

An
Bord
Pleanála

An Bord Pleanála Opinion on flexibility

2) Request for meeting	
Request under section 287A of the Act:	Request for Design Flexibility in relation to a proposed offshore windfarm.
Request reference Number:	ABP-316332-23
Name of the requestor/ prospective applicant:	North Irish Sea Array Windfarm Ltd., (Statkraft Ireland Ltd.)
Location, townland or postal address of the land or structure to which the application relates (as may be appropriate):	Off the coast of Dublin, Meath & Louth
Nature and extent of the proposed development:	Offshore Windfarm with a maximum of 42 (49) turbines.
Date of receipt of the request:	11 th April 2023
Opinion Reference Number:	ABP-316332-23
Date of Opinion:	26 th January, 2024

3) Was the following Information included where relevant, with the Flexibility Meeting Request under section 287A of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended.

Information	Enclosed with Request		
(a) A site location map sufficient to identify the land on which the proposed development would be situated.	Yes: [✓]	No: []	
(b) A brief description of the nature and purpose of the proposed development and of its possible effects on the environment.	Yes: [✓]	No: []	
(c) A draft layout plan of the proposed development.	Yes: [✓]	No: []	
(d) A description of the details, or groups of details, of the proposed development that, owing to the circumstances set out in (e) below, are unlikely to be confirmed at the time of the proposed application.	Yes: [✓]	No: []	
(e) A description of the circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided, before the prospective applicant has confirmed the details referred to in (d) above.	Yes: [✓]	No: []	
(f) An undertaking to provide with the proposed application, either - i. two or more options, in respect of each detail or group of details referred to in (d) above containing information on the basis of which the proposed application may be made and decided, ii. parameters within which each detail referred to in paragraph (d) above will fall and on the basis of which the proposed application may be made and decided, or	Yes: [✓]	No: []	

iii. a combination of (i) and (ii).			
(g) Such other information, drawings or representations as the prospective applicant may wish to provide or make available.	Yes: []	No: []	N/A: [✓]
(h) The appropriate fee.	Yes: []	No: []	N/A: [✓]

At a meeting held on 24th January, 2024 and 25th January, 2024 the Board considered the report of the Inspector, the documents submitted as part of the pre-application consultation under section 287A of the Planning and Development Act 2000 as amended on design flexibility.

In accordance with Section 287B(2) of the Act, the Board determined that due to the specific circumstances of the development, it is satisfied that the proposed application can be made and decided before certain details of the application are confirmed.

In this regard an opinion on design flexibility shall issue to the prospective applicant as set out below:

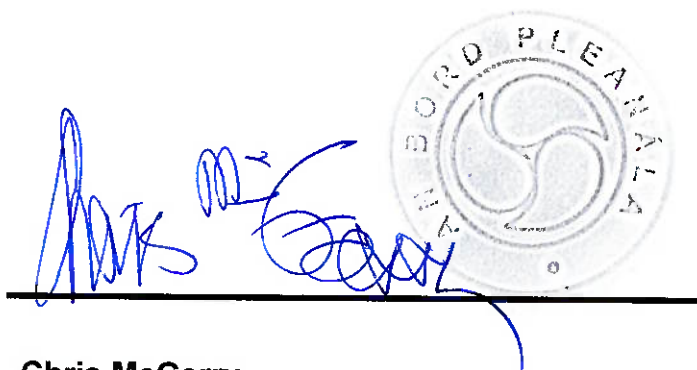
4) Opinion of the Board under section 287B of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended.	
Information	Details/ Circumstances
a) The details, or groups of details, of the proposed development that may be confirmed after the proposed application has been made and decided.	<ol style="list-style-type: none"> 1. Turbines (Model, Number & Dimensions [Tip height, Rotor diameter, Rotor swept areas, Nacelle height & Hub height]) 2. Turbine Foundations (Type & Pile Dimensions) 3. Offshore Substation Platform (Dimensions [Height above sea level, Length & Width])

	<p>4. Siting of infrastructure – Fixed location with limit of deviation (Turbines, Foundations, Export cable and Offshore Substation Platform location)</p> <p>5. Offshore cabling (Subsea cable size & Subsea cable length).</p>
<p>b) The circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided before the prospective applicant has confirmed the details referred to in paragraph (a) above.</p>	<p>Ongoing advances in technology and recognition of the need to install the most efficient and effective project elements in relation to Items 1 to 5 above.</p>

For each detail, or groups of details, referred to above, the proposed application shall, in addition to any other requirement imposed by or under the Planning and Development Act 2000, as amended, be accompanied by the information referred to in the undertaking and be in the form of the options range and set of parameters, submitted with the flexibility meeting request under section, 287A(2)(f) of the Planning and Development Act 2000, as amended.

The Board decided not to accept the request for design flexibility for the extent and nature of the protection for subsea cable associated with the proposed development, as the Board considered that this element of the proposed development relates to normal construction practices that are intrinsic to the installation of the development. Options related to construction practice that may not be clarified at application stage, should be set out and assessed in the application documentation (including the EIAR and NIS) and in the event of a favourable decision on the application, construction related methodologies could be agreed prior to commencement of development, by way of compliance with a planning condition.

The proposed application must be consistent with the opinion provided in accordance with section 287B of the Act.

A handwritten signature in blue ink is written over a horizontal line. To the right of the signature is a circular seal. The seal has the text 'AN BORD PLEANÁLA' around the top edge and a stylized 'S' logo in the center.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this

30th

day of

January

2024