

DRAFT DIRECTION IN THE MATTER OF SECTION 31

OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)

Westmeath County Development Plan 2021-2027

“Development Plan” means the Westmeath County Development Plan 2021-2027

“Planning Authority” means Westmeath County Council

WHEREAS the powers and duties of the Minister for Housing, Local Government and Heritage under the Planning and Development Act 2000 (as amended), other than the power to prosecute an offence, have been delegated to the Minister of State for Local Government and Planning pursuant to the Housing, Planning and Local Government (Delegation of Ministerial Functions) (No. 2) Order 2017 (S.I. 352 of 2017).

WHEREAS the Minister of State at the Department of the Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Act 2000, and consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AM(8) of the Act hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Westmeath County Development Plan 2021-2027) Direction 2021.
- (2) The Planning Authority is hereby directed to take the following steps with regard to the Development Plan :
 - (i) Delete wind energy policy objective CPO 10.143 in its entirety from section 10.23.2 of the Development Plan.

- (ii) Take such steps as are required to identify, on an evidence-basis and using appropriate and meaningful metrics, the wind energy production (in megawatts) which County Westmeath can contribute in delivering its share of overall Government targets on renewable energy and climate change mitigation over the plan period, consistent with the requirements set out in the Specific Planning Policy Requirement in the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (July 2017).

Such steps shall be accompanied by revisions to the Wind Energy Capacity Map and Landscape Character Assessment, and coordination of the objectives for wind energy development in the Development Plan with those of the neighbouring counties as are necessary to ensure a coordinated approach with wind energy objectives of adjoining local authorities having regard to requirements of section 9(4) of the Act.

STATEMENT OF REASONS

- I. The Development Plan as made is inconsistent with Ministerial Guidelines issued under Section 28 of the Act, specifically items 2 and 3 of the Specific Planning Policy Requirement contained in the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (July 2017)*, noting the requirement for the Planning Authority to comply with the aforementioned Specific Planning Policy Requirement under section 28(1C). In particular, the Development Plan fails to identify the wind energy production (in megawatts) which County Westmeath can contribute in delivering its share of overall Government targets on renewable energy and climate change mitigation over the plan period.
- II. Policy objective CPO 10.143 renders it impossible to progress a wind energy project with a wind turbine tip height of over 100 metres or over 150 metres in the vast majority of the county which would significantly

limit or constrain renewable energy projects to the extent that is inconsistent with the requirement to demonstrate the contribution of County Westmeath to realising overall national targets on renewable energy and climate change mitigation.

- III. The Development Plan contains conflicting objectives on wind energy development such that the Policy objectives supporting wind and renewable energy development in chapters 10 and 11 of the adopted Development Plan cannot be achieved having regard to the separation distances required by wind energy policy objective CPO 10.143.

- IV. The Development Plan has therefore not been made in a manner consistent with the recommendations of the Office of the Planning Regulator under Section 31 AM and that the Development Plan as made fails to set out an overall strategy for the proper planning and sustainable development of the area.

GIVEN under my hand,

Minister for Housing, Local Government and Heritage

day of April, 2021.