



An
Bord
Pleanála

Inspector's Report ABP-316331-23.

Development

Proposed Arklow Bank Wind Park –
Design Option

Location

Offshore Wind Park, on and around
the Arklow Bank.

Coastal Planning Authority

Wicklow County Council
Wexford County Council.

Prospective Applicant

Sure Partners Limited.

Type of Application

S287A Pre-application Consultation
on Design Flexibility.

Date of S287A Pre-Application Meeting:

6th November 2023

Date of Site Inspection

31st May & 1st June 2023.

Inspector

A. Considine.

1.0 INTRODUCTION

- 1.1. This report relates to pre-application discussions held with Sure Partners Limited, a wholly owned subsidiary of SSE Renewables Limited with an address at Red Oak South, South County Business Park, Leopardstown, Dublin 18, in respect of Arklow Bank Wind Park (ABWP) 2 in relation to the prospective applicants request for an Opinion on Flexibility from the Board. The applicant advised their intention to seek such a meeting early in the pre-application process, on the 20th of March 2023, and the formal pre-consultation request was received by the Board on 2nd of November 2023.
- 1.2. This report describes the location and nature of the proposed development, the nature and extent of the flexibility requested, and the legal provisions which are relevant to the Board's consideration of flexibility for the proposed development.
- 1.3. The Board's representatives met with the prospective applicant on one occasion in relation to the requested Opinion on Flexibility. The presentation provided by the prospective applicant and written record of this meeting are on the file. This report should be read in conjunction with the written record on file of the design flexibility consultation meeting held with the prospective applicant. It is not proposed to repeat the contents of this record in detail in this report.
- 1.4. The Board's representatives also met with the prospective applicant on 4 occasions in relation to the proposed development under section 287 of the Planning and Development Act. The presentations provided by the prospective applicant and written records of these meetings are on the relevant file (ABP Ref. ABP-315796-23).

2.0 SITE DESCRIPTION

- 2.1.1. The offshore wind park will be located on and around the Arklow Bank, approximately 6 to 15km from the east coast and off the coast of Co. Wicklow. The development area will cover an area of the sea bed approximately 27km long and 2.5km wide and the proposed Array Area, which will include where the turbine

structures, cables and offshore substation platforms will be located, covers a stated area of 63.39km². The applicant is in receipt of a Maritime Area Consent – 2022-MAC-002, which has been granted for the occupation of a maritime site for the purposes of the proposed development and is eligible to apply for permission to carry out the development.

- 2.1.2. Conditions on the sand bank, where the proposed turbines will be located, the water depth is noted to vary between 0.6m and 25m relative to the lowest astronomical tide (LAT), with shallower areas particularly occurring in the vicinity of the existing 7 turbines on Arklow Bank and water depths in excess of 50m beyond the bank towards the east. The Arklow Bank is subject to strong tidal currents and is sand and gravel dominated with mobile surface sediments with medium sand located at the upper levels.
- 2.1.3. The subject site comprises the seaward area of the high-water mark only. The onshore elements of the proposed ABWP2 have been permitted, ABP ref: ABP-310090-21 refers, where permission has been granted by the Board for the provision of onshore grid infrastructure including 220kV export cable circuits and fibre optic cables, new 220kV GIS substation at Shelton Abbey and overhead line connection and all associated ancillary works. Two offshore export cable corridors are identified extending from the Arklow Bank and making landfall at Johnstown North, approximately 5km to the north of Arklow Town.
- 2.1.4. In addition, Wicklow County Council granted planning permission in June 2022 to SSE Renewables Limited, through Sure Partners Limited, to develop an operations and maintenance facility at South Dock, Arklow Harbour, PA ref: 21/1316 refers. This permitted infrastructure, including the building, associated pontoon and ancillary infrastructure, will act as the support base for ABWP throughout its operational lifetime. It is noted that the permitted facility will also incorporate a Sustainable Education Centre.

3.0 PROPOSED DEVELOPMENT

- 3.1.1. The proposed development will comprise the construction of an off shore wind farm with either 47 or 52 turbines erected as detailed further below. It is proposed that the wind park will have a maximum export capacity of up to 800MW.
- 3.1.2. The ABWP will transmit power from an offshore substation platform via 2 no. 220kV offshore export cables, laid on the seabed within export cable corridors. The development shall interface with the consented onshore grid infrastructure development (ABP ref: 310090) at a landfall at Johnstown North, approximately 5km to the north of the town of Arklow, Co. Wicklow.

4.0 REQUEST FOR AN OPINION ON FLEXIBILITY

4.1. Context:

- 4.1.1. The Prospective Applicant entered into pre-application discussions with the Board under ABP-315796-23 with respect to the development of the ABWP which will include a maximum of 52 turbines, off the coast of Wicklow and Wexford. The Planning and Development, Maritime and Valuation (Amendment) Act 2022, provides for design flexibility in the case of applications in the maritime area, primarily relating to the rapidly changing technology available in marine renewables, and the potentially long lead-in times between the making of a planning application and procurement of equipment.
- 4.1.2. The prospective applicant has submitted a request to the Board for an Opinion on Flexibility in respect of the offshore windfarm, relative to a series of options and parameters that may be provided later for the Board's approval.
- 4.1.3. 287A material for formal consultation was submitted to the Board on the 2nd of November 2023. The request included all relevant information as set out in Section 287A(2)(e)(i) and (ii) of the Act, in order to assist the Board in informing its opinion, including:
- Details of the applicant and address

- A site location map
- Description of the nature and purpose of the proposed development and its possible effects on the environment.
- A draft layout plan of the proposed development – 2 layouts included.

4.1.4. The submission also included the details of the development which are considered unlikely to be confirmed at application stage and the need for flexibility on a number of matters are noted for the following reasons:

- Consenting timelines are overlapping with technological developments in the offshore wind industry which are evolving at pace,
- Challenging to get the supply chain to engage fully with projects, particularly in jurisdictions with smaller short-term targets (e.g. Ireland's target of 5GW of offshore wind by 2030)
- Vessel availability to install specific turbine models.

4.1.5. The following elements of the development are noted to be confirmed, and no flexibility is being sought:

- Each turbine will comprise a tower section, nacelle and three rotor blades.
- The turbine foundations will be monopiles and will attach to the seabed.
- 2 OSPs with a height of between 30m and 47m above LAT will be constructed and substructures will comprise monopile foundations.
- The Onshore Grid Infrastructure (OGI) and the Operations and Maintenance Facility (OMF) has already secured planning permission.

4.2. The Request Details:

4.2.1. The request for a meeting with respect to seeking an Opinion on Flexibility was made under section 287A of the P&D Act, 2000 (as amended), and received by the Board on 2nd of November 2023. The request was accompanied by 2 options, and the following information in relation to the details, or groups of details, for which flexibility is being sought to avail of technology advances is as follows:

Options	Option 1		Option 2
Hub height (above LAT) (m)	155		162
Rotor Diameter (m)	236		250
Upper Blade tip height (above LAT) (m)	273		287
Lower Blade tip height (above LAT) (m)	37		37
Number of WTGs	56		47
Turbine and OSP Locations (with a 50m limit of deviation)	As illustrated in Layout No. 1		As illustrated in Layout No. 2
Chord Width (m)	Model 1a	Model 1b	6.9
	5.4	6.8	
Average annual RPM	6.34	5.73	6.19

- 4.2.2. At the meeting with Board, there was a discussion on the limit of deviation of 50m being sought by the prospective applicants in the request submitted. The applicant requested that the Board consider a 100m limit of deviation as part of the flexibility request.
- 4.2.3. In terms of the above, the Board will note that the network of inter array cabling will be dependent upon the array layout option chosen to be constructed, and the interconnector cabling will be constructed within the identified corridors, connecting the OSPs to the landfall site at Johnstown North – approximately 5km to the north of Arklow Harbour. Flexibility in terms of the limit of deviation is being sought with regard to the turbine and OSP locations. As discussed in the Design Flexibility meeting on the 6th November 2023, the LoD of 100m will include the cabling associated with the proposed development.
- 4.2.4. In addition, scour protection and cable protection, and all relevant construction methodologies will be intrinsically and inherently linked to the flexibility of layout, turbine numbers and types, cable layouts and foundation constructions.

5.0 POLICY CONTEXT

- 5.1. Please refer to section 7 of ABP-315796-23 for details of relevant policy documents relating to the development.

6.0 MEETING HELD

- 6.1. One meeting was held with the prospective applicant's representatives on 6th November 2023.
- 6.2. Presentations were provided at the meeting and are included in the file together with other information provided to the Board in respect of same. The record of the meeting is also contained in the file.
- 6.3. Issues raised at the meeting are identified and considered in Section 9 below.

7.0 Legislative Provisions

7.1. Planning and Development, Maritime and Valuation (Amendment) Act 2022

This Act, in recognition that certain applications require a degree of flexibility, introduced amendments to the Planning and Development Act 2000 (as amended) and the Maritime Area Planning Act 2021, to facilitate procedures that will enable planning authorities and the Board to consider design flexibility as part of the assessment of planning applications.

7.2. Section 287A Planning and Development Act, 2000 (as amended)

This section of the Act sets out the requirements for requesting the Board to consider design flexibility, and the Board procedures for consideration of the request as part of the assessment of planning applications.

Section 287A (1) states that a prospective applicant who proposes to make an application under section 291 may, before making such an application, request a meeting with the Board for the purpose of section 287B as part of consultations referred to in section 287(1).

Section 287A (2) (a-d) lists the details required in the application. (incl. site location map, brief project description & possible effects on the environment).

Section 287A (2) (e) requires a description of -

(i) the details, or groups of details, of the proposed development that, owing to the circumstances set out in *subparagraph (ii)*, are unlikely to be confirmed at the time of the proposed application, and

(ii) the circumstances relating to the proposed development, including such circumstances as the Minister may prescribe in relation to any class or description of development for the purposes of this subparagraph, 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 subparagraph (i) in particular, whether the prospective applicant may be able to avail of technology available after making the proposed application that is more effective or more efficient than that available at the time of the application,

Section 287A (2) (f) requires 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 *paragraph (e)(i)*, 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 (e)(i)* will fall and on the basis of which the proposed application may be made or decided, or (iii) a combination of *subparagraphs (i)* and *(ii)*,

Section 287A (2) (g-h) lists other information that may be provided or prescribed.

Section 287A (3) provides for the Board to convene a meeting.

Section 287A (4) provides for the Minister to make regulations in relation to procedures and administration for the purposes of holding a meeting.

7.3. Circular Letter MPP 01/2023 – An Opinion on Design Flexibility for Marine Development

This document seeks to assist the Board in the application of the provisions for an opinion on design flexibility for maritime development. It states that when requesting an opinion on flexibility, the applicant must include a description of:

- The details of the proposed development that are unlikely to be confirmed at the time of the proposed application, and
- The circumstances relating to the proposed development that indicate that it may be considered appropriate that the proposed application be made and decided before the final details are confirmed.

It notes that of particular importance in the offshore wind energy context is whether the prospective applicant may be able to avail of technology that is more effective or more efficient than that available at the time of the application.

When requesting a meeting under section 287A, the applicant is required to provide an undertaking to include the information set out under section 287A (2)(e)(i) as part of the application on the basis of which the proposed application may be assessed and decided. An opinion pursuant to section 287B (2) on design flexibility should only be provided where it is reasonable and justified.

7.4. Circular Letter PL11/2023 – New Design Flexibility Provisions with regard to certain unconfirmed details as part of application for planning permission

This document refers to the opinion on flexibility which developers may wish to avail of. It notes that applicants may wish to seek permission before certain details of the proposed development are confirmed. It provides an example of a windfarm and notes that details such as the precise height or blade length of a turbine or the precise grid connection point and route may not be confirmed at the time of application. In addition, it notes that the process is not intended to apply to points of detail generally dealt with by way of compliance condition and agreed between the applicant and the Board post-consent.

The document states that the applicant must set out the circumstances why it would be appropriate for the proposed application to be made and decided before the details are confirmed. It provides that a separate meeting may take place to discuss the flexibility request as part of the existing pre-application arrangements. It also states that existing consultations which may take place in advance of the flexible meeting request may concern the scope of details not likely to be confirmed at application stage and likely to be subject to a request for an opinion on unconfirmed details.

It further provides for matters of public notification and transparency in respect of the new arrangements and prescribes the forms to be used for the various stages of the process - flexible meeting request; opinion on unconfirmed details issued by the Board; and supplementary statement of unconfirmed details to accompany a planning application.

8.0 PRE-APPLICATION REQUESTS

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

8.1. Pre-Application Request - Concurrent

- **ABP-31596-23:** The **Arklow Bank** offshore windfarm project would have either 47 or 52 turbines (depending on type) located c.10km off the coast of Wicklow and Wexford. The turbines would have a stated maximum blade height of either 273m and 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.

8.2. Pre-Application Request - Other

- **ABP-315801-23:** The **North Irish Sea Array** offshore windfarm project would have a maximum of 49 turbines located c.13km off the coast of Louth, Meath and Dublin. The turbines would have a stated maximum export power of 700MW. There would be 1 x offshore substation and 2 x export cables to a

landfall site at Bremore, County Dublin. Design option pre-application consultation under ABP-316332-23.

- **ABP-315803-23:** The **Oriel** offshore windfarm project would 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 consultation under ABP-318274-23.
- **ABP-315800-23:** The **Dublin Array** offshore windfarm project would 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 consultation under ABP-318552-23.
- **ABP-315809-23:** The **Codling** offshore windfarm project would have a between 60 and 75 turbines located c.13km to c.22km off the County Wicklow coast. The turbines would have a stated maximum blade height of 314m and a stated maximum export power of up to 1450MW. There would be 3 x offshore substations and 3 x export cables to a landfall site at Poolbeg. Design option pre-application consultation under ABP-318588-23.
- **ABP-317409-23:** The **Sceirde Rocks** offshore windfarm project would have a maximum of 26 turbines located c.5km to 11.5km off the Connemara Coast, at Sceirde Rocks, Co. Galway. 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.

9.0 CONSIDERATION OF REQUEST

9.1. Context:

9.1.1. The request for a meeting with respect to seeking an Opinion on Flexibility was made under section 287A of the P&D Act, 2000 (as amended), and details of the accompanying documentation is summarised in section 4.0 above.

9.1.2. The application contained the following information:

- a. The details, or groups of details, of the proposed development that may be confirmed after the proposed application has been made and decided.
- 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 (a) above.

9.2. Consideration of request:

Details / Groups of Details	Circumstances	Consideration	Accept Flexibility
No. of Options – 2 discrete options proposed to be developed. Option 1 provides for two options for chord widths and average annual RPM.	<ul style="list-style-type: none">• To avail of technology developments and advancements• Supply chain• Procurement for projects with short term targets and ability to supply.• Vessel availability.	The initial pre-app documents submitted by the applicant included 4 discrete layouts with turbine numbers ranging from 37 to 56 turbines, and associated differences in hub and tip heights and rotor diameters. These options were reduced to the two options presented at the S287A meeting with the Boards reps.	Yes

		2 options accord with the requirements of Section 287A(2)(f)(i) of the Act, and I have no objection in this regard.	
Turbine model – The prospective applicant has provided details of 2 turbine model options for consideration – <ul style="list-style-type: none"> Option 1 – Model 1a and 1b, and Option 2. Turbine Option 1 includes 2 options for chord widths and the Average Annual RPM. 	<ul style="list-style-type: none"> To avail of technology developments and advancements Supply chain Procurement for projects with short term targets and ability to supply. Vessel availability. 	The prospective applicant has requested flexibility in terms of evolving technology and to avail of technology at the time of construction, to ensure supply chain availability and vessel availability for the construction period. Noise from the turbine will vary from model to model. Noise modelling will use the Danish Executive Order on noise from Wind Turbines, BEK No. 135 (2019) as the only standard adopted worldwide. Each model will be assessed in the EIAR. I have no objection to the flexibility sought in this instance.	Yes
No. of Turbines – The prospective applicant presented 2 options in terms of the number of turbines as follows: <ul style="list-style-type: none"> Option 1 – 56 	<ul style="list-style-type: none"> To avail of technology developments and advancements Supply chain Procurement for projects 	The two options sought by the prospective applicant are acceptable. The maximum export capacity of up to 800MW for the development will be the same for both options and the number of turbines will relate to the	Yes

<ul style="list-style-type: none"> • Option 2 - 47 	<p>with short term targets and ability to supply.</p> <ul style="list-style-type: none"> • Vessel availability. 	<p>available technology at the time of construction.</p> <p>The EIAR will consider both options fully.</p>	
<p>Hub height (above LAT) –</p> <p>The prospective applicant presented 2 options in terms of the number of turbines as follows:</p> <ul style="list-style-type: none"> • Option 1 - 155m • Option 2 – 162m 	<ul style="list-style-type: none"> • To avail of technology developments and advancements • Supply chain • Procurement for projects with short term targets and ability to supply. • Vessel availability. 	<p>The two options sought by the prospective applicant are acceptable.</p> <p>The hub heights of the turbines will relate to the available technology at the time of construction.</p> <p>The EIAR will consider both options fully.</p>	Yes
<p>Rotor Diameter -</p> <p>The prospective applicant presented 2 options in terms of the number of turbines as follows:</p> <ul style="list-style-type: none"> • Option 1 - 236m • Option 2 – 250m 	<ul style="list-style-type: none"> • To avail of technology developments and advancements • Supply chain • Procurement for projects with short term targets and ability to supply. • Vessel availability. 	<p>The two options sought by the prospective applicant are acceptable.</p> <p>The rotor diameter of the turbines will relate to the available technology at the time of construction.</p> <p>The EIAR will consider both options fully.</p>	Yes
<p>Upper Blade tip height (above LAT) –</p>	<ul style="list-style-type: none"> • To avail of technology developments 	<p>The two options sought by the prospective applicant are acceptable.</p>	Yes

<p>The prospective applicant presented 2 options in terms of the number of turbines as follows:</p> <ul style="list-style-type: none"> • Option 1 - 273m • Option 2 – 287m 	<p>and advancements</p> <ul style="list-style-type: none"> • Supply chain • Procurement for projects with short term targets and ability to supply. • Vessel availability. 	<p>The upper blade tip heights of the turbines will relate to the available technology at the time of construction.</p> <p>The EIAR will consider both options fully.</p>	
<p>Lower Blade tip height (above LAT) –</p> <p>The prospective applicant presented 2 options in terms of the number of turbines as follows:</p> <ul style="list-style-type: none"> • Option 1 - 37m • Option 2 – 37m 	<ul style="list-style-type: none"> • To avail of technology developments and advancements • Supply chain • Procurement for projects with short term targets and ability to supply. • Vessel availability. 	<p>The lower blade tip height above LAT will be the same for both of the two turbine options sought by the prospective applicant.</p> <p>This is acceptable and will be considered fully in the EIAR.</p>	Yes
<p>Turbine & OSP locations (with 50 m limit of deviation) and associated offshore cabling –</p> <p>The prospective applicant presented 2 options in terms of the locations of both the turbines and the</p>	<ul style="list-style-type: none"> • To avail of technology developments and advancements • Supply chain • Procurement for projects with short term targets and ability to supply. 	<p>The flexibility sought by the prospective applicant with regard to the final layout of the turbines and OSPs relate to ongoing technological advances and the details site-specific investigations which will determine the final positions of the infrastructure, and associated cabling.</p>	Yes

<p>Offshore Platforms associated with the proposed development and associated offshore cabling.</p> <p>In terms of the Limit of Deviation, the prospective applicant requested at the 287A meeting, that the Board consider that the 50m limit requested be increased to 100m.</p>	<ul style="list-style-type: none"> • Vessel availability. 	<p>The final layout of these elements will be determined by the number of turbines constructed in the context of Option 1 – 56 turbines and Option 2 – 47 turbines.</p> <p>The EIAR will consider both options fully.</p> <p>In terms of the request to consider an increased limit of deviation of 100m, I would advise no objection. Given the scale of the project proposed, together with the conditions within the Irish Sea, I am satisfied that the LoD of 100m is wholly appropriate.</p>	
<p>Chord Width –</p> <p>The prospective applicant presented 3 options in terms of the chord width as follows:</p> <ul style="list-style-type: none"> • Turbine Option 1a – 5.4m • Turbine Option 1b – 6.8m • Option 2 – 6.9m 	<ul style="list-style-type: none"> • To avail of technology developments and advancements • Supply chain • Procurement for projects with short term targets and ability to supply. • Vessel availability. 	<p>Three options are being sought by the prospective applicant with regard to chord width. Two options are associated with Turbine option 1, and Turbine option 2 proposes 1 chord width. The chord widths of the turbines will relate to the available technology at the time of construction. I consider that the flexibility sought in this regard is acceptable.</p>	Yes

		The EIAR will consider both options fully.	
Average Annual RPM – The prospective applicant presented 3 options in terms of the average annual RPM as follows: <ul style="list-style-type: none"> • Turbine Option 1a – 6.34 • Turbine Option 1b – 5.73 • Option 2 – 6.19 	<ul style="list-style-type: none"> • To avail of technology developments and advancements • Supply chain • Procurement for projects with short term targets and ability to supply. • Vessel availability. 	Three options are being sought by the prospective applicant with regard to average annual RPM. Two options are associated with Turbine option 1, and Turbine option 2 proposes 1 a set average annual RPM. I consider that the flexibility sought in this regard is acceptable. The average annual RPM of the turbines will relate to the available technology at the time of construction. The EIAR will consider both options fully.	Yes

10.0 CONCLUSION

10.1. Following the completion of the section 287A meeting on 6th November 2023, and having regard to the information provided by the applicant in relation to the request for flexibility and to the circumstances which support this request, and based on my consideration of the applicant's request for flexibility, as set out above, I consider it reasonable that the following details / groups of details of the proposed development, may be confirmed after the proposed application has been made and decided by the Board:-

1. Model and Number of Turbines in accordance with Option 1 or Option 2
2. Layout of turbines as illustrated in Layout No. 1 and Layout No. 2 and associated cabling LOD

3. Layout of offshore platforms as illustrated in Layout No. 1 and Layout No. 2 and associated cabling LOD
4. Turbine hub height (m) in accordance with Option 1 or Option 2
5. Rotor diameter (m) in accordance with Option 1 or Option 2
6. Upper blade tip height (above LAT)(m) in accordance with Option 1 or Option 2
7. Lower blade tip height (above LAT)(m) in accordance with Option 1 or Option 2
8. Chord width (m) in accordance with Option 1 – Model 1a or Model 1b - or Option 2
9. Average annual RPM in accordance with Option 1 – Model 1a or Model b - or Option 2

10.2. For each of the detail or group of details listed above, the prospective applicant shall provide with the proposed application two or more options in respect of each detail or group of detail and / or parameters within which each of the detail or group of details will fall.

10.3. With regard to the issue of construction methodologies, normal construction related details that are intrinsic to the installation of the infrastructure that are not clarified at the application stage should be set out and assessed in the application (incl. EIAR & NIS), and subject to a compliance condition which could include the submission of a CEMP. This approach is supported by several legal judgements (incl. Alen Buckley v ABP & Boland v ABP) and legal advice to the Board.

11.0 RECOMMENDATION

I recommend that the following details / groups of details, of the proposed development, may be confirmed after the proposed application has been made and decided by the Board. The Board should notify the prospective applicant of its

Opinion in respect of flexibility under the section 287A/B of the P&D Act, 2000 (as amended), in accordance with the following Draft Opinion.

12.0 PROFESSIONAL DECLARATION

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.



A. Considine

Planning Inspector

09th January 2024

DRAFT OPINION

1) 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-316331-23
Name of the requestor/ prospective applicant:	Sure Partners Limited, a wholly owned subsidiary of SSE Renewables Limited.
Location, townland or postal address of the land or structure to which the application relates (as may be appropriate):	Off the coast of Wicklow & Wexford
Nature and extent of the proposed development:	Offshore Windfarm with either 56 or 47 turbines
Date of receipt of the request:	2 nd of November 2023
Opinion Reference Number:	ABP-316331-23
Date of Opinion:	

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 maritime area/land on which the proposed development would be situated.	Yes: [x]	No: []	
(b) A brief description of the nature and purpose of the proposed development and of its possible effects on the environment.	Yes: [x]	No: []	
(c) A draft layout plan of the proposed development.	Yes: [x]	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: [x]	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: [x]	No: []	
(f) An undertaking to provide with the proposed application, either -	Yes: [x]	No: []	
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			

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

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. Model and Number of Turbines 2. Layout of turbines and associated cabling LOD 3. Layout of offshore platforms and associated cabling LOD 4. Turbine hub height (m) 5. Rotor diameter (m) 6. Upper blade tip height (above LAT)(m) 7. Lower blade tip height (above LAT)(m) 8. Chord width (m)

	9. Average annual RPM
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.	i. To avail of technology developments and advancements ii. Supply chain iii. Procurement for projects with short term targets and ability to supply iv. Vessel availability

For each detail, or groups of details, referred to in paragraph 4(a) above, the proposed application shall, in addition to any other requirement imposed by or under the Planning and Development Act 2000, 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.

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