

**Addendum to the *Report of the Chief Executive on  
Submissions to the Proposed Material Alterations  
to the Draft Kilkenny City & County Development Plan 2021-2027*  
(dated 23<sup>rd</sup> August 2021)**

**Date: 26<sup>th</sup> August 2021**

## Section 2A: Submission from the Office of the Planning Regulator

KK-C176-58 Office of Planning Regulator (OPR), replace Section 2 <i>Renewable Energy</i> of the Submission summary and Chief Executive's response as follows:			
Sub. No.	From	Summary of Issues	Chief Executive's Response & Recommendation
KK-C176-58	Office of Planning Regulator (OPR)	<p><b>2. Renewable Energy</b></p> <p>The OPR is of the view that the Material Amendments proposed for the Draft Plan significantly undermine the contribution of the development plan to meeting national renewable energy targets under the Climate Action Plan.</p> <p>The OPR states that as a result of the Material Alteration to the draft wind energy strategy that the Plan is not consistent with the Interim Guidelines for Planning Authorities on statutory Plans, Renewable Energy and Climate Change 2017 and is contrary to the National Policy Objective 56 and Regional Policy Objective 56 (low carbon economy)</p> <p>The amendment to change geographical areas designated in the Draft Plan as 'Acceptable in Principle' to 'Open for Consideration' is unreasonable and substantially restricts the opportunity for County Kilkenny to contribute to the national targets for renewable energy set out in the Climate Action Plan 2019.</p> <p>Restrictions in relation to the scale of wind farms under Section 11.5.2 have no national policy basis.</p> <p>Having regard to the Government's commitment in the Climate Action Plan to achieve 70% of electricity from renewable sources by 2030, National Policy Objective 55, which promotes renewable energy use and generation to meet national targets and Section 28 guidelines Wind Energy Development Guidelines (2006) and the <i>Interim Guidelines for Planning</i></p>	<p><b>2. Renewable Energy</b></p> <p>The Council understands its obligations to contribute to realising overall national targets on renewable energy. Sections 11.4 and 11.5.1 of the Draft Plan had set out the megawatts required to meet the 100% renewable energy target, noting that the gap to meeting the renewable energy target is currently 201 MW. A strategic approach was taken to the identification of areas for wind energy, in line with the Government's Guidelines. The Draft Plan therefore designated over 50,000 hectares as 'Acceptable in Principle'. This area contained sufficient land, notwithstanding the restrictions due to setback distances from residences, site level constraints, landowner reluctance, ecology, heritage, and grid connection to allow the target of 201MW to be reached.</p> <p>In response to the Draft, a large number of submissions were received, seeking changes in the wind energy designations in three main areas; Castlebanny, Lingaun Valley and the Templeorum hills. In the Chief Executive's report, it was recommended to change one of these areas, the Lingaun Valley, from 'Open for Consideration' to 'Not Normally Permissible'. For the Castlebanny and Templeorum hills areas, the Chief Executive's Report had noted the concerns expressed, but in order to comply with Government policy on renewable energy targets, and in line with the strategic approach to the Wind Energy Strategy, the Chief Executive recommended that the designation of the areas as "Acceptable in Principle" be retained. However, at the Council meeting on the 8<sup>th</sup> June 2021, the Members resolved to change the designations of those two areas as follows;</p> <p>Castlebanny - from 'Acceptable in Principle' to 'Open for Consideration'</p>

	<p><i>authorities on Statutory Plans</i> (2017) the Planning Authority is required to</p> <p>(a) reinstate the renewable energy targets with Section 11.4 of the Draft Plan which sets out measurable objectives to generate electricity demand from renewables for the County by 2030 consistent with the Climate Act Plan</p> <p>(b) Amend Material Alterations to the 'draft wind energy strategy' as follows:</p> <ul style="list-style-type: none"> <li>• Retain Lingaun Valley area as 'not normally permissible' in accordance with Section 3.1.1.1 of the CE Report</li> <li>• Reinstate areas designated at Templeorum/Mullenbeg to "Acceptable in Principle" in accordance with the Draft Wind Energy Strategy</li> <li>• Reinstate areas designated at Castlebanny to "Acceptable in Principle" in accordance with the Draft Wind Energy Strategy</li> <li>• Reinstate the 3 no. smaller areas to the south of the County as 'Acceptable in Principle' in accordance with the Draft Wind Energy Strategy</li> </ul> <p>(c) The restrictions in relation to the scale of wind farms under section 11.5.2 have no national policy basis for such wind development.</p> <p>(d) Indicate how the development plan will contribute to meeting national renewable energy targets, including specific targets in megawatts for wind energy potential in the County, to fully implement the Specific Planning Policy Requirement in the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change</p>	<p>Templeorum - from 'Acceptable in Principle' to 'Not Normally Permissible'</p> <p>Under the Proposed Material Alterations, the total area of land designated as 'Acceptable in Principle' was calculated as being 35,000 hectares. This was a reduction of approx. 15,000 hectares from the Draft Plan, and this led to the removal of specified targets relating to wind energy.</p> <p><b>Recommendations:</b></p> <p>a) Targets will be reinstated. See Section 3.4 Renewable Energy Targets.</p> <p>b)</p> <ul style="list-style-type: none"> <li>• Lingaun Valley will be retained as 'Not Normally Permissible' as per Section 3.1.1.1 CE's report (June 2021)</li> <li>• Templeorum hills area to be redesignated as 'Acceptable in Principle' in accordance with Draft Wind Energy Strategy</li> <li>• Castlebanny area to be redesignated as 'Acceptable in Principle' in accordance with Draft Wind Energy Strategy.</li> <li>• Three smaller areas to the south of the County will be redesignated as 'Acceptable in Principle' in accordance with the Draft Wind Energy Strategy</li> </ul> <p>c) The definition of Small scale wind energy developments was intended to align with the Community-Led Project category in the Government's Renewable Energy Support Scheme, RESS 1 2020, and to correspond to the Planning and Development Regulations<sup>1</sup> threshold for an Environmental Impact Assessment. The terms and conditions set out in the RESS state that under the Community Preference category, the maximum offer quantity was 5MW<sup>2</sup>. The threshold of 5MW is also in line with the Planning and Development Regulations<sup>3</sup> threshold for an Environmental Impact Assessment, which also has a 5 turbine threshold.</p>
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<sup>1</sup> Schedule 5, Part 2, 3 Energy Industry, (i) Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts.

<sup>2</sup> Terms and Conditions for the First Competition Under the Renewable Electricity Support Scheme RESS 1 2020, February 2020, Section 6.4.10

<sup>3</sup> Schedule 5, Part 2, 3 Energy Industry, (i) Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts.

			<p>The height limit of 65m for this category was retained from the 2014 Development Plan. Having regard to the current dimensions of turbines on the market, and this recommendation from the OPR to remove restrictions in order to comply with national targets, it is recommended to remove this height restriction for Community Schemes.</p> <p><b>Recommendation: Amend Section 11.5.2 as follows:</b></p> <p>Wind Energy Policy Areas Wind energy developments can be divided into <i>four</i> <del>five</del> categories depending on their scale, as follows:</p> <ul style="list-style-type: none"> <li>a) individual wind turbines</li> <li>b) auto producer</li> <li>c) <i>Small scale wind developments/</i> Community schemes (compliant with the RED II Directive definition of community)</li> <li><del>d) Small scale wind developments (5 or less turbines and output less than 5MW)</del></li> <li>d) e) Large scale wind developments</li> </ul> <p>(c) <i>Small scale wind farm/</i>Community Schemes Local ownership and part-ownership of a generation project can extend the benefits of renewable energy to households. These benefits of community ownership can vary from providing cheaper energy to the creation of long-term revenue stream and even potentially creating employment for members of the local community.</p> <p><b>Small scale wind development projects</b> led by the community<sup>4</sup> will be considered in the policy areas identified as being ‘Acceptable in principle’ and ‘Open for Consideration’ in the Wind Energy Strategy Map (Figure 11.4). <del>Compliant with the EU RED II Definition 2018/2001/EU Article 2 (16)</del><sup>5</sup> <i>as follows:</i></p>
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<sup>4</sup> Compliant with the EU RED II Definition 2018/2001/EU) Article 2 (16), renewable energy community’ means a legal entity:

(a) which, in accordance with the applicable national law, is based on open and voluntary participation, is autonomous, and is effectively controlled by shareholders or members that are located in the proximity of the renewable energy projects that are owned and developed by that legal entity;

(b) the shareholders or members of which are natural persons, SMEs or local authorities, including municipalities;

(c) the primary purpose of which is to provide environmental, economic or social community benefits for its shareholders or members or for the local areas where it operates, rather than financial profits.

			<p>(d) — Small Scale Wind Energy Developments</p> <p>In the policy areas identified as being ‘Acceptable in principle’ and ‘Open for Consideration’ in the Wind Energy Strategy Map (Figure 11.4), the following proposals will be considered:</p> <ul style="list-style-type: none"> <li>• Comprising no more than 5 turbines,</li> <li>• Where the total capacity is not greater than 5 Megawatts, Turbine heights do not exceed 65m to hub height</li> </ul> <p>d) See Section 3.4 Targets.</p>
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## Section 2C Other Submissions

Sub. No.	From	Chief Executive’s Response & Recommendation
KK-C176-4	Sinead O’Malley Coillte Renewable Energy	Add under Point 3: <i>See Submission KK-C176-58 from the Office of the Planning Regulator (OPR), Renewable Energy, in relation to changes to the ‘Small Scale Wind Farm’ text.</i>
KK-C176-52	Richard Walsh on behalf of Springfield Renewables	Add under Point 2: <i>See Submission KK-C176-58 from the Office of the Planning Regulator (OPR), Renewable Energy, in relation to changes to the ‘Small Scale Wind Farm’ text.</i>
KK-C176-60	Seskin Wind Farm	Add under Point 1: <i>See Submission KK-C176-58 from the Office of the Planning Regulator (OPR), Renewable Energy, in relation to changes to the ‘Small Scale Wind Farm’ text.</i>
KK-C176-61	Denis Devane on behalf of Wind Energy Ireland	Add under Point 3: <i>See Submission KK-C176-58 from the Office of the Planning Regulator (OPR), Renewable Energy, in relation to changes to the ‘Small Scale Wind Farm’ text.</i>
KK-C176-62	Pat Brett on behalf of EcoPower Ltd	Add under Point 1: <i>See Submission KK-C176-58 from the Office of the Planning Regulator (OPR), Renewable Energy, in relation to changes to the ‘Small Scale Wind Farm’ text.</i>