



## Draft Kildare County Development Plan 2023 - 2029

May 2022



# Draft Kildare County Development Plan 2023 - 2029

Kildare County Council

Irish Solar Energy Association response

## Executive Summary

The Irish Solar Energy Association (ISEA) was established in 2013 to advance a policy and regulatory landscape promoting solar as a leading renewable energy technology that will decarbonise Ireland's electricity system and contribute to a successful and strong clean economy.

In our view, the allocation of resources via the Draft Kildare County Development Plan 2023 – 2029 should occur as soon as possible to allow Ireland to have the best possible chance of meeting its climate targets – as well as enabling the solar industry and other renewable technologies to participate more actively in the green transition.

Ultimately, ISEA would view the Draft Kildare Country Development 2023 - 2029 as a success through the extent to which it recognises & enables the following:

- Solar farms are assumed to be of benefit in rural areas subject to existing archaeological & environmental checks & balances.
- The importance of proximity to the electricity grid in renewable project site selection & consideration of same in planning decisions.
- The biodiversity benefits that solar farms can offer, and the limited impact solar farms have on land compared with residential development.

## Key Issues

### 1. Infrastructure & Environmental Services:

- Policy should recognise the importance of renewable energy development and acknowledge that solar PV can be a water-compatible development.
- The development of solar PV on agricultural lands reduces the need for chemical pesticides and fertilisers, therefore, helping improve water quality.
- Solar PV is a clean green form of electricity generation with clear benefits for air quality, this should be recognised and promoted.

### 2. Energy & Communications:

- Afry management consulting reports indicate that a large deployment of large-scale solar is necessary to achieve the least cost blend of renewables in Ireland.
- Kildare County Council should develop a solar energy plan within its Renewable Energy Strategy.
- The Council should consider grid limitations when determining solar applications which may be located near sensitive landscapes and other receptors.

### 3. Development Management Standards:

- Council Policies regarding the provision of solar in industrial buildings should be revised considering the EU Solar Solar Strategy.
- The Council should consider the role of private wire renewables in decarbonising Kildare's electricity supply.

### **Next Steps**

ISEA submits our response to Kildare County Council. We would welcome the opportunity to discuss the analysis underpinning our response and contents of same.

## Introduction

The Irish Solar Energy Association (ISEA) was established in 2013 to advance a policy and regulatory landscape promoting solar as a leading renewable energy technology that will decarbonise Ireland's electricity system and contribute to a successful and strong clean economy. As the leading voice for the Irish solar industry, ISEA works closely with stakeholders to advance the solar agenda on behalf of our members. ISEA is committed to ensuring that solar delivers up to 20% of Ireland's electricity by 2030. As the trade association for the solar industry in Ireland, ISEA is responding on behalf of our membership of 180 parties currently active in the Irish solar market.

ISEA would view the Draft Kildare Country Development 2023 - 2029 as a success through the extent to which it recognises the following:

- Solar farms are assumed to be of benefit in rural areas subject to existing archaeological & environmental checks & balances.
- The importance of proximity to the electricity grid in renewable project site selection & consideration of same in planning decisions.
- The biodiversity benefits that solar farms can offer, and the limited impact solar farms have on land compared with residential development.

## CHAPTER 3: Housing

Page / Ref	Text	Points
Page 2 3.1: Introduction	<i>“National and regional policy reinforces the need for ‘healthy placemaking’ and the delivery of well-designed, affordable, adaptable, infill and brownfield development close to existing services and facilities. The overall aim of the Housing for All – A New Housing Plan for Ireland (2021), is that everyone in Ireland should have access to sustainable, good quality housing to purchase or rent, at an affordable price, in the right location.”</i>	ISEA recognises (but does not take a position on the exact solution for) current issues related to housing. Equally, we are aware that the cost of living has risen considerably.
Page 6 3.5: “Housing Strategy”.	<i>“The existing need and likely future need for housing for the purposes of the provision of social housing support and; of housing for eligible households, both within the meaning of the Housing (Miscellaneous Provisions Act) 2009.”</i>	All social housing should have solar panels installed as per Climate Action Plan 2019 Action 64.
Page 39 Action HO 049	<i>“Require that new dwellings incorporate principles of sustainability and green principles in terms of design, services and amenities with careful consideration in the choice of materials, roof types (i.e. green roofs), taking advantage of solar gain/passive housing and the provision of low-carbon and renewable energy technologies as appropriate to the scale of the development.”</i>	All new builds should have solar panels installed as per the Part L regulations of the Building Regulations, Climate Action Plan 2019 Action 64, and RePower EU obligations.
None	General Comment	All public buildings should have solar panels installed in line with Climate Action Plan Actions 62 & 65.

## CHAPTER 4: Resilient Economy & Job Creation

Page / Ref	Text	Points
P.24 4.16 Data Centres (see also Data Centres & Energy in Chapter 7)	<i>“Kildare County Council acknowledges that data centres contribute to job creation during construction, maintenance and from associated areas such as research and development, data analytics, customer service, technical support, marketing and sales. Data centres generally need to be located in areas where there exists a significant and sustainable electricity supply, high powered fibre optic cables, good accessibility and on large land banks that are easily developable with future expansion possibilities. In addition, the Council is mindful that Data Centres should avoid sensitive landscapes and environments.”</i>	Utility scale solar projects can provide similar economic value, skills base as well as a community benefit for Co. Kildare. This aspect of the draft development plan should therefore also facilitate utility-scale renewable projects.
P.20 4.10 Foreign Direct Investment (FDI) RE 053	<i>“RE 053 Support existing FDI large industrial companies in sustaining and expanding their businesses at appropriate locations.”</i>	Private Wire solar farms can contribute to the sustainability of large enterprises located in Co. Kildare. In the event regulations in this space are changed we would encourage the council to adopt a facilitative approach to private wire projects.

## CHAPTER 6: Infrastructure & Environmental Services

Chapter 6 Infrastructure & Environmental Services		
Page / Ref	Text	Points
P. 12	Objectives	Policies should recognise the importance of renewable energy development and acknowledge that solar PV can be a water-compatible development. Solar infrastructure can be deployed in areas of flood risk without increasing that risk – provided that the flood risk does not interfere with the operation of the solar farm.
IN 034, P. 12	<i>“Require that development along urban watercourses comply with the Inland Fisheries Ireland Guidance: Planning for Watercourses in the Urban Environment (2020), including the maintenance of a minimum riparian zone of 35 metres for river channels greater than 10 meters in width, and 20 meters for river channels less than 10 metres in width. Development within this zone will only be considered for water compatible developments as defined in the OPW Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).”</i>	The riparian zones appear excessive due to land being a scarce resource.
6.8.2, P. 15, Water Quality; and IN 052	<i>“Significant pressures on our surface waters nationally include Agriculture”</i>	The development of solar PV on agricultural lands reduces the need for chemical pesticides and fertilisers, therefore, helping improve water quality.
6.8.2, P. 15, Air Quality	<i>“Clean Air is essential in ensuring a high-quality environment for the wellbeing of the population. Air pollution can negatively affect human health and ecosystems.”</i>	<p>Solar PV is a clean green form of electricity generation with clear benefits for air quality, this should be recognised and promoted.</p> <p>By developing solar PV the land will remain free of any form of tillage thereby helping to lock in existing carbon in the soil and help with future carbon sequestration which will help combat climate change – this should be recognised. Equally, solar functioning as a form of carbon-free agriculture should be considered.</p> <p>It should also be noted that many developers will seek where possible to re-power their project contract after the initial operational lifespan of the project has expired. Kildare County Council should factor this into their appraisal of solar’s relative value.</p>

## CHAPTER 7: Energy & Communications

Chapter 7 Energy and Communications		
Page / Ref	Text	Points
Section 7.3, p 3	<i>“EC A1 Prepare, within 1 year of the adoption of the County Development Plan a Sustainable Energy Climate Action Plan (SECAP) for County Kildare to provide a baseline analysis for Kildare and for the inclusion of measurable targets on renewable energy and climate change mitigation and adaptation.”</i>	The Council appears to be taking positive steps towards incorporating renewable energy and climate action steps into the development plan. However, this action is worded too broadly and does not give the appropriate level of context. Action EC A1 should be reworded to give some indication of what measurable targets the plan should contain with regard to renewable energy and climate change mitigation/adaptation.
Section 7.4, p. 5	<i>“EC A2 Establish a Mid-East Energy Bureau in collaboration with Wicklow County Council, Meath County Council and the Sustainable Energy Authority of Ireland.”</i>	The Council appears to be taking a positive step towards collaboration with other local authorities and key stakeholders. This is welcome, but in light of recent geopolitical developments and the climate crisis, we would like to emphasise the importance of action over discussion.
Section 7.4, p. 5	<i>“EC A3 Prepare and implement an overall Renewable Energy Strategy for the County in accordance with the current Climate Change Adaptation Strategy for County Kildare.”</i>	<p>The Council appears to be taking a positive step towards acknowledging the importance of renewable energy to the county and country. This publication is welcomed and anticipated.</p> <p>While a wind energy strategy is required to under national policy, it should be noted that Afry management consulting reports indicate that a large deployment of large scale solar is necessary to achieve the least cost blend of renewables in Ireland.</p> <p>As Co. Kildare has a comparatively large solar resource and a number of important solar projects in its pipeline, we would suggest that Kildare County Council develop a solar energy plan within its Renewable Energy Strategy. Within this frame, the industry would appreciate it if Kildare County Council would provide stronger guidance on the location of solar sites. We would also encourage the Council to consult with industry on establishing Best Practice Guidelines.</p> <p>We are of the view that Kildare County Council should be ahead of the curve of national policy where climate change is concerned.</p>
Section 7.6, p. 7	<i>“Site selection is vital for potential solar farms as solar resource, topography and proximity to the grid must be considered.”</i>	These are indeed important aspects of the placement of solar technology. However, proximity to the grid and grid capacity are serious limitations to where solar development may go at this time. There are acknowledged limitations in grid capacity and a slow rollout of grid expansion across Kildare. Will the Council

		<p>take grid limitations into equal consideration when determining solar applications which may be located near sensitive landscapes and other receptors?</p> <p>In effect, until grid reinforcements are made Kildare County Council must make difficult decisions regarding the aesthetics of available land and the security of supply via renewables using available grid infrastructure.</p> <p>The importance of electricity grids is recognised in the REPowerEU plan, which states that <i>“an additional EUR 29 billion of investments are needed in the power grid, to make it fit for increased use and production of electricity.”</i> Alongside the REPowerEU plan, the Commission has also proposed an amendment to the Renewable Energy Directive on 18<sup>th</sup> May 2022, <b>recognizing renewables and related grid infrastructure as a matter of overriding public interest.</b></p>
<p>Section 7.6, p. 7</p>	<p><i>“In addition to the retention of hedgerows and other existing areas of biodiversity value, a minimum of 10% of each overall solar farm site shall be reserved for biodiversity purposes, including planting of native and pollinator-friendly species or the construction of new wetland habitat.”</i></p>	<p>It is acknowledged that biodiversity preservation and restoration are necessary to meet climate and carbon targets. However, will this requirement also be placed on other new built environment projects which obtain planning permission?</p> <p>To add to this, solar developments have a track record of, and an inbuilt ability to, improve biodiversity by the very fact that once built they are a tranquil space for biodiversity where nature thrives. It is therefore unnecessary to add a percentage figure for biodiversity requirements.</p> <p>Many developers make voluntary biodiversity interventions as part of their projects. Therefore, a 10% minimum is not necessary.</p>
<p>Section 7.6, p. 7</p>	<p><i>“Solar farms have the potential to affect the landscape and natural and built heritage. Cumulative impacts may also arise with farms located close to each other. Site selection is vital for potential solar farms as solar resource, topography and proximity to the grid must be considered.”</i></p>	<p>In the context of a climate emergency and the REPowerEU plan which recognises <b>“renewables and related grid infrastructure as a matter of overriding public interest”</b> there should be a more promotive approach to the policy wording, and there should be a general presumption in favour of Solar PV unless there are significant adverse impacts on landscape, natural and built heritage that are not outweighed by the benefits of solar development. This presumption in favour of development should also include other ancillary or facilitatory development such as associated grid infrastructure or storage technologies that complement solar PV.</p>

Section 7.6, p. 7	<i>“Details of the connection to the grid shall be provided with all planning applications.”</i>	EirGrid has a prerequisite that planning permission must be in place before a grid connection offer is made, therefore this wording should be removed from the plan.
Section 7.6, p. 7	<i>“The removal of extensive stretches of hedgerow (including within the development site) will be strongly discouraged. Where the removal of minor sections of hedgerows is proposed, the applicant shall demonstrate, to the satisfaction of the Planning Authority, that such removal is necessary for the development of the particular solar farm(s).”</i>	<p>This should state that <i>“The removal of extensive stretches of hedgerow (including within the development site) will be strongly discouraged unless it is to provide a safe means of access, in which case all hedgerow removal should be replaced to the rear of the new access sightlines within the first available planting season following the commencement of development.</i></p> <p>The policy could also stipulate <i>“Where the removal of minor sections of hedgerows is proposed, the applicant shall demonstrate, to the satisfaction of the Planning Authority, that such removal is necessary for the development of the particular solar farm(s) and that compensatory planting will be required elsewhere within the development.</i></p>
EC021, p. 8	<i>“Support the provision of solar farms in appropriate locations and to consider in the first instance developing solar farms on previously developed land.”</i>	The siting of solar farms requires a very detailed and complex consideration taking many factors into account. To deploy a meaningful amount of solar in the County it would be remiss to elevate brownfield sites above what might be more suitable green field sites. This policy could stymie the rollout of solar in the County in favour of brownfield sites that may in themselves be sensitive habitats or have unsuitable ground conditions for example. There should be a general presumption in favour of solar PV across the county subject to normal planning and environmental checks and balances.
EC P9, Page 11	<i>“Co-operate with the Eastern and Midland Regional Assembly (EMRA) in identifying Strategic Energy Zones.”</i>	<p>ISEA views attempts by Kildare County Council to cooperate with other government bodies. That said, we would urge the council to ensure that this does not impede the development of solar energy development opportunities.</p> <p>As the siting of solar sites is already a difficult consideration, we would urge Kildare County Council to avoid adding additional layers of bureaucracy to an already complex process.</p>

## CHAPTER 9: Our Rural Economy

Page / Ref	Text	Points
9.1, p.2	<p><i>“Traditional sectors such as agriculture, extractive industries, and forestry will be important in helping Kildare reach targets in relation to climate change and will play a vital role over the coming years and the period of this plan to help Ireland reach its climate targets particularly in relation to carbon storage, provision of renewable energy, reducing emissions, protection of water bodies and increasing biodiversity.</i></p> <p><i>These sectors along with tourism will need to be complemented by diversification in areas such as food, renewable energy and opportunities provided from improved digital connectivity e.g., facilitating those in rural areas to work remotely.”</i></p> <p><i>“Renewable energy production in the form of wind, solar, and biomass have to date been largely provided in rural areas and the location of future renewable energy production is likely to be met in rural areas.”</i></p>	<p>Fully support the sentiment in this policy background information.</p> <p>The importance of the rural environment in helping County Kildare (and Ireland) work towards renewable energy and net zero targets cannot be overstated. It is vital that there is a presumption in favour of ground-mounted solar and associated complementary technologies such as Battery Storage in the rural environment, especially where there is access to grid, subject to the necessary planning and environmental checks and balances.</p>
RD P1, p.4	<p><i>“Support and promote rural enterprises and encourage appropriate expansion and diversification in areas such as sustainable agriculture, forestry, peatlands, food, crafts, renewable energy at suitable locations in the county, particularly where they contribute to a low carbon and resilient economy.”</i></p>	As per above comments for 9.1, p.2.
RD 02, p.5	<p><i>“Facilitate agriculture, horticulture, forestry, tourism, energy production and rural resource-based enterprise within the rural settlements and in appropriate rural locations subject to relevant development management standards.”</i></p>	As per above comments for 9.1, p.2.
RD 06, p.5	<p><i>“Encourage the conservation and promotion of biodiversity in all rural development activities whilst supporting the restoration, preservation, and enhancement of ecosystems dependent on agriculture and forestry.”</i></p>	<p>Fully support the promotion of biodiversity. Ground mounted solar developments provide an excellent opportunity to enhance biodiversity above and beyond typical agricultural land use. Following construction, the tranquil environment within solar farms which is conducive to wildlife, with lands relatively untouched for a period of 25-35 years species rich habitats can form such as varied sward grasslands, wildflower meadows, etc. Existing water features can be safeguarded through mitigation and water quality improved through the removal of chemical pesticides and fertilisers from the</p>

		lands. Solar farms can ordinarily deliver a net gain in terms of linear or square meterage of native species hedgerows or woodland copses. Bat boxes, bird boxes, insect hotels, shallow water scrapings, etc can all help towards a more biodiverse landscape and flourish in ground mounted solar farm environment. Note that this is not an exhaustive lists of biodiversity gains that can be delivered by the solar industry.
RD 07, p.5	<i>“Support the development of renewable energy production in rural areas where appropriate.”</i>	As per above comments for 9.1, p.2.
RD 029, p.11	<i>“Support the development of renewable energy (wind and solar) on a percentage/no more than 50% of former industrial peatlands /cutaway bogs, in appropriate locations, subject to relevant environmental assessments.”</i>	<p>Welcome the opportunity that this provides for local communities and landowners in terms of a just transition from fossil fuel-dependent practices.</p> <p>However, the inclusion of 50% of boglands should not be to the detriment of providing solar development on other viable green field areas of the rural environment where for example grid connection or engineering solutions may be more feasible.</p> <p>In line with earlier comments, there should be a presumption in favour of solar development across the entire rural environment subject to normal planning and environmental checks and balances. It may be that industrial peatlands and cutaway bogs are a stated exception to this with only 50% of those made available for solar or wind.</p>
RD P2 0.7	<i>“It is the policy of the Council to: RD P2 Support the future and continued development of agriculture and the agri-food sector in County Kildare.”</i>	Farm incomes diversify, stabilise & increased dramatically when landowners are involved in land leases for renewable energy projects. We encourage Kildare County Council to adopt a more facilitative planning approach to enable the continued development and overall viability of the agriculture sector.

## CHAPTER 15: Built & Cultural Heritage

Page / Ref	Text	Points
General Observation		<p>Through careful design, solar development can be a positive influence on historic landscapes and assets, through the protection of cultural heritage assets as part of the overall design concept.</p> <p>Increased revenue streams from solar vis-a-vis mainstream agricultural practices will help sustain the rural economy and associated cultural heritage assets in their respective areas.</p> <p>In addition, Solar farms can be decommissioned at the end of their useful life and lands can be easily returned to their former condition.</p> <p>As a general observation, Solar development, which is temporary in nature, is a very sustainable use of land which will help combat the effects of climate change. It is recognised as being in the wider public interest to develop solar energy development alongside other renewable energy technologies to help reduce CO2 emissions, provide security of electricity supply and protect against higher energy prices. Solar development can also enhance biodiversity, a core part of government strategy in relation to sustainability. It is a compatible development alongside cultural heritage features if a design-led approach is applied.</p>

## CHAPTER 13: Landscape, Recreation & Amenity

Page / Ref	Text	Points
Table 13.1-13.4	<i>“There is no appreciable change between the previous County development plan and this draft plan in relation to the provision of solar energy within the county.”</i>	Table 13.4 has not changed in relation to ‘natural grasslands’, ‘agricultural land with natural vegetation’, and ‘peat bogs’ between the 2017-2023 and current draft development plans. The landscape stance on these three principal landscape sensitivity factors are at odds with the strong policy objectives EC 02 – EC 09 and section 7.4 within draft ‘Chapter 7 energy and communications’. It’s worth noting that a large proportion of County Kildare is comprised of these landscape features. If the council is serious about the support of renewable energy targets set out in chapter 7, landscape and solar policy objectives should be more compatible and not rule solar out completely based on landscape objectives.
Objective LR O13, p.12	<i>“Recognise that cutaway and cut-over boglands represent degraded landscapes and/or brownfield sites and thus are potentially fit to absorb a variety of development provided that the development proposal does not increase Green House Gas emissions.”</i>	While the council has acknowledged that cutaway bog within this policy objective is a degraded landscape/brownfield site, this policy objective is at odds with tables 13.2 and 13.4 and LR 01. Much of Kildare’s bogs are cut-over boglands yet the landscape character area ‘Western boglands’ is ‘class 3 high sensitivity’.
General Comment		Chapter 7, section 7,6 notes in relation to Solar Energy Developments that: “An assessment of the impact of the development on the receiving landscape should be undertaken, having particular regard to the landscape sensitivity classification, scenic routes and protected views.” However, a review of chapter 13 landscape and keyword search notes two mentions of solar energy: Tables 13.3 and 13.4. Given the sensitivity of solar development within the landscape, even a paragraph on the importance of landscape assessment for solar development should be included within this chapter.

## CHAPTER 15: Development Management Standards

Page / Ref	Text	Points
Section 15.9.2 p49 Industry and Warehousing Development	<p><i>“Industry and warehousing schemes will be required to present a good quality appearance, helped by landscaping and careful placing of advertisement structures. In relation to industrial development the following should be taken into consideration: Other measures that address climate change shall include the encouragement and support of solar and wind energy as part of any proposals.”</i></p>	<p>The encouragement and support of solar and wind energy as part of industry and warehouse schemes is a positive development. However, this does not go far enough. As noted in a press release from the European Commission on 18<sup>th</sup> May 2022, a framework under the Fit for 55 package will include:</p> <p>“A dedicated EU Solar Strategy to double solar photovoltaic capacity by 2025 and install 600GW by 2030.            A Solar Rooftop Initiative with a phased-in legal obligation to install solar panels on new public and commercial buildings and new residential buildings.”</p> <p>Council Policies regarding the provision of solar in industrial buildings should be revised taking this into consideration.</p> <p>We would also encourage the Council to consider the role of private wire renewables in decarbonising Kildare’s electricity supply and update the Draft Development Plan accordingly as we expect regulations in this space will be amended shortly.</p>

## Conclusion

ISEA would prefer more decisive action in certain areas of the County Development Plan. As noted above, there are several issues that ISEA members view as important in the context of implementing the CDP:

### 1. Infrastructure & Environmental Services:

- Policy should recognise the importance of renewable energy development and acknowledge that solar PV can be a water-compatible development.
- The development of solar PV on agricultural lands reduces the need for chemical pesticides and fertilisers, therefore, helping improve water quality.
- Solar PV is a clean green form of electricity generation with clear benefits for air quality, this should be recognised and promoted.

### 2. Energy & Communications:

- Afry management consulting reports indicate that a large deployment of large-scale solar is necessary to achieve the least cost blend of renewables in Ireland.
- Kildare County Council should develop a solar energy plan within its Renewable Energy Strategy.
- The Council should consider grid limitations when determining solar applications which may be located near sensitive landscapes and other receptors.