 <b>An Coimisiún Pleanála</b>	<b>Record of 3<sup>rd</sup> Meeting</b>		
	<b>ABP-321635-25</b>		

<b>Case Reference / Description</b>	Proposed Decommissioning of Arklow Bank Wind Park Phase 1.		
	Offshore infrastructure is located seaward of the High-Water Mark (HWM) off the coast of Arklow, while the onshore infrastructure is located landward of the HWM in Ferrybank, on North Quay within Arklow Harbour, Co. Wicklow.		
<b>Case Type</b>	Marine Development – Pre-application Consultation		
<b>1<sup>st</sup> / 2<sup>nd</sup> / 3<sup>rd</sup> Meeting</b>	3 <sup>rd</sup> Meeting		
<b>Date</b>	13 <sup>th</sup> March 2026	<b>Start Time</b>	11:30am
<b>Location</b>	MS Teams	<b>End Time</b>	1:45pm

<b>Representing An Coimisiún Pleanála</b>
Stephen Kay (Assistant Planning Director) Chair
Susan Clarke (Senior Planning Inspector)
Conor Donnelly (Senior Marine Ecologist)
Eugene Nixon (External Marine Advisor to ACP)
Honor Caird Marren (Executive Officer)
<b>Representing the prospective applicant</b>
Anne-Marie Coyle, GE Vernova
Chris Delahunt, GE Vernova
Matthew Royall, Ramboll
Sara Mendez Roldan, Ramboll
Jerry Barnes, MacCabe Durney Barnes

## **Introduction**

The Commission's representatives referred to the correspondence received from the prospective applicant requesting this third meeting, as well as to the first meeting held on 16<sup>th</sup> June 2025 and the second meeting held on 11<sup>th</sup> September 2025.

The Commission's representatives also mentioned the general procedures for the pre-application consultation process referenced at the first meeting held on 16<sup>th</sup> June 2025 and which remain applicable.

The Commission's representatives noted that the prospective applicant did not have a presentation, however it was agreed that the discussion would follow the headings in the draft agenda circulated by the prospective applicant in advance of the meeting. The Commission's representatives also acknowledged receipt of the documents submitted in advance of the meeting including the EIA Scoping Presentation document and noted that there had been limited time provided to review this document in advance of the meeting.

## **Discussion:**

Matters including the following were discussed:

### **Scope of Project**

- The Commission's representatives emphasized the importance of finalising the scope of the project, having regard to the fact that it is the prospective applicant's intention that an opinion on design flexibility would not be requested with respect to S.287A of the Planning & Development Act 2000, as amended for any aspect of the proposed development. The Commission's representatives also noted that the EIA Scoping Presentation submitted in advance of the meeting was not definitive with regard to the scope of the project under a number of headings.
- The prospective applicant stated that it was not intended that a design flexibility opinion would be sought from the Commission and that any variations presented in the application will be justified on the basis of normal construction flexibility.
- The prospective applicant advised that the Comparative Assessment was largely complete, which would enable the scope of the project to be finalised.

### Turbine Cutting Depth

- The prospective applicant advised that the coastal process modelling has been completed and that partial removal of the turbines' foundations was the most likely option.
- The prospective applicant advised that the cutting depth would be undertaken below the lowest seabed level as predicted by the modelling results and that the cut off depth would therefore vary by location across the site. A range of between 6.6 and 10.55 metres below lowest astronomical tide was cited. The turbines' foundations are proposed to be cut at a depth that minimises the risk of future exposure of the foundation.
- The prospective applicant stated that they will clearly identify the fixed depth at each monopile location in the planning application, in addition to providing information on how much of each turbine will be removed.
- The prospective applicant confirmed that the application will address the implications if the turbines' foundations become exposed.
- The prospective applicant confirmed that the met masts are subject to the same sand bank model, and same approach to cutting depth as the turbines' foundations.

### Scour protection

- The prospective applicant advised that all scour protection that is identifiable on the bathymetric surveys and dive surveys undertaken prior to commencement of development will be removed as part of the project.
- The prospective applicant advised that scour protection that has been previously installed at the site could have sunk into the bank and clarified that only what is visible and can be located at the time of the decommissioning works will be removed. However, scour protection that is not visible will be left in situ.

- The prospective applicant advised that due to the very dynamic nature of the environment, there is limited merit to undertaking a survey to determine what scour protection is located on the top of the bank prior to the lodgement of the application.

#### Cable Removal

- The prospective applicant advised that both the export cable and interarray cables have been surveyed, and as such, their precise locations are known. However, the prospective applicant advised that the depth of the cables is unknown. Due to the dynamic nature of the environment, the cable depths below the seabed will not be known until the pre-commencement surveys are completed, immediately prior to the decommissioning works (similar to the scour protection).
- The Commission's representatives advised that as part of any application a cross section of cable covered at different depths would be required to indicate scale.
- The prospective applicant advised that a section of the onshore cable is within the ownership and control of ESB, while the remaining section is controlled by the prospective applicant.
- The prospective applicant confirmed that it is intended that all of the cable under the control of the applicant will be removed. The cable owned by ESB will remain. The Commission's representatives advised that this should be outlined in the application.
- The prospective applicant stated that part of the onshore cable is in water and that their intention is for it to be severed at sea, excavated on land and pulled from the rock revetment. There may be a small section of the cable under the existing rock revetment which will not be possible to remove and may have to be retained. It was advised that this should be fully detailed and assessed in any application.
- The prospective applicant confirmed that the substation will be fully removed and returned to its pre-development state with a concrete plinth. It will be detailed in the description and included in scope of project in the EIAR.

## Turbine Removal

- With regard to the scope of the planning application, the prospective applicant confirmed that the application would be seeking permission for the permanent removal of the turbine blades, alongside the decommissioning of Arklow Bank Wind Park Phase 1. The environmental baseline will include the blades, and the associated impacts from the blade removal will be assessed throughout the application, where relevant.
- The prospective applicant outlined that the planning application will provide details of why the turbine blades were removed, the nature of these works and what process was followed including what provisions of the Foreshore Sublease were relied upon to facilitate their removal.
- The prospective applicant is seeking permission to phase the development, with Phase 1 to include the removal of the turbines, while the removal of the turbines' foundations would potentially be left over to Phase 2. The prospective applicant indicated that this phased decommissioning is not definite but will be sought to account for operational circumstances including availability of vessels.

## Foreshore Sub Lease & Monitoring

- With respect to monitoring, it is proposed that the site would be the subject of monitoring for five years post decommissioning and noted that all surveys can be undertaken under the existing Foreshore Lease up to its expiry in 2033.
- The prospective applicant cautioned against any conditions being attached to a positive decision, requiring works/monitoring to be undertaken post the expiry of the Foreshore Sub Lease (i.e. 2033).
- The Commission's representatives stated that due to the level of detail currently available in respect of the proposed development, they could not advise during this consultation phase on the likelihood of conditions requiring works/monitoring to be

undertaken post the decommissioning phase. Nonetheless, the Commission's representatives noted the prospective applicant's constraints in this regard.

- The prospective applicant noted that the Arklow I project is likely to be the first ORE project to go through decommissioning not just in Ireland but internationally and that there is therefore potential for learnings for other projects from the approach taken.
- The prospective applicant advised that should the turbines' foundations be found to be protruding from the seabed post the decommissioning works, the relevant prescribed bodies would be notified. As noted previously in the discussion, the application will include a protocol or procedure to be followed in the event that the turbine foundations were to become exposed.

### **Environmental Assessments**

- The prospective applicant advised that they were currently undertaking an informal EIA scoping exercise. Responses from consultees are due by 7<sup>th</sup> April 2026.
- The prospective applicant confirmed that a formal EIA scoping opinion would not be sought from the Commission prior to the lodgement of the application.
- The prospective applicant intends for the EIAR to only address topics that are likely to have significant environmental effects. As per the scoping presentation submitted and discussion at the meeting these topics comprise Coastal Processes, Water and Sediment Quality, Marine Biodiversity, Commercial Fisheries, Shipping and Navigation, Coast Guard, Marine Archaeology, Onshore Effects and Cultural Heritage.
- Other topics such as Population and Human Health, Seascape, Landscape and Visual Amenity, etc. are not proposed to be assessed in the EIAR, as the prospective applicant contends that there will be no likely significant effects arising in respect of these topics.

- The Commission's representatives noted the proposed approach and the fact that the application would be submitted on foot of an informal scoping exercise undertaken by the applicant rather than on foot of a formal scoping opinion. The Commission's representatives advised that the prospective applicant include analysis of the results from their informal scoping exercise with the application documentation, demonstrating what impacts have been considered and a detailed rationale/justification for the scoping in/out/down of particular environmental topics from the EIAR. The Commission's representatives stated that further advice in this regard may be provided as part of the close out of the pre-application consultation process as it would be addressed in the inspector's report on the consultation that would go to the Commissioners. The prospective applicant is also referred to the post meeting note included at the end of this record.
- The Commission's representatives highlighted that potential impacts on port access alongside the timing of the project in respect of other Phase 1 ORE projects should be considered in the preparation of the application.
- The Commission's representatives stated that as discussed at previous meetings the potential impact of the proposed development on bank stability, the coastline and coastal erosion should also be addressed in the application.
- The Commission's representatives advised the prospective applicant to ensure that the application addresses climate change policy.
- The Commission's representatives queried what level of surveying analysis would be undertaken with respect to the onshore aspects of the proposed development, particularly with respect to biodiversity.

#### Natura Impact Statement & Zone of Influence

- The prospective applicant stated that a screening for appropriate assessment would accompany the application and that it was likely that a NIS would also be submitted on foot of such screening assessment.

- The identification of an appropriate Zone of Influence using the source-pathway-receptor model and avoidance of use of a blanket zone of influence were highlighted by the Commission's representatives. The ZOI will likely vary between different pressures/impacts.

### Species

- The Commission's representatives highlighted the need to ensure that the assessment clearly considered the potential for any likely significant effects on onshore protected species.
- The Commission's representatives advised that consideration be given to how increased suspended sediments could impact birds, marine mammals and fish.
- The importance of identifying all potential pathways relevant to species was stressed including for example the turbidity effects on foraging and diving bird species.
- The Commission's representatives advised that potential impacts from underwater noise should be considered.
- The Commission's representatives advised that guidance is available on how to define Annex 1 *Sabellaria* reef. It requires a variety of methods including seabed imagery. Outside of designated sites, this habitat should be considered and assessed in the EIAR, taking into account its status at the appropriate level (i.e. if identified as Annex 1 habitat) and mitigation identified as necessary (e.g. avoidance, micro-routing).
- The prospective applicant advised that the data used to describe the baseline environment will be partially informed by the response to the Further Information to be submitted in respect of the AWBP1 (Ref. 319864). The Commission's representatives emphasized the importance of having reliable, up-to-date, site-specific survey results that are applicable to the subject development to allow for a comprehensive environmental baseline to be presented in the planning application.

- The prospective applicant advised that the cumulative assessment will be undertaken in accordance with Planning Inspectorate (PINS), 2024. National Significant Infrastructure Projects: Advice on Cumulative Effects Assessment. In this respect, the Commission's representatives advised the prospective applicant to review the requests for Further Information issued in respect of the Phase 1 projects.

### **Consultations**

- The prospective applicant provided an overview of consultations held to-date with MARA, NWPS, Marine Survey Office, Irish Lights, Irish Coastguard. Written consultations have been held with BIM and DAFM. The prospective applicant noted that MARA queried whether or not a rehabilitation strategy would be submitted with the planning application. Following a discussion on this issue, the prospective applicant advised that they intended to submit a rehabilitation schedule, and it was agreed that an outline of the content of such a schedule could be submitted to the Commission in advance of the close out of the consultation process.
- The prospective applicant stated that a formal s.247 request has been made for a consultation with coastal planning authority Wicklow County and that a meeting was planned with them in the next couple of weeks. Wexford County Council will be included as a party for consultation as part of the scoping exercise.
- The prospective applicant indicated that it is not envisaged that there will be likely significant transboundary impacts that would require the transboundary notifications procedures in the Act to be invoked formalised in EIAR. The Commission representatives agreed with this assessment, however a final determination will be made as part of the close out of the pre application consultation process. The prospective applicant advised that the Marine Institute are undertaking a research project on the Arklow Bank and surveying Arklow turbines to inform marine biodiversity issues. The project will run to end of November 2026.

### **Legal, Regulations & Other Consents**

- The prospective applicant queried whether the RED III legislation applies to a decommissioning application. The Commission's representatives advised that they believed the subject legislation was not applicable to the circumstances of this case.
- The prospective applicant advised that whilst the application would include for dredging and dumping within the red line boundary, it would not be specifying specific dumping sites, as the location and extent of dredging required will not be determined until the pre-commencement surveys are complete. The prospective applicant highlighted that a Dumping-at-Sea permit will be sought subsequent to the lodgement of the s.291 application to the Commission.
- The prospective applicant queried whether the dumping activity and permit application should be referenced in the public notices. The Commission's representatives stated that their preliminary view was that it should, however the decision is ultimately one for the applicant.
- The prospective applicant advised that the planning application would propose that a suite of 'as-left' surveys be prepared and submitted to the relevant bodies, following the completion of the decommissioning works.
- The Commission's representatives advised that detail schedules of both proposed mitigation and monitoring measures be included with the application.
- The prospective applicant stated that it was their opinion that a condition relating to community gain would not be appropriate for a decommissioning project of the type proposed. This position was noted by the Commission's representatives.
- The prospective applicant raised a number of procedural matters in relation to the inputs to the planning application. The Commission's representatives advised the prospective applicant that the Commission's administrative team could provide assistance in this regard prior to the lodgement of the application.

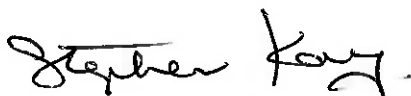
The Commission's representatives advised that it is unlikely that the application would be subject to mandatory timeframes for determination given that the identified timeline is such that it is unlikely that the provisions of the 2024 Act would be commenced. The Commission's representatives advised that the application would be assessed in an efficient manner as possible.

- The target date for the submission of an application to the Commission is 27th May 2026.
- The Commission's representatives noted that the Comparative Analysis that would finalise the design had not been finalised and that, while the likely outline of the scope of the project had been discussed at the meeting and had updated the information provided in the submitted Scoping Presentation, the prospective applicant would need to confirm the exact scope of the project prior to the closure of the PAC. It was agreed that this information could be provided to the Commission following the meeting and would be considered by the Commission's representatives in determining the appropriateness of closing out the consultation process.

### **Conclusion:**

The record of the instant meeting will be issued 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 Meeting concluded at 13:45.



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**Stephen Kay**

**Assistant Director of Planning**

## Post Meeting Note

Further to the comments above relating to EIA scoping and the proposed format of the EIAR as set out in the EIA Scoping Presentation submitted by the prospective applicant, the principle of scoping down and scoping out is considered to be consistent with the provisions of the EIA Directive which requires the assessment of likely significant effects but does not require the assessment of effects for which no credible pathway to significance exists. Where it can be demonstrated that an environmental factor or heading gives rise to no likely significant effects, that factor may be scoped down through the scoping out of sub topics, headings or effects and, where justified, the removal of the requirement for a standalone chapter in the EIAR. Of note, scoping does not mean that an environmental factor can be omitted from the EIAR entirely and all environmental factors must be clearly identified in the EIAR and scoped down chapters may be presented in a consolidated 'Other Environmental Factors' chapter. Where this approach is followed the rationale for this approach must be clearly explained in the EIAR.