



21 December 2022

The Aquaculture Licences Appeals Board (ALAB)
Kilminchy Court
Dublin Road
Portlaoise
Co. Laois
R32 DTW5

Dear Sir / Madam,

Please find enclosed the Notice of Appeal Form and the accompanying Documentation File of Friends of Dooneen Pier against the

Determination of the Minister for Agriculture, Food and the Marine

Determination Reference: TO5 / 640 A

*Licence Applicant: Bantry Marine Research Station Limited,
Gearhies, Bantry, Co. Cork, P75 AX07*


Date of Publication of Notice of Determination: 26 November 2022

Place of Publication: Southern Star

Deadline for Appeal: Wednesday 28th December 2022

Please note that the Appeal Fee of € 150.00 has been electronically transferred by me to Aquaculture Licences Appeals Board as per instruction in the Notice of Appeal Form.

Yours sincerely,

 *Jeremy Cahill*
21/12/22

Jeremy Cahill KC

An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



Notice of Appeal Under Section 40(1) of Fisheries (Amendment) Act 1997 (No.23)

APPEAL FORM

Please note that this form will only be accepted by REGISTERED POST of handed in to the ALAB offices

Name of Appellant (Block Letters)	PAUL JEREMY CAHILL / FRIENDS OF DOONEEN		
Address of Appellant	[REDACTED]		
Eircode	[REDACTED]		
Phone	[REDACTED]	Email	[REDACTED]
Mobile	[REDACTED]		

FEEES

Fees must be received by the closing date for receipt of appeals	Amount	Tick
An appeal by an applicant for a licence against a decision by the Minister in respect of that application	€380	
An appeal by the holder of a licence against the revocation or amendment of that licence by the Minister	€380	
An appeal by any other individual or organisation	€150	✓
Request for an Oral Hearing* (fee payable in addition to appeal fee) *In the event that the Board decides not to hold an Oral Hearing the fee will not be refunded	€75	

Fees can be paid by way of Cheque or Electronic Funds Transfer

Cheques are payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 2021 (S.I. No. 771 of 2021)

Electronic Funds Transfer Details | IBAN: IE89AIBK93104704051067 | BIC: AIBKIE2D

SUBJECT MATTER OF THE APPEAL

APPEAL AGAINST GRANT OF AQUACULTURE LICENCE
APPLICATION T05/640A
DOONEEN PIER
DUN MANUS BAY
CO. CORK.



Site Reference Number: - (as allocated by the Department of Agriculture, Food, and the Marine)	T05/640
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Appellant's particular interest in the outcome of the appeal:

FRIENDS OF BOONEEN ARE THOSE
OPPOSED TO DEVELOPMENT AT THE
PIER

P. J. CATHU — THE POINT OF CONTACT —
IS A LOCAL RESIDENT AS ARE
MANY BUT NOT ALL OF THE
FRIENDS OF BOONEEN

Outline the grounds of appeal (and if necessary, on additional page(s) give full grounds of the appeal and the reasons, considerations, and arguments on which they are based):

FOR FULL GROUNDS PLEASE

SEE ATTACHED FILE

- (i) GROUNDS
- (ii) CONTENTS PAGE
- (iii) APPENDICES INCLUDING
STATEMENTS OF FRIENDS OF BOONEEN

Signed by the Appellant

P. J. Cathu

Date

21/12/22

Please note that this form will only be accepted by REGISTERED POST of handed in to the ALAB
offices

Fees must be received by the closing date for receipt of appeals

This notice should be completed under each heading and duly signed by the appellant and be accompanied by such documents, particulars or information relating to the appeal as the appellant considers necessary or appropriate and specifies in the Notice.

To: The Aquaculture Licences Appeals Board (ALAB)
Kilminchy Court
Dublin Road
Portlaoise
Co. Laois
R32 DTW5
("The Board")

Appellants: Friends of Dooneen Pier (full list of Appellants is at Tab 12)

Email for Communication: 

Address for Communication: 

Appeal against: Determination of the
Minister for Agriculture, Food and the Marine

Determination Reference: TO5 / 640 A

Licence Applicant: Bantry Marine Research Station Limited,
Gearhies, Bantry, Co. Cork, P75 AX07

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(see exchange of emails overleaf and in particular email
of 9:36 am, 8th December 2022 confirming deadline)

From: Alab, Info Info@alab.ie
Subject: RE: Dooneen
Date: 8 December 2022 at 09:36
To: [REDACTED] Alab, Info Info@alab.ie



Hi Jerry,

In response to your queries:

1. Videos can be submitted once the disk, USB, etc. comes in with the appeal form.
2. Appeals can be submitted up until 5pm on Wednesday the 28th of December 2022.
3. Several people can submit a joint appeal, just make sure we have an address for correspondence.

Hope this helps.

Kind regards,
Ciara

-----Original Message-----

From: P J Cahill <[REDACTED]>
Sent: Wednesday 7 December 2022 19:01
To: Alab, Info <Info@alab.ie>
Subject: Re: Dooneen

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 .

Hello Ciara,

Three short questions:

1. Can objectors send in a video of the route from the pier up to the main road?
2. What is the cut off date and time for appeal documents to be delivered to you?
3. Can several people submit a joint appeal?

Thanks in advance.

Best wishes

Jerry

Jeremy Cahill KC

On 7 Dec 2022, at 12:57, Alab, info <Info@alab.ie> wrote:

Dear Mr. Cahill,

Unfortunately at the moment we are restricted by the text of the Fisheries (Amendment) Act and all material must be submitted by hardcopy with the appeal.

Kind Regards,
Ciara

-----Original Message-----

From: P J Cahill <[REDACTED]>
Sent: Tuesday 6 December 2022 16:59
To: Alab, Info <Info@alab.ie>
Subject: Dooneen

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 Ciara,

Sorry to trouble you again.

I've been asked to try and help local people prepare their appeal forms.

I've been asked whether they can send photographs or other material by email or must it be reduced into paper

form when their appeal is submitted?

With best wishes,

Jerry.

Jeremy Cahill KC

CONTENTS

1. Submission on behalf of Friends of Dooneen Pier
2. Bantry Marine Research Station Ltd Application Date stamped 22/2/2022 (“the Application”)
3. Marine Institute Report supporting Appropriate Assessment dated June 2022 (“the Scoping Report”)
4. Minister’s determination published 21st November 2022 (“the Determination”)
5. Photograph from Applicant’s website showing harvesting of seaweed
6. Plan showing location of SAC and SPA on the Sheep’s Head Peninsula
7. Green Coast Award documents
8. Extracts from Sheep’s Head Way Literature including Section 7: Letter West to Kilcrohane
9. OPR Practice Note PN01: Appropriate Assessment Screening for Development Management
10. Extracts from Cork County Development Plan 2022-2028
11. Extracts Fisheries (Amendment Act) 1997 (“the Act”)
12. List of Appellants, addresses and Statements 1-28
13. FOI Correspondence
14. Activities Requiring Consent
15. Recent ALAB decision in Dunmanus Bay AP6/1/2018 and Technical Advisors Report relating to the decision: Final Report Dr. Ciar O’Toole, 18 November 2022
16. eOceanic analysis of the history and present state of Dooneen Pier

To: The Aquaculture Licences Appeals Board (ALAB)
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Email for Communication: 

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Appeal against: Determination of the
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Summary

1. This is an appeal against a determination by the Minister for Agriculture, Food and the Marine ("the Minister") to grant an aquaculture licence for cultivation of various aquatic plants using longlines on the sub-tidal foreshore on a 15.4 hectare site adjacent to Dooneen Pier, on the north shore of Dunmanus Bay, County Cork ("the

Site”). The Minister failed properly to address the impacts of the development in accordance with the requirements of Section 61 of the Fisheries Amendment Act 1997 (“the 1997 Act”). Further he failed to require an Appropriate Assessment to be carried out in respect of the impact of the development on adjacent Natura 2000 sites when the application itself made clear that hundred of tons of seaweed would be removed from the long lines on Dooneen Pier which is within the SPA and then would be transported over land protected by Habitats legislation. Further, the risk of negative impact on Annex II species, namely Otters, Grey Seals, Harbour Porpoises, Minke Whales and Humpback Whales cannot be ruled out, absent a full Appropriate Assessment, which the Minister should have required. In so doing he apparently relied on a legally defective Screening Document submitted in support of the Application. In any event, pursuant to Section 40 (4) (b) of the Act, the Board will deal with the application as if it had been made to it in the first place and should refuse to grant a licence having regard to the issues in Section 61 of the 1997 Act and in the absence of an Appropriate Assessment of the proposal on the Natura 2000 Site and Annex II species.

Legal Context

2. Section 40 of the Fisheries (Amendment) Act 1997 makes provision for appeal against decisions of the Minister of Aquaculture Licence Applications and Section 41 provides

“41.- (1) for an appeal under section 40 to be valid, the notice of appeal shall-

- (a) be in writing,*
- (b) state the name and address of the appellant,*
- (c) state the subject matter of the appeal,*
- (d) state the appellant’s particular interest in the outcome of the appeal,*
- (f) be accompanied by such fee, if any, as may be payable in respect of such an appeal in accordance with regulations under section 63, and shall be accompanied by such documents, particulars or other information relating to the appeal as the appellant considers necessary or appropriate.”*

3. The criteria to be followed by ALAB or the Minister when determining a licence are as set out in S61 of the Fisheries (Amendment) Act 1997:-

“61.- *The licensing authority, in considering an application for an aquaculture licence or an appeal against a decision on an application for a licence or a revocation of amendment of a licence, shall take account, as may be appropriate in the circumstances of the particular case, of—*

(a) the suitability of the place or waters at or in which the aquaculture is or is proposed to be carried on for the activity in question,

(b) other beneficial uses, existing or potential, of the place or waters concerned,

(c) the particular statutory status, if any, (including the provisions of any development plan, within the meaning of the Local government (Planning and Development) Act, 1963 as amended), of the place or waters,

(d) the likely effects of the proposed aquaculture, revocation or amendment on the economy of the area in which the aquaculture is or is proposed to be carried on,

(e) the likely ecological effects of the aquaculture or proposed aquaculture on wild fisheries, natural habitat and flora and fauna, and

(f) the effect or likely effect on the environment generally in the vicinity of the place or water on or in which that aquaculture is or is proposed to be carried on-

on the foreshore, or

at any other place, if there is or would be no discharge of trade or sewage effluent within the meaning of, and requiring a licence under section 4 of the Local Government (Water Pollution) Act, 1977 and

(g) the effect or likely effect on the. Man-made environment of heritage value in the vicinity or the place or waters.”

Habitats Directive

4. A licence cannot be granted unless ALAB is satisfied either:

1, that the proposed activity is not “likely” to have a significant effect on a special protection area (SPA) or special area of conservation (SAC), meaning that it is established beyond reasonable scientific doubt that it will not have such an effect, or

2, that the proposed activity may have a significant effect on an SPA or SAC, but has been subjected to an Appropriate Assessment and ALAB has determined, again beyond a reasonable scientific doubt, that it will not adversely affect the integrity of that site.

[Annex I Habitats]

5. ALAB also cannot grant a licence unless it is satisfied to the same standard that the proposed activity will not cause deliberate disturbance to a strictly protected species. A disturbance is deliberate if it is the natural and probable consequence of a person's action. [Annex II Species]

Burden of Proof

6. Where a person proposes to carry out an activity within an area of foreshore, and where that activity will convert a part of the natural environment for use by a private individual, the burden of proving that the proposed activity is suitable lies on the person proposing to carry it on.
7. This is in accordance with the polluter pays principles which is a fundamental rule of the Treaty of Functioning of the European Union and which forms the background to all European environmental Directives.

Unseen Documents

8. This appeal is based on the following documents:
- Application form by Bantry Marine Research Station date stamped 22 February 2022 [Tab 2]
 - Report Supporting Appropriate Assessment of Extensive Aquaculture in Dunmanus Bay, Co. Cork, prepared by the Marine Institute dated June 2022 [Tab 3]
 - Reasons for Minister's Determination [Tab 4]

9. Should the Minister furnish any additional documents pursuant to Section 43 of the 1997 Act, ALAB should note that the Appellants have not seen such documents and have not had the opportunity to make submissions on them, or to formulate grounds of appeal arising from them.
10. By email of 7 December 2022 a request was made to the Minister for information pursuant to the Freedom of Information Act 2014. The email correspondence is enclosed at Tab 13. To date the further request made on 19th December has not been answered. It is not therefore possible for the Appellants to make submissions or formulate grounds of appeal on the contents of the Minister's file or any information contained therein.
11. It is imperative for the purposes of a fair hearing in accordance with the rules of natural justice that the Appellants be given the opportunity to address any such documents if the Minister is to rely upon them. The Appellants would ask the Appeals Board to exercise its powers under Section 46 of the 1997 Act to allow the Appellants an opportunity to deal with any additional material provided.

Appropriate Assessment

12. 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 [Tab 3] makes clear when compared with the haul route shown at page 31 of the Application [Tab 2]. Furthermore, seaweed stripping operations are to be undertaken on the Pier which is within the SPA.
13. The Screening Document identifies Peregrine and Chough as the two species which give the SPA its qualifying interest.
14. The seaweed harvesting period of April/May (as identified by Dr Julie Maguire in her presentation at Kilocrohane Community Hall on Thursday 21st July 2022) 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).

15. 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.
16. The proposal should be rejected on this basis because it has not been demonstrated *"beyond reasonable scientific doubt"* that the proposal will not affect the integrity of the site. That has not been shown.
17. Part of the harvesting process is described as taking place on the pier where seaweed is intended to be stripped from the long lines [see Tab 2 page 10 (xiii) and photo Tab 5 which appears to show this operation at Gearhies Pier close to the Applicant's premises].
18. In addition to these effects on Annex I Habitat, there is evidence that Annex II protected species use the site and its environs [Tab 12/1, 3, 4, 5, 7, 8, 9, 13, 16], in particular Otters, Grey Seals, Harbour Porpoises, and Whales - Minke and Humpback. No development should be permitted unless and until it has been demonstrated beyond scientific doubt that these protected creatures will not be adversely affected by the development. The Screening Report [Tab 3] addresses (inadequately) only Otters, Seals and Porpoises. Minke or Humpback Whales are not addressed at all and yet video evidence demonstrates that whales do use this location [Tab 12/13]. This is wildlife footage which would grace a David Attenborough programme.

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 Screening is “Appropriate Assessment Screening for Development Management: IOPR March 2021” [Tab 9]. 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 expressly identified in the Application 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 [Tab 3 Screening Report 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 on two bases: firstly, the stripping of seaweed off the long lines takes place on the pier which is actually within the SPA and secondly 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 [Tab 2]: “*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 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. In this respect the exchange of correspondence with the Brooks [Tab 12/27], Birdwatch Ireland and NPWS (responsible for SPAs and SACs) is remarkable. The two public bodies are both surprised that the impact of the SPA could have been screened out and at the absence of an AA on all Annex II species following the Screening in which they both think should have been the appropriate response to the available information.
27. The Screening is also inadequate in respect of Annex II protected species. In relation to Otters, Seals and Porpoises the exercise is merely a desk top assessment. This approach contradicts the guidance at Tab 9 p 9

“The project should only be considered to have no appropriate assessment issues if it is obvious that the entire project, through all of its stages, could not possibly have any effect on any European Site, and that no measures intended to avoid or reduce potentially harmful effect on a European Site are included.” (emphasis added)

On the facts of this case that is not a conclusion which could reasonably be reached.

28. When pages 12-14 of the Scoping Document [Tab 3] relating to Otter, Seal and Porpoise are read the wrong test is used “...no negative impact ... is expected ...” “disturbance is likely to be very low” (Otters), “Likelihood of interaction and potential adverse effects is very small” (Harbour Porpoises). Its clear from the guidance that the correct test is whether adverse effects can be “ruled out” and not the test which has been used namely whether an adverse effect is “likely” or not.

This use of the incorrect test is, legally speaking, another fatal flaw in the Scoping document.

29. There is no scoping whatsoever in respect of Whales known to use the area. The effect of development on these Annex II species mean a licence could not be granted without an Appropriate Assessment.

Minister's Reasons for Determination [Tab 4]

30. The grounds of appeal will consider the criteria set out in Section 61 of the 1997 Act [Tab 11] below and the Appellants would seek to avoid unnecessary repetition of matters dealt with elsewhere, not least because the Board considers matters afresh pursuant to Section 40 (4) (b). However, the Board should be made aware of evidence which contradicts the Minister's findings or where evidence to substantiate the reasons seems inadequate or absent.

Public Access

31. There is an abundance of written, pictorial and video evidence that the country track is simply not suitable for commercial traffic and that conflict between commercial traffic associated with the seaweed harvesting and pedestrian, cycle and vehicular traffic is inevitable given the narrowness of the track and the lack of passing bays. In particular, there is no suggestion that the road is to be widened or otherwise "*improved*". Any such works would be taking place within the SPA/SAC and would require express approval as "*Activities Requiring Consent*", see ARC-09 "*Construction or alteration of tracks, paths, roads, bridges, culverts or access routes*" [Tab 14].

Economy of the Area

32. There has been no attempt whatsoever, so far, to acknowledge, still less to assess, the countervailing economic adverse impacts which evidence at Tab 12/2 and 12/24 in particular suggests there would be.

Overlap with Natura 2000 Sites

33. The Minister has fallen into legal error at para (g) of his reasons,

“The proposed aquaculture activities do not spatially overlap with Natura 2000 sites and there should be no significant impacts on the nearest Natura site(s).”

(i) The *“aquaculture activities”* are self evidently not limited to the growing of seaweed but obviously include its harvesting and removal via the SPA. This statement is therefore factually incorrect.

(ii) The Minister’s assessment contradicts the Application which states,
“A boat operated crane will be utilised to remove the longlines from the bay and will then be hand cut into IT bins.”

This harvesting process is an integral part of the *“aquaculture activities”* and it is clearly undertaken on the pier which is agreed to be within the SPA.

(iii) The minister also contradicts the Scoping Report which, under the heading *“Details of Proposed Aquaculture Activities”* states at para 2.1 .. *“The harvest method will be hand-cutting into IT bins...The site will be accessed from Dooneen Pier, approximately 350m to the west of the site.”*

Dr Julie Maguire confirmed at the presentation at the village hall that the seaweed would be removed from the pier via the existing road.

(iv) The Minister had no information upon which to conclude there would be no *“significant impacts”* on the SPA.

Substantive Appeal Grounds

34. It is proposed to address the appeal by reference to the criteria set out in Section 61 of the 1997 Act. The Appellants attach as Tab 15 a recent ALAB decision in respect of Appeal AP6/1/2018 together with a Technical Advisors Report from Dr. Ciar O’Toole which helped inform that decision. The Board’s decision was to annul the licence which had been granted by the Minister elsewhere in Dunmanus Bay for mussels cultivation. The Appellants acknowledge that this is a different form of aquaculture development. However, the way in which the Board and its Technical

Advisor approached issues such as impact on SPAs, the need for appropriate assessment, and the potential adverse environmental and ecological impacts at and adjacent to that appeal site are relevant to this site both in terms of approach and consistency of decision making.

(a) The suitability of the place or waters at or in which the aquaculture is or is proposed to be carried on for the activity in question,

35. The site is very clearly not suited to the proposed aquaculture use. The Appellants do not contend that there will be any pollution of the water generated by seaweed growth but there will be from inevitable diesel fuel spillages. However, there will be very considerable interference with the “*natural unspoilt environment*” that prompted the decision to grant Dooneen a Green Coast Award [Tab 7]. It is the only such beach on the whole of the Sheep’s Head Peninsula [Tab 7 page 2 of 3] and there are only 15 on the whole coastline of County Cork [Tab 7: numbers 20-34]. It is therefore a beach of at least County level importance and deserving of concomitant protection from development which would harm its special qualities as this development certainly would.
36. The Green Coast Award depends upon the site being “*...managed carefully and in close consultation with conservation organisations to account for their environmentally sensitive nature as part of a management plan*” and it is important to note the importance placed on any adverse visual impact on this natural unspoilt environment “*... consideration should be given to the visual impact of facilities and signs, if they are present, on the surrounding landscape...* ”.
37. If the ethos of a Green Coast Award is to protect the landscape from adverse impact of merely a “*sign*”, how can 15 Ha of paraphernalia which will be clearly visible from the pier be acceptable? Hundreds of buoys during the growing season and large yellow illuminated bollards which will be there all year round [Tab 2 pages 32 and 36] and see CGI imagery at Tab 12/27.
38. The activity of stripping seaweed [Tab 5] will be carried out over an 8 week period between April / May but potentially later. This will no longer be an unspoilt

environment not just by virtue of the floats etc in full view of the pier but also by reason of this low grade industrial process being undertaken for weeks on end on the pier which for the last 50 years and more has only been put to leisure use.

39. The Green Coast Award also suggests *“The award encourages community involvement through the setting of Clean Coast Groups. Clean Coast Groups formulate their own aims, objectives and activities to clean up and protect their adopted stretch of coastline”*. (emphasis added)

The photographs provided on the various statements show how beautiful is the existing scene. The photographs of eOceanic [Tab 16] were taken to capture this beauty. The photomontage (Tab 12 Appellant Number 27) is our attempt to show by just how much this pristine view will change for ever.

40. These waters are special and rightly treasured. It is not a suitable place for this development. The Development Plan analysis below reinforces this point.

(b) Public Access and other beneficial uses, existing or potential, of the place or waters concerned,

41. The effect of the development on these matters has been ignored in the Application and the Marine Institute Report (which does not purport to address it – see Tab 3 page 1].

42. The Minister makes an unsubstantiated assertion:

“Public access to recreational and other activities can be accommodated by this project”.

The Appellants’ evidence simply does not bear this assertion out. The Appellants adopt the approach taken by Dr. O’Toole on this matter under the following headings.

Fishing

Other Appellants in a separate appeal document will deal with commercial aspects of impact on fishing. The Appellants' evidence shows that the pier is used and has been used for recreational / food fishing for generations [Tab 12/25]. That will not be possible when seaweed is being stripped on the pier.

Access

All local residents [Tab 12] attest to the non-suitability of the chosen access. The video demonstrates how unsuitable it is to use a narrow, quiet breen for commercial traffic [Tab 12/27]. The road itself forms part of the internationally recognised Sheep's Head Way which is an European Destination of Excellence (see Tab 8) and expressly acknowledged in the Development Plan (as will be seen below) to be an asset of importance to be "*protected*". This development will not protect this valuable asset and will bring it only harm.

Visual impacts

This special place will change fundamentally if this development goes ahead. This point is developed more fully in the analysis of provisions of the Cork County Development Plan below.

Tourism

There will be impacts on tourism which relies on its unique selling point - the pristine nature and beauty of the location [Tab 12/24 and 12/2].

Leisure Activities

The witness evidence in Tab 12 proves that the site is actively used all year round by swimmers, kayakers, yachtsmen, leisure boaters, divers and those who come to view regular visits by dolphins and whales [Tab 12/13 video of feeding Dolphins,

Minke Whales and – remarkably – two Humpback Whales]. These creatures are feeding close to the shore and it is not a satisfactory response to this astounding natural history to say the site covers “only” 15 Ha when we know that if this development takes place we will never see Whales chasing their prey in this 15 Ha of Dunmanus Bay ever again.

The tubs pictured in Tab 5 will need to be stored somewhere. Dooneen pier will not look the same again. By way of practical example see drone photos of Gearhies Pier at Tab 12/26 which show what a busy commercial pier looks like and compare that with the many photos of the pier as it now is. We have all revisited a holiday location which has changed for the worse and resolved not to return and keep only memories of how it was before it changed. Do we want that to happen here?

(c) the particular statutory status, if any (including the provisions of any development plan, within the meaning of the Local Government (Planning and Development) Act, 1963 as amended) of the place or waters,

43. The Appellants rely on and do not repeat here the analysis of Appropriate Assessment and Screening Document set out at paras 12 to 29 above.

44. The potential for significant negative impacts on Natura 2000 sites and species has not been ruled out in this case.

45. In the Dunmanus Bay Appeal [Tab 15] Dr. O’Toole concluded (at page 4) that in that case

“... the assessment did not consider all the relevant SPA sites which could potentially be affected...”.

In this case the position is far worse: part of the aquaculture activity takes place within the SPA and we are simply left to guess at the effect of haul route traffic on the Peregrine and the Chough.

46. The Screening Report [Tab 3] does not even acknowledge the local existence of Annex II species, Minke Whales and Humpbacks. The video at Tab 12/13 and other witness evidence – particularly Tab 12/5 prove that these species feed in the vicinity. Therefore, the potential for significant negative impact on two Natura 2000 species has not been ruled out in this case.

47. The potential impact on Otters in the Screening Report does not rule out adverse impact upon them, but merely makes a series of generalised assertions. It is for example said

“... the number of couching sites and holts or, therefore, the distribution, will not be directly affected by activities”.

How can this be true if the locations of the couching sites / holts have not been identified?

Similarly, the report seeks to rule out the impact of vessel traffic at the site on the basis that

“... Otters are active primarily during the evening and early morning hours”.

That does not accord with the video evidence in Tab 12/26 which shows Otters active at 9.11 am and 12:11 pm. Even if conflict is “*unlikely*” that is not the proper test for the requirement for AA – see Tab 9 p 9 and see para 27 above.

Development Plan

48. The Minister made no finding in relation to this criterion [see Tab 4].

49. The relevant development plan is and was at the time of the Minister’s determination the Cork County Development Plan 2022-2028 (“CCDP”) [extracts at Tab 10] which came into effect on 6th June 2022. There is a considerable amount of material in the Development Plan which is highly relevant to “*the place or waters*”.

50. It is noted that there is no evidence that the Minister requested any input from Cork Council on this (or any other) matter.

51. The Act requires that ALAB have regard to these Development Plan provisions. The Minister's apparent failure to address these highly relevant provisions renders the Minister's determination deficient in terms of his duties under Section 61(c) of the 1997 Act. The CCDP consists of 6 volumes the last of which includes an interactive. Map. Relevant extracts of the CCDP are included at Tab 10.

Policy CS2-6 (d) recognises the international importance of the scenic and landscape qualities of the coastal areas "*particularly along the peninsulas in the southwest*" and the plan commits to "*protect these landscapes from inappropriate development*".

Policy CS2-6 (g) commits to "*promoting a stronger tourism and leisure economy through the protection of the area's natural and built heritage*". There is specific reference to the encouragement of wildlife tourism.

Policy CS2-6 (i) commits the plan to the protection and enhancement of the West Cork coast.

These policies establish the importance attached to the role of tourism and the protection of areas such as the application site from inappropriate development.

Section 7 of the CCDP at p145 advises that in respect of aquaculture developments that they "*must take account of the ecological, social and scenic impacts of any such developments and these factors will be taken into consideration during the assessment process*".

52. This passage makes clear that, despite its benefits, aquaculture must not proceed without proper consideration of ecological and scenic impacts. The Minister appears to have regarded the benefits of aquaculture as being a trump card over visual, amenity and environmental impacts which CCDP actively protects. This is not what the National Marine Planning Framework quoted at CCDP para 7.3.8 intends:

“7.3.8 Cork County Council aims to be a first mover in terms of establishing the fundamental policies and implementing the objectives of the NMPF which will be of greatest benefit for our coastal and island communities. In this regard, Cork County Council is keen to both support the potential of the marine environment by nurturing opportunities for innovation in the Maritime economy but also to support and preserve the environmental and ecological conservation status of our natural marine resource.”

53. The Minister provided an unevidenced assertion at (b) of his determination that public access can be accommodated by this project. The narrowness of the single track access is apparent in the video and photographs [Tab 12/27]. Policy MCI 7-6 (c) only supports new access arrangements *“for the general public for recreational purposes”* so in purely planning terms it would be entirely inappropriate to seek to build a new access route or to widen the existing access to facilitate commercial development. In any event, such engineering works would be within the SPA and would require express approval [see Tab 14].

54. It is not known if the Minister sought or obtained advice from Cork County Council as to the adequacy of the access route. He clearly should have done. The waste disposal services clearly do not believe the route is suitable for their vehicles [Tab 12/23] and this is clearly an appropriate conclusion from a body experienced in assessing Access issues. In his statement (Tab 12/27) Mr Brooks records how the Cork County planners would not approve use of the track to his home for commercial traffic if it were proposed to visit his house (which is only about half way down its full length). If the County Council were asked to advise the Minister as to the suitability of the access for this development this application and if, as I’m sure they would, they dealt with the suitability of the track for access in a like manner, they would, I’m confident, prevent use of the track for access.

55. The CCDP provides in principle support for aquaculture but this support is very clearly subject to limits.

EC8-18 expressly requires that any such development must be *“compatible with the protection of the environment, nature conservation, heritage, landscape and other*

planning considerations". Nature conservation protection and Natura 2000 protection measures have been addressed above and the site and its access are clearly not consistent with nature conservation as the policy requires.

56. The application site has the benefit of a Green Coast Award [Tab 7] which is awarded not only for sites with excellent water quality but also ones which are "*...prized for their natural unspoilt environment*". It is fanciful to suggest that 15Ha of seaweed cultivation apparatus would not fundamentally change this "*natural unspoilt environment*". The CGI illustrations demonstrate this point [Tab 12/27]. There are only 15 beaches on the whole Cork County coastline which enjoy Green Coast status and only Dooneen is the only one on the Sheep's Head peninsula [see Tab 7]. 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 Tab 2 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 Tab 2 page 32].
- (iii) There will be 100 MF130 floats attached to the lines as shown on drawing DP-PD-01 [Application Tab 2 page 34]
- (iv) In addition, the seaweed growth lines have grey floats [shown at Tab 2 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 itself "points" in that direction and forms an important part of the view.

At the village hall 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.
57. 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.
58. CCDP places great importance on the value and importance of tourism at TO 10-1 (a) requiring the *“protection of the natural built and cultural heritage assets of the county, including Natura sites...”*. TO 10-2 acknowledges the success of the Wild Atlantic Way and repeats the commitment to protection of Natura 2000 sites. The text at 10.6.1 expressly refers to *“The West Coast Peninsulas (Beara, Mizen, Sheep’s Head) with their unique visual amenity and landscape character offer potential for walking”*. The Map at Fig 10.1 shows the areas referred to.
59. The existing role of the Sheep’s Head Way is acknowledged at 10.11.3 of the Plan.
60. Tab 8 Section 7: Letter West to Kilcrohane located at page 1/5 and Map located at page 2/5 is an extract from the Sheep’s Head Trail which shows that walkers are encouraged to enjoy Dooneen Pier. The view from this pier will change fundamentally as will views from the footpath itself.
61. The Development Plan commitment to the protection of the valuable natural environment is expressed in a clear commitment to policy TO10-5: Protection of Natural, Built and Cultural features

“Protect and conserve those natural, built, and cultural heritage features that form the resources on which the County’s tourist industry is based. These features will

include areas of important landscape, coastal scenery, areas of important wildlife interest, ...” (emphasis added)

62. The protection of the landscape expressly includes visual amenity – see GI 14-9
Landscape

“(a) Protect the visual and scenic amenities of County Cork’s built and natural environment.”

and particularly sea views – see GI 14-12

“County Development Plan Objective

GI 14-12: General Views and Prospects

Preserve the character of all important views and prospects, particularly sea views, river of lake views, views of unspoilt mountains, upland or coastal landscapes, ...

(emphasis added)

63. The Minister has completely failed to address the strict policy requirement of GI
14-14

“County Development Plan Objective

G14-14: Development on Scenic Routes

- a) *Require those seeking to carry out development in the environs of a scenic route and/or area with important views and prospects, to demonstrate that there will be no adverse obstruction or degradation of the views towards and from vulnerable landscape features. In such areas, the appropriateness of the design, site layout, and landscaping of the proposed development must be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the view.”* (emphasis added)

There will very clearly be an “*adverse obstruction or degradation*” of the views from Dooneen Pier and this alone should prompt the ALAB to reject this application.

64. These adverse impacts are in an area which CCDP has analysed as of national importance and one of the most sensitive to change in the whole country. Appendix F of CCDP – “*Landscape Character Assessment*” - identifies the character areas in

the map in Tab 10 at page 515: the application site lies within Area 4. The Summary Table on page 514 shows only five character areas in the whole of County Cork which are of “*very high*” Landscape Value and “*very high*” Landscape Sensitivity” to change namely Area 4 “*Rugged Ridge Peninsulas*” and the application site is in one of those. Of these five, only three are classed as being of “*National*” Landscape Importance: The appeal site is therefore located in one of only three landscape character areas in the whole of County Cork which are of very high landscape value and sensitivity to change in an area of national landscape importance.

65. Volume II of the CCDP is devoted to “*Heritage and Amenity*”. Sheep’s Head SAC Site Code 0102 is recorded at p 161 and “*Sheep’s Head to Toe Head SPA: Site Code 4156*” is recorded at p 183 where the Conservation Objectives of maintaining or restoring the favourable conservation condition of the Peregrine and the Chough. The Chough is on the Amber List (page 224).

Development Plan Summary

66. Aquaculture is encouraged in the plan – para 7.2.6 - and its role in diversification in rural areas is acknowledged – para 8.20.2. However, that role is heavily caveated:

“7.2.6... Aquaculture development must take account of the ecological, social and scenic impacts of any such development and these factors will be taken into consideration during the assessment process.” (emphasis added)

“EC: 8-18 Fishing and Aquaculture

a) To support the sustainable development of fishing and aquaculture industries ensuring that new development is compatible with the protection of the environment, nature conservation, heritage landscape and other planning considerations.” (emphasis added)

67. The CCDP is deeply committed to the economic benefits of tourism (income from Overseas Tourism of € 5 billion planned by 2025 – para 10.3.1) and protection of Tourist Assets – The Sheep’s Head Peninsula being on such area - para 10.6.1: 6th

indent. Such features are recognised as worthy of protection in Policy T10-5. The Sheep's Head Way plays a role in walking provision on the peninsula – para 10.11.3. Visual landscape qualities are actively protected GI 14-9 (a) and in particular sea views which are to be “*preserved*” – Policy GI 14-12. The CCDP does support rural diversification but not at any price. This application is not one made by a struggling farmer but by a well funded private company. Furthermore, there is no need for the company to set up shop in this sensitive location. It could find alternative locations in less sensitive landscape elsewhere as it has in the past and doubtless its Business Plan intends to in the future.

68. Unsurprisingly, CCDP places great value on nature conservation assets and the protection of endangered species and their habitats. This reflects European Legislation which has been incorporated into national law. This policy commitment makes the failure of the Minister properly to consider the potential effect of seaweed transfer through the SPA all the more difficult to understand.

(d) The likely effect of the proposed aquaculture, revocation or amendment on the economy of the area in which the aquaculture is or is proposed to be carried on.

69. This had been dealt with above: the Minister reached a conclusion in relation to economic benefit without having regard to the likely impact on tourism, on sailing vessels in the Bay, recreational activity or on existing fishing uses of the area. The effects of the project will be to restrict the local fishing activity in the area with adverse employment consequences. Vessels which fish in the area will no longer be able to so.

70. The effects on sailing will reduce the attractiveness of Dunmanus Bay to sailors and therefore as a tourism destination. The visual effects of the aquaculture will eliminate the rugged appeal and unspoilt beauty of this special part of the peninsula and will adversely affect the tourist economy of the area.

71. The pier is regularly used by fishermen, swimmers, snorkelers and divers. The process of stripping seaweed off the lines is simply not compatible with these activities being able to continue during the harvesting period of May and June or

later based on the Applicant's own photograph of this exercise being undertaken elsewhere (Photo at Tab 5). The Applicant says the tubs hold 1 tonne (Application Tab 2 p 10 para (xii)) so by year 3 there will be a throughput of 220 (110 x 2 trips) of these (Application Tab 2 p 9 para (x)) during the harvesting process. Not just residents will have to negotiate this traffic but also those who come to visit the pier for whatever reason and users of the Sheep's Head Way which will have to take their chances with commercial traffic.

72. The Applicant has provided no evidence whatsoever that this development needs to be at this location. It can and does grow seaweed elsewhere (Gearhies and Toormore in Roaring Water Bay) and has recently been granted an amended licence for seaweed cultivation in Bantry Bay at Gearhies which also has a pier and is close to the research station itself so the water in Bantry Bay is clearly "suitable" also (Application T)5/547A determination published 21/11/22).

73. There is no evidence that refusal of this application will result in lost employment / rural diversification opportunities: the Applicant has never contended that this is the only suitable location for seaweed farming. The objectors do not have a quarrel with the principle of seaweed cultivation which, it is accepted, has benefits but this is very clearly not a suitable location for such a huge 15Ha enterprise.

74. The evidence invites the same conclusion as reached by Dr. O'Toole in Tab 15

"... the potential impact on other users of the site means that potential negative or positive economic impacts cannot be conclusively ruled out at this point."

**(e) The likely ecological effects of the aquaculture or proposed aquaculture on wild fisheries, natural habitats and flora and fauna, and the effect or likely effect on the environment generally in the vicinity of the place or water on or in which that aquaculture is or is proposed to be carried on-
on the foreshore, or
at any other place, if there is or would be no discharge of trade or sewage effluent within the meaning of, and requiring, a licence under section 4 of the Local Government (Water Pollution) Act, 1977, ...**

-
75. The inadequacy of the Screening Report and the Minister's reliance upon it has been dealt with above and will not be repeated here. It is obvious that, having grown seaweed at sea, in order for it to be of any commercial benefit it will need to be taken to land to be processed. The Applicant's advisor's approach is to assess what happens at sea but to ignore what happens on dry land, which is an essential, integral part of the process. This offends both common sense and, not surprisingly, European / Domestic Legislation.
76. An EIA is required to discover whether or not an adverse effect on Choughs or Peregrines can be ruled out before a licence can be granted.
77. That EIA should also consider the effect of such a large area of marine infrastructure on the dolphins, seals and whales which are known to use the area.
78. Within the eight week harvesting season there will be daily risk of conflict between regular users of Route 80 of the Sheep's Head Way on a narrow track not built for commercial traffic.
79. There is potential for significant ecological and environmental impacts on the area if the proposed development was to go ahead.

SUMMARY

80. This is the wrong location for seaweed cultivation. It would bring about adverse visual impacts in a sensitive area valued for its beauty which many layers of CCDP policies protect.
81. The Application should have been accompanied by an Appropriate Assessment and it was not. In terms of the SPA it is simply unknown whether there would be adverse impacts on Choughs and Peregrines during their breeding season.
82. The scoping out of the impacts on Seals, Otters and Dolphins was perfunctory and lacked detail. There is evidence before the Board that other Annex II protected species use this area, namely Minke and Humpback Whales [Tabs 12/5 and 13 in

particular]. These protected creatures have not even been subject to a Scoping Exercise.

83. Theoretical loss of employment through rejection of this proposal is nugatory. Other more appropriate site(s) would offer the same employment opportunities and the Applicant does indeed operate aquaculture sites elsewhere. Damage to tourism and fishing income should this development go ahead is both likely and permanent.

84. The Appellants ask that the Minister's decision be overturned and the Application be refused. Not only is the Application deficient, the evidence shows that this location is, as a matter of principle, unsuitable. The Board reached that conclusion in the appeal decision on the other site in Dunmanus Bay (Tab 15) and it is respectfully invited to reach the conclusion that this site is, in principle, unsuitable for development of this type.

Friends of Dooneen Pier

21 December 2022

AQUACULTURE AND FORESHORE LICENCE APPLICATION FORM, for purposes of FISHERIES (AMENDMENT) ACT, 1997 and FORESHORE ACT, 1933

NB: The accompanying Guidance Notes should be read before completing this form.

Note: Details provided in Parts 1 and 2 will be made available for public inspection. Details provided in Parts 3 and 4 and any other information supplied will not be released except as may be required by law, including the Freedom of Information Act 1997 as amended.

USE BLOCK CAPITALS IN BLACK INK PLEASE

For Office Use

Application Ref. No. T05/640

Date of Receipt (Dept. Stamp):



Type of Applicant (tick one)	
Sole Trader	<input type="checkbox"/>
Partnership	<input type="checkbox"/>
Company	<input checked="" type="checkbox"/>
Co-Operative	<input type="checkbox"/>
Other	Please specify- <input type="checkbox"/>

PART 1: PRELIMINARY DETAILS

Applicant's Name(s)
1. Bantry Marine Research Station Ltd.
Address: Gearhies, Bantry, Co. Cork P75 AX07
2.
Address:
3.
Address:
4.
Address:

Contact in case of enquiries (if different from above)	
Contact Name	David O' Neill
Organisation Name (if applicable)	Bantry Marine Research Station
Address	Gerahies, Bantry, Co. Cork

PART 1: PRELIMINARY DETAILS

TYPE OF APPLICATION – please indicate relevant type of application
This Application Form is valid for each type of application - *See Guidance Note 3.1*

(i) Aquaculture Licence	<input checked="" type="checkbox"/>
(ii) Trial Licence	<input type="checkbox"/>
(iii) Foreshore Licence, if Marine Based	<input checked="" type="checkbox"/>
(iv) Review of Aquaculture Licence	<input type="checkbox"/>
(v) Renewal of Aquaculture Licence	<input type="checkbox"/>

TYPE OF AQUACULTURE

See Guidance Note 3.2

Indicate the relevant type of application with a tick.

(i) MARINE-BASED

- | | | |
|--|-------------------------------------|--------------------------|
| Finfish | <input type="checkbox"/> | Go to Parts 2.1 and 2.1A |
| Shellfish <i>Subtidal</i> | <input type="checkbox"/> | Go to Parts 2.2 and 2.2A |
| <i>Intertidal</i> | <input type="checkbox"/> | Go to Parts 2.2 and 2.2A |
| Seaweed/Aquatic Plants/Aquatic Fish Food | <input checked="" type="checkbox"/> | Go to Parts 2.3 and 2.3A |

(ii) LAND-BASED

- | | | | | |
|----------------|--------------------------|-------------------|--------------------------|--------------------------|
| Finfish | <input type="checkbox"/> | Shellfish | <input type="checkbox"/> | Go to Parts 2.4 and 2.4A |
| Aquatic Plants | <input type="checkbox"/> | Aquatic Fish Food | <input type="checkbox"/> | Go to Parts 2.4 and 2.4A |

(iii) TRIAL LICENCE

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Go to appropriate Parts as above and to Part 2.5. |
|--------------------------|---|

2.3 MARINE-BASED SEAWEED/AQUATIC PLANTS/AQUATIC FISH FOOD AQUACULTURE

When filling out this section refer also to 2.3A and Guidance Note 3.3 for information on
Conditions and Documents required with this application type

Proposed Site Location

- (i) Bay: Dunmanus Bay
- (ii) County: Cork
- (iii) OS Map No: 88
- (iv) Co-ordinates of Site: (please specify coordinate reference system used e.g. Irish Grid (IG) or Irish Transverse Mercator (ITM) or Latitude/Longitude [in which case specify whether ETRS89 or WG84 etc.]

Irish Grid
080390E, 036270N to Irish Grid reference point
080503E, 036036N to Irish Grid reference point
081048E, 036297N to Irish Grid reference point
080935E, 036532N to the first mentioned point

- (v) Size (hectares): 15.73Ha

(vi) Species (common and scientific name):
Native macro algae; *Alaria esculenta* (winged kelp), *Ulva lactuca* (sea lettuce), *Palmaria palmata* (dulse), *Asparagopsis armata* (harpoon weed), *Saccharina latissima* (sugar kelp), *Laminaria digitata* (oar weed), *Fucus serratus* (serrated wrack)

(vii) What is the source of plantlet? Bantry Marine Research Station hatchery

(viii) Cultivation Method? long lines

(ix) Proposed total number of lines/ropes 50 lines

(x) Proposed Production:

Year 1	22T	Year 2	44T	Year 3	110T	Year 4	110T	Year 5	110T
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(xi) Reasons for site selection: Dunmanus Bay has ideal conditions for growing indigenous species of seaweed. The site itself is sheltered and has access from a nearby pier for maintenance purposes.

(xii) Provide detailed information on the techniques for cultivation in use or to be used. Are these techniques currently in use in the industry or are they new? Please give details;

Longline deployment techniques are currently in use in the industry. Seeded seaweed string will be prepared onshore at the BMRS hatchery. The company is familiar with the deployment of same and has been utilising these techniques on their existing site for a number of years.

On arrival at the longline, the boat is tied to the header rope at one end to allow for same to be quickly detached when needed. The header rope is temporarily detached from the anchor rope with

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TON
P&F
Y&R

the use of a buoy to avoid loss. The header rope is passed through the end of the collector. The collector is held at either end to avoid touching the delicate plants on the culture string. The anchor rope is then reattached to the header rope ensuring a strong connection. The boat is then untied from the line and is pulled down the length of the header rope over hand. The collector should also be pulled down the length of the header rope, the culture string spiralling around the larger diameter header rope. The string must not be coiled too loosely around the rope to ensure the plants anchor to the line. Upon reaching the end of the longline or the end of the culture string, whichever comes first, the end of the culture string is tied through the lay of the rope, as at the start. Before leaving the site it is ensured that the header rope is submerged to a depth of at least .5m below the surface. The buoys are then attached to the header rope spacing them evenly down the length of the line.

(xiii) Methods used for harvesting. - A Boat operated crane will be utilised to remove the longlines from the bay and will then be hand cut into 1T bins.

(xiv) Has the site sufficient space for the site structures including mooring blocks?

Yes, detailed drawings
Attached.

Please provide separately detailed drawings of both over and under water structures including moorings.
(See Guidance Note on Site Structures 3.3.2)

(xv) How will the visual impact issues of the flotation devices for the proposed application be addressed? -We propose to use grey LD2 buoys (these are specifically designed to be almost invisible from the shore) and MFL130 floats

(xvi) Is the site located in a sensitive area e.g. SPA (Special Protection Area) or SAC (Special Area of Conservation) i.e. a Natura 2000 site? (Refer to Guidance Note 3.3.1- Natura 2000 sites)

If Yes give details

-No the site of the proposed development is not in a SPA, SAC or Natura 2000 site. However the site is adjacent to or in the vicinity of SPA 004156 (Sheeps Head to Toe Head SPA), SAC 002189 (Farranamanagh Lough SAC) and proposed natural heritage area 000102 (Sheeps head).

See Part 2.3A for details of documentation to be included with this application type

**2.3A DOCUMENTATION REQUIRED FOR MARINE-BASED
SEAWEED/AQUATIC PLANTS/AQUATIC FISH FOOD
AQUACULTURE**

(to be included separately with a Licence Application for a new site or for a renewal or review of an existing Licence)

1. **Scale drawing of the structures to be used and the layout of the farm.** The proposed site drawings must illustrate all site structures above and below the water including mooring blocks. (recommended scales normally 1:100 for structures and 1:200 for layout) (See Guidance Note 3.3.2 on Site Structures)
2. **An Appropriate Ordnance Survey Map (recommendation is a map to the Scale of 1:10,000/ 1:10,560, i.e. equivalent to a six inch map).** Note: The proposed access route to the site from the public road across tidal foreshore, (e.g. pier or slipway) must also be shown on the map.
3. **The prescribed application fee (See Guidance Note Section 4)**
4. **If the applicant is a limited Company within the meaning of the Companies Act 1963, as amended, the Certificate of Incorporation and Memorandum and Articles of Association**
5. **If the applicant is a Co-operative, the Certificate of Incorporation and Rules of the Co-operative Society**
6. **Environmental Impact Statement (if required) in certain cases- See Guidance Notes Section 3.3.1**

NOW COMPLETE PARTS 2.6, 3, 4 AND 5 PLEASE

**2.6 Employment, Qualifications, Experience, etc
TO BE FILLED IN BY ALL AQUACULTURE APPLICANTS**

- (i) Please provide details of experience/qualifications of the applicant and any key personnel which are relevant to the aquaculture now proposed:

Bantry Marine Research Station Ltd (BMRS) has been in operation since 1991 as part of the Aquaculture and Fisheries development Centre, University College Cork. However in 2005 it was established as an independent research centre. Research work at the station has grown steadily and has included commercial trials and participation in EU research projects. Key personnel include

Dr. Julie Maguire (Research Director)

Julie Maguire has a PhD in Marine Biology from University College Cork (awarded in 1998). As Research Director of BMRS, Dr Maguire has managed all the Stations research projects and managed the seaweed farm in Bantry Bay since the license was first awarded. Her main research interests lie in climate change mitigation particularly by using seaweed. Her main research efforts and subsequent projects are in; macroalgal cultivation and Integrated Multi Trophic Aquaculture (MABFUEL, NETALGAE, BIFF, ACCIPHOT, IDREEM, ECOFISH, SEAFOOD-AGE, Agrefine, Farm4More, EATFISH), and the extraction and quantification of bioactive compounds and bioplastics (SEABIOPLAS), research to improve products and services such as zero waste and traceability (ORION, LABELFISH, SEATRACES, BIOTECMAR), forecasting and monitoring (ASIMUTH, OSS2015, SAFI, AtlantOS, C-TEP, PRIMROSE, Co-Clime, Nanoculture). Some highlights from her career include she was awarded the Copernicus Masters Award for "Best service for European citizens" for her work on forecasting Harmful Algal Blooms in 2013 and in 2018 she gave a presentation at the European Parliament "Exploring the Use of Seaweed-Derived Biopolymers in Biomedical Technology". She has 28 peer reviewed publications and 2 best practice guidelines for seaweed harvesting in Europe and mussel fisheries management.

Dr Simona Paolacci (Researcher/Principal Investigator)

Dr Paolacci graduated in Environmental Sciences from Sapienza University of Rome (Italy) and has a research Masters in environmental Monitoring and Restoration. After completing her PhD in plant eco-physiology at University College Cork, she worked for three years as a post-doc also in UCC. She developed a phytoremediation system to treat aquaculture wastewater whilst producing a valuable, protein-rich plant biomass. She is interested in marine and freshwater aquatic ecosystems and plants restoration ability. Currently she is involved in a project investigating seafood traceability and compliance to EU seafood labelling legislation. In general, she is interested in environmental policy, and also enjoys using plants and algae to solve environmental issues.

Mr Mick Mackey (Researcher)

Mick Mackey studied Marine and Freshwater Biology at the Royal Melbourne Institute of Technology (RMIT) and the University of Tasmania between 1986 and 1988. After monitoring the phytoplankton and zooplankton of Melbourne's water supplies and streams for six years, he returned to Tasmania in 1995 to study the productivity of Antarctic sea-ice algae as part of his Honours Year. Mick spent the next 20 years working in Ireland and Antarctica researching various aspects of marine mammal and seabird biology, including a 2.5-year stint on Bird Island, South Georgia. He is currently working as a Research Scientist at the Station, where he is immersed in a wide variety of lab-based and field studies involving macroalgae, microalgae, marine invertebrates and fish.

Ms. Dee McElligott MSc. (Researcher)

Ms McElligott holds an MSc. in Geographical Information Systems and Remote Sensing and an undergraduate degree in Zoology. With over ten years' experience in marine research she has participated in EC FP, INTERREG and numerous nationally funded projects. Dee is currently involved in INTERREG projects delivering improved forecasts of HABs, microbial risks and climate impacts in aquaculture locations in a number of EU countries (PRIMROSE), and a project co-developing and co-producing a prototype marine ecosystem climate services (CoCliME). Dee is also involved in a number of macroalgae based projects, including running trials for growing *Asparagopsis armata* onshore, the purpose of this is to produce an antimethanogenic product for delivery to the cattle industry.

- (ii) If a new application please provide details of projected employment creation during first four years of the proposed aquaculture project:
(iii) In the case of a renewal please provide current and future details:

BMRS is a significant employer in a remote, rural area. The company currently employs 14 staff members which it is hoped will increase significantly in the years to come. It is projected that in year 1, approximately 10 lines will be deployed, in year 2 c.20 lines and in year 3 c.50 lines thus fully utilising the site. The world market for seaweed products is increasing dramatically. Seaweed processing and sales activities will increase over the first 3-4 years. It is envisaged that this project will create 1.5 full time equivalent jobs with a further 2.25 part time equivalent jobs.

FULLTIME JOBS

Year 1:	1	Year 2:	1	Year 3:	2	Year 4:	2
---------	---	---------	---	---------	---	---------	---

PART TIME JOBS

Year 1:	1	Year 2:	2	Year 3:	3	Year 4:	3
---------	---	---------	---	---------	---	---------	---

PART 3 D. LIMITED COMPANY

Company Name: Bantry Marine Research Station Ltd. _____

Address: Gearhies, Bantry, Co. Cork, P75 AX07 _____

Company Registered No. (CRO No.) 402087 _____

VAT No. IE-6422087U _____

Phone No. 027 29180 _____

Mobile No. [REDACTED] _____

E-mail Address: [REDACTED] _____

Please list below the names and Personal Public Service No's of the Directors of the Company

Name: Julie Maguire Personal Public Service No. _____

Name: David O'Neill Personal Public Service No. _____

Name: Dan Tierney Personal Public Service No. _____

Name: _____ Personal Public Service No. _____

Please list below the names and Personal Public Service No.'s of the Shareholders in the Company and the percentage shareholding held in each case

Name: Cervellos Limited (Dan Tierney beneficial owner) _____

Personal Public Service No. CRO No. 591529 _____

% Shareholding: 100% _____

Name: _____ Personal Public Service No. _____

% Shareholding: _____

Name: _____ Personal Public Service No. _____

% Shareholding: _____

Name: _____ Personal Public Service No. _____

% Shareholding: _____

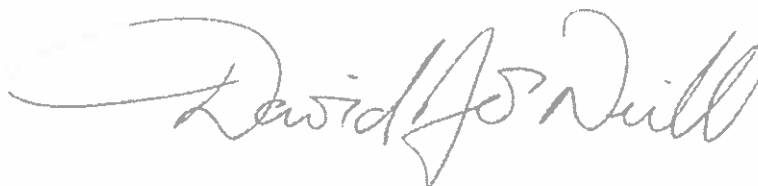
PART 5: DECLARATION AND SIGNING

NB: Refer to Guidance Note Section 3.5 and Section 4 - Guidance on Declaration and Signing and Annual Aquaculture and Foreshore Licence Fees

If this is a renewal have you met all licence conditions of the existing aquaculture licence? If applicable, explain why you have not complied with all conditions:

N/A

I/We hereby declare the information provided in Parts 1, 2, 3 and 4 above to be true to the best of my/our knowledge and that I am over 18 years of age. I/We enclose an application fee* of € 95.23 with this application.



Signature(s) of Applicant(s):
(Please state capacity of persons signing on behalf of a Company/Co-op)

Director,
Bantry Marine Research Station Ltd.

Date: 18/02/22

**NB All persons named on this licence application must sign and date this application form.
Only the existing licence holder(s) can apply for the renewal/review of an Aquaculture Licence.**

*Preferred method of payment is by cheque or bank draft. The fee should be made payable to the Department of Agriculture, Food and the Marine.

Refer to Guidance Note Section 4 - Guidance on Aquaculture and Foreshore Licence Fees

1 NO. SITE AT ROARINGWATER BAY CO.CORK

Co-ordinates & Area

Site T05/640A (15.74 Ha)

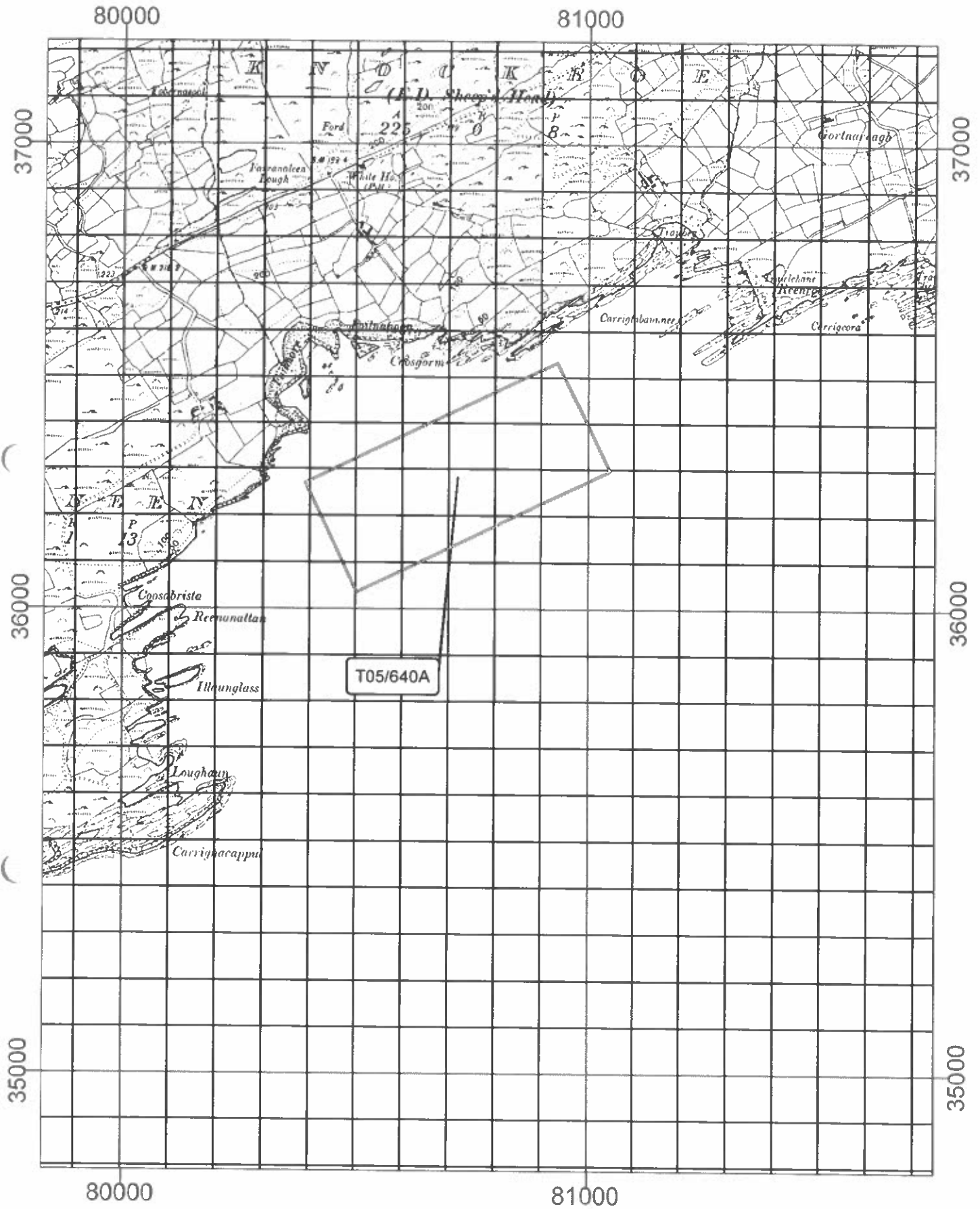
The area seaward of the high water mark and enclosed by a line drawn from Irish National Grid Reference point

080390, 036270 to Irish National Grid Reference point

080935, 036532 to Irish National Grid Reference point

081048, 036297 to Irish National Grid Reference point

080503, 036036 to the first mentioned point.



1:10,560

Site_Status
 Application
 Licensed
 100mgnd

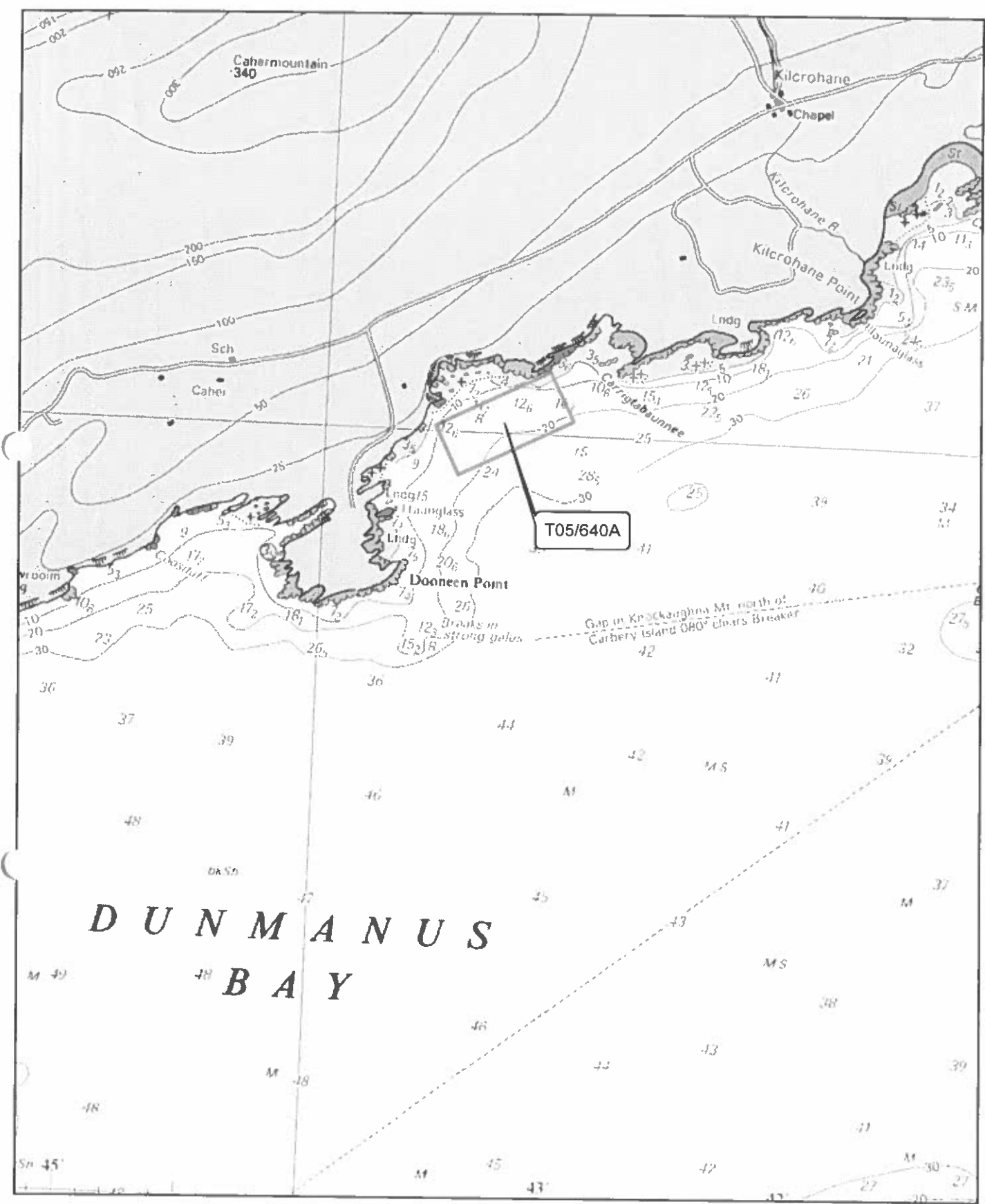
Sites highlighted in red denotes Application



An Roinn Talmhaíochta,
 Bia agus Mara
 Department of Agriculture,
 Food and the Marine

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29



1:24,000

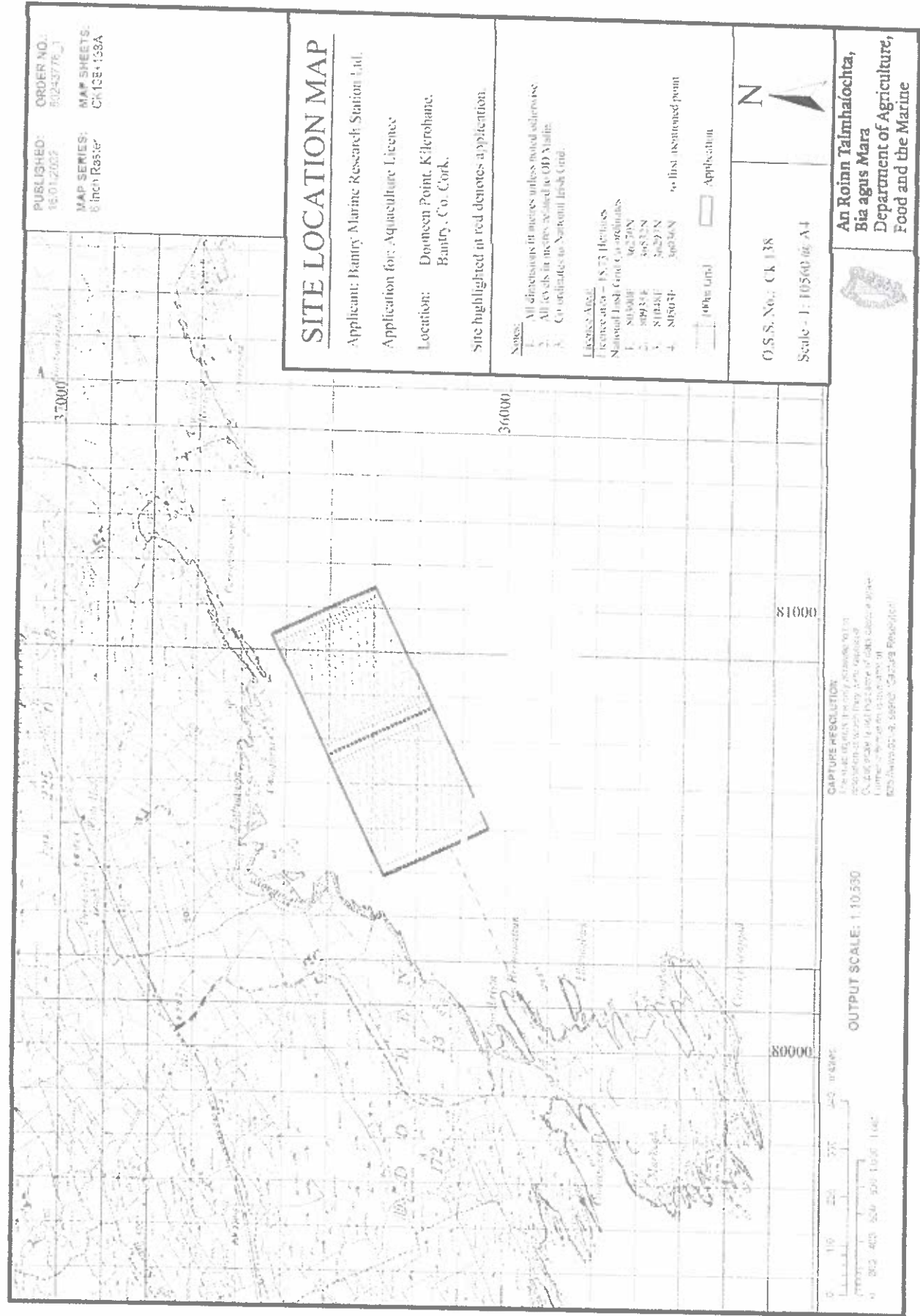
Site Status
 Application
 Licensed

Sites highlighted in red denotes Application

Part of Admiralty Chart No =2552-0
 Not to be used for Navigation

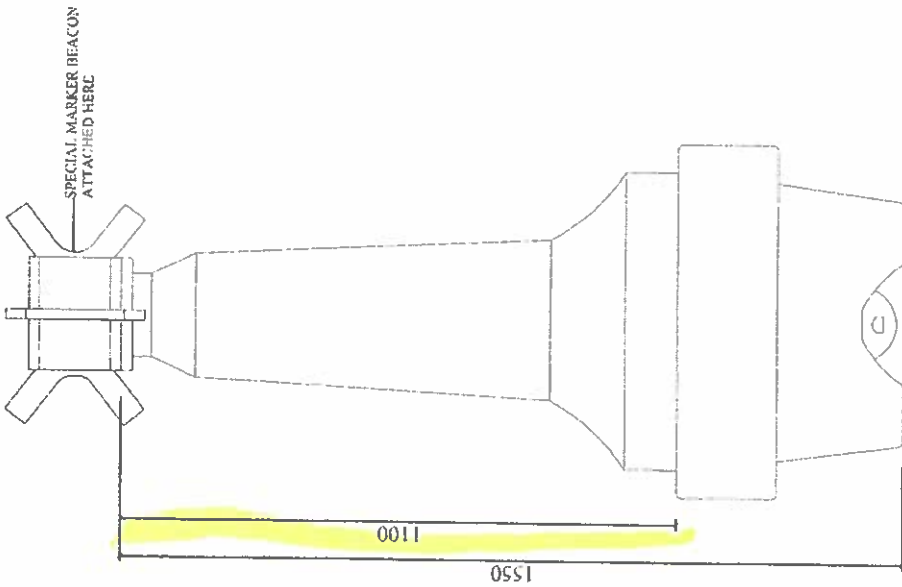


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 Bia agus Mara
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 Food and the Marine



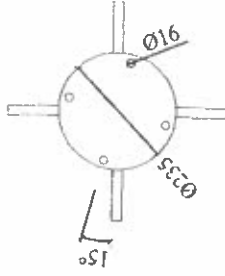
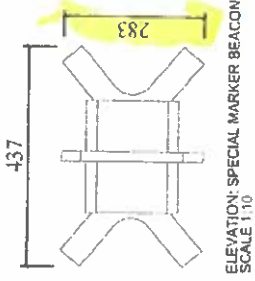
Always report to OCE FROM WATER COM

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Bia agus Mara
Department of Agriculture,
Food and the Marine



DIANE WIKER

$$\begin{array}{r}
 1.1 \\
 \times 283 \\
 \hline
 1.383 \text{ M} = 4'6"
 \end{array}$$



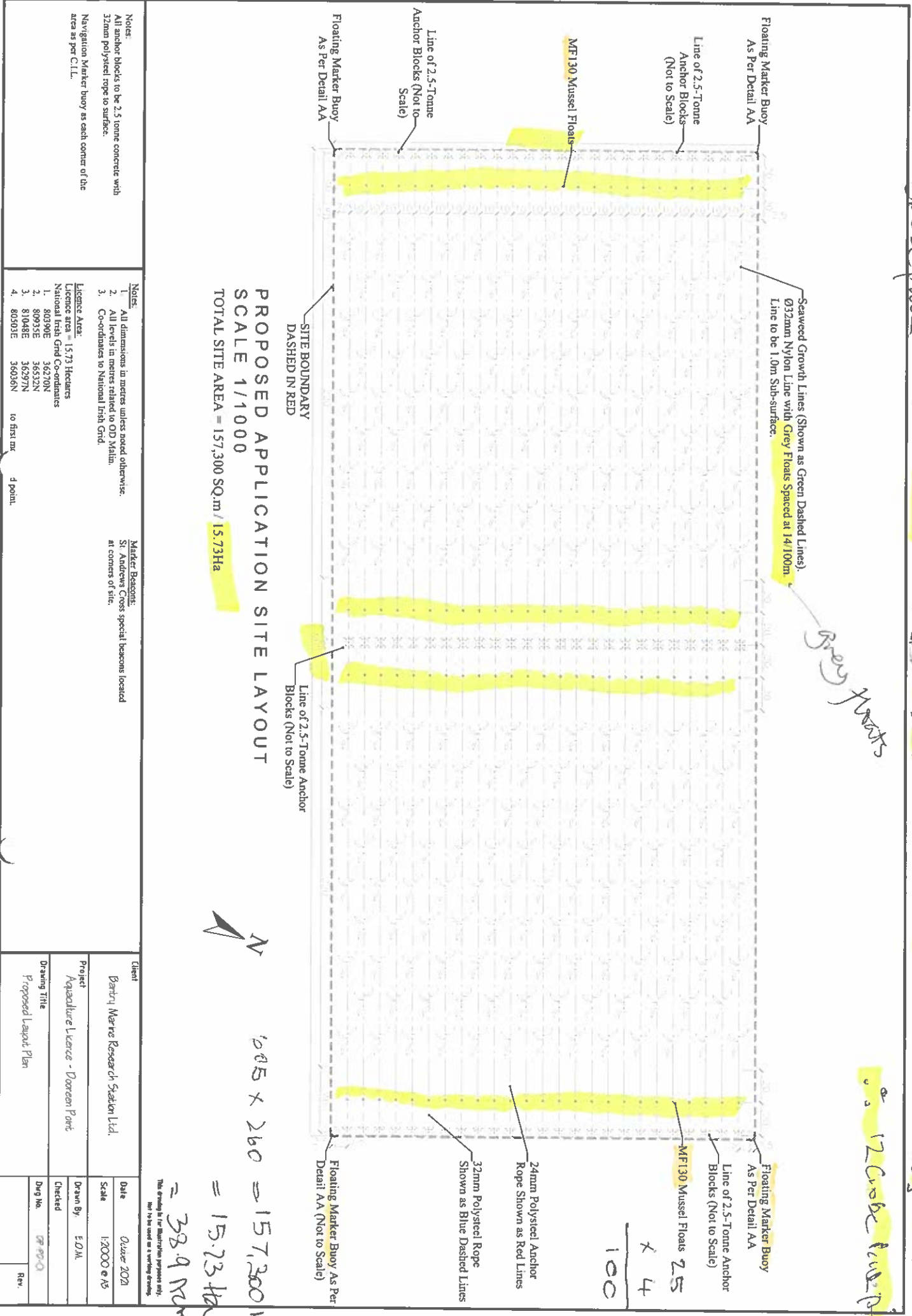
Floating Marker Buoy Specification:

- Total Height 1550mm
- Total Weight 65kg
- Diameter 600mm
- Volume 189 Litres
- Focal View 1100mm
- Mooring Ring Diameter 25mm
- Mooring Line and Block Suitable for Location

This drawing is for planning purposes only. It is to be used as a working drawing for building.

0.806 park 14.5m x 88m = 1282.8m² 12,760 = 1,227 ha

15.73 ÷ 1.27 = 12.01
 12.01 Crobe (12.01 ha)



PROPOSED APPLICATION SITE LAYOUT
 SCALE 1/1000
 TOTAL SITE AREA = 157,300 SQ.M / 15.73Ha

25
 x 4
 100

Notes:
 All anchor blocks to be 2.5 tonne concrete with 32mm polysteel rope to surface.
 Navigation Marker buoy as each corner of the area as per C.I.L.

Notes:
 1. All dimensions in metres unless noted otherwise.
 2. All levels in metres related to OD Malin.
 3. Co-ordinates to National Irish Grid.

Marker Beacons:
 St. Andrews Cross special beacons located at corners of site.

Licence Area:
 Licence area = 15.73 Hectares
 National Irish Grid Co-ordinates
 1. 80390E 36270N
 2. 80935E 36322N
 3. 81048E 36297N
 4. 80503E 36036N
 to first mx 4 point.

Client		Date	October 2021
Party Werré Research Station Ltd.		Scale	1:2000 e AS
Project		Drawn By	E.O.M.
Aquaculture Licence - Doreen Park		Checked	[Signature]
Drawing Title		Dwg No.	[Number]
Proposed Layout Plan		Rev.	

The drawing is for illustration purposes only and is to be used as a working drawing.

1005 x 260 = 157,300 m²
 = 15.73 ha
 = 38.9 MKAs

fn

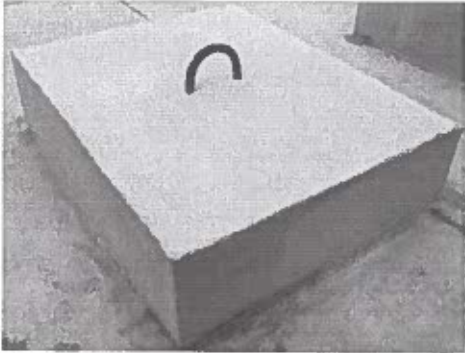


MFL 130 (988L*580H*530W)

100 Mussel floats



LD2 Buoys (note yellow image but proposed in grey) 61cm Length * 29 cm Diameter



Mooring Block single eye



**Report Supporting Appropriate Assessment of Extensive
Aquaculture in Dunmanus Bay, Co Cork**

**Marine Institute
Rinville
Oranmore, Co. Galway**

Version: June 2022

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1. Introduction

1.1. Overview

The following species are currently licenced for culture in Dunmanus Bay - blue mussels, the Pacific oysters, sea urchins, and seaweeds. Some sites represent licences for multiple species and therefore there are currently 6 licenced sites in the bay, in addition to one site for rope mussel culture which is currently under review with the Aquaculture Licence Appeals Board (ALAB).

The MI has been requested to review one application (T05/640A) for extensive aquaculture activities within Dunmanus Bay (Figure 1-1). The proposed activities at the site are as follows:

- Longline culture of multiple native seaweed species – T05/640A, new application for a licence to include the following culture species;
 - *Alaria esculenta*;
 - *Ulva lactuca*;
 - *Palmaria palmata*;
 - *Aspragopsis armata*;
 - *Saccharinea latissimi*;
 - *Laminaria digitata*; and
 - *Fucus serratus*.

The application does not overlap with Natura 2000 sites but due to their proximity to a number of SPAs and SACs (see **Section 2.2**) they are being subject to the Appropriate Assessment (AA) process, the first stage of which is screening (see **Section 1.3** for full details of the AA process).

The purpose of this report is to consider if the proposed aquaculture activity is likely to significantly adversely affect the conservation features of Natura 2000 sites in view of their conservation objectives. If the proposed activity is considered likely to adversely affect conservation features, they would have to be carried forward for full AA and considered on a cumulative basis with other aquaculture activities and other likely disturbing activities (e.g. fisheries).

Figure 1-1: Application Site in Dunmanus Bay with other aquaculture sites and Adjacent Natura 2000 sites. Corresponding Natura site names for codes provided in Table 1 below.

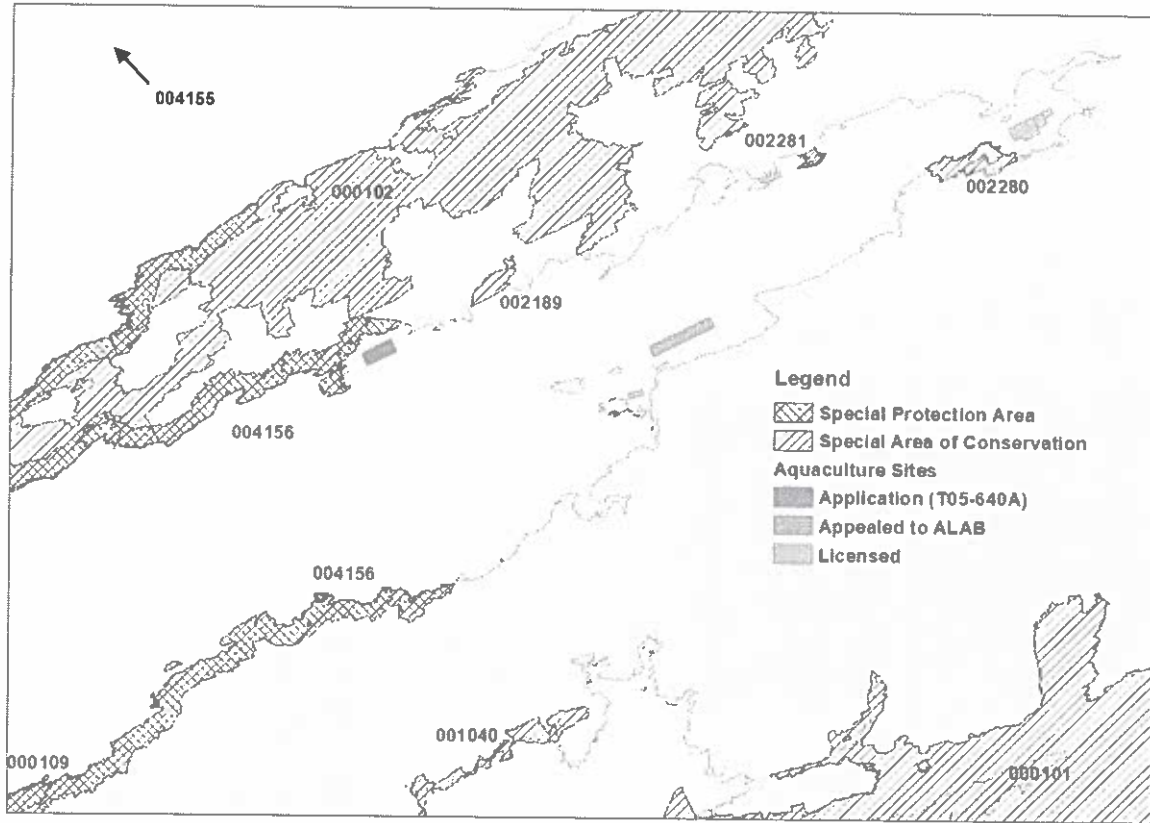


Table 1-1 Adjacent Natura 2000 site names with codes provided in Figure 1-1.

Site Code	Site Name
000101	Roaringwater Bay and Islands SAC
000102	Sheep's Head SAC
000109	Three Castle Head to Mizen Head SAC
001040	Barley Cove to Ballyrisode Point SAC
002189	Farranamanagh Lough SAC
002281	Dunbeacon Shingle SAC
002281	Reen Point Shingle SAC
004156	Sheep's Head to Toe Head SPA
004155	Beara Peninsula SPA

1.2. Legislative Context

Articles 3 - 11 of the European Community (EC) Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna (**Habitats Directive**) provide the legislative means to protect habitats and species of Community interest through the conservation of an EU-wide network of protected sites known as Natura 2000 sites.

The Habitats Directive was originally transposed into Irish law by the *European Communities (Natural Habitats) Regulations, 1997* (S.I. No. 94 of 1997). The 1997 Regulations were subsequently revoked and replaced by the *European Communities (Birds and Natural Habitats) Regulations 2011*, as amended (herein referred to as the 2011 Birds and Natural Habitats Regulations). Natura 2000 sites are referred to as European sites in the 2011 Birds and Natural Habitats Regulations. The terms Natura 2000 sites and European sites are synonymous. The term Natura 2000 sites is used in this report. Natura 2000 sites include SACs which are designated under the Habitats Directive and Special Protected Areas (SPAs) which are designated under EC Directive EC 79/409/EEC (**Birds Directive**).

SACs are designated due to their significant ecological importance for habitats and species protected under Annex I and Annex II respectively of the Habitats Directive and while SPAs are designated for the protection of populations and habitats of bird species protected under the Birds Directive. The specific named habitats and/or (non-bird) species for which an SAC or SPA are selected are called the 'Qualifying Interests', of the site. The specific named bird species for which a SPA is selected is called the 'Special Conservation Interests'. However, in practice, the common terminology of Qualifying Interest applies also to Special Conservation Interest. This report focuses on Annex I habitats and Annex II species of the Habitats Directive. The term Qualifying Interest is used throughout.

Under Article 6(3) of the Habitats Directive any plan or project likely to significantly affect the integrity of a Natura 2000 site must be subject to an AA. AA focuses on the likely significant effects of a plan or project on a Natura 2000 site and considers the implications for the site in view of its' conservation objectives. Every Natura 2000 site has Conservation Objectives which are set out by the National Parks and Wildlife Service (NPWS), a competent authority for the management of Natura 2000 sites in Ireland. The AA process also must consider any plan or proposal in combination with other activities that have the potential to significantly affect the integrity of the Natura 2000 site.

DAFM is the aquaculture licensing authority under the Fisheries (Amendment) Act (1997) and determines applications for new aquaculture licences and applications for renewal of existing aquaculture licences. DAFM is also the competent authority responsible for undertaking AA of aquaculture licence applications. The AA in this report is part of an ongoing programme of AA of aquaculture activities in Ireland, as agreed with the EU Commission in 2009, and currently covers all extensive aquaculture activities in Ireland. As part of this process DAFM must determine if the proposed aquaculture activities individually or in-combination with other activities are likely to significantly impact the Conservation Status of Qualifying Interests and the integrity of relevant Natura 2000 sites. DAFM is responsible for ensuring that an AA is carried out. DAFM must take due consideration of the outcomes of the AA process when determining an aquaculture licence application.

1.3. *Appropriate Assessment Process*

The requirements for AA derive directly from Article 6(3) of the HD. Article 6(3) outlines the decision-making tests for considering plans and projects that may have a significant effect on a Natura 2000 site. No definition of the content or scope of AA is given in the Habitats Directive, but the concept and approach are set out in EC guidance (EC, 2018). The Guidance on *Appropriate Assessment of Plans and Projects in Ireland* document published by the Department of Environment, Heritage and Local Government (DEHLG) in 2009 (DEHLG, 2009) sets out how AA of plans or proposals in Natura 2000 sites in Ireland should be carried out in alignment with EC guidance. In 2021 the Office of the Planning Regulator (OPR) published a practice note on AA Screening (OPR, 2021). The practice note provides guidance on how a planning authority should screen an application for planning permission for appropriate assessment

DEHLG (2009) promotes a four stage process to complete the AA. The four stages are:



Stage 3 and Stage 4 are not applicable here. The key procedures involved in completing the first two stages of the AA process are described in below.

Stage 1: Appropriate Assessment Screening

Stage 1 AA Screening is the process that addresses and records the reasoning and conclusions in relation to whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of the site's Conservation Objectives.

If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 AA. Screening should be undertaken without the inclusion of mitigation. The greatest level of evidence and justification will be needed in circumstances when the process ends at screening stage on grounds of no effect.

Stage 2: Appropriate Assessment

This stage considers whether the plan or project, alone or in combination with other projects or plans, will have adverse effects on the integrity of a Natura 2000 site, and includes any mitigation measures necessary to avoid, reduce or offset negative effects. This stage requires a targeted scientific examination of the plan or project and the relevant Natura 2000 sites, to identify and characterise any possible implications for the site in view of the site's Conservation Objectives, taking account of

in-combination effects. If the assessment is negative, then recommendations on mitigation measures or on licensing decisions will be made.

1.4. Structure of this Report

The AA process followed in this report adheres closely with DEHLG (2009) and OPR (2021) guidance and follows worse-case scenario principles as it is assumed that cultivation activities are ongoing at all of the existing licenced sites and that the entirety of each existing aquaculture site in Bantry. See **Figure 1-1** for a map of all aquaculture sites considered active in Bantry Bay as of March 2022.

The report considers the following:

- **Section 2 - Stage 1: Appropriate Assessment Screening**

AA Screening is undertaken to identify potential likely significant effects on Qualifying Interests of Natura 2000 sites. Where the screening exercise cannot exclude likely significant effects on the basis of objective information, the Qualifying Interest would have to be brought forward for further consideration in a Stage 2 AA.

This AA screening process which has followed relevant DEHLG (DEHLG, 2009) and OPR (OPR, 2021) guidance has drawn on information from a number of sources associated with relevant SACs and SPAs (see **Section 2.2**) as well as scientific literature.

2. Stage 1: Appropriate Assessment Screening

2.1. Details of Proposed Aquaculture Activities

Longline Culture of Seaweeds

Longline culture of Seaweed is the proposed activity for site T05/640A. This is a new application. This site is located along the north shore of Dunmanus Bay at Dooneen Point, Kilcrohane (see **Figure 1-1**).

The site area is 15.74 ha and it is proposed, at full capacity, to deploy 50 x 220m longlines. The maximum proposed total tonnage of algae to be produced at this site is approximately 110 T per annum. The harvest method will be hand-cutting into 1 T bins. All species of algae to be cultured are native and algae will be sourced from the Bantry Marine Research Station Hatchery. The site will be accessed from Dooneen Pier, approximately 350 m to the west of the site.

2.2. Identification of Relevant Natura 2000 Sites and Qualifying Interests

A key consideration as to whether or not an activity is likely to adversely affect Natura 2000 Qualifying Interest is whether or not there is a pathway of connectivity between the Qualifying Interest and the sources of potential impacts associated with the activity.

The likelihood of the proposed activities having an adverse effect on the qualifying interests of an SPA or SAC is greatly reduced given that the activities would not be carried out within any SAC or SPA. However, the proposed activities are proximal to a number of SAC and SPAs and so the potential for *ex-situ* adverse effects of the proposed activities on the Qualifying Interests of these adjacent SACs and SPAs must be assessed.

The Qualifying Interest of a Natura 2000 site could be at risk of negative *in situ* (within the site) and *ex situ* (beyond the site) effects where a Source-Pathway-Receptor (S-P-R) link exists between the activity and the Qualifying Interest[s] of the site.

The following are the adjacent SACs with Qualifying Interests that the proposed aquaculture activities may potentially adversely affect (see Figure 1-1):

- Roaringwater Bay and Islands SAC¹
- Sheep's Head SAC²
- Three Castle Head to Mizen Head SAC³
- Barley Cove to Ballyrisode Point SAC⁴
- Farranamanagh Lough SAC⁵
- Dunbeacon Shingle SAC⁶
- Reen Point Shingle SAC⁷

The following are the adjacent SPAs with Qualifying Interests that the proposed aquaculture activities may potentially adversely affect (see Figure 1-1):

¹ <https://www.npws.ie/protected-sites/sac/000101>

² <https://www.npws.ie/protected-sites/sac/000102>

³ <https://www.npws.ie/protected-sites/sac/000109>

⁴ <https://www.npws.ie/protected-sites/sac/001040>

⁵ <https://www.npws.ie/protected-sites/sac/002189>

⁶ <https://www.npws.ie/protected-sites/sac/002280>

⁷ <https://www.npws.ie/protected-sites/sac/002280>

-
- Beara Peninsula SPA⁸
 - Sheep's Head to Toe Head SPA⁹

The assessment of the likelihood of proposed aquaculture activities adversely affecting the Qualifying Interests of adjacent SACs and SPAs are presented in **Sections 2.3** and **2.4** respectively.

2.3. *Screening of Qualifying Interests of Adjacent SACs*

Upon review of the qualifying interests of the 7 adjacent SACs, it is clear that, on the basis of lack of physical overlap or hydrological link or other potential interaction, no likely significant effect clearly presents to number of the Qualifying interests for each (see Table 2-1).

⁸ <https://www.npws.ie/protected-sites/spa/004155>

⁹ <https://www.npws.ie/protected-sites/spa/004156>

Table 2-1. List of adjacent Natura 2000 sites with qualifying interests and screening conclusion.

Site Code	Site Name	Qualifying Interest (QI)	Aquaculture AA Screening
000101	Roaringwater Bay and Islands SAC	Vegetated sea cliffs of the Atlantic and Baltic coasts	The proposed aquaculture site is located approximately 9.5km from the closest boundary of the Roaringwater Bay SAC. The culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites. For these QIs, there is no spatial overlap or likely interactions with the proposed aquaculture activities in Dunmanus Bay – excluded from further analysis
		European dry heaths	
		Large shallow inlets and bays	
		Reef	
		<i>Phocoena phocoena</i> (Harbour Porpoise)	
		<i>Lutra lutra</i> (Otter)	See Section 2.3.2
		<i>Halichoerus grypus</i> (Grey Seal)	The proposed aquaculture site is located approximately 0.5km from the closest boundary of the Sheep's Head SAC. The culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites. For these QIs, there is no spatial overlap or likely interactions with the proposed aquaculture activities in Dunmanus Bay – excluded from further analysis
000102	Sheep's Head SAC	Northern Atlantic wet heaths with <i>Erica tetralix</i>	
		European dry heaths	
		<i>Geomalacus maculosus</i> (Kerry Slug)	
000109	Three Castle Head to Mizen Head SAC	Vegetated sea cliffs of the Atlantic and Baltic coasts	The proposed aquaculture site is located approximately 9.5km from the closest boundary of the Three Castle Head to Mizen Head SAC. The culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites. For these QIs, there is no spatial overlap or likely interactions with the proposed aquaculture activities in Dunmanus Bay – excluded from further analysis
		European dry heath	
001040	Barley Cove to Ballyrisode Point SAC	Mudflats and sandflats not covered by seawater at low tide	See Section 2.3.1
		Perennial vegetation of stony banks	
			The proposed aquaculture site is located approximately 7.3 km from the closest boundary of the Barley Cove to Ballyrisode Point SAC. The culture of seaweed is reliant upon ambient nutrient

Site Code	Site Name	Qualifying Interest (QI)	Aquaculture AA Screening
		Salicornia and other annuals colonising mud and sand Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) Mediterranean salt meadows (<i>Juncetalia maritimi</i>) Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) Fixed coastal dunes with herbaceous vegetation (grey dunes) European dry heaths <i>Petaphyllum ralfsii</i> (Petalwort)	levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites. For these QIs, there is no spatial overlap or realistic hydrological link and hence likely interactions with the proposed aquaculture activities in Dunmanus Bay – excluded from further analysis
002189	Farranamanagh Lough SAC	Perennial vegetation of stony banks	The proposed aquaculture site is located approximately 1.6km from the closest boundary of the Farranamanagh Lough SAC. The culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites. For this QIs, there is no spatial overlap or likely interactions with the proposed aquaculture activities in Dunmanus Bay – excluded from further analysis
		Coastal lagoons Perennial vegetation of stony banks	See Section 2.3.1 The proposed aquaculture site is located approximately 10.5km from the closest boundary of the Dunbeacon Shingle SAC. The culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites. For these QIs, there is no spatial overlap or likely interactions with the proposed aquaculture activities in Dunmanus Bay – excluded from further analysis
002281	Dunbeacon Shingle SAC	Perennial vegetation of stony banks	See Section 2.3.1 The proposed aquaculture site is located approximately 10.5km from the closest boundary of the Dunbeacon Shingle SAC. The culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites. For these QIs, there is no spatial overlap or likely interactions with the proposed aquaculture activities in Dunmanus Bay – excluded from further analysis

Site Code	Site Name	Qualifying Interest (QI)	Aquaculture AA Screening
002281	Reen Point Shingle SAC	Perennial vegetation of stony banks	The proposed aquaculture site is located approximately 8.5km from the closest boundary of the Reen Point Shingle SAC. The culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites. For these QIs, there is no spatial overlap or likely interactions with the proposed aquaculture activities in Dunmanus Bay – excluded from further analysis
004155	Beara Peninsula SPA	Fulmar (<i>Fulmarus glacialis</i>)	
		Chough (<i>Pyrthocorax pyrrhocorax</i>)	
004156	Sheep's Head to Toe Head SPA	Peregrine (<i>Falco peregrinus</i>)	See Section 2.4
		Chough (<i>Pyrthocorax pyrrhocorax</i>)	

The following are the adjacent SACs along with the Qualifying Interests that could potentially be affected by the proposed activities:

- Roaringwater Bay and Islands SAC
 - Large shallow inlets and bays [1160]
 - Reef [1170]
 - *Phocoena phocoena* (Harbour Porpoise) [1351]
 - *Lutra lutra* (Otter) [1355]
 - *Halichoerus grypus* (Grey Seal) [1364]
- Barley Cove to Ballyrisode Point SAC
 - Mudflats and sandflats not covered by seawater at low tide [1140]

2.3.1. Annex I Habitats

Of the adjacent SACs there are a number of Annex I Habitats that occur in the marine environment, including:

- Mudflats and sandflats no covered by seawater at low tide;
- Large shallow inlets and bays; and
- Reefs
- Coastal Lagoons

In general, habitats may be impacted by subtidal aquaculture activities via direct physical disturbance from installation of structures, by shading or altering the hydrodynamic regime. Direct effects can also arise due to organic enrichment from fall out from feeding practices or faecal material produced by the cultured organisms^{10,11}. For a habitat to be subjected to this type of disturbance the activities would need to directly overlap with or be immediately adjacent to it. Given that the nearest Annex I Habitat (Coastal Lagoon in Farranamanagh Lough SAC) to the proposed activities are located approx. 2.4 km (straight line distance), it is extremely unlikely that the proposed activities will directly adversely affect Annex I Habitats. Furthermore, the culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination and no waste is produced. None of these

¹⁰ Forde, J., Francis, X.O., O'Carroll, J.P., Patterson, A. and Kennedy, R., 2015. Impact of intertidal oyster trestle cultivation on the Ecological Status of benthic habitats. *Marine Pollution Bulletin*, 95(1), pp.223-233.

¹¹ O'Carroll, J.P., Quinn, C., Forde, J., Patterson, A., Francis, X.O. and Kennedy, R., 2016. Impact of prolonged storm activity on the Ecological Status of intertidal benthic habitats within oyster (*Crassostrea gigas*) trestle cultivation sites. *Marine Pollution Bulletin*, 110(1), pp.460-469.

resources are considered limiting. The aquaculture site in Dunmanus Bay will be accessed by boat from Dooneen Pier. As a consequence, noise and pollution e.g. as a result of a fuel spill may present a risk to features of adjoining Natura sites. The risks are, however, not considered significant. Furthermore, it is considered that impacts would be localised and minor.

Adverse effects on Annex I habitats can be **screened out**.

2.3.2. Annex II Species

Marine Mammals

The risk of negative effects of aquaculture activities on aquatic mammal species is a function of:

1. The location and type of structures used in the culture operations – is there a risk of entanglement or physical harm to the animals from the structures?
2. The schedule of operations on the aquaculture sites – is the frequency such that they can cause disturbance to the animals?

Otter (*Lutra lutra*)

A pathway for negative effects on otters from the proposed activities can be ruled out on the basis that:

- The activities are located at significant distance (by a combination of land and water) from SACs designated for Otter.
- The activities will not lead to any modification of the extent of habitat (terrestrial, marine and/or freshwater habitat).
- The activities involve net input rather than extraction of biomass so that no negative impact on the essential food base (fish biomass) is expected
- The number of couching sites and holts or, therefore, the distribution, will not be directly affected by activities.
- Suspended algal production structures are oriented in rows (10m apart), thus allowing free movement through and within the site. As such, the activities are unlikely to pose any risk to otter through entrapment or direct physical injury, and
- Disturbance associated with vessel traffic at the site could potentially disturb otter. On the basis, however, that access to the site will occur during daylight hours only and that otter are active primarily during evening and early morning hours, i.e., crepuscular, it is concluded that encounter rates and hence, disturbance is likely to be very low.

For the reasons listed, likely significant effects on otter from the proposed activities can be **screened out**.

Grey Seal (*Halichoerus grypus*)

The proposed activities must be considered in light of the following important conservation measures for the Grey Seal, *Halichoerus grypus*:

- Access to suitable habitat – artificial barriers should not restrict access;
- Disturbance – frequency and level of impact; and
- Seal Sites – Breeding sites, Moulting sites, Resting sites must not be obstructed or disturbed.

Restriction or modification of suitable habitats and locations considered important to the maintenance of healthy populations must be avoided when possible. These important areas are categorised according to various life history stages (important to the maintenance of the population) during the year. Specifically, they are breeding, moulting and resting sites. It is important that seal access to these sites is not restricted and that disturbance, when at these sites, is kept to a minimum especially within SACs. It is important to note that the influence of the suspended aquaculture on the seabird and seal community in Bantry Bay (Glengarrif Harbour) has generally been found to be positive or neutral^{12,13}.

Given the distance between seal sites (in Roaringwater Bay SAC) and the proposed activity there is no pathway for interaction between the two which could result in negative *in-situ* effects. On this basis, likely significant effects on Grey Seal (*Halichoerus grypus*), can be **screened out**.

Harbour Porpoise (*Phocoena phocoena*)

Available data on the Harbour porpoise *Phocoena phocoena* is for within the Roaringwater Bay and Island SAC. There is potential that this species could forage in the vicinity of the proposed aquaculture activities and will potentially interact with the algal longline activities.

It should be noted, however, that the overall footprint of the specified longline aquaculture operations is small (i.e., approx. 15.74 ha) and represents a very small proportion of potential harbour porpoise habitat in Dunmanus Bay. In addition, this activity is located 9.5 km (straight line distance) from the Roaringwater Bay and Island SAC that is designated for the harbour porpoise. Given the relatively small footprint of the suspended aquaculture locations and the depth of the structures (i.e., shallow)

¹² Roycroft, D., Kelly, T.C. & Lewis, L.J. 2004. Birds, seals and the suspension culture of mussels in Bantry Bay, a non-seaduck area in Southwest Ireland. *Estuarine Coastal and Shelf Science* 61, 703-712.

¹³ Roycroft, D., Kelly, T.C. & Lewis, L.J. 2007. Behavioural interactions of seabirds with suspended mussel longlines. *Aquaculture International*. 15:25-36

the likelihood of interaction and potential adverse effects is very small. In addition, the locations of the structures are relatively close to the shoreline, and as such, they do not present a barrier to movement of this species. Furthermore, the structures are such that echolocating species, such as harbour porpoise and dolphin, can easily avoid the structures/sites^{14, 15, 16} and therefore, avoid any risk of entanglement.

It is also important to note that there are no persistent energy sources (e.g., light, noise etc.) likely to result from activities at the sites that pose a risk to harbour porpoise.

Finally, research has demonstrated that cetaceans such as dolphin and harbour porpoise may be attracted to structures similar to those used in longline culture operations^{17,18}, presumably on the basis that they act as fish attraction devices and therefore act as a food source aggregation area. Given these observations potential adverse effects on harbour porpoise can be screened out.

2.4. Screening of Qualifying Interests of Adjacent SPAs

The following are the adjacent SPAs along with the Qualifying Interests that could potentially be affected by the proposed activities:

- Beara Peninsula SPA;
 - Fulmar (*Fulmarus glacialis*)
 - Chough (*Pyrrhonorax pyrrhonorax*)
- Sheep's Head to Toe Head SPA;
 - Peregrine (*Falco peregrinus*)
 - Chough (*Pyrrhonorax pyrrhonorax*)

¹⁴ Watson-Capps JJ, Mann J (2005) The effects of aquaculture on bottlenose dolphin (*Tursiops* sp.) ranging in Shark Bay, Western Australia. *Biological Conservation* 124: 519–526.

¹⁵ Heinrich, S. (2006) Ecology of Chilean dolphins and Peale's dolphins at Isla Chiloe, southern Chile (PhD dissertation). University of St Andrews, 239 p.

¹⁶ Ribeiro S, Viddi FA, Cordeiro JL, Freitas TRO (2007) Fine-scale habitat selection of Chilean dolphins (*Cephalorhynchus eutropia*): interactions with aquaculture activities in southern Chiloe Island, Chile. *Journal of the Marine Biological Association of the United Kingdom* 87: 119–128.

¹⁷ Díaz López, B. & Methion, S. (2017) The impact of shellfish farming on common bottlenose dolphins' use of habitat. *Marine Biology* 164: 83. doi:10.1007/s00227-017-3125-x

¹⁸ Callier M, Byron C, Bengtson D, Cranford P, Cross S, Focken U, Jansen H, Kamermans P, Kiessling A, Landry T., O'Beirn F., Petersson E., Rheault, RB., Strand, O., Sundell, K., Svasand, T., Wikfors, GH., McKindsey, CW. (2018) Attraction and repulsion of mobile wild organisms to finfish and shellfish aquaculture: a review. *Rev Aquac* 10:924-949

2.4.1. Fulmar (*Fulmarus glacialis*)

Fulmar are considered as marine species as they forage solely in the marine environment and roost on marine cliffs¹⁹. The Fulmar population in Ireland has increased significantly over the last 30 years with a reported 68% increase in the population size from 1985 – 2018¹⁸. While certain individuals of the fulmar population in Dunmanus Bay and surrounds may be partially displaced by the proposed aquaculture activities, the proposed sites are small. It is extremely unlikely that the proposed activities would adversely affect the fulmar population of the Beara Peninsula SPA to the extent that its conservation objectives could not be met. For this reason, the potential for adverse effects on Fulmar can be screened out.

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 (*Pyrhocorax 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 this reasons, the potential for the proposed activities on Chough can be screened out.

2.5. Screening of Potential Effects of Introduction of Non-native Species

The establishment of non-native species as a wild population in an area can be a potential risk associated with aquaculture largely due to the moving of stock (seed, juvenile or adults) into aquaculture sites. There is the potential that the culture organisms could become established as a wild non-native population and that non-native species may 'hitch-hike' along with the cultured organisms and then become established as a wild population. In this instance, there are two potential causes of non-native introduction and establishment; the movement of non-native algal species into Site

¹⁹ <https://www.npws.ie/sites/default/files/publications/pdf/IWM114.pdf>

T05/640A, and the movement of other species that might 'hitchhike' as sporophytes or with target algal species at the site.

2.5.1. Screening of Risk of Establishment of Wild Populations of Non-native Species

Algae

The algae proposed for use at this site (T05/640) are all native species and plantlets are sourced from the hatchery in Bantry Bay. There is no movement of stock from other areas. On this basis, the potential adverse effects from the introduction of non-native species due to seaweed culture can be **screened out**.

3. Screening Conclusion

The screening assessment has determined, in light of best available scientific data, that there is no potential for likely significant effects on the conservation features of Natura 2000 sites from the proposed aquaculture activity (T05/640A) within Dunmanus Bay. All potential adverse effects on conservation features of Natura 2000 sites can be **screened out**.

Published 21st November 2022

"Determination of Aquaculture Licensing application – T05/640A"

Bantry Marine Research Station Ltd has applied for authorisation to cultivate various aquatic plants using longlines on the sub-tidal foreshore on a 15.74 hectare site (T05/640A) adjacent to Dooneen Pier, along the north shore of Dunmanus Bay, Co. Cork.

The Minister for Agriculture, Food and the Marine has determined that it is in the public interest to grant the licence sought. In making his determination the Minister considered those matters which by virtue of the Fisheries (Amendment) Act 1997, and other relevant legislation, he was required to have regard. Such matters include any submissions and observations received in accordance with the statutory provisions. The following are the reasons and considerations for the Minister's determination to grant the licences sought: -

- a. *Scientific advice is to the effect that the waters are suitable;*
- b. *Public access to recreational and other activities can be accommodated by this project;*
- c. *The proposed development should have a positive effect on the economy of the local area;*
- d. *All issues raised during Public and Statutory consultation phase;*
- e. *There are no effects anticipated on the man-made environment heritage of value in the area;*
- f. *No significant effects arise regarding wild fisheries;*
- g. *The proposed aquaculture activities do not spatially overlap with Natura 2000 sites and there should be no significant impacts on the nearest Natura site(s).*
- h. *No significant impacts on the marine environment and the quality status of the area will not be adversely impacted;*
- i. *The updated Aquaculture licence contains terms and conditions which reflect the environmental protection required under EU and National law."*



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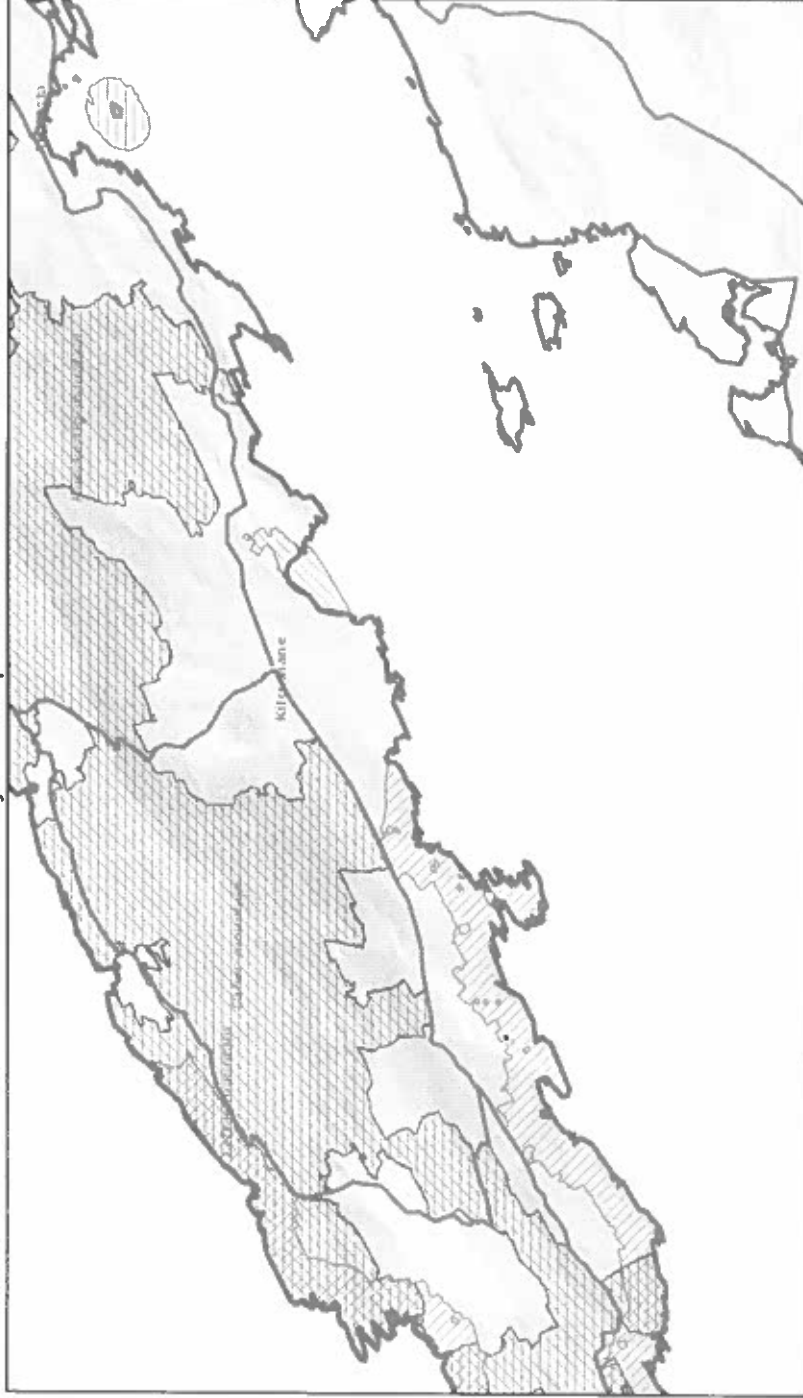
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Cork County Development Plan 2021



10/12/2022, 11:59:04

-  Municipal Districts
-  Scenic Routes
-  County Boundary
-  Special Area of Conservation (SAC)
-  Proposed Natural Heritage Areas
-  Special Protection Areas (SPA)

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 Cork County Council
 016 and Cork County Council



The aim of the Green Coast Award is to recognise beaches of high environmental quality. To achieve the award, beaches must have excellent water quality and have effective and appropriate management to ensure the protection of the natural environment.

The Green Coast Award is a symbol of environmental excellence and has been established to acknowledge, promote and protect the environment of our beaches. The award is for beaches which have excellent water quality, but which are also prized for their natural, unspoilt environment. Applicant sites must be managed in partnership with the local community to be considered for the Green Coast Award.

To be considered for the award beaches applicant sites should be:

- Managed carefully and in close consultation with conservation organisations to account for their environmentally sensitive nature as part of a management plan.
- Cleaned of litter sensitively without removing natural debris such as driftwood and seaweed.
- Consideration should be given to the visual impact of facilities and signs, if they are present, on the surrounding landscape.

The award encourages community involvement through the setting up of Clean Coasts Groups. Clean Coasts group formulate their own aims, objectives and activities to clean up and protect their adopted stretch of coastline with the support of An Taisce's Coastal Programmes Officers.

Applications for a Green Coast Award include an application form, a beach management plan and the submission of water quality sample results. For more information on the application process please [click here](#).

The Green Coast Award in Ireland is funded by the Department of the Housing, Local Government and Heritage and Fáilte Ireland.

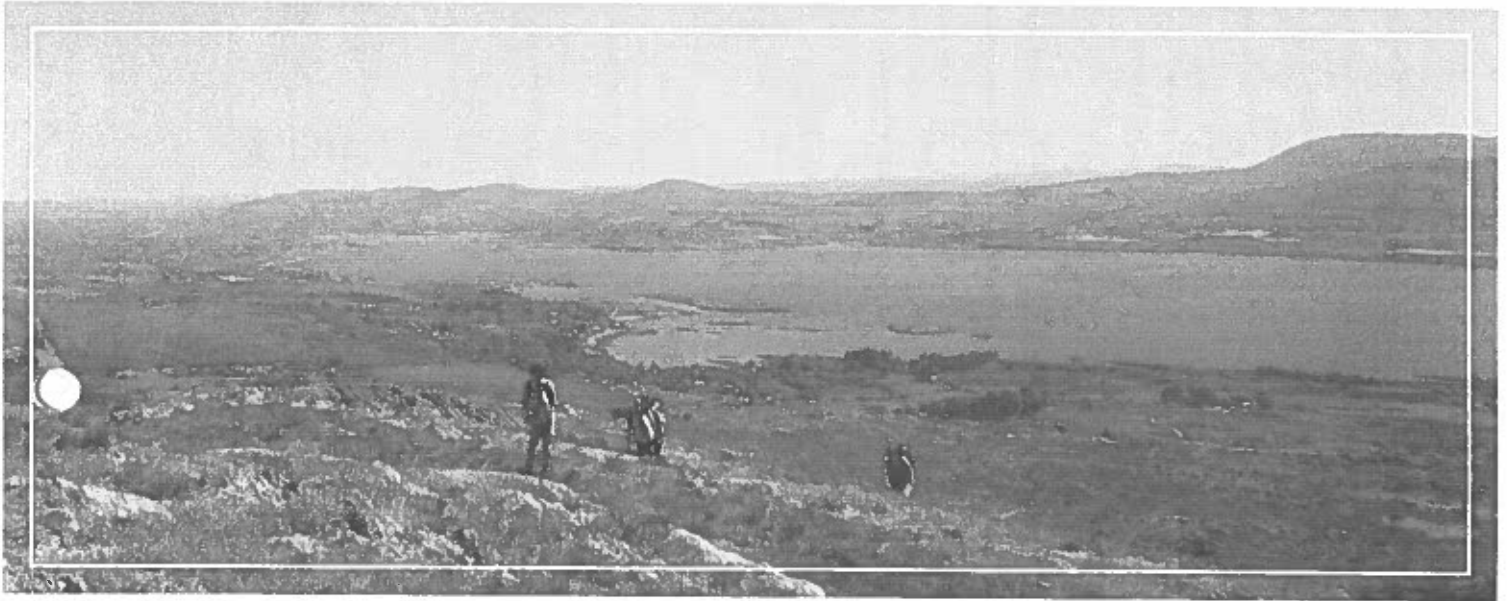
The Green Coast Award is also run in Northern Ireland by [Coastwatch NI](#) and in Wales by [Coastwatch Wales](#).

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Home > Walking Routes

Walking Routes



The Sheep's Head Way has over 250km of walking trails. These are made up of linear routes and loop walks. All the trails are graded depending on how easy going the terrain is under normal conditions.

The distance and duration (approximate time) is given for each walk in a searchable table.

The walking routes are listed in two sections:

The Sheep's Head Way main route area includes the peninsula with Bantry to the north and Dunbeacon to

the south and The Eastern Trails area includes the three valleys to the east of Bantry and connects with the Beara Way.

Trailheads

Detailed maps and information can be found for the walks accessed from each of the major trailheads. The location of the trailheads and map boards are also indicated on the main Sheep's Head Way trail map below.

Distances & times (based on walking 3km per hr) between Trailheads

Trail Heads	Distance	Time
Bantry to Dún Óir	20 km	6 hrs 30 mins
Dún Óir to the Goat's Path	7km	2hrs 30 mins
Goat's Path to Tooreen (lighthouse)	14.8km	5 hrs
Tooreen (lighthouse) to Black Gate	6km	2 hrs
Black Gate to Kilcrohane	8km	3 hrs
Kilcrohane to Ahakista	7km	2 hrs 30 mins
Ahakista to Durrus	11km	4 hrs
Durrus to Bantry	21 km	6 hrs 30 mins
Bantry to Drimoleague	23km	7 hrs 30 mins
Drimoleague to Kealkil	20-26 km	6 – 8 hrs

The Sheep's Head Peninsula

This section includes the walks on the Sheep's Head peninsula around Kilcrohane, Ahakista, Durrus and west of Bantry.

The main Sheep's Head Way is a 93km long walk which starts and finishes in Bantry town. We have divided it into 11 sections and you will find it listed on the main Sheep's Head Way page with the directions and map for each section.

The Loop Walks are listed by locality so you can choose a walk to suit your available time and ability in your preferred area.

The Eastern Trails Section

The Eastern trails section lists both linear and loop walks by area. Drimoleague, the Mealagh Valley and Kealkill (Carriganass) are to the east and north east of Bantry.

The Sheep's Head peninsula and Eastern trails connect via linear routes. The Bantry to Drimoleague trail takes you eastwards where you can join the St Finbarr's Way route. This pilgrim trail takes you through the Mealagh Valley on to Kealkil and beyond to Gougane Barra.

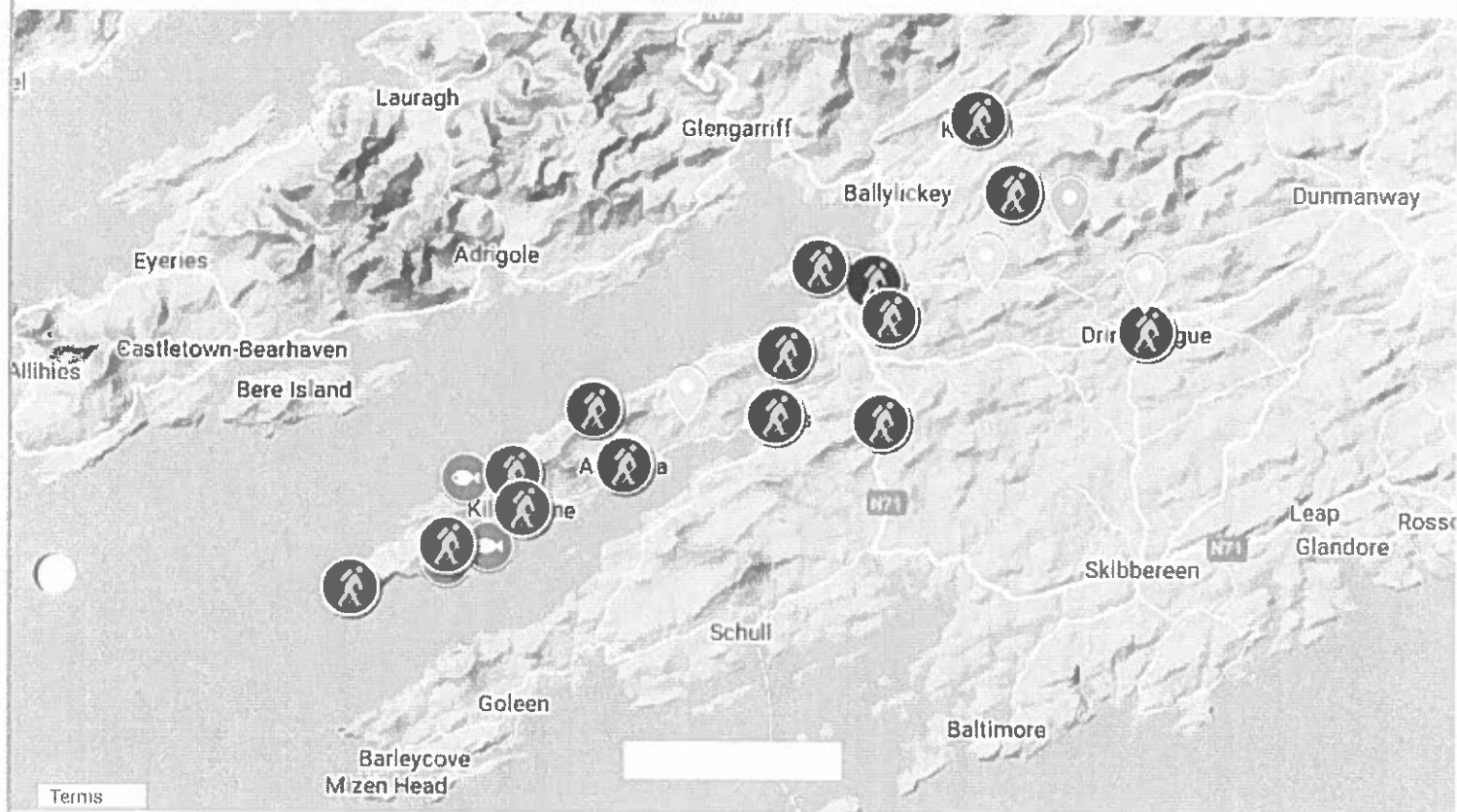
There are several loop and linear walks in each area, with differing difficulty and duration, for you to choose a local walk to suit you.

[Interactive Map of the Sheep's Head Way](#)



The Sheep's Head Way.

This map was made with Google My Maps. Create your own.



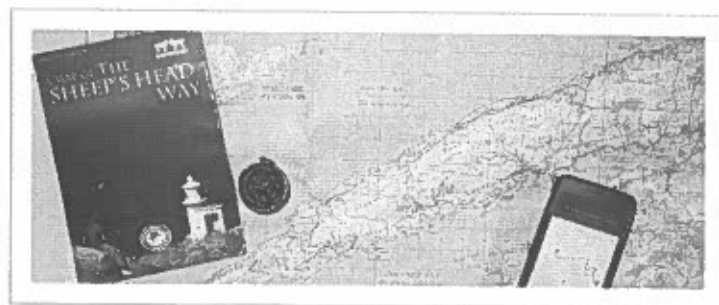
Below is a complete list of all the walks included on the Sheep's Head Way site.

- Difficulty & Duration
- Sheep's Head Peninsula
 - Main Sheep's Head Way
 - Section 1: Bantry to Booltenagh
 - Section 2: Booltenagh to Glanlough
 - Section 3: Glanlough to Seefin
 - Section 4: Seefin to Cahergal
 - Section 5: Cahergal to the Lighthouse
 - Section 6: Tooreen to Letter West
 - Section 7: Letter West to Kilcrohane
 - Section 8: Kilcrohane to Ahakista
 - Section 9: Ahakista to Durrus
 - Section 10: Durrus to Barnageehy
 - Section 11: Barnageehy to Bantry
 - Peakeen Ridge Linear
 - Mass Path Linear
 - Loop Walks

- Tooreen Trailhead
 - Lighthouse Loop
 - Poet's Way Loop
- The Black Gate Trailhead
 - Poet's Way Loop
 - Caher Loop
 - Cahergal Loop
- Kilcrohane Trailhead
 - Funeral Path Loop
 - Farranamanagh Loop
- The Goat's Path Trailhead
 - Peakeen Ridge Loop
- Dun Óir Trailhead
 - Gortnakilly Loop
 - Foilakilly Loop
- Ahakista Trailhead
 - Baran Loop
 - Glanlough Loop
 - Seefin Loop
- Durrus Trailhead
 - Coomkeen Loop
 - Barnageehy Loop
 - Mount Corrin Loop
- Bantry West Trailhead
 - Barnageehy Loop
 - Coomkeen Loop
 - Rooska Loop
 - Whiddy Island Loop
- Eastern Trails
 - Bantry to Drimoleague Linear
 - St Finbarr's Way Linear
 - Glanbannoo Linear
 - Drimoleague
 - Deelish Cascades Linear
 - Schronacarton Linear
 - Castle Donovan Loop
 - Drimoleague Heritage Loop

- Glanaclohy Loop
- Moyny Bridge Loop
- Carriganass, Kealkil
 - Kealkill Stone Circle Linear
 - Póc an Tairbh Loop
 - Srón na Gaoithe Loop
- Mealagh Valley
 - Mealagh Valley Loop
 - Mealagh Valley Woods Loop
 - Mullaghmesha Loop

MAPS & GPS



NEWS & UPDATES

The Sheep's Head Way is closed to the public on Sunday 31st January 2021

As usual each year, the Sheep's Head Way is closed on 31 January, unless the expressed wishes of the Landowner states otherwise. This has become a customary practice which enables the landowner to grant permission for the public to access their land throughout the remaining year without risk of any public right of way being established. We hope you will respect this necessary inconvenience.

Mount Corrin loop

Due to storm damage, the forestry section of the Mount Corrin loop walk will remain closed until further notice.

IN CASE OF EMERGENCY



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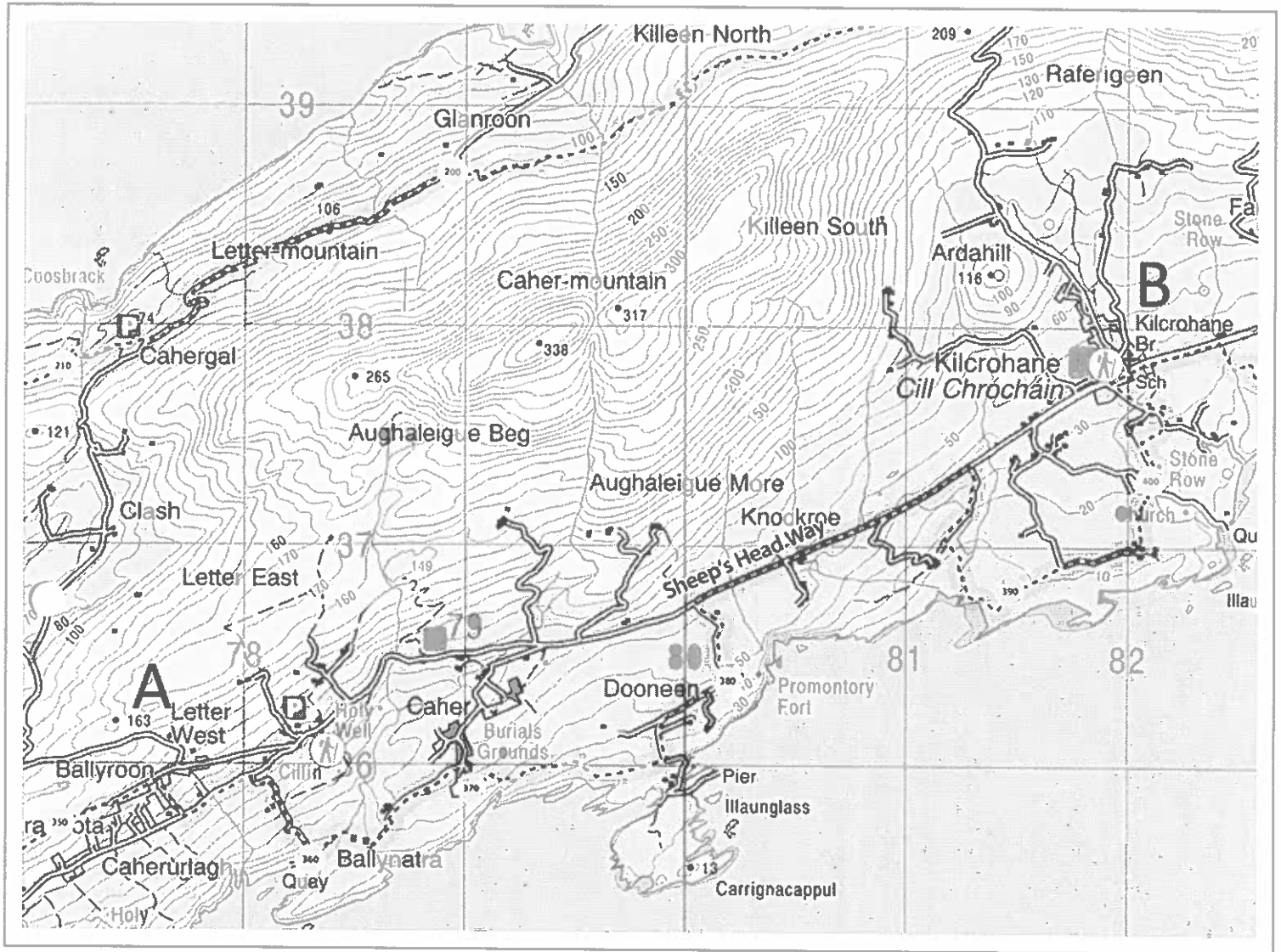
≡ MENU

Home > Walking Routes > Sheep's Head Peninsula > Main Sheep's Head Way > **Section 7: Letter West to Kilcrohane**

Section 7: Letter West to Kilcrohane



Map



Details

Start A

Finish B

Way Markers

Distance

Grade

Colour Code

Letter West
Kilcrohane
357-403
8.1km
Moderate

Section 7 of the Sheep's Head Way takes you down to the coast and fishing spurs at Tra Ruaim and

Dooneen.

Continuing on from the previous section, the Sheep's Head Way route turns right off the main road onto a smaller road, signed 'Trá Ruiam'. Follow the road steeply downhill to the beach and quay where you can take the fishing access loop around Reen headland, or continue left, at marker 360.

Where the path meets the road at marker 378 turn left. Turn right if you want to explore Dooneen headland and quay

The trail follows the small roadway back up hill to join the main road again where you turn right along the road for about 1.4km. At marker 382 take a right turn across a cattle grid and down a farm track, left across fields and then down to the strand.

Follow the trail markers through a private garden to cross a stone flag bridge over the stream. Go straight across a quiet road and through gates into another small private area, cross to the far corner where the trail continues.

At marker 403 you turn left up the road and then turn right onto the main road and into the village of Kilcrohane.

Continue straight through the village to start section 8 of the Sheep's Head Way.

ALL PAGES IN THIS SECTION

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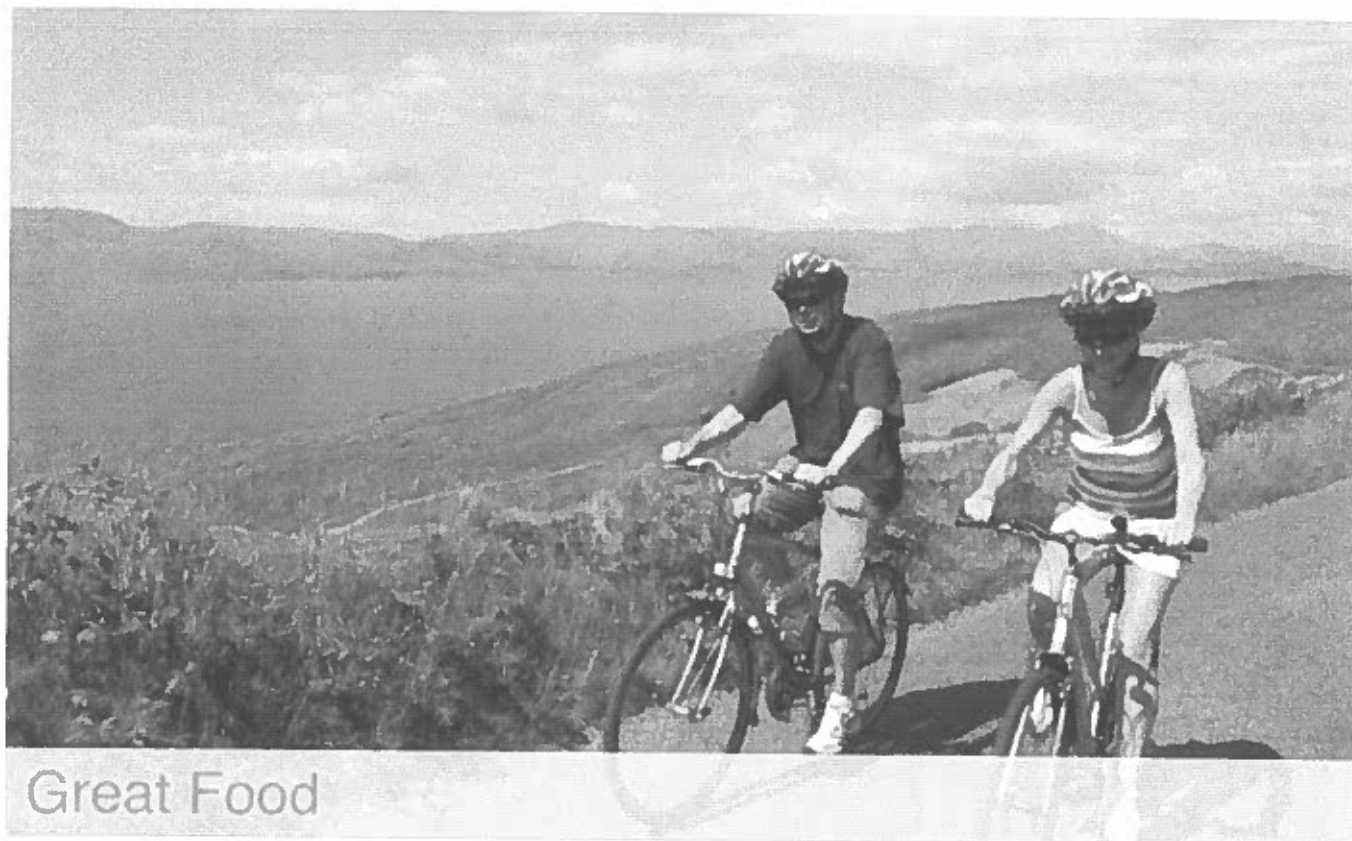
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The Sheep's Head Way – Discover Ireland's Best-Loved Walking Route



Explore the Sheep's Head Way walking route on West Cork's Sheep's Head peninsula!

The Sheep's Head Way is one of Ireland's best-loved walking routes. It traces the coastline of the Sheep's Head peninsula at the very edge of Europe. Walk the peninsula and you'll find yourself immersed in the beauty and the life of a community along Ireland's Wild Atlantic Way!

The Sheep's Head boasts an unspoilt natural landscape with stunning coastal views. This place has been recognised as a European Destination of Excellence. You'll soon see for yourself why people see it as a kind of modern Eden.

West Cork is known in Ireland as 'a place apart', and the Sheep's Head is an unspoilt place where you'll be able to find peace and refresh your senses.

There are lots of great characters to meet and wonderful things to do in Bantry and around the Sheep's Head as you explore this beautiful part of the world.

Plan Your Stay, the Sheep's Head Way!

Take the renowned Sheep's Head Way walking route, or hire a bike and cycle the Sheep's Head

peninsula's stunning coastal cycle route. You can choose to take a more leisurely approach and drive the Wild Atlantic Way to take in gorgeous views across the neighbouring Mizen and Beara peninsulas.

You'll find that delicious West Cork places to eat abound here. Take time to get to know our great local communities in the seaside villages of Kiltrohane, Ahakista and Durrus. The many festivals we hold throughout the year and our local pubs are perfect places to meet the locals!

Take an Irish craft tour, sail the Wild Atlantic Way, or spend time exploring the historic harbour town of Bantry at the head of beautiful Bantry Bay.

At every turn, you'll find stunning views, across West Cork's three peninsulas. The ever-changing waters of Bantry and Dunmanus bays and the lush farmland that inspires West Cork's food producers make for marvellous photos!

The Sheep's Head peninsula is the perfect base for a walking holiday in Ireland – the Sheep's Head Way is a foodie heaven, and an adventurer's paradise, where the locals will help you get to the heart of life as it's lived the "Sheep's Head Way"!

The Sheep's Head Way: Ireland's Best-Loved Coastal Walking Route

The renowned Sheep's Head Way walking route begins in Bantry and leads you out to the tip of Ireland's unspoilt Sheep's Head peninsula and back. Trace the coastline as you walk through countryside, mountain tops and seaside villages.

The walking route extends through West Cork's valleys and mountains along St. Finbarr's Way



[THE SHEEP'S HEAD WAY](#)[LOOP WALKS](#)[ACCOMMODATION](#)

Meet the potters, painters and stone carvers the Sheep's Head inspires. Taste Bantry Bay mussels served with our great local produce. Or why not join the celebrations at one of our world-class festivals?

Start planning your visit to West Cork and look forward to an Irish holiday spent "living the Sheep's Head way"!

The Sheep's Head Peninsula: A European Destination of Excellence

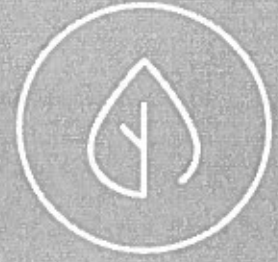
The Sheep's Head peninsula has been recognised as a European Destination of Excellence in recognition of the sustainable tourism on offer in this unspoilt part of the world.

The Sheep's Head Way walking and cycling routes offer you the perfect way to explore the natural landscape of West Cork.

Find Sheep's Head Way maps and directions, and places to stay in Bantry and on the Sheep's Head on our website.

Contact us to find out more about planning the best things to do around Bantry, the Sheep's Head, and the Wild Atlantic Way.





OPR Practice Note PN01

Appropriate Assessment Screening for Development Management



March 2021



Oifig an
Rialaitheora Pleanála
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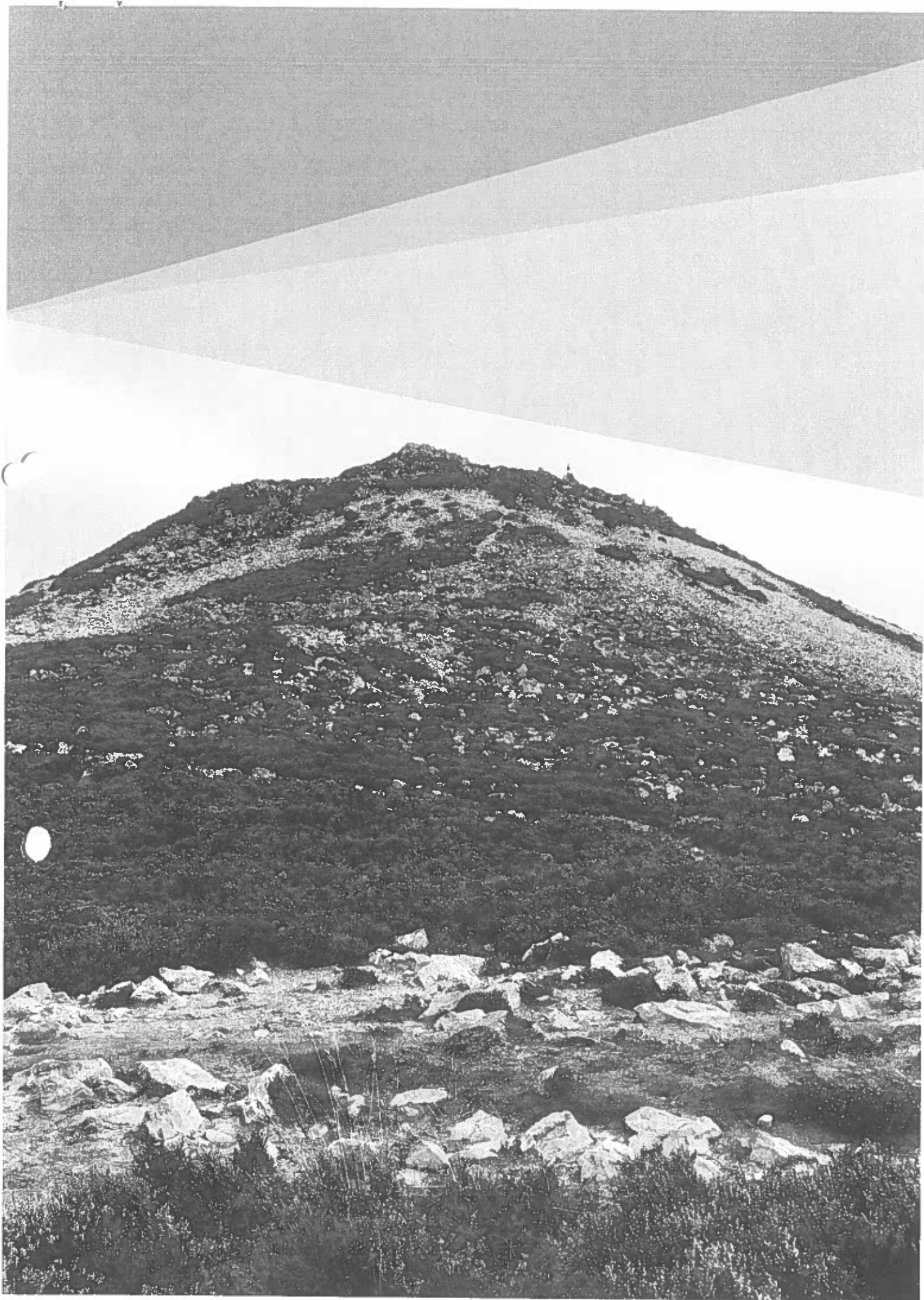


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OPR Practice Notes (PN) provide information and guidance about specific areas of the planning system for practitioners, elected members and the public.

For the avoidance of doubt, Practice Notes do not have the status of Ministerial Guidelines under Section 28 of the Planning and Development Act 2000, as amended.* They are issued for general information purposes only, in accordance with the OPR's statutory remit to engage in education, training and research activities. Practice Notes cannot be relied upon as containing, or as a substitute for, legal advice. Legal or other professional advice on specific issues may be required in any particular case.

We invite comments, feedback, suggestions and relevant case studies from users of this Practice Note and you should send them to research@opr.ie.

*here in referred to as the '2000 Act'

1.0 Introduction

The Purpose of this Practice Note

This practice note provides information and guidance on **screening** for appropriate assessment during the planning application process. A subsequent practice note will address the **appropriate assessment** of an application.

This practice note does not duplicate or replace any existing guidance or advice. Instead, it focuses on how a planning authority should **screen** an application for planning permission for appropriate assessment. This includes providing useful templates, and addressing **issues** that commonly arise both in terms of carrying out screening and its implications for other aspects of the planning system.

i It should be noted that knowledge, understanding and application of all aspects of appropriate assessment are subject to emerging case law in the national and European courts. While the most relevant case law is reflected in this practice note, this is not exhaustive, and the reader should consider any subsequent case law or legislation.

Overview of Appropriate Assessment

Appropriate assessment comes from the **Habitats Directive (92/43/EEC)**, which seeks to safeguard the long-term survival of Europe's most valuable and threatened species and habitats. The geographical areas of particular importance to these species and habitats have been selected as Special Areas of Conservation (SAC) and Special Protection Areas (SPA) which are collectively referred to (in Ireland) as **European sites**. Together, these sites comprise the pan-European Natura 2000 network of protected areas.

One of the measures which protects these areas is the requirement that every project must undergo an assessment of its implications for any European site before consent for the project is given. Consent for the project can only be given after determining that it will not adversely affect the integrity of the site(s) concerned in view of the conservation objectives of that site.¹

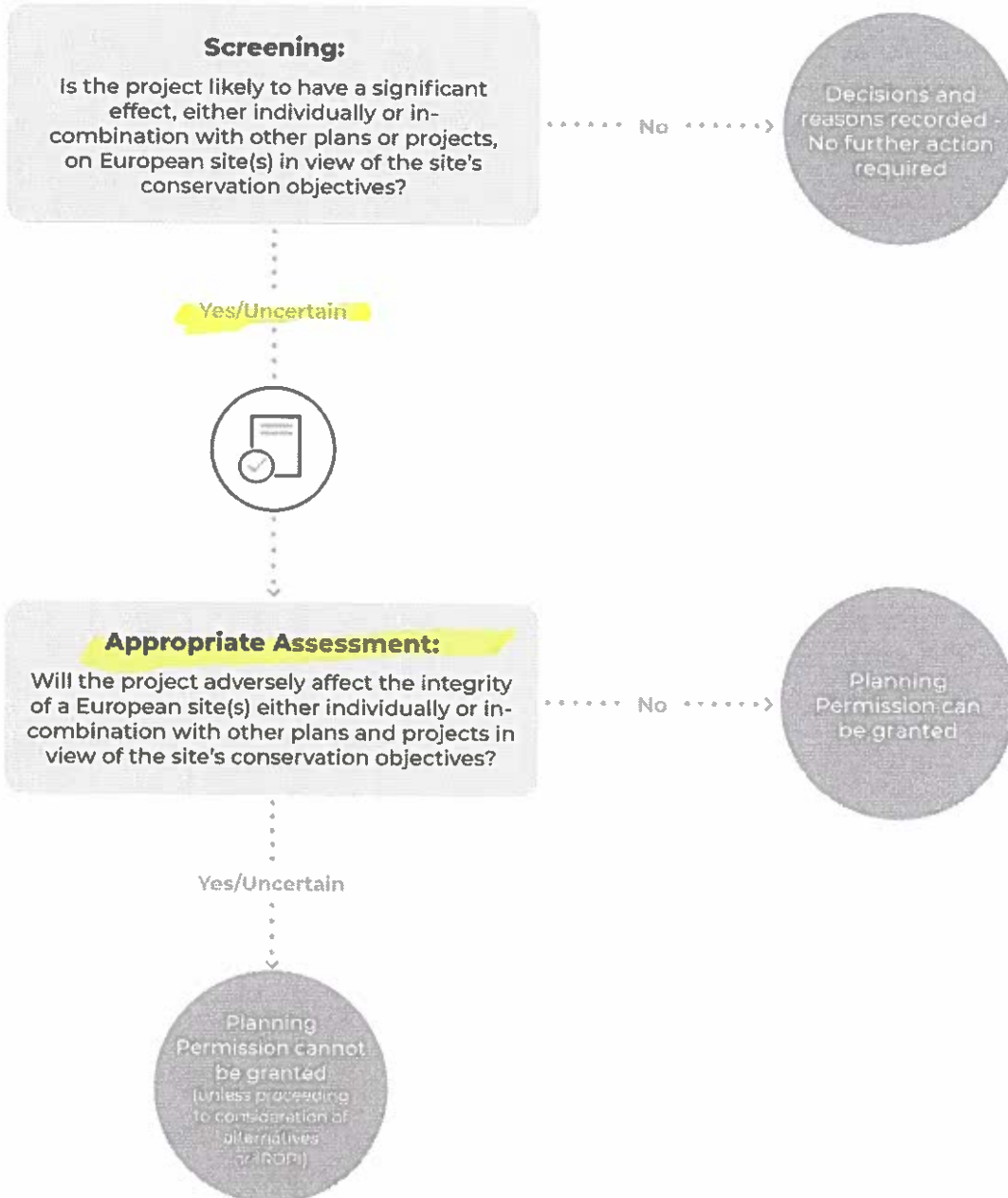
In order to determine if an appropriate assessment is required, a screening process must be carried out for all applications for planning permission.

The Habitats Directive (92/43/EEC) and the associated **Birds Directive (2009/147/EC)** are transposed into Irish legislation by Part XAB of the 2000 Act and the Birds and Natural Habitats Regulations 2011.² The legislative provisions for appropriate assessment screening for planning applications are set out in Section 177U of the 2000 Act.

¹ The Habitats Directive (and Irish legislation) does provide for very limited circumstances where, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless proceed for imperative reasons of overriding public interest (Article 6(4)). This is referred to as IROPI and remains rare in Ireland although it is more common in other member states.

² S.I. No 477/2011 – European Communities (Birds and Natural Habitats) Regulations.

Overview of Screening and Appropriate Assessment



Acronyms

AA	Appropriate Assessment
ABP	An Bord Pleanála
cSAC	Candidate Special Area of Conservation
cSPA	Candidate Special Protection Area
CJEU	Court of Justice of the European Union
DHLGH	Department of Housing, Local Government and Heritage
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
EU	European Union
IRPOI	Imperative Reasons of Overriding Public Interest
NIS	Natura Impact Statement
NPWS	National Parks and Wildlife Service
OPW	Office of Public Works
QI	Qualifying Interest: relates to the habitats and/or (non-bird) species for which an SAC or SPA is selected.
SAC	Special Area of Conservation: a site designated under the Habitats Directive 92/43/EEC
SCI	Special Conservation Interest(s): relates to birds species for which an SPA is selected.
SHD	Strategic Housing Development
SID	Strategic Infrastructure Development
SPA	Special Protection Area: a site designated under the Birds Directive 79/409/EEC.
S-P-R	Source-Pathway-Receptor
ZoI	Zone of Influence

2.0 Key Concepts

Best Scientific Knowledge/Information in the Field

The screening determination must be based on scientific information relevant to the likely effects on the conservation objectives of the relevant European sites. The information should be up-to-date and based on the best available techniques and methods to estimate the presence and extent of effects. This is because if there is any scientific uncertainty as to the absence of significant effects, the project must be screened in for appropriate assessment.

In the vast majority of cases the information provided by the applicant (including the project description) and publicly available information in relation to the European sites in question³ and information published by the NPWS, the EPA and others in relation to such sites⁴, should provide a sufficient level of objective scientific information to allow the planning authority to make an informed decision on screening.

Compensatory Measures

Compensatory measures are not relevant and **cannot** be considered at screening (or in appropriate assessment). This terminology should not be used in this context.

Competent Authorities

Competent authorities are those entitled to authorise or give consent to a project. In the planning system, this means planning authorities and An Bord Pleanála. There are, however, several other competent authorities in respect of other consent regimes e.g. EPA (environmental licencing), Minister for Agriculture, Food and the Marine (forestry, aquaculture and foreshore management), and various state bodies that have authority to undertake development under Part 9 of the Planning and Development Regulations (e.g. An Garda Síochána, defence forces, the courts service).

Conservation Objectives

Conservation objectives are prepared for all European sites and are available on the NPWS **website** and from the EPA's **AA tool**. An example of the conservation objectives for a SAC is available **here**.

In all cases, the conservation objectives will list the habitats and species for which the site is selected (the Qualifying Interests/SCIs). Site-specific conservation objectives, which aim to define favourable conservation conditions for the individual habitats or species, are available for many European sites. For the remaining sites, generic **conservation objectives** will be available until the site-specific objectives have been prepared.

Important additional/background information is available from the conservation objective supporting documents on the NPWS website, including the Natura 2000 standard data form, the site synopsis and the management plan for the site (if there is one).

³ See <https://www.npws.ie/protected-sites>.

⁴ For example, NPWS publishes information on the status of all Annex I habitats and Annex II species in Ireland required by Article 17 of the Habitats Directive and Article 12 of the Birds Directive, available at <https://www.npws.ie/publications/article-17-reports> and <https://www.npws.ie/status-and-trends-ireland%E2%80%99s-bird-species-%E2%80%93-article-12-reporting>. In addition EPA's platform <https://gis.epa.ie/EPAMaps/Water>, brings together valuable information including information in relation to water quality.

Direct and Indirect Effects

The effects of a project may include direct or indirect effects on a European Site. Indirect effects can occur where further development is associated with a proposed development and it is this secondary element that is a risk factor to a site. For example:

- enabling works such as site clearance can lead to soil erosion with impacts on watercourses and downstream impacts to a European site, or
- ground investigations or haulage routes involving heavy machinery may have to traverse a European site to access the development site.

Indirect effects may also arise due to pathways or connections to a European site. For example, a proposed development may have no direct effect on a site due to distance, however a hydrological connection may result in indirect effects on that site due to changes in water flows or construction related emissions. Similarly there may be indirect impacts to European sites via impacts to non-Qualifying Interest habitats within a site or such habitats outside a site, or via impacts to species for which a site has been designated beyond the site where this might affect the conservation objectives of the site. This is particularly relevant in relation to SPAs where areas outside the European site are often important for bird species.⁵

European Sites

European sites comprise Special Areas of Conservation (SAC) and Special Protection Areas (SPA). The process for selecting areas as European sites, including mapping site boundaries, has many stages and involves notifying landowners and an appeals process. The National Parks and Wildlife Service (NPWS)⁶ oversees this process. The sites are formally designated by the relevant minister under a statutory instrument. Candidate sites (i.e. cSAC or cSPA) have the same level of protection as fully designated sites under Irish Law.⁷

Impact v Effect

In the context of appropriate assessment there is a clear difference between the 'impact' which is the source (see Source-Pathway-Receptor model, page 12) and the 'effect' which is how it relates to the conservation objectives. For example:

Impact: ground clearance and release of silt laden water into adjacent receiving watercourse.

Effect: possibility to undermine the conservation objective to restore the favourable conservation of those Annex II species including Atlantic Salmon and Freshwater Pearl Mussel, which require very low levels of sedimentation at their breeding gravels.

In-Combination Effects

Some projects are unlikely to have significant effects on their own. However, the effects in-combination with other plans or projects could be significant. The in-combination assessment should concentrate on projects/plans that could in fact act in-combination with the current project to affect site conservation objectives. For example, in a site where FreshWater Pearl Mussel is a Qualifying Interest, a key question is what other plans/projects may involve discharges to the relevant river. This allows the assessment of in-combination impacts to be focused on the relevant impacts.

⁵ Holohan v ABP (Kilkenny Road case) CJEU C-461/17.

⁶ The NPWS is currently part of the Department of Housing, Local Government and Heritage.

⁷ Candidate sites are those that have been submitted to the European Commission, but not yet formally adopted under Ministerial Statutory Instrument (S.I.). Legal protection, and therefore, the requirement for AA, arises from the date that the Minister gives notice of his/her intention to designate the site.

In the case of projects, in-combination impacts of both plans and projects must be considered (i.e. not solely other projects). It should also be noted that plans/projects extend beyond those covered by the 2000 Act.

In-combination effects must examine plans or projects that are:⁸

- Projects completed,
- Projects approved but not started or uncompleted,
- Projects proposed, i.e. for which an application for approval or consent has been made, including refusals subject to appeal and not yet determined,
- Proposals in adopted plans, *and*
- Proposals in finalised draft plans formally published or submitted for consultation or adoption.

Plans and projects that are not yet proposed do not generally have to be taken into account in the assessment of in-combination effects,⁹ even if they are part of an overarching masterplan.¹⁰ The exception is where the project is considered to be functionally interdependent with the development before the competent authority. An example of this is a grid connection for a proposed wind farm.¹¹

The consideration of in-combination effects is not restricted to similar types of plans or projects covering the same sector of activity (e.g. a series of housing projects). All types of plans or projects that could, in-combination with the project under consideration, have a significant effect, should be taken into account.

Integrity of a European Site

The evaluation of a proposed development on the integrity of a European site is a matter that is considered under the **appropriate assessment**. This terminology should **not** be referred to in screening as it applies the incorrect legal test.¹²

Likely to have a Significant Effect

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.

Mitigation Measures

Measures intended to avoid or reduce impacts to European sites are commonly referred to as *'mitigation measures'*. Any measure or feature of the development that is wholly or partially included in order to avoid or reduce impacts to European sites **cannot** be considered for the purposes of screening out the need for appropriate assessment.¹³

⁸ Managing Natura 2000 sites – The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (updated 2018). https://ec.europa.eu/environment/nature/natura2000/management/docs/art6/Provisions_Art_6_nov_2018_en.pdf.

⁹ *Ratheniska v An Bord Pleanála* [2015] IEHC 18.

¹⁰ *Fitzpatrick and Daly v An Bord Pleanála* [2019] IESC 23 (the 'Apple Case').

¹¹ *O'Grianna v An Bord Pleanála (No.1)* [2014] IEHC 632 and *O'Grianna v An Bord Pleanála No. 2* [2017] IEHC 7.

¹² *Uí Mhuirín v. MHPLG* [2019] IEHC 824.

¹³ *People Over Wind and Peter Sweetman v Coillte Teoranta* CJEU C-323/17.

Natura 2000 Network

All sites across Europe designated under the Habitats and Birds Directives form the Natura 2000 network to which the requirements for appropriate assessment under Article 6(3) of the Habitats Directive apply.

Precautionary Principle

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.¹⁴

Qualifying Interests/Special Conservation Interest(s)

The specific named habitats and/or (non-bird) species for which an SAC or SPA are selected are called the 'Qualifying Interests' (QI), of the site. The specific named bird species for which a SPA is selected is called the 'Special Conservation Interests' (SCIs). However, in practice, the common terminology of Qualifying Interests applies also to SCI (and is used in this document for simplicity).

Significant Effect

Significant effects relate to the conservation objectives for the European site. If a project is likely to undermine any of the site's conservation objectives, it must be considered likely to have a significant effect on that site. This will depend on factors such as the type, extent, duration, intensity, timing, probability, and in-combination effects of the potential impact, as well as the vulnerability of the habitats and species concerned.

In this context, what may be significant in relation to one project may not be in relation to another, underlining the importance of a case by case assessment.

Source-Pathway-Receptor

Consideration of likely significant effects should be based on the S-P-R risk assessment principle. If there is no ecological pathway or functional link between the proposed development and the European site, there is no potential for impact and the project can be screened out. Ecological pathways can be physical, for example, water or air in the case of airborne pollutants (e.g. ammonia from intensive agricultural installations). Functional pathways occur, for example, where the application site is used as foraging for a Qualifying Interest of a SAC or SPA. Section 3.0 includes further details on this concept.

Transboundary Effects

Transboundary effects relate to the likelihood of significant effects on a site which is part of the Natura 2000 network but lies outside our national boundaries. Since 1 January 2021 nature conservation areas in the UK (including Northern Ireland) are no longer part of the Natura 2000 network.

Zone of Influence

The zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km).

¹⁴ Waddenzee C-127/02

3.0 Screening for Appropriate Assessment

Screening for appropriate assessment is intended to be an initial examination which must be carried out by the planning authority or An Bord Pleanála as the competent authority. If significant effects cannot be excluded based on objective information, without extensive investigation or the application of mitigation, a project should be considered to have a likely significant effect and appropriate assessment should be carried out. This is a relatively light trigger and must be based on the precautionary principle.

Cases where no Appropriate Assessment issues arise

In some situations, it will be absolutely clear that a proposed development could not have any conceivable effect on a European site. For example, where the nature, scale, timing, duration and location of a development is entirely unconnected to a European site.

These instances will generally be very small developments, for example, signage or house extensions in serviced urban areas and small developments in urban areas/rural areas with no connections to ecological receptors linked to European sites. Nonetheless, this consideration still involves the planner providing a reasoned determination in the planner's report to show that the matter has been considered.

The project should only be considered to have no appropriate assessment issues if it is obvious that the entire project, through all of its stages, could not possibly have any effect on any European site, and that no measures intended to avoid or reduce potentially harmful effects on a European site are included.



Screening Process

Steps and matters to be considered:



1. Describe the proposed development and local site characteristics.



2. Identify the relevant European sites and compile information on Qualifying Interests and conservation objectives.

- (a) Identify all European sites that might be affected using the Source-Pathway-Receptor model.
- (b) Identify the Qualifying Interests of the site concerned and the conservation objectives.
- (c) Determine which of those Qualifying Interests/conservation objectives could be affected by the proposed development.



3. Assess the likely significant direct and indirect effects on the conservation objectives of the site(s) in relation to:

- (a) the project alone, and
- (b) In-combination with other plans and projects.

INDIRECT EFFECTS



4. Screening determination: In the absence of mitigation measures, determine if the project alone or in-combination with other plans and projects could undermine the conservation objectives of the site(s) and give rise to likely significant effects.



Step 1: Description of proposed development and site characteristics

The first step in carrying out a screening exercise is to consider the nature and extent of the proposed development and the characteristics of the immediate environment. This will focus the screening exercise on the characteristics relevant to the individual case, and is particularly important in terms of identifying potential pathways between the application site and any SAC or SPA.

A brief description of the proposed development, the application site and its immediate environs will be sufficient for most cases.



Step 2: Identification of relevant European sites

Local authority planners can develop a sound understanding of potentially relevant European sites through familiarity with the sites most relevant (ecologically) to their geographical area, the major pathways associated with those sites (river catchment areas etc.), the characteristics and vulnerabilities of the Qualifying Interests/SCIs and the conservation objectives for the sites. All of these factors are important for the application of the Source-Pathway-Receptor (S-P-R) model discussed in Step 3 below.

Applications within or immediately adjacent to a European site

All proposed development located either partially or wholly within or immediately adjacent to a SAC or SPA should be easily identifiable from examining GIS mapping. These European sites should be automatically selected for consideration in the screening exercise.

Identification of other European sites

The identification of European sites within a 15km zone has become common practice in screening projects for AA. However this approach is not based on the S-P-R model and should not be used for projects. Few projects have a zone of influence this large, but some more complex projects may require a greater zone of investigation.

Instead the zone of influence of a project should be considered using the Source-Pathway-Receptor model. This should avoid lengthy descriptions of European sites, regardless of whether they are relevant to the proposed development, and a lack of focus on the relevant European sites and issues of importance.

Digital mapping systems such as the **NPWS map** viewer or the planning authority's own GIS system can be used at this initial stage to identify any potential European sites that require further consideration. The **EPA AA mapping tool** is particularly useful as it allows more detailed filtering such as European sites downstream of the application site.



Step 3: Assessment of likely significant effects using the Source-Pathway-Receptor model

A European site will only be at risk from likely significant effects where the Source-Pathway-Receptor link exists between the proposed development and the European site.

In this context, the role of the pathway is critical to the screening process. If there is no pathway, then the proposed development can be screened out with confidence. Similarly, if the Qualifying Interests of the European site are not vulnerable (either directly or indirectly) to any impact resulting from the proposed development, then a likely significant effect can also be ruled out through the screening process.

Source-Pathway-Receptor Model



Source

Identify the characteristics of the proposed development such as the nature, size and location and the type of impacts.

Examples

Direct impacts:

- Direct emissions (water, air, noise or light).
- Loss of habitat (including breeding or foraging habitat).

Indirect Impacts:

- Loss of breeding or foraging habitat outside the European site.
- Impact on a non-QI habitat or species within the European site that is ecologically linked to the conservation objectives/QI.
- Barriers to movement e.g. aquatic species, otter, bats, bird species.
- Collision risk.
- Loss of breeding or foraging for a prey species.



Pathway

Identify the existence and characteristics of the pathways that could link European sites and their Qualifying Interests to the proposed development.

Examples

Direct pathways:

- Proximity (i.e. location within the European site).
- Water bodies (rivers/streams, marine, lakes, groundwater).
- Air (for both air emissions and noise impacts).

Indirect pathways:

- Disruption to migratory paths, e.g. bird species, aquatic species, bats.
- 'Sightlines' where noisy or intrusive activities may result in disturbance to shy species.



Receptor

Establish the location, nature and sensitivities of the qualifying species and habitats, the ecological conditions underpinning their survival and the conservation objectives specified to maintain or restore favourable conservation status.

Examples

- Freshwater Pearl Mussel extreme sensitivity to siltation in water.
- Lesser Horseshoe Bat sensitivity to noise and light.
- Turlough sensitivity to changes in groundwater levels.

The 'Likely Significant Effect' test

The key test in screening is to establish whether any likelihood of significant effects on European sites can be ruled out. Once the relevant European sites have been identified, this test must then be applied.

Likely means a risk or possibility of effects occurring that **cannot** be ruled out based on objective information.

Significant effects are those that would undermine the conservation objectives of the European sites, either alone or in-combination with other plans and projects. The significance of ecological impacts depends on:

- ① the ecological characteristics of the species or habitat, including their structure, function, conservation status and sensitivity to change, and/or
- ② the character, magnitude, duration, consequences and probability of the impacts occurring.

It stands to reason that the higher the sensitivity of the species or habitat to impacts likely to arise from the proposed development, and the higher the magnitude of the impact, the more significant the impact for the purposes of screening.

Ultimately, determining the 'significance' relies on assessment of the scientific information. If however, the consideration of significance is becoming too complex (i.e. with multiple factors involved) then this should be an indication that uncertainty exists and that appropriate assessment is required.

Critically, any conclusion of the lack of likely significant effects must be made without consideration of 'mitigation measures'.



Step 4: Screening determination and possible outcomes

The screening process must conclude with a clear statement of the conclusion reached, and the basis upon which it was reached.

Screening can result in the following conclusions or outcomes:

- ⊗ **a) No likelihood of significant effects:** Appropriate assessment is not required and the planning application can proceed as normal. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file.
- ⊙ **b) Significant effects cannot be excluded:** Appropriate assessment is required before permission can be granted. A Natura Impact Statement (NIS) will be required in order for the project to proceed.

4.0 Common Issues

When should screening for appropriate assessment be carried out?

Screening should be carried out for all proposals which fall within the definition of a 'project' under the EIA Directive, i.e. *'the execution of construction works or of other installations or schemes, other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources.'* This will include the vast majority of applications for planning permission.

This requirement applies regardless of the location of the application inside or outside a protected site.

For the avoidance of doubt, **screening is required** for:¹⁵

- Planning applications for outline and full planning permission,
- Planning applications for permission to amend previously permitted development,
- Planning applications to amend a condition,
- Extension of duration applications made under the provisions of Section 42 of the 2000 Act,
- Section 5 Declarations under the 2000 Act,
- Development proposed to be carried out by the local planning authority under Part 8 of the 2000 Act or under any other legislative provisions (see Section 6), *and*
- Direct applications to An Bord Pleanála for Strategic Infrastructure Development (SID) including Strategic Housing Development (SHD).

Is screening necessary if a NIS is submitted?

Screening must be carried out even if a NIS has been submitted. This enables the competent authority to ensure that all European sites potentially affected by a proposed development are brought forward for appropriate assessment, where the possibility of significant effects cannot be ruled out. In the absence of this exercise an appropriate assessment carried out by the competent authority on the basis of a NIS submitted by the applicant may be flawed.

There may be instances where the competent authority concludes that likely significant effects can be screened out even though a NIS is submitted, in which case appropriate assessment is not necessary. However in these instances, the determination should be based on the highest level of evidence and justification must be clearly stated in the AA screening determination.

¹⁵ Although Article 6(3) of the Directive states that development directly connected with, or necessary for, the conservation management of a habitat site is excluded from the requirement for appropriate assessment, this is not reflected in Section 177U of the 2000 Act. This issue is unlikely to arise in the consideration of planning applications.

What is the status of a screening report submitted by the applicant?

While the inclusion of a screening report by an applicant has become increasingly common in recent times, unlike the NIS, it has no legislative status and is not a statutory requirement in order to carry out screening.

The competent authority for carrying out screening is the planning authority or An Bord Pleanála and it must be undertaken and documented irrespective of whether the applicant submits a screening report. It is acceptable and appropriate for the competent authority to have regard to any supplementary report included with the application, however the competent authority is not bound to reach the same conclusion.

When should an application be referred by the competent authority to the Department of Housing, Local Government and Heritage?

Most screening exercises can, and are likely to be undertaken without reports or consultation with the DHLGH/NPWS. Those that should be referred by the competent authority include:

- Development proposals located within or immediately adjacent to a European site.
- Applications accompanied by a NIS (i.e. where appropriate assessment is required).
- In accordance with Article 28(1)(n) of the Planning and Development Regulations where it appears to the planning authority that the development might have significant effects in relation to nature conservation. This may be by virtue of the nature, scale or location of the proposal.

How should mitigation measures be treated?

The understanding of this issue largely comes from European case law. Following the *'People Over Wind'* and other judgements, it is clear that in cases where measures are wholly or partially included in order to avoid or reduce impacts to European sites, then they cannot be considered at screening.

The rationale for this is that taking such measures into account at screening would undermine the Directive's intention that projects which might affect European sites are carefully assessed and any *'mitigation'* measures considered as part of this process (i.e. through appropriate assessment).¹⁶

When considering whether certain measures or features of a proposed development such as *'best practice construction methods'* constitute mitigation measures, the key consideration is what the measures are **objectively intended to achieve**.¹⁷ If they are wholly or partially included in order to avoid or reduce impacts to European sites, then they cannot be considered at screening.

If the purpose of the measure is not to avoid or reduce adverse effects on European sites, then their inclusion in the project does not invalidate the screening, so long as it is clear that the planning authority has not considered such measures in reaching a conclusion of no significant effect.¹⁸

A statement which makes clear that no account was taken of mitigation measures in concluding that the project can be screened out for appropriate assessment should be included in the screening determination (See Appendix B for examples).

¹⁶ *People over Wind* and *Peter Sweetman v Coillte Teoranta* - C323/17.

¹⁷ As above.

¹⁸ *Eoin Kelly v. An Bord Pleanála (Aldi Stores)* [2019] IEHC 84; *Heather Hill Management v. An Bord Pleanála and Burkeway Homes* [2019] IEHC 186 and 450.

How should third party submissions be taken into account?

Although there is no specific requirement for public consultation at screening in national legislation,¹⁹ it is good practice to consider submissions or objections on planning applications that raise concerns regarding the need for appropriate assessment.

The weight attributed to these submissions will depend on the factual and scientific basis for the claims made. For example, submissions which argue that likely significant effects of a proposed development would occur or cannot be excluded at screening, must be supported by credible evidence that there is a real, rather than a hypothetical, risk which should be considered.

If there is doubt, further information may be requested from the applicant in order to undertake screening.

Does the requirement for EIA trigger a need for appropriate assessment?

The requirement for either an EIA screening determination, or the preparation of an EIA Report (EIAR) and carrying out of EIA does not mean that a proposed development must be screened 'in' for appropriate assessment or that a NIS is necessary.

The EIA process relates to general environmental impacts with a much wider scope than the AA process. It is possible that a proposed development could be determined to have likely significant effects on the environment resulting from impacts which are unrelated to the conservation objectives of a European site.

If, however, part of the reason for screening in the project for EIA relates to potential impacts on the conservation objectives of a European site, then it should be screened in for AA.

What happens if further information is submitted?

The AA screening is only relevant for the information before the competent authority at a particular point in time. This means that if further information is submitted after the screening has been undertaken, it must be reviewed in light of those details or changes before the decision is made.



¹⁹Public participation under the Aarhus Convention provides the right to participate in the authorisation procedure (C-243/15 paragraph 49).

5.0 Recording and Documenting the Screening Process

The planning authority must always record and document the screening process. The level of detail required may differ, however, depending on the complexity of the case.

While there is no legislative requirements or guidelines in relation to how the process should be recorded, this practice note makes a number of recommendations in light of best practice, principally:

- **AA Screening Determination:** It is highly recommended that a screening determination statement is prepared either as a standalone document or incorporated into the planner's report. (This can also be referred to as the 'AA Screening Determination'.) This should clearly set out the basis upon which the screening determination has been made.
- **Approval by the Decision-Maker:** The official with relevant delegated powers (e.g. senior planner or director of services) should acknowledge the screening determination. For example, by way of countersigning the planning recommendation and/or screening form.
- **Template Form:** Use of a screening template form to support the screening process.

Template Form

A sample template form is provided at Appendix A and case studies using the form are at Appendix B.

The use of a template form may not be necessary for minor cases where it is clear that no likelihood of significant effects arise (Case Study A). In these cases a screening determination statement may be sufficient provided the reasoning upon which the conclusion is based is clearly set out.

Screening Determination Statement

Appendix B provides case study examples of the screening determination.

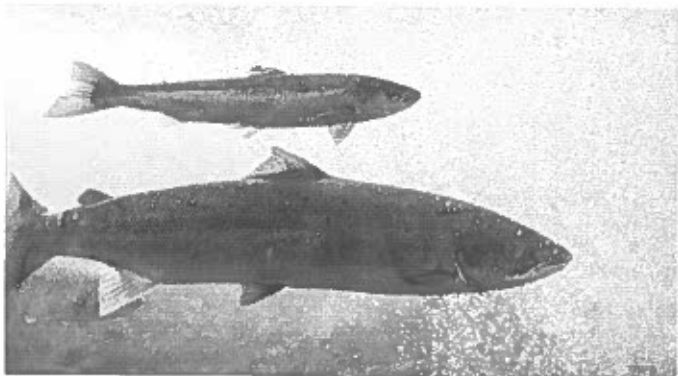
The screening determination statement should include four key elements, to varying degrees of detail depending on the characteristics of the project/proposal and the site location:

- (1) Describe:** Provide a description of the project/proposal and local site characteristics,
- (2) Identify:** Identify the relevant European sites,
- (3) Assess:** Assessment of likely effects – direct, indirect and in-combination, and
- (4) Conclude:** Provide a clear statement on the outcome of the screening process and a summary of the reasons for reaching the conclusion (without reliance on mitigation measures).

Approval by the Decision-Maker

If the chief executive or delegated decision maker (e.g. director of services or senior planner) disagrees with the screening conclusion in the planning report that likely significant effects cannot be excluded, they must carry out their own screening and the conclusion must be based on objective scientific information. A simple statement of determination without reasons is not sufficient.

Similarly, if the planning officer disagrees with the screening conclusion in an internal technical report prepared by another officer, then the planning officer must in their own screening, give reasons for accepting one scientific position over another. The conclusion reached must be based on objective scientific information. Again, a simple statement of determination without reasons is not sufficient.



6.0 Implications for Development Management

This section provides an overview of some of the main day-to-day functions of a local authority and outlines some advice on the requirements regarding appropriate assessment.

Section 247 Pre-Application Consultation

AA screening does not apply to Section 247 pre-application consultation as this consultation does not represent a decision to allow a project within the meaning of the Directives. However, the 2000 Act does indicate that in any consultations, a planning authority must advise of the procedures involved in considering a planning application and the matter should be discussed to inform the applicant generally of appropriate assessment considerations.

Any advice at pre-application stage should be mindful of the precautionary approach and may highlight the need for additional ecological surveys or technical data to be submitted with the formal application. This would avoid the need for unnecessary further information requests at a later stage.

Validation and Referrals of Planning Applications

While all planning applications require screening only some applications should be referred by the competent authority to the DHLGH.

Development proposals on sites within or adjacent to a Natura 2000 site should, however, be referred with the Department's relevant cover sheet/form. As per Article 28 of the Planning and Development Regulations 2001, these applications should also be referred by the competent authority to An Taisce and the Heritage Council. This also applies to further information relevant to the screening process which the planning authority subsequently requests.



Planning Applications

These key points should be noted when processing standard planning applications made under Section 34 of the 2000 Act:

- An application for outline planning permission may **not** be made for a development that requires a NIS, i.e. which cannot be screened out (Article 236),
- Retention permission may **not** be sought for a development that requires a NIS or Appropriate Assessment (Section 34(12)). In such cases, the applicant may seek leave to apply for substitute consent from An Bord Pleanála (Section 177C),
- Where an application is accompanied by a NIS, this **must** be stated in the public notices (Article 239),
- Where a planning authority requests a NIS to be submitted, revised public notices are mandatory (Article 240),
- On receipt of significant further information, the timeframe for submissions/observations is five weeks (Article 240),
- Within eight weeks of receipt of a NIS, the planning authority may seek further information in relation to the NIS, irrespective of whether it had already sought further information under Article 33, *and*
- Following a request for further information on an application that is accompanied by a NIS, a decision shall be made within eight weeks of receipt of the further information or in the case of significant further information within eight weeks of the date of the public notice (in lieu of the four-week timeframe associated with standard applications). Section 34(8)(c) of the 2000 Act.

Planning Conditions

Applications cannot be screened out from the need for appropriate assessment by attaching planning conditions. For example, attaching conditions requiring post-decision ecological survey work or controlling the timing of works where they relate to a conservation objective of a European site cannot be used as a basis for screening out the need for appropriate assessment.

Section 5 Declarations

Under Section 4(4) of the 2000 Act, any development that cannot be screened out (i.e. where a NIS must be prepared and appropriate assessment carried out) **cannot** be exempt from the requirement for planning permission.

This includes any development that would otherwise be exempt under either Section 4 of the 2000 Act, or Article 6/Schedule 2 ('works') and Article 10 ('change of use') of the Planning and Development Regulations 2001. Article 9(1)(viiB) of the Regulations also provides a restriction on exemption (under Article 6) where development would require an appropriate assessment.

When evaluating a request for a Section 5 declaration, a planning authority must undertake a screening, where appropriate. If the screening concludes that appropriate assessment is necessary, the development will require planning permission.

Local authority own development

The 'Part 8' process **cannot** be used for development that requires appropriate assessment (Section 179(6)(e) of the 2000 Act).

Screening for appropriate assessment must be carried out where it is proposed to use Part 8. Where appropriate assessment is required, a NIS must be prepared and an application for approval must be made to An Bord Pleanála under Section 177AE of the 2000 Act. In making an application to An Bord Pleanála the local authority should include the initial screening assessment and determination, together with the resultant NIS.

It is advised that a report by the chief executive to the elected members recommending whether or not a development should proceed (prepared under Section 179(3)(a)(i) of the 2000 Act) should be accompanied by a screening determination statement.

General advice in relation to other local authority functions

The focus of this practice note has been on screening planning applications for appropriate assessment under Part XAB of the 2000 Act. There are, however other functions which are not expressly provided for under this legislation but which are undertaken by planning departments in local authorities.

In such cases, the wider provisions of the European Communities (Birds and Natural Habitats) Regulations 2011 [S.I. No. 477/2011], as amended, will still be relevant. In particular, Regulation 42(1) requires that any public authority (including a local authority) must carry out a screening for appropriate assessment of a plan or project, for which an application for consent is received or which a public authority wishes to undertake or adopt.

As such, although screening **may not** be required under the 2000 Act, it may still be required under the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, and careful consideration should be given to those regulations in carrying out all relevant functions.



Appendix A

Template Screening Form

STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	
(b) Brief description of the project or plan:	
(c) Brief description of site characteristics:	
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	
(e) Response to consultation:	

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N

¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

² If the site or part thereof is within the European site or adjacent to the European site, state here.

STEP 3. Assessment of Likely Significant Effects

(a) Identify 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:

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> ● Vegetation clearance ● Demolition ● Surface water runoff from soil excavation/infill/landscaping (including borrow pits) ● Dust, noise, vibration ● Lighting disturbance ● Impact on groundwater/dewatering ● Storage of excavated/construction materials ● Access to site ● Pests 	
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> ● Direct emission to air and water ● Surface water runoff containing contaminant or sediment ● Lighting disturbance ● Noise/vibration ● Changes to water/groundwater due to drainage or abstraction ● Presence of people, vehicles and activities ● Physical presence of structures (e.g. collision risks) ● Potential for accidents or incidents 	
<p>In-combination/Other</p>	

(b) Describe any likely changes to the European site:

Examples of the type of changes to give consideration to include:

- Reduction or fragmentation of habitat area
- Disturbance to QI species
- Habitat or species fragmentation
- Reduction or fragmentation in species density
- Changes in key indicators of conservation status value (water or air quality etc.)
- Changes to areas of sensitivity or threats to QI
- Interference with the key relationships that define the structure or ecological function of the site

(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

Step 4. Screening Determination Statement

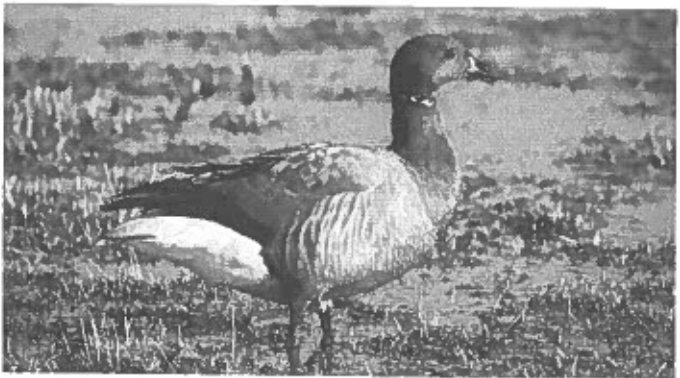
The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

Conclusion:		
	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:		
Signature and Date of the Decision Maker:		

Appendix B

Case Studies



Case Study 1.

Applications for permission where from (i) the nature and scale of the development, *and/or* (ii) the clear absence of a pathway to any European site, that it is clear that no likelihood of significant effects arise.

Examples:

- changes to the external appearance of buildings (such as shop fronts).
- change of house design/appearance.
- minor urban developments in serviced urban areas.



Sample Template:

The subject site is located *[insert general description of location of site relative to Natura 2000 sites]*.

The proposed development comprises *[insert the specifics of the case including the nature and scale of the development]*.

Having regard to:

- *insert specifics of the nature, scale and location and identify any pathways]*.

It is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Sample Case Study 1.

Sample Template Completed:

The subject site is located 1.7km from Baldoyle Bay SAC and SPA.

The proposed development is located within an established residential area and comprises a domestic extension (50m²), together with landscaping works and associated site development works. The property is connected to the mains drainage system and surface water is attenuated on-site.

Having regard to:

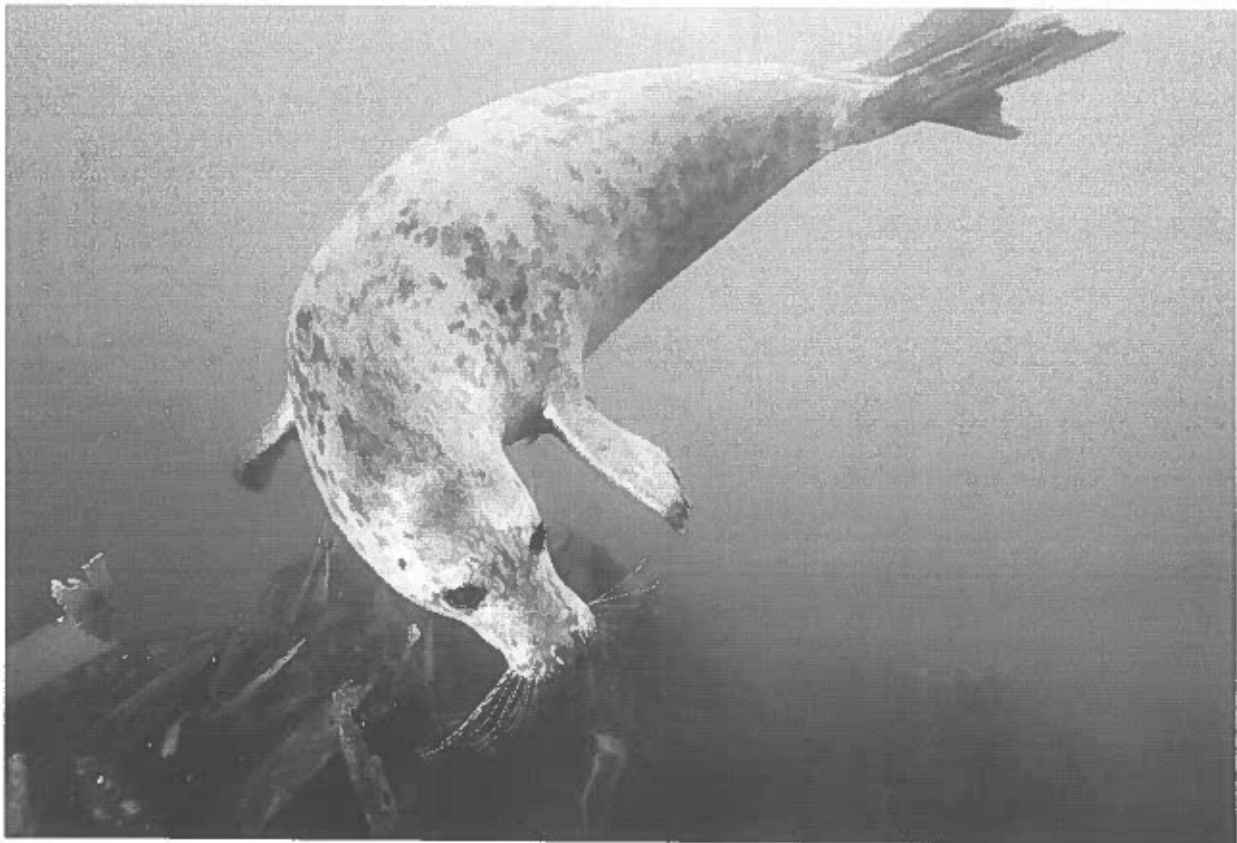
- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area so that any construction surface water runoff will be managed via the existing drainage system,
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Case Study 2.

Where cases are less straightforward, a more detailed screening is required to determine whether likely significant effects on a European site can be ruled out at this stage.

This is likely to be the most common scenario.



Sample Case Study 2.

STEP 1. Description of the project/proposal and local site characteristics:	
(a) File Reference No:	
(b) Brief description of the project or plan:	97 no. residential units and associated site works.
(c) Brief description of site characteristics:	<p>The application site (6.3 ha in area) is located on the eastern side of the village which is just south of the N7 dual carriageway. The site comprises greenfield agricultural land and slopes downward generally from east to west.</p> <p>To the SW of the site is a small stream, which connects to the Kill river at a distance of 300m to the SE. The River Kill is part of the River Liffey catchment, which outfalls to Dublin Bay.</p> <p>Land immediately adjacent is currently under construction for housing and there are a number of extant permissions for housing within the village boundary.</p> <p>The subject site is not located within or immediately adjacent to any Natura/European site.</p>
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), IFI, EPA, OPW	DHLGH, An Taisce, Heritage Council, Inland Fisheries Ireland, TII, NTA and IW.
(e) Response to consultation:	Inland Fisheries Ireland (site is within the catchment of Kill River and the River Liffey).

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest¹	Distance from proposed development² (km)	Connections (Source- Pathway-Receptor)	Considered further in screening Y/N
North Dublin Bay SAC 000206	10 QIs https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000206.pdf	>25km East	Yes Weak hydrological connections exist through:	Yes – see step 3.
South Dublin Bay SAC 000210	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000210.pdf	>25km East	(i) Surface water ultimately discharges to Kill river, a tributary of River Liffey, connecting to outfall in Dublin Bay. <i>and</i> (ii) Wastewater from the site passes through Osberstown WWTP which also discharges to the River Liffey and in turn to Dublin Bay	Yes – see step 3.
S. Dublin Bay & River Tolka Est. SPA 004024	QI - 14 bird species https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004024.pdf	>25km East		Yes – see step 3.
North Bull Island SPA 004006	QI – 18 bird species https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004006.pdf	>25km East	No North Bull Island is located within the water body of Dublin Bay. The pathway is however significantly remote.	No
Poulaphoca Reservoir SPA 004063	Greylag Goose (<i>Anser anser</i>) [A043] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004063.pdf	>25km East	No Due to distance and the lack of any relevant ex-situ factors of significance to these species.	No

¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SC.

² If the site or part thereof is within the European site or adjacent to the European site, state here.

STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Significance of Impacts: (duration/magnitude/etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> ● Vegetation clearance ● Demolition ● Surface water runoff from soil excavation/infill/landscaping (including borrow pits) ● Dust, noise, vibration ● Lighting disturbance ● Impact on groundwater/dewatering ● Storage of excavated/construction materials ● Access to site ● Pests 	<p>During the construction phase there is potential for surface water runoff from site works to temporarily discharge to Kill River (300m to the SE), which ultimately discharges to Dublin Bay via the River Liffey at a distance of >25km to the east.</p> <p>However the hydrological connection to the Dublin Bay sites is indirect and weak. Intervening land use and the separation distance of >25km means that water quality in the European sites will not be negatively affected by any contaminants, such as silt from site clearance and other construction activities, if such an event were to occur due to dilution and settling out over such a distance.</p> <p>The construction phase will not result in significant environmental impacts that could affect European Sites within the wider catchment area.</p>
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> ● Direct emission to air and water ● Surface water runoff containing contaminant or sediment ● Lighting disturbance ● Noise/vibration ● Changes to water/groundwater due to drainage or abstraction ● Presence of people, vehicles and activities ● Physical presence of structures (e.g. collision risks) ● Potential for accidents or incidents 	<p>All foul and surface water runoff once the houses are occupied will be contained on site and discharged to urban drainage systems.</p> <p>The wastewater will discharge to Osberstown WWTP, which ultimately discharges, under licence to the River Liffey.</p> <p>The hydrological connections are indirect and weak and the separation distance is significant, such that there is no real likelihood of any significant effects on European Sites in the wider catchment area.</p>
<p>In-combination/Other</p>	<p>All extant developments are similarly served by urban drainage systems and the WWTP and have been screened out for appropriate assessment.</p> <p>A NIR was prepared for the LAP which included the residential zoning objective for the subject site. No likely significant effects on the water quality of any European sites were identified.</p> <p>No likely significant in-combination effects are identified.</p>

(b) Describe any likely changes to the European site:

Examples of the type of changes to give consideration to include:

- Reduction or fragmentation of habitat area
- Disturbance to QI species
- Habitat or species fragmentation
- Reduction or fragmentation in species density
- Changes in key indicators of conservation status value (water quality etc.)
- Changes to areas of sensitivity or threats to QI
- Interference with the key relationships that define the structure or ecological function of the site
- Climate change

None.

The application site is not located adjacent or within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.

The existing environment includes a WWTP and urban drainage systems.

The significant distance between the proposed development site and any European Sites, and the very weak and indirect ecological pathway is such that the proposal will not result in any likely changes to the European sites that comprise part of the Natura 2000 network in Dublin Bay.

(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

While best practice construction methods are referenced these are not required to avoid or reduce any effects on a European site. These measures are not relied upon to reach a conclusion of no likely significant effects on any European site.

Step 4. Screening Determination Statement:

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development on fully serviced lands,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

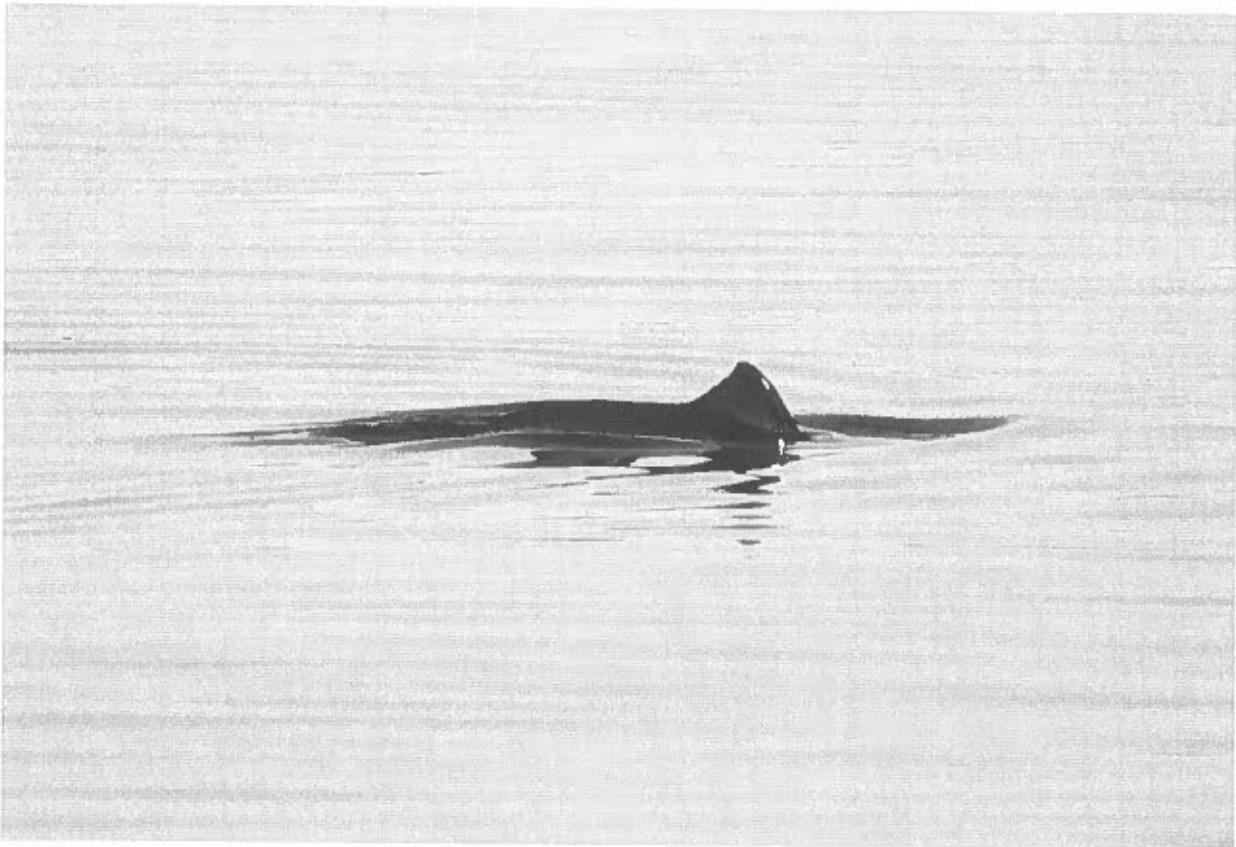
Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that no likelihood of significant effects arises.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal, will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	<i>Planning Officer XXX</i>	
Signature and Date of the Decision Maker:	<i>Delegated Decision Maker XXX</i>	

Case Study 3.

Applications for permission where, from the nature, size and location of the development it is **clear that AA will be required**. These are more likely to be located **within or close to, or upstream/in the catchment** of a Natura 2000 site and have the clear **potential to have a significant effect** on a European site.

Examples include developments, which require EIA (above or sub threshold).



Sample Case Study 3.

STEP 1. Description of the project/proposal and local site characteristics:	
(a) File Reference No:	
(b) Brief description of the project or plan:	Construction of a pig house (1,600 weaners) with slatted floor and slurry tank underneath, an extension to existing concrete yard and ancillary site works.
(c) Brief description of site characteristics:	<p>The site is in a rural area north of Enniscorthy town. The Slaney River is located 800m to the NE.</p> <p>The site is within an overall agricultural complex which includes two existing pig houses and ancillary buildings (1,700 production pigs). The land is characterised as rolling agricultural land. The application site is located on a high point overlooking the valley of the River Slaney, with land generally sloping to the east/northeast.</p> <p>A stream runs along the eastern boundary of the overall landholding, 400m from the proposed buildings. This discharges to the Slaney river c. 380m to the NE.</p>
(e) List of prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	DHLGH
(f) Response to consultation:	None received.

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source, Pathway Receptor)	Considered further in screening Y/N
Slaney River Valley SAC 000781	<p>15 Qualifying Interests</p> <p>Including a Priority Habitat- Alluvial forests [91E0] and species dependant on high water quality</p> <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000781.pdf</p>	0.8km	<p>Yes.</p> <p>The site is located in close proximity to a stream that discharges to the River Slaney 800m to the NE of the site.</p> <p>Old sessile oak woods [91A0] habitats are located 2 km to the north of the site. These habitats are sensitive to increases in atmospheric concentration of ammonia.</p>	Yes
Wexford Harbour and Slob SPA (004076)	<p>33 SCIs including wetlands and waterbirds</p> <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004076.pdf</p>	20km	<p>Potential/Unknown.</p> <p>Application does not include details of land-spreading/disposal of slurry arising from the development.</p> <p>Depending on these locations there may be potential pathways to wetland habitats upon which the bird species depend.</p>	Yes
Screen Hills SAC (000708)	<p>QI – Dry heaths [4030] & Oligotrophic waters [3110]</p> <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000708.pdf</p>	14.6km	<p>No ecological connection via ground/surface water.</p> <p>No ecological connection via air due to separation distance.</p>	No

STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:

Construction phase e.g.

- Vegetation clearance
- Demolition
- Surface water runoff from soil excavation/ infill/landscaping (including borrow pits)
- Dust, noise, vibration
- Lighting disturbance
- Impact on groundwater/dewatering
- Storage of excavated/construction materials
- Access to site
- Pests

Operational phase e.g.

- Direct emission to air and water
- Surface water runoff containing contaminant or sediment
- Lighting disturbance
- Noise/vibration
- Changes to water/groundwater due to drainage or abstraction
- Presence of people, vehicles and activities
- Physical presence of structures (eg collision risks)
- Potential for accidents or incidents

Significance of Impacts: (duration/magnitude/etc)

Potential for impacts on water quality in the River Slaney from silt laden surface water runoff resulting from vegetation clearance, and soil excavation and other construction related activities.

This would be a temporary impact, but it may be of significance due to the proximity and pathway to the SAC and the sensitivity of the QI (aquatic species) to sedimentation.

(a) Potential water pollution from animal effluent/nutrient rich surface water runoff discharging to nearby watercourse, which in turn feeds into the River Slaney SAC. Groundwater is similarly likely to be connected to the River Slaney having regard to the topography.

No details are provided of proposed attenuation or disposal.

This impact may be significant due to the proximity/pathway to the SAC and the sensitivity of the QI to changes in water quality.

(b) Water pollution from land spreading of slurry from the slatted tank. No detail is provided of the amount of effluent arising from the proposed development, the quantity of land required for disposal (land spreading) or the locations for land spreading. A general statement is made that activities will be carried out in accordance with the EU (Good Agricultural Practice for the Protection of Waters) Regulations 2017.

Land spreading of nutrient rich effluent would occur at certain times of the year and impacts may be significant due to the proximity and pathway to the SAC and the sensitivity of the QI to changes in water quality.

(c) Atmospheric emissions relating to airborne ammonia from pig manure.

This impact may be significant as emissions occur throughout the year and given the proximity of sensitive QI (Old sessile oak woods) within the SAC.

In-combination/Other

The site is within an overall agricultural complex which includes two existing pig houses (1700 production pigs).

No detail is provided on the existing provisions for management of surface water except to state that there is an attention tank on site.

No detail is provided on land spreading of manure arising from the existing activities.

There is a potential for in-combination effects with the existing pig houses in respect of the three impacts identified above.

(b) Describe any likely changes to the European site arising as a result of:

Examples of the type of changes to give consideration to include:

- Reduction or fragmentation of habitat area.
- Disturbance to QI species
- Habitat or species fragmentation
- Reduction or fragmentation in species density
- Changes in key indicators of conservation status value (water quality etc.)
- Changes to areas of sensitivity or threats to QI
- Interference with the key relationships that define the **structure** or ecological **function** of the site
- Climate change

Slaney River Valley SAC:

In the event that water pollution were to occur at either construction or operational stages, this could result in silt or nutrient rich discharges directly to the local minor watercourse which discharges into the River Slaney SAC.

Such an event has potential to impact significantly upon the water quality of the SAC which could, in turn, affect the conservation objectives of the site having regard to the characteristics and sensitivities of the QI to changes in water quality and levels of sedimentation.

The lack of detail regarding surface water management and disposal of slurry during the operational phase results in uncertainty.

Although weaners have significantly lower ammonia emission levels than production pigs, the in-combination effects with the existing pig houses (production pigs) has the potential to impact significantly on the atmospheric concentrations of ammonia which could, in turn, affect the conservation objectives of the SAC having regard to the characteristics and sensitivities of the QI to deposition.

Wexford Harbour & Slobs SPA:

Unknown changes in relation to the wetland habitats of Wexford Slobs SPA as the locations of slurry spreading have not been provided in the application documentation. Likely significant effects cannot be ruled out with certainty.

(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

Step 4. Screening Determination Statement:

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

On the basis of the information on file, and having regard to:

- the effluent likely to arise due to the nature and scale of the proposed development,
- the close proximity of the site (c.800m) and direct connections to the Slaney River Valley SAC (000781),
- the absence of detail on the locations where the disposal of effluent arising from the development will occur,
- the uncertainty and potential for pathways to the Wexford Harbour and Slobs SPA (004076),
- the ammonia emissions due to the nature and scale of the proposed development and the close proximity of the site to Old sessile oak woods [91A0] within the Slaney River Valley SAC (000781),
- the potential for in-combination effects with the existing pig houses within the agricultural holding,

it is concluded that the proposed development, individually or in-combination with other plans or projects, is likely to have a significant effect on the above listed European Sites, in view of the sites' conservation objectives.

An appropriate assessment is, therefore, required to determine if adverse effects on site integrity can be excluded in view of the conservation objectives of the Slaney River Valley SAC and Wexford Harbour and Slobs SPA.

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that no likelihood of significant effects arises.	<input type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal, will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	<i>Planning Officer XXX</i>	
Signature and Date of the Decision Maker:	<i>Delegated Decision Maker XXX</i>	

Appendix C

Further Reading and References

Legislation:

Habitats Directive 92/43/EEC

Birds Directive 2009/147/EC

Planning and Development Act, 2000 (as amended)

European Communities (Birds and Natural Habitats) Regulations 2011 S.I. No. 477 of 2011

Case Law:

High Court:

Uí Mhuirín v. MHPLG [2019] IEHC 824

Sweetman v ABP [2020] IEHC 39

Kelly v. An Bord Pleanála (Aldi Stores) [2019] IEHC 84

Heather Hill Management v. An Bord Pleanála and Burkeway Homes [2019] IEHC 186 and 450

Court of Justice of the European Union (CJEU):

C-258/11 - Sweetman and Others v ABP (Galway Bypass)

C-258/11 - AG opinion, Sweetman and Others v ABP (Galway Bypass)

C-127/02 - Waddenzee

C-521/12 - T.C. Briels and Others v Minister van Infrastructuur en Milieu

C-323/17 - People Over Wind and Sweetman v. Coilte Teoranta

Guidance Documents:

Managing Natura 2000 Sites – The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (updated 2018)

Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities (2009)

The Habitats Regulations Assessment Handbook (updated regularly for subscribers) UK: DTA Publications Limited, Tyldesley D. and Chapman. C

Useful Website Links:

Ireland:

www.NPWS.ie

www.MyPlan.ie

<https://gis.epa.ie/EPAMaps/AAGeoTool>

Appendix D

European Sites in Ireland

Figure 1. Map illustrating the Natura 2000 Network in Ireland



□ Special Areas of Conservation (SAC's)

■ Special Protection Areas (SPA's)

Special Area of Conservation (SAC)

There are currently 439 Special Areas of Conservation in Ireland. SAC are selected on the basis of Annex I habitats and Annex II animal and plant species of the Habitats Directive. The specific named habitats and/or species for which the site is selected are called the **Qualifying Interests** of the site. Annex I also identifies a subset of **priority habitats** which are threatened with disappearance and merit special measures. There are no priority species in Ireland.



Annex I Habitats:

SAC are selected on the basis of the importance of the site to any of the 59 habitats listed in Annex I that are found in Ireland, see table below, 16 of these habitats are **priority habitats** as denoted in *italics** below.

Sandbanks (1110)	Dune slack (2190)	<i>Raised bog (active)* (7110)</i>
Estuaries (1130)	<i>Machair* (21A0)</i>	Degraded raised bogs (7120)
Tidal mudflats (1140)	Oligotrophic soft water lakes (3110)	<i>Blanket bog (active)* (7130)</i>
<i>Lagoons* (1150)</i>	Soft water lakes with base rich influences (3130)	Transition mires (7140)
Large shallow inlets and bays (1160)	Hard water lakes (3140)	Rhyncosporion depressions (7150)
Reefs (1170)	Natural eutrophic lakes (3150)	<i>Cladium fen (7210)*</i>
Drift lines (1210)	Dystrophic lakes (3160)	<i>Petrifying springs* (7220)</i>
Perennial vegetation of stony banks (1220)	<i>Turloughs* (3180)</i>	Alkaline fens (7230)
Sea cliffs (1230)	Floating river vegetation (3260)	Siliceous scree (8110)
Salicornia mud (1310)	Rivers with muddy banks with <i>Chenopodium rubric</i> (3270)	Eutric scree (8120)
Spartina swards (1320)	Wet heath (4010)	Calcareous rocky slopes (8210)
Atlantic salt meadows(1330)	Dry heaths (4030)	Siliceous rocky slopes (8220)
Mediterranean salt meadows (1410)	Alpine and subalpine heath (4060)	<i>Limestone pavement* (8240)</i>
Halophilous scrub (1420)	Juniper scrub (5130)	Caves (8310)
Embryonic shifting dunes (2110)	Calaminarian grassland (6130)	Sea caves (8330)
Marram dunes (white dunes) (2120)	<i>Orchid-rich calcareous grassland* (6210)</i>	Old oak woodlands (91A0)
<i>Fixed dunes (grey dunes)* (2130)</i>	<i>Species-rich nardus upland grassland* (6230)</i>	<i>Bog woodland* (91D0)</i>
<i>Decalcified empetrum dunes* (2140)</i>	Molinia meadows (6410)	<i>Residual alluvial forests* (91E0)</i>
<i>Decalcified dune heath* (2150)</i>	Hydrophilous tall herb (6430)	<i>Taxus baccata woods* (91J0)</i>
Dunes with creeping willow (2170)	Lowland hay meadows (6510)	



Annex II Animal and Plant Species:

Ireland supports 25 of the animal and plant species listed in Annex II. They are categorised as mammals, fish, invertebrates and plants. There are no priority species in Ireland.

Mammals (6 no.)	Bottle-nose Dolphin, Common Seal, Grey Seal, Harbour Porpoise, Lesser Horse Shoe Bat, Otter
Fish (7 no.)	Atlantic Salmon, Allis Shad, Brook Lamprey, Killarney Shad, River Lamprey, Sea Lamprey, Twaite Shad
Invertebrates (7 no.)	Desmoulin's Whorl Snail, Freshwater Pearl Mussel, Geyer's Whorl Snail, Kerry Slug, Marsh Fritillary, Narrow-mouthed Whorl Snail, White-Clawed Crayfish
Plants (5 no.)	Killarney Fern, Marsh Saxifrage, Petalwort, Slender Naiad, Slender Green Feather Moss

Special Protection Areas (SPA)

There are currently 154 Special Protection Areas in Ireland. SPA are selected on the basis of the site's importance to wild bird species (including those listed in Annex I of the Birds Directive, as well as other regularly occurring migratory species such as ducks, geese and waders) and wetlands, especially those of international importance which attract a large number of migratory birds each year.

The specific named bird species for which the site is selected are called the '*Special Conservation Interest(s)*' (SCIs), however in practice the common terminology of Qualifying Interests applies also to SCI (and has been used in this document for simplicity).

The SPA sites in Ireland have been selected for areas that regularly support:

- 1% or more of the all-Ireland population of an Annex I species (e.g. Bewick's Swan, Cory's Shearwater, Golden Plover, Nightjar, Short-eared Owl and Wood Sandpiper).
- 20,000 waterbirds and 10,000 pairs of seabirds (e.g. Manx Shearwater and Storm Petrel).
- 1% or more of the biogeographic population of a migratory species (e.g. Light-bellied Brent Goose, Black-tailed Godwit, Whooper Swan, Greenland White-fronted Goose and Ringed Plover).

Ireland supports 37 of the bird species listed in Annex I of the Birds Directive as follows:



Bird of Prey/Raptor (7)	Golden Eagle, Hen Harrier, Merlin, Peregrine Falcon, Red-footed Falcon, Short-eared Owl, Snowy Owl
Wading Bird (8)	Bar-tailed Godwit, Corncrake, Dunlin, Golden Plover, Kentish Plover, Red-necked Phalarope, Ruff, Wood Sandpiper
Seabird (11)	Cory's Shearwater, Leach's Petrel, Storm Petrel, Little Gull, Mediterranean Gull, Arctic Tern, Black Tern, Common Tern, Little Tern, Roseate Tern, Sandwich Tern
Coraciiformes (1)	Kingfisher
Caprimulgidae (1)	Nightjar
Waterfowl (3)	Bewick's Swan, White-fronted Goose, Whooper Swan
Waterbird (4)	Black-throated Diver, Great Northern Diver, Little Egret, Red-Throated Diver
Crow (1)	Chough
Perching Bird (1)	Pied Wheatear

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**Oifig an
Rialaitheora Pleanála**
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Disclaimer: Issued March 2021.

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Cork County Development Plan 2022-2028

Cork County Development Plan 2022

The Cork County Development Plan 2022 has been prepared in accordance with the steps set out in the Planning and Development Acts.

The Elected Members of Cork County Council have adopted the Cork County Development Plan 2022-2028 at the Full Council Meeting held on Monday 25th April 2022 and it came into effect on Monday 6th June 2022.

It is expected to remain in force (subject to any interim variations that the Council may make) until 2028. It is a six year development plan for the County that attempts to set out, as concisely as possible Cork County Council's current thinking on planning policy looking towards the horizon year of 2028. The plan also sets out the overall planning and sustainable development strategy for the county which must be consistent with the National Planning Framework 2018 and the Southern Region Regional Spatial and Economic Strategy and Cork Metropolitan Area Strategic Plan (MASP) 2020.

The Cork County Development Plan 2022 will be different from the current County Development Plan in two key areas:

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Section 31 – Ministers Direction on the Cork County Development Plan 2022

On 3rd June, 2022, the Minister for Housing, Local Government and Heritage notified Cork County Council of his intention to issue a draft Direction pursuant to Section 31 of the Planning and Development Act 2000 (as amended) in relation to a number of matters in the adopted County Development Plan 2022.

The Public Consultation Period relating to the draft Ministerial Direction ran from Friday 17th June 2022 for two weeks up to Friday 1st July 2022. A Chief Executives Section 31(8) Report on submissions received during the public consultation was prepared and published on 27th July 2022.

The Minister of State with responsibility for Local Government and Planning issued a Final Direction pursuant to Section 31 of the Planning and Development Act 2000 (as amended) on Wednesday 28th September 2022.

Click the following link to access information in relation to the Section 31 - Ministers Final Direction on the Cork County Development Plan 2022.

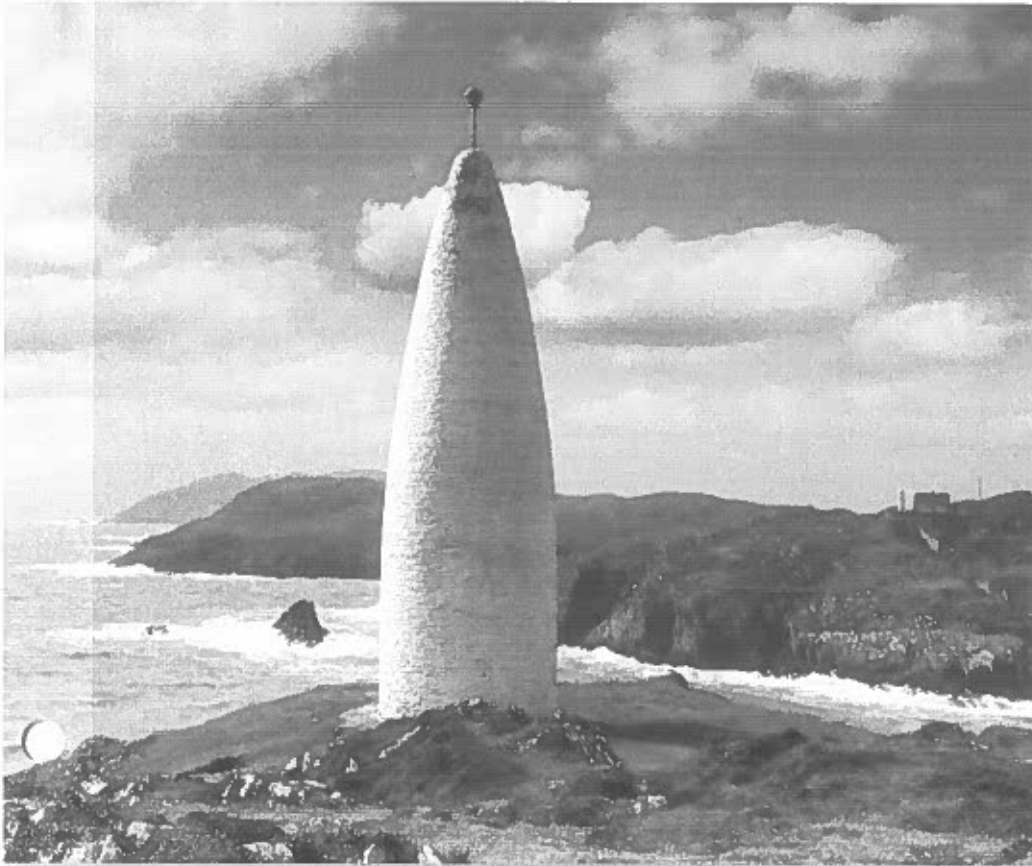


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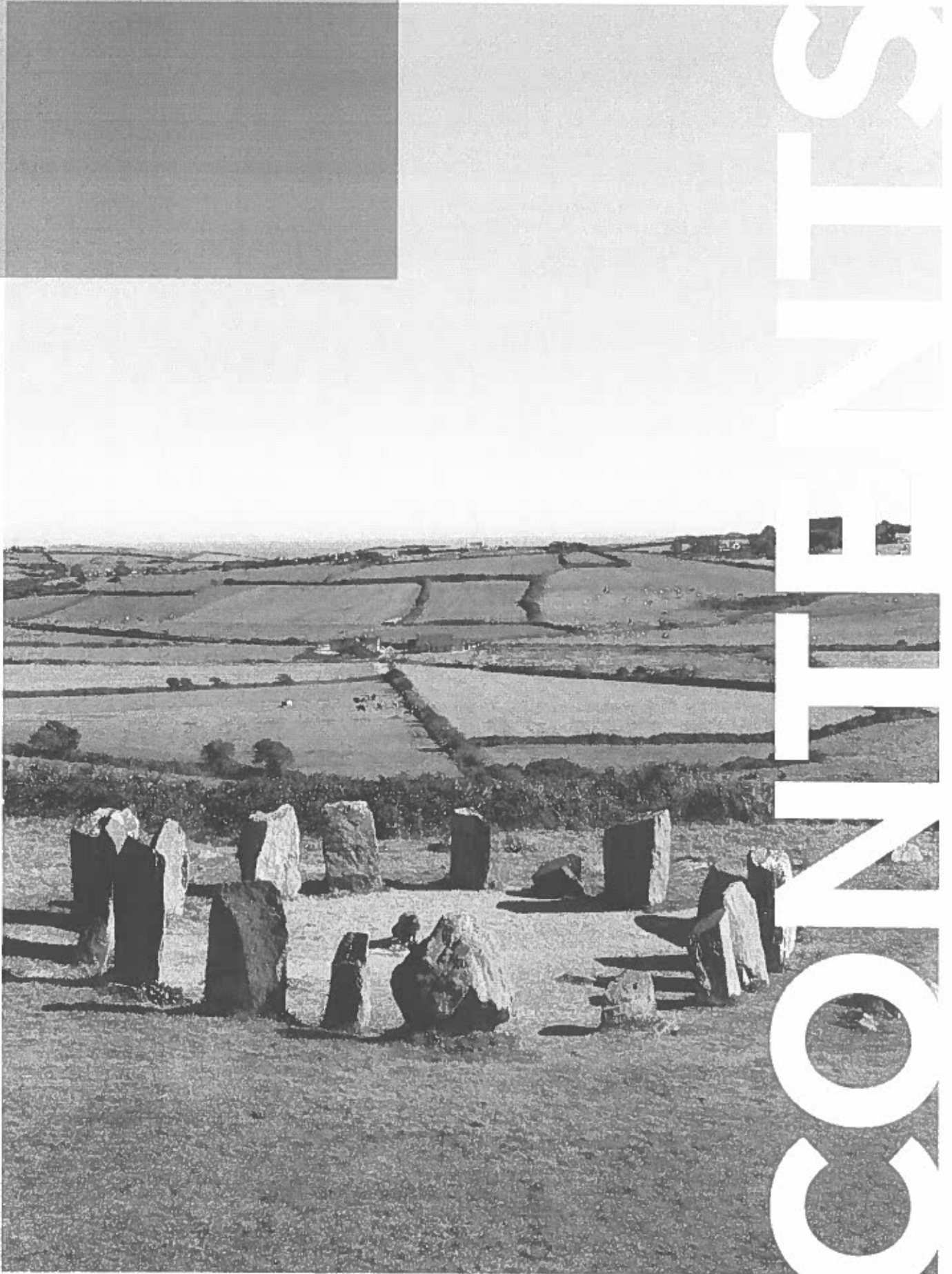
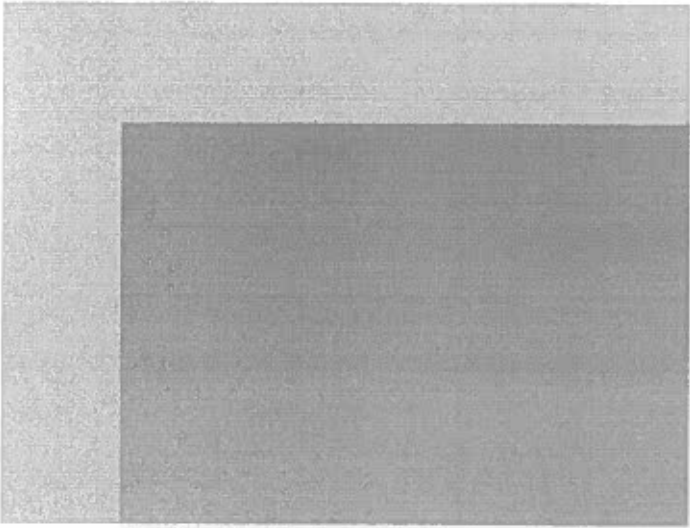
Comhairle Contae Chorcaí
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**The Cork County Development Plan 2022
was adopted by the Elected Members of
Cork County Council on 25TH April 2022.**

The Plan came into effect on 6TH June 2022.



Comhairle Contae Chorcaí
Cork County Council



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County Development Plan Objective
CS 2-6: West Cork Strategic Planning Area

- (a) Recognise the importance of the role to be played by Clonakilty as a 'Key' town in the implementation of the National Planning Framework and RSES for the Southern Region to focus growth in West Cork and; to promote its development as a major centre of employment and population where there is a high standard of access to educational and cultural facilities; and provide the necessary infrastructure to ensure that this can be achieved while protecting the environmental quality of Clonakilty Bay.
- (b) Recognise the importance of upgrading the N71 to the development of Clonakilty, the overall economic potential of the West Cork Strategic Planning Area and the facilitation of a balanced economic strategy for the County as a whole;
- (c) Establish an appropriate balance in the spatial distribution of future population growth so that Bantry, Castletownbere, Dunmanway and Skibbereen, can accelerate their rate of growth, in line with this Core Strategy and achieve a critical mass of population to enable them to maximise their potential to attract new investment in employment, services and public transport;
- (d) Recognise the international importance and the importance to the region's tourism economy, of the scenic and landscape qualities of the coastal and upland areas, particularly along the peninsulas in the southwest and to protect these landscapes from inappropriate development;
- (e) Facilitate the development of the villages and rural areas so that the rate of future population growth compliments the strategy to achieve a critical mass of population in the towns and provide protection for those areas recognised as under pressure from urban development;
- (f) Support a vibrant and well populated countryside, recognising the need to strengthen and protect the rural communities of the area by encouraging sustainable and balanced growth in both urban and rural populations, maintain traditional rural settlement patterns in rural areas and the islands, protecting agricultural and fishery infrastructure and productivity and focusing other employment development in the main towns and key villages;
- (g) Recognise the need to encourage the diversification of the rural economy by promoting a stronger tourism and leisure economy through the protection of the area's natural and built heritage. This will also be achieved by recognising opportunities arising from wildlife tourism in the area and by encouraging appropriate new forms of employment development;
- (h) Prioritise the adequate provision of water services and transport infrastructure to meet current needs and future population targets while protecting the areas environment;
- (i) Protect and enhance the natural heritage of the areas coast including the West Cork Islands through the implementation of the National Marine Planning Framework;
- (j) Protect and enhance the natural and built heritage assets of the towns and villages from inappropriate development;
- (k) Recognise the role to be played by Castletownbere and its deep-water port facilities in the future growth of the fishing and tourism industry and to promote its future development and potential for other port related activities subject to the requirements of the Habitats, Birds, Water Framework, SEA and EIA Directives;
- (l) Facilitate the development of renewable energy projects in support of national climate change objectives.

2.15 Settlement Networks in Cork County

- 2.15.1 Designation of individual settlements is not the sole determinant of achieving successful renewal and growth. Across the county, there are examples of smaller-scale settlements that have a significant role in employment provision to their surrounding communities, often in highly skilled, world-leading innovative sectors sharing similar economic strengths and specialisms which when combined, provide strategic opportunities to drive the local and regional economy, contributing to and interacting with the larger centres of growth such as the Cork Metropolitan Area and the Key Towns of Mallow and Clonakilty.
- 2.15.2 These networks present opportunities for collaborative projects and shared benefits from strategic infrastructure investments, particularly from improved inter-regional connectivity (transport networks and digital communications) perspective. The RSES for the Southern Region recognises the importance of improved intra-regional connectivity between networked settlements - public transport, rail, inter-urban walking and cycling routes, greenways and e-mobility initiatives.

7.1 Marine Spatial Planning

- 7.1.1 Marine spatial planning is a process that brings together all of the multiple users of the ocean to make the best decisions about how to use marine resources sustainably. Maritime planning will apply from the High Water Mark in Ireland's coastal waters, territorial seas, and exclusive economic zone and in designated parts of the continental shelf.
- 7.1.2 Marine planning will contribute to the effective management of marine activities and more sustainable use of our marine resources. It will enable the Government to set a clear direction for managing our seas, to clarify objectives and priorities, and to direct decision makers, users and stakeholders towards more strategic and efficient use of marine resources. It will inform decisions about the current and future development of the marine area, aiming to integrate needs.
- 7.1.3 Some of the key issues facing the coastal zone of Cork are:
- Lack of integration between regulatory bodies that control activities in the Coastal Zone;
 - Greater public awareness of and involvement in environmental issues;
 - Adaptation of the fishing industry to changes resulting from Brexit and the Common Fisheries Policy;
 - Pressures on coastal and marine habitats and species and on water quality;
 - Expansion of industries such as aquaculture which require an integrated response between land and sea;
 - Adaptation and mitigation of the impacts of climate change in particular sea level rises, flooding and coastal erosion;
 - Need to provide coastal protection for key social and economic assets;
 - Economic decline in peripheral areas;
 - Need for ongoing maintenance and upgrading of ports and facilities;
 - Increased pressure for development both in residential and employment uses;
 - Development of sustainable marine tourism opportunities;
 - The phasing out of the exploitation of natural energy resources (i.e. Gas);
 - Developing the potential of renewable energy resources in particular off shore wind and ocean energy;
 - Increased pressure for development of recreational / amenity uses in coastal and marine areas and enhanced recreational access to Cork Harbour; and
 - Impacts of flooding and coastal erosion on coastal communities.
 - Recognise that the Common Fisheries Policy supports sustainable fishing for a long-term stable food supply.
- 7.1.4 Given the macro nature of this subject area, it should be read in conjunction with the following chapters of this plan; **Chapter 11 Water Management**, **Chapter 15 Biodiversity and Environment** and **Chapter 17 Climate Action**.

7.2 The County Cork Coastline

- 7.2.1 The Cork coastline extends for some 1,100 km, which is approximately one fifth of the national coastline. It is home to approximately 65% of the County's population who live on or adjacent to the coast, including seven inhabited West Cork islands. It contains areas of intense activity and some of our most important economic activities are located here. The Port of Cork, Whitegate Oil Refinery, Whiddy Island Oil Trans-shipment Terminal and Castletownbere fisheries port are of national importance.

Fisheries

- 7.2.2 With fish landings of over €9 Million, Union Hall is listed as number 8 in the top 10 fishing ports in Ireland, and when combined with the value of landings for the ports of Ballycotton, Kinsale, Union Hall and Baltimore, it brings the total to over €18 Million (SFPA, 2019). These figures exclude smaller piers like Schull, Courtmacsherry, Youghal, and do not take into account 'community harbours' where other essential activities like net mending and repairs can be carried out. These figures also exclude goods outside of fisheries which are a significant part of these Port activities. Castletownbere is a good example of this, as in addition to the €106 million which is the value of fish landings, there is in excess of €90 million in Salmon and about €2 million in mussels totalling an excess of €198 million euros of total value.

Table 7.1 Overview of landings in CCC main ports by Weight – All Vessels

Port	Quantity Landed in Tonnes	Value of fish landings
Union Hall	2872	€11,527,558
Baltimore	1209	€2,130,187
Ballycotton	734	€3,297,527
Kinsale	1048	€2,848,468
Castletownbere	34613	€105,989,464

(Data Source: Dept of Agriculture Fisheries Harbour,2019)

- 7.2.3 There are a total of 478 inshore fishing vessels based in the South West (Cork and Kerry), the Cork Coastline is probably the busiest in Ireland in terms of under 12 metre vessels. Those vessels typically use the very dense network of smaller “community harbours” along the Cork Coast and are essential in providing jobs in rural areas.

Ports and Harbours

- 7.2.4 The Port of Cork is identified in National Ports Policy (NPP) as a Port of National Significance (Tier 1) and is a Core Port within the TEN-T (European Union’s Trans European Network – Transport). Inclusion in the core network reflects its significant volumes of traffic and its high level of international connectivity. (See **Chapter 12 Transport and Mobility**)
- 7.2.5 There are two commercial ports operating within the County, at Youghal and Kinsale. The quantity of bulk goods received in Kinsale for 2018 was 47,000 tonnes and Youghal was 53,000 tonnes. (Data from the CSO, Statistics of Port Traffic 2018) While those two figures only represent approximately 0.5 % of all dry goods handled by Irish ports in 2018, they nonetheless play an important regional role as a facilitator of the regional economy. Their size, location and proximity to other sectors of the local economy enable them to play an important role in the development of “Short Sea Shipping” routes in the South and South West of Ireland.

Aquaculture

- 7.2.6 It is important to acknowledge the essential role played by Roaringwater Bay, Dunmanus Bay and Bantry Bay in aquaculture activities. These areas are mostly involved in shellfish production with a small number of sites licensed for finfish farming. A recent survey of aquaculture sites carried out by the Harbour Masters’ section established that a number of Cork County Council piers in the Beara Peninsula were extensively used by fish farmers and provide opportunities for valuable local employment. Other areas like the Bandon River or Oysterhaven export high value products (oysters) to the European market. Aquaculture developments must take account of the ecological, social and scenic impacts of any such development and these factors will be taken into consideration during the assessment process.

Tourism

- 7.2.7 The natural assets of the Coastline including its harbours and numerous beaches enable the County to offer tourism as an important economic activity. The Coast also contains some of our most stunning scenery and supports habitats and species of international importance. Cork Harbour is the most significant port in the state, outside Dublin, and has an important role in the continuing success of the marine – leisure, recreation and tourism sectors in the Southern Region. The Council recognises that areas of the Coastline are a valuable amenity resource with significant recreation potential. The detailed policies and objectives relating to sustainable tourism development are outlined in **Chapter 10 Tourism**. The coast also contains significant stretches which are undeveloped, remote and peaceful. A common characteristic of our entire coastline is its complexity.

climate change and renewable energy targets, and on future ports development. The Marine Planning Policy Statement sets out the following:

- Describes the existing components of Ireland’s marine planning system;
- Outlines a vision for the future development of our marine planning system;
- Sets out the overarching policies and principles the Government expects marine planning bodies and other public bodies that engage with the marine planning system to observe (in terms, for example, of public engagement, transparency, governance, environmental assessment, climate action, social and economic benefit);
- Sets out high-level priorities for the enhancement of the marine planning system in Ireland

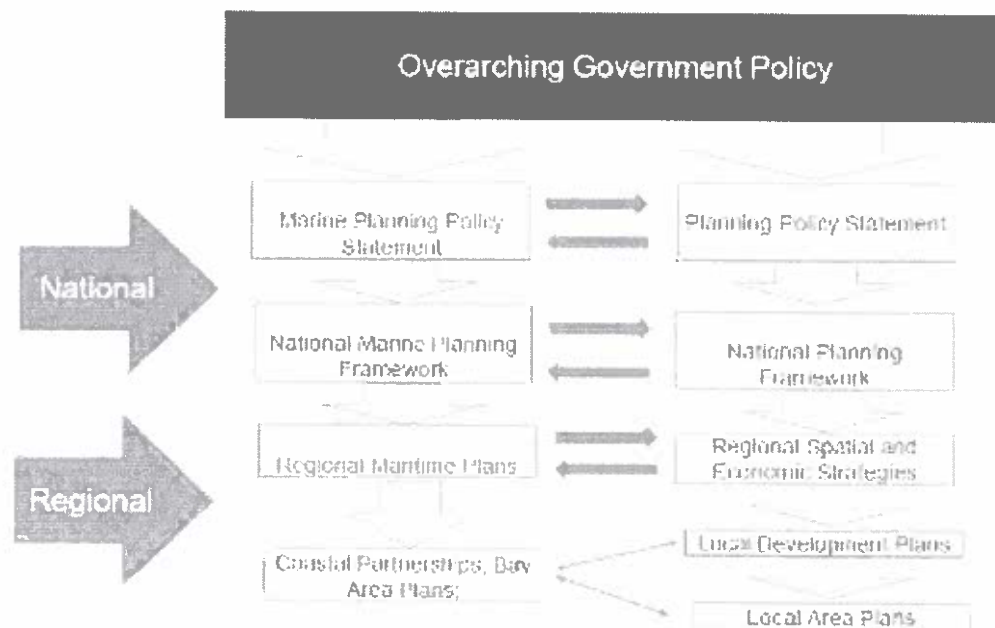


Figure 7.1: Diagram showing the relationship between Marine and Terrestrial Planning Policy at National and Regional Level (Draft NMPF)

National Marine Planning Framework (2021)

7.3.7 On 30 June 2021, the government published the National Marine Planning Framework (the NMPF). It is the first maritime spatial plan for Ireland, prepared in accordance with the EU’s Maritime Spatial Planning Directive. The NMPF is the national plan for Ireland’s maritime area, and is the equivalent of the National Planning Framework onshore. The NMPF sits at the top of a hierarchy of plans and sectoral policies for the marine area. It comprises a single plan for the entire maritime area, with more detailed regional plans envisaged at a later date. It has been prepared with an ecosystem-based approach and informed by best available knowledge. As part of the preparation of the NMPF, a Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) have been carried out. The NMPF includes a number of “Overarching Marine Planning Policies” (OMPPs), which will apply to all marine activities or development. These OMPPs fall into three categories: Environmental, Economic and Social. Within these categories, the NMPF sets out more detailed policy imperatives including co existence, biodiversity, coastal and island communities and infrastructure. Additionally, the NMPF sets out activity-specific or “sectoral marine planning policies” (SMPPs), which apply to particular classes of activities. The NMPF arranges these policies into 16 general sectors, including energy, wastewater treatment and disposal, fisheries, ports, and aquaculture and tourism.

7.3.8 Cork County Council aims to be a first mover in terms of establishing the fundamental policies and implementing the objectives of the NMPF which will be of greatest benefit for our coastal and island communities. In this regard, Cork County Council is keen to both support the potential of the marine environment by nurturing opportunities for innovation in the Maritime economy but also to support and preserve the environmental and ecological conservation status of our natural marine resource.

County Development Plan Objective
MCI 7-1: National and Regional Marine Planning Policy

- (a) Work with the appointed Implementation Groups for the National Marine Planning Framework (NMPF) 2021.
- (b) Support the potential of the marine environment by nurturing opportunities for innovation in the Maritime economy while ensuring that its ecosystems are managed sustainably.

7.4 *Maritime Area Planning Act, 2021*

7.4.1 The Maritime Area Planning Act (the MAP Act), which is the new legislative framework for forward planning, development management and enforcement in Ireland's offshore area was signed into law on the 23rd of December, 2021. This legislation puts in place a comprehensive and coherent planning system for the entire Maritime Area including:

- A forward planning regime for the maritime area;
- A new streamlined development management system for the maritime area incorporating consenting for the occupation of the maritime area (Maritime Area Consents and licencing) and a new planning consenting regime (to be implemented by coastal local authorities and An Bord Pleanála
- The establishment of a new agency, the Maritime Area Regulatory Authority (MARA) to manage the occupation of the maritime area and to enforce the provisions of the new regime. It is intended in the Bill that MARA will grant Maritime Area Consents; licence specified maritime usages; ensure compliance and enforcement of MACs, licences and offshore development consents; assume responsibility for the management and enforcement of the existing foreshore portfolio of leases and licences currently administered by the Minister for Housing, Local Government and Heritage; and provide a platform for inter-agency cooperation and collaboration.

7.5 *Other Marine Related Strategy Documents*

Harnessing Our Ocean Wealth

7.5.1 *Harnessing Our Ocean Wealth* – an Integrated Marine Plan for Ireland was published in July 2012. This document sets out the Government's Vision, High-Level Goals and Key 'Enabling' Actions to put in place the appropriate policy, governance and business climate to enable our marine potential to be realised. Since the publication of HOOW there have been annual updates on progress towards implementation. These documents provide an update on key activities undertaken to the end of each given year.

Harnessing Our Ocean Wealth (June 2019 Update)

7.5.2 The Marine Coordination Group (MCG) continues to review and report on progress in implementing Ireland's Integrated Marine Plan - *Harnessing Our Ocean Wealth*. This is carried out on an ongoing basis through regular meetings of the MCG and other inter-departmental/agency forums, publishing an annual Review of Progress, and usually coincides with the annual Our Ocean Wealth Conference/SeaFest Events,

7.5.3 The most recent, of these Annual Review of Progress Reports (Sixth) was published in June 2019, and provides an overview of the main activities across a range of actions undertaken by Government Departments and their State bodies in 2018. The report also captures major deliverables for 2019.

7.6 *Coastal Management*

7.6.1 The Coastal Zone is a very special place with unique interactions between people and their environment. Historically, different parts of the coastal zone have been managed by a number of Government Departments and agencies. This has sometimes resulted in a lack of co-ordination, leading to difficulties for the people and environments of these areas. The inter-relations between people and their natural environment is not confined within administrative boundaries and so there is a clear need for regulatory bodies to work together to best manage the coastal zone.

7.6.2 The Council is the primary regulatory body on the landward side but its remit extends only as far as the High Water Mark. The foreshore, under Irish legislation, extends from the High Water Mark to a point of 23 kilometres from the Low Water Mark. The foreshore consents regime is currently under review with proposals under consideration to integrate the process within the existing consent system under the Planning Acts. The Environmental Protection Agency is responsible for licensing of waste discharges at sea.

- 7.6.3 The Government have initiated the first steps in developing an Integrated Marine Plan for Ireland through the publication of 'Harnessing Our Ocean Wealth' in 2012, which sets the policy context to ensure the right conditions exist to drive the potential of the marine economy, in a way that contributes both to environmental protection and to sustainable growth and development. The EU Marine Strategy Framework Directive (MSFD) requires Member States to prepare marine strategies for their marine waters and preliminary work on Ireland's implementation of the MSFD is underway.

County Development Plan Objective
MCI 7-2: Development in Coastal Areas

- (a) Sustainably manage development within the coastal zone taking account of its environmental, ecological, heritage and landscape values
- (b) Encourage development generally to be located in accordance with the settlement policies of this Plan and in particular to recognise the limited capacity of many coastal areas for accommodating development on a large scale.
- (c) Reserve sufficient land in the various settlements to accommodate the particular requirements of coastal ports, harbour development, boat storage and other coastal industry and to improve access to and support the continued development of the ports in County Cork as marine related assets in accordance with the RSES. Also support the provision of infrastructure for the renewable energy sector. The identification of any such lands will need to be subject to environmental, nature conservation and other heritage considerations.

EU Integrated Coastal Zone Management (ICZM) Projects

- 7.6.4 Cork County Council has taken a lead in this field through its participation in the EU Demonstration Programme on ICZM with the development of the Bantry Bay Coastal Zone Charter. This Charter was the first Integrated Coastal Management Plan in Ireland and was developed on the basis of consensus amongst all local stakeholders and regulatory bodies on how the coastal zone should be managed. The Charter pioneered innovative, ground-breaking techniques in public participation, stakeholder involvement and coastal zone management. The lessons learned and experienced gained from the Charter have helped to define the way ahead for coastal management in County Cork.
- 7.6.5 The Council was further involved in European Projects relating to 'Integrated Coastal Zone Management', namely the COREPOINT and IMCORE EU INTERREG Projects which used Cork Harbour as a case study area.
- 7.6.6 The primary aim of IMCORE Project which ran from 2008 to 2011 was to promote a transnational, innovative and sustainable approach to reducing the full range of climate change impacts on the coastal resources of the North West Europe region. Key to achieving this aim was a focus on building capacity within local authorities, in order to tackle the current and future impacts of climate change, and to meet these challenges through an adaptation-based response.

Cork Harbour Study

- 7.6.7 The Cork Harbour Study, prepared by the Planning Authority reflected the broad aims of the COREPOINT Integrated Management Strategy for Cork Harbour (2008) and has since provided a sound evidence base informing planning policy formulation for the Harbour Area. The Study sought to promote a more integrated approach to development of the Harbour, using a coastal zone management (CZM) approach. It examined how various needs and demands for space close to the shoreline interact with each other, and with the inherited physical form of the Harbour. Some recurrent themes common to different parts of the Harbour were evident from surveys:
- a) Steep linear coastal settlements, e.g. Cobh, Passage West and Crosshaven,
 - b) Major coastal transport corridors running along the (original) Harbour shoreline,
 - c) Port related industrial areas on the seaward side of coastal transport corridors,
 - d) Competition for space and access in narrow level waterfront areas, primarily due to (a) - (c).
- 7.6.8 The Study emphasised that harbour side land is a finite resource. Of the 72km² within 0.5 km of the Harbour shoreline, 1/9th was developed in 1934 and 1/3rd in 2005. On a trend basis 2/3rds could be developed by 2055. The balance between developed and natural/recreational areas around the Harbour could easily be lost. Conventional suburban housing is the largest single user of harbour side land. Apart from loss of amenities, it could exhaust the limited supply of level harbour-side land.
- 7.6.9 Up till now, land beside the Harbour has been zoned – or not zoned - on much the same criteria as in other parts of County Cork. A more selective approach is needed, so as to:
- Minimise development for uses without any particular need to be beside the Harbour, or substantial community benefit from being there (relative to an alternative location inland).
 - Maintain availability of land which is or could become a source of competitive advantage for sectors such as energy, marine transport, tourism and the pharmachem/biopharm cluster.

County Development Plan Objective
MCI 7-4: Coastal Protection

- (a) Ensure the County's natural coastal defences, such as beaches, sand dunes, salt marshes and estuary lands, are protected and are not compromised by inappropriate works or development.
- (b) Secure the implementation of a county level strategic approach (subject to SEA and AA) to the deployment of coastal defences.
- (c) Employ soft engineering techniques as an alternative to hard coastal defence works, wherever possible.
- (d) Identify, prioritise and implement necessary coastal protection works subject to the availability of resources, whilst ensuring a high level of protection for natural habitats and features, and ensure due regard is paid to visual and other environmental considerations in the design of any such coastal protection works.
- (e) To support a Coastal Erosion policy for the County in consultation with all relevant stakeholders. Please also refer to MCI 7-4(a).

Coastal Recreation

- 7.6.16 Cork's coastal and inland waters are a major asset in terms of tourism and marine leisure activities. Cork County Council published Marine Leisure Infrastructure Strategies for the Western and Southern Division's of the Council in 2008 and 2010, respectively. These strategies have a vision that marine leisure is developed in a coherent and sustainable manner, making the best use of existing and planned infrastructure and resources.
- 7.6.17 Marine leisure facilities should be sited, designed and managed to avoid the visual intrusion, pollution, and conflicts with other uses with which they can otherwise be associated.
- 7.6.18 It is the policy of Council to maintain its beaches to a high standard and develop their recreational potential as publicly accessible seaside amenity facilities. Designated bathing areas, Blue Flag beaches and other high quality beaches within the County, are significant local amenities and are also important from a tourism and economic development perspective.

County Development Plan Objective
MCI 7-5: Marine Leisure

- (a) Support the development of rural Cork's coastal marine leisure facilities, where they are compatible with other objectives and policies in this Plan and any Natura 2000 designations.
- (b) Proposals for development of marine leisure facilities will be subject to ecological impact assessment and, where necessary, Appropriate Assessment, with a view to ensuring the avoidance of negative impacts on designated sites, protected species and on-sites or locations of high biodiversity value.

County Development Plan Objective
MCI 7-6: Coastal Amenities

- (a) Maintain and improve County Cork's beaches to a high standard and develop their recreational potential as publicly accessible seaside amenity facilities where appropriate (including facilities such as toilets and changing areas) , as appropriate to individual site conditions and in accordance with the principles of proper planning and sustainable development.
- (b) Proposals for development of marine leisure facilities will be subject to ecological impact assessment and, where necessary, Appropriate Assessment, with a view to ensuring the avoidance of negative impacts on designated sites, protected species and on-sites or locations of high biodiversity value.
- (c) Support the enhancement of existing Coastal Amenities to include parks and harbours along the coastline, including improved or if required new access arrangements for the general public for recreational purposes where safe and possible to do so and in accordance with MCI 7-6 (b).

County Development Plan Objective
MCI 7-7: Designated Bathing Areas

Support and protect Designated Bathing Areas as valuable local amenities and as an important tourism and local recreation resource and continue to work with local communities to identify appropriate new Bathing Areas for monitoring. Encourage the provision of the water services infrastructure required to maintain and improve water quality in these areas having regard to water quality, access, environmental and other sensitives when identifying / developing new recreational bathing areas.

8.19 Film Production

8.19.1 Ireland has a growing film making industry but the lack of any accessible studio and post-production facility is hindering the development of the Cork region as a location for incoming and indigenous film production. Cork has a wide range of film locations including rural countryside, coastal settings, distinctive rural town settings etc. The Planning Authority will support the establishment of appropriately located facilities in this regard.

8.20 Fishing and Aquaculture

8.20.1 Commercial fishing and aquaculture play a major role in local economies in our coastal areas throughout the County. The Council will support the provision of appropriate infrastructure that facilitates a modern and innovative fishing industry.

8.20.2 The Council will also continue to recognise and support the sustainable development of the aquaculture industry in order to maximise its contribution to employment and the economic well-being of rural coastal communities. To support rural communities, it will be necessary to allow diversification of the rural economy into new sectors and services and that a less prescriptive approach to zoning objectives should be taken. This Plan therefore recognises the important role aquaculture can play in the diversification of rural areas.

8.20.3 Development in Fisheries and Aquaculture production will need to have regard to ecological and environmental considerations to minimise any detrimental impacts on resources and ecosystems. The Council supports the Marine Strategy Framework Directive (MSFD) European Legislation, which aims to protect the marine environment which requires the application of an ecosystem-based approach to the management of human activities, enabling a sustainable use of marine goods and services.

County Development Plan Objective EC: 8-18 Fishing and Aquaculture

- a) To support the sustainable development of fishing and aquaculture industries ensuring that new development is compatible with the protection of the environment, nature conservation, heritage landscape and other planning considerations.
- b) Support the use of existing port facilities for the catching and processing of fish as an economic activity that contributes to the food industry in the County.
- c) Support and protect designated shellfish areas as an important economic and employment sector.
- d) Recognise the potential of alternative sites, such as quarries, for aquaculture and commercial fisheries.
- e) Strengthen rural economies through innovation and diversification into new sectors and services including in the marine economy.

8.21 Renewable Energy

8.21.1 Renewable energy projects can contribute to the diversification of the rural economy and benefit local communities. The Council will support the provision of appropriate renewable energy proposals in accordance with the provisions of this Plan, and in particular, the Objectives of **Chapter 13 Energy and Telecommunications**.

8.22 Economic Development Land Use Zonings

8.22.1 **Chapter 18 'Zoning and Land Use'** sets out the appropriate uses for each land use zoning objective included in the County. The land use economic development zonings include Industrial Areas, High Technology Campus Areas and Business and General Employment Areas. In addition to these economic development land use zonings there is also significant potential for employment generation in Town Centre zonings particularly for office use and within the existing Mixed/ General Business / Industrial Uses zone for new business start-ups. The objectives for each employment land use zoning are outlined in **Chapter 18 Land Use and Zoning**.

10.3 Tourism Promotion

- 10.3.1 Tourism has a critical role to play in the development of the Irish economy. It has the potential to create and maintain employment, invest in local communities, and contribute to the national economic growth. In 2015, the Department of Tourism, Transport and Sport published People, Place and Policy- Growing Tourism to 2025. People and Place remain as Ireland's biggest assets in terms of our ability to attract visitors. There are three types of experiences that appeal to visitors: The Culturally Curious, The Great Escapers and The Social Energisers. The aim is to provide attractions to allure to these experiences and the strategy has three key goals by 2025:
- Overseas Tourism revenue in Ireland to reach €5 billion, (excluding the effects of inflation)
 - Employment in tourism sector to reach 250,000 employees;
 - The visits in Ireland from overseas to exceed 10 million annually.
- 10.3.2 The National Planning Framework highlights how agriculture and tourism are linked in many ways and tourism can have a direct impact on sustaining communities. NPO 22 emphasises the importance placed on developing Greenways, Blueways and Peatways to help promote rural tourism and the many social and economic benefits they can provide locally. The NPF recognises the importance of strategic attractions such as the Wild Atlantic Way and supports these initiatives under NPO 49. The NPF acknowledges the need to develop the Rural Economy and support sustainable tourism in these regions as noted in NPO 23.
- 10.3.3 The Regional Spatial and Economic Strategy for the Southern Region implements various strategies outlined in the NPF. Cork hosts two of the three main tourism areas developed by Fáilte Ireland, The Wild Atlantic Way and Irelands Ancient East. The County is also part of the Munster Vales Brand which all help provide a framework for local and rural areas to develop.
- 10.3.4 Tourism Action Plan 2019-2021 and Tourism Development and Innovation- a strategy for Investment 2016-2022 both highlight the importance of tourism to the economy of Ireland. Both plans have included ways to promote and improve tourism in the country and acknowledge the importance of rural areas, not just cities.
- 10.3.5 In 2013, Ireland had a tourism-led initiative known as 'The Gathering', which aimed to encourage the Irish diaspora to return home to take part in special events and gatherings throughout the year. The Programme for Government is planning to make 2023 the year of 'The Invitation', to mark the 10-year anniversary of the Gathering and incentivise more emigrants to holiday in Ireland. This proposal will make a positive contribution to boosting the tourism sector in Cork.
- 10.3.6 The Cork County Council Tourism Department has made great substantial progress on a number of tourism initiatives in the county including the following;
- Cork City and County Council launched a jointly commissioned 5-year strategy in 2015, Growing Tourism in Cork- A collective Strategy. The aim was to maximise the economic return from tourism in Cork by increasing visitor numbers.
 - "Pure Cork" is a joint initiative with Cork City and County Councils, launched in 2016, to brand Cork as a tourist Destination. It is supported by Fáilte Ireland and the objective is to maximise the economic return from tourism within Cork and to promote Cork as a "famous for" and "must visit" destination. In the beginning of 2020, Cork was voted as one of Europe's top 15 destinations in European Best Destinations 2020,
 - The successful development of Spike Island and Camden as major tourist attractions in Cork,
 - Preparation of Marine and Leisure Infrastructure Strategy for the Southern Division of Cork County Council, 2010 – 2020,
 - Redevelopment of beach amenities at Inchydoney, the Warren Rosscarbery and the Youghal Boardwalk Project, together with other ongoing research work on future greenways,
 - Preparation of 'Festival/ Events Guidelines and Policies for Cork County' was published in 2019. Cork is renowned for festivals including Mallow Racing, Independence, Cork Harbour Festival and A Taste of West Cork Food Festival, and many more.
 - Approval as a project partner in an INTERREG IVC tourism employment initiative entitled CesR – 'Cooperatives of Employment and Services in Rural Areas'. This trans-national partnership proposes to examine models of best practices in employment creation through investment in tourism attractions and tourism services sector. INTERREG Europe has a 5-year project underway which commenced in April 2016, called Destination SME. The aim is to improve SME competitiveness in the tourism sector by supporting the implementation of destination management policies,
- 10.3.7 In the future it will be important to concentrate on innovative tourism products that maximise the potential of the County's natural amenities and marketing to secure the full contribution of tourism to economic growth. Further investment is also needed, for both attractions and activity providers, in digital technology to increase awareness of their services and provide online booking facilities etc.

**County Development Plan Objective
TO 10-1: Promotion of Sustainable Tourism in County Cork**

Promote a sustainable approach to the development of the tourism sector within Cork County while;

- a) Ensuring the protection of the natural, built and cultural heritage assets of the county, including Natura sites, which are in themselves part of what attracts visitors to the county.
- b) Having regard to cumulative impacts increased visitor numbers and visitor facilities can have on local infrastructure, sensitive areas and sites, water quality, biodiversity, soils, ecosystems, habitats and species, climate change etc.
- d) Supporting investment in placemaking and the regeneration of towns and villages in recognition of the role 'People and Place' make in attracting visitors to Ireland; encouraging the development of tourism and other facilities within settlements to support such regeneration and compact growth.
- d) Work in partnership with public and private sector agencies to implement the key tourism objectives in this Plan, while first ensuring early consultation with landowners around any new proposed routes and facilities.
- e) Assist community groups to access funding for appropriate, sustainable and beneficial tourism developments.

10.4 *Fáilte Ireland Regional Brands*

- 10.4.1 In recent years, Fáilte Ireland has developed four regional brands to promote and further develop the Tourism sector around the Country. Two of these Brands, The Wild Atlantic Way and Irelands Ancient East are evident in Cork County and are making a significant impact to our tourism industry. The Council intends to continue to support the growth of these regional brands.
- 10.4.2 The development of the 'Wild Atlantic Way' along the west coast from Donegal to West Cork has been a major contribution to the tourism industry. There are 188 Discovery Points along the route with 27 of these in County Cork alone. They are offering the best views of the Irish Landscape. The Wild Atlantic Way is a driving route which provides links between key destinations and attractions along the west coast, displaying scenery and unique culture, providing easy access to walking, and cycling routes with the southern starting point beginning in Kinsale. It is a long-term goal to develop the Wild Atlantic Way Coastal Path from Malin Head to Kinsale to facilitate visitors for walking and cycling of the Wild Atlantic Way.
- 10.4.3 Fáilte Ireland are preparing Destination and Experience Development Plans for the West Cork Coast (Kinsale to Ballydehob), the West Corks Three Peninsulas and Kenmare (Ballydehob to Kenmare) and the Ancient East area of Cork City and East Cork. They will be commencing a similar plan for North Cork.
- 10.4.4 Ireland's Ancient East, was launched in 2016, by Fáilte Ireland. It covers the South and East of the midlands and includes parts of Cork. The brand has a strong focus on the cultural and heritage attractions in the region and there is an extensive range of attractions within the County. Cork has a significant cultural heritage and attractions which keeps Cork a key part of Irelands Ancient East strategy.

**County Development Plan Objective
TO 10-2 Wild Atlantic Way and Irelands Ancient East**

Continue to actively engage, invest, encourage and promote the development of the Wild Atlantic Way and Irelands Ancient East regional brands through sustainable tourism, which will enable visitors to have enjoyable experiences while having regard for the cultural, built and natural heritage, and environmental impacts, including the protection of Natura 2000 sites.

10.5 *Tourism Product in County Cork*

- 10.5.1 Cork's location in the South West Region means that it is a direct beneficiary of being a part of a popular tourist region. The County has a rich scenic beauty and cultural heritage and is known for its strong maritime, sporting, and traditional music and language traditions. Cork is also well known for being the Food Capital of Ireland, with the many food festivals, markets, trails and restaurants around the county. Nationally, food and beverage consumption accounts for 35% of all International Tourism Revenue and the food and beverage sectors have a significant role to play in growing tourism in Cork and in the sector's recovery from COVID-19. Initiatives such as 'West Cork Artisan Food' help differentiate Cork from other locations in Ireland. The Planning Authority supports the sustainable development of the food tourism sector.

10.5.2 Tourism in County Cork is based on its rich natural and built heritage. The principle features of the area's tourism product include mountains and upland habitats; rivers and lakes, over 1100 km's of scenic rugged coastline and peninsulas with long stretches of sandy beaches, fertile agricultural land and many upland peatlands and forest/woodland areas. These natural assets combined with a rich heritage of archaeological and historical sites, built environment including manor homes and gardens, attractive towns and villages offer a unique tourism product.

10.6 Protection of Tourist Assets

10.6.1 County Cork has a wide range of nationally significant tourism assets namely (See Figure 10.1 Key Tourism Assets);

- The Blackwater Valley – a walking, cycling, fishing destination and other outdoor activities with scope for a Blueway along the route in the future;
- The Bandon and Lee River Valley- important recreational amenity, heritage and fisheries areas;
- Mountain ranges including: the Slieve Miskish and Caha Mountains, the Galtee Mountains, the Shehy Mountains, and the Ballyhoura Area –important centres for walking, cycling, and adventure related activities;
- The Coastline, over 1100kms of scenic coastline and peninsulas. Marine related activities including some fine blue flag beaches, Whale Watching, exploring shipwrecks, Kayaking, and surfing facilities with scope to facilitate blue way initiatives along the coast,
- The Gaeltacht areas which are of significant cultural heritage value and frequently visited by tourists.
- The West Cork Peninsulas (Beara, Mizen, Sheep's Head) – with their unique visual amenity and landscape character offer potential for walking and cycling and other outdoor activities.
- West Cork Islands and all the other uninhabited islands along the County's coast;
- Cork has rich fertile agricultural land and many bogs and peatlands with a higher than national average land mass of forest and woodland area;
- A wide range of archaeological monuments that occur across the County as shown on the Heritage Units maps of Archaeological Sites of West, East, North Cork.
- Opportunities to observe wildlife particularly in terms of bird and marine life.
- Cork City and Harbour, Spike Island and Fort Camden are internationally recognised tourist attractions;
- The Towns and Villages of County Cork where there is significant potential for heritage led tourism

10.6.2 Some of these areas may have the potential for future tourism growth based on a supply of resources and features around which the tourism product can be built. It is important to ensure that other development generally and tourism development in these areas does not have a negative impact on the overall character of such areas and does not cause harm to the environment, designated sites or protected species. Development of 'heritage' related tourism activity should be directed only to areas that have been identified to have capacity to absorb increased visitor activity, without causing damage or deterioration to the heritage features of the site or area, or to the surrounding landscape. Development or expansion of sustainable tourism projects (e.g. wildlife tours, marine mammal watching and bird watching) should be only be supported where they have been shown to be compatible with TO 10-1 (a) and objectives BE 15-1 and BE 15-2. See also [Chapter 5 Rural](#), [Chapter 14 Green Infrastructure and Landscape](#) and [Chapter 16 Built and Cultural Heritage](#).

10.6.3 Many areas that are important to the tourist industry of County Cork owe their attraction to the exceptional quality of the landscape or particular features of the built environment. It is important to recognise the valuable role of natural assets such as lakes, rivers and forests as economic resources for tourism, particularly in rural areas, and to protect and enhance the qualities of such areas so that they can continue to contribute to the growth in tourism visitors into the County as a whole. It is also important to recognise the night sky as a tourism asset for the county and it should be protected from light pollution in sensitive areas. See [Chapter 15 Biodiversity](#) for more details. Figure 10.1 "Key Tourism Assets" shows the diversity and spread of existing tourism assets throughout the County and the range of activities and infrastructure.

10.6.4 'Explore Cork' is a tourism app launched by Cork County Council in May 2021. This free app is available in four languages and features over 850 places to see and things to do in Cork. The app allows users to search for 'Things to do' or 'What's near me?'. It can also generate directions and offers extensive information on the towns and walking trails across the county.

**County Development Plan Objective
TO 10-3: Tourism Opportunities**

Facilitate the development of the tourism sector and provide for the delivery of a unique combination of tourism opportunities drawing on the network of attractions in Cork County and potential future attractions.

10.7 Principle Attractions

- 10.7.1 County Cork has a number of key tourist attractions of national importance which should be protected from inappropriate development. The physical setting of tourist attractions is often a major component in their attractiveness. The surrounding landscape or particular features of the built environment often contribute to the setting or mystique of an attraction. However, appropriate development complimentary to their tourist function will generally be considered.
- 10.7.2 The key tourist attractions and destinations and significant visitor numbers include; Fota Wildlife Park, Midleton Distillery – Jameson Experience, Cobh Heritage Centre, Kinsale (including Charles Fort), Mizen Head Signal Station, Garnish Island, West Cork Model Railway, Barryscourt Castle, Desmond Castle, Dursey Island Cable Car, Guagán Barra, Cobh Cathedral, Bantry House and Gardens, Doneraile House and Park, Skibbereen Heritage Centre, Spike Island, Camden fort, Youghal Clock Tower and Mallow Castle and many more.
- 10.7.3 The redevelopment of Spike Island and Fort Camden Meagher as tourist attractions have continued to build on the existing tourist and heritage infrastructure of Cork Harbour and the county in general. Both attractions which are rich in military history also greatly add to the creation of a WW1 Cork Harbour Trail produced by Cork County Council in 2018, which begins at Fort Templebreedy, Crosshaven and ends at Roches Point Lighthouse.
- 10.7.4 County Cork and in particular Cork Harbour (Cobh) is a popular stop off destination for cruise liners. The Cobh Cruise liner terminal has increased from 53 cruise liners in 2014 to 100 liners in 2019 and therefore has doubled the number of tourists from cruise liners in 5 years. They are providing an interesting attraction in themselves and a large potential clientele for the heritage attractions of Cobh, Metropolitan Cork, and the wider region. Passenger figures in 2019 have been calculated at 169,042 and 72,604 crew. The Council are also promoting cruise line tourism in West Cork and in particular, Bantry, Glengarriff and Bere Island in recent years.

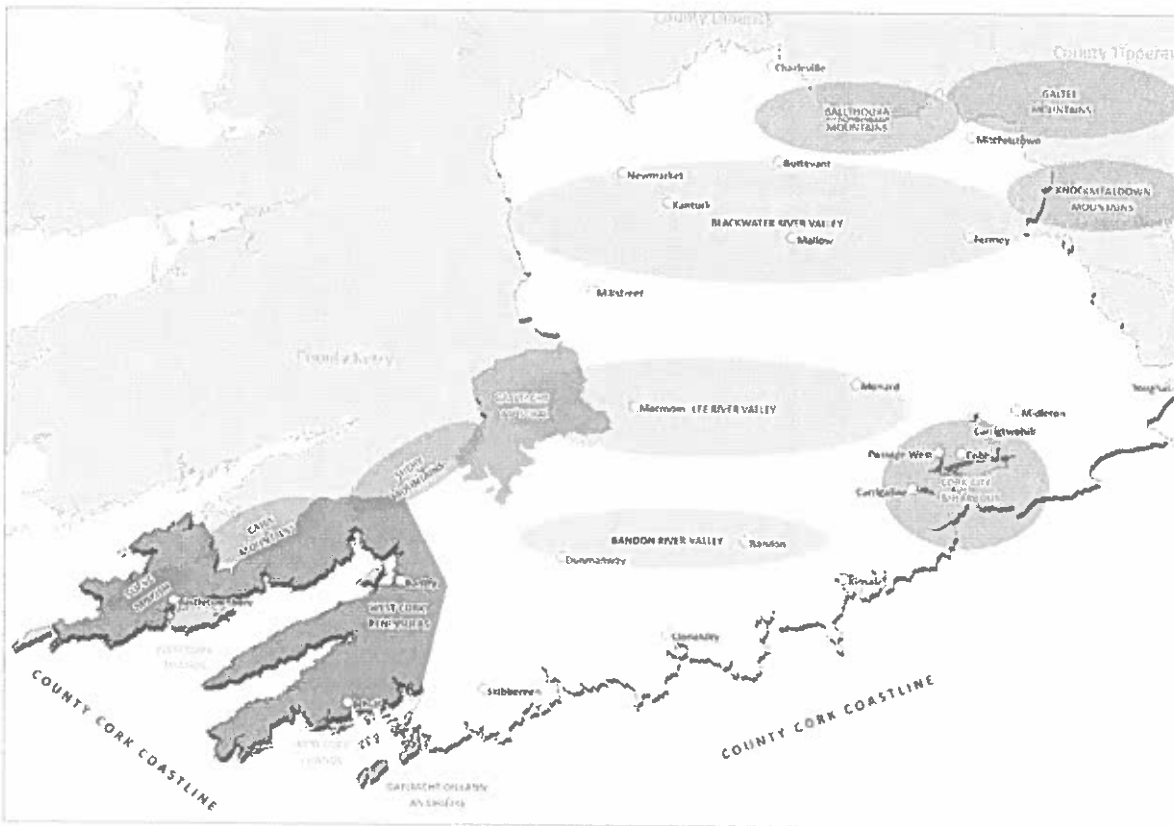


Fig 10.1 Key Tourism Assets.

10.8 Marine Leisure

- 10.8.1 The Marine Leisure sector is the fastest growing sector within the tourism industry. Cork, with its maritime history, is well positioned to further develop its marine leisure product. Cork is known as 'Ireland Maritime Haven'. The potential for growth within the marine leisure sector in Cork has long been recognised. The Marine Leisure Infrastructure Strategy for the Western Division and South Cork, 2007 and 2010 respectively, identify existing marine infrastructure and facilities along the coastline.
- 10.8.2 To fully capitalise on the potential of the marine leisure sector, there is a need to focus primarily on the rejuvenation of existing infrastructure and create opportunities for new development. While many marine activities require very little in the way of infrastructure and organisation, some activities, such as leisure boating and sport fishing will require sophisticated infrastructure that needs to be planned for and delivered in a strategic manner. Land based facilities are important if a marine leisure development is to meet the needs of as wide a range of activities and uses as possible.
- 10.8.3 Cork Harbour has a long tradition of recreational boating, is home to the oldest yacht club in the world (Royal Cork Yacht Club) and hosts the bi-annual Cork Week Sailing Regatta. In 2020 the Royal Cork Yacht Club celebrated the 300-year anniversary. A series of events are to be held in the summer of 2021 to celebrate the anniversary known as Cork 300. It has been postponed to 2021 due to the Coronavirus Pandemic. Recreation in and around the harbour is not restricted to water-based activities. According to the Assessment of Coastal Recreational Activity and Capacity for Increased Boating in Cork Harbour (UCC, 2007), the natural assets of the harbour encourage walking and cycling along the shoreline. It is an aim of this Plan to acknowledge the role of Cork Harbour in developing the marine leisure sector in County Cork and assist in providing a balance between environmental considerations and competing land-uses specifically in relation to the relocation of the Port of Cork and further industrial development in Ringaskiddy.
- 10.8.4 Cork County Council recognises that the maintenance, improvement and in some cases construction of new piers and harbours is essential in coastal and estuarine areas. These structures are needed to facilitate the activities associated with fishing and tourism. See Chapter 7 Marine Coastal and Islands.
- 10.8.5 Marina developments have grown in importance and are necessary to cater for the requirements of pleasure crafts such as yachts and cruisers. They not only provide services for tourist and local residents involved in water-based activities but are also an important mechanism through which visitors can access local towns and villages and their associated services and amenities. Recent and proposed improvements in water quality around the Cork Harbour area are a positive step in the development and promotion of Marine Leisure.

County Development Plan Objective TO 10-4: Developing the Marine Leisure Sector

- a) Develop the marine leisure sector in the County in a coherent and sustainable manner making the best use of existing and planned infrastructure and resources, in a manner that is sensitive to the natural and cultural heritage resources of our coastal zone, and complies with relevant environmental legislation including the Habitats, Birds, Water Framework, Floods, SEA and EIA Directives.
- b) Support the development of sustainable recreation and activity-related marine tourism developments at appropriate locations along the coastline and in the vicinity of the inland waterways and lakes where these are compatible with the environmental and heritage sensitivities of identified sites.

10.9 Heritage Tourism

- 10.9.1 Heritage Tourism is a branch of tourism that involves visiting historical, industrial, or natural sites, and which is oriented towards the cultural heritage of the location where tourism is occurring.
- 10.9.2 It is recognised as one of the most important and fastest growing aspects of the tourist industry and County Cork with its vast array of heritage sites including, battlefields, museums, interpretive centres, archaeology and historic town centres is well positioned to benefit from this activity.
- 10.9.3 Cork County Council has developed Spike Island as a unique tourism, heritage, and recreational resource in Cork Harbour. The attraction offers a fantastic experience with a ferry ride in Cork Harbour, beautiful scenic walks and various excellent historical exhibitions. Spike Island can be visited by a short boat trip from Kennedy Pier in Cobh with approximately 81,000 visitors in 2019. The attraction was voted Europe's leading tourist attraction in World Travel Awards 2017 and in 2019 won the International Travel and Tourism Award.

County Development Plan Objective TO 10-5: Protection of Natural, Built and Cultural Features

Protect and conserve those natural, built, and cultural heritage features that form the resources on which the County's tourist industry is based. These features will include areas of important landscape, coastal scenery, areas of important wildlife interest, historic buildings and structures including archaeological sites, cultural sites including battlefields, the Gaeltacht areas, arts and cultural sites, the traditional form and appearance of many built up areas and promote access and interpretation of archaeological sites in State and Local Authority ownership.

10.10 Cultural Tourism

- 10.10.1 County Cork has a wealth of cultural product to offer the visitor including traditional and contemporary music, a vibrant arts and crafts sector and numerous arts festivals. Cultural tourism is a very broad term that encompasses a wide spectrum of cultural and heritage experiences that generally involve events, festivals, artistic performances, cultural activities, museums, galleries.
- 10.10.2 The West Cork Arts Centre in Skibbereen with an expanded capacity for holding visual art exhibitions of international stature is a significant addition to the cultural infrastructure of the county.
- 10.10.3 Creative Ireland is an initiative set out by the Government from 2017-2022 focusing on creativity. It is a culture-based programme designed to promote individual and community wellbeing. Creative Ireland implements the priorities set out in Culture 2025. Art and Culture are important to our country and the policy has outlined the need to increase participation in these sectors in order to maintain a vibrant cultural society.
- 10.10.4 The Council will continue to support cultural tourism initiatives that aim to promote aspects of the county's cultural production or heritage. This may include modest building proposals that aim to meet specific accommodation needs for cultural/creative tourism providers. **See also Chapter 16 Built and Cultural Heritage.**

County Development Plan Objective TO 10-6: Cultural Tourism

- a) Consider the sustainable development of facilities that enhance the audience capacity of festivals.
- b) Encourage the development of Cultural trails around the County while having regard for the cultural built heritage and environmental impacts, including the protection of sites designated or proposed to be designated for nature conservation including NHAs and pNHAs and other areas of high biodiversity value.

10.11 Walking / Cycling

- 10.11.1 International trends suggest that the walking and cycling sectors of the tourism economy have the potential to grow considerably during the lifetime of the Plan. Cork County is ideally placed to exploit this trend. Newly developed Heritage Trails and Historic Walking trails have been developed in towns and villages throughout the county including the Youghal Boardwalk Project.
- 10.11.2 The 4.5km Passage West to Rochestown combined walk and cycle path linking Passage West and Rochestown to Cork City Centre is an off-road route located on the line of the former railway. It is a very attractive and safe option for people and tourists wishing to commute between Passage West, Rochestown and Cork City Centre. Youghal has also secured Fáilte Ireland and Cork County Council Sponsored Ironman Triathlon for the next three years. The event attracts competitors and visitors from all over the world to this East Cork town.
- 10.11.3 While there are some examples of successful walking trails in Cork, there is a need to identify more dedicated cycle and walking routes across the county. Cork County Council currently supports several significant walkways, such as The Blackwater Way, Ballyhoura Way, The Beara Way, Seven Heads Walks and Sheep's Head. Cork is also promoting the Munster Vales to the north of the county. The Council is actively exploring new routes around the county to provide for walking and cycling. The development of cycle and walking tourism presents a particular opportunity to bring the economic benefits of tourism to the rural areas of Ireland. Cyclists and walkers enjoy the outdoor rural environment; they stay longer in an area and benefit local accommodation providers. **See also Chapter 12 Transport and Mobility.**
- 10.11.4 The Programme for Government intends to further develop the Wild Atlantic Way Brand by creating a continuous walking route from Malin Head to Mizen Head. Fáilte Ireland has begun a feasibility study of Long-Distance Coastal trail along the Wild Atlantic Way. There are several existing long-distance walkways on the Cork Coastline that have the potential to be further developed such as Sheep's Head trail (88km), Beara Way in Cork/Kerry (206kms). Greenways are an excellent resource to help provide long distance walks around the County Cork.

County Development Plan Objective TO 10-7: Long Distance Walks

- a) Support and promote the development of long-distance walkways at appropriate locations around the County, while having consideration for any environmental, social, and economic impacts. Proposals for development of long-distance walks will be subject to ecological impact assessment and, where necessary Appropriate Assessment, with a view to ensuring the avoidance of negative impacts on designated sites, protected species and on-sites or locations of high biodiversity value.
- b) Promote cross boundary linkages and walkways to develop a network of wider routes and long walkways beyond the county boundary.

**County Development Plan Objective
TO 10-8: Walking/Cycling and Greenways**

Promote the development of greenways, walking and cycling routes throughout the County as an activity for both international visitors and local tourists in a manner that is compatible with nature conservation and other environmental policies.

**County Development Plan Objective
TO 10-9: Greenways**

Support the development of a county-wide greenway strategy in Cork, building on the feasibility studies that have already been carried out to date and having regard to the changing national and regional policy context. The strategy would identify and prioritise suitable greenway routes to be progressed through the relevant environmental and ecological impact assessment/design/consent processes and to support the funding and delivery of such projects.

10.13 *Blueway's and Bridleways*

- 10.13.1 Blueway's as identified and supported in the Regional Spatial & Economic Strategy, are a network of multi-activity trails, based on or alongside lakes, canals, rivers and coast. They can offer another form of recreational activity for communities, and support activity tourism. Bridleways, also known as an equestrian trail, are routes used for horse riding trails and have been expanded to be used by hikers and cyclists. Irelands first trail was the Beara Bridle Way, situated in West Cork allowing visitors to take in the landscape of the Beara Peninsula on horseback. It straddles the borders of both Cork and Kerry. The main trail overlooks 17 kilometres of rugged mountainous scenery and seascapes with views of the West Cork Islands.
- 10.13.2 Locations for proposed new Blueway's and Bridleways would need to be carefully selected and designed to be sensitively integrated into the receiving environment. Such developments would be likely to be subject to ecological impact assessment and, where necessary Appropriate Assessment, with a view to ensuring the avoidance of negative impacts on designated sites, protected species and on-sites or locations of high biodiversity value.

10.14 *Rural Tourism*

- 10.14.1 In most rural area's tourism is an integral component of wider rural enterprise and should be developed in an integrated manner whenever possible. Rural tourism involves visits to rural settings or rural environments for the purpose of participating in or experiencing activities, events, or attractions not readily available in urbanised areas. These are not necessarily agricultural in nature but are usually closely linked with agricultural activity and are often associated with rural sites of a heritage nature, such as archaeological monuments.
- 10.14.2 Realising our Rural Potential Action Plan for Rural Development, prepared by the Government outlining a three-year plan to unlock the potential of rural Ireland at local and national level was published in 2017. The plan acknowledges the potential activity-based tourism can provide for the economic growth in rural areas. The key aims of the Plan were to increase tourist numbers by 12% in rural Ireland, develop and promote activity tourism through blue ways, greenways and other recreational opportunities, support sustainable jobs through targeted rural tourism initiatives and develop and promote our natural and built heritage.
- 10.14.3 The aim of this Plan is to support rural tourism initiatives concerned with Agri-tourism, rural enterprise, and conservation of natural heritage together with sites than are also important for cultural, archaeological, or built heritage reasons. A number of open farms and farm shops have developed throughout the county and have had the benefit of large domestic tourist figures including repeat visitors. Many of these developments have seen original farm buildings restored and reutilised in accordance with good conservation practice, a practice very much favoured by the Heritage Council, not least because such buildings form an intrinsic part of our rural landscape and heritage. See also [Chapter 5 Rural](#), [Chapter 14 Green Infrastructure and Landscape](#) and [Chapter 16 Built and Cultural Heritage](#).
- 10.14.4 Additionally, Cork needs to promote long-stay tourism destinations throughout the county as outlined in the Programme for Government. There are several key towns within the county have a number of attractions to allure visitors to have longer visits, particularly along the coast such as Kinsale, Bantry, Clonakilty etc.

10.15 *Tourism Developments and Facilities*

- 10.15.1 Facilitating the development of infrastructure to meet the needs of visitors is fundamental to the effective delivery of a sustainable tourism product in County Cork.
- 10.15.2 The Council will seek to promote the development of tourism in a manner that is compatible with the conservation and enhancement of the environment. The Planning Authority will support improved access to visitor attractions where feasible for all ages and abilities. Examples include visitor attractions/centres; educational tourism facilities; wellness and self-development amenities and facilities; equestrian facilities; facilities for outdoor adventure activities and pursuits; facilities for boat hire in coastal areas and river trips.

14.1 Background and Context

- 14.1.1 Green infrastructure is the network of green spaces, habitats and ecosystems within a defined geographic area, which can range in size from an entire country to a neighbourhood. This includes a wide range of natural and semi-natural land cover, including mountains, uplands and agricultural lands across the county, as well as smaller sites such as parks, amenity spaces and gardens, hedgerows, woodlands and single trees. Blue infrastructure refers to waterbodies, including coastline, rivers and streams, reservoirs, lakes and ponds. Together they are known as 'Green and Blue Infrastructure'. Although primarily referred to as Green Infrastructure in this plan, it is accepted that this term also refers to different elements of blue infrastructure where applicable.
- 14.1.2 The 'Natural Capital' apparent in these natural and semi-natural assets can be considered to be a form of infrastructure and like any type of infrastructure, these assets will only continue to provide us with these benefits if we actively plan, invest in and manage them to ensure that they are utilised sustainably. Internationally there has been a growing recognition that natural capital is in decline and that this has the potential to undermine future wellbeing and prosperity.
- 14.1.3 Our green and blue infrastructure affects the quality of life for everyone in our county. It helps define a sense of place and the character of our communities; provides important spaces for recreation and tourism with associated health, wellbeing and economic benefits; and increasingly such infrastructure is being recognised as a vital component in building resilient communities capable of adapting to the consequences of climate change. Managing our assets and enhancing the benefits that they provide is therefore integral to the future of our towns and county. In particular, at a settlement level the green and blue infrastructure approach provides a means of strengthening the connection of our urban areas to their surroundings rather than have urban areas as barriers to nature and the movement of wildlife and indeed people.
- 14.1.4 In 2013, the EU Commission adopted an EU-wide strategy promoting investments in green infrastructure. The strategy promotes the development of a Trans-European Network for Green Infrastructure in Europe (TEN-G) on the same level as existing transport, energy and ICT networks, as an efficient and cost-effective way for countries to achieve the 2020 Biodiversity Strategy targets, to fulfil commitments under the Birds, Habitats, Water Framework and Marine Strategy Framework Directives, and contribute to the goals of the Floods and Nitrate Directives. The Natura 2000 network lies at the very core of Europe's Green Infrastructure.
- 14.1.5 Green and blue infrastructure is about 'joined up' thinking; it is an integrated approach to planning and links land-use, landscape, services, ecology, heritage and transportation. The concept of green and blue infrastructure differs from the traditional approach to conservation which emphasised preservation. It is a proactive concept that seeks the sustainable development of natural resources in order to enhance their benefits for wider society.

Ecosystem Services/Green and Blue Infrastructure Benefits

- 14.1.6 Ecosystem services provided through various types of green and blue infrastructure are the direct and indirect contributions/benefits of ecosystems to human well-being. This can include a wide range of direct benefits and indirect benefits. Parks for example can offer a wide range of ecosystem services. If well managed, they may promote pollination, provide habitat and improve connectivity for a number of species. In addition to educational and recreational opportunities, parks offer the potential to improve physical and mental health through the provision of opportunities for social interaction and exercise. Ecosystem services can be categorized into four main types:
- Provisioning services - are the products obtained from ecosystems such as food, fresh water, wood, fibre, genetic resources and medicines.
 - Regulating services - are defined as the benefits obtained from the regulation of ecosystem processes such as climate regulation, natural hazard regulation, water purification and waste management, pollination and pest control.
 - Habitat services - highlight the importance of ecosystems to provide habitat for migratory species and to maintain the viability of gene-pools.
 - Cultural services - include non-material benefits that people obtain from ecosystems such as spiritual enrichment, intellectual development, recreation and aesthetic values.
- 14.1.7 As strengthening the network of nature is fundamental to the green and blue infrastructure concept there is an opportunity for strategic green and blue infrastructure planning to consider synergies among ecosystem services. Multi-functionality is also a central component of the green and blue infrastructure concept and can help maximise the benefits provided in a given area. Through the use of tools such as Ecosystem services valuation it is possible to highlight the often unrecognised benefits to society and the environment that various forms of green and blue infrastructure provide.
- 14.1.8 Cork County Council is already involved in a number of projects which continue to advance the ecosystem services approach such as the BRIDE Nature Project (Biodiversity Regeneration in a Dairying Environment - Farming with Nature) and an Interreg Europe project, entitled Delta Lady- Floating Cultures in River Deltas. Such projects have the potential to inform environmental policy at European, National and sub-national levels. The Council will continue to engage in supporting and progressing the use of an ecosystem services approach in the advancement of plans and projects across the county.

County Development Plan Objective

GI 14-8: Landscapes

- a) Protect the visual and scenic amenities of County Cork's built and natural environment.
- b) Landscape issues will be an important factor in all land-use proposals, ensuring that a pro-active view of development is undertaken while protecting the environment and heritage generally in line with the principle of sustainability.
- c) Ensure that new development meets high standards of siting and design.
- d) Protect skylines and ridgelines from development.
- e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

County Development Plan Objective

GI 14-10: Draft Landscape Strategy

Ensure that the management of development throughout the County will have regard for the value of the landscape, its character, distinctiveness and sensitivity as recognised in the Cork County Draft Landscape Strategy and its recommendations, in order to minimize the visual and environmental impact of development, particularly in areas designated as High Value Landscapes where higher development standards (layout, design, landscaping, materials used) will be required.

County Development Plan Objective

GI 14-11: Draft Landscape Strategy, Land Use Plans and Policy Guidance

Have regard to the Draft Cork County Landscape Strategy (2007) in the preparation of plans and other policy guidance being prepared during the lifetime of the Plan.

Review and update the Draft Cork County Landscape Strategy as soon as is practicable following the publication of a National Landscape Character Assessment as well as taking into account any associated guidelines.

Whilst advocating the protection of such scenic resources the Plan also recognises the fact that all landscapes are living and changing, and therefore in principle it is not proposed that this should give rise to the prohibition of development along these routes, but development, where permitted, should not hinder or obstruct these views and prospects and should be designed and located to minimise their impact. This principle will encourage appropriate landscaping and screen planting of developments along scenic routes.

14.9 Landscape Views and Prospects

- 14.9.1 The County contains many vantage points from which views and prospects of great natural beauty may be obtained over both seascape and rural landscape. This scenery and landscape are of enormous amenity value to residents and tourists and constitutes a valuable economic asset. The protection of this asset is therefore of primary importance in developing the potential of the County. Therefore, the Plan identifies specific Scenic Routes consisting of important and valued views and prospects within the County.
- 14.9.2 Each of the scenic routes was examined individually and their location related to the landscape character type traversed and some of the features lending themselves to the attractive nature of these particular routes identified. Scenic routes highlight the quality of the overall environment and landscape experienced within Cork County. It is important to protect the character and quality of those particular stretches of scenic routes that have special views and prospects particularly those associated with High Value Landscapes.
- 14.9.3 All proposals should be assessed on their merits taking into account the overall character of the scenic route including the elements listed in **Volume 2 Heritage and Amenity Chapter 5 Scenic Routes** of the Plan and the Landscape Character Type through which the route passes. A map showing the location of each scenic route referred to in this Plan is shown on the County Development Plan Map Browser accessible through www.corkcoco.ie

County Development Plan Objective
GI 14-12: General Views and Prospects

Preserve the character of all important views and prospects, particularly sea views, river or lake views, views of unspoilt mountains, upland or coastal landscapes, views of historical or cultural significance (including buildings and townscapes) and views of natural beauty as recognized in the Draft Landscape Strategy.

County Development Plan Objective
GI 14-13: Scenic Routes

Protect the character of those views and prospects obtainable from scenic routes and in particular stretches of scenic routes that have very special views and prospects identified in this Plan. The scenic routes identified in this Plan are shown on the scenic amenity maps in the CDP Map Browser and are listed in **Volume 2 Heritage and Amenity Chapter 5 Scenic Routes** of this Plan.

County Development Plan Objective
GI 14-14: Development on Scenic Routes

- a) Require those seeking to carry out development in the environs of a scenic route and/or an area with important views and prospects, to demonstrate that there will be no adverse obstruction or degradation of the views towards and from vulnerable landscape features. In such areas, the appropriateness of the design, site layout, and landscaping of the proposed development must be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the area.
- b) Encourage appropriate landscaping and screen planting of developments along scenic routes (See **Chapter 16 Built and Cultural Heritage**).

County Development Plan Objective
GI 14-15: Development on the Approaches to Towns and Villages

Ensure that the approach roads to towns and villages are protected from inappropriate development, which would detract from the setting and historic character of these settlements.

14.10 *Prominent and Strategic Metropolitan Cork Greenbelt Areas*

- 14.10.1 Successive County Development Plans have identified the importance of protecting prominent areas of the Metropolitan Cork Greenbelt which are of strategic importance to the purpose and function of the Greenbelt and greenbelt settlements. These areas within the Metropolitan Cork Greenbelt were formerly identified in past County Development Plans as A1 areas. They require the highest degree of protection because they are made up of the prominent open hilltops, valley sides and ridges that give Metropolitan Cork its distinctive character and the strategic, largely undeveloped gaps between the main Greenbelt settlements. This Plan recognises the importance of protecting these areas.
- 14.10.2 These areas are shown on Figure 14-3 the Prominent and Strategic Metropolitan Greenbelt Map. The detailed maps are available in **Volume 6 Maps** through the CDP Map Browser which is accessible through www.corkcoco.ie.
- 14.10.3 The detailed policies and objectives relating to rural housing and the rural housing policy areas, including the Metropolitan Cork Greenbelt are outlined in **Chapter 5 Rural**.

County Development Plan Objective
GI 14-16: Prominent and Strategic Metropolitan Greenbelt Map

Protect those prominent open hilltops, valley sides and ridges that define the character of the Metropolitan Cork Greenbelt and those areas which form strategic, largely undeveloped gaps between the main Greenbelt settlements. These areas are shown on the Prominent and Strategic Metropolitan Greenbelt (Figure 14-3) and it is an objective to preserve them from development.

15.1 Introduction

- 15.1.1 The biodiversity of Cork includes our native plant and animal species, and the places (habitats and ecosystems) where they live. Our landscape has been shaped by our geographical position on the southern coast of the country, our geology dominated by sandstone ridges and limestone valley floors, and the influence of the people who have settled here. These elements determine the range of native plants, animals, habitats and ecosystems that make up the unique biodiversity of the county.
- 15.1.2 The protection of our biodiversity matters for not just ethical reasons. Healthy functioning ecosystems clean our water, purify our air, maintain our soils, provide us with food, medicines and fuel and helps to regulate our climate. The National Biodiversity Action Plan estimates that these Ecosystem Services are worth €1 billion per annum to the Irish economy. A healthy environment provides places for recreational and spiritual enjoyment for the inhabitants of the county, and for those who visit here. It also provides attractive spaces for people to live and to do business.
- 15.1.3 Biodiversity is threatened globally and locally by the ever increasing demands of people for space, fuel, food and other resources. Loss or damage to sites and places of biodiversity value caused by changes in land use practices and pressure for development, disturbance of places inhabited by wild plants and animals, pollution of watercourses and the spread of invasive alien species all affect the extent and quality of our natural environment.
- 15.1.4 The link between biodiversity loss and climate change is becoming better understood. Changing climate increases pressure on habitats and species, while the protection of biodiversity helps to mitigate some of the impacts of climate change. The extent of damage to our biodiversity has been acknowledged by the Dáil, which declared a Climate and Biodiversity Emergency in 2019.
- 15.1.5 As land use policy makers, development managers, landowners, land managers, developers and through our work with statutory agencies, community groups and other organisations, Cork County Council has an important role to play in ensuring the protection of biodiversity. This chapter sets out Cork County Councils key objectives for protection and enhancement of biodiversity resources in the areas of
- policy;
 - land use planning;
 - managing local authority developments, projects and other works;
 - consenting development and other activities;
 - supporting community led biodiversity initiatives; and
 - co-operating with other partners and stakeholders working to protect biodiversity.

15.2 Policy Context

- 15.2.1 Ireland is a signatory to the worldwide Convention on Biological Diversity (CBD) since 1992 and the Government is committed through this process to conserve and sustainably use biodiversity. The Convention aims, among other things, to secure a significant reduction in the current rate of loss of biodiversity. All parties to the Convention are required to develop national biodiversity strategies and action plans, and to integrate these into broader national plans. At EU level the most important habitats and species are protected through Natura 2000 which is the network of protected areas established under the Habitats and Birds Directives. In addition, Member States are called on to develop and implement wider countryside measures in their land-use planning and development policies that support the coherence of the Natura 2000 network pursuant to Article 10 of the Habitats Directive and Article 3 of the Birds Directive.
- 15.2.2 At European level, the 2030 EU Biodiversity Strategy sets out a long term plan to protect nature and reverse the degradation of ecosystems. The strategy includes specific commitments to enlarge existing Natura 2000 areas, with strict protection for areas of very high biodiversity and climate value; to restore degraded ecosystems by 2030 and manage them sustainably, addressing the key drivers of biodiversity loss; strengthening funding and the governance framework; and introducing measures to tackle the global biodiversity challenge.
- 15.2.3 At national level, biodiversity policy is set out in the National Biodiversity Action Plan 2017-2021 (NBAP) which identifies habitat degradation, climate change and spread of invasive alien species as significant factors negatively impacting on biodiversity in Ireland today. The Cork County Biodiversity Action Plan was adopted in December 2008. This Plan sets out County level policy and action in areas relating to increasing knowledge, raising awareness and protecting biodiversity. The Planning Authority intends to commence the process of reviewing the County Biodiversity Action Plan within 12 months of the adoption of the Plan.
- 15.2.4 The importance of protecting and sustainably managing our biodiversity and natural environment has become integrated and mainstreamed into National and Regional Planning Policy including the National Development Plan 2018-2027, the National Planning Framework 2040, the National Climate Action Plan and the Regional Spatial and Economic Strategy for the Southern Region.

County Development Plan Objective

BE 15-1: Support and comply with national biodiversity protection policies

- a) Support and comply with the objectives of the National Biodiversity Plan 2017-2021 (and any future National Biodiversity Plan which may be adopted during the period of this Plan) as appropriate,
- b) Implement the current County Biodiversity Action Plan and any future updated Plan;
- c) Support and comply with biodiversity policy set out in other national and regional policy documents as appropriate.

15.3 *Protecting Sites, Habitats and Species – Legislative Context*

- 15.3.1 The Habitats Directive provides for the protection of biodiversity across Europe through the designation of Special Areas of Conservation. These sites are proposed or designated for protection because they support habitats and/or populations of plant and animal species that have been identified to be rare or threatened at a European level. The habitats for which sites can be proposed for designation include coastal habitats such as sand dunes, upland habitats such as blanket bog and heath, freshwater habitats including lakes and rivers, and a number of different woodland types. The species for which such sites are proposed for designation include both plants and animal species e.g. Killarney Fern, Otter, Salmon and Freshwater Crayfish. Sites proposed and designated under the Habitats Directive are known as Special Areas of Conservation (SACs). Many sites support more than one protected habitat type and they may also support protected species. These sites are selected because they support the best national examples of important habitats, or they support important populations of protected species. There are 30 SACs located either fully or partially in Co. Cork and they are listed in Volume Two of this Plan.
- 15.3.2 The Birds Directive provides for the protection of sites used (for breeding or feeding) by species of birds that are rare, or vulnerable or in danger of extinction. It also provides for the protection of areas that are particularly important for migratory birds, where they congregate in significant numbers. Sites designated under the Birds Directive are called Special Protection Areas (SPAs). There are 18 SPAs located either fully or partially in Co. Cork and they are listed in Volume Two of this Plan.
- 15.3.3 The network of sites designated or proposed for designation across Ireland and Europe under the Habitats and Birds Directives is known as the Natura 2000 Network. This network includes Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), as well as sites that are proposed for designation as SACs or SPAs. The sites are also known as Natura 2000 sites or European Sites.
- 15.3.4 The protection of biodiversity is also a significant consideration in other EU Directives including the Marine Strategy Framework Directive, the Water Framework Directive, the Nitrates Directive and the Environmental Liabilities Directive.
- 15.3.5 Natural Heritage Areas (NHAs) and proposed Natural Heritage Areas (pNHAs) are sites that are designated or proposed for designation under the Wildlife (Amendment) Act 2000. These are sites that are of national importance and they generally support a range of habitats, plant and animal species and, in some cases, geological features. Eight sites have been designated as Natural Heritage Areas and 115 sites are proposed to be designated as Natural Heritage Areas in Co. Cork. These are listed in Volume Two of this Plan.
- 15.3.6 Marine Protected Areas are marine areas that are managed over the long term, with a primary objective of conserving habitats and or species and associated ecosystem services and cultural values. Ireland has a number of protected areas within the marine environment including Special Areas of Conservation and Special Protection Areas, however these sites cover only 2.3% of Ireland's total maritime area, which is short of the international targets to which Ireland is committed. A proposed approach for extending the Marine Protected Areas network is currently under consideration by Government, and it is likely that additional areas of the maritime environment will be proposed to be protected in the coming years.
- 15.3.7 Most native Irish mammals, amphibians and birds, and some native fish and invertebrate species are protected. Of particular relevance are plant species listed under the Flora Protection Order; plant and animal species listed in the Habitats Directive; birds listed in the Birds Directive; and plant and animal species protected under the Wildlife Act. A listing of protected plant and animal species known to occur in Co. Cork is included in Volume Two.
- 15.3.8 Nature Conservation legislation provides for the protection of sites and species of national and international importance. However, sites and species benefiting from statutory protection do not alone represent the full extent of our natural heritage. In fact, most of our biological diversity occurs in the wider landscapes. Rare and protected sites and species cannot survive independently of their surroundings. Features of our landscape can be of high natural value and often provide the vital links and corridors to allow the movement of plants and animals between protected sites.
- 15.3.9 These corridors and links are a critical component of a functioning ecological network, and their protection is advocated in Article 10 of the Habitats Directive and Section 10(2) (ca) of the Planning and Development Act 2000, as amended.
- 15.3.10 Wetlands include our watercourses and water bodies as well as other habitats types such as marshes, fens, reed beds, bogs and wet woodlands. These habitats tend to have high biodiversity value, as well as serving other essential services relating to the protection of water quality, flood protection, carbon capture and climate mitigation. While many protected areas include wetlands, most wetland areas occur outside protected sites. Work or development which involves the

drainage or reclamation of a wetland requires planning permission where the wetland is greater than 0.1ha and is subject to mandatory Environmental Impact Assessment where the wetland is greater than 2ha.

- 15.3.11 As part of the Irish Geological Heritage Programme, there is currently a process underway of auditing the Geological Sites of County Cork. In anticipation of the completion of this work in the lifetime of the Plan, the Planning Authority will seek to protect and maintain the conservation value of such sites from inappropriate development.

County Development Plan Objective

BE 15-2: Protect sites, habitats and species

- a) Protect all natural heritage sites which are designated or proposed for designation under European legislation, National legislation and International Agreements. Maintain and where possible enhance appropriate ecological linkages between these. This includes Special Areas of Conservation, Special Protection Areas, Marine Protected Areas, Natural Heritage Areas, proposed Natural Heritage Areas, Statutory Nature Reserves, Refuges for Fauna and Ramsar Sites. These sites are listed in Volume 2 of the Plan.
- b) Provide protection to species listed in the Flora Protection Order 2015, to Annexes of the Habitats and Birds Directives, and to animal species protected under the Wildlife Acts in accordance with relevant legal requirements. These species are listed in Volume 2 of the Plan.
- c) Protect and where possible enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network. This includes rivers, lakes, streams and ponds, peatland and other wetland habitats, woodlands, hedgerows, tree lines, veteran trees, natural and semi-natural grasslands as well as coastal and marine habitats. It particularly includes habitats of special conservation significance in Cork as listed in Volume 2 of the Plan.
- d) Recognise the value of protecting geological heritage sites of local and national interest, as they become notified to the local authority, and protect them from inappropriate development
- e) Encourage, pursuant to Article 10 of the Habitats Directive, the protection and enhancement of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.

15.4 Local Authority Plan Making

- 15.4.1 Cork County Council prepares land-use plans, local economic and development plans and many other plans and strategies to lead and support the development and improvement of places, transport links, infrastructure, business and industry at county and local level. The implementation of these plans and strategies has the potential to impact positively or negatively on the protection of our natural resources. Cork County Council will endeavour to ensure that consideration of biodiversity issues is integrated into the development of new land use plans as well as other plans and strategies it is responsible for making.

County Development Plan Objective

BE 15-3: Local Authority plan making

- a) Ensure that biodiversity issues are considered at the earliest possible stages of plan making;
- b) Ensure that plans and strategies comply with nature conservation legislation and policy as required (fulfil Strategic Environmental Assessment and Appropriate Assessment requirements); and
- c) Carry out ecological impact assessment of plans and strategies as appropriate.

15.5 Managing Local Authority Developments and Projects

- 15.5.1 Cork County Council is a significant developer within the county and is responsible for delivering new housing and infrastructure projects, sustainable transport networks and projects to improve the public realm of towns and villages. The Council also supports tourism, recreational and amenity projects including the development of new greenways and blueways, many of which are located within areas of high biodiversity value. As a developer, Cork County Council has a responsibility to ensure that new development it progresses is carried out in a manner which is sustainable and does not harm our natural resources.

APPENDIX F

LANDSCAPE CHARACTER ASSESSMENT OF COUNTY CORK

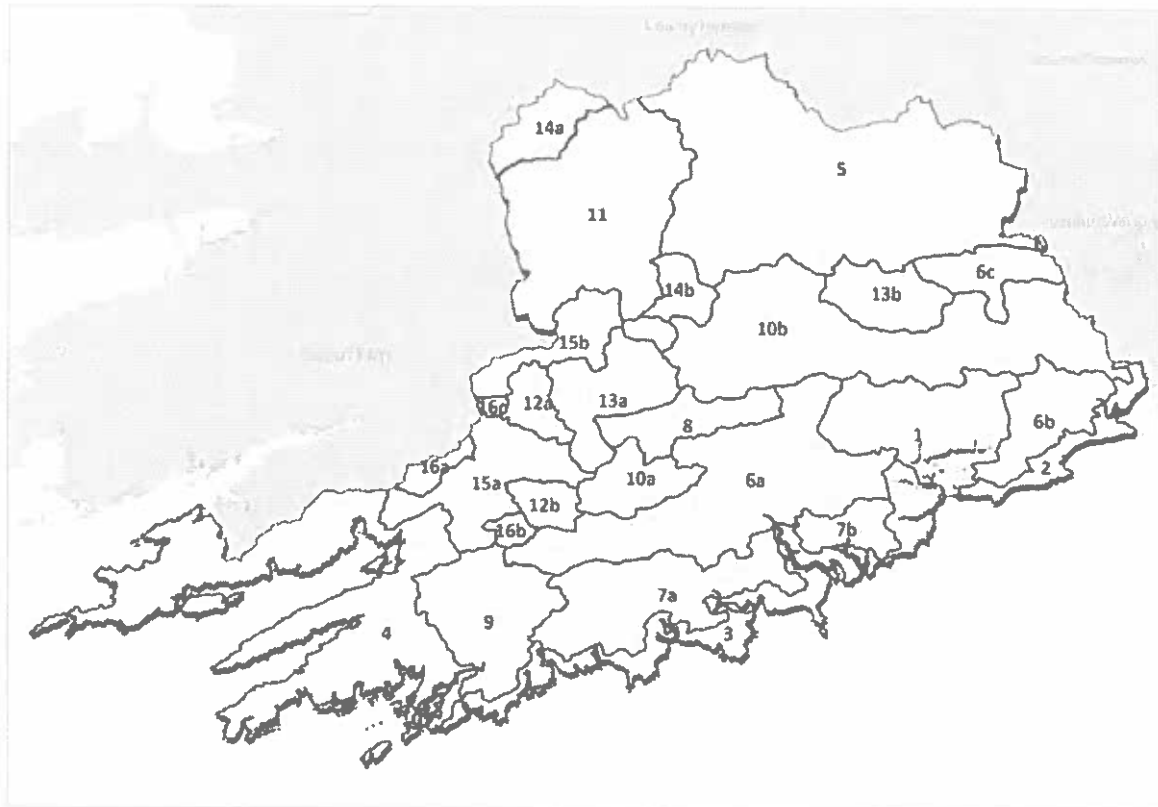
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2. Map of Landscape Character Types of County Cork

1. Summary Table of the Landscape Character Assessment of County Cork

	Landscape Character Type	Landscape Value	Landscape Sensitivity	Landscape Importance
1	City Harbour and Estuary	Very High	Very High	National
2	Broad Bay Coast	Very High	Very High	County
3	Indented Estuarine Coast	Very High	Very High	National
4	Rugged Ridge Peninsulas	Very High	Very High	National
5	Fertile Plain with Moorland Ridge*	Very High	Very High	County
6a	Broad Fertile Lowland Valleys	High	High	County
6b	Broad Fertile Lowland Valleys	Medium	Medium	Local
6c	Broad Fertile Lowland Valleys	Medium	Medium	Local
7a	Rolling Patchwork Farmland	Medium	Medium	County
7b	Rolling Patchwork Farmland	Medium	Medium	Local
8	Hilly River and Reservoir Valleys	High	High	National
9	Broad Marginal Middleground and Lowland Basin	Low	Medium	Local
10a	Fissured Fertile Middleground	Low	Low	Local
10b	Fissured Fertile Middleground	Medium	High	County
11	Broad Marginal Middleground Valley	High	High	Local
12a	Rolling Marginal and Forested Middleground	High	High	Local
12b	Rolling Marginal and Forested Middleground	Medium	Medium	Local
13a	Valleyed Marginal Middleground	High	High	County
13b	Valleyed Marginal Middleground	Medium	Medium	Local
14a	Fissured Marginal and Forested Rolling Upland	Medium	Medium	Local
14b	Fissured Marginal and Forested Rolling Upland	Medium	Medium	Local
15a	Ridged and Peaked Upland	High	High	Local
15b	Ridged and Peaked Upland	Medium	Medium	County
16a	Glaciated and Forested Cradle Valley	High	High	National
16b	Glaciated Cradle Valleys	Low	Medium	Local
16c	Glaciated Cradle Valleys	Medium	Medium	Local

2. Map of Landscape Character Types of County Cork





**VOLUME TWO
HERITAGE AND
AMENITY**

2

**CORK COUNTY
DEVELOPMENT
PLAN 2022**



Comhairle Contae Chorcaí
Cork County Council

Chapter 3 Nature Conservation Sites

Introduction

3.1.1 The overall planning policies for nature conservation sites in County Cork are set out in **Volume One, Chapter 15 Biodiversity and Environment**. The lists of designated sites in County Cork are set out below in the following order; Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), proposed Natural Heritage Areas (pNHAs), and Geological Sites. The lists of EU sites, pNHAs and NHAs have been compiled from National Parks and Wildlife Service data. The locations of the SACs, SPAs, NHAs and pNHAs are shown on the CDP Map Browser in **Volume Six Maps** of this Plan.

European Sites Within County Cork

Table 2.3.1: European Sites within County Cork

Site Code	Site Name	Qualifying Interests	Conservation Objectives
0077	Ballymacoda (Clon-priest and Pillmore) SAC	<ul style="list-style-type: none"> • Estuaries [1130] • Mudflats and sandflats not covered by seawater at low tide [1140] • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] • Mediterranean salt meadows (Juncetalia maritimi) [1410] * <p><i>*listed but not included in Conservation Objectives document.</i></p>	<p>To maintain the favourable conservation condition of the following habitats:</p> <ul style="list-style-type: none"> • Estuaries; • Mudflats and sandflats not covered by seawater at low tide • Atlantic salt meadows (Glauco-Puccinellietalia) <p>and to restore the favourable conservation condition of the following habitat:</p> <ul style="list-style-type: none"> • Salicornia and other annuals colonising mud and sand <p>NPWS Conservation Objectives, Version 2, Feb 2015</p>

Table 2.3.1: European Sites within County Cork

Site Code	Site Name	Qualifying Interests	Conservation Objectives
0102	Sheep's Head SAC	<ul style="list-style-type: none"> Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] European dry heaths [4030] <i>Geomalacus maculosus</i> (Kerry Slug) [1024] 	<p>To maintain the favourable conservation condition of the Annex I habitats and Annex II species for which this SAC has been selected:</p> <ul style="list-style-type: none"> Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] European dry heaths [4030] <i>Geomalacus maculosus</i> (Kerry Slug) [1024] <p>NPWS Conservation Objectives Version 1, March 2021</p>
0106	<u>St. Gobnet's Wood SAC</u>	<ul style="list-style-type: none"> Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] 	<p>To restore the favourable conservation condition of the Annex I habitat for which the SAC has been selected:</p> <ul style="list-style-type: none"> Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] <p>NPWS Conservation Objectives Version 1, January 2021</p>
0108	<u>The Gearagh SAC</u>	<ul style="list-style-type: none"> Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] Rivers with muddy banks with <i>Chenopodium rubri</i> p.p. and <i>Bidention</i> p.p. vegetation [3270] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] <i>Lutra lutra</i> (Otter) [1355] 	<p>To maintain the favourable conservation condition of the following habitats and species:</p> <ul style="list-style-type: none"> Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] Rivers with muddy banks with <i>Chenopodium rubri</i> p.p. and <i>Bidention</i> p.p. vegetation [3270] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] <i>Lutra lutra</i> (Otter) [1355] <p>NPWS Conservation Objectives Version 1, September 2016</p>

Table 2.3.1: European Sites within County Cork

Site Code	Site Name	Qualifying Interests	Conservation Objectives
4155	<u>Beara Peninsula SPA</u>	<ul style="list-style-type: none"> • Fulmar (<i>Fulmarus glacialis</i>) [A009] • Chough (<i>Pyrrhocorax pyrrhocorax</i>) [A346] 	<p>To maintain or restore the favourable conservation condition of bird species listed as Special Conservation Interests for this SPA:</p> <ul style="list-style-type: none"> • Fulmar (<i>Fulmarus glacialis</i>) [A009] • Chough (<i>Pyrrhocorax pyrrhocorax</i>) [A346] <p>NPWS Conservation Objectives, Generic Version 9, Jan 2022</p>
4156	<u>Sheeps Head to Toe Head SPA</u>	<ul style="list-style-type: none"> • Peregrine (<i>Falco peregrinus</i>) [A103] • Chough (<i>Pyrrhocorax pyrrhocorax</i>) [A346] 	<p>To maintain or restore the favourable conservation condition of bird species listed as Special Conservation Interests for this SPA:</p> <ul style="list-style-type: none"> • Peregrine (<i>Falco peregrinus</i>) [A103] • Chough (<i>Pyrrhocorax pyrrhocorax</i>) [A346] <p>NPWS Conservation Objectives, Generic Version 9, Jan 2022</p>
4161	<u>Stacks to Mullaghareirk Mountains, West Limerick Hills and Mountain Eagle SPA</u>	<ul style="list-style-type: none"> • Hen Harrier (<i>Circus cyaneus</i>) [A082] 	<p>To maintain or restore the favourable conservation condition of bird species listed as Special Conservation Interests for this SPA:</p> <ul style="list-style-type: none"> • Hen Harrier (<i>Circus cyaneus</i>) [A082] <p>NPWS Conservation Objectives, Generic Version 9, Jan 2022</p>

Table 2.4.4: Bird Species of Conservation Concern and Special Conservation Significance Occurring in Cork

Species	Scientific name	Birds Directive	BoCCI (2014-2019)*	Habitat Notes	SPA sites
Chough	<i>Pyrrhocorax pyrrhocorax</i>	✓	Amber List	Coastal resident, cliffs, headlands and islands. Distribution is west of the country.	Beara Peninsula SPA, Sheep's Head to Toe Head SPA, Galley Head to Duneen Point SPA, Seven Heads SPA
Common Gull	<i>Larus canus</i>		Amber List	Common during winter; breeding status unknown.	Ballycotton Bay SPA, Ballymacoda Bay SPA, Cork Harbour SPA, Courtmacsherry Bay SPA
Common Scoter	<i>Melanitta nigra</i>		Red List	Small groups may be seen on passage during autumn. Scarce in winter.	
Common Tern	<i>Sterna hirundo</i>	✓	Amber List	Summer visitor, breed in Cork Harbour.	Cork Harbour SPA
Coot	<i>Fulica atra</i>		Amber List	Uncommon breeding species.	The Gearagh SPA
Cormorant	<i>Phalacrocorax phalacrocorax</i>		Amber List	Widespread, rivers, lakes and coastal.	Cork Harbour SPA, Sovereign Islands SPA
Corncrake	<i>Crex crex</i>	✓	Red List		
Curlew	<i>Numenius arquata</i>		Red List	Common winter visitor. Small breeding numbers.	Ballycotton Bay SPA, Ballymacoda Bay SPA, Blackwater Estuary SPA, Cork Harbour SPA, Clonakilty Bay SPA, Courtmacsherry Bay SPA
Cuckoo	<i>Cuculus canorus</i>		Green List	Summer visitor. Declined in recent years.	
Dunlin	<i>Calidris alpina</i>		Red List	Common winter visitor, estuaries and bays.	Ballymacoda Bay SPA, Blackwater Estuary SPA, Cork Harbour SPA, Clonakilty Bay SPA, Courtmacsherry Bay SPA
Fulmar	<i>Fulmarus glacialis</i>		Green List		Beara Peninsula SPA

Table 2.4.4: Bird Species of Conservation Concern and Special Conservation Significance Occurring in Cork

Species	Scientific name	Birds Directive	BoCCI (2014-2019)*	Habitat Notes	SPA sites
Merlin	Falco Columbarius	✓	Amber List	Difficult to survey and little information. Bird Atlas 2007-2011 may help provide important data. Suitable habitat has declined in recent years.	
Mute Swan	Cygnus olor		Amber List		
Nightjar	Caprimulgus europaeus	✓	Red List	Rare passage migrant.	
Oystercatcher	Haematopus ostralegus		Amber List		Cork Harbour SPA
Peregrine Falcon	Falco peregrinus	✓	Green List	Widespread. Dramatic declines in 1950's and 60's but has since recovered and now increasing.	Sheep's Head to Toe Head SPA
Pintail	Anas acuta		Red List	Winter visitor; localised - mainly Cork Harbour.	Cork Harbour SPA
Pochard	Aythya ferina		Red List	Winter visitor. Localised.	
Puffin	Fratercula arctica		Amber List		The Bull and the Cow Rocks
Razorbill	Alca torda		Amber List	Breeding species; Old Head of Kinsale largest in country.	
Red Grouse	Lagopus lagopus scoticus		Red List	Distribution restricted to North Cork mountains. Rare in Cork.	
Redpoll	Carduelis flammea		Green List	Locally common and winter visitor.	
Redshank	Tringa totanus		Red List	Common winter visitor. International important numbers found in e.g. Cork Harbour.	Ballymacoda Bay SPA, Blackwater Estuary SPA, Cork Harbour SPA
Reed Warbler	Acrocephalus scirpaceus		Amber List	Migratory, summer visitor. Only at Ballyvergan Marsh and Ballycotton.	
Red-breasted Merganser	Mergus serrator		Green List	Coastal waters, lakes; Cork Harbour, Courtmacsherry Bay.	Cork Harbour SPA, Courtmacsherry Bay SPA

CHAPTER 5
**SCENIC ROUTES
- VIEWS AND
PROSPECTS &
SCENIC ROUTE
PROFILES**

Chapter 5 Scenic Routes - Views and Prospects & Scenic Route Profiles

Introduction

- 5.1.1 The overall planning policies relating to landscape in County Cork are set out in **Volume One Chapter 14 Green Infrastructure and Recreation** of the Plan. The specific policies relating to general views and prospects/scenic routes are set out in Section 14.9 and include objectives GI 14-12 "General Views and Prospects", GI 14-13 "Scenic Routes" GI 14-14 "Development along Scenic Route" and GI 14-15 "Development on Approaches to Towns and Villages". The profile of scenic routes for the county is set out in this chapter.

CHAPTER 5

SCENIC ROUTES
- VIEWS AND
PROSPECTS &
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PROFILES

Chapter 5 Scenic Routes - Views and Prospects & Scenic Route Profiles

Introduction

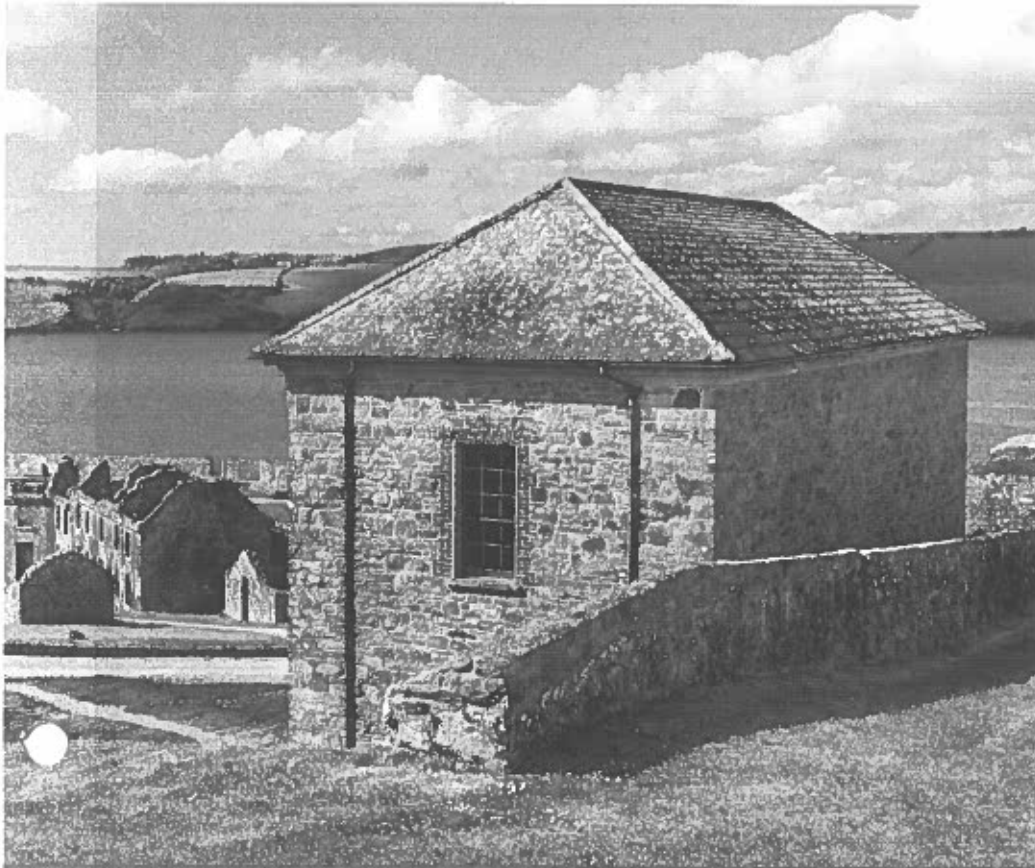
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Table 2.5.1 Scenic Routes – Views and Prospects and Scenic Route Profiles

Scenic Route	Does Route Run Through or Adjoin High Value Landscape	Does the Route adjoin a NHA, pNHA, cSAC or a SPA or pSPA	Landscape Type(s) Route Runs Through	Overall Landscape Value	Main Features of Land Cover	Description & General Views Being Protected	Structures of Historic or Cultural Importance Visible from Route	Key Characteristics of Land Use	Is There a Sense of Remoteness as you Travel the Route?	Rural Character
S108	Yes	SAC Reen Point Shingle	Type 4 Rugged Ridge Peninsulas	Very High	Rock & vegetation	N71 National Secondary Route, R591 Regional Route & Local Road from Bantry via Durrus and Anakista to Kicrohane Views of Dunmanus Bay & Islands, the Mizen Peninsula, & the Cahir, Seefin, Rosskerrig & Knock-booleenagh Mountains	Tower at Kicrohane & views of old warehouses	Agriculture & settlement	Yes	Prevalent

Table 2.5.1 Scenic Routes – Views and Prospects and Scenic Route Profiles

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S109	Yes	pNHA & SAC Sheep's Head	Type 4 Rugged Ridge Peninsulas	Very High	Rock & vegetation	Local Roads around Caher Mountain & to Sheep's Head Views of Dunmanus Bay, Bantry Bay, Atlantic Ocean, Sheep's Head, Bear Island & Ballyroon, Caher & Seefin Mountains	No Information Available	Agriculture & settlement	Yes	Prevalent



VOLUME SIX MAPS

6



CORK COUNTY DEVELOPMENT PLAN 2022



Comhairle Contae Chorcaí
Cork County Council

Home > Acts > 1997 > Fisheries (Amendment) Act, 1997

Fisheries (Amendment) Act, 1997

Chapter II

Appeals to Board

Appeals against decisions of Minister on aquaculture licence applications, etc.

40.—(1) A person aggrieved by a decision of the Minister on an application for an aquaculture licence or by the revocation or amendment of an aquaculture licence may, before the expiration of a period of one month beginning on the date of publication in accordance with this Act of that decision, or the notification to the person of the revocation or amendment, appeal to the Board against the decision, revocation or amendment, by serving on the Board a notice of appeal.

(2) A notice of appeal shall be served—

- (a) by sending it by registered post to the Board,
- (b) by leaving it at the office of the Board, during normal office hours, with a person who is apparently an employee of the Board, or
- (c) by such other means as may be prescribed.

(3) The Board shall not consider an appeal notice of which is received by it later than the expiration of the period referred to in *subsection (1)*.

(4) Where an appeal is brought under this section and is not withdrawn, the Board shall, subject to *subsection (5)*, determine the appeal by—

- (a) confirming the decision or action of the Minister,
- (b) determining the application for the licence as if the application had been made to the Board in the first instance, or
- (c) in relation to the revocation or amendment of a licence, substituting its decision on the matter for that of the Minister.

(5) The Board shall not determine an appeal as provided in *subsection (4)(a)* except in circumstances referred to in *section 48*, *51* or *52*.

(6) The determination under *subsection (4)(b)* or *(c)* of an appeal shall annul the

decision or action of the Minister immediately the determination is made.

(7) Section 7, with the necessary modifications, shall apply to and in relation to the determination under *subsection (4)(b)* of an application or so far as it relates to an amendment of a licence as referred to in *subsection (4)(c)*, as it applies to and in relation to the determination by the Minister of such an application or the amendment of such a licence, as the case may be.



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Fisheries (Amendment) Act, 1997

Power of Board to request submissions or observations on the party or person a notice—

46.—(1) Where the Board is of the opinion that, in the particular circumstances of an appeal, it is appropriate in the interests of justice to request a party or other person who has made submissions or observations to the Board in relation to the appeal to make submissions or observations in relation to any matter which has arisen in relation to the appeal, it may, in its discretion, notwithstanding *section 41 (3), 44(4), 45(4) or 50(4)*, serve

- (a) requesting the party or person, within a period specified in the notice (being not less than 14 or more than 28 days beginning on the date of service of the notice) to submit to the Board submissions or observations in relation to the matter, and
- (b) stating that, if submissions or observations are not received before the expiration of the specified period, the Board will, after the expiration of that period and without further notice to the person, pursuant to *section 48*, determine the appeal.

(2) A party or other person shall not be entitled to elaborate in writing on submissions or observations made in response to a request under *subsection (1)* or make further submissions or observations in writing in relation to the matter concerned, and any such elaboration, or further submissions or observations shall not be considered by the Board.

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Fisheries (Amendment) Act, 1997

PART IV

Miscellaneous

Matters to which licensing authority shall have regard in determining aquaculture licence applications and appeals.

61.—The licensing authority, in considering an application for an aquaculture licence or an appeal against a decision on an application for a licence or a revocation or amendment of a licence, shall take account, as may be appropriate in the circumstances of the particular case, of—

- (a) the suitability of the place or waters at or in which the aquaculture is or is proposed to be carried on for the activity in question,
- (b) other beneficial uses, existing or potential, of the place or waters concerned,
- (c) the particular statutory status, if any, (including the provisions of any development plan, within the meaning of the Local Government (Planning and Development) Act, 1963 as amended) of the place or waters,
- (d) the likely effects of the proposed aquaculture, revocation or amendment on the economy of the area in which the aquaculture is or is proposed to be carried on,
- (e) the likely ecological effects of the aquaculture or proposed aquaculture on wild fisheries, natural habitats and flora and fauna, and
- (f) the effect or likely effect on the environment generally in the vicinity of the place or water on or in which that aquaculture is or is proposed to be carried on—
 - (i) on the foreshore, or
 - (ii) at any other place, if there is or would be no discharge of trade or sewage effluent within the meaning of, and requiring a licence under section 4 of the Local Government (Water

Pollution) Act, 1977 , and

(g) the effect or likely effect on the man-made environment of heritage value in the vicinity of the place or waters.



Statement from Peter and Fidelma Downs

[REDACTED]

Regarding the granting of an aquaculture licence to Bantry Marine Research Station Ltd to farm miscellaneous aquatic plants at the foreshore adjacent to Dooneen Pier, on the north shore of Dunamans Bay, Co. Cork.

We are presently residents in Ahakista but have for over 20 years visited this area of West Cork with our family.

Dooneen Pier has been one of the family's 'happy' places for diving and birdwatching. It is a tremendous amenity for the Wild Atlantic Way and Sheep's Head Way which encourages visitors to the area.

We are concerned that the planned commercial activity (albeit for aquaculture and with eco credentials) at the pier will cause the pier to deteriorate and be less aesthetically pleasing. Also, more importantly, the works and the associated commotion may drive away both bird life from the cliffs there and sea life such as the dolphins and seals we have seen in these waters. The marker buoys and lights will be a hazard and will detract from the natural beauty of the area.

Road access to the pier is narrow: all the staff involved in the cultivation and harvesting must travel down to the pier by this route in order to check on the 'farm' together with the transportation of the harvest by larger vehicles - this creates both a hazard and a burden upon this road.

We request that the Minister reconsider the siting of this aquaculture licence - the cultivation may well have a value in both ecological and monetary terms but there is great risk to the natural and historical amenities at Dooneen Pier and its waters – which in themselves are priceless.

Thank you for your attention.

Fidelma and Peter Downs

17 December 2022

Tourism is of utmost importance to the local economy with several families in the Kilcrohane area dependent upon it in one form or another for supplementary income. The financial benefits from local tourism should not be underestimated as it enables families to remain in the locality and help keep rural Ireland populated.

The main attraction of this area to tourists is the natural unspoilt beauty of both the land and the sea together with the abundance of flora, fauna, marine, bird and wildlife. The visually intrusive takeover of such a scenic location that this licence (TOS/640A) will permit will undoubtedly result in Dooneen becoming off limits to tourists at certain times of the year – i.e. when the seaweed is being harvested and transported, with the resultant loss of income to the local families who depend upon income from tourism - holiday home owners, B+B operators, bars, shops, restaurants, cafes, etc.

We believe that areas such as Dooneen need to be nurtured and protected from the ecological and environmental impact of commercialisation and we would like to see the entire coastline of the Sheep's Head Peninsula designated an 'Area of Conservation of Nature and Biodiversity' by the EU who are striving to have all its member countries designate at least 30% of their coastlines for conservation and biodiversity.

There is a place for this type of aquaculture in our waters – we acknowledge this – but not at Dooneen which is an unsuitable location for many reasons; some cited above. It is a designated Special Area of Conservation (SAC); a green coast beach and part of the renowned Sheep's Head Way (one of Ireland's most prestigious and scenic walking routes). But first and foremost, it is an incredibly beautiful area that needs to be preserved and enjoyed by not just us but by the generations to follow.



Dooneen Pier

Submitted by Noel and Elaine Spillane,



Niemann Family

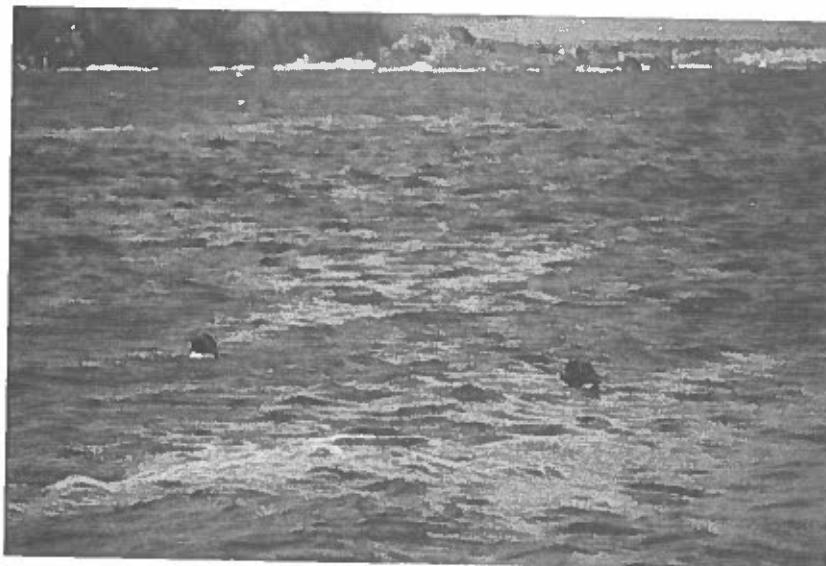
Statement

We are residents of Dooneen. Our home is right off the narrow road which would become the throughway of the proposed aquaculture development at Dooneen Pier. This single-lane road is the vein that links the neighborhood, serving as a safe passage to the sea for neighborhood children (including our son) and adults of all stripes (hikers, dog walkers).

We strongly object to the granting of the aquaculture license in Dunmanus bay at Dooneen Pier. While we do not have issues with aquaculture in general, the logistics and location of this development at Dooneen Pier are simply wrong for the following reasons:

1. **Failure to account for protected species around Dooneen Pier such as Dolphins and Seals:**

During our daily family strolls to the pier and around Dooneen Island, we have spotted frenzied pods of dolphins swimming in and around the area of the proposed development, not to mention seals and their pups. Any commercial activity around this area could threaten or drive away these populations. Attached is a photo of seals swimming to the east of the Dooneen Peninsula, Southeast of the Pier directly in the area where the proposed development would be located)





2. **Road Safety:** Commercial activity to transport seaweed threatens the safety of users of the road – namely small children. The road is simply too narrow, too curvy, and too hilly for commercial traffic. There are multiple blind spots on the road due to sudden steep inclines which could be lethal if a speedy lorry hauling tons of seaweed met a small child at an unfortunate spot.
3. **Disruptive traffic:** As stated already above, the single lane road is unsuitable for commercial traffic to the point that even the garbage and recycling trucks will not come down to collect bins. We have to pull our bins by foot for 1/3 of a mile to the nearest adequate turning point for a refuse truck. Meeting a neighbor or oncoming traffic at points requires drivers to play a game of chicken to determine who will back up to the nearest point (again, in some areas between 1/3 to ½ mile) so the other driver can pass.
4. **Amenity Loss for our rural local community:** Dooneen Pier attracts fisherman, sea swimmers and walkers year-round thanks to the balmy West Cork climate. But for those of us who live in the area, it is a lifeline to sea activity. Myself and a handful of other neighbors are sea swimmers and Dooneen Pier is our entryway. Commercial activity would rob us of our safe space to swim as the pier would be inundated with storage tanks for the kelp or the the waters busy with boats maintaining or harvesting the aquaculture.

I would also like to note that at no point in time, did Bantry Marine Research bother to reach out or consult with the affected residents along this small neighborhood road – 7 households. In conclusion, we believe this development is completely ill-suited for the location based on environmental and safety concerns.

Thank you for your consideration in this matter.

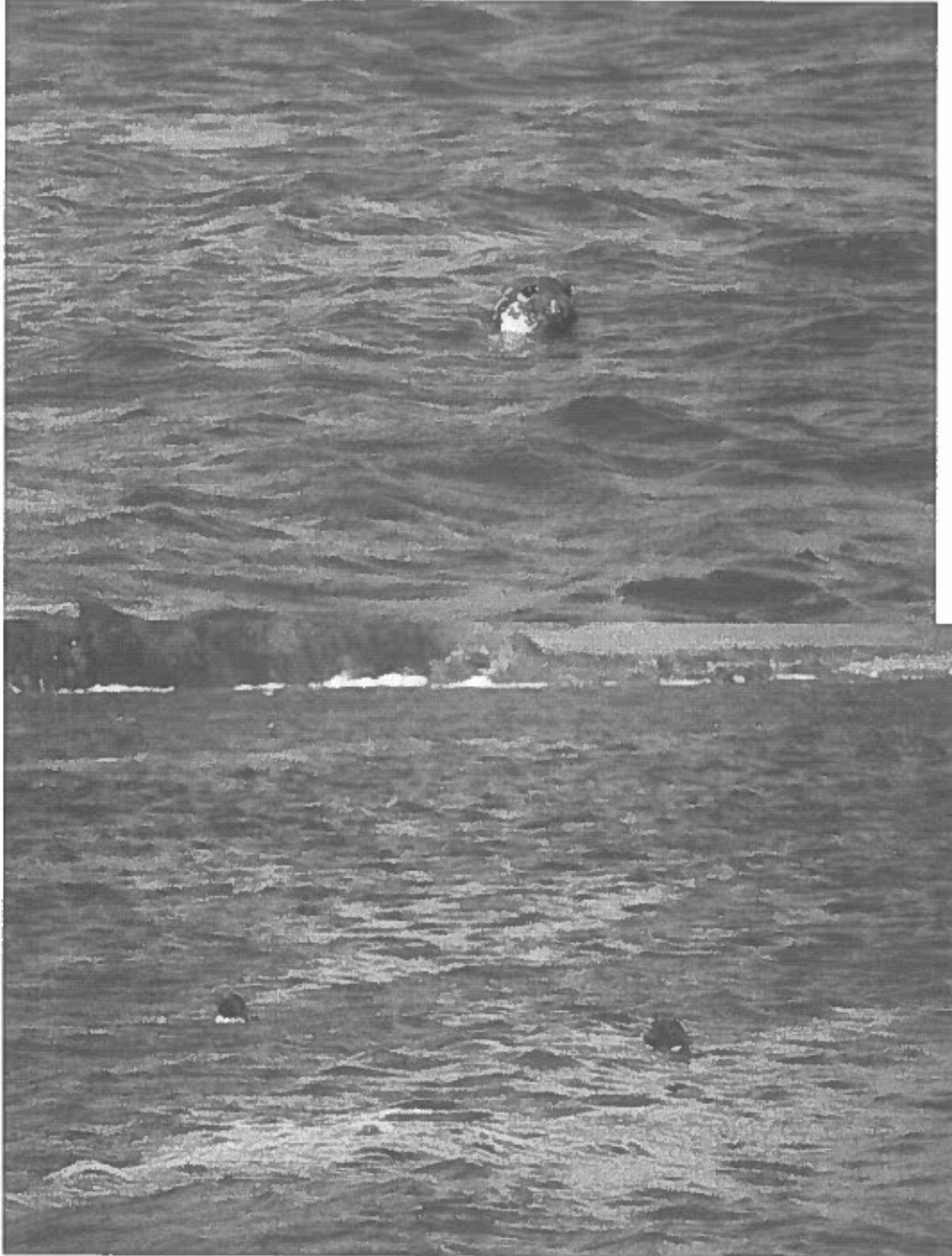
Sincerely,

Amy, Axel, and Connor Niemann [REDACTED]

From:
Subject:
Date:
To:
Cc:



Liz and Gerry Daly's cliffs visible behind pair of seals



18 Dec 22



Minister,

We respectfully request that you review the decision to grant a licence for the farming of seaweed in the area of Dooneen Pier, Kilcrohane. While we are supporters of seaweed farming, we do not believe that this location is suitable. We believe it will cause irreparable damage to the wildlife and that the access to the pier is not suitable for the increase in heavy traffic that the operation of a commercial venture from Dooneen pier would incur.

We live a kilometre and a half from Dooneen pier and are regular users of the pier. We believe that the use of the pier for the commercial growing and harvesting of seaweed would be damaging to the wildlife and make the pier unusable for the local population such as ourselves.

Dooneen pier provides a safe and accessible Mackerel fishing location during the summertime. The fact that there is a plentiful supply of fish may be a contributing factor to the abundance of wildlife in the area. Pollack, Wrasse, Ling and Bass are also fished from the pier.

From a wildlife point of view, we have seen Dolphins and Minke whales swimming close to Dooneen pier. We believe that the establishment of commercial anchor points for commercial seaweed growing ropes will make the area untenable for Dolphins and Whales as well as Porpoise and Seals.

We have seen Otters, swimming and on land, in the areas of Kilcrohane pier to the East and Trá Ruaim pier to the West. We have seen Otters swimming off Dooneen Island. We believe the establishment of a commercial seaweed growing operation along with the servicing of the site from Dooneen pier would have a negative impact on the ability of the Otters to fish in this area. The abundance of Sea Urchins in the vicinity of the pier as well as other fish make it an ideal location for Otters to frequent.

There are a wide variety of sea birds observable in the area. The small reef of rock off the pier is a favourite landing point for several species of Gull as well as Oystercatchers, Cormorants and Shags. The Chough in the area tend to favour the higher rocky outcrops surrounding the pier itself.

We believe the use of the pier for commercial purposes poses a substantial risk to the blue flag status of Dooneen pier. The water quality which is regularly checked is the best along this stretch of coastline. The increased use of the pier by vehicles and working boats will have a negative impact on the site.

This pier is the only pier on the Peninsula that can be "jumped" at any tide due to the depth of water as well as the absence of commercial boats which provide obstacles to access as well as the inevitable oil and diesel leaks. As parents ██████████ this is one of the few natural amenities suitable for local children during the Summertime. The quiet nature of the laneway down to the pier from the Sheep's Head Way makes it safe for young and old to walk the laneway.

The pier is the best swimming location on the Sheep's Head due to the sheltered nature of the inlet next to the pier. It is ideal for snorkelling and diving as well. We believe the use of the pier for commercial purposes would be detrimental to the current use of the pier.

The pier at Dooneen is without doubt the best on the peninsula for observing the naturally occurring phosphorescence at night. We believe that increasing the commercial activity at the pier would make this untenable in the future.

While the current use of the pier does not support any one large business venture it definitely does support a myriad of smaller local businesses. The popularity of the pier as it currently stands ensures a steady stream of day trippers who all contribute in a small way to the local economy if only for the occasional sandwich, cup of coffee or bottle of coke.

The unspoiled beauty of the area is why the area was awarded the title of European Destination of Excellence. The many guesthouses, rental properties and guest cottages rely heavily on this unspoiled beauty to ensure a steady stream of environmentally aware visitors.

The awarding of a license to establish a commercial seaweed venture at Dooneen without a proper survey or consultation with the local population was a mistake. We believe it is only right to correct this by revoking the license in favour of finding a more suitable site to ensure less impact on the wildlife and local population.

Sincerely,

Michael O' Brien & Fiona Creaven.

18/12/2022

Dear Minister

I would ask you rethink your decision to allow seaweed farming at Dooneen pier.

I like going to Dooneen pier with my family.

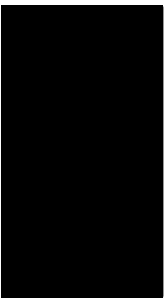
I like jumping off the pier and snorkelling but if the seaweed farm was there, I would not be able to do that and lots of people like to go fishing there but if the seaweed farm was there they would not be able to enjoy their hobby.

It would also disturb wildlife such as Otters, Seals, Dolphins, Whales, Seagulls and Choughs.

This summer me and my Dad swam over to the stony beach at Dooneen and we found treasure on the beach. We brought it over to the pier and back home and plan to hang it on our wall in the garage.

Sincerely,

Seán 



Kenton Muschenheim



“Big lorries coming up and down the small lane to Dooneen Pier will pose a grave danger to local people & tourists walking and cyclin. That lane is too small for big lorries. Also, Dooneen Pier is a recreational space not designed for commercial activity. “

From: Elizabeth O'Mahony [REDACTED]
Subject: Dooneen objection
Date: 16 December 2022 at 21:14
To: [REDACTED]



DETERMINATION OF AQUACULTURE LICENSING APPLICATION - T05/640A
Dooneen, Kilcrohane, Bantry

OBJECTION

Liz O'Mahony
[REDACTED]

I wish to object to the proposed kelp development at Dooneen on the following grounds:

Impact on the pristine conditions, both marine and surrounding area of the pier.

Visual impact of the development when viewed from land, pier and from the sea.

Impact on local wildlife including, but not limited to, protected species like dolphin, chough and peregrine falcon. I grew up in Kilcrohane - and have recently returned to live in the area - and I spent many happy hours in the clear waters, on a boat or swimming, between Kilcrohane and Dooneen Piers.

Dooneen is a well-known pier for sea fishing. The fact that fish like mackerel, pollock, wrasse and conger eels are regularly caught from the pier is a clear indication that there are larger fish/animals in the food chain who have a ready food source are abundant in the waters around the pier.

Over the years I have personally seen minke whale, basking shark, dolphins, porpoises, and seals in the area and any development which might cause detriment to any animals in the food chain should not be put into place. The profusion of seabirds - gannets, gulls, Artic terns etc are also there in abundance - and this can only be because the current conditions of the waters in the Bay and around Dooneen pier are feeding areas.

Any man-made intrusion, particularly on the scale proposed, is likely to disrupt the delicately balanced status quo.

The proposed harvesting period - whether March/April or in later months depending on the weather - will have a significant impact on the traffic through the village of Kilcrohane. The village has a primary school and the traffic would also pass by the village playground.

The access road to/from the pier at Dooneen is unsuitable for two cars passing let alone having trucks making multiple journeys.

The area of the proposed development is currently unspoilt. ANY development on the scale proposed will have a visual impact when viewed from the land, the pier and from the sea.

The pier is currently used, year round, by fishermen, anglers, kayakers, paddleboarders, divers and sea swimmers. The nature of the timing of kelp harvesting will render the pier "out of bounds" to the above users.

I am a keen sea swimmer. The conditions in Dunmanus Bay are utterly unique and beautiful. Please, therefore, leave a beautiful place as it is.

Thank you.

Elizabeth O'Mahony

From: Elizabeth O'Mahony [REDACTED]
Subject: Dooneen Kelp - Storehouse
Date: 19 December 2022 at 14.56
To: [REDACTED]



My name is Elizabeth O'Mahony and I object to the proposed kelp farm at Dooneen.

I am the registered owner of the former storehouse at Dooneen Pier. I do not know the dates of operation of the fishery activity at Dooneen Pier but likely to be from c1870 to c1905.

The storehouse overlooking Dooneen Pier (now a ruin) was used for all fishery related activities activities, including storing barrels used in fish processing.

I expect that ships loading/unloading took on provisions at this location.

The store was likely to have been used for ballast materials, imported coal and other inward bound goods and secure storage of equipment.

Possible that the 'branding' (by stencil) of the barrels also done at this location.

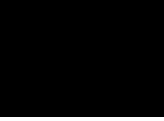
Elizabeth O'Mahony
C/o Number Two
Kilcrohane
Bantry
Co Cork

Sent from my iPhone

From: Elizabeth O'Mahony [REDACTED]
Subject: Dooneen Kelp - Objection
Date: 18 December 2022 at 15:07
To: [REDACTED]



Reg Lloyd



I wish to object to the proposed kelp development at Dooneen on the following grounds:

1. The adverse impact on the marine environment
2. Adverse impact on Tourism. Denial of public access to Dooneen Pier during the holiday season
3. Adverse impact on the Sheeps Head Way walking route
4. The road to Dooneen Pier is not suitable for regular use of heavy commercial vehicles.

Marine Environment

I live in Kilcrohane. Over the past 40 years I have always taken my holidays on the Sheeps Head Peninsula. I am a keen sea kayaker and in the area around Dooneen Pier I have regularly seen seals, dolphins, cormorants and occasionally humpback whales and otters. I believe a family of otters live in the area around Dooneen Pier.

If the proposed kelp farm goes ahead this will have a serious adverse effect on the marine environment at Dooneen Pier and in Dunmanus Bay.

Tourism

Tourists come to the Sheeps Head Peninsula for its remoteness and natural beauty. They come to walk, fish, swim, go boating and to enjoy its rural charm.

The deployment of scores or hundreds of buoys off Dooneen Pier would have a devastating effect on the tourist experience. If kelp is harvested on the pier during April and May the Pier would not be accessible because of the commercial activity taking place.

This would effectively ruin tourism over Easter and the early May holiday. If harvesting was delayed by adverse weather (which is likely) the early June holiday would also be ruined.

Sheeps Head Way/road to Dooneen Pier

The road from Dooneen Cross to Dooneen Pier is a Boreen that forms part of the Sheeps Head Way. It is a single track road with no designated passing points.

It is difficult enough to drive a car to Dooneen Pier, this single track road is wholly unsuitable for commercial vehicle use.

I understand that over 100 tons of kelp will be transported from Dooneen Pier. This will mean that 200 round trips will need to be made using commercial vehicles during April and May (and possibly June). This would cause a public nuisance, cause road blocks and severe traffic problems, particularly over Easter and the May and June Public holidays.

These commercial vehicles will prevent persons safely walking, cycling and driving to Dooneen Pier.

In my view a proper "impact assessment" needs to be carried out on these matters as soon as possible.

Reggie Lloyd

Sent from my iPhone

FAO Dr. J Burchill

**Bantry Marine Research Station
Gearhies,
Bantry,
Co. Cork,
P75 AX07**

Dear Dr. Burchill,

Re: Objections and Risks arising from your Proposed Industrial Seaweed Farming Venture for Dooneen Pier in Dunmanus Bay

As householders on the road to, and long term users of, Dooneen Pier and surrounding waters, my family and I believe we could be described as stakeholders and could reasonably expect some sort of consultation on your proposal for the site you have chosen at Dooneen Pier in Dunmanus Bay. So my first observation is that you are attempting to carry out this project in an effectively covert way by making absolutely no attempt to contact individual stakeholders along the road to Dooneen pier. Our house is visible from the road, evident on Google Maps for anyone who hasn't the time to physically visit the location and has a letter box on both the gate and another in the front door. Yet I am thus far unaware of any attempt to consult, much less directly engage the nearest and most at risk stakeholders.

First I'll record our objections as the first private domestic dwelling on that road to the pier. Note this summary includes the same issues that saw an application for fish farming based on the pier refused/overturned over a decade ago. Since that refusal, the access road and pier infrastructure are unchanged.

We believe it would be a very negative development for the area generally and for us personally. Seaweed Farming would destroy the pristine appeal of a completely pure and unspoilt tourist attraction generally. It would also have a material and negative effect on the value of our house, our enjoyment thereof and seriously impact safety at the location due to the scale and frequency of heavy transport along with associated polluting fumes and noise during peak harvest months as well as for ongoing maintenance. Our kitchen and living room are less than ten meters from the road so noise and vibration would be very significant even indoors, let alone while enjoying our garden or patio areas. Neither should the potential for damage due to vibration induced subsidence be overlooked.

The pier road is extremely narrow and our entrance is quite blind so the risk of a collision while driving out would rise very significantly with the volume of commercial traffic your venture would bring. This risk is already significant as our house is on a down slope straight section of the road.

Furthermore, I routinely enter and exit our gateway with a large boat which requires some complex maneuvering and approximately a 25 point turn. This is never an issue with current traffic levels but your added activity would definitely cause problems.

The walk up and down to the pier is effectively a daily ritual in our house. It is a pleasure usually enjoyed with little or no vehicular traffic at most times of the year. The road is so narrow that even meeting a car when walking requires patience and care for both parties and almost the entire length of the road does not even have space for a pedestrian to step off the road to allow a small to medium sized car to get past. Tractors or HGVs hauling 1 Tonne FBCs or similar would be manifestly dangerous for all pedestrians and would be totally inconsistent with the safe accessibility currently enjoyed by us, other stakeholders on the pier road and indeed all those tourists and walkers drawn to the area by the Sheephead Way of which this road is a very popular section.

There are several extremely tight and/or extremely steep turns where driver visibility is very restricted. These become much more hazardous with larger vehicles and that's before you are operating them under commercial pressure. There have been collisions and a delivery van during Covid is the most recent one I'm aware of at one of these typical pinch spots.

The road to the pier is also popular with cyclists and the unacceptable increase in risks to them - and I include my family and as cyclists - from your venture as detailed above would be every bit as serious.

It's also important to note that the school bus stops at the main road and at least three houses on the pier road have children walking up and down to that bus every single school day. It is one of the attractions of rural living that it is both safe and pleasant for them to do so. Clearly they would be at risk as above if your farm was to proceed.

The junction of the pier road with the main road is very tight as both roads are narrow. Worse still it is effectively blind for traffic approaching from the West over a sharp crest in the road. Adding your volumes of slow moving heavily laden commercial traffic to that junction is going to virtually guarantee serious accidents occurring with East bound traffic. That's just simple probability in practice.

The road to Dooneen Pier was built centuries ago to support horse and cart traffic - primarily for transport of coal from the coal store (just four walls now) near the pier. It runs through a predominantly bog type terrain offering poor foundations with no lateral containment of the foundations and is patently unsuited to carry the weight of commercial traffic. This is not, unfortunately, just my opinion but an established historical fact. When the pier was resurfaced and made safe from loose rock some years ago, the readymix cement trucks caused massive subsidence and pothole damage to the road along it's entirety which took years to have rectified. That project only required a tiny number of trucks over a day or so but the damage to the foundations and fabric of the road are visible to this day.

Several other houses along the road are built within a few meters of the road and so would be subject to all the same potential risks and degradation as I have outlined for our house. In fact, some are even closer to the road with a higher nuisance value and with older construction

techniques' represent an even higher risk of potential subsidence from frequent and unprecedented heavy commercial traffic.

The second group of issues, objections and concerns I will outline from my perspective as a long term water user with Dooneen pier as my home base continually since 2005.

For over 16 years at least I maintain a single point mooring a few meters South of Dooneen Pier and I regularly moor alongside to the pier for embarking/disembarking and loading for longer trips. I also moor alongside for short term and overnight stays in calm weather. Leisure activity like that on such a small pier is not safely physically compatible with frequent, if not continuous, commercial access and loading/unloading of tonnes of bulky material. When my boat is on its mooring, I access it with a small dinghy. Again not physically safe or compatible with commercial farming/boating activity.

I often leave my car parked safely on the pier especially if on a long distance trip to Cape Clear, Beara or even the Blaskets. Given the extremely limited space for parking, the risk of damage to my, and other tourism or leisure associated, vehicles by heavy commercial traffic to, from and around the pier would be unacceptably high and likely uninsurable.

The pier is also a popular spot for pier jumping, swimming, kayaking, snorkelling and fishing - all of which I, my family, extended family and friends engage in regularly and have done so continuously since 2005. Space is very limited on the pier with room for a safe maximum of six carefully parked cars. There is no room for any bigger vehicles to operate safely, much less manoeuvre for loading activity and heavy material handling. Because several activities e.g. pier fishing are effectively a year round activity and occasionally nocturnal, there is no foreseeable time when the type of commercial and heavy vehicle activity could possibly withstand a safe practice evaluation. As an engineer I think it is extremely unlikely any insurer would provide cover for such activity with the general public - of all ages- in such close and unrestricted proximity.

Anywhere there is sea farming, the pier becomes a staging area as it's highly unlikely your operation would fill a single container and transport it away from the pier and then move on to filling the next one. See Durrus or Bantry piers with large bulk containers often stacked thereon. In other words some part of the limited space on the pier will likely be used for staging. This would be hazardous to all leisure users, tourists, and likely further restrict the already minimal turning space. Frankly it is inconceivable that this operation could be carried out safely with members of the public anywhere on the pier or that any commercial insurance policy would cover such a situation. There is simply not enough space to have any, much less an adequate, safe buffer zone while unloading a commercial boat onto a transport vehicle. That is unless you believe you can close off the pier from the public during your loading or maintenance operations.

Photo showing the narrow single track road limited parking with just four cars and a fishing shelter and clearly no room for safe commercial material handling or even safe vehicle turning. Note also the snorkeling activity and the cave North of the pier from which kayakers, divers and swimmers can suddenly appear.

<image.png>

Because the location can be sheltered from Westerly component winds -but not swells of which more anon - it is also a popular spot for training divers as well as more experienced divers looking to clock 20m annual log book dives without needing a boat. Such groups can easily

mean 8-10 cars trying to park on the pier - especially in the early season when re-qualification dives are necessary. This likely coincides with your peak activity time. From a public perspective, there will undoubtedly be a reduction in available space because of your activity. From your perspective, your equipment and access would definitely be compromised and I speak from experience. It's not unusual to find the pier so packed with cars including back up along the road, that I've have had to reverse and park up on the space on the Western side. These cars often belong to people who are in the water for as much as an hour and I cannot see that obstructed access being compatible with your proposed commercial activity.

Continuing on the diving topic, I'm a certified Dive Coxw'n so I'm acutely careful navigating in and out of the Dooneen Pier area because there are often divers in the water. Few if any trail SMBs so the only way to minimize the risk of a serious collision with divers - often trainees or foreign tourists - is to manoeuvre very slowly and carefully. Again not consistent with profit focused commercial activity and the load rate I'd expect when seaweed harvesting. Furthermore, I operate a RIB - designed for optimum helmsman visibility of people in the water whereas no commercial vessel capable of harvesting seaweed could possibly be as safe or as responsive around unpredictable leisure users - be they divers, snorkellers, kayakers or simply swimmers - of all ages.

Regarding the extensive area proposed to be taken for the farm itself, this is precisely the area I've been using since 2005 for water sports with extensive video and photos since 2005 showing that exact area in use for fishing, kayaking, wake-boarding, water-skiing and tubing. This is a matter of record as previously raised in objecting to the refused Fish Farm "We are regular and continuous users especially during April to November for multiple water-based activities in the waters East and South of Dooneen Pier and all around Dooneen Point/Carraig na gcapall." and remains as relevant today.

Here's a young tourist kayaking in 2021 at the exact proposed and currently pristine location with several hidden coves in the background and then a local boat potting in the same waters East of Dooneen Pier -photographed from the SheepsHead Way on CarraignacCapall. There are always pots in that area. Except in the depths of Winter -when they would be destroyed.

<image.png>

<image.jpeg>

Photo of my boat in 2007 on a typical watersports circuit right on the proposed location - an activity we still enjoy to this day. It also shows the unspoiled beauty of the cliffs at Dooneen. FYI the song titled "the Cliffs of Dooneen" refers to imaginary cliffs but these are the real Cliffs of Dooneen.

<image.jpeg>

I regularly visit/use other piers and it's frequently evident that the water and physical infrastructure around commercially operated piers frequently, if not inevitably, succumbs to a persistent level of contamination by commercial detritus and marine lubricants. This is why you'll see people picnicking and spending a whole day with families on Dooneen Pier and similarly Kilcrohane but not on Ahakista Pier nor Durrus Pier. The latter are both used commercially and both - while very well maintained by commercial standards -exhibit unpleasant smells of rot along with plenty of the detritus typical of commercial operations. Your own base at Gearhies pier shows further examples over the years of what commercial activities

do to a pier making it not just unsafe but unattractive for leisure use with equipment either abandoned or waiting for repair or recycling. Durrus and Bantry pier also typically have bulk containers of farming equipment or organic material staged waiting for collection and are both unsightly and frequently an olfactory assault on the senses. Dooneen on the other hand is absolutely pristine and kept that way by local volunteers and is never at risk of oil contaminants building up such as seen in this photo of Ahakista Pier.

<image.jpeg>

Another persistent issue I've witnessed and is an inevitable part of any sort of commercial cultivation activity, is wear and tear combining with storm activity resulting in bits of rope, moorings and buoys entering the marine environment. Worse because of the particularly jagged coastline around Dunmanus and Dooneen this flotsam and jetsam originating either from very sheltered mussel farms many miles further up the bay or indeed from adjacent bays, winds up lodged into inaccessible inlets, crevices and caves. Even the shingle beach adjoining Dooneen Pier like many in the area, is completely inaccessible from land and only with difficulty from the sea by swimming or rubber dinghy. There are no ropes or buoys that will not succumb to UV degradation and eventually fail. That is before factoring the violence of the storms in Dunmanus Bay which this site endures regularly.

All of this would inevitably compromise the visual appeal and fragile ecosystem of the area and indeed the wider Dunmanus Bay area but especially the prized Green Flag awarded to the Pier.

Which brings up another major fundamental flaw in the proposed farming site which is described as "sheltered". This is a patently erroneous conclusion only possible from someone who has not observed what weather with any Easterly component can deliver in to the Area East of Dooneen Pier -especially during Winter months when Easterlies are common. There is a very substantial fetch of 5, and more, Nm up Dunmanus Bay allowing very big, short period waves build up to pound that shoreline and the farm location. In fact there's a minimum fetch of 2.5Nm all the way round to SSW which is more than enough for such destructive waves and chop to build up in big winds. From the days of the early British Admiralty charts that area is known to offer no safe shelter in winds with any Easterly component. There is a clear line of sight down the bay with nothing to impede or attenuate an Easterly swell building to very significant heights. Short steep swell is the most destructive for moorings, especially in the relatively shallow area of your proposed activity. This "jogging action will be amplified by the large high buoyancy floats and also the huge water resistance from seaweed covered ropes. It is inevitable that some will be torn loose and forced deep into the surrounding rocky shoreline in the form of pieces of shredded rope and broken mooring buoys. I occasionally see this sort of plastic pollution when navigating the surrounding waters and have on occasion used a kayak to retrieve some of this rubbish. But there are areas where fishing and similar buoys have been and will remain lodged in rock faces, caves and crevices and currently that's just from distant fishing boats or farms. This marine farm originating litter has been a known issue in Bantry Bay and has been the subject of significant efforts over the years to clear the shoreline of such rubbish. Your activity would cause a massive concentration of long-lived plastic pollution in very visible but frequently irretrievable places. This has implications for both the visual amenity but also in the destruction of nesting places for Shags, Cormorants and all the many seabirds that breed in the area.

<image.png>

Again any proposal to farm this area has neglected to observe the way the seas behave in this location during regular gales and storms from the prevailing Southwesterlies. On a chart it may look like there is a lot of shelter from Southwesterlies from Dooneen Point. However this is not

the case in practice. Because of the nature and topography Atlantic Swells refract right around Dooneen Point and as the water depth shallows round the point, the waves are forced to rise - as shown on the chart "Breaks" which also accelerates the waves round the point and into the proposed farming area with significant destructive energy - likely catastrophic for any infrastructure especially in a full on sustained Storm, of which there are many in winter.

A related point is that Dooneen Pier - essential for maintenance access- suffers even more. The refracted waves as the tide fills can enter the cove beside the pier round the Western end of Illaunglas South of the pier. This often results in a very large swell at the pier which can and does break over the pier itself.

<image.png>

Below showing a mild Westerly swell refracting North round Dooneen Point. Also highlighted the gap at the Western end of Illaunglas

<image.png>

<image.png>

Note below in a big Westerly swell there is white water in the most sheltered parts inside Dooneen Point and a breaker rolling East in by Dooneen Pier meaning the farming site further East will be getting hit even harder

<image.png>

A sub-surface wall was constructed sometime after the pier itself across what is actually the entrance to a sea cave under the pier road South and West of the pier. Still evident and shown in a previous picture, it was an attempt to combat the destructive effects of sea swell on the pier tending to sweep merchant vessels in to that cave. It has only limited benefit which diminishes as the tide rises but illustrates just how long the dangers to that pier have been known.

In severe weather I've observed waves breaking over the pier and surging all the way up the road to the furthest mooring ring which is a long way up the road from the large cast Iron bollard on the road. In one major storm some years my neighbour experienced similar waves come up that road and threaten his vehicle - a large 4WD tractor. On other occasions the Green Coast Notice board has been destroyed and the steel bench ripped clean off its concrete mountings by the sea.

As further evidence of the violence visited on this location by Atlantic Storms, the Eastern end of Illaunglas - top left of centre in the above photo had a cave I used to snorkel into with family and friends. That entire cave was destroyed in a storm this year - see fresh collapsed rock - photo from Feb '22. That is a far more sheltered location than your proposed farm site but demonstrates the destructive power of the Winter seas in the area East of Dooneen. Indeed the breaking waves/chop from a Southwesterly swell - the mere aftermath of a gale and not an actual storm are clearly visible in this photo rolling into the proposed farm area.

<image.png>

In short there are good reasons why there are no moorings East of Dooneen Pier and why that pier has never been used commercially other than for carriage of materials like coal. That was only until roads were sufficiently developed as safer and more reliable commercial transport. I believe I've shown very clearly the site is exposed to high energy destructive waves that mean some or all of that farm would be uprooted in the first Winter and very likely destroyed.

The third group of issues, objections and concerns pertain to the risks to marine mammals as an observer with a long verifiable record reporting to the IWDG on Dolphin and Whale activity in Dunmanus Bay

The Seal population -primarily centered on the Carbery, Furze and Cold Island group are frequently observed feeding around Dooneen Pier and specifically in the proposed farming area. They are currently thriving and not only do not need any additional artificial structures but are likely to be scared from the area reducing their habitat thereby depriving tourists of the pleasure of observing seals from the pier and Sheepshead way trail around CarraignagCapall.

The level of Cetacean activity has been steadily rising in Dunmanus Bay in the last decade. I've personally got verified sightings and extensive photos and video of large pods of Common Dolphins, Harbour Porpoises, Minke Whales and even Humpback whales all feeding in close to Dooneen Pier and the area planned for the Seaweed Farm. Basking Sharks are also seen in the area and are especially inclined to hug the shoreline when feeding - usually in plankton rich and therefore obscure water. Basking Sharks regularly die though entanglement in ropes and nets. This farm would massively increase that risk. The afore mentioned cetaceans do have the benefit of echo location but my videos will show the sheer scale of some pods in the bay and around Dooneen and their density would put them at severe risk of injury and entanglement. At best they will avoid the area. I have photographed Minkes within 400m East and to the South of Dooneen Pier and in other parts of the bay in water even shallower than the farm area. These are very fast moving animals and known for lunge feeding with their huge mouths agape. They cannot see or echo-locate past the huge shoals of fish they hunt and again could very easily be injured - or worse - by the close pitched rigging around such a farm. Of course dense seaweed is precisely where a hunted shoal of baitfish is going to go. Fin whales have been photographed in the area too although not yet by me.

Photo of the proposed farm area showing Common Dolphin energetic feeding activity in 2022. I have many more plus video over and under water. I have multiple IWDG documented sightings of pods of over 50 Dolphins including week old calves in this area.
<image.jpeg>

Here's a still from video while Kayaking between Dooneen and Tra Ruaim showing a Minke Whale and just how close to the shore they feed.
<image.png>

I also have photos and/or video of Minkes inside Dooneen Point and here's an example showing an adult feeding precisely where you propose to place your farm:

<image.png>

and same location different year and conditions another Minke lunge-feeding right in the proposed farm location
<image.png>

I was privileged in 2020 to record the first sighting of a new young adult Humpback whale in Irish waters. This occurred near Dooneen Cuas about a mile South of the area under discussion in water shallower than where the Seaweed Farm is proposed. It is a testament to the clean unpolluted and hazard free low traffic area that is Dunmanus Bay. Like Minke Whales, Humpbacks can feed by lunging at bait balls of fish and could also be panicked into the farm structures by boat traffic coming to and from Dooneen Pier. I subsequently photographed that Humpback feeding all around the Dooneen Point area for several days. Irish waters are a marine sanctuary for Cetaceans. Dunmanus Bay has an enviable record and richness of their presence and this farm would do nothing but jeopardise their well-being and continued presence and the tourism potential thereof.

While on the subject, Kayaking in the area reveals a richness of nesting sites for many seabirds - previously referenced as at risk from flotsam and jetsam from the farm rigging. It's also likely that peak harvesting activity - on top of regular maintenance activity- can only have a negative impact on these birds during nesting season potentially depleting the currently rich biodiversity and stable ecosystem.

Note I have hours of video shot at water level and from the air documenting almost every inch of this shoreline and it will serve as a record of how pristine and uncluttered that shoreline is today.

Here's a still from 2022 inside one of the pristine hidden coves just a few meters North of the proposed farm and visible in my Dolphin activity photo above. The original file is 4k resolution.

<image.png>

This photo from is another nearby similar pristine cove 200 m further East of the above and shows a Shag departing a nest to feed. Note also the sea caves hewn out of the rock by the wave action in this area.

<image.png>

I've extensively photographed Dooneen and Dumanus from most sections of the Sheephead Way. The eye is drawn to Dooneen point and it is nice to see it unchanged for centuries and still in its natural pure state. Fish and seaweed farms are a jarring intrusion to so many vistas in Ireland today. An area as special and unspoiled as Dumnaus Bay around Dooneen point is increasingly rare. It would be a travesty to desecrate that perfect view by long ugly geometric lines of manmade plastic patterns and I'll be happy to photoshop some simulations on to views from Caher Mountain and further East to SeeFinn or looking East from the ridge walk to the Old Signal Tower. All of the walks in the area offer panoramic views of the waters around Dooneen Pier and Point. This is what draws discerning tourists and must be carefully preserved and protected.

Furthermore, this area is an ideal "Dark Sky" location for astronomy. I use a reflector telescope albeit only occasionally. But I have had friends stay who really know the night sky compared Dooneen to the best that Ireland has to offer for being free of light pollution. Adding a bunch of

flashing bright navigation warning beacons will diminish that Dark Sky - even when not in line of sight - further eroding one of the few unique attractions of the area.

In summary you are now notified that my family and I object in the strongest possible terms to this fundamentally flawed and inappropriate proposal. It offers no benefit to the area or its inhabitants and can only injure the Tourism value proposition for the area while significantly increasing the risk of accident or injury to the public. We also note, and object to, the attempt to proceed without giving all stakeholders an opportunity to express, and to have recognized, their many valid concerns. While this summary is not to my usual professional standard I've elected to prioritize recording some of many concerns ASAP so you cannot say you were uninformed of the risks with trying to proceed.

Having now set out a selection of those concerns and risks, I also request that you acknowledge same and commit to communicating your further intentions in an open and timely manner henceforth.

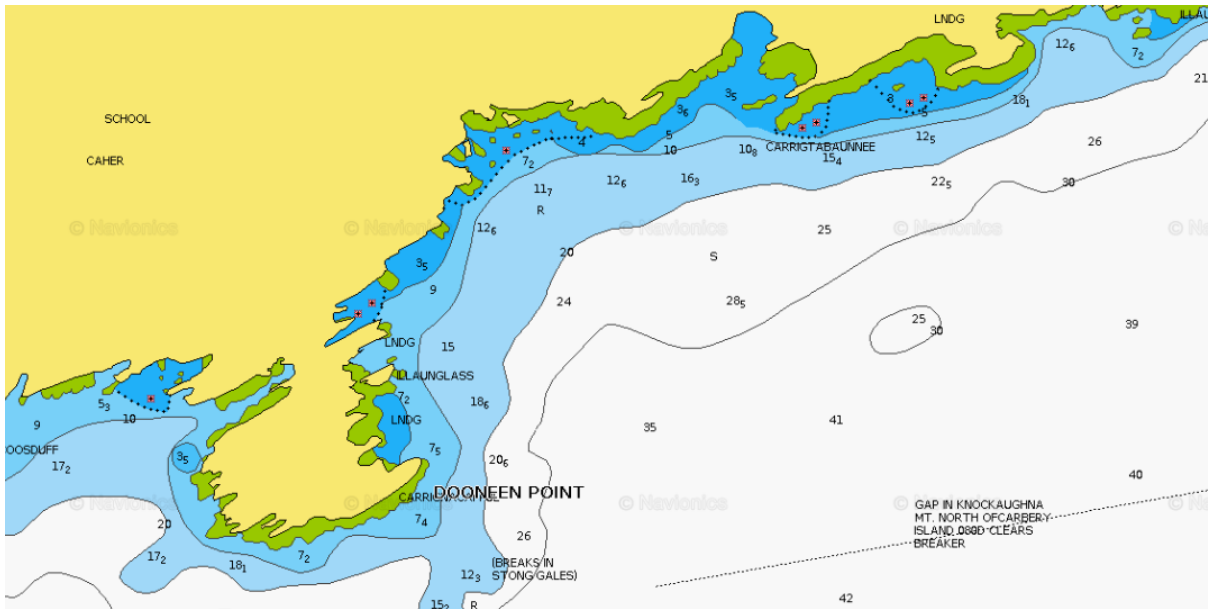
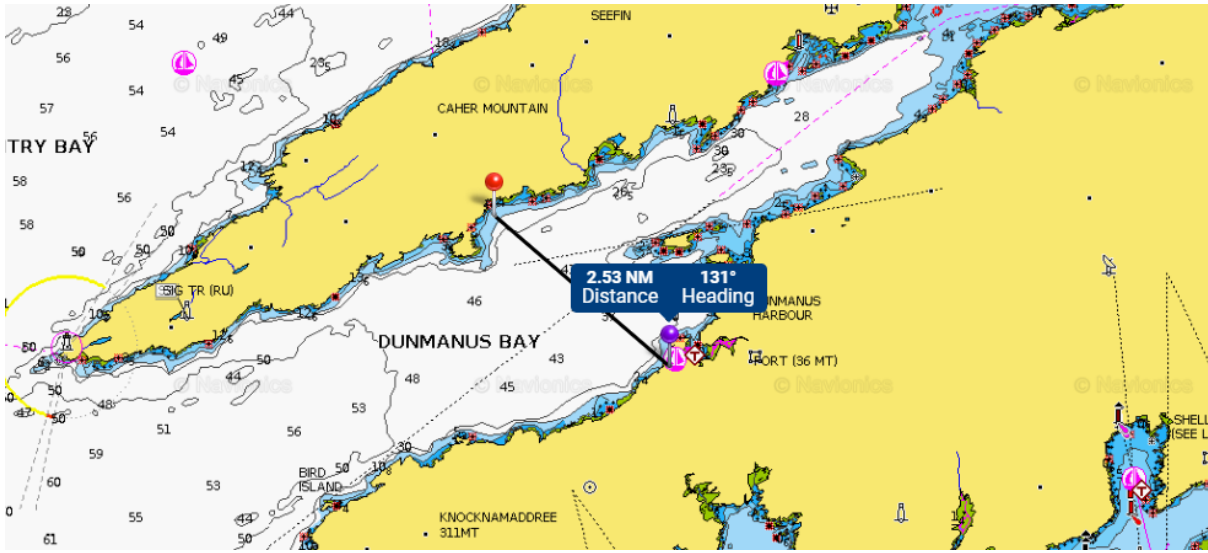
Your's faithfully

David Sheridan









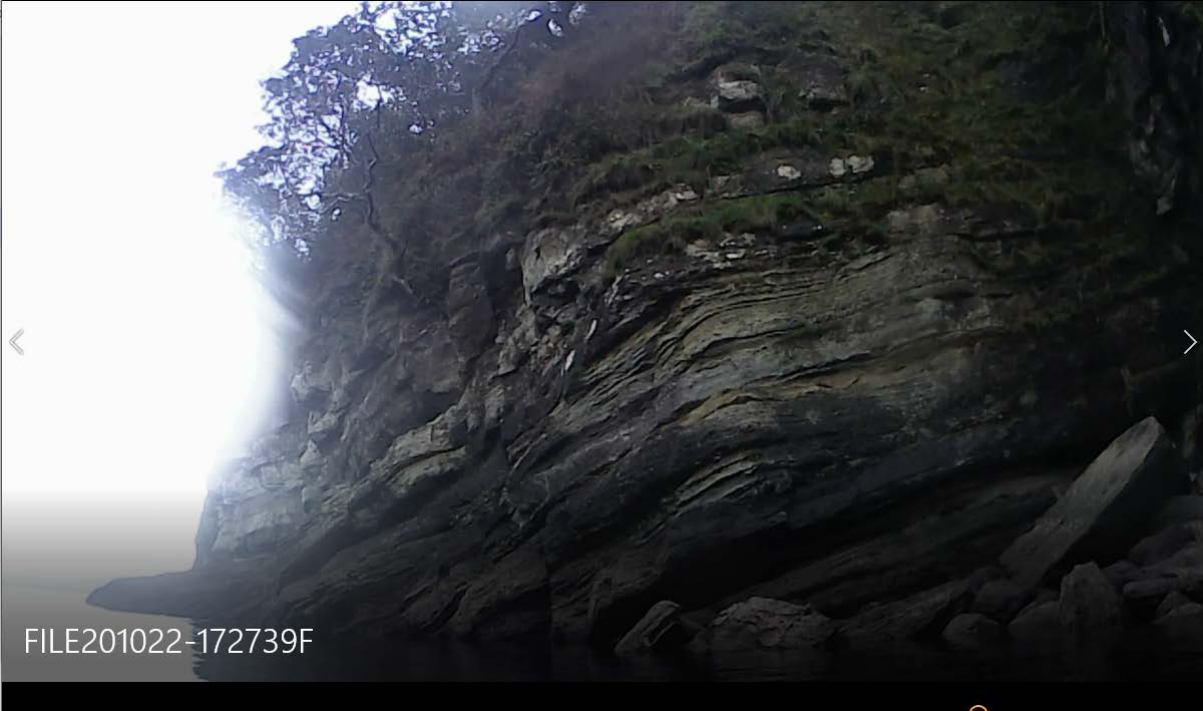












Steve and Linda Morse



To whoever it may concern

We have lived here for twenty years and are writing to object to the proposed aquaculture project submitted by the Bantry Marine Research Station at Dooneen.

Although we understand that research into marine life is most important in informing our lives for the future, we are concerned that the proposed site is not suitable for the research.

Dooneen Pier received a Green Coast Award on account of its natural unspoilt environment plus excellent water quality. It is only one of 15 beaches to receive this award within County Cork. The proposed beacons, buoys, markers and floats will spoil this natural beauty from many points for both the tourists and residents of Dooneen.

Tourism forms a great part of the income of those living on the Sheep's Head Peninsula. We have a shops, cafes , pubs and restaurants as well as Holiday Lets and Bed and Breakfast accommodation. However, the increase in traffic flow and indeed, heavy traffic flow along the Dooneen Road, which is, in effect, only a boreen, will surely have a detrimental effect on the whole concept of walking the Sheep's Head Way' (which in itself forms part of the Wild Atlantic Way) discouraging tourists from exploring the area. The harvesting period would surely coincide with the Easter holiday, one of our busiest periods here.

Divers have always formed a large part of our tourist industry, enjoying the area around Dooneen, but the floats, buoys, markers and floats will deter them from choosing our beautiful rugged coastline as a destination for their diving explorations.

Many families, both local and tourists, enjoy fishing from the pier and this would come to an end.

There are so many other reasons why the site should not be chosen for this project but We know that our friends and neighbours will be writing to you about these.

One last point. We were most surprised at the lack of discussion with the residents. A meeting was held on 21st July only allowing a very little time for the proposal to be discussed and any objections to be sent in time. We frankly, find this most disturbing.

We strongly object to the proposal TO5 640A.

Kind Regards

Linda and Stephen Morse

To whom it may concern,

I am writing to you once again this time in regard to the appeal against the decision to grant permission for commercial Seaweed cultivation at Doneen pier and region Kilcrohane, West Cork. My reasons for disapproval of the granting of permission are based on long local knowledge of the region selected.

1. Access

The roads servicing the pier are absolutely unsuitable for any large vehicle to use. They are narrow, in a permanent state of disarray, used frequently all year round by recreational traffic and even the presence of one camper van can cause chaos let alone commercial vehicles. The space is just not there. Residents are understandably concerned about increased volume of traffic and the scale and frequency of commercial vehicles in the adjoining roads and boreens. Which quite frankly are incapable of sustaining a commercial development.

2. Loss of a public Amenity

Doneen is a vital part of the Sheeps head peninsula tourist infrastructure. A famous fishing spot, used by many people all year round. A swimming pier used all year round, a safe harbour for small boats 7 months of the year, a frequently used pier for scuba diving and scuba dive training. Regularly used for Paddle boarding and canoeing and also occasional summer moorings for visiting yachts. A stunning and unspoilt spot for picnics and day visitors. The idea that this could be shared with commercial seaweed production is nothing less than absurd.

3. Ecological and aesthetic damage.

The commercialisation of Doneen pier and waters will undoubtedly create much waste and mess of parked machinery, diesel spillage and waste product, degrading the area whilst also minimising the size of the amenity for general use. The research group Bantry marine research station who have driven this development are based at another nearby pier Gerahies and the negative impact they have manifested on that pier is there for all to see. There is local concern a few kilometres west from them on Bantry bay about some experimentation they have carried out with different seaweeds. The marine flora on western adjacent piers has changed dramatically in the last 24 months. Coincidence? nobody knows. The method of growing the seaweed also requires multiple float devices, which of course further impede access and worse still they are an eyesore for all.

Yours sincerely, WPSheehy

From: Elizabeth O'Mahony [REDACTED]
Subject: Dooneen objection
Date: 16 December 2022 at 21:25
To: [REDACTED]




I object to the proposed kelp development at Dooneen.

Joan O'Mahony



Sent from my iPhone

From: Michael Daly [redacted] 
Subject: Objection to aquaculture at Dooneen pier area.
Date: 16 December 2022 at 15.02
To: [redacted]



I would like to object to this development for many reasons.

Area of beauty:

This is an area of extraordinary beauty, which is why my family and I spend so much time there throughout the year. The pier is beautiful and unspoilt by commercial waste/pollution associated with heavy traffic and commercial use. This is where we walk along the very narrow road to the pier where everyone has to move off the road if a car comes along, never mind a truck.

Water sports:

This is where I fish, kayak, snorkel, dive and sea swim with my family and friends. I have brought my nephews and nieces for their first dives. The area around and underneath the cliffs of Dooneen and around the pier itself offer amazingly clear and safe water, full of sea life. It is where we love to come in the boat to have a picnic and watch the amazing bird life which nest in the cliff edges over the proposed area for development. This is where we have seen amazing sights such as Minke whales, humpback whales and dolphins. (Camera footage attached). This area is the first place I bring visitors on a boat trip to impress them with the beauty of the cliffs and the surrounding caves. The proposed kelp farm will spoil this amazing sight and area of outstanding natural beauty.

Pier unsuitable for trucks:

Dooneen pier and approach roads are completely unsuitable for commercial traffic and pose a health and safety risk to pedestrians and other users of this pier, including the drivers of the trucks required to transport the kelp from the pier. It is very clearly unsafe for trucks to turn on this small pier (What is the tonnage of the proposed trucks and turning circle required?). Will there be a ban imposed for other traffic on the pier to facilitate truck loading? Are visitors in camper vans to be denied access to this area as it is a very popular site for them to visit, with sometimes two or three visiting together. Has a risk assessment been done on this?

Zero local benefit:

This proposal is to bring no local benefit whatsoever. This kelp farm is to bring no local jobs to the immediate area while imposing an eyesore on the incredible beauty of the area as well as denying access to the pier to many locals and visitors. The waters surrounding the pier will become polluted, in the manner of every commercial pier in use. The employees will not be from the area and the product will be removed by trucks and processed elsewhere.

Michael Daly



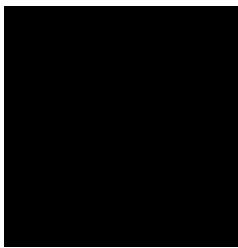
[redacted]

From: Kevin McCarthy [REDACTED]
Subject: License application for kelp farm at Doomeen Pier, Kilcrohane, Co Cork.
Date: 16 December 2022 at 21:14
To: [REDACTED]



I hereby wish to express my wish to object to the granting of a license for this project at the above location.
Signed,
Kevin McCarthy





Email address: [Redacted]

17th December 2022

To whom it may concern,

I would like to register my strong objection to the granting of an aquaculture licence for cultivation of various aquatic plants using longlines on the sub-tidal foreshore on a 15.4 hectare site adjacent to Dooneen Pier to Bantry Marine Research Station Limited.

- I have become aware of this part of Europe thanks to my wife who was born and raised in Kilcrohane. Since visiting the Sheep's Head Peninsula for the first time in Easter 1995, I have been consistently astonished by the unspoilt natural beauty of Dunmanus Bay and its rugged coast. Coming from Italy I have seen many beautiful coastal areas destroyed by speculation over the decades.
- The area of Duneen Pier has always stood out to me in its similarities to a few marine protection areas I was familiar with in Italy, such as Cinque Terre in Liguria or the Gulf of Orosei in Sardinia. I have often been surprised at how unspoilt marine areas such as Dunmanus were taken for granted by all my Irish acquaintances and family.
- To hear that this pristine natural coves have been earmarked as the location for mechanized and industrialized harvesting of natural resources makes me realize that also the Irish coast is at risk of speculation and destruction.
- While it is understood that seaweed is one of the few, modern resources of the rural Irish coastline, it must be also understood that the idea of installing industrial harvesting in locations of outstanding natural beauty is fundamentally an economic choice. This is with the objective of maximizing profits and minimize costs for the operators of the facility, at the expense of the preservation of the natural resources.
- Donees Pier is where many generations of Irish people, and more recently tourists, have enjoyed building and maintaining a personal relationship with the sea, at times of scarcity as well as at more recent times of abundance. The use of Duneen Pier and the harbour should be protected for the sake of future generations.
- As a recent "blow in" of only 30 years, I want to make my voice heard having been witness, in the 70s and 80s, to similar speculative initiative across the Mediterranean, only stopped by the introduction of the designation of Protected Areas of Outstanding Marine Beauty



Yours sincerely, Dario Molinari



Email address: [REDACTED]

17th December 2022

To whom it may concern,

I would like to register my strong objection to the granting of an aquaculture licence for cultivation of various aquatic plants using longlines on the sub-tidal foreshore on a 15.4 hectare site adjacent to Dooneen Pier to Bantry Marine Research Station Limited.

- Dooneen pier and the land and sea around it is an area of outstanding beauty which is used constantly both by local residents and tourists for fishing, swimming, kayaking, snorkelling, diving and boating. Acres of plastic buoys and artificial lights will ruin the natural look of the area.
- Whales and Dolphins are to be seen feeding around this area on a regular basis in the summer. Industrial seaweed farming will cause them to move elsewhere.
- The road to Dooneen pier is extremely narrow and winding, even by local standards and is entirely unsuitable for trucks. Every summer, I see the chaos regularly caused by large camper vans driving to Kilcrohane pier on the far better but narrow road there where I live. I can only imagine the danger to local and tourist walkers, cyclists and cars were they to meet these trucks on the Dooneen road as there is no room at all to pass.
- Seaweed farming is a great idea in general, but the location must be suitable for it, which Dooneen is not. This proposal would negatively interfere with the current usage and enjoyment of Dooneen pier and the sea area around it by the people on the whole sheep's head peninsula as well as the tourist industry that locals are trying to encourage.
- It will be of no benefit in employment terms to anyone in the local area to justify ruining an area of such renowned natural and pristine beauty.

Yours sincerely

Mairead Daly

17/12/2022

Statement in support of appeal against seaweed farming venture at Dooneen Pier and waters East of

My name is Pauline Daly. I grew up in Kilcrohane but now live in the UK. I visit Kilcrohane every month to support my family in caring for my 81-year-old mother who suffers from dementia. One of the activities we do at least once during each visit, as it appears to soothe and calm my mother, is visit the piers from Kilcrohane west. We sit in the car and gaze out on the unspoilt Dunmanus Bay on wet and windy days, while on nicer days we park and get out for a short stroll.

My mother certainly seems to find the tranquil bay calming and is happy to spend time just looking out to see from any of the piers but particularly Dooneen, as it is easier to park there.

Ironically, my mother was instrumental in ensuring the continuing unspoilt beauty and tranquillity of Dunmanus Bay some years ago when mussel farms were proposed and she, a mother of eight and a farmer's wife with only National School education, took on the big boys by gathering support, personally going door-to-door night after night and then organizing more experienced support. The proposals were eventually defeated and Dunmanus Bay carried on its beautiful, unspoilt, tranquil ways until now again threatened by commercial interests.

On a practical comparison level of the piers, Kilcrohane Pier has been getting progressively busier over the years with consequent increased traffic levels. It has a reasonable number of passing places but it is a rarity that I don't have to reverse at least once, especially if oncoming traffic is a lorry, camper van or tourist reluctant to reverse around blind corners. Tra Ruam is the most difficult as the road is mostly single-car with few passing opportunities, thereby keeping my reversing skills up-to-date.

Dooneen Pier, while one of my favourites and, I think, my mum's, presents a mixture of all problems. It has very few passing places, more non-locals than Tra Ruam because of the better signposting, but it has a narrow road with few passing places while providing access to a number of local residences. Local traffic will invariably give way to necessary reversing. But my concern is when non-local vehicles are facing each other and neither are familiar enough with the road and its few passing points. I have personally had to get out of my vehicle on occasion to mediate and impasse in order to facilitate my own and my mother's progress.

I sincerely hope common sense prevails and seaweed farms are located where they do not interfere with areas of outstanding natural beauty and cause congestion and strife on narrow country roads not designed for commercial traffic, not to mention destroying the much-coveted status of a Green Flag pier.

From: Mercedes Gómez [REDACTED]
Subject: Planning appeal
Date: 18 December 2022 at 21:17
To: [REDACTED]



Mercedes Gómez



I would like to add my name to the list of objectors to the proposed development at Dooneen pier, Kilcrohane. I see no place for a development of this size or nature at this scenic location.

Regards,

Mercedes Gómez

From: johnmahonyvet [redacted]
Subject: Planning appeal
Date: 18 December 2022 at 16:42
To: [redacted]



John O Mahony



I would like to add my name to the list of objectors to the proposed development at Dooneen pier, Kilcrohane. I see no place for a development of this size or nature at this scenic location.
Regards
John O Mahony

From: Rod Moloney [REDACTED]
Subject: Appeal Re: Dooneen Pier
Date: 19 December 2022 at 12:03
To: [REDACTED]



To Whom it May Concern,

Myself and my family have owned a house in Kilcrohane since 2007. This house became our permanent residence in early 2020 after we returned from working and living abroad. We objected to the original planning application in July 2022 as we strongly feel that the proposed site is completely unsuitable for any commercial activities.

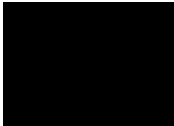
Dooneen Pier is a fantastic local amenity used regularly by ourselves, many other locals, and visitors to the area for swimming, picnicking, kayaking, diving and generally enjoying the beautiful wildlife the area has to offer.

We are not opposed to the cultivation and harvesting of seaweed per se. But we strongly object to the proposed site itself, and also to the fact that the pier will be unavailable to residents for months at a time during harvesting and will most lightly interfere with local wildlife. In addition, the access road to the pier is completely unsuitable for large vehicles.

We would urge you to reconsider the decision to grant permission for this activity in this location and protect this unspoiled part of the country.

Yours sincerely,

Rod & Anne Moloney



18 December 2022

To Whom it May Concern,

My late husband's family, and now my son and grandson, have owned and farmed the majority of the land above and immediately adjacent to Dooneen Pier, Dunmanus Bay for generations. We were very disappointed to learn of Bantry Marine Research Station's application for an aquaculture project directly next to the pier and directly under our farmhouse and land. (Reference #T05/640A)

We object to this project for the following reasons:

-Our farmhouse is directly above the proposed site, next to the cliff overlooking the bay. 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,

Mrs. Elizabeth Daly
Dooneen, Kilcrohane
Bantry, Cork
Phone: [REDACTED]

18 December 2022

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. The approval should be repealed!


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 am in my mid eighties and 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 and then approved. How can we be so ignored!

Please take my objection seriously.

Gunhild Muschenheim
Dooneen, Kilcrohane
Bantry, Cork
P75 DX64



17 December 2022
Dooneen, Kilcrohane, Bantry

Greetings,

I am writing to strenuously appeal the approved 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.

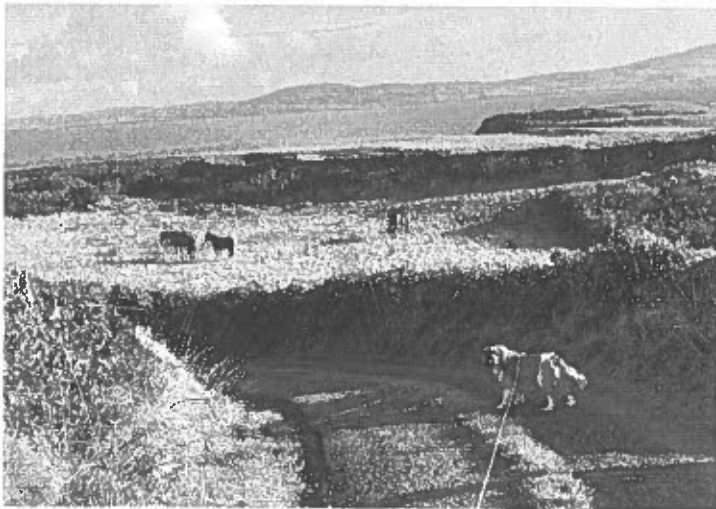


The proposed project calls for lorries to be used to transport the harvest of seaweed. This is both unacceptable and dangerous. The road to the pier simply can't accommodate lorries, which has been proven time and time again. For example, in September 2010, KWD Recycling took over the Cork County Council Waste and Recycling Collection Service in West Cork. KWD refused to come even a short distance down the Dooneen Pier Road to collect bins from the first three households for fear their lorries would get stuck and/or would not be able to turn around. They insisted we drag our bins up to the main road. My late father, who was disabled, was unable to do this, as was our elderly next door neighbor, Jeremiah Daly. A local councillor was asked to intervene. He walked the Dooneen Pier Road and confirmed that a lorry could turn at the Daly Homeplace, the third house and only farmyard on the road, but the road could not accommodate a lorry beyond this point. To this day, our neighbors to the west of the Daly's need to haul their bins to this location.

Additional traffic would also put undue pressure on a fragile road that is only minimally maintained by the Cork County Council. Since at least 2008, the Council has not cut the hedges of the road. Because the road is so narrow and dangerous, every winter the residents of Dooneen pool their resources to pay to cut the hedge from the top of the main

road all the way to the pier. This is a public road, but we have been forced to pay privately to cut the hedge so that road is both safe and passable.

The road also can't accommodate lorries for environmental reasons. The hedges, which by late spring 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 buoys and accompanying boat traffic, 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. When asked about this directly, Julie Maguire, Research Director at the Bantry Marine Research Station, stated that they always needed to hire an extra boat or two at harvest, but that was it. This does 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 support our appeal.

Sincerely,

Nana Muschenheim
Dooneen, Kilcrohane, Bantry
Co. Cork P75 DX64
Home: [REDACTED]

We have been running a bed and breakfast here at Sheeps Head since 2018. We have guests who come here to enjoy the peace and beauty of Sheeps Head. Love to walk along the Sheeps Head Way. This also goes along Dooneen Pier. It would be very detrimental to us and the tourism industry as this beautiful part would fall victim to the plan to build a seaweed farm. Furthermore, our guests and we love to go swimming in this peaceful bay. Or to go fishing there with our guests is also a great offer which will no longer be possible. So this is quite an impairment for us as well as for all the other businesses that depend on tourism here on the peninsula.
Kind regards

Juanita und Andreas Zuend

Gouladoo
SEAVIEW
B&B

From: Patrick Daly [redacted]
Subject: Re: Dooneen Appeal - Statements of Appellants
Date: 19 December 2022 at 21:45
To: [redacted]



To whom it may concern

I the undersigned strongly object to this marine farming of seaweed or any other types of harvesting of this nature to be allowed in Dooneen.

I was born and live in Dooneen and this monstrosity that is intended to be put in the bay by Dooneen pier is Bang in front of my home place, it would destroy not only the beautiful view but the traffic from this business would destroy the quiet peaceful byroad on which we live also.

I learned how to fish off Dooneen pier with my brothers and sisters as did our parents did and our grandparents before them, this passed on tradition will also be lost if this marine farm was to be allowed..

This is a beautiful scenic part of not just kilcrohane but the country and further..

Thank you for your time to read this.

Patrick Daly
Dooneen
Kilcrohane
Bantry Co cork
[redacted]

On Mon 19 Dec 2022, 12:07 P J Cahill, [redacted] wrote:

Hi All,

So far I have received statements from about 20 people, thank you all for putting the work in.

If you wish to make a statement, which should include your name and address, please email it to me by the end of today.

Many thanks
Jerry



STATEMENT

My name is Paul Jeremy Cahill. I live in the village. My late mother neé Mary O'Mahony was born here. Her father, my grandfather, Frank O'Mahony ran the Kilcrohane Village Shop and Post Office as did his father Jeremiah O'Mahony, my great grandfather, before him.

My parents left Ireland looking for employment in England after WW 2 as did many other people.

I was born, raised and plied my trade as a Barrister / QC/KC in England until I returned to live here full time in 2019. I am, therefore not a "blow in" but a "blow back". I love this special place and its unspoilt countryside which I think deserve to be protected.

There is a family link with Dooneen Pier. When its use as a departure point for ore mined in local mines was in decline my great-grandfather saw an opportunity to use for import and export. The barrel top in the photo supplied has his own stencil "J O'MAHONY: EXTRA FAT MACKEREL". The 200lb barrels were stored in the now derelict building just up from the Pier (see Photo) until they were collected by ships which imported coal which he sold to local houses. The ruined building is now owned by my cousin (Tab 12/7] and has genuine historic man made interest.

When Jeremiah died his son Frank thought better of the cost of commissioning a new stencil and he simply added two holes to add an "F" out of the "J" as you can see.



So many other objectors have told their own story telling the Appeals Board why this development should not go ahead that I will try to avoid further unnecessary reading for you.

My story is a familiar one. I have been taken on boat trips to Dooneen Pier since I was a little boy over 60 years ago. In later years I was a regular visitor in my own boat. I have fished with ever more elaborate fishing tackle from the pier usually with sufficient degree of success to enable me to feed myself and my family with one of the sea's greatest treasures, fresh mackerel. One simply never tires of the place's beauty: it is probably the other way round – the place is addictive. I include a photograph of the fish / coal store that my great grandfather built: its not just my legacy but the legacy of anyone interested in the history of the area.

The photo from the Applicant's website appears to show seaweed being stripped of long lines at Gearhies Pier. If this takes place at Dooneen it will change its character fundamentally. The drone photos of Gearhies Pier attached at TAB 12/28 show items of infrastructure which we can expect permanently to render Dooneen just as unsightly.

I have no in-principle battle with seaweed harvesting which clearly has many potential benefits. However, like all activities, it needs to be located where it will not do harm to the special quality of an area as it will here.

Birdlife is an amateur interest of mine. Choughs often shyly visit my garden – see photograph – and I regularly hear their distinctive call in the skies above it. I have seen two Peregrines doing battle with a Raven in the hillside to the north of my house.

I live about a kilometre away from Dooneen as the crow flies and I must disagree with the Marine Institute's Assessment of potential other disturbance. One Otter visited my home just after noon on 20/2/2021 and I saw another just after 9:00 am in broad daylight on 4th December 2019 by the Faranamanagh SAC. I enclose phone taken videos of both. It would be sad and an indignity on an Annex II creature if it were to be driven out of its couch or holt by traffic associated with this development. Without an Appropriate Assessment we simply don't know if it would or not. That is not how the Precautionary Principle should work either in respect of

P JEREMY CAHILL KC



Otters or in respect of Choughs, Peregrines, Minke Whales or Humpbacks (I see both of the latter from my house regularly).

I hope you will find the Application and its Scoping as flawed and the selection of this sensitive site as inconsistent with highly relevant Development Plan Policies: thus far, I see no evidence of their consideration by the Applicants or the Minister.

P JEREMY CAHILL KC

21 December 2022

PS. At the last moment 20/12/22 I received a request to include Jorn Takker as an objector / Appellant. His home is on the final bend leading down to the Pier: the last house on Tab 12/27, map at page 7. Commercial traffic would pass within a few feet of his newly purchased home.

Appeal against the Determination of the Minister for Agriculture, Food and Marine

Reference TO5/640 A

Applicant Bantry Marine Research Station Ltd, Gearhies, Bantry, Co. Cork, P75 AX07

Date of Publication of Notice of Determination: 26 November 2022 in the Southern Star

Deadline for the Appeal: Wednesday 28th December 2022.

Grounds for Appeal

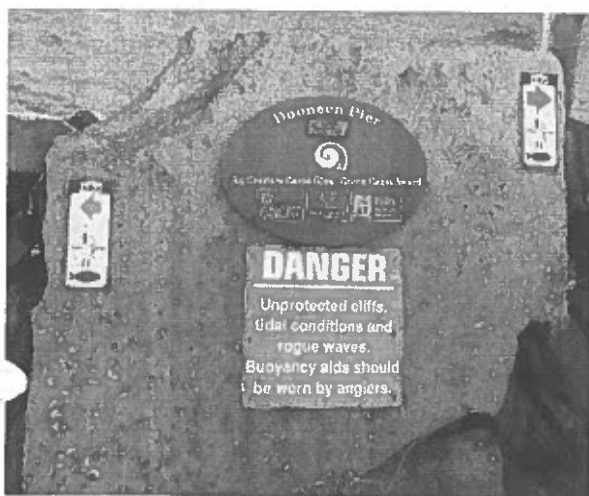
We personally live on the cliffs that overlook Dooneen Pier. We have the chance to observe the weather and the wildlife at the site and at the pier every day.

'The suitability of the place or waters at or in which the aquaculture is or is proposed to be carried on for the activity in question.'

The application form from Bantry Marine Research Station states:

2.3 (xi) "Reasons for site selection:

Dunmanus Bay has ideal conditions for growing indigenous species of seaweed. The site itself is sheltered and has access from a nearby pier for maintenance purposes. "



Exposed Site

Both the proposed site and Dooneen Pier are exposed and not sheltered as the application states whenever there is any Easterly component to the wind. In the winter months when the seaweed long lines will be deployed and maintenance will need to be carried out, there is frequently a strong easterly component to the wind. For this reason, there are no permanent moorings at or alongside Dooneen pier in the winter months. In fact, even during the summer months there is generally only one local fishing boat moored here and whenever the slightest storm is present this and any other boat near Dooneen Pier moves to the sheltered waters of Ahakista harbour for example. In the winter especially, with treacherous currents and no slipway it has been very hard to safely exploit at all and this is the reason it remains "unspoilt".

Keyfacts for Dooneen Pier



*'The small rocky cove provides an **exposed and steep-to anchorage** that can only be utilised with settled or northerly component conditions.'*
eOceanic

Furthermore, it is not possible to safely leave any equipment or vehicles on Dooneen Pier in the winter months. During a storm this bench was ripped out of its fixings by the force of the waves. The same heavy cast iron bench was recently thrown across the pier in a relatively light storm. At the same time the pier wall was also damaged by the power of the sea. This damage was reported to Cork council by my neighbour a local farmer.



Pollution

The proposed seaweed farm is sited approximately 350 metres from the Pier and according to the plans included in application at its closest point, some **50 metres or less from the SPA**. Given that the area experiences multiple storms between October and March, there will certainly be some degradation and damage to the installation. The close proximity and frequently exposed nature of the site guarantees pollution to the nearby SPA site. Any fuel spillage from maintenance vessels will have the possibility to land on the SPA site.

If the site is frequently exposed to violent and easterly conditions during the seaweed cultivation periods why is this site, **50m from an SPA**.

'The likely ecological effects of the aquaculture or proposed aquaculture on wild fisheries, natural habitat and flora and fauna'

The application form from Bantry Marine Research Centre states:

2.3 (xvi) Is the site located in a sensitive area e.g., SPA (Special Protection Area) or SAC (Special Area of Conservation) i.e., a Natura 2000 site (Refer to Guidance Note 3.3.1- Natura 2000 sites)

If Yes give details

"No the site of the proposed development is not in an SPA, SAC or Natura 2000 site. However, the site is adjacent to or in the vicinity of SPA 004156 (Sheeps Head to Toe Head SPA), SAC 002189 (Farranamanagh Lough SAC) and proposed natural heritage area 000102 (Sheeps Head)"

Whilst the site is not in an SPA or SAC, it is at its closest point within **50 metres** off for the Sheeps Head to Toe Head SPA.

Dooneen Pier itself where maintenance, harvesting and haulage are stated as planned, is in a 'Special Protection Area'.

Access Route

The proposed access route winds its way entirely through an SPA. The road to Dooneen Pier is narrow, long, hilly and winding. It is worth noting that Kitchen Cove in Ahakista and Dunbeacon Harbour outside Durrus are accessed directly from the from the L4707.

IMAGE – GOOGLE EARTH



Proposed access route

In 2020 The Marine Institute carried out another Appropriate Assessment Screening for Aquaculture activities in Dunmanus Bay for all licenses under application, under appeal or already granted at that time.

In that assessment the Marine Institute cited the '**separation distance**' from an SPA or SAC as one of the criteria to determine the impact of a site on '**key species**' and therefor the suitability of a site location in Dunmanus Bay.

The minimum distance for any site at that time was **4.3 km** from the boundary of the Sheeps Head to Toe Head SPA. I believe that distance still stands and that there have been no new Aquaculture sites approved since then.

In that report they also note that '**access routes**' to the aquaculture sites **do not spatially overlap** with any adjacent Natura 2000 sites.' It would seem then that access routes that do spatially overlap with an SPA would be a negative.

**Appropriate Assessment Screening for Aquaculture activities in Dunmanus Bay, Co. Cork
July 2020**

Assessment Criteria

Criteria - Distance from the Natura 2000 site or key features of the site:

- All sites (both licenced and at application stage) are located a **minimum distance of 4.3 Km** from the nearest boundary of the Sheeps Head to Toe Head SPA.

Criteria -Disturbance to key species:

- Given the separation distance of the production sites from the adjacent Natura 2000 sites and the absence of any clear "source –pathway – receptor" there will be no disturbance to key species within any Natura 2000 sites.

Criteria -Transportation requirements:

Access routes to the aquaculture sites do not spatially overlap with any of the adjacent Natura 2000 sites. The produced aquaculture products are transported offsite by lorry using the existing national road network with no impact on the adjoining Natura 2000 sites.

**Appropriate Assessment of Extensive Aquaculture in Dunmanus Bay, Co. Cork
Carried out by: Marine Institute, June 2022**

There is no mention of the 'separation distance' from SPA's. In fact, the minimum distance from the from the boundary of the Sheeps Head to Toe Head SPA.is just 50m.

The harvesting on the Pier we were told by [REDACTED] is planned for April and May. The Peregrine and Chough breeding seasons, the two species of interest in the SPA, coincide with these dates

Appropriate Assessment: Paragraph 2.42

*"The foraging ranges of the Peregrine Falcon are extensive and largely encompass terrestrial habitats, but Peregrine are known to forage on intertidal waters but not over subtidal waters" For this reason the documents states that the potential adverse effects of the proposed activities on Peregrine can be **screened out**."*

Peregrines: To say that the peregrine does not forage over subtidal waters is totally incorrect. We regularly see the Peregrine hovering over the SPA cliffs and occasionally observe them at sea. Their presence here is observed often, only a few weeks ago I released one from our shed. Bird Watch Ireland agree and point to a study by Luke Sutton.

Prey spectrum and foraging behaviour of coastal Peregrine Falcons

'This species was not recorded at Sites B and C, though the resident adult male at Site C was seen hunting two unidentified passage birds more than 3 km out to sea on 7 April 2012.'

*'However, remains were found at Sites B and C around the same time, confirming that this behaviour was not restricted to a particular pair. Dekker & Bogaert (1997) describe Peale's Falcons *F. p. pealei* (a sub--species of Peregrine) hunting auks low over the sea within 1.5 km of the shore in coastal British Columbia. We still do not know how far out to sea Devon's Peregrines hunt.'*

Excerpt from Report: Prey spectrum and foraging behaviour of coastal Peregrine Falcons *Falco peregrinus* breeding in South Devon. Luke J. Sutton

Appropriate Assessment: Paragraph 2.43

*"The proposed activity is located in areas (subtidal waters) where Chough are unlikely to roost or forage. For this reasons, the potential for the proposed activities on Chough can be **screened out**."*

Choughs: However, the land set aside for Choughs (26 acres) is directly adjacent to the Pier and nesting sites are known in the closest field at 30 metres from the Pier. Recent studies on Dursey Island show that the flushing distance for Choughs can be approximately 30 metres. The activity of haulage, much of the maintenance and harvesting are planned to be carried out on Dooneen Pier, not only in subtidal waters as the document states.

'The average flushing distance ("the distance at which a foraging bird or flock will fly off when approached [i.e. disturbed] by a person or group of persons" - Keribiou et al., 2019, p. 658) observed in the study area was 31.6 m (n = 49; minimum = 10 m; maximum = 150 m; median = 30 m). Choughs were observed to call more frequently when within 50 m of walkers. Applying a 50 m buffer to the established paths and road on Dursey Island (30 m flushing distance + 20 m as a precautionary buffer)'

Report: DURSEY ISLAND CABLE CAR AND VISITOR CENTRE Natura Impact Statement Volume 1 - Main Text September 2019

Appropriate Assessment

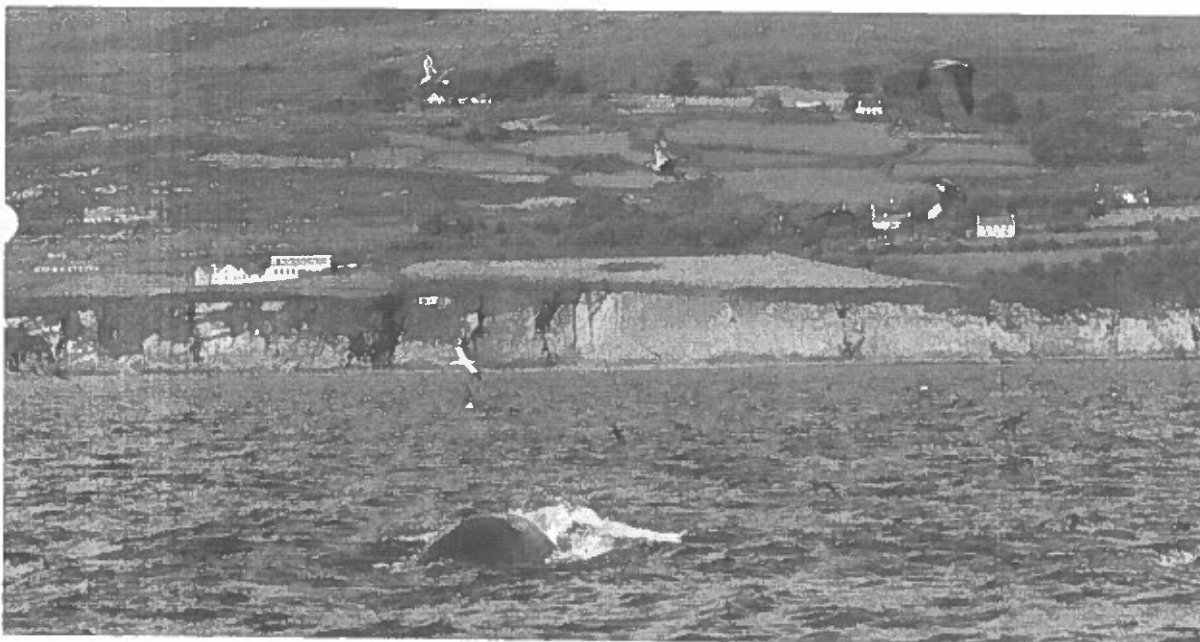
Paragraph 2.3.2

Likely significant effects on Otter from proposed activities can be **screened out**.

Likely significant effects on Grey Seal from proposed activities can be **screened out**.

Likely significant effects on Harbour Porpoise from proposed activities can be **screened out**.

Our house is in an elevated position on a cliff overlooking Dooneen Pier and the bay area in front of the pier. From this vantage point it is easy for us to observe the activity of the Chough and the Peregrine Falcon which inhabit the SPA. and many sightings of the marine mammals such as dolphins and seals.



Minke whale spotted approx. 20 metres west of proposed site

Image: David Sheridan

Excerpt from email: [REDACTED]

'Also that minke looks pretty close to the shore, I think marine impacts should probably be reassessed if you are getting feeding minkes that close in. There will definitely be harbour porpoise and bottlenose and common dolphin.'

We have been in contact with Birdwatch Ireland. They do not agree with 'screening out' of choughs, peregrines, otter, grey seals and porpoise. They have advised me that 'in their opinion the conclusions of the screening document were flawed, and without a thorough assessment 'it is difficult to see how they could screen out these species.'

See Below:

We also contacted the NPWS on Monday 18th December and spoke to [REDACTED] who oversees the SPA's and SAC's area in the Cork. He was not aware of the application for a seaweed farm in Dooneen and had not been consulted by the Ministry of Agriculture, Food and Marine.

Email: [REDACTED]

'I think you could object on the basis that the conclusions in the screening report were flawed, firstly, it didn't consider the impacts of the increased land based activities on the birds mentioned, particularly Chough.

Secondly it is not true that Peregrines do not forage at sea. Peregrines at Galley Head are regularly seen hunting seabirds a mile or more out to sea and they have been seen doing this elsewhere in Cork also so presumably will do this at Sheep's Head too. And see this research paper from Devon.

https://www.researchgate.net/profile/Luke-Sutton-2/publication/283271730_Prey_spectrum_and_foraging_behaviour_of_coastal_Peregrine_Falcons_Falco_peregrinus_breeding_in_South_Devon/links/562fdf7908aed649430e028b/Prey-spectrum-and-foraging-behaviour-of-coastal-Peregrine-Falcons-Falco-peregrinus-breeding-in-South-Devon.pdf

And you should definitely contact NPWS, to see if they have had any input to this. Contact info here, <https://www.npws.ie/contact-us/southern-division>

Email: [REDACTED]

[REDACTED]
17 Dec 2022, 18:01

to [REDACTED] me

Hi [REDACTED]

Following up on this after talking to a few people, I echo [REDACTED] point that the assessment is not thorough. There is also no reference to any survey work that looks at how the area is currently used by otter, grey seal and porpoise. These three mammals are most likely to be impacted by such a development. Nor is there any reference to studies as to how the lines would affect distribution of fish, which is the main prey item of these three mammal species. Without this, it is difficult to understand how they can screen out those species.

Did you get any response from NPWS?

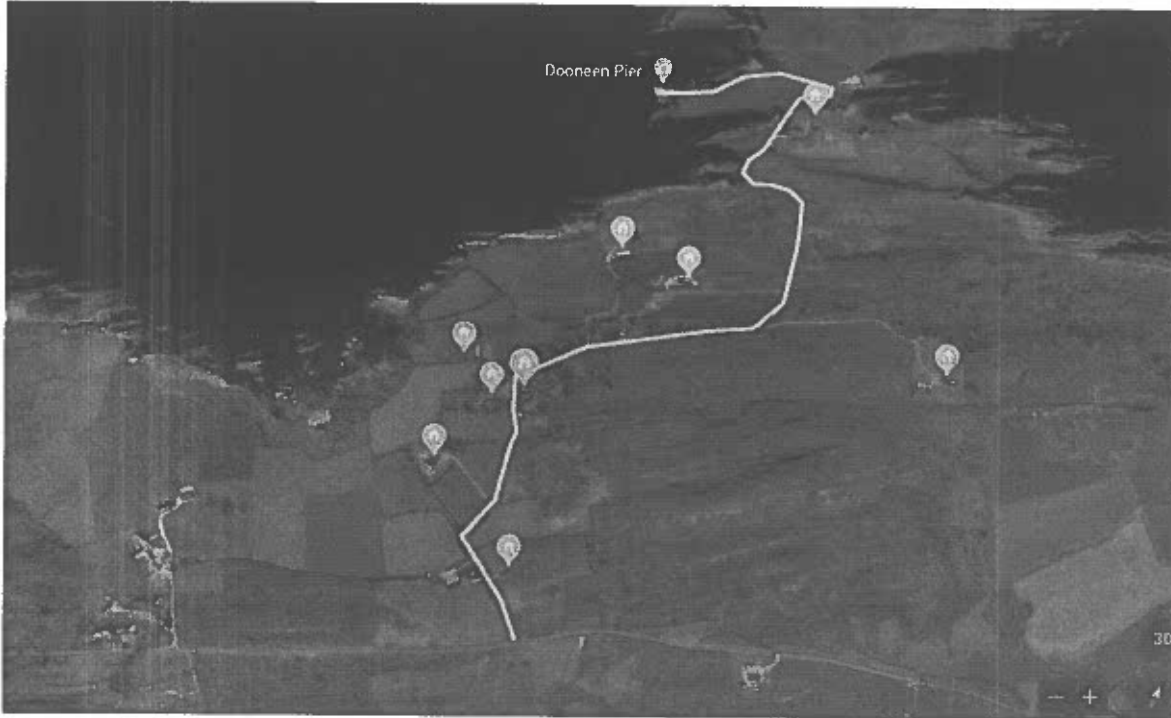
All the best
[REDACTED]

'The effect or likely effect on the environment generally in the vicinity of the place or water on or in which that aquaculture is or is proposed to be carried on-on the foreshore, or at any other place'

Increased traffic on road leading from L4707 'The Cross' to Dooneen Pier

Dooneen Townland is an area of farmland and residential properties. The proposed access road from Dooneen Cross to Dooneen Pier runs entirely through the SPA and gives access to nine homes along the way. Sheeps Head to Toe Head and is approximately 1.7 kilometres in length and in parts as little 2.5 metres wide. It is a single-track road along all of its length with very few places to pass an oncoming vehicle. It also is hard for pedestrians to move to the side to allow vehicles to pass at numerous sections of the road. There are several potholes and in recent years the road has been left local residents to pay for hedge cutting.

IMAGE – GOOGLE EARTH



Proposed access route – showing the nine Dooneen Townland homes along the road

Proposed access route – narrow single track road final section at entrance to Dooneen Pier



Image: Michael Harpur

The road is not constructed for commercial vehicles or heavy traffic. Planning restrictions are put in place by Cork County Council to restrict residents who wish to convert an outbuilding into a 'home office' from having any commercial vehicles visiting them.

I recently applied to convert an outbuilding into a home office. We live approximately halfway along the track. I was asked at a preplanning meeting if I would have commercial visitors arriving in cars. I was told if so, I would not be allowed permission, since the road is not suitable for commercial traffic.

The refuse lorry (after much negotiation with the council) is allowed to travel down the road but only a short distance, just past the second tight bend, where it is then able to turn around. Residents wishing to use the refuse collection service must walk their bins to this point in order to have their refuse collected. My neighbour has to wheel his dustbins by hand several hundred metres to a point that the council deem safe.

Last year there was a collision at a blind bend between a neighbour and a Supervalu delivery vehicle.

There are areas of erosion along the cliff edge close to the road nearby the pier. An increase in heavy vehicles will exacerbate this problem and could be potentially dangerous.



Bantry Marine Research Station propose to haul 110 tons per annum divided into 1-ton bins. There is clearly a lack of decent road access for initial construction, transporting harvest and maintenance vehicles. This will cause local residents a logistical problem going about their normal business and is a potential risk to other road users and pedestrians. There are a number of children and elderly residents using the single-track road with no pavement on a daily basis. The hazard on the road itself is significant to all road users, cars, cyclists and especially pedestrians including children.

Worried about the health and safety issue and the degradation of the road service we contacted Cork County Council Planning Department in Bantry to see if they have a view on the seaweed access route proposal. They informed us that it's not their responsibility and that the plan comes under the responsibility of Ministry of Agriculture, Food and Marine. They also informed us that the Ministry had not communicated with them about suitability of the access road.

SEE ATTACHED VIDEO – ‘SPECIAL PROTECTION AREA – ACCESS ROUTE’



Image: Opening Video Still

16/12/2022: Footage taken from the dash board of my small car driving the whole length of the road from ‘Dooneen Cross’ to Dooneen Pier and back. To hi-light the inappropriateness of this narrow single track road as an Access Route for the Proposed Seaweed Farm.

Loss of a recreational and fishing resource

There aren't any other Green Flag beaches on the Sheepshead!

Currently Dooneen Pier is used as a recreation resource for local people and visitors alike. It is used by anglers and walkers throughout the year. The site of the proposed seaweed farm is used by fisherman in particular for mackerel, pollack and lobster - their freedom to fish where they have always fished will be gone. From early April it is used by a diving school this will coincide with predicted seaweed harvesting – again a health and safety issue. Throughout the summer the unspoilt beauty attracts Kayaking Swimming picnicking diving boating fishing sightseers and photographers' hikers. The use of the pier to service the seaweed farm would disadvantage the community taking away a 'free' resource that has always been available.

It would be unsafe to operate a commercial operation with heavy equipment where families with children are enjoying themselves. There would be no space to safely load the seaweed on the pier and no space to stage loads. Unacceptable for a public amenity!

Summary

Dr Maguire explained at a meeting in Kilcrohane Village Hall that 'you can grow seaweed almost anywhere'. Dooneen is not a practical, safe or logical choice for her. An exposed site, a pier prone to high wind and waves in winter months, the imposition of a commercial activity on a well-used public Green Flag beach and the transportation of 110 tons of seaweed along a narrow road through a SPA with known nesting Choughs and Peregrines. With all the health and safety, environmental and social problems this creates it isn't logical - there must be an alternative site that would be a better fit.

For the reasons stated above we ask that the licence is not granted and the Minister's decision is overturned.

Paul and Kate Brooks

Donal + Eileen O'Connell
Sea breeze
Kilcrohane.

Dooneen Pier is a fantastic amenity which we use extensively and have done so for many years.

When our children were young, they swam, snorkelled, fished and learnt to scuba dive from Dooneen Pier.

The seascape is wonderful and very safe and helped our children and their friends learn about the sea and how a different world exists under the sea surface.

They still talk about the first time they saw scallops 'for real' and marvelled at how they swam.

The walk to and from the pier to the village was safe, due to the limited use of the access road to the pier.

Many times we have seen the wonder of pods of whales, dolphins, seals, shags diving and enjoyed picnics after our swim, in and around Dooneen Pier.

The surrounding lands of Dermot Daly are home to The Chough, which can be seen performing its acrobatic aerial rolls and swoops. The Chough is a formally acknowledged protected species of birdlife (Birdwatch Ireland) and it's breeding depends on the quiet caves and cliff crevices in Dooneen.

Dooneen Pier has the appearance of a Caribbean lagoon, and the surrounding walk along the cliffs and blowhole are easy to reach from the main road.

We ourselves, use Dooneen Pier as a swimming, diving, walking and boating amenity. Our diving club regularly hosts diving excursions as well as training days, due to the safe and clear waters. Many a picnic has been held at Dooneen following the diving activity – with club members being amazed at the beautiful surrounding serenity and scenery.

We have no objection to the growth and harvest of seaweed, however, we have a real concern as to the impact of carrying out this work in Dooneen Pier.

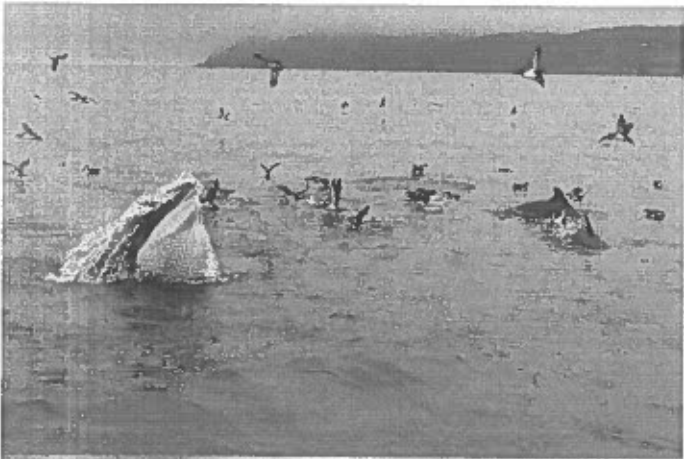
The Pier itself is small and the access route is narrow, suitable only for the residential traffic and walking.

The impact of trucks going to and from Dooneen Pier on an ongoing basis, surely would degrade the surface of the road. The safety aspect is a worry, as is the use of the pier itself for loading, unloading and probably storage of the equipment, buoys, ropes, storage containers etc.

The following have asked that we include their details as part of our submission to overturn the decision to allow the farmed growth and collection of seaweed at Dooneen Pier. All of the below spend time in Kilcrohane and use the amenities in Dooneen and are amazed that the decision was made to make Dooneen a commercial pier – affecting the pristine, serene and wonderful environment.

Brian and Audrey Mooney, 

Isabel ,Marcus, Lilly Mae Cleary, [REDACTED]
Robert ,Bairbre Scott, Doug Mooney, [REDACTED]
Luke Mooney, [REDACTED]
Brian, Sandra, Meghan, Eireann, Micheal Leavey [REDACTED]
Paul, Liz, Josh, , Sarah, Aoife Riley, [REDACTED]
Tom , Aine, Ross, Joanne Jane Butler, [REDACTED]
Sioban, Gavin, Dylan, Faye Jeffery [REDACTED]
Daniel O'Connell, Camberwell Green, [REDACTED]
Kitty Rafferty, Camberwell Green, [REDACTED]
Seamus, Brendan O'Connell, [REDACTED]

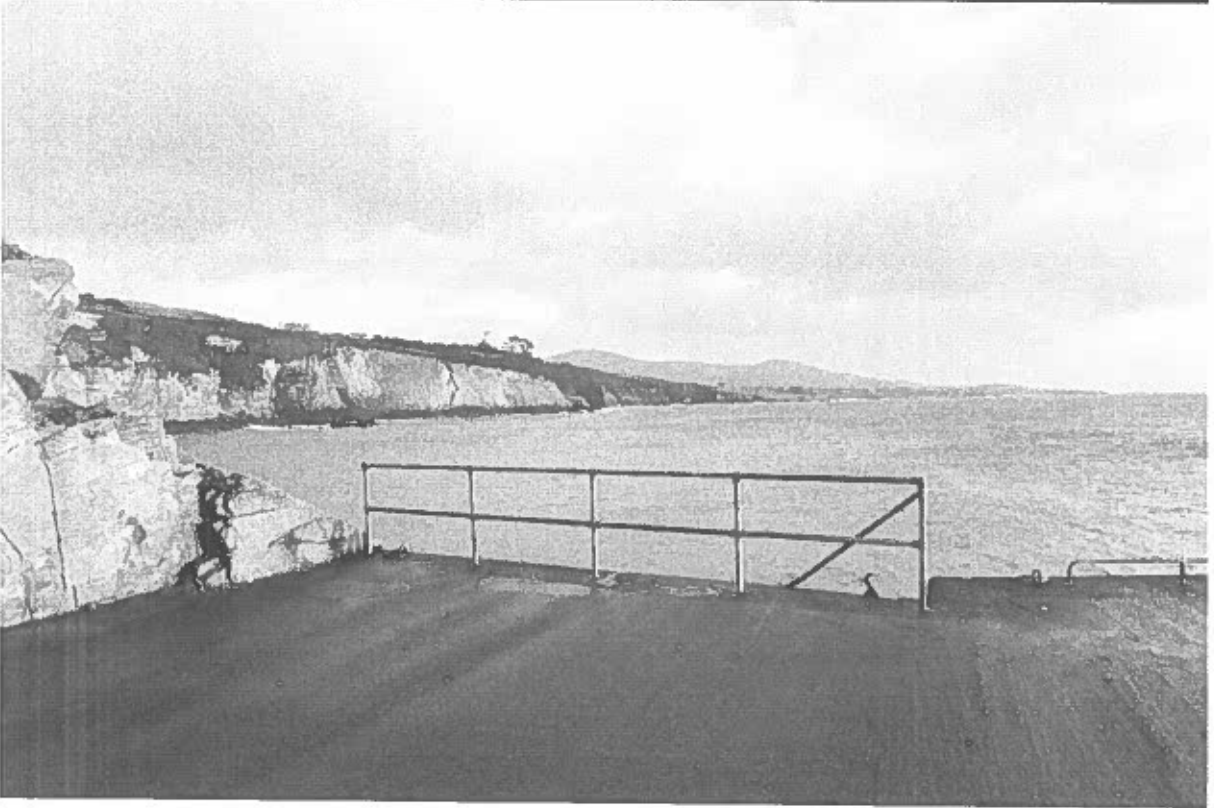




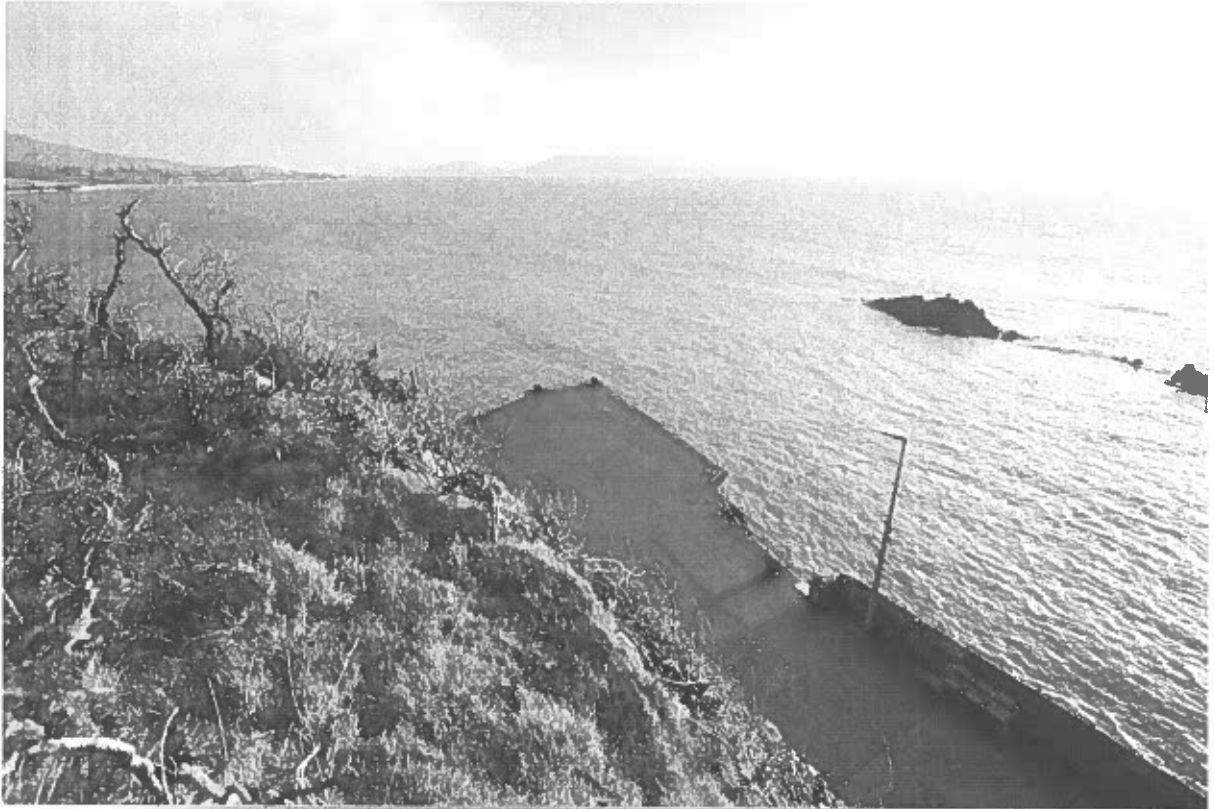




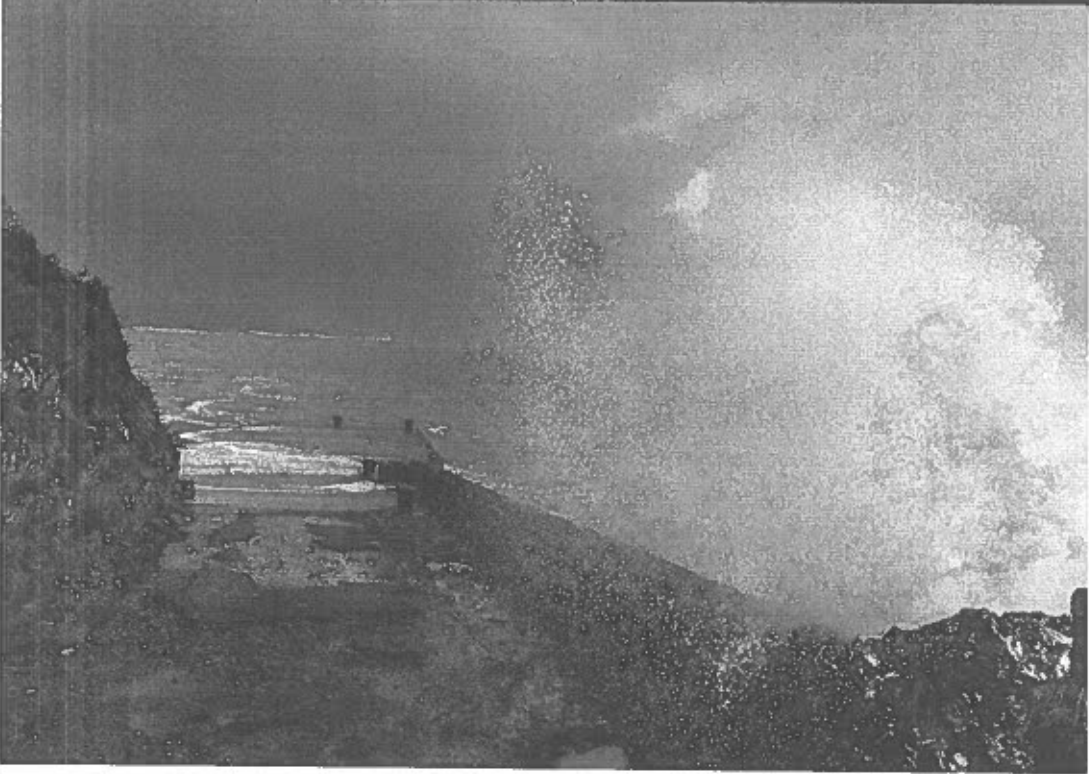






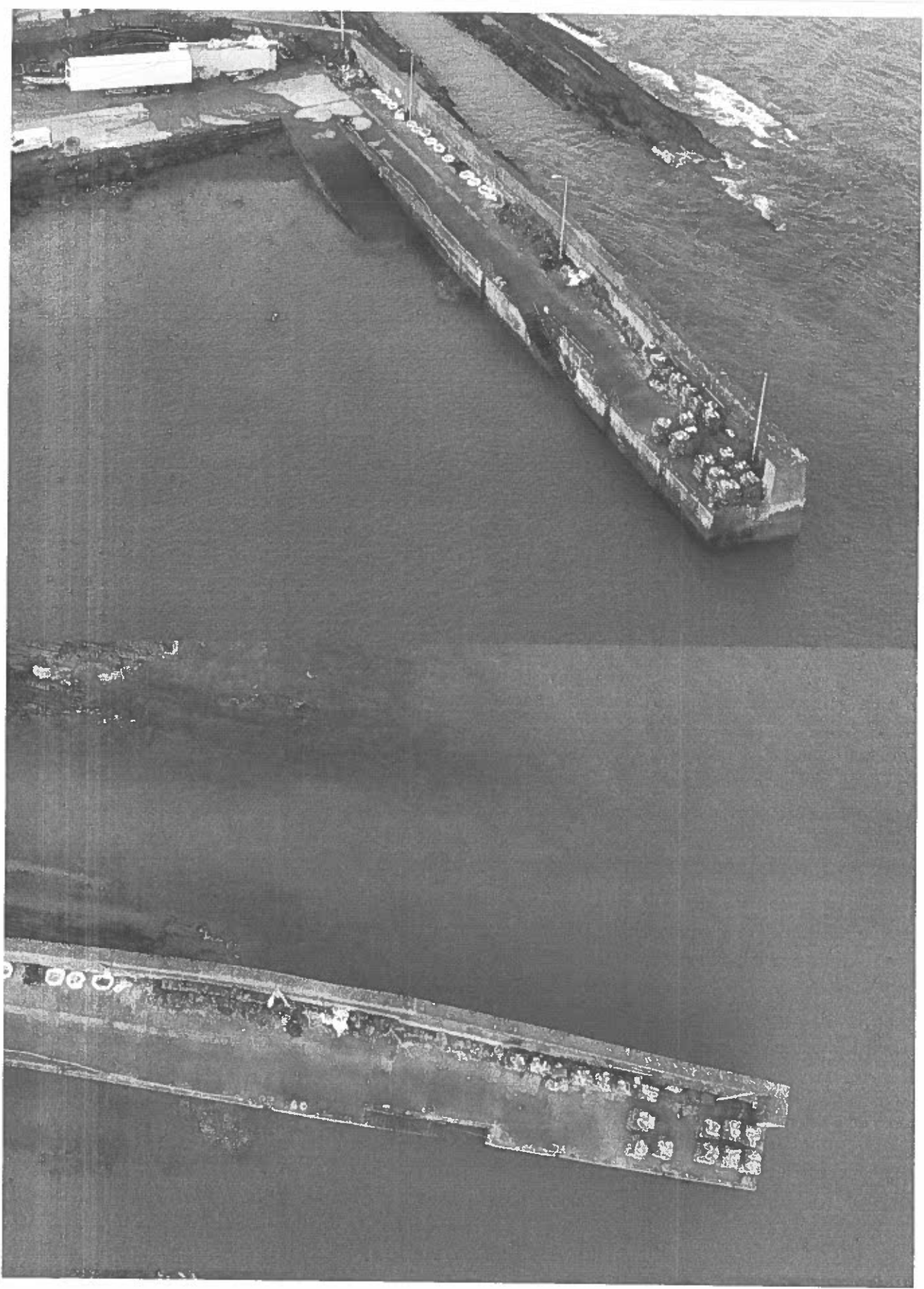






From: Donal O'Connell [REDACTED]
Subject: Northside Pier
Date: 20 December 2022 at 11:46
To: P J Cahill [REDACTED]

DC





From: P J Cahill <[REDACTED]>
Subject: Re: Freedom of Information Act 2014 : APPLICATION TO5/640A
Date: 19 December 2022 at 16:08
To: Freedom of information FreedomOfInformation@agriculture.gov.ie



Hello Ian

Can you please provide the following documents which the Minister received prior to his Determination of Application TO5/640A.

1. Requests made by the Minister for information from consultees
2. All consultation responses received by the Minister
3. All scientific evidence he received
4. All evidence relating to adequacy of road access
5. All legal advice he received relating to the adequacy of the Scoping Assessment undertaken by Marine Institute
5. All internal memos relating to the application.

I hope these requests are satisfactory.

Thank you in advance.

Best wishes,

Jerry Cahill.

Sent from my iPad

On 13 Dec 2022, at 12:28, Freedom of Information <FreedomOfInformation@agriculture.gov.ie> wrote:

Good morning PJ,

I acknowledge your request below made under FOI legislation.

The request in its current guise is not proper to FOI legislation as it is a series of questions and questions do not fall under the remit of FOI legislation. Under FOI legislation you may seek records that feel may be held by this body.

Can you please reformulate the request in a fashion that specifically states the records that you are seeking and any supporting information you feel may aid this unit in processing your request including relevant timelines.

If you require any assistance please don't hesitate to contact me.

Regards,
Ian
Ian Byrne
FOI Unit

An Roinn Talmhaíochta, Bia agus Mara
Department of Agriculture, Food and the Marine

Pavilion A, Grattan Business Park, Dublin Road, Portlaoise, Co Laois, R32 K857

T +353 057 86 94330

-----Original Message-----

From: P J Cahill <[REDACTED]>
Sent: Wednesday 7 December 2022 16:55
To: APC <APC@agriculture.gov.ie>
Cc: the.cahills@icloud.com
Subject: Freedom of Information Act 2014 : APPLICATION TO5/640A

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 NotifyCyber@agriculture.gov.ie

REQUEST FOR INFORMATION

Application TO5/640A

Dooneen
Dunmanus Bay
County Cork.

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

Dear Sir/Madam,

I am writing to request information in respect of the above named application ("the Application") by Bantry Marine Research Station to cultivate various aquatic plants using longlines on on the sub tidal foreshore on a 15.74 hectare site (TO5/640A) adjacent to Dooneen Pier, along the north shore of Dunmanus Bay, Co Cork. which application was determined by the Minister and published on 22nd November 2022 when a decision was made to grant an Aquaculture Licence ("the Licence"). In granting the application for a Licence the Minister identified nine 'reasons and considerations' lettered (a) to (i) inclusive for so doing ("the Reasons (a) to (i)").

The request is made pursuant to the Freedom of Information Act 2014.

FIRST REQUEST.

In addition to -

(A) the information on the Application form date stamped by the Department on 22/2/2022

and

(B) the "Report Supporting Appropriate Assessment of Extensive Aquaculture in Dunmanus Bay, County Cork" dated June 2022 supporting the Application provided by Marine Institute, Rinville, Oranmore, Co Galway (the AA),

what other written information did the Minister have in support of or relevant to the Application when making the determination?

SECOND REQUEST.

The AA post dates the date the application by several months.

Did the Minister request an AA to be undertaken to supplement the Application prior to its determination?

THIRD REQUEST.

If the Minister did request an AA to be provided what was the reason for so doing? Please supply any relevant internal memo(s) or written document(s) which explain the decision to request an AA.

FOURTH REQUEST : REASON (a)

This request supplements and does not displace the general nature of the Third Request above and relates to Reason (a). What is the "scientific advice" referred to?

FIFTH REQUEST : REASON (b)

Did the Minister ask the County Council as highway authority or any other body to provide advice on the intended means of access and egress to the Application site by vehicles? If so, please provide the details of the request and the advice received.

SIXTH REQUEST : REASON (c)

What document, if any, did the Minister rely upon to conclude that there would be a positive effect on the economy of the local area?

SEVENTH REQUEST : REASON (d)

What document(s) did the Minister rely on to reject the issue raised by objector Jeremy Cahill KC in his objection to the Application dated 28 July 2022 (paragraphs 19-26) that the AA was legally defective? Did the Minister receive written legal advice on this issue? If so what was that advice providing relevant Memos/documents?

EIGHTH REQUEST : REASON (g)

Did the Minister have in respect of " significant impacts on the nearest Natura site(s)" any information other than the Application itself and the AA? If there was, please provide the same.

NINTH REQUEST

Did the Minister receive an internal assessment by the Department in respect of the Application and/or the AA? If so please provide any relevant documents on the Department's file or its electronic records.

Any Appeal against the determination must be served on ALAB before 18 December 2022 and the information requested above is therefore required to be provided by post or email at least 7 days before that date on 12 December 2022.

Yours faithfully,

Jeremy Cahill KC
Tig Mhaire
Knockroe
Kilcrohane
Bantry
Co Cork
P75 KT52

E Mail. [REDACTED]

Disclaimer:

Department of Agriculture, Food and the Marine

The information contained in this email and in any attachments is confidential and is designated solely for the attention and use of the intended recipient(s). This information may be subject to legal and professional privilege. If you are not an intended recipient of this email, you must not use, disclose, copy, distribute or retain this message or any part of it. If you have received this email in error, please notify the sender immediately and delete all copies of this email from your computer system(s).

An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolas sa ríomhphost seo, agus in aon cheangaltáin leis, faoi rún agus tá sé dirithe ar an bhfaighteoir/na faighteoirí beartaithe amháin agus níor cheart ach dóibh siúd é a úsáid. D'fhéadfadh an t-eolas seo a bheith faoi réir pribhléid dhlíthiúil agus ghairmiúil. Mura tusa faighteoir beartaithe an ríomhphoist seo, níor cheart duit an teachtaireacht seo, nó aon chuid di, a úsáid, a nochtadh, a chóipeáil, a dháileadh nó a choinneáil. Má fuair tú an ríomhphost seo go hearráideach, cuir an seoltóir ar an eolas láithreach agus scríos gach cóip den ríomhphost seo ó chóra(i)s do ríomhaire, le do thoil.



National Parks & Wildlife Service

[National Parks](#) | [Protected Sites](#) | [Nature Reserves](#) | [Publications](#) | [Licences](#) | [Maps and Data](#) | [Planning](#)

[Home](#) > [Farmers and landowners](#) > [Activities Requiring Consent](#)

Implications of Site Designation
Schemes
Activities Requiring Consent
Notifiable Actions for listed habitats and species
Agri-Ecology research
Farming for Nature

Activities Requiring Consent

Activities requiring consent (ARCs) are specific activities which have the potential to damage a Special Area of Conservation (SAC) or Special Protection Area (SPA). SACs and SPAs are collectively termed 'European sites' or 'Natura 2000 sites'.

A list of 38 ARCs has been established, ranging from "Reclamation, including infilling" to "Lighting up caves, buildings or other places used by bats for roosts". The particular ARC or ARCs attached to a European Site depends on the habitats and/or species for which the site is protected.

See the complete list of 38 ARCS [here](#).

ARCs are not prohibited activities but before being carried out, consent must be granted by the Minister for Housing, Local Government and Heritage ('the Minister') or by another relevant public authority to which the consent function for that activity falls.

This prior consent requirement ensures that the Minister (or the relevant competent authority) carries out the necessary environmental assessment to determine if the activity can take place and if any conditions should be attached to any consent given.

It is an offence to carry out an ARC without prior consent.

How to apply for consent

In order to apply to carry out an ARC within a SAC or a SPA, please print off and complete the relevant application for consent form:

[Application form SAC](#)

[Application form SPA](#)

Completed forms should be returned to the [local regional NPWS office](#).

How to find out which ARCs have been assigned to a European site?

If a European site has been formally designated by statutory instrument (S.I.), the ARC or ARCs attached to that site are included as a schedule to the S.I. For example, see Schedule 4 to [S.I. No. 91/2019](#) for the Malahide Estuary Special Area of Conservation.

If the European site has not yet been formally designated by S.I., information on the ARC(s) attached to that site will have been included in a 'site pack' sent to the landowner (and where known, the relevant occupier or user of the land) at the time of public notification of the Minister's intention to designate the site as a SAC or classify the site as a SPA. SACs and SPAs are afforded protection from the time of public notification of the intention to designate the site.

Notifiable Actions

The terms 'notifiable actions', 'notifiable activities' and 'operations requiring consent' were used before the Department adopted the term 'activities requiring consent'. These terms may appear on older statutory instruments or on the information included in the site pack sent to landowners. See [list of 'notifiable actions'](#) presented by habitats and species.

The terms 'notifiable actions', 'notifiable activities' and 'operations requiring consent' have the same meaning as 'ARCs' - i.e. they are activities that require the consent of the Minister or another relevant public authority before the activity can be carried out.

Consent to Carry Out Works on a NHA

In Ireland, there are 148 Natural Heritage Areas (NHAs) that have been designated by Statutory Instrument (S.I.). They are all bogs, either raised or blanket.

Landowners are required to apply for permission to the Minister under Regulation 19 of the Wildlife (Amendment) Act 2000 to carry out certain works on a NHA. The works which require the consent of the Minister are found at Schedule 2 of the S.I. designating the relevant NHA. For example, see schedule 2 to [S.I. No. 508/2007](#) for Knockroe Bog Natural Heritage Area.

This prior consent requirement ensures that the Minister carries out the necessary environmental assessment to determine if the activity can take place and if any conditions should be attached to any consent given.

If you wish to apply to carry out works on an NHA, you can download the application form [here](#).

Last updated: 31/01/2020

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Data

National Biodiversity Data Centre

FAQs

Natura 2000
Maps and Data
Site Designation

Useful Links

Department of Housing, Local
Government and Heritage
3rd National Biodiversity Action
Plan
National Biodiversity Data Centre
Heritage Council
National Botanic Gardens
Marine Institute
World Heritage Ireland

Top Licence Links

Scientific Research
Deer Hunting
Foreshore Hunting



**An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage**

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Approved ARC List

ARC-01	Reclamation, including infilling.
ARC-02	Stocking or re-stocking with fish.
ARC-03	Blasting, drilling, dredging or otherwise removing or disturbing fossils, rock, minerals, mud, sand, gravel or other sediment.
ARC-04	All activities relating to turf cutting and/or peat extraction.
ARC-05	Cutting, uprooting or otherwise removing plants. [Consent is not required for harvesting of cultivated crops, or for grazing or mowing.]
ARC-06	Introduction, or re-introduction, of plants or animals not found in the area. [Consent is not required for the planting of crops on established reseeded grassland or cultivated land.]
ARC-07	All activities relating to turf cutting and/or peat extraction. [Consent is not required to continue domestic turf cutting from existing turf banks.]
ARC-08	Undertaking scientific research involving the collection and removal of biological material.
ARC-09	Construction or alteration of tracks, paths, roads, bridges, culverts or access routes.
ARC-10	Construction, removal or alteration of fences, stone walls, hedgerows, banks or any field boundary other than temporary electric fencing. [Consent is not required for normal maintenance.]
ARC-11	Digging, ploughing, harrowing or otherwise disturbing soil or substrate. [Consent is not required for these activities on established reseeded grassland or cultivated land provided it is greater than 50m from a river, stream, floodplain, wetland, lake, turlough or pond.]
ARC-12	Applying inorganic or organic fertiliser, including slurry and farmyard manure. [Consent is not required for these activities on established reseeded grassland or cultivated land provided it is greater than 20m from a river, stream or floodplain; or greater than 50m from a wetland, lake, turlough or pond.]
ARC-13	Applying lime. [Consent is not required for this activity on established reseeded grassland or cultivated land provided it is greater than 20m from a river, stream or floodplain; or greater than 50m from a wetland, lake, turlough or pond.]
ARC-14	Storage, burial, disposal or recovery of any materials. [Consent is not required for these activities on established reseeded grassland or cultivated land provided it is greater than 20m from a river, stream or floodplain; or greater than 50m from a wetland, lake, turlough or pond.]
ARC-15	Burning, topping, clearing scrub or rough vegetation or reseeded. [Consent is not required for these activities on established reseeded grassland or cultivated land provided it is greater than 20m from a river, stream or floodplain; or greater than 50m from a wetland, lake, turlough or pond.]
ARC-16	Modification of caves and/or their entrances.
ARC-17	Agricultural improvement of heath or bog.
ARC-18	Application of pesticides, including herbicides. [Consent is not required for these activities on established grassland or cultivated land provided it is greater than 20m from a river, stream or floodplain; or greater than 50m from a wetland, lake, turlough or pond.]
ARC-19	Supplementary feeding of livestock. [Consent is not required for this activity on established reseeded grassland or cultivated land provided it is greater than 20m from a river, stream or floodplain; or greater than 50m from a wetland, lake, turlough or pond.]
ARC-20	Significant changes in livestock density (including introduction of grazing), changes in livestock type or grazing season, other than on established reseeded grassland. [Consent is not required for changes of less than 20% in livestock density unless notice has been given that a lower percentage is applicable to a particular site.]
ARC-21	Grazing of livestock between 1st April and 31st October on traditional winterages.
ARC-22	Changing of agricultural use from hay meadow to any other use.
ARC-23	Mowing of grass crops. [Consent is not required unless notice has been given that mowing on specified lands is likely to interfere with the breeding and reproduction of comcraikes during the period specified in the said notice.]
ARC-24	Works on, or alterations to, the banks, bed or flow of a drain, watercourse or waterbody.
ARC-25	Drainage works including digging, deepening, widening or blocking a drain, watercourse or waterbody.
ARC-26	Entry of livestock or machinery into stretches of river containing, or upstream from, freshwater pearl mussel.
ARC-27	Water abstraction, sinking of boreholes and wells.
ARC-28	Felling of trees or removing timber, including dead wood.
ARC-29	Planting of trees or multi-annual bioenergy crops.
ARC-30	Any activity intended to disturb birds, including by mechanical, air, gas, wind powered or audible means.
ARC-31	Developing or consenting to the development or operation of commercial recreational/visitor facilities or organised recreational activities.
ARC-32	Recreational use of an off-road vehicle.
ARC-33	Using or permitting the use of land for car parking where it may damage the vegetation, soil or substrate.
ARC-34	Alteration, renovation or removal of buildings, ruins or other structures.
ARC-35	Undertaking active acoustic surveys in the marine environment.
ARC-36	Harvesting marine invertebrate species in intertidal areas.
ARC-37	Driving mechanically propelled vehicles in intertidal areas, except over prescribed access routes.
ARC-38	Lighting up caves, buildings or other places used by bats for roosts.

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



FISHERIES (AMENDMENT) ACT 1997 (AS AMENDED AND SUBSTITUTED)

Appeal Reference Number: AP6/1/2018

DETERMINATION

WHEREAS an appeal having been made to the Aquaculture Licences Appeals Board ("the Board") pursuant to Section 40 of the Fisheries (Amendment) Act, 1997 (as amended) ("the Act") by Angela Putz, Robert Putz, Angela Putz Jr., Anna Putz and Cashelfean Developments Ltd and Dunmanus Bay Marine Association ("the Appellant") against the decision of the Minister for Agriculture, Food and the Marine ("the Minister") to grant a licence for the cultivation of Mussels using longlines and ropes at site T05/590A ("the Site") on the foreshore at Dunmanus Bay, Co. Cork to Dunmanus Bay Mussels Ltd ("the Applicant")

AND WHEREAS the Board in considering the appeal took account of the appeal, the file provided to it by the Minister, the notices issued by the Board pursuant to section 47(1) of the Act to Dunmanus Bay Mussels Ltd and their response, namely the "Suitability of Mussel Production Site, Dunmanus Bay, County Cork" report dated September 2021 produced by AQUAFACI International Services Ltd ("the AQUAFACI Report"), the notice issued by the Board pursuant to section 47(1) of the Act to National Parks & Wildlife Service and their response, the technical advisor's report submitted to the Board by RPS Consultants in April 2019 ("the RPS TA Report"), the Marine Institute's reports regarding "Appropriate Assessment Screening for Aquaculture Activity in Dunmanus Bay" dated October 2015, July 2017, July 2020 and June 2022, the report submitted to the Board by MERC Consultants dated September 2022 ("the MERC Report") and Supplementary Technical Advisor's Report of the Board's Technical Advisor dated 18 November 2022 ("the Supplemental Report"), and the matters set out at Section 61 of the Act (as amended and substituted), including the following:

- (a) the suitability of the place or waters at or in which the aquaculture is or is proposed to be carried on for the activity in question,
- (b) other beneficial uses, existing or potential, of the place or waters concerned,
- (c) the statutory status, if any, (including the provisions of any development plan, within the meaning of the Local Government (Planning and Development) Act, 1963 as amended) of the place or waters,
- (d) the likely effects of the proposed aquaculture, revocation or amendment on the economy of the area in which the aquaculture is or is proposed to be carried on,
- (e) the likely ecological effects of the aquaculture or proposed aquaculture on wild fisheries, natural habitats and flora and fauna, and
- (f) the effect or likely effect on the environment generally in the vicinity of the place or water on or in which that aquaculture is or is proposed to be carried on-
 - (i) on the foreshore, or
 - (ii) at any other place, if there is or would be no discharge of trade or sewage effluent within the meaning of, and requiring a licence under section 4 of the Local Government (Water Pollution) Act, 1977, and
- (g) the effect or likely effect on the man-made environment of heritage value in the vicinity of the place or waters.

The Board considered the appeal at its meetings on the 05 June 2018, 12 June 2018, 28 August 2018, 09 October 2018, 14 November 2018, 11 December 2018, 22 January 2019, 26 March 2019, 30 April 2019, 15 May 2019, 25 June 2019, 09 October 2019, 14 November 2019, 10 December 2019, 31 January 2020, 26 February 2022, 22 April 2020, 10 September 2020, 08 October 2020, 05 November 2021, 10 December 2020, 12 January 2021, 02 March 2021, 1 April 2021, 29 April 2021, 22 July 2021, 19 August 2021, 21 September 2021, 21 October 2021, 25 November 2021, 13 January 2022, 10 February 2022, 16 March 2022, 14 April 2022, 12 May 2022, 14 July 2022, 25 August 2022, 06 October 2022 and 17 November 2022.

GROUNDS OF APPEALS

The grounds of this appeal are summarised as follows:

- The Appellant claimed that the development required an Environmental Impact Assessment, which disagreed with the assessment of the Minister.
- The Appellant claimed that all legal requirements under Appropriate Assessment had not been fulfilled.

- The Appellant claimed the Site does not fulfil any of the criteria of Section 61(a) to (g) of the Act.

A further description of the grounds of appeal are given in the the RPS TA Report.

ENVIRONMENTAL IMPACT ASSESSMENT

The Board considered the project proposed in the Application for an Aquaculture Licence under the requirements of the Aquaculture Appeals (Environmental Impact Assessment) Regulations 2012 and the EIA Directive (2011/92/EU). The Board determined that, under these requirements, the project did not require an Environmental Impact Assessment and was not likely to have significant effects on the environment by virtue of its size, nature or location.

Therefore, the Board is satisfied that the project was not likely to have significant direct or indirect effects at the Site on the following factors:

- (a) population and human health;
- (b) biodiversity, with particular attention to species and habitats protected under the Habitats and Birds Directives;
- (c) land, soil, water, air and climate;
- (d) material assets, cultural heritage and the landscape; and
- (e) the interaction between the factors referred to in points (a) to (d) will not have significant effects on the environment, including the factors listed in (a) to (d) by virtue of, inter alia, its nature, size or location.

The Board has concluded that the proposed project is unlikely to have significant effects on the environment by virtue of its size, nature or location and so does not require an environmental impact assessment report under the Aquaculture Appeals (Environmental Impact Assessment) Regulations 2012 and the EIA Directive (2011/92/EU).

APPROPRIATE ASSESSMENT

The Board also considered the project proposed in the Application for an Aquaculture Licence under the requirements of the European Communities (Birds and Natural Habitats) Regulations 2011 and the Habitats and Birds Directives (2009/147/EC and 92/43/EEC). The Board noted the Marine Institute's "Appropriate Assessment Screening for Aquaculture Activity in Dunmanus Bay" of October 2015, July 2017, July 2020 and June 2022 and adopted same.

The Board noted there was no equivalent Appropriate Assessment Screening available for Aquaculture Activities in Dunmanus Bay in relation to Special Protected Areas ("SPA") outside of a 15 km limit.

Having regard to all of the foregoing, the Board found that, at this time, the proposed activity at the Site had not been sufficiently screened under the Appropriate Assessment requirements in regard to potential impacts, and as such, it was not possible to rule out the potential for significant effects on SCI species or conservation objectives for any SPA sites yet to be included in an assessment.

Therefore, the Board cannot rule out the potential for the Site to cause a significant deleterious effect, either individually, or in combination with other plans or projects, on SCI species or conservation objectives for any SPA sites yet to be assessed.

DETERMINATION

The Board has determined the appeal on the grounds that:

- (a) The Board finds that the evidence presented in the AQUAFAC Report, along with the findings of the MERC Report do not allow them to rule out potential negative environmental and ecological impacts at, and adjacent to the Site. Due to the potential negative impacts of the proposed development on the sensitive species recorded in the vicinity of the Site, the Board finds that the Site is not suitable for the proposed development.
- (b) The Board found that the AA screenings carried out did not consider all the relevant SPA sites and the Special Protected Interest species which could be potentially impacted by the proposed development. Therefore, the Board finds that the potential for significant negative impacts on Natura 2000 sites and species has not been ruled out at this time.
- (c) The Board finds that the evidence presented in the AQUAFAC Report, and the findings of the MERC Report do not allow them to rule out potential negative environmental and ecological impacts at, and adjacent to the Site. Therefore, the Board finds that there is potential for significant ecological and environmental impacts on the area if the proposed development was to proceed.

A further assessment of the appeal issues raised is given in the Supplemental Report.

Having considered all the foregoing, the Board has determined pursuant to Section 40 (4) (b) of the Act, to ANNUL the decision of the Minister and to REFUSE an Aquaculture Licence to the Applicant for Site T05/590A.

Dated this day of 2022

The affixing of the Seal of the
AQUACULTURE LICENCES APPEALS BOARD
was authenticated by: -



Chairperson



Authorised Signatory

An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



Supplementary Technical Advisors Report
Appeal Ref AP6/1-2/2018

Site T05/590A Dunmanus Bay, County Cork
Proposed longline suspended rope mussel (*Mytilus edulis*) farm

Dr Ciar O'Toole

18 November 2022

Final

This supplemental report was prepared in addition to the technical advisor's report provided to the Board by RPS Consultants dated April 2019, ("the RPS report") the report submitted by the applicant to the Board dated September 2021 entitled "Suitability of Mussel Production Site, Dunmanus Bay, County Cork" produced by AQUAFAC International Services Ltd ("the AQUAFAC Report") and the report submitted to the Board by MERC consultants on 22 July 2022 entitled "Survey Report- Dunmanus Bay AP6/2018" ("the MERC report").

This supplemental report provides the opinion and conclusions of the Board's own technical advisor.

Site T05/590A Dunmanus Bay, County Cork (longline suspended rope mussel (*Mytilus edulis*) farm).

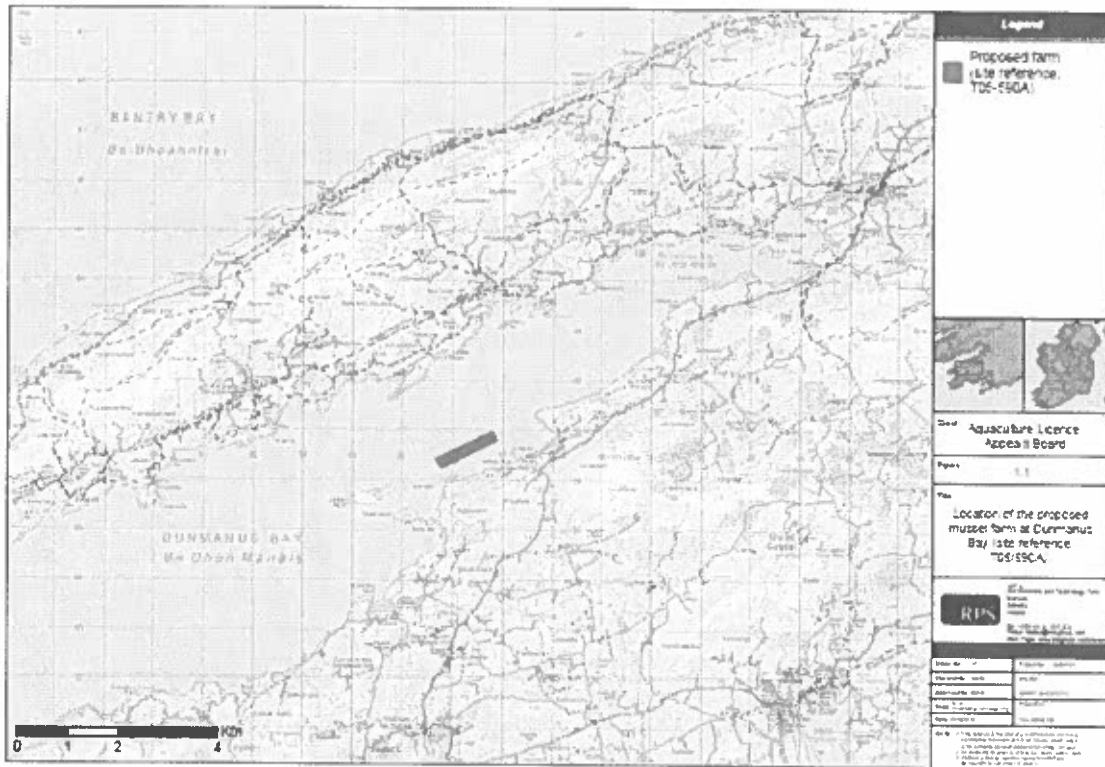


Figure 1: Site location, taken from RPS report, 2019.

A licence decision for a new mussel growing site was appealed in Dunmanus Bay, Co. Kerry at Site T05/590A. This proposed development is located on the southern shore of Dunmanus Bay, Co. Cork.

A brief summary of the appeal issues before ALAB are given in Table 1 below, with a more detailed description given in the technical advisor report prepared for the Board by RPS (RPS, 2019).

Table 1: Appeal issues raised -AP6/1-2/2018.

Appeal Number	Reference number	Appellant	Appeal Issue
AP6/1/2018	T05/590A	Angela Putz, Robert Putz, Angela Putz Jr., Anna Putz,	<ul style="list-style-type: none"> • Lack of EIA • Insufficient AA screening

		Cashelfean Developments Ltd. and Dunmanus Bay Marine Association.	<ul style="list-style-type: none"> • Does not fulfil criteria of Section 61(a) –(g) of the Fisheries Act (1997) being potential impacts on: <ul style="list-style-type: none"> • suitability of place or waters • other beneficial users • statutory status • economic effects • ecological effects • environmental effects • man-made heritage
AP6/2/2018	T05/590A	Victor and Lynda Morgan	<ul style="list-style-type: none"> • Negative impacts due to biodeposition and low flushing rates of proposed development at Site • Negative impacts on local amenities • Unfulfilled AA requirements • Short period of consultation • Negative impacts of odour from development

EIA Screening

As the application for development of Site T09/590A was submitted to the Department in January 2014, it falls under the 2011 EIA Directive. In his assessment, the Minister determined that that the aquaculture activity was not likely to have a significant effect on the environment and that an Environmental Impact Statement was not required for this project. The Department's EIA Screening Group did not consider it likely that the proposed aquaculture would have significant effects on the environment.

The Board's technical advisor considered the project proposed in the Application for an Aquaculture Licence under the requirements of the Aquaculture Appeals (Environmental Impact Assessment) Regulations 2012 and the EIA Directive (2011/92/EU) and determines, as mussels are filter feeders and are therefore defined as an extensive form of aquaculture, that an EIS is not required in this case and that the project is not likely to have significant effects on the environment by virtue of its size, nature or location.

AA Screening

Section 5.4.1 of the RPS report (2019) looks at nearby Natura 2000 sites to the proposed development. The proposed development itself is not in or immediately adjacent to any Natura 2000 sites. The Marine Institute carried out a number of AA screening assessments in the Dunmanus Bay area, which all found that it was considered that there would be no

significant effects on any qualifying features/interests of the Natura 2000 sites. These assessments were entitled "Appropriate Assessment Screening Reports into Extensive Aquaculture Activity in Dunmanus Bay, Co. Cork" and were dated variously October 2015, July 2017, July 2020 and June 2022.

The Board's technical advisor finds that while the nearby SAC sites had been reasonably assessed, the assessment did not consider all the relevant SPA sites which could be potentially impacted by the proposed development as these assessments did not fully consider the foraging ranges of Special Protected Interest species. Therefore, it is not possible to form an opinion at this time on the potential impacts of the proposed development on the SCI species or conservation objectives for any SPA sites which have not yet been suitably assessed.

Therefore, the technical advisor cannot form an opinion at this time as to the potential for the development of the Site to result in a significant deleterious effect, either individually, or in combination with other plans or projects, on SCI species or conservation objectives for any SPA sites yet to be assessed.

Section 61 Assessment

Section 61 of the Fisheries Amendment Act 1997 outlines that the licensing authority, in considering an appeal against a decision on an application for a licence, shall take into account the following criteria:

1) Section 61(a) - the suitability of the place or waters at or in which the aquaculture is proposed:

The RPS report in Section 6.1 did not make a conclusion regarding the site suitability of the proposed development. The statutory bodies who advised the Minister in making his decision found no issues in terms of site suitability when assessing the area, although there were a number of issues raised during the public consultation period regarding the suitability of the site in terms of exposure and flushing rates.

The Board previously found that the issue regarding current flow and biodeposition was an area for further research, and the applicant dealt with this further in the Aquafact report submitted in 2021. However, the findings of this report were not conclusive in the technical advisor's opinion in terms of ruling out ecological and environmental impacts. The Aquafact report also found the presence of maerl species in the local area, which is known to be both ecologically important and sensitive to disturbance and sedimentation.

A follow up survey carried out by MERC consultants on behalf of ALAB (the MERC report) found evidence of maerl and *Zostera* seagrass species in the area, along with an example of a

rare faunal species, which could potentially be of national importance (MERC, 2022). The MERC report outlines the ecological importance of these sensitive species which are known to be negatively impacted by biodeposition and cannot rule out negative impacts on these species due to the proposed development. This is due to the proximity of these species to the Site, which has the potential to overlap with the predicted plume of deposition from the proposed development. Previous studies have shown the impact of biodeposition on these particular species, which can lead to smothering and local extinction (MERC, 2014). The distances between the proposed development and the species under consideration, combined with what is now known regarding modelled impacts of sedimentation from the proposed development (Aquafact, 2021) lead the technical advisor to the conclusion that, at this Site, ecological and environmental impacts of a negative nature cannot be ruled out.

Due to the potential negative impacts of the proposed development on the sensitive species recorded in the vicinity of the proposed development, the technical advisor finds that **the site is not suitable for the proposed development.**

2) Section 61(b) - other beneficial uses, existing or potential, of the place or waters concerned:

The RPS report highlighted the concerns of the appellants in terms of other users and local amenity sites and mentioned the conclusion of the Minister's advisors who did not find that there was evidence of such an impact on the local bathing area being considered. The RPS report did not offer a conclusion on this issue. The Board's technical advisor feels that the evidence shown in the Aquafact report rules out any significant impact on local amenity sites due to biodeposition concerns.

The RPS report found that given the relatively small scale of the proposed activity significant impacts to users' access to commercial fishing grounds and recreation/ tourism areas are discounted. This report also found that measures will be implemented to effectively manage potential significant visual impacts and associated knock-on negative effects to the tourism industry; significant impacts in this regard are discounted. The Board's technical advisor does not feel there was sufficient evidence put forward in the RPS report to support the claims regarding issues for local inshore fishermen to be fully resolved but agrees regarding visual and tourism impacts in a broad sense. Due to the conclusions under Section 61(a) site suitability, the Board's technical advisor did not further investigate the claims regarding local commercial fishing access. Previous experience has shown that longline aquaculture developments can co-exist with the practises of local commercial inshore fishermen, particularly in relation to potting activities in a sheltered area such as this. It is to be noted that both BIM and the SFPA were not aware of any local fishing activity in this specific location.

The Board's technical advisor finds there may be potential impacts for other users in relation to impacts on other users, but these have not been clearly defined as significant or otherwise.

3) Section 61(c) - the particular statutory status of the place or waters:

The RPS report found in Section 6.3 that there were no anticipated negative impacts to designated Natura 2000 Sites and species listed under Annex II and IV of the Habitats Directive. This assessment excludes species listed under the Birds Directive.

The Board's technical advisor has reviewed the RPS report and the AA screenings carried out by the Marine Institute and finds that the assessments carried out did not consider all the relevant SPA sites and their Special Protected Interest species which could be potentially impacted by the proposed development.

Therefore, the Board's technical advisor finds that **the potential for significant negative impacts on Natura 2000 sites and species has not been ruled out in this case.**

4) Section 61(d) - the likely effects of the proposed aquaculture on the economy of the area:

The Board's technical advisor finds that the potential impact on other users of the site means that potential negative or positive economic impacts cannot be conclusively ruled out at this point.

5) Section 61(e) - the likely ecological effects of the aquaculture on wild fisheries, natural habitats and flora and fauna:

While the RPS TA report raised concerns regarding unresolved environmental and ecological issues, the final report submitted in April 2019 recommended the granting of the proposed development at the site. However, the Board felt that the conditions for granting a development had not been met and questions were outstanding in terms of potential environmental and ecological impacts. The Board requested further information from the applicant in terms of potential environmental impacts of the site, which was duly submitted by the applicant in September 2021 (the Aquafact report). This report carried out more extensive current modelling work and also carried out some limited video surveys in the surrounding area, which indicated the presence of environmentally sensitive species which had not previously been confirmed in the area.

Due to the presence of these species, the Board did not find that the outstanding questions relating to ongoing environmental and ecological concerns were satisfactorily answered by the Aquafact report. Following an assessment and advice for the Board's technical advisor, a

follow up survey was commissioned by the ALAB Board which was carried out by MERC consultants in Spring 2022, the results of which are reported in a report submitted to the Board on 22 July 2022 entitled "Survey Report- Dunmanus Bay AP6/2018" ("the MERC report").

The MERC report confirmed the presence of both maerl and seagrass in the nearshore area close to the proposed development, and also the presence of at least one faunal species (Giant fireworks anemone) in the area adjacent to the proposed development which is likely to be of national importance. This is also discussed above under Section 61 (a) Site Suitability.

The MERC report concluded that "Apart from their intrinsic value as indicator species for the health of the local ecosystem, both maerl and seagrass are known to provide a range of ecosystem services and functions generally very likely play an important role in the maintenance of biodiversity and associated local populations of a range of marine species. In this regard the maintenance and restoration of degraded ecosystems such that both maerl and seagrass communities recover and are protected from sources of future impact is a key focus of many current European marine conservation initiatives.

The need to protect of maerl and seagrass communities should therefore be reflected in the approach to licensing of new aquaculture sites in Irish waters. Where uncertainty exists in relation to possible impacts, then a precautionary approach is warranted and recommended until such time that risks to sensitive receptors are firmly quantified." The Board's technical advisor agrees with this assessment and the proposed use of the precautionary approach in this case.

Therefore, the Board's technical advisor finds that **there is potential for significant ecological and environmental impacts on the area** if the proposed development was to go ahead

6) Section 61(f) - the effect or likely effect on the environment generally:

Please see 5) above.

7) Section 61(g) - the effect or likely effect on the man-made environment of heritage value:

There are no concerns raised in the RPS report or in the assessment of the Board's technical advisor regarding man-made heritage in the vicinity of the proposed development.

Technical Advisor's Summary Assessment and Conclusions

Table 2: Appeal Issues and Technical Advisor Findings

Appeal Number	Appellant	Appeal Issue	TA Finding
AP6/1/2018	Angela Putz, Robert Putz, Angela Putz Jr., Anna Putz, Cashelfean Developments Ltd. and Dunmanus Bay Marine Association.	<ul style="list-style-type: none"> • Lack of EIA • Insufficient AA screening • Does not fulfil criteria of Section 61(a) –(g) of the Fisheries Act (1997) being potential impacts on: <ul style="list-style-type: none"> – suitability of place or waters – other beneficial users – statutory status – economic effects – ecological effects – environmental effects – man-made heritage 	<ul style="list-style-type: none"> • EIS was not required in this case as proposed development is for extensive aquaculture. • AA screening was found to be insufficient in relation to SPA sites. • Does not fulfil criteria under Section 61 of the Fisheries Act in relation to: <ul style="list-style-type: none"> – suitability of place or waters – other beneficial users – statutory status – ecological effects – environmental effects <p>Please see assessment of Section 61 above for further details</p>
AP6/2/2018	Victor and Lynda Morgan	<ul style="list-style-type: none"> • Negative impacts due to biodeposition and low flushing rates • Negative impacts on local amenities 	<ul style="list-style-type: none"> • Negative impacts due to biodeposition and potential low flushing rates have been discounted for some issues, for example, impacts on local amenity areas. Potential negative impacts on ecologically and environmentally sensitive species were not however ruled out. • This has been found not to be a likely area of significant impact.

		<ul style="list-style-type: none"> • Unfulfilled AA requirements • Short period of consultation • Negative impacts of odour from development 	<ul style="list-style-type: none"> • The TA finds there were some gaps in the AA screening carried out. • The statutory period of consultation was adhered to, as was required. • This ties into the issue relating to potential impacts on local amenities and was found not likely to be an area of potential significant impact.
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Recommendation

The Board's technical advisor finds that the evidence presented in the Aquafact report, and the findings of the MERC report do not allow them to rule out potential negative environmental and ecological impacts at, and adjacent to the proposed site.

As such, it is the recommendation of the Board's technical advisor **to recommend that the Decision of the Minister to grant an application for longline mussel farming at Site T09/590A be overturned for reasons of site suitability, ecological and environmental grounds and statutory status under Section 61 of the Fisheries Act (1997).**



Michael Harpur

Dooneen Pier is situated on the southwest coast of Ireland, five miles within and on the north shore of the Dunmanus Bay inlet. It provides an anchorage off a substantial pier with a small village close inland.

Previous

Dooneen Pier

Next

[\(/sailing/harbours/376/kilcrohane_pier\)](/sailing/harbours/376/kilcrohane_pier)

[\(/sailing/harbours/377/resources/\)](/sailing/harbours/377/resources/)

~~The small rocky cove provides an exposed and steep-to anchorage that can only be utilised with settled or northerly component conditions. Daylight access is straightforward at any stage of the tide.~~

Tides and tools
 overview

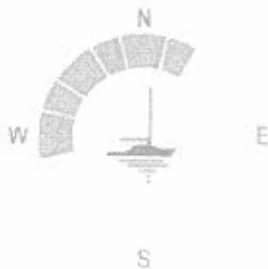


The anchoring area off Dooneen pier is steep-to and an anchor watch would be advisable here. A good weather window would be required to visit any of Dunmanus Bay's outer havens. If the prevailing winds were to come on strong, though good shelter may be found further up the inlet, it would be difficult however to sail out of the bay.

Keyfacts for Dooneen Pier

Be the first to comment

Protected sectors



Nature



Facilities



Considerations

None listed

Shelter**Approaches****Minimum depth**

5 metres (16.4 feet).


[\(/sailing/harbours/correct/377\)](/sailing/harbours/correct/377)

Correction

Suggest a correction?

[\(/sailing/harbours/correct/377\)](/sailing/harbours/correct/377)
Summary

A tolerable location with straightforward access.

Last modified

December 3rd 2021

Position and approaches

Haven position

51° 33.848' N, 009° 43.690' W

This is about 200 metres east of the pier head and about the same distance from the rock with a bollard set on it situated close south east of the pier.

What is the initial fix?

The following Dooneen Pier initial fix will set up a final approach:

51° 33.648' N, 009° 43.400' W

This initial lies about 300 metres east of Dooneen Point. Tracking 400 metres to the northeast from here leads to the anchoring area off the pier.



Google

(https://maps.google.com/maps?source=apiv3&rapro=apiv3) ll=51.564133,-9.728167&sz=10&t=k&hl=en-GB&gl=US&mapclient=apiv3)

What are the key points of the approach?

Offshore details are available in southwestern Ireland's Coastal Overview for **Mizen Head to Loop Head** (<https://eoceanic.com/sailing/routes/26/>). Details

for the run up the long and narrow Dunmanus Bay are covered in the **Dunbeacon Harbour** (<https://eoceanic.com/sailing/harbours/262/>) entry.

- The haven is readily located by Dooneen Point's prominent appearance.
- There are no outlying dangers offshore and the pier may be approached directly.

Expand to new tab

[\(/map.php?](/map.php?latitude=51.5641327&longitude=-9.7281661)
[latitude=51.5641327&longitude=-9.7281661](/map.php?latitude=51.5641327&longitude=-9.7281661)
or **fullscreen**

Not what you need?

Click the 'Next' and 'Previous' buttons to progress through neighbouring havens in a coastal 'clockwise' or 'anti-clockwise' sequence. Below are the ten nearest havens to Dooneen Pier for your convenience.

These havens are ordered by straight line charted distance and bearing, and can be reordered by **compass direction** or **coastal sequence**:

1. **Ballynatra (Trá Ruaim) Cove** [\(/sailing/harbours/205/ballynatra_%28tr%c3%a1_ruaim%29_cove\)](/sailing/harbours/205/ballynatra_%28tr%c3%a1_ruaim%29_cove) - 1.2 miles WSW
2. **Kilcrohane Pier** [\(/sailing/harbours/376/kilcrohane_pier\)](/sailing/harbours/376/kilcrohane_pier) - 1.4 miles ENE
3. **Dunmanus Harbour** [\(/sailing/harbours/261/dunmanus_harbour\)](/sailing/harbours/261/dunmanus_harbour) - 2.7 miles ESE
4. **Carrigmore Bay** [\(/sailing/harbours/360/carrigmore_bay\)](/sailing/harbours/360/carrigmore_bay) - 4.1 miles SE
5. **Kitchen Cove** [\(/sailing/harbours/260/kitchen_cove\)](/sailing/harbours/260/kitchen_cove) - 4.1 miles ENE
6. **Toormac**

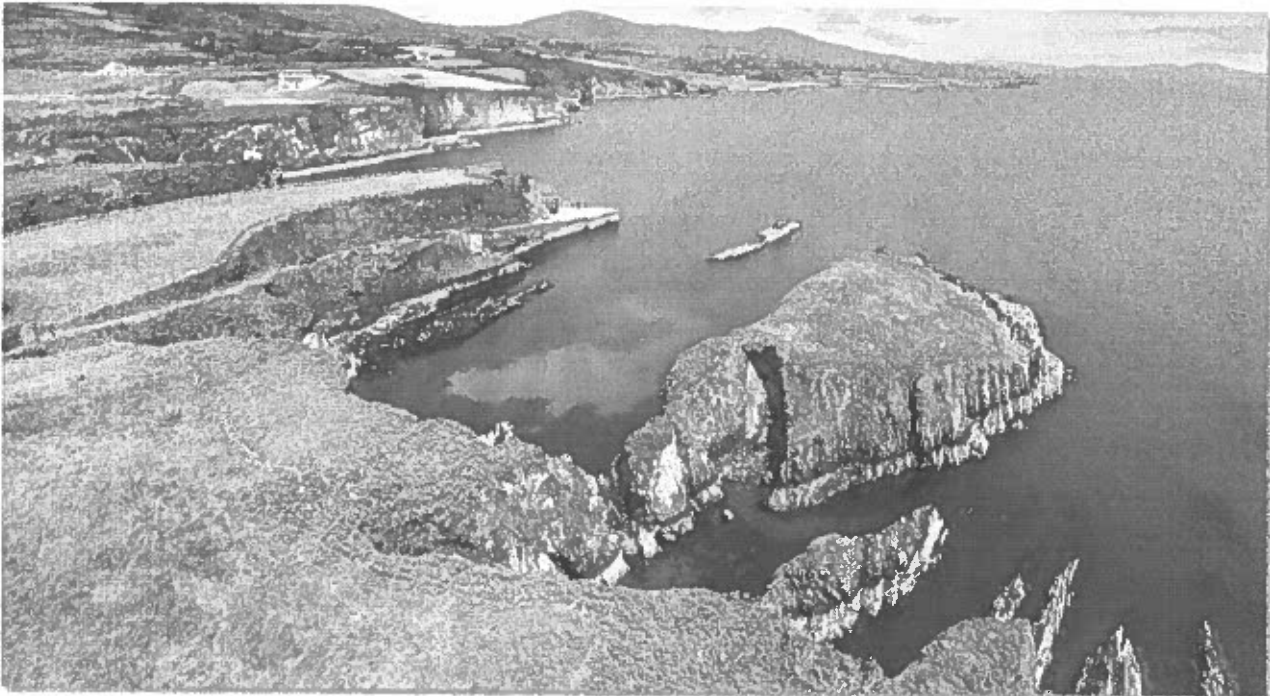
- Cove (/sailing/harbours/361/toormore_cove) - 4.2 miles SE
7. Goleen (/sailing/harbours/339/goleen) - 4.3 miles SSE
 8. Lonehort Harbour (/sailing/harbours/358/lonehort_harbour) - 5.1 miles NNW
 9. Lawrence Cove (/sailing/harbours/67/lawrence_cove) - 5.6 miles NW
 10. Dunbeacon Cove (/sailing/harbours/379/dunbeacon_cove) - 5.6 miles ENE

To find locations with the specific attributes you need try:

Resources search  (/sailing/harbours/find/?startingHarbour=377)

Chart

What's the story here?



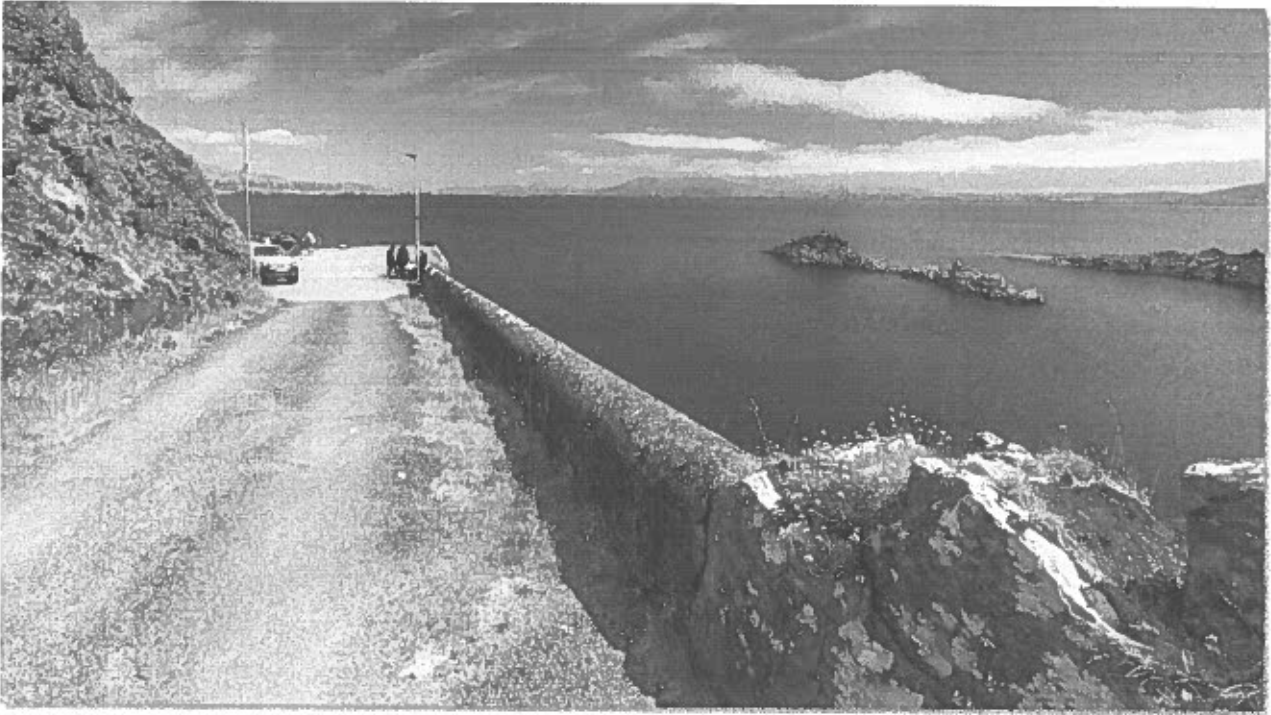
Dooneen Pier tucked in around the point and protected by Illanunglass

Image: Michael Harpur

Dooneen Point is the first significant point along the north shore of Dunmanus Bay about 5 miles eastward of Sheep's Head. It is a remote area with a substantial refurbished concrete Dooneen Pier, set into the rocky outcrops and ridges that extend eastward from the promontory just inside the small craggy island of Illanunglass.

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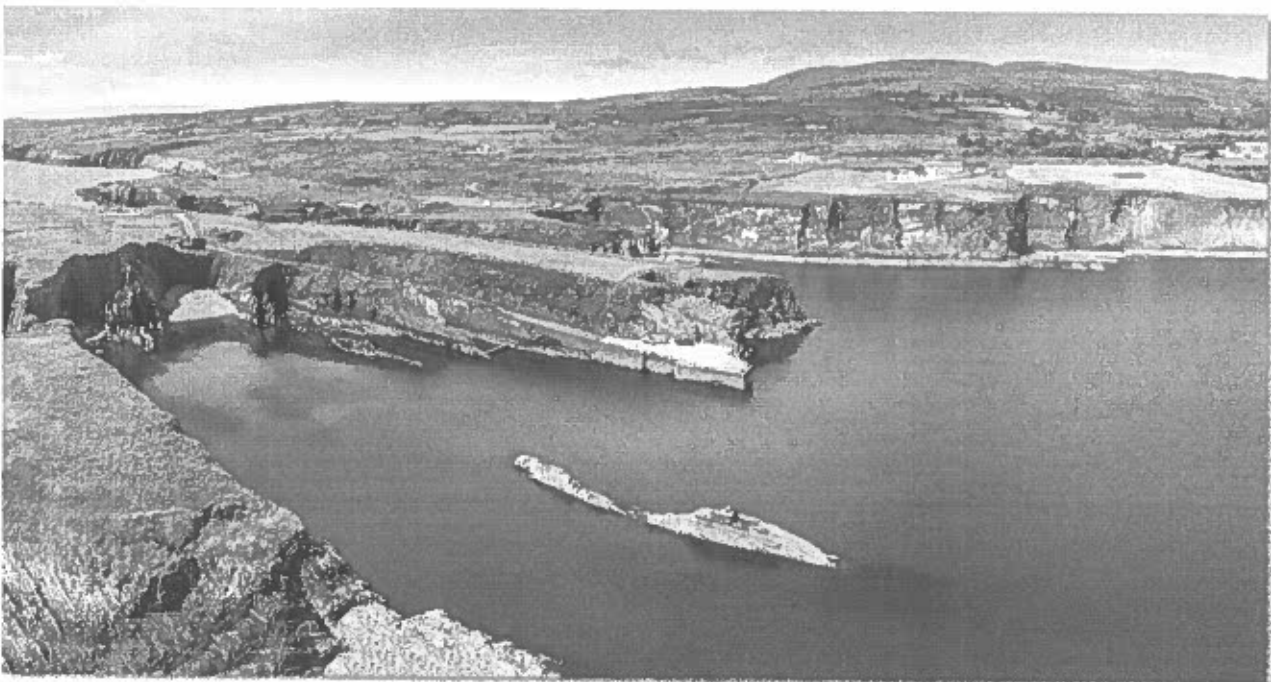
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The road leading to Dooneen Pier

Image: Michael Harpur

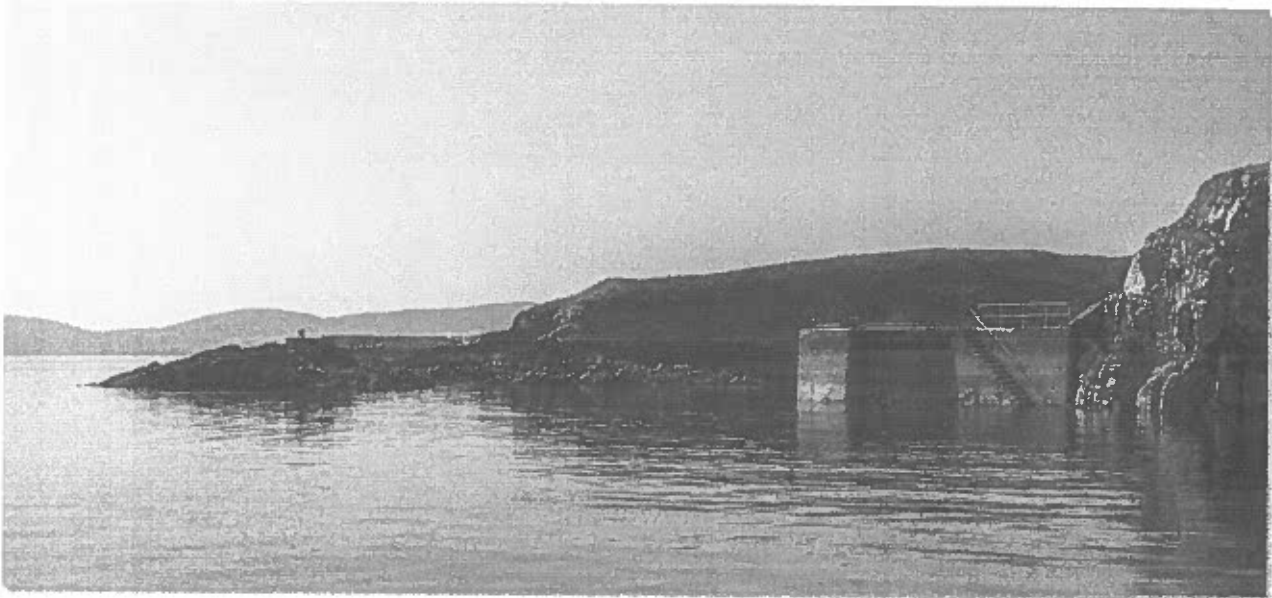
Unfortunately, the area off of the Dooneen Pier is steep-to and deep, anchor in 5-10 metres. A trip line is advised as the area has subsurface mariculture frames and ropes. Moored vessels also run the risk of 'falling off' in the event of the anchor breaking free so an anchor watch should be maintained.



Dooneen Pier as seen from the southeast

Image: Michael Harpur

The old stone pier's rough wall makes it unsuitable to come alongside. Vessels equipped with a fender board might be able to avail of it but should explore the pier well in advance. The more adventurous could also explore mooring 'bow and stern' off the old steamer turning bollard. The pier has an excellent pair of steps.



Dooneen Pier and turning bollard

Image: Burke Corbett

Dooneen Pier is a place for those cruising Dunmanus Bay in settled weather with a mind to discovering interesting day anchorages and short walks. For this is an exposed anchorage and one that ideally makes a lunch stop or a place to have a swim.

How to get in?



Dooneen Point as seen from south-westward at Ballynatra

Image: Michael Harpur



Use Ireland's coastal overview for **Mizen Head to Loop Head** (<https://eoceanic.com/sailing/routes/26/>) for seaward approaches and the the run-up the long and narrow Dunmanus Bay is covered in the **Dunbeacon Harbour** (<https://eoceanic.com/sailing/harbours/262/>) entry.



Dooneen Point, located about 5 miles within the bay, positively identifies the location of Dooneen Pier

Image: Michael Harpur

The haven can be readily identifiable by Dooneen Point's prominent appearance. Situated 5 miles within the entrance to Dunmanus Bay it is the first point that attracts attention when proceeding up along the north shore of Dunmanus Bay. Located to the northeast of Dooneen Point, on its eastern side and close to the shoreline, the pier is easily found.



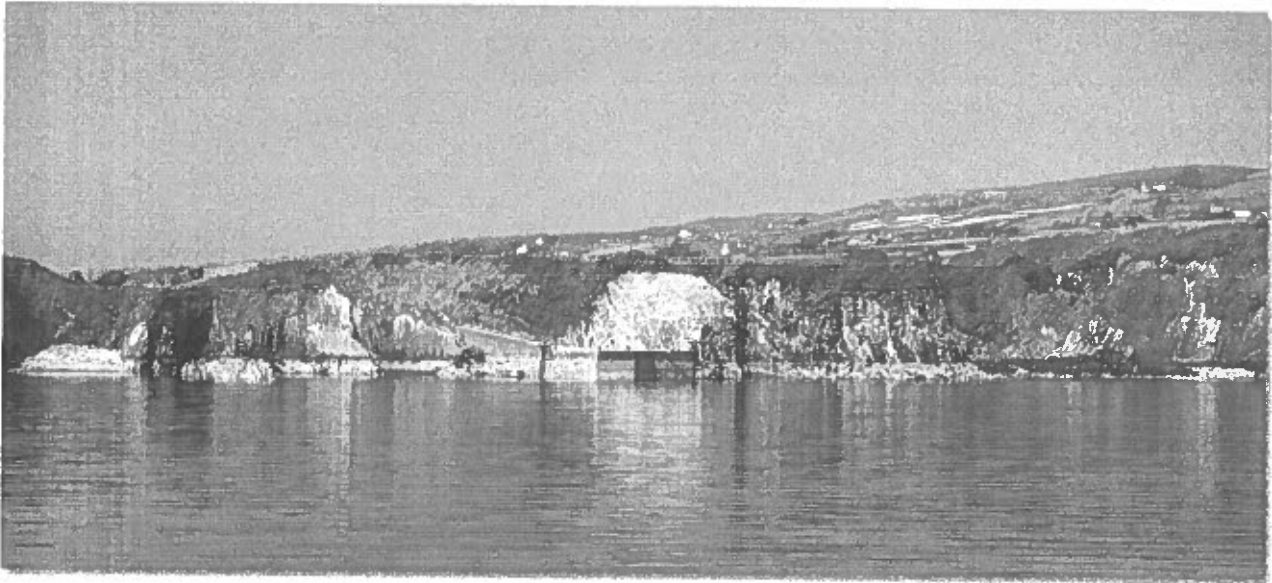
Dooneen Pier as seen from the Dunmanus Bay

Image: Burke Corbett



The substantial old steamer pier will be more than visible from the initial fix as well as the steep escarpments of the adjacent rocky cliffs extending eastward. There are no outlying dangers offshore and the pier may be approached directly. The seabed here is steep and expect depths to rapidly decrease as the pier

is approached.

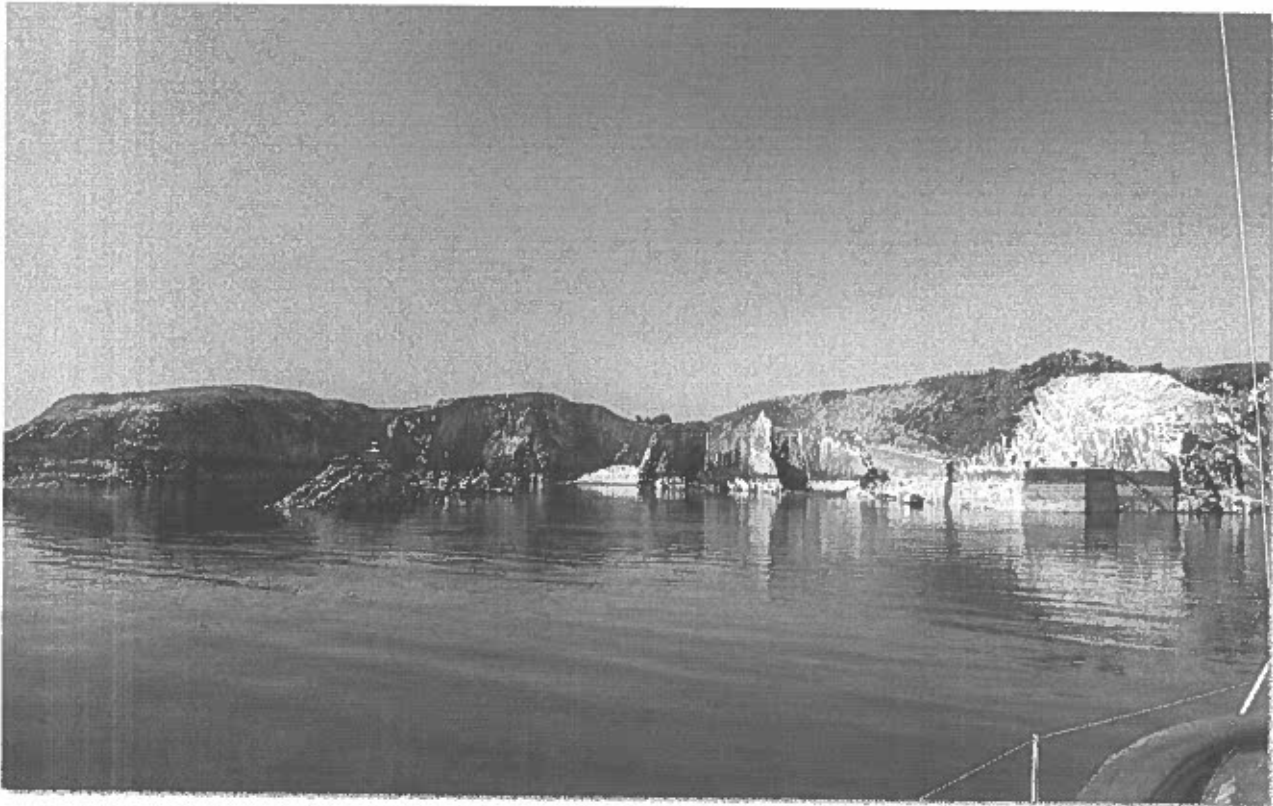


Approaching Dooneen Pier

Image: Burke Corbett



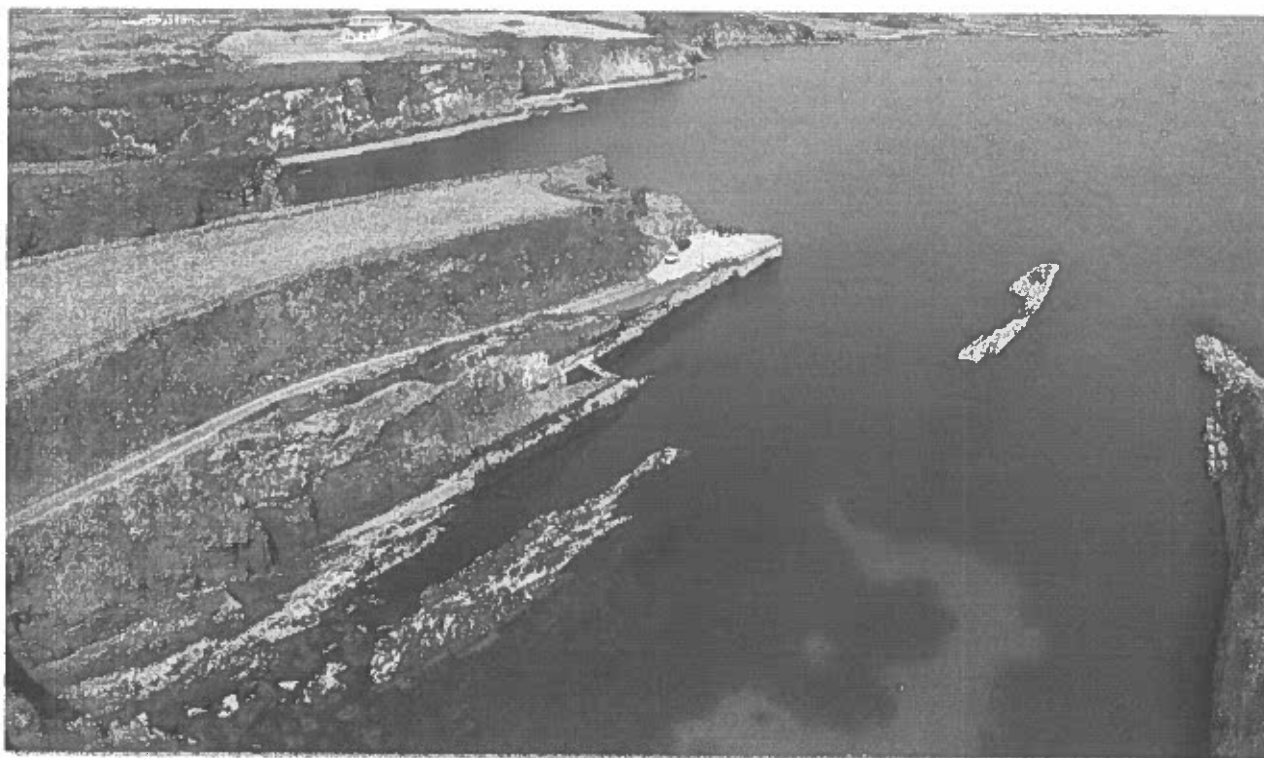
Anchor about 50 metres off the pierhead where 5-10 metres can be found, making certain the anchor is well set.



Dooneen Pier as seen from the anchoring area

Image: Burke Corbett

As the area is steep-to a vessel runs the risk of 'falling off' in the event of the anchor breaking free. It is therefore advised that an anchor alarm is set off Dooneen Pier and if a shore party is landed it would be prudent to leave a competent crew member aboard at all times.



A bow and stern line between the turning bollard and pier could be possible

Image: Michael Harpur

The way to get around this would be to mooring 'bow and stern' between the pier and the old steamer turning bollard set on the little rocky outcrop. This is about 50 - 60 metres to the southwest of the pier with ample water. It may be also possible to set the anchor in deeper water and take a stern line around the bollard.



The distance between the turning bollard and the pier

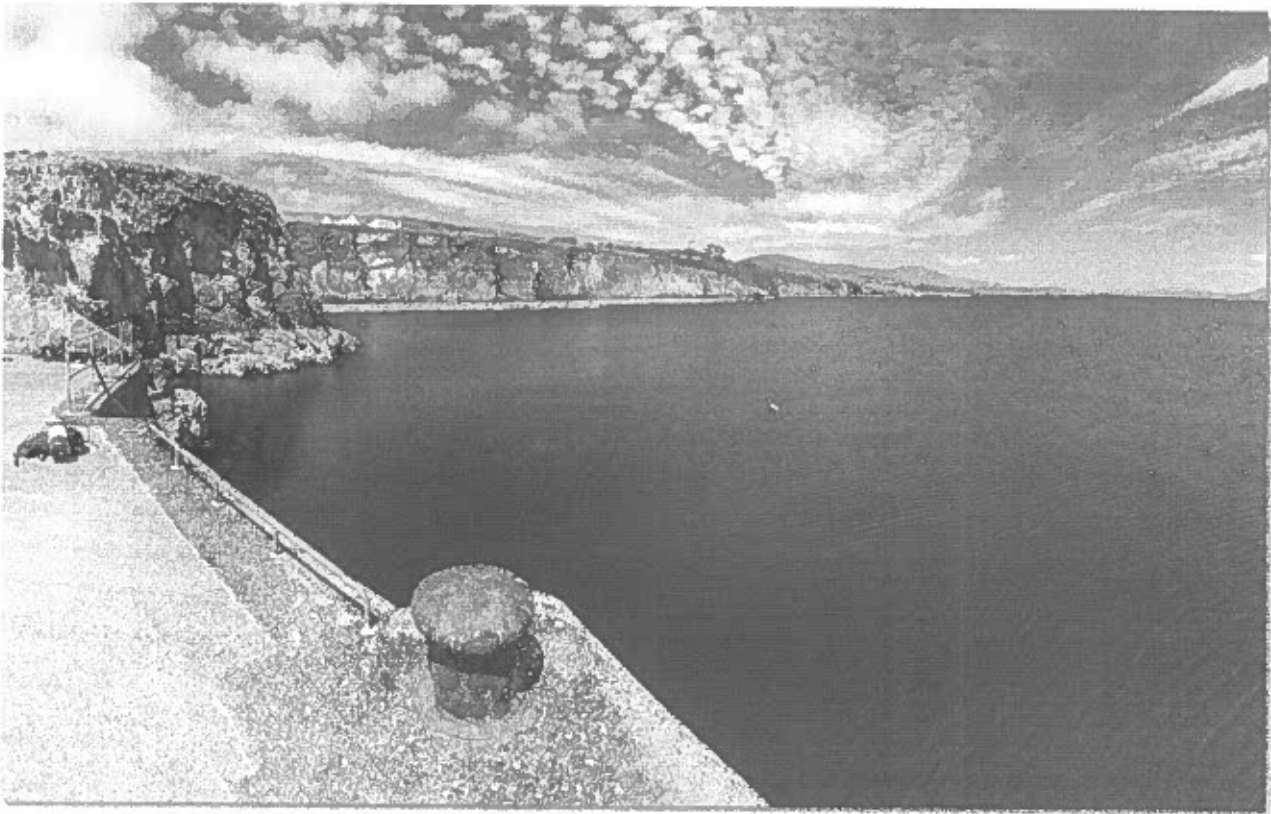
Image: Michael Harpur

Best landings can be had by the dinghy at either of the pier's two sets of steps. A road leads up from the

pier to the peninsula above.

Why visit here?

Dooneen, in Irish *An Dúinín* means the 'the little mound' or 'little fort' indicating that the area was once defended. Understandably the 'Dooneen' name, along with its plural 'Dooneens', occurs regularly in the south and west of Ireland and it is the placename of nearly thirty townlands. Uniquely the full name for the pier area is *Cé an Dúinín* with the *Cé* appending 'quay' to its title.



View up Dunmanus Bay from the head of the Dooneen Pier

Image: Michael Harpur

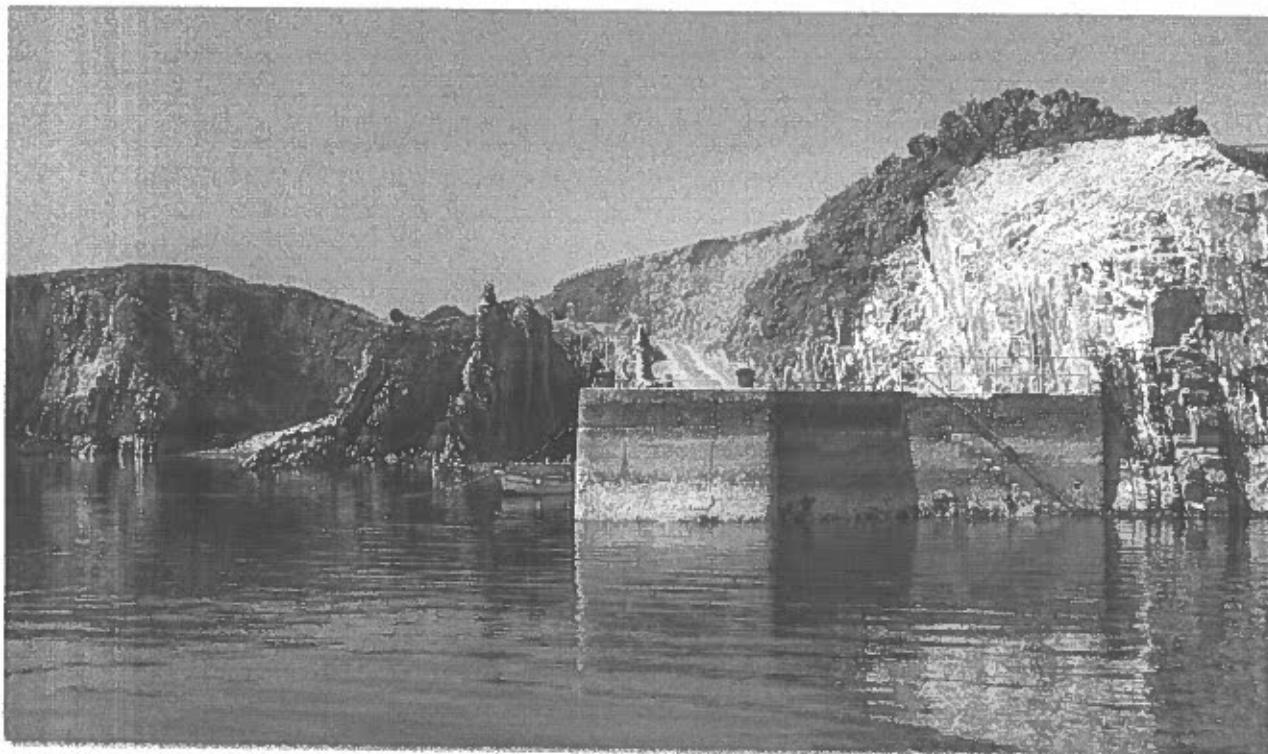
The origin of the extensive pier goes back to mining on the Sheep's Head peninsula in the early 1800s. At the time there was no road, which only finally came about because of a famine relief project, and the heavy ore could not be effectively transported by road at the time. So the Dooneen Pier opened up to provide access into the heart of the Sheep's Head peninsula which in 1845 was starting to boom. At this time mines were operating in Gurtavallig, Killeens North, Killeens South, near Bantry and a large mine at Rooska. These mines yielded silver, copper and zinc ore of very high quality. Roads were nevertheless required to transport the ore from the northside of the peninsula to Dooneen Pier. It is recorded that a new road, 10 miles long, was built in ten weeks by hand and was over the Goat's Path track over the mountains. The mines employed around 2,000 men, women and children. Women and girls helped with the washing of the ore and got 3d or 4d a day, boys got 6d, and men 1s to 1s 4d.



The shale beach at the head of the crevice inside of Illanunglass

Image: Michael Harpur

The boom was short-lived and a lean period descended in the 1870s. The uneconomic deep copper mines Irish mines would never recover from international competitors and over the following decades, one by one, they closed. The last mine on the Sheep's Head Peninsula closed in 1889 and all plant and machinery were auctioned off. Many skilled operatives were out of work, but a large number eventually emigrated and found employment in the copper mines at Butte, Montana in the United States. The pier continued to serve as a port for the export of pilchards and mackerel to Liverpool and the United States.



The substantial pier remains although its trade has long since departed

Image: Burke Corbett

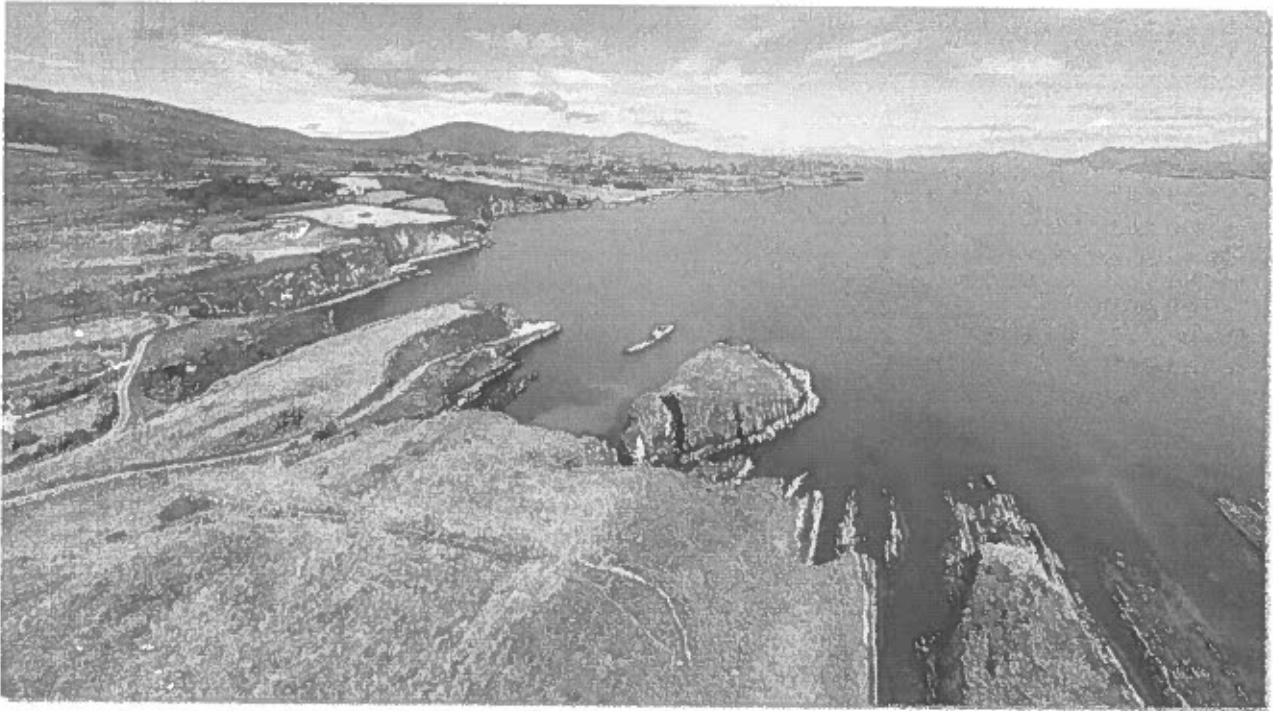
Today there is very little here apart from the old steamer pier that serviced the mines and cured fish exports of the past. Its substantial nature and unusual turning bollard standing on a nearby rock to the south mark its past industrial use. Now Doolin Pier is more popular with swimmers and picnic makers. Divers regularly use it as they can enter the water from the steps and fin out to explore the headlands interesting rocky outcrops and ridges. Anglers still take advantage of plentiful supplies of mackerel that are available in the autumn.



Dooneen's turning bollard speaks to a time when steamers plied their trade here

Image: Burke Corbett

For those with older children aboard the area surrounding the pier could provide plenty in the way of safe exploration. Well protected from the prevailing winds, its craggy cliffs, coves, outcrops, inlets and high and low water caves, offer hours of dinghy or canoe exploration. One notable narrow cleft situated about 25 metres south of the pier runs back 50 metres into the cliff and is never narrower than a metre wide. In settled conditions, Dooneen provides a good landing point to set down a shore party to explore the outer end of the Sheep's Head Way.



Dooneen Point's interesting rocky outcrops and ridges provides plenty to explore

Image: Michael Harpur

From a purely boating point of view, Dooneen offers a good lunch stop location, or in settled conditions, a night's stop could be possible. It makes for a good landing site to set down a shore party to explore the outer end of the Sheep's Head Way but it would not be a place where the vessel could be left for long periods unwatched.

What facilities are available?

There are no facilities at this remote location. There is no slip at the pier. The nearest small village to the pier is Kilcrohane.

Any security concerns?

Never an issue known to have occurred to a vessel anchored off Dooneen Pier.

With thanks to:

Burke Corbett, Gusserane, New Ross, Co. Wexford.

atlantic drift



Bad day out for the Atlantic drift at Dooneen Pier



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