



An  
Coimisiún  
Pleanála

## Inspector's Report ABP-318314-23

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<b>Development</b>	500 seat outdoor community amphitheatre
<b>Location</b>	Former Council Depot at Commons North Lime Quarry, Lanesborough, Co. Longford..
<b>Local Authority</b>	Longford County Council.
<b>Type of Application</b>	Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment)
<b>Prescribed Bodies</b>	Transport Infrastructure Ireland, Development Applications Unit Department of Housing, Local Government and Heritage.
<b>Observer(s)</b>	Margaret and Ronan Cullen, Martin Donohoe and Others, Pauline Smyth,
<b>Date of Site Inspection</b>	25 <sup>th</sup> April 2024.
<b>Inspector</b>	Jimmy Green.

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## **1. Introduction**

Longford County Council (LCC) is seeking approval from An Coimisiún Pleanála ('the Commission') to undertake development consisting of the construction of a 500-seat outdoor community amphitheatre in the former council depot at Commons North Lime Quarry, Lanesborough, Co. Longford ('the proposed development'). The site of the proposed development partially overlaps with, and is surrounded by, the Lough Ree SAC [Site Code:004400] and is adjacent to Lough Ree SPA [Site Code: 004064] which are designated European sites, the site is also located within the Lough Ree proposed Natural Heritage Area (pNHA). A Natura Impact Statement (NIS) and application under Section 177AE was lodged by the Local Authority on the basis of the proposed development's likely significant effect on a European site.

Section 177AE of the Planning and Development Act 2000 (as amended) ('the Act') requires that where an appropriate assessment is required in respect of development by a local authority, the authority shall prepare a NIS, and the development shall not be carried out unless the Commission has approved the development with or without modifications. Furthermore, Section 177V of the Act requires that the appropriate assessment shall include a determination by the Commission as to whether or not the proposed development would adversely affect the integrity of a European site and the appropriate assessment shall be carried out by the Commission before consent is given for the proposed development.

## **2. Proposed Development**

### **2.1 Description**

The proposed development is an outdoor concert venue which would constitute the provision of:

- A stage with canvas canopy and steel support structure.
- Permanent 12-tiered/stepped seating (500 seats) in an amphitheatre arrangement on a landscaped embankment radiating to the south and east of the stage area.

- Temporary public ‘porta-loos’ including 1 no. accessible ‘porta-loo’. These toilets will be removed from site after events.
- One 20-foot container (14sqm) modified for equipment storage.
- One 20-foot container (14sqm) modified to contain function services (temporary bar, first aid room).
- One sound booth (7sqm).
- Site lighting, and
- Associated landscaping and ancillary site works including the provision of 1 no. ESB mini pillar.

The application documentation provides further clarification in relation to the proposed operations of the venue:

- No additional car-parking is proposed as car parking is provided in the existing available public car parking, (Outline CEMP submitted in response to FI request) from which existing pedestrian footpaths provide access to the venue site (NIS by CAAS submitted in response to FI request). It is stated that additional parking, if required, could be achieved by using the amenity grassland area adjacent to the duck pond using temporary ground protection mats and would be the responsibility of the event manager (Response to Submissions document submitted with FI response).
- The venue will operate on Friday and Saturday evenings for the months of June, July and August, for live music performances (NIS by CAAS submitted in response to the FI request refers).
- Construction access to the site will be from the Main Street in Lanesborough (Outline CEMP refers).
- Venue will be vacated and locked by 23:00 to minimise potential disruption/impacts on local residents (Response to Submissions document submitted in response to FI request, and Operational Plan).
- It is proposed that the amphitheatre will be used on an occasional basis (6-10 times per annum) for tier 1 and 2 events. Tier 1 events would use the full extent of the 500 seat space – e.g. concerts, drama’s, or musicals with a

target of 3 no. tier 1 events per annum, Tier 2 events would be smaller scale and locally focused such as seasonal events for Christmas, Halloween, school productions or club fundraising (Source: Commercial Plan, Operational Plan and Response to Submissions document, all submitted in response to the Further Information Request).

- The Operational Plan submitted also notes that when not in use for events the amphitheatre will be open to the public as an informal recreation space for those using the woodland walkways and river amenities in the vicinity.
- The Commercial Plan prepared by LCC submitted in response to the FI request was informed through consultations with the local community, Backstage Theatre (a regional arts organisation), as well as LCCs Arts, Tourism and Regeneration Sections.

## 2.2 Accompanying documents

As well as the statutory notices and drawings this application for approval is accompanied by the following documents:

Original Application	Further Information Application Documentation
Cover letter and emails to Prescribed Bodies.	Cover letter.
Statutory notices.	Outline Construction and Environmental Management Plan by DBMA.
Appropriate Assessment Screening by Flynn Furney Environmental Consultants (FFEC).	Operational Plan by DBMA.
Construction Management Drawing by De Blacam and Meagher Architects (DBMA).	Response to Submissions Document by DBMA.
Environmental Impact Assessment Screening by FFEC.	Natura Impact Statement (including Appropriate Assessment Screening Report) by CAAS.
Natura Impact Statement by FFEC.	Report on Supporting Ecological Surveys by CAAS.
Planning Stage Noise Assessment by Allegro Acoustics (AA).	Noise Impact Assessment RFI Response by AA.
	Hydrological Investigation by Aqua GeoServices (AGS).
	Flood Risk Assessment by Fearon O'Neill Rooney Consulting Engineers (FNRCE).
	Lanesborough Amphitheatre Commercial Plan by Longford County Council (LCC).
	Obscured View Zone drawings by DBMA.

### **3. Site and Location**

The site is located in the village of Lanesborough, Co. Longford and is set within a disused quarry within an amenity woodland (Rathcline Woods). Lough Ree lies c. 65m to the west of the site of the proposed amphitheatre (with the proposed development also proposing some temporary construction shuttering c. 30m from the Lough) and Rathcline Road runs in a north-south direction to the east of the site. To the north and east of the site there is low density residential development which runs in a linear fashion along Rathcline Road. The centre of Lanesborough is to the north of the proposed development and access to the site is via an existing road and pathway which connects to the Main Street. The site access road runs past two areas of car parking, through maintained amenity grassland and turns into a track and amenity walkway before reaching the disused quarry. At time of site inspection, the old quarry was being used as an open storage compound with stockpiled aggregates, and other materials in place. There is a gated access track which connects the north of the site onto the Rathcline Road running to the rear of existing residential properties to the north. The quarry floor is set at a much lower level than the Rathcline Road (c.10m level difference), with the open exposed quarry face presenting a cliff edge along the eastern boundary. There is an existing short linear stone wall/feature in place at the quarry floor level (behind which, to the south, it is proposed to provide an additional hardstanding area to accommodate a number of portaloos on a temporary basis during events), and the site is otherwise surrounded by woodland and scrub. At time of inspection there was a small pond of standing water in the southern extremity of the quarry, which seemed to be a remnant of the original quarry works that had filled with water (rather than being a naturally occurring pond feature).

**4. Planning History**      There is no record of any previous planning application on the subject site, there are applications in the wider area for residential forms of development along the Rathcline Road. PL. Ref. 16/310 is an application to the west of the proposed development in Lough Ree and relates to a refusal of permission for

the installation of a wakeboarding facility. Refusal reason was centred on the potential for adverse impacts to arise on Lough Ree SAC and SPA.

## 5. Legislative and Policy Context

### 5.1 Relevant legislative provisions

**The EU Habitats Directive (92/43/EEC):** This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Articles 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

**European Communities (Birds and Natural Habitats) Regulations 2011:** These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

**National nature conservation designations:** The Department of Culture, Heritage and the Gaeltacht and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.

European sites located in proximity to the subject site include:

- Lough Ree SAC [Site Code:004400] surrounds and partially overlaps with the site, and
- Lough Ree SPA (c. 65m west of the proposed site) [Site Code: 004064]

The site is also within a proposed NHA.

**EU Water Framework Directive (2000/60/EC) as amended:** This Directive established a legislative framework for the protection of all waters (incl. rivers, lakes, estuaries, coastal waters and groundwater) and their dependent wildlife and habitats. It requires member states to protect and improve water quality in all waters so that they achieve good ecological status by 2015 (extended to 2027). It requires the preparation and regular review of River Basin Management Plans.

**EU Directive on the Assessment and Management of Flood Risks (2007/60/EC):** was transposed into Irish law under SI No.122 of 2010, and it requires Member States to assess watercourses and coastlines at risk from flooding, to map flood extent, assets and humans at risk, and to take adequate measures to reduce this flood risk. Implementation is being co-ordinated with the EU Water Framework Directive and the current River Basin Management Plans by the OPW.

### **Planning and Development Acts 2000 (as amended)**

Part XAB sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura Impact Statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Commission has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to

the Commission for approval, and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.

- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Commission shall consider the NIS, any submissions or observations received and any other information relating to:
  - The likely effects on the environment.
  - The likely consequences for the proper planning and sustainable development of the area.
  - The likely significant effects on a European site.

## 5.2 Policy and Guidelines of Relevance

The following policy and guidelines are considered relevant to the proposed development:

- **Climate Action Plan 2025:** This plan seeks to tackle climate breakdown and achieve net zero greenhouse gas emissions by 2050. It identifies several risks as a result of climate change including rising sea-levels, extreme weather, further pressure on water resources and food production systems, and increased chance and scale of river and coastal flooding.
- **National Planning Framework, 2018-2040 and NPF First Revision 2025:** This plan sets out a high-level strategic plan for shaping the future growth and development to 2040. It seeks to develop a region-focused strategy to manage growth and environmentally focused planning at a local level.
- **Eastern and Midland Regional Assembly Regional Spatial & Economic Strategy 2019 – 2031.** The relevant project specific provisions of this plan are discussed in section 9.1.1 of this recommendation below.
- **The National Biodiversity Action Plan 2023-2030**

- **Longford County Development Plan 2021 – 2027.** The relevant project specific provisions of this plan are discussed in section 9.1.1 of this recommendation below.

## **6. Consultations**

### **6.1 Consultees Circulated**

The application was circulated to the following bodies:

- Inland Fisheries Ireland.
- National Parks and Wildlife Service.
- Waterways Ireland.
- The Heritage Council.
- An Chomhairle Ealaíon.
- Fáilte Ireland.
- An Taisce.
- Transport Infrastructure Ireland.
- The Environmental Protection Agency.
- The Health Service Executive
- Longford County Council – Roads, Heritage, Fire and Environment Sections and
- Roscommon County Council.

### **6.2 Responses Received from Consultees**

Responses were received from the following bodies:

#### **6.2.1 Development Applications Unit (DAU) Department of Housing, Local Government and Heritage (DHLGH)**

The DAU raised the following issues in relation to Nature Conservation in its submission of the 10<sup>th</sup> of January 2024.

- Deficiencies were highlighted in the initial NIS submitted with the application which included:
  - Inadequate surveying carried out for overwintering birds, otters and other aspects of biodiversity.
  - Habitat surveys were not undertaken at the optimum time of year.
  - Lack of discussion of potential hydrological connections.
  - Areas of habitat removal were not identified.
  - Invasive species precautions not addressed.
  - Difficult to understand how amplified music events could give rise to such low sound levels.
  - No discussion of lighting proposals and/or potential for disturbance or displacement of roosting birds or otters.
  - Overall, the DAU considered that additional information was required in relation to the NIS.
- A breeding bird survey should be undertaken, and all works be carried out outside of the bird breeding season (March to September).
- Breeding amphibian survey methodology has not been detailed and should be provided to assess whether the proposal will result in the loss of a breeding site for these protected species.
- It is recommended that bat surveys and light spill monitoring be undertaken.

### **6.2.2 Transport Infrastructure Ireland**

Confirmed that they have no objection to the proposed development.

### **6.3 Public Submissions**

Three third-party submissions were received in relation to the proposed development. These submissions were from Margaret and Ronan Cullen, Martin Donohoe and Others, and Pauline Smyth. The issues raised are summarised below:

- The provision of a 3m high fence and/or planting at the top of the quarry face is inappropriate and will have a detrimental impact on the residents of the Rathcline Road. Similarly, the planting of trees at the higher levels of the embankment on which the tiered seating is to be provided would have an adverse impact on views and reduce light.
- The proposed development will have an adverse impact on the residential amenities of the Rathcline Road as it is too high, and too large, and will impede views, adversely impact privacy and be visually intrusive.
- Reducing the rises within the tiered seating area by one third would render the proposed development more appropriate, reduce environmental impact and also reduce visual impact from the Rathcline Road and residences.
- The overall height and scale of the structure is too large; the initial proposals were for a 200-person capacity.
- Noise level survey does not reflect normal patterns as it was carried out when the strongest COVID restrictions were in place.
- Amphitheatre should be completely vacated by 11pm on performance evenings and not just have the performances stop at 11pm.
- There is insufficient parking to cater for the proposed development, existing car parks are used to their fullest.
- No assessment has been carried out in relation to the potential for impact on bats.

#### **6.4 Response of Applicant to Submissions**

The applicant responded to the issues raised in the third party and prescribed body submissions set out above as part of their Further Information Response.

##### Response to DAU submission:

- A new NIS was submitted supported by additional surveying and hydrological reporting (Ecology issues are discussed in greater detail in Section 9 – of this recommendation below).
- An Outline CEMP has been submitted which considers invasive species.

- An additional noise assessment has been carried out.
- Practical methodologies that can be implemented at design stage for lighting proposals are outlined in the NIS and outline CEMP.
- Bat surveying has been carried out.

Response to third-party submissions not included in the above DAU response:

- Applicant notes that the project has been designed to assimilate effectively within its environment, notwithstanding this however, the applicant is proposing to reduce the rise in the tiered seating levels from 500mm to 480mm thus lowering the top of the proposed mound and sound booth by 240mm.
- The proposed development is in a quarry which is at a lower level than the Rathcline Road. The top of the proposed amphitheatre is lower than ground level at the Rathcline Road, accordingly there will be no impact on daylight/sunlight. While the upper 2 tiers and sound booth will be visible from the Rathcline Road, considering the existing shrubs at the top of the quarry and surrounding woodland the impacts on views will be minimal.
- As the amphitheatre seating is lower than the Rathcline Road with dwellings located 75m distant from the top two tiers, privacy will not be adversely affected as available views would be less than those of a pedestrian passing the property.
- In relation to planting at the proposed amphitheatre structure, it is intended that shrubs only would be provided at the top with trees on lower slopes to avoid obtrusively large trees impeding views from the Rathcline Road.
- There is no fence proposed at high level along the quarry edge/top of quarry face.
- A follow-up noise survey has been submitted which was carried out on the 7<sup>th</sup> of August 2025 establishing background noise levels outside Covid restrictions.
- The applicant has committed to having the venue locked up and vacated by 11pm on performance evenings. It is anticipated that 8-10 performances of varying sizes will be held per annum.

- Parking will be an operational matter with additional event parking possible through the provision of temporary protection mats on existing grassed areas, and co-ordinating with public transport.

## **7 Further Information Request**

### **7.1 Further Information Sought**

Further Information (FI) was requested on the 15<sup>th</sup> of May 2024, and the applicant was afforded 12 months to answer issues raised. The applicant sought and was granted an extension of time to respond to the request until the 29<sup>th</sup> of August 2025, at which time the response was submitted. The FI request sought additional detail in relation to:

1. (A) A comprehensive Construction and Environmental Management Plan (CEMP) to include:
  - Construction phasing, and methodologies of all proposed works,
  - Good on-site housekeeping including noise/disturbance reduction measures.
  - Timeframes for proposed works, to provide for scheduling to avoid sensitive times of the year for species activities if necessary.
  - Unambiguous confirmation of application of NIS mitigation measures,
  - Proposed construction hours and details of construction lighting requirements, and whether seasonal restrictions on works are appropriate.
  - Implementation and monitoring of appropriate environmental and ecological construction mitigation measures and assignment of relevant roles/responsibilities.
  - The locations and arrangements of any proposed construction compounds.
  - Extent of proposed works in the context of existing habitats, existing/proposed drainage measures, as well as SPA and SAC boundaries.

- Details of managing construction deliveries while maintaining public access to existing woodland walks.
- Invasive Species Management,
- Drainage measures,
- Management of hazardous construction materials,
- Confirmation of need for pumping of any excavation works, and
- Details of existing trees to be retained on site, and site boundaries as well as setting out root protection zones for construction.

(B) Applicant was requested to provide details of how the proposed facility is to be run and events managed in a manner that will ensure adverse impacts will not arise on European designated sites or sensitive habitats. Details requested included:

- Event access, services, audiences, waste management.
  - Number, range and timing of events (both seasonal and opening hours).
  - Details of sound and lighting systems proposed.
  - Details of responsibilities for running events and ensuring application of appropriate monitoring and application of mitigation measures.
2. Clarification in relation to the need for, and methodology of, shuttering along the access route for construction to the site.
  3. Red-line boundary of application to be updated in the event that works are considered necessary outside the established boundary.
  4. The submitted NIS was requested to be updated to incorporate additional ecological surveying and the other details within the FI request. Additional updates to provide for:
    - Updated appropriate winter bird surveys.
    - Updated habitat survey from an optimum time of the year.
    - Consideration of any potential hydrological connections to Natura sites.
    - Consideration of lighting impacts.

5. (A) Provide details of a bat survey and consideration of impacts on bats, with additional mitigation if required being incorporated into the CEMP.  
(B) Breeding amphibian surveys to be provided.
6. CEMP to incorporate mitigation measures to ensure protection of breeding birds at the development site and surrounding woodland. Such mitigation to be informed through a breeding bird survey.
7. CEMP and Operational Management Plan required at (1) to ensure the protection of residential amenities in the vicinity.
8. Details of compliance with the relevant provisions of the County Development Plan, which require detailed flood assessment and additional specifications for development in flood vulnerable or constrained.
9. The applicant was invited to provide any further responses to the submissions made.

## **7.2 Response to Request**

The further information response included the following documentation.

- Outline Construction and Environmental Management Plan and construction management drawing by De Blacam and Meagher Architects.
- Response to Submissions document by De Blacam and Meagher Architects.
- Operational Plan by De Blacam and Meagher Architects.
- Natura Impact Statement (NIS) by CAAS (a new NIS was submitted replacing the previous NIS prepared by Flynn Furney Environmental Consultants).
- Report on Supporting Ecological Surveys by CAAS.
- Noise Impact Assessment RFI Response by Allegro Acoustics.
- Hydrological Investigation by Aqua GeoServices.
- Flood Risk Assessment by Fearon O'Neill Rooney Consulting Engineers.
- Lanesborough Commercial Plan by Longford County Council.
- Proposed Landscape Plan by De Blacam and Meagher Architects.

- Three 'obscured view' drawings showing visibility of proposed development from third party dwellings along Rathcline Road by De Blacam and Meagher Architects

The further information was considered to contain significant additional data relating to (a) the likely effect on the environment of the proposed development, (b) the likely consequences for the proper planning and sustainable development of the area in which the proposed development is situated, and (c) the likely significant effects of the proposed development on European sites. Accordingly, the further information was re-advertised for the public and the relevant prescribed bodies were afforded the opportunity to make additional submissions.

### **7.3 Submissions on Further Information**

The consultation period in relation to the significant further information extended until the 12<sup>th</sup> of December 2025. One further submission was received as follows:

#### **7.3.1 Development Applications Unit (DAU) Department of Housing, Local Government and Heritage (DHLGH)**

The DAU made the following submission in relation to the further information request in the context of nature conservation.

- The provision of an updated NIS was acknowledged; however, it was noted that the further information response did not include any additional targeted surveys for Otter to provide an accurate assessment of the importance of the site for this QI species.
- Attention was drawn to the high groundwater vulnerability of the site to any potential pollution events during construction and operational phase of the proposed development.
- The further information response highlights that the exposed rock face of the disused quarry is all potential bat roost habitat for several species of bat that might occur in the area, however, further elaboration is not provided on this aspect through observational roost emergence data to provide quantitative evidence on the relative importance of this habitat as roost site.

- It is recommended that any lighting plan for the project should take note of guidance from EUROBATS 8, Guidelines for Consideration of Bats in Lighting Projects, and the Dark Sky Ireland recommendations are also highlighted as a source of guidance.

## 8. EIA Screening

The proposed development is of a class set out in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) ('the Regulations'). Under class 10(b)(iv) 'Infrastructure projects' the following is identified as requiring EIA, 'Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere'. EU Guidance document "Interpretation of definitions of project categories of Annex I and II of the EIA Directive" (2024) interprets urban development as including "...theatres, concert halls and other cultural centres...". Accordingly, the proposed development is of a class albeit that as the proposed site is c. 0.62 ha it falls far below any of the established thresholds for this class as set out in the Regulations. LCC has already undertaken screening for Environmental Impact Assessment in relation to the proposed development which concluded that there is no real likelihood of significant effects on the environment and accordingly EIA is not required. Notwithstanding this, however, I have carried out a screening determination (informed by the details on file and from site inspection) as detailed in **Appendix I** of this recommendation. My conclusions are consistent with those of LCC in that I do not consider that there is likelihood of significant effects on the environment and therefore an EIA is not required. In this regard I note that this finding is broadly consistent with that of the EIA screening document submitted by the applicant.

## 9. Assessment

The assessment will be undertaken in three parts as per the requirements of Section 177AE as follows:

- The likely consequences for the proper planning and sustainable development of the area.

- The likely effects on the environment.
- The likely significant effects on a European site.

## **9.1 The likely consequences for the proper planning and sustainable development of the area**

### **9.1.1 Principle of the Proposed Development**

The National Planning Framework's strategic outcomes and priorities include strengthened rural economies and communities, enhanced amenity and heritage and the sustainable management of environmental resources. The provision of a regionally significant amphitheatre and performance space to support the arts, culture and creativity development such as that proposed is in accordance with these national objectives provided sensitive environmental receptors in the vicinity are protected.

The Regional Strategic Outcomes (RSO) set out in the Eastern and Midlands Regional Spatial and Economic Strategy (RSES) provide for healthy placemaking, climate action and economic opportunity and include RSO 2 Compact Growth and Urban Regeneration (promoting regeneration of towns and villages through making better use of under-used land and buildings) and RSO 5 Creative Places (enhance, integrate and protect arts, culture and heritage assets to promote creative places and heritage led regeneration). I consider the proposed development to be consistent with these RSOs.

Lanesborough is designated as a 'Self-Sustaining Town' in the Longford County Development Plan 2021-2027 (LCDP). Accordingly, the LCDP:

- Supports its further development as a key location for population and economic growth (County Policy Objective – CPO – 4.11 refers).
- Promotes consolidation coupled with targeted investment to improve local employment, services and sustainable transport (CPO 4.12 refers), as well as the delivery of resource-based tourism initiatives (CPO 6.81 refers).
- Supports regeneration of publicly owned landbanks for inter alia community, cultural and recreational opportunities (CPO 6.16 refers).

- Supports the development of Lanesborough as a key tourism hub within the county (CPO 8.41 refers) and the development of a strong evening and nighttime tourism economy across the County (CPO 10.25 refers).

I consider the development of the proposed amphitheatre in a former quarry currently in use as a storage depot, within the town boundaries of Lanesborough, at a location that is accessible from its main street, adjacent to existing and well-maintained amenity areas (grasslands, woodlands and walks) and facilities (boat moorings, fishing areas) broadly complies with the LCDP objectives set out above.

The site of the proposed development is designated/zoned as both a 'protected area/passive amenity' and an 'area of constrained land use' while also being subject to a specific tourism objective (LCDP Appendix 1C – Self-Sustaining Towns refers).

As a protected area/passive amenity the LCDP states 'This area forms part of the NHA/SAC/SPA of the Lough Ree area. The aim of this zoning will be to protect this area from unsuitable development, while enhancing its potential to continue as a valuable recreational and educational resource for Lanesborough.'

The Area of Constrained Land use zoning designation 'is to facilitate the appropriate management and sustainable use of flood risk areas.' Proposals can only be considered where it is satisfactorily demonstrated that they would not have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities or increase the risk of flooding in other locations.

In relation to the on-site specific tourism development the LCDP states:

'The amphitheatre development objective is located within the Lough Ree SAC, close to the Lough Ree SPA and within Floodzone B. Any application for an amphitheatre at this location would have to be subject to a site-specific FRA and will be subject to compliance with the provisions of the Habitats and Birds Directives and subject to completion of a site-specific flood risk assessment'.

The application documents include a site-specific flood risk assessment as well as a Natura Impact Statement, which are discussed further below in this recommendation. Given the location of the proposed development, its connectivity to the town centre, the brownfield nature of the site (previous quarry currently in use for aggregates storage), the nature of the topography as well as the proposed use, and

having regard to the provisions of the County Development Plan I consider that the principle of the proposed development is acceptable at this location, provided the residential and general amenities as well as the sensitive ecological features and species in the vicinity can be adequately protected.

I also note that the proposed development aligns with the broader recovery and transition strategy for Lanesborough (following the closure of ESB operated peat fired power station) focusing on enhancing tourism potential by encouraging visitors from the River Shannon, and adjacent greenways to spend additional time in Lanesborough, create conditions for a strong hospitality and tourism sector as well as building on its reputation and capacity for hosting events.

### **9.1.2 Residential Amenity**

The nature of the proposed development – an open air 500-seater amphitheatre, will change the character of the immediate area. The site was previously used as a quarry, which has left an exposed quarry face and levelled area accessible to the woodland walkways in the vicinity. More recently this area has been used as a council yard for open air storage of aggregates and other materials (e.g. blocks, gravel, unused signage).

The initial application did not provide any significant or detailed information as to how the proposed development would be constructed or operated, and accordingly there was uncertainty as to the level of impacts that may arise on residents in the vicinity. Following the FI request the applicant has submitted an outline Construction and Environmental Plan (oCEMP) as well as an Operational Plan and has also provided additional noise reporting and commitments to mitigation measures. These details have provided more clarity in terms of operations and construction. In relation to residential amenity the following issues arise:

- **Noise**

Concerning noise, the applicants have submitted two noise reports which have been reviewed by the Commission's Environmental Scientist (CES), within the Commission. Their report is attached as Appendix II of this recommendation (and discussed again further below in terms of general environmental noise effects). The conclusions of the Commission's CES find that the acoustic reporting has been carried out by suitably qualified

personnel, however, they do not concur that the 55dB(A) noise limit identified for sensitive receptors is appropriate. The SES report also notes that as the exact type of sound equipment to be employed remains unknown that this leads to increased uncertainty in relation to the outputs of the noise modelling that has been carried out. Arising from these issues the SES has recommended that in the event of favourable consideration specific targeted conditions be imposed requiring noise control, background level surveys, and monitoring be carried out to ensure that noise levels at any sensitive receptor shall not exceed the background noise level by more than 15dB(A) measured over a 15-minute period throughout any venue event, rehearsal or sound check.

I have reviewed the application documentation and the CES report, and I am satisfied that the recommended noise conditions will ensure adequate control of noise emissions from the proposed development and will ensure that significant adverse effects will not arise on residential amenity.

- Access:

The documentation submitted at further information stage has clarified that access route to the site for construction and operational phases will be from Lanesborough Main Street via the existing road/pedestrian route which runs from the Main Street (between St. Mary's Townhall and Lough Ree Distillery) to the site. The access road runs adjacent to two existing car parking areas which provide c. 111 car parking spaces in total, and through the existing amenity grassland area before reaching the site and the Rathcline Woodlands. The operational plan also notes that for larger events shuttle buses from other community facilities would be an option, and that Lanesborough Main Street is easily accessible to public transport. The operational plan also notes that depending on the size of events that the event organisers will have to prepare event plans, engage with the relevant authorities (the Local Authority and Gardai) as well as provide adequate lighting and signposting and access information.

The submitted Construction and Environmental Management Plan clarifies that during construction the access to the site will be via the same direct route

(as the operational phase) from the Main Street, with signage, and a detailed construction traffic management system plan agreed with Longford County Council and the Gardai put in place.

Given the central location of the site, its proximity to the centre of Lanesborough, the potential accessibility to public transport and the availability of car parking in proximity and the wider area, I consider that the proposed development can be adequately serviced without adverse impact on residential amenities. The implementation of the submitted Operational Plan and CEMP will ensure the protection of residential amenities in terms of access arrangements; an appropriate condition should be imposed in this regard.

- Construction and Event Operational Hours:

The oCEMP submitted in response to the FI request clarifies that standard construction hours will be in place for the project, and the operational plan has clarified that the facility will be locked and vacated by 11pm on event evenings.

The application documentation submitted notes that the amphitheatre will generally operate 6-12 times per annum with each event running over 1-2 days. Initially 3 no. tier 1 events with full occupancy will be targeted a year with other smaller events also running. Furthermore, the operational plan submitted details how events will be managed and the responsibilities of all stakeholders. Details included set out pre-event planning, risk assessments, licencing requirements, access arrangements, signage, event control facilities, lighting and sound system strategies, as well as health and safety requirements and site management measures that will be deployed on site. On the basis of the application documentation submitted I am satisfied that the proposed development can be constructed and operated without significant adverse effect on residential amenities.

- Privacy and interference with views.

Third party submissions were lodged raising concerns that the proposed development would impact on the privacy of properties on the Rathcline Road and impact on available views. On review of the relevant development plan

there are no protected views from the Rathcline Road, and the proposed development is set at a significantly lower level than the Road. The details submitted in response to the FI request demonstrate the difference in levels and that views from the Rathcline Road and properties in the vicinity, out and over the proposed development will not be significantly altered. The original application documentation shows that the amphitheatre will be located at the bottom of the old quarry floor, and while ground levels will be built up to a mound to provide the tiered seating, the increase in ground levels originally proposed was 6m (to 43.0mOD) from the existing base level of 37mOD. The levels of the Rathcline Road in closest vicinity to the proposed development range from 44.85 to 46.51mOD. In response to the further information the applicant engaged with the third-party concerns raised and reduced the overall height of the amphitheatre mound from 6m above the quarry floor to 5.76m, (with the sound booth placed at this level). I consider that the development as proposed will not impact on privacy, views or light, given the character of residential property in the vicinity (facing onto a public road), the separation distances involved and the orientation, levels and design of the proposed development. The level at the top of the amphitheatre mound will remain lower than the roadway and accordingly will not interfere with views nor decrease privacy.

Third party submissions also raised concerns that planting on the higher levels of the proposed development will cause further erosion of extant views, however, the applicant has clarified that any tree planting proposed as part of the landscaping scheme will be focussed at the lower parts of the slope and shrubs will be provided towards the top of the mound to avoid obtrusively large trees at the highest points. In response to these submissions the applicant has confirmed that the planting scheme will provide a mix of native species, with tree planting focused on the lower slope of the amphitheatre mound and shrubs towards the higher levels to avoid large trees being obtrusive at the higher points.

Accordingly, I do not consider that the proposed development will have an adverse impact on the amenities or privacy of residential development in the vicinity. Further, I consider the proposed landscaping scheme to be an

appropriate response that will allow the proposed development to be more effectively assimilated into its setting at this location. I do, however, recommend that in the event of favourable consideration that an appropriate condition be imposed to ensure native species only are used in any future landscaping scheme.

On the basis of the above I do not consider that the proposed development will present any significant adverse effect on residential amenity and I further note that this location has been identified as an appropriate location for a development of the nature proposed in the relevant Development Plan for the area.

### **9.1.3 General Amenities**

I note that this location is a popular amenity destination, cruisers berth at the harbour, and other moorings along the lakeshore, and there are well used signposted woodland/lakeside walks in the immediate vicinity. I note that the proposed development is a community run and led facility that has been designed to allow informal public access when not in use for any specific event. This approach sits comfortably within the existing amenities in place and will provide additional space for the existing recreational amenity users. In the interests of clarity and to ensure public amenities are not significantly adversely affected, I recommend that a condition be imposed to ensure safe public access to the existing amenity walks is preserved during the construction period in the event of favourable consideration.

### **9.1.4 Layout and Design**

The layout of the proposed development has been designed to assimilate within the local topography and existing lakeside woodland area. The layout makes sustainable use of an existing worked out quarry and takes advantage of the screening provided by the quarry wall and lower levels to provide screening from the Rathcline Road. The landscaping scheme proposed and overall design will also aid assimilation with the adjoining forestry and while it is acknowledged that the sound booth (at the top of the amphitheatre mound) will be a visible component from outside the site, this will neither be excessive nor a dominant feature. The proposed development is in my consideration an acceptable design intervention at this location.

### **9.1.5 Access and Operations**

The response to further information provides greater clarity in terms of the proposed operation of, and access to, the proposed development. The development will be open for informal access and activities by the public when not being used as a venue for a specific event. The nature and scales of events proposed are appropriate to the location and fit in comfortably at this location which is already a significant amenity resource.

Access to the proposed development will be from the Main Street of Lanesborough for both construction and operational phases, and the management structure and approaches to how larger events will be managed including the need to acquire appropriate licences, engage/liaise with gardai, as well as the relevant sections of the local authority and provide traffic management plans appropriate to the scale of the relevant event. I am satisfied that the nature of the proposed development is appropriate at this location, will augment the existing amenity features in place and will not have significant adverse impacts on the wider area.

## **9.2 The likely effects on the environment**

### **9.2.1 Noise**

The proposed development has the potential to create adverse noise impacts for both residents and sensitive ecological receptors in the vicinity. The oCEMP submitted in response to the further information request has highlighted the construction measures that will be used to minimise noise impacts during works, which includes initial noise monitoring to establish baseline levels. Acoustic surveys and reporting have been submitted with the application setting out the established background noise levels and modelling the levels that will arise during events in the operational phase. The noise reporting submitted has been reviewed by the Commission's Senior Environmental Scientist (CES) and their report is included as Appendix II of this recommendation. In summary the CES is satisfied that the noise impact assessment reports submitted have been prepared by competent acoustic experts, however, they raise issues in relation to the limit being proposed to be applied and guidance used. Notwithstanding this the report concludes that these

issues should not be considered as a reason for refusal and that development can proceed on the basis of specific noise conditions being imposed.

The Inspectorate Ecologist (IE) has also reported on this issue (specialist report included as Appendix III) and notes that while disturbance will arise during the operational phase that effects on sensitive ecological receptors will be appropriately minimised through operational noise monitoring, sound system design and the other mitigation measures recommended in the applicant's noise report documents.

I note that the applicant can (understandably) not specify the exact nature of the sound system that will be in place for all events due to the nature of the proposal, and in this context I consider it appropriate and necessary to provide project-specific conditions to ensure adverse noise effects do not arise as an issue. In this regard I note and support the mitigation measure recommendations contained on page 7 of the applicant's noise report (responding to the further information request). I also note and agree with the CES findings and recommendation that in the event of favourable consideration that the noise conditions set out in their report are included (with an amendment to the appropriate levels).

In relation to sensitive species, I note that the site and general area is already subject to significant anthropological activity and intervention. The site itself is in a disused quarry currently in use as a council depot, set within an amenity woodland with a well-established (and well-used) network of amenity pathways, in reasonable proximity of Lanesborough Main Street, lakeshore amenities (including a harbour area and maintained amenity grasslands) and with Rathcline Road also running immediately to the east. Surveying carried out has noted the general importance of the wider area to a range of species but without any sensitive habitats on the site itself. I am satisfied that given the nature of the proposed development and event activities, in combination with the overall design adopted (which focuses and operational increased noise levels within the amphitheatre area itself) and the conditions outlined by the CES, that the proposed development will not give rise to significant adverse effects from noise on the wider population nor sensitive species. I do consider that the wording of the condition recommended by the CES should be amended slightly, however, to acknowledge that ecological sensitive locations should also be considered within the monitoring programme, as supported by the Inspectorate Ecologists report.

### 9.2.2 Flooding

In response to the FI request the applicant submitted a site-specific flood risk assessment (SSFRA). The Longford County Development plan states in relation to the Lanesborough Tourism zoning objective that 'The amphitheatre development objective is located within the Lough Ree SAC, close to the Lough Ree SPA and within Floodzone B', show the site of the proposed development to be in floodzone B. The Applicants SSFRA when discussing the OPW flood mapping notes the present day maps show the proposed site to be in floodzone B, however, the mid-range and high-end future scenario maps (both taking into account potential changes in relation to climate change) indicate that flooding could occur to the site (at its current levels) in the medium (1:100 year) and low (1 in 1,000 year) flood events, thereby classifying the site as being within floodzone A. No records of flooding on the site have been identified. As the site has been identified as being within floodzone A the applicants have carried out a justification test, noting that a plan-making justification test was carried out when preparing the Longford CDP under which the site has been zoned as set out previously above. The development management justification test notes the following:

- The site has been zoned under the current plan (Protected Area/Passive Amenity, Area of Constrained landuse and with a specific tourism objective). The proposed development aligns with these provisions.
- The proposed development is an outdoor venue with no habitable enclosed buildings, with no history of flood events and minimal risk to life or property given the nature of the works,
- The proposed development is very unlikely to have any material impact on flood risk either locally or downstream.

I acknowledge that the current LCDP has identified the site as being within floodzone B, while the applicants SSFRA identifies the site as being within floodzone A. I note that the site has been specifically identified as an appropriate site for the development as proposed within the Longford County Development Plan. The application documentation confirms that the proposed development will not increase flood risk elsewhere, nor will it present a floodrisk to people, property, the economy or environment over and above what is already there. Furthermore, the development

by its very nature (open air, outdoor venue) will not be in use in extreme wet weather and flooding/weather monitoring both during construction and operational phases will ensure that activities are not carried out during flooding events. The flood mapping for the area demonstrates that the area that may in the future be prone to flooding is that of the former quarry floor which has been worked out to a level lower than the natural topography, the works will not affect flood risk or management measures elsewhere and the proposed development does represent good urban design in that it provides a sustainable public cultural and amenity use within this brownfield site. The design of the proposed development does not impede or alter access or egress arrangements and by its very nature (outdoor development open to the public) ensures that residual risks to the area are acceptable. Accordingly, I consider that the proposed development satisfies the development management justification test, falls within the 'less vulnerable' category of development and does not significantly increase floodrisk on or off site, and is a suitable form of development and in accordance with the requirements of the relevant guidelines<sup>1</sup> for Planning Authorities, issued in November 2009.

### **9.2.3 Traffic and Parking**

All construction traffic will access the site via the route from the Main Street of Lanesborough as set out in the oCEMP. The applicant has also clarified that in the operational phase for the larger events detailed traffic management proposals will have to be entered into and agreed with the relevant authorities. The site is accessible to the main street, is well placed on the road network and can be serviced via existing car parks. The proposed development will generally have its peak operational hours in the evenings and provides good opportunities to be served by buses and/or other public transport options should they be available. I am satisfied that the proposed development will not constitute a traffic hazard and that it is adequately serviced in terms of access and parking.

I note that the applicant has referenced that in the event of additional parking being required that temporary provisions (matting etc.) could be used to facilitate event parking on the amenity grasslands in the vicinity of the duck pond (located between the access road to the proposed venue and the shores of Lough Ree). I do not

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<sup>1</sup> The Planning System and Floodrisk Management, Department of the Environment, Heritage and Local Government, November 2009,

consider, such provisions to be necessary given the accessibility of the proposed venue, nor appropriate as they have neither been formally proposed or detailed as part of the current application nor assessed/considered within the ecological reports and assessments included in the application documentation. The need for such consideration would be important given the proximity of these grassed areas to both the Lough Ree SAC and SPA and the acknowledged sensitivity of several of the qualifying features of these designated sites to water quality degradation. I also note that in discussing minimising impacts on amphibians the applicants documentation notes that the amenity grasslands in the vicinity of the lake provides foraging habitat that amphibians are likely to be moving through at night. Should favourable consideration be forthcoming in relation to the outdoor venue, I therefore recommend that a specific condition be imposed clarifying that temporary car parking on the amenity grasslands is not approved.

#### **9.2.4 Biodiversity**

The Appropriate Assessment of the proposed development is set out in Appendices IV (Appropriate Assessment Screening Determination) and V (Appropriate Assessment Determination) of this recommendation. In relation to other biodiversity issues, I note that the site of the proposed development itself, in a former quarry does not provide unique, rare or sensitive habitats. The site is, however, located immediately adjacent to habitats of local importance to wildlife, including woodland, and the quarry face itself which offers habitat for bats, I also note that the DAU has made submissions in relation to the Nature Conservation matters arising from the proposed development. The Inspectorate's Ecologist (IE) has carried out a review of the submitted ecological information and prepared a technical note (included as Appendix III) in relation to a number of ecology matters, and concludes across these topics as follows:

- **Implications for European Sites – Habitats**

- The IE report raises concern in relation to areas of habitat removal/loss arising from the proposed development, as well as their assessment and identification under the lodged documents. This issue arises specifically in relation to the woodland bordering the quarry/compound area within the boundary of Lough Ree SAC, which is the proposed location for the siting of

portalooos during events. This area has been designated as Oak-ash-hazel woodland (WN2) under Fossit in the National Survey of Native Woodlands and corresponds with the Annex I habitat Old sessile oak woods with Ilex and Blechnum in the British Isles from the National Survey of Native Woodlands (NSNW) 2003-2008. This habitat (91A0) is listed in the Conservation Objectives for Lough Ree SAC (NPWS 2016) however, as its status is under review it was not included in the subsequent Statutory Instrument (S.I. No. 466 of 2023). The woodland is therefore not a qualifying interest of Lough Ree SAC, and this is therefore not an issue to be assessed under the statutory Appropriate Assessment. The IE has noted that this is an Annex I habitat which is of importance to local wildlife and its removal seems unnecessary given the availability of other areas of disturbed ground and hardstanding that could accommodate the temporary portaloo facilities. In this regard the IE recommends that this area for the siting of the portalooos be excluded from the grant of permission.

- The IE report is satisfied that Lough Ree QI habitats (Natural eutrophic lake [3150] and Limestone Pavement [8240]) will not experience any direct impacts, however, the lake habitat could experience indirect impacts due to potential hydrogeological connectivity. The IE report notes that the pond / sump feature referenced in the hydrogeological investigation report is not connected to either ground or surface water as that report confirms its levels were monitored and found to be consistent with ponding water.

▪ **Implications for European Sites – Species**

- Otter

The IE report notes that the FI response does not include any targeted surveys for Otter, however, acknowledges that the habitats within the proposed development site do not provide otter with suitable foraging or resting habitat and as such direct impacts will not arise. It is noted that there is potential for indirect impacts to arise on otter during the construction state as a result of water pollution and disturbance impacts during the operation of the proposed development. The report notes that impacts can be mitigated through the mitigation measures set out in the submitted NIS as well as

those in relation to sound system design and noise monitoring recommended within the applicant's noise impact assessment.

- Birds

In relation to birds the IE report notes that the habitats within the application boundary do not offer suitable habitat for SCI species of Lough Ree SPA and accordingly no direct impacts will arise. There is, however, potential for indirect impacts to the species during construction (water pollution) and disturbance during the operational phase. These impacts can be mitigated through the measures set out in the NIS and in the applicant's Noise Impact Assessment concerning sound system design and monitoring.

- **Implications for Biodiversity**

- Amphibians

No evidence of breeding newts or frogs were identified onsite, the ecological reporting submitted notes the presence of an inaccessible pond in the woodland to the south of the site that would provide suitable habitat which has been identified as a 'zone of ecological importance'. The mitigation measures set out in the application documentation (including the Report on Supporting Ecological Surveys, Hydrological Investigation Report, and outline construction management drawing) particularly in relation to the measures applicable to the zone of ecological importance, and protection of amenity grasslands during events the IE report concludes that impacts on amphibians can be minimised.

- Bats

It is acknowledged that the proposed development site and surrounding habitats provides suitable foraging habitats for bats, furthermore the quarry face offers a suitable roost site for bats, albeit as noted by the DAU the applicant has not carried out emergence surveys to confirm the importance of this site. The IE report considers that the implementation of the mitigation measures relating to lighting and noise monitoring will minimise impacts on bats, and also recommends that no vegetation is removed from the exposed quarry face to ensure any potential bat roosting habitat is not disturbed.

- Landscaping Plan:

The IE report notes that the species mix for the landscaping scheme is not available and that the site is proximate to sensitive ecosystems vulnerable to water pollution, and accordingly native species only should be planted, and no fertiliser should be used.

In relation to Biodiversity matters I note the findings of the Inspectorate Ecologist and concur with them. In relation to the classification of the woodland area in which it is proposed to place the portaloo hardstand, the Commission should note that the red-line application boundary used in the submitted NIS (August 2000 habitat map (Figure 4.1) does not present the accurate red line application boundary relative to the woodland, as it follows the line of an existing stone wall at the southern edge of the extant gravel storage area. The proposed development (as shown on the layout drawings) includes the provision of an opening in the existing stone wall and provides the portaloo hardstand to the south of it within the woodland area. Although the originally submitted NIS has been replaced the Commission should also note that the 'works area' shown in the originally submitted NIS does not reflect the application boundary, albeit the application boundary does lie within the defined works area. The Commission should also be aware that the habitat map (Figure 2) from the originally submitted NIS, has swapped the labelling for the areas they have classified as WN2 and WL2, the written text within that NIS gives the accurate description and locations of these. These matters are only raised as points of clarification. On balance I consider that the provision of the portaloo area into the woodland habitat has not been justified, in the context of habitat loss/encroachment and the availability of such temporary facilities to be placed on the site at a location that has already been cleared.

The application documentation has identified a zone of ecological importance just outside the site boundary to the south, this is a wet area surrounded by mature willow woodland. While this area lies outside the site boundary the submitted outline Construction Management drawing is proposing silt fencing and a route protection zone to ensure no adverse impacts arise at this location. In the event of favourable consideration I recommend that the Commission include a specific condition in relation to these works.

I also note the DAU's submissions, which have been summarised in sections 6.2.1 and 7.3.1 of this recommendation above. The initial DAU report recommended that all works be undertaken outside the bird breeding season (March to September), however, having regard to the location and nature of the proposed development I do not consider this necessary, given that there is a degree of disturbance already occurring at this location, the temporary nature of construction activity, combined with the recommended omission of site clearance to provide the yard for the portaloo area.

Furthermore, in order to provide sufficient protection of Natura 2000 sites and minimise the potential for impacts arising on groundwater and from runoff construction works are proposed to be predominantly scheduled during periods of low water levels on Lough Ree (i.e. May to September). The mitigation measures set out within the Outline Construction and Environmental Management Plan (oCEMP), the Noise Impact Assessment RFI response, NIS, and the applicants Report on Ecological Surveys will also all combine to minimise impacts on sensitive ecological receptors during the construction phase. For clarity I note that the site is located within the Lough Ree proposed Natural Heritage Area (pNHA), however, due to the brownfield nature of the site, the nature of the proposed development and the suite of mitigation measures incorporated into the development I am satisfied that the biodiversity of the area will not be adversely impacted by the proposal.

#### **9.2.5 Landscape**

The applicant has submitted a landscaping drawing for the proposed development, and I am satisfied that the proposal can be assimilated effectively within the natural environment at this location. I note species lists have not been provided, however, the requirement for native species can be specified in the event of favourable consideration.

#### **9.2.6 Cultural Heritage**

The site of the proposed development will have a positive impact on cultural heritage as it will facilitate a variety of cultural and artistic events. The site is located within an old quarry and there have been no issues raised in relation to impacts on cultural heritage nor are there any records of archaeological features or monuments on site. There is an information panel at the entrance to the site setting out the history and

providing an artist's impression of the Lime quarry which should be retained; however, this is located outside the red-line application boundary and accordingly is not subject to any alteration under the current proposal.

### **9.2.7 Water Framework Directive**

All new developments in Ireland that may have an impact on the water environment are required to comply with the objectives of the Water Framework Directive (WFD), under the European Communities (Water Policy) Regulations 2003 S.I. No. 722/2003 (as amended). This includes ensuring that no changes occur that cause a deterioration of the ecological status of any water body, and that the development does not prevent the achievement of the future status objectives of any waterbody. Water body status deterioration can occur because of deterioration of any of the quality elements that make up the overall status (e.g. biological, physio-chemical, or hydromorphological elements for surface waters) even where this does not result in a lowering of overall water body status. I have assessed the proposed development and considered the objectives as set out in Article 4 of the WFD. I have considered the nature, scale, and location of the project as well as the detailed construction mitigation measures proposed (within the CEMP and NIS), in conjunction with the fact that there will be no wastewater or mains water services installed for the operational phase of the proposed development and carried out an in-depth WFD screening (Appendix VI of this recommendation refers). I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration of any water body (and in particular groundwaters and Lough Ree) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

### **9.3 The likely significant effects on a European Site**

The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- The Natura Impact Statement
- Appropriate Assessment

### **9.3.1 Compliance with Articles 6(3) of the EU Habitats Directive**

The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site.

### **9.3.2 AA Screening Determination**

Refer to Appendix IV for AA Screening Determination in accordance with Section 177U of the Planning and Development Act, 2000 (as amended). On the basis of the information considered in the AA screening in Appendix IV which includes objective information provided by the applicant, supported by my consideration of the site and nature of the proposed development, I concluded that it is not possible to exclude that the proposed development alone will give rise to significant effects on the Lough Ree SAC (Site Code 000440) and Lough Ree SPA (Site Code 004064) in view of the conservation objectives of a number of qualifying interest features of those sites. It is therefore determined that Appropriate Assessment (stage 2 under section 177AE of the Planning and Development Act 2000 (as amended)) is required.

In this regard I note that I concur with the broad findings of the applicant's own AA screening documentation, albeit I consider that disturbance arising from noise during the operational and construction phases as well as the potential impact of invasive species during construction should also be given further consideration at Stage 2, as mitigation measures are required to be considered.

### **9.3.2 Natura Impact Statement**

The application was accompanied by a NIS (dated August 2025 in response to the Further Information Request) which described the proposed development, the project site and the surrounding area. I note that the NIS submitted has not considered disturbance or the introduction of invasive species as potential impacts on qualifying interests, which, having regard to the nature of the proposed development (i.e. an amphitheatre to facilitate a range of outdoor events requiring

operational noise management measures and which needs to import a large quantity of material to the site for construction purposes), its location, surrounding habitats and the need to apply the precautionary principle, is an omission. Notwithstanding this, however, these issues have been included in the Appropriate Assessment Determination carried out in Appendix V of this recommendation. The Commission should note that I consider that these issues can be mitigated through the implementation of adequate mitigation and control measures. It should also be noted that the NIS submitted by the applicant does not provide for the appointment of an Ecological Clerk of Works (ECOW) to oversee and monitor the mitigation measures proposed, however, again this can be assured through the provision of adequate conditions, and it should be noted that the appointment of an ECOW is provided for in the submitted outline CEMP in relation to the monitoring of other ecology issues and to ensure appropriate site set up and mobilisation given the sensitive location. Accordingly, while I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests and the mitigation measures relating to potential hydrological linkages, and water protection, I do not consider that it has incorporated or considered fully adequate mitigation measures in relation to invasive species and noise disturbance during construction and operational phases. Notwithstanding this, the required controls and additional mitigation measures can be adequately conditioned and have broadly been identified in other application documentation notwithstanding their omission from the Applicant's NIS. In this regard the Appropriate Assessment Determination included in Appendix V has also been informed by the reports of the Commission Environmental Scientist and Inspectorate Ecologist included as Appendices II and III of this recommendation.

### **9.3.3 Appropriate Assessment**

The Commission is referred to Appendix V of this recommendation for the full detail of the Appropriate Assessment (AA) determination. In screening the need for AA, it was determined that the proposed development could result in significant effects on the Lough Ree SAC (Site Code 000440) and Lough Ree SPA (Site Code 004064) in view of the conservation objectives of a number of qualifying interest features of those sites. It is therefore determined that Appropriate Assessment (Stage 2 was required).

Following an examination, analysis and evaluation of the NIS all associated material submitted, including further information and taking into account all relevant submissions and in particular the observations of the Department of Housing, Local Government and Heritage, as well as the technical notes prepared by both the Inspectorate Ecologist and Commissions Environmental Scientist, I consider that adverse effects on site integrity of the Lough Ree SAC and Lough Ree SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives or prevent or delay the restoration of favourable conservation conditions for the relevant qualifying interests of the Lough Ree SAC, or Lough Ree SPA.
- Effectiveness of mitigation measures proposed in the NIS and adoption of measures set out in the oCEMP, Noise reporting, and Supporting Ecological Survey Reporting.
- The reports prepared by the Inspectorate Ecologist and Commissions Environmental Scientist.
- Application of planning conditions to ensure the provision of adequate mitigation measures and management of events during the operational and construction phases of the proposed development provided for in the schedule below.

## **10. Recommendation**

On the basis of the above assessment, I recommend that the Commission approve the proposed development subject to the reasons and considerations below and subject to conditions set out below including requiring compliance with the submitted details and with the mitigation measures as set out in the NIS.

## 11. Reasons and Considerations

In performing its functions in relation to the making of its decision, the Board had regard to:

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.

The Board also had regard to the following in coming to its decision:

- European legislation, including of particular relevance:
  - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
  - Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning Regulations as amended.
  - Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.
- National and regional planning and related policy, including:
  - National policy, particularly the National Planning Framework First Revision 2025.
  - The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- Regional and local planning policy, including:

- The Eastern and Midland Regional Assembly Regional Spatial Economic Strategy 2019 - 2031;
  - Longford County Development Plan 2021-2027.
- Other relevant national policy and guidance documents.
  - The nature, scale and design of the proposed development as set out in the application for approval and the pattern of development in the vicinity.
  - 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 European Sites,
  - The conservation objectives, qualifying interests and special conservation interests for the Lough Ree SPA (site code: 004064), and the Lough Ree SAC (site code: 000440),
  - The information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura Impact Statement, Outline Construction and Environmental Management Plan, Report on Supporting Ecological Surveys, Hydrological Investigation, and Noise Impact Assessment.
  - The submissions and observations received in relation to the proposed development.
  - The further information response received from the applicant on the 29<sup>th</sup> of August, 2025 and submissions received in response to same.
  - The reports carried out by the Inspectorate Ecologist and Commission's Environmental Scientist, and
  - The report and recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment.

### **Appropriate Assessment**

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Lough Ree SPA (site code: 004064), and the Lough Ree SAC (site code: 000440), are the only European Sites

in respect of which the proposed development has the potential to have a significant effect.

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 Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely the Lough Ree SPA (site code: 004064) and the Lough Ree SAC (site code: 000440), in view of the site's 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 site's 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 site's conservation objectives.

### **Proper Planning and Sustainable Development/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, 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.

## 12. Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as updated by the revised plans and details received 29<sup>th</sup> August 2025, 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 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.</p> <p><b>Reason:</b> In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.</p>
2.	<p>Prior to the commencement of development revised plans and details shall be placed on file and retained as part of the public record. The development shall be carried out and completed in accordance with the revised plans and details which shall provide for the following alterations:</p> <ul style="list-style-type: none"> <li>(a) A revised layout plan showing the omission the proposed portaloo compound area to the south of the existing stone wall and all relevant associated works. These works shall be omitted and an alternative location for the temporary provision of portaloo's for events provided within the established red-line application boundary at a location north of the existing stone wall on lands that do not encroach on woodland areas.</li> <li>(b) The revised layout plan (referenced at 2(a) above) and an updated tiered seating section shall be provided to detail the reduced levels achieved through reductions in the tiered seating rise height from</li> </ul>

	<p>500mm to 480mm, achieving the lowering the height of the amphitheatre mound and sound booth by 240mm, as set out in the application documentation received by the Commission on the 29<sup>th</sup> August 2025.</p> <p><b>Reason:</b> In the interests of nature conservation, the protection of biodiversity and the environment, to aid the assimilation of the proposed development within the natural environment and in the interests of proper planning and sustainable development.</p>
3.	<p>The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented in full. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.</p> <p><b>Reason:</b> In the interest of protecting the environment, the protection of European Sites and in the interest of public health.</p>
4.	<p>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 as set out in the submitted Natura Impact Statement, and Report on Supporting Ecological Surveys, as well as the Construction and Environmental Management Plan. The ecologist shall be present during the works and shall inform and approve the lighting design for the development here consented. 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.</p> <p><b>Reason:</b> In the interest of nature conservation and biodiversity.</p>
5.	<p>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 set out in</p>

the applicant's submission received by the Commission on the 29<sup>th</sup> day of August 2025, and demonstration of proposals to adhere to best practice and protocols. The CEMP shall be placed on file and retained as part of the public record prior to commencement of development and shall include:

- a. All mitigation measures indicated in the Natura Impact Statement, Noise Impact Assessment and Report on Supporting Ecological Surveys received by the Commission on the 29<sup>th</sup> of August 2025,
- b. All mitigation measures set out in the submitted outline Construction and Environmental Management Plan, and Hydrological Investigation received on the 29<sup>th</sup> of August 2025,
- c. Location and extent of silt fencing, shuttering and bunding to be installed on site.
- d. Location of any temporary construction compound required, which must be located within the submitted red line application boundary.
- e. A construction traffic management plan to include:
  - measures which will ensure the continued access for members of the public to the amenity walkways in the vicinity and Lough Ree,
  - all construction access to the site will be in accordance with outline Construction Management drawing received by the Commission on the 29<sup>th</sup> of August 2025.
- f. Details of protection measures for the identified Zone of Ecological Importance as set out in outline Construction Management drawing received by the Commission on the 29<sup>th</sup> of August 2025.
- g. Construction lighting proposals, informed by the ecological clerk of works to minimise impacts on sensitive ecological receptors in the vicinity.
- h. Specific proposals as to how the measures outlined in the CEMP will be measured, audited and monitored for effectiveness,

	<p>A record of daily checks that the works are being undertaken in accordance with the CEMP shall be maintained on file as part of the public record.</p> <p><b>Reason:</b> In the interest of protecting the environment and the European Site.</p>
6.	<p>The following nature conservation requirements shall be complied with:</p> <ul style="list-style-type: none"> <li>a. Prior to the commencement of development, details of measures to protect water and groundwater quality shall be outlined and placed on file. These measures shall include all those set out in Section V of the Hydrological Investigation Report received by the Commission on the 29<sup>th</sup> of August 2025 and provide for the groundwater and site monitoring and reporting provided for in Section V.7 of that report. 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, with all details including the results of the monitoring to be placed on the file and retained as part of the public record.</li> <li>b. No vegetation removal shall take place during the period of the 1<sup>st</sup> day of March to the 31<sup>st</sup> day of August (inclusive) without the written approval of the Ecological Clerk of Works. Such approval shall be placed on the public file.</li> <li>c. A pre-construction otter survey by a suitability qualified ecologist shall be carried out before works commence.</li> <li>d. No works (including vegetation removal) shall occur along the existing quarry face.</li> <li>e. A pre-construction bat survey shall be carried out by a suitably qualified ecologist during the active bat season and, relocation of bat species if required, to facilitate construction, shall only be carried out by a suitably qualified ecologist with any relevant required consents or licences.</li> </ul>

	<p>f. A detailed landscaping plan including species list shall be prepared broadly in accordance with the details received by the Commission on the 29<sup>th</sup> of August 2025 and placed on the file for public record. The species list for the landscaping plan must incorporate all native species of Irish provenance suitable for the local soil conditions. Species planting will be carried out in accordance with the landscaping plan, and no fertilisers or other chemicals will be used.</p> <p>g. A detailed lighting design shall be prepared and placed on file for the public record. The lighting plan shall follow the provisions of Section 5.1 of the submitted Report on Supporting Ecological Surveys, 3.3 of the submitted Natura Impact Statement and be informed by Eurobats 8, Guidelines for Consideration of Bats in Lighting Projects. A suitably experienced ecological clerk of works shall be assigned to the design stages of the proposed development to ensure that the lighting design measures are implemented into the operational phase lighting design for the proposed development.</p> <p>h. No event/temporary car parking will be carried out on amenity grass areas long the access route to the venue.</p> <p><b>Reason:</b> In the interests of biodiversity and nature conservation.</p>
7.	<p>(a) 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.</p> <p>(b) The measures detailed in section 12 (Invasive species) of the Outline CEMP received by the Commission on the 29<sup>th</sup> of August 2025, shall be implemented in full, and monitored by the Ecological Clerk of Works. Results of the monitoring of these measures shall be placed on file.</p> <p><b>Reason:</b> In the interest of the proper planning and sustainable development of the area and to ensure the protection of the European sites.</p>

8.	<p>(a) The applicant shall appoint a suitably qualified and experienced noise control consultant, to the approval of the Licensing Authority, prior to live events involving amplified music or theatrical performances taking place at the venue. The noise control consultant shall liaise between all parties including the licensee, sound system engineer and the licensing authority on all matters relating to noise control prior to and during events.</p> <p>(b) The noise control consultant shall carry out a survey to determine the background noise levels (as defined by the Code of Practice on Environmental Noise Control at Concerts, 1995) at four locations around the venue representative of the noise sensitive receptors likely to experience the largest increase in noise as a result of an event as well as at ecological receptors E01, E02, E03 and E04 identified in the Noise Impact Assessment – Response to Further Information Report received by the Commission on the 29<sup>th</sup> August 2025. The information obtained from this survey shall be made available to the licensing authority in advance of an event taking place.</p> <p>(c) A noise propagation test shall be undertaken prior to the start of an event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the sound likely to be produced during the event.</p> <p>(d) The control limits set at the mixer position shall be adequate to ensure that Music Noise Level (MNL) shall not at any noise sensitive receptor exceed the background noise level by more than 15dB(A) measured over a 15-minute period throughout an event, rehearsal or sound check. Similarly, noise levels at ecological receptors E01, E02, E03 and E04 (identified at 7(b) above) should not exceed these levels.</p>
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	<p>(e) The design of the loudspeaker system(s) used within the operational phase of the proposed development shall be in line with the setup modelled in the noise impact assessments set out in the submitted noise assessments received by the Commission on the 10<sup>th</sup> of October 2023, and 29<sup>th</sup> of August 2025.</p> <p><b>Reason:</b> To protect residential amenity and sensitive ecological receptors in the vicinity, as well as in the interests of proper planning and sustainable development.</p>
9.	<p>The development shall be managed and operate broadly in compliance with the operational plan and documentation received by the Commission on the 29<sup>th</sup> of August 2025, except as may otherwise be required in order to comply with stated conditions. In the interests of clarity:</p> <p>(a) The venue will be vacated and locked by 23:00 on the night of events to ensure minimal disruption to local residents,</p> <p>(b) Access to the site for events will be solely from Lanesborough Main Street, with no access provided from Rathcline Road.</p> <p><b>Reason:</b> In order to ensure orderly development, protect residential amenities and in the interests of proper planning and sustainable development.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Jimmy Green  
Senior Planning Inspector

9<sup>th</sup> February 2026

## Appendix I- EIA Screening Reporting

Appendix I below provides the following reports:

- Form 1 – EIA Pre-Screening, and
- Form 3 EIA Screening Determination

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	
<b>Proposed Development Summary</b>	The construction of a 500-seat outdoor community amphitheatre.
<b>Development Address</b>	Former Council Depot at Commons North Lime Quarry. Lanesborough, Co. Longford.
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?</b>  (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

<p>Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Schedule 5, Part 2, 10 Infrastructure projects (b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. EU Guidance document “Interpretation of definitions of project categories of Annex I and II of the EIA Directive’ (2024) interprets urban development as including “...<u>theatres</u>, concert halls and <u>other cultural centres</u>...”.</p> <p>The applicant has provided Schedule 7A information within their EIA screening document.</p>

<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<p>Yes <input checked="" type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

### Form 3 - EIA Screening Determination Form

A. CASE DETAILS		
An Commisiún Pleanála Case Reference	<b>ABP – 318314-23</b>	
Development Summary	<b>Provision of a 500-seat outdoor community amphitheatre</b>	
	<b>Yes / No / N/A</b>	<b>Comment (if relevant)</b>
<b>1.</b> Was a Screening Determination carried out by the PA?	Yes	
<b>2.</b> Has Schedule 7A information been submitted?	Yes	
<b>3.</b> Has an AA screening report or NIS been submitted?	Yes	
<b>4.</b> Is an IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
<b>5.</b> Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	Site is within area designated for the proposed development within the County Development Plan which was subject to SEA.

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) <b>Mitigation measures</b> –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
<b>This screening examination should be read with, and in light of, the rest of the Inspector’s Report attached herewith</b>			
<b>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</b>			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	Yes	Proposed Development constitutes the redevelopment of an existing disused quarry as an outdoor amphitheatre and so it is significantly different in character to the existing use on site. The proposed development is, however, located adjacent to an amenity area (woodland walks, marina/harbour, public amenity grassland, carparking, and is accessible from the main street of Lanesborough) and has been designed to assimilate within its surrounding environment. The scale of the proposed development (site size of 0.62 ha) is also small in comparison to the EIA threshold for such urban development whether the area is considered to be ‘built up’ as it’s within the zoned area of Lanesborough (10-hectare threshold) or the 20-hectare threshold category for ‘elsewhere’.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	Local topography will be altered as the disused quarry will to a certain extent be ‘filled in’. An outline CEMP and the NIS lists a number of mitigation measures designed to minimise impacts and ensure adverse effects will not arise. The proposed development provides for a landscaping plan to aid assimilation, and good on-site housekeeping will prevent impacts on waterbodies.	No

<b>1.3</b> Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	Construction will require the input of a range of natural resources, and importation of fill material to create the amphitheatre, however, these materials are not unique nor are they in short supply. The proposed development when operational will not be in constant use but will cater for events which will be managed, resources and serviced in an appropriate manner.	<b>No</b>
<b>1.4</b> Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Negligible	Normal construction activities will obviously require the use of certain substances which are harmful to human health and the environment, however, the CEMP and operational management programmes provided will ensure significant adverse impacts will not arise.	<b>No</b>
<b>1.5</b> Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	Theatre will be serviced by portaloos when events are taking place and then removed and disposed by suitably licenced operators. Events will be strictly managed and co-ordinated to ensure pollution does not arise.	<b>No</b>
<b>1.6</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	<b>NO</b>	Construction will be controlled by a CEMP with appropriate interventions, and the operational phase will also be appropriately managed with events suitably serviced to ensure litter and waste arisings do not affect surface or ground waters.	<b>No</b>
<b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	<b>Yes</b>	Construction and operations will give rise to noise and light emissions, which will be controlled and designed to minimise any impacts through the provisions of the CEMP and Operational Management Plan.	<b>No</b>
<b>1.8</b> Will there be any risks to human health, for example due to water contamination or air pollution?	<b>No</b>	The proposed development of an outdoor amphitheatre will not give rise to water contamination or air pollution.	<b>No</b>
<b>1.9</b> Will there be any risk of major accidents that could affect human health or the environment?	<b>No</b>	Given the nature and scale of the proposed development major accidents are not anticipated. There will be no novel technologies or methodologies employed in construction and standard health and safety measures will apply in conjunction with the CEMP. Operationally events will be managed to ensure health and safety of all.	<b>No</b>

<p><b>1.10</b> Will the project affect the social environment (population, employment)</p>	<p><b>Yes</b></p>	<p>The proposed development will provide an additional and unique community resource that will improve the arts provision and cater for additional events which will improve the social environment and provide for and support additional direct and indirect employment both during construction and its operational phase.</p>	<p><b>Yes - Slight beneficial impact.</b></p>
<p><b>1.11</b> Is the project part of a wider large-scale change that could result in cumulative effects on the environment?</p>	<p><b>No</b></p>	<p>Limited additional consents/developments in the wider area and the nature/scale of the proposed development are such that it will not give rise to any significant cumulative impacts with other projects.</p>	<p><b>No</b></p>
<p><b>2. Location of proposed development</b></p>			
<p><b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> <li>- European site (SAC/ SPA/ pSAC/ pSPA)</li> <li>- NHA/ pNHA</li> <li>- Designated Nature Reserve</li> <li>- Designated refuge for flora or fauna</li> <li>- Place, site or feature of ecological interest, the preservation/ conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</li> </ul>	<p><b>Yes</b></p>	<p>The proposed development is within the Lough Ree pNHA, overlaps partially with the Lough Ree SAC and is proximate to the Lough Ree SPA. Ecological surveys have been carried out, and the CEMP and Operational plans have been informed by their findings and the mitigation measures set out within the submitted NIS.</p>	<p><b>No</b></p>
<p><b>2.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	<p><b>Yes</b></p>	<p>Birds, Otters and Bats could be adversely affected as could habitats in the SAC and SPA. The CEMP, operational plan and NIS contain sufficient mitigation to ensure significant effects on the environment will not arise.</p>	<p><b>No</b></p>

<b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	<b>No</b>	No	<b>No</b>
<b>2.4</b> Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	<b>No</b>	Proposed development is in a disused quarry set within a woodland. There are no significant high quality or scarce resources within the quarry, established quality woodland in the vicinity of the works and their root systems will be protected as set out in application documentation.	<b>No</b>
<b>2.5</b> Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	<b>No</b>	Flood risk assessment demonstrates that while the works are in a floodzone A the proposed use is within the 'Less vulnerable' category and will not have a significant volumetric impact in terms of floodwater displacement.	<b>No</b>
<b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?	<b>No</b>	The site is a disused quarry, a quarry face of exposed rock has been left along the western boundary, topsoil has been removed and quarry has been dug out to generally the level of the surrounding forestry elsewhere. There is no evidence, or significant risk of subsidence, landslide or erosion.	<b>No</b>
<b>2.7</b> Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion, or which cause environmental problems, which could be affected by the project?	<b>No</b>	The N63 and R392 are to the north of the site. The N63 from which access to the site is provided functions as Lanesborough's Main Street at this location. The proposed development which is an outdoor theatre that will be occasionally used for tier 1 events in the summer will not adversely affect these traffic routes which are sufficient to cater for the proposal. Any significant events will be subject to traffic management.	<b>No</b>
<b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	<b>No</b>	There are schools and community facilities in the wider area, however, due to the nature of the proposed development it is considered that these will be beneficially impacted by the proposal.	<b>No</b>

**3. Any other factors that should be considered which could lead to environmental impacts**

<b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	<b>No</b>	Proposed development is an additional cultural amenity being proposed at an accessible location within Lanesborough in proximity to existing amenity areas.	<b>No</b>
<b>3.2 Transboundary Effects:</b> Is the project likely to lead to transboundary effects?	<b>No</b>	N/A	<b>No</b>
<b>3.3</b> Are there any other relevant considerations?	<b>No</b>	N/A	<b>No</b>

**C. CONCLUSION**

<b>No real likelihood of significant effects on the environment.</b>	<input checked="" type="checkbox"/>	EIAR Not Required
<b>Real likelihood of significant effects on the environment.</b>	<input type="checkbox"/>	EIAR Required

**D. MAIN REASONS AND CONSIDERATIONS**

Having regard to: -

1. The criteria set out in Schedule 7, in particular
  - (a) the small scale, nature of use, and sensitive design of the proposed community amphitheatre development,
  - (b) the location of the proposed development within a disused quarry which has been used as a council depot,
  - (c) the fact that the proposed development is significantly below the EIA threshold established for 'urban development' within Schedule 5 part 2 of the Planning and Development Regulations (as amended).
2. The results of other relevant assessments of the effects on the environment submitted by the applicant including Natura Impact Statement, floodrisk assessment, hydrological investigations and ecological surveys. Furthermore, the proposed site location has been identified as a suitable location for an amphitheatre development within the County Development Plan which has been subject to SEA.

3. The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, and in particular the design approach adopted, measures set out in the outline CEMP submitted, mitigation measures within the submitted NIS to protect habitats and species within the proximate Natura 2000 sites, operational parameters established within the operational management plan and specified design parameters of both sound and lighting systems for the proposed development.

The Commission concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

**Inspector** \_\_\_\_\_

**Date** \_\_\_\_\_

**Approved (DP/ADP)** \_\_\_\_\_

**Date** \_\_\_\_\_

**Appendix II - Technical Report, Commission Environmental  
Scientist**



## **Appendix III - Technical Report, Inspectorate Ecologist**



## Appendix IV – Appropriate Assessment Screening Determination Test for likely Significant Effect

Screening for Appropriate Assessment Test for likely significant effects	
<b>Step 1: Description of the project and local site characteristics</b>	
<b>Brief description of project:</b>	Five hundred seat outdoor amphitheatre, Lanesborough, Co. Longford.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	<p>The proposed outdoor theatre is proposed on a 0.618 ha site within an old quarry that is currently in use as a council storage depot. The site overlaps slightly with, and is surrounded by, the Lough Ree SAC (Code 000440) and is located c.65m east of the Lough Ree SPA (Code 004064). A detailed description of the proposed development has been provided in Section 2 of this report. Detailed specifications of the proposed development are set out in Sections 3 and 4 the Appropriate Assessment Screening Report &amp; Natura Impact Statement (August 2025).</p> <p>Habitats were surveyed on the 14<sup>th</sup> July 2025, and wintering and breeding bird surveys were carried out. The Commission should note that the dates of the bird surveying listed in section 2.4.2 of the CAAS report must be stated in error as they refer to dates in December and September 2025 which are subsequent to the submission of the report, it must therefore be assumed that these surveys were carried out on the same dates in 2024.</p> <p>Exposed sand, gravel or till (ED1) is the predominant habitat type on site, as this is the former quarry floor, which has been used for aggregate/material storage as part of a council depot. This is surrounded by scrub (WS1) in the north eastern part of the site, Recolonising Bare Ground (ED3) Spoil and Bare Ground (ED2) and Hedgerows (WL1) in the northern portion of the site, and an area that has been identified as wet willow-alder-ash woodland (WN6) to the south. I note that this woodland area has, however, been more accurately identified as Oak-Ash-Hazel (WN2) in the National Survey of Native Woodlands (NSNW), which corresponds with Annex I habitat [91A0]. The inspectorate ecologist's report provides more detail in this regard, noting that habitat 91A0 is not a QI of the SAC and therefore is not assessed under the statutory AA. There is also an area identified as 'other artificial lakes and ponds' (FL8) in the southern portion of the site. The neighbouring habitat outside the site to the north, west and east is (Mixed) broadleaved woodland (WD1). Further west closer to the lakeshore there is an area of Exposed Calcareous Rock (ER2) with large areas of improved amenity grassland (GA2). The quarry itself is considered to be a low value habitat, however, it is surrounded and bounded by several habitats of high ecological value which are sensitive to disturbance (from noise, light, or direct damage).</p> <p>There is no direct surface hydrological connectivity between the proposed site and Lough Ree (expansive freshwater lake c. 65m west of the site, which is also an SPA). However, the presence of areas of karst limestone and exposed rock in the vicinity provides a direct connection between the site surface to groundwater, and therefore on to Lough Ree. Accordingly, due to the presence of two Natura 2000 sites with species and habitats that are sensitive to changes in water quality the proposed development presents a potential impact with regard to surface water runoff and high risk of pollution.</p> <p>An Otter survey was conducted on 21<sup>st</sup> December 2022 (in support of the original NIS document). While there was suitable habitat for Otter identified within the survey area no signs of otter activity were found. There was no suitable location for an Otter holt within the area proposed for development, however, suitable foraging/feeding habitat occurs within</p>

	<p>100m of the site. Article 17 reporting shows two records of Otter within 1km, north of the bridge over the River Shannon in Lanesborough c. 400m north of the proposed works.</p> <p>Bird surveys (both wintering and breeding) have shown that the proposed site is not of value for wintering bird species (QIs of the Lough Ree SPA) with the predominant activity detected consisting of flyovers of the site. No direct use of the site or any adjacent amenity grasslands was identified in the wintering bird surveys – probably due to the established level of continuous disturbance from visitors, boats, walkers etc. The overall area was considered to be of high local and national value for breeding bird species in terms of diversity recorded and habitat availability. The setting of the site (within a woodland) and the wider habitats are of more importance than the actual site (former quarry) in terms of breeding birds.</p> <p>Potential impact mechanisms arise from construction stage on both Natura 2000 sites due to hydrological groundwater connection as well as potential runoff, and from the operational phase due to disturbance effects (e.g. noise generated from the differing nature of events and the need to ensure active noise management). Furthermore, the submitted outline CEMP acknowledges that ‘the risk of invasive species being introduced onto the site during the construction phase of the project is considered to be high, with large imports of materials with the potential to contain invasive flora species’. Given the location and nature of the proposed development and its proximity to sensitive habitats potential impact could arise from the import of materials that could contain invasive species.</p> <p>The Commission should note that in regard to potential impact pathways I disagree with the conclusions of the submitted updated screening and NIS by CAAS (August, 2025), which does not consider disturbance to be an issue due to the established noise levels and that SCI species are habituated to certain levels of noise, nor does it consider invasive species as being a potential impact pathway.</p>
<b>Screening report</b>	Original AA Screening/NIS prepared by Flynn Furney Environmental Consultants, dated 1 <sup>st</sup> November 2022.
<b>Natura Impact Statement</b>	Additional AA Screening/ NIS prepared by CAAS dated August 2025 in response to ACP Further Information Request
<b>Relevant submissions</b>	<p><u>Two Submissions made by NPWS/DAU.</u></p> <p>Initial submission on original application documentation dated 10<sup>th</sup> January 2024 noted deficiencies in the originally submitted NIS including inadequate surveying carried out for overwintering birds, otters and other aspects of biodiversity; no habitat surveys undertaken at the optimum time of year; lack of discussion of potential hydrological connections; areas of habitat removal were not identified; Invasive species precautions not addressed; lack of clarity regarding noise control, no discussion of lighting proposals and/or potential for disturbance or displacement of roosting birds or otters. Overall, the Department considered that additional information was required in relation to the NIS.</p> <p>The second submission by the NPWS/DAU is dated 11<sup>th</sup> December 2025 and relates to the August 2025 AA screening and NIS submitted in response to the FI request and noted –</p> <ul style="list-style-type: none"> <li>▪ Additional targeted surveys for Otter were not provided,</li> <li>▪ There is high groundwater vulnerability at this site,</li> <li>▪ Further elaboration was not provided in relation to the exposed quarry face being a potential bat roost in its entirety.</li> <li>▪ Any proposed lighting plan should be informed by guidance from EUROBATS 8, Guidelines for Consideration of Bats in Lighting Projects and Dark Sky Ireland Recommendations.</li> </ul>
The Commission should note that the initial Screening and NIS submitted by the applicant has been superseded by the AA Screening and NIS dated August 2025 and submitted in response to the further information request.	
<b>Step 2. Identification of relevant European sites using the Source-Pathway-Receptor model.</b>	

Two European Sites have been identified as being located within a potential zone of influence of the proposed development considering the source-pathway-receptor model as detailed in table 1, below.

European Site (code)	Qualifying interests Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections	Consider further in screening Y/N
Lough Ree SAC (00440)	<a href="#">ConservationObjectives.rdl</a>	Marginal overlap / adjacent and surrounding the site	Yes hydrological and disturbance (both construction and operational phases)	Yes
Lough Ree SPA (004064)	<a href="#">CO004064.pdf</a>	c.65m at its closest point.	Yes hydrological and disturbance (both construction and operational phases)	Yes

**Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites**

Given the location and nature of the proposed development and its receiving environmental as well as its proximity to Natura 2000 sites, sources of impact and likely significant effect are set out in the tables below.

**AA Screening matrix**

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impacts	Effects
<p><b>Site 1:</b></p> <p><b>Lough Ree SAC</b></p> <p><b>(000440)</b></p> <p><u>Qualifying Interests</u></p> <ul style="list-style-type: none"> <li>- Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]</li> <li>- Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</li> <li>- Active raised bogs [7110]</li> </ul>	<p>Potential negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Construction work/activity is proposed within and immediately adjacent to the SAC.</p> <p>Disturbance and noise during the construction phase will potentially impact on species and habitats on which they rely/transit, due to the location of the proposed development partially overlapping and being surrounded by the SAC.</p> <p>A regionally important karstified aquifer occurs beneath the proposed site with karst limestone pavement present in the vicinity. This creates a hydrological connection between groundwater sensitive habitats and species of the SAC.</p> <p>The construction access to the site runs through the SAC boundary and works will be carried out within and in close proximity to the SAC. Furthermore, the submitted outline CEMP acknowledges that 'the risk of invasive species being introduced onto the site during the construction phase of the project is considered to be high, with large imports of materials with</p>	<p>Disturbance of species, potential changes to habitat quality and function arising from construction activities and operational noise.</p> <p>Proposed development could give rise to negative effects on habitat quality / function and prey availability which could undermine conservation objectives related to water quality.</p> <p>Accordingly, there remains the possibility of significant effects as these cannot be ruled out without further analysis and assessment</p>

<ul style="list-style-type: none"> <li>- Degraded raised bogs still capable of natural regeneration [7120]</li> <li>- Alkaline fens [7230]</li> <li>- Limestone pavements [8240]</li> <li>- Bog woodland [91D0]</li> <li>- Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</li> <li>- <i>Lutra lutra</i> (Otter) [1355]</li> </ul>	<p>the potential to contain invasive flora species'. Given the location and nature of the proposed development potential impact could arise from the import of materials that could contain invasive species.</p> <p>In relation to noise and disturbance from the operational phase my findings differ from those of the submitted NIS which considers that disturbance will not arise due to the nature of the qualifying interests and the operational parameters proposed for the venue, and the established noise levels in the vicinity. I consider that the noise emissions for operations and construction will require conditions to mitigate impacts, the operational plan indicates that a wide range of events will be undertaken, and that the noise control measures during construction should be controlled as per the CEMP while operational conditions will be required to ensure that the operational plan measures which will protect the QIs of the SAC in terms of access management, timing of activities and noise control will be specific mitigation measures which are not standard for developments of this nature. Accordingly, in the absence of mitigation there will remain the potential for disturbance to arise from the operational phase.</p>	
	Likelihood of significant effects from proposed development (alone): <b>Yes</b>	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
<b>Site 2 name</b>  <b>Qualifying interests</b>	<b>Possibility of significant effects (alone) in view of the conservation objectives of the site</b>	
<b>Site 2:</b>  <b>Lough Ree SPA (004064)</b>  <u>Qualifying Interests</u>  <ul style="list-style-type: none"> <li>- Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]</li> <li>- Whooper Swan (<i>Cygnus cygnus</i>) [A038]</li> <li>- Teal (<i>Anas crecca</i>) [A052]</li> <li>- Mallard (<i>Anas platyrhynchos</i>) [A053]</li> <li>- Tufted Duck (<i>Aythya fuligula</i>) [A061]</li> </ul>	<b>Impacts</b>  <p>Potential impact from disturbance and adverse effects on water quality, as above.</p>	<b>Effects</b>  <p>Potential effects from disturbance and adverse effects on water quality as above.</p>

<ul style="list-style-type: none"> <li>- Common Scoter (Melanitta nigra) [A065]</li> <li>- Goldeneye (Bucephala clangula) [A067]</li> <li>- Coot (Fulica atra) [A125]</li> <li>- Golden Plover (Pluvialis apricaria) [A140]</li> <li>- Lapwing (Vanellus vanellus) [A142]</li> <li>- Common Tern (Sterna hirundo) [A193]</li> <li>- Wigeon (Mareca penelope) [A855]</li> <li>- Shoveler (Spatula clypeata) [A857]</li> <li>- Wetland and Waterbirds [A999]</li> </ul>		
	Likelihood of significant effects from proposed development (alone): <b>Yes</b>	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
<b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b>		
<p>Based on the information provided in the screening report, site visit, review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the Lough Ree SAC and Lough Ree SPA</p> <p>It is not possible to exclude the possibility that proposed development alone would result significant effects on Lough Ree SAC or Lough Ree SPA from effects associated with construction activities, runoff to groundwater and disturbance to species from construction and operational noise.</p> <p>In this regard I note that I concur with the broad findings of the applicant's own AA screening documentation, albeit I consider that disturbance arising from noise during the operational and construction phases as well as the potential impact of invasive species should also be given further consideration at Stage 2.</p>		
<p><b>Screening Determination</b></p> <p><b>Significant effects cannot be excluded</b></p> <p>In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone will give rise to significant effects on the Lough Ree SAC and Lough Ree SPA in view of the sites conservation objectives of a number of qualifying interest features of those sites. It is therefore determined that Appropriate Assessment (Stage 2) under section 177AE of the Planning and Development Act 2000, of the proposed development is required.</p>		

## Appendix V – Appropriate Assessment Determination

### Appropriate Assessment

The requirements of Article 6(3) as related to Appropriate Assessment of a project under part XAB, section 177AE of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an Appropriate Assessment of the implications of the proposed development of a five hundred seat outdoor amphitheatre, at Lanesborough, Co. Longford in view of the relevant conservation objectives of the Lough Ree SAC and Lough Ree SPA based on scientific information provided by the applicant and considering expert opinion set out in observations on nature conservation, as well as the review of the Commission's Ecologist.

The information relied upon includes the following:

- Natura Impact Statement prepared by CAAS, dated August 2025.
- Natura Impact Statement prepared by Flynn Furney, dated April 2023 (as this presents results on initial otter survey).
- Outline Construction and Environmental Management Plan, and Drawing, de Blacam and Meagher, August 2025,
- Operational Plan, de Blacam and Meagher, August 2025.
- Report on Supporting Ecological Surveys by CAAS, August 2025.
- Planning Stage Noise Impact Assessment Report December 2022, and Noise Impact Assessment Report RFI Response by Allegro Acoustics, August 2025.
- Hydrological Investigation by Aqua GeoServices, August 2025.
- Lanesborough Commercial Plan, Venture International Ltd. August 2025.
- Conservation objectives, Site Synopsis, Statutory Instrument and other related publications held on the NPWS website in relation to the Lough Ree SAC and the Lough Ree SPA.
- Specialist Report by Commission Senior Environmental Scientist, November 2025
- Specialist Report by Inspectorate Ecologist, January 2026.

I am satisfied that the information provided and available is adequate to allow for Appropriate Assessment. I am not satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS submitted in response to the further information request, in particular in relation to the issues of noise and associated disturbance, as well as the potential impacts arising from invasive species, however, I am satisfied that in the whole when the initial application documentation, response to further information documentation, as well as the reports prepared by the Commission's Environmental Scientist and Inspectorate Ecologist provide for additional clarity and assessment and provide sufficient information to allow the Commission to complete its Appropriate Assessment. The Applicants NIS, outline CEMP and noise assessment reporting include mitigation measures designed to avoid or reduce any adverse effects on site integrity and these have been assessed for effectiveness, furthermore the additional inputs and recommendations by the Commission's environmental scientist and Inspectorate Ecologist can be considered by the Commission to inform its Appropriate Assessment. I am satisfied that where appropriate and suitable mitigation has been proposed within the application documentation but not

committed to in the applicant's NIS (dated August 2025), their implementation can be assured through the imposition of appropriate conditions where appropriate.

**Submissions/observations**

The relevant submissions/observations made in relation to AA matters arising from the proposed development have been set out previously in the AA screening above. Two submissions have been made by the NPWS/DAU in relation to the proposed development.

The initial submission on the original application documentation dated 10<sup>th</sup> January 2024, noted deficiencies in the originally submitted NIS including inadequate surveying carried out for overwintering birds, otters and other aspects of biodiversity; no habitat surveys undertaken at the optimum time of year; lack of discussion of potential hydrological connections; areas of habitat removal were not identified; Invasive species precautions not addressed; lack of clarity regarding noise control, no discussion of lighting proposals and/or potential for disturbance or displacement of roosting birds or otters. Overall, the DAU considered that additional information was required in relation to the NIS.

The second submission by the NPWS/DAU related to the updated/new AA screening and NIS dated August 2025 submitted in response to the FI request and noted –

- Additional targeted surveys for Otter were not provided,
- There is high groundwater vulnerability at this site,
- Further elaboration was not provided in relation to the exposed quarry face being a potential bat roost in its entirety.
- Any proposed lighting plan should be informed by guidance from EUROBATS 8, Guidelines for Consideration of Bats in Lighting Projects and Dark Sky Ireland Recommendations.

**Lough Ree SAC (000440):**

**Summary of Key issues that could give rise to adverse effects (from screening stage):**

- (i) Water quality degradation (construction and operation)
- (ii) Disturbance of mobile species (construction and operation)
- (iii) Import and spread of invasive species.

See Table 8.1.1 of August 2025 NIS, Outline CEMP sections 9, 10, 11 and 12, It should be noted that additional impacts not identified in the submitted NIS include impacts arising from potential spread of invasive species and disturbance of mobile species, these are considered below.

<b>Qualifying Interest features likely to be affected</b>	<b>Conservation Objectives Targets and attributes (summary- inserted)</b>	<b>Potential adverse effects</b>	<b>Mitigation measures (summary)</b>
Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]	Restore favourable conservation condition	Surface runoff of silt, construction materials, and changes in water quality. While this habitat is separated from the works area the construction access is proximate and there is a	Refer to: - August 2025 NIS Section 8, - Outline CEMP sections 9, 10, 11, and 12. - Report on Supporting Ecological Surveys Section 5 Lighting & Noise.

		risk of surface water runoff, and potential groundwater connectivity via the underlying regionally important karstified aquifer.	Mitigation measures include:  <u>Water Quality:</u>
Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]	Restore favourable conservation condition	While a terrestrial habitat and not located within, or proximate to the works footprint and has only been identified within the SAC at the western shore with minimal pathway for impact, however potential (though unlikely) groundwater and/or hydrological connectivity could arise.	<ul style="list-style-type: none"> <li>▪ Standard pollution control measures will be applied.</li> <li>▪ Shuttering, silt fencing and bunding will be erected as set out on Drawing no. A10, Outline Construction Management, to protect potential for run-off to the lake, limestone habitat, and woodland to the south of the proposed development. Surface water run-off will be managed</li> <li>▪ Construction works will be predominantly scheduled during periods of low water levels on Lough Ree (May to September).</li> <li>▪ Risk assessments for wet concreting will be completed prior to works,</li> <li>▪ There will be no deleterious discharges released from the site to Lough Ree.</li> <li>▪ There will be no discharge of effluent to groundwater, all wastewater from the construction activities will be stored for removal off site for disposal and treatment.</li> <li>▪ Refuelling will be carried out off site or at a designated bunded refuelling area.</li> <li>▪ Any storage of hydrocarbons will be in a suitably bunded area.</li> <li>▪ Weather forecasting will be used to plan dry days for pouring concrete.</li> <li>▪ Baseline groundwater quality sampling will be conducted prior to</li> </ul>
Active raised bogs [7110]	Not stated in the NPWS documentation but included in statutory instrument.	The location of this habitat is to the western shore of Lough Ree, at a distance from the proposed site works, and it is terrestrial where it occurs, notwithstanding this, however, potential hydrological and groundwater interactions (though unlikely) could arise.	
Degraded raised bogs still capable of natural regeneration [7120]	Restore favourable conservation condition	The location of this habitat is to the western shore of Lough Ree, at a distance from the proposed site works, and it is terrestrial where it occurs, notwithstanding this, however, potential hydrological and groundwater interactions (though unlikely) could arise	
Alkaline fens [7230]	Maintain the favourable conservation condition	Full extent of this habitat is not known within the SAC, the main area occurs in the vicinity of St. Johns Wood, on the western side of the lake. The habitat mapping	

		carried out shows that there are no alkaline fens on or in the vicinity of the proposed site. These habitats are vulnerable to changes in water quality from runoff or changes to water levels.	commencement of works, and periodic sampling will be undertaken during construction to confirm that no adverse impacts on groundwater or indirectly connected habitats are occurring.
Limestone pavements [8240]	Maintain favourable conservation status	Vulnerable to changes in water quality, from runoff, changes to water level, direct disturbance from works and invasive species given the proximity of a sample of this habitat type to the works area (c. 50m), and in the immediate vicinity of construction access/delivery route.	<ul style="list-style-type: none"> <li>▪ Regular auditing of construction mitigation measures will be undertaken.</li> <li>▪ Post-construction a minimum 6-month water monitoring programme will be implemented.</li> <li>▪ A dedicated groundwater monitoring well will be installed on the site, downgradient of the proposed development prior to commencement and be subject to monitoring.</li> </ul>
Bog woodland [91D0]	To restore the favourable conservation condition	Bog Woodland is considered a component of the Active Raised Bog Habitat referenced previously above, and accordingly potential impacts arising and relevant mitigation measures are similar	<ul style="list-style-type: none"> <li>▪ Ecological Clerk of Works (Ecow) is committed to in outline CEMP section 9 in relation to bats and amphibians (i.e. not AA related). The August NIS does not state that an ECOW will be appointed, however, given the proximity and nature of the works relative to QIs of the SAC and Natura 2000 sites, the oversight of an Ecow to ensure implementation of AA related mitigation measures is considered critical and will be specifically included in conditions.</li> </ul>
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ( <i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i> ) [91E0]	Not stated in the Conservation objectives but included in statutory instrument	Survey of Annex I alluvial woodland in Lough Ree SAC is included in the supporting documents and notes that it is present in a number of small pockets in St. John's Wood, on the western side of Lough Ree. This habitat was noted to be in favourable conservation status and no management measures were required other than non-intervention. Due to the separation distance and location of this habitat from the proposed site pathways for impact are considered unlikely, however, out of an abundance of caution	<p><u>Invasive Species</u></p> <ul style="list-style-type: none"> <li>▪ Outline CEMP section 12 sets out mitigation measures that will mitigate the potential for import of invasive species to the SAC</li> </ul>

		the mitigation measures proposed will ensure no neither pathway nor impact will arise.	(given the large amount of imported material needed to create the amphitheatre and it's delivery route to site within and immediately adjacent to the SAC), including:
Lutra lutra (Otter) [1355]	Maintain the favourable conservation condition	<p>Otter is vulnerable to disturbance (noise and lighting), and direct impact on foraging and commuting habitats (arising from potential groundwater linkages to habitat and runoff). There are no watercourses on the site of the proposed development, and no otter signs were identified during a survey carried out in support of the originally submitted NIS. However, the woodland to the south of the site and lakeshore to the east do represent good potential habitat. Map 9 of the conservation objectives document details a generic 250m buffer outlining Otter commuting areas based on the lakeshore, these do not overlap with the proposed development site. As this location is already in use for amenity activities it is also considered that Otter will be habituated to a certain level of disturbance at this location. However, the proposed development could, in the absence of appropriate mitigation, give rise to increased levels of disturbance from noise during the operational and construction phases.</p> <p>Accordingly, risk of impact is low, however, the protection measures</p>	<ul style="list-style-type: none"> <li>- Import soil source verification to ensure material is free from contaminants and invasive species.</li> <li>- Import soil will be inspected and tested for the presence of invasive plant seeds, pathogens or invertebrates before transport.</li> <li>- Soils will be transported in sealed/covered containers.</li> <li>- Soil will be stored in designated, contained areas on-site to prevent spread and will be used promptly to minimise exposure.</li> <li>- Site will be monitored post-import for any signs of invasive species establishment, with rapid response plan in place should any be detected.</li> <li>- Landscaping seed mixes will be advised by ecologist and landscape architect to insure no invasives are introduced.</li> </ul> <p><u>Disturbance:</u></p> <ul style="list-style-type: none"> <li>▪ Standard Noise control measures/conditions will be applied during construction activities as set out in section 5.5 of the Outline CEMP for the construction phase.</li> </ul>

		<p>outlined to protect water quality and woodland to the south will ensure impacts don't arise in relation to water quality.</p>	<ul style="list-style-type: none"> <li>▪ Provision of a detailed lighting plan which will be designed to be projected away from the sensitive ecological features of the surrounding landscape.</li> <li>▪ For the operational phase the recommended conditions as proposed by the Commissions Environmental Scientist will be expanded to ensure that disturbance impacts will not arise at ecologically sensitive locations.</li> </ul>
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The above table has been informed by all the documentation and information provided on the file and from the available details in relation to the SAC on the NPWS website. I note that the NIS submitted has not considered disturbance or the introduction of invasive species as potential impacts on the SAC, which having regard to the nature of the proposed development (i.e. an amphitheatre to facilitate a range of outdoor events requiring operational noise management measures and which needs to import a large quantity of material to the site for construction purposes), it's location, surrounding habitats, and the need to apply the precautionary principle is an omission. Notwithstanding this, however, these issues have been included in the table above and can be mitigated through the implementation of adequate control measures as set out. It should also be noted that the NIS does not provide for the appointment of an Ecological Clerk of Works (ECOW) to oversee and monitor the mitigation measures proposed, however, again this can be assured through the provision of adequate conditions, and it should be noted that the appointment of an ECOW is noted in the outline CEMP submitted in relation to monitoring of other ecology issues and to ensure appropriate site set up and mobilisation given the sensitive location, and in the Report of Supporting Ecological Surveys which commits to an ECOW having input into the overall lighting design. Accordingly, while I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests, and the mitigation measures relating to potential hydrological linkages and water protection, I do not consider that it has incorporated or considered fully adequate mitigation measures in relation to invasive species and noise disturbance during construction and operational phases. Notwithstanding this, the required controls and additional mitigation measures can be adequately conditioned and have in other instances been identified in other application documentation.

**Assessment of issues that could give rise to adverse effects view of conservation objectives**

**(i) Water quality degradation**

The site of the proposed development is located proximate to and partially within the Lough Ree SAC. There are hydrological and hydrogeological connections between the proposed site and Lough Ree SAC and SPA via surface run off sources through the karst limestone bedrock within the area. Water quality degradation is the main risk from unmanaged site works. Lough Ree SAC is designated for several habitats and species that are sensitive to pollution via groundwater. Decreases in water quality could adversely affect species and habitats through increased sedimentation, impact on prey species or spread of pollutants. The construction access to the site runs partially through the SAC

with some construction activities being proposed in areas within the SAC, accordingly strict management of construction activities is required. While not committed to in the submitted NIS, given the location and nature of the proposed development I consider that it is necessary to ensure that an Ecological Clerk of Works is appointed to the project to ensure that the relevant ecological mitigation measures are implemented in full in the correct manner. The applicant's oCEMP notes the need for such supervision in section 9.1 where it is stated 'Given the proximity of numerous sensitive receptors it should be noted that the early implementation of ecological supervision on site at initial mobilisation and enabling works is seen as an important element to the project, particularly in relation to the implementation of surface water runoff mitigation'. The inspectorate ecologist notes in their report that they are satisfied that there are no direct impacts arising on QI habitats but notes that indirect effects could arise on Lough Ree during construction from hydrogeological connectivity.

### **Mitigation measures and conditions**

The submitted NIS provides a range of measures to mitigate against water quality degradation, including:

- A buffer zone of at least 20m separating working machinery from watercourses.
- Silt fencing and bunding will be installed previous to construction starting and remain in place throughout the construction stage as set out in figure 8.1 of the NSI (Drawing no. A10 outline construction plan).
- Site clearance (earthworks) will not be undertaken during wet conditions, when rainfall of more than 0.5 mm/hour is forecast within the next 24 hours or rainfall of more than 3mm/hour is forecast within the next five days in the works area. Silt fencing will be installed to retain eroded sediments.
- All preliminary site works and construction stage surface water run-off will be managed as part of the existing approved surface water management system with integrated hydrocarbon and silt removal.
- The contractor will be obliged to ensure no deleterious discharges are released from the sites to Lough Ree during excavation, de-watering, or erecting activities.
- There will not be discharge of silty water from the works to any watercourse.
- There will be no discharge of effluent to groundwater during the construction phase. All wastewater from the construction facilities will be stored for removal off site for disposal and treatment.
- Refuelling of machinery will be done off-site or at a designated bunded refuelling area.
- Oil and fuel storage tanks will be stored in designated areas, and these areas will be bunded to a volume of 110% of the capacity of the largest tank/container within the bunded area(s) (plus an allowance of 30 mm for rainwater ingress). Drainage from the bunded area(s) will be diverted for collection and safe disposal.
- In order to minimise the risk of contamination, any stockpiled material designated for removal will be removed off-site as soon as possible. Surface water drain gratings in areas near or close to where stockpiles are located will be covered by appropriate durable polyurethane covers or similar. Active treatment systems such as siltbusters or similar may be adopted, depending on turbidity levels and discharge limits.
- Construction works will be scheduled to be predominantly carried out during periods of low water levels on Lough Ree (May to September).
- Excavation and construction activities during or immediately after severe rainfall events will be avoided, to minimise flood risk and potential water ingress into the quarry floor.
- A suitable risk assessment for wet concreting will be completed prior to works being carried out.
- No batching of wet-cement products will occur on site.
- Ready-mixed concrete will be delivered to the excavation site. Where possible, emplacement of pre-cast elements, will take place.
- Where possible pre-cast elements will be used;
- Weather forecasting will be used to plan dry days for pouring concrete;

- The small volume of water that will be generated from washing of the concrete lorry chutes will be directed into a concrete washout area.
- Groundwater and sump water levels will be regularly monitored during construction to provide early warning of elevated groundwater conditions.
- Baseline groundwater quality sampling will be conducted prior to commencement of works, and periodic sampling will be undertaken during construction phase to confirm that no adverse impacts on groundwater or indirectly connected habitats are occurring.
- Regular auditing of construction / mitigation measures will be undertaken, e.g. concrete pouring, refuelling in designated areas, etc. A log the regular inspections will be maintained, and any significant blockage or spill incidents will be recorded for root cause investigation purposes and updating procedures to ensure that any such incidents are not repeated. Parameters monitored will include pH, turbidity, electrical conductivity, dissolved oxygen, temperature, total suspended solids, total petroleum hydrocarbons, chloride, nitrate (baseline).
- Following completion of works, a monitoring programme will be implemented for a minimum of six months to confirm no adverse impacts have occurred. Sampling will be undertaken monthly and following significant rainfall events, including all parameters listed above.
- All mitigation measures will be reviewed and updated prior to commencement of works to ensure alignment with final construction methodologies and recognition of the indirect hydraulic connection to Lough Ree.
- A dedicated groundwater monitoring well will be installed on the site, downgradient to the proposed development and prior to the commencement of construction activities. This is subject to advance consultation and agreement with the National Parks and Wildlife Service (NPWS), given the location of the site within the Lough Ree SAC. This well will:
  - Be designed with a sealed upper section to prevent ingress of shallow or ponding water.
  - Be fitted with a calibrated automatic logger to enable continuous recording of groundwater levels and allow prompt response to changing conditions.
  - Be sampled prior to works to establish a baseline dataset of groundwater levels and water quality, and periodically during construction and for at least six months post-construction to confirm no adverse impacts. All monitoring results shall be recorded and made available to the relevant authorities upon request. Upon completion of the groundwater monitoring post-construction, the monitoring well should be decommissioned in an approved manner.
- A High Water Alert Level of 36.5m AOD will be established, above which excavation and other ground disturbing works will be suspended until water levels recede.

Although not provided for in the NIS, I consider it necessary that the following mitigation measure also be provided as part of the project

- A suitably experienced Ecological Clerk of Works shall be appointed to the proposed development for the duration of the construction and set-up stages to ensure that all relevant ecological mitigation measures are applied, implemented and effectiveness monitored.

**(ii) Disturbance of mobile species**

In relation to disturbance, Otter is the relevant mobile species that could be potentially affected by the proposed development. An otter survey was carried out that did not find any sign of the species at the site of the construction works, but there is suitable foraging and commuting habitat in the vicinity of works and in the vicinity of construction access. The site was historically in use as a quarry, and in the interim has been used as a council yard, the wider area is in use as a popular walking amenity area in close proximity to residential development and the centre of Lanesborough, with a high level of both boating and fishing activities. Accordingly, any mobile species in the area (including Otter) will be habituated to a significant degree of anthropological activities. The proposed development will give rise to temporary construction activities and on-going operational (event) activities that will give rise to additional noise generation that could cause disturbance to Otter.

The report from the inspectorates Ecologist noted that in their professional opinion the site does not provide suitable foraging or resting habitat for otter, and that no direct impacts will arise. However, they note that 'there is potential for indirect impacts to the species during the construction stage as a result of water pollution and disturbance impacts during the operation of the proposed development.

The construction phase activities will be temporary and will be subject to mitigation measures to limit the noise generated, as detailed in Section 5.5 of the Outline Construction management plan (oCEMP). These have not been reiterated within the submitted NIS, which did not consider this a pathway for impact, however, they are listed below out of an abundance of caution and to ensure that the appropriate level of certainty is in place to ensure adverse impacts will not arise on this QI of the SAC.

The nature of the proposed development will give rise to a wide range of events and activities at the outdoor theatre venue. Given, the specific nature of the proposed development which has been designed to accommodate a wide range of events, the applicant has, understandably not been able to specifically identify the nature of the sound system that will be in place for all events, and has set out consideration of the existing background noise levels and stated that events will not give rise to noise beyond a certain level. The report from the Commissions Environmental Scientist has acknowledged this reporting, but identified some shortcomings which need to be addressed through the provision of appropriate acoustic monitoring to ensure certain noise levels are not exceeded. The Applicant's noise report submitted in response to the further information request recommends that noise management measures such as restricting event sound checks to daytime hours, restricting event hours, implementation of real-time noise monitoring at noise sensitive locations during events, undertaking continuous measurement and record keeping to ensure noise levels do not exceed 55dB  $L_{Aeq}$ , and that speakers should be designed in accordance with the modelled set up. The submission from the DAU in response to the further information request notes that additional Otter surveying has not been carried out but did not raise further concern in relation to the noise limits applied.

The report of the Inspectorate Ecologist concludes that through the implementation of the Construction Phase mitigation measures set out in the NIS (Section 3.3) and the Report on Supporting Ecological Surveys (Section 5) in relation to lighting design, and the recommendations in the Noise Impact Assessment (Allegro Acoustics, 22<sup>nd</sup> August 2025) with regard to number, placement and directivity of loudspeakers, and carrying out noise monitoring at ecological receiver locations during events that the potential for adverse effects can be excluded.

Accordingly, the proposed development will require mitigation measures to ensure that noise levels and lighting do not give rise to significant adverse effects

#### **Mitigation measures and conditions**

- Noise Monitoring will be established and carried out for a period of at least 2 weeks prior to any works commencing, and the results communicated to the Local Authority in the form of baseline reports.
- All construction activities will be carried out in compliance with the recommendations of BS 5228 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise"

and comply with BS 6187 Code of Practice for Demolition. The measures employed to ensure compliance will include:

- Noise monitoring stations, monitored daily, located on site and at recommended locations in the vicinity of the site, to record background and construction noise activity.
- The best means practical used to minimise the noise produced by all on site operations.
- Proper maintenance of all operating plant to ensure noise emission compliance.
- Selection of all operating plant on the basis of incorporating noise reducing systems, with a minimum requirement that effective exhaust silencers be fitted.
- Fitting of compressors with acoustically lined covers, which will remain closed while the machines are in operation.
- Construction plant would be switched off or throttled back to a minimum when not in use.
- Location of plant such as pumps and generators, which are required to work outside of normal working hours, within acoustic enclosures.
- Strict adherence to the site working hours stipulated in the planning conditions.
- A complete lighting plan will be compiled at the detailed design stage in a manner as to reduced light spill to the surrounding ecologically sensitive areas (including surrounding woodland and quarry rock face).
- A suitably experienced Ecological Clerk of Works shall be assigned to the design stages of the proposed development to ensure that the lighting design measures set out in section 5.1 of the submitted Report on Supporting Ecological Surveys are implemented into the operational phase lighting design for the proposed development. (The Commission will note that the overall design measures set out in Section 5.1 are broadly repeated in Section 3.3 of the submitted NIS, however, this commitment to input from an ECOW is not included in the NIS).

The mitigation measures below arise from the conditions prepared in the Commission's Environmental Scientists Report

- The applicant shall appoint a suitably qualified and experienced noise control consultant, to the approval of the Licensing Authority, prior to live events involving amplified music or theatrical performances taking place at the venue. The noise control consultant shall liaise between all parties including the licensee, sound system engineer and the licensing authority on all matters relating to noise control prior to and during events.
- The noise control consultant shall carry out a survey to determine the background noise levels (as defined by the Code of Practice on Environmental Noise Control at Concerts, 1995) at four locations around the venue representative of the noise sensitive receptors likely to experience the largest increase in noise as a result of an event as well as at ecological receptors E01, E02, E03 and E04. The information obtained from this survey shall be made available to the licensing authority in advance of an event taking place.
- A noise propagation test shall be undertaken prior to the start of an event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the sound likely to be produced during the event.
- The control limits set at the mixer position shall be adequate to ensure that Music Noise Level (MNL) shall not at any noise sensitive receptor exceed the background noise level by more than 15dB(A) measured over a 15-minute period throughout an event, rehearsal or sound check. Similarly, noise levels at ecological receptors E01, E02, E03 and E04 should not exceed these levels.

### **(iii) Spread of invasive species**

The submitted NIS does not consider the spread of invasive species as a particular pathway for impact in the Lough Ree SAC despite the fact it lists invasive non-native species as a known threat and pressure in relation to all its Qualifying features. In relation to this issue the site of the proposed development and its construction access route are partially located within the SAC. Furthermore, the submitted oCEMP notes that 'the risk of invasive species being introduced onto the site during the

construction process is considered to be high, with large imports of materials with the potential to contain invasive flora species". Given the nature and location of the works and on application of the precautionary principle, it is considered that there are pathways for invasive species to be introduced into the SAC and ultimately affect protected habitats. Accordingly, appropriate mitigation should be applied and considered within the Appropriate Assessment. The oCEMP provides a suitable suite of mitigation measures which are listed below:

**Mitigation measures and conditions**

- All soil will be sourced from certified suppliers who can provide documentation confirming that the material is free from invasive species and contaminants.
- Soil will be visually inspected and, where necessary, tested for the presence of invasive plant seeds, pathogens, or invertebrates before being transported to the site.
- Soil will be transported in sealed or covered containers to prevent spillage and contamination during transit.
- Soil will be stored in designated, contained areas on-site to prevent spread and will be used promptly to minimize exposure.
- The site will be monitored post-import for any signs of invasive species establishment, with a rapid response plan in place should any be detected.
- Landscaping seed mixes / planting will be designed by Landscape Architect and advised by ecologist to ensure no introduction of invasive species.

**In-combination effects**

I am satisfied that in-combination effects have been assessed adequately in the NIS and in the assessment above. The application of the measures detailed above in combination with those set out in the NIS, and show that there will be no significant residual effects remaining and therefore no potential for in-combination effects arise. Plans and projects that could act in combination with the proposed development have been detailed and assessed. Plans considered for in-combination effects were:

- The Longford County Development Plan, 2021-2027
- The Longford Biodiversity Action Plan, 2025-2030, and
- The Longford Climate Action Plan 2024-2029

**Findings and Conclusions**

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

I am not satisfied that the NIS submitted is comprehensive in nature, as it does not identify all potential impact pathways, nor include a comprehensive suite of mitigation measures. However, based on the totality of the application information provided and the application of additional mitigation measures set out in this Appropriate Assessment above, informed by the applicant's oCEMP, Report on Supporting Ecological Surveys, and noise reporting, as well as the specialist reports by the Inspectorate Ecologist and Environmental Scientist, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European site considered in the Appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent adverse effects. Furthermore, appropriate monitoring measures are also proposed to ensure compliance and effective management of measures both during construction and operational phases. I am satisfied that the mitigation measures proposed in combination with those which are recommended to be included as conditions to prevent adverse effects have been assessed as effective and can be implemented. In combination

effects will not arise due to the lack of residual effects and the consistency of the project with relevant plans and other projects in the vicinity.

**Reasonable scientific doubt**

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

**Site Integrity**

The proposed development will not affect the attainment of the Conservation objectives of the Lough Ree SAC. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

**Lough Ree SPA (004064):**

**Summary of Key issues that could give rise to adverse effects (from screening stage):**

- (i) Water quality degradation (construction and operation)
- (ii) Disturbance of mobile species (construction and operation)

See Table 8.1.2 of August 2025 NIS, Outline CEMP sections 9, 10, 11 and 12, It should be noted that an additional potential impact not identified in the NIS arising from disturbance of mobile species, is considered in the table below.

Qualifying Interest features likely to be affected	Conservation Objectives and Targets attributes (summary- inserted)	Potential adverse effects	Mitigation measures (summary)
<b>A004</b> Little Grebe <i>Tachybaptus ruficollis</i> . <b>A056</b> Shoveler <i>Anas clypeata</i> <b>A061</b> Tufted Duck <i>Aythya fuligula</i> <b>A125</b> Coot <i>Fulica atra</i> <b>A999</b> Wetlands	Maintain favourable conservation condition	SPA is located proximate to the proposed works and the construction access point. Surface runoff of silt, construction materials, and changes in water quality could effect qualifying interests.	Refer to: - August 2025 NIS Section 8, - Outline CEMP section 9.  Mitigation measures include those set out in the table above in relation to water quality and disturbance mitigation measures for the Lough Ree SAC are also relevant to protect the QIs of the Lough Ree SPA.
<b>A038</b> Whooper Swan <i>Cygnus cygnus</i> . <b>A050</b> Wigeon <i>Anas penelope</i> <b>A052</b> Teal <i>Anas crecca</i> <b>A053</b> Mallard <i>Anas platyrhynchos</i> <b>A065</b> Common Scoter <i>Melanitta nigra</i>	Restore favourable conservation condition	A regionally important karstified aquifer occurs beneath the proposed site with karst limestone pavement present in the vicinity. This creates a hydrological connection between groundwater sensitive habitats and species of the SPA.  The proposed development could, in	

<p><b>A067</b> Goldeneye <i>Bucephala clangula</i></p> <p><b>A140</b> Golden Plover <i>Pluvialis apricaria</i></p> <p><b>A142</b> Lapwing <i>Vanellus Vanellus</i></p> <p><b>A193</b> Common Tern <i>Sterna Hirundo</i></p>		<p>the absence of appropriate mitigation, give rise to increased levels of disturbance from noise during the operational and construction phases which could impact sensitive species.</p>	
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The above table has been informed by all the documentation and information provided on the file and from the available details in relation to the SPA on the NPWS website. Similar to its conclusion on the Lough Ree SAC I note that the NIS submitted has not considered disturbance as a potential impact on the SPA species. Having regard to the nature of the proposed development (an outdoor theatre venue facilitating a range of events without a specified sound system or lighting design) and its location proximate to the Lough Ree SPA and the need to apply the precautionary principle this is an omission. Notwithstanding this, however, these issues have been included in the table above and can be mitigated through the implementation of adequate control measures as set out previously above. It should also be noted that the NIS does not provide for the appointment of an Ecological Clerk of Works (ECOW) to oversee and monitor the mitigation measures proposed, however, again this can be assured through the provision of adequate conditions, and it should be noted that the appointment of an ECOW is noted in the outline CEMP submitted in relation to monitoring of other ecology issues to ensure proper site set up and mobilisation given the sensitivity of the site location. Furthermore, the applicant has also stated that an ECOW will be involved in lighting design (Section 5 of the Report on Supporting Ecological Surveys refers but this is not referenced in section 3.3 of the submitted NIS). Accordingly, while I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests and mitigation measures in relation to water quality, I do not consider that it has detailed all impact pathways or incorporated sufficient adequate mitigation measures. Notwithstanding this, the required controls and additional mitigation measures can be adequately conditioned and have been identified as appropriate within other application documents.

### **Assessment of issues that could give rise to adverse effects view of conservation objectives**

#### **(i) Water quality degradation**

As stated above in relation to the Lough Ree SAC, habitats and species sensitive to water quality degradation in the Lough Ree SPA have the potential to be adversely impacted in a similar manner.

#### **Mitigation measures and conditions**

As stated above, the mitigation measures and conditions set out in relation to water quality protection for the Lough Ree SAC will similarly protect and reduce residual impacts as set out previously.

#### **(ii) Disturbance of mobile species**

In relation to disturbance similar to the submitted NIS's assessment of the Lough Ree SAC this issue was not considered a pathway for impact for mobile species within Lough Ree SPA, due to the results of the monitored background noise levels and consideration that mobile species would be habituated

to a certain level of disturbance at this location given its proximity to significant ongoing anthropological activities. Furthermore, the nature of the proposed development as an outdoor theatre would lend itself to more use and activity in the summertime when wintering bird populations which are QIs of the SPA may not be as prevalent. However, the operation plan submitted highlights that a wide range of events could be facilitated, and does not limit the use of the facility to summertime months, and as acknowledged in the applicants noise reporting and oCEMP on file (and in the commissions environmental scientist's report) it is recommended that noise controls and monitoring be provided both during construction and operational phases. Also the applicant has committed within their "Report on Supporting Ecological Surveys" to design a lighting plan which will reduce light spill to surrounding ecologically sensitive areas that will be informed by a suitably qualified Ecological Clerk of Works. The design parameters of the lighting plan are referenced within the description of works, Section 3.3 of the NIS, however, the involvement of an ECOW is not provided for in that document. The Inspectorate Ecologist has also considered this matter in their report and notes that wintering bird surveys were carried out during peak seasons, the habitats on site do not provide suitable habitat for SCI species of the SPA, and that no direct impacts on the SPA will arise. However, there is potential for indirect impacts to the species during the construction stage as a result of water pollution and disturbance impacts during the operation of the proposed development. Accordingly, the same mitigation measures set out previously above in relation to disturbance of mobile species for the Lough Ree SAC will also ensure the protection of QI mobile species in the Lough Ree SPA.

#### **In-combination effects**

I am satisfied that in-combination effects have been assessed adequately in the NIS and in the assessment above. The application of the measures detailed above in combination with those set out in the NIS show that there will be no significant residual effects remaining and therefore no potential for in-combination effects arise. Plans and projects that could act in combination with the proposed development have been detailed and assessed. Plans considered for in-combination effects were:

- The Longford County Development Plan, 2021-2027
- The Longford Biodiversity Action Plan, 2025-2030, and
- The Longford Climate Action Plan 2024-2029

#### **Findings and conclusions**

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

As stated previously above I am not satisfied that the NIS submitted is comprehensive in nature, as it does not identify all potential impact pathways, nor include a comprehensive suite of mitigation measures. However, based on the totality of the application information provided and the application of additional mitigation measures set out previously above, informed by the applicant's oCEMP, Report on Supporting Ecological Surveys, noise reporting, and considering the specialist reports by the Inspectorate Ecologist and Commission's Environmental Scientist, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in this Appropriate Assessment. Following mitigation no residual direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent adverse effects. Furthermore, appropriate monitoring measures are also proposed to ensure compliance and effective management of measures both during construction and operational phases.

I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented. In combination effects will not arise due to the lack of residual effects and the consistency of the project with relevant plans and other projects in the vicinity.

#### **Reasonable scientific doubt**

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

#### **Site Integrity**

The proposed development will not affect the attainment of the Conservation objectives of the Lough Ree SPA. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

#### **Appropriate Assessment Conclusion: Integrity Test**

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lough Ree SAC and Lough Ree SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of Section 177AE was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, including further information and taking into account observations of the Department of Housing, Local Government and Heritage, as well as the technical notes prepared by both the Commissions Environmental Scientist and Ecologist, I consider that adverse effects on site integrity of the Lough Ree SAC and Lough Ree SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives or prevent or delay the restoration of favourable conservation conditions for the relevant qualifying interests of the Lough Ree SAC, or Lough Ree SPA.
- Effectiveness of mitigation measures proposed in the NIS and adoption of measures set out in the oCEMP, Noise reporting, and Supporting Ecological Survey Reporting.
- The reports prepared by the Inspectorate Ecologist and Commissions Environmental Scientist.
- Application of planning conditions to ensure the provision of adequate mitigation measures and management of events during the operational and construction phases of the proposed development.

## Appendix VI – Water Framework Directive Reporting

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
<b>An Bord Pleanála ref. no.</b>	<b>314318-23</b>	<b>Townland, address</b>	Commons North, Lime Quarry Lanesborough, Co. Longford
<b>Description of project</b>	500 seat outdoor community amphitheatre.		
<b>Brief site description, relevant to WFD Screening,</b>	<p>The site is located in a former quarry site (approx. 6,180m<sup>2</sup>) which currently serves as a depot for Longford County Council, at the edge of Lanesborough, Co. Longford. The quarry faces are located to the easternmost portion of the site, and the quarry floor mostly consists of bare ground with a hardcore layer consisting of gravels, with a hollow/former sump area located to the south. The topography is orientated to the West-Northwest, i.e. sloping gently toward Lough Ree. Locally, the elevation ranges from c. 50m above Ordnance Datum (aOD) on the heights of Common North Townland, down to c.47m aOD along the Rathcline road down and c. 37m aOD on the hard standing area of the quarry floor.</p> <p>The road leading to the quarry as well as the woodland trail road appear to create a minor embankment and are slightly above the surrounding grounds. There is Limestone pavement on Lough Ree lies at c. 36.8m aOD sloping down to c. 35m aOD along the shoreline. The nearest surface water receptor is Lough Ree, which is located c. 65m to the west and is the only water feature draining the local area. There are no other surface waterbodies on the site, and this lack of surface water features reflects a high degree of recharge to the underlying bedrock aquifer. There is no direct discharge from the site to Lough Ree.</p> <p>The former quarry sump ponds during heavy rainfall resulting in a perched water feature that has been proven through surveying water levels and comparing to Lough Ree, these levels clarify no connection to either ground water or surface water levels. The perched feature does percolate slowly to groundwater.</p> <p>Where present there is a thin layer of well drained, high lime content soil (derived from the limestone) with no subsoils due to the present of karstified bedrock outcrop or subcrop, with bedrock geology consisting of limestones of carboniferous age. The site is located over a Regionally Important karstified Aquifer dominated by conduit flow which the GSI has given a vulnerability rating of “Extreme”. There is no direct hydrological linkage between the proposed site and Lough Ree, there is an indirect hydraulic connection via infiltration to the water table within the karstified aquifer underlying the site.</p>		
<b>Proposed surface water details</b>	<p>The proposed development is an outdoor venue. While the outdoor theatre will be built on reprofiled ground the drainage design will ensure no additional surface water run-off to any surface waters or drains. There is no proposed underground drainage on site nor additional drainage measures proposed. Surface water runoff generated on site will discharge into the landscaped ground. Permeable gravel material will be used which will enable good percolation down to the quarry floor as is the case in the do-nothing scenario.</p>		

<b>Proposed water supply source &amp; available capacity</b>	There will be no mains water services installed in the operational phase of the proposed development.						
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	Not Applicable						
<b>Others?</b>	There will be no wastewater services installed in the operational phase (/or construction phase) of the proposed development. All services will be temporary. Wastewater will be collected via temporary toilets (porta-loos) and transported off site after each event (or as required during construction) to an EPA licenced wastewater facility. All drinking water will be provided on site via a temporary drinks bar, and all surface water will percolate through permeable surfaces such as gravel or landscaped grounds.						
<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>							
<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body.</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>	
Lake Waterbody	65m	Lough Ree IE_SH_26_750a	Moderate	Not at risk	No pressures	No direct linkage to lake, indirect link possible via ground water body	
Groundwater Waterbody	Under-lying site	Funshinagh IE_SH_G_091	Good	Not at risk	No pressures	Free draining/percolating ground conditions	
<b>Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.</b>							
<b>CONSTRUCTION PHASE</b>							
<b>No.</b>	<b>Component</b>	<b>Waterbody receptor (EPA Code)</b>	<b>Pathway (existing and new)</b>	<b>Potential for impact/ what is the</b>	<b>Screening Stage Mitigation Measure*</b>	<b>Residual Risk (yes/no) Detail</b>	<b>Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.</b>

				possible impact			
1.	Surface	Lough Ree IE_SH_26_75 0a	Existing potential connection via ground water. No existing direct pathways. New construction could create a pathway due to proximity if not managed appropriately	Siltation, pH (Concrete), hydrocarbon spillages	Detailed construction practice mitigation measures within NIS and CEMP, including slit fencing and excavation timing management, and control of concrete works	No	Screened out
2.	Ground	Funshinagh IE_SH_G_09 1	Pathway exists through ground conditions and lack of soil cover to karstified groundwater aquifer.	Spillages	As above, detailed management measures set out in NIS and CEMP in relation to storage and use of hydrocarbons and pollutants during construction.	No	Screened out
<b>OPERATIONAL PHASE</b>							
3.	Surface	Lough Ree IE_SH_26_75 0a	Potential connection via ground water	None	Operational phase does not provide for water supply or new	No	Screened out

					drainage measures; all wastewater facilities will be temporary (contained portals) which will be removed and treated elsewhere		
4.	Ground	Funshinagh IE_SH_G_091	Pathway exists to ground water by existing percolation through exposed rock and existing ground conditions.	Spillages	All surface water will percolate through permeable surfaces such as gravel or landscaped grounds.	No	Screened out
<b>DECOMMISSIONING PHASE</b>							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A