4.0 Policy and Legislation

4.1 Introduction

This section was prepared by ABO Energy Ireland Ltd. It describes the existing policy environment for the proposed Keerglen Wind Farm, Co. Mayo. It addresses relevant policy, legislation and planning guidance which relate to the proposed development. The chapter is structured to cover international, European, national and regional level policies and legislation on climate change, energy and planning relevant to the project.

The development of wind energy in Ireland has primarily come as a response to EU Directives and policies and the road map[1] set out by the EU towards achieving targeted reductions in emissions of greenhouse gases by 2050. These EU requirements have been translated into national policy with targets set for the electricity sector in terms of the proportion of electricity generated through renewable means by 2030. Presently in Ireland, it is widely accepted that the most cost competitive means of renewable energy generation is onshore wind.

The proposed Keerglen Wind Farm development is fully in line with national policy and guidance, and with the various policies of Mayo County Council.

[1] European Commission (2011) A Roadmap for moving to a Competitive Low Carbon Economy in 2050

4.2 International Context

The main overarching drivers for policy on renewable energy internationally is climate change and energy security. Countries joined an international treaty in 1992, the United National Framework Convention on Climate Change (UNFCCC), to cooperatively consider what they could do to limit average global temperature increase and the resulting climate change. This resulted in the signing of the *Kyoto Protocol* in 1997.

The Intergovernmental Panel on Climate Change (IPCC) is the leading international body for the assessment of climate change. It was established by the United National Environmental Programme and the World Meteorological Organisation in 1988 to provide the world with a clear scientific view on the current state of knowledge in climate change and its potential environmental and socio-economic impacts. Because of its scientific and intergovernmental nature, the IPCC provides rigorous and balanced scientific information to decision makers.

4.2.1 United Nations Framework Convention on Climate Change

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

The framework set no binding limits on greenhouse gas emissions for individual countries and contains no enforcement mechanisms. Instead, the framework outlines how specific international treaties (called "Protocols" or "Agreements") may be negotiated to set binding limits on greenhouse gases. The convention enjoys near universal membership, with 197 countries listed as being Parties to the Convention.[2]

4.2.2 The Kyoto Protocol 1998

The *Kyoto Protocol* legally binds developed countries to emission reduction targets. Ireland ratified the *Kyoto Protocol* in 2002 and there are 195 Parties to the UNFCCC and 192 Parties to the *Kyoto Protocol*. During the first commitment period, 37 industrialised countries and the European Community committed to reduce Green House Gas (GHG) emissions by an average of 5% against 1990 levels. During the second commitment period, parties have committed to reduce emissions by 18% below 1990 levels.

[2] https://knowledge4policy.ec.europa.eu/organisation/unfccc-united-nations-framework-convention-climate-change_en

Under the protocol, countries must meet their targets primarily through national measures. However, the protocol also offers an additional means to meet their targets by way of market based mechanisms such as International Emissions Trading. The fifteen states, who were EU members in 1997 when the *Kyoto Protocol* was adopted, took on an 8% reduction target which was redistributed amongst the member states under a burden sharing agreement which recognised the economic circumstances of each member state. For Ireland, the Kyoto limit is 13% above 1990 GHG emissions.

The Kyoto Protocol operationalises the UNFCCC by committing industrialised countries and economies in transition to limit and reduce GHG emissions in accordance with agreed individual targets. Ireland is a Party to the Kyoto Protocol, which came into effect in 2005, and as a result of which, emission reduction targets agreed by developed countries are now binding.

4.2.3 Paris Agreement

The Paris agreement is a legally binding global agreement on climate change which came into force in November 2016. The long term goal is to limit global warming to below 2 degrees centigrade above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5 degrees.

The agreement requires all parties to put forward their best efforts through nationally determined contributions. The EU has committed on behalf of all member states to a 40% reduction in EU-wide emissions by 2030 compared to 1990[3].

4.2.4 COP21 Paris Agreement

The Paris Climate Conference, otherwise known at the 21st Conference of the Parties (COP) to the UNFCCC gathered to evaluate its implementation and negotiate new commitments. COP21 closed with the adoption of the first international climate agreement. The agreement provides for a limitation of the global average temperature rise to well below 2°C above pre-industrial levels and to limit the increase to 1.5°C.

4.2.5 COP25 Madrid

COP25, the 25th session of the COP, was hosted in Madrid Spain in December 2019. The conference was characterised by repeated warnings from civil society (NGOs and corporates) on emerging evidence and scientific consensus on climate change risk. Despite the dialogue and consensus of the climate change risk, agreement was not achieved on finalising the operating rules of the Paris Agreement and to ensure that it became operational by 2020. Of the concerns raised, three issues which emerged between States from the COP25 are summarised below:

[3] https://www.dccae.gov.ie/en-ie/climate-action/topics/eu-and-international-climate-action/paris-agreement/Pages/default.aspx

- There was no uniform consensus between States to raise countries' climate ambitions;
- There was no agreement on finalising Article 6, the foundations for international cooperation to combat climate change; and
- There was no agreement on financing the Green Climate Fund relating to both loss and damage caused by climate change.

4.2.6 COP26 Glasgow

COP26 took place in Glasgow, Scotland in November 2021. A ten-point plan was prepared by the host country aimed at delivering a green industrial revolution, seeking to lead the world in tackling and adapting to climate change.

Some the key targets set from COP26 were:

- Secure global net zero by 2050
- Adjust and adapt approach with the goal of protecting communities and natural habitats
- Rise to the challenges climate change risk
- Finance targets

The summit highlighted that the Paris Agreement is working with clear commitment to achieve stated aims, with significant announcements including:

- Announcement of the 'Just Energy Transition Partnership' to support South Africa's decarbonisation efforts; providing an example of collaboration between an emerging economy and international partners.
- Endorsement for the Declaration on Forests & Land Use committing to work collectively to halt and reverse forest loss and land degradation by 2030.
- Promotion of a Breakthrough Agenda, a 10-year plan to work together to create green jobs and growth globally, making clean technologies.

4.2.7 4.2.7 Intergovernmental Panel on Climate Change (IPCC)

The IPCC is a scientific intergovernmental body under the auspices of the United Nations, who's reports go through an approval process with delegates present from typically more than 120 countries. This endorsement by governments acknowledges the authority of their scientific content. The *Fifth Assessment Report (AR5)*[4] provides a clear and up to date view of the current state of scientific knowledge relevant to climate change. It consists of three Working Group (WG) reports and a Synthesis Report (SYR) which

[4] IPCC Fifth Assessment Report. Available online at https://www.ipcc.ch/assessment-report/ar5/.

integrates and synthesizes material in the WG reports for policymakers. The SYR was approved on the 1st November 2014 in Copenhagen, Denmark. The main findings of the WG reports are as follows:

- Warming of the climate system is unequivocal, and since the 1950's, many of the observed changes are unprecedented over decades to millennia. The atmosphere and ocean have warmed, the amounts of snow and ice have diminished, sea level has risen, and the concentrations of greenhouse gases have increased.
- Each of the last three decades has been successively warmer at the Earth's surface than any preceding decade since 1850. In the Northern Hemisphere, 1983-2012 was likely the warmest 30 year period of the last 400 years.
- Continued emissions of greenhouse gases will cause further warming and changes in all components of the climate system. Limiting Climate change will require substantial and sustained reductions of greenhouse gas emissions.
- The observed recent warming hiatus, defined as the reduction in global mean surface temperature trend during 1998 to 2012 as compared to the trend during 1951 to 2012, is attributable in roughly equal measure to a cooling contribution from internal variability and a reduced trend in external forcing. The forcing trend reduction is primarily due to a negative forcing trend from both volcanic eruptions and the downward phase of the solar cycle.

In the Energy System Chapter of IPCC WGIII *AR5 [3b]*, the IPCC make the following comments in relation to energy systems:

- The energy supply sector is the largest contributor to global greenhouse gas emissions. In 2010, the energy supply sector was responsible for approximately 35% of total anthropogenic GHG emissions.
- In the absence of climate change mitigation policies, energy related carbon dioxide emissions are expected to continue to increase, with fossil fuel and industrial emissions reaching 55-70 GtCO2 by 2050.
- Integrated modelling studies indicate that decarbonising electricity supply will play an important role in stabilising CO_2 concentrations.
- Since the previous *Fourth Assessment Report (AR4)*, many renewable energy technologies have substantially advanced in terms of performance and cost and a growing number of renewable energy technologies have achieved a level of technical and economic maturity to enable deployment at significant scale.
- The IPCC report points out that there are often co-benefits from the use of renewable energy, such as reduction in air pollution, local employment opportunities, few severe accidents (compared to some other forms of energy supply) as well as improved energy access and security.

4.2.8 European Green Deal – European Climate Law (2021)

The European Green Deal (EGD) sets a legal objective for the European union to reach climate neutrality by 2050. The EGD also sets an ambitious 2030 climate target of at least a 55% reduction of next emissions of greenhouse gases as compared to 1990, with clarity on the contribution of emission reductions and removals. The law aims to ensure that all EU policies contribute to this goal and that all sectors of the economy play their part in achieving this goal.

Measures to reach climate neutrality by 2050 set out in The European Climate Law[5] writes includes:

- a legal objective for the Union to reach climate neutrality by 2050;
- an ambitious 2030 climate target of at least 55% reduction of net emissions of greenhouse gases as compared to 1990, with clarity on the contribution of emission reductions and removals;
- recognition of the need to enhance the EU's carbon sink through a more ambitious LULUCF regulation, for which the Commission made a proposal in July 2021 and which entered into force in May 2023;
- a process for setting a 2040 climate target, taking into account an indicative greenhouse gas budget for 2030-2050 to be published by the Commission;
- a commitment to negative emissions after 2050;
- the establishment of European Scientific Advisory Board on Climate Change, that will provide independent scientific advice;
- stronger provisions on adaptation to climate change;
- strong coherence across Union policies with the climate neutrality objective;
- a commitment to engage with sectors to prepare sector-specific roadmaps charting the path to climate neutrality in different areas of the economy.

Achieving these emission reductions in the next decade which is crucial to Europe becoming the world's first climate-neutral continent by 2050 would clearly be assisted by the proposed development.

4.2.9 Compliance with International Policy

After examining the aforementioned policies, it is determined that permitting and developing the proposed Keerglen Wind Farm will help achieve the objectives set out in in international legislation list above. A wind farm development at this location will produce energy from indigenous, renewable resources. As such, it will contribute towards international local policy regarding the reduction of dependence on fossil fuels, increased reliance on renewable energy and reducing emissions of GHGs.

[5] European Climate Law was published in the Official Journal on 9 July 2021 and came into force on 29 July 2021.

The proposed project will contribute towards achieving International targets for renewable energy production and CO^2 emission reductions.

4.3 European Context

EU renewable energy policy progressed in 1997 with the adoption of the white paper titled *Energy for the Future: Renewable Sources of Energy - White Paper for a Community Strategy and Action Plan on Renewables*. Initially driven by the need to decarbonise the energy sector and address issues of security of supply, the focus has shifted to the definition of legally binding targets and reorientation of energy infrastructure policy that supports growth of renewable energy capacity. The most relevant EU policies which are driving renewable energy development in 2030 are -

- Energy Road Map 2050 (2012);
- A Policy Framework for Climate and Energy in the period from 2020 to 2030 (2014);
- Directive 2009/28/EC;
- Regulation (EU) 2022/2577;
- REPowerEU Plan; and
- Directive (EU) 2023/2413.

The European Union (European Wind Power Action Plan in October 2023) target of at least 42.5% renewables by 2030 will require installed wind capacity to more than double, from 204 GW in 2022 to over 500 GW in 2030. Wind energy made up 18% of the EU's electricity demand in 2023. A binding EU-wide target of at least 42.5% renewables by 2030 has been set by the European Union through the European Wind Power Action Plan (2023)). All member states including Ireland need to contribute to achieving this target.

4.3.1 Energy Road Map 2050 (2012)

In December 2011, the European Commission adopted the Communication *Energy Roadmap 2050*, committing the EU to reducing greenhouse gas emissions to 80-95% below 1990 levels by 2050 in the context of necessary reductions by developed countries. To achieve the goal of cutting carbon emissions by over 80% by 2050, Europe's energy production will have to be practically carbon free. Based on the analysis of a set of scenarios, the Road Map sets out to address how to achieve reduction of carbon emissions without disrupting supply and affecting competitiveness. The scenarios are: Current polices, higher energy efficiency, diversified supply technologies, high renewable energy sources, delayed carbon capture storage, and low nuclear. The high renewable energy sources scenario would see renewable energy systems with a 75% share of final energy consumption and 97% of electricity consumption by 2050.

4.3.2 A Policy Framework for Climate and Energy in the period from 2020 to 2030 (2014)

In January 2014, the European Commission adopted a communication entitled a *Policy Framework for Climate and Energy in the period from 2020 to 2030*. It reported that the EU is mostly on track to meet the 20-20-20 targets of 20% reduction in GHG emissions, 20% share of renewable energy in the energy mix, and 20% improvements in energy efficiency by 2020.

The objectives proposed for 2030 follow the same main themes as the goals set for 2020. The Commission has set a GHG emission reduction target for domestic EU emissions of 40% by 2030 relative to emissions in 1990. The target for renewable energy is a 27% share of the energy mix. However, unlike in the current 2020 framework, targets will not be translated into national targets via EU legislation, thus leaving Member States to meet their GHG reduction targets in the most cost-effective manner in accordance with their own specific set of circumstances, energy mixes and capacities to produce renewable energy. The underlying idea is to ensure that renewable energy is produced where it is the most efficient to do so within the overall EU.

4.3.3 Directive 2009/28/EC: The Promotion of the Use of Energy from Renewable Sources and the Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (recast)

In 2007, EU leaders endorsed the Renewable Energy Road Map, outlining a long-term strategy for renewables and calling for a mandatory target of 20% renewable energy in the overall EU energy mix. The Directive 2009/28/EC, which amended and subsequently replaced the RES-E Directive, called for the submission of National Action Plans by Member States to establish a common framework for the production and promotion of energy from renewable sources. It required each Member State to increase its share of renewable energy in order to raise the block of 27 EU Member States overall share of renewable energy in the EU energy mix to 20% by 2020.

Ireland's mandatory target under Directive 2009/28/EC is for renewable resources to account for 16% of total energy consumption by 2020. This will be met by 40% from renewable electricity, 12% from renewable heat and 10% from the renewable transport sector.

In December 2018, the revised Renewable Energy Directive 2018/2001/EU came into force. The new regulatory framework includes a binding renewable energy target for the EU for 2030 of 32% with a review

clause by 2023 for an upward revision of this target[6]. This Directive establishes a common framework for the promotion of energy from renewable sources. It also lays down rules on financial support for electricity from renewable sources.

4.3.4 Regulation 2022/2577

Regulation 2022/2577 was adopted the European Council on 22nd December 2022. The Regulation set out a framework to accelerate the deployment of renewable energy for an 18 month period post adoption in each EU member state. This legislative tool provides temporary rules of an emergency nature to accelerate the permit-granting process applicable to the production of energy from renewable energy sources, with a particular focus on specific renewable energy technologies or types of projects which are capable of achieving a short term acceleration of the pace of deployment of renewables EU countries.

Regulation 2022/2577 supports the faster deployment of renewable energy projects, providing a measure with the potential to streamline the consenting process.

4.3.5 REPowerEU Plan

A REPowerEU Plan was published by the European Commission in 2022 with the purpose of saving energy, producing clean energy and diversifying the supply of energy. The plan was produced in response to Ukraine war to reduce Europe's dependence on Russian fossil fuels. The Plan contains strategies and measures to phase out the EU's dependency on Russian fossil fuels by the end of the decade by building on the implementation of the European Green Deal and the EU's *"Fit for 55"* proposals (seeking to cut emissions by at least 55% by 2030). The Plan focuses on diversifying energy sources, accelerating a transition from fossil fuels to clean energy, saving energy, smart investment and reinforcing preparedness. It is submitted that the proposed Keerglen Wind Farm development will contribute to achieving the objectives set out in the REPowerEU Plan.

4.3.6 Directive 2023/2413

The revised Directive EU/2023/2413 entered into force as of 20 November 2023. The Irish government has an 18-month period to transpose most of the directive's provisions into national law, with a shorter deadline of July 2024 for some provisions related to permitting for renewables.

[6] Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (recast). Available at https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L2001&from=EN. Accessed 02/12/2019.

Expanding from the directives of 2009 and 2018, the updated directive includes more robust actions to maximize the use of all available opportunities for advancing and adopting renewable energy sources. This plays a crucial role in reaching the EU's goal of achieving climate neutrality by 2050 and bolstering Europe's energy security.

It sets an overall European renewable energy target of at least 42.5% binding at EU level by 2030 - but aiming for 45%.

4.4 National Context

It is Government policy to promote the development of renewable energy sources. Sustainable energy policy includes maximising the efficiency of generation and emphasising the use of renewable resources. The national policy context for the proposed wind farm development is set by:

- National Renewable Energy Action Plan 2010
- White Paper on Energy Policy in Ireland: Ireland's Transition to a Low Carbon Energy Future 2015-2030 (2015)
- National Mitigation Plan 2017
- Report of the Joint Committee on Climate Action - Climate Change: A Cross-Party Consensus for Action (2019)
- Programme for Government (2020)
- The Climate Action and Low Carbon Development (Amendment) Act (2021)
- Ireland's Greenhouse Gas Emissions Projections (2021-2040), June 2022
- Climate Action Plan 2023
- Renewable Electricity Support Scheme ('RESS')
- National Planning Framework 2018 – 2040
- National Development Plan 2021 – 2030
- National Energy Security Framework
- Wind Energy Development Guidelines (WEDG) 2006
- Draft Wind Energy Development Guidelines (DWEDG) 2019
- IWEA Best Practice Guidelines for the Irish Wind Energy Industry 2012
- IWEA Best Practice Principles in Community Engagement and Community Commitment 2013
- DCCAE Code of Practice for Wind Energy Development Ireland- Guidelines for Community Engagement 2016
- Department Circular PL11/2023

4.4.1 National Renewable Energy Action Plan 2010

In compliance with EU Directive 2009/28/EC, Ireland submitted the National Renewable Energy Action Plan (NREAP) to the European Commission in July 2010. The NREAP sets out the Government's strategic approach and concrete measures to deliver on Ireland's 16% target under Directive 2009/28/EC. In relation

to electricity the NREAP set a target of 40% electricity consumption from renewable sources by 2020. The latest progress report published by the Sustainable Energy Authority of Ireland, dated April 2020, indicated that the consumption of electricity from renewable sources (RES-E) was 33.2 % in 2018 up from 30.1% in 2017. The share of electricity from renewable energy has increased fivefold between 1990 and 2018. Most of this increase has taken place since 2000 and the vast majority has been attributable to wind energy. Electricity production from wind energy has increased to the point that it accounted for 85% of the renewable electricity generated in 2018.

4.4.2 White Paper on Energy Policy in Ireland: Ireland's Transition to a Low Carbon Energy Future 2015-2030 (2015)

The White Paper[7] is a complete energy policy update and sets out a framework to guide energy policy out to 2030. Its objective is to guide a transition to a low carbon energy system. The policy framework sets out a vision for a low carbon future that maintains Ireland's competitiveness and ensures a supply of affordable energy. The paper advises that a range of policy measures will be employed to achieve this vision and will involve amongst many things, generating electricity from renewable sources of which there are plentiful indigenous supplies and increasing the use of electricity and bio energy to heat homes and fuel transport.

Section 5.3 of the White Paper addresses the important role that renewable energy has to play in this transition. It is noted that the long term development of renewable energy is a defining element of this energy policy. In this White Paper it is confirmed that onshore wind is the cheapest form of renewable energy in Ireland:

> "*Onshore wind continues to be the main contributor (18.2% of total generation and 81% of RES-E in 2014). It is a proven technology and Ireland's abundant wind resource means that a wind generator in Ireland generates more electricity than similar installations in other countries. This results in a lower cost of support.*"

A number of key actions are set out in order to meet 2020 targets, and also to prepare for more renewable electricity deployment in the period to 2030. These include the following -

- Introduce a new support scheme and update existing support schemes for renewable energy technologies
- Ensure that grid connection policy has regard to future renewable energy policy, including in relation to community renewable energy projects

[7] Ireland's Transition to a Low Carbon Energy Future 2015-2030 available online at https://www.dccae.gov.ie/documents/Energy%20White%20Paper%20-%20Dec%202015.pdf

- Publish a Renewable Electricity Policy and Development Framework (REPDF) to underpin the proper planning and development of larger scale renewable electricity generation development on land.

The REPDF scoping document went out for consultation in 2016, however progress has been slow since then and the renewable energy industry and decision makers still await the final policy document.

4.4.3 National Mitigation Plan 2017

Ireland's first statutory National Mitigation Plan (NMP), published in July 2017, gives effect to the provisions of the Climate Action and Low Carbon Development Act 2015, and represents a landmark national milestone in the evolution of climate change policy in Ireland and provides for the statutory basis for the transition to a low carbon, climate resilient and environmentally sustainable economy by 2050.

The NMP reaffirms Ireland's commitment to concerted and multilateral action to tackle climate change following the adoption of the legally-binding Paris Agreement as discussed in section 4.2.2.

The NMP reiterates that the objective of a low-carbon future will involve radically changing our behaviour as citizens, industry and Government and becoming significantly more energy-efficient. In this regard, the NMP has made it clear that Ireland has abundant, diverse and indigenous renewable energy resources, which will be critical to decarbonising our energy system, including electricity generation. The NMP states:

> *"Onshore wind has, to date, been the most cost-competitive renewable electricity technology in Ireland, accounting for 22.8% of overall electricity generation in 2015."*

The NMP addresses the role of local authorities in facilitating the transition towards a low-carbon economy and recognises that this requires engagement from all levels of Government and that a bottom-up approach is also essential to promote awareness and engagement within individual communities across Ireland.

The NMP further emphasis the important role wind energy development plays in its contribution to renewable energy deployment in the state and in the progress towards renewable energy targets:

> *"To date, wind energy has been the largest driver of growth in renewable electricity. The total amount of renewable generation connected to the grid at December 2016 was 3,120MW, of which wind generation was approximately 2,796MW, hydro was 238MW and biomass was 86MW19. Eirgrid estimates that a total of between 3,900MW and 4,300MW of onshore renewable generation capacity will be required to allow Ireland to achieve 40% renewable electricity by 2020. This leaves a further requirement of between 780MW and 1,180MW to be installed by 2020 if the 2020 electricity target is to be reached, requiring an increased rate of installation."*

Under the proposed provisions of the Climate Action and Low Carbon Development (Amendment) Bill, 2021, the NMP is intended to be replaced by an annually updated Climate Action Plan, which will focus on short and medium term perspectives.

4.4.4 Report of the Joint Committee on Climate Action - Climate Change: A Cross-Party Consensus for Action (2019)

The Joint Committee on Climate Action Change published a report in March 2019 highlighting concerns that Ireland is off track in meeting its 2030 targets under the relevant the EU Directives. The report states, amongst other objectives; that in order to reach net zero emissions by 2050, Ireland will be required to fully decarbonise electricity generation.

With concerns raised through various policy publications that Ireland is at risk of missing set emission targets it is submitted that developments such as the proposed renewable energy development of Keerglen Wind Farm should be supported and built out.

4.4.5 Programme for Government (2020)

The Programme for Government (2020) presents strong climate governance in rapidly reducing climate change in order to protect and improve public health and quality of life. Set out in the section titled 'Mission: A Green New Deal' of the Programme for Government, A Revolution for Renewables states the commitment to take the necessary action to deliver at least 70% renewable electricity by 2030. As a means of achieving this, the Programme commits to: Produce a whole-of-government plan setting out how we will deliver at least 70% renewable electricity by 2030 and how we will develop the necessary skills base, supply chains, legislation, and infrastructure to enable it to:

- Finalise and publish the Wind Energy Guidelines,
- Continue EirGrid's programme *'Delivering a Secure, Sustainable Electricity System'*,

4.4.6 The Climate Action and Low Carbon Development (Amendment) Act (2021)

The purpose of the Climate Action and Low Carbon Development (Amendment) Act, 2021 is to provide for the approval of plans *'for the purpose of pursuing the transition to a climate resilient and climate neutral economy by the end of the year 2050'.* The 2021 Climate Act will also *'provide for carbon budgets and a decarbonisation target range for certain sectors of the economy'*. The 2021 Climate Act removes any reference to a national mitigation plan and instead refers to both the Climate Action Plan and a series of National Long Term Climate Action Strategies. In addition, the Environment Minister shall request each local authority to make a *'local authority climate action plan'* lasting five years and to specify the mitigation measures and the adaptation measures to be adopted by the local authority. The Act has set a target of a

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

It is submitted that the proposed Keerglen Wind Farm development would contribute to the 51% reduction in emissions being sought as part of the Act.

4.4.7 Ireland's Greenhouse Gas Emissions Projections (2021-2040), June 2022

The Department of Environment, Climate and Communications' national climate change position, which includes the Climate Action Acts of 2015 and 2019, designated the Environmental Protection Agency (EPA) with responsibility for developing annual national emissions projections for greenhouse gases for all key sectors of the economy, including electricity. The EPA publishes greenhouse gas emission projections on an annual basis and submits emission projections to the Commission, as required under Monitoring Mechanism Regulation EU No. 525/2013.

The EPA's publication entitled Ireland's Greenhouse Gas Emissions Projections 20222040 (June 2023) provides an updated assessment of Ireland's projected GHG emissions out to 2040, which includes an assessment of progress towards achieving its emission reduction targets to 2030.

Ireland's new 2030 target under the EU's Effort Sharing Regulation (EU No. 842/2018) is to limit its greenhouse gas (GHG) emissions by at least 42% by 2030. This target was set in April 2023 upon amendment of the EU Effort Sharing Regulation (ESR). The 42% reduction defines the trajectory with annual binding emission limits over the period to 2030. According to the EPA, reaching the new 42% EU emission reduction target *'will require full and rapid implementation of Climate Action Plan 2023 measures and further measures to be implemented'.*

The EPA report (June 2023) provides the following summary:

> 'Ireland is not on track to meet the 51% emissions reduction target (by 2030 compared to 2018) based on these projections which include most 2023 Climate Action Plan measures. Further measures still need to be identified and implemented to achieve this goal'.

4.4.8 Climate Action Plan 2023

The Climate Action Plan 2023 (CAP 23), launched in December 2022, is the second annual update of the Climate Action Plan 2019 and the first plan to be prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021. The CAP 23 implements the carbon budgets and sectoral emission ceilings and sets a roadmap for taking decisive action to halve Ireland's GHG emissions by 2030. The CAP 2023 sets out how Ireland can accelerate the actions that are required to respond to the climate crisis, putting climate solutions at the centre of Ireland's social and economic development.

Among the most important measures in CAP 23, is to increase the proportion of renewable electricity to 80% by 2030 and a target of 9 GW (or 9,000MW) from onshore wind, 8 GW from solar, and at least 5 GW of offshore wind energy by 2030.

Having regard to the targets and measures set out above, it is clear that there is strong policy support for the provision of additional renewable energy developments, such as that proposed.

4.9 Climate Action Plan 2024

The Climate Action Plan 2024 (CAP 24) is the third annual update to Ireland's Climate Action Plan was approved on 21 May 2024. CAP 24 sets out a roadmap of actions which seek to achieve our national climate objectives by no later than the end of the year 2050. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

Similar to CAP 23, CAP 24 details strong policy support for the provision of additional renewable energy developments, such as that proposed with the Keerglen Wind Farm.

4.4.9 Renewable Electricity Support Scheme ('RESS')

The Climate Action Plan discussed above sets out actions across every sector which will ensure we meet our future climate commitments. A key part of the Plan is a move to 80% renewable electricity by 2030, a measure which will be driven by the introduction of the Renewable Electricity Support Scheme *('RESS').*

In May 2024 the Government of Ireland published the *Renewable Electricity Support Scheme (RESS 4 Auction Timetable)*' with the auction later in 2024. The RESS is an auction scheme in which renewable energy projects bid for grid capacity. The aim of RESS is to promote the generation of electricity from renewable sources. The final auction results for RESS 4 is set for 25 September 2024.

The RESS lists the following points as key elements within the document:

- It has been designed to promote investment in renewable energy generation to contribute toward Ireland's ambition of 80% renewable electricity, and an EU-wide renewable energy target of 32%, by 2030, within a competitive auction based, cost effective framework.
- It has been designed to deliver on a broader range of policy objectives including:
    - the provision of pathways and supports for communities to participate directly in renewable energy projects;
    - broadening the renewable electricity technology mix (the diversity of technologies); and
    - increasing energy security, energy sustainability and ensuring the cost effectiveness of energy policy.

4.4.10 National Planning Framework 2018 - 2040

As a strategic development framework, Project Ireland 2040: National Planning Framework (NPF, 2018), aims to join up ambitions for improvement across the different areas of Irish life, bringing the various government departments, agencies, State owned enterprises and local authorities together behind a shared set of strategic objectives for rural, regional and urban development.

The Vision for the NPF (Section 1) states that there is significant alignment between the UN Sustainable Development Goals (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.

The NPF sets out the strategic goals and objectives for the State, and central to this is the theme of Realising Our Sustainable Future. In particular, Section 9.2 of the NPF entitled 'Resource Efficiency and Transition to a Low Carbon Economy' states the following:

"Our transition to a low carbon energy future requires:

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

The NPF is supported by a series of NSOs, which the framework seeks to deliver. The purpose of the NSOs is to create a single vision, through a shared set of goals for every community across the country.

In order to meet our legally binding targets agreed at EU level and to facilitate the transition to low carbon economy by the year 205, the following National Policy Objectives have been identified in the NPF:

> ***National Policy Objective 21****- Enhance the competitiveness of rural areas by supporting innovation in rural economic development and enterprise through the diversification of the rural economy into new sectors and services, including ICT based industries and those addressing climate change and sustainability.*
>
> ***National Policy Objective 54 –*** *Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions*

> ***National Policy Objective 55 –*** *Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.*

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

> *"The National Climate Policy Position establishes the national objective of achieving transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050.*
>
> *This objective will shape investment choices over the coming decades in line with the National Mitigation Plan and the National Adaptation Framework. New energy systems and transmission grids will be necessary for a more distributed, renewables-focused energy generation system, harnessing both the considerable 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."*

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

> *"Rural areas have significantly contributed to the energy needs of the country and will continue to do so, having a strong role to play in securing a sustainable renewable energy supply. In planning Ireland's future energy landscape and in transitioning to a low carbon economy, the ability to diversify and adapt to new energy technologies is essential. Innovative and novel renewable energy solutions have been delivered in rural areas over the last number of years, particularly from solar, wind and biomass energy sources."*

The Department of Housing, Local Government and Heritage commenced the first revision of the NPF in June 2023, in order to take account of the growing global prominence of climate issues, an accelerated increase in population during 2022/2023, the impact of Covid in relation to emergence of blended working, and the ongoing conflicts in Ukraine and, more recently, the Middle East, etc.

4.4.11 National Development Plan 2021 - 2030

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

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

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

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

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

In order to achieve a Climate Neutral and Climate Resilient Society, the NDP outlines strategic investment priorities that should be actioned. These relate to the aims of the Renewable Electricity Support Scheme. It is stated that the Renewable Energy Support Scheme (RESS) auctions will deliver competitive levels of onshore wind electricity generation, which indicatively could be up to 8GW of onshore wind by 2030. The NDP also outlines that the RESS will also support the delivery of up to 5GW of additional offshore renewable electricity generation by 2030. It should be noted that these targets have been increased by CAP 23. It is considered that such schemes, in conjunction with greater investment in renewable energy, diversity of supply, and increased utilisation and adoption of electricity storage, will significantly assist in promoting a low-carbon/less energy intensive supply. The investments outlined within the NDP will make a critical contribution to the achievement of a low carbon and resilient electricity system within the Country.

The proposed development will contribute to the aims of the NDP in providing renewable electricity generation to the national grid or Large Energy Users.

4.4.12 National Energy Security Framework

More recently, the National Energy Security Framework (DECC, April 2022) highlights the impacts the Russian invasion of Ukraine and the resulting war has had on Europe's energy system. The resulting decision by the European Union to phase out the import of Russian gas, oil and coal highlights the importance of security of supply and how energy policy is designed for long-term resilience. It takes account of the need to decarbonise society and economy, to reduce Ireland's emissions by 51% over the decade to 2030 and reach net zero emissions by 2050. According to the SEAI's Energy in Ireland (2020) report, oil accounts for 54% of Ireland's primary energy requirement making it one of the highest rate of oil dependency in the EU.

Having regard to the above, it is clear that the provision of the Keerglen Wind Farm is vital in helping to secure the Ireland's energy supplies and reduce reliance on imported fossil fuels.

4.4.13 Wind Energy Development Guidelines (WEDG) 2006

The 2006 Wind Energy Development Guidelines provide best practice advise on planning wind energy developments and advice in relation to the information that should be submitted with planning applications including the effects to be assessed. The guidelines set out criteria which assist in the identification of suitable locations for wind energy development. They are also of assistance to developers and the wider public in considering wind energy development. The proposed development has considered the provisions of the Wind Energy Development Guidelines 2006 in the design and siting of the wind farm and is considered to be in line with the recommendations as set out in the Guidelines.

4.4.14 Draft Wind Energy Development Guidelines (DWEDG) 2019

In December 2019, the draft revised Wind Energy Development Guidelines (DWEDG[8]) were published for public consultation by the Department of Housing, Planning and Local Government (DHPLG). One of the primary purposes of the review was to:

> *"strike a better balance between addressing the concerns of local communities in relation to wind farm proposals, whilst maintaining Ireland's ability to deliver on its binding energy policy obligations"*

This EIAR has regard to the Wind Energy Development Guidelines 2006 (WEDGs), and considers many of the elements of the Draft Wind Energy Development Guidelines 2019 (DWEDGs)[9]. The consultation period for the DWEDGs concluded in February 2020. They are currently awaiting finalisation and formal adoption.

Should the DWEDGs be adopted in advance of a planning decision being made on the proposed development, Keerglen Wind Farm will have the capability of complying with any revised requirements through for example the implementation of mitigation measures such as turbine control systems.

4.4.15 IWEA Best Practice Guidelines for the Irish Wind Energy Industry 2012

The Irish Wind Energy Association (IWEA) first published the Wind Energy Development Best Practice Guidelines in 2012. The purpose of the Guidelines is to encourage responsible and sensitive wind farm development, which takes into consideration the concerns of local communities, planners, and other interested groups. It outlines the main aspects of wind energy development. Its emphasis is on responsible

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[8] Draft Revised Wind Energy Development Guidelines. Available at https://www.housing.gov.ie/sites/default/files/public-consultation/files/draft_revised_wind_energy_development_guidelines_december_2019.pdf

[9] Department of Housing Planning and Local Government (2019) https://www.housing.gov.ie/sites/default/files/public-consultation/files/draft_revised_wind_energy_development_guidelines_december_2019.pdf

and sustainable design and environmental practices, on aspects of development which affect external stakeholders, and on good community engagement practices. The Guidelines are aimed primarily for the developer as proponent and project manager of the wind farm development process. However, they will also be of interest to others who have an interest in proposed wind farms. The Guidelines describe the standards which the Irish wind energy industry sets itself in developing wind farms. The aim of the IWEA guidelines was to complement the DoEHLG's 2006 Wind Energy Development Guidelines (WEDG) were published in 2006 by the Department of Environment, Heritage and Local Government

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

IWEA's best practice principles document are an extension to the IWEA Best Practice in Wind Farm Development and support the provision of financial contributions by wind farm operators to local communities and have sought to formulate best practice principles for the provision of a community commitment. The aim of the best practice principle document is to ensure that the views of local communities are taken into account at all stages of a wind farm projects lifecycle and that local communities can benefit from the development accordingly.

4.4.17 DCCAE Code of Practice for Wind Energy Development Ireland- Guidelines for Community Engagement 2016

In December 2016, the Department of Communications, Climate Action and Environment (DCCAE) issued guidelines for community engagement relating to wind energy development projects. The guidelines were intended to ensure that wind energy development in Ireland is undertaken in adherence with the best industry practices, and through full and meaningful engagement with local communities. Engagement with the community is required throughout the lifecycle of a project from initial scoping and feasibility through to the construction and operational phases. It is outlined that the approach and level of engagement should reflect the nature of the project and the potential level of impact that it could have on a community.

It is acknowledged that while stablishing dialogue and building trust within a community can be challenging, poorly managing community concerns can have long-term negative impacts on a community's economic, environmental or social situation while having the potential to impose costly time and financial delays for wind farm developers. It is therefore critically important for developers to fully and properly engage with local communities in the areas where they seek to plan and operate a wind farm.

4.4.18 Department Circular PL11/2023

On the 21st December 2023, the Department of Housing, Local Government and Heritage issued Circular PL11/2023 notifying of the signing of commencement orders relating to New design flexibility provisions with regard to certain unconfirmed details as part of application for planning permission.

Circular PL11/2023 advised that the Planning and Development, Maritime and Valuation (Amendment) Act 2022 (the Act of 2022), passed by the Oireachtas in July 2022, included amendments to the Planning and Development Act 2000, as amended, (the Principal Act) concerning flexibility in respect of some of the details of the proposed development to be submitted as part of certain planning applications.

The primary legislation provides for a process whereby a prospective applicant/project promoter who wishes to avail of a degree of flexibility in their planning application may, in advance of submitting their planning application, request a meeting with the planning authority or the Board for the purpose of receiving an opinion as to whether it is appropriate that an application for permission be made before certain details of the proposed development are confirmed. Such unconfirmed details may, for example in the case of a wind farm application, include the precise height or blade length of a wind turbine or the precise grid connection point and route.

The Department circular also sets out associated amendments to the Planning and Development (Amendment) (No. 3) Regulations 2023 (S.I. No. 655 of 2023) and Planning and Development (Fees for Certain Applications) Regulations 2023 (S.I. No. 654 of 2023).

This planning application is submitted in compliance with Circular Letter PL11/2023.

4.4.19 Compliance with National Policy

The proposed Keerglen Wind Farm development of 8 no. wind turbines and associated infrastructure is considered to comply with National Policy objectives. It is considered that the proposed development of an additional 8 no. wind turbines with an approximate electricity generation capacity of 40MW would greatly assist Ireland in achieving its national targets and will also assist in reaching the renewable energy and carbon emission reduction targets at EU level.

4.5 Regional Context

4.5.1 Northern and Western Regional Spatial and Economic Strategy

The Regional Spatial and Economic Strategy (RSES) for the Northern and Western Region, adopted in January 2020, 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 Northern and Western Region.

The RSES highlights the challenges the region will face with the changing climate and emphasises the importance of producing renewable energy to tackle climate change, meet predicted growth in demand and provide energy security. The RSES recognises that the region has a huge potential for growth of renewables and supports opportunities for onshore wind. It recognises renewable energy as an important contributor to the economy and employment in the region.

The RSES acknowledges that the region has a critical role in delivering a transition to Ireland's proposed low carbon economy. In order to facilitate the growth of renewables within the region, the RSES notes that the NWRA aims to encourage stakeholders, i.e. industry, commercial etc., to be the first to facilitate new opportunities and concentrate on possibilities to further advance renewable energy generation and use.

Key Planning Objectives are captured in Policy Objectives 4.16, 4.17, 4.18, 8.1, 8.2 and 8.3:

- ***RPO 4.16****: The NWRA shall co-ordinate the identification of potential renewable energy sites of scale in collaboration with Local Authorities and other stakeholders within 3 years of the adoption of the RSES. The identification of such sites (which may extend to include energy storage solutions) will be based on numerous site selection criteria including environmental matters, and potential grid connections.*

- ***RPO 4.17****: To position the region to avail of the emerging global market in renewable energy by stimulating the development and deployment of the most advantageous renewable energy systems, including:*
    - *Stimulating the development and deployment of the most advantageous renewable energy systems;*
    - *Raising awareness and public understanding of renewable energy and encourage market opportunities for the renewable energy industry to promote the development and growth of renewable energy businesses; and*
    - *Encourage the development of the transmission and distribution grids to facilitate the development of renewable energy projects and the effective utilisation of the energy*

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

- ***RPO 4.18**: Support the development of secure, reliable and safe supplies of renewable energy, to maximise their value, maintain the inward investment, support indigenous industry and create jobs.*

- ***RPO 8.1:** The Assembly support the development of a safe, secure and reliable electricity network and the transition towards a low carbon economy centred on energy efficiency and the growth projects outlined and described in this strategy.*
- ***RPO 8.3**: The Assembly support the necessary integration of the transmission network requirements to allow linkages with renewable energy proposals at all levels to the electricity transmission grid in a sustainable and timely manner.*

- ***RPO 8.4**: That reinforcements and new electricity transmission infrastructure are put in place and their provision is supported, to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs. Ensure that development minimises impacts on designated areas.*

The proposed development of 8 no. wind turbines at the Keerglen Wind Farm will contribute to meeting the RSES objectives.

4.6 County Context

4.6.1 Mayo County Development Plan 2022-2028

The proposed development is located within the functional area of Mayo County Council. The current Mayo County Development Plan 2022-2028 (the CDP) was formally adopted by Local Members at a special meeting in June 2022, coming into effect on the 10th of August 2022.

The policies and objectives set out within the CDP have maintained strong linkages with the key aims and themes set out within the previous development plan. It sets out the strategic framework for sustainable and planned economic and social development in the county. The plan strongly emphasises the urgent and pressing issue of climate change and the impacts it will have on County Mayo and its people. It underlines the critical need to phase out fossil fuels and provide safe, secure and renewable electricity supply to enable sustainable economic growth.

The need for continued support / investment within renewable energy generation as part of the county's broader decarbonisation strategy is captured within the CDP's Renewable Energy Chapter.

The CDP links the economic growth of both Ireland and Mayo is to the provision of secure energy supply and commits that Co. Mayo will endeavour to play its part in promoting more sustainable renewable electricity generation. The CDP notes that Co. Mayo's current contribution to renewable energy includes 266 MW (Q1 2020) of wind energy generated from 15 wind farms, which is approximately 6% of Ireland's overall wind energy production. It highlights that the development of the extant permissions for wind projects (such as the proposed wind farm site) in the county will significantly add to Mayo's renewable energy output.

The climate action objectives include a commitment to facilitating the "*development and exploitation of all appropriate renewable energy sources at suitable locations within the county, where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity or local amenities".* This underlines the commitment of the new plan to addressing climate change.
The proposed development exploits wind energy to produce renewable electricity and it is clear from the findings of the EIAR and the NIS that the proposed development is an appropriate location.

The key Mayo CDP 2022 – 2028 planning policies and objectives relevant to the proposed development are outlined below in Tables 4.1 and 4.2:

Table 4.1: Mayo CDP 2022 – 2028 Climate Action Planning Policies and Objectives relevant to the Proposed Development

Policies	
CAP 1	To support and enable the implementation and achievement of European and national objectives for climate adaptation and mitigation as detailed in the following documents, taking into account other provisions of the Plan (including those relating to land use planning, energy, sustainable mobility, flood risk management and drainage); • Climate Action Plan (2019 and any subsequent versions); • Relevant provisions of any Sectoral Adaptation Plans prepared to comply with the requirements of the Climate Action and Low Carbon Development Act 2015, including those seeking to contribute towards the National Transition Objective, to pursue, and achieve, the transition to a low carbon, climate resilient and environmentally sustainable economy by the end of the year 2050; and Mayo Council Climate Change Adaptation Strategy (2019-2024 and any subsequent versions)
CAP 2	To support the National Climate Change Strategy and methods of reducing anthropogenic greenhouse gases on an ongoing basis through implementation of supporting objectives in this Plan, particularly those supporting use of alternative and renewable energy sources, sustainable transport, air quality, coastal zone management, flooding and soil erosion and promotion of the retention of, and planting of trees, hedgerows and afforestation, subject

	to no significant adverse effects on the environment including the integrity of the Natura 2000 network.
CAP 4	To support local, regional, national and international initiatives for climate adaptation and mitigation and to limit emissions of greenhouse gases through energy efficiency and the development of renewable energy sources, which make use of all natural resources, including publicly owned lands, in an environmentally acceptable manner.
CAP 6	To support the transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050, by way of reducing greenhouse gases, increasing renewable energy, and improving energy efficiency and supporting nature-based solutions to climate adaptation and mitigation that provides co-benefits
CAP 9	To support Ireland's renewable energy commitments outlined in national policy by facilitating the development and exploitation of all appropriate renewable energy sources at suitable locations within the county, where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity or local amenities, so as to provide for further residential and enterprise development within the county
Objectives	
CAO 1	To support and advance the provision of renewable energy resources and programmes in line with the Government's National Renewable Energy Action Plan (NREAP), the Governments' Energy White Paper 'Irelands Transition to a Low Carbon Energy Future' (2015-2030) and any other relevant policy adopted during the lifetime of this plan.
EDO 69	To support and facilitate renewable energy initiatives that facilitate a low carbon transition.

Table 4.2: Mayo CDP 2022 – 2028 Renewable Energy Planning Policies and Objectives relevant to the Proposed Development

Policies	
REP 1	To support Ireland's renewable energy commitments outlined in national policy by facilitating the development and exploitation of a range of renewable energy sources at suitable locations within the county, where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity or local amenities to ensure the long term sustainable growth of the county.
REP 3	To actively encourage and support the sustainable development, renewal and maintenance of energy generation infrastructure in order to maintain a secure energy supply, while protecting the landscape, archaeological and built heritage and having regard to the provisions of the Habitats Directive.
REP 4	To ensure that developers of proposed large-scale renewable energy projects carry out community consultation in accordance with best practice and commence the consultation at the initiation of project planning

REP 6	To work with relevant stakeholders and industry to establish Mayo as a centre of excellence for renewable energy research and development activities
REP 7	To promote the harnessing of wind energy to contribute toward decarbonising County Mayo, including new emerging by-product markets.
Objectives	
REO 1	To cooperate with the Northern and Western Regional Assembly in identifying Strategic Energy Zones as areas suitable for larger, energy generating projects, community and micro energy production, whilst ensuring environmental constraints and a regional landscape strategy are considered.
REO 2	To examine options to ensure that community benefits are derived from renewable energy development in the County.
REO 5	To support and work in partnership with local communities in the development of energy efficient and renewable energy projects
REO 6	To ensure all renewable energy proposal comply with the provisions of the Mayo County Council Renewable Energy Strategy 2011-2022 (or as updated).
REO 7	To commence the review of the Mayo County Renewable Energy Strategy 2011-2022 within one year of adopting this plan and update as required in accordance with future legislative guidelines and consistency with the provisions of RPO 4.16 and RPO 5.2(b) of the RSES, 2020-2032.
REO 8	To encourage the development of wind energy, in accordance with Government policy, and having regard to the Landscape Appraisal of County Mayo and the Wind Energy Development Guidelines (2006) and Mayo Renewable Energy Strategy, or any revisions there of or future guidelines, and ensure consistency with the provisions of RPO 4.16 and RPO 5.2(b) of the RSES (2020-2032).
INO 38	To ensure the provision, where feasible, of electricity cables located underground.

To summarise, the proposed development will help County Mayo to phase out fossil fuels by providing domestically produced renewable energy which contributes to the provision of energy security, needed for economic growth locally, regionally and nationally.

4.6.2 Mayo Renewable Energy Strategy 2011-2020

The Mayo Renewable Energy Strategy (RES) 2011-2022 (the current renewable energy strategy for the county) outlines the renewable energy potential for County Mayo and how the county can capitalize these resources and meet energy targets. It acknowledges the benefits renewable energy can deliver for the county including providing a more secure energy supply, reducing reliance on fossil fuels and enabling future energy export. The strategy identifies areas most suitable for renewable energy developments in a tier system.

The definitions of the on-shore wind energy classifications, as per the Mayo Renewable Energy Strategy 2011-2020 are outlined below –

- **Priority Areas** are areas which have secured planning permission and where on shore wind farms can be developed immediately.
- **Tier 1 – Preferred (Large Wind Farms)** are areas in which the potential for large wind farms is greatest.
- **Tier 1 – Preferred (Cluster of Turbines)** are areas identified as being most suitable for smaller clusters of wind turbines (clusters of up to three to five turbines depending on site conditions and visual amenity).
- **Tier 2 – Open for Consideration** identifies areas which may be considered for wind farms or small clusters of wind turbines but where the visual impact on sensitive or vulnerable landscapes, listed highly scenic routes, scenic routes, scenic viewing points and scenic routes will be the principal consideration. The Tier 2 classification will be reviewed by the Council following a determination by EirGrid of grid infrastructure for the County.

Figure 4.1: Map 11 of the current Mayo Wind Energy Strategy Identifying Wind Energy Policy Area

The majority of the Keerglen Site is located in an area designated as *'Tier 1 - Preferred'*. Other than this the site is located in *'Tier 2 – Open for consideration'*. The planning application has demonstrated that the project site can adequately accommodate the proposed development without significant adverse impacts to environmental amenities and sensitivities, and therefore, is fully in accordance with National, Regional and Local planning policy. The Environmental Impact Assessment Report, Natura Impact Statement and all supporting assessments provide a robust body of evidence demonstrating that the receiving environment has the capacity to support / co-exist with the proposed wind farm without

significant adverse effects. This documentation is intended to provide the consenting authority with robust appropriate conclusions to facilitate a positive decision.

Table 4.3 below demonstrates the proposed developments compliance with the policies and objectives of the RES:

Table 4.3 Mayo County Council Renewable Energy Strategy General Wind Energy Policies and Objectives		
Ref	**Detail**	**Policy Addressed**
Policy 1 Climate Change:		
Objective 1.1	*It is an objective of the Council to assist in achieving national targets for reducing greenhouse gas emissions associated with energy production by encouraging and promoting the reduction in energy consumption and by encouraging renewable energy developments at appropriate locations within the County, having regard to relevant planning guidance and the principles of proper planning and sustainable development and through the implementation of this Strategy.*	The majority of the Keerglen Site is located in an area designated as 'Tier 1 - Preferred'. Other than this the site is located in 'Tier 2 – Open for consideration'.
Objective 1.2	*It is an objective of the Council to encourage renewable energy production from wind, wave, tide, biomass, biofuel, biogas, solar power, tidal, hydro and geothermal sources in the County, particularly at locations set out in the Maps accompanying this Strategy and having regard to principles of proper planning and sustainable development.*	The planning application has demonstrated that the project site can adequately accommodate the proposed development without significant adverse impacts to environmental amenities and sensitivities, and therefore, is fully in accordance with National, Regional and Local planning policy.
Objective 1.3	*It is an objective of the Council to assist in achieving the target that a minimum of 16% of the County's overall energy requirements and 42.5% of the County's electricity requirements will be provided from renewable sources by 2020 by implementing this Strategy.*	The proposed renewable energy development for 8 no. wind turbines will assist in contributing to achieving the set targets.
Objective 1.4	*It is an objective of the Council to encourage energy efficiency, low energy design and integration of renewable energy techniques into*	The proposed development will adhere to low energy design and renewable energy techniques as per industry

	new and existing developments.	standards.
Objective 1.5	*It is an objective of the Council to continue to ensure energy efficiency, low energy design and integration of renewable energy techniques into the Council's own operations, construction programmes and running of vehicle stock.*	The Keerglen Wind Farm development adheres to programmes which detail efficient techniques during the construction, operational and decommissioning phases of development.
Objective 1.6	*It is an objective of the Council to utilise renewable energy technologies at the sites of its major infrastructure (e.g. sewage treatment plants, water treatment plants etc) where feasible*	The proposed development details throughout the various disciplines set out in the EIAR various energy technologies incorporated on site.
Policy 2: The Natural and Built Environment		
Objective 2.1	*Proposals shall demonstrate conformity with existing and approved wind farms to avoid visual clutter. In this respect, developers should consider the cumulative impact of new development in the context of the location of both existing and permitted developments.*	Throughout the various Chapters of this EIAR consideration has been given to the cumulative effects of the proposed development in the context of both existing and permitted developments. The cumulative impacts associated with each environmental discipline are considered and assessed where necessary in each specific chapter of this EIAR.
Objective 2.2	*It is an objective of the Council to follow a sustainable plan led approach to renewable energy development within County Mayo through the implementation of this Strategy, in particular guiding renewable energy developments to preferred locations as set out in Section 6.4 and requiring all renewable energy developments to comply with standards and mitigation measures outlined in Section 6.5*	The majority of the proposed site is located in an area designated as 'Tier 1 - Preferred'. Other than this the site is located in 'Tier 2 – Open for consideration'. The proposed development has been designed in compliance with standards set out in Sections 6.4 and 6.5. Mitigation measures are set out throughout the various disciplines in this EIAR.

Objective 2.3	*It is an objective of the Council that all proposed renewable developments will be assessed on the principles of proper planning and sustainable development, ensuring minimal adverse environmental impact to biodiversity, flora and fauna; population and human health; soil; water; air and climatic factors; material assets; cultural heritage; and landscape. Full account shall be taken of the presence and requirement to protect all Natura 2000 sites, natural Heritage Areas, proposed Natural Heritage Areas, the national Park and Nature Reserves. Projects will be subject to Habitats Directive Assessment where considered appropriate.*	A site specific Natura Impact Statement has been prepared to provide sufficient objective scientific information in support of the proposed development in order to allow an Appropriate Assessment determination in the context of Article 6(3) of the Habitats Directive. The report has been prepared in order to evaluate the significance of potential effects on European sites from the proposed development, alone and in-combination with other developments. The NIS has been submitted with the Planning Application for the proposed development.
Objective 2.4	*It is an objective of the Council to ensure that renewable energy developments do not interfere with, damage, remove, or impinge on the visual amenity of, existing rights of way, public walking and cycling routes, scenic routes and scenic views, architectural heritage including protected structures and Architectural Conservation Areas, archaeological heritage including recorded monuments, Ballycroy National Park and vulnerable or sensitive landscapes in the County.*	The proposed development has been designed with minimizing the impact on the existing landscape and cultural heritage. A landscape and visual impact assessment accompany this planning application detailing how the proposed development ensures minimal interference on the visual amenity and cultural heritage of the area.
Policy 4: Community Benefit		
Objective 4.1	*It is an objective of the Council to ensure that the advantages presented by renewable energy development outweigh the disadvantages for the majority of the community residing in the area of any proposed renewable energy development, and for the wider environment, when assessing planning applications for renewable energy development.*	Wind farms invest in local communities through the establishment of community benefit funds. Under the new RESS, wind farms must pay €2/MWh generated from the wind farm into a community benefit fund. Irish wind farms made contributions of millions of euros to communities to fund local projects, clubs, schools and recreation groups. In

		addition to the community benefit fund, wind farms also pay millions of euros per year to local councils which fund roads and services across rural Ireland
Objective 4.2	*All applications will have regard to the impact on existing built environment, particularly neighbouring residential properties and other sensitive amenity areas.*	Due regard has been given to the particularly sensitive residential properties and amenity areas throughout this EIAR. Of particular relevance in this regard are Chapters 9, 10, 12 and 13.
Objective 4.3	*All applications will have regard to the impact of any proposal for wind energy development on surrounding tourism and recreational related activities and the compatibility of same will be carefully considered in the assessment of any planning application*	Chapters 10 and 15 of this EIAR assesses the impact of the proposed development on tourism and recreational related activities in the wider area. Its has been concluded that the proposed development will not have a significant impact on either activity.
Objective 4.4	*All applications will have regard to the impact of any proposal for wind energy development in the context of any flood risk in the area. A comprehensive flood risk assessment for proposals in an area at risk of flooding, adjoining same or where cumulative impacts may result in a flood risk elsewhere, in low lying areas or in areas adjacent to streams*	Chapter 7 assesses the potential impacts of the proposed development on Hydrogeology, Hydrology and Water Quality. A site-specific Flood Risk Assessment is provided at Appendix 7.2 of the EIAR.

4.6.3 Landscape Appraisal

The Mayo County Development Plan features a Landscape Appraisal rather than a Landscape Assessment; however, with regard to identifying the county's different landscape character areas, the two are functionally similar.

The landscape appraisal identifies "*Mayo has many landscapes. One of the first tasks of any analysis is to subdivide the County into its constituent parts. These are called 'Character Units'. Each of them contains an area of land, which has similar character-giving elements such as slope, vegetation and landuse. The appearance of the landscape is relatively uniform within each* Character Unit."

The site is *located* within Area E: North Mayo Mountain Moorland, and described as "*the mountainous spine of northern Mayo oriented in a crescent from the northern coast before diverging west toward Achill, and east toward Lough Conn, ending at this point with Nephin Beg. This mountain range is a focal point for northern Mayo and shares boundaries with 7 other landscape character units, which indicates its physical extent and landscape dividing role. It can be characterised as a barren montaine, moorland with steep flowing slopes…"* The section in which the site is located is the (relatively) coastal, north-eastern point of the crescent mentioned above.

Critical landscape factors of this character unit are steep slopes, prominent ridgelines, smooth terrain and low vegetation, with the development considerations associated with these being "*both a potentially increased elevation and an immediate back drop for development, intensifying its visual prominence over greater distances.", "it is important that development does not interrupt the integrity of primary ridgelines. Due to the dominating influence of ridgelines, in instances where penetration does occur, development can appear insubordinate to the landscape in which it sits"* and *"Grassland vegetation is generally uniform in appearance, failing to break up vistas, and allowing long distance visibility. It is this inability to absorb development that identifies low vegetation as a critical landscape factor."*

Within the study area, there are multiple other character units, outlined below:

- Area C: North-West Coastal Bog layers over the outside of Area E and the western border of the study area, with the critical landscape factors of smooth terrain and low vegetation.
- To the north of Area C, E and G, the very northern extent of the landform around the coast is defined by Area D: North Coast Plateaux, with the critical landscape factors of elevated coastal vistas, smooth terrain and low vegetation.
- The inland, south-eastern quadrant of the study area overlays Area G: North Mayo Drumlins, with the critical landscape factors of undulating topography, shelter vegetation, prominent ridgelines, and localised lake vistas.
- To the immediate south of the site and covering a large portion of the south-western study area, there is Area F: North Mayo Inland Bog Basin, with the critical landscape factors of smooth terrain and low vegetation.

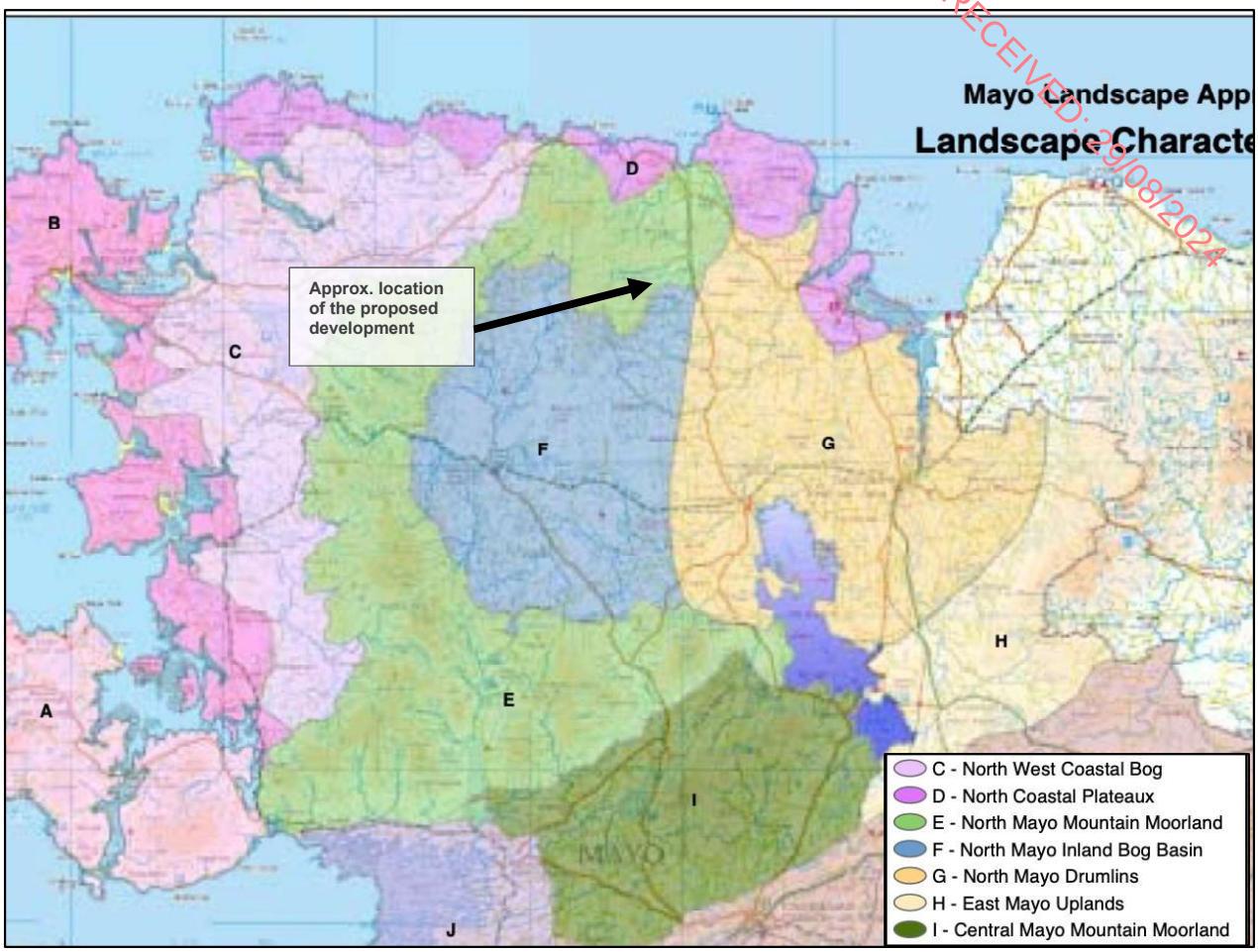

Figure 4.2 Landscape Character Units relative to the site, derived from Mayo Landscape Appraisal

The following sections of the landscape appraisal define landscape protection policy areas and a sensitivity matrix. This is integral to Chapter 4 of the CDP, which outlines the Environment, Heritage & Amenity Strategy. The 'Landscape Protection Policy Areas' map below is used to assess the development impact of different development types in conjunction with the Landscape Sensitivity Matrix.

The proposed development site is located within Landscape Policy Area 3 – Uplands, moors, heath or bogs, with the description of *"distinctive and vast areas of the County form a single policy unit due to the similar visual characteristics of smooth topography, limited shelter vegetation, often steep slopes and prominent ridge lines, rendering this policy unit similar suitability to absorb development."*

The study area also overlays landscape protection policy areas:

- Policy Area 1: Montaine Coastal Zone
- Policy Area 2: Lowland Coastal Zone
- Policy Area 4: Drumlins and Inland Lowlands
- Policy Area 4A: Lakeland Sub-policy Area

Policy Area 3 'Uplands, Moors, Heath or Bog', is classified as having a 'High' sensitivity in relation to wind farm development. Developments classified with a 'High' sensitivity area are described as having a "*High potential to create adverse impacts on the existing landscape character. Having regard to the intrinsic physical and visual characteristics of the landscape area, it is unlikely that such impacts can be reduced to a widely acceptable level.*"

In the wider study area, the nearest other Landscape Policy areas are Policy Area 1 'Mountaine Coastal Zone' and Policy Area 4 'Drumlins and Inland Lowland'. Policy Area 1 is classified with a 'High' sensitivity in relation to wind farm development, whilst Policy Area 4 is classified with a 'High/Medium' in respect of wind farm development. Developments classified with a 'High' sensitivity area are described as having a *"High potential to create adverse impacts on the existing landscape character. Having regard to the intrinsic physical and visual characteristics of the landscape area, it is unlikely that such impacts can be reduced to a widely acceptable level."* 'Medium' sensitivity classifications are designated as having a "*Medium potential to create adverse impacts on the existing landscape character. Such developments are likely to be clearly discernible and distinctive, however with careful siting and good design, the significance and extent of impacts can be minimised to an acceptable level.*"

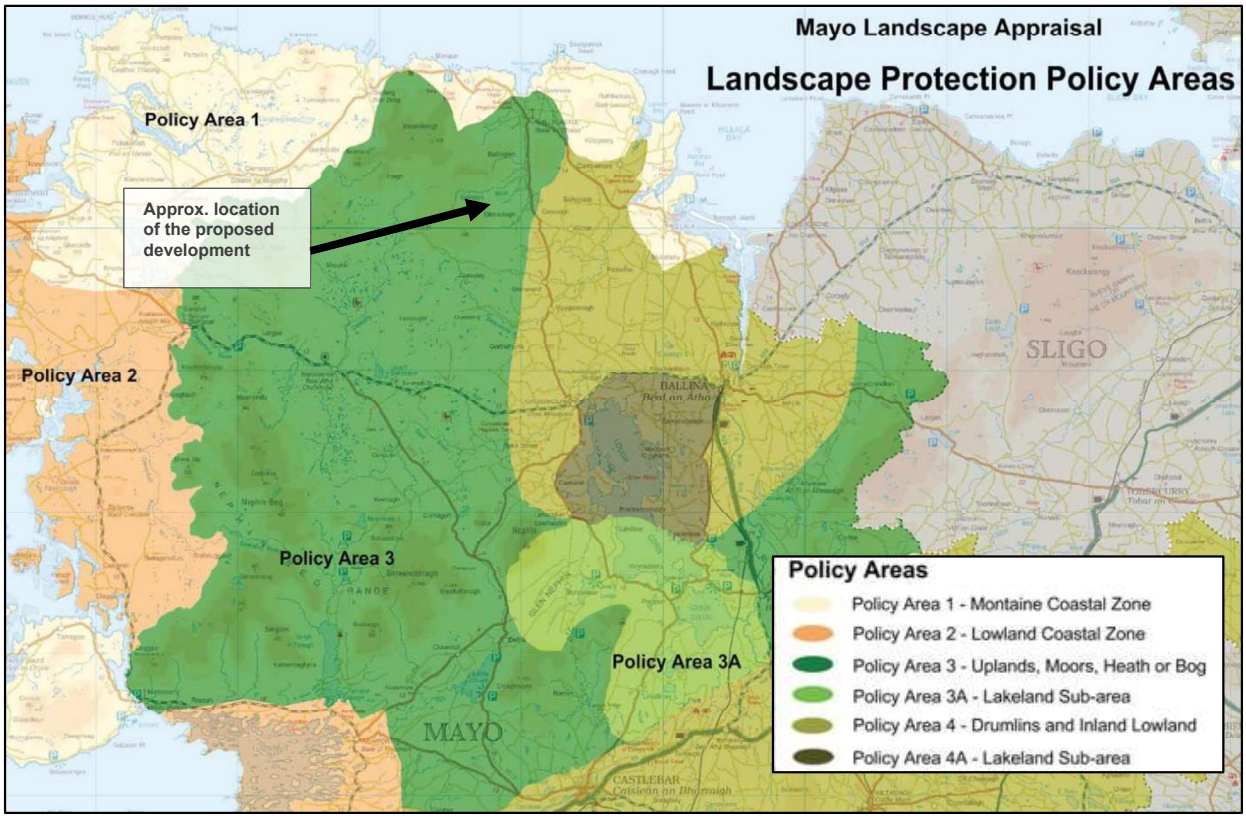

Figure 4.3 Map 3A Landscape Protection Policy Areas relative to the site, derived from Mayo County Development Plan 2014-2020, Volume 1 Written Statement (Incorporating Variations No. 1 & No. 2).

The current Mayo CDP also includes landscape policies and objectives, some of which are relevant to the proposed development and are outlined below;

Landscape Policy

*"**NEP 14 –** To protect, enhance and contribute to the physical, visual and scenic character of County Mayo and to preserve its unique landscape character."*

Landscape Objectives

*"**NEO 27** - To ensure all development proposals are consistent with the Landscape Appraisal of County Mayo and the associated Landscape Sensitivity Matrix and future editions thereof."*

4.7 Conclusions

Ireland, like many modern economies, is facing a wide range of challenges in energy policy due to a number of factors, including: rising prices of primary inputs (especially fossil fuels), energy and fuel price risk and volatility, energy supply security, greenhouse gas emissions, rising demand, the requirement to invest/replace grid and infrastructure, and the creation of energy market competition and a single EU market. With these challenges to the fore, the provision of a robust renewable policy framework is an important requirement for Ireland.

Within the portfolio of possible renewable energy solutions, within Ireland onshore wind energy is the most optimal given it benefits from one of the most favourable climates for harnessing wind energy in Europe and ultimately provides the lowest cost to the consumer.

Accordingly, the development of the Keerglen wind farm will contribute significantly to meeting binding EU targets and ambitious Government targets for 2030. The proposal accords with the Regional Planning Guidelines and Mayo County Council's energy and renewable energy policies and objectives set out in the current Mayo County Development Plan 2022 – 2028.