

From: [REDACTED] Personal Information Redacted
To: [PLANNING CPU](#)
Subject: Re: Wind Energy Variation
Date: Friday 3 June 2022 15:45:57
Attachments: [image001.png](#)
[Appendix B_Macroworks Report.pdf](#)
[220603_FEI_Donegal_Variation_Final.pdf](#)

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Dear Sir/Madam

Please find attached our submission on the proposed wind energy variation. I would be grateful if you could acknowledge receipt, please. Please note Appendix B is attached as a separate document.

With thanks

Sinead O'Malley

Planning Manager

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Wind Energy CDP Variation,
Central Planning Unit,
Donegal County Council,
County House,
Lifford,
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F93 Y622

By email: windenergycdpvariation@donegalcoco.ie

3rd June 2022

Dear Sir/Madam,

Re: Wind Energy Variation

Thank you for providing an opportunity to consult on the above matter. This submission is made on behalf of FuturEnergy Ireland.

FuturEnergy Ireland (FEI) is the recently launched joint venture company owned on a 50:50 basis by Coillte and ESB. This new business combines the State's strongest assets and expertise in onshore renewable energy development on behalf of the people of Ireland. We are one of the largest dedicated developers of onshore wind in Ireland and our mission is to maximise the potential of our national resources and accelerate Ireland's transformation to a low carbon energy economy.

1.0 Importance of Onshore Wind

The Climate Action Plan (CAP) 2021 requires 80% of our electricity to come from renewable sources by 2030 comprising up to 8,000MW of onshore wind, approximately doubling the present installed capacity today. FEI is currently targeting the delivery of 1,000 MW of new onshore wind projects in this period, largely enabled by the Coillte landbank across Ireland.

Given the relatively high likelihood that a significant portion of new offshore capacity will only start to be delivered onto the system post 2028 and with a regulatory framework which is only becoming operational, there is real potential that anticipated renewable electricity volumes may fall short of the targets set out in the National Energy Climate Plan 2021¹. Such a likely scenario therefore increases the reliance on onshore wind. We have a strong track record of working with the Donegal Council and its Authorities in respect of onshore wind, including recently on the Lenalea Wind Farm, in which we are a 50% partner. We hope we can now build on that successful relationship at a time of heightened climate emergency and action.

¹ <https://www.gov.ie/en/publication/0015c-irelands-national-energy-climate-plan-2021-2030>

The criticality of onshore wind in Ireland's energy mix is further apparent when the near-term trajectories in the Clean Energy Package Governance Regulation are considered. This states that Member States must set a trajectory for their total 2030 share of energy from renewable sources at 18%, 43% and 65% in 2022, 2025, 2027 respectively.

There could not be a stronger policy signal that renewable energy ambition levels will continue to increase over the course of the decade, as evidenced by the recent increase in our national target from 70% to 80% late last year, and that onshore wind energy will continue to have the vital and leading role that it currently has in the Climate Action Plan 2021. Furthermore, in early March 2022 the European Commission made an announcement addressing energy security issues emerging from Russia's invasion of Ukraine². It revealed that the EU intends to drastically accelerate its transition to clean energy thereby increasing Europe's energy independence. In addition, Member States will be required to swiftly map, assess and ensure suitable land and sea areas are available for renewable energy projects, commensurate with their national energy and climate plans. These are currently termed as 'go-to' areas, further detail in respect of this and the wider 'REPower EU Plan'³ was included in the Commission's recent update of 18 May 2022. This increased the headline 2030 target for renewables from 40% to 45%. One of the three central pillars to this is accelerating the roll out of renewables which includes appropriately identifying suitable areas on and offshore, as well as shortening permitting processes.

It is wholly apparent from national and EU policies, and based on current trajectories, that onshore wind is a critical form of infrastructure which is essential to address our climate and energy security crises. Our company has a strong record of responsible development and delivery of renewable energy infrastructure of scale which can play a meaningful role in climate action, while also mitigating against security of supply concerns, and making a lasting impact on local communities through benefit funds, rates contributions and unique amenity offerings.

2.0 Non-compliance with the Climate Action and Low Carbon Development (Amendment) Act 2021

We believe the proposed variation greatly reduces the ability of County Donegal to facilitate onshore wind when compared to the current Plan. This is evident when the 2012 Wind Energy Strategy Map, No. 9 is placed side by side with the proposed variation map, as per Figure 1a and b below. Particular areas where new restrictions have been introduced are circled for convenience, however, these are merely a subset of the declassifications that arise.

² Communication from the Commission to the European Parliament to the European Council, the Council, The European Economic and Social Committee and the Committee of the Regions: **REPowerEU: Joint European Action for more affordable secure and sustainable energy**. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A108%3AFIN>

³ [REPowerEU \(europa.eu\)](https://repower.eu)

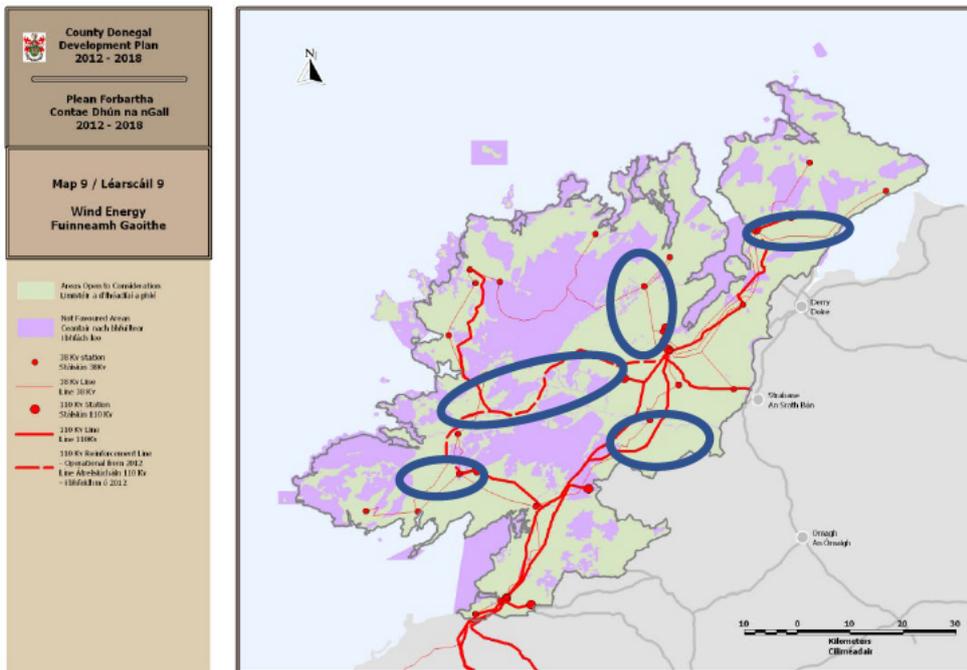


Figure 1a: Donegal County Development Plan 2012-2018, Appendix 1, Map 9. (Green areas are Open to Consideration)

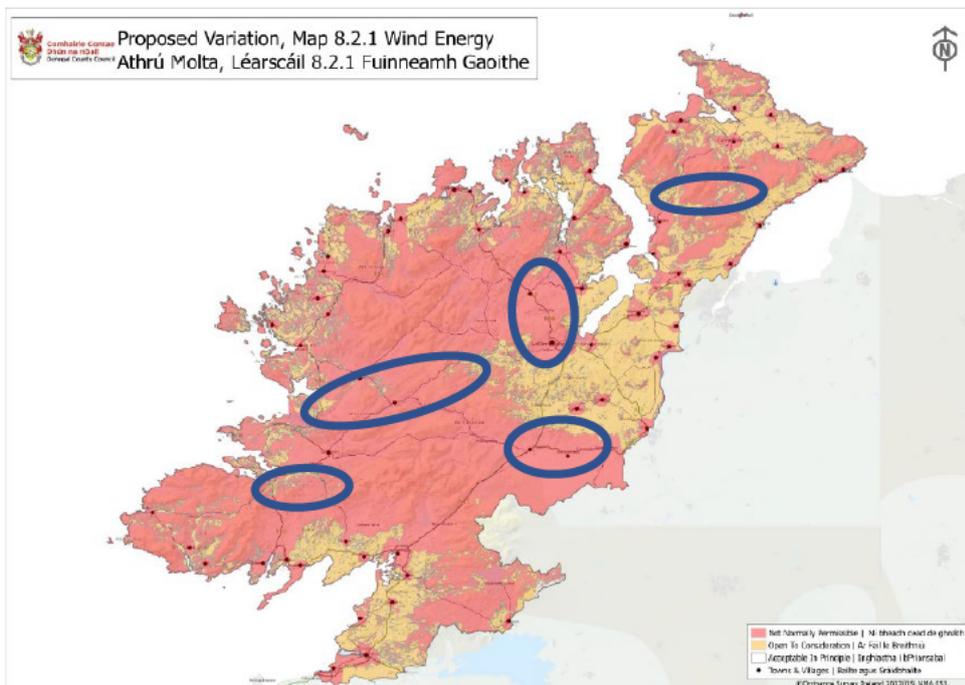


Figure 1b: Proposed Variation Map (Red areas are 'Not normally permissible')

Although we fully acknowledge that this map was varied in 2012 and, as a consequence, the map was set aside by the courts (Record Number 2018/533JR between Planree Limited, Applicant and Donegal County Council, Respondent), it is nonetheless relevant to compare, acknowledge and understand the significant new restrictions.

The variation to Map 9 which resulted in the map being expunged by the Courts while more restrictive than the 2012 map was nonetheless also less restrictive than the currently proposed variation. We refer to a similar side by side comparison of the expunged map and the proposed variation in Appendix 1.

We believe this negative trend in the County is a retrograde step and is contrary to obligations of the Council under the Climate Action and Low Carbon Development (Amendment) Act 2021, Section 17. This states:

- (1) *A relevant body shall, in so far as practicable, perform its functions in a manner consistent with*
- - (a) *the most recent approved climate action plan,*
 - (b) *the most recent approved national long term climate action strategy,*
 - (c) *the most recent approved national adaptation framework and approved sectoral adaptation plans,*
 - (d) *the furtherance of the national climate objective, and*
 - (e) *the objective of mitigation greenhouse gas emissions and adapting to the effects of climate change in the State.”*

Donegal County Council is a ‘relevant body⁴’ and while the Climate Action Plan does not set out a specific breakdown in terms of the contribution of individual local authorities to each of the renewable technology targets, it does set out an ambition to almost double the amount of onshore wind deployed nationally. Each County must therefore strive to facilitate onshore wind where possible and always subject to the principles of proper planning and sustainable development. As outlined above we believe the Draft Plan, as it relates to onshore wind, is less ambitious than its predecessor and as such cannot be described as consistent with the most recent Climate Action Plan. For this reason, we believe the Draft Plan as proposed would be in breach of this Act, should it be adopted and must be amended.

The 10x tip height setback requirement from residential properties proposed under E-P-16 and E-P-23 significantly reduces the development potential of the County Development Plan even further. This is discussed in Section 3.1 of this submission but even in the absence of this policy, it is important to note that the Plan is not consistent with most recent Climate Action Plan.

3.0 Non-compliance with the Interim Guidelines for Planning Authorities on Statutory Plan, Renewable Energy and Climate Change (July 2017) [DHPLH]

Specific Planning Policy Requirement No. 2 of these Guidelines requires planning authorities to indicate how the implementation of the development plan will contribute to realizing overall national targets on renewable energy and in particular wind energy production and the potential wind energy resource of the Plan in MW over its effective period.

⁴ “Relevant body” is defined in the Principal Act (Climate Action and Low Carbon Development Act 2015) as a “prescribed body” and a “public body” both of which are in turn defined in the Freedom of Information Act 2014, and Freedom of Information Act 1997. The 1997 Act specifically includes local authorities (1st Schedule Part 3).

In response to this requirement the proposed variation notes that it is not possible to make such a calculation for a number of reasons and that these reasons provide a broad overview of the Plan's potential.

The primary reason provided is that the development of wind farms is not precluded in the 'Acceptable in Principle' and 'Open to Consideration' areas, albeit acknowledged that the proposed 10 times tip height setback from residential receptors will restrict development in a significant portion of these areas. Another reason is that it is not possible to predict the potential of repowering due to developing turbine technologies.

In relation to the reasons put forward, and the primary point in particular; we note that there is an exceptionally small portion of lands only in the 'Acceptable in Principle' category located on the Donegal Tyrone border north of the Tenor River.

In relation to the 10x tip height setback (and based on a 150m tip height as per the Council's own assumption) our objective analysis has found it is practically impossible to progress wind energy projects of a meaningful size in most of the county. Furthermore, based on our extensive experience and knowledge of the sector, 150m is a conservative tip height and is now at the lower end of tip heights currently being proposed across the Country. This could only enable lesser projects with inferior commercial profiles, resulting in more expensive power delivered onto the national grid and to consumers.

Finally in relation to the potential arising from repowering, it must be noted that is essential to maintain the MW generation afforded by operating wind farm projects to meet national targets. This is one of the primary purpose of repowering. Many existing operating wind turbines in Donegal will not reach the end of their operational life before 2030 and so repowering this fleet will not contribute to 2030 targets. In short, the Climate Action Plan requires an **additional** 4GW to achieve the 2030 target and this can only be achieved over this period with the development of new onshore wind projects.

In conclusion SPPR No. 2 is a mandatory requirement and the reasons provided by the Council do not fulfill the requirement in our view. We believe the proposed variation is thus fundamentally flawed and cannot be adopted in its current format.

3.1 Setback from Residential Properties - 10 x Tip Height

Proposed policy E-P-24 imposes a minimum 10x tip height setback from wind turbines to the nearest point of curtilage of any residential properties. As stated above, the proposed variation acknowledges that this is not in accordance with the SPPR in Draft Wind Energy Guidelines or the requirements of the SPPR in the Interim Guidelines for Planning Authorities on Statutory Plan, Renewable Energy and Climate Change (July 2017). However, it is argued, amongst other things, that it is consistent with the Council's previous policy decisions and is the will of the people of Donegal.

The imposition of excessive setbacks and the lack of consideration of same on the development potential of the County has been the subject of interventions by the Office of the Planning Regulator

and Draft Directions from the Minister in recent times. For example, in Westmeath the Minister⁵ found that similar⁶ proposed setbacks rendered it impossible to progress wind energy projects in the vast majority of that county and this significantly limited renewable energy projects to the extent that the policy was inconsistent with the requirement to demonstrate that Plan's contribution to national targets. Furthermore, the Minister found that the policy gave rise to conflicting objectives regarding renewables which were supportive in the abstract but restrictive in the detail. The same issues arises of foot of this proposed variation and in totality the Donegal County Development Plan fails to set out an overall coherent and consistent strategy for the proper planning and sustainable development of onshore wind. This policy and all associated text must be removed entirely from the proposed variation.

4.0 Wind Energy Map and Zoning Methodology

It is stated that the wind energy map was prepared using the methodology in Section 3.6 of the Draft Guidelines. Members subsequently made amendments to the map submitted by the executive team. These amendments changed areas from 'open to consideration' to 'not permissible' and these changes are summarized as follows:

1. The Lifford-Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns.
This was amended due to the presence of moderately high and low susceptibility areas in this area and the landslide event at the adjacent Meenbog windfarm site. Also due to the public water supply reservoir and the need to protect the catchment.
2. All moderately high, high, and moderately low landslide susceptibility areas in the County.
(Note: Areas of high susceptibility were already within not normally permissible areas in the proposal by the Executive team.)
3. The Gweebarra River Valley.
The proposed variation states that while much of the river valley was already included in the not normally permissible areas, the inclusion of this area consolidates the designation having regard to the fact it adjoins two specific EHSAs (the Gweebarra River and Louch Finn) and there are spectacular views of both from the area. It also cites the potential of this area to play a leading role in offsetting carbon emissions and the vast environmental assets in the area namely Meenmore West Bog; Coolvoy Bog; vast mature forestry and Lettermacaward Water Treatment Plan. Lastly there is reference to the proximity of this area to one of Ireland's leading salmon fisheries.
4. St. John's Point
5. Freshwater pearl mussel catchments. This is attributed to a submission by the EPA to afford these catchments the highest level of protection.

⁵ [Draft Ministerial Direction Westmeath 2.pdf \(westmeathcoco.ie\); Ministerial-Direction-Laois-County-Development-Plan.pdf](#)

⁶ Westmeath County Development Plan Policy CPO 10.143 was deleted in the Minister's Draft Direction and provided the following separation distances between wind turbines and residential dwellings: • 500 metres, where the tip height of the wind turbine blade is greater than 25 metres but does not exceed 50 metres. • 1000 metres, where the tip height of the wind turbine blade is greater than 50 metres but does not exceed 100 metres. • 1500 metres, where the tip height of the wind turbine blade is greater than 100 metres but does not exceed 150 metres. • More than 2000 metres, where the tip height of the wind turbine blade is greater than 150 metres.

(Note: The entirety of the ‘Especially High Scenic Amenity Areas’ was designated not normally permissible by the members however these were already within not normally permissible areas in the proposal by the Executive team.)

The inclusion of the above constraints go far beyond that provided for under Section 28 Wind Energy Development Guidelines 2006 (mirrored in the 2019 Draft Wind Energy Development Guidelines). Section 3.5 of Wind Energy Development Guidelines 2006 sets out a “*Step-by-Step Guide to the Analysis of Suitable Areas for Wind Energy by the Planning Authority*”. This involves analysing the wind energy resource of the County, the landscape character of the County, and an overlay of the two.

“The process of overlaying wind energy mapping and landscape assessment with the development plan designations will produce a basis for identifying broadly, the areas where wind energy developments would be ‘acceptable in principle’, where they would be ‘open for consideration’, and where they would be ‘not normally permissible’.”

This, in turn, is integrated with information on grid infrastructure⁷ and overall;

“This process will establish, at a general level, areas where wind energy resources are readily capable of development as well as identifying other areas where wind energy resources are capable of being developed but where there is a need for corresponding development of electricity grid infrastructure.”

All other environmental aspects are appropriately left to be addressed on a site-specific basis, through the processes of Environmental Impact Assessment and Appropriate Assessment.

The five items listed above go far beyond the remit of the Wind Energy Development Guidelines. The proposed variation has applied, at a gross level, constraints which are only appropriate to consider at a site-specific level and in so doing so has excluded viable new commercial wind farm sites in the County. Similar approaches by other Councils have already been subject to unfavourable Ministerial Directions⁸.

It should be noted that there is an exceptionally small area designated ‘Acceptable in Principle’ only. This in and of itself is also contrary to the principles specified in the Wind Energy Development Guidelines 2006 which envisages 3 substantial tiers of designation.

We believe ‘landslide susceptibility’ and ‘catchment boundaries’ are not plan making considerations and should not be included as constraints in the Plan. No other industry/sector appears to be targeted in this way, no matter what the scale. Similarly, we have serious issues with the reasons provided for constraining development in the Gweebarra River Valley. Each of these issues are discussed below.

⁷ EirGrid’s ‘Shaping our Electricity Future Roadmap’ 2021, envisages upgrades that will facilitate additional generation in the northwest. Furthermore, FEI recommend that existing grid constraints are not considered hard constraints when preparing wind energy strategies. This is because, amongst other things, the development of the Grid will react to (planning) consented developments where necessary. In essence this means that a planning consent, or indeed a critical mass of planning consented projects triggers grid development/reinforcement where necessary.

⁸ [Notice of Draft Ministerial Direction in the matter of Section 31\(7\) of the Planning & Development Act 2000 \(as amended\) Kilkenny City and County Development Plan 2021-2027 | Kilkenny County Council Consultation Portal](#)

4.1 Landslide Susceptibility

Areas of 'high', 'moderately high' and 'moderately low' susceptibility areas, as identified by the Geological Survey Ireland (GSI), are categorized⁹ as 'not normally permissible' areas for wind development.

It is imperative to point out that the GSI landslide susceptibility map is a valuable resource created and based on the concept that if a landslide has occurred in a particular set of conditions (soil type, slope, water flow) and, if those conditions occur elsewhere, those locations would also be susceptible to landslides.

The GSI dataset is created at a regional level using a map-based approach and so does not account for site-specific topography or site-specific soil depths or soil strengths. It also does not discriminate between landslide type; it would not separate rockfalls from extensive peat landslides for example.

Survey work along with technical expertise to interpret the data is the only means of accurately assessing geotechnical conditions and site suitability for wind farm development. Decisions in relation to soil stability cannot be made based on GSI mapping.

For this reason, we strongly contend that sites should never be excluded based on GSI mapping but rather on accurate based site-specific information. In other words, landslide susceptibility is a project level consideration and not a development plan zoning consideration.

The lands at Glenard on the Inishowen peninsula are an example of the inappropriateness of this approach. FEI has applied for a wind farm development at this site and the application is currently under consideration by An Bord Pleanála (ABP Ref. 312659-22). The proposed variation categorizes these lands as 'not normally permissible' based on landslide susceptibility only. None of the other sieving constraints apply to this site.

Extremely detailed site geotechnical survey work has been undertaken at this site over a prolonged period. Public consultation and consultation with relevant bodies has also been undertaken. A very detailed geotechnical and peat stability assessment report was submitted with the planning application. The findings show that the proposed wind farm has an acceptable margin of safety, is suitable for the proposed wind farm development and is at low risk of peat failure. The findings also incorporate recommendations and control measures for construction work in peatlands to ensure that all works adhere to an acceptable standard of safety. It should be noted that the assessment was undertaken considering peat failures that occurred on other peatland sites (such as at Shass Mountain 2020, Co. Leitrim and Meenbog 2020, Co. Donegal). The lessons learned from both events are incorporated into the design of the project and into the proposed construction methodologies.

The above demonstrates that it is not appropriate to constrain wind farm projects at the Glenard site, or any site, based on regional scale GSI mapping. Such a determination can only be made on a project-by-project basis with the benefit of site-specific data. This constraint inappropriately eliminates large

⁹ Reference No. 10, Section 5.2 - Spatial Data Used for the Sieve Analysis

areas in the County that are viable for wind development and must be removed from the proposed variation.

4.2 Catchments and Freshwater pearl mussel catchments

This constraint appears to be included on the assumption that wind farm development is a threat to sensitive catchments. It is true that wind farms involve substantial construction works. However, the protection of watercourses through appropriate management is standard in the wind farm construction industry. Surface water management techniques are well-established, well known and well understood. The record of wind energy construction in Ireland over almost 30 years has shown that this can be very well managed in practice. In our view, it does not make sense to exclude one industry alone (and no others) based on a matter that is very capable of being well-controlled. Furthermore, wind farms in operation have no effects on water quality whatsoever.

The appropriate means of assessing the likelihood of specific impacts on water quality is through the processes of Environmental Impact Assessment and Appropriate Assessment. Details such as site-specific water management plans and protective measures can be detailed and assessed through these processes and the consideration of the planning application. We believe it is inappropriate to pre-empt the results of such an assessment by excluding sites on this basis in the proposed variation. To presume that an effect will arise, without having analysed that effect in any meaningful way is unreasonable.

The appropriate course of action is to remove this constraint from the proposed variation and to allow detailed site-specific assessments to be undertaken that will provide an opportunity to show that a wind farm will not affect water quality (or indeed to refuse permission if that is not shown). We strongly contend this constraint must be removed from the proposed variation.

We note that identifying sensitive catchment boundaries, including Freshwater Pearl Mussel catchments as a constraint reflects a similar approach by Donegal County Council in 2016. This issue triggered a ministerial direction¹⁰. Although this ministerial consent was later quashed that was for failure to give adequate reasons, and not in relation to a substantive issue. We believe applying this constraint today is equally inappropriate and should be removed.

4.3 Gweebarra River Valley

The Gweebarra River Valley has been designated not normally permissible for wind development for three reasons as follows:

- I. While much of the Gweebarra river valley was already included in the not normally permissible areas, the inclusion of this area consolidates the designation having regard to the fact it adjoins two specific EHSAs (the Gweebarra River and Lough Finn) and there are spectacular views of both from the area.

¹⁰ [Ministerial Direction in relation to Variation No. 2 to CDP 2012-2018 \(As Varied\).pdf \(donegalcoco.ie\)](#)

- II. The potential of this area to play a leading role in offsetting carbon emissions and the vast environmental assets in the area namely Meenmore West Bog; Coolvoy Bog; vast mature forestry and Lettermacaward Water Treatment Plan.
- III. The proximity of this area to one of Ireland's leading salmon fisheries.

In relation to reason (iii) and potential impacts on nearby fisheries; this a site-specific consideration. It is not and cannot be a reason for designating lands not normally permissible. If it was, restrictions on all construction activities (not only wind) within a buffer surrounding the fisheries would need to be imposed by the Council and the entire County Development Plan amended accordingly. No such buffer is proposed and the reason for inclusion of this consideration is unsound in our view.

Similarly, impacts on the other environmental assets listed in reason (ii) are also site-specific considerations. In relation to protecting the potential of this area to play a leading role in offsetting carbon emissions (reference to vast mature forestry) it should be noted that a significant portion of the constrained lands in this location are in fact Coillte forested lands or private commercial forested lands. These lands are the subject of an early-stage wind farm project that is currently under consideration by FEI and its co-development partner Orsted. They are located southeast of the Gweebarra River and south of the small village of Doochary. More information on this project and its location can be found on the dedicated project website www.cloghercorwindfarm.com.

Peat located in commercial forests is largely drained, modified and degraded. According to the Environmental Protection Agency (EPA)¹¹, natural peatland acts as a long-term carbon store; however, when peatland is damaged this function is reversed and carbon is released into the environment¹².

Due to the existing and on-going commercial forest activity of these lands in the Gweebarra River Valley, any underlying peat is drained and modified and is unlikely to be sequestering Carbon. The Council's logic to protecting this area as a carbon sink is thus flawed in relation to existing commercial forests on peat lands. We strongly contend that this constraint needs to be removed from the Wind Zoning Methodology at this location.

A recent study, Wind Power and Peatland by Scottish Renewables (2020), states that:

Wind farms which are to be built on peatlands are assessed using the Scottish Government's Carbon Calculator to ensure that the carbon payback is taken into account during decision

¹¹ Environmental Protection Agency (2013) EPA Note on *Ireland's Environment* Land and Soil. Environmental Protection Agency (2013) Climate Change Research Programme (CCRP) 2007-2013 Report Series No. 15; Carbon Restore: The Potential of Restored Irish Peatlands for Carbon Uptake and Storage.

¹² A paper published in May 2021 (Jovani-Sancho, A.J., Cummins, T, and Byrne, K.A. (2021) Soil Carbon Balance of afforested peatlands in the maritime temperate climatic zone; University of Limerick, Ireland, University of Nottingham, UK, and the UK Centre for Ecology and Hydrology.)¹², investigated the soil carbon balance of afforested peatlands and concluded that afforested blanket peatland soils are net sources of CO₂ emissions from oxidation of soil carbon. Losses from decomposing peat, following from oxygen entry due to drainage, are larger than above and below ground carbon inputs. The result of the study is that the carbon input is too small to give net carbon sequestration.

making. A review by the University of Edinburgh has shown that all wind farms included in a number of studies achieved carbon payback within two years.

The Scottish Government's Carbon Calculator methodology is approved by the Scottish Government and Scotland's Environmental Protection Agency to calculate the carbon balance from the development of the wind farms. It is also the established best practice in wind farm planning in Ireland and is a key feature of wind farm assessments.

The Carbon Calculator proves that wind farms in Ireland displace carbon over their entire lifetime, and that any carbon released during their construction is typically paid back within one to two years, in a 30-year lifespan. The stated reason to constrain lands at this location based on the potential of the area to act as a Carbon sink is flawed in relation to the peat forested lands. Furthermore, the combination of wind energy development located within extensive areas of forestry would undoubtedly play a more significant Carbon sink role than just the existing forestry.

In relation to reason (i) FuturEnergy Ireland and its co-development partner Orsted commissioned MacroWorks, Landscape and Visual Impact specialists to review the proposed variation in the context of this early-stage project. MacroWorks was established in 1999¹³. It operates to a strict code of quality assurance and is affiliated to the Irish Landscape Institute, which is a registered member of both EFLA (European Foundation for Landscape Architecture) and IFLA (International Federation of Landscape Architects).

A copy of the full report is contained in Appendix B. The key findings with regard to the early-stage project are as follows:

- This site is an appropriate location for a commercial-scale wind energy development in relation to landscape and visual considerations.
- The existing site, south of the Gweebarra River, is contained by broad-scale landscape features and land uses, which help assimilate the scale of commercial scale wind energy development.
- The site is heavily enclosed from the coastal areas of Donegal, which are renowned for their high degree of scenic amenity.
- Furthermore, the site itself is located within the Medium Sensitivity Area designation in County Donegal. These areas are described in the County Development Plan as having *"the capacity to absorb additional development that is suitably located, sited and designed"*.

In relation to the inclusion of this area in the not normally permissible designation *"having regard to the fact it adjoins two specific EHSAs (the Gweebarra River and Lough Finn) and there are spectacular views of both..."* the Macroworks report finds this to be an inaccurate representation of the facts. Lough Finn EHA is almost entirely screened from within this part of the Gweebarra River valley and while pleasant views are afforded from the immediate surrounds of the Gweebarra River valley, much of the area is cloaked in dense commercial conifer forest and provides little clear visibility of the river context. This is further reinforced by the fact that this extensive area between the two EHSA's is contained in the most robust and least sensitive scenic amenity classification - an MSA designation.

¹³ [about | Macro Works](#)

5.0 Proposed Policy E-P-16 and E-P-23

Proposed policy E-P-16 states it is a policy of the Council only to grant planning permission for new wind measuring masts in areas designated as 'Acceptable in Principle' or 'Open to Consideration'.

At times it is necessary to erect wind measuring masts on sites adjoining a proposed site to understand fully the wind regime of an area. This proposed policy unnecessarily impedes the ability of the industry to do this. The appropriateness or not of wind measuring equipment on a particular site can be determined by the Council as part of its consideration on a planning application. This policy is unnecessarily restrictive, does not recognise the needs of the industry and should be removed.

General issues in relation to proposed policy E-P-23 are dealt with in Section 4 of this submission. Part 2 of this policy however is also problematic. This states that wind farm developments must "*meet the requirements and standards set out in the DEHLG Wind Energy Development Guidelines 2021, or any subsequent related Guidelines.*" There are no such guidelines. This statement needs to be replaced with reference to the adopted 2006 Wind Energy Development Guidelines or any subsequent update thereof.

6.0 Community and Economic Development

We welcome proposed Policy E-P-22 which states:

"It is a policy of the Council to ensure that the proponents of wind energy projects have: a.) Meaningfully and properly consulted with the local community and facilitated public participation in developing their proposals; and b.) Demonstrated how the proposed development will be of enduring economic benefit to the communities concerned, through a form of community investment/ownership, benefit or dividend, or similar. All Applications of this nature shall be accompanied by a 'Community Report' in accordance with the Wind Energy Guidelines 2021, and shall form an essential component of any application subject to 22A of the Planning and Development Act 2000 (as amended)."

As the Council is aware, the Energy Sector is a key sector for job growth throughout the lifetime of the Draft Plan. A wind energy development can generate significant construction and operation jobs throughout its lifetime and significantly contribute to rural regeneration through the provision of local community benefit funds and local authority rates contributions.

In relation to communities, FuturEnergy Ireland operates a 'Fair Play Model' of engagement that commits to transparent dialogue and the sharing of information on an on-going basis with those most impacted by proposed developments. This model places greatest focus on the residents of dwellings within 2km of any development area and recognises the need to ensure people located further away from the development are informed as details become more defined.

FuturEnergy Ireland is also committed to ensuring that local communities benefit from having a wind farm in their locality in terms of a Community Benefit Fund that supports the development of local recreation amenities and provides additional community project funding. Community benefit

schemes relating to Renewable Energy Support Scheme projects will have significant community benefit and provide an opportunity to transform rural communities where projects are located. A good example includes recreational facilities at Sliabh Bawn Wind Farm in Co. Roscommon (www.sliabhbawnwindfarm.ie).

The Public Consultation on Good Practice Principles for Community Benefit Funds¹⁴, under the third Renewable Energy Support Scheme (RESS3) published 30th March 2021, provided welcome guidance on Community Benefit Fund administration, structure and quantity, indicating that a 50MW project will provide approximately €300,000 to the local community annually.

FuturEnergy Ireland is an active member of the Wind Energy Ireland (WEI, formerly IWEA) and our team members actively participate in several of the Association's committees and the Board of the organisation. WEI statistics confirm that in terms of initial capital investment, every megawatt (MW) of wind energy capacity installed gives rise to an investment of approximately €1.25 million. Ongoing investment and economic development benefits during the 30-year plus operational lifespan of wind farms take the form of rents payable to landowners, financial support for local communities in the form of community benefit schemes and commercial rates payable to local authorities. Combined, these amount to approximately €25,000 per MW per annum.

We are also working hard around Community Investment and examining how communities could be given the opportunity to invest in a wind farm project.

In summary, FuturEnergy Ireland believes that onshore wind energy is of strategic importance to the county in addressing climate change, growing the Donegal economy and providing employment opportunities in both rural and urban communities.

7.0 Working in Partnership on Wind Projects

The scale of the overall Climate Action Plan ambition is substantial and requires considerable collaboration between all parties involved or associated with renewable energy including the communities that will ultimately host the infrastructure. FEI has an experienced team in wind farm planning and development and is available to work in partnership with Donegal County Council to support the realisation of the Climate Action Plan targets.

8.0 Conclusion

It is critical that we increase our renewable energy fleet and remove fossil fuels from our society. Onshore wind is essential to meeting targets in our Climate Action Plan 2021 as well as our interim national targets between now and 2030. The recent REPower EU Plan revealed that the EU intends to drastically accelerate its transition to clean energy thereby increasing Europe's energy independence. One of the three central pillars to this is accelerating the roll out of renewables which includes appropriately identifying suitable areas on and offshore, as well as shortening permitting processes. This document was compiled in light of the ongoing Ukrainian conflict and security of

¹⁴ DoECC, 2021 "Community Benefit Funds – Good Practice Principles Handbook"

supply considerations are arguably more important than ever before, and highlight the important role onshore wind can play in leveraging Ireland's uniquely strong wind resource.

We believe the proposed variation, as it relates to onshore wind, is less ambitious than its predecessor and as such cannot be described as consistent with the most recent Climate Action Plan. For this reason, we believe it would be in breach of the Climate Action and Low Carbon Development (Amendment) Act 2021, should it be adopted and must be amended.

Similarly, the proposed variation is not compliant with SPPR No. 2 of the Interim Guidelines for Planning Authorities on Statutory Plan, Renewable Energy and Climate Change (July 2017) and is thus in breach of this mandatory requirement and should not be adopted.

In addition to the above overarching issues, we request the Council to:

- Remove proposed policy E-P-24;
- Remove 'landslide susceptibility' as a constraint layer in the Wind Energy Map methodology as it is a site-specific issue that will be addressed on a site-specific basis through the planning application process;
- Remove 'catchment boundaries' as a constraint layer in the Wind Energy Map methodology as it is a site-specific issue that will be addressed on a site-specific basis through the planning application process;
- Remove the 'Gweebarra River Valley' as a constraint layer in the Wind Energy Map methodology because the reasons given are inappropriate considerations at the plan making stage. Furthermore, the lands are located within the Medium Sensitivity Area designation in County Donegal. These areas are described in the County Development Plan as having "*the capacity to absorb additional development that is suitably located, sited and designed*";
- Remove proposed policy E-P-16;
- Amend proposed policy E-P-23 to refer to the adopted 2006 Wind Energy Development Guidelines or any subsequent update thereof;
- Maintain proposed policy E-P-22.

We thank you for the opportunity to provide feedback on the material amendments through the current consultation process. We would be happy to participate in any further engagement on this matter, including to discuss any aspect of our response, or to clarify any matters arising, should that be of assistance.

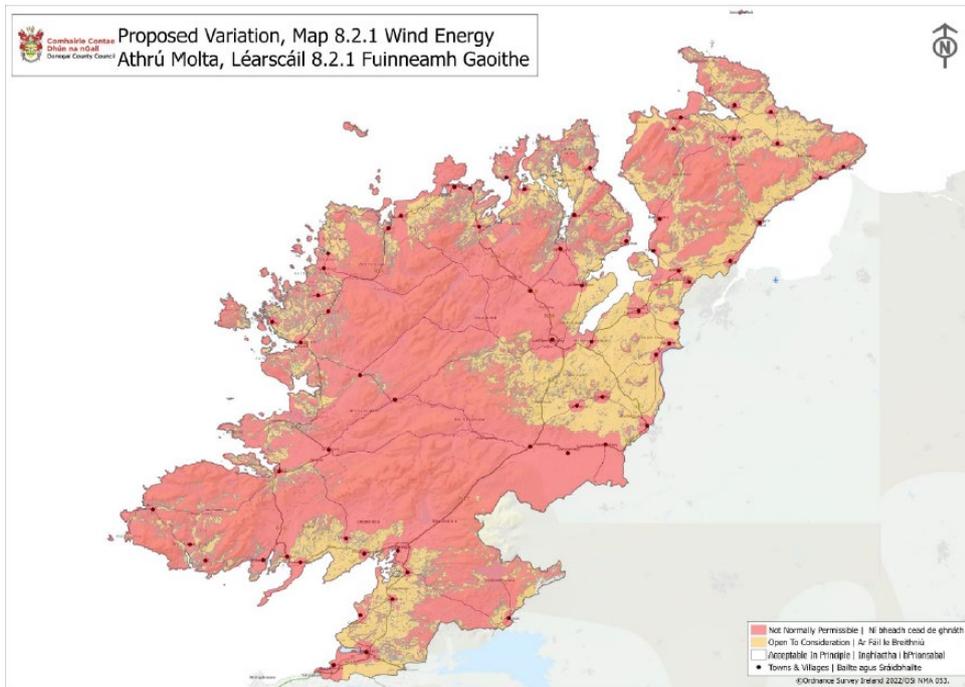
Yours sincerely,

[sent by email]

Sinéad O'Malley
Planning Manager
FuturEnergy Ireland

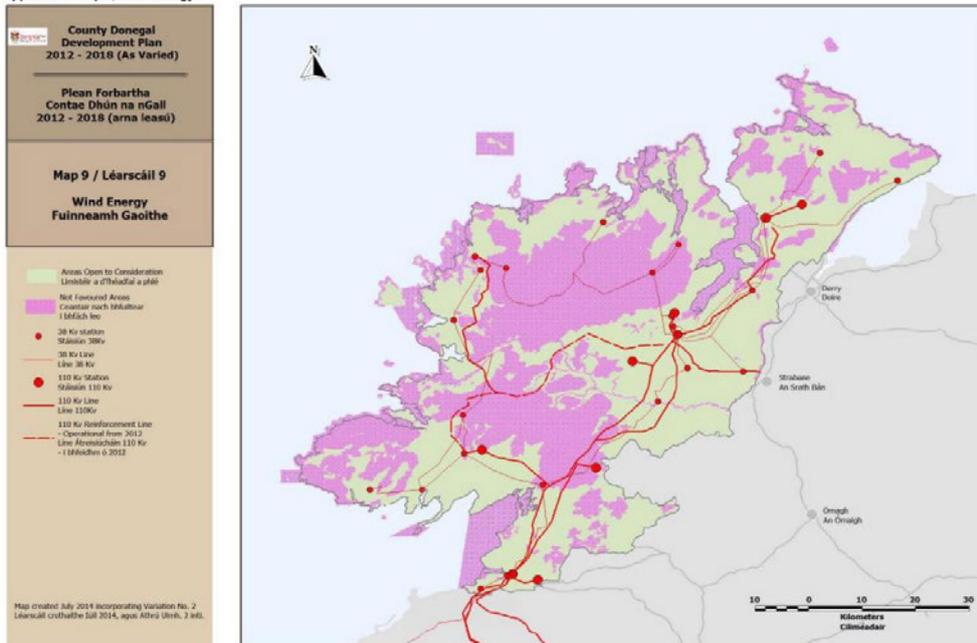
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Appendix 1:



2022, Proposed Variation Wind Energy Map.

Appendix 1: Map 9; Wind Energy.



Donegal County Development Plan, Variation No. 2 (Wind Energy) – Expunged by the Courts

Appendix B: Submission Statement Proposed Variation to the County Donegal Development Plan 2018-2024 (as varied) In relation to Cloghercor Wind Farm By Macro Works, May 2022

SEE SEPARATE ATTACHMENT

Submission Statement

Proposed Variation to the County Donegal Development Plan 2018-2024 (as varied)

In relation to Cloghercor Wind Farm

By Macro Works, May 2022



Introduction

This submission statement has been prepared on behalf of Orsted and Future Energy Ireland (FEI) to supplement a comprehensive response to the proposed variation to the Donegal County Development 2018-2024 in relation to the proposed Cloghercor Wind Farm located southeast of the Gweebarra River and south of the small village of Doocharry. Of particular interest to Orsted and FEI are the repercussions of the new 'Map 8.21 Wind Energy' for the proposed development. The following submission gives an analysis of the proposed variation to the County Donegal Development Plan 2018-2024 in respect of a Wind Energy Policy Framework with regard to landscape and visual, and identifies its potential implications for the proposed Cloghercor Wind Farm.

Existing Site Context

The proposed development is located along a section of the Gweebarra River valley to the east of the Gweebarra Bridge and the Gweebarra River estuary. The site is situated along rolling valley-side terrain ranging between 10-300m AOD and is contained to the south and east by a broad rolling ridgeline. In terms of land use, almost the entire site area is cloaked in extensive mature conifer forestry, whilst areas of moorland and corridors of riparian vegetation occur along the site's periphery. The nearest settlement to the site is that of the small riverside village of Doocharry, located to the north of the site, whilst the small village of Lettermacward is situated to the west of the site. The nearest agglomeration of residential dwellings is located to the north/northwest of the site on the south/southeast facing slopes of the Gweebarra river valley.

With regard to existing landscape and visual designations that contain the site, the proposed development is principally located within an area of 'Moderate Scenic Amenity (MSA)', whilst an 'Especially High Scenic Amenity (EHSA)' designation is located along the immediate corridor of the Gweebarra River and along the most elevated areas within the site, along its southern and south-eastern boundary. The nearest scenic view designation is located at the Gweebarra Bridge and is oriented

northeast and southwest from the bridge structure along the corridor of the Gweebarra River. Two other scenic view designations occur at the settlement of Doochary north of the site and Lough Finn to the east of the site (Figure 2 refers). Both of these scenic designations are oriented in the opposite direction to the proposed development. With regard to wind energy policy, the proposed site is principally located in an area 'open to consideration' for wind energy development within County Donegal. Nonetheless, it is important to note that this wind energy mapping was removed from the current CDP in 2018 on foot of a High Court Order.

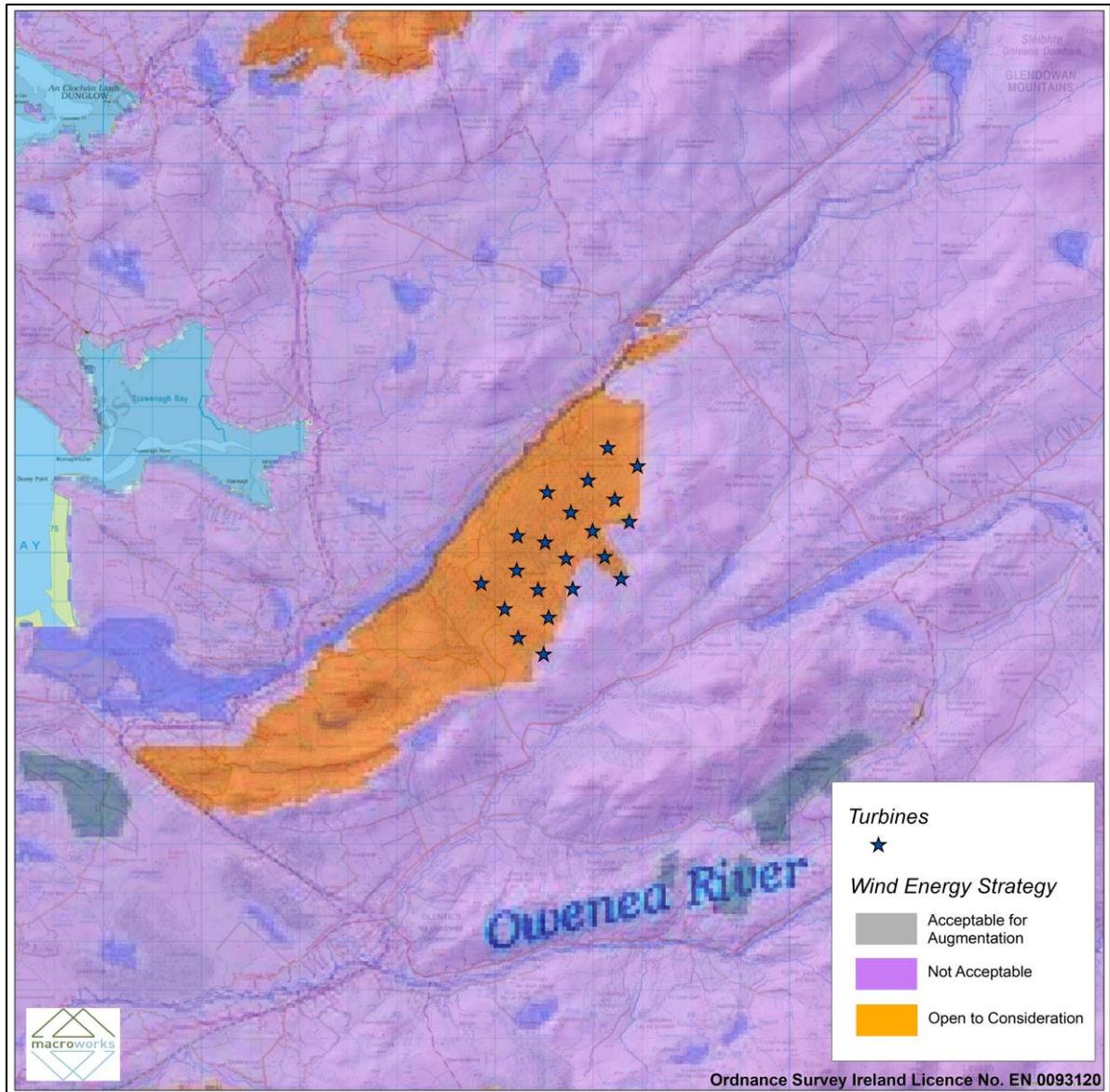


Figure 1: Excerpt from map 8.2.1 of the current Donegal County Development Plan (removed on foot of High Court Order) showing an early stage layout of the proposed Wind Farm in relation to wind energy policy areas.

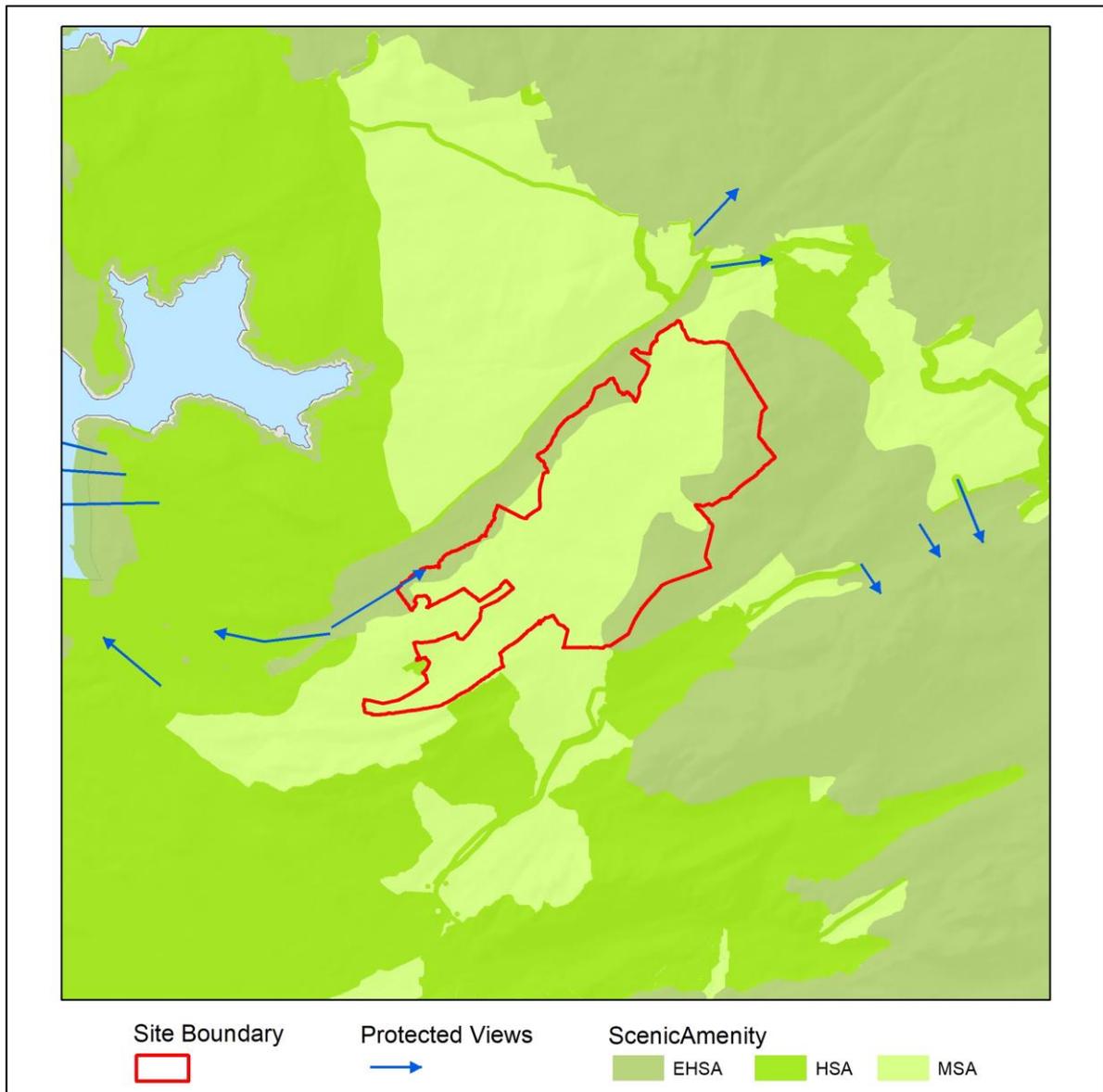


Figure 2: Scenic amenity and protected view designations in relation to the proposed development

Proposed Variation to the County Donegal Development Plan 2018-2024 in respect of a Wind Energy Policy Framework (WEPF)

An updated map (map 8.2.1 wind energy - Figure 3 below refers) showing wind energy policy areas is included within the proposed variation to the County Donegal Development Plan. This includes an updated but similar set of wind energy policy classifications as the previous wind energy policy map that was subsequently removed on foot of a high court order. The updated classification includes areas 'open to consideration', 'not normally permissible' and 'acceptable in principle'. The 'acceptable in principle' designation, the newest wind energy policy classification, encompasses an exceptionally small area of land cover within Donegal and comprises several small polygons located on the Donegal Tyrone border north of the Tenor River.

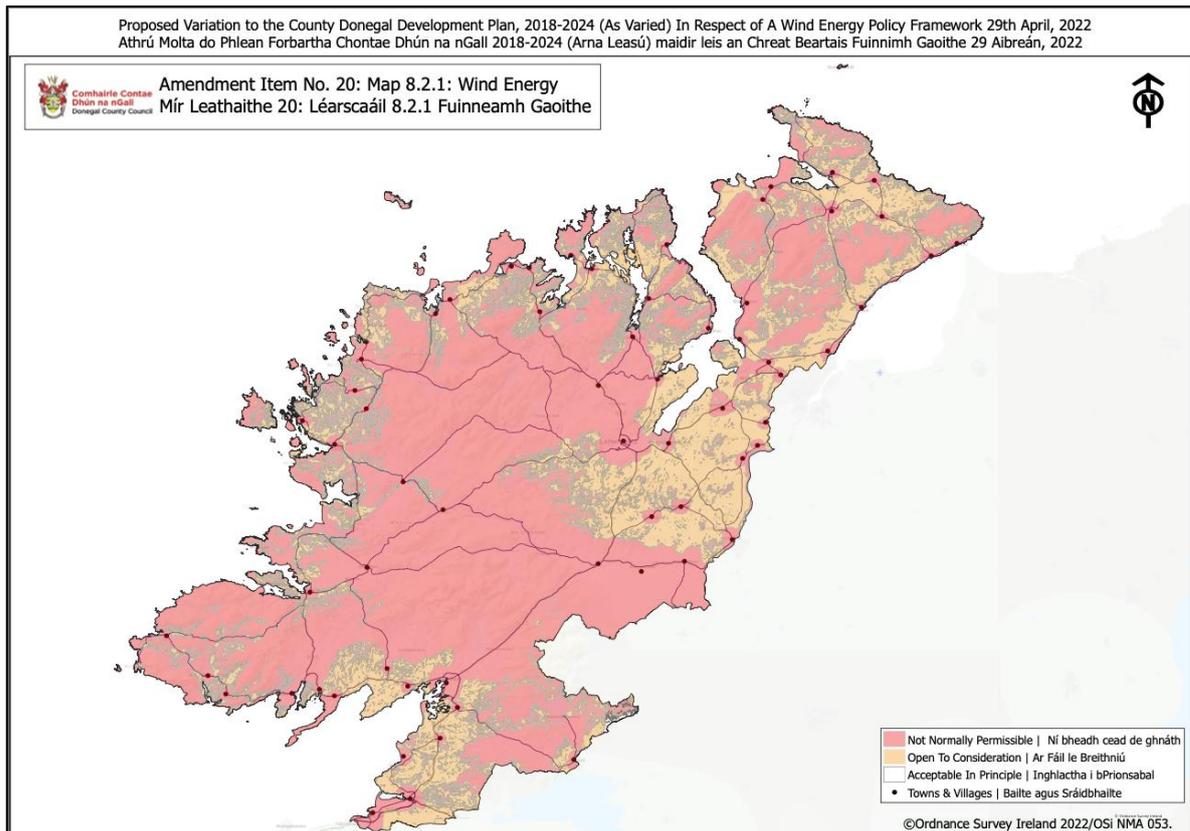


Figure 3: Map 8.2.1 showing wind energy policy areas within County Donegal in relation to the site (Proposed variation to the County Donegal Development Plan 2018-2024)

With regard to the proposed Cloghercor Wind Farm development, the Wind Farm site now appears to be located in a 'not normally permissible' wind energy policy area, which contrasts with the previous 'open to consideration' classification (CDP 2018-2024) that contained much of the site. The wind energy policy surrounding the site has also been revised, with areas north of the Gweebarra River corridor now classified as 'open to consideration'. It is important to note that these areas comprise a notable population of rural residential dwellings. Furthermore, much larger areas of 'open to consideration' occur further to the west of the site, which again contrast with the previous wind energy policy, and encompass the settlement of Lettermacward, Toome Lough, highly scenic coastal areas in the surrounds of Corr Point and the mouth of the Gweebarra River – areas that will automatically be precluded from wind energy development due to required residential setback distances.

Table 1 of the proposed variation to the County Donegal Development Plan 2018-2024 (WEPF) sets out its response to policy outlined in the current draft of the Wind Energy Development Guidelines (WEGs) 2019. With regard to the WEGs policy SPPR1 (3), the proposed variation states "map 8.2.1 entitled 'Wind Energy' designates areas as 'Acceptable in Principle', 'Open to Consideration' and 'Not Normally Permissible'. This Map was prepared using, as a basis, the methodology set out in Section 3.6 of the draft Guidelines". This map was subsequently amended by the local authority, changing areas from 'Open to Consideration' to 'Not Normally Permissible'. The most relevant of these to the proposed development include amendment 3 and amendment 6 as set out below;

(3) The Gweebarra River Valley – Whilst much of the river valley was already included in the ‘Not Normally Permissible’ areas, this proposal consolidated the ‘Not Normally Permissible’ designation having regard to the fact that the area joins two specific EHSA’s The Gweebarra River and Lough Finne, with the mapped area there are spectacular views of both EHSA’s Gweebarra River and Lough Finne, considering the vast environmental assets in the area – Meenmore West Bog; Coolvoy Bog; vast mature forestry; Lettermacaward Water Treatment Plant; there is potential for this area of the County to potentially play a leading role offsetting carbon omissions as well as its proximity to one of Irelands leading Salmon Fisheries”.

(6)Entire Especially High Scenic Amenity Area (per Map 6.1.1). Of note here is that the entire designated EHSA was already contained within the designated ‘Not Normally Permissible’ areas.

Analysis of Updated Wind Energy Policy and Mapping

In updating the wind energy mapping for County Donegal, the Council states “*areas have been identified using a step-by-step sieve mapping analysis as a basis for constructing the map, by carrying out a comprehensive analysis of the environmental sensitivities and the wind energy potential of the County (in accordance with the Draft Wind Energy Development Guidelines 2019)*”. Nonetheless, in relation to landscape and visual, the updated wind energy mapping is considered flawed for the following reasons;

1. Table 1 of the draft WEGs clearly identifies a step-by-step approach to identifying suitable locations for wind energy development. Step two of this table states “*factors that can inform landscape sensitivity to wind energy development include scenic quality, rarity, uniqueness, natural and cultural heritage and environmental considerations. Special attention is recommended in areas (such as coastal or island areas) where there is higher potential for the occurrence of adverse visual impacts arising from limited assimilative capacity.*” Whilst the council has continued to exclude EHSA designations from the wind energy policy mapping, their use of the following two scenic amenity classifications (both of which are deemed less sensitive than the aforementioned EHSA designation) in the sieve mapping analysis is relatively ambiguous. The HSA designation is included as a spatial data layer used in the construction of ‘open to consideration’ areas, however the following and less sensitive MSA designation is not included. It is unclear as to why the most robust of the three scenic amenity classification has not been used as a basis to construct ‘open to consideration’ and ‘acceptable in principle’ wind energy policy areas, as scenic quality is one of the principle factors that can affect wind energy policy areas. Furthermore, this appears to be in direct contrast to the previous wind energy mapping for County Donegal, which previously appeared to include the MSA designation as a basis to create ‘open to consideration’ areas.

As examples, the site of the proposed Cloghercor wind farm is principally located within an MSA designation on the previous wind energy policy mapping. The relationship between wind energy policy areas and scenic amenity classifications is clearly accounted for here, as a broad linear area of 'open to consideration' located to the south of the Gweebarra Rivers is directly aligned with an MSA designation (see Figure 4 below). In contrast to this, the relationship with Donegal's Scenic Amenity classifications in the updated wind energy policy mapping is much less apparent.

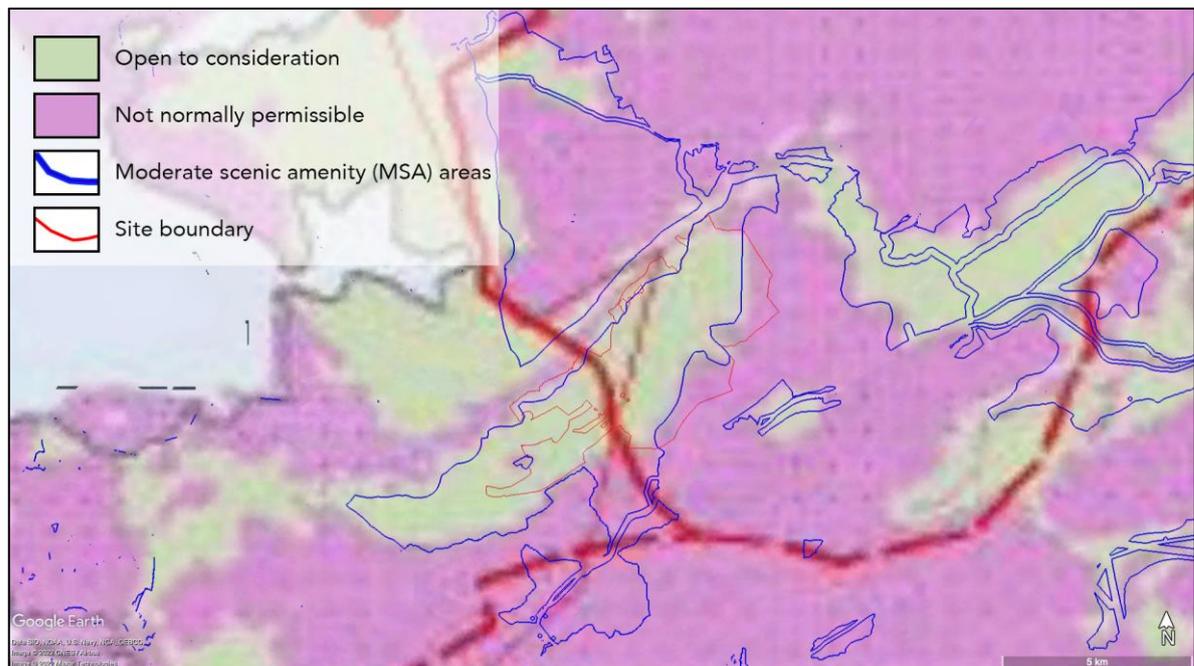


Figure 4: Excerpt from the Donegal CDP 2012-2018 wind energy mapping (showing the clear relationship between the 'open to consideration' wind energy policy and the Moderate Scenic Amenity (MSA) designation (blue line).

2. The current CDP identifies 'views to be protected' throughout Donegal, many of which are often associated with the coastline. Donegal's coastline is deemed one of the most visually sensitive parts of the county, highlighted by the EHSA designation that occurs along the entirety of the immediate coastline. In some instances, the proposed wind energy mapping appears to be at odds with the views to be protected, especially those along the coastline. As an example, the proposed wind energy policy mapping includes numerous areas 'open to consideration' in the surrounds of the Gweebarra River estuary, which also includes two views to be protected. One such view to be protected is oriented west from the N56 at Maas. Nonetheless, the proposed wind energy mapping highlights areas 'open to consideration' west of the N56 and along the adjoining coastline. From a landscape and visual perspective, it is highly ambiguous as to why these areas are classified with an 'open to consideration' designation, as any wind energy development here would likely be at odds with policy NH-P-17 in the current CDP. It is also important to note that table 1 of the WEGs clearly identifies the need for special attention in areas "such as coastal or island areas" where there is higher potential for the

occurrence of adverse visual impacts. Finally, the council includes a direct contradiction to their 'open to consideration' designations in the surrounds of the Gweebarra River basin in the new Policy E-P-23, which states *"It is policy of the council that wind farm developments: 1(ii) must not be located within the following areas, subject to the possible exceptions set out in Policy E-P-12(1)(c)(ii): (b) the Gweebarra River Basin"*

The proposed Cloghercor development has been discreetly and appropriately sited away from Donegal's most scenic and visually susceptible landscape areas. One of the principal mitigation measures employed in the siting of the proposed development was that it was entirely located away from the immediate coastline. The location of the site itself is in a contained valley setting that has limited potential to notably influence the more sensitive and scenic coastal areas within Donegal landscape such as the Gweebarra River estuary. Thus, from a landscape and visual perspective, it appears highly contradictory for the council to remove a robust and less constrained 'open to consideration' designation that previously contained the site, in place of newly proposed 'open to consideration' areas located along the more sensitive and highly constrained coastal parts of the county, such as the surrounds of the Gweebarra River estuary.

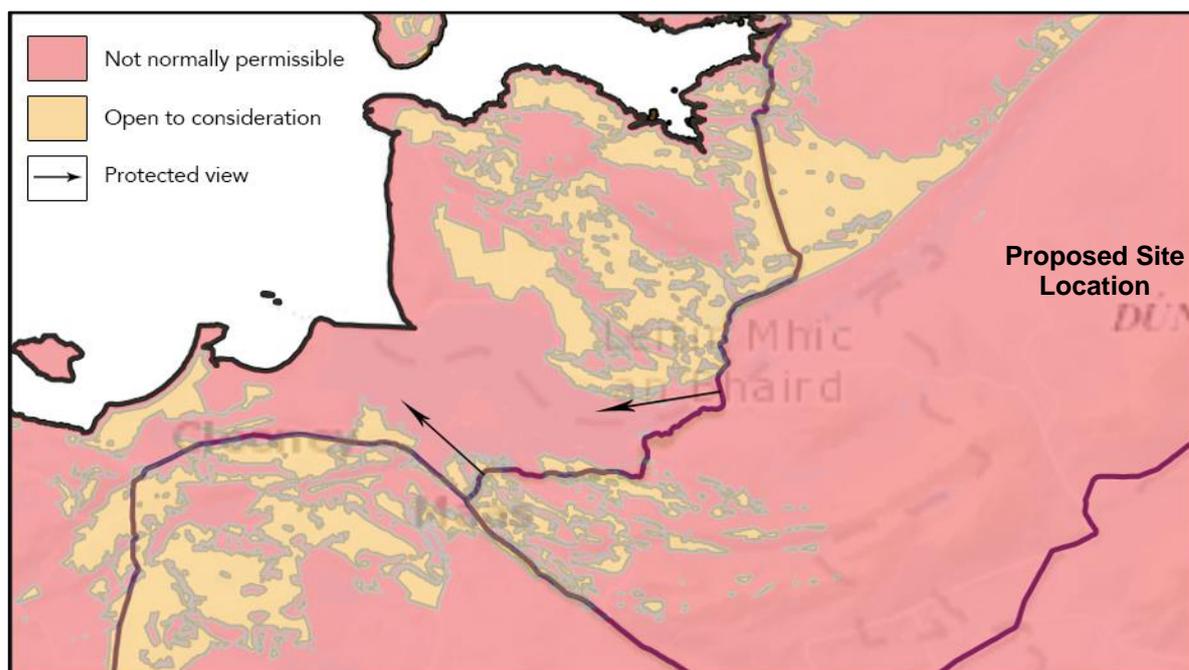


Figure 5: Excerpt from the proposed wind energy mapping for Donegal showing wind energy classifications in relation to protected views, sensitive coastal areas and the proposed development site.

3. As mentioned previously, the landscape policy that contains the site of the proposed Cloghercor wind farm has changed from 'open to consideration' to 'not normally permissible'. Whilst the proposed variation includes some rationale for this change, it is considered that the rationale provided is highly ambiguous, some of which has little relevance for the exclusion of potential wind energy development.

Amendment 3 states that *“much of the river valley (Gweebarra River) was already included in the ‘not normally permissible’ areas”*. This is a highly inaccurate statement as an area stretching upwards of 13km in length extending south from the Gweebarra River basin towards the settlement of Doochary along the north/northwest face of the Gweebarra River valley was previously classified as ‘open to consideration’ in relation to wind energy development (see Figure 4 above).

The amendment text then states *“Whilst much of the Gweebarra River valley was already included in the ‘Not normally permissible’ areas, this proposal consolidated the ‘Not Normally Permissible’ designation having regard to the fact that the area joins two specific EHSA’s the Gweebarra River and Lough Finne, within the mapped area there are spectacular views of both EHSA’s Gweebarra River and Lough Finne”*. It is considered an inaccurate representation to state that ‘spectacular views’ are afforded of both EHSA’s from here. Lough Finn is almost entirely screened from within this part of the Gweebarra River valley. Therefore, it is not considered a relevant constraint for the removal of an ‘open to consideration’ designation. Furthermore, whilst pleasant views are afforded from the immediate surrounds of the Gweebarra River valley, much of the area highlighted for removal from the ‘open to consideration’ designation is cloaked in dense commercial conifer forest and provides little clear visibility of the river context. This is further reinforced by the fact that this extensive area between the two EHSA’s is contained in the most robust and least sensitive scenic amenity classification - an MSA designation.

The following text in amendment 3 identifies some reasoning for the removal of the ‘open to consideration’ area in the surrounds of the Gweebarra River valley, however, the relevance of this is questionable at best. One constraint given is the *“vast mature forestry”* that cloaks the southern river valley context, much of which carpets the proposed Cloghercor site. Indeed this is somewhat misleading as it should be titled ‘vast commercial conifer forest plantations’, which are typically associated with wind farm developments throughout the country. Whilst these extensive areas of commercial forestry are highlighted as a constraint, in reality, this is more a reason for the suitability of this landscape area for wind farm development. Again, the amendment text identifies the Lettermacaward Water Treatment Plant as an additional constraint for potential wind energy development, however, with regard to landscape and visual, this further highlights the robustness of this landscape context, which currently accommodates a variety of land uses and development types.

Finally, point three's amendment text identifies this area's potential to *“play a leading role offsetting carbon omissions”*. For this area to play such a role, the combination of wind energy development located within extensive areas of forestry would undoubtedly play a more significant role than just the existing forestry alone. With regard to landscape and visual, it is considered that this piece of amendment text highlights that although this landscape area contains some degree of landscape and visual constraints, it is a relatively robust and

somewhat modified setting comprising various land uses, the most prominent being, the extensive areas of commercial conifer forestry, which highlights the appropriateness of this area for wind energy development more than anything else.

Overall, it is clear that the updated wind energy policy mapping and proposed variation to the wind energy policy framework are highly contradictory and aim to preclude wind energy development throughout Donegal. Despite including an updated wind energy policy mapping for the county, which designates a relatively insignificant 'acceptable in principle' classification but some notable areas of 'open to consideration', the proposed variation appears to almost entirely preclude the potential for any wind energy development, as the proposed policy E-P-23 states, *"Ensure a setback distance for visual amenity purposes of ten times the tip height of proposed turbines from the nearest part of the curtilage of residential properties and other centres of human habitation"*. In the current scenario where proposed turbines in commercial-scale wind farms range from 150m – 200m tip height, this policy would inevitably eliminate all potential 'open to consideration' and 'acceptable in principle' areas within the county, many of which are now focused in lowland areas with notable rural population densities. Indeed, if this policy, which contradicts the WEGs (2019 – draft revised) setback distance of 4 x tip height, were to be incorporated at a national level, there would be little or no appropriate wind energy development sites throughout the country.

With regard to the proposed Cloghercor Wind Farm site, which was previously contained by an 'open to consideration' wind energy policy classification, it is considered that this site is an appropriate location for a commercial-scale wind energy development in relation to landscape and visual considerations. The existing site, south of the Gweebarra River, is contained by broad-scale landscape features and land uses, which help assimilate the scale of commercial wind energy development. The site is heavily enclosed from the coastal areas of Donegal, which are renowned for their high degree of scenic amenity (yet are now considered more appropriate for wind energy development). Furthermore, the site itself is located within the MSA designation in County Donegal. These areas are described as having *"the capacity to absorb additional development that is suitably located, sited and designed"*.