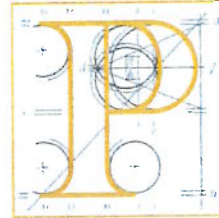


Our Case Number: ACP-323898-25



An
Coimisiún
Pleanála

Department of Housing, Local Government and Heritage
The Manager
Development Applications Unit
Government Offices
Newtown Road
Co. Wexford
Y35 AP90

Date: 26 January 2026

Re: Development works at Port Pier
Port Pier, Inver, Co. Donegal

Dear Sir / Madam,

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

Please note that the proposed development shall not be carried out unless the Commission has approved it with or without modifications.

If you have any queries in relation to the matter please contact the undersigned officer of the Commission at laps@pleanala.ie

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

Yours faithfully,

Aisling Reilly
Executive Officer
Direct Line: 01-8737131

AA02

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Fax
Website
Email
(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
communications@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



Your Ref: ACP-323898-25

177AE CM1379 Port Pier

(Please quote in all related correspondence)

12 January 2026

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

Via email to laps@pleanala.ie

Re: Notification under the Planning and Development Act, 2000, as amended.

Proposed Development: The development works will include the construction of a new pier south of the existing pier, construction of a new sheet-piled retaining wall, dredging and reclamation to provide deeper at Port Pier, Inver, County Donegal.

A chara,

I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations of the Department co-ordinated by the Development Applications Unit under the stated heading.

Underwater Archaeology

The Department refers to your consultation received in relation to the above, which has been reviewed. The Department's statutory regulatory role, on behalf of the Minister for Housing, Local Government and Heritage, is the protection and preservation of archaeological heritage, including underwater cultural heritage (UCH), in Ireland and its territorial waters. The Department advises, through the planning process, on how best to achieve this.

The planning submissions, including the Underwater Archaeological Impact Assessment (UAIA) report Port Pier Improvement Works, Co. Donegal, Underwater Archaeological Impact Assessment, Port 24D0264 & 24R0539 (Mizen Archaeology, April 2025), have been reviewed. The UAIA comprised a desk-based study of the known and potential terrestrial archaeological and underwater cultural heritage of the proposed development area and its

environs. The report identifies Port Pier as the site of Ireland's 'only shore-based whaling station which was, at the time [mid-18th century], unique to Europe as a whole as pelagic whaling was the predominant form of whaling during the period' (UAIA, Section 6). This 'significant component of Donegal's maritime heritage' is represented today by potential extant structural remains including, possibly, 'a stone alignment feature within the proposed works area'. There are also a number of (as yet unlocated) shipwrecks protected by the National Monuments Acts recorded in the Wreck Inventory of Ireland Database (WIID) from Inver Bay and potential submerged palaeolandscapes and associated archaeology.

Section 3 of the National Monuments (Amendment) Act 1987 is the primary piece of legislation for the protection of wrecks over 100 years old and archaeological objects underwater irrespective of age. Wrecks that are less than 100 years old and archaeological objects or the potential location of such a wreck or archaeological object can also be protected under Section 3 of the 1987 (Amendment) Act. Over 18,000 wrecks have been recorded to date in the WIID, ranging from small fishing boats, dugout canoes and coastal traders to steamships and ocean going ships. Though earlier sources have been included where obtainable, the Inventory is largely based on documentary sources available from after 1700AD. As such, previously unrecorded wreck sites, including those dating to earlier periods, may await discovery in the area under consideration here.

National heritage policy, as set out in Frameworks and Principles for the Protection of the Archaeological Heritage states 'there should always be a presumption in favour of avoiding developmental impacts on the archaeological heritage' and, given the archaeological sensitivity of the application area, this core principle should be proactively enshrined within the detailed design process. The Frameworks and Principles also emphasise the non-renewable nature of the archaeological heritage, the need to always consider its preservation in-situ as the first option, and the need to carry out appropriate levels and forms of archaeological assessment in advance of development.

It should also be also noted that the National Planning Framework states that 'the protection of archaeological heritage is recognised as a core component to achieving sustainable development'¹ and the National Marine Planning Framework² includes the statement that:

'Proposals should consider the potential impact of their application on heritage assets from the earliest stages of project development, taking into account the potential risk of damage to, or degradation of, assets. Expert advice will be required at all stages to inform the

¹ <https://cdn.npf.ie/wp-content/uploads/National-Planning-Framework-First-Revision-April-2025-1.pdf>

² <https://assets.gov.ie/139100/f0984c45-5d63-4378-ab65-d7e8c3c34016.pdf>

development of the proposals. Such proposals may include plans to avoid locations where heritage assets may be located, or to minimise compromise or harm through the use of less invasive construction techniques. Proposals should consider evidence for the level of significance of a heritage asset, including information and advice from relevant regulators and advisors, and on how they are managed. This applies to both identified heritage assets and the potential for such assets to be discovered during development or activity.' (National Marine Planning Framework, 89).

The proposed development includes dredging of an area to the south and east of the pier, piling, and associated construction works to facilitate an extension of the pier. The UAIA notes 'Given the site's considerable industrial heritage, which extended over approximately 100 years between the 18th and 19th centuries, the area is assessed as having moderate to high archaeological potential. There is a potential that previously unrecorded industrial infrastructure and associated artefacts may be encountered during proposed dredging works. Such remains may include, for instance, an artificial hardstanding potentially used for flensing activities during the period when the site functioned as a whaling station. Excavation works may also have the potential to reveal evidence of submerged palaeolandscapes, such as buried peat deposits.

There is also the potential for wreck sites to be uncovered due to the nature of the maritime industry and local hazards near Port. Further, there is the potential for waterlogged archaeological material to be uncovered which could date from any period. An alignment of large stones is recorded for 25 metres on the foreshore, the purpose and date of which has not been established. In order to complete the dredging works, this potential site would be destroyed. The 19th-century seawall/stone revetment wall situated along the upper foreshore will be demolished to facilitate access to the foreshore for dredging operations and associated construction works. An indirect impact is further predicted from site machinery passing beside the whaling station/ salt works structure. Such activity poses a risk of accidental contact with, or destabilisation of, the historic structure' (UAIA, Section 7).

To mitigate the potential impacts on the underwater cultural heritage of the proposed development area the UAIA recommends a further UAIA that includes the results of a survey of the pier, potential earlier pier, salt works buildings and associated features and archaeological testing targeted at the stone alignment located on the foreshore. It also recommends that all dredging operations and excavation works should be subject to licensed archaeological monitoring by an underwater archaeologist and that the whaling station/salt works buildings are protected during construction works. Finally, it recommends that all archaeological constraints and mitigations are included in the Construction Environmental

Management Plan and that toolbox talks are given to ensure that workers are aware of the features so they can be avoided.

The Department broadly concurs with the recommendations of the UAIA and recommends that a revised and updated Underwater Archaeological Impact Assessment of the proposed development be compiled and submitted to this Department for review and approval prior to the commencement of any development or dredging works. It is essential that these further investigations are undertaken at the earliest possible stage to facilitate the embedding of any recommended further mitigation within the detailed design for the project, as necessary, in order to ensure the preservation in-situ of any identified underwater cultural heritage and to develop an informed archaeological strategy to be implemented in agreement with the Department.

Archaeological Recommendations (Conditions)

Underwater Archaeological Impact Assessment Recommendations

1. All recommended mitigation measures as set out in the report *Underwater Archaeological Impact Assessment report Port Pier Improvement Works, Co. Donegal, Underwater Archaeological Impact Assessment, Port 24D0264 & 24R0539* (Mizen Archaeology, April 2025), shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.

Project Archaeologist

2. A Project Archaeologist shall be appointed to oversee and advise on all aspects of the Project, including detailed design, construction activities and the management of all archaeological and post-excavation works.

Monitoring of Site Investigations

3. All site investigation works shall be subject to prior archaeological assessment and on-site monitoring by a suitably qualified and experienced archaeologist. The Developer shall furnish the Project Archaeologist with the results of all site investigation works and shall provide access to cores and physical samples for archaeological and, where warranted (e.g. by the discovery of submerged palaeolandscape deposits), geoarchaeological review. Following the completion of all geotechnical and archaeological works and any necessary post-excavation specialist analysis, the Department shall be furnished with a final archaeological report describing the results of the works.

Archaeological Impact Assessment Detailed Design

4. The Final Detailed Design for the project shall be the subject of a revised and updated Underwater Archaeological Impact Assessment, to be submitted to the Department for review and approval, prior to the commencement of any construction works. The UAIA report shall contain the following:
 - a. Results of licenced archaeological test-excavations, accompanied by a hand-held metal detection survey, of the stone alignment identified in the *Underwater Archaeological Impact Assessment report Port Pier Improvement Works, Co. Donegal, Underwater Archaeological Impact Assessment, Port 24D0264 & 24R0539* (Mizen Archaeology, April 2025). The archaeological test-excavations shall be carried out under a Section 26 (National Monuments Act 1930) licence from the National Monuments Service (NMS) of this Department and in accordance with an approved method statement. Licensed metal detection shall be undertaken in tandem with the test excavations and under a Detection Device consent (Section 2 1987 National Monuments Act). Licenses shall be applied for to the NMS of this Department and shall be accompanied by a detailed method statement. Note a period of 3-4 weeks should be allowed to facilitate processing and approval of the licence application and method statement.
 - b. Results of buildings archaeology assessment of all historic structures and features (including but not limited to the surviving structural remains of the former whaling station/salt works and adjacent structures and features) that fall within the proposed development area. The assessment shall comprise of archaeological recording (annotated plans, elevations, sections, details of features and interpretative drawings derived from measured surveys, photographic surveys, digital surveys, opening-up works) that secure an understanding of the origins, development and phasing of all architectural structures and features (including any reused architectural carved stones).
 - c. Results of archaeological dive survey, accompanied by a hand-held metal detection survey, centred on (but not confined to) the area(s) where proposed dredging works are proposed. The archaeological dive survey and metal detection survey shall be undertaken by a suitably licenced and experienced underwater archaeologist. All identified and potential underwater cultural heritage shall be surveyed (photographic, descriptive, photogrammetric) in detail as part of the assessment. A Dive/Survey licence (Section 3 1987 National Monuments Act) and Detection Device consent (Section 2 1987 National Monuments Act) shall be required for the archaeological dive survey and metal detection, respectively.

- d. A detailed Archaeological Impact Assessment that addresses all identified or potential impacts on underwater cultural heritage, including on recorded and potential submerged wrecks, archaeological objects, sites, structures, palaeolandscapes and features. The UAIA shall make recommendations on measures to avoid or, where necessary, mitigate all identified potential/identified impacts and significant effects on underwater cultural heritage. The Developer shall be prepared to be advised by the Department in this regard or in regard to any subsequent recommendations that may issue. Mitigation recommendations shall prioritise redesign or partial redesign to facilitate full or partial preservation in situ. Mitigation may also include archaeological excavations ('preservation by record'), further archaeological test-excavations, stabilisation/conservation works to the historic structures within the proposed development area and/or archaeological monitoring, underwater archaeological inspection by means of archaeological diving, underwater archaeological surveys, or any combination of the above or any other mitigation measures as may be recommended by the National Monuments Service. No construction works shall be undertaken until formal approval in writing has been received by the Developer from the Department.

Archaeological Monitoring (Underwater Cultural Heritage)

5. Archaeological monitoring shall be undertaken as follows:

- a. The services of a suitably qualified and experienced, to the satisfaction of the Department maritime/underwater archaeologist shall be engaged to carry out full-time archaeological monitoring of all dredging and construction activities or works with the potential to impact on underwater cultural heritage.
- b. The archaeological monitoring shall be carried out by a suitably qualified and experienced, to the satisfaction of the Department, maritime/underwater archaeologist, under a Section 26 (National Monuments Act 1930) excavation licence and in accordance with an approved method statement.
- c. A Finds Retrieval Strategy shall be implemented and agreed with the Department as part of the archaeological licence application. This shall include for the systematic spreading of all dredged material at a suitable repository to facilitate hand-searching and metal detection for finds retrieval, to be undertaken by a suitably qualified and experienced archaeologist working under a Detection Device consent (Section 2 1987 National Monuments Act). All monitoring works that have the potential to uncover human skeletal remains shall be undertaken in conjunction with a suitably qualified and experienced osteoarchaeologist. Secure finds storage

that ensures the protection and conservation of wet and dry finds, including human skeletal remains, shall be provided within the construction site compound. The Finds Retrieval Strategy shall address the likely post-excavation requirements for all archaeological objects, including those from an underwater environment, including recording, finds processing, analysis and long-term conservation of material recovered during the project.

- d. Sufficient, suitably experienced and qualified, to the satisfaction of the Department, underwater archaeologists shall be in place to ensure continuous archaeological monitoring works. An archaeological team shall be on standby to deal with any rescue excavation and may be augmented as required. An archaeological dive team shall be on standby in the event that underwater archaeological inspection is required by means of archaeological diving. All dive surveys shall be licenced (Section 3 1987 National Monuments Act) and shall include handheld metal detection survey, which shall also be licenced (Section 2 1987 National Monuments Act).
- e. In order to ensure full communication is in place between the monitoring archaeologist(s) and the works contractor(s) at all times, a communication strategy shall be implemented that facilitates direct archaeological monitoring of all in-stream/river margin construction activities or works with the potential to impact on underwater cultural heritage. The monitoring archaeologist shall be provided with adequate notice (minimum eight weeks) of all forthcoming works that require their attendance.
- f. Should suspected/verified archaeological structures, features, deposits or sites and/or archaeological objects, including wrecks, be identified during the course of the archaeological monitoring activities, the monitoring archaeologist shall be authorised by the Developer to suspend all construction activities on the affected area (as defined by the monitoring archaeologist). The Developer shall immediately institute a Temporary Archaeological Exclusion Zone (TAEZ) to the proposed find location and its environs (as defined by the monitoring archaeologist) and all construction activities shall immediately cease within the TAEZ in order to facilitate investigative assessment, protection and prompt notification to the NMS and other statutory authorities, as required.
- g. Following assessment of the newly discovered archaeological materials, the Developer shall undertake any ensuing mitigating action as is required by the

Department. Mitigation shall prioritise redesign or partial redesign to facilitate full or partial preservation in situ. Mitigation may also include archaeological excavations ('preservation by record'), archaeological test-excavations, stabilisation/conservation works and/or archaeological monitoring, underwater archaeological inspection by means of archaeological diving, underwater archaeological surveys, or any combination of the above or any other mitigation measures as may be recommended by the Department. No construction activities shall recommence within the Temporary Archaeological Exclusion Zone until formally agreed in writing with the Department. Where ensuing mitigation is required, no archaeological works shall be undertaken until after an amended method statement that describes the mitigation strategy has been submitted, reviewed and agreed in writing by the Department. All resulting and associated archaeological costs shall be borne by the Developer.

- h. The planning authority and the Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological works and any post-excavation analysis, scientific dating programmes, palaeoenvironmental analysis, geoarchaeological analysis, conservation of archaeological objects, as required by the Department and the National Museum of Ireland. Where significant archaeological discoveries are made, they shall be fully published in an appropriate academic format. All post excavation and publication costs shall be borne by the Developer.

Heritage Interpretation Plan

- 6. The Developer, in conjunction with the Project Archaeologist, shall commission and install an information panel on the whaling station site that draws attention to its history and significance.

Construction Environment Management Plan

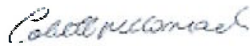
- 7. The Construction Environment Management Plan (CEMP) shall be updated to include the location of any and all archaeological or underwater cultural heritage constraints relevant to the proposed development as set out in the final Underwater Archaeological Impact Assessment report. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or underwater cultural heritage environment during all phases of site preparation and construction activity.

Should you require any further information or clarification on any of the above submission please do not hesitate to contact this Department.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie, or to the following address:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

Is mise, le meas



Colette McCormack
Development Applications Unit,
Administration