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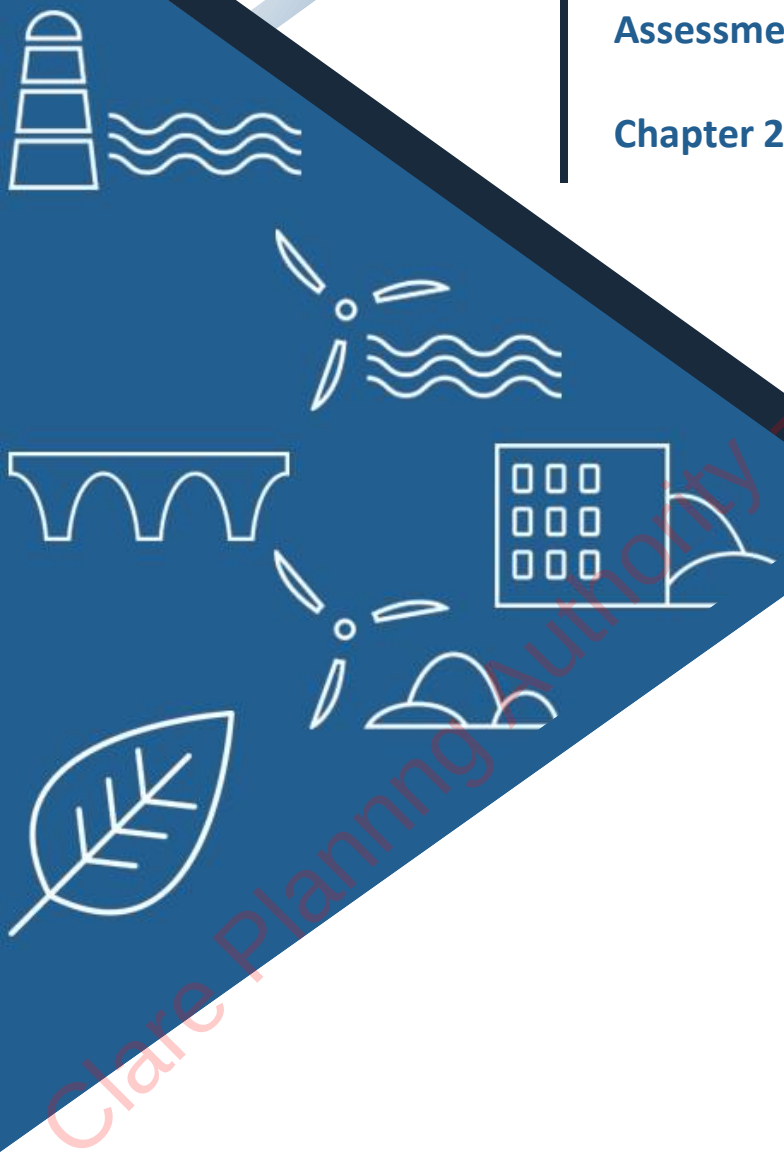
Illaunbaun Wind Farm - Environmental Impact Assessment Report

Chapter 2: Policy and Legislation



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ACRONYMS

AA	Appropriate Assessment
ABP	An Bord Pleanála
ACP	An Coimisiún Pleanála
CACC	Climate Change Advisory Council
CAP	Climate Action Plan
CDP	County Development Plan
CIEEM	Chartered Institute of Ecology and Environmental Management
CLO	Community Liaison Officer
COP	Conference of the Parties
CV	Carbon Budget
DCCAE	Department of Communications, Climate Action and Environment
DEHLG	Department of the Environment, Heritage and Local Government
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
EPA	Environmental Protection Agency
ETS	Emissions Trading System
EU	European Union
GDG	Gavin & Doherty Geosolutions Ltd.
GHG	Greenhouse Gases
GW	Gigawatt
IEMA	Institute of Environmental Management and Assessment
JR	Judicial Review
MECC	Minister for the Environment, Climate and Communications
MW	Megawatt
NDCs	Nationally determined contributions
NDP	National Development Plan
NECP	National Energy and Climate Plan
NMPF	National Marine Planning Framework
NPF	National Planning Framework
NPO	National Policy Objectives
NZIA	Net-Zero Industry Act
RED	Renewable Energy Directive
RES	Renewable Energy Strategy
RESPF	Renewable Electricity Spatial Policy Framework White Paper
RESS	Renewable Electricity Support Scheme
RPO	Regional Policy Objective
RSES	Regional Spatial and Economic Strategy
RSES	Regional Spatial and Economic Strategy
SEAI	Sustainable Energy Authority of Ireland
SEC	Sectoral emissions ceiling
SID	Strategic Infrastructure Development
SRA	Southern Regional Assembly
UK	United Kingdom
UNFCCC	United Nations Framework Convention on Climate Change
WES	Wind Energy Strategy

2 POLICY CONTEXT

This chapter of the EIAR considers international, European Union (EU), national, regional and local policies which are of most relevance to the development of the Illaunbaun Wind Farm. At each policy level, the most relevant policies have been identified considering spatial planning, transport and onshore renewable energy, and the impact of different policies has been outlined.

2.1 RELEVANT INTERNATIONAL POLICY

There are several international policies of relevance to the development of the Illaunbaun Wind Farm, which are outlined in this section, and are described below.

2.1.1 PARIS AGREEMENT (2015)

The Paris Agreement (United Nations, 2015) was formally adopted in 2016. It is a global framework that seeks to limit the rise in global surface temperature to below 2°C above pre-industrial levels, with a preferred limit of 1.5°C, by reducing emissions.

A further commitment under the Paris Agreement is for countries to prepare, communicate and maintain nationally determined contributions (NDCs) to demonstrate national commitments to limit Greenhouse Gases (GHG) emissions.

In 2023, COP 28 explicitly addressed the need to end global reliance on fossil fuels and to triple the renewable energy capacity to 2030. The most recent COP – COP 29 – was held in Baku, Azerbaijan in November 2024. COP 29 focused on financing for developing nations to aid their climate efforts, carbon market standards, transparency in reporting, and support for the least developed countries in preparing their national adaptation plans.

Ireland signed the Paris Agreement on 22 April 2016 and ratified the Agreement on 4th November 2016. Ireland has published a series of Climate Action Plans (CAP) with the first published in 2019 and the most recent published in 2025, to demonstrate its commitment to limiting GHG emissions. The development of the Illaunbaun Wind Farm aligns with the aim of the Paris Agreement by increasing renewable energy production in Ireland and thereby replacing fossil fuel production and emissions.

The Paris Agreement is a legally binding international treaty, and it marks the beginning of a global shift towards a net-zero emissions world. It is the underlying motivation for much of the European and Irish climate and energy related policies that have been enacted since.

2.1.2 UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC) (1992)

The United Nations Framework Convention on Climate Change (UNFCCC) (United Nations, 1992) is an international treaty aimed at preventing dangerous human interference with the climate system, adopted in 1992 in Rio de Janeiro. The UNFCCC outlines how specific international treaties (called "Protocols" or "Agreements") may be negotiated to set binding limits on greenhouse gas (GHG) emissions.

The convention enjoys near universal membership, with 197 countries listed as being Parties to the Convention. The Kyoto Protocol of 1997 and the Paris Agreement of 2016 shape the responsibilities of the UNFCCC Secretariat in its current state. A key responsibility of the UNFCCC is the organisation of the Conference of Parties (COP) which are hosted annually.

Ireland is currently considered an Annex I party within the UNFCCC which legally obligates Ireland to reduce overall GHG emissions. The development of the Illaunbaun Wind Farm aligns with the UNFCCC by contributing to GHG emissions reduction and increasing Ireland's renewable energy resources.

2.2 RELEVANT EUROPEAN POLICY

The European policies of most relevance to the development of the Illaunbaun Wind Farm are discussed below.

2.2.1 THE EUROPEAN GREEN DEAL

The European Green Deal (European Commission, 2019) was first presented in 2019 and set out plans to make Europe the first climate-neutral continent by 2050, while at the same time protecting Europe's natural habitat, supporting businesses, and facilitating a just and inclusive transition. The plan also set out to increase the EU's greenhouse gas emission reductions target for 2030 to at least 50% and towards 55% compared with 1990 levels in a responsible way.

A series of actions have been taken at an EU level to support the goals of the European Green Deal, including the adoption of the European Industrial Strategy in March 2020, adoption of the EU strategies for energy system integration and hydrogen in July 2020, entry into force of the European Climate law in July 2021, the 'Fit for 55' package in 2023, and adoption of the *Net Zero Industry Act* in 2024 etc.

All of these developments are aligned with the primary goal at an EU level – to reduce our reliance on fossil fuels and reach emission reductions targets and climate neutrality by 2050.

2.2.2 FIT FOR 55 PACKAGE

The Fit for 55 package, developed by the European Commission, represents a comprehensive set of legislative proposals designed to guide the European Union towards achieving a 55% reduction in greenhouse gas emissions by 2030 compared to 1990 levels. Completed and implemented in October 2023, the package forms a critical part of the EU's strategy to combat climate change, promoting a broad range of initiatives aimed at transforming various sectors of the economy, including energy, transport, buildings, land use and forestry, climate regulation, and fuels.

By encompassing a broad range of measures across different sectors, the Fit for 55 package provides a strategic framework for achieving substantial emission reductions within the EU. This approach not only targets key industrial and transport sectors but also seeks to balance economic and social considerations, thereby ensuring that the transition to a low-carbon economy remains equitable.

2.2.3 REPOWEREU PLAN (2022)

The REPowerEU (European Commission, 2022) plan was launched in 2022 in response to the hardships and global energy market disruption caused by Russia's invasion of Ukraine. It is an initiative to reduce the EU's dependence on Russian fossil fuel imports by helping the EU save energy, accelerate its transition to clean energy and to diversify energy supplies. It outlines ambitious targets for scaling up renewable energy, including onshore wind developments, which is relevant to the Illaunbaun Wind Farm project as summarised below.

Table 2-1: Summary of sections of the REPowerEU plan that are most relevant to the Illaunbaun Wind Farm project.

Section	Policy Text	Relevance to Illaunbaun Wind Farm project
Introduction (page 1)	"REPowerEU is about rapidly reducing our dependence on Russian fossil fuels by fast forwarding the clean transition and joining forces to achieve a more resilient energy system and a true Energy Union."	This policy emphasises the need to accelerate renewable energy deployment, aligning with development of the Illaunbaun Wind Farm project, to reduce dependence on fossil fuels.
Substituting fossil fuels and accelerating Europe's clean energy transition (page 6)	"A massive speed-up and scale-up in renewable energy in power generation, industry, buildings and transport will accelerate our phasing out of Russian fossil fuels. [...] Based on its modelling of impacts and feasibility, the Commission is proposing to increase the target in the Renewable Energy Directive to 45% by 2030, up from 40% in last year's proposal."	Highlights the need to accelerate renewable energy deployment, aligning with development of the Illaunbaun Wind Farm project, to reduce dependence on fossil fuels.
Substituting fossil fuels and accelerating Europe's clean energy transition (page 6)	"Wind energy, [...] represents a significant future opportunity: resources are stable, abundant and public acceptance is higher. [...] To further strengthen the EU wind sector's global competitiveness and achieve the REPowerEU ambition with fast wind energy deployment, supply chains need to be strengthened and permitting drastically accelerated."	Highlights the importance of onshore wind for meeting the EU's ambitious targets for renewable energy. Development of the Illaunbaun Wind Farm project can support these ambitious goals.

2.2.4 THE EUROPEAN WIND POWER ACTION PLAN

The European Wind Power Action Plan, presented by the European Commission on October 24 2023, outlines a robust strategy to advance wind energy development across the European Union (EU). This initiative is critical for achieving the EU's ambitious renewable energy targets, including a goal of at least 42.5% of energy from renewable sources by 2030, with potential for this figure to rise to 45%. Reaching these targets demands a significant expansion of wind energy capacity, increasing from 204 gigawatts (GW) in 2022 to over 500 GW by 2030.

The Action Plan is structured around six key pillars: accelerating the deployment of wind energy through streamlined permitting processes and enhanced predictability; refining auction designs to ensure projects are completed on time; improving access to finance to support growth in the wind energy sector; fostering a competitive international environment to bolster the global standing of the EU's wind industry; investing in skills development to meet sector demands; and engaging both industry stakeholders and EU member states to align and optimize efforts and resources. Collectively, these pillars encompass 15 targeted actions to tackle existing obstacles to the development of both onshore and offshore wind energy. The focus includes addressing critical challenges such as grid access, strategic procurement practices, auction design enhancements, and barriers to market entry, thereby creating a more conducive environment for wind energy expansion.

A central component of the plan is the proposed EU Wind Charter, a voluntary agreement encouraging member states and industry participants to commit to enhancing the competitiveness and sustainability of Europe's wind sector. This charter symbolizes a unified commitment to advancing the EU's renewable energy goals.

2.2.5 THE NET-ZERO INDUSTRY ACT (NZIA)

The Net-Zero Industry Act (NZIA) is a pivotal component of the European Union's strategy to achieve climate neutrality by 2050. Enacted on June 29, 2024, the NZIA aims to bolster the EU's manufacturing capacity for clean technologies, thereby accelerating the transition to a sustainable energy system.

A central objective of the NZIA is to ensure that by 2030, the EU's manufacturing capacity for net-zero technologies meets at least 40% of the Union's annual deployment needs. This target encompasses a range of technologies, including wind turbines, solar panels, heat pumps, renewable hydrogen, and carbon capture and storage solutions. By focusing on these areas, NZIA seeks to reduce the EU's reliance on imports, enhance energy security, and stimulate economic growth through the creation of quality jobs in the green technology sector.

To facilitate the rapid scale-up of these technologies, the NZIA introduces several key measures:

- Simplification of Regulatory Frameworks: The NZIA streamlines administrative procedures and reduces bureaucratic hurdles for clean energy projects, making it easier for companies to establish and expand manufacturing operations within the EU.
- Enhanced Funding Opportunities: By improving access to financing, the NZIA supports investments in the development and deployment of net-zero technologies, encouraging innovation and competitiveness in the sector.
- Strategic Public Procurement: The NZIA promotes the use of public procurement as a tool to drive demand for clean technologies, ensuring that public sector investments align with the EU's climate objectives.
- Establishment of the Net-Zero Europe Platform: This platform serves as a collaborative forum for stakeholders, facilitating the exchange of best practices, monitoring progress, and coordinating efforts across member states to achieve the NZIA's goals.

While the NZIA addresses a broad spectrum of net-zero technologies, it places particular emphasis on strategic areas with high potential for rapid scale-up and significant contributions to decarbonization, including onshore renewable energy sources which are integral to the EU's clean energy transition.

2.2.6 THE RENEWABLE ENERGY DIRECTIVE UP TO RED III (2009, 2018, 2023)

The Renewable Energy Directive (European Commission, 2023) is the European Commission's legal framework for the development of clean energy across all sectors of the EU economy, supporting cooperation between EU countries towards this goal.

The first RED was introduced in 2009 and set an EU target of 20% renewable energy by 2020 with nationally binding targets. A revised RED (RED II) was published in 2018 which increased this target to a binding overall Union target to reach a share of at least 32 % of energy from renewable sources in the Union's gross final consumption of energy by 2030.

RED III is the third version of the Renewable Energy Directive, updating previous directives (RED I and RED II) to align with more ambitious climate and energy targets, and entered into force on 20 November 2023. It includes legislation to increase the share of renewable energy in the EU's energy mix, setting an overall renewable energy target of at least 42.5% binding at EU level by 2030 - but aiming for 45%.

RED III also contained a number of provisions aimed at speeding up authorisation, certification and licensing procedures for renewable projects and associated grid infrastructure, including setting timelines for the grant of permissions (Article 16a), and introducing Renewables Acceleration Areas[1] (Article 15c) where renewable projects can benefit from streamlined permitting procedures.

The most relevant sections are summarised in Table 2-2.

Table 2-2: Summary of sections of the RED III most relevant to the Illaunbaun Wind Farm Project

Section	Policy Text	Relevance to the Illaunbaun Wind Farm project
Recital 1 (page 1)	In the context of the European Green […] Regulation (EU) 2021/1119 of the European Parliament and of the Council established the objective of climate neutrality in the Union by 2050 and an intermediate target of a reduction of net greenhouse gas emissions by at least 55 % compared to 1990 levels by 2030.	The development of the Illaunbaun Wind Farm project contributes directly to this GHG emission reduction target, contributing to both Irish and EU wind capacity targets, and GHG emissions reduction.
Recital 5 (page 2)	The REPowerEU Plan […] aims to make the Union independent from Russian fossil fuels well before 2030. That communication provides for the front-loading of wind and solar energy, increasing the average deployment rate of such energy as well as for additional renewable energy capacity by	RED III references the targets of the REPowerEU plan. Development of the Illaunbaun Wind Farm project contributes directly to this capacity increase, supporting both Irish and EU

[1] "renewables acceleration area" means a specific location or area, whether on land, sea or inland waters, which a Member State designated as particularly suitable for the installation of renewable energy plants;

Section	Policy Text	Relevance to the Illaunbaun Wind Farm project
	2030 to accommodate the higher production of renewable fuels of nonbiological origin. […] In that context, it is appropriate to increase the overall Union renewable energy target to 42,5 % in order to significantly accelerate the current pace of deployment of renewable energy, thereby accelerating the phase-out of the Union's dependence on Russian fossil fuels […] Beyond that mandatory level, Member States should endeavour to collectively achieve an overall Union renewable energy target of 45 %.	targets for onshore wind energy and GHG emissions reduction, as well increasing capacity to produce renewable fuels. This also aligns with the goal of reducing the EU's dependence on Russian fossil fuels.

2.3 RELEVANT NATIONAL POLICY

The national policies of most relevance to the development of the Illaunbaun Wind Farm are shown below. The policies are grouped according to which aspect of the Proposed Development they are relevant to. The relevance of each policy is also described in the section below.

2.3.1 PROJECT IRELAND 2040

Project Ireland 2040 (Department of Housing, Planning and Local Government, 2020) is the Irish government's long-term overarching strategy for the development of the State out to 2040, when it is expected there will be approximately one million additional people living in Ireland. This population growth will require hundreds of thousands of new jobs, new homes, heightened cultural, and social amenities, enhanced regional connectivity and improved environmental sustainability.

Project Ireland 2040 sets out plans to deliver these goals. It consists of the National Planning Framework (NPF), its offshore equivalent the National Marine Planning Framework (NMPF) (not discussed here) and the National Development Plan (NDP), reviewed in July 2025.

The NPF (along with the NMPF) set the strategy for the development of Ireland to 2040, covering spatial planning, and land and marine area use. The NDP sets out the enabling investment strategy to implement those plans. Much of the policies within the NPF and NDP are of relevance to the development of the Illaunbaun Wind Farm project.

2.3.1.1 NATIONAL PLANNING FRAMEWORK – FIRST REVISION (2025):

The NPF (Department of Housing, Local Government and Heritage, 2018), initially published in 2018, is the primary Irish planning policy, guiding spatial planning, and land use at a national level. It is the highest level of policy in terms of Irish planning hierarchy, from which subsequent policies and frameworks are then derived.

The first revision of the NPF was published in April 2025 (Government of Ireland, 2025) replacing the original 2018 framework.

The revised NPF continues to promote a transition to a climate-neutral, resilient, and resource-efficient economy by 2050. This will be achieved through coordinated land use, decarbonisation,

biodiversity protection, and infrastructure development. The key updated National Planning Objectives (NPOs) which are relevant to the Proposed Development are summarised in Table 2-3 and Table 2-4.

Table 2-3: National Planning Framework – First Revision National Policy Objectives (NPOs) relevant to the Proposed Development.

NPO	Policy Text	Relevance to Illaunbaun Wind Farm project
NPO 69	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 as expressed in the most recently adopted carbon budgets.	The NPF highlights the need to integrate climate action into the planning system, such as development of onshore wind projects in support of national targets for climate policy and mitigation.
NPO 70	Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a carbon neutral economy by 2050.	The NPF recognises the importance of renewable energy use and generation within the build and natural environment, the Illaunbaun Wind Farm project will contribute to this.
NPO 71	Support the development and upgrading of the national electricity grid infrastructure, including supporting the delivery of renewable electricity generating development.	The Illaunbaun Wind Farm project will contribute to renewable electricity generation and necessitate grid connection infrastructure, aligning with national objectives to modernise and reinforce Ireland's electricity grid.
NPO 74	Each Regional Assembly must plan, through their Regional Spatial and Economic Strategy (RSES), for the delivery of the regional renewable electricity capacity allocations indicated for onshore wind and solar reflected in Table 9.1 (of the NPF), and identify allocations for each of the local authorities, based on the best available scientific evidence and in accordance with legislative requirements, in order to meet the overall national target	The Illaunbaun Wind Farm project contributes directly to the Southern Region's onshore wind allocation under Table 9.1 of the NPF (978 MW) and supports delivery of County Clare's share of national renewable electricity targets

Table 2-4: Summary of sections of the First revision of the NPF (2025) most relevant to the Proposed Development

Section	Policy Text	Relevance to Illaunbaun Wind Farm project
Energy Policy and Planning	Our transition to a zero carbon energy future requires: A shift from predominantly fossil fuels to predominantly renewable energy sources	These statements highlight the need to develop renewable projects such as the Illaunbaun Wind Farm to support the transition to a climate neutral economy by 2050.
Renewable Electricity	The accelerated delivery of additional renewable electricity generation is therefore essential for Ireland to meet its climate targets, reduce its greenhouse gas emissions, and improve its energy security by reducing reliance on imported fossil fuels and diversifying its electricity supply.	
Rural Areas and Energy Production	Renewable energy can greatly stimulate economic growth for communities through job creation, revenue generated through commercial rates, and Community Benefit Funds	This shows the benefit that the Illaunbaun Wind Farm can bring to the towns in the area, strengthening its case for development.

2.3.1.2 NATIONAL DEVELOPMENT PLAN REVIEW (2025):

The National Development Plan (NDP) 2021-2030 (Department of Public Expenditure and Reform, 2021) was published in October 2021 and provided the enabling investment to implement the strategies set out in the NPF. In July 2025, the Government published a comprehensive review of the NPD, extending the capital investment horizon out to 2035 and significantly increasing both the scale and duration of planned public investment.

The National Development Plan Review 2025 (Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, 2025) presents the largest-ever capital investment plan in the State's history. It outlines a total public investment envelope of €275.4 billion for the period 2026–2035, which includes €102.4 billion in departmental capital allocations for 2026–2030, alongside a further €100 billion anticipated for the 2030–2035 period. Funding sources include both Exchequer and non-Exchequer streams, such as the Infrastructure, Climate and Nature Fund (ICNF), windfall receipts, and targeted equity injections for strategic infrastructure.

Of particular relevance to the Proposed Development is the commitment of €3.5 billion in equity funding to EirGrid and ESB Networks, aimed at expanding transmission and distribution infrastructure across the country. This investment is intended to support housing delivery, economic growth, and wider climate objectives, and will be essential in unlocking grid capacity for new renewable generation. In parallel with increased capital allocations, the NDP Review 2025 also highlights the commitment to improving the delivery of infrastructure, with the creation of a new Infrastructure Division within the Department of Public Expenditure and Reform, and the establishment of an Accelerating Infrastructure Taskforce, aimed at addressing long-standing

barriers to infrastructure delivery, including planning, procurement and regulatory processes, and should help improve delivery certainty for capital projects in the energy sector.

Table 2-5 summarises the aspects of the NDP Review 2025 that are relevant to the Proposed Development. While the NDP Review 2025 does not restate specific renewable energy targets, which are part of the broader Climate Action Plan Framework (see section 2.3.5) it reinforces the enabling role of strategic investment in grid infrastructure, regional development, and delivery reform, all of which are essential to the viability and timely delivery of onshore wind projects such as the Proposed Development.

Table 2-5: Summary of sections of the NDP Review 2025 that are most relevant to the Proposed Development

Section	Policy Text Summary	Relevance to the Illaunbaun Wind Farm project
NDP Priority Infrastructure (page 28)	The National Development Plan will provide for the provision of up to €3.5 billion in new equity to support investment in electricity grid infrastructure over 2026 – 2030. €2 billion will be provided to EirGrid and €1.5 billion to ESB. This equity will enable both companies to significantly increase capital investment to expand electricity transmission and distribution network infrastructure	The NPD Review 2025 recognises that grid expansion is a critical enabler for new onshore wind projects, particularly in rural areas where existing capacity may be constrained.
NDP Reforms (pages 41-42)	The NDP Review 2025 establishes a dedicated Infrastructure Division within DPER and a new Accelerating Infrastructure Taskforce. It also commits to a coordinated programme of regulatory reform across Government to accelerate the delivery of essential infrastructure under the NDP, namely through the Planning and Development Act 2024, signed into law in October 2024.	Greater certainty and efficiency in the planning process can reduce consenting risks for the Proposed Development. Streamlined judicial review procedures and clearer timeframes could help avoid delays to construction, while consistency across planning tiers will ensure local decision-making aligns with national policy on renewable energy.

2.3.2 NATIONAL ENERGY AND CLIMATE PLAN (NECP) 2021-2029 (2020 AND 2024)

The National Energy and Climate Plan (NECP) 2021 – 2029 was first published in 2020 (Irish Government, 2020). A draft updated NECP 2021 – 2030 (Irish Government, 2024) was submitted to the European Commission in July 2024. It outlines the government's energy and climate policies in detail for the period from 2021 to 2030 and looks onwards to 2050. This includes a strategic plan that details Ireland's approach to achieving its 2030 climate and energy targets, focusing on renewable energy, energy efficiency, emissions reduction, and research and innovation.

Key objectives relevant to the Illaunbaun Wind Farm project include:

- Ireland has established an objective of achieving a 34% share of renewable energy in energy consumption by 2030.
- 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).
- Streamline consenting and connection arrangements.
- Phase-out of coal and peat-fired electricity generation.
- Increase onshore wind capacity by up to 8.2 GW (note increase to 9 GW in the CAP2023).
- 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.

The Illaunbaun Wind Farm project will support Ireland in its hopes to achieve these objectives by 2030.

2.3.3 CLIMATE ACTION AND LOW CARBON DEVELOPMENT (AMENDMENT) ACT 2015 AND 2021

The *Climate Action and Low Carbon Development Act 2015* was enacted in 2015 to provide for the approval of plans by Government in relation to climate change, in order to transition to State to a low carbon and environmentally sustainable economy. It set a legislative basis for climate action in Ireland.

The 2015 Act:

- Established the Climate Change Advisory Council (CCAC) (An Chomhairle Chomhairleach um Athrú Aeráide in Irish) and set out its functions
- Established a '"national transition objective' of transitioning to a low carbon, climate resilient and environmentally sustainable economy by the end of the year 2050
- Committed the Government to prepare a national low carbon transition and mitigation plan, which would specify the manner in which the State would achieve the national transition objective and specify the policy measures that would be required to manage GHG emissions
- Set out plans for a national low carbon transition and mitigation plan, a national climate change adaptation framework, and sectoral adaptation plans
- The Climate Action and Low Carbon Development (Amendment) Act 2021 (Department of the Environment, Climate and Communications, 2021) builds on the 2015 Act and commits Ireland to reach a legally binding target of net-zero emissions no later than 2050, and a cut of 51% by 2030 (compared to 2018 levels).

- This Act establishes a framework with clear, legally binding targets and commitments, ensuring the necessary structures and processes are embedded on a statutory basis to achieve Ireland's national, EU and international climate goals and obligations in the near and long term.

Some key elements of the 2015 Act include:

- It places on a statutory basis a 'national climate objective', which commits Ireland to pursue and achieve no later than 2050, the transition to a climate resilient, biodiversity-rich, environmentally sustainable and climate-neutral economy.
- It embeds the process of carbon budgeting into law. Government is required to adopt a series of economy-wide five-year carbon budgets (CB), including sectoral targets for each relevant sector, on a rolling 15-year basis, starting in 2021.
- Actions for each sector will be detailed in the Climate Action Plan, updated annually.
- A National Long Term Climate Action Strategy will be prepared every five years.

2.3.3.1 CARBON BUDGETS:

In 2021, the Climate Change Advisory Council (CCAC) submitted its first programme of CBs to the Minister for the Environment, Climate and Communications (MECC), which included an upper limit of 295 Mt CO2 eq in emissions for the period 2021–2025 (CB1)); 200 Mt CO2 eq for 2026–2030 (CB2); and a provisional budget of 151 Mt CO2 eq for 2031–2035 (CB3). The proposed budgets were approved by the Government in February 2022, and the Oireachtas adopted the CCAC's proposed CBs in April 2022 (Climate Change Advisory Council, 2022).

In December 2024, the CCAC submitted its proposal to the MECC to update CB3 to 160 Mt CO2 eq for 2031–2035, and to set a provisional CB4 of 120 Mt CO2 eq for the period 2036-2040 (Climate Change Advisory Council, 2024). Once the Minster finalises the carbon budget it must be submitted to Government for approval and lastly, should be laid before both Houses of the Oireachtas for approval.

2.3.3.2 SECTORAL EMISSIONS CEILINGS:

The Climate Action and Low Carbon Development Act 2015 also compels the Minister to prepare, within the limits of each CB, the maximum amount of greenhouse gas emissions that are permitted in different sectors of the economy during each CB period – referred to as a 'sectoral emissions ceiling' (SEC).

On 28 July 2022, SECs for the 2021-2025 and 2026-2030 periods were approved by Government (Government of Ireland, 2022). The greatest emissions reduction by 2030 on a percentage basis is planned for the electricity sector (~ 75%), a sector seen as easier to decarbonise through renewable power generation (onshore and offshore wind, solar etc).

Onshore wind, through projects like the Illaunbaun Wind Farm, will be crucial to Ireland staying within its SECs and CBs, and reaching the national climate objective of carbon neutrality by 2050, as set out in the Climate Action and Low Carbon Development Acts.

2.3.4 THE NATIONAL ENERGY SECURITY FRAMEWORK (2022)

In April 2022, the Government of Ireland issued the National Energy Security Framework in response to the European commission's REPowerEU action statement. It provides a single overarching and initial response to address Ireland's energy security needs in the context of the war in Ukraine.

The Framework set out how Ireland aims to phase out dependency on Russian gas, oil and coal imports as soon as possible, the Framework highlights the urgency of Ireland's need to achieve a secure energy supply. The Framework sets out three main means of achieving this energy security:

- 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 Illaunbaun Wind Farm project can support the goals of this Framework by reducing Ireland's dependence on fossil fuels and improving Ireland's energy security.

2.3.5 THE CLIMATE ACTION PLAN (2019, 2021, 2023, 2024, 2025)

The Climate Action Plan (CAP) 2019, released in June 2019, was a key publication in Ireland's climate policy. It provided a sectoral roadmap designed to deliver a cumulative reduction in emissions over the period 2021 to 2030 of 58.4 million tonnes (Mt) Carbon Dioxide Equivalent (CO2eq.) outside the Emissions Trading System (ETS), 17 MtCO2eq. within the ETS, and 26.8 MtCO2eq. from land use.

For the electricity sector, CAP 2019 set a target of 70% renewable electricity by 2030, aimed to deliver an early and complete phase-out of coal- and peat-fired electricity generation, and set an indicative target of up to 8.2 GW of onshore wind capacity by 2030.

In November 2021, the CAP 2021 was released to review and build on the measures outlined in CAP 2019. The report noted that 'the science is indisputable, and the effects of climate change are already clear' and set a roadmap to halve Ireland's emissions by 2030 and reach net-zero no later than 2050. The CAP increased the renewable electricity target to 80% by 2030. The onshore wind target set in the CAP 2021 iteration was noted as an indicative capacity of up to ~ 8GW

CAP 2023 from December 2022 was the second annual update to the CAP 2019. It was the first to be prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021. Key measures from CAP 2023 include the implementation of CBs and SECs. The Plan retained the 2030 80% renewable electricity target but increased the onshore wind target to 9GW.

CAP 2024 was approved by Government in December 2023 as the third annual update to CAP 2019 and finalised on 21 May 2024. The 2024 iteration builds on the previous versions to keep Ireland on the path to halve emissions by 2030 and reach net-zero no later than 2050. The Plan set out a requirement for a 75% reduction in emissions from the electricity sector by 2030 compared to 2018

levels. No changes to onshore wind targets were made, but the plan notes a need for upgrades to the electricity network to accommodate targets, and for greater alignment between national, regional and local plans and renewable energy targets to support investment in and delivery of onshore wind.

CAP 2025 was approved in April 2025. It is the fifth iteration of the CAP, and the third prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021. It aligns with the legally binding economy-wide CBs and SECs. The plan notes that the greatest emissions reduction in Ireland has been seen in the energy sector, through onshore wind and solar, with electricity emissions down 26.2% from 2018 to 2023. The sector is also noted as having the most ambitious emissions reduction targets. The plan reaffirms the target of 9GW onshore wind by 2030 and highlights the importance of reaching this target, as the Environmental Protection Agency (EPA) notes that Ireland is not on track to meet its CB1 target.

The CAPs have been key drivers for climate action in Ireland and show a clear need to expand our onshore wind capacity to lower emissions in the electricity sector and reach our renewable electricity and capacity targets. These are goals which the Proposed Development can support.

2.3.6 WIND ENERGY DEVELOPMENT GUIDELINES AND BEST PRACTICE

2.3.6.1 THE WIND ENERGY DEVELOPMENT GUIDELINES (2006)

The 2006 Wind Energy Development Guidelines (The Department of the Environment, Heritage and Local Government, 2006) were prepared by the Department of the Environment, Heritage and Local Government to offer advice to planning authorities on planning for onshore wind energy through the development plan process and in determining applications for planning permission, with the added intention of assisting developers and the general public in considering onshore wind energy development.

The document notes that the assessment of individual development proposals needs to be conducted within the context of a "plan-led" approach, which involves identifying areas considered suitable or unsuitable for wind energy development which should then be set out in the development plan in order to provide clarity for developers, the planning authority, and the public. Guidance for how these areas should be identified is also included in the guidelines. The development of Project A aligns with this plan-led approach.

The guidelines also include points of note to guide developers around public consultation, engagement with the relevant electricity transmission or distribution grid operators, siting, setback distance, noise etc.

It should be noted that Draft Revised Wind Energy Development Guidelines were released for consultation by the Department of Housing, Planning and Local Government in December 2019 (Department of Housing, Planning and Local Government, 2019), but never finalised. The intention of the draft guidelines was to build on the 2006 guidelines, while striking a better balance between addressing the concerns of local communities in relation to wind farm proposals and maintaining Ireland's ability to deliver on its binding energy policy obligations.

The draft guidelines have also been reviewed and informed the approach to the development of the project where appropriate, in combination with the 2006 guidelines.

Revised Wind Energy Development Guidelines for onshore wind are expected in 2025, as per CAP 2025.

2.3.6.2 BEST PRACTICE GUIDELINES FOR THE IRISH WIND ENERGY INDUSTRY (2012)

In 2012, the Irish Wind Energy Association (IWEA, now Wind Energy Ireland (WEI)) released Best Practice Guidelines for the Irish Wind Energy Industry (The Irish Wind Energy Association, 2012), to encourage and define best practice development in the industry. The guidelines are primarily aimed at developers, and the guidelines were prepared to complement the 2006 Wind Energy Development Guidelines. Some topics the guidelines cover include:

- Guidelines for feasibility studies
- Planning and environmental legislation
- EIA
- Wind farm layout
- Contracts and construction
- Health and safety
- Operation, maintenance and decommissioning or repowering
- Community engagement

2.3.6.3 CODE OF PRACTICE FOR WIND ENERGY DEVELOPMENT IN IRELAND GUIDELINES FOR COMMUNITY ENGAGEMENT (2016)

In 2016, the Department of Communications, Climate Action and Environment (DCCAE) released a Code of Practice for Wind Energy Development in Ireland, with Guidelines for Community engagement (Department of Communications, Climate Action and Environment, 2016).

The intention of the Code of Good Practice is to ensure that wind energy development in Ireland is undertaken in observance with the best industry practices, and with the full engagement of communities, from the initial scoping, feasibility and concept stages, right through construction to the operational phase. It notes that successful engagement requires a full, open and honest and practical engagement with communities. Key points included in the guidance include:

- **Contact and visibility:** A Community Liaison Officer (CLO) should be appointed for the project who is readily accessible and available to residents and community groups through all phases of project development, with meetings arranged with the local community regularly and as needed.
- **Arrangements for making contact:** The objective of project promoters should be to ensure the widest possible consultation with individuals and communities from the commencement of the project.

- **Engagement:** The project promoter should engage with the local community throughout each stage of the project, e.g., feasibility, design, planning, tender, construction, and operation.
- **Compliance with Statutory/Regulatory Obligations:** Statutory and Regulatory System obligations on project promoters in relation to providing information and consulting individuals and communities (and certain designated bodies) in relation to project proposals must be fully complied with.
- **Community benefit:** Robust planning is required to identify what the project can deliver to the community and at what cost. Options for consideration should include enhancement of local amenity value; for example, by improving visual amenity or infrastructure upgrades. It is important that promoters recognise the potential of such benefits to become a source of division at the local level and, therefore, be open and transparent in providing information on how the benefit was calculated and allocated.
- **Impact mitigation:** Project promoters should identify potential negative impacts on local communities as a result of the development, and consult with local communities, on these impacts and set out the reasonable measures and steps they will take to ameliorate, mitigate or compensate for these impacts using an approach that aligns with relevant planning processes.
- **Independent Advisory and information bodies:** Residents should be encouraged to consult with and seek advice from independent, external bodies with relevant expertise.
- **Expert Professional advice:** Similarly, residents should be encouraged to engaged with external professional advise as needed and before entering into agreements on e.g. benefit schemes, leases, wayleaves etc.
- **Ancillary Development:** All aspects of the project should be disclosed including gird connection, road access, sub-station, traffic management plan etc.
- **Reports:** Projects should demonstrate their compliance with the Code of Practice through annual reporting, with a reporting template set out in the Code.

The developer has reviewed these important guidance documents, and Project A has been and will be developed in a manner consistent with them.

2.3.7 PROGRAMME FOR GOVERNMENT (2025)

Ireland's Programme for Government was prepared by Fianna Fáil, Fine Gael and select Independents, and was approved in January 2025 (Government, 2025).

The Programme re-affirmed Government's commitment to delivering 9GW of onshore wind, 8GW solar and at least 5GW of offshore wind by 2030, as well as to holding at least one Renewable Electricity Support Scheme (RESS) auction per year, to ensure that Ireland continues to bring renewable energy projects onstream at a fast pace. The Programme also aims to prioritise the publication of Wind Energy Development guidelines, having regard to international best practice and standards.

2.4 REGIONAL POLICY

2.4.1 REGIONAL SPATIAL AND ECONOMIC STRATEGY (RSES) FOR THE SOUTHERN REGION (2020)

The Regional Spatial and Economic Strategy (RSES) for the Southern Regional Assembly (SRA) came into effect on 31st of January 2020.

The RSES looks to support the implementation of the NPF and the economic policies and objectives of the Government by providing a long-term planning and economic framework that is consistent with the NPF. The RSES sets regional policy objectives (RPOs) which inform County Development Plans and Local Area Plans.

Key RPOs which the Illaunbaun Wind Farm project can support are shown in Table 2-6.

Table 2-6: Key Planning Objectives from the RSES

Section	Policy Context	Relevance to the Illaunbaun Wind Farm project
RPO 40 Regional Economic Resilience	It is an objective to sustainably develop, deepen and enhance our regional economic resilience by widening our economic sectors, boosting innovation, export diversification, productivity enhancement and access to new markets.	The Illaunbaun Wind Farm project represents a major investment in the region and in renewable energy. This development will provide a more resilient renewable electricity supply in the area.
RPO 46 Digital and Physical Infrastructure in Rural Areas	It is an objective to expedite the completion of infrastructure servicing diverse settlements to support innovation, enterprise start-ups and competitiveness. This includes high quality broadband and mobile communication services to all rural locations, water and wastewater facilities for the growth of settlements, sustainable energy supply, enhanced transport connectivity including rural public transport services and greenway walking and pedestrian corridors between settlements.	The Illaunbaun Wind Farm project will provide sustainable energy supply to a rural area in Co. Clare. The development includes a substation and grid connection which will become an asset of the national grid, upgrading the physical electricity infrastructure in the region.
RPO 49 Innovation in Rural areas	It is an objective to support innovation, enterprise startups and competitiveness of our rural Region.	As the development is in a rural area, it represents a significant investment into the local area in an innovation and sustainable industry, whilst also creating jobs in this industry. This development has the potential to attract new enterprise to the region, bringing jobs,

Section	Policy Context	Relevance to the Illaunbaun Wind Farm project
		economic growth and population increases.
RPO 56 Low Carbon Economy	The RSES recognises the urgency to transition to a low carbon future, and it is therefore an objective to accelerate the transition towards low carbon economy	The Illaunbaun Wind Farm project supports the RSES RPO 56 by providing a renewable energy supply to the region, supporting a transition to a low carbon future.
RPO 96: Integrating Renewable Energy Sources	To support the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure to integrate renewable energy sources and ensure our national and regional energy system remains safe, secure and ready to meet increased demand as the regional economy grows.	The Illaunbaun Wind Farm project will produce renewable wind energy by harnessing the wind resource of the southern region and helping to meet the increased energy demand as the regional economy grows. The Development includes a substation and grid connection which will become assets of the national grid, upgrading the electricity infrastructure in the region.
RPO 99: Renewable Wind Energy	To support the sustainable development of renewable wind energy (onshore and offshore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.	The Illaunbaun Wind Farm project is an example of a sustainable development. The Illaunbaun Wind Farm project has been assessed under each of the topics contained in the EIAR, and has been found to be in a suitable location.

In September 2024, the RSES for the Southern Region Two-Year Monitoring Report 2022-2024 (Southern Regional Assembly, 2024) was released in accordance with the provisions of Section 25A of the Planning and Development Act 2000, as amended. The document notes that progress with regards to regional decarbonisation has not been as successful as anticipated.

For onshore wind, it notes that a strong future pipeline of onshore wind and solar projects from the Southern Region is critical to participate in the future programme RESS auctions over the coming years in order for Ireland to meet its 80% renewable electricity target.

The document also notes that the Department has commenced work on a Renewable Electricity Spatial Policy Framework White Paper (RESPF), which it is hoped will ensure a more facilitative and supporting spatial planning framework for the delivery of onshore wind and renewables.

The RSES states that Clare County Council has identified its strategic aims for renewable energy in the Clare County Development Plan 2023 – 2029 (Clare County Council, 2023), and the Clare Renewable Energy Strategy which also forms part of the Plan.

The RSES and the associated two-year monitoring report show that onshore wind continues to be an important tool for the region to aid decarbonisation, but that action has not been sufficient to date,

and a strong pipeline of onshore wind projects such as the Illaunbaun Wind Farm is needed in the area for future growth.

2.5 LOCAL POLICY

2.5.1 THE CLARE COUNTY DEVELOPMENT PLAN AND WIND AND RENEWABLE ENERGY STRATEGY 2023-2029

The Clare County Development Plan (CDP) was formally adopted in April 2023. The CDP sets out an overall strategy for the proper planning and sustainable development of the functional area of Clare County Council over a 6-year period. The plan succeeds and looks to build on the previous plan, with the goal of developing County Clare in a dynamic, resilient, internationally competitive location for innovation and investment whilst also developing County Clare in a sustainable manner. The CDP informs Local Area Plans and local energy policy.

The plan contains goals which are of particular relevance to the Illaunbaun Wind Farm project:

- **Goal II**: "A county that drives local and regional sustainable growth by harnessing the potential of its unique location, quality of life, natural resources and other competitive advantages."

  The Proposed Development will harness the wind energy of the county, making use of the county's natural resources in a sustainable manner, whilst also facilitating economic development, and improving County Clare's security of energy supply.

- **Goal X**: "A county that supports strong economic growth and a high quality of life for all residents through the provision of efficient and robust physical infrastructure whilst having regard to environmental responsibilities and complying with European and national legislation."

  The Proposed Development is an example of a major investment in the county's renewable energy. The Proposed Development will bring efficient and robust physical infrastructure whilst having regard to environmental responsibilities and complying with European and national legislation.

Under the CDP, Clare County Council's Renewable Energy Strategy (RES) and Wind Energy Strategy (WES) (Clare County Council, 2023a) provide for a strategic plan-led approach to secure renewable energy production in Clare.

The objectives of the WES include:

- To reflect and plan for technological advances in wind farms over the next number of years.
- To develop a Wind Energy Strategy having regard to the Wind Energy Development Guidelines and Guidelines for Planning Authorities.
- To more closely align the County's wind generation policy to the existing wind energy resources.
- To support a planned approach to wind energy development in County Clare.
- To ensure the production of wind energy is consistent with and takes account of nature conservation and environmental legislation and targets.

- To support County Clare in reducing the CO2 emissions associated with energy production.
- To promote economic development through wind energy and other renewables in the County.

The strategy aims to identify sites of strategic regional and national importance that show potential for the development of onshore wind projects in Clare. The strategy designates areas as being a) 'Strategic' b) 'Acceptable in Principle' c) 'Open for consideration' and d) 'Not Normally Permissible' for the development of onshore wind.

This resulted in the below designations being defined for the county (Figure 2-1). The Proposed Development is located almost entirely within an area designated as 'Strategic' for wind energy development.

Clare's RES (Clare County Council, 2022) sets a target of 550 MW of onshore wind by 2030, with 153MW installed in 2020, significantly short of the target of 500 MW. It also sets an objective for Clare to meet the County's energy needs from 100% indigenous renewable resources, and notes that the County has the capacity to meet almost 100% of its energy needs from renewable resources in the County by 2030.

The documents together show that Clare has set strong targets for onshore wind but not achieved them. Future targets for 2030 have been set, and areas of the county have been designated as strategic for onshore wind development. The Illaunbaun site is located in such an area, and aligns well with the Clare County Council CDP, RES and WES.

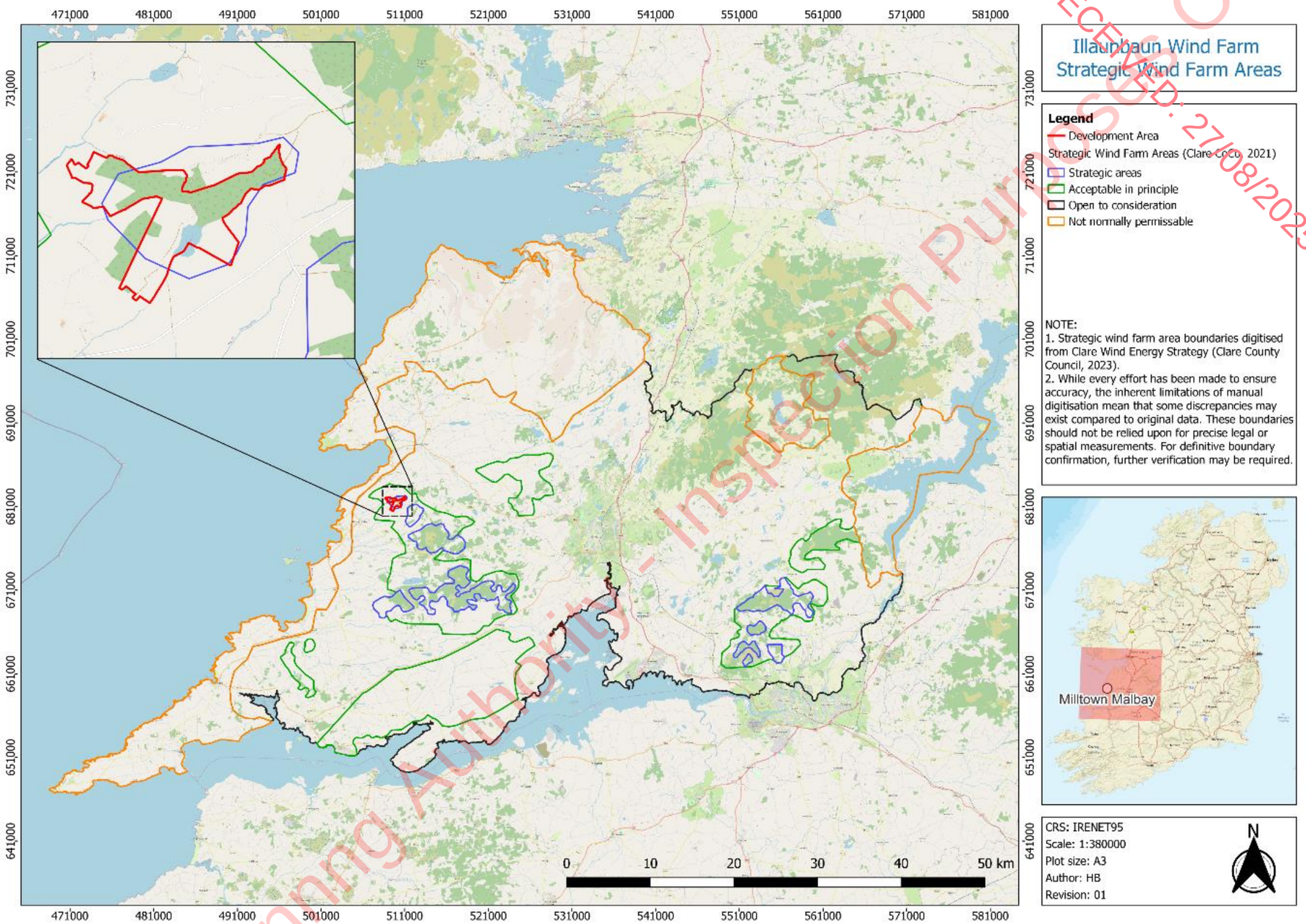

Figure 2-1: The Proposed Development in relation to the Strategic Windfarm Development Areas designated by Clare County Council (map created by GDG using digitised boundaries from the Clare WES)

2.6 DEVELOPMENT CONSENT

The two primary pieces of legislation which govern the development of onshore wind projects in Ireland are the *Planning and Development Act 2000*, (as amended) (Law Reform Commission, 2025), and the Planning and Development Regulations 2001, as amended (Office of the Attorney General, 2025).

As described by the SEAI (SEAI, 2024), the Planning and Development Act 2000 sets out the planning framework for Ireland, consolidating all previous planning acts, and sets the basis for Irish planning code, and the framework for the development management and consent system. The Regulations then implement the Planning and Development Act 2000 by prescribing the details of the planning code.

The scale of Project A is less than 25 wind turbines, and it has a proposed total output of less than 50MW, therefore, Project A does not constitute a strategic infrastructure development (SID). Project A is also not an Exempted development for which planning permission is not required, as legislated for under Section 4 of the Planning and Development Act 2000 (as amended) and listed in the 2nd Schedule to the Planning and Development Regulations 2001 (as amended). Therefore, a planning application is required, and this must be made to Clare County Council, rather than An Coimisiún Pleanála (ACP).

It should be noted that the Planning and Development Act 2024 was enacted in October 2024 (Office of the Attorney General, 2024). This Act is intended to consolidate and revise the law relating to planning and development, to provide for proper planning and sustainable development, and to repeal and replace the Planning and Development Act 2000. Changes noted in the 2024 Act include: An Bord Pleanála (ABP) will be re-named An Coimisiún Pleanála, or "the Commission".

Development plans will now have a lifetime of ten years instead of the current six years.

Judicial Review (JR) legislation will be updated in order to enable these applications to be processed more efficiently

The 2024 Act will require regulations to implement it in stages over the coming months. The phased commencement is expected to take place by early 2026. The Planning and Development Act 2000 will continue to apply until repealed.

2.7 STATUTORY REQUIREMENT FOR EIA

As outlined in Article 3 of the EIA Directive 2014/52/EU (which amends Directive 2011/92/EU):

"Environmental impact assessment shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a proposed project on the following factors:

- Population and human health;
- Biodiversity, with particular attention to the species and habitats protected under Directive 92/43/EEC (the Habitats Directive) and Directive 2009/147/EC (the Birds Directive);

- Land, soil, water, air and climate;
- Material assets, cultural heritage and the landscape;
- The interaction between the factors referred to in points (a) to (d)"

The effects referred to above shall include the expected effects deriving from the vulnerability of the project to risks of major accidents and/or disasters that are relevant to the project concerned.

In Ireland, the requirements of the EIA Directive, as amended, are implemented through the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (Office of the Attorney General, 2018), Part X of the Planning and Development Act 2000 (as amended), and Part 10 of the Planning and Development Regulations 2001 (as amended) (Office of the Attorney General, 2025).

2.8 ENVIRONMENTAL IMPACT ASSESSMENT

Environmental Impact Assessment (EIA) is a fundamental tool for ensuring that projects likely to have significant environmental effects are identified, assessed and mitigated prior to the granting of development consent. Originating in Directive 85/337/EEC, the EIA framework has since evolved and is now governed by Directive 2011/92/EU as amended by Directive 2014/52/EU.

The purpose of the EIA process is to ensure that competent authorities, when considering whether to approve a proposed development, are fully informed of its potential environmental consequences. This contributes to sound decision-making and the integration of environmental protection into project planning.

The EIA process has played a vital role in improving project design and ensuring transparency and public participation in environmental decision-making.

A summary of the relevant legislative framework is provided in Table 2-7. Topic-specific legislation and guidance related to individual environmental factors (e.g. biodiversity, landscape, water, cultural heritage) are addressed in the respective technical chapters of this EIAR.

Table 2-7: Legislation and Policy

Legislation / Policy	Title
International Legislation	European Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, as amended by EIA Directive 2014/52/EU.
	Convention on EIA in a Transboundary Context (the Espoo Convention). United Nations, Finland 1991.
	European Directive 2009/147/EC of The European Parliament and of The Council of 30 November 2009 on the conservation of wild birds (the Birds Directive).
	Aarhus Convention (Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters)

Legislation / Policy	Title
	Ireland ratified this convention in 2012, emphasizing the importance of public participation in environmental decision-making processes.
	Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive).
National Legislation	European Communities (Birds and Natural Habitats) Regulations 2011, S.I. No. 477/2011
	European Communities (Birds and Natural Habitats) (Amendment) Regulations 2021, S.I. No. 293 of 2021
	European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, S.I. No. 296/2018.
	Planning and Development Act 2000, as amended
	Planning and Development Regulations 2001, S.I. No. 600/2001.

2.8.1 GUIDELINES

International and national guidelines are described in Table 2-8.

Table 2-8: Guidelines

Guidelines	Title
International Guidelines	Environmental Impact Assessment of Projects. Guidance on Scoping (Directive 2011/92/EU as amended by 2014/52/EU). European Commission, 2017.
	Environmental Impact Assessment of Projects. Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU). European Commission, 2017.
	Guidance on Integrating Climate Change and Biodiversity into Environmental Impact Assessment. European Commission (2013).
	Guidelines For Ecological Impact Assessment in The UK And Ireland - Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management (2018).
	Guidelines for Environmental Impact Assessment. Institute of Environmental Management and Assessment (IEMA). 2004.
	Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions. European Commission (1999).
National Guidelines	Circular PL 05/2018 – Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) and Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment. Department of Housing, Planning and Local Government (2018)

Guidelines	Title
	Circular PL 1/2017 – Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (EIA Directive): Advice on the Administrative Provisions in Advance of Transposition. Department of Housing, Planning, Community and Local Government (2017)
	Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment. Department of Housing, Planning and Local Government (2018)
	Guidelines on the information to be contained in Environmental Impact Assessment Reports (EIAR). Environmental Protection Agency (2022)
	Key Issues Consultation Paper on the Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems. Department of Housing, Planning, Community and Local Government (2017)
	Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems. Department of Housing, Planning, Community and Local Government (2017)

2.9 APPROPRIATE ASSESSMENT

The Birds Directive and the Habitats Directive set out various procedures and obligations in relation to nature conservation management in the Member States in general, and of the Natura 2000 sites and their habitats and species in particular.

The Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna) was adopted in 1992, transposed into Irish Law in 1997, and subsequently amended and consolidated. This Directive aims to promote the maintenance of biodiversity, taking into account of economic, social, cultural, and regional requirements. It provides a framework for the legal protection of Special Areas of Conservation (SACs) to ensure the conservation of a wide range of rare, threatened, or endemic animal and plant species, and habitat types, throughout the European Union.

The Birds Directive (Conservation of Wild Birds Directive (formerly 79/409/EEC and now 2009/147/EC)) aims to protect all of the five hundred wild bird species naturally occurring in the European Union by way of the Special Protection Areas (SPAs). The Habitats Directive, along with the Birds Directive, form the cornerstone of the European Union's nature conservation policy. Together they form a coherent network of protected areas (Special Areas of Conservation and Special Protection Areas), known as European Sites or Natura 2000 sites, safeguarded against potentially damaging developments (DEHLG, 2010).

The obligation to undertake Appropriate Assessment (AA) derives from Article 6(3) and 6(4) of the Habitats Directive and applies to any plan or project not directly connected with or necessary to the management of the European Site(s), but likely to have a significant effect thereon, either individually or in combination with other plans or projects. The AA is a separate but inter-related

process to EIA and has been a legal requirement in Ireland since the Habitats Regulations were made in 1997 (European Commission, 2002).

A number of guidance documents on the decision-making process during the AA process have been published by different organizations, including the European Commission and DEHLG. The Proposed Development will be subject to the AA process, and all documents will be prepared in accordance with the relevant guidance and policies throughout.

- Communication from the Commission on the Precautionary Principle, Office for Official Publications of the European Communities, Luxembourg (EC, 2000).
- Department of Environment, Heritage and Local Government Circular NPW 1/10 and PSSP 2/10 on AA under Article 6 of the Habitats Directive – Guidance for Planning Authorities (DEHLG, 2010b).
- EC Notice. Assessment of plans and projects in relation to Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2021).
- EC Notice *Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*, Office for Official Publications of the European Communities, Luxembourg (EC, 2018);
- Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission (EC, 2007).
- Interpretation Manual of EU Habitats. Version EUR 28. (EC, 2013).
- Office of the Planning Regulator Practice Note PN01. Appropriate Assessment Screening for Development Management. Office of the Planning Regulator (OPR, 2021)
- Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. (DEHLG, 2010a).

2.10 Relevance and Application to the Proposed Development

The legislative framework and guidance documents listed above have been carefully considered during the preparation of this EIAR. While all listed policies provide relevant context, their practical applicability to the Proposed Development varies. For instance, the Aarhus Convention underlines the importance of effective public participation, which has been incorporated through pre-application consultation and community liaison as outlined in Chapter 6 of this EIAR.

The EIA Directive 2011/92/EU, as amended by 2014/52/EU, has directly informed the structure and scope of this EIAR, ensuring full consideration of all required environmental factors. In addition, national regulations and guidance, including those issued by the Environmental Protection Agency (EPA), the Department of Housing, Planning and Local Government, and professional bodies such as the Chartered Institute of Ecology and Environmental Management (CIEEM), have been used to shape the assessment methodologies presented across technical chapters.

Where appropriate, references to topic-specific legal and policy requirements are provided within the relevant technical chapters of this EIAR. These chapters interpret and apply the national and European legislative frameworks to the specific receptors assessed.

While the Planning and Development Act 2024 was enacted in October 2024, the relevant provisions have not yet been commenced and will be introduced on a phased basis through to 2026. This planning application has therefore been prepared in accordance with the Planning and Development Act 2000 (as amended) and associated Regulations.

2.11 SUMMARY AND CONCLUSION

The policy and planning frameworks discussed above, together with the legislation and guidance detailed in the precious sections, provide the context for evaluating the appropriateness and strategic fit of the Proposed Development.

At international, European, national, regional and local levels, the relevant policies and plans demonstrate a consistent objective: reducing reliance on fossil fuels through the increased deployment of renewable energy sources, with the overarching goal of achieving climate neutrality by 2050.

These frameworks broadly emphasise the urgent need to lower greenhouse gas emissions and support the transition to a renewable-based energy system, promoting projects that are developed in a safe, sustainable and stakeholder-conscious manner. This is reflected in various national-level plans such as the Climate Action Plan (CAP) and the National Policy Objectives (NPOs) within the National Planning Framework (NPF), all of which align with broader EU and international targets, including those set out in RED III and the Paris Agreement.

More specifically, Ireland has set ambitious national targets for onshore wind development by 2030. These are reflected in the CAP (9 GW nationally), the NPF (an additional 978 MW for the Southern Region), the RSES for the Southern Region, and further translated at the county level through the Clare County Development Plan 2023–2029 and the Clare County Council Renewable Energy Strategy (550 MW in Clare by 2030). Within the county, areas have been designated specifically to accommodate this required capacity.

The Proposed Development is well positioned to contribute directly to these targets. It aligns with the relevant policy frameworks reviewed in this report and is located within an area designated by Clare County Council as strategically important for wind energy development.

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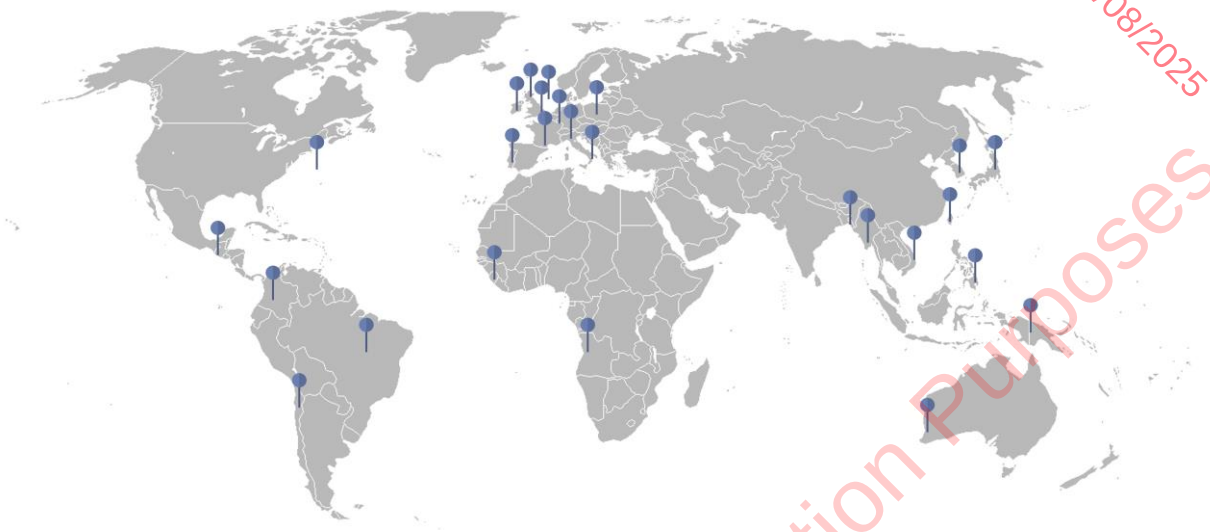
GLOBAL PROJECT REACH



Offices

Dublin (Head Office)
Gavin & Doherty Geosolutions
Unit A2, Nutgrove Office Park
Rathfarnham
Dublin 14, D14 X627
Phone: +353 1 207 1000

Cork
Gavin & Doherty Geosolutions
First Floor, 12 South Mall
Cork
T12 RD43

London
Gavin & Doherty Geosolutions (UK) Limited
85 Great Portland Street, First Floor
London
W1W 7LT

Utrecht
Gavin & Doherty Geosolutions
WTC Utrecht, Stadsplateau 7
3521 AZ Utrecht
The Netherlands

Belfast
Gavin & Doherty Geosolutions (UK) Limited
Scottish Provident Building
7 Donegall Square West
Belfast
BT1 6JH

Edinburgh
Gavin & Doherty Geosolutions (UK) Limited
22 Northumberland Street SW Lane
Edinburgh
EH3 6JD

Rhode Island
Gavin & Doherty Geosolutions Inc.
225 Dyer St, 2nd Floor
Providence, RI 02903
USA

Website: www.gdgeo.com
Email: info@gdgeo.com

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