



## Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change





# INTERIM GUIDELINES FOR PLANNING AUTHORITIES ON STATUTORY PLANS, RENEWABLE ENERGY AND CLIMATE CHANGE

## 1. Introduction

These guidelines are being issued under Section 28 of the Planning and Development Act 2000, as amended, ('the Act'). These guidelines focus on administrative procedure and do not replace or amend the existing Wind Energy Development Guidelines 2006 which remain in place pending the completion of an ongoing review of the 2006 Guidelines, which will be subject to strategic environmental assessment (SEA).

It is intended that the subject matter of these interim guidelines will also be included in amendments to the 2006 Guidelines, and after the adoption of amendments to the 2006 Guidelines, following the above-mentioned review, these interim guidelines will cease to have effect.

Section 28 of the Act requires both planning authorities and An Bord Pleanála to have regard to these interim guidelines and apply any specific planning policy requirements of the interim guidelines in the performance of their functions.

## 2. Context

The development plan is a critical part of translating overall national policy on energy, renewable energy and wind energy in a manner that supports the achievement of Ireland's binding international obligations relating to climate change and renewable energy, and taking account of local circumstances. Central and local government need to work together in achieving these targets.

In making or varying a development plan, Sections 12(11) and 13(7) of the Act provide that the members of a local authority shall be restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.

## 3. National Plans and policies relating to renewable energy and wind energy

For the purposes of these interim guidelines, planning authorities shall, in particular, have regard to the following national plans, policies and strategies when making, reviewing, varying or amending development plan or local area plan policies or objectives that relate to renewable energy, and in particular, wind energy developments:

- The National Renewable Energy Action Plan 2010 (Irish Government submission to the European Commission);
- The Government's Strategy for Renewable Energy 2012 – 2020 (DCENR);
- The Government's White Paper on Energy Policy - Ireland's Transition to a Low Carbon Energy Future 2015-2030 (DCENR); and
- The Government's National Mitigation Plan, July 2017 (DCCA).

#### 4. Specific Planning Policy Requirement

It is a specific planning policy requirement under Section 28(1C) of the Act that, in making, reviewing, varying or amending a development plan, or a local area plan, with policies or objectives that relate to wind energy developments, the relevant planning authority shall carry out the following:

- (1) Ensure that overall national policy on renewable energy as contained in documents such as the Government's *'White Paper on Energy Policy - Ireland's Transition to a Low Carbon Future'*, as well as the *'National Renewable Energy Action Plan'*, the *'Strategy for Renewable Energy'* and the *'National Mitigation Plan'*, is acknowledged and documented in the relevant development plan or local area plan;
- (2) 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); and
- (3) Demonstrate detailed compliance with item number (2) above in any proposal by them to introduce or vary a mandatory setback distance or distances for wind turbines from specified land uses or classes of land use into their development plan or local area plan. Such a proposal shall be subject to environmental assessment requirements, for example under the SEA and Habitats Directives. It shall also be a material consideration in SEA, when taking into account likely significant effects on climatic factors, in addition to other factors such as landscape and air, if a mandatory setback or variation to a mandatory setback proposed by a planning authority in a development plan or local area plan would create a significant limitation or constraint on renewable energy projects, including wind turbines, within the administrative area of the plan.

#### 5. Links to referenced national policies and plans

The National Renewable Energy Action Plan 2010 (Irish Government submission to the European Commission):

[http://www.dccae.gov.ie/en-ie/energy/topics/Renewable-Energy/irelands-national-renewable-energy-action-plan-\(nreap\)/Pages/Action-Plan.aspx](http://www.dccae.gov.ie/en-ie/energy/topics/Renewable-Energy/irelands-national-renewable-energy-action-plan-(nreap)/Pages/Action-Plan.aspx)

The Government's Strategy for Renewable Energy 2012 – 2020 (DCENR):

[http://www.dccae.gov.ie/en-ie/news-and-media/publications/Documents/21/RenewableEnergy\\_Strategy2012-2020.pdf](http://www.dccae.gov.ie/en-ie/news-and-media/publications/Documents/21/RenewableEnergy_Strategy2012-2020.pdf)

The Government's White Paper on Energy Policy - Ireland's Transition to a Low Carbon Energy Future 2015-2030 (DCENR):

<http://www.dccae.gov.ie/documents/Energy%20White%20Paper%20-%20Dec%202015.pdf>

The Government's National Mitigation Plan, July 2017 (DCCAE):

<http://www.dccae.gov.ie/en-ie/climate-action/publications/Pages/National-Mitigation-Plan.aspx>



