



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

26th May 2026

Forward Planning,
Áras an Chontae,
The Mall,
Castlebar,
Mayo,
F23 WF90.

Re: Proposed Variation No. 2 of the Mayo County Development Plan 2022-2028

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 2 (proposed Variation) of the Mayo County Development Plan 2022-2028 (Development Plan).

As Mayo County Council (Planning Authority) is aware, a key function of the Office of the Planning Regulator (Office) is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the proposed Variation pursuant to Part 3 of the Planning and Development Act 2024 (Act) and its functions under section 546 and this submission has been prepared accordingly.

Recommendations issued by the Office further to section 58(9) of the Act relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government. As such, planning authorities are requested to implement or address recommendations made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations issued by the Office pursuant to section 546 of the Act may take the form of a request for further information or justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are considered necessary to ensure alignment with policy and legislative provisions. Planning authorities are requested by the Office to action an observation.

A submission can also include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. Planning authorities are requested by the Office to give full consideration to the advice contained in a submission.

On adoption of the Variation, the Office will assess it in accordance with the statutory framework in section 63 of the Act.

Overview

The proposed Variation seeks to update the Renewable Energy Strategy for County Mayo in line with Development Plan Objective REO 7. As the Planning Authority is aware the process to review the Regional Spatial and Economic Strategy (RSES) for the Northern and Western Regional Assembly (NWRA) has commenced. This will include the preparation of a Regional Renewable Energy Strategy which will identify onshore wind and solar capacity allocations for each planning authority within the region, in accordance with National Policy Objective (NPO) 74 of the National Planning Framework First Revision (2025) (NPF). As the proposed Variation is being prepared without the RSES review having concluded, the Office highlights that there will be a consequent need for revisions to the Development Plan to ensure material consistency with the RSES and NPO 75 of the NPF.

Notwithstanding this, the Office has identified a number of substantive issues that require amendment to ensure material consistency with national policy and statutory requirements. In particular, the methodology and evidence-base underpinning the strategy require review and updating.

In addition, the Office also identifies a number of strategic objectives that, as currently drafted, are unduly restrictive and may restrict the delivery of renewable energy and associated infrastructure of national and regional importance. These include provisions relating to undergrounding of grid infrastructure, which are critical to meeting national climate targets and ensuring energy security.

Finally, the Office notes that mitigation measures identified in the Strategic Environmental Assessment (SEA) Environmental Report and Natura Impact Report (NIR) have not been fully incorporated into the proposed Variation, and recommends that these are clearly integrated to ensure compliance with environmental assessment requirements.

The Office therefore recommends that the proposed Variation be amended to address these issues to ensure alignment with the NPF, the RSES for NWRA, climate policy, and environmental assessment requirements.

The submission below has been prepared to provide a strategic level input to your authority in finalising the proposed Variation. It is within the above context that the submission sets out three (3) recommendations under the following key themes:

Key theme	Recommendation	Observation
Renewable energy strategy methodology	Recommendation 1	-
Renewable energy and infrastructure	Recommendation 2	-
Environmental assessments	Recommendation 3	-

1. Renewable energy strategy methodology

The Office acknowledges the work undertaken to inform the draft Renewable Energy Strategy, including application of the Local Authority Renewable Energy Strategy (2013) (LARES) methodology. However, significant shortcomings in both the methodology and supporting evidence base have been identified which weaken the robustness of the proposed approach.

In particular, the application of a 1km buffer from settlements is not consistent with the Wind Energy Development Guidelines (2006) and has significantly influenced the identification of areas suitable for wind energy development. In addition, the use of outdated Catchment Flood Risk Assessment and Management (CFRAM) mapping and the reliance on a landscape character appraisal, prepared in 2008, does not provide an up-to-date or reliable basis for assessing constraints.

The Office therefore considers that the constraints analysis and underlying methodology should be reviewed and updated to ensure alignment with national guidance and to provide a robust, evidence-based framework for renewable energy development in the county.

Recommendation 1 - Renewable Energy Strategy Methodology

Having regard to the national requirement for a sustainable renewable energy supply and the transition to a low carbon and climate resilient society, and having considered:

- the Climate Action and Low Carbon Development Act 2015, as amended and the Climate Action Plan 2025;
- NPO 69 of the NPF to integrate climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions;
- NPO 70 of the NPF to promote renewable energy use and generation at appropriate locations;
- RPO 4.17 of the RSES to position the region to avail of the emerging global market in renewable energy; and
- the Wind Energy Development Guidelines (2006),

the Office recommends that the Planning Authority amends the analysis of constraints and methodology of the draft Renewable Energy Strategy to:

- (i) remove the 1km buffer zone from settlements in determining constraints related to wind energy development;
- (ii) amend map 5.7 CFRAM Flood Map to illustrate the correct flood mapping. The Planning Authority is advised to liaise with the Office of Public Works on this matter; and
- (i) review and update the landscape character appraisal informing the Renewable Energy Strategy.

2. Renewable energy and infrastructure

The Office welcomes that the proposed Variation addresses a broad range of renewable energy technologies and includes associated strategic objectives. This provides a positive basis for supporting the transition to a low carbon and climate resilient energy system.

However, having regard to the urgent need to meet the national renewable energy targets in the Climate Action Plan, the Office is concerned that a number of the proposed strategic

objectives, as currently drafted, would unduly constrain renewable energy development and limit the future pipeline of projects within the county.

National and regional policy, including National Strategic Outcome (NSO) 8, NPO 69, NPO 70, NPO 71 of the NPF, and RPO 4.17, RPO 8.2, and RPO 8.4 of the RSES, emphasise the strategic national and regional importance of new energy systems and transmission grid infrastructure to support a more renewables focussed energy generation system. In this context, the Office considers that the restrictions introduced by certain strategic objectives as drafted, would unduly restrict renewable energy development and associated infrastructure, and are therefore materially inconsistent with these national and regional objectives.

Furthermore, the approach to mandatory pre-planning consultation is contrary to the Government's energy security strategy, Energy Security in Ireland to 2030, and the requirements of Article 16(f) of the Renewable Energy Directive (EU) 2023/2413 (RED III) which emphasise the need to streamline and support the timely deployment of renewable energy infrastructure, including by ensuring that planning frameworks are enabling, coherent, and not subject to unnecessary or avoidable constraints.

In particular:

- P.27 - Undergrounding of powerlines

This strategic objective states that consideration will be given to the undergrounding or alternative routes in the siting of powerlines in both visually and environmentally sensitive areas, with undergrounding as the preferred option.

While the intention to provide a policy framework which protects visually and environmentally sensitive areas is acknowledged, specifying undergrounding as the preferred option predetermines the outcome of project design. This approach introduces an unduly restrictive design element at the plan stage and has the potential to unnecessarily restrict renewable energy generation and the development and upgrading of the national electricity grid infrastructure.

- P.42 - Grid capacity requirements

This strategic objective seeks to ensure that all wind energy development proposals can demonstrate that there is sufficient grid capacity available to accommodate its connection.

Requiring all wind energy proposals to demonstrate available grid capacity at application stage conflates the planning and grid connection processes without any basis in planning policy. This would constrain the development of a future pipeline of projects, and opportunities for the co-location of renewable energy generation projects with complementary energy intensive development.

- P.50 - Proximity to existing grid infrastructure

It is a strategic objective to ensure sites for new wind farm developments are near to the existing electricity grid infrastructure thus minimising grid connection challenges whilst enhancing overall efficiency of renewable energy integration.

While the Office appreciates the aim to minimise grid connection challenges and the efficiency of renewable energy integration, restricting new wind energy developments to locations near existing electricity infrastructure does not take account of planned or future network upgrades. This unnecessarily constrains new wind energy development and a future pipeline of projects.

- PP.50, 53 and 55 - Mandatory pre-planning consultation

These strategic objectives, which relate to wind energy, solar and bioenergy developments, seek to ensure that applicants / developers go through a formal pre-planning consultation under section 90 of the Act to identify potential constraints, community concerns and advise on the likelihood or not of securing timely planning approval (RED III).

This requirement introduces an additional and potentially unnecessary step. The statutory timelines under the RED III Regulations (SI 274/2025) are mandatory, and this provision risks creating duplication and uncertainty in the consenting process.

- P.55 - Bioenergy and amenity impacts

This is a strategic objective to not permit bioenergy installations in areas where such development would adversely impact the residential or visual amenity.

As potential adverse impacts on residential or visual amenity, including identifying potential mitigation measures, are appropriately dealt with through the development management process, this objective predetermines the outcome of the planning process and could restrict the siting of bioenergy installations.

Recommendation 2 - Renewable Energy and Infrastructure

Having regard to the national requirement for a sustainable renewable energy supply and the transition to a low carbon and climate resilient society, and having considered:

- the Climate Action and Low Carbon Development Act 2015, as amended and the Climate Action Plan 2025;
- NPO 69 of the NPF to integrate climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions;
- NPO 70 of the NPF to promote renewable energy use and generation at appropriate locations;
- NPO 71 of the NPF to support the development and upgrading of national electricity grid infrastructure;
- RPO 4.17 of the RSES to position the region to avail of the emerging global market in renewable energy; and
- RPO 8.2 and RPO 8.4 of the RSES to support the reinforcement and strengthening of the electricity transmission network,

the Office recommends that the Planning Authority amends the draft Renewable Energy Strategy to omit the following text:

- (i) 'undergrounding will be the preferred option.' from the strategic objective at p.27;

- (ii) 'ensure that all proposals for wind energy development (including that located in repower areas) can demonstrate that there is sufficient grid capacity available to accommodate its connection' from the strategic objective at p.42;
- (iii) 'and advise on the likelihood or not of securing timely planning approval (Reds III).' from the strategic objectives at pp. 50, 53 and 55; and
- (iv) 'Bioenergy installations shall not be permitted in areas where such development would adversely impact the residential or visual amenity.' from the strategic objective at p.55.

3. Environmental assessments

The proposed Variation is subject to the requirements for environmental assessments including SEA and Appropriate Assessment. In this case, the Office notes that likely significant effects on the environment could not be screened out, and a SEA Environmental Report and NIR have been prepared.

The SEA Environmental Report and the NIR both rely on the full implementation of their recommended mitigation measures to conclude that significant adverse environmental effects, particularly on European Sites, can be avoided. Where these measures are not clearly incorporated into the proposed Variation, there is a clear risk that the plan may not fully deliver on its environmental safeguards, and would not comply with statutory requirements, or be consistent with national policy.

In this instance, the SEA Environmental Report outlines additional mitigation measures at section 8.3 which have not been incorporated in the proposed Variation.

Similarly, while the NIR states that, subject to the proper implementation of its recommended mitigation measures, the proposed Variation is not considered to have the potential, alone or in-combination with other plans or projects, to result in adverse impacts to European Sites occurring within County Mayo or the surrounding area.

The recommended mitigation measures outlined at section 7.2 have not however been incorporated into the proposed Variation. Consequently, it is not possible to conclude that the proposed Variation would not adversely affect the integrity of the European Sites concerned in view of their conservation interests.

All relevant recommended mitigation identified in the SEA Environmental Report and NIR should therefore be clearly incorporated into the proposed Variation.

Recommendation 3 - Environmental Assessments

Having regard to the need to ensure all plans and projects are appropriately assessed for significant effects on the environment, and having considered:

- Strategic Environmental Assessment (SEA) Directive to assess the effects of certain plans and programmes on the environment;
- article 6(3) of the EU Habitats Directive to ensure any plan or project likely to have a significant effect on a Natura 2000 site undergoes an appropriate assessment; and
- NPO 1 of the NPF to ensure all plans and projects are subject to the relevant environmental assessment requirements including Strategic Environmental Assessment (SEA), Environmental Impact Assessment, Strategic Flood Risk Assessment and Appropriate Assessment as appropriate,

the Office recommends that the Planning Authority incorporates the relevant additional mitigation measures identified in the SEA Environmental Report and Natura Impact Report into the draft Renewable Energy Strategy.

The Planning Authority is recommended to consider the Strategic Environmental Assessment, Guidelines for Regional Assemblies and Planning Authorities (2022) and the Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities (2010).

Summary

The Office requests that your authority addresses the recommendations outlined above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 58(11) of the Act must summarise these recommendations and how the Chief Executive proposes they should be dealt with.

Where a planning authority makes a variation, it is required to notify the Office **within one week** of the decision to adopt the variation. Where an authority decides not to comply with

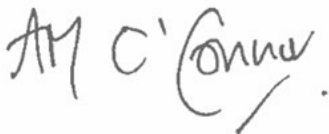
the recommendations of the Office, then it shall inform the Office as soon as practicable and provide reasons for the decision not to so comply.

Your authority is also required to send the Office a copy of the Variation and any submissions made by the Minister, the relevant regional assembly and the National Transport Authority during the Variation preparation process.

Please be advised that planning authorities are also required to publish notice of the Variation within a week of the adoption, stating that a copy of the Development Plan as varied will be available for inspection on a website and at a place specified in the notice no later than five weeks after the date of adoption.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through plans@opr.ie.

Is mise le meas,



Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015
