



To: Chief Executives, City and County Councils
Directors of Services for Planning for each City and County Council
Senior Planners, City and County Councils
Directors of Regional Assemblies
Office of Planning Regulator
An Bord Pleanála

Circular Letter: NRUP 06/2022

16th December 2022

A Chara,

Re: Revocation of the 2017 *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* in response to changing Climate and Energy policy landscape

I am directed by Mr. Peter Burke T.D., Minister of State with responsibility for Local Government and Planning **to advise that pursuant to section 28(4) of the Planning and Development Act 2000 (as amended), the 2017 *Section 28 Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* are revoked from the date of this Circular.**

Background

There have been a number of significant and critical developments in relation to climate change and renewable energy to which due consideration has been given to in the context of this decision, namely;

1. Through the Climate Action and Low Carbon Development (Amendment) Act 2021 and the National Development Plan 2021 – 2030, the Government has committed to a binding target to reduce greenhouse gas emissions by 51% and increase the share of electricity generated from renewable sources by up to 80%



over the decade (2021 – 2030), and to achieving net-zero emissions no later than 2050.

2. The publication of the Climate Action Plan 2021 and the associated Annex of Actions identifies precise and targeted measures to ensure that Ireland achieves a 51% reduction in overall greenhouse gas emissions by 2030 and also to reach net-zero emissions by no later than 2050. The delivery of Action 102 set out in the Annex of Actions, commits to delivering clear and specific outputs that are required in order for development plans to accurately and proportionately address targets at a local authority level. In that regard, the Minister has noted the importance of the detail to be included in the updated Climate Action Plan, currently scheduled to be brought to Government on 20th December.
3. In particular, the commitment to publish a framework to set out targets for onshore renewable electricity development to inform spatial plans will be a significant output to enable the disaggregation of national targets to a scale that can be applied at local authority level. The timeline for the publication of the framework is Q1 2023. It is desirable that such outputs and targets would be available to inform county development plans and that potential for renewables would not be prescribed prematurely, particularly given the life-cycle of development plans, which span six years. This can be applied to development plans when the framework to set regional and local targets for onshore renewable electricity development is available.
4. The publication of the Climate Action and Low Carbon Development (Amendment) Act 2021 makes provision for local authorities to prepare statutory Climate Action Plans for their own administrative area within 12 months of the receipt of a request from the Minister for the Department of the Environment, Climate and Communications. A local Climate Action Plan is required to specify the mitigation measures and the adaptation measures to be adopted by the local authority as well as being consistent with the most recent approved climate action plan. Provision to align the Local Authority Climate Action Plans with the planning system is ultimately through Section 10(2)(n) of the Planning and Development



Act 2000 (as amended), which requires that a development plan shall include objectives for the promotion of sustainable settlement and transportation strategies in urban and rural areas including the promotion of measures to:

- reduce energy demand in response to the likelihood of increases in energy and other costs due to long-term decline in non-renewable resources
- reduce anthropogenic greenhouse gas emissions and address the necessity of adaptation to climate change, taking account of the local authority climate action plan (within the meaning of section 14B of the Climate Action and Low Carbon Development Act 2015), where such a plan has been made for the area in question; in particular, having regard to location, layout and design of new development.

The developments highlighted above supersede those documents listed in Section 3¹ of the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* published in 2017. The developments highlighted above are also referenced in more recent Section 28 Guidelines, *Development Plans Guidelines for Planning Authorities*, issued in July 2022, which provide updated planning policies and objectives with regard to climate action, renewable energy and development plans. Chapter 8 and section 8.1.6 of the *Development Plans Guidelines* emphasise the role of Local Authority Renewable Energy Strategies to inform development plans, which can be applied to development plans when the framework to set regional and local targets for onshore renewable electricity development is available.

These developments will generate a nationally and regionally integrated capacity assessment for renewable energy that will facilitate co-ordination with adjoining authorities, provide metrics to inform the development of local targets and enable a

¹ 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 (DCCAE).



broader range of potential measures to be applied, on a statutory basis. In this context, it is not considered desirable that development plans address the issue, at this stage, as this could preclude local scope for climate action, within the framework of updated national policy as outlined in Section 1.

Furthermore, in response to the Russian invasion of Ukraine, the European Commission has proposed an immediate joint European action programme, REPowerEU, to terminate the dependence on imported fossil fuels from Russia before 2030 while ensuring more affordable, secure, and clean energy for Europe. Recommendations include that the "...planning, construction and operation of plants for the production of energy from renewable sources, their connection to the grid and the related grid itself are considered as being in the overriding public interest and in the interest of public safety and qualify for the most favourable procedure available in their planning and permitting procedures".

Finally, the National Energy Security Framework, published in April 2022, sets out the Government's response to Ireland's energy security needs in the context of the war in Ukraine. This Framework identifies a number of potential measures under the planning system that could better support the timely delivery of additional renewable energy sources and the required supporting infrastructure. One such measure identified is the provision of greater regulatory certainty, including timeframes, in relation to decarbonised generation, which requires Government policy on relevant aspects of energy supply. These policies are currently being developed, one of which includes a national policy on renewables (solar and wind) as a specific energy type. Consequently, the detail of such a relevant and significant national renewable energy policy will need to be given effect through integration and implementation in the planning system, including the statutory plan-making process and is required to be completed to ensure the correct sequencing of policy formation at regional and local level can then be followed.

Revocation of Guidelines

In light of the considerations and influencing factors set out above, the Minister considers it is prudent and appropriate to allow for the sequential preparation and publication of the



relevant frameworks and plans to inform development plans, particularly where provided for in statute, to give the required effect to determining targets that can be proportionately and accurately expressed at local authority level. Accordingly, the 2017 *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change* are revoked as of, and from today, 16th of December 2022.

Enquiries

Any queries in relation to this letter should be addressed to:

ForwardPlanning@housing.gov.ie

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A handwritten signature in black ink, appearing to read 'Paul Hogan', written over a horizontal line.

Paul Hogan

Chief Planning Adviser

Department of Housing, Local Government and Heritage