



An  
Bord  
Pleanála

**Record of Meeting**  
**ABP-315809-23**  
**3<sup>rd</sup> Meeting**

<b>Case Reference / Description</b>	ABP-315809-23 - Proposed development of Codling Wind Park, an offshore wind farm in the Irish Sea, located in the Codling Bank, approximately 13-22 kilometres off the coast of County Wicklow, between Greystones and Wicklow Town.		
<b>Case Type</b>	Marine pre-application consultation under Section 287		
<b>1st / 2nd / 3<sup>rd</sup> Meeting</b>	3 <sup>rd</sup>		
<b>Date</b>	16/11/2023	<b>Start Time</b>	11:10am
<b>Location</b>	An Bord Pleanála	<b>End Time</b>	1:05pm

**Representing An Bord Pleanála**

Ciara Kellett, Director of Planning (Chair)

Stephen Kay, Assistant Director of Planning

Deirdre MacGabhann, Senior Planning Inspector

Eugene Nixon, Consultant

Marcella Doyle, Senior Administrative Officer

Cora Cunningham, Senior Executive Officer

Evan McGuigan, Executive Officer (online)

**Representing the Prospective Applicant**

Lis Royle, CWP

Sean Leake, CWP (online)

Fiona Campbell, CWP

Callum Draper, CWP
Jerry Barnes, MacCabe Durney Barnes
Alan Roberts, A&L Goodbody
Brendan Curran, A&L Goodbody

## **Introduction**

The meeting commenced at 11:10am.

The Board's representatives referred to its previous meeting with the prospective applicant on 22<sup>nd</sup> August 2023 and the record of this meeting. The Board's representatives asked if the prospective applicant had any comments it wished to make on the record of this meeting or questions; the prospective applicant confirmed that it had already submitted its comments regarding the record for ABP-317821-23 to the Board and moved on to discuss the presentation submitted for the meeting.

## **Presentation by the prospective applicant:**

The prospective applicant began its presentation by stating its intention to lodge an application for the proposed development during the second quarter of 2024, to cover onshore and offshore development, and submitted that it was now at a critical stage in relation to submitting this application. It described work regarding the Environmental Impact Assessment Report (EIAR) and Appropriate Assessment (AA) as well progressed and stated that the current timelines for the lodging of an application for the proposed development assumes that there will be no significant changes in approach for this work. It is anticipated that an application would be submitted as early as possible in Q2 of 2024.

The prospective applicant stated that it would be seeking an amendment to its Marine Area Consent (MAC) in order to include an area of the River Liffey immediately adjacent the proposed substation. It stated that it has held consultations with the Department and with the Maritime Area Regulatory Authority (MARA) regarding this issue and confirmed that it intends to proceed with its application for the amendment.

The prospective applicant provided an update in relation to the Natura Impact Statement (NIS) and stated that its key conclusion is that the proposed development would not have an adverse impact on site integrity, either alone or in combination with other Phase 1 projects on the east coast. The prospective applicant submitted that it would provide a substantive amount of data to support this and stated that it had some limited engagement with the National Parks and Wildlife Service (NPWS) in relation to ornithology and Special Protection Areas (SPAs). It also submitted that it has collaborated with other Phase 1 projects in relation to NIS's, EIAR's, ornithology and other data.

Regarding the basis for assessment, the prospective applicant stated that the EIAR for the proposed development would assess all the likely effects of the different options in relation to the specific locations and layout of infrastructure and that the reports would be as concise and as readable as possible. It stated that the options would be presented as representative scenarios and assess issues regarding environmental impacts, magnitude, and limits of deviation.

#### **Discussion:**

The following matters were discussed:

- Following a query from the Board's representatives, the prospective applicant stated that it believes it will have its amendment to the MAC obtained prior to the lodging of an application for the proposed development. The Board's representatives advised that the prospective applicant should submit in writing an explanation of the situation to the Board during the pre-application stage and address the matter in advance of submitting the application for the development. The prospective applicant stated that it would take this into consideration.
- A discussion was held between the Board's representatives and the prospective applicant in relation to transboundary issues. The prospective applicant stated that ornithological impacts would be the largest spatial impact regarding the proposed development – particularly the foraging range of guillemot in comparison with other species. The prospective applicant also

stated that it had contacted relevant departments in France regarding transboundary issues for the proposed development.

- A discussion was held between the Board's representatives and the prospective applicant regarding the basis for assessment of the proposed development. The Board's representatives advised the prospective applicant to explain the effects of the different locations and layout of the proposed infrastructure in a way that would be clear for the Board to assess and for the public to fully understand the nature of the proposed development. The Board's representatives also advised that data be presented in relation to these issues in a clear manner.
- The Board's representatives recommended that the prospective applicant ensure that all policies in relation to the National Marine Planning Framework (NMPF) are addressed. The prospective applicant stated that it is looking into this and that it would be addressed in any future application regarding the proposed development.
- The prospective applicant stated its intention to withdraw its current request under section 287A (An Bord Pleanála Reference: ABP-317821-23) and submit a new request. The Board's representatives stated that this was acceptable, that they would await written confirmation of this and referred to the timelines in relation to the prospective applicant's MAC. A discussion was held between the Board's representatives and the prospective applicant regarding legal advice that the Board had recently received in relation to section 287A and design flexibility. The Board's representatives advised that issues in relation to construction methodology typically did not constitute design flexibility but should be assessed within the EIAR. The prospective applicant outlined their opinion that some elements of construction may need to be considered under flexibility.
- The prospective applicant stated that it would present both a withdrawal letter for ABP-317821-23 to the Board and a letter in relation to its MAC amendment to the Board in due course.
- It was agreed between the prospective applicant and the Board's representatives that administrative queries regarding the lodgement of an application for the proposed development would be discussed further at a future consultation meeting.

**Conclusion:**

The record of the instant meeting will issue in due course and the prospective applicant can submit any comments it may have in writing or alternatively bring any comments for discussion at the time of any further meeting. The Board will revert to the prospective applicant in relation to scheduling a further meeting.

The meeting concluded at 1:05pm.

Ciara Kellett 8/12/23

**Ciara Kellett**

**Director of Planning**