

An
Bord
Pleanála

Board Direction
BD-015210-24
ABP-318274-23

At a meeting held on 24/01/2024, 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:

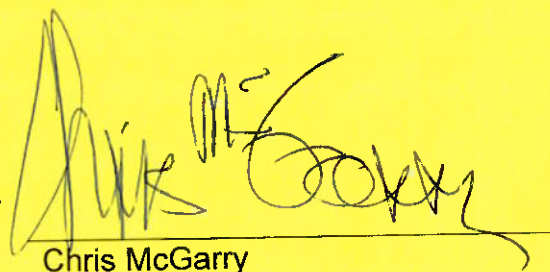
Information	Details/ Circumstances
a) The details, or groups of details, of the proposed development that may be confirmed after the proposed application has been made and decided.	<ol style="list-style-type: none">1. The final exact location of each offshore wind turbine and the offshore substation2. The final height of offshore infrastructure3. The final route and length, of the offshore export cable and offshore inter-array cables4. The location and layout of the landfall transition joint bay and

	5. The final design for the type and siting of outdoor equipment within the proposed onshore substation compound
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.	Ongoing advances in technology and recognition of the need to install project infrastructure efficiently, at the optimal locations within the context of specified parameters and options, whose potential impacts will be set out and assessed within any future application documentation.

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 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.

Board Member



Chris McGarry

Date: 26/01/2024