



An
Bord
Pleanála

Inspector's Report 04.PC0235

Application Type	SID Pre Application – Whether proposed development is or is not strategic infrastructure development.
Development	Development of a new quay at Dinish Island, Castletownbere, Co. Cork.
Location	Castletownbere, Co. Cork
Prospective Applicant(s)	Department of Agriculture, Food and the Marine
Planning Authority	Cork County Council.
Date of Pre Application Meeting(s)	6th April, 2017
Inspector	Stephen Kay

1.0 Site Location and Description

- 1.1. The site is located on Dinish island at Castletownbere, County Cork. The existing layout of the harbour is such that there are berths and commercial activity on the mainland or town side of the harbour. In addition, there is existing commercial activity and quay frontage located to the south on Dinish Island which is connected to the mainland by a causeway at the eastern side of the island.
- 1.2. The area where development is proposed is located at the north western and western sides of the island.
- 1.3. The harbour is currently identified as a fisheries harbour centre under the Fisheries Harbour Centre Acts and is identified as a port of regional significance under the National Ports Policy 2013. The level of tonnage handled at the port is however low relative to the larger ports with approximately 26,000 tonnes of cargo handled in 2011. The vast bulk of this existing tonnage handled at Castletownbere is fisheries with only a very small volume of commercial freight traffic, currently estimated at 17 vessels per annum.

2.0 Proposed Development

- 2.1. The proposed development comprises the extension of the existing quay on Dinish Island side of the harbour. The development would comprise an extension of the existing Dinish Wharf located on the north western side of the island and would involve the construction of additional quay of c. 216 metres in length. The proposed development would represent an increase of 27 percent over the existing berthage length in the harbour. The maximum length of vessel that could be accommodated in the harbour would increase from the current 105 metres to 120 metres.
- 2.2. The development would involve the reclamation of an area of approximately 4,100 sq. metres (0.41 Ha.) through the infilling of an area behind the new quay with approximately 22,500 cubic metres of material.
- 2.3. Dredging to facilitate access to the extended quay is proposed with dredging to a depth of -8 metres OD proposed to be undertaken adjacent to the quay and in an area to connect the extended quay to the main navigation channel. The total area of seabed to be the subject of dredging is indicated to be approximately 4.1 ha.

2.4. The development proposes the construction of 2 no. new breakwaters to be located at the western end of Dinish Island.

3.0 Case Made by Prospective Applicants

3.1. Representatives of the Board met with the prospective Applicant on the 6th April, 2017. Issues discussed at this meeting and detailed in the record of the meetings included, inter alia, the following:

- The response to further information made by the prospect applicant stated that screening for appropriate assessment has been undertaken and that this assessment concluded that the proposed development would not be likely to have significant effects on any European site. It is not therefore proposed that the application would be accompanied by a Stage 2 appropriate assessment.
- It was confirmed that the proposed development is for the purpose of rationalising the operation of the harbour and to reduce the pressure on the town side of the harbour. Specifically, the proposed development would facilitate the relocation of fishing vessels from the town side to Dinish Island. The existing layout and berthing of boats on the town side is stated by the prospective applicant to be at odds with the commercial development of the town and is also such that the rafting up of boats is necessary. The relocation of boats would create additional opportunities for commercial development along the harbour frontage of the town, would reduce potential conflicts between commercial / fishing activity and the general public and would improve health and safety by the elimination of the need for the rafting up of boats.
- The development is also justified on the basis that it would enable the harbour to accommodate larger more modern vessel.
- The extent of additional commercial activity that would be generated by the proposed development is indicated by the prospective applicant as being limited with the projected increase in domestic fisheries landings projected to increase by 4.9 percent from a relatively low base of c. 1,830 landings per

annum. It is stated by the prospective applicant that domestic fisheries landings are restricted by fish quotas which are unlikely to change in the future.

- That the proposed development would result in a larger increase in foreign fisheries landings. These landings are however characterised by the fact that this catch is generally directly exported and therefore has a limited economic or social impact on the local area.
- That the level of commercial traffic using the harbour is very low at c. 17 vessels per annum.
- That the level of employment generated by the proposed development is limited and is projected to rise from 7 no. to 11 no. full time employees.

3.2. The application made by the prospective applicant is under s.37B of the Planning and Development Act, 2000 (as amended) and makes the following points in relation to the proposed development and whether it would or would not constitute strategic infrastructure:

- Consider that the proposed development would come within the scope of Class 2 of the Seventh Schedule of the Act being development of a quay that would be in excess of 100 metres in length. The development would also appear to be such that it would facilitate vessels of over 1,350 tonnes.
- With regard to the criteria under s.37A(2) of the Planning and Development Act, 2000 it is submitted that the proposed development would not meet any of these criteria.
- Submitted that Castletownbere is not identified as a Tier 1 or Tier 2 port in the National Ports Policy document. It is identified as a port of regional significance however this is stated by the prospective applicant to be reflective of the use of the harbour for incidental commercial traffic.
- That the proposed development would not result in significant additional commercial activity in terms of vessels, landings or economic activity. This information is set out at Table 2 of the submission received by the Board on 6th April 2017. Specifically, the number of commercial vessels is projected to increase from 17 to 30. Employment to rise from 7 full time equivalents

(FTEs) to 11 and domestic fisheries landing to rise by approximately 5 percent, from 1830 vessels per annum to 1920 vessels. Similarly, the increase in foreign landings would also be relatively limited with an increase of approximately 10 percent projected by the prospective applicant, increasing from 1397 vessels to 1536 vessels.

- That there are no specific references to the harbour at Castletownbere in either the NSS or the Regional Planning Guidelines.
- That, given the limited economic impact arising, the proposed development would not have a significant effect on the area of more than one planning authority. There would be some increase in the level of road traffic to Rosslaire from the exported catch from foreign fishing vessels however this is not considered to be such as to have a significant effect on other planning authority areas.

4.0 Legislative Provisions

- 4.1. In terms of compliance with the terms of the 7th Schedule of the Strategic Infrastructure Act, 2006, as amended by the *Planning and Development (Amendment) Act, 2010*, Class 2 under the heading of Transportation Infrastructure provides that the following shall be infrastructure development for the purposes of sections 37A and 37B:

‘A harbour or port installation (which may include facilities in the form of loading or unloading areas, vehicle queuing and parking areas, ship repair areas, areas for berthing or dry docking of ships, areas for the weighing, handling or transport of goods or the movement or transport of passengers (including customs or passport control facilities), associated administrative offices or other similar facilities directly related to and forming an integral part of the installation)—

(a) where the area or additional area of water enclosed would be 20 hectares or more, or

- (b) which would involve the reclamation of 5 hectares or more of land, or*
- (c) which would involve the construction of one or more quays which or each of which would exceed 100 metres in length, or*
- (d) which would enable a vessel of over 1350 tonnes to enter within it.'*

4.2. Section 37A(1) says that an application for permission for any development specified in the Seventh Schedule shall be made to the Board under section 37E and not to a planning authority if, in the opinion of the Board, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely –

- (a) the development would be of strategic economic or social importance to the State or the region in which it would be situate,
- (b) the development would contribute substantially to the fulfilment of any of the objectives in the National Spatial Strategy or in any regional planning guidelines in respect of the area or areas in which it would be situate,
- (c) the development would have a significant effect on the area of more than one planning authority.

5.0 **Assessment**

5.1. **Compliance with the 7th Schedule**

The proposed development at Castletownbere comprises an extension to the existing berth measuring 216 metres in length. The proposed development would therefore meet sub paragraph (c) of Class 2 of the Seventh Schedule. The information submitted by the prospective applicant regarding dredging indicates that a vessel of over 1,350 tonnes would be able to enter the harbour and it would therefore appear that the proposed development would also meet the requirement of sub paragraph (d). For these reasons it is considered that the proposed development comes within the scope of strategic infrastructure development as set out in the Seventh Schedule.

5.2. s.37A(2)(a) - Strategic Economic or Social Importance to the State or the Region

- 5.2.1. The prospective applicant makes the case that the proposed development would not have a significant impact in terms of additional fish landings at the harbour or its use for commercial traffic. Table 2 of the submission received by the Board on 6th April, 2017 sets out the predicted impacts arising from the proposed development relative to the existing situation. The estimated increase in commercial traffic is significant in percentage terms at 76 percent, however this is from a low base and the increase in commercial vessel movements would only be 13 per annum. Similarly, with regard to fisheries landings, the projected increases for domestic vessels is 4.9 % increase and 9.9% for foreign vessels. Given the relatively low baseline level of fisheries landings at the harbour it is my opinion that the additional level of fisheries landings that would be generated by the proposed development is limited. I also note from the information provided by the prospective applicant that the foreign fisheries landing component of activity at the harbour is generally not processed in Ireland and is exported, primarily via Rosslaire. The effect of this is that this element of the increased landings would have a very limited overall economic impact.
- 5.2.2. Figures provided by the prospective applicant indicate that the number of employees is projected to increase from 7 to 11 which is not in my opinion of significance at a regional or national level. The estimated increase in spending in the local area generated by the proposed development is an additional €4 million, or an increase of 9 percent over and above the existing estimate of €40 million generated by the activities at the harbour. I do not consider that this increase in spending attributable to the proposed development can be seen to be significant in a regional context.
- 5.2.3. The proposed development is justified by the prospective applicant on the basis of the benefits for health and safety arising from the separation of fishing and commercial activity from the general public and this would clearly lead to an improvement in the local environment with less congestion of vessels and support activities on the town side of the harbour. The proposed development would also provide opportunities for the improvement of the environment for the development of other commercial activities on the town side of the harbour. These benefits are however in my opinion of a local nature and I do not consider that they could

reasonably be seen to have an economic or social importance outside of the local area.

- 5.2.4. In conclusion, having regard to the projected economic impacts arising in terms of fisheries landings, commercial activity, employment and local spending, as well as the localised nature of the potential economic and social impacts arising from the reduced congestion in the mooring of boats and the improved environment on the town side of the harbour, I consider that the economic and social impacts of the proposed development would be local in nature. I would therefore agree with the prospective applicant that the proposed development would not be of strategic importance to the state or region and does not therefore come within the scope of s.37A(1)(a) of the Act.

5.3. s.37A(2)(b) – Substantial contribution to the achievement of the objectives of the NSS or RPGs

- 5.3.1. In terms of the contribution that the proposed development would make towards the National Spatial Strategy and the Regional Planning Guidelines for the Greater Dublin Area, there are no specific references in either document to Castletownbere harbour. There are therefore no objectives that relate to the promotion of the development of commercial facilities at the site. For this reason, it is not considered that the proposed development can be seen to make a substantial contribution to the achievement of the objectives of either the NSS or the RPGs and I would therefore agree with the prospective applicant that the proposed development would not come within the scope of s.37A(1)(b) of the Act.

5.4. s.37A(2)(c) – Significant effect on the area of more than one Planning Authority

- 5.4.1. The proposed development is located such that it is physically separate from other planning authority areas. As set out above, the additional foreign fisheries landings at the harbour that would be generated by the proposed development are predominately exported, mainly via Rosslaire. The projected increase in this catch, indicated at Table 2 of the prospective applicant's submission to be 2,000 tonnes, is not in my opinion such that it could reasonably be considered to have a significant effect on the area of other planning authorities outside of County Cork.

5.5. Conclusion

- 5.5.1. In conclusion, the proposed development, while of a relatively significant scale, is in my opinion such that would not have a significant impact in terms of harbour activity or employment such as would extend beyond the local area. Castletownbere and the commercial activity in the harbour is not the subject of any objectives contained in the NSS or the relevant regional planning guidelines and the impacts in terms of constructional and operational phase of the proposed development are such that they are not considered likely to have significant impacts on the area of other planning authorities.

6.0 Recommendation

- 6.1. On the basis of the above, it is my opinion that the proposed facility would exceed the threshold set out in the 7th Schedule of the *Strategic Infrastructure Act, 2006*, as amended by the *Planning and Development (Amendment) Act, 2010*, Class 2 as, the proposed development would involve the construction of an area for the berthing of ships which would involve the construction of one or more quays which would exceed 100 metres in length and would also enable the berthing of a vessel of more than 1,350 tonnes. It is also my opinion that the proposed development does not fall within the parameters of s.37A(2)(a), (b) or (c) of the *Planning and Development Act 2000* as amended by the *SI Act, 2006*.
- 6.2. In view of the above, it is therefore recommended that the Board determine that the development in question does not constitute strategic infrastructure development as defined by Section 2(1) of the *Planning and Development Act 2000*, as amended by Section 6 of the *Planning and Development (Strategic Infrastructure) Act 2006* and

that the prospective applicant be informed accordingly.

Stephen Kay
Planning Inspector

24th May, 2017