

Chapter 2

Policy and Legislation





ORIEL WIND FARM PROJECT

Environmental Impact Assessment Report Chapter 2: Policy and Legislation

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2 POLICY AND LEGISLATION

2.1 Introduction

This chapter of the Environmental Impact Assessment Report (EIAR) outlines the relevant EU, national, regional and local planning policy and legalisation guiding and regulating the development of the Oriel Wind Farm Project (hereafter referred to as “the Project”). The relevant EU, national, regional and local planning policies against which the Project will be assessed are set out for each level within the hierarchy in the sections that follow.

2.2 Relevant European legislation and policy

In 2007, the EU adopted an Integrated Maritime Policy (EU-IMP) which seeks to provide a more coherent approach to cross-cutting maritime issues, with increased coordination between different policy areas such as blue growth, marine data and knowledge, integrated maritime surveillance, sea basin strategies and maritime spatial planning. EU-IMP encourages all coastal Member States to develop integrated maritime policy and plans at a national level. This has since been supported by numerous policy initiatives and legislative measures, the most up-to-date of which are set out in this chapter.

2.2.1 European Maritime Spatial Planning Directive

In 2014, the adoption of the European Maritime Spatial Planning Directive 2014/89/EU established an EU-wide framework for maritime spatial planning. It is aimed at promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources. The Directive details the main goals and minimum requirements for Member States as follows:

- Balanced and sustainable territorial development of marine waters and coastal zones;
- Optimised development of maritime activities and business climate;
- Better adaptation to risks; and
- Resource-efficient and integrated coastal and maritime development.

The Directive defines maritime spatial planning as:

“... a process by which the relevant Member State’s authorities analyse and organise human activities in marine areas to achieve ecological, economic and social objectives” (Directive 2014/89/EU).

Ireland transposed the Directive through the European Union (Framework for Maritime Spatial Planning) Regulations 2016 (S.I. No. 352/2016). In so doing, it established the necessary legal basis and broad framework for Ireland to implement a National Marine Spatial Plan. A National Marine Spatial Plan, which, *inter alia*, takes into account land-sea interactions and contributes to the sustainable development of energy sectors at sea, was required to be in place by 31 March 2021.

Since the regulations were made under the European Communities Act 1972, they were strictly limited to measures required to transpose the Directive. In October 2018, the regulations were repealed and replaced by Part 5 of the Planning and Development (Amendment) Act 2018. Part 5 re-transposes the Directive in primary legislation and contains a number of measures that are additional to those required by the directive, including:

- Adoption of the National Marine Planning Framework (NMPF) by both Houses of the Oireachtas;
- Review and replacement of the NMPF every six years;
- Obligation for marine regulatory bodies to secure the objectives of the NMPF when making policies, plans, or granting consents; and

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- Enforcement powers for the Minister if the foregoing obligations are not being fulfilled.

Following a period of extensive public consultation, the Dáil passed a motion approving Ireland's National Marine Planning Framework (NMPF) on 29 April 2021 with publication of the final NMPF on 30 June 2021. Further detail regarding Ireland's NMPF is outlined in Section 2.5.1 below.

2.2.2 2030 EU Climate and Energy Framework

The *2030 EU Climate and Energy Framework* provides a framework for climate and energy policies in Europe. It was agreed by EU leaders in 2018. This framework seeks a 40% reduction in EU greenhouse gas emissions from 1990 levels and a greater contribution from renewable energy. The Project directly delivers renewable energy and accords with the *2030 EU Climate and Energy Framework*.

2.2.3 European Green Deal

The *European Green Deal* (2019) commits Ireland to achieve carbon neutrality by 2050. The EU's 2030 emissions reduction goals have also been increased to at least a 55% cut by 2030, compared with 1990 levels. The European Green Deal provides an action plan to boost the efficient use of clean resources, restore biodiversity and cut pollution. The plan also outlines investments needed and financing tools available and explains how to ensure a just and inclusive transition. Renewable energy from wind power is already 15% of Europe's electricity and the International Energy Agency expects wind to become our number one source of power generation by 2027.

Renewables-based electrification will be central to a climate neutral, competitive and secure energy system. The Project will contribute to this through the replacement of fossil fuel use in electricity generation with renewable electricity generation.

2.2.4 Renewable Energy Directive 2018/2001/EU

This *Renewable Energy Directive 2018/2001/EU* became legally binding in 2021. It sets the overarching European renewable energy target of 32% and establishes rules to ensure the uptake of renewables for heating and cooling purposes and in the transport sector. It also, *inter alia*, includes common principles and rules for renewables support schemes, the rights for production and consumption of renewable energy and to develop renewable energy communities, and sustainability criteria for biomass. It also provides guidance to remove barriers, promote investments and drive cost reductions in renewable energy technologies, and empowers citizens, consumers and businesses to participate in the transition to clean energy.

The Revised Renewable Energy Directive which came into force on 20 November 2023 sets an overall renewable energy target of at least 42.5% binding at EU level by 2030.

Given the nature of the subject Project, which can deliver a significant volume of offshore wind energy, it is fully in accordance with the binding EU Renewable Energy Directive.

2.2.5 EU Fit for 55 Package

The *EU Fit for 55 Package* was published in late 2021 with the aim of reducing EU greenhouse gas emissions by at least 55% by 2030 compared to 1990 levels and making the EU carbon-neutral by 2050. This EU package is a set of proposals to revise all existing EU acts on climate and energy and increase the EU target for renewables in the overall energy mix from 32% in 2030 to 40%. The Project directly delivers renewable energy and accords with the EU Fit for 55 Package.

2.2.6 EU Strategy on Adaptation to Climate Change

The *EU Strategy on Adaptation to Climate Change* is an integral part of the European Green Deal which sets out the pathway to adapt to the unavoidable impacts of climate change and become climate resilient by 2050. The strategy is underpinned by four objectives, namely: to make adaptation smarter, swifter and more systemic, and to step up international action on climate change. The four objectives are further underpinned by fourteen actions and the steps required to deliver them.

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The EU has adopted integrated monitoring and reporting rules to ensure progress towards its 2030 climate and energy targets and its international commitments under the 2015 Paris Agreement. The Project complies with this Strategy as it will help Ireland become more climate resilient once during its operational phase.

2.2.7 EU Strategy on Offshore Renewable Energy

To help meet the EU's goal of climate neutrality by 2050, the European Commission in November 2020 published the *EU Strategy on Offshore Renewable Energy*¹. The Strategy proposes to make offshore renewable energy a core component of Europe's energy system by 2050 and specifically increase Europe's offshore wind capacity from its current level of 12 GW to at least 60 GW by 2030 and 300 GW by 2050. The Commission aims to complement this with 40 GW of ocean energy from other emerging technologies such as wave, tidal and floating solar by 2050. The Project is wholly in accordance with the key objective of the Strategy in delivering increased offshore wind energy generation.

2.2.8 REPowerEU

REPowerEU, presented by the European Commission in May 2022 is a joint European action for more affordable, secure and sustainable energy². *REPowerEU* is a policy that arises from the hardships and global energy market disruption caused by Russia's invasion of Ukraine. The *REPowerEU* plan seeks to accelerate clean energy transition; diversity energy sources; and reduce demand.

A key objective is to reduce dependence on fossil fuels and increase European renewables target for 2030 from 40% to 45%. Wind energy generation is identified as one means of addressing this, specifically generating 80 GW of wind energy by 2030 and 300 GW by 2050. As the Project proposes to generate 375 MW of renewable wind energy, it can assist in the *REPowerEU* objective of seeking more affordable, secure and sustainable energy.

2.2.9 EU Wind Power Action Plan

The *European Wind Power Action Plan*, published by the European Commission in October 2023, sets out immediate actions to be taken together by the European Commission, Member States and industry to support the wind energy sector.

The European Wind Power Action Plan aims to ensure that the clean energy transition goes hand-in-hand with industrial competitiveness and that wind power continues to operate successfully within the EU. It builds on existing policies and legislation and focuses on six main areas:

- Acceleration of deployment through increased predictability and faster permitting;
- Improved auction design;
- Access to finance;
- A fair and competitive international environment;
- Skills; and
- Industry engagement and Member States commitments.

The project is wholly in accordance with the Action Plan as it can contribute towards the acceleration of deployment of renewable energy generation in Ireland.

¹ https://energy.ec.europa.eu/topics/renewable-energy/eu-strategy-offshore-renewable-energy_en

² https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1511

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2.2.10 European Wind Charter

The *European Wind Charter* builds upon the recent *European Wind Power Action Plan*. Ireland signed up to the Charter in December 2023. The signatory Member States and wind sector representatives respectively commit to many renewable energy related objectives with which the project aligns, most notably:

1. Ensure a sufficient, robust and predictable pipeline for the deployment of wind energy, including through updated National Energy and Climate Plans (NECPs) coherent with the more ambitious Fit-for-55 renewable energy targets, faster and more predictable permitting.
2. Ensure that business processes, governance, products and services offered by the undersigning wind sector representatives satisfy high qualitative standards.

In terms of the first aforementioned commitment, the Applicant has sought and is continuing to seek to secure all necessary permits for the Project. In terms of the second commitment, high standards have been used in the Applicant's approach to all facets of this Project

2.3 National legislation

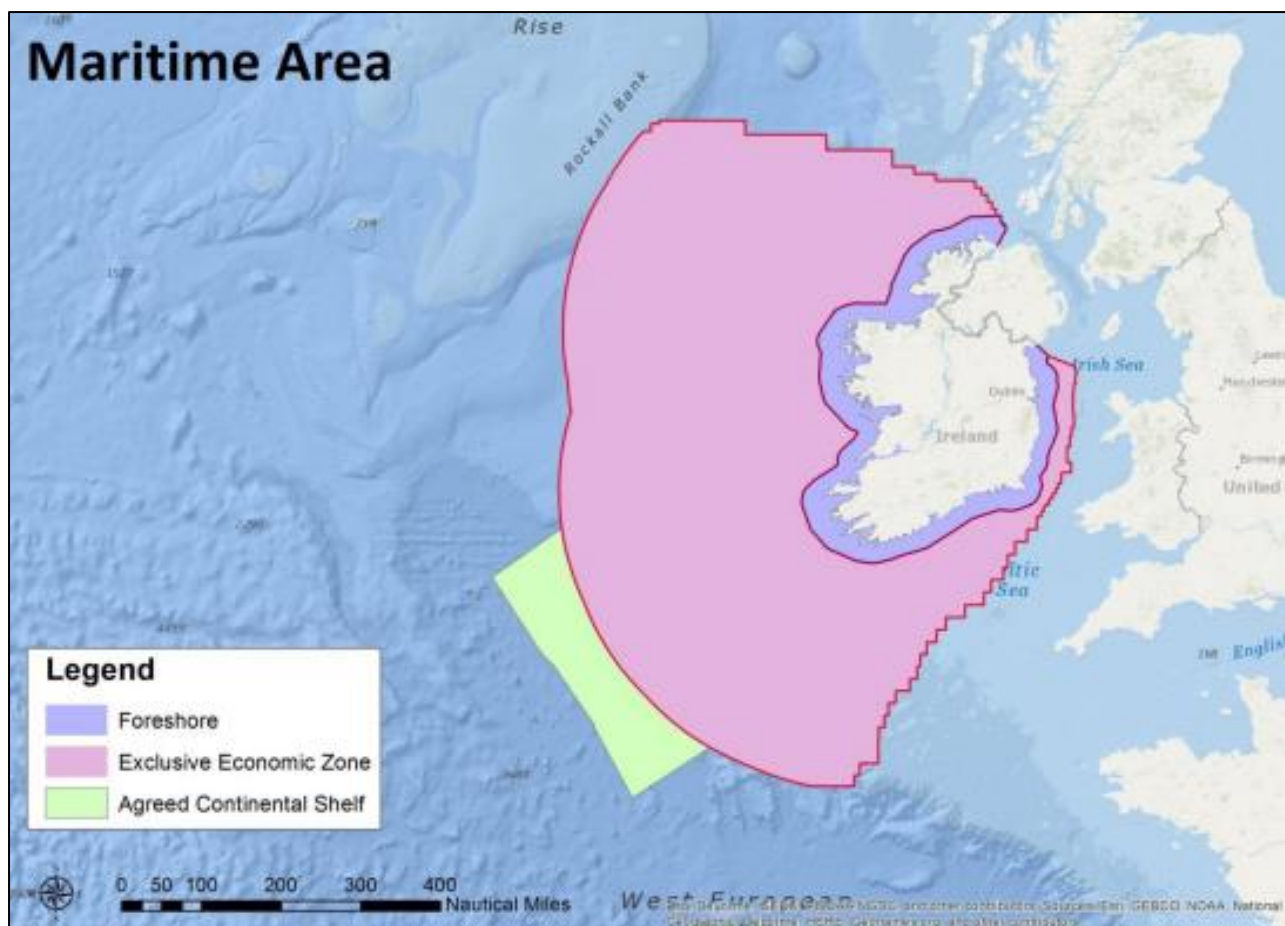
2.3.1 Maritime Jurisdiction Act 2021

The purpose of the Maritime Jurisdiction Act 2021 (MJA) is to update and set out in one standalone enactment, the law relating to the State's maritime jurisdiction, including giving further effect to relevant provisions of the 1982 United Nations Convention on the Law of the Sea, and to repeal sections 2 and 3 of the Continental Shelf Act 1968 and Part 3 of the Sea-Fisheries and Maritime Jurisdiction Act 2006, and to provide for related matters. The MJA was commenced on 22 November 2021 (save for s. 32 and 33)

As illustrated in Figure 2-1, the MJA defines the extent of the maritime area of Ireland. It provides that the jurisdiction of the State includes the Irish Territorial Waters (i.e. the Foreshore Area between the Mean High Water Mark and the 12 nautical mile / nm limit), the Irish Exclusive Economic Zone / EEZ (the area between the 12 nm limit and the 200 nm limit) and the Agreed Continental Shelf area that pertains to Ireland. The offshore elements of the Project concern the Foreshore Area located in the Irish Sea, east of Co. Louth.

The offshore elements of the Project are located within Irish Territorial Waters.

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Source: General Scheme of the Marine Planning and Development Management Bill, Frequently Asked Questions.

Figure 2-1: Map of the maritime area of Ireland.

2.3.2 Maritime Area Planning Act 2021

Following the commencement of the MJA, the *Maritime Area Planning Act 2021* (MAPA) was enacted in December 2021. It allows for a transition from the previous marine management regime, which was provided for under the Foreshore Act 1933, as amended. The MAPA establishes in law a marine planning regime and provides that two separate consents are required for the development of offshore renewable energy projects. Firstly, a state consent known as a Marina Area Consent (MAC) is required to occupy a designated part of the maritime area; and, secondly, a development consent is required to allow for the development of that area. The subject application is seeking development permission for the Project.

Section 80 and schedule 5 of the MAPA set out the broad criteria that must be fulfilled in order to obtain a MAC prior to seeking development permission. The criteria that the Minister must have had regard to when deciding MAC applications includes the nature, scope and duration of the occupation of the maritime area; whether the proposed maritime usage is in the public interest; whether the Applicant is a fit and proper person; the National Marine Planning Framework; the level of preparatory work already undertaken in relation to the project; and the level of stakeholder engagement in relation to the project. Given that the subject proposal met all of the relevant MAC criteria, it received a MAC from the Minister for Environment, Climate and Communications with a commencement date of 23 December 2022.

2.4 Planning and Development Act 2000, as amended

Part 8 of the MAPA inserts Part XXI into the Planning and Development Act 2000, as amended (the Act). This enables planning authorities to consider applications for development in the maritime area for development located partly in the outer maritime area, partly in the nearshore of one or more CPAs and partly on land are submitted to ABP. In the subject instance, the Board is the relevant authority for the

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purposes of granting approval for development for the Project. The subject application for permission for development is being made under section 291 of the Act.

With regard to design flexibility and pursuant to Section 287A of the Act, the Applicant submitted an application for an opinion under Section 287B of the Act. In order to secure an opinion from the Board in relation to design flexibility aspects of the project, a Section 287A meeting was held on 11 December 2023. ABP issued their Opinion in relation to design flexibility in a letter dated 2 February 2024. The Project includes design flexibility consistent with the opinion provided under Section 287B of the Act.

2.4.1 Climate Action and Low Carbon Development Act 2015, as amended

The Climate Action and Low Carbon Development Act 2015, as amended, amends numerous Acts including the Planning and Development Act 2000, as amended. It places particular obligations on An Bord Pleanála which is the relevant body for the purposes of the proposed development. Section 17 of the Climate Action and Low Carbon Development Act 2015, as amended (which, *inter alia*, amends Section 15 of the Principal Act) states that the Board (i.e. the relevant body):

“Shall in so far as practicable, performs its functions in a manner consistent with:

- (a) *“(a) The most recent approved climate action plan,*
- (b) *the most recent approved national long term climate action strategy,*
- (c) *the most recent approved national adaptation framework and approved sectoral adaptation plans,*
- (d) *the furtherance of the national climate objective, and*
- (e) *the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.”* (emphasis added by RPS)

The Board therefore is obliged to perform its role in assessing the subject application in a manner that is consistent with the National Climate Policies and Objectives, including the Climate Action Plan 2023 and the Climate Action Plan 2024. In this respect, it is noted that National Climate Policies and Objectives all support the development of wind farms subject to proper planning and sustainable development. The details of these plans is set out in Section 2.5.4 and Section 2.5.5 of this chapter.

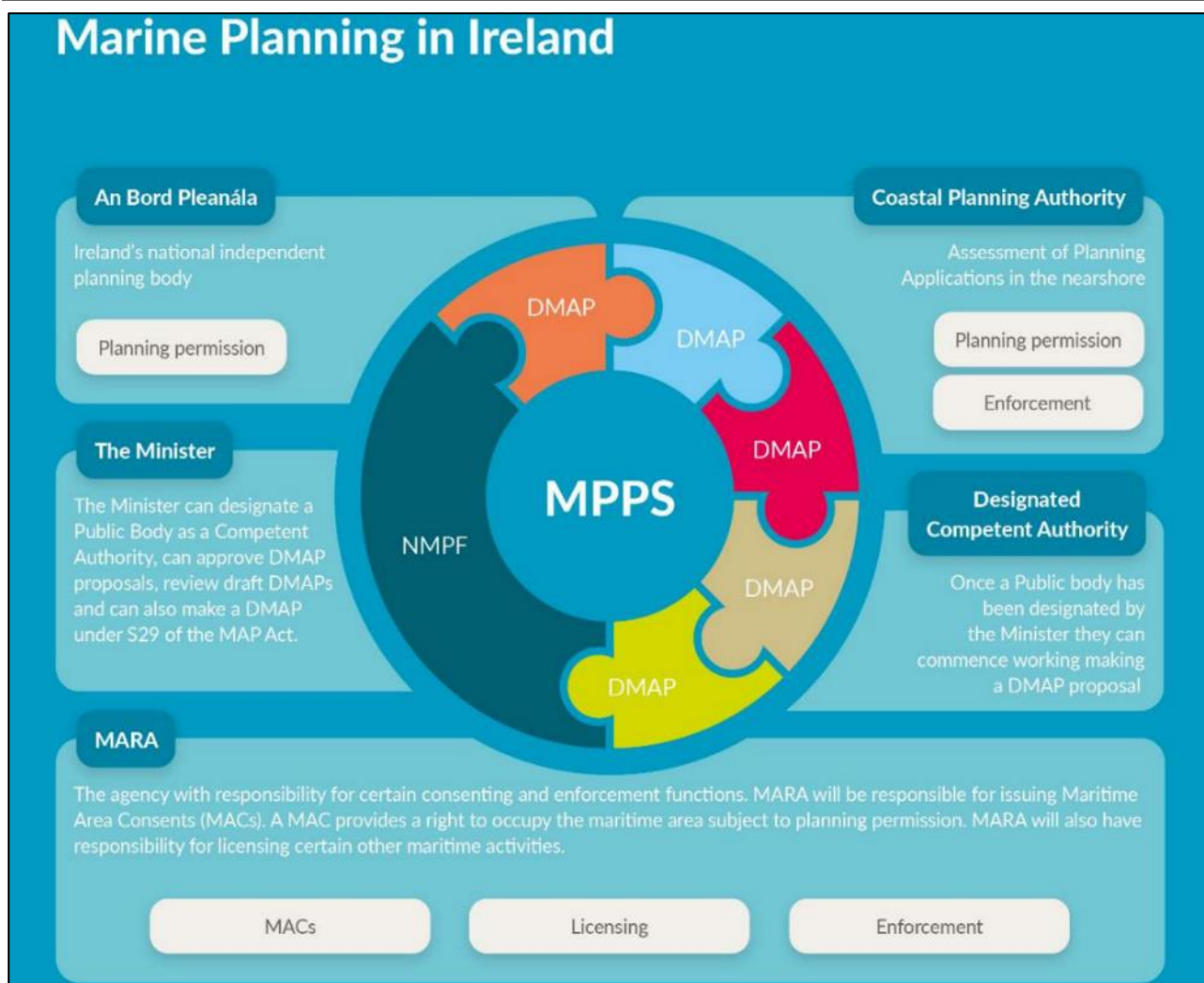
2.5 National planning and development policy

The remit of the Irish Planning System now includes both the terrestrial and the marine environment. While onshore planning policies have remained relatively consistent over the past 20 years, Ireland has realised a meaningful shift in terms of the putting in place of marine planning policy. This has most notably been achieved as a result of the publication of the NMPF which came into effect in July 2021.

In all instances, European, national, regional and local planning policy inform the assessment and decision making process in relation to planning applications. Figure 2-2 provides an overview of the marine planning system and the importance of policy in the assessment of marine applications seeking development permission. While the Marine Planning Policy Statement (MPPS) sits at the centre of marine planning policy in Ireland, the critical basis for decision making for all maritime applications is the NMPF. It is also noted that Designated Maritime Area Plans (DMAPs), which are sub-national marine plans, are also provided for in the MAPA and once adopted, these form part of the NMPF.

In this section, key national planning and development policies are set out. In addition, Table 2-1 lists the other relevant national policy documents that are applicable to the Project and provides a brief comment on their relevance.

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Source: Presentation by Karina Fitzgerald, Planning Advisor with the Marine Planning, Policy and Legislation Section of the Department of Housing, Local Government and Heritage to the Irish Planning Institute, 3 November 2023.

Figure 2-2: Graphic representation of marine planning policy in Ireland.

2.5.1 National Marine Planning Framework

The National Marine Planning Framework (NMPF) was formally established by the Government on 20 May 2021. It contains overarching marine planning policies that are applicable to all proposals in Ireland's extensive maritime area which comprises an area of approximately 490,000 km². Public bodies are legally obliged to secure the objectives of the NMPF. The NMPF serves as a parallel planning framework to the NPF, as it sets out the Government's long-term planning objectives and priorities for the management of our seas over a 20-year time frame.

The NMPF contains overarching marine planning policies that are applicable to all proposals in Ireland's extensive maritime area. The NMPF contains numerous overarching economic and social marine planning policy objectives and it also highlights the importance of environmental protection of the maritime area. The NMPF policies that are particularly relevant to the Project and with which the subject proposal is consistent, are set out below:

2.5.1.1 Offshore Renewable Energy Policy

- *"ORE Policy 1 - Proposals that assist the State in meeting the Government's target of generating at least 5GW of offshore renewable electricity by 2030 and proposals that maximise the long-term shift from use of fossil fuels to renewable electricity, in line with decarbonisation targets should be supported.*

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All proposals will be rigorously assessed to ensure compliance with environmental standards and seek to minimise impacts on the marine environment, marine ecology and other maritime users.

- *“ORE Policy 2 – Proposals must be consistent with national policy, including the Offshore Renewable Energy Development Plan (OREDPA) and its successor. Relevant Projects designated pursuant to the Transition Protocol and those projects that can objectively enable delivery on the Government’s 2030 targets will be prioritised for assessment under the new consenting regime...”*
- *ORE Policy 8: Proposals for ORE must demonstrate consideration of existing cables passing through or adjacent to areas for development, making sure ability to repair and carry out cable-related remedial work is not significantly compromised. This consideration should be included as part of statutory environmental assessments where such assessments are required.*
- *ORE Policy 9 - A permission for ORE must be informed by inclusion of a visualisation assessment that supports conditions on any development in relation to design and layout. This consideration must be included as part of statutory environmental assessments where such assessment is required.”*

The Project will directly enable this policy by providing infrastructure that can generate 0.375 GW of offshore renewable electricity by 2030. The Project is consistent with OREDPA policy and its successor as detailed in Table 2.1. The project location was chosen to avoid areas of existing offshore infrastructure such as cables and pipelines. The offshore geophysical surveys and desktop research has confirmed that no existing cables are located within or adjacent to the area and that requirements to repair or carry out remedial work would not be compromised. A visual assessment has been undertaken and is detailed in chapter 27: Seascape, Landscape and Visual Amenity of this EIAR.

2.5.1.2 Infrastructure Policy

- *“Infrastructure Policy 1 - Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported. Proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries should be supported.”*

The Project delivers land and marine based development that will result in marine activity and associated increased employment opportunities for marine related industries.

2.5.1.3 Biodiversity Policy

- *Biodiversity Policy 1 - Proposals incorporating features that enhance or facilitate species adaptation or migration, or natural native habitat connectivity will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals that may have significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity must demonstrate that they will, in order of preference and in accordance with legal requirements:*

a) avoid,

b) minimise, or

c) mitigate

significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity.”

Chapters 8, 9 10, 11 and 19 of this EIAR includes an analysis of impacts on biodiversity. More specifically:

Chapter 8: Benthic Subtidal and Intertidal Ecology concludes that the temporary and long-term loss/disturbance of subtidal and intertidal habitat and the alteration of seabed habitat is deemed to be either of imperceptible or slight adverse significance (not significant in EIA terms). The Environmental Management Plan (EMP) and Marine Pollution Contingency Plan ensure that the potential for release of pollutants from all phases of the Project, is minimised. Pre-construction surveys for unidentified reef habitat and reinstatement of rock in the intertidal zone following cable installation will also help avoid impacts on any identified reef habitat and promote recovery of intertidal habitat.

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Chapter 9: Fish and Shellfish Ecology concludes potential impacts to be imperceptible to slight adverse significance (not significant in EIA terms). An EMP and Marine Pollution Contingency Plan (MPCP) will ensure that the potential for release of pollutants from all phases of the Project, is minimised. Cable burial depth and use of rock-armour where the full cable burial depth cannot be achieved will help increase the separation distance of fish from cable. Soft start piling operations will minimise the risk of injury to fish species.

Chapter 10: Marine Mammals and Megafauna concludes potential impacts to be imperceptible to slight adverse significance (not significant in EIA terms). An EMP will ensure that the potential for release of pollutants from all phases of the Project is minimised. A Marine Megafauna Mitigation Plan and soft start piling operations will mitigate for the risk of physical or permanent auditory injury to marine mammals. Additionally, a Vessel Code of Conduct and cable burial depth will minimise the potential for collision risk, or potential injury.

Chapter 11: Offshore Ornithology concludes potential impacts imperceptible to slight adverse significance (not significant in EIA terms). An EMP will minimise disturbance to rafting birds, and a MPCP will ensure that the potential for release of pollutants from all phases of the Project, is minimised.

Chapter 19: Onshore Biodiversity includes an analysis of the impacts of the Project on onshore biodiversity. It is concluded that disturbance to intertidal birds at the cable landfall was deemed to be not significant to onshore biodiversity receptors in the study area. The proposed works have the potential to effect protected birds within the intertidal area; however, the timing of the works to avoid the peak bird season reduced any potential impact.

- *“Biodiversity Policy 2 - Proposals that protect, maintain, restore and enhance the distribution and net extent of important habitats and distribution of important species will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must avoid significant reduction in the distribution and net extent of important habitats and other habitats that important species depend on, including avoidance of activity that may result in disturbance or displacement of habitats.”*

Chapter 19: Onshore Biodiversity of the enclosed EIAR concludes that the removal and fragmentation of hedgerows along the onshore cable route was deemed to not significant to onshore biodiversity receptors in the study area. The proposed hedgerow removal has the potential to effect protected animals (breeding birds and commuting and foraging bats); however, the timing of the works to avoid the breeding bird season and the proposed replanting of removed hedgerows reduced any potential impact.

- *“Biodiversity Policy 4 - Proposals must demonstrate that they will, in order of preference and in accordance with legal requirements:*
 - a) avoid,*
 - b) minimise, or*
 - c) mitigate**significant disturbance to, or displacement of, highly mobile species.”*

Table 9-8 of the EIAR includes a ‘Summary of fish and shellfish important ecological features (IEFs) and their value/importance within the Fish and Shellfish Ecology Study Area’ and identifies mobile species with a risk of potential significant negative impact. Chapter 9 concludes that with the proposed designed-in measures in place, these potential impacts result in effects that are imperceptible to slight adverse significance (not significant in EIA terms). Chapter 9 from the accompanying EIAR fully address all relevant biodiversity policies.

Table 10-10 of the EIAR includes a ‘Marine mammal and megafauna Important Ecological Features (IEFs) and their importance within the Marine Megafauna Study Area’ and identifies mobile species with a risk of potential significant negative impact. Chapter 10 concludes that with the proposed designed-in measures in place, these potential impacts result in effects that are imperceptible to slight adverse significance (not

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significant in EIA terms). Chapter 10 from the accompanying EIAR fully address all relevant biodiversity policies.

Chapter 11 of the EIAR presents the birds species recorded within Offshore Ornithology Study Area, in addition to species sensitivity to disturbance and displacement and species collision risk assessment. Chapter 11 concludes that with the proposed designed-in measures in place, these potential impacts result in effects that are imperceptible to slight adverse significance (not significant in EIA terms). Chapter 11 from the accompanying EIAR fully address all relevant biodiversity policies.

Table 19-8 of the enclosed EIAR includes a 'Summary Valuation of Ecological Features and Identification of Features Scoped for Impact Assessment' and identifies mobile species with a risk of potential significant negative impact. Chapter 19 concludes that with the proposed designed-in measures in place, these potential impacts result in effects that are not significant. Chapter 19 from the accompanying EIAR fully addresses all relevant biodiversity policies.

2.5.1.4 Protected Marine Sites Policy

- *“Protected Marine Sites Policy 1 – Proposals must demonstrate that they can be implemented without adverse effects on the integrity of Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). Where adverse effects from proposals remain following mitigation, in line with Habitats Directive Article 6(3), consent for the proposals cannot be granted unless the prerequisites set by Article 6(4) are met.*
- *“Protected Marine Sites Policy 2 – Proposals supporting the objectives of protected marine sites should be supported and:*
- *be informed by appropriate guidance*
- *must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites”*

The Stage 1 AA Screening Report and the Stage 2 NIS that have been prepared following applicable guidance as stated in the Department of the Environment, Heritage and Local Government guidance 'Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities'.

The NIS concluded that in view of best scientific knowledge and applying the precautionary principle, and in light of the conservation objectives of the relevant European sites, the Project, either individually or in combination with other plans or projects, will not have adverse effect on the integrity of any European site(s), given the implementation of the mitigation measures included in the Project outlined. As such, the Project meets the requirements of Protected Marine Sites Policy 1.

2.5.1.5 Climate Change Policy

- *“Climate Change Policy 2 - For the lifetime of the proposal, the following climate change matters must be demonstrated:*
 - *estimation of likely generation of greenhouse gas emissions, both direct and indirect;*
 - *measures to support reductions in greenhouse gas emissions where possible;*
 - *likely impact of climate change effects upon the proposal from factors including but not limited to: sea level rise, ocean acidification, changing weather patterns;*
 - *measures incorporated to enable adaptation climate change effects;*
 - *likely impact upon climate change adaptation measures adopted in the coastal area relevant to the proposal and/or adaptation measures adopted by adjacent activities;*
 - *where likely impact upon climate change adaptation measures in the coastal area relevant to the proposal and/or adaptation measures adopted by adjacent activities is identified, these impacts must be in order of preference and in accordance with legal requirements:*

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- a) avoided,
- b) minimised,
- c) mitigated,
- d) if it is not possible to mitigate significant adverse impacts, the reasons for proceeding must be set out.”

The Project will lead to the generation of renewable electricity and as a result of this, the Project has the potential to reduce the generation of fossil fuel emissions at power stations across the State. Chapter 17: Climate has found that the Project has the potential to displace approximately 489,300 tonnes of CO₂eq from the largely carbon-based traditional energy mix in the national grid per annum (based on the 2021 grid). As such, the Project is predicted to have a net major beneficial impact on climate which is considered significant. It is therefore considered that the Project accords with NMPF policy on climate change. Further detail are provided in chapter 17: Climate. In addition, a coastal erosion assessment has also been completed and this is included in appendix 21-1: Coastal Erosion Assessment Report.

2.5.1.6 Co-existence Policy

- *“Co-existence Policy 1 – Proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for co-existence and co-operation with other activities, enhancing other activities where appropriate. If proposals cannot avoid significant adverse impacts (including displacement) on other activities they must, in order of preference: a) minimise significant adverse impacts, b) mitigate significant adverse impacts, or c) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.”*

The impact of the Project on commercial fisheries is considered in chapter 12: Commercial Fisheries and found there will be no significant effects arising from the Project during the construction, operational and maintenance or decommissioning phases.

The impact of the Project on shipping and navigation is considered in chapter 13: Shipping and Navigation and found there are no significant effects on shipping or navigation.

The impact of the Project on aviation, military and communications is considered in chapter 14: Aviation, Military and Communications which concluded there will be no significant effects arising from the Project during the construction, operational and maintenance or decommissioning phases.

The impact of the Project on population is considered in chapter 18: Population and Human Health. It is considered that the Project will, at all project lifecycle phases, generate employment, stimulate activity at port facilities and impact positively on the population.

It is concluded that there are no significant adverse impacts on other activities and the Project allows for the continued co-existence and co-operation with other activities.

2.5.1.7 Employment Policy

- *“Employment Policy 1 – Proposals should demonstrate contribution to a net increase in marine related employment in Ireland, particularly where the proposals are:*
 - *In line with the skills available in Irish coastal communities adjacent to the maritime area,*
 - *Improve the sustainable use of natural resources,*
 - *Diversify skills to enable employment in emerging industries.”*

The Project generates employment directly and indirectly at the construction, operation and decommissioning phases. This is considered further in chapter 18: Population and Human Health.

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2.5.1.8 Seascape and Landscape Policy

- *“Seascape and Landscape Policy 1 – Proposals should demonstrate how the likely significant impacts of a development on the seascape and landscape of an area have been considered. Proposals will only be supported if they demonstrate that they, in order of preference: a) avoid, b) minimise, or c) mitigate significant adverse impacts on the seascape and landscape of the area. D) If it is not possible to mitigate significant adverse impacts, proposals must set out the reasons for proceeding. This policy should be included as part of statutory environmental assessments.”*

As part of the project design process, a number of measures have been proposed to avoid and minimise the potential for impacts on Seascape, Landscape and Visual Amenity as set out in chapter 27: Seascape, Landscape and Visual Assessment in the enclosed EIAR.

2.5.1.9 Transboundary Policy

- *“Transboundary Policy 1 – Proposals that have transboundary impacts beyond the maritime area, on either the terrestrial environment or neighbouring international jurisdictions, must show evidence of consultation with the relevant public authorities, including terrestrial planning authorities and other country authorities. Proposals should consider transboundary impacts throughout the lifetime of the proposed activity.”*

The potential for transboundary impacts of the Project are considered throughout the EIAR. Consultation was also undertaken with the departments and ministries in Northern Ireland, the UK and the Isle of Man regarding the potential for transboundary impacts from the Project. The outcome of consultation on transboundary issues is outlined in chapter 6: Consultation. Overall, it has been concluded that there will be no potential for significant transboundary effects arising from the Project.

2.5.1.10 Transmission Policy

- *“Transmission Policy 1 – Subject to the appropriate environmental assessments, electricity transmission proposals that maintain or improve the security and diversity of Ireland’s energy supply should be supported, including interconnectors, relevant EU Projects of Common Interest (PCIs), and projects in receipt of relevant alternative EU priority energy infrastructure classification provided for by the EU TEN-E regulations. This should include development of the offshore transmission system and connection with the onshore transmission system necessary to meet the Government’s target of 5 GW of offshore renewables by 2030, as well as development of associated transmission system / interconnector infrastructure for hybrid offshore projects, connecting offshore renewable energy installations with Ireland and one or more other electricity transmission systems.”*

The Project, which is subject to an EIAR, includes onshore and offshore transmission infrastructure connecting the proposed wind farm to the national grid. The proposed transmission infrastructure directly address the Government’s target of 5 GW of offshore renewables by 2030.

2.5.1.11 Safety At Sea Policy

- *Safety at Sea Policy 1 – Proposals for installation, operation, and decommissioning of Offshore Wind Farms must demonstrate how they will:*
 - *Minimise navigational risk between commercial vessels arising from an increase in the density of vessels in maritime space as a result of wind farm layout; and*

Allow for recreational vessels within the Offshore Wind Farm (including consideration of turbine height) or redirect recreational vessels, minimising navigational risk arising between recreational and commercial vessels.”

The Safety at Sea Policy and the safe operation of the facility is considered in some detail in chapter 13: Shipping and Navigation and a project specific Navigation Risk Assessment (NRA) (see appendix 13-1 in volume 2B). The assessment has considered a variety of impacts and hazards associated with the Project drawing upon evidence presented from analysis, review of information and stakeholder consultation and concludes that no over-riding navigational issues have been identified that presents an insurmountable threat to navigational safety for shipping, be that commercial, fishing or recreational and that this Project

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during the construction/decommissioning and operational and maintenance phases will not undermine navigational safety in the Study Area.

2.5.1.12 Sports and Recreation Policy

- *“Sports and Recreation Policy 2 – Proposals should demonstrate the following in relation to potential impact on recreation and tourism:*

The extent to which the proposal is likely to adversely impact sports clubs and other recreational users, including the extent to which proposals may interfere with facilities or other physical infrastructure.

The extent to which any proposal interferes with access to and along the shore, to the water, use of the resource for recreation or tourism purposes and existing navigational routes or navigational safety.

The extent to which the proposal is likely to adversely impact on the natural environment.”

The impact of the Project on recreation and tourism is through its impact on sports clubs and other recreational users, access to and along the shore, to the water, use of the resource for recreation or tourism purpose or the natural environment is considered to be minimal. The impact of the Project on recreational, amenity and community facilities has been considered in chapter 18: Population and Human Health and chapter 16: Infrastructure, Marine Recreation and Other Users and is reported as being imperceptible or slight at the operational phase and slight adverse at the construction phase.

2.5.1.13 Tourism Policy

- *“Tourism Policy 2 – Proposals must identify possible impacts on tourism. Where a potential significant impact upon tourism is identified it should be demonstrated how the potential negative consequences to tourism in communities will be minimised. This must include assessment of how the benefits of proposals are not outweighed by potential negative impacts.”*

The impact of the Project on tourism has been considered in chapter 18: Population and Human Health of the EIAR. No potentially significant impact upon tourism has been identified.

Overall, the Project is fully consistent with the ethos and objectives of the NMPF in that it directly contributes to renewable energy generation and thereby addresses climate change policy, provides employment, allows other land marine uses continue, includes measures to mitigate visual impact and delivers enhancements to the transmission network.

2.5.2 Project Ireland 2040 – National Planning Framework

The *National Planning Framework* (NPF), published in July 2018, is the primary articulation of spatial, planning and land use policy in Ireland. The framework is based on providing for significant population growth, directing development to existing settlements rather than allowing the continual expansion and sprawl of cities and towns.

Section 7.2 of the NPF states that the maritime economy is a key enabler of effective regional development, especially in remote coastal communities.

In order to strengthen and facilitate more environmentally focused planning at the local level, the NPF states that future planning and development will need to *“tackle Ireland’s higher than average carbon-intensity per capita and enable a national transition to a competitive low carbon, climate resilient and environmentally sustainable economy by 2050, through harnessing our country’s prodigious renewable energy potential.”*

Significantly, the NPF contains a specific section (Section 7.5) which is entirely focused on offshore renewable energy. It states that:

“Ireland’s territorial waters present major opportunities in the blue economy and offshore renewable energy sectors, which would support our transition to a zero carbon economy.

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The development of offshore renewable energy is critically dependent on the development of enabling infrastructure, including grid facilities to bring the energy ashore and connect to major sources of energy demand”.

Section 7.5 of the NPF includes the following as National Policy Objective 42:

“To support, within the context of the Offshore Renewable Energy Development Plan (OREDPA) and its successors, the progressive development of Ireland’s offshore renewable energy potential, including domestic and international grid connectivity enhancements.”

The Project is wholly consistent with National Policy Objective 42 and relevant statements contained in Section 7.2 of the NPF as set out above as the Project concerns the progressive development of Ireland’s offshore renewable energy potential and domestic grid connectivity enhancements and all necessary enabling infrastructure.

2.5.3 National Development Plan 2021-2030

The *National Development Plan 2021-2030* (NDP) identifies strategic priorities for public capital investment in order to underpin the implementation of the NPF. The NDP commits to increasing the share of renewable electricity up to 80% by 2030. It is a strategic priority of the NDP (renewable energy) to support the delivery of up to 5 GW of additional offshore renewable electricity generation by 2030.

It is a strategic priority of the NDP (state owned enterprise investment) to strengthen the electricity transmission and distribution grid onshore and offshore, including transmission cables and substations, to link renewable electricity generation to electricity consumers and to accommodate higher levels of renewables on the electricity system.

National Strategic Outcome 8 of the NDP is to transition to a low-carbon and climate-resilient society. To achieve this the NDP recognises that Ireland’s ambition must go further than a focus on achieving compliance with international commitments and recognises the importance of achieving a low-carbon, climate-resilient and environmentally sustainable economy and society. The Project is wholly consistent with National Strategic Outcome 8 and all associated national policy.

2.5.4 Climate Action Plan 2023

The *Climate Action Plan 2023* (CAP 2023), published by the DECC is the annual update to Ireland’s Climate Action Plan. The CAP 23 implements the carbon budgets and sectoral emission ceilings and sets out a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050, to align with the Programme for Government. As stated in CAP 2023, Ireland’s electricity sector can play a vital role in the decarbonisation of other sectors through electrification, including transport, heating, and industry. The plan proposed a measure to increase the proportion of renewable electricity to up to 80% by 2030 and a target of 9 GW from onshore wind, 8 GW from solar, and at least 5 GW of offshore wind energy by 2030.

The plan includes the following actions in relation to offshore wind energy development:

- Accelerate the delivery of onshore wind, offshore wind, and solar through a competitive framework to reach 80% of electricity demand from renewable energy by 2030;
- Target 9 GW onshore wind, 8 GW solar, and at least 5 GW of offshore wind by 2030 (and an additional 2 GW offshore wind for green hydrogen production);
- Ensure a flexible and supportive spatial planning policy framework for onshore and offshore renewable electricity generation development that seeks to deliver a strong pipeline of renewables;
- Ensure that renewable energy generation projects and associated infrastructure are considered to be in the overriding public interest;
- Ensure MARA commences the consenting processes under its remit;

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- The Offshore Wind Delivery Taskforce (OWDT) is to publish a system-wide plan for the delivery of offshore wind; and,
- Deliver onshore and offshore RESS auctions as per the annual RESS auction calendar.

The CAP 23 notes that offshore electricity generation sector is now operating at a very low level in Ireland, however, the scale of the opportunity has been estimated to be 70 GW. The DECC commits to updating the plan every 12 months in a manner that is underpinned by consultation with key stakeholders. Updates to the plan will be informed, *inter alia*, by corrective actions that may be needed to stay on track toward the overall 2030 targets and the ultimate objective of achieving a transition to a competitive, low-carbon, climate -resilient, and environmentally sustainable society and economy by 2050.

The Project directly addresses the overarching goals of the CAP and assists in delivering the new offshore renewable energy production supported by the CAP.

2.5.5 Climate Action Plan 2024

The *Climate Action Plan 2024* (CAP 2024) was published by the DECC in December 2023 and is approved by Government, subject to Strategic Environmental Assessment and Appropriate Assessment. CAP 2024 builds upon CAP 2023 by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings.

As stated in CAP 2024, Ireland's electricity sector can play a vital role in the decarbonisation of other sectors through electrification, including transport, heating, and industry. The plan proposed a measure to increase the proportion of renewable electricity to up to 80% by 2030 and a target of 9 GW from onshore wind, 8 GW from solar, and at least 5 GW of offshore wind energy by 2030.

The plan includes the following actions in relation to offshore wind energy development:

- Accelerate the delivery of onshore wind, offshore wind, and solar to reach 80% of electricity demand from renewable energy by 2030;
- Target 9 GW onshore wind, 8 GW solar, and at least 5 GW of offshore wind by 2030;
- Transforming the flexibility of the electricity system by improving system services and increasing storage capacity;
- Progress the development of a proposal for an offshore renewable energy innovation park;
- The Offshore Wind Delivery Taskforce (OWDT) to publish key actions for 2024; and
- Deliver onshore and offshore RESS auctions as per the annual RESS auction calendar.

The CAP 24 notes that offshore electricity generation sector is now operating at a very low level in Ireland, but there are very significant opportunities to operate at scale. The DECC commits to updating the plan every 12 months in a manner that is underpinned by consultation with key stakeholders. Updates to the plan will be informed, *inter alia*, by corrective actions that may be needed to stay on track toward the overall 2030 targets and the ultimate objective of achieving a transition to a competitive, low-carbon, climate -resilient, and environmentally sustainable society and economy by 2050.

The Project directly addresses the overarching goals of the CAP 2024 and assists in delivering the new offshore renewable energy production.

2.5.6 Programme for Government – Our Shared Future

The Programme for Government adopted in June 2020 outlines plans to implement climate adaptation measures to ensure that the state addresses the causes and effects of climate change. These measures will additionally build upon the NPF. The Programme for Government includes plans to achieve 5 GW capacity in offshore wind by 2030 off Ireland's eastern and southern coasts. As part of this, Ireland is committed to

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achieving a 7% annual average reduction in greenhouse gas emissions between 2021 and 2030 and achieve net zero emissions by the year 2050.

The Project directly addresses the objectives of the Programme for Government through increasing offshore renewable energy generation, reducing the use of fossil fuel and thereby reducing the impacts of climate change.

2.5.7 Policy Statement on the Framework for Ireland’s Offshore Electricity Transmission System

The DECC developed a framework and associated policy for Ireland’s future offshore electricity transmission system, which was approved by Government on 14 April 2021. The framework provided clarity for all stakeholders regarding the future development, operation and ownership of Ireland’s offshore electricity grid, ahead of the first of three scheduled offshore wind-specific RESS auctions that will enable Ireland to meet the 5GW target by the end of this decade.

The new framework provides for a phased transition from a decentralised offshore transmission system model to a centralised model over the course of this decade, with ownership of offshore transmission system assets to be assigned to EirGrid, Ireland’s existing electricity Transmission System Operator.

While the subject Project was not successful in the first offshore RESS auction, it is proposed to be brought to market under a separate process such that it can help deliver Ireland’s binding targets. As such the Project accords with the general principles of the Policy Statement on the Framework for Ireland’s Offshore Electricity Transmission System in so far as they are relevant.

2.5.8 Accelerating Ireland’s Offshore Energy Programme Policy Statement on the Framework for Phase Two Offshore Wind

This Energy Programme Policy Statement was published by the DECC in March 2023. In the Statement the Irish Government commits to accelerating the roll out of offshore renewable energy in response to the war between Russia and Ukraine to steer Ireland’s reliance away from fossil fuels. This will primarily include provision of at least 5 GW of grid connected offshore wind to be delivered by 2030 (Phase Two). Deployment of offshore wind under Phase Two will take place through an accelerated work programme. This programme will focus on a near term delivery based on technology with proven scalability in other jurisdictions and will achieve the additional offshore wind capacity required to meet Government’s target of 5 GW of offshore wind by 2030.

It states that “*unsuccessful ORESS 1 participants will be afforded a time-limited opportunity to secure an alternative route to market via a Corporate Power Purchase Agreement (CPPA) before expiration of Grid Connection Assessments (GCAs) provided by EirGrid*”. In this respect it is noted the power generated by the project will be delivered to the National Grid at the onshore connection point and will be available for use by all consumers connected to the National Grid. The project may enter a CPPA with a large energy user to support the delivery of the project, which does not involve the direct delivery of power to the user, as allowed for in the Maritime Area Consent.

A CPPA is a long-term financial contract, generally over several years, between a business, usually a large energy user, and a renewable generator such as a wind farm. This provides the generator with the stability and revenue certainty required to finance the construction of the wind farm. Under a typical CPPA in Ireland the wind farm sells its electricity on the wholesale market like any other generator. That power is bought, as normal, by electricity retailers or suppliers who sell it on to domestic and business consumers. This is known as a Contract for Difference or CfD. Effectively, it works much the same as a contract under ORESS but with the large energy user stepping in for the State.

2.5.9 Grid Connection Pathway for Phase 1 Offshore Wind (Merchant projects)

The Commission for Regulation of Utilities (CRU) published decision CRU2023156, Grid Connection Pathway for Phase 1 Offshore Wind (Merchant projects), which designates Phase 1 Offshore Wind projects that do not hold an ORESS1 notice of award as ‘Merchant Phase 1 projects’. In this decision the CRU considered that the Merchant Phase 1 offshore wind projects are well progressed in relation to their

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development, ability to connect to the grid, and contribution to Ireland’s 2030 targets. As, these projects have received a Grid Connection Assessment, a Maritime Area Consent and are in a position to seek planning permission from An Bord Pleanála. In reaching this decision the CRU also considered the following:

- New offshore generator connections increase the amount of electricity that can be generated to meet and exceed the demand for electricity. Hence, its connections support security and reliability of supply.
- Increasing electricity generated from renewable sources such as offshore wind reduces the carbon-intensity of the energy sector.
- The connection of new offshore wind generation increases competition. This puts downward pressure on wholesale prices, one of the main components of a consumer’s bill.
- Generators initially fund the local costs of connecting to the grid network, reducing the cost risk to consumers through network charges.

The CRU concluded that providing a pathway for ‘Merchant Phase 1’ offshore wind projects to connect to the grid should help meet the Government’s 2030 target and it should benefit energy consumers in terms of increased renewable projects which should facilitate lower electricity costs. In addition, the CRU considers the obligations of the European’s Union’s Clean Energy Package, which requires member states to provide objective, transparent, and non-discriminatory terms, and conditions for connecting new producers.

2.5.10 Renewable Electricity Corporate Power Purchase Agreements Roadmap

Government policy in relation to CPPAs is outlined in the “Renewable Electricity Corporate Power Purchase Agreements Roadmap” which was published in March 2022. It notes that to support the cost-effective delivery of the renewable electricity target, the Climate Action Plan 2019 included a target of 15% of electricity demand to be delivered by renewable energy CPPAs. This roadmap highlights that Ireland’s electricity demand is forecast to grow by up to 50% over the next decade, largely driven by large energy users and data centre demand. This represents a challenge to Ireland’s emissions reduction and renewable energy targets.

The roadmap states that *“the overall policy objective should be to harness additional private sector investment in renewable energy technologies while minimising the cost of electricity to consumers and supporting greenhouse gas reductions across sectors. A fundamental policy requirement shall be that policies to support the uptake of CPPAs should not increase the cost burden on the average electricity consumer”*. In this respect it is noted that as the power generated by the Project will be delivered to the National Grid at the onshore connection point and will be available for use by all consumers connected to the National Grid, the Project is in line with this policy.

2.5.11 Government Statement on the Role of Data Centres in Ireland’s Enterprise Strategy

The *Government Statement on the Role of Data Centres in Ireland’s Enterprise Strategy* published in July 2022 sets out national policy for the development of data centres. The statement recognises the fundamental importance of data centres and that they deliver:

- *“Core digital infrastructure and play an indispensable role in our economy and society”*.

The statement identifies the many economic, business and employments advantages arising from the location of data centres within Ireland.

The *Government Statement on the Role of Data Centres in Ireland’s Enterprise Strategy* clearly identifies the potential for large scale energy consumers to underpin the accelerated development of offshore wind generation, noting, *“demand for renewable electricity can help unlock offshore wind opportunities”*.

The *Government Statement on the Role of Data Centres in Ireland’s Enterprise Strategy* clearly identifies the potential for large scale energy consumers to underpin the accelerated development of offshore wind generation, noting, *“demand for renewable electricity can help unlock offshore wind opportunities”*.

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As the subject project was not successful in this first ORESS auction, the project can be realised under a Merchant Route to market as provided for in the MAC and Commission for Regulation of Utilities Decision, CRU 2023156, Grid Connection Pathway for Phase 1 Offshore Wind (Merchant projects).

In a merchant route to market the power generated by the project will be delivered to the National Grid at the onshore connection point, traded in the wholesale electricity market and will be available for use by all consumers connected to the National Grid. The project may enter a Corporate Power Purchase Agreement (CPPA) with a large energy user to support the delivery of the project with a price support mechanism much like the subsidy support provided under the ORESS scheme.

2.5.12 Other relevant national policy documents

Table 2-1 sets out a commentary and details in relation to other relevant national policy documents.

Table 2-1: Other Relevant National Policy Documents.

Policy document	Year published	Prepared by	Key policy content	Relevance to the Project
<i>Powering Prosperity: Ireland's Offshore Wind Industrial Strategy, National Industrial Strategy for Offshore Wind</i>	March 2024N/A – Currently at pre-draft stage	Department of Enterprise, Trade and Employment	<p>The Strategy sets out how Ireland can maximise the economic opportunity arising from the production of offshore wind by creating a solid domestic supply chain and resilient offshore renewable energy (ORE) industry.</p> <p>It includes measures to develop supply chain capacity and measures to develop both indigenous and export demand for energy derived from offshore wind energy.</p> <p>An integrated spatial and economic framework for the development of clusters of economic activity in locations critical to the development of the offshore wind sector. The Strategy will set out how Ireland can maximise the economic opportunity arising from the production of offshore wind.</p> <p>It will include measures to develop supply chain capacity and measures to develop both indigenous and export demand for energy derived from offshore wind energy.</p> <p>An integrated spatial and economic framework for the development of clusters of economic activity in locations critical to the development of the offshore wind sector.</p>	<p>There are economic benefits arising from the Project.</p> <p>The realisation of the project requires a supply chain and a skilled labour force.</p> <p>It will create a cluster of economic activity during both the construction, operation and decommissioning phases.</p> <p>There are economic benefits arising from the Project.</p> <p>The realisation of the project requires a supply chain and a skilled labour force.</p> <p>It will create a cluster of economic activity during both the construction, operation and decommissioning phases.</p>
<i>Offshore Renewable Energy Plan II (OREDPP), 2023</i>	2023 (Draft)	Department of the Environment, Climate and Communications	<p>The key objectives for the Draft OREDPP II are to:</p> <p>Assess the resource potential for ORE in Ireland's maritime area;</p> <p>Provide an evidence base to facilitate the future identification of Broad Areas most suitable for the sustainable deployment of ORE in Ireland's maritime area; and</p> <ul style="list-style-type: none"> Identify critical gaps in marine data or knowledge and recommend prioritised actions to close these gaps. 	<p>The project is located within waters ranging from c. 16 m to 30 m at a location identified in the OREDPP as having "<i>Technical Opportunities</i>" for offshore wind.</p> <p>The Project is being brought forward in accordance with current consenting process.</p>
<i>Review of National Ports</i>	2023	Department of Transport	The National Ports Policy provides the overarching policy framework for the governance and future development of	The Project will help to achieve Ireland's climate change ambitions. Also, it

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Policy document	Year published	Prepared by	Key policy content	Relevance to the Project
<i>Policy 2013 – Issues Paper</i>			<p>Ireland's state port network. It recognises that renewable energy is integral to achieving Ireland's climate change ambitions with a target of 5GW of offshore wind by 2030.</p> <p>It notes that several smaller ports will be required for operation and maintenance activities and that a number of ports and private entities are already progressing plans to provide the facilities and infrastructure required to assist the offshore wind energy sector to develop in Ireland.</p>	<p>may avail of the existing smaller ports for operation and maintenance. In so doing it will enable Irish ports to develop new revenue streams which will contribute to regional development and local employment in the region.</p>
<i>Energy Security in Ireland to 2030</i>	2023	Department of the Environment, Climate and Communications	<p>Energy security policy in Ireland is defined by three policy objectives: sustainability, affordability, and security.</p> <p>Plans for the electricity system, focus on the addition of renewable generation.</p>	<p>As the Project will deliver additional renewable electricity generation in Ireland, it will increase our energy security.</p>
<i>National Energy Security Framework</i>	2023	Department of the Environment, Climate and Communications	<p>Provides an overarching and comprehensive response to Ireland's energy security needs in the context of the war in Ukraine with a key action being a reduction in our dependency on imported fossil fuels, in the context of the phasing out of Russian energy imports across the EU.</p>	<p>The Project will deliver additional electricity generation in Ireland and in so doing, it will increase our energy security levels and our energy independence.</p>
<i>National Policy Statement on Electricity Interconnection</i>	2023	Department of the Environment, Climate and Communications	<p>This policy commits to increasing Ireland's interconnection capacity by 2030.</p>	<p>The Project will deliver additional electricity generation and connections in the Irish Sea and close to Northern Ireland.</p>
<i>National Energy and Climate Plan 2021-2030 (NECP)</i>	2020	Department of the Environment, Climate and Communications	<p>The NECP takes into account energy and climate policies developed to date, the National Mitigation Plan, the levels of demographic and economic growth identified in the NPF and all climate and energy measures set out in the NDP.</p> <p>It identifies how Ireland will achieve its 2030 targets for greenhouse gas emissions in a manner consistent with a trajectory to achieve net zero emissions by 2050.</p>	<p>The Project will deliver renewable energy, supporting the reduced use of fossil fuels and Ireland's 2030 targets for greenhouse gas emissions in a manner that is consistent with the trajectory to achieve net zero emissions by 2050.</p>
<i>Marine Planning Policy Statement</i>	2019	Department of Housing, Local Government and Heritage	<p>The Marine Planning Policy Statement sets out a vision for the development of a fully integrated Marine Planning System, based on three coherent building blocks of forward planning, development management and enforcement.</p> <p>It identifies how Ireland will achieve its 2030 targets for greenhouse gas emissions in a manner consistent with a trajectory to achieve net zero emissions by 2050.</p>	<p>The project is being brought forward in the context of and in accordance with the recently established marine planning system.</p> <p>The project will help Ireland to achieve its 2030 greenhouse gas emissions and its 2050 net zero emissions target.</p>
<i>Offshore Renewable Energy Plan (OREDPA), Interim Review 2018</i>	2018	Department of the Environment, Climate and Communications	<p>It identifies the opportunity for the sustainable development of Ireland's abundant offshore renewable energy resources.</p> <p>It sets out clear key principles, policy actions and enablers for the delivery of Ireland's significant potential in offshore renewable energy.</p>	<p>The project is an early mover project as it has been in preparation since 2001.</p> <p>The project can help enable Ireland's offshore renewable energy targets and can help to stimulate Ireland's offshore wind supply chain.</p>

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Policy document	Year published	Prepared by	Key policy content	Relevance to the Project
			Action 10 of the OREDP recommends the support of early mover projects to stimulate the supply chain and act as clear signals that Ireland is open for business for leveraging support from the Marine Development Team.	
<i>Ireland's Transition to a Low Carbon Energy Future 2015-2030 (Government White Paper on Energy)</i>	2015	Department of the Environment, Climate and Communications	This White Paper on energy policy sets out a framework to guide policy up to 2030; It sets out a framework for transforming Ireland's fossil fuel-based energy sector into a clean, low carbon system by 2050; and It recognises that Ireland's seas offer significant potential for offshore wind.	The Project will deliver renewable energy, through offshore wind energy production, supporting the reduced use of fossil fuels and the net zero emission target.
<i>Harnessing Our Ocean Wealth - An Integrated Marine Plan for Ireland (HOOW)</i>	2012	Department of Agriculture, Food and the Marine	HOOW was Ireland's first Integrated Marine Plan. It sets out a roadmap for the Government's vision, high-level goals and integrated actions across policy, governance and business to enable our marine potential to be realised. HOOW targets doubling the value of our ocean wealth to 2.4% of Gross Domestic Product (GDP) by 2030. It calls for publication of OREDP and an overarching National Marine Spatial Plan.	The project will develop our marine potential and contribute directly to our GDP by 2030.
<i>Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure</i>	2012	Government of Ireland	Addresses public concerns about the impact that new transmission lines (mainly overhead lines) and other energy infrastructure can have on the landscape, the environment and on local communities.	The Project ties in with existing transmission lines to the east of Ardee and has been designed such that the majority of the cable route is underground with only a very minor loop into the existing 220kV overhead line being required.

2.6 Relevant national planning guidance

In this Section, key national planning guidance is set out. In addition, Table 2.2 lists the other relevant national planning guidance documents that are applicable to the Project and provides a brief comment on the relevance of each guideline.

2.6.1 Wind Energy Planning Guidelines 2006 and associated draft revisions

The *Wind Energy Planning Guidelines 2006* and all associated draft approaches to revisions of same (*Wind Energy Guidelines*) sets out national guidance primarily for onshore wind farms as opposed to offshore wind farms. Specifically, most recent 2019 draft states that, “*these guidelines relate solely to land use and environmental issues related to on-shore wind energy and do not deal with issues concerning purchasing agreements, matters relating to grid capacity or off-shore wind energy*”. Nevertheless, they contain some guidance on associated development including the onshore control building and the associated compound which is a useful guidance for both the substation and the grid related infrastructure associated with the Oriel Wind Farm Project.

Section 6.11 of the *Wind Energy Guidelines* states that associated infrastructure should be considered, located and design to respect the character of the surrounding landscape. Specifically, in relation to the substation, Section 6.11.1 and Section 6.11.2 of the *Guidelines* state that:

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“A high standard design should be applied to all structures associated with the substation, and should not only take account of its function but also of its aesthetic quality, in order to minimise any sense of intrusion.

The development should incorporate colour harmony and adequate screening of the control building and substation compound. Should the surrounding landscape include trees and/or shrubs, such material can be used for screening. In sensitive landscapes, consideration should be given to screening the control buildings and compound by earth berms as well as re-sodding with local vegetation in order to mitigate their visual impact.

The control building, where practicable, should be located in a dip or a hollow but away from ecologically sensitive areas or features. In the case of coastal locations, it should not be located on promontories, unless comprising a special design appropriate to the setting.

Control buildings should be designed to respect the character of buildings typically found in the surrounding landscape.

Fencing should be limited to the substation compound area”.

In relation to connection to electricity providers, Section 6.11.3 states that:

“Power line connections between turbines and from turbines to the control building should be underground”.

The proposed onshore cable associated with the project is underground and the onshore substation control building has been designed to a high standard to minimise impacts on the landscape. An assessment of the impacts of the onshore substation on landscape and visual amenity is provided in chapter 27: Seascape, Landscape and Visual Amenity. The site for the substation is located in an agricultural field and is not located in any landscape or ecologically sensitive area. The colour treatment to the elevations of the substation building assists in blending the new feature into its surroundings. Therefore, the onshore components of the Project comply with the above relevant sections of the Wind Energy Guidelines.

Table 2-2: Other relevant Planning Guidance Documents.

Guidance document	Year published	Comments	Response to Project
<i>Guidelines on the information to be contained in Environmental Impact Assessment Reports</i>	2022	The Guidelines were made available in draft format following the transposition deadline of 16 May 2017 set down in Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (EIA Directive). The Guidelines have been updated following the introduction of transposing legislation and are now formally adopted and published by the Environmental Protection Agency.	These Guidelines provide information that is useful in the preparation of EIARs undertaken in the State and has been consulted by the authors of this EIAR in the preparation of various chapters.
<i>Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment</i>	2018	The Guidelines, published in 2018, replace previous Guidelines for Planning Authorities and An Bord Pleanála on carrying out EIA published in 2013. They aim to ensure compliance with the highest international standards in relation to taking environmental factors into account when determining development proposals and ensuring that environmental considerations are fully addressed as part of the planning process, as well as properly managed thereafter.	Though prepared for the guidance of planning authorities and the Board the Guidelines provide information that is useful in the preparation of EIARs. The guidelines have been consulted by the authors of the EIAR for this project in the preparation of the various chapters.
<i>The Planning System and Flood Risk</i>	2009	The FRM Guidelines introduced “comprehensive mechanisms for the incorporation of flood risk	Flood risks have been fully considered throughout the design process and a flood risk assessment

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Guidance document	Year published	Comments	Response to Project
Management Guidelines for Planning Authorities (FRM Guidelines)		<p><i>identification, assessment and management into the planning process” (page iv);</i></p> <p>The FRM Guidelines were prepared by the Office of Public Works (OPW) in partnership with the then Department of Environment, Heritage and Local Government. They develop indicative flood maps and catchment-based Flood Risk Management Plans (FRMPs) in partnership with planning authorities, the EPA and other relevant departments and bodies.</p> <p>At a local level, the FRM Guidelines highlight when applying for planning permission, applicants and their agents are required to:</p> <p><i>“Carefully examine their development proposals to ensure consistency with the requirements of these Guidelines including carefully researching whether there have been instances of flooding or there is the potential for flooding, on specific sites and declaring any known flood history in the planning application form as required under the Planning and Development Regulations 2006”;</i></p> <p><i>“Engage with planning authorities at an early stage, utilising the arrangements for pre-planning application consultation with regard to any flood risk assessment issues that may arise”;</i> and</p> <p><i>“Carry out a site-specific flood risk assessment, as appropriate, and comply with the terms and conditions of any grant of planning permission with regard to the minimisation of flood risk”.</i></p>	(FRA) (see appendix 22-1: Flood Risk Assessment in volume 2C) has been prepared. The Flood Risk Assessment finds that the proposed 220 kV onshore substation site is not prone to any significant risk of flooding. The proposed substation site lies outside the Flood Zone C as defined by the guidance document to Planning Authorities in relation to Flood Risk Management.

2.7 Policy in Northern Ireland

2.7.1 Marine Plan for Northern Ireland

The Marine Plan for Northern Ireland (Marine Plan) informs and guides the regulation, management, use and protection of the marine area for the region. The following objectives from the marine plan are relevant to the development proposal:

- **“Objective 1:** *To promote the sustainable development of productive activities, which support employment at all skill levels while fully considering the requirements of other marine interests.*
- **Objective 2:** *To help realise the potential of energy resources and energy storage within the marine area, while fully considering the requirements of other marine interests.*
- **Objective 3:** *To promote the development of vibrant, accessible and sustainable coastal communities.”*
- **Objective 7:** *To contribute towards climate change mitigation and adaptation measures.”*

The Project supports employment potential in Northern Ireland at the construction and operation phases. The operation of the proposed offshore wind farm will contribute to addressing the climate change crisis from the reduction of fossil fuels by increasing the supply of alternative renewable energy infrastructure. As such, the proposal for the offshore wind farm at this location aligns with Objectives 1, 2, 3 and 7 from the NI Marine Plan.

2.7.2 Strategic Planning Policy Statement for Northern Ireland

The *Strategic Planning Policy Statement for Northern Ireland - Planning for Sustainable Development* (SPPS) sets out the Department for Infrastructure’s regional planning policies for securing the orderly and

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consistent development of land in Northern Ireland. One of the aims of the SPPS is to in relation to the coastal development is to “*protect the undeveloped coast from inappropriate development, consistent with the RDS; and to support the sensitive enhancement and regeneration of the developed coast largely within coastal settlements.*”

In particular, the following regional strategic objectives from the SPPS are relevant to the proposed development:

Coastal Development:

“Conserve the natural character and landscape of the undeveloped coast and to protect it from excessive, inappropriate or obtrusive development.”

Economic Development, Industry and Commerce:

“Promote sustainable economic development in an environmentally sensitive manner.”

Renewable Energy:

“Ensure that the environmental, landscape, visual and amenity impacts associated with or arising from renewable energy development are adequately addressed;

Ensure adequate protection of the region’s built, natural, and cultural heritage features; and

Facilitate the integration of renewable energy technology into the design, siting and layout of new development and promote greater application of the principles of Passive Solar Design”.

While the Project is not located within Northern Ireland, the proposed offshore wind turbines will be located approximately 6 km away from the closest shoreline on the Cooley Peninsula. Despite being visible from Northern Ireland, the EIAR has found that the Project will not have a significant effect on the environment of Northern Ireland (i.e. it will not have an adverse impact on the landscape, the visual amenity natural or the cultural heritage features of any area within Northern Ireland). The predicted impacts arising from the Project are fully considered in the EIAR

2.8 Relevant regional planning and development policy

2.8.1 Regional Spatial and Economic Strategy – Eastern and Midlands Regional Assembly

The *Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA)* was published in June 2019. The RSES is a strategic plan and investment framework to shape the future development of the region to 2031 and beyond. The EMRA includes County Louth in addition to 8 other counties. Prepared in accordance with the NPF, the RSES sets the context for each local authority within the region to develop county and city development plans in a manner that will ensure national, regional and local plans align.

The RSES for EMRA promotes decarbonising the energy sector and generating electricity from indigenous renewable sources including offshore wind. Regional Policy Objective 10.24 of the RSES for EMRA is to:

“Support the sustainable development of Ireland’s offshore renewable energy resources in accordance with the Department of Communications, Energy and Natural Resources ‘Offshore Renewable Energy Development Plan’ and any successor thereof including any associated domestic and international grid connection enhancements.”

The RSES for EMRA also identifies the importance of enabling infrastructure. Section 5 of the RSES states that the “*development of the energy distribution and transmission network in the Region will enable distribution of more renewable sources of energy to facilitate future energy demand in strategic development areas...*”.

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The RSES supports the development of new transmission infrastructure projects. More specifically, it states that Local Authority development plans shall facilitate the provision of energy networks in principle based on the following guiding principles and considerations, with which the Project accords, including:

- *“The route proposed has been identified with due consideration for social, environmental and cultural impacts...”*
- *The design is such that it will achieve the least environmental impact.*
- *Where impacts are inevitable, mitigation features have been included.*
- *Corridors for energy transmission or pipelines should avoid creating sterile lands proximate to key public transport corridors, particularly rail routes, and in built up areas.*
- *Regard for any National or Regional Landscape / Seascape Character Assessment.”*

It is submitted that the Project is wholly in accordance with the principles of sustainable development as set out in the RSES and is wholly consistent with regional infrastructure policy and objectives which are to be translated into the local level of the planning policy hierarchy.

More specifically the Project directly delivers increased offshore energy production and much of the necessary supporting infrastructure. The considered design of the Project as detailed in chapter 4: Consideration of Alternatives and chapter 5: Project Description is cognisant of social, environmental and cultural impact, impacts on transport corridors, pipelines and the landscape / seascape. Mitigation measures, where considered necessary are also set out in chapters 7-32 of this EIAR.

2.9 Relevant local planning and development policy

2.9.1 Louth County Development Plan 2021-2027

The *Louth County Development Plan 2021-2027* (the Louth CDP) as adopted by the members of Louth County Council at a Special Council Meeting on 30 September 2021 came into effect on 11 November 2021. The following sections outline the policies relevant to the Project.

2.9.1.1 Electricity transmission grid related infrastructure

The Louth CDP contains support for electricity transmission grid related infrastructure. Specifically, Section 10.10.2 notes that:

“The Council supports the development of a safe, secure and reliable supply of electricity and the development of enhanced electricity networks to serve the existing and future needs of the Region and to strengthen all-island energy infrastructure and interconnection capacity”. Having regard to the fact that the proposed transmission line is underground, it is noted that the nature of this proposal aligns with the Development Plan which states (IU69) that “Proposed high voltage overhead lines shall as far as possible seek to avoid areas of sensitivity. Where avoidance is not possible, full consideration shall be given to undergrounding the lines where technically feasible, economically viable and environmentally appropriate”.

The Louth CDP also sets includes specific energy policies, notably:

- *“IU 78: To support and facilitate the reinforcement and development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the County and Region. This will include the delivery of the necessary integration of transmission network requirements facilitating linkages of renewable energy proposals to the electricity and gas transmission grid, in a sustainable and timely manner, subject to appropriate environmental assessment and the planning process.*
- *IU 79: To support statutory and other providers of national grid infrastructure by protecting strategic route corridors from encroachment by development that might compromise the provision of energy networks.*

ORIEL WIND FARM PROJECT – POLICY AND LEGISLATION

- *IU 83: To support EirGrid's Implementation Plan (2017-2022) and the Transmission Development Plan (2016) and any subsequent plans prepared during the lifetime of this Plan, subject to appropriate environmental assessment and the planning process."*

These key strategic electricity infrastructure policies of the Louth CDP endorse the improvement of grid related infrastructure and support the project which shall provide new cables, substations and linkages with the existing national grid. In addition, the project ties in with the existing grid and does not prejudice the future development of the grid as set out in EirGrid's *Grid Implementation Plan 2023 - 2028* (currently in Draft form) and EirGrid's *Transmission Development Plan 2023 – 2032* (currently in Draft form).

2.9.1.2 Renewable energy

The Louth CDP contains numerous statements that demonstrate the Council's support for renewable energy and states unequivocally, "*Louth has a clear part to play in the development of renewable energy and the provision of such alternative energy resources will be considered on suitable sites throughout the county*".

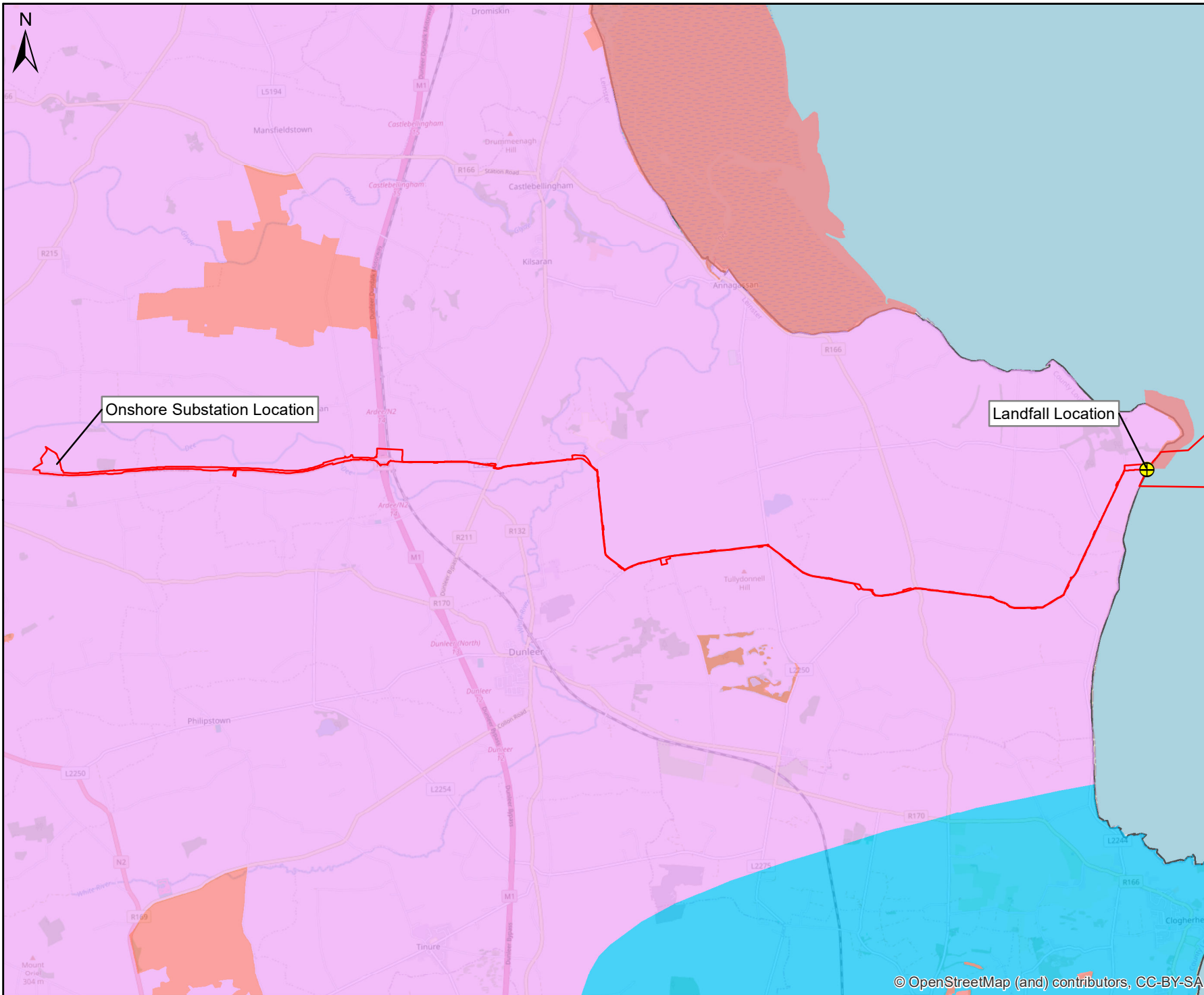
Section 10.5.2.2 of the Louth CDP provides guidance and policy on energy including:

- *"IU 49: To support international, national and county initiatives for limiting and reducing emissions of greenhouse gases through energy efficiency and the development of renewable energy sources at suitable locations, utilising the natural resources of the County, in an environmentally acceptable manner subject to normal proper planning considerations including in particular the impact on areas of environmental or landscape sensitivity.*
- *IU 50: To co-operate with the appropriate authorities both north and south of the border in the provision of all-island renewable energy.*
- *IU 53: To promote the location of wind farms and wind energy infrastructure in the 'preferred areas' as outlined on Map 10.1, to prohibit such infrastructure in areas identified as 'no-go areas' and to consider, subject to appropriate assessment, the location of wind generating infrastructure in areas 'open for consideration'.*
- *IU 55: To support the implementation of the EU Green Deal, Climate Action Plan 2019 (or any subsequent plan), Programme for Government 2020, Climate Change Adaptation Strategy for County Louth and the Climate Action Charter and facilitate measures which seek to reduce emissions of greenhouse gases."*

The Project will indirectly reduce emissions of greenhouse gases (see chapter 17: Climate). The design of the offshore infrastructure has considered the environmental and landscape sensitivity (see chapter 4: Consideration of Alternatives).

Regarding IU53, as illustrated in Figure 2-3, the route of the onshore cable and the substation site avoid 'no-go areas' except at the landfall location where a short section of the offshore cable will traverse the proposed NHA at Dunany. However, this will be a temporary impact and the lands will be reinstated to ensure no permanent impact on the ecology features of this site (see chapter 19: Onshore Biodiversity in EIAR volume 2C). Furthermore, consultation has been undertaken with the GSI as this feature is also a County Geological Site (see chapter 2: Soil, Geology and Hydrogeology in EIAR volume 2C).

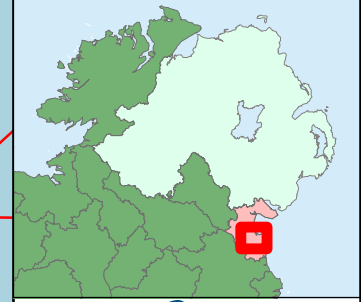
It is noted that the Project concerns wind generating infrastructure onshore that is proposed to be located in "*preferred areas*" only. In addition, the Project complies with the Development Plan policies in so far as it concerns renewable energy related enabling infrastructure that is considerate of the landscape and setting.



Legend

- Planning Application Boundary
- ⊕ Landfall Location
- No Go Areas
- Preferred Areas
- Open to Consideration

Data Sources: OWL, Louth County Council
Based on Map 10.1, Louth County Development Plan 2021-2027



Client

ORIEL WINDFARM
OFFSHORE RENEWABLE ENERGY

Project

Oriel Wind Farm Project

Title

**Figure 2-4:
Areas suitable for
Wind Development**

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Issue Details	
Drawn By: NR	Project No. MDR1520b
Checked By: MH	File Ref:
Approved By: CC	MDR1520bArc3111F02
Scale: 1:80,000 @A4	Projection:
Date: 26/02/2024	ITM (IRENET95) Geographic Co-ordinates: ETRS89

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2.9.1.3 Offshore wind energy

Section 10.6.1 of the Louth CDP provides specific guidance and policy on offshore wind energy.

- *“IU 56: To encourage the development of wind energy, in accordance with Government policy and guidance and the 'Wind Energy Development Guidelines' (2006) or any revisions thereof which may be issued during the lifetime of the Plan.*
- *IU 57: To facilitate the development of wind energy in an environmentally sustainable manner ensuring proposals are consistent with the landscape preservation objectives of the Plan, the protection of the natural and built environment and the visual and residential amenities of the area.*
- *IU 58: To promote the location of wind farms and wind energy infrastructure in the 'preferred areas' as outlined on Map 10.1, to prohibit such infrastructure in areas identified as 'no-go areas' and to consider, subject to appropriate assessment, the location of wind generating infrastructure in areas 'open for consideration'.*
- *IU 60: To support the development of offshore windfarm developments subject to normal planning considerations, including in particular the impact on areas of environmental or landscape sensitivity.”*

The Project is in accordance with European and national government policy and guidance in relation to wind energy as considered in the *Planning Report* enclosed under separate cover. The environmental impacts of the Project including in relation to landscape preservation and the protection of the natural and built environment and the visual and residential amenities have been fully considered as reported in this EIAR. While the proposed offshore wind farm itself is located in the marine area, its associated onshore infrastructure is located almost entirely in the 'preferred areas' as outlined in map 10.1 of the Louth CDP.

Moreover, the project directly accords with the overarching objective of European and national policy documents to deliver renewable energy. By its very nature, it can enable the delivery of the following policy objectives:

- *“ENV 4: To support the goals and objectives of the EU Green Deal, the Climate Action Plan 2019 and the Climate Action Charter in ensuring sustainable development across the County.*
- *ENV 48: To implement the policies and objectives as set out within the National Maritime Spatial Plan to support the effective management of marine activities and more sustainable use of our marine resources.*
- *ENV 49: To support and accommodate any change to the marine spatial planning system which is proposed under the Marine Planning and Development Management Bill 2019 (or any subsequent Bill) once enacted into law.”*

The consistency of the Project with the national policies and all relevant planning consent legislation, including the NMPF is considered in the *Planning Report* enclosed under separate cover.

2.9.1.4 Rural policy zones

The onshore elements of the project are located entirely within rural policy zones and do concern any settlement boundaries. Figure 2-4 illustrates the location of the Project having regard to Map 3.2 Rural Policy Zone Map of the Development Plan. It is evident that the proposed onshore substation site and the majority of the underground onshore cable route primarily concerns 'Rural Policy Zone 2', with the description "area under strong urban influence". Both the remainder of the onshore cable route and the landfall, all of which are proposed to be located underground are located within 'Rural Policy Zone 1' with the description "area under strong urban influence and of significant landscape value". The only specific land use objectives in relation to Rural Policy Zones 1 and 2 are concerning rural housing in the open countryside.

2.9.1.5 Onshore archaeological considerations

The Development Plan has the following policy relevant to the proposed developments:

- *“BHC 10: To require, as part of the development management process, archaeological impact assessments, geophysical surveys, test excavations and monitoring, as appropriate, where development proposals involve ground clearance of more than half a hectare or for linear developments*

ORIEL WIND FARM PROJECT – POLICY AND LEGISLATION

over one kilometre in length or for developments in proximity to areas with a density of known archaeological monuments and history of discovery, as identified by a licensed archaeologist.

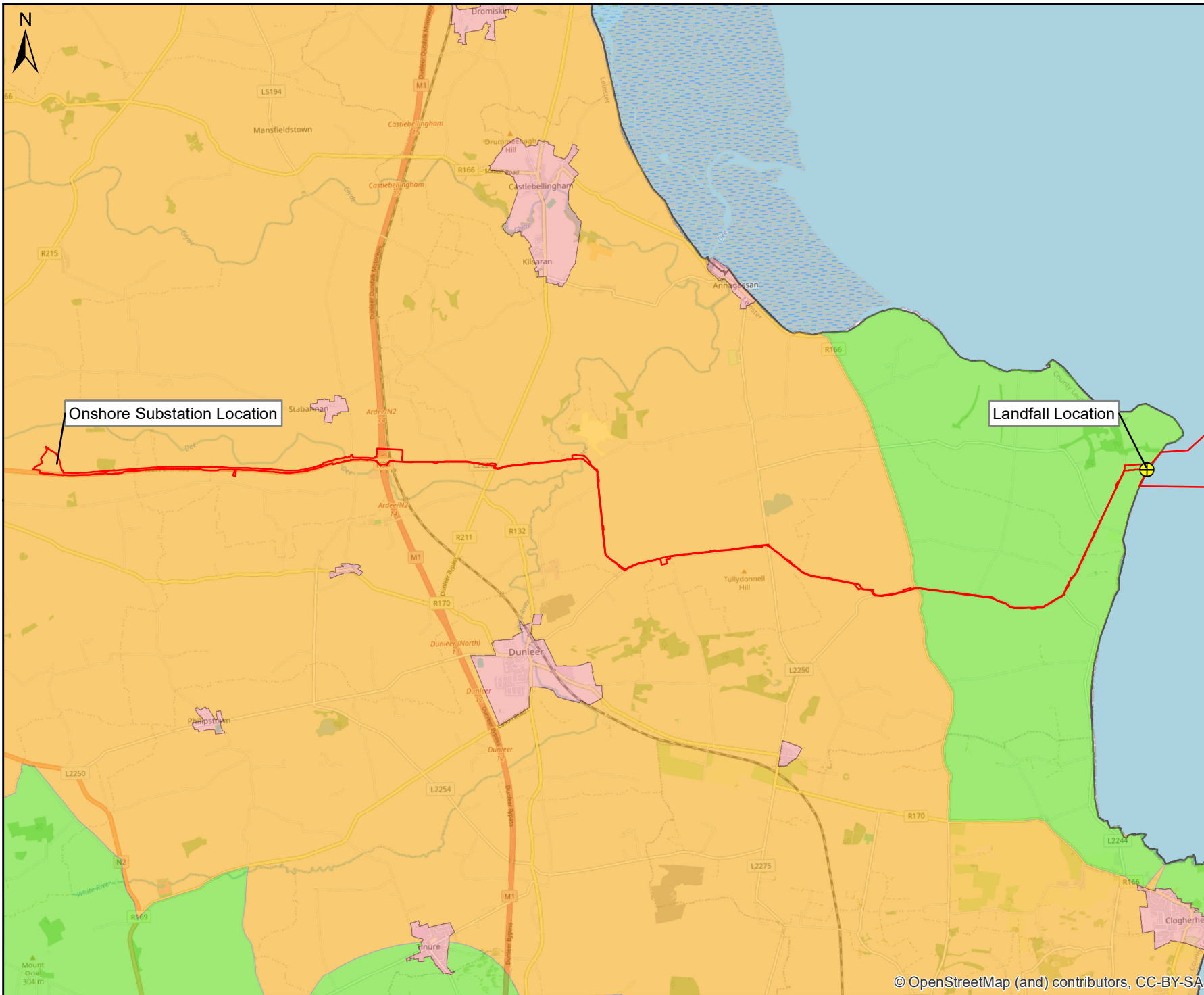
A geophysical survey and test excavation was carried out in areas in proximity or in the immediate vicinity of a recorded monument or a Zone of Archaeological Potential. This was carried out under licence to the DHLGH. Section 1.7 from appendix 26-1: Cultural Heritage Report (volume 2C) in the accompanying EIAR includes a list of undesignated cultural heritage sites and areas of archaeological potential identified in the immediate vicinity of the onshore cable route.

Chapter 26: Cultural Heritage includes an archaeological impact assessment of the onshore cable route and onshore substation.

With the incorporation of the measures included in the Project, and mitigation measures for: the protection of unidentified subsurface archaeological sites; the protection of subsurface archaeological features, soils or finds; the protection of known archaeological features; the protection of subsurface isolated remains/features; the protection of archaeological features identified within the footprint of the onshore substation site and the protection of greenfield archaeological potential; residual effects would be reduced to imperceptible and slight, which is not significant in EIA terms. No mitigation is proposed during the operational phase for setting impacts.

2.9.1.6 Marine archaeology

Chapter 15: Marine Archaeology (volume 2B) of the accompanying EIAR concerns marine archaeology and the assessment states that there are a number of measures are included in the Project to reduce/avoid the potential for impacts on marine archaeology. These include: implementation of Archaeological Exclusion Zones to avoid known wreck sites and anomalies of unconfirmed archaeological potential that may be impacted by the Project. If it is identified that these anomalies prove to be of archaeological importance this may lead to implementation of further Archaeological Exclusion Zones.



Onshore Substation Location

Landfall Location

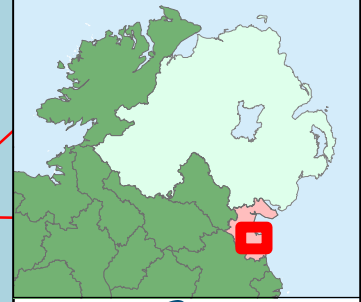
Legend

- Planning Application Boundary
- Landfall Location
- Settlements

Rural Policy 2021-2027

- Rural Policy Zone 1 - Area under strong urban influence and of significant landscape value
- Rural Policy Zone 2 - Area under strong urban influence

Data Sources: OWL, Louth County Council
Based on Map 3.2 Rural Zone Map [extract], Louth CDP



Client



ORIEL WINDFARM
OFFSHORE RENEWABLE ENERGY

Project

Oriel Wind Farm Project

Title

**Figure 2-5:
Extract from Land Use Zoning
Objectives Map in
Development Plan**



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Issue Details	
Drawn By: NR	Project No. MDR1520b
Checked By: MH	File Ref:
Approved By: CC	MDR1520bArc3112F02
Scale: 1:80,000 @A4	Projection: ITM (IRENET95) Geographic Co-ordinates: ETRS89
Date: 26/02/2024	

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2.9.1.7 Coastal Protection

Chapter 11 of the Development Plan concerns Environment, Natural Resources and the Coast and provides guidance and policy on development in coastal areas and on the foreshore. This policy is relevant to those elements of the Project that are located offshore within the nearshore area and to those onshore elements that are located near to the landfall location at the coast. The policy objective includes:

- *“ENV 50: - To require that all proposed developments within 100m of the coastline of Louth, outside the main settlements (Levels 1-4) submit a Coastal Erosion Assessment Report. New developments will be prohibited, unless it can be objectively established based on the best scientific information at the time of the application, that the likelihood of erosion at a specific location is minimal taking into account, inter alia, any impacts.”*

The Project accords with ENV 50 as it will not have any negative impact on the County’s natural coastal defences. The Project has been subject to detailed environmental assessments as outlined in this EIAR. More specifically, the potential for coastal erosion is considered in chapter 21: Soils, Geology and Hydrogeology.

The Coastal Erosion Assessment Report provided a desk study review of published information and data from project specific site investigations on coastal erosion at the landfall location of the Project, a site inspection, identification of key contributory causes of coastline slope failures, and stability and impact of proposed works. A review of the proposed landfall options included two options for the location of the transition joint bay proposed by the Project.

- *“ENV 52: - To ensure the County’s natural coastal defences (beaches, sand dunes, salt marshes and estuary lands) are protected and to ensure they are not put at risk by inappropriate works or development.”*

The location of the landfall approximately 700 m south of Dunany Point has been selected. This location was selected out of a list of 15 options for the landfall location, and through a sieving process, the principle of avoiding European designations was applied and the remaining sites were considered against the other constraints. In consideration of constraints such as population centres, dwellings, landscape designations, and technical aspects, Dunany (South) emerged as the preferred landfall location. This is further detailed in chapter 4: Consideration of Alternatives.

The Project also accords with ENV 52 as it will not have any negative impact on the County’s natural coastal defences.

- *“ENV 56: To protect the special character of the coast by preventing inappropriate development, particularly on the seaward side of coastal roads. New development, wherever possible, shall be accommodated within existing developed areas and be climate resilient in their design.”*

By its nature, the Project will require development on the shoreline. Given that the offshore wind turbines will be visible from certain areas along the coast of Co. Louth, there will be potential for impacts on the visual quality of the environment as detailed in chapter 27: Seascape, Landscape and Visual Amenity (volume 2C).

- *“ENV 57: - To strictly control the nature and pattern of development within coastal areas and ensure that it is designed and landscaped to the highest standards, and sited appropriately so as not to detract from the visual amenity of the area. Development shall be prohibited where the development poses a significant or potential threat to coastal habitats or features, and/or where the development is likely to result in altered patterns of erosion or deposition elsewhere along the coast.”*

By its nature, the Project will require development on the shoreline. The design is such that impacts on seascape, landscape and visual amenity will occur along the coastline as detailed in chapter 27: Seascape, Landscape and Visual Amenity. The manner in which the subject proposal meets with policy objectives ENV 52 and ENV 57 are addressed in detail in chapter 7: Marine Processes and chapter 27: Seascape, Landscape and Visual Amenity of the EIAR.

ORIEL WIND FARM PROJECT – POLICY AND LEGISLATION

2.9.1.8 Visual Impact, Scenic Routes, Views and Prospects

In addition to traversing numerous ‘Local Roads’, the onshore elements of the Project also traverse a number of national and regional roads including the M1 motorway, the N33, one ‘Protected Regional Route’ (the R132) and one ‘Regional Road’ (the R166). As examined in detail in chapter 28: Traffic and Transport (volume 2C) of the EIAR, the Project will have no impact on the operation of these roads at the operational phase and will have imperceptible to slight effects on these roads during the construction phase.

The Development Plan sets the following policy in relation energy developments and their visual impact:

- *“ENV 65: - To resist development along the coast which would detract from its visual appearance or conflict with its recreational and leisure functions.”*
- *“IU 77: To seek to avoid the sterilisation of lands proximate to key public transport corridors such as rail routes when future energy transmission routes/pipelines are being designed and provided.”*
- *“IU 80: To ensure that development proposals for energy transmission and distribution infrastructure follow best practice with regard to siting and design. Proposed high voltage overhead lines shall as far as possible seek to avoid areas of sensitivity. Where avoidance is not possible, full consideration shall be given to undergrounding the lines where technically feasible, economically viable and environmentally appropriate.”*

In addition, the Development Plan has designated Scenic Routes which require protection and states that *“Any development proposals, which would interfere with or adversely affect these scenic routes, will not be permitted”*. Policy Objective NBG 40 is *“To prohibit inappropriate development which would interfere with or adversely affect the Scenic Routes as identified in Table 8.19 and illustrated on Map 8.20”*. In addition, the Louth CDP recognises that Louth County Council has a number of Areas of High Scenic Quality (AHSQ), Areas of Outstanding Beauty (AONB) and Views and Prospects, all of which should be protected.

The proposed onshore underground electricity transmission grid connection linking the proposed landfall in the townland of Dunany to the proposed connection point at Stickillin will generally be laid in a single trench of approximately 1 m in width and 1.4 m in depth. The substation site will be well screened from the public road. As this underground cable and the substation site will have no significant negative visual impact, it is considered to comply with ENV 65, IU 77 and IU 88. Coupled with this, a detailed Seascape, Landscape and Visual Impact Assessment of the Project has been undertaken as part of the EIAR. The assessment establishes the baseline conditions, describes the development and identifies the impacts of the Project on all of the Scenic Routes, AHSQ, AONB and Views and Prospects.

2.9.1.9 Biodiversity

The Louth CDP contains numerous policies designed to ensure the protection of biodiversity in the county. Specific policies are included to protect Natura 2000 sites (SPAs and SACs) in addition to Natural Heritage Areas (NHAs) notably:

- *“NGB 10: To ensure that development proposals, where relevant, improve the ecological coherence of the Natura 2000 Network of European Sites and encourage the retention and management of landscape features as per Article 10 of the Habitats Directive.”*
- *“NGB 13: Development sites must be investigated for the presence of invasive species, which if present must be treated and/or eradicated in accordance with best practice. Where appropriate, Invasive Species Management Plans will be prepared for such sites.”*
- *“NGB 14: To protect from inappropriate development and maintain the character, integrity and conservation value of those features or areas of ecological interest listed as pNHA or that may be designated as NHA, during the lifetime of this Plan.”*
- *“NGB 15 : To ensure that any development within or adjacent to a NHA or pNHA is designed and sited to minimise its impact on the ecological value of the site and to resist development that would result in a significant deterioration of habitats or a disturbance of species.”*

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In line with NBG 10, the Project has been designed to avoid European sites, where possible. The North-west Irish Sea cSPA (announced in July 2023) designated as an important foraging resource for marine birds, intersects the offshore cable corridor. European sites have been assessed in the following EIAR chapters:

- Volume 2B, chapter 8: Benthic, Subtidal and Intertidal Ecology;
- Volume 2B, chapter 9: Fish and Shellfish Ecology;
- Volume 2B, chapter 10: Marine Mammals and Megafauna;
- Volume 2B, chapter 11: Offshore Ornithology; and
- Volume 2C, chapter 19: Onshore Biodiversity.

The assessment undertaken in chapters 8 to 11, and chapter 19 ensures the Project aligns with this policy (NBG 10) by outlining a number of measures to avoid significant effects on European sites, and their relevant habitats and species.

A Natura Impact Statement (NIS) has been prepared for the Project and accompanies the application. The NIS concludes that the Project will not result in adverse effects on the integrity of any SAC or SPA with the implementation of mitigation measures.

The Project aligns with NBG 13 as outlined in volume 2C, chapter 19: Onshore Biodiversity. Site-specific surveys were undertaken to identify, inter alia, Invasive Alien Plant Species (IAPS) and a number of measures have been proposed to reduce the risk of their introduction, and to avoid their potential impacts and spread on important ecological features. These measures include designed-in and management measures (controls).

Policies NBG 14 and NBG 15 are addressed in volume 2C, chapter 19: Onshore Biodiversity. The offshore cable corridor and transition joint bay of the Project will traverse Dunany point pNHA. The potential impacts on the pNHA were assessed and a number of measures proposed to reduce the impact on the designated site. Measures include the demarcation of the ecologically sensitive area; timing of the works to avoid the peak season for intertidal birds; and the profile of the pNHA will be reinstated and vegetation will be allowed to naturally regenerate after construction. The assessment in chapter 19 concluded no significant effects in relation to Dunany Point pNHA.

2.9.1.10 Access, Traffic and Transportation

Having regard to the project, the Development Plan sets the following policies in relation to traffic, access and roadside boundaries:

- *“MOV 43: To protect the strategic transport function of national roads, including motorways through the implementation of the ‘Spatial Planning and National Roads – Guidelines for Planning Authorities.*
- *MOV 47: To require the preparation of Transport and Traffic Assessments for new developments in accordance with the requirements set out in the TII Traffic and Transport Assessment Guidelines.*
- *MOV 56: To safeguard the capacity and safety of the National and Regional Road network by restricting further access onto National Primary, National Secondary, and Protected Regional Roads in accordance with the details set out in Tables 7.5 and 7.6.”*

The context within which the Project is set with regard to connections and accessibility and the traffic impacts of the Project are considered fully in chapter 28: Traffic and Transport (volume 2C). The Construction Traffic Management Plan (see volume 2A, appendix 5-9) sets out the type of measures which will be adopted for Project to ensure that the sustainable transport facilities are made available and are utilised by the users of the Project. Ultimately, as the Project complies with policy MOV 43, 47 and 56 as:

- It will have no discernible impact on the strategic transport function of national roads or the M1 motorway;

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- Transport and Traffic Assessments have been undertaken in accordance with the requirements set out in the TII Traffic and Transport Guidelines. This was bolstered by direct consultation which has been undertaken with TII.
- No new access is proposed to the National or Regional Road network, and therefore, the project will safeguard the capacity and safety of the national and regional road network.

2.9.1.11 Archaeology and Heritage

Chapter 9 of the Louth CDP provides guidance and policy on archaeology and built heritage. The Development Plan sets the following policy in relation to development within the vicinity of recorded monuments or areas of special archaeological interest (including Ardee):

- *“BHC 1: To protect and enhance archaeological sites and monuments, underwater archaeology, and archaeological objects listed in the Record of Monuments and Places (RMP), and/or the Register of Historic Monuments and seek their preservation (i.e. presumption in favour of preservation in situ or in exceptional cases, at a minimum, preservation by record) through the planning process and having regard to the advice and recommendations of the National Monuments Service of the Department of Housing, Local Government and Heritage and the principles as set out in the ‘Framework and Principles for the Protection of the Archaeological Heritage’ (Department of Arts, Heritage, Gaeltacht and the Islands 1999).*
- *BHC 2: To ensure any development, either above or below ground, adjacent to or in the immediate vicinity of a recorded monument or a Zone of Archaeological Potential (including formerly walled towns) shall not be detrimental to or detract from the character of the archaeological site or its setting and be sited and designed to protect the monument and its setting. Where upstanding remains exist, a visual impact assessment may be required.*
- *BHC 3: To protect known and unknown archaeological areas, sites, monuments, structures and objects, having regard to the advice of the National Monuments Services of the Department of Housing, Local Government and Heritage.*
- *BHC 6: To require, as part of the development management process, archaeological impact assessments, geophysical surveys, test excavations and/or monitoring as appropriate, where development proposals involve ground clearance of more than half a hectare or for linear developments over one kilometre in length or for developments in proximity to areas with a density of known archaeological monuments and history of discovery, as identified by a licensed archaeologist.*
- *BHC 17 To encourage the retention, appropriate re-use and conservation of vernacular buildings in Rural Policy Zone One in preference to their replacement or the construction of new buildings on green-field sites and require all development herein to be subject to the Development Management Assessment Criteria as detailed in Chapter 13.*
- *BHC 10: To require, as part of the development management process, archaeological impact assessments, geophysical surveys, test excavations and/or monitoring as appropriate, where development proposals involve ground clearance of more than half a hectare or for linear developments over one kilometre in length or for developments in proximity to areas with a density of known archaeological monuments and history of discovery, as identified by a licensed archaeologist.”*

Chapter 26: Cultural Heritage considers the impacts that the Project will have on archaeology and heritage. While there are no protected structures located within the application boundary, the proposed grid connection route has been designed to travel northwards around Drumcar Bridge, the nearest Protected Structure to the subject site, to avoid any impacts. It is not proposed to undertake any works on vernacular buildings as part of the Project.

2.9.1.12 Noise and Air Quality

Chapter 11 of the Louth CDP provides guidance and standards for environmental noise and air quality including the following policies:

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- “ENV 3: To seek to achieve European and National standards in relation to air, noise and water quality in the County and apply BAT standard (Best Available Techniques).
- ENV 6: To implement the Louth County Council Noise Action Plan 2018-2023 (and any subsequent Plan) in order to avoid, prevent and reduce the harmful effects, including annoyance, due to environmental noise exposure.
- ENV 7: To require that where new development is proposed within the limits of the noise maps for the designated sections of roads in the County, appropriate mitigation measures are undertaken so as to prevent harmful effects from environmental noise.
- ENV 12: To promote the preservation of best ambient air quality compatible with sustainable development in accordance with the EU Ambient Air Quality and Cleaner Air for Europe (CAFE) Directive (2008/50/EC) and ensure that all air emissions associated with new developments are within Environmental Quality Standards as out in the Air Quality Standards Regulations 2011 (SI No. 180 of 2011), or any updated/superseding documents.”

An Airborne Noise and Vibration Assessment that has regard to both the Development Plan and the *Louth County Council Noise Action Plan 2018-2023* is included in chapter 25: Noise (Airborne) and Vibration, volume 2C. The potential effects due to noise impacts from the Project are described and where significant effects have been identified, mitigation measures have been specified to ensure that residual effects will not be significant. Air quality is also fully considered in chapter 23: Air Quality. It has found, *inter alia*, that the impact to air quality for residential properties along these routes is classed as imperceptible.

2.9.1.13 Lighting

In the interests of nature conservation, residential amenity and energy efficiency, the Louth CDP seeks to limit light pollution, however, it equally recognises the importance of the provision of adequate lighting in the interests of safety and security. The Louth CDP states that “*where proposals for new lighting require planning permission, the planning authority will ensure that they are carefully and sensitively designed so as to avoid creating glare or emitting light above the horizontal plane*”. The Louth CDP sets out the following policies in relation to light pollution:

- “ENV 8: To ensure that all external lighting whether free standing or attached to a building shall be designed and constructed so as not to cause excessive light spillage, glare, or dazzle motorists, and thereby limiting light pollution into the surrounding environment and protecting the amenities of nearby properties, traffic and wildlife.
- ENV 9: To require all details of on-site lighting associated with all future development are submitted to and agreed with the planning authority.
- ENV 10: To promote the use of low energy LED (or equivalent) lighting in support of Climate Action.”

Having regard to these policies, details of the external free standing lighting associated with the substation has been included as part of the planning application drawings. The proposed lighting has been designed in order to enable the substation to be safely operated while also preventing any light pollution. No other lighting proposals feature as part of the Project.

2.10 Policy conclusion

There is specific support in all relevant legislation, policies, objectives and guidelines for the increased production of renewable energy such as that which is to be generated by the Project. European, national, regional and local policies and objectives coalesce around a number of overriding objectives:

- **Contributing to the achievement of Ireland’s 2030 renewable energy targets and the 2050 net-Zero emissions targets:** The Project will contribute to the achievement of meaningful progress towards Ireland’s renewable energy and 51% reduction in emissions targets by 2030. It will contribute approximately 6.6% of the 5 GW of offshore wind energy objective of the NMPF and the Climate Actions of the Climate Action Plan 2023. It also contributes towards Ireland’s net-Zero emissions targets and our transition to a low-carbon and climate-resilient, biodiversity-rich, environmentally-sustainable and

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climate-neutral economy as underpinned by the Climate Action and Low Carbon Development (Amendment) Act 2021.

- **Enabling Ireland to sustainably harness its offshore renewable energy potential:** The Project can enable Ireland to harness some of its offshore renewable energy potential through the provision of the necessary grid connectivity infrastructure between the offshore wind resource and the already existing national grid.
- **Protecting residential and visual amenity:** As considered further in this EIAR, the design of the Project, including the proposed onshore cable and onshore substation, has sought to protect residential and visual amenity and minimise impacts on the local landscape.
- **Protecting the environment and enabling a sustainable rural economy and society:** As considered further in this EIAR, the Project has sought to protect all facets of the environment including designated sites, avoiding any negative impacts on tourism and enabling economic growth and creating employment opportunities locally.

Significantly, the Project complies with all statutory planning guidelines and policies at European, national, regional and local levels. In particular, the Project enables Ireland to show real intent when it comes to achieving the targets set by the Renewable Energy Directive 2018/2001 and the Revised Energy Directive 2018/2003 and all associated national level transposition of these Directives. It will also assist in the delivery of key strategic energy objectives and land use development policies, set out in European, National, regional, and local documents, statements, policies and plans.

Those policies at European, national, regional and local directly relevant to the specific environmental sensitivities are considered as appropriate more fully in the relevant chapters.

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