



An  
Bord  
Pleanála

## Oral Hearing Agenda

ABP-313340-22

<b>Case</b>	Upgrade and enhanced visitor experience facilities at the Wild Atlantic Way Signature Discovery Point, Loop Head, Kilbaha, Co. Clare
<b>Date</b>	Tuesday 26 <sup>th</sup> September and Wednesday 27 <sup>th</sup> September 2023
<b>Start Time</b>	10.00am each day
<b>Location</b>	Online – MS Teams

The purpose of the oral hearing is to provide an opportunity for all parties, who wish to do so, to make submissions on the further information received by the Board and to allow the inspector and the Board's ecologist to seek clarification on certain issues pertaining to Appropriate Assessment.

All submissions and questions by all parties will be strictly limited to the further information received and to matters relevant to Appropriate Assessment.

The hearing will not provide an opportunity for the applicant to present the case for the overall development and there will be no general requirement for presentations. To set the scene for the hearing a brief outline of the further information submission may be presented by an appointed member of the applicant's team.

All written submissions already received will be considered by the Board. All parties in attendance at the hearing are expected to be familiar with the reports already submitted by the applicant, including the further information.

There is no obligation on any party to make a submission to the oral hearing or to ask questions.

In its submission to the hearing the local authority is requested to address the following specific issues relevant to Appropriate Assessment. These matters are deemed to constitute information necessary for the Board to complete its Appropriate Assessment.

**1. Impacts on The Lower River Shannon Special Area of Conservation (Site Code: 002165)**

Qualifying interest: Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]

The Lower River Shannon SAC Conservation Objectives Supporting Document for coastal habitats details the vegetation structure including zonation and various sub communities associated with the qualifying interest habitat vegetated sea cliffs and the targets to maintain that habitat. At Loop Head, the zones recorded include splash crevice ledge and ungrazed coastal grassland on hard cliffs. The target for vegetation composition in terms of zonation is to maintain the sea cliff habitat, as well as transitional zones, including those of terrestrial communities.

The target for the attribute vegetation composition is to ensure that the typical flora of vegetated sea cliffs is maintained, as are the range of sub-communities within the different zones.

The connection of these supporting habitats and their role in maintaining the integrity of this qualifying interest within the SAC has not been considered or assessed in relation to the proposed works despite the Board's previous request. Further clarification on these habitats and quantification of impacts is required to adequately assess the impacts of the proposed pathways on the integrity of the SAC.

**2. Impacts on Loop Head Special Protection Area (Site Code: 004119)**

Special Conservation Interests: kittiwake [A188] and guillemot [A199]

Site specific information on the numbers of breeding pairs or concentrations of breeding seabirds is not provided in the AA Screening Report or NIS (revised). The separate Ecological Impact Assessment refers to numbers of breeding seabirds from surveys undertaken by Inis Environmental Consultants at the site but the data is not included in appendices of that report.

The AA screening report screens out likely significant effects on the special conservation objectives of cliff breeding kittiwake and guillemot for Loop Head SPA for the operational phase of the proposed project, however this is not supported by site specific information. Information on concentrations of breeding birds near cliff walks and observation points is required to determine a) the likelihood of significant effects and b) to exclude adverse effects if the Board considers that significant impacts could occur in the absence of mitigation measures.

In the absence of information relating to the above items, either within the NIS or the wider suite of documents the Board is not in a position to complete its Appropriate Assessment. The primary purpose of the oral hearing is to discuss the above matters. A wider discussion on Appropriate Assessment will also be facilitated if matters arise.

The agenda and order of appearance for the oral hearing is set out below, along with a timetable.

**All matters related to Appropriate Assessment and Biodiversity will be discussed in the afternoon.**

**Note on Accessibility:** An Bord Pleanála is committed to making our services accessible to all people and to carry out its responsibilities under the Disability Act 2005. For more information, please visit <https://www.pleanala.ie/en-ie/accessibility>.

## Agenda

The hearing will be held online on Microsoft Teams

Day 1	
Time	Further information – commencing at 10.00am
AM 10.00 – 12.00	<ul style="list-style-type: none"> <li>• Opening of oral hearing</li> </ul>
	<ul style="list-style-type: none"> <li>• Local authority team member will present an overview of the further information received <u>excluding</u> matters relevant to Appropriate Assessment and biodiversity (15 mins)</li> </ul>
	<ul style="list-style-type: none"> <li>• Questions on further information – <u>excluding</u> Appropriate Assessment and biodiversity</li> </ul>
	<p><b>Appropriate Assessment - commencing 14.00</b></p> <p><b>To also include any discussion on matters arising from the Further Information on Biodiversity</b></p>
PM 14.00 onwards	<ul style="list-style-type: none"> <li>• Local authority briefly outlines the further information relating to biodiversity and AA.</li> <li>• Local authority responds to the matters raised by the Board in this letter relating to impacts on the Lower River Shannon SAC and on Loop Head SPA (up to 1 hour).</li> <li>• Questions and discussion relevant to the local authority submission on AA and the further information relevant to biodiversity.</li> </ul>

The closure of the hearing may be held over to a second day and the Board’s inspector and ecologist may have further points of clarification at that time.

Closing statements, if required, may be made by the observers and the local authority, in that order.