

< [REDACTED]

TO5/640A Dooneen Pier,
Dunmanus Bay, Kilcrohane,
Sheepshead >




Dear Sirs,

I write to resist strongly the proposed application for a seaweed farm based at the aforementioned pier.

I know the place very well [REDACTED]

[REDACTED] It has forever been a place of bliss of rural peace and tranquility for its residents and occasional visitors both human and animal. The pier is tiny and surrounded by precipitous cliffs. Storms regularly hit the pier with great force sweeping all away including the road and sea walls. It is an elemental place.

The cliffs are friable and dangerously snap and decay and fall with great regularity. There are dangerous caves and Blow holes the size of cars open. Boulders the size of washing machines are tossed about up onto the land. It is a dangerous, wild and beautiful isolated place. All the sheep that graze on the headland adjacent to the pier were swept away in a recent violent storm. It is simply unsafe but romantically we do not have enough of such elemental places left in this mad world. I have seen the sea there dangerously and violently rough.. too rough for anything man made to resist its violence so why risk simply wasting and littering the place with a tangle of broken seaweed cables? All the older 19th century housing in the area was built sensibly about 400 ft back and about 80ft up from the bay. These have survived. This should tell us something.



I have also seen at least two red tides in the bay in the last 5 years which would surely not be good for a seaweed harvest.

The precarious windy tiny single track lane that tightly winds down to the pier does not allow for cars to pass at all or pass people in safety. This tiny road should of itself preclude this proposed seaweed farm from being granted permission. It would destroy the rural charm of the place to widen them and be an expensive and dangerous task as the roads back onto sheer rock at many pinch points.

Tourists to the Sheepshead visit Dooneen pier to swim, scuba dive, fish and canoe or just to stare at the unspoilt wild beauty of the bay. It can be a lively place in the summer months with visitor traffic: cars, walkers and cycles competing with the regular farm traffic.

The Sheepshead is a rugged wild place with surprisingly little real community access to the sea. Please let it be left as it is. I am sure there are plenty of more practical commercial alternatives that will enable this remote and valued Pier to be left in peace and quiet.

Yours faithfully



OKeefe, Therese

From: [REDACTED]
Sent: Saturday 23 July 2022 15:50
To: APC
Subject: Application TO5/640A

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Dooneen Pier and North Shore Dunmanus Bay

[REDACTED] I object to the application by Bantry Marine Research Station to establish a seaweed farm on the basis of the unsuitability of the road to Dooneen Pier. This is a single track road 1.5km long with 7 blind corners, no lay-bys or turning places. The road is part of the Sheepshead Way and is daily used by walkers, farmers walk livestock between fields on the road, children walk up the road to meet the school bus and return, people fish from the pier and a diving club use the pier. Dooneen Pier is the only pier on the Sheepshead to have the Green Coast Award. This beautiful area is enjoyed by visitors and locals and should be kept that way, preserved for the many not the profit of one.

[REDACTED]

O'Keeffe, Therese

From: [REDACTED]
Sent: Sunday 24 July 2022 14:19
To: APC
Subject: Objection to aquaculture project T05/640A

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Greetings,

I am writing to strenuously object to the proposed aquaculture project submitted by the Bantry Marine Research Station, reference T05/640A which is a joint foreshore licence and aquaculture licence application for Dooneen Pier, Dunmanus Bay.

My family has been in Dooneen since 1984. In that time the road has remained exactly the same: a narrow boreen suitable for a small car going in only one direction. Over the years the road has become increasingly dangerous with more vehicles. This has made it perilous for my elderly mother to go for her daily walk, for my neighbors' children to walk the short distance to their grandmother's house, for me to walk my dog, and for my neighbors to move their cattle or sheep from field to field.

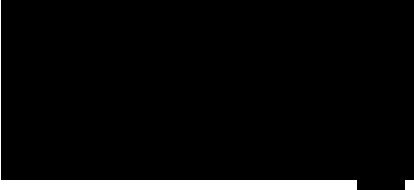
The proposed project calls for lorries to be used to transport the harvest of seaweed. This is totally unacceptable! The road simply can't accommodate lorries for both safety and environmental reasons. The hedges, which are overgrown and spill onto the road, are filled with nesting birds and wildflowers. The proposed harvest period of April and May, with the accompanying human and lorry traffic, would directly destroy and/or put undue pressure on this important and critical habitat.

Dooneen is the star in the crown of the Sheep's Head Way, drawing walkers and hikers to her beautiful and unspoilt coastline. In addition, Dooneen Pier has rightfully been awarded with a Green Coast Award, the only such recipient on the Sheep's Head, and one of only 15 in all of Cork County. This award recognizes "excellent water quality," but also the location's "natural, unspoilt environment." Placing a large aquaculture project, with its numerous permanent and temporary buoys, a stones throw from such a lauded and pristine pier, would be a disaster.

Lastly, the project would not significantly increase employment options for local residents. The only employment opportunities would be to assist with harvest, which would only last a few days at most and would not make a significant impact on the local economy.

For all of the above reasons and more that I haven't mentioned, I implore you to NOT approve the application.

Sincerely,



OKeeffe, Therese

From: [REDACTED]
Sent: Tuesday 26 July 2022 15:24
To: APC
Subject: Letter of objection to application T05/640A Dooneen Point from [REDACTED] resident
Attachments: [REDACTED] letter of objection T05640A.pdf

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26 07 2022

FAO Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
Cork

Please find attached as a pdf, a letter of objection to application T05 640A for Dooneen Point from [REDACTED]

25 July 2022

To Whom it May Concern,

[REDACTED]

[REDACTED] We were very disappointed to learn of Bantry Marine Research Station's application for an aquaculture project directly next to the pier [REDACTED] (Reference #T05/640A)

We object to this project for the following reasons:

[REDACTED]

[REDACTED] Having to look at hundreds of buoys and lighted beacons from this vantage point day and night would be an unfair eyesore.

-We are very worried about the traffic up and down our narrow lane. We welcome walkers on the Sheep's Head Way, but any increase in traffic to and from the pier, either by car, van or lorry, is unsafe for our children and elderly. It also makes moving our animals difficult and dangerous.

-The project will stop local people from fishing from the pier or placing their lobster pots in that region, something they have done for generations.

-The project will not benefit or even increase employment for local people now or in the future.

People with local knowledge, for example my family and the other longtime residents of Dooneen, were never consulted with or considered when this project was designed. The beauty of Dooneen Pier will be destroyed, our road will become even more dangerous, and local people will not benefit. This project must be refused.

Sincerely,

[REDACTED]

OKeefe, Therese

From: [REDACTED]
Sent: Wednesday 27 July 2022 13:00 [REDACTED]
To: APC
Subject: Application T05/640A
Attachments: 2022-07-27 12-32.pdf; ATT00001.txt

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Dear all,

Please see attached notice of objection to application T05/640A.

Kind regards,

[REDACTED]

To: Minister for Agriculture, Food and the Marine
Aquaculture and Foreshore Management Division
National Seafood Centre, Clonakilty, Co. Cork

Email: APC@agriculture.gov.ie

Re: Application T05/640A for an Aquaculture Licence to cultivate various aquatic plants on an area of foreshore adjacent to Dooneen Pier along the north shore of Dunmanus Bay, Co. Cork

NOTICE OF OBJECTION TO THE ABOVE REFERENCED APPLICATION

I wish to object to the above application for the reasons outlined below.

1. No economic benefit to the area - in fact the opposite – negative impact on tourism and fishing – and no new local jobs.
2. Physical damage to the totally unsuitable road (a very narrow unlit track more suited to one way traffic) and pollution from emissions caused by the HGVs transporting the harvested seaweed from the pier to the R591 and onwards through the already congested village of Kilcrohane .
3. The safety impact on local residents (which includes children) from the increased traffic passing through the town land and the negative impact on the 'peace and enjoyment' to which the local residents are entitled.
4. Impact on local fishermen – 50 growth lines, 130 floats, 1,500 buoys and 4 illuminated marker beacons on a very expansive area of traditional fishing ground.
5. The visual impact on tourism – Dooneen is a busy recreational pier used by locals and tourists for swimming and angling. This pier is the only one on the entire Sheep's Head Peninsula to be awarded a Green Coast Award as a beach with excellent water quality and which is prized for its natural unspoilt environment.
6. The danger to walking groups hiking the renowned and very popular Sheep's Head Way which received the coveted European Destination of Excellence (EDEN) award in 2009 for developing tourism in a protected area in a sustainable manner.
7. The adverse impact on the Sheep's Head to Toe Head SPA (Site Code 004156) as the seaweed harvesting haul route will go through the entire SPA during the nesting period of the protected choughs and peregrine falcons

Date: 27th July, 2022

OKeeffe, Therese

From: [REDACTED]
Sent: Wednesday 27 July 2022 14:40
To: APC
Subject: Objection reference T05/640A

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Dear Sir/Madam,

I object to the application for an aquaculture project at Dooneen Pier, Dunmanus Bay submitted by the Bantry Marine Research Station, reference T05/640A.

I object because the road to Dooneen Pier is a very narrow one. It is used not only by the local landholders to move cattle and sheep from field to field, but also by hikers and walkers, such as myself and other neighbors. I [REDACTED] find it very difficult and frightening to have to give way when any car approaches, especially larger ones. Any increase in traffic on this road could be deadly for me.

I'm also worried about how this project will impact the community I have lived in since the early 1980's. I'm concerned about safety on the road and at the small pier, but I am also very concerned about the habitats along the road. There are many species of wildflowers and nesting birds who will be negatively affected by yet another vehicle, especially in the spring during their nesting period. I understand this is when the seaweed would be harvested and transported by lorry using the Dooneen Road.

I am dismayed that no one in this small community, who will be directly affected by the project, was contacted or consulted before the application was made. How can we be so ignored!

Please take my objection seriously.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

OKeeffe, Therese

From: [REDACTED]
Sent: Wednesday 27 July 2022 16:56
To: APC
Subject: Objection to Aquaculture Project T05/640A · Sheep's Head · West Cork

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To Whom It May Concern:

[REDACTED] My family has been part of this community since 1984.

It has come to my attention that there is a plan on to install a gigantic seaweed farm at the end of my road i.e. adjacent to Dooneen Pier and in the nearby area of Dunmanus Bay. The plan in question is application reference T05/640A - which is a joint foreshore licence and aquaculture licence application.

I wish to strongly OBJECT to and OPPOSE this misguided plan which in the interests of financial gain will severely effect the natural beauty and pristine quality of this bay and this townland and pier, and the wellbeing of the residents of the community.

Dooneen Pier is a beautiful recreational spot for sailing, kayaking, fishing, and swimming. It is ABSOLUTELY NOT appropriate to install a commercial aquaculture operation in this location. On top of that, I have been informed that large lorry traffic will be coming up and down the Dooneen Pier road which is totally dangerous to elderly people and kids out for a walk, cyclists, tourists who are enjoying the famous Sheep's Head Way etc.

Please register my strong OBJECTION to this plan as a resident of the community which will be most grievously impacted by it.

Thank you for your attention to this matter and please contact me with any further questions,

[REDACTED]

Fitzpatrick, Deirdre

From: [REDACTED]
Sent: Thursday 28 July 2022 10:20
To: APC
Subject: Application T05 / 640A
Attachments: Notice of Objection Dooneen-Final.docx; ATT00001.htm

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Dear Sir / Madam,

I hereby re-send my Notice of Objection to the Application which now includes my full address and today's date.
Apologies for not including the address in yesterday's email.

[REDACTED]

[REDACTED]

To: Minister for Agriculture, Food and Marine
Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork

Email: APC@agriculture.gov.ie


APPLICATION TO5 / 640 A
Dooneen
Dunmanus Bay
County Cork

NOTICE OF OBJECTION
TO THE
APPLICATION

GROUNDS FOR OBJECTION

1. These objections are based on the following items of information
 - (i) Application Ref TO5/640 which consists of 36 pages in all (“the Application”)
 - (ii) Report by Marine Institute dated June 2022 supporting Appropriate Assessment of the Application (“Screening Document”)
 - (iii) A presentation given by Dr. Julie Maguire at Kilcrohane Community Hall on Thursday 21st July 2022

2. The objections to the application relate to

- 
-
- (i) The visual and operational impacts of the proposed development on the amenity of the pier as a recreational facility which has been formally recognised by its Green Coast Award Status
 - (ii) The operational and safety impacts on local residents and users of the Sheep's Head Way Route 80
 - (iii) The adverse impact the Sheep's Head to Toe Head SPA (Site Code 004156)
 - (iv) The defective Screening Document.

3. Visual and Operational Impacts

The application site is located in a sensitive location. Dooneen Pier has received a Green Coast Award (see <https://beachawards.ie/green-coast>). The award is made

“... for beaches which have excellent water quality, but which are also prized for their natural, unspoilt environment”.

There are only 15 such beaches on the whole Cork County coastline (numbers 20-34 inclusive). Dooneen is the only beach on the Sheep's Head Peninsula to have been awarded this status (number 33).

- 4. Neither the Application nor the Screening Document acknowledge the award which has national status although a plaque acknowledging the award is fixed to the wall leading down to the pier itself.
- 5. The sheer scale of the proposal means that the “*natural unspoilt environment*” which justified the award would be fundamentally changed. The seascape could no longer properly be described as “*unspoilt*” given the constituent items of development as listed below.
 - (i) The beacons, buoys, floats and ropes cover an area of 15.73 ha - which is equivalent in area to 12 Croke Park pitches (Application page 34).
 - (ii) The four marker beacons at the site's four corners are 1.383 m above water level (4'6”) and for marine safety reasons they are deliberately highly visible and illuminated at night (Application page 32).

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- ██████████
- (iii) There will be 100 MF130 floats attached to the lines as shown on drawing DP-PD-01 (Application page 34)
 - (iv) In addition, the seaweed growth lines have grey floats (shown at page 36 of the Application) spaced at 14/100 m, i.e. one every 7 m or so. Based on the site layout drawing at page 34, the growth lines are 605-160 long = 445 m, therefore there will be over 60 of these buoys on each line and therefore 1,500 in all.
 - (v) There is an uninterrupted view of the elements of the Application which lies about 300 metres east of the pier which points in that direction and forms an important part of the view.

At the presentation it was suggested that, despite the detail shown in the site layout, there would in fact be fewer lines because the spacing between the seaweed lines should be 20m and not 10m as shown. It is alarming that such a fundamental error has been allowed to remain in the application. These comments are made on the basis of the application as submitted. Even if there were half as many lines as suggested at the presentation, there would still be 4 illuminated beacons, 50 MF 130 floats and 750 grey floats within an area which would remain enormous at 15Ha. There is, therefore, no material distinction between the adverse impact on the Green Coast Award beach of the larger and the “smaller” scheme.

6. It is obvious that this proposal would have a permanent adverse effect on the visual amenity of the award winning pier. This demonstrates that this is the wrong location for a seaweed cultivation site.

Sheep's Head Way

7. The Sheep's Head Way walking route forms part of Ireland's Wild Atlantic Way. It was awarded the prestigious status of European Destination of Excellence (thesheepsheadway.ie). It has been described as “one of Ireland's best loved walking routes” (<https://livingthesheepsheadway.com>).

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- ████████████████████
8. Section 7 of the Sheep's Head Way : Letter West to Kilcrohane includes a 1.5 km Section which passes by Dooneen Pier and heads up to the main road where the pier is signposted. The walk from the pier up to the main road is a narrow agricultural way serving a handful of houses which is suitable for one way traffic only. It is a track which is completely unsuitable for commercial traffic such as is proposed. There are a few house and field accesses along the 1.5 km stretch which offer an opportunity for two cars to pass but otherwise the track is not capable of carrying two vehicles. Pedestrians using the Sheep's Head Way would be, at the very least, inconvenienced by vehicles collecting seaweed from the pier and there is clear risk of conflict with pedestrians and a danger to them from conflict with large commercial vehicles on a narrow unlit track.
 9. The Application (at page 29) shows the intended route for seaweed collection which coincides with the Sheep's Head Way.
 10. At the presentation it was revealed that all seaweed would be harvested in April/May. The Application sets out a projected annual tonnage from year 3 onwards of 110 tonnes. Over an 8 week period that amounts to over 14 tonnes per week. There was confusion at the presentation as to what type of vehicles would be used to move the 1 ton bags of seaweed. If it were 1 bag per vehicle that would represent 14 two way journeys, i.e. 28 movements every week throughout the 1.5 km length of the Sheep's Head Way, between 4 and 6 movements every day depending on a 5 or 7 day working week. This represents a very marked increase in traffic which walkers and local residents on foot or in their cars would need to contend with during this 8 week period. They would expect to see the odd agricultural vehicle or resident's/fishermen's car but not frequent commercial vehicles. If a larger vehicle is used such as a 3.5 ton HGV then the interference with the enjoyment of their walk or journey to or from their home will be less frequent but in terms of pedestrian and vehicle safety the impact is more severe, given the narrow nature of the track and larger commercial vehicles being used.
 11. The Sheep's Head Way is popular all year round but the period of harvesting will coincide with Easter holidays and the extra daylight hour when the clocks move forward so that the route will be well used during this period and conflict with local pedestrian and vehicular traffic is inevitable and potentially dangerous.

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12. Sheep's Head Way walkers who make their way along the track down to the pier cannot fail to see the 15 ha development as they will be staring at it as they walk down to the pier faced by a vast clutter of beacons, buoys and floats.
13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

Impact on SPA

14. The existence of the Sheep's Head to Toe Head SPA is noted on page 10 of the Application but only in so far as it is "*adjacent or in the vicinity*" of the application site. In fact the complete length of the haul route is within the SPA as the map at page 2 of the Screening Document makes clear when compared with the haul route shown at page 31 of the Application.
15. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest.
16. The harvesting period of April/May coincides with the nesting period for Choughs

"... the female lays 3-5 eggs at 1-3 day intervals in April. She incubates alone for 17-21 days..." "...the young fly at 6-7 weeks of age", "They are able to feed themselves three weeks later (rspb.org.uk).

And for Peregrines:

"The female normally lays a clutch of three or four eggs in late March or April at 2-3 day intervals. Both birds share the incubation which begins with the last or penultimate egg and takes 29-32 days per egg...", "the young fledge at 35-42 days and are independent two or more months later..." (rspb.org.uk).

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17. The haul route through the SPA represents an unacceptable intrusion into the protected habitat of the chough and the peregrine at a critically important period of the development of the young of both species.

18. The proposal should be rejected on this basis, too.

The Screening Document

19. The Application correctly acknowledges the existence of the SPA. This has consequences of any application which may affect the SPA.

20. The current guidance on AAs is “Appropriate Assessment Screening for Development Management: IOPR March 2021”. Relevant aspects of the guidance include this requirement

“... Identifying all potential direct and indirect impacts that may have an effect on the conservation objections of a European site taking into account the size and scale of the project under the following headings...”

“... Operational phase ... noise/vibration ... presence of people, vehicles and activities ... Potential for accidents or incidents...” (OPR Protection Note PN01 page 23)

21. In defining Direct and Indirect effects the guidance refers to

“... haulage routes including heavy machinery may have to traverse a European Site to access the development site” (PN01 page 6)

The haulage route for the seaweed movement clearly falls into this category of effect.

22. The risk of adverse effects is explained in this way in the guidance -

████████████████████

“The triggers for appropriate assessment are based on a likelihood (read as possibility) of a potential significant effect occurring and not on certainty. This test is based on the precautionary principle.” (PN07 page 7)

The precautionary principle is explained in these terms -

“The precautionary principle means that where the most reliable information available leaves obvious doubt as to the absence of significant effects, the project cannot be screened out and an appropriate assessment must be carried out.” (PN01 page 8)

23. The Screening Document expressly accepts that the PN01 guidance is relevant (AA page 4: Section 1.3 and 1.4 at page 5).

24. The Screening Document purports to satisfy the screening requirements of the AA process at para 2.4.2 for Peregrines and 2.4.3 for Choughs.

“2.4.2 Peregrine (Falco peregrinus)

The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal areas also but not over subtidal areas. The proposed activity does not directly overlap with the Sheep’s Head to Toe Head SPA and therefore cannot directly affect the protected habitat of this species. For these reasons, potential adverse effects of the proposed activities on Peregrine can be screened out.” (emphasis added)

2.4.3 Chough (Pyrrhocorax pyrrhocorax)

Chough are largely considered a terrestrial species as they roost in coastal cliffs and forage on coastal grasslands. The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For these reasons, the potential for the proposed activities on Chough can be screened out.” (emphasis added)

The screening out of the effects of development on the SPA are fundamentally flawed because the haulage route for the HGV’s carrying the seaweed is over the SPA for the whole of its length until it reaches the main road. This is abundantly clear from the Application Map on page 31: “Site Location Map: access route to site from Public

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Road". The guidance says this effect during the operational phase should be taken into account but it has not. Quite the opposite, it has been deliberately ignored and screened out.

25. The Screening Document has incorrectly excluded the off site effects of the proposal on the adjacent SPA contrary to the guidance which is agreed to be relevant. The screening out is therefore erroneous and a licence issued in reliance upon the Screening Document would be liable to successful challenge in the courts.

26. This is not a merely technical point because the evidence suggests there could well be an adverse effect on Peregrines and Choughs during their breeding / nesting season by reason of seaweed haulage through the SPA. It is at the very least, based on the precautionary principle, something which needs to be subject to a full appropriate assessment which has not been done.

CONCLUSIONS

27. I support the principle of seaweed cultivation and acknowledge its benefits as explained by Dr. Julie Maguire in her presentation. However, a development such as this should not be located in such a sensitive location.

28. The sensitive nature of this location cannot sensibly be denied. The individual impacts set out above are unacceptable and when considered cumulatively they should be rejected out of hand.

29. The applicants are prepared to operate over wide locations. They have existing facilities in Gearhies and Toormore, on the other side of Mizen Head. Their area of search is therefore broad. There has been no evidence adduced to say that this site is the only location within their broad area of search which is suitable for their purposes. The application (page 9 question (xi)) simply declares in answer to the question "*Reasons for site selection*" that "*Dunmanus Bay has ideal conditions for growing indigenous species of seaweed*". However, given that they have existing facilities in two different

bays, there appears to be nothing that makes a location in Dunmanus Bay essential. The application goes on to say that “*The site itself is sheltered and has access from a nearby pier for maintenance purposes*”. What the application has completely failed to acknowledge is that the pier in question is the only Green Coast Award beach on the peninsula. In terms of site selection the application has also ignored the effect of development on the nationally/internationally significant The Sheep’s Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep’s Head Way, makes selection of this site for this proposal both inexplicable and indefensible . This is the wrong location for this proposal.

30. The Objections raised and explained here are not intended to exclude any other objections that may be made by others on different grounds such as interference with fishing etc.

31. I ask that this application be refused. Even a development which was reduced in size would be unacceptable at this location.

28 July 2022

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Thursday 28 July 2022 13:40
To: APC
Subject: Objection

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Minister for Agriculture, Food and Marine Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork
Email: APC @ agriculture.gov.ie
APPLICATION TO5 / 640 A
Dooneen
Dunmanus Bay
County Cork

NOTICE OF OBJECTION

I live in Ahakista and frequently visit the Dooneen Pier as a location of natural beauty.

GROUND FOR OBJECTION

1. These objections are based on the following items of information:
- (i) Application Ref TO5/640 which consists of 36 pages in all (“the Application”)
 - (ii) Report by Marine Institute dated June 2022 supporting Appropriate Assessment of the Application (“Screening Document”)
 - (iii) A presentation given by Dr. Julie Maguire at Kilcrohane Community Hall on Thursday 21st July 2022

SUMMARY

Dooneen Pier has been selected as a location purely because it adds maximum convenience for the commercial enterprise that will benefit from it. A proper assessment would have quickly identified this location as wholly unsuitable.

The Marine Institute Assessment is a shameful document that dismisses out of hand the true impacts of the applicant’s proposal. A proper impact assessment needs to be done independently of the applicants before any further consideration of this application is contemplated.

The work presented in my response is the proper work that a competent assessment should have presented. The detail of our objection which supports the above statements is provided in full below.

2. The objections to the application relate to:

- (i) The visual and operational impacts of the proposed development on the amenity of the pier as a recreational facility which has been formally recognised by its Green Coast Award Status
- (ii) The operational and safety impacts on local residents and users of the Sheep’s Head Way Route 80
- (iii) The adverse impact the Sheep’s Head to Toe Head SPA (Site Code 004156)
- (iv) The defective Screening Document.

3. Visual and Operational Impacts

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There are only 15 such beaches on the whole Cork County coastline (numbers 20-34 inclusive). Dooneen is the only beach on the Sheep’s Head Peninsula to have been awarded this status (number 33).

4. Neither the Application nor the Screening Document acknowledge the award which has national status although a plaque acknowledging the award is fixed to the wall leading down to the pier itself.

5. The sheer scale of the proposal means that the “natural unspoilt environment” which justified the award would be fundamentally changed. The seascape could no longer properly be described as “unspoilt” given the constituent items of development as listed below.

(i) The beacons, buoys, floats and ropes cover an area of 15.73 ha - which is equivalent in area to 12 Croke Park pitches (Application page 34).

(ii) The four marker beacons at the site’s four corners are 1.383 m above water level (4’6”) and for marine safety reasons they are deliberately highly visible and illuminated at night (Application page 32).

(iii) There will be 100 MF130 floats attached to the lines as shown on drawing DPPD- 01 (Application page 34)

(iv) In addition, the seaweed growth lines have grey floats (shown at page 36 of the Application) spaced at 14/100 m, i.e. one every 7 m or so. Based on the site layout drawing at page 34, the growth lines are 605-160 long = 445 m, therefore there will be over 60 of these buoys on each line and therefore 1,500 in all.

(v) There is an uninterrupted view of the elements of the Application which lies about 300 metres east of the pier which points in that direction and forms an important part of the view.

At the presentation it was suggested that, despite the detail shown in the site layout, there would in fact be fewer lines because the spacing between the seaweed lines should be 20m and not 10m as shown. It is alarming that such a fundamental error has been allowed to remain in the application. It makes the comments that it does above on the basis of the application as submitted, as it is entitled to do.

Even if there were half as many lines as suggested at the presentation, there would still be 4 illuminated beacons, 50 MF 130 floats and 750 grey floats within an area which would remain enormous at 15Ha. There is, therefore, no material distinction between the adverse impact on the Green Coast Award beach of the larger and the “smaller” scheme.

6. It is obvious that this proposal would have a permanent adverse effect on the visual amenity of the award winning pier. This demonstrates that this is the wrong location for a seaweed cultivation site.

Sheep’s Head Way

7. The Sheep’s Head Way walking route forms part of Ireland’s Wild Atlantic Way. It was awarded the prestigious status of European Destination of Excellence (thesheepsheadway.ie). It has been described as “one of Ireland’s best loved walking routes” (<https://livingthesheepsheadway.com>).

8. Section 7 of the Sheep’s Head Way : Letter West to Kilcrohane includes a 1.5 km Section which passes by Dooneen Pier and heads up to the main road where the pier is signposted. The walk from the pier up to the main road is a narrow agricultural way serving a handful of houses which is suitable for one way traffic only. It is a track which is completely unsuitable for commercial traffic such as is proposed. There are a few house and field accesses along the 1.5 km stretch which offer an opportunity for two cars to pass but otherwise the track is not capable of carrying two vehicles. Pedestrians using the Sheep’s Head Way would be, at the very least, inconvenienced by vehicles collecting seaweed from the pier and there is clear risk of conflict with pedestrians and a danger to them from conflict with large commercial vehicles on a narrow unlit track.

9. The Application (at page 29) shows the intended route for seaweed collection which coincides with the Sheep’s Head Way.

10. At the presentation it was revealed that all seaweed would be harvested in April/May. The Application sets out a projected annual tonnage from year 3 onwards of 110 tonnes. Over an 8 week period that amounts to over 14 tonnes per week. There was confusion at the presentation as to what type of vehicles would be used to move the 1 ton bags of seaweed. If it were 1 bag per vehicle that would represent 14 two way journeys, i.e. 28 movements every week throughout the 1.5 km length of the Sheep’s Head Way, between 4 and 6 movements every day depending on a 5 or 7 day working week. This represents a very marked increase in traffic which walkers and local residents on foot or in their cars would need to contend with during this 8 week period. They would expect to see the odd agricultural vehicle or resident’s/fishermen’s car but not frequent commercial vehicles. If a larger vehicle is used such as a 3.5 ton HGV then the interference with the enjoyment of their walk or journey to or from their home will be less frequent but in terms of pedestrian and vehicle safety the impact is more severe, given the narrow nature of the track and larger commercial vehicles being used.

11. The Sheep's Head Way is popular all year round but the period of harvesting will coincide with Easter holidays and the extra daylight hour when the clocks move forward so that the route will be well used during this period and conflict with local pedestrian and vehicular traffic is inevitable and potentially dangerous.

12. Sheep's Head Way walkers who make their way along the track down to the pier cannot fail to see the 15 ha development as they will be staring at it as they walk down to the pier faced by a vast clutter of beacons, buoys and floats.

13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

Impact on SPA

14. The existence of the Sheep's Head to Toe Head SPA is noted on page 10 of the Application but only in so far as it is "adjacent or in the vicinity" of the application site. In fact the complete length of the haul route is within the SPA as the map at page 2 of the Screening Document makes clear when compared with the haul route shown at page 31 of the Application.

15. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest.

16. The harvesting period of April/May coincides with the nesting period for Choughs "... the female lays 3-5 eggs at 1-3 day intervals in April. She incubates alone for 17- 21 days..." "...the young fly at 6-7 weeks of age", "They are able to feed themselves three weeks later (rspb.org.uk).

And for Peregrines:

"The female normally lays a clutch of three or four eggs in late March or April at 2-3 day intervals. Both birds share the incubation which begins with the last or penultimate egg and takes 29-32 days per egg...", "the young fledge at 35-42 days and are independent two or more months later..." (rspb.org.uk).

17. The haul route through the SPA represents an unacceptable intrusion into the protected habitat of the chough and the peregrine at a critically important period of the development of the young of both species.

18. The proposal should be rejected on this basis, too.

The Screening Document

19. The Application correctly acknowledges the existence of the SPA. This has consequences of any application which may affect the SPA.

20. The current guidance on AAs is "Appropriate Assessment Screening for Development Management: IOPR March 2021". Relevant aspects of the guidance include this Requirement

"... Identifying all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site taking into account the size and scale of the project under the following headings..."

"... Operational phase ... noise/vibration ... presence of people, vehicles and activities

... Potential for accidents or incidents..." (OPR Protection Note PN01 page 23)

21. In defining Direct and Indirect effects the guidance refers to

"... haulage routes including heavy machinery may have to traverse a European Site to access the development site" (PN01 page 6)

The haulage route for the seaweed movement clearly falls into this category of effect.

22. The risk of adverse effects is explained in this way in the guidance -

"The triggers for appropriate assessment are based on a likelihood (read as possibility) of a potential significant effect occurring and not on certainty. This test is based on the precautionary principle." (PN07 page 7)

The precautionary principle is explained in these terms -

"The precautionary principle means that where the most reliable information available leaves obvious doubt as to the absence of significant effects, the project cannot be screened out and an appropriate assessment must be carried out." (PN01 page 8)

23. The Screening Document expressly accepts that the PN01 guidance is relevant (AA page 4: Section 1.3 and 1.4 at page 5).

24. The Screening Document purports to satisfy the screening requirements of the AA process at para 2.4.2 for Peregrines and 2.4.3 for Choughs.

"2.4.2 Peregrine (*Falco peregrinus*)

The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal areas also but not over subtidal areas. The proposed activity does not directly overlap with the Sheep's Head to Toe Head SPA and therefore cannot directly affect the protected habitat of this species. For these reasons, potential adverse effects of the proposed activities on Peregrine can be screened out."

2.4.3 Chough (*Pyrrhocorax pyrrhocorax*)

Chough are largely considered a terrestrial species as they roost in coastal cliffs and forage on coastal grasslands. The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For these reasons, the potential for the proposed activities on Chough can be screened out."

The screening out of the effects of development on the SPA are fundamentally flawed because the haulage route for the HGV's carrying the seaweed is over the SPA for the whole of its length until it reaches the main road. This is abundantly clear from the Application Map on page 31: "Site Location Map: access route to site from Public Road". The guidance says this effect during the operational phase should be taken into account but it has not. Quite the opposite, it has been deliberately ignored and screened out.

25. The Screening Document has incorrectly excluded the offsite effects of the proposal on the adjacent SPA contrary to the guidance which is agreed to be relevant. The screening out is therefore erroneous and a licence issued in reliance upon the Screening Document would be liable to successful challenge in the courts.

26. This is not a merely technical point because the evidence suggests there could well be an adverse effect on Peregrines and Choughs during their breeding / nesting season by reason of seaweed haulage through the SPA. It is at the very least, based on the precautionary principle, something which needs to be subject to a full appropriate assessment which has not been done.

CONCLUSIONS

27. The issue is not about the benefits of seaweed cultivation. A development such as this should not be located in such a sensitive location.

28. The sensitive nature of this location cannot sensibly be denied. The individual impacts set out above are unacceptable and when considered cumulatively they should be rejected out of hand.

29. The applicants are prepared to operate over wide locations. They have existing facilities in Gearhies and Toormore, on the other side of Mizen Head. Their area of search is therefore broad. There has been no evidence adduced to say that this site is the only location within their broad area of search which is suitable for their purposes. The application (page 9 question (xi)) simply declares in answer to the question "Reasons for site selection" that "Dunmanus Bay has ideal conditions for growing indigenous species of seaweed". However, given that they have existing facilities in two different bays, there appears to be nothing that makes a location in Dunmanus Bay essential.

The application goes on to say that "The site itself is sheltered and has access from a nearby pier for maintenance purposes". What the application has completely failed to acknowledge is that the pier in question is the only Green Coast Award beach on the peninsula.

In terms of site selection, the application has also ignored the effect of development on the nationally/internationally significant The Sheep's Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep's Head Way, makes selection of this site for this proposal both inexplicable and indefensible. This is the wrong location for this proposal.

30. The Objections raised and explained here are not intended to exclude any other objections that may be made by others on different grounds such as interference with fishing etc.

31. I ask that this application be refused. Even a development which was reduced in size would be unacceptable at this location.

28 July 2022



From: [REDACTED]
Sent: Thursday 28 July 2022 13:45
To: APC
Subject: Letter of Objection

CAUTION: This Email originated from Outside of this department. Do not click links or open attachments unless you recognise the sender and know the content is safe. Otherwise Please Forward any suspicious Emails to Notify.Cyber@agriculture.gov.ie .

Minister for Agriculture, Food and Marine Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork
Email: APC @ agriculture.gov.ie
APPLICATION TO5 / 640 A
Dooneen
Dunmanus Bay
County Cork

NOTICE OF OBJECTION

I live in Ahakista and frequently visit the Dooneen Pier as a location of natural beauty.

GROUND FOR OBJECTION

1. These objections are based on the following items of information:
- (i) Application Ref TO5/640 which consists of 36 pages in all (“the Application”)
 - (ii) Report by Marine Institute dated June 2022 supporting Appropriate Assessment of the Application (“Screening Document”)
 - (iii) A presentation given by Dr. Julie Maguire at Kilcrohane Community Hall on Thursday 21st July 2022

SUMMARY

Dooneen Pier has been selected as a location purely because it adds maximum convenience for the commercial enterprise that will benefit from it. A proper assessment would have quickly identified this location as wholly unsuitable.

The Marine Institute Assessment is a shameful document that dismisses out of hand the true impacts of the applicant’s proposal. A proper impact assessment needs to be done independently of the applicants before any further consideration of this application is contemplated.

The work presented in my response is the proper work that a competent assessment should have presented. The detail of our objection which supports the above statements is provided in full below.

2. The objections to the application relate to:

- (i) The visual and operational impacts of the proposed development on the amenity of the pier as a recreational facility which has been formally recognised by its Green Coast Award Status
- (ii) The operational and safety impacts on local residents and users of the Sheep’s Head Way Route 80
- (iii) The adverse impact the Sheep’s Head to Toe Head SPA (Site Code 004156)
- (iv) The defective Screening Document.

3. Visual and Operational Impacts

The application site is located in a sensitive location. Dooneen Pier has received a Green Coast Award (see <https://beachawards.ie/green-coast>). The award is made “... for beaches which have excellent water quality, but which are also prized for their natural, unspoilt environment”.

There are only 15 such beaches on the whole Cork County coastline (numbers 20-34 inclusive). Dooneen is the only beach on the Sheep’s Head Peninsula to have been awarded this status (number 33).

4. Neither the Application nor the Screening Document acknowledge the award which has national status although a plaque acknowledging the award is fixed to the wall leading down to the pier itself.

5. The sheer scale of the proposal means that the “natural unspoilt environment” which justified the award would be fundamentally changed. The seascape could no longer properly be described as “unspoilt” given the constituent items of development as listed below.

(i) The beacons, buoys, floats and ropes cover an area of 15.73 ha - which is equivalent in area to 12 Croke Park pitches (Application page 34).

(ii) The four marker beacons at the site’s four corners are 1.383 m above water level (4’6”) and for marine safety reasons they are deliberately highly visible and illuminated at night (Application page 32).

(iii) There will be 100 MF130 floats attached to the lines as shown on drawing DPPD- 01 (Application page 34)

(iv) In addition, the seaweed growth lines have grey floats (shown at page 36 of the Application) spaced at 14/100 m, i.e. one every 7 m or so. Based on the site layout drawing at page 34, the growth lines are 605-160 long = 445 m, therefore there will be over 60 of these buoys on each line and therefore 1,500 in all.

(v) There is an uninterrupted view of the elements of the Application which lies about 300 metres east of the pier which points in that direction and forms an important part of the view.

At the presentation it was suggested that, despite the detail shown in the site layout, there would in fact be fewer lines because the spacing between the seaweed lines should be 20m and not 10m as shown. It is alarming that such a fundamental error has been allowed to remain in the application. It makes the comments that it does above on the basis of the application as submitted, as it is entitled to do.

Even if there were half as many lines as suggested at the presentation, there would still be 4 illuminated beacons, 50 MF 130 floats and 750 grey floats within an area which would remain enormous at 15Ha. There is, therefore, no material distinction between the adverse impact on the Green Coast Award beach of the larger and the “smaller” scheme.

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Sheep’s Head Way

7. The Sheep’s Head Way walking route forms part of Ireland’s Wild Atlantic Way. It was awarded the prestigious status of European Destination of Excellence (thesheepsheadway.ie). It has been described as “one of Ireland’s best loved walking routes” (<https://livingthesheepsheadway.com>).

8. Section 7 of the Sheep’s Head Way : Letter West to Kilcrohane includes a 1.5 km Section which passes by Dooneen Pier and heads up to the main road where the pier is signposted. The walk from the pier up to the main road is a narrow agricultural way serving a handful of houses which is suitable for one way traffic only. It is a track which is completely unsuitable for commercial traffic such as is proposed. There are a few house and field accesses along the 1.5 km stretch which offer an opportunity for two cars to pass but otherwise the track is not capable of carrying two vehicles. Pedestrians using the Sheep’s Head Way would be, at the very least, inconvenienced by vehicles collecting seaweed from the pier and there is clear risk of conflict with pedestrians and a danger to them from conflict with large commercial vehicles on a narrow unlit track.

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13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

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"2.4.2 Peregrine (*Falco peregrinus*)

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CONCLUSIONS

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28 July 2022

[REDACTED]

From: [REDACTED]
Sent: Thursday 28 July 2022 14:18
To: APC
Subject: Letter of Objection

CAUTION: This Email originated from Outside of this department. Do not click links or open attachments unless you recognise the sender and know the content is safe. Otherwise Please Forward any suspicious Emails to Notify.Cyber@agriculture.gov.ie .

Minister for Agriculture, Food and Marine Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork
Email: APC @ agriculture.gov.ie
APPLICATION TO5 / 640 A
Dooneen
Dunmanus Bay
County Cork

NOTICE OF OBJECTION

I am moving to Kilcrohane at the end of August and this will have a direct impact on my day to day life and surroundings.

GROUND FOR OBJECTION

1. These objections are based on the following items of information:
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10. At the presentation it was revealed that all seaweed would be harvested in April/May. The Application sets out a projected annual tonnage from year 3 onwards of 110 tonnes. Over an 8 week period that amounts to over 14 tonnes per week. There was confusion at the presentation as to what type of vehicles would be used to move the 1 ton bags of seaweed. If it were 1 bag per vehicle that would represent 14 two way journeys, i.e. 28 movements every week throughout the 1.5 km length of the Sheep’s Head Way, between 4 and 6 movements every day depending on a 5 or 7 day working week. This represents a very marked increase in traffic which walkers and local residents on foot or in their cars would need to contend with during this 8 week period. They would expect to see the odd agricultural vehicle or resident’s/fishermen’s car but not frequent commercial vehicles. If a larger vehicle is used such as a 3.5 ton HGV then the interference with the enjoyment of their walk or journey to or from their home will be less frequent but in terms of pedestrian and vehicle safety the impact is more severe, given the narrow nature of the track and larger commercial vehicles being used.

11. The Sheep's Head Way is popular all year round but the period of harvesting will coincide with Easter holidays and the extra daylight hour when the clocks move forward so that the route will be well used during this period and conflict with local pedestrian and vehicular traffic is inevitable and potentially dangerous.

12. Sheep's Head Way walkers who make their way along the track down to the pier cannot fail to see the 15 ha development as they will be staring at it as they walk down to the pier faced by a vast clutter of beacons, buoys and floats.

13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

Impact on SPA

14. The existence of the Sheep's Head to Toe Head SPA is noted on page 10 of the Application but only in so far as it is "adjacent or in the vicinity" of the application site. In fact the complete length of the haul route is within the SPA as the map at page 2 of the Screening Document makes clear when compared with the haul route shown at page 31 of the Application.

15. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest.

16. The harvesting period of April/May coincides with the nesting period for Choughs "... the female lays 3-5 eggs at 1-3 day intervals in April. She incubates alone for 17- 21 days..." "...the young fly at 6-7 weeks of age", "They are able to feed themselves three weeks later (rspb.org.uk).

And for Peregrines:

"The female normally lays a clutch of three or four eggs in late March or April at 2-3 day intervals. Both birds share the incubation which begins with the last or penultimate egg and takes 29-32 days per egg...", "the young fledge at 35-42 days and are independent two or more months later..." (rspb.org.uk).

17. The haul route through the SPA represents an unacceptable intrusion into the protected habitat of the chough and the peregrine at a critically important period of the development of the young of both species.

18. The proposal should be rejected on this basis, too.

The Screening Document

19. The Application correctly acknowledges the existence of the SPA. This has consequences of any application which may affect the SPA.

20. The current guidance on AAs is "Appropriate Assessment Screening for Development Management: IOPR March 2021". Relevant aspects of the guidance include this Requirement

"... Identifying all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site taking into account the size and scale of the project under the following headings..."

"... Operational phase ... noise/vibration ... presence of people, vehicles and activities

... Potential for accidents or incidents..." (OPR Protection Note PN01 page 23)

21. In defining Direct and Indirect effects the guidance refers to

"... haulage routes including heavy machinery may have to traverse a European Site to access the development site" (PN01 page 6)

The haulage route for the seaweed movement clearly falls into this category of effect.

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"The triggers for appropriate assessment are based on a likelihood (read as possibility) of a potential significant effect occurring and not on certainty. This test is based on the precautionary principle." (PN07 page 7)

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24. The Screening Document purports to satisfy the screening requirements of the AA process at para 2.4.2 for Peregrines and 2.4.3 for Choughs.

"2.4.2 Peregrine (*Falco peregrinus*)

The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal areas also but not over subtidal areas. The proposed activity does not directly overlap with the Sheep's Head to Toe Head SPA and therefore cannot directly affect the protected habitat of this species. For these reasons, potential adverse effects of the proposed activities on Peregrine can be screened out."

2.4.3 Chough (*Pyrrhocorax pyrrhocorax*)

Chough are largely considered a terrestrial species as they roost in coastal cliffs and forage on coastal grasslands. The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For these reasons, the potential for the proposed activities on Chough can be screened out."

The screening out of the effects of development on the SPA are fundamentally flawed because the haulage route for the HGV's carrying the seaweed is over the SPA for the whole of its length until it reaches the main road. This is abundantly clear from the Application Map on page 31: "Site Location Map: access route to site from Public Road". The guidance says this effect during the operational phase should be taken into account but it has not. Quite the opposite, it has been deliberately ignored and screened out.

25. The Screening Document has incorrectly excluded the offsite effects of the proposal on the adjacent SPA contrary to the guidance which is agreed to be relevant. The screening out is therefore erroneous and a licence issued in reliance upon the Screening Document would be liable to successful challenge in the courts.

26. This is not a merely technical point because the evidence suggests there could well be an adverse effect on Peregrines and Choughs during their breeding / nesting season by reason of seaweed haulage through the SPA. It is at the very least, based on the precautionary principle, something which needs to be subject to a full appropriate assessment which has not been done.

CONCLUSIONS

27. The issue is not about the benefits of seaweed cultivation. A development such as this should not be located in such a sensitive location.

28. The sensitive nature of this location cannot sensibly be denied. The individual impacts set out above are unacceptable and when considered cumulatively they should be rejected out of hand.

29. The applicants are prepared to operate over wide locations. They have existing facilities in Gearhies and Toormore, on the other side of Mizen Head. Their area of search is therefore broad. There has been no evidence adduced to say that this site is the only location within their broad area of search which is suitable for their purposes. The application (page 9 question (xi)) simply declares in answer to the question "Reasons for site selection" that "Dunmanus Bay has ideal conditions for growing indigenous species of seaweed". However, given that they have existing facilities in two different bays, there appears to be nothing that makes a location in Dunmanus Bay essential.

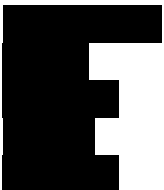
The application goes on to say that "The site itself is sheltered and has access from a nearby pier for maintenance purposes". What the application has completely failed to acknowledge is that the pier in question is the only Green Coast Award beach on the peninsula.

In terms of site selection, the application has also ignored the effect of development on the nationally/internationally significant The Sheep's Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep's Head Way, makes selection of this site for this proposal both inexplicable and indefensible. This is the wrong location for this proposal.

30. The Objections raised and explained here are not intended to exclude any other objections that may be made by others on different grounds such as interference with fishing etc.

31. I ask that this application be refused. Even a development which was reduced in size would be unacceptable at this location.

28 July 2022

A large, solid black rectangular redaction box covering the signature area.



Minister for Agriculture, Food and Marine Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork
Email: APC @ agriculture.gov.ie

APPLICATION TO5 / 640 A
Dooneen
Dunmanus Bay
County Cork

NOTICE OF OBJECTION

I am a resident of the Sheep's Head Peninsula and frequently visit the Dooneen Pier as a location of natural beauty.

GROUNDS FOR OBJECTION

1. These objections are based on the following items of information:

- (i) Application Ref TO5/640 which consists of 36 pages in all ("the Application")
- (ii) Report by Marine Institute dated June 2022 supporting Appropriate Assessment of the Application ("Screening Document")
- (iii) A presentation given by Dr. Julie Maguire at Kilcrohane Community Hall on Thursday 21st July 2022

SUMMARY

Dooneen Pier has been selected as a location purely because it adds maximum convenience for the commercial enterprise that will benefit from it. A proper assessment would have quickly identified this location as wholly unsuitable.

The Marine Institute Assessment is a shameful document that dismisses out of hand the true impacts of the applicant's proposal. A proper impact assessment needs to be done independently of the applicants before any further consideration of this application is contemplated.

The work presented in my response is the proper work that a competent assessment should have presented.

The detail of my objection which supports the above statements is provided in full below.

2. The objections to the application relate to:

- (i) The visual and operational impacts of the proposed development on the amenity of the pier as a recreational facility which has been formally recognised by its Green Coast Award Status

enormous at 15Ha. There is, therefore, no material distinction between the adverse impact on the Green Coast Award beach of the larger and the “smaller” scheme.

6. It is obvious that this proposal would have a permanent adverse effect on the visual amenity of the award winning pier. This demonstrates that this is the wrong location for a seaweed cultivation site.

Sheep’s Head Way

7. The Sheep’s Head Way walking route forms part of Ireland’s Wild Atlantic Way. It was awarded the prestigious status of European Destination of Excellence (thesheepsheadway.ie). It has been described as “one of Ireland’s best loved walking routes” (<https://livingthesheepsheadway.com>).

8. Section 7 of the Sheep’s Head Way : Letter West to Kilcrohane includes a 1.5 km Section which passes by Dooneen Pier and heads up to the main road where the pier is signposted. The walk from the pier up to the main road is a narrow agricultural way serving a handful of houses which is suitable for one way traffic only. It is a track which is completely unsuitable for commercial traffic such as is proposed. There are a few house and field accesses along the 1.5 km stretch which offer an opportunity for two cars to pass but otherwise the track is not capable of carrying two vehicles. Pedestrians using the Sheep’s Head Way would be, at the very least, inconvenienced by vehicles collecting seaweed from the pier and there is clear risk of conflict with pedestrians and a danger to them from conflict with large commercial vehicles on a narrow unlit track.

9. The Application (at page 29) shows the intended route for seaweed collection which coincides with the Sheep’s Head Way.

10. At the presentation it was revealed that all seaweed would be harvested in April/May. The Application sets out a projected annual tonnage from year 3 onwards of 110 tonnes. Over an 8 week period that amounts to over 14 tonnes per week. There was confusion at the presentation as to what type of vehicles would be used to move the 1 ton bags of seaweed. If it were 1 bag per vehicle that would represent 14 two way journeys, i.e. 28 movements every week throughout the 1.5 km length of the Sheep’s Head Way, between 4 and 6 movements every day depending on a 5 or 7 day working week. This represents a very marked increase in traffic which walkers and local residents on foot or in their cars would need to contend with during this 8 week period. They would expect to see the odd agricultural vehicle or resident’s/fishermen’s car but not frequent commercial vehicles. If a larger vehicle is used such as a 3.5 ton HGV then the interference with the enjoyment of their walk or journey to or from their home will be less frequent but in terms of pedestrian and vehicle safety the impact is more severe, given the narrow nature of the track and larger commercial vehicles being used.

11. The Sheep’s Head Way is popular all year round but the period of harvesting will coincide with Easter holidays and the extra daylight hour when the clocks move forward so that the route will be well used during this period and conflict with local pedestrian and vehicular traffic is inevitable and potentially dangerous.

12. Sheep’s Head Way walkers who make their way along the track down to the pier cannot fail to see the 15 ha development as they will be staring at it as they walk down to the pier faced by a vast clutter of beacons, buoys and floats.

- (ii) The operational and safety impacts on local residents and users of the Sheep's Head Way Route 80
- (iii) The adverse impact the Sheep's Head to Toe Head SPA (Site Code 004156)
- (iv) The defective Screening Document.

3. Visual and Operational Impacts

The application site is located in a sensitive location. Dooneen Pier has received a Green Coast Award (see <https://beachawards.ie/green-coast>). The award is made "... for beaches which have excellent water quality, but which are also prized for their natural, unspoilt environment".

There are only 15 such beaches on the whole Cork County coastline (numbers 20-34 inclusive). Dooneen is the only beach on the Sheep's Head Peninsula to have been awarded this status (number 33).

4. Neither the Application nor the Screening Document acknowledge the award which has national status although a plaque acknowledging the award is fixed to the wall leading down to the pier itself.

5. The sheer scale of the proposal means that the "natural unspoilt environment" which justified the award would be fundamentally changed. The seascape could no longer properly be described as "unspoilt" given the constituent items of development as listed below.

(i) The beacons, buoys, floats and ropes cover an area of 15.73 ha - which is equivalent in area to 12 Croke Park pitches (Application page 34).

(ii) The four marker beacons at the site's four corners are 1.383 m above water level (4'6") and for marine safety reasons they are deliberately highly visible and illuminated at night (Application page 32).

(iii) There will be 100 MF130 floats attached to the lines as shown on drawing DPPD- 01 (Application page 34)

(iv) In addition, the seaweed growth lines have grey floats (shown at page 36 of the Application) spaced at 14/100 m, i.e. one every 7 m or so. Based on the site layout drawing at page 34, the growth lines are 605-160 long = 445 m, therefore there will be over 60 of these buoys on each line and therefore 1,500 in all.

(v) There is an uninterrupted view of the elements of the Application which lies about 300 metres east of the pier which points in that direction and forms an important part of the view.

At the presentation it was suggested that, despite the detail shown in the site layout, there would in fact be fewer lines because the spacing between the seaweed lines should be 20m and not 10m as shown. It is alarming that such a fundamental error has been allowed to remain in the application. It makes the comments that it does above on the basis of the application as submitted, as it is entitled to do.

Even if there were half as many lines as suggested at the presentation, there would still be 4 illuminated beacons, 50 MF 130 floats and 750 grey floats within an area which would remain

13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

Impact on SPA

14. The existence of the Sheep's Head to Toe Head SPA is noted on page 10 of the Application but only in so far as it is "adjacent or in the vicinity" of the application site. In fact the complete length of the haul route is within the SPA as the map at page 2 of the Screening Document makes clear when compared with the haul route shown at page 31 of the Application.

15. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest.

16. The harvesting period of April/May coincides with the nesting period for Choughs "... the female lays 3-5 eggs at 1-3 day intervals in April. She incubates alone for 17- 21 days..." "...the young fly at 6-7 weeks of age", "They are able to feed themselves three weeks later (rspb.org.uk).

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17. The haul route through the SPA represents an unacceptable intrusion into the protected habitat of the chough and the peregrine at a critically important period of the development of the young of both species.

18. The proposal should be rejected on this basis, too.

The Screening Document

19. The Application correctly acknowledges the existence of the SPA. This has consequences of any application which may affect the SPA.

20. The current guidance on AAs is "Appropriate Assessment Screening for Development Management: IOPR March 2021". Relevant aspects of the guidance include this Requirement

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The haulage route for the seaweed movement clearly falls into this category of effect.

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24. The Screening Document purports to satisfy the screening requirements of the AA process at para 2.4.2 for Peregrines and 2.4.3 for Choughs.

“2.4.2 Peregrine (*Falco peregrinus*)

The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal areas also but not over subtidal areas. The proposed activity does not directly overlap with the Sheep’s Head to Toe Head SPA and therefore cannot directly affect the protected habitat of this species. For these reasons, potential adverse effects of the proposed activities on Peregrine can be screened out.”

2.4.3 Chough (*Pyrrhocorax pyrrhocorax*)

Chough are largely considered a terrestrial species as they roost in coastal cliffs and forage on coastal grasslands. The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For these reasons, the potential for the proposed activities on Chough can be screened out.”

The screening out of the effects of development on the SPA are fundamentally flawed because the haulage route for the HGV’s carrying the seaweed is over the SPA for the whole of its length until it reaches the main road. This is abundantly clear from the Application Map on page 31: “Site Location Map: access route to site from Public Road”. The guidance says this effect during the operational phase should be taken into account but it has not. Quite the opposite, it has been deliberately ignored and screened out.

25. The Screening Document has incorrectly excluded the offsite effects of the proposal on the adjacent SPA contrary to the guidance which is agreed to be relevant. The screening out is therefore erroneous and a licence issued in reliance upon the Screening Document would be liable to successful challenge in the courts.

26. This is not a merely technical point because the evidence suggests there could well be an adverse effect on Peregrines and Choughs during their breeding / nesting season by reason of

seaweed haulage through the SPA. It is at the very least, based on the precautionary principle, something which needs to be subject to a full appropriate assessment which has not been done.

CONCLUSIONS

27. The issue is not about the benefits of seaweed cultivation. A development such as this should not be located in such a sensitive location.

28. The sensitive nature of this location cannot sensibly be denied. The individual impacts set out above are unacceptable and when considered cumulatively they should be rejected out of hand.

29. The applicants are prepared to operate over wide locations. They have existing facilities in Gearhies and Toormore, on the other side of Mizen Head. Their area of search is therefore broad. There has been no evidence adduced to say that this site is the only location within their broad area of search which is suitable for their purposes. The application (page 9 question (xi)) simply declares in answer to the question "Reasons for site selection" that "Dunmanus Bay has ideal conditions for growing indigenous species of seaweed". However, given that they have existing facilities in two different bays, there appears to be nothing that makes a location in Dunmanus Bay essential.

The application goes on to say that "The site itself is sheltered and has access from a nearby pier for maintenance purposes". What the application has completely failed to acknowledge is that the pier in question is the only Green Coast Award beach on the peninsula.

In terms of site selection, the application has also ignored the effect of development on the nationally/internationally significant The Sheep's Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep's Head Way, makes selection of this site for this proposal both inexplicable and indefensible. This is the wrong location for this proposal.

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31. I ask that this application be refused. Even a development which was reduced in size would be unacceptable at this location.


27 July 2022



To: Minister for Agriculture, Food and Marine
Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork

Re: Application T05/640: Aquaculture development at Dooneen, Dunmanus Bay

We are full-time residents in Kilcrohane village, close to the proposed aquaculture development adjacent to the pier at Dooneen.

We attended a public meeting in the Kilcrohane Community Hall on Thursday 21 July, at which the director of Bantry Marine Research Station, Dr Julie Maguire, explained the work of her organisation and answered questions about their proposed aquaculture development.

We found Dr Maguire's presentation extremely interesting. The work of BMRS is clearly very important and something we would wish to support for the sake of the environment. We also feel honoured to have such a scientific research station based on the peninsula.

Unfortunately, though, our impression is that practical aspects and consequences of this particular proposal, as specified in application T05/640, have not been sufficiently thought through with respect to the sensitivity of the site and the area. This was informally acknowledged at the meeting.

These are our concerns:

1. The development as specified is of a considerable size, but the only overland access to the pier is by a narrow and winding road (L47563), about 1.5 km in length, running entirely through an environmentally sensitive area which is, in fact, an SPA. The townland of Dooneen, especially the southern part of it, is largely unspoiled and home to a wide variety of native plant species and wildlife. We would be concerned about the damage any significant increase in traffic, especially heavy vehicles, would do to the roadsides and the general environment.
2. Dooneen Pier has been given one of the rare Green Coast Awards and the Sheep's Head Way follows the greater part of the access road to the pier. As such, the area is important for outdoor leisure and exercise, both for residents and visitors to the area. We are concerned that the development off the coast would be visually intrusive and the associated traffic a source of potential danger.

3. Despite our impression that the applicants only expect and intend this project to be relatively modest in scope, and that they are as concerned as we are about the well-being of the environment, we are concerned that permitting the development as specified might set a precedent for more aggressive and environmentally dangerous developments in the future in this sensitive area. Several such have previously been attempted in both Dunmanus Bay and Bantry Bay.

For the reasons given above we ask that the application should be rejected.

On the other hand, if permitted at all it should be severely limited in both initial and future scope, and a condition should be imposed to limit the scale, frequency and size of associated road traffic.



From: [REDACTED]
Sent: Thursday 28 July 2022 14:30
To: APC
Subject: Application T05/640 objection: [REDACTED]
Attachments: Application T05-640 objection.pdf

CAUTION: This Email originated from Outside of this department. Do not click links or open attachments unless you recognise the sender and know the content is safe. Otherwise Please Forward any suspicious Emails to Notify.Cyber@agriculture.gov.ie .

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

To: Minister for Agriculture, Food and Marine
Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork

Email: APC @ agriculture.gov.ie

APPLICATION TO5 / 640 A
Dooneen
Dunmanus Bay
County Cork

NOTICE OF OBJECTION TO THE
APPLICATION

GROUNDS FOR OBJECTION

1. These objections are based on the following items of information
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 - (i) The visual and operational impacts of the proposed development on the amenity of the pier as a recreational facility which has been formally recognised by its Green Coast Award Status
 - (ii) The operational and safety impacts on local residents and users of the Sheep’s Head Way Route 80

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[REDACTED]

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*The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal areas also but not over subtidal areas. The proposed activity does not directly overlap with the Sheep’s Head to Toe Head SPA and therefore cannot directly affect the protected habitat of this species. For these reasons, potential adverse effects of the proposed activities on Peregrine can be **screened out.**” (emphasis added)*

2.4.3 Chough (Pyrrhocorax pyrrhocorax)

*Chough are largely considered a terrestrial species as they roost in coastal cliffs and forage on coastal grasslands. The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For these reasons, the potential for the proposed activities on Chough can be **screened out.**” (emphasis added)*

The screening out of the effects of development on the SPA are fundamentally flawed because the haulage route for the HGV’s carrying the seaweed is over the SPA for the whole of its length until it reaches the main road. This is abundantly clear from the Application Map on page 31: “*Site Location Map: access route to site from Public Road*”. The guidance says this effect during the operational phase should be taken into account but it has not. Quite the opposite, it has been deliberately ignored and screened out.

development on the nationally/internationally significant The Sheep's Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep's Head Way, makes selection of this site for this proposal both inexplicable and indefensible . This is the wrong location for this proposal.

30. The Objections raised and explained here are not intended to exclude any other objections that may be made by others on different grounds such as interference with fishing etc.

31. We ask that this application be refused. Even a development which was reduced in size would be unacceptable at this location.

28 July 2022

[REDACTED]

OKeeffe, Therese

From: [REDACTED]
Sent: Thursday 28 July 2022 17:36
To: APC
Subject: Notice of Objection
Attachments: [REDACTED]

CAUTION: This Email originated from Outside of this department. Do not click links or open attachments unless you recognise the sender and know the content is safe. Otherwise Please Forward any suspicious Emails to Notify.Cyber@agriculture.gov.ie .

Dear Sir/Madam,

Attached please find our notice of objections to the application T05/640A at Dooneen Pier.

[REDACTED]

--
[REDACTED]

[REDACTED] Please do not print this mail unless it is absolutely necessary. Spread environmental awareness.

To: Minister for Agriculture, Food and the Marine
Aquaculture and Foreshore Management Division
National Seafood Centre, Clonakilty, Co. Cork

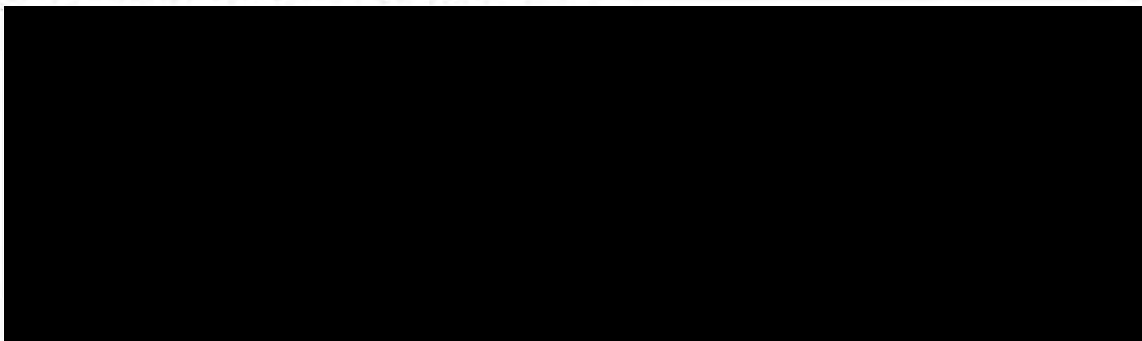
Email: APC@agriculture.gov.ie

Re: Application T05/640A for an Aquaculture Licence to cultivate various aquatic plants on an area of foreshore adjacent to Dooneen Pier along the north shore of Dunmanus Bay, Co. Cork

NOTICE OF OBJECTION TO THE ABOVE REFERENCED APPLICATION

I wish to object to the above application for the reasons outlined below.

1. No economic benefit to the area - in fact the opposite – negative impact on tourism and fishing – and no new local jobs.
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3. The safety impact on local residents (which includes children) from the increased traffic passing through the town land and the negative impact on the 'peace and enjoyment' to which the local residents are entitled.
4. Impact on local fishermen – 50 growth lines, 130 floats, 1,500 buoys and 4 illuminated marker beacons on a very expansive area of traditional fishing ground.
5. The visual impact on tourism – Dooneen is a busy recreational pier used by locals and tourists for swimming and angling. This pier is the only one on the entire Sheep's Head Peninsula to be awarded a Green Coast Award as a beach with excellent water quality and which is prized for its natural unspoilt environment.
6. The danger to walking groups hiking the renowned and very popular Sheep's Head Way which received the coveted European Destination of Excellence (EDEN) award in 2009 for developing tourism in a protected area in a sustainable manner.
7. The adverse impact on the Sheep's Head to Toe Head SPA (Site Code 004156) as the seaweed harvesting haul route will go through the entire SPA during the nesting period of the protected choughs and peregrine falcons



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Date: 27th July, 2022

please do not destroy Dooneen pier, I swim there year round. So beautiful & unspoiled.

Minister for Agriculture, Food and Marine Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork
Email: APC @ agriculture.gov.ie

APPLICATION TO5 / 640 A
Dooneen
Dunmanus Bay
County Cork

NOTICE OF OBJECTION

I am a resident of the Sheep's Head Peninsula and frequently visit the Dooneen Pier as a location of natural beauty.

GROUNDINGS FOR OBJECTION

1. These objections are based on the following items of information:

- (i) Application Ref TO5/640 which consists of 36 pages in all ("the Application")
- (ii) Report by Marine Institute dated June 2022 supporting Appropriate Assessment of the Application ("Screening Document")
- (iii) A presentation given by Dr. Julie Maguire at Kilcrohane Community Hall on Thursday 21st July 2022

SUMMARY

Dooneen Pier has been selected as a location purely because it adds maximum convenience for the commercial enterprise that will benefit from it. A proper assessment would have quickly identified this location as wholly unsuitable.

The Marine Institute Assessment is a shameful document that dismisses out of hand the true impacts of the applicant's proposal. A proper impact assessment needs to be done independently of the applicants before any further consideration of this application is contemplated.

The work presented in my response is the proper work that a competent assessment should have presented.

The detail of my objection which supports the above statements is provided in full below.

2. The objections to the application relate to:

- (i) The visual and operational impacts of the proposed development on the amenity of the pier as a recreational facility which has been formally recognised by its Green Coast Award Status

- (ii) The operational and safety impacts on local residents and users of the Sheep's Head Way Route 80
- (iii) The adverse impact the Sheep's Head to Toe Head SPA (Site Code 004156)
- (iv) The defective Screening Document.

3. Visual and Operational Impacts

The application site is located in a sensitive location. Dooneen Pier has received a Green Coast Award (see <https://beachawards.ie/green-coast>). The award is made "... for beaches which have excellent water quality, but which are also prized for their natural, unspoilt environment".

There are only 15 such beaches on the whole Cork County coastline (numbers 20-34 inclusive). Dooneen is the only beach on the Sheep's Head Peninsula to have been awarded this status (number 33).

4. Neither the Application nor the Screening Document acknowledge the award which has national status although a plaque acknowledging the award is fixed to the wall leading down to the pier itself.

5. The sheer scale of the proposal means that the "natural unspoilt environment" which justified the award would be fundamentally changed. The seascape could no longer properly be described as "unspoilt" given the constituent items of development as listed below.

(i) The beacons, buoys, floats and ropes cover an area of 15.73 ha - which is equivalent in area to 12 Croke Park pitches (Application page 34).

(ii) The four marker beacons at the site's four corners are 1.383 m above water level (4'6") and for marine safety reasons they are deliberately highly visible and illuminated at night (Application page 32).

(iii) There will be 100 MF130 floats attached to the lines as shown on drawing DPPD- 01 (Application page 34)

(iv) In addition, the seaweed growth lines have grey floats (shown at page 36 of the Application) spaced at 14/100 m, i.e. one every 7 m or so. Based on the site layout drawing at page 34, the growth lines are 605-160 long = 445 m, therefore there will be over 60 of these buoys on each line and therefore 1,500 in all.

(v) There is an uninterrupted view of the elements of the Application which lies about 300 metres east of the pier which points in that direction and forms an important part of the view.

At the presentation it was suggested that, despite the detail shown in the site layout, there would in fact be fewer lines because the spacing between the seaweed lines should be 20m and not 10m as shown. It is alarming that such a fundamental error has been allowed to remain in the application. It makes the comments that it does above on the basis of the application as submitted, as it is entitled to do.

Even if there were half as many lines as suggested at the presentation, there would still be 4 illuminated beacons, 50 MF 130 floats and 750 grey floats within an area which would remain

enormous at 15Ha. There is, therefore, no material distinction between the adverse impact on the Green Coast Award beach of the larger and the “smaller” scheme.

6. It is obvious that this proposal would have a permanent adverse effect on the visual amenity of the award winning pier. This demonstrates that this is the wrong location for a seaweed cultivation site.

Sheep’s Head Way

7. The Sheep’s Head Way walking route forms part of Ireland’s Wild Atlantic Way. It was awarded the prestigious status of European Destination of Excellence (thesheepsheadway.ie). It has been described as “one of Ireland’s best loved walking routes” (<https://livingthesheepsheadway.com>).

8. Section 7 of the Sheep’s Head Way : Letter West to Kilcrohane includes a 1.5 km Section which passes by Dooneen Pier and heads up to the main road where the pier is signposted. The walk from the pier up to the main road is a narrow agricultural way serving a handful of houses which is suitable for one way traffic only. It is a track which is completely unsuitable for commercial traffic such as is proposed. There are a few house and field accesses along the 1.5 km stretch which offer an opportunity for two cars to pass but otherwise the track is not capable of carrying two vehicles. Pedestrians using the Sheep’s Head Way would be, at the very least, inconvenienced by vehicles collecting seaweed from the pier and there is clear risk of conflict with pedestrians and a danger to them from conflict with large commercial vehicles on a narrow unlit track.

9. The Application (at page 29) shows the intended route for seaweed collection which coincides with the Sheep’s Head Way.

10. At the presentation it was revealed that all seaweed would be harvested in April/May. The Application sets out a projected annual tonnage from year 3 onwards of 110 tonnes. Over an 8 week period that amounts to over 14 tonnes per week. There was confusion at the presentation as to what type of vehicles would be used to move the 1 ton bags of seaweed. If it were 1 bag per vehicle that would represent 14 two way journeys, i.e. 28 movements every week throughout the 1.5 km length of the Sheep’s Head Way, between 4 and 6 movements every day depending on a 5 or 7 day working week. This represents a very marked increase in traffic which walkers and local residents on foot or in their cars would need to contend with during this 8 week period. They would expect to see the odd agricultural vehicle or resident’s/fishermen’s car but not frequent commercial vehicles. If a larger vehicle is used such as a 3.5 ton HGV then the interference with the enjoyment of their walk or journey to or from their home will be less frequent but in terms of pedestrian and vehicle safety the impact is more severe, given the narrow nature of the track and larger commercial vehicles being used.

11. The Sheep’s Head Way is popular all year round but the period of harvesting will coincide with Easter holidays and the extra daylight hour when the clocks move forward so that the route will be well used during this period and conflict with local pedestrian and vehicular traffic is inevitable and potentially dangerous.

12. Sheep’s Head Way walkers who make their way along the track down to the pier cannot fail to see the 15 ha development as they will be staring at it as they walk down to the pier faced by a vast clutter of beacons, buoys and floats.

13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

Impact on SPA

14. The existence of the Sheep's Head to Toe Head SPA is noted on page 10 of the Application but only in so far as it is "adjacent or in the vicinity" of the application site. In fact the complete length of the haul route is within the SPA as the map at page 2 of the Screening Document makes clear when compared with the haul route shown at page 31 of the Application.

15. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest.

16. The harvesting period of April/May coincides with the nesting period for Choughs "... the female lays 3-5 eggs at 1-3 day intervals in April. She incubates alone for 17- 21 days..." "...the young fly at 6-7 weeks of age", "They are able to feed themselves three weeks later (rspb.org.uk).

And for Peregrines:

"The female normally lays a clutch of three or four eggs in late March or April at 2-3 day intervals. Both birds share the incubation which begins with the last or penultimate egg and takes 29-32 days per egg...", "the young fledge at 35-42 days and are independent two or more months later..." (rspb.org.uk).

17. The haul route through the SPA represents an unacceptable intrusion into the protected habitat of the chough and the peregrine at a critically important period of the development of the young of both species.

18. The proposal should be rejected on this basis, too.

The Screening Document

19. The Application correctly acknowledges the existence of the SPA. This has consequences of any application which may affect the SPA.

20. The current guidance on AAs is "Appropriate Assessment Screening for Development Management: IOPR March 2021". Relevant aspects of the guidance include this Requirement

"... Identifying all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site taking into account the size and scale of the project under the following headings..."

"... Operational phase ... noise/vibration ... presence of people, vehicles and activities ... Potential for accidents or incidents..." (OPR Protection Note PN01 page 23)

21. In defining Direct and Indirect effects the guidance refers to

"... haulage routes including heavy machinery may have to traverse a European Site to access the development site" (PN01 page 6)

The haulage route for the seaweed movement clearly falls into this category of effect.

22. The risk of adverse effects is explained in this way in the guidance -

“The triggers for appropriate assessment are based on a likelihood (read as possibility) of a potential significant effect occurring and not on certainty. This test is based on the precautionary principle.” (PN07 page 7)

The precautionary principle is explained in these terms –

“The precautionary principle means that where the most reliable information available leaves obvious doubt as to the absence of significant effects, the project cannot be screened out and an appropriate assessment must be carried out.” (PN01 page 8)

23. The Screening Document expressly accepts that the PN01 guidance is relevant (AA page 4: Section 1.3 and 1.4 at page 5).

24. The Screening Document purports to satisfy the screening requirements of the AA process at para 2.4.2 for Peregrines and 2.4.3 for Choughs.

“2.4.2 Peregrine (*Falco peregrinus*)

The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal areas also but not over subtidal areas. The proposed activity does not directly overlap with the Sheep’s Head to Toe Head SPA and therefore cannot directly affect the protected habitat of this species. For these reasons, potential adverse effects of the proposed activities on Peregrine can be screened out.”

2.4.3 Chough (*Pyrrhocorax pyrrhocorax*)

Chough are largely considered a terrestrial species as they roost in coastal cliffs and forage on coastal grasslands. The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For these reasons, the potential for the proposed activities on Chough can be screened out.”

The screening out of the effects of development on the SPA are fundamentally flawed because the haulage route for the HGV’s carrying the seaweed is over the SPA for the whole of its length until it reaches the main road. This is abundantly clear from the Application Map on page 31: “Site Location Map: access route to site from Public Road”. The guidance says this effect during the operational phase should be taken into account but it has not. Quite the opposite, it has been deliberately ignored and screened out.

25. The Screening Document has incorrectly excluded the offsite effects of the proposal on the adjacent SPA contrary to the guidance which is agreed to be relevant. The screening out is therefore erroneous and a licence issued in reliance upon the Screening Document would be liable to successful challenge in the courts.

26. This is not a merely technical point because the evidence suggests there could well be an adverse effect on Peregrines and Choughs during their breeding / nesting season by reason of

seaweed haulage through the SPA. It is at the very least, based on the precautionary principle, something which needs to be subject to a full appropriate assessment which has not been done.

CONCLUSIONS

27. The issue is not about the benefits of seaweed cultivation. A development such as this should not be located in such a sensitive location.

28. The sensitive nature of this location cannot sensibly be denied. The individual impacts set out above are unacceptable and when considered cumulatively they should be rejected out of hand.

29. The applicants are prepared to operate over wide locations. They have existing facilities in Gearhies and Toormore, on the other side of Mizen Head. Their area of search is therefore broad. There has been no evidence adduced to say that this site is the only location within their broad area of search which is suitable for their purposes. The application (page 9 question (xi)) simply declares in answer to the question "Reasons for site selection" that "Dunmanus Bay has ideal conditions for growing indigenous species of seaweed". However, given that they have existing facilities in two different bays, there appears to be nothing that makes a location in Dunmanus Bay essential.

The application goes on to say that "The site itself is sheltered and has access from a nearby pier for maintenance purposes". What the application has completely failed to acknowledge is that the pier in question is the only Green Coast Award beach on the peninsula.

In terms of site selection, the application has also ignored the effect of development on the nationally/internationally significant The Sheep's Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep's Head Way, makes selection of this site for this proposal both inexplicable and indefensible. This is the wrong location for this proposal.

30. The Objections raised and explained here are not intended to exclude any other objections that may be made by others on different grounds such as interference with fishing etc.

31. I ask that this application be refused. Even a development which was reduced in size would be unacceptable at this location.



27 July 2022

FISHEMENS INSHORE SALTWATER HERITAGE LIMITED
GOLEEN WEST CORK
fishltdireland@gmail.com

July 27th 2022

Minister for Agriculture, Food and Marine
Aquaculture and Foreshore Management
Clonakilty

Application ref.T05/640 A

This letter is to object to the proposed extensive seaweed farm at Dooneen, Dunmanus Bay.

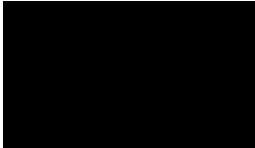
If aquaculture and foreshore planning applications were to include a proviso that applicants consult with stakeholders including relevant government bodies, local fishing organisations, community groups, tourism organisations and residents, the planning process might become less ponderous. Despite the screening study, none of the foregoing has been considered.

The large area in the application in question has been and remains, a year round active and sustainable prime inshore fishing ground for Lobster, Velvet Crab, Brown Crab, Shrimp, Prawns, Scallops, Pollock and Mackerel.

Such an installation would seriously impact on the livelihood of the local fishermen and is therefore totally unsuitable at this location.

We would respectfully request you deny this application.

Fishermens Inshore Saltwater Heritage Ltd.
Goleen
West Cork
fishltdireland@gmail.com



July 29, 2022

Ref: T05/640A Aquaculture application of Bantry Marine Station Ltd for Dooneen, Dunmanus Bay

Dear Sir/Madam

I believe that the proposed site of Dooneen in Dunmanus Bay for a ten-year aquaculture development is ill chosen for the following reasons:

1. Dunmanus Bay is neither large nor wide in comparison to other bays such as Kenmare Bay. Other activities on Dunmanus Bay may will be impacted by the maintenance required for this large development of nearly 39 acres producing over 100 tons of seaweed. The company making this application does not provide, nor is asked to provide, any details regarding maintenance.
2. The small pier at the proposed site will be used by the company for both maintenance and for loading the harvested seaweed onto lorries. However, the pier is also widely used by the public for swimming, diving, fishing, and boating so the public will be hugely impacted by this proposal. I am aware that the current plan is for the lines to be laid in November and removed in April, but the company could change plans over time. I am not aware that a license to operate will have any conditions around timeframes for lines to be in the water. Harvesting is planned for the months of April and May, but these are months when the area is accessed by the wider public and it is possible that harvesting could extend beyond this time period. Would a license to operate, if approved, have any conditions around these timeframes?
3. The lane that will be used by vehicles involved in maintenance, harvesting and, crucially, transport is narrow and not designed for lorries. There are many people who live alongside the lane, and they will be impacted severely by such changes in road use, as well as the general public who access the area. The natural heritage site of Sheep's Head is adjacent and attracts walkers and charity walk events at all times of the year. The application does not provide, nor is asked to provide, any details regarding lane usage. In addition, as Dooneen is on a peninsula, all transport vehicles will have to drive through the small villages of Kilcrohane, Ahakista and Durrus on a road that is yet another lane, L4704. These villages are not equipped to manage lorries on top of all the extra traffic that has arisen through tourism development such as The Wild Atlantic Way cycle route.
4. Although overall research on farmed indigenous seaweed can be considered environmentally worthwhile, this is a company owned by one individual with 100% of the shares. It may carry out some research, but it also depends on commercial sales, and there are no details in the application regarding research versus sales of the harvest. Business models do change over time and presumably a license if approved, would not have any conditions around the spilt between commercial versus research activities?

Regards



Minister for Agriculture, Food and Marine Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
County Cork
Email: APC @ agriculture.gov.ie

APPLICATION TO5 / 640 A
Dooneen
Dunmanus Bay
County Cork

NOTICE OF OBJECTION

I am a Visitor to the Sheep's Head Peninsula and frequently visit the Dooneen Pier as a location of natural beauty.

GROUNDNS FOR OBJECTION

1. These objections are based on the following items of information:

- (i) Application Ref TO5/640 which consists of 36 pages in all ("the Application")
- (ii) Report by Marine Institute dated June 2022 supporting Appropriate Assessment of the Application ("Screening Document")
- (iii) A presentation given by Dr. Julie Maguire at Kilcrohane Community Hall on Thursday 21st July 2022

SUMMARY

Dooneen Pier has been selected as a location purely because it adds maximum convenience for the commercial enterprise that will benefit from it. A proper assessment would have quickly identified this location as wholly unsuitable.

The Marine Institute Assessment is a shameful document that dismisses out of hand the true impacts of the applicant's proposal. A proper impact assessment needs to be done independently of the applicants before any further consideration of this application is contemplated.

The work presented in my response is the proper work that a competent assessment should have presented.

The detail of my objection which supports the above statements is provided in full below.

2. The objections to the application relate to:

- (i) The visual and operational impacts of the proposed development on the amenity of the pier as a recreational facility which has been formally recognised by its Green Coast Award Status

- (ii) The operational and safety impacts on local residents and users of the Sheep's Head Way Route 80
- (iii) The adverse impact the Sheep's Head to Toe Head SPA (Site Code 004156)
- (iv) The defective Screening Document.

3. Visual and Operational Impacts

The application site is located in a sensitive location. Dooneen Pier has received a Green Coast Award (see <https://beachawards.ie/green-coast>). The award is made "... for beaches which have excellent water quality, but which are also prized for their natural, unspoilt environment".

There are only 15 such beaches on the whole Cork County coastline (numbers 20-34 inclusive). Dooneen is the only beach on the Sheep's Head Peninsula to have been awarded this status (number 33).

4. Neither the Application nor the Screening Document acknowledge the award which has national status although a plaque acknowledging the award is fixed to the wall leading down to the pier itself.

5. The sheer scale of the proposal means that the "natural unspoilt environment" which justified the award would be fundamentally changed. The seascape could no longer properly be described as "unspoilt" given the constituent items of development as listed below.

(i) The beacons, buoys, floats and ropes cover an area of 15.73 ha - which is equivalent in area to 12 Croke Park pitches (Application page 34).

(ii) The four marker beacons at the site's four corners are 1.383 m above water level (4'6") and for marine safety reasons they are deliberately highly visible and illuminated at night (Application page 32).

(iii) There will be 100 MF130 floats attached to the lines as shown on drawing DPPD- 01 (Application page 34)

(iv) In addition, the seaweed growth lines have grey floats (shown at page 36 of the Application) spaced at 14/100 m, i.e. one every 7 m or so. Based on the site layout drawing at page 34, the growth lines are 605-160 long = 445 m, therefore there will be over 60 of these buoys on each line and therefore 1,500 in all.

(v) There is an uninterrupted view of the elements of the Application which lies about 300 metres east of the pier which points in that direction and forms an important part of the view.

At the presentation it was suggested that, despite the detail shown in the site layout, there would in fact be fewer lines because the spacing between the seaweed lines should be 20m and not 10m as shown. It is alarming that such a fundamental error has been allowed to remain in the application. It makes the comments that it does above on the basis of the application as submitted, as it is entitled to do.

Even if there were half as many lines as suggested at the presentation, there would still be 4 illuminated beacons, 50 MF 130 floats and 750 grey floats within an area which would remain

enormous at 15Ha. There is, therefore, no material distinction between the adverse impact on the Green Coast Award beach of the larger and the “smaller” scheme.

6. It is obvious that this proposal would have a permanent adverse effect on the visual amenity of the award winning pier. This demonstrates that this is the wrong location for a seaweed cultivation site.

Sheep’s Head Way

7. The Sheep’s Head Way walking route forms part of Ireland’s Wild Atlantic Way. It was awarded the prestigious status of European Destination of Excellence (thesheepsheadway.ie). It has been described as “one of Ireland’s best loved walking routes” (<https://livingthesheepsheadway.com>).

8. Section 7 of the Sheep’s Head Way : Letter West to Kilcrohane includes a 1.5 km Section which passes by Dooneen Pier and heads up to the main road where the pier is signposted. The walk from the pier up to the main road is a narrow agricultural way serving a handful of houses which is suitable for one way traffic only. It is a track which is completely unsuitable for commercial traffic such as is proposed. There are a few house and field accesses along the 1.5 km stretch which offer an opportunity for two cars to pass but otherwise the track is not capable of carrying two vehicles. Pedestrians using the Sheep’s Head Way would be, at the very least, inconvenienced by vehicles collecting seaweed from the pier and there is clear risk of conflict with pedestrians and a danger to them from conflict with large commercial vehicles on a narrow unlit track.

9. The Application (at page 29) shows the intended route for seaweed collection which coincides with the Sheep’s Head Way.

10. At the presentation it was revealed that all seaweed would be harvested in April/May. The Application sets out a projected annual tonnage from year 3 onwards of 110 tonnes. Over an 8 week period that amounts to over 14 tonnes per week. There was confusion at the presentation as to what type of vehicles would be used to move the 1 ton bags of seaweed. If it were 1 bag per vehicle that would represent 14 two way journeys, i.e. 28 movements every week throughout the 1.5 km length of the Sheep’s Head Way, between 4 and 6 movements every day depending on a 5 or 7 day working week. This represents a very marked increase in traffic which walkers and local residents on foot or in their cars would need to contend with during this 8 week period. They would expect to see the odd agricultural vehicle or resident’s/fishermen’s car but not frequent commercial vehicles. If a larger vehicle is used such as a 3.5 ton HGV then the interference with the enjoyment of their walk or journey to or from their home will be less frequent but in terms of pedestrian and vehicle safety the impact is more severe, given the narrow nature of the track and larger commercial vehicles being used.

11. The Sheep’s Head Way is popular all year round but the period of harvesting will coincide with Easter holidays and the extra daylight hour when the clocks move forward so that the route will be well used during this period and conflict with local pedestrian and vehicular traffic is inevitable and potentially dangerous.

12. Sheep’s Head Way walkers who make their way along the track down to the pier cannot fail to see the 15 ha development as they will be staring at it as they walk down to the pier faced by a vast clutter of beacons, buoys and floats.

13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

Impact on SPA

14. The existence of the Sheep's Head to Toe Head SPA is noted on page 10 of the Application but only in so far as it is "adjacent or in the vicinity" of the application site. In fact the complete length of the haul route is within the SPA as the map at page 2 of the Screening Document makes clear when compared with the haul route shown at page 31 of the Application.

15. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest.

16. The harvesting period of April/May coincides with the nesting period for Choughs "... the female lays 3-5 eggs at 1-3 day intervals in April. She incubates alone for 17- 21 days..." "...the young fly at 6-7 weeks of age", "They are able to feed themselves three weeks later (rspb.org.uk).

And for Peregrines:

"The female normally lays a clutch of three or four eggs in late March or April at 2-3 day intervals. Both birds share the incubation which begins with the last or penultimate egg and takes 29-32 days per egg...", "the young fledge at 35-42 days and are independent two or more months later..." (rspb.org.uk).

17. The haul route through the SPA represents an unacceptable intrusion into the protected habitat of the chough and the peregrine at a critically important period of the development of the young of both species.

18. The proposal should be rejected on this basis, too.

The Screening Document

19. The Application correctly acknowledges the existence of the SPA. This has consequences of any application which may affect the SPA.

20. The current guidance on AAs is "Appropriate Assessment Screening for Development Management: IOPR March 2021". Relevant aspects of the guidance include this Requirement

"... Identifying all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site taking into account the size and scale of the project under the following headings..."

"... Operational phase ... noise/vibration ... presence of people, vehicles and activities ... Potential for accidents or incidents..." (OPR Protection Note PN01 page 23)

21. In defining Direct and Indirect effects the guidance refers to

"... haulage routes including heavy machinery may have to traverse a European Site to access the development site" (PN01 page 6)

The haulage route for the seaweed movement clearly falls into this category of effect.

22. The risk of adverse effects is explained in this way in the guidance -

“The triggers for appropriate assessment are based on a likelihood (read as possibility) of a potential significant effect occurring and not on certainty. This test is based on the precautionary principle.” (PN07 page 7)

The precautionary principle is explained in these terms –

“The precautionary principle means that where the most reliable information available leaves obvious doubt as to the absence of significant effects, the project cannot be screened out and an appropriate assessment must be carried out.” (PN01 page 8)

23. The Screening Document expressly accepts that the PN01 guidance is relevant (AA page 4: Section 1.3 and 1.4 at page 5).

24. The Screening Document purports to satisfy the screening requirements of the AA process at para 2.4.2 for Peregrines and 2.4.3 for Choughs.

“2.4.2 Peregrine (*Falco peregrinus*)

The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal areas also but not over subtidal areas. The proposed activity does not directly overlap with the Sheep’s Head to Toe Head SPA and therefore cannot directly affect the protected habitat of this species. For these reasons, potential adverse effects of the proposed activities on Peregrine can be screened out.”

2.4.3 Chough (*Pyrrhocorax pyrrhocorax*)

Chough are largely considered a terrestrial species as they roost in coastal cliffs and forage on coastal grasslands. The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For these reasons, the potential for the proposed activities on Chough can be screened out.”

The screening out of the effects of development on the SPA are fundamentally flawed because the haulage route for the HGV’s carrying the seaweed is over the SPA for the whole of its length until it reaches the main road. This is abundantly clear from the Application Map on page 31: “Site Location Map: access route to site from Public Road”. The guidance says this effect during the operational phase should be taken into account but it has not. Quite the opposite, it has been deliberately ignored and screened out.

25. The Screening Document has incorrectly excluded the offsite effects of the proposal on the adjacent SPA contrary to the guidance which is agreed to be relevant. The screening out is therefore erroneous and a licence issued in reliance upon the Screening Document would be liable to successful challenge in the courts.

26. This is not a merely technical point because the evidence suggests there could well be an adverse effect on Peregrines and Choughs during their breeding / nesting season by reason of

seaweed haulage through the SPA. It is at the very least, based on the precautionary principle, something which needs to be subject to a full appropriate assessment which has not been done.

CONCLUSIONS

27. The issue is not about the benefits of seaweed cultivation. A development such as this should not be located in such a sensitive location.

28. The sensitive nature of this location cannot sensibly be denied. The individual impacts set out above are unacceptable and when considered cumulatively they should be rejected out of hand.

29. The applicants are prepared to operate over wide locations. They have existing facilities in Gearhies and Toormore, on the other side of Mizen Head. Their area of search is therefore broad. There has been no evidence adduced to say that this site is the only location within their broad area of search which is suitable for their purposes. The application (page 9 question (xi)) simply declares in answer to the question "Reasons for site selection" that "Dunmanus Bay has ideal conditions for growing indigenous species of seaweed". However, given that they have existing facilities in two different bays, there appears to be nothing that makes a location in Dunmanus Bay essential.

The application goes on to say that "The site itself is sheltered and has access from a nearby pier for maintenance purposes". What the application has completely failed to acknowledge is that the pier in question is the only Green Coast Award beach on the peninsula.

In terms of site selection, the application has also ignored the effect of development on the nationally/internationally significant The Sheep's Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep's Head Way, makes selection of this site for this proposal both inexplicable and indefensible. This is the wrong location for this proposal.

30. The Objections raised and explained here are not intended to exclude any other objections that may be made by others on different grounds such as interference with fishing etc.

31. I ask that this application be refused. Even a development which was reduced in size would be unacceptable at this location.


27 July 2022

To: Minister for Agriculture, Food and the Marine
Aquaculture and Foreshore Management Division
National Seafood Centre, Clonakilty, Co. Cork

Email: APC@agriculture.gov.ie

Re: Application T05/640A for an Aquaculture Licence to cultivate various aquatic plants on an area of foreshore adjacent to Dooneen Pier along the north shore of Dunmanus Bay, Co. Cork



NOTICE OF OBJECTION TO THE ABOVE REFERENCED APPLICATION

I wish to object to the above application for the reasons outlined below.

1. No economic benefit to the area - in fact the opposite – negative impact on tourism and fishing – and no new local jobs.
2. Physical damage to the totally unsuitable road (a very narrow unlit track more suited to one way traffic) and pollution from emissions caused by the HGVs transporting the harvested seaweed from the pier to the R591 and onwards through the already congested village of Kilcrohane .
3. The safety impact on local residents (which includes children) from the increased traffic passing through the town land and the negative impact on the 'peace and enjoyment' to which the local residents are entitled.
4. Impact on local fishermen – 50 growth lines, 130 floats, 1,500 buoys and 4 illuminated marker beacons on a very expansive area of traditional fishing ground.
5. The visual impact on tourism – Dooneen is a busy recreational pier used by locals and tourists for swimming and angling. This pier is the only one on the entire Sheep's Head Peninsula to be awarded a Green Coast Award as a beach with excellent water quality and which is prized for its natural unspoilt environment.
6. The danger to walking groups hiking the renowned and very popular Sheep's Head Way which received the coveted European Destination of Excellence (EDEN) award in 2009 for developing tourism in a protected area in a sustainable manner.
7. The adverse impact on the Sheep's Head to Toe Head SPA (Site Code 004156) as the seaweed harvesting haul route will go through the entire SPA during the nesting period of the protected choughs and peregrine falcons

Date: 27th July, 2022

Minister for Agriculture, Food and Marine
Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty County Cork
Email: APC @ agriculture.gov.ie



APPLICATION TO5 / 640 A Dooneen Dunmanus Bay County Cork

NOTICE OF OBJECTION

GROUNDINGS FOR OBJECTION

1. These objections are based on the following items of information

- (i) Application Ref TO5/640 which consists of 36 pages in all ("the Application")
- (ii) Report by Marine Institute dated June 2022 supporting Appropriate Assessment of the Application ("Screening Document")

2. The objections to the application relate to

- (i) The visual and operational impacts of the proposed development on the amenity of the pier as a recreational facility which has been formally recognised by its Green Coast Award Status
- (ii) The operational and safety impacts on local residents and users of the Sheep's Head Way Route 80
- (iii) The adverse impact the Sheep's Head to Toe Head SPA (Site Code 004156) (iv) The defective Screening Document.

3. Visual and Operational Impacts The application site is located in a sensitive location. Dooneen Pier has received a Green Coast Award (see <https://beachawards.ie/green-coast>)

The award is made "... for beaches which have excellent water quality, but which are also prized for their natural, unspoilt environment".

There are only 15 such beaches on the whole Cork County coastline (numbers 20-34 inclusive). Dooneen is the only beach on the Sheep's Head Peninsula to have been awarded this status (number 33).

4. Neither the Application nor the Screening Document acknowledge the award which has national status although a plaque acknowledging the award is fixed to the wall leading down to the pier itself.

5. The sheer scale of the proposal means that the "natural unspoilt environment" which justified the award would be fundamentally changed. The seascape could no longer properly be described as "unspoilt" given the constituent items of development as listed below.

- (i) The beacons, buoys, floats and ropes cover an area of 15.73 ha - which is equivalent in area to 12 Croke Park pitches (Application page 34).

(ii) The four marker beacons at the site's four corners are 1.383 m above water level (4'6") and for marine safety reasons they are deliberately highly visible and illuminated at night (Application page 32).

(iii) There will be 100 MF130 floats attached to the lines as shown on drawing DPPD-01 (Application page 34)

(iv) In addition, the seaweed growth lines have grey floats (shown at page 36 of the Application) spaced at 14/100 m, i.e. one every 7 m or so. Based on the site layout drawing at page 34, the growth lines are 605-160 long = 445 m, therefore there will be over 60 of these buoys on each line and therefore 1,500 in all.

(v) There is an uninterrupted view of the elements of the Application which lies about 300 metres east of the pier which points in that direction and forms an important part of the view.

6. It is obvious that this proposal would have a permanent adverse effect on the visual amenity of the award winning pier. This demonstrates that this is the wrong location for a seaweed cultivation site. Sheep's Head Way

7. The Sheep's Head Way walking route forms part of Ireland's Wild Atlantic Way. It was awarded the prestigious status of European Destination of Excellence (thesheepsheadway.ie). It has been described as "one of Ireland's best loved walking routes" (<https://livingthesheepsheadway.com>)

8. Section 7 of the Sheep's Head Way : Letter West to Kilcrohane includes a 1.5 km Section which passes by Dooneen Pier and heads up to the main road where the pier is signposted. The walk from the pier up to the main road is a narrow agricultural way serving a handful of houses which is suitable for one way traffic only. It is a track which is completely unsuitable for commercial traffic such as is proposed. There are a few house and field accesses along the 1.5 km stretch which offer an opportunity for two cars to pass but otherwise the track is not capable of carrying two vehicles. Pedestrians using the Sheep's Head Way would be, at the very least, inconvenienced by vehicles collecting seaweed from the pier and there is clear risk of conflict with pedestrians and a danger to them from conflict with large commercial vehicles on a narrow unlit track.

9. The Application (at page 29) shows the intended route for seaweed collection which coincides with the Sheep's Head Way.

10. The Application sets out a projected annual tonnage from year 3 onwards of 110 tonnes. Over an 8 week period that amounts to over 14 tonnes per week. This represents a very marked increase in traffic which walkers and local residents on foot or in their cars would need to contend with during this 8 week period. They would expect to see the odd agricultural vehicle or resident's/fishermen's car but not frequent commercial vehicles. If a larger vehicle is used such as a 3.5 ton HGV then the interference with the enjoyment of their walk or journey to or from their home will be less frequent but in terms of pedestrian and vehicle safety the impact is more severe, given the narrow nature of the track and larger commercial vehicles being used.

11. The Sheep's Head Way is popular all year round but the period of harvesting will coincide with Easter holidays and the extra daylight hour when the clocks move forward so that the route will be well used during this period and conflict with local pedestrian and vehicular traffic is inevitable and potentially dangerous.

12. Sheep's Head Way walkers who make their way along the track down to the pier cannot fail to see the 15 ha development as they will be staring at it as they walk down to the pier faced by a vast clutter of beacons, buoys and floats.

13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

Impact on SPA

14. The existence of the Sheep's Head to Toe Head SPA is noted on page 10 of the Application but only in so far as it is "adjacent or in the vicinity" of the application site. In fact the complete length of the haul route is within the SPA as the map at page 2 of the Screening Document makes clear when compared with the haul route shown at page 31 of the Application.

15. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest. 16. The harvesting period of April/May coincides with the nesting period for Choughs "...

the female lays 3-5 eggs at 1-3 day intervals in April. She incubates alone for 17- 21 days..." "...the young fly at 6-7 weeks of age", "They are able to feed themselves three weeks later (rspb.org.uk).

And for Peregrines:

"The female normally lays a clutch of three or four eggs in late March or April at 2-3 day intervals. Both birds share the incubation which begins with the last or penultimate egg and takes 29-32 days per egg...", "the young fledge at 35-42 days and are independent two or more months later..." (rspb.org.uk).

17. The haul route through the SPA represents an unacceptable intrusion into the protected habitat of the chough and the peregrine at a critically important period of the development of the young of both species. 18. The proposal should be rejected on this basis, too. The Screening Document 19. The Application correctly acknowledges the existence of the SPA.

The Screening Document

19. The Application correctly acknowledges the existence of the SPA. This has consequences of any application which may affect the SPA.

20. The current guidance on AAs is "Appropriate Assessment Screening for Development Management: IOPR March 2021". Relevant aspects of the guidance include this requirement "

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The haulage route for the seaweed movement clearly falls into this category of effect.

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2.4.2 for Peregrines and 2.4.3 for Choughs. "2.4.2 Peregrine (*Falco peregrinus*) The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal areas also but not over subtidal areas. The proposed activity does not directly overlap with the Sheep's Head to Toe Head SPA and therefore cannot directly affect the protected habitat of this species. For these reasons, potential adverse effects of the proposed activities on Peregrine can be screened out." (emphasis added)

2.4.3 Chough (*Pyrrhocorax pyrrhocorax*) Chough are largely considered a terrestrial species as they roost in coastal cliffs and forage on coastal grasslands. The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For these reasons, the potential for the proposed activities on Chough can be screened out." (emphasis added)

The screening out of the effects of development on the SPA are fundamentally flawed because the haulage route for the HGV's carrying the seaweed is over the SPA for the whole of its length until it reaches the main road. This is abundantly clear from the Application Map on page 31: "Site Location Map: access route to site from Public [REDACTED] 8 Road". The guidance says this effect during the operational phase should be taken into account but it has not. Quite the opposite, it has been deliberately ignored and screened out.

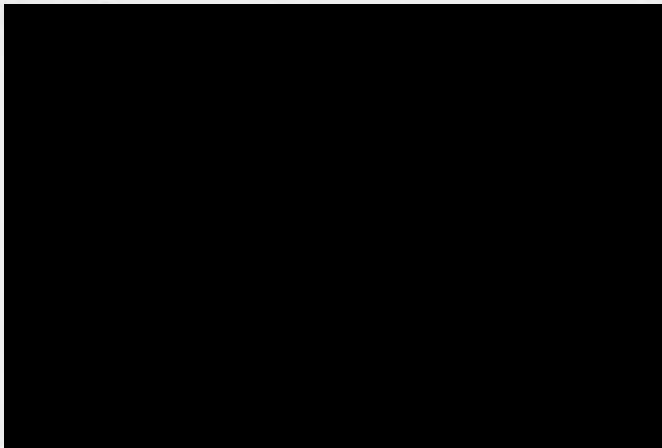
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26. This is not a merely technical point because the evidence suggests there could well be an adverse effect on Peregrines and Choughs during their breeding / nesting season by reason of seaweed haulage through the SPA. It is at the very least, based on the precautionary principle, something which needs to be subject to a full appropriate assessment which has not been done.

27. This area is a key fishing ground for Inshore fisherman who will be adversely affected.

Conclusion

28. The sensitive nature of this location cannot sensibly be denied. The individual impacts set out above are unacceptable and when considered cumulatively they should be rejected out of hand.
29. The applicants are prepared to operate over wide locations. They have existing facilities in Gearhies and Toormore, on the other side of Mizen Head. Their area of search is therefore broad. There has been no evidence adduced to say that this site is the only location within their broad area of search which is suitable for their purposes. The application (page 9 question (xi)) simply declares in answer to the question "Reasons for site selection" that "Dunmanus Bay has ideal conditions for growing indigenous species of seaweed". However, given that they have existing facilities in two different bays, there appears to be nothing that makes a location in Dunmanus Bay essential. The application goes on to say that "The site itself is sheltered and has access from a nearby pier for maintenance purposes". What the application has completely failed to acknowledge is that the pier in question is the only Green Coast Award beach on the peninsula. In terms of site selection the application has also ignored the effect of development on the nationally/internationally significant The Sheep's Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep's Head Way, makes selection of this site for this proposal both inexplicable and indefensible. This is the wrong location for this proposal.
30. The Objections raised and explained here are not intended to exclude any other objections that may be made by others on different grounds such as interference with fishing etc.
31. We ask that this application be refused. Even a development which was reduced in size would be unacceptable at this location.



28/7/22

Minister for Agriculture, Food and Marine

Aquaculture and Foreshore Management Division

National Seafood Centre

Clonakilty County Cork

Email: APC @ agriculture.gov.ie

APPLICATION T05 / 640 A Dooneen Dunmanus Bay County Cork



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(ii) The operational and safety impacts on local residents and users of the Sheep's Head Way Route 80

(iii) The adverse impact the Sheep's Head to Toe Head SPA (Site Code 004156) (iv) The defective Screening Document.

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There are only 15 such beaches on the whole Cork County coastline (numbers 20-34 inclusive). Dooneen is the only beach on the Sheep's Head Peninsula to have been awarded this status (number 33).

4. Neither the Application nor the Screening Document acknowledge the award which has national status although a plaque acknowledging the award is fixed to the wall leading down to the pier itself.

5. The sheer scale of the proposal means that the "natural unspoilt environment" which justified the award would be fundamentally changed. The seascape could no longer properly be described as "unspoilt" given the constituent items of development as listed below.

(i) The beacons, buoys, floats and ropes cover an area of 15.73 ha - which is equivalent in area to 12 Croke Park pitches (Application page 34).

(ii) The four marker beacons at the site's four corners are 1.383 m above water level (4'6") and for marine safety reasons they are deliberately highly visible and illuminated at night (Application page 32).

(iii) There will be 100 MF130 floats attached to the lines as shown on drawing DPPD-01 (Application page 34)

(iv) In addition, the seaweed growth lines have grey floats (shown at page 36 of the Application) spaced at 14/100 m, i.e. one every 7 m or so. Based on the site layout drawing at page 34, the growth lines are 605-160 long = 445 m, therefore there will be over 60 of these buoys on each line and therefore 1,500 in all.

(v) There is an uninterrupted view of the elements of the Application which lies about 300 metres east of the pier which points in that direction and forms an important part of the view.

6. It is obvious that this proposal would have a permanent adverse effect on the visual amenity of the award winning pier. This demonstrates that this is the wrong location for a seaweed cultivation site. Sheep's Head Way

7. The Sheep's Head Way walking route forms part of Ireland's Wild Atlantic Way. It was awarded the prestigious status of European Destination of Excellence (thesheepsheadway.ie). It has been described as "one of Ireland's best loved walking routes" (<https://livingthesheepsheadway.com>)

8. Section 7 of the Sheep's Head Way : Letter West to Kilcrohane includes a 1.5 km Section which passes by Dooneen Pier and heads up to the main road where the pier is signposted. The walk from the pier up to the main road is a narrow agricultural way serving a handful of houses which is suitable for one way traffic only. It is a track which is completely unsuitable for commercial traffic such as is proposed. There are a few house and field accesses along the 1.5 km stretch which offer an opportunity for two cars to pass but otherwise the track is not capable of carrying two vehicles. Pedestrians using the Sheep's Head Way would be, at the very least, inconvenienced by vehicles collecting seaweed from the pier and there is clear risk of conflict with pedestrians and a danger to them from conflict with large commercial vehicles on a narrow unlit track.

9. The Application (at page 29) shows the intended route for seaweed collection which coincides with the Sheep's Head Way.

10. The Application sets out a projected annual tonnage from year 3 onwards of 110 tonnes. Over an 8 week period that amounts to over 14 tonnes per week. This represents a very marked increase in traffic which walkers and local residents on foot or in their cars would need to contend with during this 8 week period. They would expect to see the odd agricultural vehicle or resident's/fishermen's car but not frequent commercial vehicles. If a larger vehicle is used such as a 3.5 ton HGV then the interference with the enjoyment of their walk or journey to or from their home will be less frequent but in terms of pedestrian and vehicle safety the impact is more severe, given the narrow nature of the track and larger commercial vehicles being used.

11. The Sheep's Head Way is popular all year round but the period of harvesting will coincide with Easter holidays and the extra daylight hour when the clocks move forward so that the route will be well used during this period and conflict with local pedestrian and vehicular traffic is inevitable and potentially dangerous.

12. Sheep's Head Way walkers who make their way along the track down to the pier cannot fail to see the 15 ha development as they will be staring at it as they walk down to the pier faced by a vast clutter of beacons, buoys and floats.

13. In conclusion the effect of this development on a leisure facility of national and international significance (by virtue of its EDEN status) means that the proposal's access arrangements are unacceptable and potentially hazardous to Sheep's Head Way walkers and local residents. The list of potential users of the path includes adults, children, prams, dog walkers, local residents and the disabled. The application can and should be refused on this basis, too.

Impact on SPA

14. The existence of the Sheep's Head to Toe Head SPA is noted on page 10 of the Application but only in so far as it is "adjacent or in the vicinity" of the application site. In fact the complete length of the haul route is within the SPA as the map at page 2 of the Screening Document makes clear when compared with the haul route shown at page 31 of the Application.

15. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest. 16. The harvesting period of April/May coincides with the nesting period for Choughs "...

the female lays 3-5 eggs at 1-3 day intervals in April. She incubates alone for 17- 21 days..." "...the young fly at 6-7 weeks of age", "They are able to feed themselves three weeks later (rspb.org.uk).

And for Peregrines:

"The female normally lays a clutch of three or four eggs in late March or April at 2-3 day intervals. Both birds share the incubation which begins with the last or penultimate egg and takes 29-32 days per egg...", "the young fledge at 35-42 days and are independent two or more months later..." (rspb.org.uk).

17. The haul route through the SPA represents an unacceptable intrusion into the protected habitat of the chough and the peregrine at a critically important period of the development of the young of both species. 18. The proposal should be rejected on this basis, too. The Screening Document 19. The Application correctly acknowledges the existence of the SPA.

The Screening Document

19. The Application correctly acknowledges the existence of the SPA. This has consequences of any application which may affect the SPA.

20. The current guidance on AAs is "Appropriate Assessment Screening for Development Management: IOPR March 2021". Relevant aspects of the guidance include this requirement "

.... Identifying all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site taking into account the size and scale of the project under the following headings..." "...

Operational phase ... noise/vibration ... presence of people, vehicles and activities Potential for accidents or incidents..." (OPR Protection Note PN01 page 23)

21. In defining Direct and Indirect effects the guidance refers to

Conclusion

28. The sensitive nature of this location cannot sensibly be denied. The individual impacts set out above are unacceptable and when considered cumulatively they should be rejected out of hand.

29. The applicants are prepared to operate over wide locations. They have existing facilities in Gearhies and Toormore, on the other side of Mizen Head. Their area of search is therefore broad. There has been no evidence adduced to say that this site is the only location within their broad area of search which is suitable for their purposes. The application (page 9 question (xi)) simply declares in answer to the question "Reasons for site selection" that "Dunmanus Bay has ideal conditions for growing indigenous species of seaweed". However, given that they have existing facilities in two different bays, there appears to be nothing that makes a location in Dunmanus Bay essential. The application goes on to say that "The site itself is sheltered and has access from a nearby pier for maintenance purposes". What the application has completely failed to acknowledge is that the pier in question is the only Green Coast Award beach on the peninsula. In terms of site selection the application has also ignored the effect of development on the nationally/internationally significant The Sheep's Head Way and the European status SPA. The failure to properly assess the potential effect of the development on the SPA is not only a fundamental failing in the application in its own right but, along with the adverse impacts on the Green Coast Award beach and the Sheep's Head Way, makes selection of this site for this proposal both inexplicable and indefensible. This is the wrong location for this proposal.

30. The Objections raised and explained here are not intended to exclude any other objections that may be made by others on different grounds such as interference with fishing etc.

