



An  
Bord  
Pleanála

## Board Order ABP-313340-22

### Planning and Development Acts, 2000 to 2022

#### Planning Authority: Clare County Council

**Application** by Clare County Council for approval under section 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including a Natura Impact Statement, lodged with An Bord Pleanála on the 14<sup>th</sup> day of April 2022 and the further information received by the Board on the 28<sup>th</sup> day of April 2023.

**Proposed Development:** The proposed upgrade and enhanced visitor experience facilities development consists of:

Demarcated Loop Head Looped Walking Trail network to guide visitors around the headland, offering a range of single path looped walking trails (4 number trails) of varied distances ranging from approximately 0.9 kilometres to 4.5 kilometres. The demarcated trails follow the routes of selected paths which will be signed/marked, with the construction of sections of boardwalk to provide accessibility over areas subject to waterlogging (4 number locations) and steps over steep ground areas (18 number sets at 2 number locations). 6 number viewing points/locations along the walking trails provide specific visitor information and associated experiences. Within the existing braided network of informal paths, those not demarcated will be rehabilitated to their original vegetation type with vegetated surplus sods or soil from the construction process, where appropriate.

Removal/demolition of existing prefabricated toilet block (15 square metres) and existing ticket booth (2 square meters) located within the compound and undertaking of conservation works to refurbish/repair/reinstate the existing 2 number semi-detached Light Keeper's Houses of 283 square metres gross floor space (Protected Structure RPS Number 338) and existing northern courtyard building of 95 square metres gross floor space (which include Recorded Monument Ref. Number CL071-002 comprising remnants of the first lighthouse on Loop Head) for use as interpretive/exhibition space.

The construction of a single storey building extension of 112 square metre gross floor space to the existing northern courtyard building, providing additional and enhanced new visitor facilities (reception, entrance lobby, café/coffee shop with servery and seating area, toilets and enclosed bin store area), covered outdoor area, and covered walkway leading to the Loop Head Looped Walking Trail network outside the compound through a new access opening within the northern compound wall.

Upgrading of the existing foul network system by constructing a precast concrete pump station located south-west of the courtyard buildings and a sealed below-ground holding tank to store wastewater loading located east of the compound, to serve the semi-detached Light Keepers' Houses (Protected Structure RPS Number 338) and new enhanced visitor facilities.

The existing surface car parking area outside the compound will be maintained and reconfigured to provide 17 number staff car parking spaces (2 number disabled, 15 number regular), 37 number bicycle parking spaces, with soft landscaped raised earth berms along the northern and western perimeters of the parking area.

The construction of a new visitors' carpark along the R487 Regional Road, with access control kiosk building of 36 square metre gross floor space (reception, toilets, entrance lobby and bin store yard), visitor information signage and orientation, 45 number bicycle parking spaces, 74 number car parking spaces (4 number disabled, 2 number EV charging, 68 number regular), vehicle circulation and set down area, construction of a sealed below-ground holding tank to store wastewater loading to the north of the access control kiosk building, and soft landscaped raised earth berm boundary treatment screening along the boundary with the R487 Regional Road, the western and part of the northern boundaries.

Specific visitor information, orientation and signage, public realm, site lighting, hard and soft landscaping treatments, services (incl. storm water soakaways serving the new single storey building extension and reconfigured existing car park), and all other ancillary and associated site development works above and below ground level. All wastewater stored in the sealed below-ground holding tanks will be removed by tanker and treated off-site at a local licenced wastewater treatment facility.

Vehicular, pedestrian and cyclist access to the proposed development will be maintained via the existing R487 Regional Road, enhanced by associated traffic calming measurements and designated pedestrian and cycling priority zones/areas.

All located at a site of approximately 52.8 hectares in extent and located at the Wild Atlantic Way Signature Discovery Point at Loop Head and the R487 Regional Road, in the townlands of Kilbaha South and Kilbaha North, Kilbaha, County Clare.

## **Decision**

**Approve the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

In coming to its decision, the Board had regard to the following:

- (a) the European Union Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011 as amended,
- (c) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European Site,

- (d) the conservation objectives, qualifying interests and special conservation interests for the Lower River Shannon Special Area of Conservation (Site Code: 002165), Loop Head Special Protection Area (Site Code: 004119), Kerry Head Shoal Special Area of Conservation (Site Code: 002263), River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077), Mid-Clare Coast Special Protection Area (Site Code: 004182),
- (e) the policies and objectives of the Clare County Development Plan 2023-2029,
- (f) the nature and extent of the proposed works as set out in the application for approval,
- (g) the information submitted in relation to the potential impacts on habitats, flora, and fauna, including the Natura Impact Statement,
- (h) the submissions and observations received in relation to the proposed development,
- (i) the submission at the oral hearing, and
- (j) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter.

**Appropriate Assessment: Stage 1:**

The Board agreed with and adopted the screening assessment and conclusion that the Lower River Shannon Special Area of Conservation (Site Code: 002165), Loop Head Special Protection Area (Site Code: 004119), Kerry Head Shoal Special Area of Conservation (Site Code: 002263), River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077), Mid-Clare Coast Special Protection Area (Site Code: 004182) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

## **Appropriate Assessment: Stage 2:**

The Board considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file and at the oral hearing, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely the Lower River Shannon Special Area of Conservation (Site Code: 002165), Loop Head Special Protection Area (Site Code: 004119), Kerry Head Shoal Special Area of Conservation (Site Code: 002263), River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077), Mid-Clare Coast Special Protection Area (Site Code: 004182), in view of the Sites' conservation objectives.

The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the Sites' conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the Sites' conservation objectives.

## **Proper Planning and Sustainable Development and Likely effects on the environment**

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not seriously injure the amenities of property in the vicinity, would not adversely impact on the cultural, archaeological and built heritage of the area and would not interfere with the existing land uses in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **CONDITIONS**

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as revised by the further information received on the 28<sup>th</sup> day of April 2023 and the submission to the oral hearing including the Schedule of Commitments, except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures set out in the Natura Impact Statement or Construction and Environment Management Plan or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the relevant statutory agencies, a Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement, as well as incorporating all control measures set out in the submitted CEMP as revised by the further information received on the 28<sup>th</sup> day of April, 2023 and the Schedule of Commitments submitted at the oral hearing. The CEMP shall include:

- (a) All mitigation measures indicated in the Natura Impact Statement.
- (b) All control measures set out in the CEMP submitted with the application proposals.
- (c) Hours of construction, and lights-out times during construction.
- (d) Details of protection measures to be employed to ensure that existing mature trees and vegetation will not be removed or impacted by construction.
- (e) Specific proposals as to how the measures outlined in the CEMP will be measured and monitored for effectiveness.

**Reason:** In the interest of protecting the environment and in the interest of public health.

3. The roof planting shall be formed from a mix of different species and shall not be a uniform sedum roof.

**Reason:** To ensure that the roof planting is similar in appearance to the habitat within the courtyard, in the interest of visual amenity and the protection of architectural heritage.

4. The local authority and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

**Reason:** In the interest of the proper planning and sustainable development of the area and to ensure the protection of the European Sites.

  
  
\_\_\_\_\_  
**Stewart Logan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

Dated this 22 day of February 2024