



Development Applications Unit  
Department of Culture, Heritage and the Gaeltacht  
Newtown Road,  
Wexford  
Co. Wexford

Date: 15th April 2019

Re: A mixed-use development which includes a six-storey hotel, six-storey car park, five-storey residential building, three five-storey office buildings, two-storey cultural/performance centre, two-storey mixed-use restaurant/café/specialist retail building, new sea wall around the existing Trinity Wharf site, 64 berth floating marina and all other site infrastructure works and ancillary works. Trinity Wharf, Trinity Street, Wexford.

Dear Sir / Madam

An Bord Pleanála has received your submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

The Board will revert to you in due course in respect of this matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of Wexford County Council and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: [www.pleanala.ie](http://www.pleanala.ie).

If you have any queries in the meantime, please contact the undersigned officer of the Board.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Fergal Kilmurray  
Executive Officer  
Direct Line: 01-873 7247





Planning Ref: **Section 177AE Trinity Wharf**  
(Please quote in all related correspondence)

01 April 2019

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

Via email to [bord@pleanala.ie](mailto:bord@pleanala.ie)

Re: Notification to the Minister for Culture, Heritage and the Gaeltacht under Article 28 (Part 4) or Article 82 (Part 8) of the Planning and Development Regulations, 2001, as amended.

**Proposed Development: Wexford County Council: Section 177AE, ABP deciding authority, Proposed Development Trinity Wharf**

A chara

On behalf of the Department of Culture, Heritage and the Gaeltacht, I refer to correspondence received in relation to the above.

Outlined below are heritage-related observations/recommendations of the Department under the stated heading(s).

### **Nature Conservation**

#### **Little tern**

The Department has concerns that impacts from the project on little tern (*Sterna albifrons*), have not been assessed in the Natura Impact Statement prepared by Roughan & O'Donovan (February 2019). Little tern is a Special Conservation Interest species for the Wexford Harbour and Slobs SPA (004076) and the rarest of Ireland's five breeding tern species. The species nests on sandbars at the mouth of Wexford Harbour.

Conservation objectives for the species include a target that human activities should occur at levels that do not affect the breeding little tern population (NPWS, 2012)<sup>1</sup>. As a ground

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<sup>1</sup> NPWS (2012) Conservation Objectives: Wexford Harbour and Slobs SPA 004076. Version 1.0 National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht





nesting bird, the species is particularly prone to human disturbance and is in decline in Britain and Ireland (Mitchell et al. 2004)<sup>2</sup>.

The proposed 64 berth marina and waterside high-density residential development of 58 apartments will lead to an increase in recreational use of the harbour which may cause disturbance to little terns, particularly through landings for recreational purposes on sandbars used as nest sites. As stated in the EIAR (Chapter 6; Population & Human Health, page 6/41) '*There is an active group of water sports enthusiasts in Wexford Harbour and the provision of a marina will facilitate greater participation in boating activities within the harbour among the local community*'.

The cumulative impacts of the current proposed development in combination with aquaculture in Wexford Harbour (see Marine Institute, 2016)<sup>3</sup> and other forms of human disturbance should also be assessed.

Protective measures may need to be considered during assessment. For example, a study on little tern nesting success in Portugal (Medeiros et al., 2007)<sup>4</sup> showed that the presence/absence of protective measures (warning signs and wardening) was the most important predictor of nesting success, with birds being up to 34 times more likely to succeed with protective measures. Information signage at the marina as outlined in the EIAR (Chapter 7 Biodiversity, page 7/50) should advise boat owners of the importance of the area for breeding little terns and of how to avoid disturbance. National Parks and Wildlife Service of this Department are available to provide information on any measures considered as part of this assessment.

Monitoring should be included to evaluate the success or otherwise of any protective measure and any failure should be identified and measures put in place to rectify it.

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<sup>2</sup> Mitchell, P.I., Newton, S.F., Ratcliffe, N. & Dunn, T.E. (Eds.) (2004) Seabird Populations of Britain and Ireland: results of the Seabird 2000 census (1998-2002). Published by T. and A.D. Poyser, London.

[http://jncc.defra.gov.uk/pdf/Complete\\_seabird\\_pops\\_exec\\_summary.pdf](http://jncc.defra.gov.uk/pdf/Complete_seabird_pops_exec_summary.pdf)

<sup>3</sup> Marine Institute (2016) Appropriate Assessment Summary Report of Aquaculture in the: Slaney River Valley SAC (Site Code: 000781), Raven Point Nature Reserve SAC (Site Code: 000710), Wexford Harbour and Slob SPA (Site Code 004076) and Raven SPA (Site Code 004019)

<https://www.agriculture.gov.ie/media/migration/seafood/aquacultureforeshoremanagement/aquaculturelicensing/appropriateassessments/WexfordHarbourNaturaSitesAASummary270318.pdf>

<sup>4</sup> Medeiros, R., Ramos, J.A., Paiva, V.H., Almeida, A., Pedro, P., Antunes, S. (2007) Signage reduces the impact of human disturbance on little tern nesting success in Portugal, Biological Conservation 135, 99-106

[https://www.researchgate.net/publication/223241983\\_Signage\\_reduces\\_the\\_impact\\_of\\_disturbance\\_on\\_Little\\_Tern\\_nesting\\_success\\_in\\_Portugal](https://www.researchgate.net/publication/223241983_Signage_reduces_the_impact_of_disturbance_on_Little_Tern_nesting_success_in_Portugal)



### **Noise Impacts at Operational Stage**

The Natura Impact Statement details the impacts of noise levels on Natura 2000 sites at construction stage only. Given the inclusion of public outdoor space referred to as 'central civic area' and a cultural/performance centre in the development, there is potential for noise to impact Special Conservation Interest bird species at operational stage also. For example, night time firework displays during Wexford Opera Festival have been proven to disturb to roosting Greenland white-fronted geese more than six kilometres away (Fox et al, 2019, in press)<sup>5</sup>.

Further information is required in relation to the assessment of the impacts of noise from the development at operational stage on Natura 2000 sites, particularly on Special Conservation Interest bird species. Consideration should be given to appropriate operating conditions, including noise limits, to avoid disturbance in the immediate vicinity and of roosts of wintering Greenland white-fronted geese.

### **Archaeology**

Having reviewed the Archaeological Assessment and other documentation associated with the scheme, the Department have the following comments in relation to the predicted impacts of the proposed scheme on the archaeological heritage of the area.

The predicted impact of the proposed scheme upon archaeological heritage and the relevant Mitigation Measures are detailed in sections 14.4 and 14.5 of Environmental Impact Assessment Report.

It is the Departments recommendation that the Mitigation Measures detailed are carried out in full.

You are requested to send further communications to this Department's Development Applications Unit (DAU) via **eReferral**, where used, or to the following address:

The Manager  
Development Applications Unit (DAU)  
Department of Culture, Heritage and the Gaeltacht  
Newtown Road  
Wexford  
Y35 AP90

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<sup>5</sup> Fox, A.D., Walsh, A.J. & Weegman, M.D. (2019) Effects of the Wexford Opera Festival firework display on roosting Greenland White-fronted Geese *Anser albifrons flavirostris*, Irish Birds, in press



Is mise, le meas

A handwritten signature in black ink, appearing to read 'Diarmuid Buttiner', enclosed within a circular scribble.

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Diarmuid Buttiner  
Development Applications Unit