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CONSULTANTS IN ENGINEERING,
ENVIRONMENTAL SCIENCE &
PLANNING

ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) FOR THE PROPOSED FAHY BEG WIND FARM, CO. CLARE

VOLUME 2 – MAIN EIAR

CHAPTER 4 – POLICY

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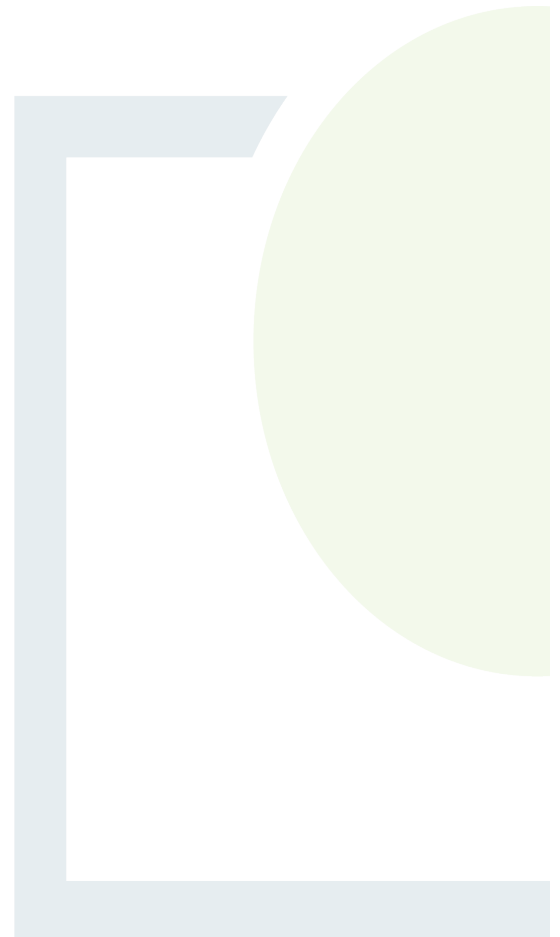


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4. POLICY

4.1 Introduction

This Chapter of the EIAR outlines current international, national, regional and local policy in combination with legislation which is relevant to the proposed Fahy Beg Wind Farm.

The Irish Planning Policy system is set within a hierarchical structure, as identified in Figure 4-1, below. National policy is informed by EU Directives, Planning Legislation, Ministerial Guidelines, Government Policy and Capital programmes.

Irish Planning System An Overview

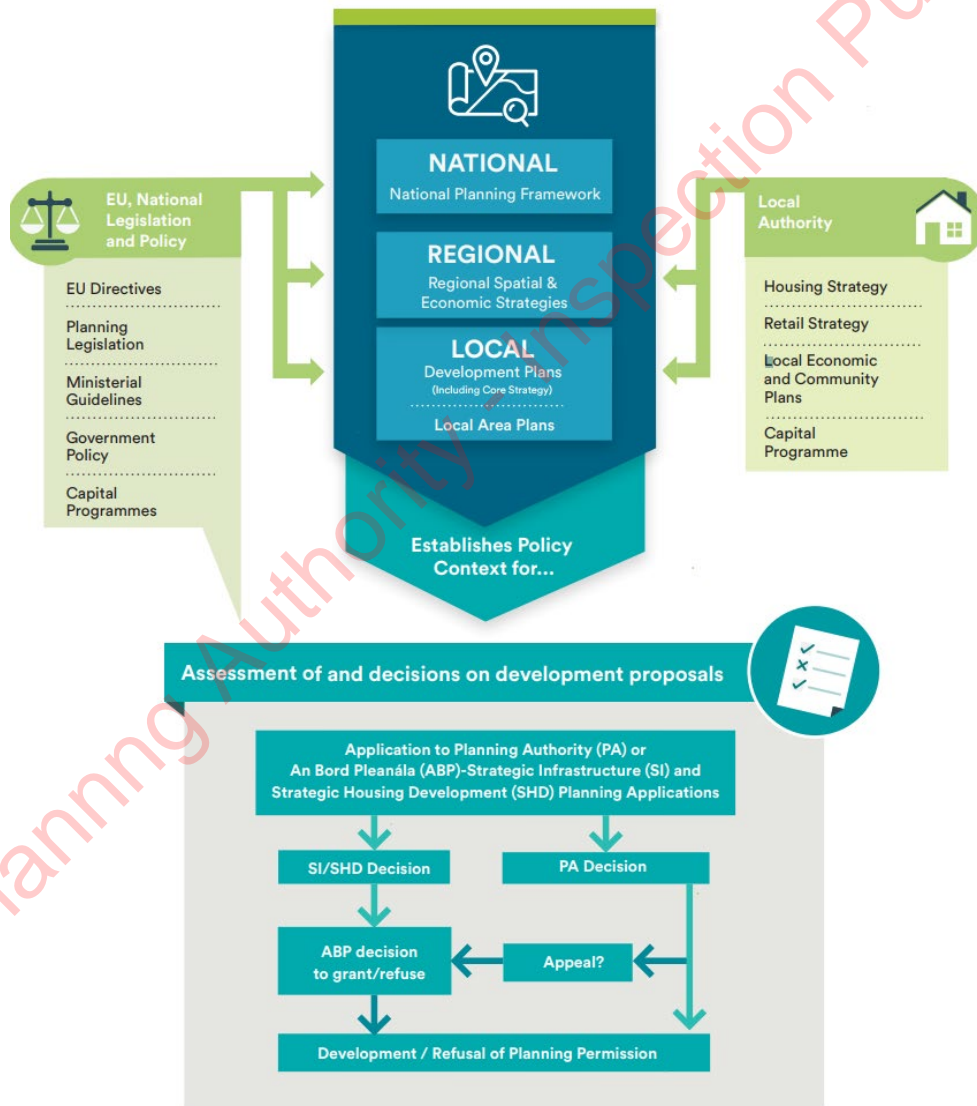


Figure 4-1: Irish Planning System – An Overview Extract from the National Planning Framework – Ireland 2040



International and European legally binding agreements to reduce the reliance on fossil fuels and to manage climate change internationally have been adopted into Ireland's National Energy Policy. This section of the EIAR outlines how these legally binding agreements are being facilitated through national energy and climate policy with a clear mandate to support onshore wind energy development within the state. The importance in complying with the national energy policy at a local level cannot be overstated if Ireland is to achieve its national renewable energy targets.

The latest SEAI figures indicate that Ireland has not met its 2020 renewable energy targets with renewable electricity production approximately 8.5% below the 40% national target (SEAI, 2020a). Furthermore, the recent increase in renewable electricity targets to 80% by 2030 indicates the need for significant escalation in renewable energy production in Ireland. The following Chapter sets out how the proposed development complies with national and local energy policy and will contribute towards Ireland's national renewable energy targets.

4.2 International Global Policies

4.2.1 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. Its ultimate aim was to achieve "... stabilisation of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system" (United Nations, 2013). There are 195 parties ratified to the Convention and these are subdivided into *Annex I*, *Annex II*, *Annex B*, *Non-Annex I* and *Least Developed Countries*.

The Framework Convention specifies the aim of developed (Annex I) parties stabilising their greenhouse gas emissions (carbon dioxide and other anthropogenic greenhouse gases not regulated under the Montreal Protocol) at 1990 levels, by the year 2000. The treaty did not set any limits or binding targets, instead, it provided a framework for negotiating specific international treaties ("protocols") that set binding limits on greenhouse gases. It does, however, require all parties in Annex 1 [Decision 3 CP.5] (of which the European Union 15 (EU 15) forms part of) to prepare and publish National Inventory Reports (NIRs) on emissions. The Environmental Protection Agency (EPA) is responsible for the preparation of Ireland's NIR.

The Conference of the Parties (COP) is the highest body of the UNFCCC and consists of environment ministers who have met annually since 1995 to assess progress in dealing with the issue of climate change. At the Glasgow climate conference (COP26) in November 2021, Countries reaffirmed the Paris Agreement goal of limiting the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit it to 1.5 °C. Furthermore, they recognized that the impacts of climate change will be much lower at a temperature increase of 1.5 °C compared with 2 °C. Furthermore, countries stressed the urgency of action "*in this critical decade*" when carbon dioxide emissions must be reduced by 45 per cent to reach net zero around mid-century.

The International Panel on Climate Change (IPCC) 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 will have to grow from 30% of global electricity at present to 80% by 2050 if we are to limit global warming to well below 2°C above pre-industrial levels in accordance with the COP 21 agreement. Former Environment Minister Alan Kelly remarked in 2015 that "*As a nation, we must do everything in our power to curb our emissions*". In this regard, the Government enacted the *Climate Action and Low Carbon Development Act 2015* and the *Climate Action and Low Carbon Development (Amendment) Act 2021* which provides for the approval of plans by the Government



in relation to climate change for the purpose of pursuing the transition to a low carbon, climate resilient and environmentally sustainable economy.

4.2.2 Kyoto Protocol

In 1997, the *Kyoto Protocol* set legally binding obligations for developed countries to reduce their Greenhouse Gas (GHG) emissions in two commitment periods was established.

The first commitment period (2008 - 2012) applied to emissions of six main greenhouse gases (carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF₆)), and set targets for:

- A 5% overall reduction in the emission of greenhouse gases in developed countries.
- An average 8% reduction below 1990 levels within the EU.

The EU 15 and other European countries (some of which subsequently acceded to the EU) have individual GHG reduction and limitation targets under the Kyoto Protocol.

Together, these European countries committed to achieve an annual emission reduction of 456 Mt CO₂-equivalent (CO₂eq) below 1990 levels over the period 2008 to 2012 (European Environmental Agency 2010).

Ireland's contribution was a limit of 13% above 1990 greenhouse gas emission levels which corresponds to an average limit of 62.8 million tonnes (Mt) of carbon dioxide equivalent (CO₂eq) per annum during the period 2008 – 2012. Countries not fulfilling their obligations will be forced to purchase carbon credits on an open market from compliant countries.

The second commitment period applied to emissions from 2013 - 2020. All members of the European Union had binding targets in the second commitment period.

The EU 27 countries committed to reduce their GHG emissions by at least 20% by 2020 compared to 1990 levels and to increase this commitment to a 30% reduction if other major emitting countries agree to similar targets under a global climate agreement.

Developing countries do not have binding targets under the Kyoto Protocol, but are still committed under the treaty to reduce their emissions. Actions taken by developed and developing countries to reduce emissions include support for renewable energy, improving energy efficiency, and reducing deforestation.

One of the key mechanisms introduced under the Kyoto Protocol is the international emissions trading scheme which allows developed countries to trade their commitments. They can trade emissions quotas among themselves and can also receive credit for financing emissions reductions in developing countries.

The EU Emission Trading Scheme (ETS) came into operation on 1 January 2005 and was introduced to facilitate Member States achieve their commitments to limit or reduce greenhouse gas emissions in a cost-effective way. It is the largest such scheme in the world and allows participants to buy or sell emission allowances which means that emission cuts can be achieved at least at cost.

The EU ETS is a 'cap and trade' scheme, in that it caps the overall level of emissions allowed but, within that limit, allows participants in the scheme to buy and sell allowances as they require.



These allowances are the common trading 'currency' at the heart of the scheme. One allowance gives the holder the right to emit one tonne of CO₂ or the equivalent amount of another greenhouse gas (CO₂eq).

The categories of activity covered by the EU ETS are set out in Annex 1 of the principal Directive (2003/87/EC) and the greenhouse gases to which the Scheme applies to are set out in Annex II of the same Directive. While all six gases listed in Annex A of the Kyoto Protocol are included in Annex II, not all are in practical terms actually covered by the ETS and the listing of all in Annex II is perhaps a signal of the intention to extend the scheme in the future.

The Scheme operates in periodic cycles that have come to be known as 'phases' as the EU ETS scheme is open ended with no termination date specified. Phase 1 ran from 2005 - 2007 and was known as the commitment period, Phase 2 covered 2008 -2012 (the Kyoto Phase) and Phase 3 extends from 2013 – 2020 and this phase ties in with the EU Commissions end date of 31 December 2020 for its own reduction in greenhouse gases.

Phase 4 runs from 2021-2030 and aims to improve the ETS as part of a revision to the ETS Directive concluded in 2018, to achieve the EU's 2030 emission reduction targets in line with the 2030 climate and energy policy framework and as part of the EU's contribution to the 2015 Paris Agreement (EU, 2019). The legislation governing the auctions of emission allowances required to be changed to take into account new rules agreed as part of the 2018 revision of the ETS Directive. The changes concern in particular the use of the common auction platform to monetise the allowances dedicated to the Innovation and Modernisation Fund. This phase will include a reduced emissions allowance at an annual rate of 2.2%, up from 1.74%, increasing each nation's need to cut emissions on an annual basis.

Further changes proposed for the ETS commenced in 2013 through Directive 2009/29/EC. In summary, member states will no longer draw up National Allocation Plans (NAPs) – instead, there will be a single EU-wide cap and allowances will be allocated on the basis of harmonised rules amongst other changes to the trading period etc.

4.3 EU Directives and Policies

This section summarises the previous policies and targets for renewable energy and greenhouse gas (GHG) emissions in Europe up to 2020 in order to provide context and establish the progress made in Ireland over the past two decades to achieve these EU targets. The section then details the latest policies and targets with a view of 2030 and beyond. The various directives and policies of the EU set a clear mandate for each member state to transition to sustainable, renewable energy and reduce greenhouse gas emissions. This is reflected in the theme of European Commission President, Ursula von der Leyen's inaugural 'State of the Union' address delivered on 16 September 2020 which emphasised the need to transform the European economy and society to deal with the climate change emergency. It was also stated that the EU aims to reduce the EU's net greenhouse gas emission by at least 55% on 1990 levels by the end of this decade.

4.3.1 European Union Targets for 2020 and the Irish Context

The year 2020 was a significant milestone for renewable energy and emissions targets in Europe. The EU Directive on the Promotion of the Use of Energy from Renewable Sources (2009/28/EC) set a target of 20% of EU energy consumption from renewable sources by 2020 and a 20% cut in greenhouse gas emissions by 2020, the so-called 20:20:20 plan.



As part of this Directive, Ireland’s overall national target for the share of energy from renewable sources in gross final consumption of energy in 2020 was 16% (increased from 3.1% in 2005). For renewable electricity alone, Ireland set a national target of 40% by 2020 as outlined in the National Renewable Energy Action Plan (NREAP). The sectoral components of the overall 16% target are detailed in Table 4-1, below, which outlines each form of renewable energy supply (RES). The current share of renewable energy in these components is also presented. The latest figures from SEAI detail the 2019 share of renewable energy.

Table 4-1 demonstrates that Ireland has made significant progress in achieving its 2020 renewable electricity targets. Wind energy accounted for 32% of all electricity generated in 2019, the largest contributor of renewable electricity in Ireland.

Table 4-1: Target and Current Share of Renewable Energy in Energy Sectors

Form of Renewable Energy Supply	2018 Position (SEAI, 2020)	2019 Position (SEAI, 2020a)	Target Share For 2020
Electricity (RES-E)	33.2%	36.5%	40%
Heat (RES-H)	6.5%	6.3%	12%
Transport (RES-T)	7.2%	8.9%	10%

Source: SEAI (2020), Renewable Energy in Ireland 2020 Update & SEAI (2020a), Energy in Ireland 2020 Report

In 2008, the EU agreed a climate and energy package that included a target to reduce GHG emissions across the EU by 20% below 1990 levels by the year 2020. This resulted in two pieces of European legislation focusing on reduction in GHG emissions. Directive 2009/29/EC requiring ETS companies to reduce their emissions by 21% below 2005 levels by 2020; and Decision 406/2009/EC requiring Ireland to reduce non-ETS emissions by 20% below 2005 levels by 2020.

According to SEAI (2020a), Ireland achieved approximately 14.6% reduction in GHG emissions compared to 2005 levels. This included an approximate 23% reduction in GHG emissions in the energy sector, indicating renewable energy’s significant contribution to the overall reduction in greenhouse gas emissions in Ireland.

The final 2020 figures for Renewable Energy and Greenhouse Gas Emissions are not yet available at the time of preparing this Chapter. However, Table 4-1, above, clearly outlines the progress made towards the 2020 targets, while making it abundantly clear renewable energy sources have contributed greatly to the achievement of Ireland’s energy and emissions targets as set by the EU. This places Ireland in a strong position to continue this progress towards 2030 EU targets, as detailed in the following sections.



4.3.2 2030 Climate and Energy Framework

In October 2014 EU leaders adopted the 2030 Climate and Energy Framework (European Commission, 2014) which was subsequently updated in 2018. The framework provides a long-term perspective beyond 2020 targets. The 2030 Climate and Energy Framework sets out three key targets for the year 2030:

- At least 40% cuts in greenhouse gas emissions (from 1990 levels)
- At least 32% share of renewable energy
- At least 32.5% improvement in energy efficiency.

Further to this the European Commission in 2016 published its 2030 emissions targets break down for each Member State. While the overall EU target is a reduction of 40% on 1990 greenhouse gas emissions by 2030, every Member State negotiates an individual target. Ireland will have to reduce its emissions by 30% relative to its 2005 emissions.

Ireland will have 4% one-off flexibility from emissions trading, at the highest end of the ranking. Ireland will have 5.6% flexibility from land use. This is a substantially larger margin than any other Member State except Latvia.

4.3.3 A Roadmap for Moving to a Competitive Low Carbon Economy in 2050

Looking beyond 2020 in compliance with the EC Energy Roadmap 2050, an EU target of at least 27% has been indicated as the share of renewable energy consumed in the EU in 2030. While the Department of Communications, Climate Action and Environment (DCCAE) is currently examining the potential for diversifying Ireland's renewable technology mix in the post-2020 period, the Department recognises that; *"as a proven and cost effective technology, onshore wind will remain part of Ireland's generation portfolio out to 2030 and will help to meet Ireland's contribution to the binding EU-wide 2030 renewable energy target"*. The Roadmap has informed national policy and has influenced the Climate Action Plan (2019) which sets out actions to reduce climate change towards 2050.

4.3.4 Clean Energy for all Europeans Package (2019)

The EU, in 2016, decided to tackle the transition towards clean energy and a carbon-neutral economy by rewriting the EU's energy policy framework to facilitate a clean and fair energy transition. By providing a modern, stable legal environment and setting a clear and common sense of direction, the EU aims to stimulate the necessary public and private investment and bring European added value by addressing these challenges. As a package, the new rules will reinforce consumer rights, putting them at the heart of the energy transition and creating growth and green jobs in a modern economy. They will enable the EU to show leadership in the fight against climate change following the Paris Agreement.

The Clean energy for all Europeans package sets the right balance between making decisions at EU, national, and local level. Member States will continue to choose their own energy mix but must meet new commitments to improve energy efficiency and the take-up of renewables in that mix by 2030. For example, the new rules on the electricity market, which have been adopted, will make it easier for renewable energy to be integrated into



the grid, encourage more inter-connections and cross-border trade, and ensure that the market provides reliable signals for future investment. Member States are required to draft plans to prevent, prepare for and manage possible crisis situations in the supply of electricity in coordination with neighbouring Member States, and to enhance the role of the Agency for the Cooperation of Energy Regulators.

In December 2018, the recast Renewable Energy Directive 2018/2001/EU entered into force, as part of the Clean energy for all Europeans package, aimed at keeping the EU a global leader in renewables and, more broadly, helping the EU to meet its emissions reduction commitments under the Paris Agreement.

4.3.5 Recast Renewable Energy Directive (RED2)

In June 2018, an agreement was made in Europe between negotiators for the Commission, the European Parliament, and the Council regarding increasing renewable energy use in Europe. The new regulatory framework includes a binding renewable energy target for the EU for 2030 of 32% with an upwards revision clause by 2023. This agreement will help the EU meet the Paris Agreement goals. In terms of renewable energy production, the agreement has achieved:

- A new, binding EU renewable energy target of 32% by 2030, including a review clause by 2023 for an upward revision of the EU level target;
- Improved design and stability of renewable energy support schemes.

The revised renewable energy Directive 2018/2001/EU entered into force in December 2018.

4.3.6 European Green Deal (December 2019)

The European Green Deal is a growth strategy for the EU which aims to transform the EU into a fair and prosperous society, improving quality of life with 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 EU aim to do this by becoming climate-neutral by 2050.

With regard to the supply of clean, affordable and secure energy, the European Green Deal underlines the fact that in order to meet the EU's climate and sustainability goals, all sectors must increase their use of renewable energy and phase out fossil fuels.

The EU aim to increase the greenhouse gas emission reductions targets for 2030 to at least 50% and towards 55%, compared to 1990 levels, in order to achieve net-zero greenhouse gas emissions by 2050. A key principle for achieving this will be to develop a power sector based largely on renewable resources.

Furthermore, the European Commission has indicated an intention to adopt the increased target of 55% as the EU's Nationally Determined Contribution (NDC) under the Paris Agreement by the end of 2020. As well as the target being given legislative force in the EU through the proposed EU Climate Law, it will oblige all EU institutions across all areas of competence, and the Member States, to work collectively to achieve the greenhouse gas emission reduction target of 55%.



4.3.7 European Climate Law (July 2021)

The European Climate Law which entered into force on 9th July 2021 writes into law the goal set out in the European Green Deal for Europe's economy and society to become climate-neutral by 2050. The law also sets the intermediate target of reducing net greenhouse gas emissions by at least 55% by 2030, compared to 1990 levels.

Climate neutrality by 2050 means achieving net zero greenhouse gas emissions for EU countries as a whole, mainly by cutting emissions, investing in green technologies and protecting the natural environment. The law aims to ensure that all EU policies contribute to this goal and that all sectors of the economy and society play their part.

The main objectives of the climate law include:

- Setting the long-term direction of travel for meeting the 2050 climate neutrality objective through all policies, in a socially fair and cost-efficient manner
- Setting a more ambitious EU 2030 target, to set Europe on a responsible path to becoming climate-neutral by 2050
- Creating a system for monitoring progress and take further action if needed
- Providing predictability for investors and other economic actors
- Ensuring that the transition to climate neutrality is irreversible

4.4 **National Policies and Legislation**

National energy and climate policy is derived from the overarching European Policy which aims to unify the European Union in energy and climate goals. 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. The government are committed to rapid decarbonisation of the energy sector with an aim of providing the necessary actions to deliver national renewable electricity targets. These government ambitions support the ongoing generation of renewable energy from onshore wind sources, as detailed in the following section.

4.4.1 Climate Action and Low Carbon Development Act 2015

The Climate Action and Low Carbon Development Act was published in January 2016 by the then Minister for Environment, Heritage and Local Government, Alan Kelly.

The Act sets out the national objective of transitioning to a low carbon, climate resilient and environmentally sustainable economy in the period up to and including the year 2050.



The Act provides for a solid statutory foundation to the institutional arrangements necessary to enable the State to pursue and achieve the “national transition objective”.

While there are no explicit targets set out within the Act itself, the legislation obliges the State to take into account 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. The other major feature of the Act is the establishment of an expert advisory council which will advise and make recommendations to the Minister for the Environment. The Climate Action and Low Carbon Development Act has paved the way for national policy support for renewable energy generation and the reduction in greenhouse gas emissions as set out in the following sections.

4.4.2 Climate Action and Low Carbon Development (Amendment) Act 2021

The Climate Action and Low Carbon Development (Amendment) Act 2021, signed into law 23rd July 2021, is an Act to provide for the approval of plans by the Government in relation to climate change for the purpose of pursuing the transition to a climate resilient, biodiversity rich and climate neutral economy by the end of the year 2050. It will establish a legally binding framework with clear targets and commitments set in law, and ensure the necessary structures and processes are embedded on a statutory basis to ensure we achieve our national, EU and international climate goals and obligations in the near and long term. The Act amends the Climate Action and Low Carbon Development Act 2015 to significantly strengthen the framework for governance of climate action by the State in order to realise our national, EU and international climate goals and obligations.

The Act embeds the process of carbon budgeting into law, with the Government required to adopt a series of economy-wide five-yearly carbon budgets to include sectoral targets for each relevant sector on a rolling 15-year basis. These five-yearly carbon budgets commence in 2021, with provisions already in place for the first two, with the five-yearly carbon budgets equating to a total reduction of 51% emissions over the period to 2030. This reduction in emissions is in line with the programme for Government which commits to a 7% average yearly reduction in overall greenhouse gas emissions over the next decade to achieve net zero emissions by 2050. This Act will drive implementation of a suite of policies to help us achieve this goal.

The Act also requires for all Local Authorities to prepare individual Climate Action Plans which will include both mitigation and adaptation measures, representing a mandate for Local Authorities to adapt to climate change.

4.4.3 Climate Action Plan (2021)

The Government published a Climate Action Plan (CAP) in November 2021. This second action plan follows on from the inaugural plan of 2019 which was a result of the Irish Government declaring a climate and biodiversity emergency on 9th May 2019.

The CAP provides a framework for delivering the Government's target of a 51% reduction (relative to 2018) in greenhouse gas (GHG) emissions by 2030. CAP21 follows the Climate Action and Low Carbon Development (Amendment) Act 2021, which commits Ireland to a legally binding target of net zero greenhouse gas emissions no later than 2050, and a reduction of 51% by 2030. The Act provides a governance framework for annual revisions of the Climate Action Plan and the development of a National Long-Term Climate Action Strategy at least once every ten years. As part of this plan, the Government is also committed to reducing emissions by an average 7% per annum by 2030. The Action Plan is underpinned by a series of sectoral emissions reduction ambitions and enabling actions.



A selection of Actions that are relevant to the proposed Fahy Beg Wind Farm are listed below.

The CAP sets out an objective to more than double Ireland's onshore wind energy capacity to 8.2GW by 2030 in order to meet new renewable energy targets and reduce emissions.

The CAP states that:

'This plan sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050, as we committed to in the Programme for Government. The science is indisputable and the effects of climate change are already clear. Extreme weather events are becoming more frequent with devastating consequences. Climate change is here and is already impacting our world, with risks to global security including food supplies. Ireland is also at risk of more frequent storms and flooding. We know we must act, and by acting now we can build a cleaner greener economy and society, which creates opportunities for us all. Implementation of the Climate Action Plan will create jobs, new economic opportunities and protect people and the planet. By delivering on this plan, we will secure the future for our children and grandchildren. It's our chance to make the right choice'.

"The analysis presented in this Plan shows that it is not only technically feasible to meet our 2030 EU target, but that it is also economically achievable. The majority of the required abatement to 2030 could be achieved by deploying measures that are, over their life-time, either cost-neutral or result in net savings to society."

Key actions identified for electricity include:

- *Electricity must reduce emissions somewhere between 62% and 81%, a difference of 19%.*
- *Increasing the share of electricity demand generated from renewable sources to up to 80% where achievable and cost effective, without compromising security of electricity supply.*
- *Expand and reinforce the grid – through the addition of lines, substations, and new technologies.*
- *Increasing the share of electricity demand generated from renewable sources to up to 80% where achievable and cost effective, without compromising security of electricity supply*
- *At least 500 MW of these renewables will be delivered through local community-based projects, subject to competition as appropriate*

The following actions are of importance.

- *Action 1: Finalise Ireland's long-term climate strategy*
- *Action 7: Prepare Climate Action Plan 2022 to fully reflect the legally adopted carbon budgets and sectoral ceilings.*
- *Action 102: Ensure supportive spatial planning framework for onshore renewable electricity generation development.*
- *Action 104: Deliver regular Onshore Renewable Electricity Support Scheme auctions that aligns with spatial and planning policy and efficient use of the network.*
- *Action 109: Ensure security of electricity supply.*
- *Action 111: Review the existing electricity transmission and distribution network tariff structures to assess what changes may be necessary to deliver equitable, cost reflective and transparent charges*



that facilitate investment in our low carbon transition and the new ways in which the network will be used in the future.

- *Action 114: Develop the onshore electricity grid to support renewable energy targets.*
- *Action 124: Develop a storage policy framework that supports the achievement of electricity emissions targets.*
- *Action 125: Facilitate the connection of hybrid technologies that minimise grid reinforcement*
- *Action 127: Carry out power system modelling required to meet renewable energy and electricity emissions targets and analysis to underpin a Net Zero Roadmap.*

The policies and objectives of the CAP are reflected in the *Draft National Energy & Climate Plan (NECP) 2021-2030*, which was submitted to the European Commission in December 2018.

The NECP was prepared to incorporate all planned policies and measures that were identified up to the end of 2019 and which collectively deliver a 30% reduction by 2030 in non-ETS greenhouse gas emissions (from 2005 levels). The NECP was drafted in line with the current EU effort-sharing approach, before the Government committed to its higher level of ambition, and therefore does not reflect this higher commitment. Further interactions of the NECP will reflect the current government's stronger climate governance.

4.4.4 EU Governance Regulation and Ireland's National Energy and Climate Plan (NECP)

Under the EU Governance Regulation, Member States had to submit their 2021-2030 draft National Energy and Climate Plans (NECP's) by the end of 2018 and final plans by the end of 2019. The Commission has assessed these both at EU and Member State level. Member States will also need to update their NECPs by the end of June 2023 in a draft form and by 30 June 2024 in a final form in order to reflect an increased ambition. Member States are required to report on the progress made in implementing their energy and climate policies, including their NECPs, for the first time in March 2023 and every two years thereafter. The Governance Regulation is effectively the piece of EU legislation under which Ireland is held accountable in meeting its decarbonisation targets.

It is important to note that Article 4 of the Regulation sets out specific trajectory requirements for renewable energy share in key intermediate years of 2022, 2025 and 2027. The final version of Ireland's first NECP set out specific annual targets for delivery of onshore and offshore wind in order to meet the requirements of Article 4. These intermediate targets will be particularly difficult to deliver and will require early deployment of onshore wind in particular, as the legislative framework underpinning offshore wind is still under development. The minimum target for onshore wind in Ireland by 2025 is a total installed capacity of 5900MW, an increase of approximately 1,590MW between 2021 and 2025¹. This would need to increase substantially if there is any delay in the delivery of offshore wind in this timeframe. Given the timelines for grid offer processing, financing and construction, which can only commence after a successful grant of planning permission, the delivery of this 2025 intermediate target will depend entirely on the scale of projects consented in the next 1-2 years.

¹ 4,309 MW Installed Capacity in the Republic of Ireland as of July 2021 (Wind Energy Ireland)



4.4.5 Project Ireland 2040: The National Planning Framework

As a strategic development framework, Project Ireland 2040: The National Planning Framework, demonstrates an approach that joins up ambition for improvement across the different areas of Irish life, bringing the various government departments, agencies, State owned enterprises and local authorities together behind a shared set of strategic objectives for rural, regional and urban development.

“The National Planning Framework is a planning framework to guide development and investment over the coming years. It does not provide every detail for every part of the country; rather it empowers each region to lead in the planning and development of their communities, containing a set of national objectives and key principles from which more detailed and refined plans will follow.”

The Framework sets out the key goals and objectives for the State, and central to this framework is the theme of Realising Our Sustainable Future. In particular, Section 9.2 of the Framework titled ‘Resource Efficiency and Transition to a Low Carbon Economy’ states the following:

“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, buildings, ocean energy and bio energy; and*
- *Legal and regulatory frameworks to meet demands and challenges in transitioning to a low carbon economy.”*

The NPF is supported by a series of National Strategic Outcomes which the Framework seeks to deliver. The purpose of the National Strategic Outcomes (NSOs) is to create a single vision, through a shared set of goals for every community across the country. The most pertinent outcomes in the context of the proposed renewable energy development are as follows:

Table 4-2: Proposed Renewable Energy Development

Policy Objective	Description
National Strategic Outcome 1: Compact Growth	<ul style="list-style-type: none"> • Encourage and attract entrepreneurship and innovation in the context of the rural economy and its continuing sustainable diversification, particularly where low carbon outputs can be achieved;
National Strategic Outcome 8: Transition to Sustainable Energy	<ul style="list-style-type: none"> • Deliver 40% of our electricity needs from renewable sources by 2020 with a strategic aim to increase renewable deployment in line with EU targets and national policy objectives out to 2030 and beyond. It is expected that this increase in renewable deployment will lead to a greater diversity of renewable technologies in the mix.



Policy Objective	Description
	<ul style="list-style-type: none"> Reinforce the distribution and transmission network to facilitate planned growth and distribution of a more renewables focused source of energy across the major demand centres.

A series of National Policy Objectives (NPOs) were developed to set the context for regional and local planning policy in Ireland. In the context of the proposed development, the following NPOs are considered the most relevant:

Table 4-3: National Policy Objectives (NPOs) from Project Ireland 2040: The National Planning Framework

Policy Objective	Description
National Policy Objective 15	Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid overdevelopment, while sustaining vibrant rural communities.
National Policy Objective 21	Enhance the competitiveness of rural areas by supporting innovation in rural economic development and enterprise through the diversification of the rural economy into new sectors and services, including ICT based industries and those addressing climate change and sustainability.
National Policy Objective 23	Facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.
National Policy Objective 52	The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.
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.
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.



Section 1.2: *'Making the Vision a Reality'*, recognises the need for new energy systems and transmission grids in order to deliver a more distributed, renewable focused national energy system in order to harness the potential from wind, wave and solar energy sources.

"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 onshore 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."

With regard to planning and investment for rural locations, Section 5.4: Planning and Investment to Support Rural Job Creation, recognises the key role of energy production in assisting in the rejuvenation of rural towns and villages to create and sustain vibrant rural communities.

"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. In planning Ireland's future energy landscape and in transitioning to a low carbon economy, the ability to diversify and adapt to new energy technologies is essential. Innovative and novel renewable energy solutions have been delivered in rural areas over the last number of years, particularly from solar, wind and biomass energy sources."

4.4.6 Project Ireland 2040: National Development Plan 2021 - 2030

The National Development Plan 2021-2030 (NDP) published in October 2021, in tandem with the National Planning Framework (NPF), sets out the Government's over-arching investment strategy and budget for the period 2021-2030.

The plan aims to balance the demand for public investment across all sectors with focus on improving the delivery of infrastructure projects. The NDP provides a platform from which investment can be provided and strategized in terms of economic growth, development and sustainability needs.

The key role of the NDP is to set out the updated configuration for public capital investment over the next 10 years in order to achieve the National Strategic Outcomes as set out within the NPF. The NDP outlines a number of key energy initiatives, which set out to diversify our energy resources, and to assist in the transition towards a decarbonised society.

The NDP emphasises National Strategic Outcome 8: Transition to a Climate-Neutral and Climate Resilient Society, noting that:

"The Government will continue to support the deployment of additional electricity generation through the auction-based Renewable Electricity Support Scheme (RESS)"



In achieving a Climate-Neutral and Climate Resilient Society, the NDP outlines strategic investment priorities which related to the aims of the Renewable Electricity Support Scheme. It is stated that the Renewable Energy Support Scheme (RESS) auctions will deliver competitive levels of onshore wind electricity generation which indicatively could be up to 8 GW of onshore wind by 2030. The NDP also outlines that the RESS will also support the delivery of up to 5 GW of additional offshore renewable electricity generation by 2030.

It is considered that such schemes, in conjunction with greater investment in renewable energy, diversity of supply, and increased utilisation and adoption of electricity storage, will significantly assist in promoting a low carbon/less energy intensive supply. The investments outlined within the NDP Review will make a critical contribution to the achievement of a low carbon and resilient electricity system. The proposed Fahy Beg Wind Farm will contribute to the aims of the NDP in providing renewable electricity generation to the national grid.

4.4.7 Ireland's Greenhouse Gas Emission Projections, 2018 - 2040

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, including transport. The EPA publishes greenhouse gas emission projections on an annual basis and submits emission projections to the Commission as required under Monitoring Mechanism Regulation 525/2013.

The EPA's publication entitled *Ireland's Greenhouse Gas Emission Projections (2019)* provides an updated assessment of Ireland's projected greenhouse gas emissions out to 2040 which includes an assessment of progress towards achieving its emission reduction targets to 2030 set down under the EU Effort Sharing Decision (Decision No 406/2009/EC). Ireland's 2020 target was to achieve a 20% reduction of non-Emission Trading Scheme (non-ETS) sector emissions (i.e. agriculture, transport, the built environment, waste and non-energy intensive industry) on 2005 levels with annual binding limits set for each year beyond 2020. 2030 targets for EU Member States were adopted by the European Council in 2018. Ireland's 2030 target under the Effort Sharing Regulation is a 30% reduction of emissions compared to 2005 levels by 2030. There will be binding annual limits over the 2021-2030 period to meet that target.

During its operation, the estimated 88.3 GWh of electricity produced by the proposed Fahy Beg Wind Farm would be sufficient to supply approximately 21,000 Irish households with electricity per year, based on the average Irish household using 4,200 MWh of electricity (this figure is available from the March 2017 CER Review of Typical Consumption Figures Decision).

Thus, this energy will be used to offset the same amount of energy that would otherwise be generated from burning of fossil fuels at power stations.

It is estimated that approximately 42,966 tonnes of CO₂ emissions per annum will be offset due to the proposed Fahy Beg Wind Farm. As a result, the operational stage of the proposed wind farm will have a significant long term positive impact on air quality and climate change, in line with policy and legislation at a local, regional, national and international level.

Further details relating to the positive effects of the proposal on air quality and climate change are included in Chapter 6 of this EIAR.



4.4.8 National Policy Conclusion

The development of the proposed Fahy Beg Wind Farm is in support of national policy as set out above. The project supports the enhancement of the competitiveness of rural areas and facilitates the development and diversification of the rural economy by supporting the energy sector and increasing the share of renewables in Ireland's energy mix.

The proposed development contributes to the nation's target increase of renewable energy from 30% to 70% by 2030 and supports the doubling of onshore wind energy in Ireland by 2030 as set out in the Climate Action Plan.

The project supports national targets of climate change mitigation and reduction in greenhouse gas emissions where significant focus has been set out in the recent Climate Action and Low Carbon Development (Amendment) Act 2021. The ambitious new programme for government is prioritising carbon neutrality and renewable energy generation. In light of this, it is important for the nation to rely on proven technologies such as on shore wind in order to meet the near-term objectives, as well as long-term objectives.

The proposed project promotes the generation of renewable energy at appropriate locations and supports the achievement of a low carbon economy by 2050. It is therefore considered that the proposed Fahy Beg Wind Farm is in line with national policy and supports the achievement of national energy and sustainability targets.

4.5 Regional Policies

4.5.1 Southern Regional Spatial & Economic Strategy

The Southern Regional Spatial & Economic Strategy (RSES) came into effect on 31st January 2020. The RSES sets out a strategy to implement the NPF at a regional level. The RSES sets out a strategic vision which includes actions to mitigate against climate change. The RSES recognises the urgency to transition to a low carbon future, accelerate the transition towards a low carbon economy and increase the use of renewable energy sources across the key sectors of electricity supply, heating, transport and agriculture in order to safeguarding and enhance the region's environment through sustainable development, prioritising action on climate change across the region, driving the transition to a low carbon and climate resilient society.

The RSES states the following in relation to wind energy:

“Wind energy is currently the largest contributor of renewable energy and it has the potential to achieve between 11-16GW of onshore wind and 30GW of offshore wind by 2050 (SEAI, 2016). The sector can make a significant contribution to meeting national energy demands while attaining our energy and emissions targets for 2020 and beyond.”

The RSES includes a range of policy objectives which support the development of renewable energy projects such as the proposed Fahy Beg Wind Farm. Objectives include the following:



Table 4-4: Regional Spatial and Economic Strategy Objectives

Policy	Description
RPO 50	It is an objective to further develop a diverse base of smart economic specialisms across the rural Region, including innovation and diversification in (among other things) renewable energy as a dynamic driver for the rural economy.
RPO 56	The RSES recognises the urgency to transition to a low carbon future and it is therefore an objective to accelerate the transition towards low carbon economy and circular economy through mechanisms such as the Climate Action Competitive Fund;
RPO 95	It is an objective to support implementation of the National Renewable Energy Action Plan (NREAP), and the Offshore Renewable Energy Plan and the implementation of mitigation measures outlined in their respective SEA and AA and leverage the Region as a leader and innovator in sustainable renewable energy generation.
RPO 99	It is an objective to support the sustainable development of renewable wind energy (on shore and offshore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.

The development of the proposed Fahy Beg Wind Farm will aid in meeting the objectives set out in the RSES including diversification of the rural economy, actions against climate change and the sustainable development of wind energy at an appropriate location.

4.6 Local Policy

4.6.1 Clare County Development Plan 2017-2023

It is a specific planning policy requirement under Section 28 of the Planning & Development Act 2000 (as amended) that in making Development Plans a planning authority has regard to national policy on renewable energy as contained in the aforementioned policy documents. A County Development Plan is required to indicate how the implementation of the Development Plan will contribute to realising overall national targets on renewable energy and climate change mitigation. This applies in particular to wind energy production and the potential wind energy resource.

The Clare County Development Plan (CDP) 2017-2023 sets out the strategic framework for land use planning in the county.

Chapter 8 of the CDP sets out the energy strategy for the County with an aim to:

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



The most pertinent transposed policies and objectives are outlined in Table 4-5:

Table 4-5: Extracts from the Clare County Council Development Plan (2017-2023)

Policy / Objective	Description
<p>Objective CDP8.38</p>	<p>It is an objective of Clare County Council:</p> <ul style="list-style-type: none"> a) To facilitate improvements in energy infrastructure and encourage the expansion of the infrastructure within the County; b) To facilitate future alternative renewable energy developments and associated utility infrastructure throughout the County; c) To collaborate with Eirgrid to facilitate the delivery of quality connection, transmission and market services to electricity generators, suppliers and customers utilising the high voltage electricity system in County Clare; d) To collaborate with Eirgrid over the lifetime of the Plan to ensure that the County’s minimum target of 966MW renewable energy generation is achieved and can be accommodated on the electricity network in County Clare; e) To have regard to environmental and visual considerations in the assessment of developments of this nature
<p>Objective CDP 8.40</p>	<ul style="list-style-type: none"> i. It is an objective of the Development Plan: ii. To encourage and to favourably consider proposals for renewable energy developments and ancillary facilities in order to meet national, regional and County renewable energy targets, and to facilitate a reduction in CO 2 emissions and the promotion of a low carbon economy; iii. To assess future renewable energy-related development proposals having regard to the Clare Renewable Energy Strategy 2017-2023; iv. To assess proposals for wind energy development and associated infrastructure having regard to the Clare Wind Energy Strategy and the associated SEA and AA, or any subsequent updated adopted strategy; v. To prepare an updated Wind Energy Strategy for County Clare during the lifetime of this Development Plan; vi. To strike an appropriate balance between facilitating renewable and wind energy related development and protecting the residential amenities of neighbouring properties; vii. To support and facilitate the development of new alternatives and technological advances in relation to renewable energy production and storage, that may emerge over the lifetime of this Plan; viii. To ensure that all proposals for renewable energy developments and ancillary facilities in the County are in full compliance with the requirements of the SEA and Habitats Directives and Objective CDP2.1;



Policy / Objective	Description
	ix. To promote and market the County as a leader of renewable energy provision; x. To support the implementation of 'Ireland's Transition to a Low Carbon Energy Economy 2015-2030'.
Objective CDP 8.41	It is an objective of the Development Plan: To support and facilitate the development of secure, appropriately scaled energy storage facilities at suitable locations throughout the County, in compliance with the requirements of Objective CDP2.1.
Objective ED 3-3	Wind Energy Generation - Support a plan led approach to wind energy development in County Clare and identify areas for wind energy development. The aim in identifying these areas is to ensure that there are no significant environmental constraints, which could be foreseen to arise in advance of the planning process.

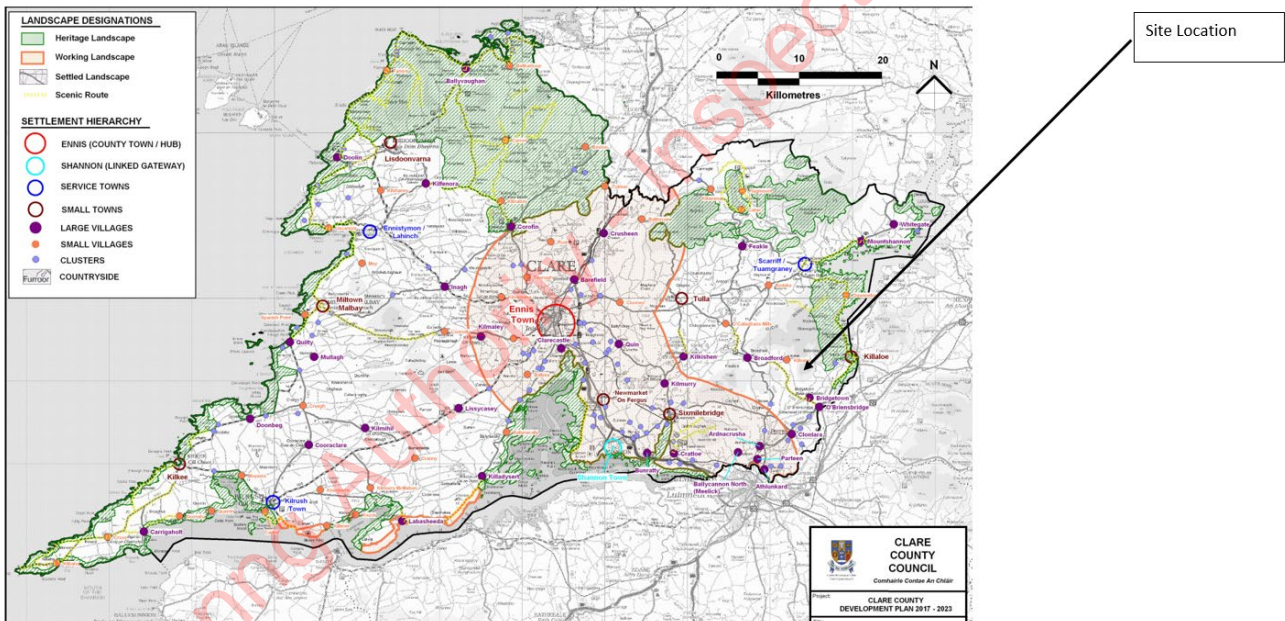


Figure 4-2: Wind Energy Designations Clare County Development Plan

Furthermore, within the development plan, the entire site falls within the landscape character type of 'Settled Landscape' as set out in the Draft Clare County Development Plan. Key policy objectives from the Draft Clare County Development Plan 2017-2023 in relation to 'Settled' landscapes are outlined below:



Table 4-6: Key Policy Objectives From The Clare County Development Plan (2017-2023)

Policy / Objective	Description
Development Plan Objective: Settled	<p>It is an objective of Clare County Council: To permit development in areas designated as ‘settled landscapes’ that sustain and enhance quality of life and residential amenity and promote economic activity subject to:</p> <ul style="list-style-type: none"> • Conformity with all other relevant provisions of the Plan and the availability and protection of resources; • Selection of appropriate sites in the first instance within this landscape, together with consideration of the details of siting and design which are directed towards minimising visual impacts; • Regard being given to avoiding intrusions on scenic routes and on ridges or shorelines. Developments in these areas will be required to demonstrate: <ul style="list-style-type: none"> • That the site has been selected to avoid visually prominent locations; • That the site layouts avail of existing topography and vegetation to reduce visibility from scenic routes, walking trails, water bodies, public amenities and roads; • That design for buildings and structures reduce visual impact through careful choice of forms, finishes and colours, and that any site works seek to reduce visual impact.

Clare Renewable Energy Strategy 2017-2023

The Clare Renewable Energy Strategy 2017-2023 outlines the renewable energy resource that is deliverable in County Clare. Its vision, consistent with that of the Clare County Development Plan 2017-2023, is to position the County as the national leader in renewable energy generation, supporting energy efficiency and conservation, with an accessible modern telecommunications infrastructure, achieving balanced social and economic development and assisting Ireland’s Green Energy target.

Table 4-7: Clare Renewable Energy Strategy 2017-2023

Policy / Objective	Description
RES 2.1 Meeting the County’s energy needs from 100% renewables	<p>It is an objective of Clare County Council: To meet the County’s energy needs from 100 % indigenous renewable energy sources.</p>
RES 3.1 Renewable Energy Targets	<p>It is an objective of Clare County Council to facilitate the achievement of (or to exceed where possible) stated renewable energy targets by 2020, thus ensuring that County Clare is the national leader in sustainable renewable energy generation, supporting energy efficiency, security and conservation, achieving balanced social, environmental and economic development throughout the County and assisting in the achievement of Ireland’s Green Energy target.</p>



Policy / Objective	Description
RES 4.1 Energy Efficiency and Conservation	<p>It is an objective of Clare County Council:</p> <ul style="list-style-type: none"> a) To promote the further development of sustainable energy practices in industry and commerce, including the use of clean technologies; b) To promote and facilitate research and development in energy efficiency and conservation best practice c) To promote the use of efficient energy storage systems and infrastructure that supports energy efficiency and renewable energy system optimisation, in accordance with proper planning and sustainable development.
RES 13.1 Renewable Energy and Supporting Infrastructure	<p>It is an objective of Clare County Council:</p> <ul style="list-style-type: none"> a) To collaborate with EirGrid over the lifetime of the Strategy to ensure that County Clare has the grid infrastructure in place to maximise its potential for renewable energy generation to meet its own energy needs and to enable export to the demand market; b) To promote and as far as practicable facilitate Eirgrid and ESB Networks in the development and delivery of a Smart Grid with its constituent elements c) All proposals relating to renewable energy and supporting infrastructure must be screened for Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the Habitats Directive, and where judged necessary a Natura Impact Statement must be submitted and an Appropriate Assessment must be conducted. The AA shall include assessment for potential impacts on Qualifying Interest Features and their associated Conservation Objectives
Objective RES 13.3	<p>It is an objective of Clare County Council to:</p> <ul style="list-style-type: none"> a) To facilitate measures which will accelerate the transition to a low carbon economy and a circular economy through mechanisms such as the Climate Action Competitive Fund;
Objective 17.1 Community Consultation	<p>It is an objective of Clare County Council: To require that developers of proposed large scale renewable energy projects carry out community consultation in accordance with best practice and to commence the consultation at the commencement of project planning.</p>
RES 17.1 Community Benefit	<p>It is an objective of Clare County Council: To ensure that, wherever possible, community benefits are derived from all renewable energy development in County Clare</p>

Additionally, the proposed site is within a wind energy designation that is open to consideration as illustrated below:

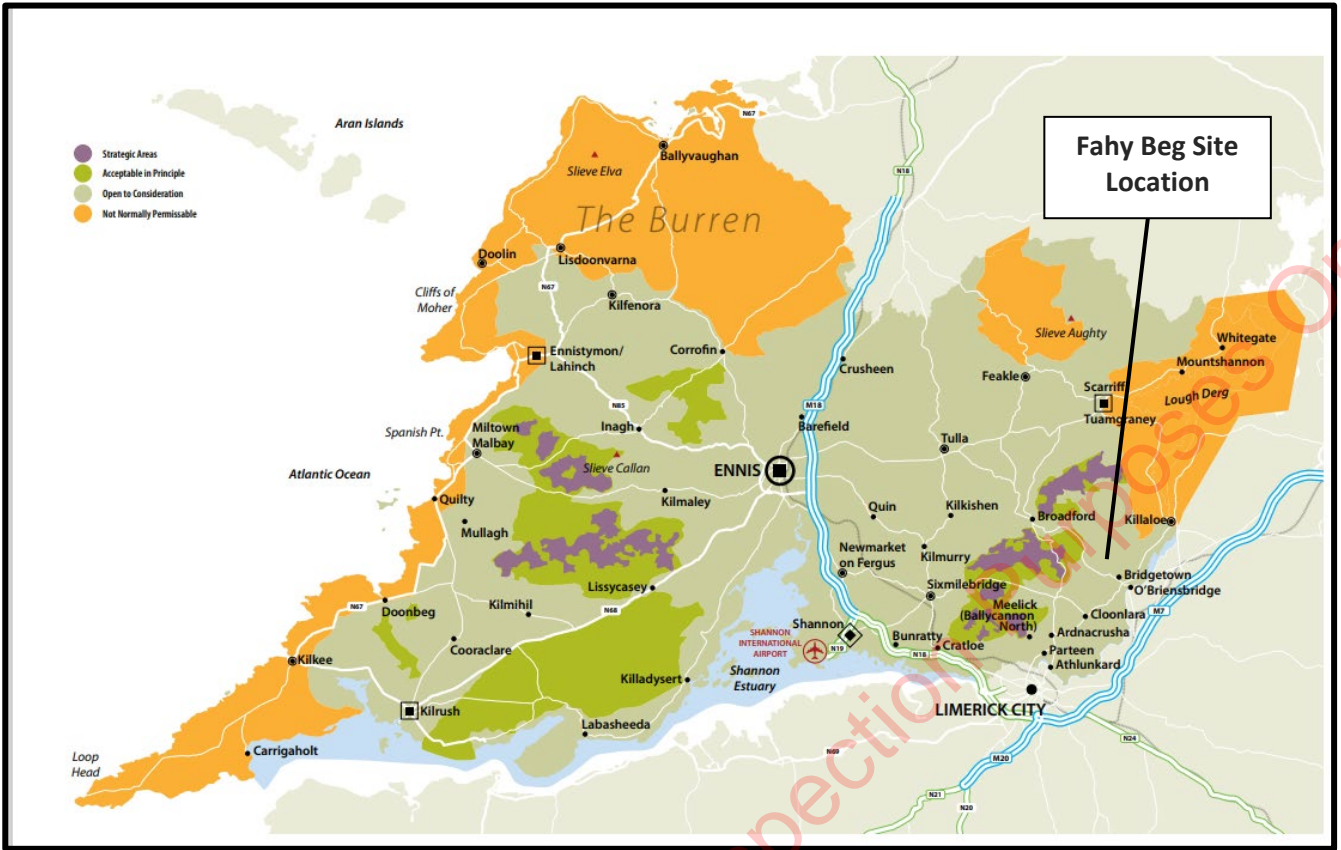


Figure 4-3: Wind Energy Designations Clare Development Plan

For Sites that are open to consideration, these are assessed on a case by case basis, subject to viable wind speeds, environmental resources and constraints and cumulative impacts.

4.6.2 [Clare Wind Energy Strategy 2017-2023](#)

This Wind Energy Strategy forms part of the current Clare County Development Plan 2017 – 2023, with the Wind Energy Strategy prepared to reflect the changing economic environment and to respond to anticipated commercial demands for wind energy developments. The Wind Energy Strategy will facilitate development of wind farms by maximising the wind resource within the County by considering elements such as technological advances in turbine design, updated information on wind speeds and changing energy and grid connection regulations regarding the minimising of any environmental and visual impacts. The Site is currently located in an area considered 'Open to Consideration' for wind energy development.



Table 4-8: Clare County Wind Energy Strategy (WES)

Policy / Objective	Description
WES One: Development of Renewable Energy Generation	It is the objective of the Council to support, in principle and in appropriate scales and locations, the development of wind energy resources in County Clare. It is an objective of the Council to ensure the security of energy supply by accommodating the development of wind energy resources in appropriate areas and at appropriate scales within the County
WES Two: Development of Low Carbon Economy	County Clare will seek to promote itself as moving towards becoming a low carbon County by 2017 as a means of attracting inward investment to the County and the wider Mid-West region.
WES Three: County Partnership Approach	Clare County Council will seek to promote wind energy in appropriate sites in the County and will work with agencies such as the Clare County Development Board, Clare Enterprise Board, Limerick Clare Energy Agency, Shannon Development, I.D.A and Enterprise Ireland to encourage investment in research and technology associated with wind farms and other renewable energy technology.
WES Four: Response to National Policy	The White Paper on Energy has set a target of 40% of electricity to be generated from renewable sources by 2020. In the Mid-West Regional Climate Change Strategy, County Clare is identified as having a potential 600MW energy produced from renewables by 2020. Clare County Council will aim to achieve a minimum target of 550MW from wind energy by the conclusion of this Strategy.
WES Five: Promotion of Community	Promotion of Community Involvement Clare County Council will seek to promote community involvement and require community benefit where possible in Wind farm developments
WES Six: Infrastructure Development Proposals	Proposals for the development of infrastructure for the production, storage and distribution of electricity through the harnessing of wind energy will be considered in appropriate sites and locations, subject to relevant policy, legislation and environmental considerations.
WES Ten: 'Open to Consideration'	'Open to Consideration' Wind energy applications in these areas will be evaluated on a case-by-case basis subject to viable wind speeds, environmental resources and constraints and cumulative impacts.

4.6.3 [Draft Clare County Development Plan 2023-2029](#)

The draft County Development Plan 2022-2028 was published in April of 2021. The plan is subject to further public consultation, prior to its expected adoption in 2023. Part 6.18 of the CDP on energy sets out the energy strategy for the County on providing competitive and uninterrupted energy supply pointing out that:

'County Clare has a secure energy supply and the network in the county has significant potential to accommodate further generating activity. The county also has potential to increase the production of electricity from renewable energy sources such as wind and tidal energy'



Other key policy objectives from the Draft Clare County Development Plan 2023-2029 in relation to renewable energy outlined below are:

Table 4-9: Key Policy Objectives From The Draft Clare County Development Plan (2023-2029)

Policy / Objective	Description
<p>Objective CDP2.14</p>	<p>It is an objective of Clare County Council to:</p> <ul style="list-style-type: none"> a) To facilitate measures which will accelerate the transition to a low carbon economy and a circular economy through mechanisms such as the Climate Action Competitive Fund; b) To support the development of enterprises that create and employ green technologies and to promote County Clare as a Low Carbon County as a means of attracting inward investment to the County and to the wider Southern Region; c) To support the Ennis 2040 Strategic Objective to establish Ennis as Ireland’s first climate adaptive town; d) To support and facilitate the implementation of the Clare Climate Change Adaptation Strategy 2019-2024; e) To ensure that the development of green industry and technologies incorporates careful consideration of potential environmental impacts at project level including the capacity of the receiving environment and existing infrastructure to serve these new industries. f) To facilitate the development of energy sources which will achieve low carbon output. g) To support sustainable modes of transport such as walking and cycling through promotional strategies and the provision of active travel infrastructure where required; h) To work to implement the provisions of Ireland’s Transition to a Low Carbon Energy Future 2015-2030 as they relate to County Clare; i) To require the submission of an Energy Efficiency and Climate Change Adaptation Design Statements for large scale commercial and residential applications; j) To promote climate change issues across business, public and residential sectors and to target measures and support initiatives to achieve reduced greenhouse gas emissions in accordance with current and future national targets, improve energy efficiency and increase the use of renewable energy sources across the key sectors of electricity supply, heating, transport and agriculture; k) To support investments in the energy efficiency of existing commercial and public building stock with a target of all public buildings and at least one-third of total commercial premises upgraded to BER Rating ‘B’; and l) To report annually on energy usage in all public buildings and to achieve a target of 33% improvement in energy efficiency in all buildings in accordance with the National Energy Efficiency Action Plan (NEEAP).



Policy / Objective	Description
<p>Objective CDP6.17</p>	<p>It is an objective of Clare County Council:</p> <ul style="list-style-type: none"> a) To contribute to the economic development and enhanced employment opportunities in the county by: <ul style="list-style-type: none"> i. Enabling the development of a self-sustaining, secure, reliable and efficient renewable energy supply and storage for the County in line with CDP Objective 3.1; ii. Facilitating the county to become a leader in the production of sustainable and renewable energy for national and international consumption through research, technology development and innovation; and iii. Supporting on-land and off-shore renewable energy production by a range of appropriate technologies in line with CDP Objective 3.1
<p>Objective CDP11.44</p>	<p>It is an objective of Clare County Council: To promote and facilitate the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure, to integrate renewable energy sources, thereby creating a secure and efficient energy supply and storage system for County Clare which is ready to meet increased demand as the regional economy grows.</p>
<p>Objective CDP11.45</p>	<p>It is an objective of Clare County Council:</p> <ul style="list-style-type: none"> a) To facilitate improvements in energy infrastructure and encourage the expansion of the infrastructure within the County; b) To facilitate future alternative renewable energy developments and associated utility infrastructure throughout the County; c) To support the Integrated Single Electricity Market (ISEM) as a key priority for the Southern Region and the sustainable development and reinforcement of the energy grid including grid connections, transboundary networks into and through County Clare subject to appropriate environmental assessment and planning processes; d) To collaborate with EirGrid to facilitate the development of a safe, secure and reliable supply of electricity, enhanced electricity networks and new transmission infrastructure projects that might be brought forward in the lifetime of this Plan under EirGrid’s (2017) Grid Development Strategy (subject to appropriate environmental assessment and the planning process); e) To collaborate with EirGrid over the lifetime of the plan to ensure that the County’s minimum target of 1,167MW of renewable energy generation is achieved and can be accommodated on the electricity network in County Clare; and f) To have regard to environmental and visual considerations in the assessment of developments of this nature and ensure compliance with the environmental requirements of Objective CDP3.1 of this plan.



Policy / Objective	Description
<p>Objective CDP11.47</p>	<p>It is an objective of Clare County Council:</p> <ul style="list-style-type: none"> a) To encourage and to favourably consider proposals for renewable energy developments, including community owned developments, and ancillary facilities in order to meet National, Regional and County renewable energy targets, and to facilitate a reduction in CO2 emissions and the promotion of a low carbon economy; b) To assess future renewable energy-related development proposals having regard to the Clare Renewable Energy Strategy 2023-2030 in Volume 5 of this plan and associated SEA and AA; c) To support the sustainable development of renewable wind energy (onshore and offshore) at appropriate locations and of its related grid infrastructure in County Clare, in accordance with all relevant policies, guidance and guidelines pertaining to the protection of the environment and protected habitats and species, and to assess proposals having regard to the Clare Wind Energy Strategy in Volume 6 of this plan and the associated SEA and AA, or any subsequent updated adopted Strategy and to national Wind Energy Guidelines; d) To prepare a new and updated Wind Energy Strategy for County Clare during the lifetime of this plan, subject to the publication of the update to the Wind Energy Development Guidelines for Planning Authorities 2006; e) To strike an appropriate balance between facilitating renewable and wind energy-related development and protecting the residential amenities of neighbouring properties; f) To support and facilitate the development of new options and technological advances in relation to renewable energy production and storage, that may emerge over the lifetime of this Plan; g) To support the integration of indigenous renewable energy production and grid injection; h) To ensure that all proposals for renewable energy developments and ancillary facilities in the County are in full compliance with the requirements of the SEA and Habitats Directives and Objective CDP3.1 of this plan; and i) To promote and market the County as a leader of renewable energy provision.

Furthermore, within the draft plan, the entire site falls within the landscape character type of 'Settled Landscape' as set out in the Draft Clare County Development Plan. Key policy objective from the Draft Clare County Development Plan 2023-2029 in relation Settled landscapes are outlined below:



Table 4-10: Development Plan Objective: Settled Landscapes

Policy / Objective	Description
<p>CDP 14.2 Development Plan Objective: Settled Landscapes</p>	<p>It is an objective of Clare County Council: To permit development in areas designated as ‘settled landscapes’ to sustain and enhance quality of life and residential amenity and promote economic activity subject to:</p> <p>I. Conformity with all other relevant provisions of the Plan and the availability and protection of resources;</p> <p>II. Selection of appropriate sites in the first instance within this landscape, together with consideration of the details of siting and design which are directed towards minimising visual impacts;</p> <p>III. Regard being had to the need to avoid intrusion on scenic routes and on ridges or shorelines.</p> <p>Developments in these areas will be required to demonstrate:-</p> <p>a) That the site has been selected to avoid visual prominence</p> <p>b) That the site layouts avail of existing topography and vegetation to reduce visibility from scenic routes, walking trails, water bodies, public amenities and roads.</p> <p>c) That design of buildings and structures reduces visual impact through careful choice of forms, finishes and colours, and that any site works seek to reduce visual impact.</p>

4.6.4 [Clare Draft Renewable Energy Strategy 2023-2029](#)

The Clare County Renewable Energy Strategy (RES) outlines the renewable energy resource that is deliverable in County Clare. Its vision, consistent with that of the Clare County Development Plan 2023-2029, is to position the County as the national leader in renewable energy generation, supporting energy efficiency and conservation, with an accessible modern telecommunications infrastructure, achieving balanced social and economic development and assisting Ireland’s Climate Action Plan.

Table 4-11: Clare Draft Renewable Energy Strategy (2023-2029)

Policy / Objective	Description
<p>Objective RES 4.1 Meeting the County’s energy needs from 100% renewables</p>	<p>It is an objective of Clare County Council to: Facilitate the achievement of (or to exceed where possible) stated renewable energy targets by 2030, ensuring that County Clare is the national leader in sustainable renewable energy generation, supporting energy efficiency, security and conservation, achieving balanced social, environmental and economic development throughout the County and assisting in the achievement of Ireland’s national climate change mitigation targets.</p>



Policy / Objective	Description
Objective RES 16.1 Renewable Energy and Supporting Infrastructure	<p>It is an objective of Clare County Council:</p> <p>A. To collaborate with EirGrid over the lifetime of the Strategy to ensure that County Clare has the grid infrastructure in place to maximise its potential for renewable energy generation to meet its own energy needs and to enable export to the demand market.</p> <p>B. To promote and as far as practicable facilitate Eirgrid and ESB Networks in the development and delivery of a Smart Grid with its constituent elements.</p> <p>C. To support and facilitate the emergence of a competitive supply chain economy that will sustain and assist in further developing a robust renewable energy sector in County Clare.</p> <p>D. To request medium and large-scale heat / energy users to utilise waste heat and power to meet on site energy requirements and to supply or utilise future district heating networks.</p>

4.6.5 [Clare Draft Wind Energy Strategy 2023-2029](#)

This Wind Energy Strategy forms part of the Draft Clare County Development Plan 2023 – 2029. The Wind Energy Strategy was prepared to reflect the changing economic environment and to respond to anticipated commercial demands for wind energy developments. The Wind Energy Strategy will facilitate development of wind farms by maximising the wind resource of the County having regard to recent technological advances in turbine design, updated information on wind speeds, proximity to grid connections and regulations in relation to minimising any environmental and or visual impacts. The site for the proposed Fahy Beg Wind Farm is identified within the Clare Draft Wind Energy Strategy 2023-2029 as being within an area ‘Open to Consideration’ for wind energy development.

Table 4-12: Clare Draft Wind Energy Strategy (2023-2029)

Policy / Objective	Description
WES One: Development of Renewable Energy Generation	<i>It is the objective of the Council to support, in principle and in appropriate scales and locations, the development of wind energy resources in County Clare. It is an objective of the Council to ensure the security of energy supply by accommodating the development of wind energy resources in appropriate areas and at appropriate scales within the County</i>
WES Two: Development of Low Carbon Economy	<i>County Clare will seek to promote itself as moving towards becoming a low carbon County by 2017 as a means of attracting inward investment to the County and the wider Mid-West region.</i>



Policy / Objective	Description
WES Three: County Partnership Approach	<i>Clare County Council will seek to promote wind energy in appropriate sites in the County and will work with agencies such as the Clare County Development Board, Clare Enterprise Board, Limerick Clare Energy Agency, Shannon Development, I.D.A and Enterprise Ireland to encourage investment in research and technology associated with wind farms and other renewable energy technology.</i>
WES Four: Response to National Policy	<i>The White Paper on Energy has set a target of 40% of electricity to be generated from renewable sources by 2020. In the Mid-West Regional Climate Change Strategy, County Clare is identified as having a potential 600MW energy produced from renewables by 2020. Clare County Council will aim to achieve a minimum target of 550MW from wind energy by the conclusion of this Strategy.</i>
WES Five: Promotion of Community	<i>Promotion of Community Involvement Clare County Council will seek to promote community involvement and require community benefit where possible in Wind farm developments</i>
WES Six: Infrastructure Development Proposals	<i>Proposals for the development of infrastructure for the production, storage and distribution of electricity through the harnessing of wind energy will be considered in appropriate sites and locations, subject to relevant policy, legislation and environmental considerations.</i>
WES Ten: 'Open to Consideration'	<i>'Open to Consideration' Wind energy applications in these areas will be evaluated on a case-by-case basis subject to viable wind speeds, environmental resources and constraints and cumulative impacts.</i>
Objective RES 13.3	<i>It is an objective of Clare County Council to actively participate in any future interim review of EirGrid's Grid 25 Strategy to ensure that the County's potential to export electricity from renewable energy resources is achieved / maximised subject to compliance with all environmental legislation.</i>

4.6.6 Killaloe Municipal District Local Area Plan 2017-2023

Clare County Council have prepared a Local Area Plan (LAP) for each of the Municipal Districts which cover County Clare. The LAPs set out a land use planning strategy for the development of towns and villages across Clare. The LAPs were adopted in 2017.

Whilst the Killaloe Local area plan does mention the Fahy Beg Road within the wider Bridgetown settlement, the content of the LAP does not address renewable energy.

However, the LAP defines nearby Bridgetown as a 'Large Village', therefore a settlement which provides a reasonable range of services and facilities to their surrounding areas. General objectives regarding large village cover Residential and commercial objectives and do not outline objectives around infrastructure and natural land issues such as flooding.



4.6.7 Killaloe Municipal District Local Area Plan 2023-2029

As part of the Draft Development Plan, Clare County Council have prepared a Local Area Plan (LAP) for each of the Municipal Districts which cover County Clare. The LAPs set out a land use planning strategy for the development of towns and villages across Clare. Small villages have a predominantly rural character with some public/community services such as a church, school, shop, etc. Their attractive character and community infrastructure, provide opportunities for sites for independent development and low-density cluster style residential developments to act as viable alternatives to single housing in the countryside.

Whilst the Killaloe Local area plan does mention the Fahy Beg Road within the wider Bridgetown settlement, the content of the LAP does not address renewable energy.

4.7 Other Relevant Policies and Guidelines

4.7.1 Department of Environment, Heritage and Local Government – Wind Energy Development – Planning Guidelines 2006

The Wind Energy Development Planning Guidelines (2006) published by the Department of the Environment, Heritage and Local Government (DoEHLG) offer advice to planning authorities assessing planning applications for wind farm developments. The guidelines set out criteria which assist in the identification of suitable locations for wind energy development. They are also of assistance to developers and the wider public in considering wind energy development.

The proposed development has considered the provisions of the Wind Energy Development Guidelines 2006 in the design and siting of the proposed Fahy Beg Wind Farm. The proposed development is considered to be in line with the recommendations as set out in the Guidelines.

4.7.2 Draft Revised Wind Energy Development Guidelines (December 2019)

The Draft Revised Wind Energy Development Guidelines were published in December 2019 for public consultation. The guidelines will supersede the 2006 guidelines once formally adopted by the government. The revised guidelines aim to apply consistency across all Renewable Energy Strategies with regard to Development Management objectives. The key points of note in the draft Revised Guidelines include:

- Revised set back distances. 4 times the tip height is to be applied between turbines and the nearest point of the curtilage of any residential property with a mandatory minimum set back distance of 500 meters to be applied.
- Revised noise limits provide a higher level of protection to nearby residential receptors. The draft guidelines propose a noise limit, referred to as a Relative Rated Noise Limit in the range of 35 – 43 dB(A), while not exceeding the background noise level by more than 5dB(A) with an upper limit of 43 dB(A).
- The draft guidelines confirm a policy of ‘zero shadow flicker’ at nearby existing dwellings or other affected properties.



- Wind energy developers will have to provide an opportunity for the proposed development to be of enduring economic or social benefit to the local community, whether by facilitating community investment/ ownership in the project, other types of benefits/ dividends, or a combination of the two.
- The revised guidelines encourage the implementation of a standardised operational period of 30 years for wind energy developments across the country.

The proposed Fahy Beg Wind Farm has been designed in accordance with the current statutory Section 28 Ministerial Guidelines, *Wind Energy Development Guidelines*, 2006. We are aware that these guidelines are subject to targeted review and updates prior to being issued, and as such, the design of the project does not include all of the Draft Revised Wind Energy Development Guidelines, published by the Department of Housing, Planning and Local Government (December 2019). In recognition of this, the proposed layout has achieved a minimum separation distance of 700m between turbine locations and the closest dwelling house of non-financially involved landowners. Furthermore, an objective to avoid shadow flicker at nearby dwellings through mitigation measures has also been included in the project, in line with the draft guidelines.

4.7.3 Irish Wind Energy Association – Best Practice Guidelines for the Irish Wind Energy Industry

The '*Best Practice Guidelines for the Irish Wind Energy Industry*' was published by the Irish Wind Energy Association (IWEA) (now called Wind Energy Ireland (WEI)) in 2008, with the Guidelines updated in 2012. These guidelines are to encourage responsible and sensitive wind farm development, and to provide assistance and recommendations for those developing onshore wind energy projects in Ireland.

The approach to the development of the proposed Fahy Beg Wind Farm is in line with the 2012 IWEA guidelines in that it is in accordance with relevant planning and environmental legislation, requirements for environmental impact assessment, provides an environmentally sensitive design, takes account of best practice health and safety and provides opportunities for quality public engagement in order to develop a responsible and sensitive wind energy project.

4.7.4 IWEA Best Practice Principles in Community Engagement and Community Commitment 2013

The '*Best Practice Principles in Community Engagement and Community Commitment*' was published by IWEA (now called Wind Energy Ireland (WEI)) in 2013. WEI and its members support the provision of financial contributions by wind farm operators to local communities and have sought to formulate best practice principles for the provision of a community commitment. The document sets out WEI's best practice principles for delivering extended benefits to local communities for wind farm developments of 5MW or above.

Best Practice Principles of community engagement when planning the engagement strategy and preparing associated literature are also outlined in the document. The aim of the publication is to ensure that the view of local communities is taken on board at all stages of development and that local communities share in the benefits of the development. Throughout the consultation process for the proposed Fahy Beg Wind Farm, specific regard has been taken of this guidance document. Details of the public and stakeholder consultation process carried out throughout the development of the project is detailed in Chapter 5 – EIA Scoping, Consultation and Key Issues.



4.7.5 Code of Practice for Wind Energy Development in Ireland – Guidelines for Community Engagement

In December 2016, the Department of Communications, Climate Action and Environment (DCCA) issued a code of practice for wind energy development in relation to community engagement.

This Code of Good Practice states it:

“is intended to ensure that wind energy development in Ireland is undertaken in observance with the best industry practices, and with the full engagement of communities around the country.”

The guidance states that the methods of engagement should reflect the nature of the project and the potential level of impact that it could have on a community. Throughout the consultation process the applicant has had regard to the Code of Practice for Wind Energy including the practical steps that wind farm promoters should comply with in engaging with communities as set out in this Guidance.

4.7.6 Commission for Regulation of Utilities: Grid Connection Policy

The Commission for Regulation of Utilities (CRU) (previously the Commission for Energy Regulation (CER)) launched a new grid connection policy in March 2018 for renewable and other generators, known as ECP-1, which will seek 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 allow those projects which are ‘shovel ready’ to have an opportunity to connect to the network, along with laying the foundations for future, more regular batches for connection.

The first connection offers were issued in August 2018 with the system operators expected to hold further batches in 2021 / 2022.

On the 10 June 2020 the CRU published their decision on ECP-2, which set policy for at least three annual batches of connection offers (ECP 2.1, ECP-2.2, and ECP-2.3). The application windows are envisaged to be open for the month of September each year.

The ECP system replaces the previous ‘Gate’ system of grid connection applications. The grid connection application window under ECP-1 was the first time since 2007 that certain renewable energy projects including wind farms, have had an opportunity to secure a new grid connection offer.

4.7.7 Renewable Electricity Support Scheme 2 (RESS 2)

The second incarnation of the Renewable Electricity Support Scheme was launched in October 2021. RESS 2 aims to support to renewable electricity projects in Ireland. With a primary focus on cost effectiveness, the RESS delivers a broader range of policy objectives, including:

- Providing 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
- Delivering an ambitious renewable electricity policy to 2030
- Increasing energy security, energy sustainability and ensuring the cost effectiveness of energy policy



The RESS 2 auction will support the achievement of the increased ambition of up to 80% renewable electricity by 2030 as set out under the [National Development Plan](#) and the policies and measures in the [Climate Action Plan 2021](#). The RESS Scheme ensures that we are on a pathway to meet our ambitious climate targets and lays the foundations of a thriving and cost effective renewable electricity market. This will support the growth of the green economy, create sustainable work opportunities, and ultimately benefit the consumer as renewables become more cost effective.

Eligible projects under include onshore wind, offshore wind, solar, hydro along with many other renewable generation methods. The final results of the RESS 2 auction were approved by government in June 2022. The successful projects in RESS 2 represent a potential increase of nearly 20% in Ireland's current renewable energy generation capacity. They will be delivered between 2023 and 2025. 2,748 GWh of the 3,772 GWh bids submitted were successful in the auction. This equates to approximately 414 MW of onshore wind and 1,534 MW of solar.

4.8 Conclusion

The policies, objectives and legislation as described throughout this chapter sets out significant international, European, national and local policy support for a move to renewable energy technologies and a reduction in greenhouse gas emissions. Ireland is committed to meeting International and European targets and if these targets are not met the government must purchase Carbon Credits to meet compliance with both emissions and renewable energy targets or face fines from the EU.

The SEAI report, *Energy in Ireland* (2020a) sets out the nation's latest progress towards renewable energy targets, with an overall shortfall on the 2020 targets as renewable energy production accounts for approximately 12% of the nation's energy production while the 2020 target was set for 16%.

While Ireland has come a long way in increasing renewable energy generation, the targets are ever increasing from a European perspective. 2050 European targets effectively mean that Europe's energy production will have to be almost carbon-free by 2050, with an aim to increase reliance on renewables from 30% to 70% by 2030.

In response to this, Ireland produced the *Climate Action Plan 2021* in which this CAP sets out an objective to more than double Ireland's onshore wind energy capacity to 8.2GW by 2030, in order to meet new renewable energy targets and reduce emissions. Therefore, there is a clear national mandate to accommodate significant onshore wind within the next decade. Furthermore, the *National Planning Framework* places greater emphasis on a move to a low-carbon economy to reduce Ireland's carbon footprint by integrating climate action into the planning system in support of national targets.

It is this commitment on energy and climate policy that justifies a clear need for renewable energy generation in Ireland. It is recognised 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 a key to achieving this as emphasised in the *Climate Action Plan 2021*. It is also a proven technology that will be critical to meeting the near-term renewable targets up to 2030.

The *Regional Spatial and Economic Strategy* (RSES) for the Southern Region supports the increased use of renewable energy sources to transition the Southern Region to a low carbon, climate resilient and environmentally sustainable economy and mitigate against climate change.



The RSES aims to leverage the Southern Region as a leader and innovator in sustainable renewable energy generation, supporting the development of a renewable energy project in an appropriate location, such as that of the proposed Fahy Beg Wind Farm.

National and regional energy policies have been reinforced by the current *Clare County Development Plan 2017-2023* and the upcoming *Draft Clare County Development Plan 2023-2029* which applies a plan-lead approach to wind energy development. The immediate site area of the proposed Fahy Beg Wind Farm is located within an area described as a ‘settled’ landscape, that allows for enterprise in which renewable energy is envisioned as a use within, and therefore, can be considered compatible with the existing land use on the site as discussed in detail in *Chapter 11 – Population, Human Health & Material Assets*.

In conclusion, the policy context for the site and surrounding area is considered favourable for the proposed Fahy Beg Wind Farm, both from a national policy perspective with regard to renewable energy provision, and at a local level with respect to designations and the ability for the site to accommodate the proposed development.

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