**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

An Coimisíun Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Dear Sir/Madam,

**RE: Planning application to An Coimisíun Pleanála under sections 175 and 177AE of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal and Flood Risk Management works**

On behalf of Fingal County Council (FCC), RPS Tetra Tech Consulting Limited herby submits a planning application for approval to An Coimisíun Pleanála ('the Commission') under Sections 175 and 177AE of the Planning and Development Act 2000, as amended (the Planning Act), and the Planning and Development Regulations 2001 – 2025, as amended, for the proposed Portrane Coastal Erosion and Coastal Management works at Burrow, Co. Dublin.

The Proposed Development comprises coastal works along the Burrow beach, within the townland of Burrow in Fingal County Council administrative boundary, County Dublin.

The statutory public notices and the plans and particulars submitted with this application, including a Natura Impact Statement (NIS) and an Environmental Impact Assessment Report (EIAR), provide details of the proposed works.

We can confirm that 2 hard copies and 1 electronic copy of the planning application documentation, including the NIS and EIAR, are hereby submitted to ACP. The planning application comprises the following documents:

1. Cover letter
2. Applicant to Agent Consent Letter
3. Landowner Consent
4. Confirmation of Payment of Planning Fee via EFT
5. Statutory Notices
   (a) Newspaper Notice published in the Northside People (East) Newspaper

(b) Site Notice

6. Planning Statement prepared by RPS Tetra Tech
7. Planning Application Drawing Schedule prepared by RPS Tetra Tech
8. Appropriate Assessment and Natura Impact Statement prepared by Tetra Tech
9. Construction and Environmental Management Plan prepared by RPS Tetra Tech
10. Environmental Impact Assessment Report prepared by RPS Tetra Tech
11. Spatial files prepared by RPS Tetra Tech

**Scaled drawings**

Please note that the submitted Site Location Maps are presented at a scale of 1:5,000 and further separate plans to cover the individual areas of Proposed works.

**Fee Calculation**

FCC has paid the appropriate application fee for a planning application under Section 175 of the Planning Act, €30,000, via electronic transfer.

**Public Consultation**

The plans and particulars of the application may be inspected during public opening hours (excluding bank holidays) from 11th February – 27th March 2026 (both dates inclusive) at the specified places indicated in the statutory public notices.

Full content of the planning application can also be viewed online and downloaded at the following consultation portal of FCC: https://consult.fingal.ie/

The statutory public notices also invite submissions or observations to the Coimisíun no later than 17:30 hours on 27th March 2026.

**Schedule of Prescribed Bodies**

Pursuant to Sections 175 and 177AE of the Planning Act, and as per the provisions set out in Article 121 of the Planning Regulations, we confirm that relevant prescribed bodies have been formally notified of the planning application, including details of the timeline for submission or observations, and an electronic copy of the application documentation.

A *Schedule of Prescribed Bodies* and copies of the formal notices to each statutory body are enclosed with the planning application documentation.

We trust that the above information is in order and look forward to receipt of an acknowledgement at your earliest convenience and, subsequently, to an early and favourable response from the Coimisíun in respect to the application submitted hereby.

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

6th February 2025

# SCHEDULE OF DOCUMENTATION

1. **Planning Particulars**
    - Cover letter to ACP
    - Schedule of Documentation (this document)
    - Planning Report prepared by RPS Tetratech
    - Newspaper Notices (as published on 11th February in Northside East People)
    - Site Notice (erected on 9th February)
    - EIA Portal Confirmation Notice
    - Schedule of Prescribed Bodies
    - Application Fee Record of Payment
    - Landowner notifications
    - Applicant to Agent Consent
    - ESRI shapefile

2. **Reports & Schedules**

    Environmental Impact Assessment Report prepared by RPS Tetratech
    - Volume I, Non-Technical Summary
    - Volume II, Main EIAR Report
    - Volume III, Appendices pertaining to Volume II
    - Appendix 2A Rogerstown CFERM Stage 1 Flood Erosion Risk
    - Appendix 2B Rogerstown CFERM Stage 1 Optioneering
    - Appendix 2C Burrow Update Risk Assessment
    - Appendix 2D The Burrow Economic Appraisal
    - Appendix 3A Drawings
    - Appendix 7A Burrrow Baseline Noise Monitoring Survey
    - Appendix 7B Burrow PRA September 2023
    - Appendix 10A The Burrow PRA September 2023
    - Appendix 10B GI Report
    - Appendix 13A NBDC data

- Appendix 13B Saltmarsh Survey
- Appendix 13C Ecological Survey for Birds
- Appendix 18A Burrow CPS Montages
- Appendix 19A Population and Human Health Baseline
- Appendix 20A Hazard Identification Record

- Volume D, *Natura Impact Statement*
- Outline Construction Environment Management Plan prepared by RPS Tetratech
- MAC Consent

### 3. Drawings

| Drawing no. | Drawing Title | Scale | Size |
|---|---|---|---|
| IBE1820-OD-B-001 | Site Location Plan | 1:5,000 | A2 |
| IBE1820-OD-B-002 | Site Access & Working Area | 1:5,000 | A2 |
| IBE1820-OD-B-003 | Site Access and Working Area<br>Sheet 1 of 3 | 1:1,000 | A3 |
| IBE1820-OD-B-004 | Site Access and Working Area<br>Sheet 2 of 3 | 1:2,000 | A3 |
| IBE1820-OD-B-005 | Site Access and Working Area<br>Sheet 3 of 3 | 1:2,000 | A3 |
| IBE1820-OD-B-006 | Site Access and Working Area<br>Sheet 3 of 3 | 1:2,000 | A3 |
| IBE1820-OD-B-007 | Location of Services Marsh lane Wall & Embankment | 1:2,000 | A3 |
| IBE1820-OD-B-008 | Burrow Road Embankment Plan & Section | Various | A3 |

| | | | |
|---|---|---|---|
| IBE1820-OD-B-009 | Burrow Road Embankment Plan and Long Section | Various | A3 |
| IBE1820-OD-B-010 | Marsh Lane Wall Plan & Section A-A | Various | A3 |
| IBE1820-OD-B-011 | Marsh Lane Wall Plan and Section B-B | Various | A3 |
| IBE1820-OD-B-012 | Marsh Lane Wall Plan and Long Section | Various | A3 |
| IBE1820-OD-B-013 | Marsh Lane Embankment Plan & Sections | Various | A3 |
| IBE1820-OD-B-014 | Groynes & Nourishment Plan | Various | A3 |
| IBE1820-OD-B-015 | Portrane Beach Groynes and Nourishment Plan<br>Section Details Sheet 1 of 2 | 1:200 | A3 |
| IBE1820-OD-B-016 | Portrane Beach Groynes and Nourishment Plan<br>Section Details Sheet 2 of 2 | 1:200 | A3 |
| IBE1820-OD-B-017 | Site Notices | 1:5,000 | A2 |

# Applicant Consent to Agent

**Applicant Name: Fingal County Council**

**Development Description: Portrane Coastal Flooding and Erosion Risk Management (CFERM) Plan**

I hereby authorise **RPS Tetra Tech** to submit a planning application on behalf of Fingal County Council to An Coimisiún Pleanálá and that all communications will issue to **RPS Tetra Tech**.

**Applicant Signature:**

**Date: 30th January 2026**

**Agent Signature:** Michelle Price

**Date:** 2nd February 2026

Comhairle Contae
Fhine Gall
Fingal County
Council

# SITE NOTICE

## Planning and Development Act 2000 (as amended)

## Notice of Planning Application to An Coimisiún Pleanála for Approval

## Fingal County Council

Notice is hereby given that Fingal County Council intends to seek the approval of An Coimisiún Pleanála under Section 175 and 177AE of the Planning and Development Act, 2000 (as amended) for a Proposed Development in the townland of Burrow, Portrane, County Dublin, for works consisting of:

i. Construction of a c. 190m long earth embankment;
ii. Construction of a combined c. 130m long sheet piled flood wall and a c. 200m embankment;
iii. Installation of back drainage behind the proposed defences with associated outfalls;
iv. Installation of non-return valves to existing outfalls to prevent backflow of water from the estuary; and,
v. Construction of seven fishtail (Y shaped) groynes structures with a beach nourishment scheme.

A Natura Impact Statement (NIS) and an Environmental Impact Assessment Report (EIAR) have been prepared in respect of the Proposed Development.

Plans and particulars of the Proposed Development, including the NIS and EIAR, can be viewed and will be available for inspection or for purchase for a fee not exceeding the reasonable cost of making a copy, for a period of not less than 6 weeks between 11th February 2026 until 27th March 2026 (inclusive), at the following locations:

- The offices of An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 between the hours of 9:15am and 5:30pm Monday to Friday (excluding public holidays);
- The offices of Fingal County Council, County Hall, Main Street, Swords, Co. Dublin, K67 X8Y2, during its public opening hours; and
- An electronic copy of the plans and particulars, the NIS and EIAR may also be viewed and downloaded from the following website https://consult.fingal.ie/

Submissions or observations may be made only to An Coimisiún Pleanála ("The Commission") of 64 Marlborough Street, Dublin 1, D01 V902 relating to:

i. The implications of the proposed development for proper planning and sustainable development in the area concerned;
ii. The likely effects on the environment of the proposed development; and
iii. The likely significant effects of the proposed development on a European site, if carried out.

The Commission may give approval to the application for development with or without conditions or may refuse the application for development.

Any submissions/observations must be accompanied by a fee of €50 (expect for certain prescribed bodies) and must be received by An Coimisiún Pleanála no later than 5.30pm on 27th March 2026. Submissions/observations can be made through the An Coimisiún Pleanála website http://www.pleanala.ie/en-ie/observations

Any person may question the validity of any such decision by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. no. 15 of 1986, as amended by S.I No. 691 of 2011), in accordance with section 50 of the Planning and Development Act 2000 (as amended). Practical information on the review mechanism can be accessed under the heading 'Publications – Judicial Review Notice' on the Commission's website (www.Pleanala.ie) or on the Citizens Information Service website (www.citizensinformation.ie).

Signed: M Price (agent) Dated: 9th February 2026

**From:** Housing Eiaportal
**To:** Price, Michelle
**Subject:** EIA Portal Confirmation Number: 2026019
**Date:** 05 February 2026 13:00:55
**Attachments:** image001.png

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**CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments.

Dear Michelle,

An EIA Portal notification was received on 05/02/2026 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 05/02/2026 under EIA Portal ID number 2026019 and is available to view at https://experience.arcgis.com/experience/a1a85d92623147b191dd25a14b2571da

**Portal ID:** 2026019

**Competent Authority:** An Coimisiún Pleanála

**Applicant Name:** Michelle Price

**Location:** Within the townland of Burrow, Portrane, County Dublin

**Description:** Construction of a c. 190m long earth embankment; construction of a combined c.130m long sheet piled flood wall and a c.200m embankment; and construction of seven fishtail (Y shaped) groynes structures with beach nourishment scheme

**Linear Development:** No

**Date Uploaded to Portal:** 05/02/2026

Kindest Regards,

Hugh Wogan,

EIA Portal team

**An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta**
Department of Housing, Local Government and Heritage

**Teach an Chustaim, Baile Átha Cliath 1, D01 W6X0**
Custom House, Dublin 1, D01 W6X0

**T** +353 (0) 1 888 2142

www.gov.ie/housing

cid:image001.png@01DAF3EF.97152690

**LANDOWNERS CONTACTED REGARDING CONSENT FOR THE PROPOSED BURROW COASTAL FLOODING AND EROSION RISK MANAGEMENT (CFERM) PLAN**

| | TE FOLIO NUMBER | REGISTERED OWNER | ADDRESS | DATE OF REGISTRATION | OTHER DETAILS |
|---|---|---|---|---|---|
| 2 | DN7214 | Charles Curtis (1 undivided 1/2 share), | 133 STRAND ROAD, PORTMARNOCK, CO. DUBLIN | 12-Jan-99 | |
| | | Deirdre Curtis (1 undivided 1/4 share) | 201 Swords road, Whitehall, Dublin 9 | 12-Jan-99 | |
| | | Ann-Marie West (1 undivided 1/4 share) | 12 SUTTON LAWNS, SUTTON PARK, DUBLIN 13 | 12-Jan-99 | |
| 3 | DN7211 | Tomas Barton | Sandyridge, Beach Lane, The Burrow, Portrane, County Dublin | 28-Feb-22 | |
| 4 | DN7212 | John Farrelly | 239 COLLINS AVENUE, WHITEHALL, DUBLIN | 27-Jun-63 | |
| 5 | DN7213 | Patrick Gerard Morris | 12 HOWTH ROAD, RAHENY, DUBLIN 5 | 08-Nov-63 | |
| 6 | DN6307 | Patrick Watson | Savanagh Cottage, Reynoldstown, Naul, County Dublin | 10-Jan-03 | (ROW LISTED FOR KATHLEEN KEELING, HUGH BYRNE, SYDNEY HALL AND PATRICK MC KIERNAN DATED |
| 11 | DN5776 | Patrick Scanlon & Catherine Scanlon (100 undivided 1/1200 shares), | 16 ASHWOOD LAWNS, BAWNOGUE, CLONDALKIN, DUBLIN 22 | 25-Feb-91 | |
| | | Brendan McLoughlin & Sandra McLoughlin (100 undivided 1/1200 shares), | 8 LINDISFARNE VALE, BAWNOGUE, CLONDALKIN, DUBLIN 22 | 25-Feb-91 | |
| | | Patrick McDonnell & Sheila McDonnell (100 undivided 1/1200 shares), | 53 ST. MARY'S PARK, DRIMNAGH,, DUBLIN 12 | 25-Feb-91 | |

| | | | | | |
|---|---|---|---|---|---|
| | | Patrick Donohoe & Mary Donohoe (100 undivided 1/1200 shares), | ELTON, SANDYCOVE ROAD, DUN LAOGHAIRE, COUNTY DUBLIN | 25-Feb-91 | |
| | | Maurice Cleary & Kay Cleary (100 undivided 1/1200 shares), | 79 COLLINS PARK, WHITEHALL, DUBLIN 9 | 25-Feb-91 | |
| | | Noel Carey & Margaret Carey (100 undivided 1/1200 shares) | 65 LORCAN CRESCENT, SANTRY, DUBLIN 9 | 25-Feb-91 | |
| | | William Lumley & Tina Lumley (100 undivided 1/1200 shares) | KILEEK, ST. MARGARETS, COUNTY, DUBLIN | 25-Feb-91 | |
| | | James Keane & Bridget Keane (100 undivided 1/1200 shares) | 39 HERBERTON ROAD, RIALTO, DUBLIN | 25-Feb-91 | |
| | | Paul Rocks & Deirdre Rocks (50 undivided 1/1200 shares), | 97 WALKINSTOWN AVENUE, DUBLIN, 12 | 25-Feb-91 | |
| | | Michael Domican & Noelle Domican (50 undivided 1/1200 shares) | 6 LINDISFARNE VALE, BAWNOGUE, CLONDALKIN, DUBLIN 22 | 25-Feb-91 | |
| | | Kathleen Furley (100 undivided 1/1200 shares) | 123 Drumfinn Avenue, Ballyfermot, Dublin 10 | 01-Jun-00 | |
| | | Anne Maguire & Patrick Maguire (73 undivided 1/1200 shares) | 57 Millfield, The Links, Portmarnock, County Dublin | 28-Sep-12 | |
| | | Maureen Smith (127 undivided 1/1200 shares) | 122 Stapolin Lawns, Baldoyle, County Dublin | 24-Oct-07 | |
| 12 | DN4512 | Laurence Anthony Ritchie & Doreen Ritchie | GLEN ERIN, PORTRANE, CO. DUBLIN | 15-Jul-97 | |
| 13 | DN98513F | Laurence Anthony Ritchie & Doreen Ritchie | GLEN ERIN, PORTRANE, CO. DUBLIN | 15-Jul-97 | |
| 20 | DN5776 | As Per Plot 11 | | | |
| 28 | DN125725F | Michael Moynihan | THE BROOK, PORTRANE, COUNTY DUBLIN | 12-Aug-98 | |
| 30 | DN73044F | Dublin County Council (Successor in Title: Fingal County Council) | County Hall, Main St., Swords, Co. Dublin | 14-Nov-90 | |
| 35 | DN4490 | John Dockrell | Burrow Road , Portrane, Co. Dublin | 05-Jul-95 | Wayleave to Fingal County Council |
| 36 | DN7441 | John Dockrell & Mary Murphy | Burrow Road, Portrane, Co. Dublin | 11-Mar-82 | |

| | | | | | |
|---|---|---|---|---|---|
| 37 | DN75999F | Fergal McCarthy & Johanna Van Strik | Meandros, The Burrow, Portrane, County Dublin | 15-Sep-22 | |
| 38 | DN5228F | Alison Lucas & Leslie Lucas | Sea Meadows, Burrow Road, Portrane, County Dublin | 23-Jan-19 | |
| 39 | Unregistered | | | | |
| 40 | DN23984F | Patrick Lynders & Yvonne Lynders | 42 St. Columbas Heights, Swords, County Dublin | 28-Aug-23 | Wayleave to Fingal County Council |
| 41 | DN21328F | John Dockrell & Mary Murphy | Burrow Road, Portrane, Co. Dublin | 30-Jul-84 | |
| 42 | DN267F | John Dockrell & Mary Murphy | Burrow Road, Portrane, Co. Dublin | 18-Jul-84 | |
| 43 | DN18711 | Drogheda North Business Park Ltd. | 1 Long Acre, Grove Lawn, Malahide, Co. Dublin | 16-Mar-22 | CRO Reference 513601. Easement in favour of Irish Water |
| 44 | DN13944F | Eamonn Ryan | Smarts Lane, Burrow Road, Portrane, Co. Dublin | 15-Oct-99 | ROW listed to Margaret Higgins & her Heirs Folio DN32826F |
| 45 | DN65228F | Anne Hand | The Burrow, Portrane, Co. Dublin | 18-Apr-90 | |
| 46 | DN244235F | John Dockrell | Burrow Road, Portrane, Co. Dublin | 05-Jul-95 | Lease to Kevin O'Mahony & Bridget O'Mahony, ROW to THOMAS J GOULDING, & his Heirs, FULL RIGHTS IN FAVOUR OF THE REGISTERED OWNERS OF FOLIO 5206 TO THE SEWER AND SEPTIC TANK SYSTEMS LOCATED IN THE PROPERTY |
| 47 | DN4506 | Rosanna Fulham | The Burrow, Portrane, Co. Dublin | 30-Aug-51 | |
| 48 | DN57912L | Kevin O'Mahony & Bridget O'Mahony | The Burrow, Portrane, Co. Dublin | 20-Mar-78 | |
| 49 | DN32826F | Shirley Higgins | Westbrook, Burrow Road, Portrane, Co. Dublin | 04-Jan-19 | |

An Coimisiún Pleanála

**Confirmation of Consent**

Date 14/01/26.

**To whom it may concern**

As registered owner (s) of the lands in folio DN7214, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): DEIRDRE CURTIS

Signature: Deirdre Curtis. Date: 14/01/26

of

ADDRESS OF REGISTERED OWNER: 201 Swords Road,
Whitehall
Dublin 9
D09 H725.

201 Swords Road,
Whitehall,
Dublin 9
14/01/2026

Kevin Halpenny,
Planning & Strategic Infrastructure Department,
Fingal County Council,
PO Box 174 County Hall,
Swords,
Fingal,
Co Dublin.

**Landowner Agreement Re: Planning Application for Coastal Protection Works Proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme.**

Dear Mr Halpenny,
Further to your letter of 17th December last, our telephone discussion and your email today, I enclose the Confirmation of Consent duly signed as joint owner of 1/3rd share in Folio DN7214.

Yours sincerely,

Deirdre Curtis

201 Swords Road,
Whitehall,
Dublin 9
14/01/2026

Kevin Halpenny
Planning & Strategic Infrastructure Department,
Fingal County Council,
PO Box 174 County Hall,
Swords,
Fingal,
Co Dublin.

**Landowner Agreement Re: Planning Application for Coastal Protection Works Proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme.**

Dear Mr Halpenny,

Further to your letter of 17th December last, our telephone discussion and your email today, I enclose the Confirmation of Consent duly signed as joint owner of 1/3rd share in Folio DN72 14.

Yours sincerely,

Deirdre Curtis

An Coimisiún Pleanála

Date 12/01/2026

**Confirmation of Consent**

**To whom it may concern**

As registered owner (s) of the lands in folio DN5776, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): CIARÁN DONOHOE

Signature: .....

Date: 12/01/2026

of

DRESS OF REGISTERED OWNER: * 68 RIDDLESFORD,
SOUTHERN CROSS ROAD
BRAY
CO. WICKLOW A98 TD30.

* FORMERLY: 'ELTON' SANDYCOVE ROAD
DUNLAOGHAIRE
CO. DUBLIN.

PLEASE SEE EXPLANATION LETTER ATTACHED.

Monday 12th January 2026

Re: Folio No. DN5776

Dear Planning Team,

Regarding the attached form, I have signed this as required but need to highlight why my contact details have changed as regards the details that you have on file to avoid any potential confusion.

This deed is correctly listed as being owned by Patrick & Mary Donohoe. However, Patrick Donohoe (my Father) unfortunately passed away suddenly on March 23rd 1996 and Mary Donohoe (my Mother) recently passed away on July 4th 2024.

At the time of my Father's death, we had many conversations as a family and it was agreed that it should be myself who inherited this plot in Portrane and look after any related queries.

I spoke to a very kind lady in your team back in 2018/2019 when a query came up about this previously but I don't think anything came of it.

My reasons for writing this is to request two things if possible ?

Firstly, is it possible to have any contact details on your system amended to change from Patrick Donohoe to Ciaràn Donohoe please. Also, since my beautiful Mother passed away, we had to sell the family home (Elton, Sandycove Road) which we did in September of last year. For this reason, I have listed my address on the form. Again, is it possible to have the address details on your system changed to this one ? As our family home is now sold, I'm concerned about any additional/future correspondence being posted there as I'll have no knowledge of this and it will go unanswered. I only received this letter a few days ago when the new owners of Sandycove randomly met one of my siblings who was walking passed the house and they gave her this letter.

I work as a Contractor and currently based on a project in Switzerland so I'd be very grateful if any queries could be emailed to be using ciarandonohoe@icloud.com

I hope these changes are possible but feel free to contact me at anytime and I will be happy to try to assist with anything needed,

Kind Regards,

Ciaràn Donohoe

An Coimisiún Pleanála

**Confirmation of Consent**

Date 14/1/2026

**To whom it may concern**

As registered owner (s) of the lands in folio DN13944F, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): RAMON W FLYNN

Signature: [signature] Date 14/01/2026

of

ADDRESS OF REGISTERED OWNER: Swords Lane
The Burrow
Portrane
Co Dublin

An Coimisiún Pleanála

**Confirmation of Consent**

Date ..../...../.....

**To whom it may concern**

As registered owner (s) of the lands in folio DN5776, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): REBECCA FURLEY

Signature: Rebecca Furley Date: 19/12/2025

of

ADDRESS OF REGISTERED OWNER: 123 DRUMFINN AVE,
BALLYFERMOT,
DUBLIN 10
CF 50

An Coimisiún Pleanála

**Confirmation of Consent**

Date ...../...../.....

**To whom it may concern**

As registered owner (s) of the lands in folio DN65228F, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): ANNE HAND

Signature: Anne Hand Date: 14/1/26

of

ADDRESS OF REGISTERED OWNER: MARSH LANE
BURROW Rd
PORTRANE
Co DUBLIN K36 R635

An Coimisiún Pleanála

**Confirmation of Consent**

Date 1/1/2026

**To whom it may concern**

As registered owner (s) of the lands in folio DN5776, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): LIAM LUMLEY

Signature: ..... Date: 1/1/26

of

ADDRESS OF REGISTERED OWNER: KILLEEK LANE
ST. MARGARETS
CO DUBLIN
K67 NY39

An Coimisiún Pleanála

**Confirmation of Consent**

Date 12/1/2026

**To whom it may concern**

As registered owner (s) of the lands in folio DN23984F, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): PATRICK LYNDERS & YVONNE LYNDERS

Signature: Patrick Lynders Date: 12/1/2026

Yvonne Lynders

of

ADDRESS OF REGISTERED OWNER: 42 ST. COLUMBAS HEIGHTS
SWORDS
CO DUBLIN
K67 Y9W9

An Coimisiún Pleanála

**Confirmation of Consent**

Date ...../...../.....

**To whom it may concern**

As registered owner (s) of the lands in folio DN5776, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): ANN MAGUIRE PATRICK MAGUIRE

Signature: Ann Maguire Patrick Maguire Date: 23/12/2025

of

ADDRESS OF REGISTERED OWNER: 57 Millfield
The Links
Portmarnock

An Coimisiún Pleanála

**Confirmation of Consent**

Date 31/12/2025

**To whom it may concern**

As registered owner (s) of the lands in folio DN5776, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): SHEILA MCDONNELL

Signature: Sheila McDonnell Date: 31/12/2025

of

ADDRESS OF REGISTERED OWNER: 53 St Mary's Park
Walkinstown
Dublin 12

**Comhairle Contae Fhine Gall**
Fingal County Council

**An Roinn um Pleanáil agus Infrastruchtúr Straitéiseach**
Planning and Strategic Infrastructure Department

**Proposed Coastal Flood and Erosion Risk Management (CFERM) Scheme at The Burrow, Portrane, Co. Dublin**

**Description of Proposed Works**

The Proposed Development comprises the following elements:

1. Construction of a c.190m long earth embankment at the end of Burrow Road (and associated drainage works)
2. Construction of a c.130m long sheet piled flood wall and a c.200m embankment along Marsh Lane (and associated drainage works).
3. The construction of c. seven fishtail (or 'Y' shaped) groynes structures in combination with a beach renourishment scheme. These groyne structures will help control the longshore and cross-shore transport elements of the prevailing littoral drift along c.1.3km of the coastline of the Burrow.

- Each groyne will extend seaward by approximately 70m at a spacing of c.175m to create seven sediment sub-cells along the Burrow. The total footprint of the proposed groynes will equate to c.1.36 hectares.
- The beach renourishment will involve transporting dredged material from a licenced marine aggregate extraction to the Burrow and pumping the material ashore.

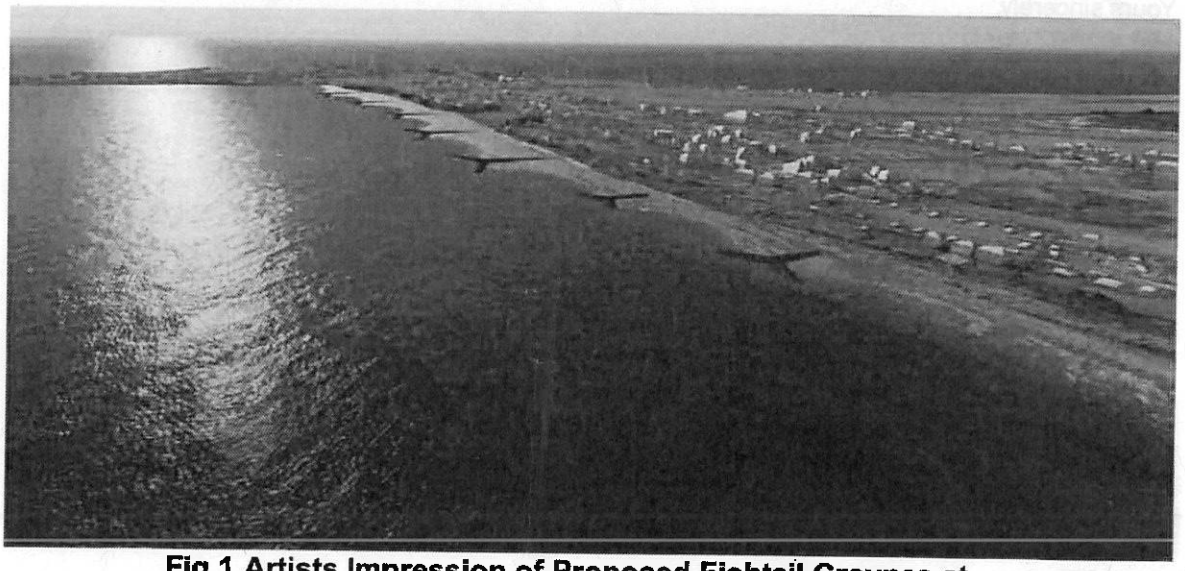

**Fig 1 Artists Impression of Proposed Fishtail Groynes at The Burrow Beach, Portrane.**

Bosca 174, Áras an Chontae, Sord, Fine Gall, Co. Bhaile Átha Cliath / P.O. Box 174, County Hall, Swords, Fingal, Co. Dublin
**Swords Office t:** Registry (01) 890 5541 Decisions (01) 890 5670 Appeals (01) 890 5724 **f:** (01) 890 6779
**e:** planning@fingal.ie www.fingal.ie

An Coimisiún Pleanála

**Confirmation of Consent**

Date 14/01/26

**To whom it may concern**

As registered owner (s) of the lands in folio DN125725F, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): MICHAEL MOYNIHAN

Signature: ..... Date: 14/01/26

of

ADDRESS OF REGISTERED OWNER: The Brook Pub
Portrane
Co Dublin
K36 W584

An Coimisiún Pleanála

**Confirmation of Consent**

Date 06.01.26

**To whom it may concern**

As registered owner (s) of the lands in folio DN57912L, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): KEVIN O MAHONY
BRIDGET O' MAHONY

Signature: Kevin O Mahony Date: 06.01.2026
Bridget O'Mahony

of

ADDRESS OF REGISTERED OWNER: MARSH LANE
THE BURROW
PORTRANE
CO. DUBLIN

FINGAL COUNTY COUNCIL
Planning Department
23 DEC 2025
RECEIVED

An Coimisiún Pleanála

**Confirmation of Consent**

Date 20/12/25

**To whom it may concern**

As registered owner (s) of the lands in folios DN4512 & DN98513F, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): TONY + DOREEN RITCHIE

Signature: ..... Date: 20/12/2025

of

ADDRESS OF REGISTERED OWNER: Glen Ein
The Burrow
Portrane
K36 C663

FINGAL COUNTY COUNCIL
Planning Department
13 JAN 2026
RECEIVED

An Coimisiún Pleanála

**Confirmation of Consent**

Date 8/1/2026

**To whom it may concern**

As registered owner (s) of the lands in folio DN5776, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): DEIRDRE ROCKS PAUL ROCKS
Paul Rocks.

Signature: Deirdre Rocks Date: 8/1/2026

of
ADDRESS OF REGISTERED OWNER: 97 WALKINSTOWN AVE
WALKINSTOWN
DUBLIN 12

**An Coimisiún Pleanála**

# Confirmation of Consent

**Date:** 20 / 01 / 2026

**To Whom it May Concern**

As Registered (part)-Owners of the Lands in **Land Registry Folio DN5776,** I* hereby Consent to the Submission of a Planning Application by Fingal County Council (*Comhairle Contae Fhine Gall*) to *An Coimisiún Pleanála* seeking Planning Permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at The Burrow, Portrane, County Dublin.

Yours Sincerely,

Name (BLOCK CAPITALS): MICHAEL ROWNAN *

Signature: ..... Date: 20 / 01 / 2026

of

ADDRESS OF REGISTERED OWNER * 82 Claremont Court, Glasnevin, Dublin 11 D11 A2Y8

*** Please Note: I, Michael Rownan, am Acting on behalf of the five (5) adult children / beneficiaries of the Estate of Kathleen and Maurice Clery ('Cleary') whose former main address was 79 Collins Park, Dublin 9.**

*Kathleen & Maurice Clery were long-term in-situ tenants when the 12 families renting the sites in the field then jointly purchased the Folio – the Clery share of the Folio was/is "full owners as tenants-in-common of 100 undivided 1/1200 share(s)2, i.e. one twelfth.*

**Beneficiaries of the Clery "full 100 undivided 1/1200 share(s)":**

1. Caroline Rownan (née Clery)
2. Jacki Fagan (née Clery)
3. Maurice Clery
4. Margaret O'Brien (née Clery)
5. Mark Clery

An Coimisiún Pleanála

**Confirmation of Consent**

Date 19/01/2026

**To whom it may concern**

As registered owner (s) of the lands in folio DN7214, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): ANN-MARIE WEST

Signature: Ann Marie West Date 19/01/2026

of

ADDRESS OF REGISTERED OWNER: 12 SUTTON LAWNS
SUTTON
DUBLIN 13
D13 R8H2

An Coimisiún Pleanála

**Confirmation of Consent**

Date 20/01/2026

**To whom it may concern**

As registered owner (s) of the lands in folio DN5776, I hereby consent to the submission of a planning application by Fingal County Council to An Coimisiún Pleanála seeking planning permission for Coastal Protection Works proposed in the Portrane Coastal Flood and Erosion Risk Management (CFERM) Scheme at the Burrow Portrane, Co. Dublin.

Yours sincerely,

Name (BLOCK CAPITALS): MAUREEN SMITH

Signature: Maureen Smith Date 20/01/2026

of

ADDRESS OF REGISTERED OWNER: 126 Grange Road
Rathfarnham
Dublin
13

## Prescribed Bodies List

- An Chomhairle Ealaíon (The Arts Council)
- Bord Fáilte Éireann (Fáilte Ireland)
- An Taisce — the National Trust for Ireland
- Department for Culture, Communications and Sport
- The Heritage Council
- Eastern and Midland Regional Assembly
- Waterways Ireland
- HSE (Health Service Executive)
- Department for Climate, Energy and the Environment
- Department of Housing, Local Government and Heritage
- Inland Fisheries Ireland
- Office of Public Works (OPW)
- Department of Agriculture, Food, and the Marine (Commercial Sea Fishing and Marine Engineering Division)
- Environmental Protection Agency
- Maritime Area Regulatory Authority
- Marine Institute
- Uisce Éireann (formerly Irish Water)

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

An Chomhairle Ealaíon
70 Merrion Square
Dublin 2
D02 NY52
Ireland

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under Sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal and Flood Risk Management Works**

Please be advised that Fingal County Council, Dublin, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to An Chromhairle Ealaíon.

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

I. The implications of the proposed development for proper planning and sustainable development, and
II. The likely effects on the environment of the Proposed Development (including the likely significant effects on any European site) if carried out.

Any person may question the validity of a decision of the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986, as amended by S.I No. 691 of 2011), in accordance with section 50 of the Planning and Development Act 2000 (as amended). Practical information on the review mechanism can be accessed under the heading 'Publications – Judicial Review Notice' on the Commission's website (www.Pleanala.ie) or on the Citizens Information Service website (www.citizensinformation.ie).

Any submissions/observations must be received by the Coimisíun not later than 5.30pm on 27th March 2026. Such submissions/observations must include the following information:

I. The name of the person, authority or body making the submission or observation, the name of the person, if any, acting on behalf of that person, authority or body, and the address to which any correspondence relating to the application should be sent,
II. The subject matter of the submission or observation, and
III. The reasons, considerations and arguments on which the submission or observation is based in full.

The Coimisíun may in respect of an application for permission:

(a) Decide (i) to grant the permission, or (ii) to make such modifications to the Proposed Development as it specifies in its decision and grant permission in respect of the Proposed Development as so modified, or (iii) to grant permission in respect of the Proposed Development (with or without specified modifications of it of the foregoing kind) and any of the above decisions may be subject to or without conditions, or (b) Decide to refuse to grant the permission.

Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

An Taisce
5 Foster Place
Temple Bar
Dublin 2
D02 V0P9
Ireland

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under Sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal and Flood Risk Management Works**

Please be advised that Fingal County Council, Dublin, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to An Taisce.

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

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II. The subject matter of the submission or observation, and
III. The reasons, considerations and arguments on which the submission or observation is based in full.

The Coimisíun may in respect of an application for permission:

(a) Decide (i) to grant the permission, or (ii) to make such modifications to the Proposed Development as it specifies in its decision and grant permission in respect of the Proposed Development as so modified, or (iii) to grant permission in respect of the Proposed Development (with or without specified modifications of it of the foregoing kind) and any of the above decisions may be subject to or without conditions, or (b) Decide to refuse to grant the permission.

Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Bord Fáilte Éireann
88-95 Amiens Street
Dublin 1
D01 WR86
Ireland

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal and Flood Risk Management Works**

Please be advised that Fingal County Council, Dublin, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to Bord Fáilte Éireann

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Department for Climate, Energy and the Environment
Tom Johnson House
Haddington Road
Dublin
D04 K7X4

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal and Flood Risk Management Works**

Please be advised that Fingal County Council, Dublin, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to the Department for Climate, Energy and the Environment

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

I. The implications of the proposed development for proper planning and sustainable development, and
II. The likely effects on the environment of the Proposed Development (including the likely significant effects on any European site) if carried out.

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Department for Culture, Communications and Sport
Leeson Lane
Dublin D02 R5Y3

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under Sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal Management and Flood Risk Management Works**

Please be advised that Fingal County Council, Fingal, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to the Department for Culture, Communications and Sport

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Department of Agriculture, Food and Marine
Commercial Sea Fishing
National Seafood Centre
Clogheen
Clonakilty
Co Cork
P85 TX47

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal and Flood Risk Management Works**

Please be advised that Fingal County Council, Fingal, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to The Department of Agriculture, Food and Marine (Commercial Sea Fishing)

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

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III. The reasons, considerations and arguments on which the submission or observation is based in full.

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Department of Agriculture, Food and Marine
Marine Engineering Division
National Seafood Centre
Clogheen
Clonakilty
Co Cork
P85 TX47

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal and Flood Risk Management Works**

Please be advised that Fingal County Council, Dublin, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to The Department of Agriculture, Food and Marine (Marine Engineering Division)

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

I. The implications of the proposed development for proper planning and sustainable development, and
II. The likely effects on the environment of the Proposed Development (including the likely significant effects on any European site) if carried out.

Any person may question the validity of a decision of the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986, as amended by S.I No. 691 of 2011), in accordance with section 50 of the Planning and Development Act 2000 (as amended). Practical information on the review mechanism can be accessed under the heading 'Publications – Judicial Review Notice' on the Commission's website (www.Pleanala.ie) or on the Citizens Information Service website (www.citizensinformation.ie).

Any submissions/observations must be received by the Coimisíun not later than 5.30pm on 27th March 2026. Such submissions/observations must include the following information:

I. The name of the person, authority or body making the submission or observation, the name of the person, if any, acting on behalf of that person, authority or body, and the address to which any correspondence relating to the application should be sent,
II. The subject matter of the submission or observation, and
III. The reasons, considerations and arguments on which the submission or observation is based in full.

The Coimisíun may in respect of an application for permission:

(a) Decide (i) to grant the permission, or (ii) to make such modifications to the Proposed Development as it specifies in its decision and grant permission in respect of the Proposed Development as so modified, or (iii) to grant permission in respect of the Proposed Development (with or without specified modifications of it of the foregoing kind) and any of the above decisions may be subject to or without conditions, or (b) Decide to refuse to grant the permission.

Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Eastern and Midland Regional Assembly
Ballymun Civic Centre
Main Street
Ballymun
Dublin 9
D09 C8P5

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

Please be advised that Fingal County Council, Fingal, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to Eastern and Midland Regional Assembly.

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Environmental Protection Agency
Johnstown Castle Estate
Co Wexford
Y35 W821

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under Sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Coastal and Flood Risk Management Works**

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In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to the Environmental Protection Agency.

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Inland Fisheries Ireland
3044 Lake Drive
Citywest Business Campus
Dublin
D24 CK66

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under Sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

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Direction to relevant website.

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Marine Institute Headquarters
Rinville
Oranmore
Co. Galway
H91 R673

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

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In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to the Marine Institute

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) 11th February – 27th March relating to –

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Maritime Area Regulatory Authority
2nd Floor
Menapia House
Drinagh Business Park,
Drinagh
Wexford
Y35 RF29

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

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In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to the Maritime Area Regulatory Authority

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
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**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Minister for Housing, Local Government and Heritage,
c/o The Manager,
Development Applications Unit,
Department of Housing, Local Government and Heritage,
Newtown Road,
Wexford,

Y35 AP90

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

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In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to the Department of Housing, Local Governmental and Heritage.

As previously confirmed by email, the preferred format of the documents requested is as follows:

*Documents uploaded through Departments fileshare link.*

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

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Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2025

Office of Public Works
Jonathan Swift Street
Trim
Co. Meath
C15 NX36

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

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As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

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for Tetra Tech

**Michelle Price**
Senior Associate Planner
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+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

The Heritage Council
Church Lane
Kilkenny
R95 X264
Ireland

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

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Direction to relevant website.

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The Coimisíun may in respect of an application for permission:

(a) Decide (i) to grant the permission, or (ii) to make such modifications to the Proposed Development as it specifies in its decision and grant permission in respect of the Proposed Development as so modified, or (iii) to grant permission in respect of the Proposed Development (with or without specified modifications of it of the foregoing kind) and any of the above decisions may be subject to or without conditions, or (b) Decide to refuse to grant the permission.

Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Uisce Éireann
PO BOX 860
South City Delivery Office
Cork City

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under Sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

Please be advised that Fingal County Council, Dublin, intends to submit to An Coimisíun Pleanála an application for permission for the above-mentioned project.

The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to Uisce Éireann

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

I. The implications of the proposed development for proper planning and sustainable development, and
II. The likely effects on the environment of the Proposed Development (including the likely significant effects on any European site) if carried out.

Any person may question the validity of a decision of the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986, as amended by S.I No. 691 of 2011), in accordance with section 50 of the Planning and Development Act 2000 (as amended). Practical information on the review mechanism can be accessed under the heading 'Publications – Judicial Review Notice' on the Commission's website (www.Pleanala.ie) or on the Citizens Information Service website (www.citizensinformation.ie).

Any submissions/observations must be received by the Coimisíun not later than 5.30pm on 27th March 2026. Such submissions/observations must include the following information:

I. The name of the person, authority or body making the submission or observation, the name of the person, if any, acting on behalf of that person, authority or body, and the address to which any correspondence relating to the application should be sent,
II. The subject matter of the submission or observation, and
III. The reasons, considerations and arguments on which the submission or observation is based in full.

The Coimisíun may in respect of an application for permission:

(a) Decide (i) to grant the permission, or (ii) to make such modifications to the Proposed Development as it specifies in its decision and grant permission in respect of the Proposed Development as so modified, or (iii) to grant permission in respect of the Proposed Development (with or without specified modifications of it of the foregoing kind) and any of the above decisions may be subject to or without conditions, or (b) Decide to refuse to grant the permission.

Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

**Our ref: [794-NI-WAE-Burrow Portrane CFERM]**

Elmwood House
74 Boucher Road
Belfast
Tel +44 (0) 2890667914

Date: February 2026

Waterways Ireland
Eastern Regional Office
Floor 2 Block C
Ashtowngate
Navan Road
Dublin 15
D15 Y3EK

*By email*

Dear Sir/Madam,

**RE: Notification of application to An Coimisíun Pleanála under sections 175 and 177AE of The Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 – 2025 (as amended) for Proposed Construction and Flood Risk Management Works**

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The public notice enclosed with the application documentation sets out summary details of the Proposed Development. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the Proposed Development and accompany the application documentation.

In accordance with Section 28 of the Planning and Development Regulations 2001, as amended, as a body prescribed by An Coimisíun Pleanála, a copy of the application documentation is being made available to Waterways Ireland

As previously confirmed by email, the preferred format of the documents requested is as follows:

Direction to relevant website.

The application may also be viewed/downloaded free of charge on https://consult.fingal.ie/

Submissions or observations may be made to An Comisíun Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (and may also be made online at www.pleanala.ie) between 11th February – 27th March relating to –

I. The implications of the proposed development for proper planning and sustainable development, and
II. The likely effects on the environment of the Proposed Development (including the likely significant effects on any European site) if carried out.

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II. The subject matter of the submission or observation, and
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Any enquires relating to the application process should be directed to the Local Authority section of An Coimisíun Pleanála (Tel. 01-8588100).

Yours sincerely,
for Tetra Tech

**Michelle Price**
Senior Associate Planner
Michelle.price@rps.tetratech.com
+44 (0) 28 90 66 7914

MARITIME AREA CONSENT

COASTAL FLOOD PROTECTION WORKS AT
PORTRANE (BURROW) BEACH, COUNTY FINGAL

No. MAC20240007

Holder: FINGAL COUNTY COUNCIL

## PARTICULARS SCHEDULE

| | |
|---|---|
| **MAC No:** | MAC20240007 |
| **Grantor:** | Maritime Area Regulatory Authority |
| **Grantor address:** | 2nd Floor<br>Menapia House<br>Drinagh Business Park<br>Drinagh<br>Wexford<br>Y35 RF29 |
| **Grantor email:** | mac@mara.gov.ie |
| **Holder:** | Fingal County Council |
| **Holder registered address:** | County Hall<br>Main Street<br>Swords<br>Co. Dublin<br>K67 X8Y2 |
| **Commencement Date:** | 28 July 2025 |
| **Term:** | 55 years |
| **Levy Payment Date:** | One month after the Commencement Date and on every succeeding anniversary thereafter for the Term. |
| **Consent Area:** | That part of the maritime area marked red on the map attached hereto. |
| **Permitted Maritime Usage:** | The construction, use, operation and maintenance of coastal protection and beach nourishment works including all associated decommissioning, demolition, rehabilitation and any other works required on foot of any development permission relating to the infrastructure. |
| **Date by which application for Development Permission must be submitted (subject to Phasing Schedule where applicable):** | 18 months from the Commencement Date. |
| **Appendix containing spatial representation of the Consent Area:** | Appendix 1 |
| **Appendix containing Rehabilitation Schedule:** | Appendix 2<br>[To be attached to this Consent following the grant of Development Permission] |

1. **DEFINITIONS**

1.1 In this Consent, the terms are as defined in the Act as applicable unless otherwise stated here.

(a) **"Act"** means the Maritime Area Planning Act 2021 as amended.

(b) "**Business Day**" means a day that is not a Saturday, Sunday or a bank or public holiday in a place where an act is to be performed or a payment is to be made.

(c) **"Change of Control**" means the sale or transfer of twenty percent or more of the shares or voting rights in respect of the Holder or a Supporting Entity of the Holder excluding a listed company with a market capitalisation of more than €100 million Euro.

(d) "**Commencement Date**" means the date identified as the Commencement Date on the Particulars Schedule.

(e) **"Consent"** means this maritime area consent and any part, schedule or appendix to it, as may be amended in accordance with the Act and the terms hereof.

(f) **"Consent Area**" means the geographical area identified as the Consent Area in Appendix 1.

(g) **"Development Permission**" has the meaning ascribed to it in the Act, and, where the context requires, means any development permission granted for the Permitted Maritime Usage.

(h) "**Encumber**" means the placing of a charge, mortgage, lien or other burden on all or part of the Consent Area to include lodging this Consent with anyone as collateral for loans and Encumbrance shall be construed accordingly.

(i) "**Euro**" means the single currency of participating member states of the European Union or such replacement equivalent currency thereof.

(j) "**Force Majeure**" means an event or circumstance or a combination of events and/or circumstances not within the reasonable control of a party which has the effect of delaying or preventing that party from complying with its obligations under this Consent, the Act, or the Planning and Development Act 2000, as amended, including:

(i) acts of terrorists or protesters;

(ii) war declared or undeclared, blockade, revolution, riot, insurrection, civil commotion, invasion or armed conflict;

(iii) sabotage, acts of vandalism, criminal damage or the threat of such acts;

(iv) plague, epidemic, pandemic (excluding COVID-19 or any related strains);

(v) extreme weather or environmental conditions including lightning, fire, landslide, accumulation of snow or ice, meteorites or volcanic eruption or other natural disasters, measured by reference to local meteorological records published by Met Éireann over the previous ten years;

(vi) the occurrence of radioactive or chemical contamination or ionizing radiation, explosion including nuclear explosion, pressure waves caused by aircraft or other aerial devices travelling at supersonic speeds and impact by aircraft or other vehicles;

(vii) any strike or other industrial action which is part of a labour dispute of a national or industry wide character occurring in Ireland;

(viii) the act or omission of any contractor or supplier of a party, provided that the act or omission was due to an event which would have been an event of Force Majeure had the contractor or supplier been a party to this Consent;

(ix) the unavailability of essential infrastructure or services required to comply with obligations pursuant to this Consent, other than due to an act or omission of the Holder;

provided that Force Majeure shall not include:

a) lack of funds and/or the inability of a party to pay;

b) mechanical or electrical breakdown or failure of machinery, plant or other facilities owned or utilized by any party other than as a result of the circumstances identified in sub-clauses (i) to (ix), above; or

c) any strike or industrial action not falling within sub-clause (vii) above.

(k) "**The Grantor**" means the Maritime Area Regulatory Authority, save where the

context otherwise requires.

(l) "**The Insured Risks**" means any or all of the following risks: fire, storm, flood, earthquake, lightning, explosion, riot, civil commotion, labour disturbance and malicious damage or impact of any vehicle, airborne aircraft, vessel or floating object, or anything or part fallen from same and such other risks as the Grantor may in his absolute discretion from time to time reasonably determine.

(m) **"Law**" means any Act of the Oireachtas, regulation, statutory instrument, European Community obligation, direction of a regulatory or other competent authority, condition of any consent, authorization, licence or other permission granted by any regulatory or other competent authority and any decision of a court of competent jurisdiction, but does not include this Consent.

(n) **"Levy"** means the annual sum specified by the Grantor pursuant to condition 8 and payable by the Holder in accordance with the provisions thereof.

(o) **"Particulars Schedule"** means the Schedule of information on the third page of this Consent.

(p) **"The Permitted Maritime Usage"** means the maritime usage identified as the Permitted Maritime Usage in the Particulars Schedule together with all ancillary activities reasonably necessary thereto.

(q) **"Phasing Schedule"** means the schedule describing the phases of the Permitted Maritime Usage and appended to this Consent in the Appendix identified as such in the Particulars Schedule.

(r) **"The Public Engagement Plan**" means the plan that may be requested by the Grantor pursuant to condition 10

(s) **"Supporting Entity"** means the entity that has provided and continues to have in place a guarantee in favour of the Grantor guaranteeing the Holder's financial commitments or obligations under this Consent as specified in the guarantee.

(t) "**Term**" means the period of time identified as the Term in the Particulars Schedule commencing on the Commencement Date, subject to the provisions in this Consent and the Act for termination prior to the expiry of the Term, in which case the Term shall mean the Term up to the date of such determination and expressions such as the last year of the Term shall be construed accordingly.

## 2. INTERPRETATION

2.1 Where two or more persons are included in the expression “the Holder”, such expressions include all or either or any of such persons and the covenants which are expressed to be made by the Holder shall be deemed to be made by or with such persons jointly and severally.

2.2 Unless the context otherwise requires:

(i) words importing a person include any unincorporated association or corporate body and vice versa;

(ii) any reference to the masculine gender includes reference to the feminine gender and any reference to the neuter gender includes the masculine and feminine genders;

(iii) any reference to the singular includes reference to the plural.

2.3 Any covenant in this Consent by the Holder not to do any act or thing includes an obligation not to permit or suffer such act or thing to be done and to use best endeavours to prevent such act or thing being done by another person.

2.4 To the extent that there is a conflict between this Consent and the applicable provisions of the Act, the interpretation of the Act shall prevail.

2.5 Any reference to a statute (whether specifically named or not) or to any sections or sub-sections therein includes any amendments or re-enactments thereof for the time being in force and all statutory instruments, orders, notices, regulations, directions, bye-laws, certificates, permissions and plans for the time being made, issued or given there-under or deriving validity there-from.

2.6 Headings are inserted for convenience only and do not affect the construction or interpretation of this Consent.

2.7 Any reference to a condition, clause, sub-clause or schedule means a condition, clause, sub-clause or schedule of this Consent unless expressly stated otherwise.

2.8 References to “month” or “months” mean a calendar month or months.

## 3. GRANT OF CONSENT

3.1 This Consent is granted by the Grantor to the Holder pursuant to section 81(1)(a) of the Act.

3.2 The rights and entitlements conferred by this Consent shall (subject to condition 4) endure for the Term.

3.2.1 The Term of this Consent in respect of Consent Area shall be as specified in the Particulars Schedule beginning on the Commencement Date.

3.3 This Consent is subject to the terms and conditions contained herein and in the Act.

3.4 This Consent permits the Holder, subject to the conditions otherwise herein contained:

(a) To occupy the Consent Area for the purpose of carrying out the Permitted Maritime Usage, strictly in accordance with the conditions attached to this Consent and the requirements of the Act.

(b) To use of the Consent Area on a non-exclusive basis for the purpose of carrying out the Permitted Maritime Usage, strictly in accordance with the conditions attached to this Consent and the requirements of the Act, except where use on an exclusive basis is required and provided for under another authorisation or enactment.

(c) The right of the Holder to occupy the Consent Area shall endure only for the Term and is subject to condition 3.2 above.

3.5 This Consent does not confer on the Holder any estate or proprietary interest in the Consent Area or any other part of the maritime area and for the avoidance of doubt the Grantor and/or the State may at any stage during the Term grant maritime area consents, licences and other authorisations of any kind in respect of the Consent Area for any other maritime usages.

3.6 For the avoidance of doubt, this Consent is not a development consent, development permission or planning permission and does not operate to relieve the Holder of any legal obligation to obtain development consent, development

permission or planning permission to carry out any development on the Consent Area or any other part of the maritime area.

## 4. COMMENCEMENT OF THE RIGHT OF OCCUPATION

4.1 Notwithstanding the Term Commencement Date, the Holder shall not obtain any right to occupy the Consent Area pursuant to condition 3.4 and shall not commence any works, activities or operations associated with the Permitted Maritime Usage in the Consent Area unless and until:

(a) the Holder has obtained Development Permission for the Permitted Maritime Usage (being Development Permission that is consistent with this Consent as in force from time to time);

and

(b) the Holder has obtained all other authorisations (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) required under any other enactment in order to enable the Holder to commence the Permitted Maritime Usage.

4.2 In the event Development Permission is being sought in phases relating to parts only of the Consent Area, a right to occupy shall not arise in respect of any part of the Consent Area concerned until the Holder has complied with conditions 4.1 in respect of that part

4.3 The provisions of this condition 4 shall not operate to waive or postpone the performance of any other obligations of the Holder under this Consent.

## 5. REQUIREMENT FOR DEVELOPMENT PERMISSION

5.1 The Holder shall submit an application for Development Permission relating to the Permitted Maritime Usage the subject of this Consent on or before the date set out in the Particulars Schedule. This date may be extended on request in writing by the Holder and provided the Grantor is satisfied that there are reasonable grounds for doing so and the extension does not constitute a material amendment to this Consent. The application for Development Permission shall have attached to it a Rehabilitation Schedule, within the meaning of section 95 of the Act.

5.2 In the event that Development Permission for the Permitted Maritime Usage is

refused, or the required application is not made in accordance with the requirements of condition 5.1, the provisions of condition 23 and section 144 (1)(c)(ii) of the Act shall apply.

5.3 In the event that Development Permission for the Permitted Maritime Usage is granted, the following provisions shall apply:

(a) The Holder shall furnish the Grantor with a copy of the said Development Permission as soon as practicable after it has been granted.

(b) The Holder shall give the Grantor a copy of any material alteration to the Development Permission as soon as practicable after the alteration has been made.

(c) If there is an irreconciliation between a provision of this Consent and a provision of the Development Permission for the Permitted Maritime Usage, the provisions of this Consent shall be deemed to be amended to the extent necessary to remove that irreconciliation in favour of the Development Permission in accordance with section 87 of the Act.

## 6. COMPLIANCE WITH DEVELOPMENT PERMISSION

6.1 The Holder shall comply with any Development Permission granted in respect of the Permitted Maritime Usage.

## 7. COMPLIANCE WITH THIS CONSENT AND APPLICABLE LAWS

7.1 The Holder shall not use the Consent Area for any purpose other than the Permitted Maritime Usage.

7.2 The Holder shall not carry out any works, activities or operations in the Consent Area other than those authorised by this Consent.

7.3 The Holder shall at all times comply with and ensure that all works, activities or operations associated with the Permitted Maritime Usage are in accordance with all applicable Laws and the terms and conditions of this Consent.

7.4 The Holder shall give MARA not less than 14 days advance notice in writing before the commencement of the works in the maritime area.

7.5 The Holder shall ensure that contractors, and their subcontractors, are made

aware of all conditions in this Consent and of the Development Permission.

8. **LEVY**

8.1 The Holder shall pay to the Grantor the Levy specified by the Grantor within one month from the Commencement Date and on every succeeding anniversary for the Term of this Consent.

8.2 The Levy is in accordance with the levy framework established by the Grantor pursuant to section 92 of the Act and is subject to review and amendment in accordance with same.

8.3 All payments by the Holder in connection with this Consent shall be made in accordance with the written instructions of the Grantor and shall be paid in full, without deduction or set off in respect of any amounts in dispute or any other amounts whatsoever.

8.4 If any amount which is payable under this Consent has not been paid on or before the date that payment is due, the Grantor is to be paid interest on the outstanding amount at the rate prescribed in accordance with section 169(2) of the Act or, if no such rate stands subscribed, at the rate of 2 per cent, such interest to be calculated from the date that payment was due until the date of actual repayment.

8.5 Without prejudice to all and any other remedies under this Consent, the Act and at Law, the Grantor may institute proceedings for recovery of any sum due and owing by the Holder to the Grantor in accordance with this Consent or the Act as a simple contract debt in any court of competent jurisdiction.

8.6 In exceptional circumstances, the Grantor may in its absolute discretion grant a moratorium on the payment of the Levy, subject to such conditions as may be imposed. Such moratorium may operate as a deferral or a waiver of the Levy but unless expressly stated to be a waiver, any such moratorium shall be a deferral only.

9. **OUTGOINGS**

9.1 In addition to its obligation to pay the Levy to the Grantor, the Holder shall pay and discharge to the proper recipient thereof:

(a) All rates, taxes, duties, charges, assessments, impositions and outgoings whatsoever charged, levied, assessed, imposed upon or payable by the Holder in respect of the Consent Area associated with the Permitted Maritime Usage.

(b) All costs associated with the Permitted Maritime Usage and the continued operation and use thereof including the cost of any work which the Grantor may have to do to facilitate any act or thing hereby authorised.

10. **PUBLIC ENGAGEMENT PLAN**

10.1 In the event of a grant of planning permission, the Holder shall 6 weeks prior to the commencement of the development, submit to the Grantor, a public and stakeholder engagement plan. This engagement plan shall ensure it complies with all the relevant planning particulars, and any relevant Best Practice Guidance if available, and shall at a minimum address the following topics:

- Stakeholder Identification;
- Engagement principles;
- Scope of engagement;
- Engagement methods and tools;
- Engagement Schedule;
- Communication Plan;
- Monitoring and evaluation and adaption of engagement plan;
- Issue management; and
- Documentation and record keeping.

The engagement plan shall be published, maintained, updated and adhered to, ensuring there is public and stakeholder engagement at the earliest stage possible, and continuing during all phases of the proposed maritime usage for the duration of the MAC Term.

10.2 Prior to the date by which the application for Development Permission must be submitted in accordance with the requirements of condition 5.1, the Holder shall consult with the holder of Foreshore Authorisation Ref FS006842 in order to ensure that any potential disruption to the Foreshore Authorisation Ref FS006842 is managed. Records of all engagements and consultations held and agreements reached, if any, shall be maintained by the Holder and made available to the Grantor if requested.

## 11. FIT AND PROPER PERSON

11.1 The Holder shall for the duration of the Term continue to be a fit and proper person within the meaning of Schedule 2 to the Act.

## 12. COLLATERAL AND FINANCING

12.1 The Holder shall not create, extend or permit to subsist any encumbrance or security or interest of any kind over this Consent or otherwise use it as security for any borrowings or other liability whatsoever, without the prior written consent of the Grantor to be granted or refused at the Grantor's sole discretion and subject to such terms and conditions as the Grantor may specify.

12.2 The Grantor at its sole discretion may at the request of the Holder, without any obligation to do so, consider amendments to this Consent, to facilitate the financing of the project.

## 13. SAMPLES AND INFORMATION

13.1 The Holder shall keep records and/or samples, relating to the Consent Area for any scientific purpose in accordance with Section 104 of the Act, on request from the Grantor.

## 14. CHANGE IN CIRCUMSTANCES

14.1 The Holder shall provide the Grantor with notice in writing of any material change of circumstances within the meaning of section 136 of the Act.

## 15. INDEMNITY

15.1 The Holder shall keep the Grantor, the State, and their officers, servants, visitors, agents and employees fully indemnified from and against all or any actions, proceedings, claims, demands, losses, costs, fees, expenses, damages, penalties and other liabilities:

(a) arising directly or indirectly from the undertaking of the Permitted Maritime Usage the subject of this Consent; and

(b) arising directly or indirectly from a failure by the Holder to comply with:

(i) any of the provisions of this Consent;

(ii) any provision of the Act relevant to this Consent; or

(iii) a provision of one or more than one condition attached, or deemed to be attached, to this Consent.

15.2 Without prejudice to the generality of the foregoing, the Holder shall make good all loss sustained by the Grantor in consequence of any breach by the Holder of any covenants or conditions herein.

15.3 The Holder warrants to the Grantor that it has made due enquires and is satisfied that there are no third party interests in the Consent Area and the Holder shall keep the Grantor, the State and their officers, servants, visitors, agents and employees fully indemnified from and against all or any actions proceedings, claims, demands, losses, costs, fees, expenses, damages, penalties and other liabilities arising directly or indirectly from the undertaking by the Holder (including its employees, contractors, subcontractors, servants, visitors, consultants, representatives and/or agents) of the Permitted Maritime Usage the subject of this Consent in the Consent Area.

16. **INSURANCE**

16.1 Without prejudice to the Holder's liability to indemnify the Grantor which shall be unlimited (and others as specified in condition 15), the Holder shall, prior to the commencement of occupation of the Consent Area:-

(a) insure and keep insured, in an insurance office licensed to operate in the State or which has received authorisation to operate in the State in accordance with Article 14 of Directive 2009/138/EC in the joint names of the Grantor and the Holder in the full reinstatement cost thereof or in the sum not less than the estimated maximum loss amount as determined by a suitably qualified and experienced independent consultant (to be approved from time to time by the Grantor or his surveyor and including an inflationary factor) the Consent Area and all structures and chattels thereon and the fixtures and fittings therein (if any) against loss or damage by the Insured Risks, including demolition and site clearance expenses, architects' and other fees and taxes in relation to the reinstatement of the Consent Area, and where available on the market such policy to include a non-invalidation clause acceptable to the Grantor (such joint policy or policies, if required, to contain a non-vitiation clause whereby subject to the terms, conditions, limitations of the policy or policies, any non-disclosure, mistake or misrepresentation of a

material fact by the Holder gives sufficient reason for the insurer to prove the insurance policy to be void, the Grantor will not be denied the protection of the policy);

(b) effect and keep in force a public liability insurance policy of indemnity in the joint names of the Grantor and Holder in an insurance office licensed to operate in the State with a limit of €6,500,000 (six million and five hundred Euro) (or such increased amount as the Grantor may from time to time reasonably determine) in respect of any one claim or a series of claims arising out of a single occurrence (except for pollution and products liability cover which may be on an annual aggregate basis if unavailable on a single occurrence basis) for any damage, loss or injury which the Grantor or Holder may be legally liable for which may occur to any property (not being the property of the Grantor or the Holder) or to any person by or arising out of the Permitted Maritime Usage and exercise of the rights granted in this Consent;

(c) effect and keep in force an employer's liability insurance policy of indemnity in the name of the Holder in an insurance office licensed to operate in the State with a limit of €13,000,000.00 (thirteen million Euro) for any one claim or a series of claims arising out of a single occurrence. This policy should include an indemnity to principles clause with a specific indemnity to the Grantor;

(d) in the event that the Consent Area or any part thereof, shall be damaged by any of the Insured Risks, then and as often as shall happen, apply all monies received in respect of such insurance as aforesaid as soon as practicable in or upon reinstating the Consent Area in a good and substantial manner and in the event that such monies shall be insufficient for the said purpose, to make good the deficiency;

(e) whenever required to do so by the Grantor, produce to the Grantor for inspection evidence of insurances, including certificates together with evidence of payment for renewal of the said policy or policies together with evidence of waiver of subrogation rights against the Grantor by the Holder's insurers, and to comply with all conditions pertaining to any such policy or policies;

(f) not do or omit to do anything which might cause any policy of insurance (if required) relating to the Consent Area or any other part of the maritime area affected by the Permitted Maritime Usage to become void or voidable, wholly or in

part, nor (unless the Holder has previously notified the Grantor and the Holder has agreed to pay the increased premium) to do anything whereby any abnormal or loaded premium may become payable;

(g) as soon as reasonably practicable notify the Grantor in writing of the making of any claim under any policy of insurance which is required to be held in connection with this Consent and to provide the Grantor with all information in relation to any such claim;

(h) ensure that any contractors, servants or agents of the Holder engaged in connection with activities in the Consent Area or otherwise in connection with this Consent have appropriate insurance and that evidence of such insurance policies shall be provided to the Grantor as soon as is reasonably practicable;

16.2 Where the Grantor deems that the limit of the public liability insurance policy in 16.1(b) should be increased having regard to changes in circumstances (including but not limited to inflation, increased costs and changes in the value of money) then the Grantor may notify the Holder of the required increase, and the Holder shall increase the relevant policy limit within 90 Business Days of the receipt of such notification subject to any extension as may be permitted by the Grantor following a written request by the Holder.

## 17. INSPECTION AND INVESTIGATIONS

17.1 The Grantor may conduct or cause to be conducted such investigations, inspections and enquiries in connection with this Consent as it sees fit including requiring the submission of electronic and/or paper records to MARA for the purposes of inspection (including periodic inspections).

17.2 Without prejudice to the generality of condition 17.1, and to all other rights of the Grantor to enter upon the Consent Area, the Grantor shall have the right to:

(a) enter the Consent Area for the purposes of enabling the Grantor to carry out inspections (including periodic inspections) for the purposes of ascertaining whether or not there has been a contravention of a provision of this Consent, the Act, or one or more conditions attached or deemed to be attached to this Consent.

or

(b) enter the Consent Area if the Grantor has reason to believe that the Holder has contravened –

(i) a provision of this Consent,

(ii) a provision of the Act; or

(iii) a provision of one or more conditions attached, or deemed to be attached, to this Consent,

17.3 The Holder shall cooperate and assist the Grantor in the Grantor's performance of its functions under and in relation to this Consent and the Act.

17.4 The Holder acknowledges and agrees that, unless the contrary intention is expressed, any investigation, inspection or enquiry undertaken pursuant to this Consent is without prejudice to the Holder's rights and obligations under this Consent, the Act or at Law and no failure or delay in taking any action arising from such investigation, inspection or enquiry shall amount to a waiver of any such rights or relieve the Holder from any such obligations; and does not amount to an acknowledgement by the Grantor, or any officer, servant or agent of the Grantor, that the Holder has complied with or is in compliance with this Consent, the Act or Law in relation to any matters to which the investigation, inspection or enquiry relates.

## 18. ENFORCEMENT

18.1 Without prejudice to any other remedies available pursuant to this Consent and at law, any breach of this Consent or the Act may lead to the Grantor taking enforcement action pursuant to Part 6 of the Act. Such enforcement action may include the imposition of sanctions on the Holder including termination, revocation and suspension.

## 19. REHABILITATION

19.1 The Holder shall before the expiration of this Consent, rehabilitate the Consent Area, and any other part of the maritime area, adversely affected by the Permitted Maritime Usage in accordance with the requirements of the Rehabilitation Schedule to be attached to this Consent following the grant of Development Permission (as may be amended in accordance with the requirements of this Consent).

19.2 This obligation does not relieve the Holder from any obligation to apply for or obtain any other authorisations (whether the authorisation takes the form of the grant of a licence, consent, approval or any other authorisation) required under the Act or any other enactment in order to enable that Holder to discharge that obligation.

19.3 The Holder shall comply with any notice given by the Grantor pursuant to Section 97 of the Act requiring the Holder to make an application within the period set out in the notice for development permission to amend or replace the Rehabilitation Schedule to take account of the matters set out in the notice.

19.4 Notwithstanding termination or revocation of this Consent pursuant to this Consent or the Act, the Holder must continue to comply with the obligations under this condition 19 and section 96 of the Act to the extent as agreed by the Grantor in all the circumstances of the case.

20. **REHABILITATION BOND**

20.1 The provisions of this condition 20 are subject to the requirements of any Development Permission authorising the Permitted Maritime Usage and section 87 of the Act shall apply to any irreconciliation arising.

20.2 Not later than 5 years before the expiration of this consent or such earlier date as the Grantor shall in its sole discretion determine, the Holder shall establish an account with an account bank nominated by the Holder and approved by the Grantor (the "Secured Account") into which certain payments are made in such amounts as required by the Grantor based on its assessment of the rehabilitation costs attributable to the Consent Area. The Secured Account will be subject to:

(a) a first ranking charge in favour of the Grantor;

(b) any other security required by the Grantor; and

(c) will contain funds sufficient to:

(i) Ensure the proper performance of the Holder's obligations pursuant to condition 19 and Chapter 8 of Part 4 of the Act in relation to the rehabilitation of the Consent Area and if necessary any other part of the maritime area adversely affected by the Permitted Maritime Usage, as may be determined by, and to the satisfaction of, the Grantor; and

(ii) Cover any other liabilities which may be incurred in relation to any

rehabilitation whether pursuant to this Consent or otherwise.

20.3 The following provisions apply to determining the amount of the funds to be deposited in the Secured Account:

(a) The amount of the funds required must at all times be acceptable to the Grantor;

(b) The Holder shall make and complete such deposits to the Secured Account in euro (€) as are required to ensure that, at any given time, there is standing to the credit of the Secured Account (in cleared funds) an amount equal to, or greater than, the amount (if any) as determined by the Grantor based on its assessment of the rehabilitation costs attributable to the Consent Area. The amount will be agreed by the Grantor having regard to the estimated costs of rehabilitation from time to time;

(c) The estimated costs of rehabilitating the relevant parts of the Consent Area and if necessary, any other part of the maritime area, adversely affected by the Permitted Maritime Usage and any other liabilities which the Grantor reasonably considers may be incurred by the Holder of this Consent or otherwise.

20.4 The right to demand under a rehabilitation financial provision is without prejudice to any other remedies available to the Grantor under this Consent or at Law.

20.5 The Holder shall deliver a certificate of completion of rehabilitation by an appropriate expert that confirms that rehabilitation has been completed in accordance with the Rehabilitation Schedule. Following receipt of this certificate the Grantor may carry out an inspection to determine if rehabilitation has been completed in accordance with the Rehabilitation Schedule. When the Grantor is satisfied that rehabilitation has been completed in accordance with the Rehabilitation Schedule, the Grantor shall execute a deed of release of its security over the Secured Account.

## 21. AMENDMENTS TO THIS CONSENT

21.1 Section 86 of the Act shall apply to any application to amend this Consent (other than a deemed amendment pursuant to Section 87 of the Act).

## 22. SURRENDER

22.1 Sections 88 and 89 of the Act shall apply to any application by the Holder to surrender this Consent.

## 23. AUTOMATIC TERMINATION

23.1 Without prejudice to any other remedies available pursuant to this Consent and at Law, this Consent shall terminate immediately upon the occurrence of any of the events provided for in section 144(1) of the Act.

## 24. TERMINATION FOR BREACH

24.1 Without prejudice to any other remedies available pursuant to this Consent and at Law, the Grantor may terminate this Consent for breach in accordance with section 144A of the Act.

## 25. ASSIGNMENT

25.1 Where the Holder wishes to assign the benefit of this Consent to another entity, it shall make a joint application to the Grantor in accordance with section 85 of the Act for consent in writing to the assignment and, in the case of such application, all parts of the Act applicable to a Maritime Area Consent application and its determination under the Act, shall, with all necessary modifications, apply accordingly.

25.2 Condition 25.1 above shall not apply to any assignment which is within a class of assignments specified by the Minister by regulations in accordance with section 85(2A) of the Act as an assignment to which section 85(2) of the Act does not apply. The procedures or requirements that will apply to an application by the Holder or the proposed assignee, or both of them, to the Grantor for consent to an assignment which falls within such a class shall be specified by regulations.

25.3 Any assignment of this Consent purporting to be effected without the consent referred to in 25.1, or otherwise than in compliance with regulations made under section 85(2A) of the Act and condition 25.2 above, shall be void.

25.4 A Change of Control shall constitute a material breach of this Consent unless the provisions in condition 25.5 are complied with by the Holder and consent in writing is given by the Grantor.

25.5 In the event of a prospective Change of Control, the Holder shall, prior to any Change of Control becoming effective, make an application to the Grantor for consent in writing to the Change of Control and the provisions of Section 85 of the Act with all necessary modifications shall apply to the process of seeking and granting such consent as if the Holder as controlled after the prospective Change of Control was the 'proposed assignee' as provided for therein.

## 26. JOINT AND SEVERAL OBLIGATIONS

26.1 Save where otherwise specified, any obligations of the Holder under this Consent are joint and several obligations.

## 27. FORCE MAJEURE

27.1 Except as otherwise provided by this Consent, where any party or parties are rendered wholly or partially incapable of performing all or any of their obligations under this Consent, the Act, or the Planning and Development Act 2000, as amended, by reason of Force Majeure:

(d) as soon as is reasonably practicable, the party affected by Force Majeure shall notify the other party, identifying the nature of the event, its expected duration and the particular obligations affected and shall furnish reports at such intervals reasonably requested by the other party during the period of Force Majeure;

(e) this Consent shall remain in effect but that party's obligations, except for an obligation to make payment of money, and the corresponding obligations of the other party, shall be suspended, provided that the suspension shall be of no greater scope and no longer duration than is required by the Force Majeure;

(f) subject to full compliance with this condition 27, during suspension of any obligation pursuant to sub clause (b), the relevant party or parties shall not be treated as being in breach of that obligation;

(g) the party affected by the Force Majeure shall use all reasonable efforts to remedy its inability to perform all or any of its obligations under this Consent by reason of Force Majeure and to resume full performance of its obligations under this Consent as soon as is reasonably practicable;

(h) as soon as is reasonably practicable after notification of the Force Majeure, each party shall use all reasonable endeavours to consult with the other party as to how

best to give effect to their obligations under this Consent so far as is reasonably practicable during the period of the Force Majeure;

(i) upon cessation of a party's inability to perform all or any of its obligations under this Consent by reason of Force Majeure, that party shall notify the other party; and

(j) insofar as is possible, any party affected by an event of Force Majeure shall do all things reasonably practicable to mitigate the consequences of the Force Majeure.

27.2 Condition 27.1(d) shall not require the settlement of any strike, walk-out, lock-out or other labour dispute on terms which, in the sole judgement of the party involved in the dispute, are contrary to its interests.

## 28. EXERCISE OF RIGHTS

28.1 The Holder shall exercise this Consent in such a manner as not to cause damage or injury to the Consent Area (save for incidental damage caused in the completion of works in substantial compliance with the Development Permission), the Grantor, the occupants of the Consent Area and any other part of the maritime area affected by the Permitted Maritime Usage and to forthwith from time to time with due diligence repair and make compensation for any such damage or injury that may be so caused.

## 29. NOTICES

29.1 A notice that is required to be given under this Consent or in accordance with the Act shall be given in accordance with Section 170 of the Act.

## 30. RELATIONSHIP OF THE PARTIES

30.1 Nothing in this Consent may be interpreted or construed as creating any landlord and tenant relationship, any tenancy in or right to possession of or any right of easement over or in respect of the Consent Area or any other part of the maritime area affected by the Permitted Maritime Usage, or any agency, association, joint venture or partnership between the Grantor and the Holder.

30.2 Except as is expressly provided for in this Consent, nothing in this Consent grants any right, power or authority to any party to enter into any agreement or undertaking for, act on behalf of or otherwise bind any other party.

30.3 It is hereby certified for the purposes of Section 238 of the Companies Act 2014, as amended, that the Grantor is not a director or a person connected with a director of the Holder.

## 31. SEVERANCE

31.1 If any provision of this Consent is or becomes or is declared invalid, unenforceable or illegal by the courts of Ireland or by order of the relevant body of the European Union, that provision shall be severed and the remainder of this Consent shall remain in full force and effect.

31.2 The Holder shall comply with this Consent, as amended.

## 32. GOVERNING LAW AND JURISDICTION

32.1 This Consent and all other documents relating to it shall be governed by and construed only in accordance with the laws of Ireland.

32.2 The Holder hereby submits irrevocably to the exclusive jurisdiction of the courts of Ireland in respect of any dispute arising out of or in connection with this Consent.

32.3 This condition is for the benefit of the Grantor only. The Grantor shall not be prevented from taking proceedings against the Holder in any other courts with jurisdiction. To the extent allowed by law, the Grantor may take concurrent proceedings in any number of jurisdictions.

APPENDIX 1

THE CONSENT AREA

The Consent area is the part of the Maritime area as shown for identification purposes on the attached map titled “Maritime Area Consent MAP, MAC20240007” surrounded by a red line (Map reference drawing number MAC20240007-001).

Provided that the MAC Area shall not include any part of the maritime area that is privately-owned.

APPENDIX 2

REHABILITATION SCHEDULE

[To be attached to this Consent following the grant of Development Permission]

EXECUTION OF THE MARITIME AREA CONSENT

This Maritime Area Consent is executed by [redacted] on behalf of the Grantor who has been authorised to grant this Maritime Area Consent pursuant to Section 81(1)(a) of the Act.

Signed: [redacted] Date: 28/07/2025

Director of Maritime Authorisations
Maritime Area Regulatory Authority