

An
Coimisiún
Pleanála

Commission Order ABP-321474-24

Planning and Development Act, 2000 as amended

Planning Authority: Clare County Council

Application by Clare County Council for approval under section 175 and 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and Natura Impact Statement, lodged with An Coimisiún Pleanála on the 12th day of December, 2024.

Proposed Development: The proposed development provides for upgrades and enhanced visitor facilities, consisting of:

- (a) Demolition of an existing concrete shelter (16 square metres) at Inis Cealtra adjacent to the existing pier at the north-west of the island;
- (b) Installation of a new L-shaped floating access jetty and walkway at the north-west of Inis Cealtra Island at the location of the existing pier, consisting of a floating breakwater jetty, a stone and concrete causeway connected by a steel access ramp and a canoe launch jetty with access ramp;
- (c) A series of new mown grass pedestrian paths on Inis Cealtra facilitating enhanced access to the island's main monuments and natural landscape;
- (d) Provision of three staff and public welfare facility 'pods' including a weather shelter (20 square metres), water closets (15 square metres) and a staff rest room (25 square metres), principally made up of prefabricated timber components;

- (e) Removal of foul waste from a holding container forming part of a proposed dry toilet system on Inis Cealtra Island, and its transportation by tanker to an off-site licenced wastewater treatment facility;
- (f) Construction of a public car park on the north side of Main Street, incorporating 169 total car parking spaces including 105 standard car parking spaces, 11 accessible car parking spaces and 53 overflow car parking spaces on reinforced grass in the northern part of the site, together with 6 coach parking spaces and 40 secure bicycle parking spaces;
- (g) To facilitate the new car park in Main Street, it is proposed to remove two sections of an existing mound/wall (approximately 155 metres combined length) extending south to north through the site, together with the access gate and a 7.8 metre section of the existing masonry wall at the site's frontage to Main Street on the southern boundary;
- (h) Construction of a new part one-storey, part two-storey Visitor Centre with a gross floor area of 1,594 square metres to the south of the existing 'Old Rectory' building (Record of Protected Structures number 464), incorporating a series of interpretation, exhibition, and education spaces, together with a café and ancillary supporting spaces;
- (i) Removal of two sections of the existing stone wall (approximate length 45 metres combined total) at the south and south-west boundary of the 'Old Rectory' site at its frontage to Harbour Road, to enhance access from Harbour Road and provide a visual connection between the new Visitor Centre and Lough Derg;
- (j) Reconfiguration of the existing Mountshannon Harbour car park, providing for 49 total car parking spaces, including 46 standard spaces and 3 accessible spaces, together with public realm enhancements; and,
- (k) All ancillary infrastructure and site development works above and below ground level including undergrounding of an existing Electricity Supply Board overhead line at the site of the new car park in Mountshannon Village, public lighting, drainage, connections to public services, site access, traffic calming, hard and soft landscaping, public realm works and boundary treatments.

All located on lands measuring approximately 20.3 hectares located at Inis Cealtra (Holy Island) in Lough Derg, and at two locations in Mountshannon Village, in the Townland of Mountshannon. The two sites in Mountshannon Village include: (1) lands within the curtilage of the 'Old Rectory' (a Protected Structure, Record of Protected Structures number 464) and extending south to encompass a section of Harbour Road (L-4034) and Mountshannon Harbour car park, and (2) lands to the north of Aistear Park on the north side of Main Street (R352).

Decision

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

Reasons and Considerations

The Commission made its decision consistent with:

- (a) Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State and,

in coming to its decision, the Commission also had regard to the following:

- (a) the relevant provisions of European Union Directive 2011/92/EU as amended by Directive 2014/52/EU (Environmental Impact Assessment Directive) on the assessment of the effects of certain public and private projects on the environment,
- (b) the Water Framework Directive (2000/60/EC),
- (c) the European Union Habitats Directive (92/43/EEC),
- (d) the European Communities (Birds and Natural Habitats) Regulations 2011, as amended,
- (e) Project Ireland 2040 - the National Planning Framework,
- (f) the National Development Plan 2021-2030,
- (g) Ireland's 4th National Biodiversity Action Plan 2023-2030,
- (h) the Regional Spatial and Economic Strategy for the Southern Region,
- (i) the policies and objectives of the Clare County Development Plan 2023-2029,
- (j) the nature and extent of the proposed works as set out in the application for approval,
- (k) the information submitted with the planning application including Environmental Impact Assessment Report, Appropriate Assessment Screening and Natura Impact Statement,
- (l) the conservation objectives, qualifying interests, and special conservation interests for the Lough Derg (Shannon) Special Protection Area (Site Code: 004058) and Lower River Shannon Special Area of Conservation (Site Code: 002165),
- (m) 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,

- (n) the submissions and observations received in relation to the proposed development, and,
- (o) the report of the Inspector.

Appropriate Assessment Stage 1:

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Lough Derg (Shannon) Special Protection Area (Site Code: 004058) and Lower River Shannon Special Area of Conservation (Site Code: 002165), 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 Commission 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 the Inspectors assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely the Lough Derg (Shannon) Special Protection Area (Site Code: 004058) and Lower River Shannon Special Area of Conservation (Site Code: 002165), in view of the Sites' conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Commission 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 Commission 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 Commission 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.

Environmental Impact Assessment:

The Commission completed an environmental impact assessment of the proposed development, taking account of:

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) the Screening for Appropriate Assessment and Natura Impact Statement and associated documentation submitted in support of the application,
- (d) the submissions received from the observers and prescribed bodies, and,
- (e) the Inspector's report.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, residual and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made during the course of the application.

Reasoned Conclusion on Significant Effects:

The Commission considered, and agreed with the Inspectors reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are and would be mitigated as follows:

- **Archaeology and Cultural Heritage:** The construction phase on Inis Cealtra, i.e. the construction of the new jetty, the insertion of three pods and series of new mown grass pedestrian paths, has taken account of the archaeological and heritage significance of the site. The jetty will be located in an area which is currently the main landing site. The pods will have minimal ground fastening, on a small number of screw piles. The pods will be constructed off-site and assembled on the Island. Mown paths will be clearly laid out and any wear and tear monitored as outlined in the Landscape and Conservation Management Plan. Removal of topsoil for the car park at Mountshannon will be monitored by a suitably qualified archaeologist. Archaeological monitoring and/or advance excavation shall be carried out, by suitably qualified archaeologists, as part of the demolition and construction phase. With the implementation of mitigation measures outlined in Chapter 16 of the Environmental Impact Assessment Report the potential for negative effects on unrecorded sites and artefacts during excavations, will be significantly reduced.
- **Biodiversity:** The construction phase of the development at this location will result in local level impacts to hedgehog, badger, pygmy shrew, Irish hare, Irish stoat, otter, pine marten, red deer, fallow deer, red squirrel, bats, birds; terrestrial macro invertebrates and reptiles. Mitigation measures proposed include the use of the Construction Environmental Management Plan, the appointment of a project Ecologist/Ecological Clerk of Works, protection of water quality, management of construction waste, storage of materials, bio-security, management of alien invasive plant species, the protection of habitats and fauna, birds, bats, otter and badgers. During the operational phase of the proposed development, significant effects on habitats are not anticipated.
- **Landscape and Visual Effects:** The introduction of welfare pods, water closet, boardwalk and jetty on Inis Cealtra, the insertion of the car park off the main street in Mountshannon and the development of the visitors' centre in the village will change the existing landscape. The magnitude of change for Inis Cealtra is considered high to medium. This leads to a landscape effect that is classified from profound to high, and positive. The magnitude of change for the proposed car park is slight to moderate and positive. The magnitude of change for the proposed visitors centre is deemed high / moderate and positive.

Overall, the activation of public spaces and careful management of visitors within the framework of the three integrated sites will lead to a high to moderate and positive landscape effect.

- **Traffic:** Negative impacts are not anticipated to arise during the construction or operational phases of the development. The proposed Phase 1 and 2 peak construction would not significantly increase peak hour traffic volumes at existing and proposed junctions, to materially affect the predicted not significant traffic queuing and delays; and the junctions would continue to operate well within practical capacity during the proposed construction and operational phases. The proposed development includes a detailed Visitor Management Plan. Visitor capacity will be limited, and visitor access will be on a booked basis only, with pre-booking online and a timed visitor entry system to stagger visitor arrivals. The Visitor Management Plan will control visitor traffic generation volumes and times and is part of the proposal. Traffic impacts will be short-term and temporary and will be adequately mitigated during construction by the implementation of measures set out in the Environmental Impact Assessment Report, including the final, Construction Environmental Management Plan and Construction Traffic Management Plan.
- **Climate:** During the construction and operation of both phases of the proposed development, a number of activities will take place, some of which have the potential to affect the local air quality at the site or in its vicinity. Pollution control and other preventative measures have been incorporated into the project design to minimise adverse effects on air quality during construction. There are no significant residual impacts predicted as a result of the construction or operational phases of the proposed scheme in particular with consideration of the stricter air quality limits to be imposed, advancements in technology for transport emissions and higher percentage of electric vehicles to be used. There are no significant effects on air quality and climate foreseen as a result of the proposed development operational phase.
- **Population and Human Health:** Potential significant positive impacts on the socio-economic profile of the area due to the delivery of a high-quality tourism development.

The Environmental Impact Assessment Report has considered that the main significant direct and indirect effects of the proposed development on the environment would be primarily mitigated by environmental management measures, as appropriate. Notwithstanding the foregoing, the Inis Cealtra Visitors Experience promotes Inis Cealtra as a tourism destination and supports the sustainable expansion of tourist facilities on the island of Inis Cealtra and at Mountshannon Village, in line with policy, it is considered that these effects are not sufficient to warrant refusing permission for the development and are acceptable.

Proper Planning and Sustainable Development/Likely Significant Effects on the Environment:

The Commission considered that the proposed development is plan led in accordance with national, regional and local policy and is consistent with policy and tourism objectives set out in the National Planning Framework Ireland 2040 including NPO 3, NPO 7 and NPO 22, Our Rural Future: Rural Development Policy 2021-2025, and the Regional Spatial and Economic Strategy for the Southern Region including key regional policy objectives RPO 26, RPO 50, RPO 53, RPO 54, RPO 203, RPO 204 and RPO 207.

It is also considered that the proposal complies with the zoning matrix, policy and tourism objectives for Mountshannon and Inis Cealtra in the Clare County Council Development Plan 2023 – 2029 including inter alia CDP 9.23 and CDP 9.27, and it is in accordance with the objectives of Irelands Hidden Heartlands and Shannon Tourism Masterplan (2020-2030) and Visitors Management and Sustainable Tourism Plan (2017).

The Commission considered the proposed development is acceptable in terms of nature, scale and impact upon the local area and 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, would not interfere with the existing land uses in the area and would not

interfere with traffic and pedestrian safety. 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 submitted on the 12th day of December 2024 and as modified by the plans and documentation submitted with the response to observations received on the 23rd day of May 2025 except as may otherwise be required in order to comply with the following conditions. Where 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 interests of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The proposed development shall be amended as follows:
 - (a) The Fisherman's Hut on Inis Cealtra shall be retained in situ.
 - (b) A reduction in the size of the proposed staff pod and shelter pod and resultant reduction to the length of the raised boardwalk, as per documentation submitted by the applicant on the 23rd day of May 2025, in response to submissions.

Upon completion of works, a compliance report of the works, specified above, shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interests of visual and residential amenity.

3. The mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and other plans and particulars submitted with the application shall be implemented.

Reason: To protect the environment.

4. The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented.

Reason: To protect the integrity of European Sites.

5. The local authority shall appoint a Community Liaison Officer for all stages of the development who shall be the first point of contact for residents and be responsible for monitoring and reporting of complaints, maintaining a complaints register, addressing complaints and for discharging information in relation to the development to residents.

Reason: In the interests of amenity and orderly development.

6. A suitably qualified ecologist shall be retained by the local authority to oversee the site set up and construction of the proposed development and implementation of mitigation measures relating to ecology. The ecologist shall be present during the works. Upon completion of works, an ecological report of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.

Reason: In the interests of nature conservation and biodiversity.

7. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the project ecologist and relevant statutory agencies, a Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement and Environmental Impact Assessment and demonstration of proposals to adhere to best practice and protocols. The CEMP shall include:

- (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) location of areas for construction site offices and staff facilities;
- (c) details of site security fencing and hoardings;
- (d) details of on-site car parking facilities for site workers during the course of construction;
- (e) measures to obviate queuing of construction traffic on the adjoining road network;
- (f) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (g) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (h) details of a local community feedback mechanism, where feedback including complaints are received and acted upon by a designated Community Liaison Officer;
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;
- (m) works to be carried out in accordance with Inland Fisheries Ireland 'Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters, 2016', and,

- (n) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the local authority, with monitoring on a daily basis of all watercourses / waterbodies in or adjacent to works areas.

Reason: In the interests of amenities, public health and safety and environmental protection.

8. The following nature conservation requirements shall be complied with:
- (a) Prior to the commencement of development, details of measures to protect fisheries and water quality of Lough Derg shall be outlined and placed on file. Full regard shall be had to Inland Fisheries Ireland's published guidelines for construction works near waterways (Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters, 2016). A programme of water quality monitoring shall be prepared in consultation with the contractor, the local authority and relevant statutory agencies and the programme shall be implemented thereafter.
 - (b) No vegetation removal shall take place during the period of the 1st day of March to the 31st day of August (inclusive) without the written approval of the Ecological Clerk of Works. Such approval shall be placed on the public file.
 - (c) Any areas damaged by machinery or equipment shall be fully re-instated.
 - (d) Prevention measures shall be put in place to prevent the introduction or spread of invasive species.

Reason: In the interests of biodiversity and nature conservation.

9. The local authority shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, screw piling / topsoil stripping, groundworks, dredging, tree removal, and/or the implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works the archaeologist shall consult with and forward to the local authority

archaeologist or the National Monuments Service as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the local authority, in consultation with the National Monuments Service, regarding appropriate mitigation [e.g. preservation in-situ or by record/excavation].

The local authority shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the local authority, following consultation with the National Monuments Service, shall be complied with by the local authority. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the local authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring, and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the local authority.

Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

10. (a) All mitigation measures in relation to underwater and terrestrial archaeology as set out in the Environmental Impact Assessment Report Volume 1 Chapter 14 (Cultural Heritage: Archaeological Heritage) and Appendices shall be carried out in full, except as may otherwise be required in order to comply with this Order. Compliance with this condition shall require a formal statement in writing from the Department of Housing, Local Government and Heritage to the local authority that all mitigation measures have been implemented as approved
- (b) All wrecks / vessels protected by the National Monuments Acts 1930-2014, regardless of whether they have been located or not, and geophysical survey anomalies of archaeological potential, shall be protected by the

implementation of Archaeological Exclusion Zones. Compliance with this condition shall require a formal approval statement in writing from the Department of Housing, Local Government and Heritage to the local authority.

- (c) Following the completion of all underwater geotechnical works, the local authority shall furnish the Project Archaeologist with the results of all site investigation works and shall provide access to site investigation cores and physical samples for archaeological and geoarchaeological review by a qualified geoarchaeologist. Where potential submerged palaeolandscape deposits or other anthropogenic materials are identified, they shall be subject to geoarchaeological and palaeoenvironmental analysis and scientific dating, in agreement with the Department and subject to approval of Licenses to Alter and Export from the National Museum of Ireland. Following the completion of all geotechnical and archaeological works and any necessary post evacuation specialist analysis, the Department shall be furnished with a final archaeological report describing the results of the works. Compliance with this condition requires a formal statement in writing, from the Department to the local authority approving the geoarchaeological report.
- (d) The positions of all test boxes and subsequent piles for the jetty and dredge areas shall be the subject of an Archaeological Impact Assessment, to be submitted to the department for review and approval, prior to the commencement of any construction works. The Archaeological Impact Assessment report shall contain the following:
- (i) Results of all licenced archaeological test excavations, accompanied by a handheld metal detector survey, of all areas of the proposed development area where underwater lakebed/lake margin disturbances will take place. The archaeological test excavations shall be carried out under a Section 14/26 (National Monuments Act 1930) licence from the Department and in accordance with an approved method statement. Licenced metal detection shall be undertaken in tandem with the test excavations and under a

Detection Device consent (Section 2 1987 National Monuments Act). All test excavations that have the potential to uncover skeletal remains shall be undertaken in conjunction with a suitably qualified osteoarchaeologist. Licences should be applied for to the Department of Housing, Local Government and Heritage and shall be accompanied by a detailed method statement. Note a period of 3-4 weeks should be allowed to facilitate processing and approval of the licence application and method statement.

- (ii) A detailed Archaeological Impact Assessment that addresses all identified or potential impacts on underwater cultural heritage, including archaeological objects, sites and features. The Archaeological Impact Assessment shall make recommendations on measures to avoid or, where necessary mitigate all identified potential / identified impacts and significant effects on archaeological heritage. The local authority shall be prepared to be advised by the Department in this regard or in regard to any subsequent recommendations that may issue. Mitigation shall prioritise redesign or partial redesign to facilitate full or partial preservation in situ. Mitigation may also include archaeological excavations ('preservation by record') further archaeological test excavations, stabilisation / conservation works and / or archaeological monitoring, underwater archaeological inspection by means of archaeological diving, underwater archaeological surveys or any combination of the above or any other mitigation measures as may be recommended by the Department. No construction works shall be undertaken until formal approval in writing from the Department has been received by the local authority. Compliance with this condition requires a formal statement in writing, from the Department to the local authority approving the Archaeological Impact Assessment report.
- (e) Archaeological monitoring shall be undertaken as follows:
- (i) The services of a suitably qualified and experienced, to the satisfaction of the Department, maritime/ underwater archaeologist

shall be engaged to carry out full time archaeological monitoring of all construction activities that impact on the lakebed/ lake margins and /or on underwater cultural heritage and any works where material of archaeological importance may be uncovered.

- (ii) The archaeologist monitoring shall be carried out by a suitably qualified and experienced, to the satisfaction of the Department, maritime/ underwater archaeologist, under a Section 14/26 (National Monuments Act 1930) excavation licence and in accordance with an approved method statement.
- (iii) A Finds Retrieval Strategy shall be implemented and agreed with the National Monuments Service, as part of the archaeologist licence application. This shall include for the systematic spreading of all dredge material at a suitable repository to facilitate hand searching and metal detection for finds retrieval to be undertaken by a suitably qualified and experienced archaeologist working under a Detection Device consent (Section 2 1987 National Monuments Act). All monitoring works that have the potential to uncover human skeletal remains shall be undertaken in conjunction with a suitably qualified and experienced osteoarchaeologist. The Finds Retrieval Strategy shall address the likely post excavation requirements for finds from the underwater environment, including recording, finds processing, analysis and long-term conservation of material recovered during the project. Post excavation analysis shall form part of the on-going archaeological works on site, informed by a post-excavation strategy included in the methodology as submitted by the licence eligible archaeologist. Secure finds storage that ensures the protection and conservation of wet and dry finds, including human skeletal remains, shall be provided within the construction compound.
- (iv) Sufficient suitably experienced and qualified, to the satisfaction of the Department, marine/underwater archaeologists shall be in place to ensure continuous archaeological monitoring works. An archaeological team shall be on standby to deal with any rescue excavation and may be augmented as required. An archaeological

dive team shall be on standby in the event that underwater archaeological inspection is carried out by means of archaeological diving. All dive surveys shall be licenced (Section 3 1987 National Monuments Act) and shall include handheld metal detection survey, which shall also be licenced (Section 2 1987 National Monuments Act). All archaeological diving shall comply with the Health and Safety Authority's Health and Safety at Work (Diving) Regulations 2018/2019.

- (v) In order to ensure full communication is in place between the monitoring archaeologist(s) and the work(s) contractors at all times, a communications strategy shall be implemented that facilitates on board direct archaeological monitoring of all construction activities that impact on the lakebed/ lake margins and/or on underwater cultural heritage, and provides the former with adequate notice (minimum eight weeks) of all forthcoming works that require their attendance.
- (vi) Should suspected/ verified underwater cultural heritage materials, including wrecks, palaeolandscape materials, archaeological features or sites and/or archaeological monitoring activities, the monitoring archaeologist shall be authorised by the local authority to suspend all construction activities on the affected areas (as defined by the monitoring archaeologist). The local authority shall immediately institute a Temporary Archaeological Exclusion Zone to the proposed find location and its environs (as defined by the monitoring archaeologist) and all construction shall immediately cease within the Temporary Archaeological Exclusion Zone in order to facilitate investigative assessment, protection and prompt notification to the Department and other statutory authorities, as required.
- (vii) The local authority shall undertake any ensuing mitigating action as required by the Department. Mitigation shall prioritise redesign or partial redesign to facilitate full or partial preservation in situ by the

institution of permanent Archaeological Exclusion Zones. Mitigation may also include underwater archaeological surveys (geophysical, remotely operated vehicle) underwater archaeological test excavations, underwater archaeological excavations, ('preservation by record') stabilisation works and / or archaeological monitoring, or any combination of the above or any other mitigation measures as may be recommended by the Department. No construction activities shall recommence within the Archaeological Exclusion Zone until formally agreed in writing with the Department. Where ensuing mitigation is required, no archaeological works shall be undertaken until after an amended method statement that describes the mitigation strategy has been submitted, reviewed and agreed in writing by the Department. All resulting and associated archaeological costs shall be borne by the local authority.

- (viii) The planning authority and the Department shall be furnished with a final archaeological report describing the results of all the archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological works and any post excavation analysis scientific dating programmes, palaeoenvironmental analysis, geoarchaeological analysis and conservation of archaeological objects, as required by the Department and the National Museum of Ireland, with all resulting and associated archaeological costs borne by the local authority. Compliance with this condition requires a formal statement in writing, from the Department to the local authority approving the final report submission.
- (f) The Construction Environment Management Plan (CEMP) shall be updated to include the location of any and all underwater cultural heritage constraints relevant to the proposed development Environmental Impact Assessment Report and subsequent submissions. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or

underwater cultural heritage environment during all phases of site preparation and construction activity.

Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

11. Site development and building works shall be carried out between the hours of 07:00 to 19:00 Mondays to Fridays inclusive, between 08:00 to 14:00 on Saturdays and not at all on Sundays and public holidays.

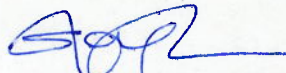
Reason: To safeguard the amenity of property in the vicinity.

12. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the relevant section of the local authority for such works and services.

Reason: In the interests of public health and surface water management.

13. The local authority shall comply with the requirements of Uisce Éireann with regard to diversion of infrastructure within the site and connections to the public network.

Reason: In the interests of public health and surface water management.



Emer Maughan
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 6th day of October 2025