



An
Bord
Pleanála

**Pre-application consultation,
Section 287 of the Planning and
Development Act 2000, as
amended.**

Inspector's Report

ABP-320756-24

Development:

Proposed Dublin Array offshore wind farm located approximately 10km off the coast of counties Dublin and Wicklow, at the Kish and Bray banks, and on-shore electrical transmission infrastructure to facilitate connection to the national grid.

Prospective Applicant:

Kish Offshore Wind Limited (on behalf of Kish Offshore Wind Limited and Bray Offshore Wind Limited)

Planning Authorities:

Dun Laoghaire Rathdown County Council

Date of Consultation Meetings:

23/10/2024.

Inspector:

Conor McGrath

1.0 INTRODUCTION

This report relates to a request from the prospective applicants, *Kish Offshore Wind Limited*, to enter into pre-planning consultations with An Bord Pleanála under s.287 of the Planning and Development Act 2000, as amended, in respect of an off-shore windfarm development, operational and maintenance facilities, and associated on-shore electricity transmission infrastructure and grid connection. The pre-planning consultation request was received by the Board on 04/09/2024 and followed from the granting of a Marine Area Consent (MAC) by the Marine Area Regulatory Authority (MARA) to the prospective applicants (ref. No. 2022-MAC-003 and 004).

This report describes the location and nature of the proposed development, the applicant's submission, the consultations held and the legal provisions which are relevant to the proposed development.

It should be noted that the proposed off-shore elements of the proposed development and the operations and maintenance facilities, were previously the subject of s.287 pre-application consultations under ABP-315800-23, and design flexibility consultations under s.287A, ABP-318552-23. The on-shore transmission elements of the proposed development were previously the subject of pre-application consultations under S.182E of the Act under ref. ABP-308178-20, comprising new high voltage (HV) transmission cable connection from the landfall site at Shanganagh Cliffs to the existing 220kV substation at Carrickmines (c. 8km).

The Board's representatives met with the prospective applicant on 23/10/2024. The presentations provided by the prospective applicant are on file. This report should be read in conjunction with the written record on file of the pre-application consultation meeting. It is not proposed to repeat the contents of that record in detail here.

A separate meeting under s.287A was held on 23/10/2024, in respect of planning ref. ABP-320830-24.

2.0 SITE AND DESCRIPTION

The site of the proposed development lies on the Kish and Bray banks, located approximately 10km off the coast of Killiney, Co. Dublin and Bray, Co. Wicklow. Water depths in the proposed development area are relatively shallow, ranging from c.2m to 30m depending on tides.

The development provides for two export cable corridors from the array site, making landfall at Shanganagh, Killiney, Co. Dublin, adjacent to an existing municipal wastewater treatment plant. This cable corridor will traverse an intervening bank, known as the Frazer Bank, between the development area and the shore. The cable will make landfall at Shanganagh Cliffs, Killiney. The proposed cable connection route from the landfall point to the existing substation at Carrickmines, is generally urban in character and crosses under N11 at Loughlinstown and under the M50 west of Cherrywood SDZ.

3.0 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 Context

Under the transitional 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 Phase I projects, Dublin Array 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-003 &-004). The commencement date of the MAC was 23rd December 2022. These were amended by the grant of a six-month extension of time to the date by which the Holder's application for development permission must be submitted to An Bord Pleanála (extended from 23rd June 2024 to 23rd December 2024). Works in Dun Laoghaire Harbour to

facilitate the proposed O&M base are the subject of two separate MAC applications (MAC240020 & MAC20230012)

3.2 The proposed Development

The subject development comprises an off-shore wind farm with an indicative export capacity of between 700 and 850MW, located approx. 10km off the coast of Co. Dublin and Co. Wicklow. The final details of the development are to be confirmed but fall within the following parameters:

Main Off-Shore element	Description
Number of Turbines.	39 – 50
Foundation types	Monopile or multileg, or suction bucket multileg and associated scour protection measures.
Rotor diameter	236m – 278m
Minimum lower blade tip height (m above LAT)	31.6m
Maximum upper blade tip height (m above LAT)	310m
Off-shore Platform	1 no. (45 x 45m and 55m LAT)
Indicative power output	c. 700-850MW capacity
Off-shore cables	Inter-array cables. 2 export cable corridors to landfall at Shanganagh Cliffs, Co. Dublin of c.14km each
Operations and Maintenance base St. Michael's Pier, Dun Laoghaire Harbour	A new building (<2,000-sq.m.) and associated works including adjacent floating pontoons / berths.
No material change to the proposed development from that considered under ABP-315800-23 are identified. Some minor changes to cable corridors and site	

boundaries within Dun Laoghaire Harbour are proposed.

Main On-Shore element	Description
Substation at Ballyogan / Carrickmines	1 no. GIS building (15m high) 2 no. Statcom buildings (7.25m high) 2 no. statcom transformers 2 no. harmonic filters 2 no. shunt reactors
Cable connection	2 no. 220kV HVAC export circuits (side-by-side) each comprising 3 transmission cable ducts. 8km between Shanganagh Cliffs and Carrickmines.
Cable joint bays	Every c.800m for each circuit, (8m x 2.5m) and communication and inspection chambers.
2 no. transmission joint bays	At landfall, joining the on-shore and off-shore transmission cables (16m x 4m x 2.5m)

It should be noted that the Board previously issued an Opinion in relation to design flexibility under S.287A/287B in respect of this project (ABP-318552-23). The prospective applicants indicate that there is no change to the flexibility sought in the concurrent Design Flexibility Option case ref. ABP-320830-24. No design flexibility is sought in respect of the on-shore grid connection elements of the proposed development.

4.0 POLICY CONTEXT

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

- National Planning Framework
- 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 and Low Carbon Development Acts 2015-2021
- Climate Action Plan 2024
- White Paper: Ireland's Transition to a Low Carbon Energy Future.
- National Energy and Climate Plan 2021-2030
- Regional Spatial Economic Strategy for the Eastern & Midland Region 2019
- Dun Laoghaire Rathdown County Development Plan 2023

5.0 MEETINGS HELD

Board representatives met with the prospective applicant's representatives on 23/10/2024. The prospective applicants made a presentation to the meeting a copy of which is included in this file together with other information provided to the Board in respect of same. The record of the meeting is also contained in the file. Issues raised at the meetings are identified and discussed in Section 8 below.

6.0 RELEVANT LEGISLATIVE PROVISIONS

S.287 provides that an eligible person, having been granted a MAC, shall, before making an application under s.291, consult with the Board. Subsection (2) provides that the Board may provide an opinion in relation to a range of matters, including inter alia,

- (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.

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

Note: A separate application under S.287A in respect of the Dublin Array project was received under ref. ABP-320830-24. A report and recommended opinion under has been prepared in respect of that application.

7.0 OTHER RELEVANT CASES

I refer to previous pre-application consultations in respect of the Dublin Array off-shore wind energy development under ABP-315800-23.

The following comprise other recent relevant marine related pre-application consultations or applications:

ABP-318552-23: Concurrent S.287A/287B Marine Design Options request for an Opinion on Flexibility from the Board in respect of the Dublin Array project.

ABP-308178-20: Strategic Infrastructure Pre-Application Consultation in respect of proposed on-shore electricity development associated with Dubin Array off-shore windfarm, under S.182ED of the P&D Act 2000, as amended. This pre-application consultation request was withdrawn in August 2024.

Other Projects:

1. **ABP-319799-24:** S.291 application for a proposed development known as **Oriel Wind Farm** off the coast of County Louth, comprising 25 No. offshore wind turbines with a maximum tip height of 270 m attached to the seabed by monopile foundations with associated scour protection and with a combined Maximum Export Capacity of 375 MW, 1 No. offshore substation, with export cables making landfall in the townland of Dunany. Installation of underground onshore export cables, approximately 20.1 km in length, connecting to the proposed onshore substation.

ABP-315803-23: Pre-application consultation in respect of 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.

S.287A design option pre-application consultation under **ABP-318274-23**.

2. **ABP-319864-24:** S.291 application in respect of a proposed development known as the **Arklow Bank** offshore windfarm project, lodged with the Board on 06/06/2024. The development comprises between 47 and 52 turbines with a maximum blade tip height of 287m attached to the seabed by monopile foundations with associated scour protection. Development also includes two offshore substation platforms (OSP), inter array cabling and two export cables from the OSPs to the proposed Landfall at Johnstown North and associated cable protection and scour protection, and ancillary development.

ABP-31596-23: Pre-application consultation in respect of the Arklow Bank offshore windfarm project, which 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.

S.287A design option pre-application consultation under **ABP-316331-23**.

3. **ABP-319866-24:** S.291 application for a proposed development known as the **North Irish Sea Array (NISA)** Offshore Wind Farm. The proposed development comprises between 35 and 49 offshore wind turbine generators (WTGs), 1 no. offshore substation platform (OSP), inter-array cables and export cables, scour protection around substructures and cable, and landfall works. On-shore works include two 220kV HVAC underground export cable circuits between landfall site and onshore grid facility comprising two distinct substations, and 220kV HVAC cable connection to the existing EirGrid / ESBN substation at Belcamp.

ABP-315801-23: Pre-application consultation in respect of the **North Irish Sea Array (NISA)** offshore windfarm project, which 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.

S.287A design option pre-application consultation under **ABP-316332-23**.

4. **ABP-320768-24:** S.291 application in respect of a proposed development known as the **Codling Wind Park** located approximately 13–22 km off the Co. Wicklow coast. The proposed development includes:
- Generating Station comprising between 60 and 75 turbines with a rotor diameter of between 250m and 276m, inter-array cables (IACs) and interconnector cables;
 - The offshore transmission infrastructure (OfTI), comprising Offshore Substation Structures and offshore export cables;
 - The landfall, where export cables are brought onshore at Poolbeg; and
 - The onshore transmission infrastructure (OTI), comprising onshore export cables, the onshore substation and associated infrastructure, at Poolbeg.

ABP-315809-23: Pre-application consultation in respect of the **Codling** offshore windfarm project, which would have 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.

S.287A design option pre-application consultation under **ABP-318588-23**.

5. **ABP-317409-23:** Pre-application consultation in respect of the **Sceirde Rocks** offshore windfarm project, which 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. At time of writing, no S.287A design option pre-application consultation request had been received.

8.0 MATTERS ARISING -

8.1 Proper Planning and Sustainable Development

The matters which arose during the course of pre-application discussions include inter alia:

- The scope of the s.291 application, and additional components to the development previously discussed under ABP-315800-23.
- The policy context for the proposed development, including compliance with the National Marine Planning Framework (NMPF) and National Biodiversity Action Plan.
- Public consultation process and stakeholder engagement undertaken. The prospective applicant indicated that several public consultation exercises have already been undertaken with coastal communities, and with statutory consultees, including Coastal Planning Authorities.
- The status of on-going / updated survey work and any modifications required to the design / layout of development arising therefrom.
- The nature of changes to the assessment of impacts on visual amenity / seascape.
- The presentation of information in the application, including clarity with regard to the methodology for surveys and modelling conducted and the need to clearly identify any limitations encountered in such surveys / modelling exercises.

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- Potential impact on cultural heritage / shipwrecks (known and unknown) and implications for the development (WTG and cable) layout.
 - Potential impact on biodiversity, including coastal and marine habitats and species, and migratory and / or mobile species (incl. European sites, seabirds, bats, marine mammals, fisheries & benthic communities, during the construction and operational phases.
 - The assessment of potential impacts on bats and the presentation of data in this regard.
 - Geology and seabed conditions, including stability of sandbanks and sediment movement.
 - Clarification with regard to the routing of export cables.
 - On-shore construction requirements and potential impacts, including interaction with national roads infrastructure, and the presentation of information on the construction process and management thereof.
 - Nature of Operations and maintenance facilities, including design, and any licence / MAC requirements.
 - Approach to the assessment of cumulative effects with other off-shore developments.

8.2 Environmental Impact Assessment

It is proposed to submit an Environmental Impact Assessment Report with the subsequent S.291 application. Formal EIA Scoping with ABP was not undertaken by the prospective applicant, however the prospective applicants advise that informal scoping with a range of stakeholders was undertaken previously. A copy of a draft scoping report (September 2020) was submitted with the previous pre-application consultation request under ref. ABP-315800-23 and is referenced again in this consultation request. This scoping report

considered both on-shore and off-shore components of the proposed development, but did not include the proposed O&M base at St. Michael's Pier.

8.3 Appropriate Assessment

It is proposed to submit a Natura Impact Assessment report with the subsequent S.291 application. The NIS is expected to clearly address the:

- Likely Zone of Impact of all elements of the proposal.
- Natura 2000 sites within the likely zone of impact and proximity to QI's / SCI's, including transient QI's / SCI's.
- The recently designated North-West Irish Sea SPA and any potential future designations.

8.4 Procedures

At the pre-application consultation meeting, the prospective applicant was advised that the procedures as outlined under ABP-315800-23 remain appropriate and applicable to any application made on foot of this pre-application consultation request. There were no further procedural queries raised.

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), S.291(3)(d) and S.291(4) of the Planning and Development Act, 2000 (as amended).

Having regard in particular to S.291(4) of the 2000 Act, as amended, the Coastal Planning Authorities in this case are taken to comprise Dun Laoghaire Rathdown County Council and Wicklow County Council.

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.

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.

8.5 Transboundary Consultation

In addition to the above persons, it is recommended that the following States are also consulted. Having regard to their common relationship with the Irish Sea and their proximity to the proposed development, 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 migratory and/or mobile species that are qualifying interests for further afield SPAs and SACs (incl. birds, marine mammals & fish).

- Northern Ireland
- Isle of Man
- England
- Scotland
- Wales

9.0 CONCLUSION

Following the completion of the pre-application meeting on 23/10/2024, I am of the opinion that the process should be concluded. In this regard, the Board should notify the prospective applicant that the process is closed and include the attached list of bodies to whom the applicant is requested to send copies of any subsequent application, in accordance with S291(3)(b) and S291(3)(d).

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.

 25/11/24

Conor McGrath

Assistant Director of Planning

25/11/2024

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. Minister for Rural and Community Development
7. Environmental Protection Agency
8. Maritime Area Regulatory Authority
9. Marine Institute
10. Inland Fisheries Ireland
11. Health and Safety Authority
12. Commission for Regulation of Utilities
13. Fáilte Ireland
14. An Comhairle Ealaíon
15. An Taisce
16. Heritage Council
17. Eastern & Midland Regional Assembly
18. National Transport Authority
19. Iarnród Éireann
20. Transport Infrastructure Ireland
21. Commission for Railway Regulation
22. Irish Aviation Authority
23. Sustainable Energy Authority of Ireland
24. Eirgrid
25. Commissioner of Irish Lights
26. Irish Coastguard
27. The Northern Ireland Department for Regional Development, Loughs Agency
28. The Minister for Foreign Affairs.
29. Coastal Planning Authorities: Dun Laoghaire Rathdown County Council & Wicklow County Council