Comhairle Contae
Dhún na nGall
Donegal County Council

www.ccdhunnangall.ie www.donegalcoco.ie

Planning Office
RECEIVED
- 6 APR 2017
File No. ....
Causeway Coast and
Glens District Council

Ref: CPU/152(VAR.2)

4th April 2017

To: Each Prescribed Authority

Re: Variation No. 2 (Wind Energy) to the County Donegal Development Plan 2012-2018 (as varied)

A Chara,

At the meeting of Donegal County Council on 30th June 2014, the Members decided to make a Variation (No. 2) to the County Donegal Development Plan 2012-2018 (As Varied) as provided for in Section 13 of the Planning and Development Act 2000-2016. The Variation relates to Chapters 7 & 10 of the CDP 2012-2018 (As Varied) regarding wind energy.

On 6th October 2016 the Minister notified Donegal County Council of his decision pursuant to Section 31(16)(a) of the Act to issue a Direction omitting those amendments that were made through Variation No.2 at the meeting of Donegal County Council on 30th June 2014. However, following the making of a Consent Order by the High Court on 14th March 2017, inclusive of a term that the Minister's Direction "be quashed without further Order", the Council is now required to restore Variation No. 2 and thus make the County Development Plan conform to the Court Order.

Pursuant to Chief Executive's Order No. 2017/C/H/0237 therefore, the Variation has now been restored and may be cited as Variation No. 2 (Wind Energy) to the County Donegal Development Plan 2012-2018 (as varied).

I enclose a copy of Variation No. 2 (Wind Energy) together with a copy of the public notice for your information.

Mise le meas,

pp Maeve McElroy

Paul Christy,
Senior Executive Planner,
Central Planning Unit,
Directorate of Community, Enterprise and Planning.
PC/MMcE
Enc

Comhairle Contae
Dhún na nGall
Donegal County Council

Notice of Making of Variation No. 2 (Wind Energy) to the County Donegal Development Plan 2012-2018 (As Varied)

Notice is hereby given Pursuant to Section 13(8) of the Planning and Development Acts 2000-2016 that:

1. Donegal County Council has made a Variation to the County Donegal Development Plan 2012-2018 (As Varied) in accordance with Section 13 of the Planning and Development Acts 2000-2016. It may be cited as 'Variation No. 2 (Wind Energy) to the County Donegal Development Plan 2012-2018 (As Varied)'.

2. The Variation relates to amendments to Chapter 7, Section 7.2, 'Energy' and to Chapter 10, 'Development and Technical Standards'. The reason for the Variation is (a) to afford greater protection to Fresh Water Pearl Mussels through the inclusion of the catchments identified in the 6 Sub- Basin Management Plans as areas 'Not Favoured' for wind energy development and (b) to afford greater protection to residential properties and centres of human habitation.

3. A copy of the Variation No. 2 (Wind Energy) may be inspected during normal office hours, Monday to Friday (excluding public holidays) at the following locations:

    - The Planning Office, Donegal County Council, County House, Lifford.
    - Letterkenny Public Services Centre, Neil T. Blaney Road, Letterkenny.
    - Milford Public Service Centre, Main Street, Milford
    - Dungloe Public Services Centre, Gweedore Road, Dungloe.
    - Carndonagh Public Services Centre, Malin Road, Carndonagh.
    - Donegal Public Services Centre, Drumlonagher, Donegal Town.

    The Variation can also be inspected online at www.donegalcoco.ie and at the Council's Library facilities.

4. In accordance with the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended), it has been determined that a Strategic Environmental Assessment of the Variation is not required. A copy of the determination including the reasons for it may be inspected at the locations outlined in point 3 above.

5. In accordance with the EU Habitats Directive, it has been determined that an Appropriate Assessment of the Variation is not required. A copy of the determination, including the reasons for it, may be inspected at the locations outlined in point 3 above.

Liam Ward,
Director of Services,
Community, Enterprise and Planning Services,
County House,
Lifford,
County Donegal.

Comhairle Contae
Dhún na nGall
Donegal County Council

Variation No. 2 (Wind Energy) to the County Donegal Development Plan 2012-2018 (as varied)

Variation No. 2 (Wind Energy) to the County Donegal Development Plan 2012-2018 (As Varied)

Introduction

At the meeting of Donegal County Council on 30th June 2014, the Members decided to make Variation No.2 (Wind Energy) to the County Donegal Development Plan 2012- 2018 (as varied). The content of the Variation is set out on the following pages.

(Note: Deletions of text are shown in black ~~strikethrough~~; insertions of text are shown in blue lettering).

Amendment No. 1:

Amend the text at Chapter 7, section 7.2.1, page 108 of the Core Document, in relation to area identified as 'Not Favoured' so that it reads as follows (NB: New text in blue):

Not Favoured – Areas where wind energy proposals will not be favoured have been identified due to the significant environmental, heritage and landscape constraints. These include; SAC and SPA (Natura 2000) Sites, NHAs, unspoiled areas of EHSAs, Areas of Fresh Water Pearl Mussel including the catchments identified in the Sub-Basin Management Plans for Clady Eske, Glaskeelin, Leannan, Owencarrow and Owenea (as listed in S.I. 296 of 2009), important views and prospects. It is considered that these areas have little or no capacity for wind energy development.

Map 9 Wind energy highlights the 'Area Open to Consideration' and the 'Not Favoured areas'.

The Council recognise the opportunities arising from the use of more efficient turbines on established windfarms, as they generate much higher energy yields per turbine, thereby reducing the need for additional turbines. In most cases the infrastructure, roads, hardstand, turbines, sub station and fences have already been established, so there should be limited additional impact.

To reflect the increasingly complex interaction of the issues involved in considering wind energy proposals the Council is committed to further developing the Renewable Energy Strategy that recognises the potential role of the county in energy generation in the context of the proper planning and sustainable development of the area. The wind energy policies herein must be considered in the context of the development and technical standards relating to wind energy set out in Chapter 10 and in the context of all other relevant objectives and policies set out in this Plan.

Amendment No. 2

Insert a new objective at Chapter 7, section 7.2.2, page 109 of the Core Document so as to state (NB: New text in blue):

E-O-6: To ensure that wind energy developments do not adversely impact upon the existing residential amenities of residential properties, and other centres of human habitation (as defined at 10.6.7) in Chapter 10 Development and Technical Standards.

Amendment No. 3

Amend Map 9, 'Wind Energy' to show the addition of 6 Sub-Basin Catchments of SAC populations listed in S.I. 296 of 2009 (First Schedule) for the Fresh Water Pearl Mussel as 'Not Favoured for Wind Energy Developments' as shown in accordance with the Appendix 1 of this document.

Amendment No. 4

Amend the text at Chapter 10, section 10.6.5 of the Core Document so as to read as follows (new text shown in blue; text for deletion shown in ~~strikethrough~~).

10.6.5 Wind turbines must meet the requirements and standards set out in the DEHLG Wind Energy Development Guidelines 2006, or any subsequent related Guidelines and in addition must not be located within:

(a) The zone of visual influence (ZVI) of the Glenveagh National Park

(b) The zone of influence/ flight path at Donegal Airport.

(c) The 6 Fresh Water Pearl Mussel (S.I. 296 of 2009) catchments contained in the Freshwater Pearl Mussel Sub-Basin Management Plans for Clady, Eske, Glaskeelin, Leannan, Owencarrow and Owenea.

(d) A set back distance of ten times the tip height of proposed turbines from residential properties and other centres of human habitation.

Amendment No. 5

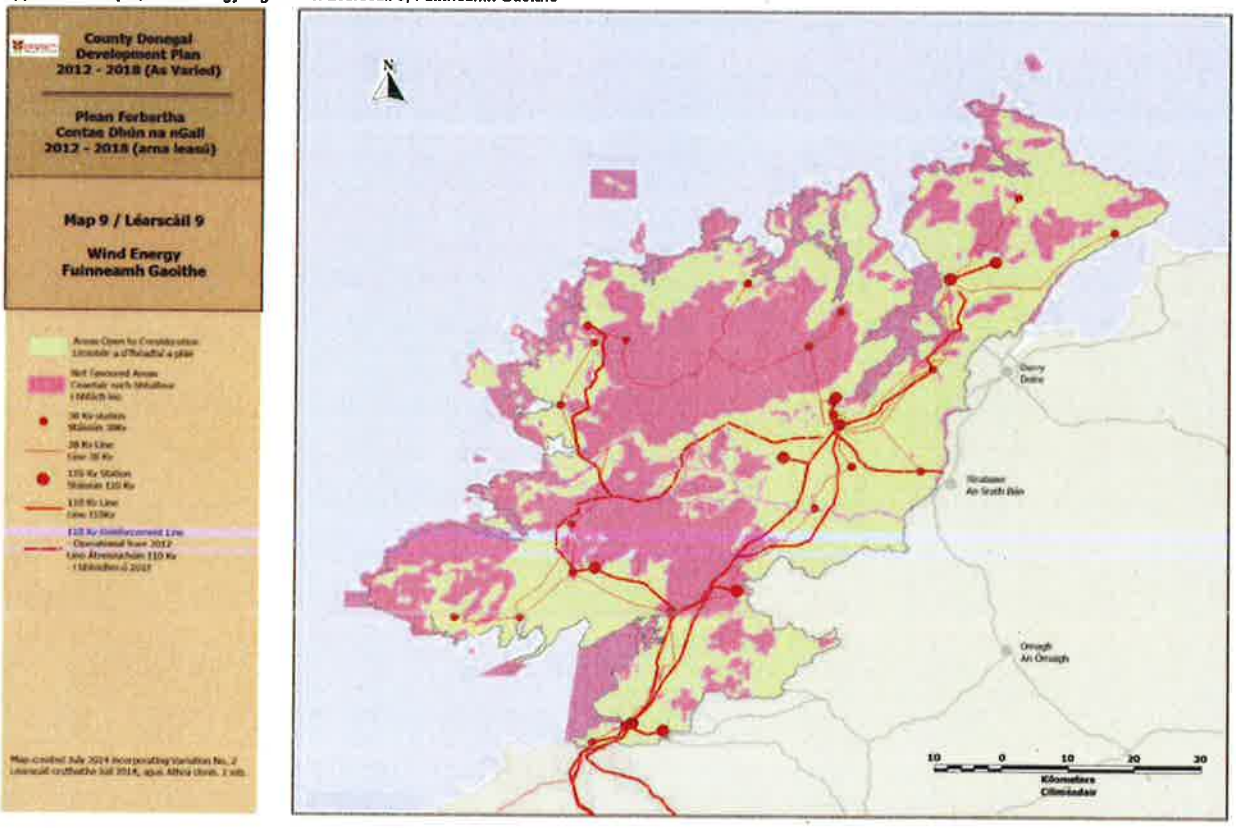
Insert new text into the Core Strategy at Chapter 10 as section 10.6.7 so as to state as follows (New text shown in blue):

10.6.7 Centres of Human Habitation

Definition:-

'Centre of Human Habitation' includes schools, hospitals, churches, residential buildings or buildings used for public assembly'.

Appendix 1: Map 9; Wind Energy/ Aguisín 1: Léarscáil 9; Fuinneamh Gaoithe



Comhairle Contae
Dhún na nGall
Donegal County Council

Athrú Uimh. 2 (Fuinneamh Gaoithe) ar Phlean Forbartha Contae Dhún na nGall 2012-2018 (arna leasú).

Amendment No. 2

Insert a new objective at Chapter 7, section 7.2.2, page 109 of the Core Document so as to state (NB: New text in blue):

E-O-6: To ensure that wind energy developments do not adversely impact upon the existing residential amenities of residential properties, and other centres of human habitation (as defined at 10.6.7) in Chapter 10 Development and Technical Standards.

Amendment No. 3

Amend Map 9, 'Wind Energy' to show the addition of 6 Sub-Basin Catchments of SAC populations listed in S.I. 296 of 2009 (First Schedule) for the Fresh Water Pearl Mussel as 'Not Favoured for Wind Energy Developments' as shown in accordance with the Appendix 1 of this document.

Amendment No. 4

Amend the text at Chapter 10, section 10.6.5 of the Core Document so as to read as follows (new text shown in blue; text for deletion shown in ~~strikethrough~~).

10.6.5 Wind turbines must meet the requirements and standards set out in the DEHLG Wind Energy Development Guidelines 2006, or any subsequent related Guidelines and in addition must not be located within:

(a) The zone of visual influence (ZVI) of the Glenveagh National Park

(b) The zone of influence/ flight path at Donegal Airport.

(c) The 6 Fresh Water Pearl Mussel (S.I. 296 of 2009) catchments contained in the Freshwater Pearl Mussel Sub-Basin Management Plans for Clady, Eske, Glaskeelin, Leannan, Owencarrow and Owenea.

(d) A set back distance of ten times the tip height of proposed turbines from residential properties and other centres of human habitation.

Amendment No. 5

Insert new text into the Core Strategy at Chapter 10 as section 10.6.7 so as to state as follows (New text shown in blue):

10.6.7 Centres of Human Habitation

Definition:-

'Centre of Human Habitation' includes schools, hospitals, churches, residential buildings or buildings used for public assembly'.

Athrú Uimh. 2 (Fuinneamh Gaoithe) ar Phlean Forbartha Contae Dhún na nGall 2012-2018 (arna leasú).

Réamhrá

Ag cruinniú de Chomhairle Contae Dhún na nGall ar an 30 Meitheamh 2014 shocraigh na Comhaltaí ar dhul ar aghaidh le hAthrú Uimh. 2 (Fuinneamh Gaoithe) ar Phlean Forbartha Contae Dhún na nGall 2012 - 2018 (arna leasú). Tá ábhar an Athraithe leagtha amach ar na leathanaigh seo a leanas.

(Nóta: Taispeántar téacs atá scriosta i bhfoirm ~~líne tríd~~ sa chló dubh; agus taispeántar téacs úr i bhfoirm litreacha gorma).

Leasú Uimh. 1:

An téacs a leasú i gCaibidil 7, cuid 7.2.1, leathanach 108 den Chroí-Dhoiciméad, maidir le limistéar atá aitheanta mar 'limistéar nach bhfuiltear i bhfách leis' go dtí an téacs seo a leanas (NB: Dath gorm ar an téacs úr):

Limistéir nach bhfuiltear i bhfách leo - Aithnítear limistéir nach bhfuiltear i bhfách leo fá choinne tograí fuinnimh ghaoithe de bharr srianta suntasacha comhshaoil, oidhreachta agus tírdhreacha. Áirítear orthu seo, Láithreacha SAC agus SPA (Natura 2000), NHA-anna, ceantair neamh-mhillte de chuid EHSA-anna, Limistéir Diúilicíní Péarla Fionnuisce, ar a n-áirítear na habhantracha atá aitheanta sna Pleananna Bainistíochta Fo-Abhantraí do Clady Eske, Glaskeelin, An Leanainn, Abhainn Choraidh agus Abhainn Fhia (mar atá liostaithe in I.R. 296 de 2009), agus radhairc agus amhairc thábhachtacha. Meastar gur beag an mhéid acmhainneachta atá ag na ceantair sin fá choinne fuinneamh gaoithe a fhorbairt.

Léarscáil 9 - cuireann Fuinneamh Gaoithe béim ar 'An Ceantar Inbhreithnithe' agus 'Ceantair Neamhfhabhraithe'.

Aithníonn an Chomhairle na deiseanna a eascraíonn as tuirbíní níos éifeachtúlaí a úsáid ar fheirmeacha gaoithe seanbhunaithe, de bharr go ngineann siad torthaí fuinnimh i bhfad níos airde in aghaidh an tuirbín, ag laghdú, mar sin, an gá le tuirbíní breise. Tá an t-infreastruchtúr, na bóithre, na háiteanna crua-sheasta, na tuirbíní, an fo-stáisiún agus na sconsaí bunaithe cheana féin sa chuid is mó de chásanna, mar sin níor chóir go gcruthódh siad tionchar mór.

Le hidirghníomhú, atá ag éirí níos casta i rith an ama, na saincheisteanna a bhaineann le tograí fuinnimh ghaoithe a bhreithniú, tá an Chomhairle tiomanta do Straitéis Fuinnimh inathnuaite a fhorbairt a thuilleadh, straitéis a aithníonn ról féideartha an chontae i nginiúint fuinnimh i gcomhthéacs na pleanála cuí agus fhorbairt inbhuanaithe an cheantair. Caithfear na beartais fuinnimh ghaoithe istigh anseo a bhreithniú i gcomhthéacs na forbartha agus na gcaighdeán teicniúil a bhaineann le fuinneamh gaoithe leagtha amach i gCaibidil 10 agus i

gcomhthéacs gach cuspóir agus beartas bainteach eile atá leagtha amach sa Phlean seo.

Leasú Uimh. 2:

Cuspóir úr a chur isteach i gCaibidil 7, cuid 7.2.2., leathanach 109 den Chroí-Dhoiciméad leis an mhéid seo a leanas a lua (NB: Dath gorm ar an téacs úr):

E-O-6: Lena chinntiú nach mbíonn tionchar diúltach ag forbairtí fuinnimh ghaoithe ar na háiseanna cónaithe atá le fáil cheana féin ag réadmhaoine cónaithe, agus in ionaid eile a bhfuil cónaí ag daoine iontu (mar atá sainithe in 10.6.7) i gCaibidil 10, Caighdeáin Fhorbraíochta agus Theicniúla.

Leasú Uimh. 3:

Leasú a dhéanamh ar Léarscáil 9 'Fuinneamh Gaoithe' lena thaispeáint gur cuireadh isteach 6 Abhantrach Fho-Abhantraí de na daonraí SAC atá liostaithe in I.R. 296 de 2009 (An Chéad Sceideal) le haghaidh Diúilicíní Péarla Fionnuisce, mar limistéir 'Nach bhfuiltear i bhfách leo le haghaidh Forbairtí Fuinnimh Ghaoithe' mar a thaispeántar de réir Aguisín 1 den doiciméad seo.

Leasú Uimh. 4

Leasú a dhéanamh ar an téacs i gCaibidil 10, cuid 10.6.5 den Chroí-Dhoiciméad leis an mhéid seo a leanas a chur ann (dath gorm ar an téacs úr, agus ~~líne fríd~~ an téacs atá le scriosadh).

10.6.5 Ní mór do thuirbíní gaoithe na riachtanais agus na caighdeáin uile leagtha amach i dTreoirlínte ar Fhuinneamh Ghaoithe an RCORA 2006, nó aon Treoirlínte gaolmhara ina dhiaidh sin agus chomh maith leis sin ní ceadmhach iad a lonnú laistigh dá leanas:

(a) Crios amharcthionchair Pháirc Náisiúnta Ghleann Bheatha

(b) Crios tionchair/de bhealach eitilte Aerfort Dhún na nGall.

(c) Na 6 abhantrach Diúilicíní Péarla Fionnuisce (I.R. 296 de 2009) atá sna Pleananna Bainistíochta Fo-Abhantraí um Dhiúilicíní Péarla Fionnuisce fá choinne na Cláidí, an Iascaigh, Glaskeelin, An Leanainn, Abhainn Choraidh agus Abhainn Fhia.

(d) Slánachar deich n-uaire níos mó ná rinn-airde na dtuirbíní beartaithe ó réadmhaoine cónaithe agus ó ionaid chónaithe eile do dhaoine.

Leasú Uimh. 5

Téacs úr a chur sa Chroí-Straitéis i gCaibidil 10, cuid 10.6.7, leis an mhéid seo a leanas a rá (dath gorm ar théacs úr):

10.6.7 Áiteanna a bhfuil daoine ina gcónaí iontu

Sainmhíniú:-

San áireamh in 'Ionaid a bhfuil daoine ina gcónaí iontu' tá scoileanna, otharlanna, eaglaisí, foirgnimh chónaithe nó foirgnimh a úsáidtear le haghaidh cruinnithe poiblí'.

Comhairle Contae Dhún na nGall
Donegal County Council

Fógra i dtaca le hAthrú Uimh. 2 (Fuinneamh Gaoithe) a dhéanamh ar Phlean Forbartha Contae Dhún na nGall 2012 - 2018 (arna leasú)

Tugtar fógra leis seo, de bhun Alt 13(8) de na hAchtanna Pleanála agus Forbartha 2000-2016:

1. go bhfuil Athrú déanta ag Comhairle Comhairle Contae Dhún na nGall ar Phlean Forbartha Chontae Dhún na nGall 2012-2018 (arna leasú) de réir Alt 13 de na hAchtanna Pleanála agus Forbartha 2000 - 2016. Is féidir tagairt a dhéanamh dó mar 'Athrú Uimh. 2 (Fuinneamh Gaoithe) ar Phlean Forbartha Chontae Dhún na nGall 2012-2018 (arna leasú)'.

2. Baineann an tAthrú le leasuithe ar Chaibidil 7, Cuid 7.2, 'Fuinneamh' agus ar Chaibidil 10, 'Caighdeáin Forbraíochta agus Theicniúla'. Is é is cúis leis an Athrú ná (a) cosaint níos mó a thabhairt do Dhiúilicíní Péarla Fionnuisce tríd na habhantracha atá aitheanta sna 6 cinn de Phleananna Bainistíochta Abhantraí mar cheantair 'Neamh-fhabhracha' le haghaidh forbairt fuinnimh ghaoithe, a chur san áireamh agus (b) cosaint níos mó a thabhairt do shealúchais chónaithe agus d'ionaid ina bhfuil cónaí ar dhaoine.

3. Is féidir cóip d'Athrú Uimh. 2 (Fuinneamh Gaoithe) a scrúdú i rith gnáthuaireanta oibre, Luan go hAoine (seachas laethanta saoire poiblí) ag na hionaid seo a leanas:

   - An Oifig Pleanála, Comhairle Contae Dhún na nGall, Áras an Chontae, Leifear.
   - Ionad Seirbhíse Poiblí Leitir Ceanainn, Bóthar N. T. Uí Bhléine, Leitir Ceanainn
   - Ionad Seirbhíse Poiblí Bhaile na nGallóglach, An Phríomhshráid, Baile na nGallóglach
   - Ionad Seirbhíse Poiblí an Chlocháin Léith, Bóthar Ghaoth Dobhair, An Clochán Liath.
   - Ionad Seirbhíse Poiblí Charn Domhnach, Bóthar Mhálanna, Carn Domhnach.
   - Ionad Seirbhíse Poiblí Dhún na nGall, Droim Lonachair, Baile Dhún na nGall.

   Is féidir an tAthrú a scrúdú ar líne chomh maith ar www.donegalcoco.ie agus i seirbhísí leabharlainne na Comhairle.

4. De réir na Rialachán um Pleanáil agus Forbairt (Measúnacht Straitéiseach Timpeallachta) 2004 (arna leasú), rinneadh cinneadh nach bhfuil gá le Measúnacht Straitéiseach Timpeallachta ar an Athrú. Is féidir cóip den chinneadh, chomh maith leis na cúiseanna fána choinne, a scrúdú sna hionaid atá liostaithe i bpointe 3 thuas.

5. De réir na Treorach maidir le Gnáthóga ón Aontas Eorpach, rinneadh cinneadh nach bhfuil gá le Measúnú Iomchuí ar an Athrú. Is féidir cóip den chinneadh, chomh maith leis na cúiseanna fána choinne, a scrúdú sna hionaid atá liostaithe i bpointe 3 thuas.

Liam Mac an Bhaird,
Stiúrthóir Seirbhísí,
Seirbhísí Pobail, Fiontair agus Pleanála,
Teach an Chontae,
Leifear,
Contae Dhún na nGall.

'ag freastal ar mhuintir Dhún na nGall'

Guthán: 074 9153900 Facs: 0749172812 Ríomhphost: info@donegalcoco.ie