

Irish Wind Energy Association,  
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Osberstown,  
Naas, Co. Kildare.

Mr. Eamonn Brennan,  
Administrative Officer,  
Central Planning, Westmeath County Council,  
County Buildings, Mullingar.

10th June 2016

By email to [var1cdp@westmeathcoco.ie](mailto:var1cdp@westmeathcoco.ie)

Dear Mr. Brennan,

**Re: Section 31 Ministerial Draft Direction to the Proposed Draft Variation (No.1) to the Westmeath County Development Plan 2014-2020**

The Irish Wind Energy Association (“IWEA”) is Ireland’s leading renewable energy representative body and as such has an active interest in the wind energy and related policies of the Westmeath County Development Plan 2014 – 2020 (CDP), Variation No.1 to that plan, and the Ministerial Draft Direction to same.

IWEA has been an active participant to positive strategic planning in Westmeath having made a previous detailed submission to the proposed Variation No.1 dated March 23<sup>rd</sup>, 2016 and having previously made a number of submission to the Westmeath County Development Plan 2014-2020 since its inception.

In our continued positive engagement with Westmeath County Council, IWEA has been clear in voicing our strong concerns on the matters now subject to this Section 31 Direction. IWEA would now strongly support the action being taken to rectify these proposals, which run contrary to strategic planning, and stand entirely at odds with Government policy in supporting renewable energy, promoting Irish security of energy supply and taking positive action against climate change.

In making this submission and those which preceded it, IWEA has at all times been clear and consistent in our desire for there to be clear adherence to a strategic and sustainable planning approach, in line with national and regional policy. Clean renewable wind energy can provide investment, jobs, community benefit and commercial rates to Co. Westmeath and can help the county further increase the county’s credentials as an environmental leader.

Yours sincerely,

*\*sent by email, bears no signature*

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Brian Dawson,  
Head of Communications,  
Irish Wind Energy Association (IWEA)

## **Introduction**

At the outset, we all must acknowledge Ireland's need to support renewable energy, which also stems from its EU commitments. These include EU Directive 2009/28/EC on the Promotion of Renewable Energy Sources, which came into force in April 2009 and which establishes a binding target of 20% of overall EU energy consumption coming from renewable sources by 2020. Ireland's target under the Directive is for renewable electricity to account for 40% of total energy consumption by 2020. Failure to meet these binding targets could result in EU sanctions. Ireland is currently just over half way towards these targets according to the latest Sustainable Energy Authority of Ireland (SEAI) projections.

Wind energy contributes positively and significantly to the electricity supply of Ireland. Provisional SEAI figures for 2015 show that over a fifth of Ireland's electricity generation was met directly from wind energy, and Irish wind energy output increased by 28% in 2015. Irish wind energy as an indigenous renewable energy is helping to cut our 85% energy import dependency, and in 2014 alone, according to the SEAI, saved Ireland over €200m in energy imports as well as reducing our emissions from electricity generation by over 16%.

IWEA would question why wind energy has been specifically singled out among sectors as the direct focus of this Variation No. 1, considering that clear national Wind Energy Development Guidelines are cited within the CDP, and have been provided by Government specifically for the guidance of strategic and sustainable wind energy development.

IWEA is firmly of the view that clarity in strategic planning can help guide all stakeholders, provide transparency and an element of certainty, and ensure that such developments are carried out at locations and in a way which accords to the proper planning and positive sustainable development of the area, therefore it is imperative that Local Authority strategic policy statements are robust and workable.

Relevant strategic policy documents, such as the current Westmeath County Development Plan, must assist in enabling Ireland to develop its natural green energy resources and meet our EU2020 and 2030 targets. IWEA members are involved in developing more than 85% of the wind farm capacity that is planned to be built from now to 2020 and we continue to contribute proactively and positively to the development of local, regional and national strategic planning.

IWEA considers in line with our detailed submission dated March 23<sup>rd</sup> 2016, that the proposals of Variation No.1 to the Westmeath County Development Plan lack a factual basis, and represent an overt attempt to stifle positive renewable energy development in the county.

IWEA also agrees with the Minsiterial Direction that the variation as adopted is not in compliance with the requirements of sections 9, 10, 12 and 28 of the Planning and Development Act 2000, as amended.

**IWEA therefore welcomes the Section 31 Direction from the Minister in relation to the text of Variation No. 1 and calls for its full implementation.**

## **1.0 Specific Comments on the Section 31 Draft Ministerial Direction.**

**IWEA welcomes the findings of the Minister of Housing, Planning and Local Government that Westmeath's revised policy framework under Variation No. 1, would be significantly inconsistent with national policy and indeed incoherent with other sections of the very same County Development Plan 2014-2020.**

The material amendments being proposed stand in clear contravention to the Wind Farm Planning Guidelines 2006. Planning authorities are required to have regard to guidelines issued under Section 28 of the Planning and Development Act 2000 in the performance of their functions. The Wind Energy Guidelines 2006 were issued under section 28 and although being reviewed in part they have not been rescinded or withdrawn. Therefore by adopting these proposals Westmeath Council has been acting in direct contravention of its national obligations.

As stated in the Ministerial Section 31 Direction *"The Westmeath County Development Plan 2014-2020 contains objectives in section 10.6 supporting the development of wind energy infrastructure. However the effect of the provisions of Variation No.1 is to seriously restrict the potential for wind energy development within County Westmeath and therefore is in conflict with these existing development plan objectives."*

## **2.0 The imposition of a 30db limit**

The continued development of wind farm technology over the past decade has rendered mechanical noise from turbines almost unnoticeable. As IWEA we actively encourage people and families, through open days and events, to visit operational wind farms and to experience for themselves wind energy in action, and to listen for themselves when on site. June 2015 alone saw over 2,000 people visit wind farms.

The use of an absolute 30dBA night limit under this Variation is unnecessary, unsubstantiated and wholly conservative. It is not clear how this figure has been arrived at, as the setting of such a limit is out of line with the findings of the Marshall Day study commissioned by the Government as part of the review of the Wind Farm Planning Guidelines.

Very faint sounds in a range between 0 and 20dB are often difficult to even measure in external environments outside of sound laboratories as ordinary ambient noise will always exceed these levels, even in what many would consider "absolute silence." 30dB is generally described as the sound of a very quiet internal bedroom inside a house, and less than the sound rustling of leaves or about the equivalent to a whisper<sup>1</sup>.

Compliance with the WHO Guidelines recommendation can be shown with a design limit of 43 dB LA90 so this aspect of the proposed limit revision is also not substantiated. IWEA consider this approach to be out of step and inconsistent with the application of environmental protection in both low and high background noise environments. IWEA also believe this approach as proposed in Variation No.1 is grossly out of step with International

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<sup>1</sup> [https://www.reed.edu/ehs/health\\_programs/noise.html](https://www.reed.edu/ehs/health_programs/noise.html)

and particularly European approaches, and will if implemented be severely detrimental to continuing viable wind development in Ireland.

*A “night time noise limit of 30db of Lnight outside from wind energy developments” as proposed in the subject Variation is also, as highlighted in the Ministerial Section 31 Direction, represents a significant material deviation from the adopted Ministerial Guidelines and, “a much reduced level of noise clearly below that identified as appropriate in the Guidance.”*

As outlined in detail in our previous submission to Westmeath County Council, dated 23<sup>rd</sup> March 2016, the proposed Variation has no foundation in any scientific or factual basis, lacks an appropriate methodology and is at significant variance to national and international standards and guidelines.

IWEA would ask on what basis wind energy has been singled out for attention as a sector for this proposed variation. As a major stakeholder in the wind energy sector, we reiterate that Westmeath County Council in adopting the text under Variation no 1 has supported a wholly negative approach to renewable energy development for the County, threatening local investment, clean energy jobs, local commercial rates and undermining the ability of the County to contribute to our national climate objectives in generating clean indigenous renewable energy.

**IWEA therefore supports the full deletion/removal of the text as indicated under the Draft Ministerial Direction**

### **3.0 Equine Facilities**

*The Variation also proposes that registered equine facilities be regarded as noise sensitive receptors.” In Ireland, noise sensitive receptors are defined in the Environmental Protection Agency’s noise guidance notes for licensed facilities as; “any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or other area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.” .*

*The Wind Energy Development Guidelines 2006 states that “a noise sensitive location includes any occupied dwelling house, hostel, health building or place of worship and may include areas of particular scenic quality or special recreational amenity importance.”*

It is not clear as to why Equine facilities, which are not identified as an amenity have been singled out within this variation. The purpose of describing equine facilities as noise sensitive receptors is not defined in the proposed Variation. No factual sources of scientific research have been identified which supports any reduced noise level due to potential impact on horses.

A broad range of animals, both domestic and wild, including livestock are common on Irish wind farms, and farmers who have wind turbines on their land often comment that the animals love using them for shelter, and are not affected in any way by familiar wind turbines. This also applies to horses, and indeed, horse familiarisation events are becoming common with the first of its type in the UK being at Whitelee Wind Farm, (the biggest wind farm in Europe) in 2012. Footage of the visit is now used as an instructive video by the

British Horse Society detailing useful hints for horse riding on wind farms, including thoroughbred horses.

**Therefore IWEA do not see the additional need or any evidential basis, for this text as proposed and welcome the Draft Ministerial Direction for its deletion.**

#### **4.0 The designation of Area 7 of the Wind Energy Development Map (Map No. 5) of the Westmeath County Development Plan 2014-2020 as an area of low capacity.**

The 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. 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.

The Variation No.1 changes the medium capacity designation of the Western Lowlands (Area 7) to a “low capacity” designation. This would mean that all areas of the County would then be designated as either “low” or “no” capacity for wind energy development.

The proposed Variation does not give an explanation as to why the change in designation is proposed.

As identified under the Draft Ministerial Direction, the setting this arbitrary change cuts across and undermines the Government policy to deliver more indigenous renewable energy and reduce our imported fossil fuel dependency which currently stands at 85% and costs over €15m every day in energy imports. The maintenance of this policy would rule out what could be suitable sites on an arbitrary basis and could hinder our ability to meet our ambitious but necessary, legally binding EU renewable energy and EU climate change commitments.

**Therefore IWEA do not see the additional need or any evidential basis for this change to Area 7, and welcomes the Draft Ministerial Direction for its deletion.**

#### **5.0 Conclusion**

IWEA stands in favour of a nationally consistent and strategic approach to development, which provides for proper planning and sustainable development. IWEA was clear in our submission of March 23<sup>rd</sup> that the proposals which are now subject to this Section 31 Ministerial Direction stand in clear contrast to proper strategic planning and lack any coherent factual basis.

The inclusion of the proposed Variation within the Country Development Plan will unnecessarily and inappropriately restrict the implementation of national and local policy to generate additional electricity from renewable sources, with the benefits which that can bring to local communities, and artificially restrict the number and range of sites that could be brought forward that would otherwise satisfy all the other requirements of the County

Development Plan, National Guidelines, spatial planning and the requirements of proper planning and sustainable development.

Climate change is a global issue and is a matter for all levels of Government to address from an international to a local level. The inclusion of this Variation will unnecessarily prevent the full potential of County Westmeath's renewable energy and wind energy resources being harnessed, and would be misaligned with the other policies and provisions within the Draft Plan that positively support the development of our own indigenous renewables.

IWEA has re-stated today our considered view that this approach, if left to proceed, would preclude the development of wind farms for the life-time of the Plan, including both small and large developments. This would by association impact negatively on significant investment flows into the local community in County Westmeath in terms of direct investment, land lease payments, local road upgrades, revenue for the County Council in terms of rates and development contributions, and potential revenue to local companies in terms of construction, legal, finance and other professional services and communities in terms of benefit programmes.

**IWEA supports the decision taken by the Minister for the Environment, Community and Local Government under Section 31 of the Planning and Development Act to direct the changes as drafted.**



