

Westmeath County Development Plan 2014–2020

Variation No. 2 to Volume 1 Written Statement

31st January 2017

1.1 WESTMEATH COUNTY DEVELOPMENT PLAN 2014-2020

Westmeath County Council, being the Planning Authority for Westmeath, made the Westmeath County Development Plan on the 21st January 2014. The Plan came into effect on the 18th February 2014.

1.2 MINISTERIAL DIRECTION ON THE WESTMEATH COUNTY DEVELOPMENT PLAN 2014-2020

On the 15th of February 2014, notice was received from the office of the Minister of State at the Department of the Environment, Community and Local Government, that Minister Jan O’Sullivan had formed the provisional opinion that, in making the Westmeath County Development Plan 2014-2020 (i) the Planning Authority had ignored or not taken account of a submission made on the Minister’s behalf in November 2013 in respect of the proposed amendments or material alterations to the then Draft Development Plan and (ii) that the Plan was not in compliance with the requirements of Sections 9, 10, 12 and 28 of the Planning and Development Acts 2000-2014.

Measures proposed under the Draft Direction in relation to wind energy policy:-

(i) Amend the written statement in respect of the Wind Energy Policies and Objectives (Chapter 10 – Energy & Communications; Section 10.6 – Wind Energy Policies and Objectives) by deleting the following text that makes up the zoning objective “P-WIN6”

“To require a setback distance from residential dwellings of ten times the height of Industrial Wind Turbines. In the context of this policy, Industrial /Large-scale energy production projects are defined as follows: Projects that meet or exceed any of the following criteria:

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

On the 10th July 2014, Minister Jan O’Sullivan, Minister for State in the Department of the Environment, Community and Local Government issued a Direction in relation to wind energy policy pursuant to Section 31(19) of the Planning & Development Act 2000 as amended, in relation to the Westmeath County Development Plan 2014-2020 as follows:

1. Deletion of wind energy policy, P-WIN6, in relation to setback distances of Industrial large-scale wind energy production projects from residential dwellings.

The Westmeath County Development Plan was subsequently amended to reflect the Ministerial Direction.

2. VARIATION NO. 1 TO THE WESTMEATH COUNTY DEVELOPMENT PLAN 2014-2020

On the 27th July 2015, the Elected Members of the Council adopted Variation 1 to the Westmeath County Development Plan 2014-2020. The Variation relates to amendments to existing wind energy policy contained in Chapter 10 of Volume 1 of the Westmeath County Development Plan 2014-2020 and Map 5 Wind Energy Development Map in Volume 2 thereof as follows:

“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 County Development Plan, a night time noise limit of 30db of Lnight outside from wind energy developments.

The proposed Variation also provides that Area 7 (CDP wind development map) be designated an area of low capacity in line with the rest of the county.

The Variation also proposes that registered equine facilities be regarded as noise sensitive receptors”

2.1 MINISTERIAL DIRECTION ON VARIATION NO. 1 TO THE WESTMEATH COUNTY DEVELOPMENT PLAN 2014-2020

On the 23rd September 2016, Minister Simon Coveney, Minister for Housing, Planning, Community and Local Government issued a Direction pursuant to Section 31(19) of the Planning & Development Act 2000 as amended, in relation to Variation No. 1 to the Westmeath County Development Plan 2014-2020 as follows:

The effect of the Direction is to delete the following text as inserted by Variation No. 1:

- 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 County Development Plan, a night time noise limit of 30db of Lnight outside from wind energy developments.

- That registered equine facilities be regarded as noise sensitive receptors.

Following the Ministerial Direction under Section 31 of said Act, issued on the 23rd of September 2016, Variation No. 1 to the Westmeath County Development Plan was deemed to be made.

3. PROPOSED DRAFT VARIATION No. 2

It is proposed to vary the Westmeath County Development Plan, 2014-2020 (Variation No. 2). The Variation arises from the following motion which was adopted by the Elected Members of Westmeath County Council at a Council meeting on the 14th December 2015 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.

4. WIND ENERGY POLICY IN THE WESTMEATH COUNTY DEVELOPMENT PLAN 2014-2020

The following extracts from the Westmeath County Development Plan 2014-2020 relate to wind energy development and policy context:

10.5 Wind Energy

The development of wind power has accelerated over the last few years as the technology becomes more cost competitive. The Council seeks to achieve a reasonable balance between an overall positive attitude to renewable energy and enabling the wind energy resources of County Westmeath to be harnessed in a manner that is consistent with proper planning and sustainable development. There are a number of issues which must be taken into consideration when dealing with applications for wind energy development. These 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 including access roads and grid connections.

The Council will have regard to the Wind Energy Development Guidelines for Planning Authorities, 2006 published by the Department of Environment, Heritage and Local Government in relation to the siting and development of wind turbines and the information required as part of a planning application. These Guidelines advise that Development Plans should include an indication of the factors which would determine whether or not wind farm development would be open for consideration in a particular area. In this regard, the Wind Energy Development Capacity Map, (Map. No. 5) which is informed by the Landscape Character Assessment of the county is contained in the accompanying Volume 2 of this plan. Additionally, Map No. 5 depicts wind energy resource for County Westmeath, which is based on the Sustainable Energy Authority Ireland Wind Atlas.

10.5.1 Micro-Renewable Energies and Small

Scale Wind Energy Development

The Council encourages the development of small scale wind energy development and single turbines in urban and rural areas, including residential areas, and industrial parks, provided that they do not negatively impact upon the environmental quality, landscape, wildlife and habitats or the residential amenity of the area. The Wind Energy Development Guidelines 2006 recommend the investigation of the potential for relatively small-scale wind energy developments within urban and industrial areas, and for small community-based proposals outside the key areas that are identified as being appropriate for wind energy development. Community ownership of wind energy projects enables local communities to benefit directly from local wind energy resources being developed in their local areas, ensuring long-term income for rural communities. The Council will encourage communities to co-operate in the development of suitable wind energy projects, be they in rural or urban locations.

The Council will encourage home owners in appropriate locations to install micro wind energy units and small scale domestic turbines, in accordance with the planning exemptions scheduled in the Planning & Development Regulations 2001-2013. Said Regulations also provide exemptions subject

to certain conditions, for wind turbines and meteorological masts for industrial, commercial and public buildings.

10.5.2 Industrial Scale Wind Farms

The National Spatial Strategy refers specifically to 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. Furthermore, the Midland Regional Planning Guidelines 2010-2022 acknowledge the potential of the peatlands and associated cutaway areas to accommodate large scale energy production in the form of wind farms and bio-energy fuel sources. With a strong history of energy production and an extensive electricity transmission network in place, the potential exists in such peatland areas for a smooth transition to renewable energy sources. In addition the RPG's support the preparation of a Holistic Management Plan that will address the future uses of worked out industrial peatlands. The preferred locations for large scale energy production, in the form of wind farms, is onto cutover cutaway peatlands in the county, subject to nature conservation and habitat protection requirements being fully addressed.

Policies and objectives in relation to Industrial Scale Wind Farms shall be reviewed in light of the completion of the focused review of the Wind Energy Guidelines 2006 by the Department of the Environment, Community & Local Government and the finalisation of the Planning Policy Framework for Renewable Energy Export.

10.5.3 Wind Energy Applications

In assessing applications for wind turbines/wind farms, the Council shall take due account of all relevant national plans and guidelines including the Wind Energy Guidelines for Planning Authorities 2006, the National Biodiversity Plan 2011-2016, the Habitats & Birds Directives and relevant examples of best practice. Where wind energy developments are proposed on peatlands, the construction guidelines specified in Appendix 4 of said guidelines shall be adhered to. Applications involving in excess of five turbines or having a total output greater than 5 megawatts will be subject to EIA.

In addition, potential applicants are advised to consult with the Department of Arts, Heritage and the Gaeltacht, The Forestry Service, the Irish Aviation Authority and other appropriate statutory and non-statutory bodies in areas which may require special protection. In general, the Council will encourage wind energy provided such developments would not have an adverse affect on residential amenities, special landscape character, views or prospects, Natura 2000 sites, Protected Structures, aircraft flight paths or by reason of noise or visual impact. Applications for such developments will not be encouraged in Areas of High Amenity.

10.6 WIND ENERGY POLICIES & OBJECTIVE

It is the policy of Westmeath County Council	
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	<p>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:</p> <p>Projects that meet or exceed any of the following criteria:</p> <ul style="list-style-type: none"> - 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 micro-renewable energy.

P-WIN5	To support small-scale community sponsored wind energy projects.
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It is 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.
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The County Development Plan also includes development management objectives for wind power (S.14.11.1, p.280) and it is stated 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. Criteria for assessment are set out as follows:

14.11.1 Wind Power

In assessing applications for wind energy projects the Planning Authority shall have regard to the Development Plan Policy in relation to Wind Energy, National Guidelines on Wind Energy and the following criteria:

- 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.

3.38 EQUINE INDUSTRY

The equine industry is important economically and culturally in Westmeath. According to the 'Directory of the Turf' there are 19 stud farms in the county. Bloodstock generates employment directly across many spectrums but also indirectly through other associated enterprises and sectors such as tourism. Kilbeggan Racecourse is Ireland's only all National Hunt Racecourse, which hosts eight race meetings a year and contributes significantly to the local economy. The plains of Westmeath are covered in calcium-rich marl, which is conducive to horse-breeding. In recognising the importance of the bloodstock industry, both in land use and in terms of direct and indirect employment generated by it, the Council will continue to support and encourage the development of a vibrant bloodstock industry, which plays a major role in the rural economy.

It is a policy of Westmeath County Council	
P-EQ1	To support equine related activities (e.g. farriers, bloodstock sales etc.) of an appropriate size and at suitable locations.
P-EQ2	To ensure that equine based developments are located on suitable and viable landholdings and are subject to normal planning, siting and design considerations and related establishments.
P-EQ3	To protect the equine industry from inappropriate development which would adversely affect its continued operation.
P-EQ4	To protect the Kilbeggan racecourse from any development that would interfere with its amenity value and environmental quality whilst, at the same time, promoting the enhancement of facilities for racegoers.

4.1 WIND ENERGY DEVELOPMENT CAPACITY

The Westmeath County Development Plan 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 Westmeath County Development Plan.

4. WIND ENERGY DEVELOPMENT GUIDELINES 2006

The wind energy development policies in the Westmeath County Development Plan are guided and informed by the current Wind Energy Development Guidelines (DEHLG, 2006). The noise, proximity and shadow flicker aspects of these Guidelines are currently under review by the Department of the Environment, Community & Local Government.

5. SEA & AA

SEA and AA Screening Reports and Determinations have been prepared in relation to the proposed Variation in accordance with Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004-2011 and in accordance with the requirements of Article 6(3) Of the EU Habitats Directive (92/43/EEC). These Screening reports accompany the proposed Variation No. 2 to the Westmeath County Development Plan 2014-2020.