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28th February 2020

Forward Planning Team,
Planning Department,
Laois County Council,
Aras an Chontae,
Fintan Lawler Avenue,
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Online at cdp@laoiscoco.ie

RE: Review of County Development Plan

A Chara,

The Irish Wind Energy Association ('IWEA') welcomes the opportunity to make this submission to the notice of the stage one review of the Laois County Development Plan (LCDP) 2017-2023. This submission has been prepared pursuant to the public notice inviting written observations and comments from interested parties.

IWEA note that the only reference to renewable energy development within the Laois County Council (LCC) Issues Paper asks if LCC "*should the Plan give positive support to the development of renewable energy at the expense of other considerations?*". IWEA fully believe that LCC should give positive constructive support to Renewable Energy Development, particularly wind, when renewing the LCDP. IWEA also considers that trying to reach our national climate mitigation targets can be completed within each County without being at the "*expense of other considerations*". LCC has a responsibility to account for it's share of our overall national renewable energy targets, as outlined below. Currently, Co. Laois represents only 0.51% of the total installed wind energy capacity in the Republic of Ireland.

LCC is now under the stewardship of the Eastern and Midland Regional Assembly (EMRA). The EMRA was set up to, among other things, implement the appropriate Regional Planning Guidelines within its geographic area, and to prepare, adopt, and implement the Regional Spatial and Economic Strategy (RSES). The EMRA finalised and published its' RSES in June 2019.

One of the key objectives of the RSES is to support renewable energy opportunities by harnessing natural resources that will support decarbonisation, energy security, and allow the region to take advantage of the economic benefits of greener energy as outlined in the Regional Policy Objectives

(RPO) of the Eastern and Midland Regional Spatial and Economic Strategy 2019 – 2031 (RPO’s 7.35, 7.36 and 10.20). The RSES is to be incorporated into development plans by way of review each local authority.

The National Climate Action Plan (CAP) 2019 has set out an ambitious 70% target for renewable energy production out to 2030. To meet this target, the amount of electricity generated from renewables will have to be doubled on current figures. Figure 4.4 and Table 7.5 (see below) of the CAP illustrate Ireland’s current and projected renewable electricity production requirements to meet the 70% target. Based on the CAP assumptions, on-shore wind will provide the majority of the required electricity yield out to 2030.

Taking account of this, LCC has a responsibility to make every effort in playing a part to the contribution to our national renewable energy targets and should develop a new wind energy strategy which is conscious of this responsibility, and ensure areas are zoned appropriately so as not constrain any areas which may have wind generation potential.

Figure 4.4 Ireland’s Decarbonisation Pathway Dashboard to 2030¹⁵

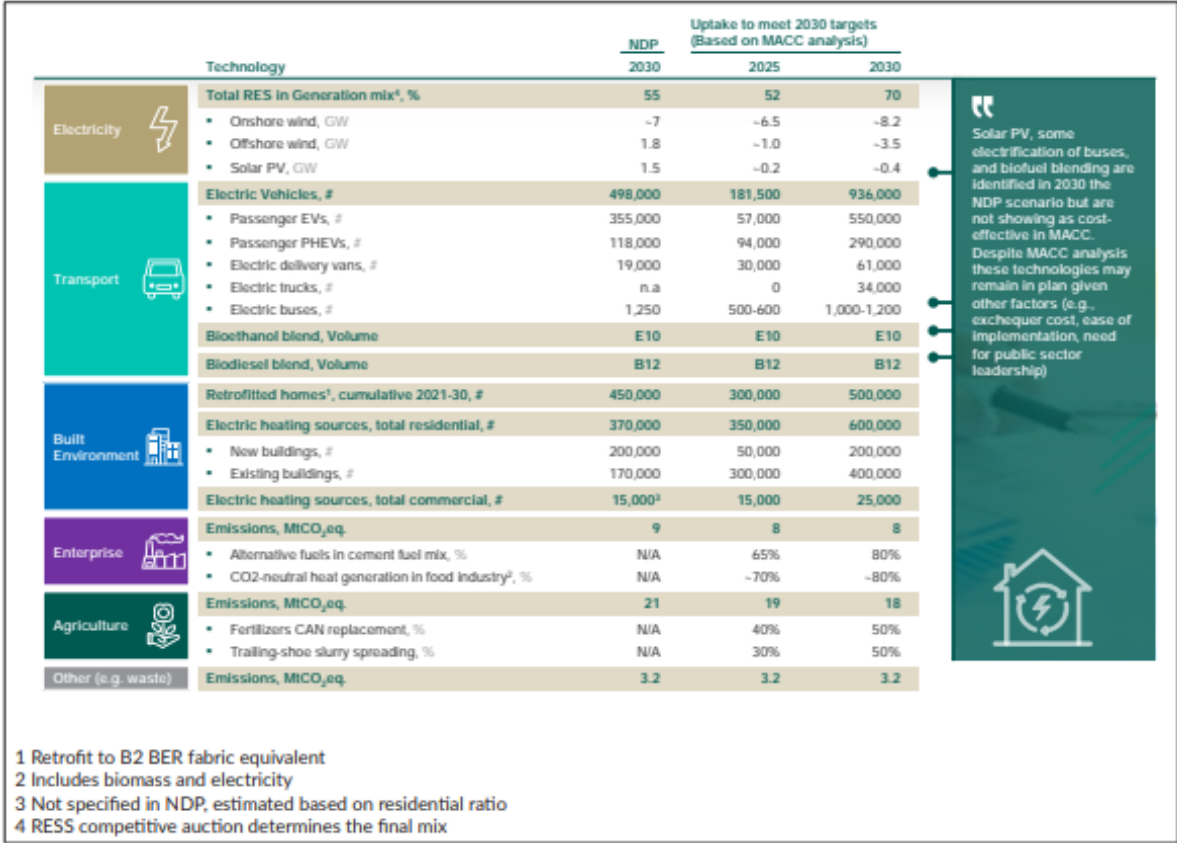


Table 7.5 Potential Metrics to Deliver Abatement in Electricity

Key Metrics	2017	2025 Based on MACC	2030 Based on NDP	2030 Based on MACC
Share of Renewable Electricity, %	~30% ²⁰	52%	55%	70%
Onshore Wind Capacity, GW	~3.3	6.5	N/A	8.2
Offshore Wind Capacity, GW	NA	1.0	N/A	3.5
Solar PV Capacity, GW	NA	0.2	N/A	0.4
CCGT Capacity, GW	~3.6	5.1	N/A	4.7

Furthermore, the office of the Planning Regulator (OPR) was established in 2019 with the aim of enhancing the proper oversight of the planning system in Ireland. In its response of 25th September 2019 to the Offaly County Development Plan 2021 – 2027, Public Consultation – Issues Paper, the OPR advised that the Planning Authority should maximise the output of renewable energy sources in line with national government policies on climate change. We would urge LCC to take cognisance of this guidance when developing the updated LCDP (2021-2027).

IWEA strongly promotes the delivery of a regional Renewable Energy Strategy to facilitate the implementation of Regional Policy Objective (RPO's 7.35, 7.36) of the Mid and Eastern RSES in the short term, as a matter of high priority and urgency. Such an approach would ensure consistency across the entire region and minimise duplication of effort and resources at a local authority level.

However, in the absence of any certainty around the realisation of RPO's 7.35, 7.36, and 10.19 to 10.23 (relating to energy infrastructure) of the Mid and Eastern RSES and in response to the advice of the OPR, and the targets in the CAP, we believe an updated Wind Energy Strategy for County Laois is an absolute requirement as part of the LCDP review.

Section 28 (1) of the Planning and Development Act 2000 (as amended) states that *"The Minister may, at any time, issue guidelines to planning authorities regarding any of their functions under this Act and planning authorities shall have regard to those guidelines in the performance of their functions"*

Taking consideration of the above, it is LCC's responsibility to ensure that any relevant issued guidance is correctly taken into consideration when reviewing and developing the updated LCDP. Issued Guidance to be taken into consideration should include the adopted Wind Energy Guidelines, the Eastern and Midlands RSES, and CAP (2019).

The Ministerial Planning and Development (Laois County Council Development Plan 2017-2023) Direction 2017 previously ordered that the LCC Wind Energy Policy relating to a setback distance of

1.5kms from turbines was not in line with section 28 (1B) (b) of the Act. Without providing sufficient, evidence-based reasoning not to abide by the current and latest plans and guidelines, LCC must take cognisance of these policies in the updated LCDP.

To further elaborate on the above, section 28 (1C) of the Act goes onto state that *“Without prejudice to the generality of subsection (1), guidelines under that subsection may contain specific planning policy requirements with which planning authorities, regional assemblies and the Board shall, in the performance of their functions, comply”*

During December 2019, The Department of Housing, Planning and Local Government published Draft Revised Wind Energy Guidelines. The consultation period for these guidelines is now closed and are likely to be finalised later this year.

Within the revised draft Wind Energy Guidelines, Specific Planning Policy Requirement (SPPR) 1 outlines measures that planning authorities are to take into consideration when amending or developing development plans. These include ensuring that overall national policy on renewable energy is acknowledged and documented; indicating how the relevant plan will contribute to realising overall national targets for climate change mitigation, wind energy production, and the potential wind energy resource; and demonstrate detailed compliance with the objectives of section 3.4 of the guidelines which include:

- *A positive and supportive statement of the importance of wind energy;*
- *Objectives to secure the maximum potential from wind energy resources of the planning authority’s area; and*
- *The identification on development plan maps of the key areas within the planning authority’s functional area where there is significant wind energy potential and where... wind energy development will be acceptable in principle... open to consideration... and those areas where wind energy development will generally be discouraged*

As SPPR1 is proposed to be a binding requirement of the revised Wind Energy Development Guidelines, LCC will have to take account of the objectives outlined above in full once finalised.

We urge LCC to carry out a full review of its wind energy strategy and to develop a consistent and transparent wind energy zoning methodology for the County that incorporates the methodologies outlined in the SEAI Local Authority Renewable Energy Strategy (LARES). We ask that all areas within the County be re-assessed for their potential for wind energy development and zone accordingly to ensure that there is no planning ambiguity surrounding any un-zoned areas. We suggest the following standard for renewable energy zones for all Counties: ‘No-Go’, ‘Open to Consideration’, and ‘Preferred’ Areas. This is similar to the approach LCC has previously used to describe wind energy development areas within the County.

In relation to landscape, as per above, we also ask that LCC and all Local Authorities develop consistent Landscape Character Assessment (LCA) criteria and apply it across all Counties. We ask that a ‘Low’, ‘Medium’, and ‘High’ weighting table for landscape sensitivity types be considered for renewable energy development potential. We urge LCC to update the 2017-2023 LCA completed for County Laois

taking account of this recommendation, as we believe it would support developers and eliminate uncertainty surrounding areas un-suitable for wind energy development at project inception.

The current LCDP has already highlighted the wind energy development potential of low-lying landscapes within the County. As technologies have advanced, turbines have been developed which can yield the same energy from lower wind sites than their older counter parts. Given this advancement, we recommend that LCC and all Local Authorities not use the SEAI Wind Atlas or any similar general wind resource data as a constraint when developing and zoning areas for renewable energy development. We believe wind resource to be a developer's constraint, and a variable to be assessed as part of each individual project.

We also believe that grid constraints should not be considered by Local Authorities when preparing their Renewable Energy Strategies, again we believe this to be a developer's constraint. We ask that LCC to consider this suggestion.

The draft County Development Plan should bring forward progressive policies and objectives that ensure that Co. Laois can deliver its share of the national climate change and renewable energy targets intended to decarbonise the Irish economy in line with the National Planning Framework and Climate Action Plan. LCC must be confident its policies and objectives as outlined in the next County Development Plan, will be able to deliver on those national targets, as it is only through the individual policies, objectives and actions of the 31 Local Authorities across the country that the national targets can be achieved.

The Strategic Environmental Assessment (SEA) that will be prepared to accompany the draft County Development Plan will have to consider and assess the climate change implications of the policies outlined, and not just consider climate in the context of climate resilience. IWEA looks forward to seeing the SEA use an evidence-based approach to confirm that the policies and objectives of the draft County Development Plan are sufficient to comply with Laois's obligations and will help facilitate projects that will further decarbonise the Irish economy over the lifetime of the new plan.

IWEA believe that we have outlined and detailed above, the Best Approach to be considered by LCC and all Local Authorities when drafting future Wind Energy Strategies for their Counties. We urge LCC to consider above observations when drafting the updated LCDP (2021-2027).

Mise le meas,



Denis Devane
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Irish Wind Energy Association