



An
Bord
Pleanála

Inspector's Report ABP 313521-22 EIA Direction

Development:

Works along the eastern side of the existing harbour involving the construction of a new concrete deck, access ramp and steps to beach and slipway to provide adequate launching facilities and turning area for the RNLi lifeboat to be used at all levels of tide.

Location:

Fethard Harbour, New Ross. Co. Wexford.

Planning Authority:

Wexford Co. Council

Case Type:

EIA Direction

Date of Site Inspection:

August 4th, 2022

Inspector

Breda Gannon

1.0 Introduction

- 1.1. Under the provisions of Article 120 (3)(b) of the Planning and Development Regulations 2001, as amended, Mr Jim Hurley is seeking a determination from An Bord Pleanála, as to whether or not the proposal to provide a 10m slipway would be likely to give rise to significant effects on the environment, and thereby require the preparation of an Environmental Impact Assessment Report (EIAR). Wexford County Council are of the opinion that the works do not require an EIAR and has initiated the process set out in Part XI of the Planning and Development Act 2000, as amended and Part 8 of the Planning and Development Regulations, 2001, as amended.

2.0 Site Location and Description

- 2.1. The slipway and associated development would be located on the east side of the existing harbour at Fethard. Co Wexford. Fethard Harbour (or Fethard Quay) is located on the north-eastern end of Ingard Pont on the entrance to Bannow Bay. It lies c 1.2km east of Fethard village and is accessed via Quay Road (L8116). The road, which terminates at the harbour, provides access to a number of residential properties along its route. It is narrow in width and there is limited parking available adjacent to the harbour.
- 2.2. The existing harbour is a protected structure and consists of two linked piers which enclose a small harbour, with an opening to the northwest. The harbour is small and accessible during high tide. There are a number of derelict buildings to the south, with residential accommodation further south on more elevated ground. To the east side of the harbour there is a small sandy beach, accessed by a cobbled ramp.

3.0 Proposed Development

- 3.1. The proposal includes the following:
- Construction of a new concrete deck and 10m wide slipway on fill to the east side of the existing harbour.
 - Construction of associated reinforced concrete retaining walls.

- Construction of associated concrete access ramp and steps to the beach area.
- Excavation and dredging required for construction of the works
- Disposal of any surplus excavated material.
- Associated ancillary development.

4.0 Request for Direction and Submitted Documents

4.1. The submission made by Mr Jim Hurley welcomes the provision of a slipway at the harbour but considers that a width of 10m is excessive and should be reduced to 5m for the following reasons:

- The harbour with a narrow entrance is small with room for less than 10 small vessels. The harbour dries out at low tide.
- There were no boats moored offshore on April 25th, 2021, suggesting that the moorings are used only during the summer season and probably exclusively by pleasure craft.
- There are no boat-storage yards or facilities at the harbour. Consequently, any vessel brought ashore/launched using the proposed slipway would have to be removed /brought into the area via the public road network.
- The harbour is located at the end of a 2.4m wide cul-de-sac that is 4.3m wide. Boat transporting trailers wider than 4m would not be able to access the harbour.
- The existing slipway that serves the area for launching via the beach is c. 4m wide and is currently used by a small number of boat owners.
- The proposed 10m wide slipway is therefore excessive and out of kilter with existing infrastructure in the area.
- Reducing the width of the slipway would have significant benefits in that it would half the land take of foreshore from the Hook Head SAC and Hook Head Marine Protected Area (MPA). It would increase the area of sand available for beachgoers, would be less visually intrusive and would be more in keeping with the size and scale of existing harbour infrastructure.

- Welcomes and supports the provision of a 5m wide slipway as a safer and more accessible launch and recovery facility for craft, especially the RNLI lifeboat. The lifeboat is a 2m wide inflatable boat and it seems reasonable to conclude that a 5m wide slipway is more than adequate to facilitate its launching, which is a significant upgrade from the present regime of launching from the beach.

5.0 Wexford Co. Council's Response to Submission

- Regarding the concerns raised about land take from Hook Head SAC/Bannow Bay SPA, a Stage 1 Screening Report and Stage 2 Natura Impact Statement was completed. It concluded that no significant effects as a result of the proposed development are predicted to occur from habitat loss within the SAC or effects effect related to loss of habitat for SCI species within the SPA. The proposed development would not, therefore, have an adverse effect on the integrity of these or any other Natura 2000 site.
- During consultation for the Foreshore Lease Application, NPWS stated that they had 'no comment to make.'
- The 10m wide slipway will facilitate emergency lifeboat launching and recovery while also providing space and access for commercial fishing, leisure and other RNLI activities.
- With little existing storage and circulation space available to facilitate concurrent activities by the RNLI, leisure and commercial users, the 10m wide slipway will provide relief for these users from interference with other ongoing activities, e.g., boat cleaning, standing boats which could not be achieved with a 5m width. It will facilitate increased and safer use of the area.
- While leisure boat activities may be more spring/summer based, the design accounts for a maximum use condition, in particular ensuring emergency lifeboat launching/recovery can occur without hindrance at any time.
- Five additional public consultation observations made during the Foreshore Lease Application were in support of the proposal.

- Regarding existing access restrictions, the purpose of the proposed development is to provide for a safer, more accessible and useable space rather than providing for larger boats to access and utilise the slipway.
- For comparison purposes an inventory of similar type slipway facilities in Co. Wexford was compiled and detailed in the submission. These facilities range in width from 3.2m to 14m. Given that Fethard Harbour accommodates a RNLI rescue boat service, the proposed width of 10m is considered appropriate to allow for free and unimpeded access for such services as other boat users will also be using the facility.
- The provision of the concrete decking and slipway as well as pedestrian access ramp and steps is designed to provide a robust functioning facility to accommodate the rescue, leisure and commercial fishing interests in the area and is in keeping with similar facilities already constructed and in use elsewhere in the county.

6.0 Additional information

- 6.1. In response to correspondence from the Board dated May 31st, 2022, Wexford Co. Council confirmed that the proposal was subject to the process set out at Part XI of the Planning and Development Act, 2000, as amended and Part 8 of the Planning and Development Regulations 2001, as amended. The response, which was received by the Board on July 27th, 2022 included a range of documents, drawings and reports. It also included the information specified in Schedule 7A of the Planning and Development Regulations 2001, as amended for the purposes of the screening determination.

7.0 Submission of the information specified in Schedule 7A

- 7.1. The overall conclusion reached by Wexford Co. Council is that no significant effects on the environment will arise and that an EIAR is not required for the proposed development.
- 7.2. The Schedule 7A information submitted is summarised as follows:

1. A description of the proposed development, including in particular

a) A description of the physical characteristics of the whole proposed development and where relevant of any demolition works.

- 7.3. The development consists of a new reinforced concrete slipway 50m long x 10m wide and the installation of a 28.5m long concrete access ramp and steps to the beach. The new concrete deck and slipway will be constructed on fill with associated reinforced concrete retaining walls. The proposed concrete access ramp and steps will be constructed perpendicular to the slipway and will provide access to the beach.
- 7.4. Excavation and dredging will be required to facilitate construction. Excavation of the sandflats will be carried out at low tide conditions within a cofferdam/bund to facilitate construction of the end section of the slipway and also of the beach near the cliff face for the construction of the steps and access ramp. An in-situ and/or precast framed structure of the lower section of slipway will be installed during low tidal periods and the remaining slipway concrete structure will be constructed with in situ reinforced concrete.

b) description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

- 7.5. The proposed development is in a location with the potential to impact on European sites, which are described in more detail in the AA Screening Report/NIS. Having regard to the relatively small scale of the proposed development no significant effects from habitat loss are predicted to occur within any European site.

2 A description of the aspects of the environment likely to be significantly affected by the proposed development.

- 7.6. The proposed development is located within the boundaries of Hook Head SAC and Bannow Bay SPA and 27m east of Bannow Bay SAC. There is potential for qualifying habitats and species within the SAC/SPA to be impacted via habitat loss and/or reductions in water quality. Grey Seal are a qualifying interest of the Saltee Islands SAC, located 9.4km south east of the site. Grey seal could utilise the marine habitats proximate to Fethard Harbour and there is potential for noise and disturbance effects during construction.
- 7.7. A range of mitigation measures are proposed to avoid potential impacts on the qualifying interests of European sites in proximity to the proposed development.

3 A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from

(a) The expected residues and emissions and production of waste, where relevant.

7.8. Construction activities have the potential to generate dust emissions. A dust minimisation plan will be prepared and implemented by the contractor with standard measures to mitigate potential impacts. The contractor will be required to mitigate against any inadvertent spillages of hydrocarbons, chemicals or cement during construction. Waste production is anticipated to be minimal and a Waste Management Plan will be incorporated into the CEMP. Construction noise will be managed and mitigated in accordance with standard best practice as set out in limited as set out in Section 5.2 of the NIS and Section 5.8 of the CEMP.

(b) The use of natural resources, in particular soil, land, water and biodiversity.

7.9. The footprint of the proposed development is limited and small scale. There will be a small direct and permanent loss of marine habitat (reefs, shallow inlets and bays) within the Hook Head SAC and Bannow Bay SPA arising from the development, including qualifying habitats of Hook Head SAC. The total area of the development within the Hook Head and Bannow Bay SPA is 695m². There will be a direct impact on any species living within the intertidal and subtidal sediment within this localised area. There are no species listed as qualifying interests for Hook Head SAC. No significant impact on erosion or deposition patterns are predicted to occur.

7.10. Where temporary habitat loss occurs, by dredging and other construction activity, recolonisation by flora and fauna from surrounding areas is predicted to be relatively rapid. Based on the studies conducted and given the small scale of the proposed development and the minor loss of habitats within the SAC, no significant effects from habitat loss are predicted to occur within the Hook Head SAC as a result of the proposed development.

7.11. The overall size of the Bannow Bay SPA is 1362 ha. A small area of potential feeding habitat will be lost as a result of the proposed development. The habitat loss will consist mainly of small areas of rock and intertidal/subtidal habitat. Based on the

small scale of the proposed development and the minor loss of low value feeding habitats within the SPA, no significant effects will occur on the SCI's within the Bannow Bay SPA as a result of the proposed development.

8.0 Policy Context

8.1. The **Wexford County Development Plan 2022-2028** came into effect on July 25th, 2022.

Chapter 12 is dedicated to Coastal Zone Management and Marine Spatial Planning. It recognises (Section 12.6.4) that landside infrastructure is critically important for the functioning of ports and harbours. It states and that the Council will continue to support direct and indirect related infrastructure while at the same time safeguarding ports and harbours from inappropriate development.

Relevant Objectives include:

Objective CMZ04 - It is an objective of the Plan to seek investment in the sustainable development of infrastructure (physical and social) and access (upgraded pier infrastructure, landing facilities).....

Objective CZM 16 –To support development which provides for safety at sea, navigation safety and maritime search and rescue operations and ensure that they are key considerations in the assessment of development proposals, in particular, the development and expansion of port facilities.....

Objective CZM22 – To require developments that will be used by the public to be universally accessible to ensure that everyone enjoys equal access regardless of their age and ability.

Objective CZM46 – To support the development of appropriate land-based infrastructure which facilitates marine activity (and visa versa) , and support proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries subject to compliance with the objectives of this County Development Plan, the protection of scenic amenity associated with coastal areas and the maritime area which is crucial to the tourism industry, the protection of the amenity, livelihood and cultural identity of coastal communities, the protection of coastal features, habitats and species and compliance with the Habitats Directive,

normal planning and environmental criteria and proper planning and sustainable development.

Fethard Quay is a Protected Structure and included in the Record of Protected Structures (WCC1314) in Volume 5 of the development plan.

The site lies in a coastal area (Map 7.1 of the Plan) on the Hook Peninsula which is identified as a Distinctive Landscape Unit with a high sensitivity rating and limited ability to absorb new development.

8.2. Natural Heritage Designations

The site lies to the eastern extremity of Hook Head SAC (Site code 00764) which is of special conservation interests for the following habitats;

- [1160] Large Shallow Inlets and Bays
- [1170] Reefs
- [1230] Vegetated Sea Cliffs

The site is also located within the Barrow Bay SPA (Site code 004033) which is of special conservation interest for 13 bird species and for wetlands and the waterbirds.

9.0 Legislation and Guidelines

9.1. Planning and Development Act 2000 (as amended)

Section 172(1) states that an EIA shall be carried out in respect of certain applications for consent for proposed development. This includes applications for 'sub threshold' development, namely those which are of a Class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, but do not exceed the relevant quantity, area or other limit specified and the competent authority determines that the proposed development would be likely to have significant effects on the environment.

Section 172(1A) specifies that the above is relevant to development that may be carried out by the local authority under Part XI.

9.2. **Planning and Development Regulations 2001 (as amended)**

9.2.1. **Article 120(3)(b)** states that any person at any time before the expiration of 4 weeks beginning on the date of publication of the notice may apply to the Board for a screening determination as to whether a development proposed to be carried out by a local authority would be likely to have significant effects on the environment.

9.2.2. **Article 120(3)(c)** indicates that such applications for screening determination shall state the reasons for the forming of the view that the development would be likely to have significant effects on the environment and shall indicate the class in Schedule 5 within which the development is considered to fall.

9.2.3. **Schedule 5** of the Regulations sets out the classes of development where EIA is required.

Part 1 – Sets out the development classes which are subject to mandatory EIA.

Part 2 – Development classes subject to EIA where they exceed a certain threshold in terms of scale or where the development would give rise to significant effects on the environment.

9.2.4. **Schedule 7** – Sets out the criteria for determining whether a development would or would not be likely to have significant effects on the environment, under three heading-

1. Characteristics of the proposed development.
2. Location of the proposed development.
3. Types and characteristics of potential impacts.

9.3. **Schedule 7A** - relates to information to be provided by the applicant or developer for the screening of sub-threshold development for the purposes of EIA. The requirement for the submission of this information in the case of requests to the Board for a determination under Article 120(3) of the Regulations arises on foot of revisions to Article 120(3) introduced by the EU (Planning and Development) (Environmental Impact Assessment) Regulations, 2018. The changes to Article 120(3) introduced by these regulations came into effect on 1st September 2018.

10.0 Assessment

10.1. Introduction

10.1.1. The proposal is to provide a new concrete deck and slipway to the east side of the existing harbour with reinforced retaining walls and a concrete access ramp and steps to the adjacent beach. The question for determination by the Board is whether the proposed development requires environmental impact assessment to be carried out.

10.1.2. The following matters are considered relevant in the assessment of the requirement for the submission of an EIAR in this case:

- Assessment of project type/class of development under Schedule 5 of the Regulations relevant to the proposed development.
- Assessment of relevant thresholds under Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, as amended.
- Assessment of proposal under the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.

10.2. Relevant project types/class of development and relevant thresholds

The referrer considers that the proposed development falls within the scope of Class 10 (e) under Part 2 of Schedule 5 of the Planning and Development 2001, as amended.

Under Part 2 of Schedule 5 the following is included under Infrastructural projects
10 (e) New or extended harbours and port installations, including fishing harbours, not included in Part 1 of this schedule, where the area, or additional area, of water enclosed would be 20 hectares or more, or which would involve the reclamation of 5 hectares or more of land, or which would involve the construction of additional quays exceeding 500m in length.

10.2.1. The proposal is not a new or an extended harbour and no water will be enclosed as part of the proposed development. It would involve minimal land-take and no significant land reclamation. While I do not consider that a 'slipway' which is generally used to launch/land boats in and out of the water falls within what would normally be described as a 'quay' (used more generally for mooring or tying up

vessels and for loading/unloading of goods and passengers), with an overall length of 50m, it falls well below the threshold of 500m provided for in Class 10(e).

10.2.2. While I am not therefore persuaded that the proposed development is of a Class described in Schedule 5, an assessment of the proposal under the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended is provided below for the information of the Board.

10.3. **Assessment of proposal under the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.**

10.3.1. Annex III of the Directive as set out in Schedule 7 of the Planning and Development Regulations 2001, as amended lists three criteria to determine whether a project should be subject to environmental impact assessment. These are as follows. headings:

- Characteristics of proposed development.
- Location of proposed development.
- Types and characteristics of potential impacts.

10.3.2. The Directive lists matters that require consideration under each of these criteria which are addressed below in the assessment.

Characteristics of proposed development

Size and design of whole project

10.3.3. The proposed development involves the construction of a new concrete deck and slipway, concrete access ramp and steps to the beach. The works will be carried out on the beach to the east side of the existing harbour and will require the excavation of rock, sandflats and a limited amount of dredging. The slipway will extend into the sea and project by c.15m beyond the outer extremity of the existing eastern quay wall.

10.3.4. There is an existing cobbled stone slipway that slopes towards the beach from the access road to the harbour. It has been extensively repaired using concrete. As part of the proposal the area will be levelled and infilled to create a level concrete deck with a sloped slipway and a wave reflector wall. The ramped access and steps will

be provided perpendicular to the slipway and run along the edge of the cliff forming the southern boundary to the beach.

10.3.5. The proposal will result in the loss of part of the existing beach as a section of the existing sand surface is replaced by a hard surface. In terms of the limited area of the beach, the scale of the proposal is significant in the local context. However, having regard to the limited footprint of the overall development (685m²), the works are not of a scale that would generate significant effects on the environment to warrant EIA. The impacts will be highly localised short-term in duration and easily managed

10.3.6. The proposal will improve launching facilities for boats which are currently constrained and will further the objectives of the development plan in terms of improving infrastructure for maritime activities and provide universal access to the beach.

Cumulation with other existing and/or approved projects

10.3.7. The local authority has not provided any details and I am not aware of and existing/proposed developments in the immediate vicinity of the site that would act in combination with the proposed development to generate cumulative effects.

The nature of demolition works, use of natural resources, production of waste, pollution and nuisances, risk of major accidents/disasters including those by climate change and risk to human health

10.3.8. No part of the existing quay wall will be demolished to facilitate construction of the new slipway. A separation membrane is proposed to provide protection between the proposed works and the existing pier structure. There are rocky outcrops which will be broken down to suit the proposed deck and slipway levels.

10.3.9. While construction materials will be required, in particular reinforced concrete, having regard to the limited size and scale of the proposed development, the use of natural resources will not be significant. The proposed development will impact on non-renewable elements of the natural environment. However, having regard to the small footprint of the development and the limited land take (690m²), the significance of effects is considered minor. Similarly, the production of waste will be small scale and will be managed in accordance with the Waste Management Acts.

10.3.10. There is potential for some pollutants and nuisances (noise, dust etc) during construction, and this will be managed by best construction practices and in accordance with a Construction and Environment Management Plan. As the construction works are limited and involve routine methodologies, it is considered that there is a negligible risk of a major accident and/or disasters. Similarly, having regard to the location, nature, scale and characteristics of the proposed development, the risk to human health from water contamination, accidental spillages etc is considered to be negligible.

10.3.11. Having regard to the characteristics of the proposed development, I accept that the potential for significant effects on the environment is low and would not generate the requirement for environmental impact assessment.

Location of proposed development

Existing and approved land uses

10.3.12. The proposed development would be located on the existing beach to the east of Fethard Harbour. The proposal will result in the loss of part of the beach area used for recreational and amenity purposes. The loss of ground is likely to be permanent but is reversible. The new slipway will be separated from the existing quay wall and no direct impacts on its fabric are proposed. It will also be necessary to traverse an area of ground in private ownership to the south.

The proposed improvements would improve launching facilities for boats including the RNLi lifeboat.

Abundance, availability, quality and regenerative capacity of natural resources in the area and its underground

10.3.13. The proposal will result in permanent impacts on the existing beach associated with the replacement of sand with a hard surfaced deck and slipway. It will also involve works below water level as the slipway is constructed on the seabed. These impacts are permanent but are reversible.

Absorption capacity of the natural environment

10.3.14. The proposed slipway would be located within Hook Head SAC and Bannow Bay SPA, creating the potential for direct impacts on these European sites. There is also potential in the absence of mitigation for indirect impacts on these and other

European sites in the wider area associated with the potential release of pollutants and contaminants during construction.

- 10.3.15. The existing harbour is located in a picturesque setting and within a designated sensitive landscape, with a high sensitivity to change and little ability to accommodate new development. The proposed slipway would be positioned adjacent to the eastern quay of the harbour and would be visible on approaches to the harbour from Quay Road and from the beach. In terms of the landscape and visual amenity of the area, I consider that the overall impact of the development would be negative but highly localised.
- 10.3.16. Fethard Harbour is stated to have been built initially in 1771 and is reportedly the oldest extant harbour in Co. Wexford. The harbour is enclosed by two stone piers and is a Protected Structure. Its character is derived from its scale and compact configuration and elegant stone walls. The new slipway will be constructed from concrete along the existing pier wall (east) with a separation barrier to protect the fabric of the protected structure.
- 10.3.17. I accept that the proposed development will impact on the character and setting of the protected structure and the visual amenities of the area. The original Architectural Heritage Impact Assessment Report (Paul Arnold Architects, January 2011) recommended measures to mitigate the impacts of the proposed development, including facing the eastern flanking wall of the slipway and the wave wall with stone. The use of cobbled surfaces above mean tide level was also recommended.
- 10.3.18. The report was updated by Stafford Mc Loughlin in March 2022. It noted the impracticality of using stone facing or exposed aggregate concrete in vertical faces due to the predicted wave action in this location. It also stated that the use of cobbled surfaces above mean tide level was not an option due to accessibility issues.
- 10.3.19. While I accept that these measures would mitigate impacts on the character and setting of the protected structure and the visual amenities of the local area, I accept that the long term consequences of wave action must be taken into consideration in terms of the sustainability of the proposed development.

10.3.20. The proposed development will take place within an ecologically sensitive area associated with two European Sites, Hook Head SAC and Bannow Bay SPA.

10.3.21. I accept that the proposed development is located in a sensitive area in terms of landscape, cultural heritage and ecological sensitivities.

Types and characteristics of potential impacts

Nature, magnitude and extent of the impact

10.3.22. The extent of the impact in terms of *geographical area* impacted and the *size of the population likely to be affected* is limited. There will be construction related impacts but these will be localised, of short duration (4 months) and capable of effective mitigation by good construction practices and best practice mitigation measures.

10.3.23. There will be *visual impacts* associated with the introduction of a new deck, slipway, reflective wave wall, steps and access ramp into the setting of the picturesque harbour. The impacts will be localised and confined to the beach area (particularly at low tide) and from the approaches to the harbour from Quay Road. Due to the resilience and durability of the structure required the wave wall, slipway and deck will be constructed in concrete. Measures to reduce visual impact such as the use of cladding, stone facing etc are discounted for the reasons set out above.

10.3.24. Regarding *biodiversity*, the development site lies within the Hook Head SAC and the Bannow Bay SPA. There is potential for direct and indirect impacts (through a deterioration in water quality) on species and habitats which are qualifying interests of the European sites. It is considered that these matters can be adequately dealt with under the Habitat's Directive (Appropriate Assessment).

10.3.25. Impacts on *land and soil* will be negligible having regard to the limited land take associated with the development. There is potential for impacts on *air/climate*, and for *noise/vibration* during construction with the potential to impact on the amenity provided by the beach, harbour users and local residents. However, these impacts will be temporary and short lived.

10.3.26. There is potential for impacts on *cultural heritage* arising from the protected status of the existing harbour. The new structures will detract from its character and setting. While some measures are proposed to protect the fabric of the existing quay

wall, including the provision of a separation membrane between the 18th century wall and the new concrete structure, it is difficult to provide a slipway with the durability required without impacts on the protected structure. I note that in accordance with best practice it is proposed to undertake a measured and photographic survey to provide a record of the structure, in advance of the works.

10.3.27. There is also potential for impacts on the archaeological resource, which are assessed in the Archaeological Impact Assessment Report (Moore Marine Services , 2010). Nothing of archaeological significance was observed/detected during the site surveys. However, it is recognised that there is potential for historic maritime related material to be contained in the underlying sands. The report recommends the monitoring of all groundworks by a suitably qualified archaeologist to mitigate potential impacts on the archaeological resource. I note that the mitigation strategy is considered acceptable by the Department of Housing, Local Government and Heritage (report June 2022). Adherence to standard mitigation measures in accordance with the requirements of the DoH LGH would be sufficient to mitigate impacts on the archaeological resource.

10.3.28. Due to the nature and limited scale of the proposal and its relationship with surrounding land uses, it is not considered that the proposed development would result in significant negative impacts in terms of *material assets*. I accept that the proposed development will be positive in terms of provided enhanced launching facilities for boats, including the RNLI lifeboat.

10.3.29. There is potential for *interaction* between the various environmental factors, notably between water, visual impacts and cultural heritage. Significant interactions are not considered likely or such that would give rise to likely additional environmental impacts.

Probability, intensity and complexity of impacts

10.3.30. Having regard to the limited scale of the proposal, the nature of environmental impacts are not considered complex or intense.

Expected onset, duration, frequency and reversibility of the impact

10.3.31. The proposal is to provide a new deck, slipway, wave wall access stairs and ramp. The impacts will therefore be long-term, on-going and only reversible if the structures are removed.

Transboundary nature of impact

- 10.3.32. There will be no transboundary impacts associated with the proposed development

Cumulative impacts

- 10.3.33. The adopted plan for the county has been subject to Strategic Environmental Assessment which has concluded that significant environmental impacts are not likely to arise from the adopted development scenario. I am not aware of any existing/permitted projects in the vicinity of the site that would act in-combination with the proposed development to generate cumulative impacts.

11.0 Conclusion and Recommendation

- 11.1. Having regard to the location of the proposed development, the characteristics of the proposed project and the type and characteristics of potential impacts, I consider that the proposed development of a concrete deck, slipway, wave wall, access ramp and stairs adjacent to the eastern pier of Fethard Harbour would not be likely to have significant effects on the environment. I therefore recommend that Wexford Co. Council be advised that the preparation and submission of an environmental impact assessment report is not therefore required.
- 11.2. I accept that the proposed development is located in a sensitive location in terms of ecological considerations, landscape and visual amenity and cultural heritage.
- 11.3. Having regard to the nature and scale of the proposed development, I consider that the issues arising from connectivity to European sites can be adequately dealt with under the Habitats Directive (Appropriate Assessment).
- 11.4. I consider that the likely consequences for the proper planning and sustainable development of the area arising from potential impacts on landscape and visual amenity and cultural heritage can be addressed in a section 177AE application to the Board.

12.0 Reasons and Considerations

Having regard to the following:

- (a) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended
- (b) The nature and limited scale of the development
- (c) The limited potential for significant effects on the environment
- (d) The submission of the planning authority

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report is not, therefore, required.

Taking account of the conclusion of the Appropriate Assessment Screening Report and the Stage 2 Appropriate Assessment, I consider that the impacts likely to arise including potential impacts on European sites and the likely consequences for the proper planning and sustainable development of the area arising from impacts on the landscape, visual amenities, architectural, archaeological and cultural heritage can be addressed in a section 177AE application to the Board.

Breda Gannon
Senior Planning Inspector

6th August 2022