4 PLANNING POLICY CONTEXT

4.1 INTRODUCTION

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

Common acronyms used throughout this EIAR can be found in **Appendix 1.4**. Acronyms specific to this chapter are found in **Table 4.1**.

Table 4.1: Glossary of Common Acronyms

Glossary of Common Acronyms	
AA	Appropriate Assessment
BE	Bachelor of Engineering
BSc	Bachelor of Science
BSc (Hons)	Bachelor of Science (Honours)
CAP	Climate Action Plan
CCDP	Cork County Development Plan
CDP	County Development Plan
COP	UN Climate Change Conference
DoHLG	Department of Heritage and Local Government
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
ELC	European Landscape Convention
EU	European Union
GHG	Greenhouse Gases
GIS	Geographical Information Systems

Glossary of Common Acronyms	
GW	Gigawatt
GWh	Gigawatt hours
LCT	Landscape Character Type
MW	Megawatt
NAF	National Adaption Framework
NHA	Natural Heritage Area
NIS	Natura Impact Statement
NPF	National Planning Framework
RED	Renewable Energy Directive
RESS	Renewable Energy Support Scheme
RSES	Regional Spatial and Economic Strategy
SAC	Special Area of Conservation
SDGs	Sustainable Development Goals
SPA	Special Protection Area
TD	Teachta Dála
TWh	Terawatt hours
UK	United Kingdom
UNFCCC	United Nations Framework Convention on Climate Change
WEDGs	Wind Energy Development Guidelines

4.2 STATEMENT OF AUTHORITY

This Chapter has been prepared by David Kiely, Shirley Holton and Kathlyn Feeney, of Jennings O'Donovan & Partners Ltd. (JOD).

David Kiely is a Director of JOD who holds a BE in Civil Engineering from University College Dublin and MSc in Environmental Protection from IT Sligo. He is a Fellow of Engineers Ireland, a Chartered Member of the Institution of Civil Engineers (UK) and has over 40 years'

experience. He has extensive experience in the preparation of EIARs and EISs for environmental projects including Wind Farms, Solar Farms, Wastewater Projects, and various commercial developments. David has also been involved in the construction of over 60 wind farms since 1997. David is the key technical reviewer in the preparation of this EIAR.

Shirley Holton is an Environmental Scientist with over 3 years' experience in coordinating EIARs for renewable energy developments. She graduated with a First-Class Honours Degree (BSc. Hons) in Environmental Science from the Institute of Technology, Sligo. She was also awarded the Governing Body award for a BSc in Environmental Protection. Shirley's key capabilities include project management; using software such as WindPRO 4.1 and ArcGIS Pro; and the preparation of planning applications, Environmental Impact Assessment Reports, Feasibility Studies, Construction & Environmental Management Plans and management plans relating to surface water, peat, spoil and waste.

Kathlyn Feeney is a Graduate Environmental Scientist with a First-Class Honours Degree (BSc. Hons) in Environmental Science from Atlantic Technological University, Sligo. She forms part of the Environmental team responsible for preparing the EIARs. Kathlyn's main responsibilities include supporting more senior consultants in report writing, GIS Feasibility Studies and Shadow Flicker analysis.

4.3 IRISH PLANNING LEGISLATION AND POLICY CONTEXT

Table 4.2: Irish Planning Legislation and Policy Context

Legislation / Policy	Context
Planning and Development Act 2000 (as amended)	The Planning and Development Act 2000 (as amended) sets out the planning framework. It consolidates all previous planning acts and is the basis for the Irish planning code, setting out the detail for making regional strategies, development plans and local area plans as well as the basic framework of the development management and planning consent system. It sets out the statutory basis for the carrying out of an Environmental Impact Assessment (EIA) and Appropriate Assessment.

Legislation / Policy	Context
Planning and Development Regulations 2001 (as amended)	The Planning and Development Regulations 2001 (as amended) are promulgated under the Planning and Development Act 2000 and they prescribe the details of the planning code.
Planning and Development (Amendment) Act 2018, as amended	This Act strengthens certain aspects of planning guidelines. Planning guidelines may now contain specific planning policy requirements that must be applied by planning authorities in the performance of their functions.
Wildlife Act 1976, as amended	The requirements for the designation and protection of habitats and species in a natural heritage area (NHA) are set out in the Wildlife Act 1976, as amended.
Habitats and Birds Directives	The Habitats Directive 92/43/EEC and the Birds Directive 2009/147/EC set out the requirements for the protection of habitats and species and in the case of the latter, bird species, of European and national importance. For the purposes of planning, these directives have been transposed into Irish legislation under the Planning and Development Act (in particular Part XAB), the Planning and Development Regulations (in particular Part 20), and the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended).
EIA Directives	The relevant sections of the EIA Directive 2011, as amended are transposed in Ireland through the **Planning and Development Act 2000 (Part X)** and the **Planning and Development Regulations 2001, as amended, (in particular, Part 10, Schedule 5 and Schedule 6)**.
Climate Action and Low Carbon Development Acts 2015- 2021 (as amended)	The Act provides for the establishment of a national framework with the aim of achieving a low-carbon, climate-resilient, and environmentally sustainable economy by 2050 (referred to in the Act as the "national transition objective"). The Act was commenced in the days before the historic COP21 agreement in Paris where consensus was reached by 200 countries on the need to reduce greenhouse gas emissions. The Climate Action and Low Carbon Development (Amendment) Act 2021 supports Ireland's transition to Net Zero and a target of achieving a climate neutral economy by no later than 2050. It has established a legally binding framework containing clear targets and commitments which are set in law to embed the necessary structures and

Legislation / Policy	Context
	processes on a statutory basis to achieve our national, EU and international climate goals and obligations in the near and long term. The Programme for Government, published on 29 October 2020, commits to a 7% average yearly reduction in overall greenhouse gas emissions over the next decade, and to achieving net zero emissions by 2050. This Act brings in a system of 5-year economy-wide carbon budgets, which will outline a ceiling for total greenhouse gas emissions. These will be prepared by the Climate Change Advisory Council and presented to Government to consider and approve, with input from the Oireachtas.
Climate Action Plan 2024	The Plan was approved by Government on 20 December 2023, subject to Strategic Environmental Assessment and Appropriate Assessment. Climate Action Plan 2024 builds upon the previous plans (Climate Action Plan 2023 and 2021) by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings, for example, a roadmap for taking decisive action to halve Irelands emissions by 2030 and to reach net zero no later than 2050. It also outlines the intention of the government to meet up to 80% of electricity demand from renewable power by 2030.
Project Ireland 2040: National Planning Framework	The National Planning Framework (NPF) (which is given statutory recognition in the Planning and Development (Amendment) Act 2018) is intended to guide development and investment through a shared set of national objectives and principles. It is then left to the three regional planning bodies and the 31 city and county councils to take a lead in refining these into more detailed plans.
National Development Plan 2021-2030	The National Development Plan (NDP) sets out the investment priorities that will underpin the implementation of the National Planning Framework, through a total investment of approximately €116 billion. This represents a very substantial commitment of resources and is expected to move Ireland close to the top of the international league table for per capita public investment.
Regional Spatial and Economic Strategy 2020-2032	The Local Government Reform Act 2014 provided for three new regional assemblies: the Northern and Western, Eastern

Legislation / Policy	Context
	and Midland and Southern Regions. Members of the Regional Assemblies consist of the local authorities within that region. The Regional Spatial and Economic Strategy (RSES) is discussed further in **Section 4.6.10** below.
Cork County Development Plan 2022-2028	The Cork County Development Plan 2022-2028 was adopted in April 2022. The Plan highlights the vital importance of a reliable energy supply, increasing renewable energy in line with regional and national targets and the need to transition to a low carbon economy and society.
Wind Energy Development Guidelines 2006	The Wind Energy Development Guidelines (DoHLG, 2006) offer advice to planning authorities on planning for wind energy through the development plan process and in determining applications for planning permission. Planning authorities are to have regard to same. The guidelines are also intended to provide a consistency of approach throughout the country in the identification of suitable locations for wind energy development and the treatment of planning applications for wind energy developments.
Draft Revised Wind Energy Guidelines 2019	The Draft Wind Energy Guidelines were published in 2019, however the current version dated 2006 remain valid until the revised, final version of the Draft WEDGs (DOHLGH, 2019) are adopted by the government. The draft guidelines set out how wind energy is to be delivered in accordance with best practice and in particular, in partnership with people living in areas local to proposed developments. The Draft guidelines, provide a roadmap as to how Ireland's 2030 climate commitments can be met and ultimately move the country towards a position of net zero emissions by 2050. The key aspects for the new draft proposed wind energy guidelines include the following: • A visual amenity setback of 4 times the turbine height between a wind turbine and the nearest residential property, subject to a mandatory minimum distance of 500 metres • The elimination of shadow flicker • The application of a more stringent noise limit, consistent with World Health Organisation standards

Legislation / Policy	Context
	• The introduction of new obligations in relation to community engagement with local communities along with the provision of community benefit measures.
National Landscape Strategy for Ireland 2015-2025	Ireland signed and ratified the Council of Europe's European Landscape Convention (ELC) which came into effect on 1 March 2004. The Convention has been ratified by thirty-eight countries. It obliges Ireland to implement policy changes and objectives concerning the management, protection and planning of the landscape. The National Landscape Strategy will be used to ensure compliance with the ELC and to establish principles for protecting and enhancing it while positively managing its change. It is a high-level policy framework to achieve balance between the protection, management and planning of the landscape by way of supporting actions.

4.4 INTERNATIONAL POLICY

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

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

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

Table 4.3: International Legislation and Policy Context

Legislation/Policy	Context
The United Nations Framework Convention on Climate Change	The United Nations Framework Convention on Climate Change (UNFCCC) was set up in 1992 and sets an overall framework for intergovernmental efforts to tackle the challenge posed by climate change. Subsequently, the Kyoto Protocol was adopted in 1997. National governments who signed up to the Kyoto Protocol are committed to reducing their greenhouse gas emissions. The UNFCCC recognises that the climate system is a shared resource whose stability can be affected by industrial and other emissions of carbon dioxide and other greenhouse gases. The convention has near universal membership, with 197 countries listed as being Parties of the Convention.

Legislation/Policy	Context
COP21- The Paris Agreement (2015)	The Paris Agreement is a legally binding international treaty on climate change. It was adopted by 196 Parties at COP 21 in Paris, on 12 December 2015 and entered into force on 4 November 2016. It seeks to accelerate and intensify the actions and investment needed for a sustainable low carbon future. Its central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. The Agreement also aims to strengthen the ability of countries to deal with the impacts of climate change. The Paris Agreement commits the EU as a whole to reduce greenhouse gas emissions by at least 40% by 2030, compared with 1990 levels. This figure was revised upwards under Article 4 of Regulation 2021/1119 by the EU in April 2021 to a 55% domestic Green House Gas reduction by 2030 compared to 1990. Ireland is one of the 196 countries signed up to the Paris agreement, under the terms, Ireland is required to reduce greenhouse gas emissions by at least 40% by 2030 when compared with levels in 1990. The Proposed Development will displace heavily polluting fossil fuels by producing renewable wind energy. However, a report[1] by the International Energy Agency cautions that renewables growth will still need to double to reach the Paris Agreement goal of achieving net-zero emissions by 2050. The International Renewable Energy Agency (IRENA), an intergovernmental organisation focusing on sustainable energy, in a report[2] on the Nationally Determined Contributions relating to renewable energy also note that even with the renewable energy pledges in the 2015 Paris agreement the 1.5 ºC goal will still be exceeded before the end of the century.
COP26- Glasgow	The United Nation's (UN) 26th global climate summit was held in 2021 in Glasgow, where nations committed to a range of decisions in a collective effort to limit global temperatures to 1.5 degrees. The conference focussed on driving action across: • Mitigation - reducing emissions. • Adaptation - helping those already impacted by climate change. • ·Finance - enabling countries to deliver on their climate goals. • Collaboration - working together to deliver even greater action.
COP27 - Egypt	The 27th Global climate summit; The COP27 UN Climate Change Conference, was held in 2022 in Egypt. Agreement was reached on financing loss and damage from the impacts of climate change – an agreement which was negotiated in part by Ireland's Minister for Environment, Climate and Communications, Eamon Ryan.

[1] chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://iea.blob.core.windows.net/assets/5ae32253-7409-4f9a-a91d-1493ffb9777a/Renewables2021-Analysisandforecastto2026.pdf

[2] https://www.irena.org/-/media/Files/IRENA/Agency/Publication/2024/Jan/IRENA_NDCs_renewable_energy_targets_2023.pdf

Legislation/Policy	Context
COP28- United Arab Emirates	The COP28 Agreement calls on countries to "contribute to global efforts to transition away from fossil fuels in energy systems in a just, orderly and equitable manner." The deal also calls for a tripling of global renewable energy capacity and doubling of energy efficiency by 2030.
Sustainable Development Goals	In 2015, countries adopted the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs). The SDGs are a blueprint to achieve a better and more sustainable future. They address global challenges related to poverty, inequality, climate action, environmental degradation, prosperity, and peace and justice. The Goals interconnect and are interdependent. Goal No. 13 addresses Climate Action with an objective to: 'Take urgent action to combat climate change and its impacts by regulating emissions and promoting developments in renewable energy.' The Goal recognizes Climate Change as a global challenge that does not respect national borders and requires solutions that need to be coordinated at the international level to help developing countries move toward a low-carbon economy. Further, it serves to underpin international, European and National policy context and frameworks that address climate action and pursue efforts to combat climate change.

4.5 EUROPEAN LEGISLATION & POLICY CONTEXT

The European Union's (EU) energy policies, such as those discussed in Sections 4.5.4-4.5.6, are set out and powered by three main objectives:

- To ensure energy providers operate in a competitive environment, ensuring affordable prices for homes and businesses.
- To secure energy supplies and to ensure reliable energy delivery whenever and wherever it is needed; and
- To have sustainable energy consumption, through lowering dependence on fossil fuels and decreasing greenhouse gas emissions and pollution.

The importance of delivering on these key objectives have been underlined by the Commission's robust and ambitious response to the ongoing conflict in Ukraine – and has seen a suite of legislative files introduced in the sustainability and environmental sectors in its current mandate.

The EU will be climate neutral by 2050. To do this, it will carry out a series of initiatives that will protect the environment and boost the green economy[3].

4.5.1 EU Directive 2011/92/EU (as amended by EU Directive 2014/52/EU)

European Union Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the 'EIA Directive'), was transposed into Irish planning legislation by the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). The objective of the Directive (Directive 2011/92/EU), as amended by Directive 2014/52/EU, is to ensure a high level of protection of the environment and human health, through the establishment of minimum requirements for EIA, prior to development consent being given, of public and private developments that are likely to have significant effects on the environment.

Planning Authorities and An Bord Pleanála have lengthy experience in assessing the effects of proposed developments on the environment as this is an integral part of considering whether the proposal is in the interests of the proper planning and sustainable development of the area. The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, as amended, transpose the requirements of the 2011 EIA Directive (as amended) into existing planning consent procedures.

Amending Directive 2011/92/EU (as amended by Directive 2014/52/EU) defined the EIA process as a process consisting of:

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

[3]European Commission. https://climate.ec.europa.eu/eu-action/climate-strategies-targets/2050-long-term-strategy_en Accessed 17/07/2024

4.5.2 The European Green Deal 2019

The European Green Deal 2019 resets the European Commission's commitment to tackling climate and environmental-related challenges. It focuses on three key principles for the clean energy transition, which will help reduce greenhouse gas emissions and enhance the quality of life of our citizens:

(1) Ensuring a secure and affordable EU energy supply.

(2) Developing a fully integrated, interconnected and digitalised EU energy market.

(3) Prioritising energy efficiency, improving the energy performance of our buildings and developing a power sector based largely on renewable sources.

The European Green Deal is a plan to make the EU's economy sustainable. The EU aims to be climate neutral in 2050. Reaching this target will require action in all sector economy, including:

- Investing in environmentally friendly technologies
- Supporting industry to innovate
- Rolling out cleaner, cheaper and healthier forms of private and public transport
- Decarbonising the energy sector
- Ensuring buildings are more energy efficient
- Working with international partners to improve global environmental standards
- Sustainable finance – all of which are strongly interlinked.

The European Climate Law (2021) writes into law the goal set out in the European Green Deal (2019) for Europe's economy and society to become climate-neutral by 2050. This law binds member states into taking measures necessary to meet targets, with progress being reviewed every 5 years.

4.5.3 European Climate Law

Regulation (EU) 2021/1119 (European Climate Law) establishes the framework for achieving climate neutrality and amends Regulation (EC) 401/2009 and Regulation (EU) 2018/1999. This Regulation aims to achieve the ambition of the European Green Deal and, consequently, compel Member States to act in accordance with the Paris Agreement.

The main objectives of the Regulation are:

- to reduce within the European Union greenhouse gas emissions, after deduction of removals, by at least 55% by 2030 compared to 1990 levels;
- to limit the contribution of net removals to the Union 2030 climate target to 225 million tonnes of CO2 equivalent;

- to achieve climate neutrality in the European Union by 2050, i.e. to reduce greenhouse gas emissions to zero by 2050;
- to establish a system allowing the European Commission to monitor and review the progress in legislative work aimed at counteracting climate change, including the assessment of Union and national measures;
- to establish a European Scientific Advisory Board on Climate Change that will (i) provide independent scientific advice and (ii) report on Union measures, climate targets and indicative greenhouse gas budgets, as well as their consistency with the European Climate Law and international obligations of the European Union under the Paris Agreement.

4.5.4 Renewable Energy Directive

The EU promulgated the Renewable Energy Directive (REDI) 2009/28/EC, with a view to make the EU a global leader in renewable energy and ensure that the target of the final energy consumption being at least 16% renewables by 2020 and 27% renewables are met by 2030. In 2015, the EU set itself a long-term goal of reducing greenhouse gas emissions by 80-95%, when compared to 1990 levels, by 2050. Under the 2009 Renewable Energy Directive (REDI), Ireland committed to produce at least 16% of all energy consumed by 2020 from renewable sources. Ireland did not meet its 2020 target for overall Renewable Energy Share resulting in Ireland being obligated to acquire statistical transfers of 3.3 TWh of renewable energy from other Member States to compensate for this shortfall.

From 2021, REDI was replaced by the second Renewable Energy Directive (REDII) 2018/2001/EU, which continues to promote the growth of renewable energy out to 2030. REDII set out a new binding renewable energy target for the EU for 2030 of at least 32%, with a clause for a possible upwards revision by 2023.

In 2023, the European Union (EU) adopted an amendment of the Renewable Energy Directive, which is referred to as "RED III". RED III raises the share of renewable energy in the European Union's overall energy consumption to 42.5% by 2030, with an additional 2.5% indicative top-up to allow the target of 45% to be achieved.

4.5.5 REPowerEU

In May 2022, the European Commission presented the REPowerEU Plan[4], in response to the global energy market disruption caused by Russia's invasion of Ukraine. It puts forwards a set of actions to:

- Save energy;
- Diversify supplies;
- Quickly substitute fossil fuels by accelerating Europe's clean energy transition;
- Smartly combine investments and reforms.

It states:

"*Lengthy administrative procedures are one of the key barriers for investments in renewables and their related infrastructure. These barriers include the complexity of the applicable rules for site selection and administrative authorisations for projects, the complexity and duration of the assessment of the environmental impacts of the projects, grid connection issues, constraints on adapting technology specifications during the permit-granting procedure or staffing issues of the permit-granting authorities or grid operators. In order to accelerate the pace of deployment of renewable energy projects it is necessary to adopt rules which would simplify and shorten permit-granting processes.*"

The REPowerEU Plan also includes proposed amendments to the Renewable Energy Directive[5] including:

- Specifying that renewable energy plants are presumed to be of overriding public interest.
- Increasing the Union's renewable energy target to 45% – up from 40% in the Commission's initial Fit-for-55 energy package.

In 2021, the EU reached a 22.8%[6] share of its gross final energy consumption from renewable sources – up from 22.1% in 2020. This leaves a long way to go to reach the increased target of 45%. In accordance with the REPowerEU Communication, in May 2022, the Commission published a recommendation[7] on speeding up permit-granting procedures

[4] European Commission. (2022). REPowerEU Plan https://eur-lex.europa.eu/resource.html?uri=cellar:fc930f14-d7ae-11ec-a95f-01aa75ed71a1.0001.02/DOC_1&format=PDF Accessed 18/07/2024
[5]European commission. (2022). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0222&from=EN Accessed 30/04/2024
[6] European Commission. (2023). https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Renewable_energy_statistics#Share_of_renewable_energy_more_than_doubled_between_2004_and_2020 Accessed 30/04/2024
[7]European Commission.(2022) COMMISSION RECOMMENDATION of 18.5.2022 on speeding up permit-granting procedures for renewable energy projects and facilitating Power Purchase Agreements https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=PI_COM:C(2022)3219&from=EN Accessed 30/04/2024

for renewable energy projects, accompanied by guidance to help the Member States speed up permitting for renewable energy plants.

The recommendation was created in order to help Member States exploit all possibilities for acceleration that exist within the legislative framework. It proposes measures to streamline procedures at national level, addresses ambiguities in the application of EU legislation and sets out good practices in Member States. It recommends participatory approaches that involve local and regional authorities and providing authorities with the necessary resources so as to facilitate the timely realisation of locally adapted investments.

Recommendations include:
"*Member States should ensure that the planning, construction and operation of plants for the production of energy from renewable sources, their connection to the electricity, gas and heat grid and the related grid itself and storage assets* ***qualify for the most favourable procedure available in their planning and permit-granting procedures*** *and are presumed as being in the overriding public interest and in the interest of public safety, in view of the legislative proposal amending and strengthening the provisions of Directive (EU) 2018/2001 related to administrative procedures and without prejudice to the Union law."*
"Member States should establish clearly defined, accelerated and as short as possible deadlines for all the steps required for the granting of permits to build and operate renewable energy projects, specifying the instances where such deadlines may be extended and under which circumstances. Member States should establish binding maximum deadlines for all relevant stages of the environmental impact assessment procedure."

To support the objectives of REPowerEU, legislative amendments were introduced that culminated in RED III. To bridge the gap until the implementation of RED III, Council Regulation (EU) 2022/2577 was introduced in December 2022, as discussed below.

4.5.6 Renewable Deployment Acceleration

Regulation 2022/2577

In recognition of the worsening energy crises arising from the conflict in Ukraine, the Council of the European Union adopted Regulation (EU) 2022/2577 on 22 December 2022, laying down a framework to accelerate the deployment of renewable energy. This regulation, which has immediate and direct effect in Member States, applies to *"all permit-granting processes that have a starting date within the period of its application"* and includes a number of tangible measures aimed at streamlining the permit-granting process and

facilitating the accelerated deployment of renewable energy. The period of application of the Regulation is the 30 December 2022 to 29 June 2024 and therefore applies to the present applications and EIA.

Central to the regulation is the presumption that renewable energy development must be considered to be in the overriding public interest when addressing competing interests under the Habitats Directive, Birds Directive and the Water Framework Directive and that renewable energy projects should be given priority when balancing legal interests in a given case – Article 3:

1) *The planning, construction and operation of plants and installations for the production of energy from renewable sources, and their connection to the grid, the related grid itself and storage assets shall be presumed as being in the overriding public interest and serving public health and safety when balancing legal interests in the individual case, for the purposes of Article 6(4) and Article 16(1)(c) of Council Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC of the European Parliament and of the Council and Article 9(1)(a) of Directive 2009/147/EC of the European Parliament and of the Council.…*

2) *Member States shall ensure, at least for projects which are recognised as being of overriding public interest, that in the planning and permit-granting process, the construction and operation of plants and installations for the production of energy from renewable sources and the related grid infrastructure development are given priority when balancing legal interests in the individual case.… (emphasis added)*

The Regulation was introduced as a temporary, emergency measure and included provision for the EU Commission to review the application of, and continued need for, the measures included in the Regulation. The Commission completed its review of the Regulation and furnished its report to the Council on the 28 November 2023. In its report the Commission recommended the prolongation of the validity of certain measures in the Regulation, including Article 3(2), and by Regulation 2024/223 of the 22 December 2023 the Council of the European Union, Regulation 2022/2577 was extended and amended, with Article 3 applying to the all permit-granting processes commenced up to the 30 June 2025.

The importance, continued need and effectiveness of Article 3(2) of Regulation 2022/2577 in aiding the accelerated deployment of renewable energy is explained in Recital 14 of Regulation 2024/223:

'*Article 3(2) of Regulation (EU) 2022/2577 requires priority to be given to projects that are recognised as being of overriding public interest whenever the balancing of legal interests is required in individual cases and where those projects introduce additional compensation requirements for species protection… The first sentence of Article 3(2) of Regulation (EU) 2022/2577 has the potential, in the current urgent and still unstable energy situation on the energy market which the Union is facing, to further accelerate renewable energy projects since it requires Member States to promote those renewable energy projects by giving them priority when dealing with different conflicting interests beyond environmental matters in the context of Member States' planning and the permit-granting process. The Commission's report demonstrated the value of the first sentence of Article 3(2) of Regulation (EU) 2022/2577 which recognises the relative importance of renewable energy deployment in the current difficult energy context beyond the specific objectives of the derogations foreseen in the Directives referred to in Article 3(1) of Regulation (EU) 2022/2577. Given the particularly severe situation in the supply of energy which the Union is currently facing, it is appropriate to prolong the application of Article 3(2) of Regulation (EU) 2022/2577 in order to appropriately recognise the crucial role played by renewable energy plants to fight climate change and pollution, reduce energy prices, decrease the Union's dependence on fossil fuels and to ensure the Union's security of supply in the context of the balancing of legal interests carried out by permit-granting authorities or national courts. At the same time, it is also appropriate to keep the environmental safeguard that, for projects recognised as being of overriding public interest, appropriate species conservation measures, underpinned by sufficient financial resources, are adopted*.'

4.6 NATIONAL, REGIONAL AND LOCAL POLICY AND LEGISLATION

This section sets out the key planning and other related policies from a national, regional and local perspective. **Figure 4.1** provides an overview of National Planning Policy Context in Ireland.

Figure 4.1: Hierarchy of National Planning Policy Context.

The National Planning Framework is discussed in Section 4.6.6 The Regional Spatial and Economic Strategy is discussed in Section 4.6.9. The relevant County Development Plan is discussed in Section 4.6.10. All national planning policy mentioned is assessed in Section 4.8. The Proposed Development (as defined in Chapter 1) is not located in a Local Area Plan.

This section contains information on national policy considered to be relevant to the Proposed Development and in particular how Ireland is responding to climate change. The 2014 National Policy Position on Climate Action and Low-Carbon Development[8] establishes the fundamental national objective of achieving transition to a competitive, low-carbon economy by 2050.

[8] https://assets.gov.ie/121635/38e35d4c-7e9f-4f7d-9676-8a5ab4927948.pdf

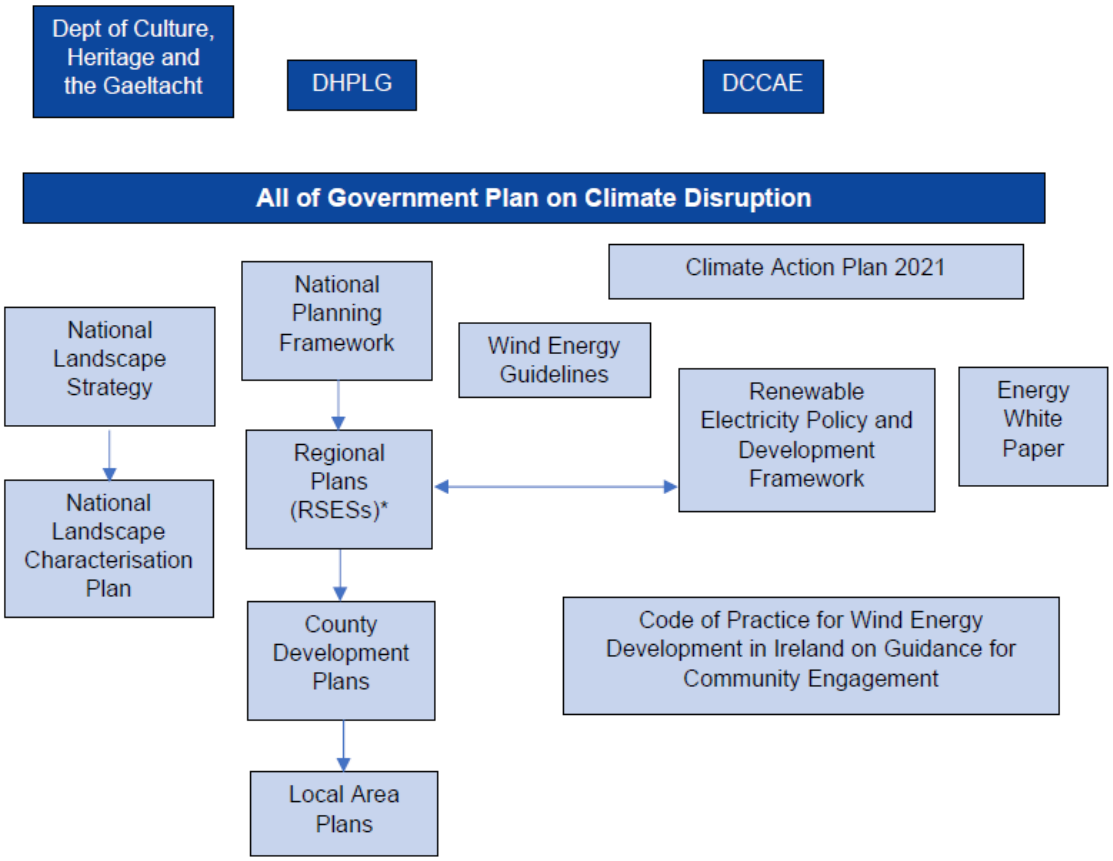


Figure 4.2: Overview of National Planning Policy Context

4.6.1 Climate Action and Low Carbon Development Act 2015

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

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

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

The Climate Action and Low Carbon Development (Amendment) Act 2021 is an ambitious piece of legislation which is an updated statutory iteration of the 2015 Act. The Climate Action and Low Carbon Development (Amendment) Act 2021 sets out the legal framework for Ireland's transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by no later than 2050.

The updated Act includes the following key elements:

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

4.6.3 Climate Action Plans 2021-2024

On 29th November 2019 the European Parliament declared a climate emergency ahead of the UN COP 25 in Madrid in December 2019. In May 2019 the Oireachtas declared a "climate emergency" in an amendment to the report '*Climate Action: A cross-party consensus for action'* which followed the recommendations of the Citizens Assembly on Climate Action. There then followed the publication of the Cross-Departmental Climate Action Plan 2019 on 17th June 2019. This was revised in 2021 and 2023.

Climate Action Plan 2023 (CAP 2023)

On the 21st of December 2022 the Climate Action Plan 2023 (CAP 2023) was published to replace the 2021 Plan. The CAP 2023 provides a detailed plan for taking decisive action to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and setting us on a path to reach net-zero emissions by no later than 2050, as committed to in the Program for Government and set out in the Climate Act 2021.

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

The main points in the 2023 Plan, in relation to electricity generation are as follows:

- "Increase renewable electricity – wind and solar up to 80% by 2030
- Separate small scale generator scheme for farmers, business and communities to generate electricity and sell to the grid
- Reduce emissions from electricity by 75% from 2018 levels
- Deliver three new transmission grid connections or interconnectors to Northern Ireland, Great Britain, and the EU
- Complete the phase-out of coal and peat-fired electricity generation
- Review data centre strategy to ensure the sector supports renewables and emissions targets"

Climate Action Plan 2024 (CAP 2024)

The Climate Action Plan 2024[9] sets out a detailed sectoral roadmap designed to deliver a 51% reduction in greenhouse gas (GHG) emissions by 2030. This requires significant reductions from all sectors. The Plan aims to evaluate in detail the changes that are required in order "*to halve our emissions by 2030 and reach net zero no later than 2050, as we committed to in the Programme for Government*".

[9] Department of the Environment, Climate and Communications (2023), Climate Action Plan 2024. Available at: https://www.gov.ie/en/publication/79659-climate-action-plan-2024/ [Accessed on 30/04/2024]

CAP 2024 outlines six vital high impact sectors, of which one is "Renewable Electricity Share", where it intends to increase renewable generation to supply 80% of demand by 2030. The driving force behind this aim is the intention to facilitate a large-scale deployment of renewables that will be critical to decarbonizing the power sector as well as enabling the electrification of other technologies.

The CAP 2024 shows how Ireland is putting climate solutions at the very heart of our social and economic development. Among the most important measures in the plan is a target of 9 GW from onshore wind, 8 GW from solar, and at least 5 GW of offshore wind energy by 2030.

The Plan sets an 80% target for electricity production from renewable sources by 2030 and highlights the need to remove barriers to the development of renewables, including onshore wind. The plan identifies that this will directly reduce emissions but also help with the electrification of other sectors such as transport and heat, reducing emissions in those sectors too. The plan notes that the transition away from fossil fuels and towards locally generated renewables will improve energy security and Ireland's dependence on imported energy.

The Key Message from CAP 2024 (Chapter 12) with regard to electricity is stated as follows: *"The electricity sector continues to face an immense challenge in meeting its requirements under the sectoral emissions ceiling, as the decarbonisation of other sectors, including transport, heating, and industry, relies to a significant degree on electrification. The deployment rates of renewable energy and grid infrastructure required to meet the carbon budget programme for electricity is unprecedented and requires urgent action across all actors to align with the national targets".*

Section 12.1.3 of the CAP 2024 sets out the scale of the challenge for the electricity sector: *"At a time when the energy system is under severe pressure to ensure security of supply, amid projections of rapid electricity demand growth over the coming decade, the electricity sector has been set one of the smallest carbon budget allocations and the steepest trajectory (-75%) across all sectors. The scale of the challenge to meet the sectoral emissions ceiling is immense and requires policies to be moved from an 'end of decade' target trajectory towards a 'remaining carbon budget' target".*

Section 12.3 outlines the projections for the energy sector. The CAP 2024 clearly outlines the need to accelerate the deployment of renewable energy:

"Given that the programme of large-scale offshore wind deployment is expected to be realised towards end decade, deployment rates for onshore renewables will need to increase to match demand growth to ensure we keep electricity emissions within range of the carbon budgets. This requires a major upscaling and accelerating in current deployment of renewables, particularly onshore wind.

As an example, the historical average deployment of onshore wind installed capacity connected between 2008 and 2020 inclusive was ~280 MW per annum from 19 projects (with an annual maximum of 612 MW). To achieve the necessary emissions abatement, an approximately eight-times increase of renewable energy deployment to 2.3 GW annually would be needed between 2024 and 2030".

In short, CAP 2024 (approved by Government on 21st May 2024) builds on CAP 23 and highlights the national obligation to increase the deployment of renewables including onshore wind to meet our legally binding sectoral emissions targets. In this regard, it stresses and makes abundantly clear that the rate of required renewable deployment is unparalleled and must be circa eight times faster in the period 2024 - 2030 than the historical average.

4.6.4 National Energy & Climate Action Plan 2021-2030

The National Energy and Climate Plan (NECP) [10] is a ten-year integrated document mandated by the European Union to each of its member states in order for the EU to meet its overall greenhouse gases emissions targets.

The plan establishes key measures to address the five dimensions of the EU Energy Union:

1) Decarbonisation: GHG emissions and removals and Renewable Energy;
2) Energy efficiency;
3) Energy security;
4) Internal energy market, and
5) Research, innovation and competitiveness.

Key, relevant renewable energy objectives include:

- Ireland has established an objective of achieving a 34% share of renewable energy in energy consumption by 2030.

[10] Department of Communications, Climate Action and Environment. (2021). National Energy and Climate Plan https://energy.ec.europa.eu/system/files/2020-08/ie_final_necp_main_en_0.pdf Accessed 18/07/2024

- Increase electricity generated from renewable sources to 70% (note this target has been increased to 80% in the CAP2023), underpinned by the Renewable Electricity Support Scheme (RESS).
- To streamline the consenting and connection arrangements of renewable energy projects.
- Phase-out of coal and peat-fired electricity generation.
- Increase onshore wind capacity by up to 8.2 GW (note this target has been increased to 9 GW in the CAP2023).

Key, relevant energy security objectives include:

- Support efforts to increase indigenous renewable sources in the energy mix, including wind, solar and bioenergy.
- Facilitate infrastructure projects, including private sector commercial projects, which enhance Ireland's security of supply and are in keeping with Ireland's overall climate and energy objectives.

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

The RESS was published by the government in July 2018. Unlike previous schemes, renewable projects seeking support compete against one another. This is intended to maximise financial benefits arising from falling technology costs. The RESS is also intended to support increased community participation in windfarm projects and to facilitate an expansion of renewable electricity up to 55% by 2030. That target of 55% has now been superseded in the Climate Action Plan 2024 which sets out that a target 80% of power generation should come from renewable energy.

The delivery of the fourth onshore RESS auction, RESS 4, was seen as a pivotal component of meeting Ireland's ambitious targets of 80% renewable electricity (RES-E) by 2030.

2,071 GWh of renewable generation was provisionally successful in this year's auction. This is a significant improvement from last year's RESS 3 auction result, which delivered less than half of the minimum 2,000 GWh target.

Overall, provisionally successful projects in the RESS 4 auction are set to increase Ireland's renewable energy capacity by more than 20%.[11]

[11] https://kpmg.com/ie/en/home/insights/2024/09/renewable-electricity-support-scheme-ress-4-auction-esg.html

4.6.6 Project 2040

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

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

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

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

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

NPF Chapter 9, Section 9.2, states that "*The Government is committed to a long-term climate policy based on the adoption of a series of national plans over the period to 2050, informed by UN and EU policy. This is being progressed through the National Mitigation Plan and the National Climate Change Adaptation Framework, both of which will be updated and reviewed periodically.*

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

- *an aggregate reduction in carbon dioxide (CO_2) emissions of at least 80% (compared to 1990 levels) by 2050 across the electricity generation, built environment and transport sectors; and*
- *in parallel, an approach to carbon neutrality in the agriculture and land-use sector, including forestry, which does not compromise capacity for sustainable food production."*

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

Transition to a Low Carbon and Climate Resilient Society

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

UN Sustainable Development Goals

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

Figure 4.3: Extract from page 117 of the NPF

National Policy Objective 54

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

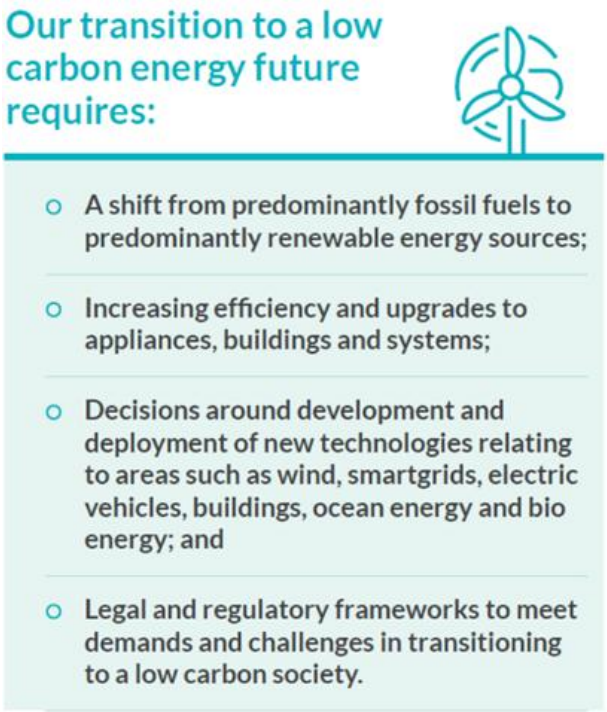


Figure 4.4: Extract from page 122 of the NPF

In the energy sector, transition to a low carbon economy from renewable sources of energy is an integral part of Ireland's climate change strategy and renewable energies are a means of reducing our reliance on fossil fuels. The forthcoming Renewable Electricity Policy and Development Framework will aim to identify strategic areas for the sustainable development of renewable electricity projects of scale, in a sustainable manner, compatible with environmental and cultural heritage, landscape and amenity considerations. The development of the Wind Energy Development Guidelines 2006, the Draft Wind Energy Development Guidelines 2019, and the Accelerating Renewable Electricity Taskforce Implementation Plan 2024[12] will also facilitate informed decision-making in relation to onshore renewable energy infrastructure.

National Policy Objective 55

"Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050."

The Proposed Development is located in an area designated as 'Open to Consideration' for wind development in the Cork CDP, the county assessment included consideration of wind resources, avoiding population centres, accessibility to the electrical grid, the value and sensitivity of the surrounding landscape and avoidance of nature conservation sites in particular Natura 2000 sites (SPA and SAC). The Proposed Development has also been assessed under each of the topics contained in the EIAR, with adverse residual environmental impacts actively avoided. It is clear from the findings of the EIAR and the NIS that the Proposed Development is located in an appropriate location.

The Government has agreed to the publication of a draft first revision of the National Planning Framework (NPF). The draft plan is currently at the public consultation stage. Although still in draft form, the Proposed Development has had regard to the Draft National Planning Framework. The draft plan has a much greater focus on climate action and environmental protection which is relevant to the Proposed Development.

Chapter 9 of the draft plan is titled 'Climate Transition and Our Environment'. The draft plan states that;

[12] Implementation Plan, Accelerating Renewable Electricity Taskforce, 2024 [Available online: https://www.gov.ie/en/publication/13d00-accelerating-renewable-electricity-taskforce/]

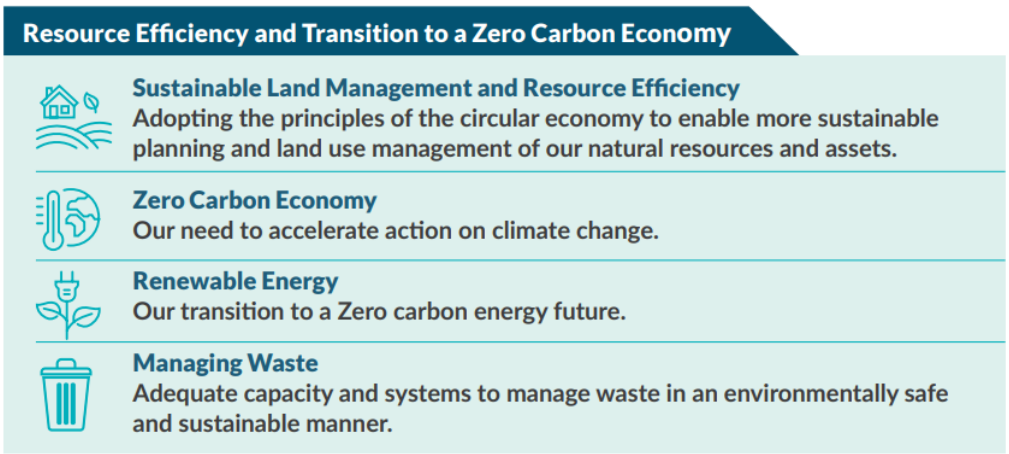
'It is necessary to address the long term causes of climate change through reducing our greenhouse gas emissions, while adapting to its impacts over the short, medium and longer terms.'

It notes that meeting commitments made in the national objective for Ireland to transition to be a competitive zero carbon, economy no later than 2050, will require investment and ambitious and effective action across all sectors. In the energy sector, it emphasises that transition to a zero carbon economy from renewable sources of energy is an integral part of Ireland's climate change strategy and that the government supports the accelerated delivery of additional renewable electricity generation. Renewable energies are highlighted as a means of improving Ireland's energy security by reducing reliance on imported fossil fuels and diversifying its electricity supply.

Significantly, it identifies that Ireland is potentially behind where it needs to be in terms of moving towards carbon zero;

'*If Ireland is to make up for lost ground in relation to carbon reduction targets and move towards the objective of a zero carbon and climate resilient Ireland by 2050, it is necessary to make choices about how we balance growth with more sustainable approaches to development and land use and to examine how planning policy can help shape national infrastructural decisions.'*

It notes that Government will address environmental challenges through overarching aims that include the following:



4.6.7 National Energy Security Framework

An Energy Security Emergency Group was established in April 2022 to coordinate and oversee Ireland's energy security response to the Russian invasion of Ukraine. This group, chaired by the Department of the Environment, Climate and Communications, has overseen the development of a new National Energy Security Framework in April 2022.

The National Energy Security Framework, as outlined in Energy Security in Ireland to 2030[13], coordinates work on energy security across the oil, gas and electricity sectors and sets out a 'whole-of-government' response to energy security including a key focus on energy affordability.

It provides a single overarching and initial response to address Ireland's energy security needs in the context of the war in Ukraine. It sets out how Ireland is seeking to phase out dependency on Russian gas, oil and coal imports as soon as possible in order to address the urgent need to secure Ireland's energy supply.

It is focused on three areas of work:

- Reducing demand for fossil fuels, which would seek to reduce overall demand for oil, natural gas and coal in Ireland.
- Replacing fossil fuels with renewables, which would seek to reduce the use of gas, oil and coal in Ireland by replacing it with renewable energy sources such as wind energy, solar energy or bioenergy.
- Diversifying fossil fuel supplies, which would seek to replace any Russian supplies of gas, oil and coal (direct or indirect) with supplies from other sources.

The framework highlights the impact of the Russian invasion of Ukraine on energy security, consumer price in the short term and how and where energy is sourced to ensure long term system resilience. It notes that:

"*The war has highlighted key dependencies in our energy system which can no longer be relied on and has led to affordability issues for many consumers and businesses".*

The framework builds on the idea of energy security as the uninterrupted availability of energy sources at an affordable price and is a response to the challenges of ensuring the ongoing and long-term security of affordable energy supply.

[13] Energy Security in Ireland to 2030, Energy Security Package, 2023. [Available online: https://www.gov.ie/pdf/?file=https://assets.gov.ie/278473/4919d4e2-44ea-454a-855a-0229eeda4f4f.pdf#page=null]

Ireland has one of the highest rates of importing fuel in Europe with import dependency increasing to 81.6% in 2022 according to the SEAI[14]. Energy demand in Ireland has been growing and is expected to continue to increase, especially electricity demand which is expected to grow by 37% to 2031[15]. Increases to the cost of carbon, supply issues and potential political insecurity increases fossil fuel price volatility.

The high rate of imported fossil fuel dependency, increasing demand for electricity and new framework make it vital to introduce more domestic renewable energy generation, such as the Gortloughra Wind Farm, to provide reliable, secure and affordable energy supplies to combat future energy supply issues.

4.6.8 Climate and Biodiversity Emergency

The stark predictions of devastating consequences for humanity posed by climate change were repeatedly laid out by the scientists of the UN Intergovernmental Panel on Climate Change (IPCC) and finally proved impossible to ignore. On 9th May 2019, Dáil Éireann declared a climate and a biodiversity emergency, a historic moment, and the result of many years of campaigning and debate inside and outside the chamber.

The drivers of biodiversity loss are listed in descending order:

- changes in land and sea use;
- direct exploitation of organisms;
- climate change;
- Pollution; and
- invasive alien species.

The biodiversity and climate crises are thus interlinked, broadly caused by anthropogenic activities and interacting with and amplifying the effects of each other, which will have severe negative impacts on human wellbeing.

Renewable energy projects such as this are essential actions on climate mitigation and Ireland has ambitious targets in this area. Done properly, these much-needed developments present a win-win for communities and the environment.

[14] SEAI. (2023). ENERGY IN IRELAND. https://www.seai.ie/publications/Energy-in-Ireland-2023.pdf Accessed 18/07/2024
[15] EirGrid. (2022). EirGrid's Generation Capacity Statement Predicts Challenging Outlook for Ireland chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://cms.eirgrid.ie/sites/default/files/publications/EirGrid_SONI_Ireland_Capacity_Outlook_2022-2031.pdf . Accessed 19/12/2024

The Chief Executive and Cork County Mayor signed a Climate Action Charter[16] on behalf of Cork County Council alongside the then Minister for Communications, Climate Action and Environment, Richard Bruton, TD. and the then Minister for Natural Resources, Community Affairs and Digital Development, Seán Canney, TD. This Charter confirms Cork County Council's understanding of the climate emergency, their acknowledgement of the government approach in addressing climate change and their support of Central Government.

4.6.9 Regional Spatial and Economic Strategy

The Local Government Reform Act 2014 provided for the dissolution of the eight regional authorities and two regional assemblies and for their replacement with three new regional assemblies. The three new regional assemblies were established in 2015 representing the Northern and Western, Eastern and Midland and Southern Regions. Members of the Regional Assemblies consist of the local authorities within that region.

The Regional Spatial and Economic Strategy (RSES) for the Southern Region provides a long-term regional level strategic planning and economic framework, to support the implementation of the National Planning Framework, for the future physical, economic and social development for the Southern Region.

The Regional Spatial and Economic Strategy (RSES) for the Southern Region was adopted on the 31st of January 2020. The objective of the RSES is to support the implementation of the National Planning Framework – Project Ireland 2040 and the economic policies and objectives of the Government by providing a long-term planning and economic framework, which shall be consistent with the NPF and the economic policies or objectives of the Government.

The RSES for the Southern Region provides a long-term regional level strategic planning and economic framework, to support the implementation of the National Planning Framework, for the future physical, economic and social development for the Southern Region.

One of the key objectives of the RSES is to prioritise action on climate change across all strategic areas and in all economic sectors supported by a robust implementation of time-bound and measurable objectives on climate action for the Southern Region.

[16] Climate Action Charter, Cork County Council Available online: [https://www.corkcoco.ie/sites/default/files/2021-11/climate-action-charter-scanned-pdf.pdf]

The RSES recognises and supports opportunities for onshore wind as a major source of renewable energy with an important role in delivering value and clean electricity for Ireland, stating: "*Opportunities for both commercial and community wind energy projects should be harnessed, having regard to the requirements of DoHPLG Guidelines on Wind Energy".*

Section 2.1 of the RSES sets out the strategic vision for the Southern Region. The RSES acknowledges that climate change represents the most serious threat to human life and the environment. The Southern Regional Assembly supports the implementation of the Government's Climate Action Plan 2019, and the RSES identified three priority areas for action to address climate change and to bring about a Transition to a Low Carbon Economy and Society:

- Decarbonisation;
- Resource Efficiency, and
- Climate Resilience.

The RSES states targets for reduction of emissions across different sectors will be further developed, including key targets for 55% movement by sustainable transport modes. This will be supported by a robust implementation of time-bound and measurable objectives on climate action for the Southern Region. Once adopted, the implementation structures will be established to pursue the objectives identified in the RSES – including the priority areas for action.

There are a number of policies within the RSES which are relevant to the Proposed Development. The following policies are of particular relevance:

Table 4.4: Key Planning Policy Objectives from the RSES

RPO	Policy Details	Statement of Compliance
RPO 96	***Integrating Renewable Energy Sources*** *It is an objective to support the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure to integrate a renewable energy source and ensure our national and regional energy system remains safe, secure, and ready to meet increased demand as the regional economy grows.*	The Proposed Development includes a substation which will become an asset of the national grid network and will make a meaningful contribution to electricity supply.
RPO 99	***Renewable Wind Energy*** *It is an objective to support the sustainable development of renewable wind energy (on-shore and off-shore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.*	The Proposed Development has the capacity to generate between 28 - 33 MW of renewable wind energy. The appropriateness of the location has been demonstrated in the EIAR and

RPO	Policy Details	Statement of Compliance
		NIS accompanying this planning application
RPO 100	***Indigenous Renewable Energy Production and Grid Injection*** *It is an objective to support the integration of indigenous renewable energy production and grid injection.*	The Proposed Development is a renewable energy generator that captures the indigenous wind resource of the region and has the capacity to generate between 28 - 33 MW of renewable indigenous wind energy which meets the objective of RPO 100.
RPO 101	**International Hub for Energy Innovation** *It is an objective to support continued innovation and research in the energy sector and to develop a role as an international hub for energy innovation.*	The Proposed Development meets the objective outlined in RPO 101 in so far at it will help the southern region's energy sector develop as an international hub for energy innovation.

The RSES sets the framework for the County Development Plans, in this case the Cork County Development Plan 2022-2028. This plan highlights the vital importance of a reliable energy supply, increasing renewable energy in line with regional and national targets and the need to transition to a low carbon economy and society.

4.6.10 The Cork County Development Plan 2022-2028

The Cork County Development Plan (CCDP) 2022-2028 was adopted on Monday 25th April 2022 and it came into effect on Monday 6th June 2022. The CCDP sets out the blueprint for development in the county.

The Proposed Development complies with the Wind Energy Strategy section 13.6.3 of the CDP; the Site is within a broad area that is deemed to be '**Open to consideration'** for Wind Farms.

The CCDP has a number of objectives which are relevant to the Proposed Development, shown in **Table 4.5**.

The CCDP underpins its visions and main aims for the county by core quality of life principles, those most relevant to the Proposed Development include Sustainability and Climate Action. It includes a chapter (13) on Energy and Telecommunications, the aim of which is to:

"Facilitate and support investment in sustainable energy production and infrastructure in Cork to meet the future local, regional and national needs, while transitioning to a low carbon economy, addressing the climate change challenge with greenhouse gas emissions and protection of the environmental, cultural and heritage assets of the county."

The CCDP outlines the importance of reliable energy supply and the growing energy demand in the county. Section 13.5 expands on the commitments of the county towards increasing renewable energy in line with national targets. In terms of wind energy, the plan states:

"*Cork County currently has 38 commissioned wind farms with capacity of 603 MW, equivalent to approximately 16% of the national capacity. However, if Ireland is to meet our renewable energy target, then we need to* ***double capacity nationally over the next ten years****. On a pro rata basis, that could see capacity in* ***Cork expand to 1,100 MW****. At present there are valid but unimplemented permissions in the county for a further 200 MW of wind power*."

Accounting for the unimplemented permissions, County Cork remains almost 300 MW behind its stated target for wind energy. The Proposed Development will contribute 48 MW of renewable energy, assisting Cork County Council in achieving these wind energy targets by providing approximately 16% of the shortfall.

4.6.10.1 Green Infrastructure and Recreation

The Cork County Development Plan includes Chapter 14 'Green Infrastructure and Recreation', within which, sub-section 14.7 relates to landscape. A number of general objectives relating to landscape are noted within this chapter and are included below in order to demonstrate how the Project is aligned with these landscape policies.

GI 14-3: Green Infrastructure and Development

The Project will include the upgrade of local recreation trails and the erection of information boards to enhance the existing infrastructure in place.

GI 14-9: Landscape:

a) Protect the visual and scenic amenities of County Cork's built and natural environment.

b) Landscape issues will be an important factor in all land-use proposals, ensuring that a pro-active view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.

c) Ensure that new developments meet high standards of siting and design.

d) Protect skylines and ridgelines from development.

e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

Objective GI 14-10 of the Development Plan states:

"Ensure that the management of development throughout the County will have regard for the value of the landscape, its character, distinctiveness and sensitivity as recognised in the Cork County Draft Landscape Strategy and its recommendations, in order to minimize the visual and environmental impact of development, particularly in areas designated as High Value Landscapes where higher development standards (layout, design, landscaping, materials used) will be required."

Based on the Government's Draft Guidelines for Landscape and Landscape Assessment, Cork County Council prepared a Draft Landscape Strategy in 2007. The Landscape Character Assessment (LCA) of County Cork established a set of 76 landscape character areas reflecting the complexity and diversity of the entire County and involved an evaluation of each landscape character type in terms of its Landscape Value, Sensitivity and Importance. A Landscape Character Assessment was undertaken as part of the Draft Cork Landscape Strategy (2007). This has been incorporated within the current Development Plan in section 14.8 and divides the county into 16 No. Landscape Character Types (LCTs). The Site is contained in LCT; 15b 'Ridged and Peaked Upland'
Within the Draft Cork Landscape Strategy (2007), LCT 15b Ridged and Peaked Upland' is described as having:

- Landscape Value: Medium
- Landscape Sensitivity: Medium
- Landscape Importance: County

Within 'Pressure for change' in this LCT (i.e., Page 117 of the Draft Cork Landscape Strategy 2007):
"Windfarms can be seen off in the distance from certain elevated views within this landscape type. While their presence is noted, their visual impact is not major but an accumulation of more windfarms could have a more intolerable visual impact in the future."

The Site is not situated in an area recognised as a 'High Value Landscape' (HVL) and the nearest HVL designation is located some c. 6.1 km northwest of the Site and relates to 'LCT16a – Glaciated Cradle Valleys' (refer to **Figure 11.7**).

Relevant objectives relating to 'Landscape Views and Prospects' within the CDP include:
GI 14-12: General Views and Prospects:
"Preserve the character of all important views and prospects, particularly sea views, river or lake views, views of unspoilt mountains, upland or coastal landscapes, views of historical

or cultural significance (including buildings and townscapes) and views of natural beauty as recognized in the Draft Landscape Strategy."

GI 14-13: Scenic Routes:
"Protect the character of those views and prospects obtainable from scenic routes and in particular stretches of scenic routes that have very special views and prospects identified in this plan."
GI 14-14: Development on Scenic Routes:
"a) Require those seeking to carry out development in the environs of a scenic route and/or an area with important views and prospects, to demonstrate that there will be no adverse obstruction or degradation of the views towards and from vulnerable landscape features. In such areas, the appropriateness of the design, site layout, and landscaping of the proposed development must be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the area."

In the central study area, there are four Co. Cork scenic routes. The nearest of these is the S29 Cousane Gap Scenic route, which affords a strong sense of containment whilst also encompassing broad views across the rolling distant landscape. Other designated scenic views within the central study area include the "S28" scenic route located along a contained valley in its western extent, whilst sections of the "S32" and "S33" scenic routes occur in its northeast quadrant and afford both contained views along valleys and broad panoramic views from elevated hilltops and ridges.

The Landscape and Visual Assessment in Chapter 12 of the EIAR has assessed the impacts of the Development taking the sensitivities of the receiving landscape, including the objectives in relation to the landscape character areas, scenic routes and general views and prospects into account. The assessment concludes that there will be no significant impacts from the Development.

4.6.10.2 Biodiversity and Environment

The Development Plan includes chapter 15 'Biodiversity and Environment'. The aim of this chapter is to ensure that the natural environment, biodiversity and ecosystems are protected and that Cork County contributes to efforts to reverse the loss of biodiversity and the degradation of ecosystems and the environment. The chapter highlights the importance of biodiversity to the economy, especially in the form of ecosystems services such as cleaning water and purifying air.

Objective BE 15-2: Protect sites, habitats and species:

a) Protect all natural heritage sites which are designated or proposed for designation under European legislation, National legislation and International Agreements. Maintain and where possible enhance appropriate ecological linkages between these. This includes Special Areas of Conservation, Special Protection Areas, Marine Protected Areas, Natural Heritage Areas, proposed Natural Heritage Areas, Statutory Nature Reserves, Refuges for Fauna and Ramsar Sites. These sites are listed in Volume 2 of the Plan.

b) Provide protection to species listed in the Flora Protection Order 2015, to Annexes of the Habitats and Birds Directives, and to animal species protected under the Wildlife Acts in accordance with relevant legal requirements. These species are listed in Volume 2 of the Plan.

c) Protect and where possible enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network. This includes rivers, lakes, streams and ponds, peatland and other wetland habitats, woodlands, hedgerows, tree lines, veteran trees, natural and semi-natural grasslands as well as coastal and marine habitats. It particularly includes habitats of special conservation significance in Cork as listed in Volume 2 of the Plan.

d) Recognise the value of protecting geological heritage sites of local and national interest, as they become notified to the local authority, and protect them from inappropriate development.

e) Encourage, pursuant to Article 10 of the Habitats Directive, the protection and enhancement of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.

EIAR Chapters 6 and 7 assess the potential impacts and effects of the Proposed Development on biodiversity while the report to inform screening for appropriate assessment and Natura Impact Statement considers the potential impacts and effects on the conservation objectives of European (Natura 2000) sites. Surveys were carried out to identify and evaluate the importance of ecological features present within the study area. The Project will not, alone or in-combination with other plans or projects, result in adverse effects to the integrity and conservation status of European Sites in view of their Conservation Objectives.

The nearest designated Natural Heritage Area to the Proposed Development is Conigar Bog NHA [002386], approximately 7.9 km northwest of the Proposed Development. The closest European (Natura 2000) site is Bandon River SAC which is approximately 8.6 km

southeast from the Proposed Development. The mitigation measures set out in the Biodiversity chapter of the EIAR, in the Construction Environmental Management Plan (CEMP) and the Natura Impact Statement (NIS) will ensure that there will be no effects on sites designated for nature conservation as a result of the Project. This approach aligns with **Objective BE 15-2 (a)** by protecting all natural heritage sites which are designated or proposed for designation under European legislation, National legislation and International Agreements.

Mitigation measures are embedded into the design to protect habitats and species including minimisation of the works footprint and siting to avoid sensitive ecological features. Mitigation by avoidance for protected species includes timing of specific works to avoid disturbance, or potential mortality of species such as common lizard, the curtailment of turbines for bats at certain times of the year and in certain weather conditions and measures to avoid downstream pollution of watercourses. This approach aligns with **Objective BE 15-2 (b)** Providing protection to species in line with relevant legal requirements. The effects on European Sites have been fully assessed and mitigation measures are detailed in **Chapter 6: Biodiversity**, **Chapter 7: Ornithology** and in the Natura Impact Statement which accompanies this application. Mitigation measures are also summarised in **Appendix 18.1: Summary of Mitigation Measures**.

Areas of existing degraded wet heath occurring to the east of the T02 within the wind farm landholding will be subject to habitat enhancement measures. A Habitat Management Plan is provided as **Appendix 6.4** and all measures set out in this plan will be implemented as part of the Proposed Development. The restoration and enhancement of areas of wet heath and the implementation of measures such as the control of grazing will aim to achieve the restoration and enhancement of an area that will compensate for the loss of wet heath habitat in good condition and representative of Annex 1 habitat occurring along the proposed access track to between T01 and T03.

The habitat management and enhancement measures will improve the quality of the degraded habitats through the restoration of the structure and function of the habitats. These measures will also benefit ground nesting birds typically associated with habitats in addition to improving floral diversity and habitat quality for protected species such as common lizard. The biodiversity enhancement and management measures proposed for the peatland habitats are in line with industry good practice and have been applied on other proposed and operational wind farms such as Castlepook wind farm and the nearby Grousemount wind farm. Habitat management and enhancement measures are proposed

as compensation for habitat loss and to achieve a net gain for biodiversity. Important documents in the delivery of these are the Habitat Enhancement Plan (which sets out work approaches and requirements during construction to avoid downstream water quality impacts), and a Surface Water Management Plan to ensure no long-term impacts on water quality within the freshwater pearl mussel catchment. This approach aligns with **Objective BE 15-2 (c)** to protect and where possible enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network and **Objective BE 15-2 (e)** to encourage the protection and enhancement of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.

The GSI also maintains a database for known Geological Heritage sites in Ireland. There are no Geological Heritage sites close to the Site boundary as shown in **Figure 8.5** in **Volume III**. The nearest recorded Geological Heritage site is approximately 4 km northwest of the Redline Boundary at Derreendonee, Inchi Beg. In addition, the Bantry Drumlins are located approximately 7 km southwest of the Site as also shown in **Figure 8.5**. In addition to the above-named heritage site, the TDR passes adjacent to the Killumney Moraine as shown in **Figure 8.11** of **Volume III**. No works are proposed for the TDR at this location, hence there will be no impact on this geological heritage site.

There is no risk of any effects on Geological Heritage sites and thus policy **Objective BE 15-2 (d)** is not applicable in this instance.

4.6.10.3 Relevant Policies to the Proposed Development

The CCDP policies relevant to the Proposed Development are set out in **Table 4.5**. The Proposed Development has been evaluated against these in order to illustrate that they align with the relevant policies set out in the CCDP. It should be noted that environmental and amenity considerations have been assessed throughout this EIAR (**Chapters 5 – 18**), and the findings confirm the Proposed Development is in compliance with the relevant objectives and policies in the CCDP.

Table 4.5: Relevant Planning Policies from The Cork County Development Plan 2022-2028

Chapter	Policy Details	Statement of Compliance
13	**ET 13.1 Energy** *a) Ensure that County Cork fulfils its potential in contributing to the sustainable delivery of a diverse and secure energy supply and to harness the potential of the county to assist in meeting renewable energy targets and managing overall energy demand.* *b) During the life of this plan, the Planning Authority will prepare a renewable energy strategy for the county.*	The Proposed Development will make a significant and meaningful contribution to renewable energy targets in the county and harness the wind energy potential of the county. The additional renewable energy that the Proposed Development will generate will help support Ireland's wider low carbon transition helping to meet the additional electrical demand created by electrification of the transport and heating networks and growing tech industry installations such as data centres.
13	***ET 13.2 Renewable Energy*** *a) Support Ireland's renewable energy commitments as outlined in Government Energy and Climate Change policies by facilitating the development of renewable energy sources such as wind, solar, geothermal, hydro and bioenergy and energy storage at suitable locations within the county where such development has satisfactorily demonstrated that it will not have adverse impacts on the surrounding environment (including water quality), landscape, biodiversity or amenities.* *b) Support and facilitate renewable energy proposals that bring about a direct socio-economic benefit to the local community. The Council will engage with local communities and stakeholders in energy and encourage developers to consult with local communities to identify how they can invest in/gain from significant renewable energy development.* *c) Support the development of new and emerging renewable energy technologies / fuels for the transport sector.*	The Policy wording of ET 13.2 recognises the opportunity to benefit from increased renewable energy generation with limited additional environmental impacts and this is consistent with the findings of the EIAR. The impact on the surrounding environment (including water quality), landscape, biodiversity or amenities is addressed in Policy 13.4 below. In **Chapter 5: Population and Human Health** the socio-economic impacts of the development are assessed in terms of impacts on the economy, employment and population. The overall impacts on population and human health have been assessed as having the potential to result in a moderate, positive, short-term impact during the construction and decommissioning phases and moderate, positive and long-term during the operational phase. Local communities have been consulted throughout the design and planning processes and a full report can be found in **Appendix 1.5: Public Consultation**.

Chapter	Policy Details	Statement of Compliance
	d) To promote the potential of micro renewables where it can be demonstrated that that it will not have adverse impacts on the surrounding environment (including water quality), landscape, biodiversity or amenities.	
13	***ET 13.4: Wind Energy*** *In order to facilitate increased levels of renewable energy production consistent with national targets on renewable energy and climate change mitigation as set out in the National Energy and Climate Plan 2021-2030, the Climate Action Plan 2021, and any updates to these targets, and in accordance with Ministerial Guidelines on Wind Energy Development, the Council will support further development of on-shore wind energy projects including the upgrading, repowering or expansion of existing infrastructure, at appropriate locations within the county in line with the Wind Energy Strategy and objectives detailed in this chapter and other objectives of this plan in relation to climate change, biodiversity, landscape, heritage, water management and environment etc.*	The Proposed Development meets the objectives set down in policy ET 13.4, by providing much needed renewable energy at a time when there is a pressing need to meet the Government ambitious 80% renewable electricity target by 2030 (9GW of onshore wind by 2030 and 6GW by 2025) as set out in the Climate Action Plan 2023. Wind Energy Strategy: The Proposed Development complies with the Wind Energy Strategy section 13.6.3 of the CDP; the Site is within a broad area that is deemed to be '**Open to consideration'** for Wind Farms. Landscape; In **Chapter 11** of the EIAR for the Proposed Development, the Landscape and Visual assessment concluded that the Proposed Development would not give rise to any significant adverse landscape or visual amenity effects (including residential amenity). The EIAR L&V chapter also considered effects upon "views and prospects" included in the CCDP. The findings demonstrate that the landscape can accommodate the Proposed Development without giving rise to significant adverse effects. Climate change; By producing renewable energy the Proposed Development contributes to mitigating climate change by reducing emissions from the energy sector. This is fully assessed in **Chapter 15: Air and Climate**. A carbon calculator is also included in the assessment which finds the savings due to displacing fossil fuels in electricity generation of 37,381 tonnes of carbon dioxide per annum. **Biodiversity** EIAR **Chapters 6** (Biodiversity – Flora, Fauna & Fisheries) and **7** (Ornithology) assesses the potential impacts and effects of the Proposed Development on biodiversity while the report to inform screening for appropriate assessment and Natura Impact statement considers the

Chapter	Policy Details	Statement of Compliance
		potential impacts and effects on European (Natura 2000) sites. The mitigation measures set out in the Biodiversity chapter of the EIAR, in the Construction Environmental Management Plan (CEMP) and the Natura Impact Statement (NIS) will ensure that there will be no significant effects nor adverse impacts on the integrity of sites designated for nature conservation as a result of the Project. This approach aligns with Objective BE 15-2 (a), (b), (c) and (e) of the Proposed Development plan biodiversity policy. **Heritage;** There are seven recorded archaeological sites within the Project study area, and these comprise 1 no. standing stone pair (CO093-024----), 1 no. mass-rock (CO093-084----), 5 no. hut sites (CO093-078001-, CO093-078002-, CO093-078004-, CO093-085---- and CO093-086----), 2 no. enclosures (CO093-087---- and CO093-078003-) and 1 no. field boundary (CO093-114----). These archaeological sites have been avoided and will be cordoned off for the duration of the Construction phase. There are no other known archaeological, architectural or cultural heritage remains within the footprint of the Proposed Development, and as such there will be no direct physical effects on any known archaeological or architectural heritage features during any phase of the Proposed Development. No significant indirect effects to heritage have been predicted. Standard construction mitigation has been proposed to further reduce any potential effects that could arise due to the discovery of any new items of archaeological value. The conclusions of the cultural heritage and archaeological assessment within the EIAR determined that the environment can accommodate the Proposed Development without giving rise to significant impacts on cultural heritage. This is fully assessed in **Chapter 13: Cultural Heritage**. **Water management**; All surface waters and groundwaters associated with the Site were considered sensitive and important attributes in their own right which must be protected in accordance with the Water Framework Directive to achieve and maintain at least 'Good' status. A comprehensive suite of drainage measures has been developed to protect all receiving waters from potential impacts during the construction, operation and decommissioning of the Proposed Development in the catchment of the Site and along the proposed Grid Connection Route. The assessment and associated proposed mitigation measures are in **Chapter 6: Biodiversity – Flora, Fauna & Fisheries**

Chapter	Policy Details	Statement of Compliance
		and **Chapter 9: Hydrology and Hydrogeology**. The Surface Water Management Plan (**Appendix 2.1**) details the site drainage that has been designed for the Site using the principles of Sustainable Drainage Systems (SuDS). The drainage system for the Proposed Development is designed in a manner to ensure there are no changes to the baseline water quality within or downstream of the Site. With the implementation of mitigation measures and appropriate environmental engineering controls, the Proposed Development will not jeopardise any waterbody achieving good status under the WFD, nor will it result in the deterioration of any waterbody's status under the WFD. The findings demonstrate that the environment can accommodate the Proposed Development without giving rise to significant hydrological impacts. **Environment**: This is assessed throughout the EIAR and the effects on the environment as a result of the Proposed Development have been determined to be not significant.
13	***ET 13.5: Wind Energy Projects*** *a) Support a plan led approach to wind energy development in County Cork through the identification of 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.* *b) On-shore wind energy projects should focus on areas considered 'Acceptable in Principle' and 'Areas Open to Consideration' and generally avoid "Normally Discouraged" areas in this Plan.*	The Project is located in an area **Open to Consideration** in the CCDP as advised under policy 13.5b. The Proposed Development will add to Cork County Council's renewable energy portfolio and contribute to climate change mitigation. It has been found not to have any (visual/noise/shadowing) significant adverse effect upon the amenity of any inhabited residential dwellings. The Proposed Development has been assessed against each of the environmental topics contained in the EIAR and adverse residual impacts are avoided.
13	***ET 13.7 Open to Consideration*** *Commercial wind energy development is open to consideration in these areas where proposals can avoid adverse impacts on:* *• Residential amenity particularly in respect of noise, shadow flicker and visual impact;* *• Urban areas and Metropolitan/Town Green Belts;* *• Natura 2000 Sites (SPA and SAC), Natural Heritage Areas (NHA's) or adjoining areas affecting their integrity and other sites of significant ecological value.* *• Architectural and archaeological heritage;*	The Proposed Development is located in an area of the county which is open to consideration for commercial wind energy development. The Proposed Development, including the turbine parameters, has been assessed against each of the topics contained in the EIAR and adverse residual impacts are avoided. The EIAR submitted as part of the planning application has considered fully all the criteria listed under the following chapters: • Chapter 3: Alternatives Considered • Chapter 5: Population and Human Health including Shadow Flicker

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	• Visual quality of the landscape and the degree to which impacts are highly visible over wider areas. *• In planning such development, consideration should also be given to the cumulative impacts of such proposals."*	• Chapter 6: Biodiversity • Chapter 7: Ornithology • Chapter 8: Soils and Geology • Chapter 9: Hydrology and Hydrogeology • Chapter 10: Noise and Vibration • Chapter 11: Landscape and Visual Amenity • Chapter 12: Material Assets and Other Issues • Chapter 13: Cultural Heritage • Chapter 14: Traffic and Transportation • Chapter 15: Air and Climate ▪ Chapter 16: Shadow Flicker • Chapter 17: Major Accidents and Natural Disasters **Residential Amenity;** It has been shown that noise due to the Project, including cumulative effects with operational and consented wind farms will meet all current guidelines at all local properties. The closest inhabited dwelling is located 731 m from the nearest turbine. **Chapter 10** addresses Noise and concluded that noise effects are not significant. The findings demonstrate that the environment can accommodate the Proposed Development without giving rise to significant noise impacts. The closest receptor, H67 (which is involved in the Project), is within 485 m of the closest turbine (T07). The closest receptor who is not involved, H10, is within 696 m of the closest turbine (T06).This assessment has identified the potential for shadow flicker to affect 51 No. out of 73 No. receptors within the shadow flicker study area. Where significant shadow flicker effects are predicted to affect a sensitive receptor, these will be mitigated by adapting turbine control systems to stop the relevant turbine when shadow flicker conditions are present. In this instance, a shadow control system will be installed to eliminate potential for shadow flicker effects. The installation of a blade shadow control system on all wind turbines will eliminate shadow flicker impacts from the Proposed Development, therefore, removing cumulative shadow flicker impacts. In **Chapter 11** of the EIAR for the Proposed Development, the Landscape and Visual assessment concluded that the Proposed Development would not give rise to any significant landscape or visual amenity effects (including residential amenity). The EIAR L&V chapter also considered

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		effects upon "views and prospects" included in the CCDP. The findings demonstrate that the landscape can accommodate the Proposed Development without giving rise to significant effects or impacting residential amenity. **Urban Areas and Metropolitan/Town Green Belts** The Site is located within an agricultural and forested landscape outside of urban and metropolitan areas, and town green belts. **Biodiversity** Sites designated for nature conservation, such as Natura 2000 sites and Natural Heritage Areas, are considered in both the EIAR and NIS prepared for the Proposed Development. There are no sites designated for nature conservation within the Site. The nearest designated Natural Heritage Area to the Proposed Development is Conigar Bog NHA, approximately 7.9 km north-west of the Proposed Development. The closest European (Natura 2000) site is Bandon River SAC approximately 8.6 km southeast from the Proposed Development. Indirect adverse effects on Natura 2000 sites and NHA sites are not predicted to occur due to embedded mitigation and the implementation of mitigation measures such as timing of specific works to avoid disturbance, or potential mortality of species such as common lizard, the curtailment of turbines for bats at certain times of the year and in certain weather conditions and measures to avoid downstream pollution of watercourses. The Proposed Development design has been developed within the constraints of Project including telecommunications, landscape, hydrology etc. The design has sought to avoid important ecological features where possible and where this has not been possible mitigation, compensation and enhancement measures have been employed to address the potential effect of the Proposed Development on the biodiversity of the Site. **Architecture and Archaeological Heritage** There are ten recorded archaeological sites located within the boundary of the Proposed Development and these comprise 1 no. standing stone pair (CO093-024----), 1 no. mass-rock (CO093-084----), 5 no. hut sites (CO093-078001-, CO093-078002-, CO093-078004-, CO093-085---- and CO093-086----), 2 no. enclosures (CO093-087---- and CO093-078003-)

Chapter	Policy Details	Statement of Compliance
		and 1 no. field boundary (CO093-114----). These archaeological sites have been avoided and will be cordoned off for the duration of the Construction phase. There are no other known archaeological, architectural or cultural heritage remains within the footprint of the Proposed Development, and as such there will be no direct physical effects on any known archaeological or architectural heritage features during any phase of the Project. While the existence, location, extent and significance of any unrecorded, sub-surface archaeological remains that may be present within the Site is unknown, the potential exists for direct, negative and permanent construction phase impacts on any such remains situated within the footprint of proposed construction areas. Any previously unrecorded archaeological remains identified during archaeological monitoring of the construction phase will either be preserved by avoidance or preserved by record (excavation) and no impacts on such potential features are predicted. The findings demonstrate that the environment can accommodate the Proposed Development without giving rise to significant impacts to cultural heritage. Cumulative impacts are assessed in each chapter.
13	***ET 13-9: National Wind Energy Guidelines*** *"Development of onshore wind should be designed and developed in line with the 'Planning Guidelines for Wind Farm Development 2006' and 'Draft Wind Energy Development Guidelines 2019" and any relevant update of these guidelines."*	The Proposed Development is fully compliant with the DEHLG Wind Energy Development Guidelines 2006. Until the draft guidelines are published by the Minister in accordance with section 28, the applicable guidelines are the 2006 Wind Energy Development Guidelines. The CCDP has incorporated the draft 2019 Guidelines. As stated in **Chapter 16: Shadow Flicker,** the Proposed Development will be brought in line with the requirements of the 2019 draft guidelines, which allows for no shadow flicker to impact an existing sensitive receptor, through effective implementation of the mitigation measures The Proposed Development takes cognisance of this policy. Following feedback received by the Dept. during the public consultation period, the Draft Guidelines have not been progressed or adopted to date.

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		In relation to the Draft Wind Energy Development Guidelines 2019 the following is of note: • Noise impacts are assessed in **Chapter 10: Noise** and are in line with the 2006 Wind Energy Development Guidelines. • The layout has achieved a minimum separation distance of 700 m (4x the turbine height) between turbine locations and the closest inhabited houses in line with the Draft guidelines. • To avoid shadow flicker at inhabited houses, assessment and mitigation measures have been included in the Proposed Development. The mitigation measures (turbine controlling technology -, Scada system) can comply with the draft guidelines, should they come into effect. Full details of this can be found in Chapter 12: Material Assets and Other Issues. • Community engagement is emphasized in the Draft Guidelines. The Project Community Liaison Officer's initial engagement commenced in 2020 and switched hands from EMPower to Statkraft in early 2024. • The Proposed Development will provide a community benefit fund of €267,741 per annum.
13	***ET 13-10: Development in line with Best Practice*** *"Ensure that wind energy developments in County Cork are undertaken in observance with best industry practices, and with full engagement of communities potentially impacted by the development. In accordance with the Code of Practice 'Good Practice for Wind Energy Development Guidelines 2016', wind energy development operators are required to put in place an effective complaints procedure in relation to all aspects of wind energy development projects, where members of the public can bring any concerns they have about operational difficulties, including noise and nuisance to the attention of the wind energy development operator."*	The design and environmental assessment of the Proposed Development has been undertaken to consider all extant, and emerging policy, guidance and best practice on wind energy development. In accordance with the Department's Code of Practice 'Good Practice for Wind Energy Development Guidelines 2016' significant community engagement has taken place. The Project Community Liaison Officer's initial engagement commenced in August 2020 which included direct engagement by calling to all the houses within 2 km of the study area and providing information on the Project. In 2021 and 2022, newsletters were distributed to the local community to provide an update on Project progress and explain how local people would be consulted going forward. In early 2023, the community were invited to engage with the Virtual Tour and Public Consultation Process. The Project held Public Information Days (PIDs) including On-Site Engagement Clinic open days on 20th and 21st April 2023 in Coolea Village Hall, Coolea, Co. Cork. Communication with the local community has been delivered through providing Newsletters, having a dedicated Project website for all to access, an Introduction letter to EMPower, Project update letter, a

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		detailed project brochure, Virtual Tour, Media releases, Advertisements, Posters, Sponsored Educational programs, PIDs (Elected representatives meeting, a Webinar and on-site local clinic). All communications materials have contact details and provided easy ways of accessing the Project team. After both the Webinar and the On-Site engagement Clinic had taken place any queries and questions that arose were replied to by the Project team. A complaints process to address concerns from members of the public will be in place for the duration of the construction, operation, and decommissioning phases. A Public Consultation Report has been appended to this EIAR as **Appendix 1.5**.
13	***ET 13-11: Public Consultation and Community Support*** *(a) Require wind energy developers to carry out active public consultation with the local community in advance of and in addition to the statutory public consultation required as part of the planning application process.* *(b) Applications for large scale wind energy development require a 'Community Report' with the planning application documents detailing the full extent of community and wider public engagement.*	In accordance with the Code of Practice 'Good Practice for Wind Energy Development Guidelines 2016', active public consultation was carried out with the local community during the period August 2020 to December 2024. A community report has been prepared (**Appendix 1.5**) and is included with the planning application detailing the full extent of community and wider engagement. The public consultation process has been further summarised in **Chapter 1: Introduction, Scoping and Consultation**. A number of consultations took place via online webinars, a dedicated website, a virtual consultation room, in person events, door-to-door engagement, leaflet distribution, newsletters and booklets. In addition to helping Ireland reduce environmentally damaging fossil fuel emissions and helping avoid significant fines from the EU, Gortloughra Wind Farm will also contribute positively to the national and regional economy. • The Project has the potential to bring significant positive benefits to local communities. The Proposed Development benefits to the local community would include significant investment in local infrastructure and electrical systems, local job creation, and a contribution of approximately €17.3 million in Cork County Council rates over the project lifetime of 40years; and it will provide opportunity for local community investment in the Project in line with

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		the new Renewable Energy Support Scheme (RESS). This is a Government of Ireland initiative that provides support to renewable energy projects in Ireland. A Community Benefit Fund will be put in place for the RESS period (i.e., 15 years of the operation) of the Project to provide direct funding to those areas surrounding the Project. The significant annual community benefit fund will be established in line with Government policy which will include funding for both wider community initiatives and a Near Neighbour scheme focused on houses in close proximity to the Project.

4.7 OTHER CORE PLANNING POLICY DOCUMENTS

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

4.7.1 The Wind Energy Development Guidelines – Guidelines for PAs June 2006

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

The 'Wind Energy Development Guidelines' (DoEHLG, 2006) are also currently the subject of a targeted review, 'The Draft Wind Energy Guidelines 2019' with an anticipated deadline for finalisation of Q4, 2025.

4.7.2 The Draft Wind Energy Guidelines December 2019

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

- a visual amenity setback of 4 times the turbine height of 175 m (700 m) between a wind turbine and the nearest residential property, subject to a mandatory minimum distance of 500 metres.
- the elimination of shadow flicker.
- the application of a more stringent noise limit, consistent with World Health Organisation standards.
- the introduction of new obligations in relation to community engagement with local communities along with the provision of community benefit measures.

The design of the Proposed Development is fully compliant with all aspects of the current 2006 Wind Energy Development Guidelines (WEDGs) and the project team has committed to the setback recommendations in the new draft Wind Energy Development Guidelines (draft WEDGs), published in 2019. The draft WEDGs are currently being debated and reviewed by the Government.

The Climate Action Plan 2024 prescribes that a revised draft of these energy guidelines be published in 2024.

4.7.3 National Landscape Strategy for Ireland 2015-2025

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

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

The effects of the Proposed Development on the landscape and visual amenity of the receiving environment are discussed further in **Chapter 11: Landscape and Visual Amenity**.

4.7.4 National Adaption Framework 2024

Ireland's second statutory National Adaptation Framework (NAF) was published on 5th June 2024. This latest NAF replaces the first iteration of the framework published in 2018. The NAF sets out the national strategy to reduce the vulnerability of the country to the negative effects of climate change and to avail of positive impacts.

The NAF outlines a whole of government and society approach to climate adaptation in Ireland. It also aims to improve the enabling environment for adaptation through ongoing engagement with civil society, the private sector, and the research community.

The framework includes the roles of different sectors in climate change adaption, including the private sector:

'Businesses and industries, being both affected by climate change impacts and contributors to adaptation efforts, are at the forefront of developing and implementing innovative technologies and practices to enhance climate resilience. This entails investments in renewable energy, sustainable agriculture, and efficient water management systems, for

example. Collaborative partnerships with the government further empower businesses to fulfil their role in climate adaptation by pooling resources and expertise, innovation, fostering green job opportunities, and collectively working towards a more sustainable and resilient future for Ireland.'

4.8 COMPLIANCE WITH THE PLANNING POLICY FRAMEWORK

The Proposed Development is consistent with the European, National, Regional and Local Planning Policies identified above. The Proposed Development will contribute towards the reduction of dependence on fossil fuels and a reduction in Greenhouse Gases. The proposed windfarm is compatible with the European and National climate change and renewable energy policies set out above. It would contribute to the achievement of European and National renewable energy targets, and in particular the objectives of the Climate Action Plan (2024) which seek to realise a 51% reduction in greenhouse gas emissions and increase reliance on renewables to 80% (12 GW) by 2030, of which 9 GW is targeted to be met by onshore windfarms.

4.8.1 National Planning Policy

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

4.8.2 Local Planning Policy

The proposed windfarm is compatible with the climate change, renewable energy and wind energy policies and objectives of the current Cork County Development Plan 2022-2028, as shown in **Table 4.5** above.

Figure 13.2 of the Cork County Development Plan 2022-2028 shows a map with policy considerations for wind energy projects (Error! Reference source not found. refers) and identifies areas likely to be most suitable for wind energy developments. The Site is in an area which is "*open to consideration*".

The nearest '*normally discouraged'* wind energy designation is situated outside of the central study area some c. 6.1 km to the northwest of the Site and relates to the 'LCT16a – Glaciated Cradle Valleys'. The nearest 'Acceptable in Principle' designation is located a similar distance to the south of the Site and is associated with 'LCT 9 – Broad Marginal Middleground and Lowland Basin'.

The central study area is considered to have an overriding **Medium** landscape sensitivity due to its robust working upland character, although it is important to note that there are some localised parts in the eastern portion of the study area that present with a High sensitivity, such as the Cousane Gap and other heavily contained winding low-lying valleys. Scenic route S29 is located along the R585 regional road that passes through the Cousane Gap and is situated some c. 1.3 km south of the Site at its nearest point.

4.8.3 The Economic Importance of the Proposed Development

The Proposed Development would represent a strategically significant investment in the locality of Cork and the wider western region. The Proposed Development is likely to cost in excess of €52.8m and will contribute several millions of euros to the immediate local rural economy over the lifetime of the Proposed Development.

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

The influence of the Proposed Development to the de-carbonisation of the electricity network will contribute positively to an issue of strategic social importance. This is illustrated by the text of the Irish government's recent Climate Action Plan 2024 which sets an ambitious 80% target for electricity production from renewable sources by 2030 and highlights the need to remove barriers to the development of renewables, including onshore wind, such as streamlining regulation and encouraging reinforcement of the grid to facilitate greater renewables penetration. The significance of the action plan is underlined by the Irish government's declaration of a climate emergency.

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

As a form of sustainable energy, and at an output level of 48 MW, the Proposed Development will contribute significantly to the renewable energy targets in County Cork and in the Southern Regional Assembly Area.

4.8.4 Public Benefits

The construction of the Proposed Development would represent a strategically significant investment in the locality of Cork and the wider region. In particular, the community benefits that the Proposed Development will bring about. Further information on this is found in **Chapter 1: Introduction, Scoping and Consultation**.

4.9 CONCLUSION

The Proposed Development will contribute to Ireland's indigenous renewable energy generation, which, in the context of the ongoing climate emergency, is an urgent Irish national priority that must be given significant weight based on national and international policies.

Ireland faces significant challenges to its efforts to meet EU and national legally binding targets for renewable energy by 2030, and its commitment to transition to a low carbon economy by 2050. The Irish government has committed to increasing the share of renewables electricity up to 80% by 2030 and targeting 9 GW of onshore wind by 2030. The Proposed Development will sustain and contribute (48 MW) towards Ireland's legally binding targets for reductions in CO_2 and produce energy from native and renewable resources.

It is concluded in this planning statement that the Proposed Development fully accords with International policies, National Planning Policy, Regional Planning Policy and the Cork County Development Plan policies and objectives. In this regard, the Proposed Development:

- Is in an area designated "Open to Consideration" for Wind Farms in Cork;
- Contributes 48 MW of renewable wind energy to the national CAP2023 target of 9 GW by 2030, helping to reduce the current 4.7 GW shortfall;
- Contributes to the 45% overall renewable energy target by 2030 for the EU introduced by the RePowerEU plan in light of the war in Ukraine;
- Contributes to assisting Ireland to increase from 42% electricity produced by renewable sources in 2020 to 80% by 2030 to meet the national target;
- Complies with the Regional Spatial and Economic Strategy for the southern region's goal of prioritizing action on climate change across all strategic areas and in all economic sectors;
- Supports the local Cork County Development Plan policy of increasing energy security and promoting renewable energy and contributes approximately 10% of the

gap between the installed (and permitted) capacity of wind in County Cork and the prorated national target of 1,100 MW as per the CCDP;

- Aligns with Cork County Development Plan requirements with respect to water quality, landscape, biodiversity and amenities; and
- Contributes to rural economic development in line with the Cork County Development Plan.

The Proposed Development process adopted by the Applicant has represented a best practice approach to a renewable energy scheme design, minimising the potential impact on the receiving environment, achieved through multiple design iterations. The proposed layout represents the optimum fit with the technical and environmental parameters of this Project and this Site. Furthermore, the embedded mitigation, mitigation by avoidance and reduction and compensation through management and restoration of degraded habitats as outlined in the EIAR, CEMP and Habitat Enhancement Plan are considered to adequately mitigate the predicted environmental effects.

Overall, it is considered that the Proposed Development aligns with international, European, national and local policy.