



An
Bord
Pleanála

Inspector's Report ABP-315809-23

Development	Codling Wind Park, an offshore wind farm in the Irish Sea located at Codling Bank.
Location	Off the coast of County Wicklow, c.13-22km, between Greystones and Wicklow Town.
Planning Authority	Wicklow County Council, Dún Laoghaire-Rathdown County Council and Dublin City Council.
Prospective Applicant	Codling Wind Park Ltd (Joint Venture, Fred Olsen Seawind and EDF Renewables).
Type of Application	Consultation under section 287 of the Planning and Development Act 2000, as amended.
Dates of Pre-Application Meetings:	<ol style="list-style-type: none">1. 6th June 20232. 22nd August 20233. 16th November 20234. 19th December 20235. 23rd January 2024
Date of Site Inspection	22 nd August 2023
Inspector	Deirdre MacGabhann

1.0 Introduction

- 1.1. This report relates to pre-application discussions held with 'the Prospective Applicant' in respect of the development of the Codling Wind Park offshore windfarm, off the coast of County Wicklow, Dún Laoghaire-Rathdown County Council and Dublin City Council. The pre-consultation request was received by the Board on the 8th February 2023.
- 1.2. This report describes the location and nature of the proposed development, the applicant's submissions, the consultations held and the legal provisions which are relevant to the proposed development.
- 1.3. The Board's representatives met with the prospective applicant on 5 occasions. The presentations provided by the prospective applicant and written records of those meetings are on file. This report should be read in conjunction with these records. It is not proposed to repeat the contents of those records in detail here.

2.0 Site Location and Description

- 2.1. The c.125km² offshore windfarm site is located c.13-22km off County Wicklow, with Greystones situated to c.15km to the north west and Wicklow Town c.17km to the south west of the offshore wind farm boundary. It will be situated on Codling Bank, in water depths than range from c.9m to c.33m.
- 2.2. Land fall for the offshore transmission infrastructure is the southern side of the Poolbeg Peninsula, Dublin City. The onshore transmission infrastructure will be situated on land extending from the landfall site to the existing ESB Networks 220kV substation on the northern side of the peninsula, via a proposed onshore sub-station, also located on the peninsula to the west of the existing substation (Appendix C, Request document, 8th February 2023). Land uses falling within the development area comprises a mix of public and private land, industrial land uses and derelict land.
- 2.3. The coastal landscape alongside the wind farm site, is a rural landscape situated between Greystones and Wicklow Town. It is predominantly low lying, with modest rural development. The shore is largely rocky and is separated from agricultural land by the Wicklow Town to Greystones railway line that runs along the coast.

2.4. European sites in the area of the wind farm site and offshore cable route include:

- The Murragh SPA and the Murragh Wetlands SAC stretching along the coast between Wicklow Town and Greystones.
- Wicklow Head SPA, to the south east of Wicklow Town.
- Wicklow Reef SAC, east of Wicklow Town.
- Bray Head, SAC, to the south east of Bray Town.
- Rockabill to Dalkey Island SAC, east of Dalkey.
- Dalkey Islands SPA, off Dalkey.
- South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC to the south of Poolbeg Peninsula.

3.0 Proposed Development

3.1. Context

3.1.1. Under the transition provisions of the Maritime Area Planning (MAP) Act 2021 (as amended) the Minister for the Environment, Climate and Communications had the responsibility for assessing applications for Marine Area Consents (MACs) from a first group (phase I) of seven offshore renewable energy projects. As one of the seven phase I projects Codling Wind Park has been granted a Maritime Area Consent (MAC) in relation to the '*construction and operation of an Offshore Wind Farm and associated infrastructure (including decommissioning and other works required on foot of any Development Permission for such Offshore wind farm)*' at the subject site (reference no. 2022-MAC-006, Appendix A, request document 8th February 2023). The commencement date of the MAC is 23rd December 2022 and the date by which an application for permission must be submitted is 18 months from the commencement date.

3.2. The Proposed Development

3.3. Codling Wind Park (CWP) offshore windfarm project comprises 60-75 wind turbine generators (WTGs), with a maximum output of up to 1,450 megawatts, located between c.13km and 22km off the Irish coast at counties Wicklow, Dún Laoghaire-Rathdown and Dublin City.

3.4. A design options meeting was held in respect of the development on 19th December 2023 under ABP-318588-23. The final details of the development are to be confirmed but are indicated to likely comprise/fall within the following parameters:

- **The Generating Station** - The generating station comprising 60 or 75 wind turbines (WTGs), with an overall tip height of 288m or 314m and an output of up to 1,450 megawatts and inter-array cables (IACs) and interconnector cabling linking the WTGs and offshore substation structures (OSSs).
- **Offshore Transmission Infrastructure (OfTI)** - Three off shore sub-station structures (OSS) and three off shore export cables transporting the energy produced from the OSS to land at the Poolbeg peninsula.
- **Landfall** – The landfall on the southern Poolbeg peninsula and the point at which the offshore export cables (part of the OfTI) are brought ashore and connected at three transition joint bays (TJBs) to the onshore export cables (part of the Onshore Transmission Infrastructure, OTI). The following activities are included in the scope of 'landfall', extending from c.4km offshore to the TJBs onshore:
 - Non-ducted offshore export cable laying in the intertidal area from the limits of vessel operability (c.4km from the high water mark) to the nearshore c.350m from the high water mark (HWM).
 - At c. 350m from the HWM, ducted offshore export cable laying, referred to as the 'intertidal cable ducts', from the non-ducted offshore export cables in the intertidal area to the seaward extent of the landfall cable ducts at the onshore/marine interface.
 - Ducted offshore export cable laying, referred to as 'landfall cable ducts', extending from the intertidal cable ducts to the transition joint bays on shore.
- **Onshore Transmission Infrastructure (OTI)** – Situated on the Poolbeg peninsula and comprising the onshore export cables, the onshore substation (northern side of the peninsula) and associated infrastructure and cable to connect the onshore substation to the planned extension to the existing ESB Networks 220kV substation on the Poolbeg peninsula (east of the onshore substation). The extension to the EirGrid sub-station forms part of wider grid upgrades planned by EirGrid.

4.0 Policy Context

4.1. The following policy documents are of relevance but, it should be noted, do not comprise an exhaustive list:

- National Maritime Planning Framework.
- Offshore Renewable Energy Development Plan 2014.
- Draft Offshore Renewable Energy Development Plan 2023.
- Marine Planning Policy Statement 2019.
- Project Ireland 2040 - National Planning Framework 2040 & National Development Plan 2018-2027.
- Climate Action Plan 2023.
- Regional Spatial Economic Strategy for the Eastern & Midland Region 2019.
- Dublin City Development Plan, 2022 – 2028.
- Wicklow County Development Plan 2022 – 2028.
- Dún Laoghaire-Rathdown County Development Plan 2022- 2028.

5.0 Meetings Held

5.1. Five meetings were held with the prospective applicant's representatives on the following dates:

- 6th June 2023.
- 22nd August 2023.
- 16th November 2023.
- 19th December 2023.
- 23rd January 2024.

5.2. Presentations were provided at each meeting which are included in the file together with other information provided to the Board in respect of same. The record of each meeting is also contained in the file.

5.3. Issues raised at the meetings are identified and discussed in Section 8 below.

6.0 Legislative Context

6.1. S. 287(1) of the Planning and Development Act, 2000, as amended ('the Act'), states that a person who proposes to make an application for permission under s.291 shall consult with the Board. S.287(2) of the Act states that the Board may provide its opinion regarding the making of the application and in particular, as respects:

- (a) the procedures to be followed by the prospective applicant when making the application and by the Board when considering the application,
- (b) the documents required to accompany the application,
- (c) the need for the prospective applicant to create an internet website for the purpose of publishing the application and all documentation accompanying the application,
- (d) the publication of notices in accordance with this Act, the furnishing of documentation to persons referred to in subsection (3) of section 291 and the making of submissions and observations in relation to an application under that section,
- (e) such persons as may be prescribed for the purposes of this Chapter,
- (f) some or all of the matters that the Board is likely to take into consideration relating to—
 - (i) the National Marine Planning Framework,
 - (ii) objectives of maritime spatial planning,
 - (iii) principles of proper planning and sustainable development, and
 - (iv) the environment or any European site,when making a decision under section 293 in relation to the application,
- (g) the fees payable to the Board in relation to the making of the application, and
- (h) compliance by the prospective applicant with any direction of the Board under subsection (3) of section 291.

6.2. Of note, under S.287(3) the Board may at any time conclude a consultation under this section where it considers it appropriate to do so.

6.3. An application for an opinion under S.287A is addressed in the report under ABP-318588-23, travelling with this file.

7.0 Relevant Cases

7.1. The following comprise recent marine related pre-application consultations which are considered of note.

- **ABP-315796-23:** Pre-application consultations in respect of a proposed offshore wind farm and associated infrastructure on and around the **Arklow Bank**, approximately 6 – 15 km from the shore at Arklow, Co. Wicklow, lodged December 2022. Development would comprise either 47 or 52 turbines (depending on type). The turbines would have a stated maximum blade height of either 273m or 287m and a stated maximum export power of up to 800MW. There would be 2 x offshore substations and 2 x export cables to a landfall site. Design option pre-application consultations were requested under **ABP-316331-23**. Both cases have been determined by the Board, with the consultations under section 287 concluded (ABP-315796) and an opinion issued under section 287A (ABP-316331).
- **ABP-315800-23:** Pre-application consultations in respect of the proposed **Dublin Array** offshore windfarm project, to have between 39 and 50 turbines (depending on type) located c.10km off the coast of Dublin and Wicklow. The turbines would have a stated maximum blade height of c.309m and a stated maximum export power of between 700 to 850MW. There would be 1 x offshore substation and 2 x export cables to a landfall site at Shanganagh Cliff, Co. Dublin. Design option pre-application consultations were requested under **ABP-318552-23**. Consultations for both cases have yet to be concluded.
- **ABP-315801-23:** Pre-application consultations in respect of **North Irish Sea Array Windfarm Ltd.**, offshore wind farm off the coast of Dublin, Meath and Louth with a maximum of 42 turbines, lodged February 2023. Design option pre-application consultations were requested under **ABP-316332-23**. **ABP-310329-23:** S.182 Pre-Application Consultation for proposed onshore electrical and associated infrastructure (NISA). Both cases ABP-315801 and

ABP-316332 have been determined by the Board, with the consultations under section 287 concluded (ABP-315801) and an opinion issued under section 287A (ABP-316332).

- **ABP-317409-23:** Pre-application consultations in respect of the proposed **Sceirde Rocks** offshore windfarm project, to have a maximum of 26 turbines located c.5km to 11.5km off the Connemara Coast, at Sceirde Rocks, Co. Galway. As currently proposed, the turbines would have a stated maximum blade height of 325m and a stated maximum export power of up to 450MW. There would be 1 x offshore substation and 1 x export cable to a landfall site at a location c.3.5km northwest of Doonbeg, Co. Clare. At the time of writing the pre-application consultations are on-going and no design options opinion has been sought.
- **ABP-315803-23:** Pre-application consultations in respect of the **Oriel** offshore windfarm project, to have a maximum of 25 turbines located c.5km off the coast of Louth and Meath. The turbines would have a stated maximum blade height of 270m and a stated maximum export power of 375MW. There would be 1 x offshore substation and 1 x export cable to either of 2 landfall sites. Design option pre-application consultations were requested under **ABP-318274-23**. Both cases have been determined by the Board, with the consultations under section 287 concluded (ABP-315803) and an opinion issued under section 287A (ABP-318274).

8.0 Matters Arising

8.1. Proper Planning and Sustainable Development

8.1.1. The matters arising during pre-application consultations include the following issues to be considered/addressed by the prospective applicant:

- Matter set out in section 287(1)(f) of the Planning and Development Act, 2000, as amended. Including, the National Marine Planning Framework and in particular the need to clearly indicate project compliance with NMPF policies and objectives. The prospective applicant indicated that a Statement of Consistency would be prepared.

- Liaison with the EPA regarding compliance with dumping at sea legislation. Application to EPA likely to be required, subsequent to any application to the Board.
- The prospective applicant advised that two public consultation exercises had been held and consultations had been undertaken with Wicklow County Council, Dublin City Council and Dún Laoghaire-Rathdown County Council, the relevant coastal planning authorities. Engagement with Fingal County Council had also commenced.
- The applicant has engaged with local fisheries sector and intends to provide a fisheries fund. A community benefit fund will also be provided in accordance with the Offshore Renewable Energy Support Scheme (ORESS) community benefit fund guidelines.
- Likely location of construction compounds, or options for location of construction compounds and temporary laydown area.
- The requirement for minor alterations to the MAC boundary to facilitate construction of the CWP sub-station on the Poolbeg peninsula. The prospective applicant has commenced pre-application consultations with MARA and CWP is to submit an amendment application (see letter to Board from A & L Goodbody, 15th December 2023).
- Transboundary consultation with Northern Ireland, the United Kingdom and the Isle of Man and consultation with other transboundary stakeholders.
- Proximity of development to Seveso sites, inclusion in public notices, if relevant, and liaison with HSA.

8.2. Environmental Impact Assessment

8.2.1. It is proposed to submit an Environmental Impact Assessment Report with the proposed Application. The following include matters which were raised during the course of the consultation meetings.

- The use of most up-to-date information to support the application to the Board (EIA scoping reports completed in 2020) and to refer to emerging standards in marine impact assessment.

- The importance of robust impact assessments, to reduce the risk of the need for further information. High level of confidence in predicted effects, identified areas of uncertainty and risk. Demonstrated efficacy of any proposed mitigation measures.
- Broad agreement on the sufficiency of information from prescribed bodies.
- The inclusion, where possible of a collaborative approach to cumulative impact assessment, including where possible shared modelling, with other applicant's for offshore wind in the Irish Sea. The prospective applicant reported a collaborative approach to cumulative assessment with other Phase 1 projects in respect of marine mammals and ornithology.
- Consideration of temporal impacts, for instance, if the development is undertaken in multiple phases or with other developments/users of the marine environment.
- Efficiencies in cabling, given presence of other proposed wind farms in the Irish Sea.
- Location and role of the operations and maintenance base and use of ports and include, as necessary, in cumulative impact assessment.
- Effect of the development on the integrity of the sand banks in the Irish Sea.
- Assessment of the likely effects of operational and maintenance activities.
- Clear justification for screening out potential impacts.
- Effects of climate change.
- Arrangements for monitoring and transparency.
- Effects on commercial fisheries, shipping, mariners.
- Energy security.
- Likely transboundary effects, with the effects on ornithology having the potential for largest spatial impact (guillemot). Prospective applicant has consulted with relevant authorities.
- Alternatives to be considered in standalone chapter of EIAR, with the overall aim of site selection/alternatives to avoid or reduce potential impacts.

- Assessment of likely effects would be undertaken on the basis of representative scenarios. The Board's representatives stressed the need for the assessment methodology to enable the public and the board to fully understand the nature of the development being proposed.

8.3. Appropriate Assessment

8.3.1. It is proposed to submit a Natura Impact Assessment Report with the proposed application. The following include matters which were discussed during the consultation meetings.

- Methodology for cable laying across Dublin Bay to the Poolbeg peninsula (South Dublin Bay SAC and South Dublin Bay and River Tolka SPA).
- Reference in application documents to recently designated North-West Irish Sea SPA.
- Assessment to include reference to 'Ecological sensitivity analysis of the western Irish Sea to inform future designation of Marine Protected Areas' (DHLG&H, 2023). The prospective applicant stated that the least sensitive areas identified in the publication overlap with the CWP site.

8.4. Procedures

8.4.1. At the final pre-application consultation, the prospective applicant requested that the Board indicate / advise / confirm: -

- The requirements in relation to site notices.
- Non-coastal planning authorities to be consulted (Fingal County Council).
- The list of Transboundary States to be consulted.
- The contents of form no. 22.
- Number of copies of application documents to be submitted to coastal planning authorities.
- Requirement for letters of consent from landowners.
- Scale of drawings to be submitted.

- Drawings in respect of turbine options.
- Treatment of minor details of offshore substations.
- Provision of contextual drawings (off shore and on shore infrastructure).

8.4.2. **Prescribed Bodies**

8.4.3. In relation to the prescribed bodies for the purposes of any future application, I recommend that the Board consider that the persons listed hereunder (Appendix A) be served with the application and accompanying documents. In forming the list hereunder, regard was had to, inter alia, the requirement under Schedule 1 of the Planning and Development (Maritime Development) Regulations 2023. Regard was also had, in drawing up the list below, to the provisions of S.291(3)(b) and S.291(3)(d) of the Planning and Development Act, 2000 (as amended).

8.4.4. The prospective applicant should send a copy of the application, accompanying documents and a copy of the public notice to the Prescribed Bodies listed in Appendix A.

8.4.5. The Board may wish to review that list and satisfy itself that it is sufficient, and the applicant may wish to consider other bodies they consider relevant.

8.4.6. **Transboundary Consultation**

8.4.7. In addition to the above persons, and having regard to the provisions of S.291(3)(d) of the Planning and Development Act 2000 (as amended), their common relationship with the Irish Sea and their proximity to the proposed development, I recommend that the following states should be notified and engaged with as transboundary states in any future application, on the grounds that the possibility of significant adverse impacts cannot be ruled out at this stage of the process, particularly in relation to the likelihood of potential effects on, but not limited to, migratory and/or mobile species, landscape, seascape and commercial fisheries.

- Northern Ireland
- Isle of Man
- England
- Scotland

- Wales

9.0 Conclusion

- 9.1. Following the completion of the final pre-application meeting on 23rd January 2024, I am of the opinion that the process should be concluded, and the Board should notify the prospective applicant that the process is closed and include the attached list of bodies that the applicant is requested to send copies of the application to in accordance with S291(3)(b) and S291(3)(d).
- 9.2. I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Deirdre MacGabhann
Planning Inspector

28th February 2024.

APPENDIX A

Prescribed Bodies

1. Minister for Housing, Local Government and Heritage
2. Minister for the Environment, Climate and Communications
3. Minister for Transport
4. Minister for Defence
5. Minister for Agriculture, Food and the Marine
6. Environmental Protection Agency
7. Maritime Area Regulatory Authority
8. Minister for Rural and Community Development
9. Marine Institute
10. Inland Fisheries Ireland
11. Health and Safety Authority
12. Commission for Regulation of Utilities
13. Failte Ireland
14. An Taisce
15. Eastern & Midland Regional Assembly
16. National Transport Authority
17. Irish Aviation Authority
18. Sustainable Energy Authority of Ireland
19. Eirgrid
20. Commissioner of Irish Lights
21. Irish Coastguard
22. The Northern Ireland Department for Regional Development, Loughs Agency and the Minister for Foreign Affairs.
23. Coastal Planning Authorities (Dublin City Councils, Wicklow County Council and Dún Laoghaire-Rathdown County Council)
24. Fingal County Council.