals should demonstrate that environmental impacts including the following are minimised:</i></p> <ul style="list-style-type: none"> <li><i>• Habitat loss as a result of removal of field boundaries and hedgerows (right of way preparation) followed by topsoil stripping (to ensure machinery does not destroy soil structure and drainage properties);</i></li> <li><i>• Short to medium term impacts on the landscape where, for example, hedgerows are encountered;</i></li> <li><i>• Impacts on underground archaeology;</i></li> <li><i>• Impacts on soil structure and drainage; and</i></li> <li><i>• Impacts on surface waters as a result of sedimentation.”</i></li> </ul> <p><b>AQ 2 Assessment of Air Quality</b>  <i>“To require developments which would have the potential to have adverse impacts on air quality to carry out assessments of the impact of the development on air quality.”</i></p>

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	<p data-bbox="1114 203 1406 501" style="color: red; transform: rotate(-15deg); font-weight: bold;">RECEIVED: 26/01/2023</p> <p data-bbox="427 241 903 271"><b>AQ 3 Air Quality Mitigation Measures</b></p> <p data-bbox="427 286 1390 360"><i>“To require the use of appropriate mitigation measures such as dust dampeners to minimise the potential impacts of developments on air quality.”</i></p> <p data-bbox="427 427 836 456"><b>NP3 Noise Impact Assessments</b></p> <p data-bbox="427 472 1390 591"><i>“To require an assessment of impact of the development on noise levels, having regard to the provisions of the Environmental Protection Agency Acts 1992 and 2003 and the EPA Noise Regulations 1994 when assessing planning application.”</i></p> <p data-bbox="427 658 895 687"><b>NP 4 Noise Pollution and Regulation</b></p> <p data-bbox="427 703 1390 822"><i>“Restrict development proposals causing noise pollution in excess of best practice standards and regulate and control activities likely to give rise to excessive noise, other than those activities which are regulated by the EPA.”</i></p> <p data-bbox="427 889 836 918"><b>NP 5 Noise Mitigation Measures</b></p> <p data-bbox="427 934 1390 1052"><i>“Require activities likely to give rise to excessive noise to install noise mitigation measures and monitors. The provision of a noise audit may be required where appropriate.”</i></p> <p data-bbox="427 1120 823 1149"><b>SQ 1 Soil Impact Assessments</b></p> <p data-bbox="427 1164 1390 1283"><i>“Ensure good soil quality throughout the county by requiring developments of a certain nature (as specified in the relevant environmental legislation) to carry out assessments of the impact of the development on soil quality.”</i></p> <p data-bbox="427 1350 828 1379"><b>SQ 2 Soil Protection Measures</b></p> <p data-bbox="427 1395 1390 1469"><i>“To ensure that adequate soil protection measures are undertaken where appropriate.”</i></p>

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8	<p data-bbox="427 241 740 275"><b>Tourism and Landscape</b></p> <p data-bbox="427 286 1396 409"><i>“Galway County Council shall work with the appropriate agencies and state bodies to ensure that the tourism industry is promoted and supported and that our landscapes are suitably protected and will accord with the following strategic aims:</i></p> <ul data-bbox="427 421 1396 1283" style="list-style-type: none"> <li data-bbox="427 421 1286 454">• <i>To safeguard and augment County Galway’s extensive tourism sector;</i></li> <li data-bbox="427 465 1396 544">• <i>To maximise the potential of sustainable tourism thereby contributing to the balanced economic development of the County;</i></li> <li data-bbox="427 555 1396 633">• <i>To work in partnership with Fáilte Ireland, and other agencies to develop tourism in county Galway;</i></li> <li data-bbox="427 645 1396 723">• <i>To support the preparation and implementation of a Tourism Strategy for County Galway;</i></li> <li data-bbox="427 734 1396 813">• <i>To develop and enhance new and existing tourism products, attractions and tourism infrastructure;</i> <ul data-bbox="427 824 1396 947" style="list-style-type: none"> <li data-bbox="427 824 1396 947">• <i>To capitalise on the distinct tourist attractions that County Galway has to offer including Destination Towns, natural, built and cultural heritage, scenic landscapes and natural amenities;</i></li> </ul> </li> <li data-bbox="427 958 1396 1081">• <i>To work to improve the visitor experience and to support Destination Experience Development Plans and Visitor Experience Development Plans across the county to ensure that all visitors enjoy the unique experience of County Galway;</i></li> <li data-bbox="427 1093 1396 1171">• <i>To capitalise on the County’s identified nodes along the Wild Atlantic Way and Irelands Hidden Heartlands;</i></li> <li data-bbox="427 1182 1396 1283">• <i>To protect the landscape categories within the County and avoid negative impacts upon the natural environment.”</i></li> </ul> <p data-bbox="427 1339 852 1373"><b>GBW 1 Walkways and Cycleways</b></p> <p data-bbox="427 1384 1396 1507"><i>“To promote and facilitate the development of walkways and cycleways at appropriate locations throughout the County subject to environmental considerations.”</i></p> <p data-bbox="427 1563 994 1597"><b>LCM 1 Preservation of Landscape Character</b></p> <p data-bbox="427 1608 1396 1821"><i>“Preserve and enhance the character of the landscape where, and to the extent that, in the opinion of the Planning Authority, the proper planning and sustainable development of the area requires it, including the preservation and enhancement, where possible of views and prospects and the amenities of places and features of natural beauty or interest.”</i></p> <p data-bbox="427 1877 983 1910"><b>LCM 2 Landscape Sensitivity Classification</b></p> <p data-bbox="427 1921 1396 2000"><i>“The Planning Authority shall have regard to the landscape sensitivity classification of sites in the consideration of any significant development proposals</i></p>

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	<p><i>and, where necessary, require a Landscape/Visual Impact Assessment to accompany such proposals. This shall be balanced against the need to develop key strategic infrastructure to meet the strategic aims of the plan.”</i></p> <p><b>LCM 3 Landscape Sensitivity Ratings</b>  <i>“Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County. In areas of high landscape sensitivity, the design and the choice of location of proposed development in the landscape will also be critical considerations.”</i></p> <p><b>PVSR 1 – Protected Views and Scenic Routes</b>  <i>“Preserve the protected views and scenic routes as detailed in Maps 8.3 and 8.4 from development that in the view of the Planning Authority would negatively impact on said protected views and scenic routes. This shall be balanced against the need to develop key infrastructure to meet the strategic aims of the plan”</i></p>
<p><b>10</b></p>	<p><b>Natural Heritage, Biodiversity and Green/Blue Infrastructure</b>  <i>“Galway County Council shall work with the appropriate stakeholders and agencies in increasing awareness, participation, enjoyment, knowledge and understanding of our shared heritage in order to lead to its proper conservation, management and protection and safeguarding it for future generations. This will accord with the following strategic aims:</i></p> <ul style="list-style-type: none"> <li><i>• Conserve, manage, protect and enhance the special character of the County as defined by its natural heritage, biodiversity and green infrastructure;</i></li> <li><i>• To ensure compliance with the requirements of relevant International, European Directives and National Legislation in relation to Natural Heritage, Biodiversity, Green/Blue Infrastructure and Climate Change;</i></li> <li><i>• Ensure climate change considerations are taken into account in the Natural Heritage, Biodiversity and Green/Blue Infrastructure;</i></li> <li><i>• Continue to implement actions of the National Heritage Plan and the National Biodiversity Plan and the current Galway County Heritage and Biodiversity Plan 2017-2022 in partnership with all relevant stakeholders and any successor to these documents;</i></li> <li><i>• To promote the creation of an integrated and coherent green infrastructure network throughout County Galway in order to enhance connectivity, social inclusion, sense of place and the creation of wildlife corridors.”</i></li> </ul>

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	<p data-bbox="427 241 1396 315"><b>NHB 1 Natural Heritage and Biodiversity of Designated Sites, Habitats and Species</b></p> <p data-bbox="427 331 1396 546"><i>“Protect and where possible enhance the natural heritage sites designated under EU Legislation and National Legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts) and extend to any additions or alterations to sites that may occur during the lifetime of this plan.</i></p> <p data-bbox="427 562 1396 777"><i>Protect and, where possible, enhance the plant and animal species and their habitats that have been identified under European legislation (Habitats and Birds Directive) and protected under national Legislation (European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011), Wildlife Acts 1976-2010 and the Flora Protection Order (SI 94 of 1999).</i></p> <p data-bbox="427 792 1396 1055"><i>Support the protection, conservation and enhancement of natural heritage and biodiversity, including the protection of the integrity of European sites, that form part of the Natura 2000 network, the protection of Natural Heritage Areas, proposed Natural Heritage Areas, Ramsar Sites, Nature Reserves, Wild Fowl Sanctuaries (and other designated sites including any future designations) and the promotion of the development of a green/ ecological network.”</i></p> <p data-bbox="427 1115 1396 1144"><b>NHB 2 European Sites and Appropriate Assessment</b></p> <p data-bbox="427 1160 1396 1464"><i>“To implement Article 6 of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011. All such projects and plans will also be required to comply with statutory Environmental Impact Assessment requirements where relevant.”</i></p> <p data-bbox="427 1525 1396 1554"><b>NHB 3 Protection of European Sites</b></p> <p data-bbox="427 1570 1396 1874"><i>“No plans, programmes, or projects etc. giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan (either individually or in combination with other plans, programmes, etc. or projects.*</i></p>

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	<p><b>NHB 4 Ecological Appraisal of Biodiversity</b>  <i>“Ensure, where appropriate, the protection and conservation of areas, sites, species and ecological/networks of biodiversity value outside designated sites. Where appropriate require an ecological appraisal, for development not directly connected with or necessary to the management of European Sites, or a proposed European Site and which are likely to have significant effects on that site either individually or cumulatively.”</i></p> <p><b>NHB 7 Mitigation Measures</b>  <i>“Require mitigating measures in certain cases where it is evident that biodiversity is likely to be affected. These measures may, in association with other specified requirements, include establishment of wildlife areas/corridors/parks, hedgerow, tree planting, wildflower meadows/marshes and other areas. With regard to residential development, in certain cases, these measures may be carried out in conjunction with the provision of open space and/or play areas.”</i></p> <p><b>WR 1 Water Resources</b>  <i>“Protect the water resources in the plan area, including rivers, streams, lakes, wetlands, springs, turloughs, surface water and groundwater quality, as well as surface waters, aquatic and wetland habitats and freshwater and water dependant species in accordance with the requirements and guidance in the EU Water Framework Directive 2000 (2000/60/EC), the European Union (Water Policy) Regulations 2003 (as amended), the River Basin District Management Plan 2018 – 2021 and other relevant EU Directives, including associated national legislation and policy guidance (including any superseding versions of same) and also have regard to the Freshwater Pearl Mussel Sub-Basin Management Plans.”</i></p> <p><b>P 1 Protection of Peatlands</b>  <i>“Ensure that peatland areas which are designated (or proposed for designation) as NHAs, SACs or SPAs are conserved for their ecological, climate regulation, education and culture, archaeological potential including any ancient walkways (toghers) through bogs.”</i></p>
12	<p><b>Architectural, Archaeological and Cultural Heritage</b></p> <p><b>AH 7 Local Place Names</b>  <i>“Protect local place names as an important part of the cultural heritage and unique character of an area. Support the use of appropriate names for new developments that reflect the character and heritage of the area and that contribute to the local distinctiveness of a place.”</i></p>

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	<p><b>ARC 1 Legislative Context</b></p> <p><i>“Support and promote the preservation, conservation and appropriate management and enhancement of the County’s archaeological sites and monuments, together with the settings of these monuments, having regard to the legislative, statutory and policy provisions relevant to the conservation of the archaeological heritage.”</i></p> <p><b>ARC 4 Protection of Archaeological Sites</b></p> <p><i>“Protect archaeological sites and monuments their settings and visual amenity and archaeological objects and underwater archaeological sites that are listed in the Record of Monuments and Places, in the ownership/guardianship of the State, or that are subject of Preservation Orders or have been registered in the Register of Historic Monuments, or that are newly discovered and seek to protect important archaeological landscapes.”</i></p> <p><b>ARC 12 Archaeology and Infrastructure Schemes</b></p> <p><i>“Have regard to archaeological concerns when considering proposed service schemes (including electricity, sewerage, telecommunications, water supply) and proposed roadwork’s (both realignments and new roads) located in close proximity to Recorded Monuments and Places and their known archaeological monuments.”</i></p> <p><b>CUH 1 Cultural heritage</b></p> <p><i>“Protect and promote the cultural heritage assets and the intangible cultural heritage assets of County Galway as important social and economic assets.”</i></p> <p><b>CUH 2 Special Places of Historic Interest</b></p> <p><i>“To protect and promote where possible special places of historical interest.”</i></p> <p><b>CUH 3 Placenames/Naming of New Developments</b></p> <p><i>“Promote and preserve local place names, local heritage and the Irish language by ensuring the use of local place names or geographical or cultural names which reflect the history and landscape of their settings in the naming of new residential and other developments. All names will be in the Irish language only. The naming and numbering schemes including associated signage must be submitted to the Planning Authority prior to the commencement of a new development.”</i></p>
14	<p><b>Climate Change, Energy and Renewable Resource</b></p> <p><i>“The Council shall work with the appropriate stakeholders and agencies in order to achieve an integrated and sustainable approach to the development of the County. This will accord with the following strategic aims:</i></p>

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	<p> <ul style="list-style-type: none"> <li>• <i>To reduce the County's CO2 emissions by achieving international, national, regional and any local targets for achieving a low carbon economy by 2050; and increase energy efficiency in Local Authority activities through its development management functions;</i></li> <li>• <i>To promote the sustainable development of the County by ensuring that future development is considered and managed against the risk of flooding; To increase awareness of the potential impacts of climate change to enable people to adapt and manage future extreme weather events such as flooding within the County;</i></li> <li>• <i>To reduce County Galway's dependency on imported fossil fuels and to provide alternative energy sources by harnessing the County's potential for renewable energy sources while strengthening the grid transmission networks"</i></li> </ul> </p> <p>CC 1 Climate Change</p> <p><i>"Support and facilitate the implementation of European, national and regional objectives for climate adaptation and mitigation taking into account other provisions of the Plan (including those relating to land use planning, energy, sustainable mobility, flood risk management and drainage) and having regard to the Climate mitigation and adaptation measures."</i></p> <p>CC 2 Transition to a low carbon, climate-resilient society</p> <p><i>"It is the Council's policy objective to support the transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050, by way of reducing greenhouse gases, increasing renewable energy, and improving energy efficiency."</i></p> <p>CC 6 Local Authority Renewable Energy Strategy (LARES)</p> <p><i>"To support the implementation of the Renewable Energy Strategy contained in Appendix 1 of the Galway County Development Plan to facilitate the transition to a low carbon county."</i></p> <p>RE1 Renewable Energy Generation and Ancillary Facilities</p> <p><i>"To facilitate and support appropriate levels of renewable energy generation and ancillary facilities in the county to meet national, regional and county renewable energy targets, to facilitate a reduction in CO2 emissions and the promotion of a low carbon economy."</i></p> <p>RE 3 Wind Energy Developments</p> <p><i>"Promote and facilitate wind farm developments in suitable locations, having regard to areas of the County designated for this purpose in the Local Authority</i></p>

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	<p><i>Renewable Energy Strategy. The Planning Authority will assess any planning application proposals for wind energy production in accordance with the Local Authority Renewable Energy Strategy, the DoEHLG Guidelines for Planning Authorities on Wind Energy Development, 2006 (or any updated/superseded documents), having due regard to the Habitats Directive and to the detailed policy objectives and Development Standards set out in the Local Authority Renewable Energy Strategy.”</i></p> <p>RE 7 Renewable Energy Generation -Transition to a Low Carbon Economy  <i>“To facilitate and support appropriate levels of renewable energy generation in County Galway, considering the need to transition to a low carbon economy and to reduce dependency on fossil fuels.”</i></p>
14	<p>EG 2 a) and e) support the development of the transmission grid network in the county and liaison with Eirgrid.</p> <p><i>(a) To support the development of the transmission grid network in order to sustainably accommodate both consistent and variable flows of renewable energy generated in County Galway.</i></p> <p><i>(e) It is important that the necessary transmission and distribution infrastructure is facilitated and put in place in order to maximise the renewable energy potential of County Galway. Liaison with Eirgrid, as a TSO, and alignment with their transmission plans and strategies will be of vital important in this respect.</i></p>
LARES	<p>Objective 13 states:</p> <p><i>“To increase renewable energy generation levels from wind energy developments in County Galway, given the recognised wind energy potential of the County.”</i></p> <p>Objective 14 states:</p> <p><i>“All onshore wind energy developments shall comply with the National Wind Energy Development Guidelines or any subsequent version thereof.”</i></p> <p>Objective 15 states:</p> <p><i>“Wind energy development proposals in the areas that are ‘Acceptable in Principle’ for renewable energy development will be considered in accordance with the LARES and the proper planning and sustainable development of the area.”</i></p> <p>Objective 16 states:</p>

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	<p><i>"Wind energy development proposals in areas that are identified as 'Open to Consideration' for wind energy development will be considered in accordance with the LARES and the proper planning and sustainable development of the area."</i></p> <p>Objective 17 states:</p> <p><i>"Wind energy development proposals in areas that are identified as 'Generally to be Discouraged' for wind energy development will be considered in accordance with the LARES and the proper planning and sustainable development of the area."</i></p> <p>Objective 18 states:</p> <p><i>"Wind energy development proposals in areas that are identified as 'Not Normally Permissible' for wind energy development will be considered in accordance with the LARES and the proper planning and sustainable development of the area."</i></p>

## 4.6 OTHER CORE PLANNING POLICY DOCUMENTS

Key consideration has been given to the following guidelines, circulars and strategies in the context of the Development proposals.

### 4.6.1 The Wind Energy Development Guidelines – Guidelines for PAs June 2006

The 2006 Wind Energy Development Guidelines advise that a reasonable balance must be achieved between meeting Government Policy on renewable energy and the proper planning and sustainable development of an area and it provides advice in relation to the information that should be submitted with planning applications. The effects on residential amenity, the environment, nature conservation, birds and the landscape should be addressed. It states that particular landscapes of very high sensitivity may not be appropriate for wind energy development.

The 'Wind Energy Development Guidelines for Planning Authorities' (DoEHLG, 2006) are also currently the subject of a targeted review, 'The Draft Wind Energy Guidelines 2019'.

### 4.6.2 The Draft Wind Energy Guidelines December 2019

The key aspects for the draft proposed new wind energy guidelines include the following:

- a visual amenity setback of 4 times the turbine height between a wind turbine and the nearest residential property, subject to a mandatory minimum distance of 500 metres.
- the elimination of shadow flicker.
- the application of a more stringent noise limit, consistent with World Health Organisation standards.

- the introduction of new obligations in relation to community engagement with local communities along with the provision of community benefit measures.

Action 102 of the Climate Action Plan 2021 prescribes that these guidelines be published by Q2 of 2023.

#### 4.6.3 National Landscape Strategy for Ireland 2015-2025

The National Landscape Strategy for Ireland sets out a roadmap. The objectives of the National Landscape Strategy are to:

- *implement the European Landscape Convention by integrating landscape into our approach to sustainable development*
- *establish and embed a public process of gathering, sharing and interpreting scientific, technical and cultural information in order to carry out evidence-based identification and description of the character, resources and processes of the landscape*
- *provide a policy framework, which will put in place measures at national, sectoral - including agriculture, tourism, energy, transport and marine - and local level, together with civil society, to protect, manage and properly plan through high quality design for the sustainable stewardship of our landscape*
- *ensure that we take advantage of opportunities to implement policies relating to landscape use that are complementary and mutually reinforcing and that conflicting policy objectives are avoided in as far as possible*

#### 4.7 COMPLIANCE WITH THE PLANNING POLICY FRAMEWORK

The Development is consistent with the broad thrust of European, National, Regional and Local Planning Policies identified above. The Development will contribute towards the reduction of dependence on fossil fuels and a reduction in Greenhouse Gases. The proposed windfarm is compatible with the European and National Climate change and renewable energy policies set out above. It would contribute to the achievement of European and National renewable energy targets, and in particular the objectives of the Climate Action Plan (2019) which seek to realise a 50-55%% reduction in greenhouse gas emissions and increase reliance on renewables from 30% to 70% (12GW) by 2030, of which 8.2GW is targeted to be met by onshore windfarms.

#### 4.7.1 National Planning Policy

The proposed windfarm is compatible with national planning policy as set out in the National Planning Framework Plan, 2018-2040 which recognises the need to move toward a low carbon and climate economy.

#### 4.7.2 Local Planning Policy

The proposed windfarm is compatible with the general climate change, renewable energy and wind energy policies and objectives of the current Galway County Development Plan.

The Proposed Development is located in an area designated 'Acceptable in Principle' to windfarm development. The Landscape Sensitivity rating is *Class 3 – High Sensitivity*. The landscape value rating at the location of the Proposed Development is 'High'.

#### 4.7.3 The Economic Importance of The Development

The Development would represent a strategically significant investment in the locality of Galway and the wider western region. The Development is likely to cost in excess of €39.6m and will contribute several millions of Euro to the immediate local rural economy over the lifetime of the Development.

The Development provides the opportunity to reinforce the existing local renewable energy industry knowledge and skills base, providing the stability and diversity to the rural economy that can stimulate further industry investment to take place. This will have a positive economic impact with several Irish firms commissioned to work on the design, environmental assessment and planning aspects of the project.

The influence of the Development to the de-carbonisation of the electricity network will contribute positively to an issue of strategic social importance. This is illustrated by the text of the Irish government's recent Climate Action Plan 2019 which sets an ambitious 70% target for electricity production from renewable sources by 2030 and highlights the need to remove barriers to the development of renewables, including onshore wind, such as streamlining regulation and encouraging reinforcement of the grid to facilitate greater renewables penetration. The significance of the action plan is underlined by the Irish government's recent declaration of a climate emergency.

The RSES recognises that the Northern and Western Region has a rich natural energy resource, declaring that the region is open to renewables energy ideas, and recognises the required transition from fossil fuels to the use of renewables. The strategy further notes that this can contribute to new employment, community sustainability and attract additional people to the northwest region.

As a form of sustainable energy, and at an output level of up to 40.8MW, The Development will contribute significantly to the renewable energy targets in County Galway and in the Northern and Western Regional Assembly Area.

#### 4.7.4 Public Benefits

The construction of the Proposed Development would represent a strategically significant investment in the locality of Galway and the wider region. In particular, the community benefits that the Development will bring about.

#### 4.8 CONCLUSION

The proposals meet all the relevant planning policies identified above. In particular the National Planning Framework and The Climate Action Plan 2021 and The Climate Action and Low Carbon Development (Amendment) Act 2021 where there is an identified and pressing need to meet the ambitious targets for 2050. The development will make an important contribution to the ambitious targets set out in The Climate Action Plan 2021. In addition to the inherent benefits of creating and expanding upon the existing mix of renewables in Ireland's electricity system, The Development will offer a number of major opportunities:

- Reduces dependency on fossil fuels resulting in lower carbon dioxide (CO<sub>2</sub>) emissions and output;
- Utilise the latest turbine technology, sustaining and growing the level of renewable energy in Ireland;
- Sustains existing development and construction jobs and creates opportunities for new supply chain jobs;
- With a supportive planning framework, it can help create a long-term, stable investment platform;
- Wider economic and social benefits.