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To Whom It May Concern,

Wind Energy Ireland welcomes the opportunity to make this submission on the Proposed Variation to Donegal CDP 20118-2024 (As Varied) in respect of a Wind Energy Policy Framework.

Please find our submission to the consultation attached in PDF.

Best, Denis

Denis Devane
Senior Policy Analyst



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WEI Submission on the Proposed Variation to
Donegal CDP 2018-2024 (As Varied) in respect of a
Wind Energy Policy Framework

INTRODUCTION

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1 Introduction

Wind Energy Ireland (formerly the Irish Wind Energy Association) welcomes the opportunity to make this submission as part of the public consultation on the Proposed Variation to Donegal CDP 2018-2024 (As Varied) in respect of a Wind Energy Policy Framework. We have reviewed the proposed variations and draw the Council's attention to several points on behalf of our member organisations.

Changes to various national renewable energy policies in recent years have firmly placed the planning consent process front and centre at the earliest stages of any renewable energy project. For example, only when planning permission is secured can a project now apply for a grid connection to export energy to the national electricity grid and identify a route to market to sell it. Clear and supportive planning policies for wind and other renewable energy developments are needed to ensure we meet the challenge of climate change head on by decarbonising Ireland's economy and society in time to meet our 2030 and 2050 targets.

Progressive national, regional, and county plans are needed urgently, and we welcome the chance to comment on the proposed changes to Donegal's wind energy development policy.

1.1 Wind Energy in Ireland

Wind Energy Ireland (WEI) is the representative body for the Irish wind industry, working to promote wind energy as an essential, economical, and environmentally friendly part of the country's low-carbon energy future. We are Ireland's largest renewable energy organisation, with more than 170 members who have come together to plan, build, operate and support the development of the country's chief renewable energy resource.

Ireland has just over 300 operational wind farms,¹ representing an investment of over €7 billion and, as of 2021, 30 per cent of Ireland's electricity. The wind energy industry supports 5,000 jobs and annually pays more than €48 million in commercial rates to local authorities². We are a country with enormous renewable energy resources and potential and a world leader at incorporating onshore wind into the national grid. Wind energy decarbonises the electricity supply, cuts energy import costs and drives down wholesale electricity prices.

To achieve this, Ireland has built just over 300 onshore wind farms, mostly since 2003, with a combined capacity of approximately 4,300 megawatts (MW) and over 2,500 wind turbines. Even though these wind farms are supplying Ireland with the highest share of onshore wind in any EU electricity system, the resource in Ireland is so large that Ireland's turbine density is relatively low by EU standards. For example, a delay between the REFIT scheme ending and RESS scheme beginning saw just c.135MW installed during 2020.

While Ireland is a leader in this field, there is still potential for further growth, and it is imperative that we do everything possible to strike an appropriate balance between striving to meet our ambitious climate targets while managing development in a sustainable, thoughtful, and strategic way.

¹ It should be noted that WEI, like the transmission system operator EirGrid, bases these figures on the number of individual wind farm connections. Some larger wind farms may have multiple connections.

² Independent research carried out by Eamonn Halpin & Co. LTD – 'Report on the rateable liabilities of wind farms' on behalf of WEI (2022).

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1.1.1 Targets

Onshore and offshore wind power now needs to propel Ireland to renewable energy heights if we are to meet the future renewable energy targets set out in Ireland's Climate Action Plan. Government ambitions were initially set on developing at least 3.5 GW of offshore wind by 2030, this was later increased to 5 GW through the Programme for Government (PfG) agreed in June 2020. This is on top of the onshore commitments of an increase from ~4300 MW by the end of 2021 to ~8200MW by 2030. It is critical that the new DCC Development Plan provides every opportunity to get as many of the projects currently in development through the planning and approvals system to enable them to contribute to hitting our 2030 targets and to achieving carbon neutrality by 2050.

1.1.2 Public Opinion

Opinion polling carried out for WEI by 'Interactions' found that 79 per cent of Irish people were strongly in favour of, or tended to favour, wind energy. It is important to reiterate that these figures have been born out through similar polling over the years, including with different polling companies. In February 2016, Ipsos MRBI polling found support for wind energy at 70 per cent, which was supported by the findings of their earlier polls in 2014 and 2013 that found opposition to wind energy only reached double figures (12 per cent) once, that was in 2014. A 2016 Research Now poll for the ESRI indicated 78 per cent of respondents supported wind energy, this is compared to just 10 per cent of respondents holding a negative view of it. This made wind energy more popular in this poll than gas, coal, and biomass.³ The Irish people support clean, renewable, indigenous energy. (Bertsch et al., ESRI, Journal of Energy Policy 2017)⁴

1.2 International Context and Policy Drivers

Beyond the climate emergency, the ongoing war in Ukraine has made even more pressing the need to develop Ireland's indigenous energy generation resources to bring about predictability, self-reliance, and security of energy supply. The broad global, European, and national policy contexts have shifted towards a more rapid focus on the transition to renewables as states rebalance our collective over-reliance on Russian oil and gas. As the key driver of decarbonisation within Ireland's electricity sector, wind energy has an important role to play in this transition.

At EU level, work has been underway to encourage and facilitate this shift in focus. For example, the European Commission's REPowerEU strategy proposes new EU legislation⁵ requiring all member states to institute a presumption within planning consent systems that renewable developments are in the **overriding public interest and serving public health and safety** when balancing legal interests in individual cases.⁶ This would apply to the planning, construction, and operation of plants built to

³ ESRI Working Paper 545. October 2016.

⁴ <http://dx.doi.org/10.1016/j.enpol.2017.04.008>

⁵ To be introduced through the amendment of EU Directive (EU) 2018/2001 on the Promotion of Energy from Renewable Sources, Directive 2010/31/EU on the Energy Performance of Buildings and Directive 2012/27/EU on Energy Efficiency

⁶ For the purposes of Articles 6(4) and 16(1)(c) of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1)(a) of Directive 2009/147/

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produce energy from renewable sources, and for their connection to the grid, related grid development, and storage assets. It would come into force within 3 months of enactment at EU level and is due to remain in force **until climate neutrality is achieved**, thereby dictating the planning policy landscape for at least the next two decades.

As national, regional, and local planning policy will be governed by this expected change, it is important that variations to existing city and county development plans and new plans take account of the rapidly evolving legal landscape when it comes to renewables developments.

2 Comments on Proposed Variations

2.1 Wind Energy Potential of the County

Point 2 (pp.8), Ref 3, Part A, Section 2, Appendix 2: Insert new Section 28 statement in relation to the County Donegal Development Plan 2018-2024 in respect of Wind Energy

The proposed insertion sets out that the local authority does not view it as possible to make accurate calculations on the wind energy potential of the county. WEI contests this assertion based on our knowledge and experience of wind energy planning policy and that of our members. Moreover, we have observed such calculations in draft and finalised CDPs across the country, which suggests that such an exercise is not only possible but is achievable within the scope of the resources available to local authorities.

Though we do not suggest that such a task is easy as it requires technical information and know-how to accurately gauge such development potential, WEI does not accept that this is beyond the scope, expertise, or ability of Donegal County Council. We are also keen to highlight that given the requirement to almost double Ireland's wind energy generation capacity between now and 2030, every county has a role to play in facilitating appropriate and sustainable levels of wind energy development within their boundaries.

Donegal has an important role to play in delivering on this lofty aim given the significant natural resources present in the county. WEI is therefore concerned that the proposed variation to the existing CDP has failed to meet its obligation under Section 4.2 of the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* to

Indicate how the implementation of the relevant development plan or local area plan over its effective period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts) (DHPCLG, 2017, p. 2)

WEI recommends that the local authority immediately conduct a full assessment of the wind energy development potential of county Donegal and incorporate these figures into the text of the current CDP.

2.2 Landslide Risk and Wind Energy Zoning

Point 3 (pp.9), Ref 3, Part A, Section 2, Appendix 2: Insert new Section 28 statement in relation to the County Donegal Development Plan 2018-2024 in respect of Wind Energy

By introducing the context of the proposed variation under this point, the local authority sets out that,

The amendment was made due to the landslide event at the adjacent Meenbog windfarm site (an eventuality noted by the Members as being forewarned by an eminent Civil and Structural Engineer in a submission to the relevant planning application) (pp.9)

Though it is important that mitigation measures be taken to prevent any further landslides at this and other sites, it is important to highlight that the specific incident referenced here offers evidence to support a policy of case-by-case evaluations of site suitability for wind development. Rather than adopt a blanket restriction on wind energy development in relatively broad areas, it is important that the Council instead take onboard the form of evidence provided by the civil and structural engineer in question during the planning process to avert such risks.

It is important that planning applications are rigorously assessed on a case-by-case basis, which includes requiring evidence to be presented relating to site-specific risks. Where it is shown that risk management or mitigation can effectively address an issue such as this, wind farm developers should be given the chance to propose solutions. Where the converse is true and it is judged that an adequate engineering solution cannot be arrived at, the application should be declined.

Each site has its own challenges, limitations, and benefits. It is difficult to apply accurate landslide risk and other landscape and nature-based assessments to largescale areas as detailed surveys and assessments must be carried out to inform such decisions. WEI would therefore advocate for a case-by-case approach to assessing and decision-making around the risk of landslides at specific sites to ensure that large areas are not precluded from consideration for wind development owing to limited or discrete areas of risk located within them.

WEI recommends that the local authority reconsider adopting policy based on specific examples of landslide risk and instead adopt a case-by-case approach to rigorously assessing landslide risk as part of the planning application process, including requiring landslide risk management and mitigation plans to be produced where a risk is identified.

COMMENTS ON PROPOSED VARIATIONS

2.3 Setback Distances

- Point 3 (pp.11), Ref 3, Part A, Section 2, Appendix 2: Insert new Section 28 statement in relation to the County Donegal Development Plan 2018-2024 in respect of Wind Energy
- Policy E-P-23: 2 (pp.23), Ref 14, Part A, Chapter 8: Natural Resource Development, Section 8.2.3 Policies, Insert new Policy E-P-23, and, Insert new 'definitions'

WEI and our members view with great concern the significant departure from national policy represented by the position adopted by Donegal County Council that,

ten times tip height is a fair set back distance for modern day turbines which are of a size and scale not envisaged when the original Wind Energy Guidelines were published in 2006. (pp.12)

As set out in the proposed Variation, this position diverges from the requirements of SPPR2, which sets out that a setback distance of 4 times tip height, subject to a minimum of 500m, must apply to wind developments bordering the curtilage of residential properties. Our objection to this policy approach arises out of two core issues. The level of restriction it poses on wind development and the increased cost of producing energy where windfarms are subject to excessive setback distances.

It is also contrary to a previous Ministerial Direction issued to Donegal County Council on the County Donegal Development Plan 2012 – 2018. At that time the Minister for Housing, Planning, Community and Local Government directed that the sections restricting “6 Fresh Water Pearl Mussel Catchments” and “set back distance of ten times tip height of proposed turbines from residential properties and other centres of human habitation be removed”. There has been no change in guidelines, policy or scientific rationale to justify the re-inclusion of these proposals since this Ministerial Direction.

WEI and our members judge that the ten times tip height standard proposed by Donegal County Council places an undue level of restriction on wind development within the county, which is likely to rule out wind development in most of the county irrespective of whether an area is deemed to be Open to Consideration, Acceptable in Principle, or Not Normally Permissible. Given the significant burden the industry faces to deliver 80% renewable electricity and a doubling of installed onshore wind capacity by the close of the decade, such a restrictive approach is unduly limiting. If replicated elsewhere, it is likely that placing a ten times tip height setback distance would grind onshore wind development in Ireland to a near halt. This would have catastrophic consequences for our ability to achieve decarbonisation- within the already ambitious timelines set out in national and international commitments.

The national Wind Energy Development Guidelines are currently the subject of a significant review (2019 and 2021) and have yet to be finalised. Therefore, the current 2006 guidelines remain current for use in guiding wind energy policy for the new CDP 2024. It is therefore inaccurate to suggest, as the local authority has in the text of the Variation document, that these guidelines could not have envisioned the scale of the turbines currently being used for onshore wind developments. National policy has continued to evolve and develop over the past 15 years,

COMMENTS ON PROPOSED VARIATIONS

and there is a keen awareness at national government level of the current technological realities of onshore wind development. This is not a plausible rationale for such a radical departure from national wind planning guidelines and it is the view of WEI that this variation is therefore in breach of the DCCs obligation to uphold and subscribe to the terms of national and regional planning strategies.

The Council's argument that the multiplier used to calculate the setback distance must be increased to ten because of the increased size of modern wind turbines does not bear out. This measure is not needed to account for such increased size as that is the very point of basing the setback distance on tip height. As the turbines increase in size, so too do the tip heights and, in turn, the setback distances. What the Council is proposing is significantly over and above any setback distances required across our neighbouring European states (Peri & Tal, 2020) and, in the absence of technical data or information to provide a rationale for this policy position, it is difficult to see the benefit it is intended to achieve.

On the contrary, owing to the increased territorial footprint that would be needed to establish windfarms to the satisfaction of this stipulation, it would likely result in an increased production cost, which would impact on the ability to deliver energy with the best possible value for money for consumers. It may also result in pressure being placed on more remote landscapes as developers would be forced to look for sites even further from residential settlements and one-off dwellings than is currently the case.

Ultimately, WEI views this proposal as inoperable, undesirable, and out of step with international and national standards for onshore wind development.

WEI recommends that the Council not incorporate this form of enhanced setback distance in the current CDP or, indeed, the next iteration of the CDP which is currently in the first phase of development. We urge that all setback distances set out in the current and new CDP instead subscribe to the national Wind Energy Development Guidelines standards.

2.4 Repowering and Extensions

- [Point c\) ii\) \(pp.20\), Ref 9, Part A, Chapter 8, Natural Resource Development Section 8.2.3 Policies: Insert New Policy E-P-12](#)
- [Point 1 \(pp.21\), Ref 11, Part A, Chapter 8, Natural Resource Development Section 8.2.3 Policies Page 153: Delete Policy E-P-16](#)
- [Point 4 \(pp.23\), Ref 14, Part A, Chapter 8, Natural Resource Development Section 8.2.3 Policies: Insert new Policy E-P-23 And Insert new definitions](#)

WEI and its members have serious reservations on the restrictions proposed on wind farms that may plan to repower or extend an existing facility. Ireland has already made significant progress in developing renewable energy and restrictions on existing wind farms will set us back. where

CONCLUSION

feasible the Council should promote the extension of existing wind farms as these areas are already established for wind farm development. Extension of existing wind farms would help concentrate wind farm development in those areas already developed and help protect more sensitive landscapes. As operational wind farms reach the end of their planning permission they may apply for an extension to existing planning, it will not be practical for these wind farms to meet 10 times tip height or other new constraints to keep operating. Some wind farms will need to be repowered using the latest technology available, which, in many cases will result in a reduction in the number of turbines, an increase in size, capacity and efficiency.

WEI recommends that the Council not delete Policy E-P-16 but rather reinstate it as a measure to support the strengthening and enhancement of the capacity of existing wind farms.

2.5 Wind Measuring Masts

- [Point 1 \(pp.22\), Ref 12, Part A, Chapter 8, Natural Resource Development Section 8.2.3 Policies: Insert New Policy E-P-16](#)

There should be no restriction on planning applications for wind measuring masts. This infrastructure is typically classed as exempted development and has a minor impact on the landscape when it is erected.

WEI recommends that the Council delete new Policy E-P-16

3 Conclusion

WEI and its members have significant concerns at the proposal to introduce this variation to the current CDP. First, while we understand only too well the technical and data requirements of producing projections of wind energy capacity for a territory as large as Donegal, it is vital that this aspect of the Council's obligations under the National Wind Energy Guidelines to better manage the regional and national development of Ireland's wind energy resources.

Second, WEI understands the very well-founded concerns at the prospect of any development that may pose a landslide threat, we are of the view that the most effective way of addressing such risk is through a rigorous planning process that takes seriously any concerns raised with respect to such matters. Site specific investigations are the most effective way of balancing the need for progress on our significant wind energy targets while retaining a safe approach to landscape development. Therefore, WEI would recommend a case-by-case planning assessments approach be favoured over the adoption of further restrictions on wind zoning in the County.

Third, the Council's determination to implement an enhanced setback distance of ten times tip height for all future wind development is excessive, unduly restrictive, and likely to give rise to a significant curtailment of any onshore wind development in the county if allowed to stand. Though we understand and take onboard the fact that this policy has been arrived at after public consultation on the matter, we are confident that these concerns could be addressed better through responsible development rather than a restrictive approach of this sort.

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Finally, WEI is concerned at the significant reduction in the areas zoned Acceptable in Principle and Open to Consideration for wind development because of this variation. When compared with earlier maps the difference is striking and it illustrates very well the concerns, we have raised with respect to the inappropriateness of the restrictions set out in the variation.

WEI urges that the Council re-evaluate the approach set out in the variation and favour a more open approach to wind zoning that aligns better with the spirit and direction of the Wind Energy Guidelines, and other regional, national and international policy aimed at delivering a doubling of wind energy by the close of this decade.

WEI Recommends:

- WEI recommends that the local authority immediately conduct a full assessment of the wind energy development potential of county Donegal and incorporate these figures into the text of the current CDP.
- WEI recommends that the local authority reconsider adopting policy based on specific examples of landslide risk and instead adopt a case-by-case approach to rigorously assessing landslide risk as part of the planning application process, including requiring landslide risk management and mitigation plans to be produced where a risk is identified.
- WEI recommends that the Council not incorporate this form of enhanced setback distance in the current CDP or, indeed, the next iteration of the CDP which is currently in the first phase of development. We urge that all setback distances set out in the current and new CDP instead subscribe to the national Wind Energy Development Guidelines standards.
- WEI urges that the Council re-evaluate the approach set out in the variation and favour a more open approach to wind zoning that aligns better with the spirit and direction of the Wind Energy Guidelines, and other regional, national and international policy aimed at delivering a doubling of wind energy by the close of this decade.
- WEI recommends that the Council not delete Policy E-P-16 but rather reinstate it as a measure to support the strengthening and enhancement of the capacity of existing wind farms.
- WEI recommends that the Council delete new Policy E-P-16