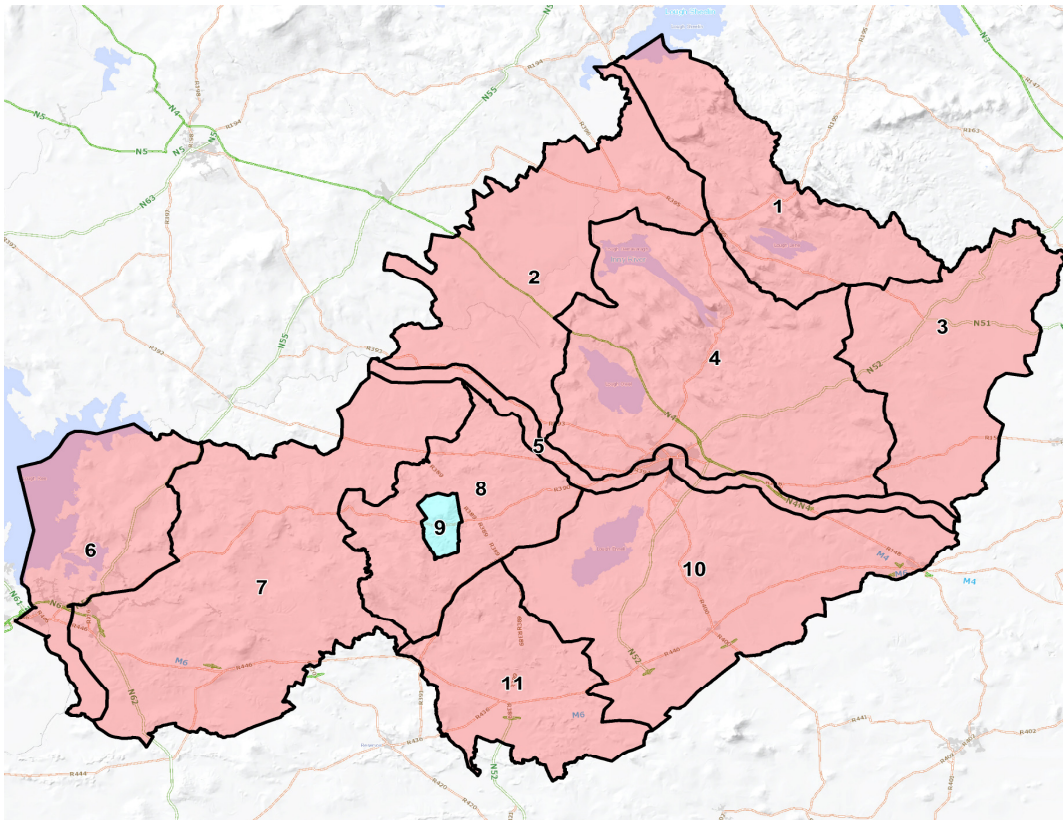


Proposed Variation No. 2

Westmeath County Development Plan, 2014-2020.

Strategic Environmental Assessment (SEA)

Screening Report



Prepared by Loci for Westmeath County Council - December 2016
Document history and distribution



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Strategic Environmental Assessment (SEA) Screening Report

1 Introduction

Westmeath County Council (the Planning Authority) intends to initiate procedures for making a Variation of the Westmeath County Development Plan, 2014-2020 under Section 13 of the Planning and Development Act 2000, as amended. A Strategic Environmental Assessment (SEA) of the Plan Variation is not mandatory, however, a screening process must be undertaken to determine if one is needed in accordance with Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004-2011. It is important to note that this screening will relate only to the Variation and does not revisit other aspects of current County Development Plan (CDP) policy or the current SEA for the CDP.

1.1 Proposed Variation

It is proposed to vary the Westmeath County Development Plan, 2014-2020 (Variation No. 2). The motion was adopted at the December 2015 meeting of Westmeath County Council. The Planning Authority is now proceeding with the variation, in line with the wishes of the elected members. The motion to vary the Development Plan as adopted by the elected members of the Westmeath County Council is as follows:-

‘That Westmeath County Council amend the Westmeath County Development Plan 2014-2020 to provide for the following separation distances between wind turbines and homes:

500 metres, where height of the wind turbine generator is greater than 25 metres but does not exceed 50 metres.

1000 metres, where the height of the wind turbine generator is greater than 50 metres but does not exceed 100 metres.

1500 metres, where the height of the wind turbine generator is greater than 100 metres but does not exceed 150 metres.

More than 2000 metres, where the height of the wind turbine generator is greater than 150 metres.’

Variation No. 1 to the County Development Plan, which was adopted at the July 2015 meeting of Westmeath County Council, also relates to Wind Energy Development. The motion read:

That in order to protect human health and the quality of life of the population Westmeath County Council will, within the provisions of the existing designations incorporate into its CDP a night time noise limit of 30db of Lnight outside from wind energy developments. And that area 7 (CDP wind development map) be designated an area of low capacity in line with the rest

of the county. And that registered equine facility's (sic) be regarded as noise sensitive receptors.

The Variation was the subject of a Ministerial Direction dated 23rd September 2016, which required the omission of the elements of the Variation relating to the provisions for night-time controls and designation of equine facilities as noise sensitive receptors. The Direction states that such provisions would seriously restrict potential for future wind energy development in the County and that the standard for noise reduction would be significantly below the standard considered appropriate in the current Wind Energy Development Guidelines (2006). The remaining element of the Variation, regarding Area 7 re-designation, is excluded from the Direction.

2 Current plan policy

The current County Development Plan, 2014-2020, sets out Core Strategy and policies in key areas such as Economy, Housing, Natural Heritage, Landscape Characterisation and Lake Management. The plan also sets out current policy for the County for Energy and Communications (Chapter 10) and this includes policy for renewable energy and wind energy. The CDP includes development management objectives for energy and communications and these include objectives for wind energy developments (Chapter 14).

The aim of the energy and communications policy is to support the development of indigenous energy resources and it places an emphasis on renewable energy supplies (p.144). The principal policies for energy in the County are as follows (S.10.4, p.145):

P-EN1 To promote renewable forms of energy where it is consistent with the proper planning and sustainable development of an area.

P-EN2 To support local, regional, national and international initiatives for limiting emissions of greenhouse gases through energy efficiency and the development of renewable energy sources which make use of the natural resources in an environmentally acceptable manner, and having particular regard to the requirements of the Habitats Directive.

P-EN3 To favour the use of renewable energy as a contribution to the energy demand of all new buildings.

P-EN4 To support the National Climate Change Strategy and, in general, to facilitate measures which seek to reduce emissions of greenhouse gases.

P-EN5 To support the sustainable development of the infrastructure required to assist the Midland Region in the delivery of renewable energy, particularly in the context of the need to make a transition from peat to renewable energy.

It is also an objective of Westmeath County Council (O-EN1, p.145) 'To support the implementation of actions identified in the Westmeath County Council Energy Efficiency Action Plan 2011.' This plan highlights areas of Westmeath County Council's operations and assets, which could be better structured or managed to support the National Renewable Energy Plan (2010).

In relation to wind energy (S.10.5, p.145) the CDP seeks to achieve a balance

between the positive effects of wind energy on reduction of carbon emissions and local environmental concerns, which ‘...include visual impact, landscape protection, impacts on residential amenity, impact on wildlife and habitats, connections to the national grid and impact of construction and ancillary infrastructure.’

The CDP supports the development of micro-renewable energies and small-scale wind energy development. It also identifies (S.10.5.2, p.146) ‘... the many worked out bogs in the Midlands as being highly suited to wind energy development at a significant enough scale to support ancillary manufacturing, servicing and development activities’. The County Development Plan flags the importance of local environmental considerations and designations such as residential amenities, special landscape character, views or prospects, Natura 2000 sites, Protected Structures, aircraft flight paths.

The policies relating specifically to wind energy development in the CDP are (S10.6, p.147);

P-WIN1 To encourage the development of small-scale wind energy development and single turbines in urban and rural areas and Industrial Parks, provided they do not negatively impact upon environmental quality, landscape, wildlife and habitats or residential amenity.

P-WIN2 To strictly direct large-scale energy production projects, in the form of Wind Farms, onto cutover cutaway peatlands in the county, subject to environmental, landscape, habitats and wildlife protection requirements being addressed. In the context of this policy, industrial scale/large-scale energy production projects are defined as follows:

Projects that meet or exceed any of the following criteria:

- Height: over 100m to blade tip, or
- Scale: More than five turbines
- Output: Having a total output of greater than 5MW

P-WIN3 To ensure the siting and development of wind turbines is carried out in accordance with the requirements of the DoEHLG Wind Energy Development Guidelines 2006, and as otherwise amended.

P-WIN4 To promote, encourage and facilitate the provision of microrenewable energy.

P-WIN5 To support small-scale community sponsored wind energy projects.

It is also an objective of Westmeath County Council (O-WIN1) ‘To prepare and implement a Management Plan for the Industrial Peatlands in the county, in consultation with stakeholders and adjacent Local Authorities, during the lifetime of the plan. Said plan shall focus on recreational opportunities, renewable energy, hydrological and ecological considerations and shall be subject to environmental assessment and the requirements of Article 6 of the Habitats Directive.’

The County Development Plan also includes development management objectives for wind power (S.14.11.1, p.280) and it states that in assessing applications for wind energy projects the Planning Authority shall have regard to the Development Plan Policy in relation to Wind Energy and National Guidelines on Wind Energy. It also sets out the criteria for assessment as follows:

- The Landscape Character of the County.
- Whether an area has significant wind energy potential on the basis of the nature and extent of the wind resources in the area.
- The suitability/strength of the grid and accessibility to it.
- Road access to the site during the construction phase.
- The suitability of the site, having regard to other land use policies, including the need to protect areas of important built and natural heritage from inappropriate development.
- Any other planning considerations, including measures to minimise the impact of proposed wind farms in the local environment.
- Distances to national primary and secondary roads.
- Zone of visual influence and visual impact of the structures.
- Noise Impact.
- Potential Shadow flicker.
- Density of residential development in the area.

As stated in the above policies, wind energy development policies in the CDP are guided by the current Wind Energy Development Guidelines (DEHLG, 2006). The noise, proximity and shadow flicker aspects of these Guidelines are currently being reviewed (DECLG, 2013). Notably, the revisions, currently under consideration, (DECLG, 2013, p.6, para. 5.6.4) do not recommend set-back distances between wind turbines and receptors as:

‘The relationship between distance from a wind turbine or wind farm and noise effects is significantly variable and a direct correlation between separation distance and wind turbine generated sound levels is not clear. This is due to a variety of factors which are not directly related to distance but which can affect the transmission of sound, including:

- topography (hills have a major impact on sound propagation);
- ground cover types; and
- wind speed and direction.

Because of the lack of correlation between separation distance and wind turbine sound levels, the use of a defined setback of turbines from noise sensitive properties to control noise impacts is not considered appropriate.

Note - there should be a minimum separation of 500m between any commercial scale wind turbine and the nearest point of the curtilage of any property in the vicinity in order to provide for other amenity considerations e.g. visual obtrusion. This separation distance does not apply to small scale wind energy developments generating energy primarily for onsite usage.’

The control of wind energy development in the County is also the subject of spatial controls. The County Development Plan also includes a Wind Energy Development Capacity Map, (Map No.5), which highlights areas of the County which would be open for consideration for wind energy development (Figure 1). This is informed by the Landscape Character Assessment of the County contained in Volume 2 of the County Development Plan. The Map designates the Western Lowlands as the only area in the county with medium capacity for wind energy development. It also designates Uisneach as an area of no capacity for wind energy development. All other areas of the County are designated as low capacity for wind energy development. Notably, the controls included in this Variation will apply to all development regardless of location within the County.

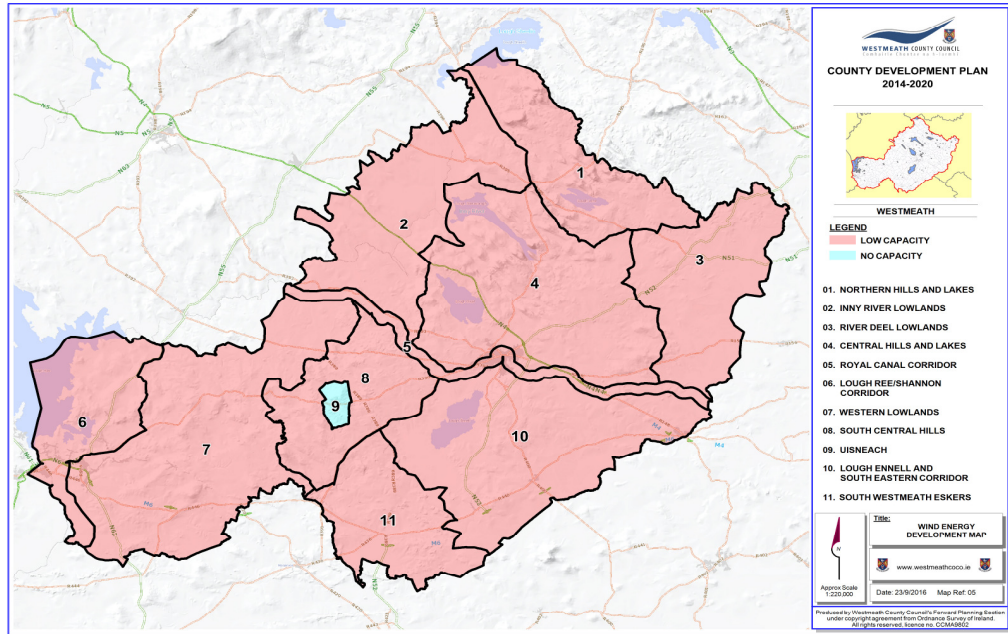


Figure 1. The Wind Energy Development Capacity Map, Westmeath County Development Plan, 2014-2020 as revised by Variation No 1 of the CDP.

2.1 Strategic Environmental Assessment of the Westmeath County Development Plan, 2014 – 2020

The Strategic Environmental Assessment (SEA) for the Westmeath County Development Plan was prepared in tandem with the County Development Plan and in line with current guidelines (DEHLG, 2004). It provides for the assessment of the likely significant environmental effects of the plan on the environment of the County, and it considers other aspects such as baseline environmental conditions, significant environmental issues, environmental protection objectives, plan strategy and alternatives, mitigation measures and monitoring.

The SEA acknowledges a significant environmental issue around renewable energy (S2.10) in the County. It states that consideration of the suitability of various locations in Westmeath for the development of wind power generation has been included in the County Development Plan and it notes that conflicts may arise in the implementation of the wind energy policy identified in the County Development Plan. It states that these will be considered on a case-by-case basis.

Transmission for new wind energy is also raised as a potential environmental issue given the current constraints in the network in the County. Constraints in the existing electricity supply network to Mullingar are being addressed by the recent installation of a new 110Kv line approved under the strategic infrastructure provisions of the planning code. The SEA notes that where plans for increased wind energy production are realised, the associated transmission network would have the potential for significant environmental impacts.

The visual impact of energy infrastructure is also included as a significant potential environmental issue. The SEA notes that there are ongoing concerns with regard to visual impacts of infrastructure in Westmeath, particularly given recent planning applications for wind farms. It also states that due to the generally low lying character of Westmeath and the absence of significant backdrops for wind turbines, the issue

of visual impact is considered significant.

2.2 Implications for planning policy of the proposed Variation

The proposed Variation No. 2 of Westmeath County Development Plan, 2014-2020, would have the effect of adding new controls to current policy. There are currently no explicit distance-based controls in the CDP. Current policy does, however, refer to the current planning guidelines (DEHLG, 2006) and proposed revisions (DECLG, 2013). While the current revisions to the Guidelines, which remain under consideration, recommend against distance-based controls, due to poor correlation between distance and noise, they do recommend a minimum separation of 500m between any commercial scale wind turbine and the nearest point of the curtilage of any property in the vicinity in order to provide for other amenity considerations. The proposed Variation No. 2 would go significantly beyond this provision in terms of separation distances required for wind turbines in excess of 50m in height. The controls set out in Variation No. 2 would create larger 'buffer zones' around larger wind energy developments and effectively reduce the land area available for consideration of such development in the County. It should also be noted that the new controls would be added to other current spatial and general controls for wind energy developments. Variation No. 2 is likely to act as an additional restriction to wind energy development in the County.

3 Requirements

It is a mandatory requirement to undertake the screening process to determine whether or not to carry out a strategic environmental assessment under Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004-2011. The assessment criteria for the screening are based on the characteristics of the plan and the character of the effects and the area likely to be affected. These are set out in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004-2011. The assessment is presented in Section 4.

4 The characteristics of the plan

The assessment of the characteristics of the plan is based on the five key criteria discussed below.

4.1 The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions, or by allocating resources.

Westmeath County Development Plan, 2014-2020, sets out the spatial and policy framework for wind energy development in the County. The CDP provides the basis for decision taking for proposed developments in the development management process. The Variation will materially change the framework of the CDP as it relates to wind energy projects. The variation will further restrict the potential for wind energy development in the County by including standard separation distances between wind turbines and receptors (homes). The controls will apply to all wind energy development regardless of location within the County.

4.2 The degree to which the plan influences other plans, including those in a hierarchy.

Westmeath County Development Plan, 2014-2020, is the principal decision-making instrument for the development of wind energy in the County. Lower level plans, such as Local Area Plans, are required to be consistent with the County Development Plan, including any variations to it.

4.3 The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development.

Westmeath County Development Plan, 2014-2020 is the principal instrument for securing the objectives of sustainable development at the County-level. As a key instrument of the Planning Code, the overall objective of the County Development Plan is to secure the proper planning and sustainable development of the County. The core strategy and the main policies and objectives of Westmeath County Development Plan, 2014-2020, including any variations, are predicated on the philosophy of sustainable development.

4.4 Environmental problems relevant to the plan.

The broader environmental problems relevant to the Variation were set out in the SEA for the County Development Plan. These related to potential environmental problems around the development of renewable energy generally, although it was considered that these would be addressed on a case-by-case basis. Another environmental issue identified was the need for the development of new transmission infrastructure to cater for new wind energy developments. The visual impact of wind energy development was also considered as a significant environmental issue in the SEA. These issues will remain following the Variation, however, their impact is likely to be lessened given the likely reduction in potential for wind energy development in the County arising from the additional and more onerous controls included in the Variation.

4.5 The relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste management or water protection).

The Variation is not likely to have any effect on, or relevance to, the implementation of European Union legislation.

5 Characteristics of the effects and the area likely to be affected

The assessment of the characteristics of the effects and of the area likely to be affected is based on the seven key criteria set out below.

5.1 The probability, duration, frequency and reversibility of the effects.

The proposed Variation would reduce development potential for wind energy development in the County by imposing additional and more onerous distance-based controls. As such it is likely to bring about changes in the effects on the environment from wind energy development in the County. Overall it is likely that the effects will be reduced in terms of probability, duration, frequency and reversibility.

In terms of likely effects on the environment of the County, these are likely to be permanent and positive in nature. Naturally, a removal of these policies from the CDP at a later stage would reverse these effects. However, the significance of the effects cannot be established without a more detailed assessment of the impact of the separation distances across the County.

It is likely, however, that there will be negative effects in terms of a lesser contribution to reducing carbon and the reliance on fossil fuels and in meeting national strategy for climate change and targets for renewable energy. This will apply to wind energy development of all scales. Again, the significance of this effect cannot be established without a more detailed assessment of the impact of the separation distances across the County.

5.2 The cumulative nature of the effects.

It is not considered that this variation will lead to any cumulative effects, given that it is, in essence, reducing the potential of the County for wind energy development.

5.3 The transboundary nature of the effects.

It is not considered that this Variation will lead to any transboundary effects, given that it is, in essence, reducing the potential of the County for wind energy development.

5.4 The risks to human health or the environment (e.g. due to accidents).

It is not considered that this Variation will lead to any risks to human health or the environment, given that it is, in essence, reducing the potential of the County for wind energy development.

5.5 The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected).

The magnitude of any environmental effect is likely to decrease, given that the Variation is, in essence, reducing the overall potential for wind energy development across the County, by imposing more onerous, scale-related separation distances.

The spatial extent of the effects is also likely to be reduced given that buffer zones, as defined by separation distances, will further reduce the land area of the County, which may be considered for wind energy developments. The nature of the reduction in spatial extents cannot be established without a more detailed assessment of the impact of the separation distances across the County.

5.6 The value and vulnerability of the area likely to be affected.

(a) Special natural characteristics or cultural heritage.

The County has unique and special natural characteristics and cultural heritage. Many of these areas are of significant value and vulnerability. The Variation is not likely to have any material effect on these, given that it is, in essence, reducing the potential of the County for wind energy development.

(b) Exceeded environmental quality standards or limit values.

It is not expected that any environmental quality standards or limit values will be exceeded by the Variation, given that it is, in essence, reducing the potential of the County for wind energy development.

(c) Intensive land use.

The Variation will not give rise to intensive land uses, given that it is, in essence, reducing the potential of the County for wind energy development.

5.7 The effects on areas or landscapes which have a recognised national, European Union or international protection status.

Although the landscape of the County does not have national, European Union or international protection status, it is of significant value and importance. The Variation is likely to reduce the effects on the County landscape, given that it is, in essence, reducing the potential of the County for wind energy development.

6 Determination

Pursuant to Article 13K of the Regulations, following the appropriate consultation period, and consultation with the relevant environmental bodies, the planning authority shall determine whether or not implementation of the proposed Variation would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Regulations (Section 5) and any submission or observation received from the environmental authority (Section 7).

7 Recommendation

Having regard to the characteristics of the variation and of the characteristics of the effects and the area likely to be affected in accordance with in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004-2011, it is not considered that a Strategic Environmental Assessment is required for this proposed County Development Plan Variation.