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Co. Laois

By email to cdp@Laoiscoco.ie

4th December 2015

Dear Sir, Madam,

RE: Laois County Development Plan 2017-2023 – Pre-draft Public Consultation

1.0 Introduction

The *Irish Wind Energy Association (IWEA)* welcomes the opportunity to comment on the review of the existing *Laois County Development Plan 2011-2017 (CDP 2011)* and the preparation of the new *Laois County Development Plan 2017-2023 (CDP 2017)*. We have reviewed the strategic policies and objectives relating to wind energy development in the CDP 2011 and the matters raised in the Pre-Draft Consultation, which was published to stimulate discussion in the review process.

As the review will inform the vision, objectives and policies of the new plan for County Laois from 2017, IWEA very much welcomes the opportunity to make a submission at the pre-draft stage and look forward to engaging constructively with Laois County Council throughout the development plan process.

From our experience of the operation of the existing CDP 2011 the IWEA has an insight into what has worked well in applying the current policies and objectives and how policy can be further developed to ensure that the planning system facilitates good planning, supports renewable energy for the good of the consumer and helps drive sustainable energy development, as well as helping meet our targets set by the DCENR.

This submission will set out the strategic context for wind energy development in Ireland before suggesting how specific local policies and objectives can help guide developers, provide an element of certainty and ensure that such developments are carried out at locations and in a way which accords to the proper planning and sustainable development of the area.

2.0 Context & Strategic Objectives

The Irish Wind Energy Association (IWEA) is Ireland's leading renewable energy representative body and as such, it has an active interest in the potential for sustainable energy. IWEA is committed to promoting the use of wind energy in Ireland and beyond, as an economically viable and environmentally sound alternative to other forms of non-renewable generation. IWEA also promotes awareness and understanding of wind power as a primary renewable energy resource. The magnitude of the Irish wind resource and the potential for its development has been appreciated for some years within the European wind energy community. There is a growing appreciation for the amount of energy that can be delivered through wind, as in the first six months of 2015 alone, one quarter of our electricity demand has been met by indigenous wind energy.

Renewable energy development is a vital part of Ireland's strategy to tackle two major challenges facing us today – ensuring a secure supply of energy and combating climate change. Wind energy, in particular has a key role to play in meeting these challenges. IWEA supports a strategic and transparent approach to proper planning and sustainable development, and recognises that development of wind energy projects must take account of the full range of environmental and socio-economic issues.

At the outset, we all must acknowledge Ireland's need to support renewable energy, which also stems from its EU commitments. These include EU Directive 2009/28/EC on the Promotion of Renewable Energy Sources, which came into force in April 2009 and which establishes a binding target of 20% of overall EU energy consumption coming from renewable sources by 2020. Ireland's target under the Directive is for renewable resources to account for 16% of total energy consumption by 2020. Failure to meet these targets could result in EU sanctions. In line with these commitments, DCENR has a target for electricity from renewable energy sources (RES-E) of 40% by 2020.

The European Union is also now in the process of agreeing the framework for a further series of targets for renewable energy towards 2030. In October 2014, Ireland agreed to new EU 2030 targets, which seek a 40% reduction in Green House Gas (GHG) emissions and a binding EU target for renewable energy of "at least 27%".

As a significant proportion of new renewable capacity will likely be provided by on-shore wind, the 40% target is a significant challenge for the Irish wind industry as a whole. An approximate doubling of wind capacity will need to be installed on-shore in Ireland within the coming years if we are to meet our 2020 RES-E target. The expansion of the Irish wind industry will be an extremely positive economic development for the entire Country and, indeed, for Laois County. It will result in direct local investment, job creation, as well as increased local authority income through commercial rates and development contributions. At the same time, new wind energy development will also bring about a reduction of GHG emissions and help tackle global climate change.

Relevant strategic policy documents, such as the new County Development Plan, must assist in enabling Ireland to develop its natural green energy resources and meet our EU2020 targets. IWEA

members are involved in developing more than 85% of the wind farm capacity that is planned to be built from now to 2020 and we continue to contribute proactively and positively to the development of local, regional and national strategic planning.

3.0 Recommendation

IWEA would propose that the preparation of a clear strategy, minimum targets and identification of geographical areas where wind energy development is encouraged or permissible is necessary to ensure clarity for all parties. This provides a greater degree of certainty for local residents, other local groups and for the wind energy sector. It also provides clarity for the Planning Authority (and An Bord Pleanála) to facilitate the proper planning and sustainable development of areas. However these classifications should be based on clearly defined and measurable methodologies and provide a consistent approach to plan-led development.

Below we set out our experience in the application of wind energy policy within Laois County making recommendations on how they could be improved based on our experience elsewhere in the Country.

Firstly, IWEA would support continuity of purpose from the current CDP, which clearly states within policy EC 7 / P49 *"It is the Policy of the Council to Support the expansion of the wind energy industry in Laois and ensure that any plan or project associated with wind energy which has the potential to significantly affect a Natura 2000 site is appropriately assessed in accordance with Article 6 of the Habitats Directive."*

Existing support for renewables and wind energy is further reflected elsewhere such as within the objective ET 9 / O03 and ET 9 / P10 of the existing plan.

We would however have some concern with the lack of detail contained within the current CDP2011 and the lack of direction that this provides to the provision of renewable energy within the County. Our concerns relate to the fact that the Wind Energy Strategy 2011 is contained as an Appendix to the CDP 2011 which does not fully translate into the CDP 2011 policies and objective.

'Strategies' by their very definition do not hold the same statutory power as a 'Development Plan' policy and as such in order to implement the 'Strategy', same needs to be transposed into the main document. We respectfully request the Council to consider this approach in the making of the CDP 2017.

Notwithstanding Section 9.4.1 of the CDP 2011 which strongly advocates a *'formal plan led approach to wind energy development in the County'*, Volume 1 of the CDP 2011 provides relatively few objectives concerning wind or renewable energy development, this unfortunately does not provide much certainty for the land owner, prospective developer, the local community or the Local Authority.

ET 9 / P01 to *“Facilitate energy infrastructure provision, including the development of renewable energy sources at suitable locations, so as to provide for the further physical and economic development of County Laois.”*

ET 9 / P04 of the 2011-2017 Development Plan, which states that it is the policy of the Council to: *“Encourage the production of energy from renewable sources, including in particular from wind, waste material, solar, hydro and biomass energy, subject to normal proper Planning considerations, including in particular, the potential impact on areas of environmental or landscape sensitivity.”*

The IWEA recognises these kinds of objectives as positive supportive statements demonstrating the importance of renewable energy development within Laois County. However, it is fair to say that detail is lacking on how these objectives are measureable nor does it outline how this development will be delivered.

Given the recognised importance of Wind Energy we would advocate that the main policies and objectives of the Laois WES be adopted into the main document similar to peer Counties such as *Cork County Development Plan 2014* or contain such a strategy as a volume of the Development Plan with formal policy objectives (Clare County Development Plan 2011 sets out quantifiable minimum targets for electricity from wind over the lifetime of the Wind Energy Strategy). This approach will provide certainty and demonstrate the County Council’s support for such development ‘in a plan led’ manner.

The WES 2011 states that there are no ‘Strategic’ wind farm areas within Co. Laois and designates specific areas as ‘Areas not open for Consideration’. We strongly urge the Council to set out more clearly the methodology and evidential basis used for these classifications in the WES 2017, and to have stronger regard to the opportunity potential of the wind resource itself in line with advancing technologies in wind turbine design and assessment. Such areas should be reclassified allowing for an ‘exceptional circumstance’ provision in the CDP 2017.

The CDP 2017 – 2023 will have a life span of 5 years. Within this timeframe new technologies could be developed which could mitigate potential impacts associated with such areas. While we advocate applying the precautionary principle to protected sites, this should be applied at development control stage and the potential of such areas should not be automatically ruled out for wind energy development at a strategy level.

In addition the IWEA recommends that the WES and CDP 2017 include a policy objective to allow for specific ‘exceptional circumstances’ such as new technologies in wind turbine design and impact assessment. A formal written objective should make allowances in these areas for exceptional circumstances, but also outline specifically the measureable reasons why development is normally discouraged here. A descriptive and measureable objective is particularly important in these areas as advances in turbine technology continue to make less windy sites viable.

We suggest that the Council gives regard to the recent approach taken in the *Galway County Development Plan 2015 to 2021*, and *Cork County Development Plan 2014-2020*. Both Councils have prepared detailed strategies using a clear and logical approach and these now form part of the relevant County Development Plans. These strategies are invaluable for all concerned in the wind energy sector and the wider public and they achieve an appropriate balance between harnessing the natural resource, and safeguarding the local environment.

IWEA would also suggest that in making the WES 2017, regard should be had to the SEAI document entitled "*A Methodology for Local Authority Renewable Energy Strategies*" (2013). This document was developed to provide Local Authorities with assistance in the preparation of more comprehensive renewable energy strategies for their areas. A number of Councils have adopted its approach in making their WES.

'Areas Open to Consideration' within the WES 2011 account for the largest area of identified lands. In order to encourage wind farm development a strong measurable objective is required. More definitive language is required to assess applications as part of the development management process, and to provide clarity to prospective developers and to the public. IWEA recommends that the Council elaborates on this point to create a statutory objective as part of the new CDP 2017 by specifically identifying in so far as possible the associated constraints and the possible cumulative impacts. This will streamline the development management process, and can assist in achieving the best outcome for all stakeholders.

The integration of the WES into the overall strategic objectives of the CDP 2017 will enable an integrated and sustainable approach to wind farm development supporting sustainable communities, rural development and economic investment to the region. Furthermore, the inclusion of specific objectives in the new County Development Plan that promote the further development of renewable energy will enable Laois County Council to:

- Develop a sustainable plan led, wind energy industry employing construction and professional service providers and attracting significant capital investment for the County;
- Enhance the vibrancy of the county as a renewable energy leader;
- Support rural development in a sustainable manner;
- Deliver significant community benefit and,
- Deliver significant commercial rates revenue to County Laois annually,
- Provide certainty for planners, public, investors and developers.

4.0 Conclusion

IWEA welcomes the opportunity to contribute to the CDP 2017 Pre-Draft consultation process. We appreciate the existing support within the current CDP for the development of the county's wind and renewable energy resource, and would call for this support to be maintained and further developed.

This new Development Plan is a valuable opportunity for Laois County Council to realise and plan for, in an appropriate manner, the renewable energy potential of County Laois. This can be achieved by adopting informed, measurable and deliverable objectives. The importance of adopting clear policies and a detailed strategy using a logical methodology and with the benefit of the statutory process is immeasurable. This approach brings a greater degree of clarity for those proposing projects, local communities as well as for the planning authority and An Bord Pleanála.

IWEA would welcome the opportunity to meet with the Forward Planning Section to discuss our response in more detail at any stage. We thank you for the opportunity to contribute at this first stage consultation and we look forward to contributing further as the strategic plan progresses.

Yours sincerely,

** Sent by email.*

Brian Dawson,
Head of Communications,
Irish Wind Energy Association.