

From: [Communications](#)
To: [Marine](#)
Subject: FW: [RYA123/0032]/[East Coast Fishers]/[SSE - Planning File] SSE Sure Partners in Marine Planning application ABP 319864-24
Date: Wednesday 15 July 2026 15:57:32
Attachments: [Letter from An Bord Pleanála of 29th May 2026_5133644_5176478.PDF](#)
[20260714 East Coast Fishers objection of further information from SSE.pdf](#)

From: Gus Cullen <Gus.Cullen@acslsolicitors.ie>
Sent: Tuesday 14 July 2026 20:48
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Subject: RE: [RYA123/0032]/[East Coast Fishers]/[SSE - Planning File] SSE Sure Partners in Marine Planning application ABP 319864-24

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Dear Colleagues

We attach further observations to the further information submitted by SSE Sure Partners in Marine Planning application ABP 319864-24 and attach your letter of 29/5/26 inviting observations for ease of reference .

Best wishes

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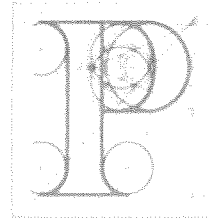
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02 JUN 2026

Our Case Number: ABP-319864-24

Your Reference: East Coast Fishers (Group 1)



An
Coimisiún
Pleanála

Augustus Cullen Law Solicitors
7 Wentworth Place
Wicklow
Co. Wicklow
A67 FX59

Date: 29 May 2026

Re: Proposed offshore wind energy development - Arklow Bank Wind Park 2

Located off the coasts of Co. Wicklow and Co. Wexford

(<https://www.arklowbank2offshoreplanning.ie/>)

Dear Sir / Madam,

I refer to the above mentioned proposed development.

Please be advised that the Commission has received significant additional information from the applicant with regard to this case.

In accordance with the provisions of section 292(2) of the Planning and Development Act 2000, as amended, the Commission is required to publish notice of the further information and to make same available for inspection and/or purchase. It also requires that such notices will enable written submissions in relation to the further information be made to the Commission before a date to be specified in the notice.

In this regard the notices will be published on the 3rd June, 2026 in the Irish Independent, Gorey Guardian, Wicklow People and Seachtain (Irish notice only). Submissions or observations must be received by the Commission **no later than 29th July 2026**. Please note that there is no fee required to make a submission in relation to those parties/individuals who have already made a valid written submission to the Commission regarding the application.

The further information submitted by the applicant is also available to be viewed on the Commission's website at <https://www.pleanala.ie/en-ie/case/319864>.

The documentation may also be viewed on the following website:
<https://www.arklowbank2offshoreplanning.ie>.

Once notice of the further information is published these notices will be uploaded to the Commission's website for information.

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If you have any queries in the meantime, please contact the undersigned officer of the Commission or email marine@pleanala.ie quoting the above mentioned An Coimisiún Pleanála reference number in any correspondence with the Commission.

Yours faithfully,



Honor Caird Marren
Executive Officer
Direct Line: 01-8049315

OA46

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14/7/26

CONSOLIDATED FURTHER OBJECTION

Arklow Bank Wind Park 2 – Response to Further Information

On behalf of East Coast Fishers

By Online Submission

An Coimisiún Pleanála

64 Marlborough Street

Dublin 1

Re: ABP-319864-24 – Arklow Bank Wind Park 2

Further Submission on Behalf of East Coast Fishers in Response to Further Information

Dear Sir/Madam,

We act on behalf of **East Coast Fishers**, comprising commercial fishermen operating from Wicklow, Arklow and neighbouring east coast ports whose livelihood depends upon sustainable fisheries resources, including whelk, lobster, crab, shrimp and associated fish stocks within the Irish Sea.

We refer to:

- our previous submissions and objections;
- the Board's Further Information request;
- the Applicant's response to that request;
- the revised Planning Report;
- the revised Natura Impact Statement;
- the revised ecological, fisheries, marine mammal, sediment mobility, underwater noise and ornithological reports;
- the revised benthic survey undertaken by AQUAFACT on behalf of the Applicant.
[\[20260301 P...ised March | PDF\]](#), [\[20260320 V...eport 2025 | PDF\]](#)

Having reviewed the further information, our clients maintain their objection in full.

Indeed, the further information has reinforced a number of concerns previously identified by both the fishing community and the Board.

Most significantly, the Applicant's own revised ecological material demonstrates continuing scientific uncertainty regarding benthic habitats, reef-forming species, cumulative impacts and ecosystem effects.

Accordingly, the precautionary principle assumes central importance.

1. THE PRECAUTIONARY PRINCIPLE MUST GOVERN THIS APPLICATION

The Applicant repeatedly seeks to demonstrate that adverse environmental effects are unlikely.

That is not the test.

Where the Board is carrying out an Appropriate Assessment under Article 6 of the Habitats Directive, consent may only be granted where it has been established beyond reasonable scientific doubt that adverse effects upon protected European sites and their conservation objectives can be excluded.

The Applicant's documentation repeatedly employs language such as:

- potential habitat;
- possible effects;
- low likelihood;
- unlikely;
- not anticipated;
- may indicate;
- monitoring required;
- adaptive management.

The persistence of such uncertainty is itself evidence that scientific certainty has not been achieved.

The Board is respectfully reminded that uncertainty must be resolved before consent rather than through post-consent monitoring.

Monitoring is not mitigation.

Monitoring is not avoidance.

Monitoring cannot retrospectively reverse ecological damage.

2. EMERGING REEF HABITAT AND SABELLARIA CONCERNS

The most significant issue arising from the revised benthic survey is the Applicant's own evidence concerning reef-forming species.

The AQUAFACt survey records the presence of:

- *Sabellaria spinulosa*;
- *Sabellaria alveolata*;
- reef fragments;
- mixed sediments supporting reef-forming communities. [[20260320 V...eport 2025 | PDF](#)]

Importantly, the report expressly states that:

"the presence of both *Sabellaria alveolata* and *Sabellaria spinulosa* in moderate numbers with some reef fragments was notable" and that this "may indicate the potential formation of a new reef system". [[20260320 V...eport 2025 | PDF](#)]

This statement is of considerable significance.

The Applicant cannot simultaneously rely upon:

- the absence of identified reef structures,

while also acknowledging:

- the presence of reef-forming species;
- reef fragments;
- habitat characteristics associated with reef development; and
- the potential formation of a new reef system. [[20260320 V...eport 2025 | PDF](#)]

The Applicant's own survey therefore demonstrates that uncertainty remains regarding the extent, condition and future development of reef-forming habitats.

The Board should not assume that current surveys have fully captured the extent of ecologically important reef-forming communities.

3. CONNECTIVITY WITH THE WICKLOW REEF SAC

The revised benthic survey expressly acknowledges that the survey area lies in proximity to the Wicklow Reef SAC and recognises the potential for reef habitat within the wider survey area. [[20260320 V...eport 2025 | PDF](#)]

Our clients submit that insufficient consideration has been given to:

- ecological connectivity;
- larval dispersal;

- habitat succession;
- long-term reef development;
- cumulative habitat fragmentation.

The Applicant assesses habitats primarily within the confines of the project footprint.

However, ecological systems do not recognise development boundaries.

Where reef-forming species are present and where habitat continuity may exist between the development area and the wider reef ecosystem, the Board must consider whether adverse effects can truly be excluded beyond reasonable scientific doubt.

The existence of reef-forming species outside designated boundaries does not diminish their ecological significance.

Rather, it may demonstrate broader ecosystem connectivity with protected habitats.

4. THE APPLICANT'S SURVEYS DEMONSTRATE SCIENTIFIC UNCERTAINTY

The revised survey evidence itself reveals significant limitations.

The AQUAFACt report records that:

- visibility was often poor;
- strong currents were present;
- suspended sediments affected survey conditions. [\[20260320 V...eport 2025 | PDF\]](#)

The report states that despite poor visibility sufficient images were obtained to permit assessment. However, poor visibility necessarily reduces confidence in negative findings. [\[20260320 V...eport 2025 | PDF\]](#)

The Board should therefore be cautious before treating:

- absence of observed reef;
- absence of observed species;
- absence of observed habitat features,

as definitive proof of absence.

In a dynamic marine environment poor visibility increases uncertainty.

The precautionary principle requires that uncertainty to be weighed against development, not ignored.

5. CUMULATIVE IMPACTS REMAIN INADEQUATELY ADDRESSED

East Coast Fishers continue to submit that the application is fundamentally flawed because it evaluates impacts principally on a project-specific basis.

The Irish Sea is now experiencing unprecedented industrialisation through offshore wind development.

The cumulative effects of:

- Arklow Bank projects;
- Codling Wind Park;
- Dublin Array proposals;
- North Irish Sea developments;
- cable corridors;
- offshore substations;
- repeated piling operations;
- vessel traffic;
- seabed disturbance,

have not been satisfactorily assessed from either an ecosystem or fisheries perspective.

The Board is respectfully requested to assess this proposal as part of a developing Irish Sea industrialisation programme rather than as an isolated project.

6. COMMERCIAL FISHERIES IMPACTS REMAIN UNDERSTATED

The Applicant continues to underestimate the significance of impacts upon commercial fisheries.

Our clients depend upon:

- access to traditional fishing grounds;
- stable benthic habitats;
- productive shellfish stocks;
- navigational freedom;
- uninterrupted fishing effort.

The project threatens:

- displacement from traditional grounds;
- interference with potting activity;

- increased steaming time;
- safety risks;
- gear conflict;
- concentration of fishing activity into smaller areas.

No satisfactory mechanism has been produced addressing:

- economic losses;
- long-term business disruption;
- cumulative impacts from multiple developments.

7. BENTHIC ECOLOGY IS MORE COMPLEX THAN THE APPLICANT SUGGESTS

The revised benthic survey identifies:

- 233 taxa;
- multiple benthic habitat types;
- coarse sediment communities;
- mixed sediment communities;
- reef-associated communities;
- Sabellaria-associated communities. [[20260320 V...eport 2025 | PDF](#)]

Far from demonstrating ecological simplicity, the Applicant's own survey reveals substantial ecological diversity.

The survey identifies biologically significant habitats and confirms the ecological complexity of the development area. [[20260320 V...eport 2025 | PDF](#)]

Our clients submit that disturbance of such habitats cannot be dismissed as insignificant merely because impacts are geographically confined.

8. MARINE MAMMALS, UNDERWATER NOISE AND ECOSYSTEM EFFECTS

The revised marine mammal and underwater noise assessments continue to recognise the existence of significant acoustic disturbances during construction.

While mitigation is proposed, uncertainty remains concerning:

- displacement of marine mammals;
- alteration of feeding patterns;

- behavioural changes;
- indirect ecological impacts.

The Applicant's approach remains dependent upon mitigation and monitoring rather than avoidance.

9. ORNITHOLOGY AND KITTIWAKE IMPACTS

East Coast Fishers maintain their objections to the Applicant's ornithological assessment.

In particular, our clients submit that the treatment of:

- Kittiwake displacement;
- collision risk;
- cumulative mortality;
- cumulative offshore wind impacts

remains inadequate.

Our clients expressly rely upon and adopt the submissions of **Marie Louise Heffernan**, whose specialist observations elaborate upon the deficiencies within the Applicant's assessment.

Those submissions should be read as incorporated into this submission.

10. CONSULTATION IS NOT MITIGATION

The Applicant repeatedly relies upon consultation and fisheries liaison.

Our clients submit that consultation is not mitigation.

Consultation:

- does not restore lost fishing grounds;
- does not prevent habitat disturbance;
- does not compensate economic loss;
- does not reduce cumulative ecological effects.

Meaningful engagement remains important but it cannot substitute for avoiding harm.

11. ABSENCE OF COMPENSATION FRAMEWORK

No binding and independently verified compensation scheme has been produced addressing:

- displacement losses;
- loss of catch;
- increased operating costs;
- long-term reduction in earnings;
- cumulative impacts from multiple developments.

For a project expected to affect fishing activity over decades, this omission is striking.

CONCLUSION

The further information does not resolve the concerns previously identified.

On the contrary, the Applicant's own revised ecological evidence now demonstrates:

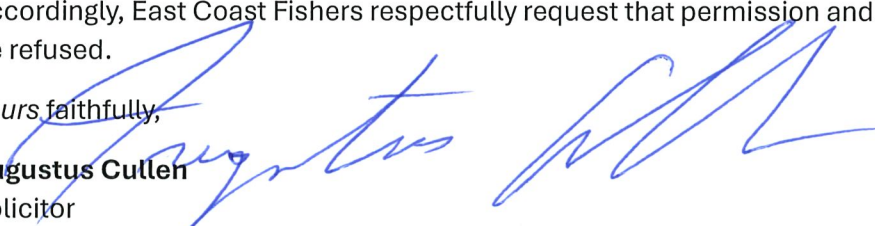
- the presence of reef-forming species;
- reef fragments;
- potential formation of a new reef system;
- ecological connectivity concerns;
- survey limitations arising from visibility constraints;
- continuing scientific uncertainty regarding environmental impacts. [[20260320 V...eport 2025 | PDF](#)]

In such circumstances the precautionary principle must prevail.

East Coast Fishers respectfully submit that An Coimisiún Pleanála cannot lawfully conclude beyond reasonable scientific doubt that the proposed development will not adversely affect protected habitats, fisheries resources, marine ecology and connected ecosystem functions.

Accordingly, East Coast Fishers respectfully request that permission and associated consents be refused.

Yours faithfully,


Augustus Cullen
Solicitor

Augustus Cullen Law

For and on behalf of East Coast Fishers