



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

An Bord Pleanála,
64 Marlborough Street,
Dublin 1
D01 V902

02/10/2024

Dear Sir/Madam,

Kilkee Flood Relief Scheme

1. Introduction

Please find enclosed Clare County Council's (CCC) application, under Section 175 and Section 177AE of the Planning and Development Act, 2000 (As Amended) (hereafter referred to as "the Act") for approval of a proposed flood relief scheme in Kilkee, Co. Clare. Clare County Council (CCC), in conjunction with the Office of Public Works, are proposing the scheme for Kilkee to address the risk posed by fluvial flooding. Kilkee is susceptible to both coastal and fluvial flood risk. The proposed planning permission relates only to the construction of fluvial flood defence assets. A separate coastal scheme is being considered for Kilkee.

Accordingly, under Section 175 and Section 177AE of the Act, CCC considers that it is required to apply to the Board for approval and that the provisions of Part XAB shall apply.

In summary, the proposed development incorporates the following elements:

- A new embankment to the south of the Kilkee Bay Hotel.
- A diversion of the open channel to the south of the Kilkee Bay Hotel into the centre of the floodplain and the installation of a new headwall and inlet culvert under the new embankment.
- The increase in height of the existing boundary wall at the Dún an Óir Estate.
- A new embankment at the Sandpark Mobile Home and Caravan Park.
- The replacement of the existing debris screen at Kilkee Waterworld.
- The construction of two inlet manholes on an existing culvert at Meadow View Court.
- Upgrades to the existing Atlantic Stream culvert system at Moore Bay, including the installation of non-return valves.
- A new embankment to the west of Cunningham's Holiday Park and the installation of a new headwall and inlet culvert under the new embankment.
- A new reinforced concrete u-channel along the existing Well Stream alignment to the north of Cunningham's Holiday Park.
- The replacement of the existing Well Stream culvert at Crescent Place.
- The resurfacing and regrading of the Well Road, the junction of Well Road with Marine Parade and the junction of Geraldine Place with Marine Parade.
- New surface water pump stations at Well Road and Carrigaholt Road and associated infrastructure.

- New surface water drainage infrastructure at Well Road, Crescent Place, Victoria Park and Carrigaholt Road.
- New sluice gates at various locations along the Well Stream and Victoria Stream flood defences.
- The reconstruction of the Victoria Court boundary wall along the Victoria Stream.
- Repairs and replacement of the Victoria Stream left bank wall at Crescent Place.
- A new embankment to the west of Carrigaholt Road.
- A new flood defence wall along the left bank of the existing Victoria Stream alignment from Victoria Park to Crescent Place.
- A diversion of the Victoria Stream to the centre of the floodplain to the west of Carrigaholt Road.
- The reconstruction of the Victoria Crescent boundary wall along the Victoria Stream.
- A new embankment to the north of Victoria Crescent.
- A new embankment to the southwest of Cunningham's Holiday Park.
- A diversion of the Western Tributary to the centre of the floodplain to the north of the Cluain na Mara estate and a new outlet culvert under the new embankment.
- The regrading of lands to the north of the Cluain na Mara estate and to the west of Cunningham's Holiday Park.
- The proposed works include for road reconstruction, road regrading, drainage works, tree felling, tree planting, landscaping and all associated ancillary works.

2. List of enclosed planning documents

The following documents are enclosed as part of this application:

- 3 copies of plans and particulars for the proposed scheme;
- 3 copies of the EIAR for the proposed scheme;
- 3 copies of the NIS for the proposed scheme;
- 1 no. soft copy of the above.

In addition, the following documents have been appended to this letter.

- Copy of the site notice published under 177(4)(a) of the Act;
- Copy of newspaper advertisements;
- Copies of letters to Prescribed Bodies;
- Receipt of payment to An Bord Pleanala;
- Confirmation of upload to EIA Portal; and
- Pre-planning letter submitted to ABP from CCC.

3. List of Prescribed Bodies

The prescribed authorities shall be the same as those prescribed for the purposes of section 175(4) of the Act as set out in Article 121. These are listed hereunder. Where N/A is noted, this body was deemed not relevant to the proposed submission and thus was not included in the distribution list. The bodies that did receive a copy of the planning submission are noted in bold.

(1) The prescribed authorities for the purposes of section 175(4) of the Act shall be—

(a) where it appears to the authority that the land or structure is situated in an area of special amenity, whether or not an order in respect of that area has been confirmed under section 203 (or deemed to be so confirmed under section 268(1)(c)) of the Act, or that the development or retention of the structure might obstruct any view or prospect of special amenity value or special interest — **to An Chomhairle Ealaíon, Fáilte Ireland, and An Taisce — the National Trust for Ireland,**

(b) where it appears to the authority that the development might obstruct or detract from the value of any tourist amenity or tourist amenity works — **to Fáilte Ireland,**

(c) where it appears to the authority that the development—

(i) would involve the carrying out of works to a protected structure or proposed protected structure, or to the exterior of a structure which is located within an architectural conservation area,

(ii) might detract from the appearance of a structure referred to in sub-paragraph (i),

(iii) might affect or be unduly close to— (I) a cave, site, feature or other object of archaeological, geological, scientific, ecological or historical interest, (II) a monument or place recorded under section 12 of the National Monuments (Amendment) Act 1994 (No. 17 of 1994), (III) a historic monument or archaeological area entered in the Register of Historic Monuments under section 5 of the National Monuments (Amendment) Act 1987 (No. 17 of 1987), (IV) a national monument in the ownership or guardianship of the Minister under the National Monuments Acts 1930 to 2004, or (iv) might obstruct any scheme for improvement of the surroundings of, or any means of access to, any structure, place, feature or object referred to in sub-paragraph (iii),

— **to the Minister for Housing, Local Government and Heritage, the Heritage Council, and An Taisce — the National Trust for Ireland, and in the case of development of a type referred to in sub-paragraph (i) or (ii), An Chomhairle Ealaíon and Fáilte Ireland,**

(d) where it appears to the authority that the area of another local authority might be affected by the development — to that local authority, - **N/A**

(e) where it appears to the authority that the development would not be consistent with or would materially contravene any regional planning guidelines (or any objective thereof) of a regional authority — to that regional authority, - **N/A**

(f) where it appears to the authority that if permission were granted, a condition should be attached under section 34 (4)(m) of the Act — to any local authority (other than the planning authority) who would be affected by any such condition, - **N/A**

(g) where it appears to the authority that—

(i) the development might cause the significant abstraction or addition of water either to or from surface or ground waters, whether naturally occurring or artificial,

(ii) the development might give rise to significant discharges of polluting matters or other materials to such waters or be likely to cause serious water pollution or the danger of such pollution, or

(iii) the development would involve the carrying out of works in, over, along or adjacent to the banks of such waters, or to any structure in, over or along the banks of such waters, which might materially affect the waters,

— **to the appropriate Regional Fisheries Board and, in any case where the waters concerned are listed in Part 1 of Annex 1 of the Schedule to the British-Irish Agreement Act, 1999 (No. 1 of 1999), to Waterways Ireland,**

(h) where it appears to the authority that the development might endanger or interfere with the safety of, or the safe and efficient navigation of aircraft — to the Irish Aviation Authority, - **N/A**

(i) where it appears to the authority that the development might interfere with the operation and development of a licensed airport, whose annual traffic is not less than 1 million passenger movements — to the airport operator, - **N/A**

(j) where the development may have an impact on bus or rail-based transport, to **Córas Iompair Éireann and the Railway Procurement Agency**, as appropriate,

(k) where it appears to the authority that—

(i) the development consists of or comprises the formation, laying out or material widening of an access to a national road within the meaning of section 2 of the Roads Act 1993 (No. 14 of 1993), not being a national road within a built-up area within the meaning of section 45 of the Road Traffic Act 1961, or

(ii) the development might give rise to a significant increase in the volume of traffic using a national road,— **to the National Roads Authority,**

(l) where the development might significantly impact on surface transport in the Greater Dublin Area, the Dublin Transportation Office (or any body that replaces that office), - **N/A**

(m) where the development comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence — to the Environmental Protection Agency, - **N/A**

(n) where it appears to the authority that the development might have significant effects in relation to nature conservation — **to the Heritage Council, the Minister for**

Housing, Local Government and Heritage, and An Taisce — the National Trust for Ireland,

(o) where the development is in a Gaeltacht area and it appears to the authority that it might materially affect the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language — to the Minister for Community, Rural and Gaeltacht Affairs and Údarás na Gaeltachta. – **N/A**

(p) where the development is in the vicinity of an explosives factory, storage magazine or local authority explosives store — to the Minister for Justice, Equality and Law Reform, - **N/A**

(q) where it appears to the authority that the development might have significant effects on public health — to the **Health Service Executive,**

(r) where the application relates to extraction of minerals within the meaning of the Minerals Development Acts, 1940 to 1995 — to the Minister for Communications, Marine and Natural Resources, - **N/A**

(s) where it appears to the authority that the development might impact on the foreshore — to the **Minister for Communications, Marine and Natural Resources,**

(t) where the development might—

(i) give rise to a significant increase in the volume or type of traffic (including construction traffic) passing under a height restricted railway bridge, or using a railway level crossing, or a bridge over a railway,

(ii) because of its proximity to a railway, impact on the structural integrity of railway infrastructure during construction of the development, or

(iii) endanger or interfere with the safe operation of a railway, during or after construction,

— to the railway operator, the Railway Safety Commission, and, in the case of development which might impact on a light railway or metro, the Railway Procurement Agency, - **N/A**

(u) where the application relates to—

(i) the extraction of minerals, other than minerals within the meaning of the Minerals Development Acts 1940-1999, whether by surface or underground means,

(ii) the development of, or extensions to, quarries, including sand or gravel pits, for the extraction of earth materials, or

(iii) a development which, for other purposes, requires the excavation of earth materials greater than a total volume of 50,000m³ or the excavation of earth materials on a site area greater than 1 hectare,

- to the Minister for Communications, Marine and Natural Resources. - **N/A**

(v) where it appears to the authority that the development might impact on the provision of public water services — to **Irish Water**.

4. Environmental Impact Assessment Report (EIAR)

Under Under Part 2 (10)(f)(ii) of Schedule 5 of the Planning and Development Regulations, 2001 (As Amended), the proposed scheme has exceeded two of the three thresholds, therefore, the requirement for an EIAR has been automatically triggered for the proposed development. An Environmental Impact Assessment Report (EIAR) has been prepared as part of the application in respect of the proposed development.

5. Natura Impact Statement (NIS)

Given the presence of surface water and air pathways and the potential impacts posed by the proposed scheme on the Kilkee Reefs SAC, it is concluded that it is not possible to rule out (screen out) likely significant impacts on this Natura 2000 site. Therefore, the FRS has been brought forward to the second stage of the Appropriate Assessment process, that being the preparation of a NIS. A Natura Impact Statement (NIS) has been prepared as part of the application in respect of the proposed development.

6. Advertising

A notice was published in the listed newspapers below on the 26/09/2024. This notice is appended to this letter.

- Irish Independent
- Irish Examiner
- Limerick Leader
- Clare Champion
- Clare Echo

7. Land acquisition

It should be noted that whilst Clare County Council holds title to a considerable extent of land within the boundary of the proposed development, the remaining lands are within third party ownership. The Council has been engaging with the relevant third party landowners over the past 12 months, regarding details of the proposed development and issues relating to land acquisition. Whilst these discussions are continuing, it is likely that the Council will bring forward an application to An Bord Pleanála for the Compulsory Purchase of Land in connection with the proposed development at a later date.

8. Section 50 (Arterial Drainage Act, 1945) Applications

It is noted that Section 50 applications have not been included in the document pack. Engagement with the Office of Public Works (OPW) has commenced with respect to these applications.

9. Payment

A payment of €30,000 has been made by electronic transfer to An Bord Pleanála (with the accompanying reference 30709999).

Should you require any further information, please do not hesitate to contact the undersigned below.

Yours faithfully



Stephen Lahiffe
Senior Executive Engineer

Appendix A – Letters to Prescribed Bodies



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

An Taisce
Tailors' Hall
Back Lane
Dublin 8

2nd October 2024

Re: Planning Referral
Section 175 and 177AE of the planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended, Clare County Council proposes to seek approval from An Bord Pleanála for the following proposed development:

Kilkee Flood Relief Scheme

Dear Sir/Madam,

An **Environmental Impact Assessment Report (EIAR)** and a **Natura Impact Statement (NIS)** have been prepared in respect of the proposed development. The application plans and particulars, the EIAR and NIS are attached in hard copy.

Submissions or observations may be made in writing only to An Bord Pleanála ('the Board') 64 Marlborough Street, Dublin 1, D01 V902 in respect of:

- (I) The implications of the proposed development for proper planning and sustainable development in the area concerned, and
- (II) The likely effects on the environment of the proposed development, if carried out, and
- (III) The likely significant effects of the proposed development on a European site, if carried out.

Any submissions / observations must be received by the Board not later than 5.00 p.m. on **15th November 2024**. Such submissions or observations must include the following information:

1. 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,
2. The subject matter of the submission or observation, and
3. The reasons, considerations and arguments on which the submission or observation is based in full.

Yours Sincerely,

Stephen Lahiffe
Senior Executive Engineer

Oifig Bainistíochta Tionscadail
An Stiúthóireacht Forbairt Fhisiceach

Margadh an Ime, Bóthar Dhrom Bigil, Inis, Co. Chláir, V95RR72

Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

The Arts Council
70 Merrion Square
Dublin 2
D02 NY52

2nd October 2024

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Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

CIÉ
Heuston Station,
Dublin 8

2nd October 2024

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Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggie Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Minister's Office
Department of Housing, Local Government and Heritage
Custom House,
Dublin,
D01 W6X0

2nd October 2024

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Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Fáilte Ireland
88 – 95 Amiens Street,
Dublin 1,
D01 WR86

2nd October 2024

Re: Planning Referral

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Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggie Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

The Heritage Council
Áras na hOidhreachta
Church Lane
Kilkenny
R95 X26

2nd October 2024

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Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Environmental Health and Emergency Planning
Health Service Executive
Oak House, Lime Tree Avenue
Millennium Park,
Naas,
Co. Kildare

2nd October 2024

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Physical Development Directorate

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



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CONTAE AN CHLÁIR | COUNTY COUNCIL

Inland Fisheries Ireland
Ashbourne Business Park,
Dock Road,
Limerick,
V94 NPEO

2nd October 2024

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Buttermarket Building, Drumbiggie Road, Ennis, Co. Clare, V95RR72



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CONTAE AN CHLÁIR | COUNTY COUNCIL

Uisce Éireann
Planning Referrals
Colvill House
24-26 Talbot Street
Mountjoy
Dublin

2nd October 2024

Re: Planning Referral

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

Yours Sincerely,

Stephen Lahiffe
Senior Executive Engineer

Oifig Bainistíochta Tionscadail
An Stiúthóireacht Forbairt Fhisiceach

Margadh an Ime, Bóthar Dhrom Bigil, Inis, Co. Chláir, V95RR72

Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Waterways Ireland
2 Sligo Road
Enniskillen,
Fermanagh,
BT74 7JY

2nd October 2024

Re: Planning Referral
Section 175 and 177AE of the planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended, Clare County Council proposes to seek approval from An Bord Pleanála for the following proposed development:

Kilkee Flood Relief Scheme

Dear Sir/Madam,

An **Environmental Impact Assessment Report (EIAR)** and a **Natura Impact Statement (NIS)** have been prepared in respect of the proposed development. The application plans and particulars, the EIAR and NIS are attached in hard copy.

Submissions or observations may be made in writing only to An Bord Pleanála ("the Board") 64 Marlborough Street, Dublin 1, D01 V902 in respect of:

- (I) The implications of the proposed development for proper planning and sustainable development in the area concerned, and
- (II) The likely effects on the environment of the proposed development, if carried out, and
- (III) The likely significant effects of the proposed development on a European site, if carried out.

Any submissions / observations must be received by the Board not later than 5.00 p.m. on **15th November 2024**. Such submissions or observations must include the following information:

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Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Minister's Office
Department of Environment, Climate and Communications,
Tom Johnson House,
Haddington Road,
Dublin,
D01 W6X0

2nd October 2024

Re: Planning Referral

Section 175 and 177AE of the planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended, Clare County Council proposes to seek approval from An Bord Pleanála for the following proposed development:

Kilkee Flood Relief Scheme

Dear Sir/Madam,

An **Environmental Impact Assessment Report (EIAR)** and a **Natura Impact Statement (NIS)** have been prepared in respect of the proposed development. The application plans and particulars, the EIAR and NIS are attached in hard copy.

Submissions or observations may be made in writing only to An Bord Pleanála ('the Board') 64 Marlborough Street, Dublin 1, D01 V902 in respect of:

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

Yours Sincerely,

Stephen Lahiffe
Senior Executive Engineer

Oifig Bainistíochta Tionscadail
An Stiúirthóireacht Forbairt Fhisiceach

Margadh an Ime, Bóthar Dhrom Bigil, Inis, Co. Chláir, V95RR72

Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Transport Infrastructure Ireland
Parkgate Business Centre,
Parkgate Street,
Dublin 8,
D08 DK10

2nd October 2024

Re: Planning Referral
Section 175 and 177AE of the planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended, Clare County Council proposes to seek approval from An Bord Pleanála for the following proposed development:

Kilkee Flood Relief Scheme

Dear Sir/Madam,

An **Environmental Impact Assessment Report (EIAR)** and a **Natura Impact Statement (NIS)** have been prepared in respect of the proposed development. The application plans and particulars, the EIAR and NIS are attached in hard copy.

Submissions or observations may be made in writing only to An Bord Pleanála ("the Board") 64 Marlborough Street, Dublin 1, D01 V902 in respect of:

- (I) The implications of the proposed development for proper planning and sustainable development in the area concerned, and
- (II) The likely effects on the environment of the proposed development, if carried out, and
- (III) The likely significant effects of the proposed development on a European site, if carried out.

Any submissions / observations must be received by the Board not later than 5.00 p.m. on **15th November 2024**. Such submissions or observations must include the following information:

1. 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,
2. The subject matter of the submission or observation, and
3. The reasons, considerations and arguments on which the submission or observation is based in full.

Yours Sincerely,

Stephen Lahiffe
Senior Executive Engineer

Oifig Bainistíochta Tionscadail
An Stiúirthóireacht Forbairt Fhisiceach

Margadh an Ime, Bóthar Dhrom Bigil, Inis, Co. Chláir, V95RR72

Project Management Office
Physical Development Directorate

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72

Appendix B – Copy of Site Notice

CLARE COUNTY COUNCIL

SITE NOTICE

PLANNING AND DEVELOPMENT ACT 2000 as amended
PLANNING AND DEVELOPMENT REGULATIONS 2001 as amended

NOTICE PURSUANT TO:

Section 175 and Section 177AE of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended

Clare County Council proposes to seek approval from An Bord Pleanála for the following proposed development:

Kilkee Flood Relief Scheme

The proposed development of fluvial flood defence assets comprises of the following: A new embankment to the south of the Kilkee Bay Hotel. A diversion of the open channel to the south of the Kilkee Bay Hotel into the centre of the floodplain and the installation of a new headwall and inlet culvert under the new embankment. The increase in height of the existing boundary wall at the Dún an Óir Estate. A new embankment at the Sandpark Mobile Home and Caravan Park. The replacement of the existing debris screen at Kilkee Waterworld. The construction of two inlet manholes on an existing culvert at Meadow View Court. Upgrades to the existing Atlantic Stream culvert system at Moore Bay, including the installation of non-return valves. A new embankment to the west of Cunningham's Holiday Park and the installation of a new headwall and inlet culvert under the new embankment. A new reinforced concrete u-channel along the existing Well Stream alignment to the north of Cunningham's Holiday Park. The replacement of the existing Well Stream culvert at Crescent Place. The resurfacing and regrading of the Well Road, the junction of Well Road with Marine Parade and the junction of Geraldine Place with Marine Parade. New surface water pump stations at Well Road and Carrigaholt Road and associated infrastructure. New surface water drainage infrastructure at Well Road, Crescent Place, Victoria Park and Carrigaholt Road. New sluice gates at various locations along the Well Stream and Victoria Stream flood defences. The reconstruction of the Victoria Court boundary wall along the Victoria Stream. Repairs and replacement of the Victoria Stream left bank wall at Crescent Place. A new embankment to the west of Carrigaholt Road. A new flood defence wall along the left bank of the existing Victoria Stream alignment from Victoria Park to Crescent Place. A diversion of the Victoria Stream to the centre of the floodplain to the west of Carrigaholt Road. The reconstruction of the Victoria Crescent boundary wall along the Victoria Stream. A new embankment to the north of Victoria Crescent. A new embankment to the southwest of Cunningham's Holiday Park. A diversion of the Western Tributary to the centre of the floodplain to the north of the Cluain na Mara estate and a new outlet culvert under the new embankment. The regrading of lands to the north of the Cluain na Mara estate and to the west of Cunningham's Holiday Park. The proposed works include for road reconstruction, road regrading, drainage works, tree felling, tree planting, landscaping and all associated ancillary works.

An **Environmental Impact Assessment Report (EIAR)** and a **Natura Impact Statement (NIS)** have been prepared as part of the application in respect of the proposed development.

The application for permission, including plans and particulars, EIAR and NIS, will be available for inspection free of charge, or may be purchased on payment of a specified fee (which shall not exceed the reasonable cost of making such a copy) during public opening hours (excluding Public Holidays) from 3rd October 2024 to 15th November 2024 (inclusive of both dates), at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902
- Clare County Council, Arás Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2
- Kilrush Civic Offices, Town Hall, Kilrush, County Clare V15 XK70
- Ennistymon Council Office, Ennis Road, Ennistymon, County Clare, V95 YX81

The application plans and particulars, the EIAR and NIS may also be viewed at or downloaded from the following website: www.pleanala.ie

Submissions or observations may be made in writing only to An Board Pleanála ('the Board'), 64 Marlborough Street, Dublin 1, D01 V902 in respect of:

- I. The implications of the proposed development for proper planning and sustainable development in the area concerned, and
- II. The likely effects on the environment of the proposed development, if carried out, and
- III. The likely significant effects of the proposed development on a European site, if carried out.

Any submissions / observations must be accompanied by a fee of **€50** (except for certain prescribed bodies) and must be received by the Board not later than 5.00 p.m. on 15th November 2024. Such submissions or observations must include the following information:

1. 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,
2. The subject matter of the submission or observation, and
3. The reasons, considerations and arguments on which the submission or observation is based in full.

An Bord Pleanála may give approval to the application for development with or without conditions or may refuse the application for development. Any person may question the validity of any such decision of the Board made in respect of the application for permission by way of an application for judicial review, under Order 84 of the Rule 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 Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie. Any enquiries relating to the application process should be directed to An Bord Pleanála (Telephone: 01 8588100).



COMHAIRLE
CONTAE AN CHLÁIR | CLARE
COUNTY COUNCIL

Signed for Clare County Council

Alan Farrell, Director of Services

Date of erection of notice

19th September 2024

Appendix C – Copy of Newspaper Notice

PROPERTY & AUCTIONS

Madden family agrees sale of Temple Gate Hotel

ONE of the country's best known hotels has been sold. The Madden family's long association with the hotel industry in Clare comes to an end with the sale of the Temple Gate Hotel in Ennis to Kelvin Hotels Ltd.

The landmark, 70-bed hotel, bar and restaurant will continue to operate through a seamless transition retaining staff and services at the popular, town centre, four-star facility.

Opened in March 1996 by founder John Madden the hotel's operations have been overseen for the past 20 years by his son Paul. "It's a success story of which we are incredibly proud," said Paul. "My father John lived and breathed the hospitality industry in every moment of every day of his working life. However, now is the time that feels right for us to sell our business and I personally look forward to the new and exciting opportunities that lie ahead."

"Our hope is that under new ownership, the Temple Gate Hotel will begin a bright new chapter in its continuing story," he said. "The loyal, friendly and committed staff of the Temple Gate is central to the hotel's unique identity. Their professionalism and kindness continue to draw favourable comment from guests, tour operators, food and beverage customers, community and sports groups."



Vera and John Madden.

Photograph by Paul Curry

John and his wife Vera navigated a complex design and interior fit-out with developer Egan O'Connor, mindful of retaining the gothic theme of the original building.

"The decision to open our own hotel in the centre of Ennis was a mighty leap of faith for the Madden family," said John.

"Over almost 30 years, the Temple Gate became very successful in spite of the Celtic Tiger crash, economic uncertainties and more recently Covid. These hammer blows could have ended the story, but we survived and thrived in no small part due to the dedication and hard work of our team, our loyal customer base and Paul's leadership qualities," he concluded.

The Temple Gate Hotel has been acquired by Kelvin Hotels Ltd, a company which comprises two well-known hotels in the Mid-West. They are Dermot Kelly and John Gavin, who are owner-directors of Shannon Springs Hotel in Ballyvaughney.

"We are hands-on, experienced hoteliers. We recognise and value the culture and ethos of the Temple Gate Hotel, which has been nurtured so carefully by the Madden family over the years."

"The Temple Gate Hotel has deep roots in the Clare community, which we intend to serve to the best of our ability in the years ahead," said the new owners.



Temple Gate Hotel in Ennis.



COMHAIRLE CONTAE AN CHLÁIR
CLARE COUNTY COUNCIL

FÓGRA DE BHUN ALT 175 AGUS ALT 177AE DEN ACHT UM PLEANÁIL AGUS FORBAIRT, 2000, ARNA LEASÚ, AGUS NA RIALACHÁN UM PLEANÁIL AGUS FORBAIRT, 2001, ARNA LEASÚ

SCÉIM FAOISIMH TUILTE CHILL CHAOI I MBAILTE FEARAINN CHILL CHAOI, CO. AN CHLÁIR

FÓGRA I DTAOBH IARRATAS PLEANÁLA CHUIG AN MBORD PLEANÁLA AR CHEADÚ

Tugtar fógra leis seo go bhfuil sé de rún ag Comhairle Contae an Chláir ceadó a lorg ón mBord Pleanála faoi Alt 175 agus Alt 177AE den Acht um Pleanáil agus Forbairt, 2000, arna leasú, chun oibreacha beartaithe a dhéanamh i mbaile fearainn Chill Chaoi, Co. an Chláir.

- Ti an fhorbairt beartaithe scéimhainní coarta do bharrthuille comhdhánta de na nithe seo a leanas:
- Is é atá sna hobreacha beartaithe ná clárú nua a thógáil ag Oisín Bhá Chill Chaoi.
- Bealach oscailte a chur ar mhálaist síl i dtreo lár na tuillemhí, agus ceannbhalla agus linteoir cuaisín nua a shuiteáil faoi bhun an chláir.
- Airead an bhalla teorann láithreach ag Eastát Dhún an Óir a mhéadú.
- Clárú nua a thógáil ag an bPáirc Tíre Soghlaiste agus Carbáin Pháirc an Ghairneir.
- An scáidín smonagar láithreach ag Waterswood Chill Chaoi a athsholáthar.
- Dhá dhíonpholl cuaisín a thógáil ag Cúirt Radharc na Cluana.
- Na díonpholl agus na linteoir láithreacha ar Thír Chill Chaoi a uasghrúid.
- Clárú a thógáil ar an taobh thiar theas de Pháirc Saoire Cunningham.
- U-bhealach coircéite a shuiteáil feadh ailíní reatha Shruith an Tobair.
- Linteoir láithreach Shruith an Tobair ag Páis an Chorráin a athsholáthar.
- An balla teorann ó 20 Cúirt Victoria chuig 21 Cúirt Victoria a athsholáthar.
- Na ballaí láithreacha ag Páis an Chorráin a dheisiú agus a athsholáthar.
- Clárú nua a thógáil taobh thiar de Bhóthar Charrag an Chabhallaigh.
- Balla nua cosanta tuilte a thógáil feadh bhruach na láimhe clé ó Bhruach Victoria chuig Páis an Chorráin.
- Bealach oscailte a chur ar mhálaist síl i dtreo lár na tuillemhí, agus an bealach oscailte láithreach a lionadh isteach.
- Balla teorann Chorráin Victoria a atógáil.
- Clárú nua a thógáil ar an taobh thuaidh de Chorráin Victoria.
- Clárú nua a thógáil ar an taobh theas de Pháirc Victoria.
- Bealach oscailte a chur ar mhálaist síl i dtreo lár na tuillemhí, agus bealach láithreach a lionadh isteach.
- Tuillemhí a athghrúidín i ngort ar an taobh thuaidh d'Eastát Chluain na Mara.
- Tuillemhí a athghrúidín i ngort ar an taobh thiar de Pháirc Saoire Cunningham.
- Ainéar leis na hobreacha beartaithe tógáil bóithre, athghrúidín bóithre, oibreacha drenála, keagan crann, cur crann, tirdhearbáil, agus na hobreacha coimheádacha gairneir uile eile.

Uimhreacháil Tuairiscíil ar Mheasúnacht Tionchair Timpeallachta agus Ráiteas Tionchair Natura mar chuid den iarratas i leith na forbartha beartaithe

Féadfaidh an Bord Pleanála an iarratas ar fhorbairt a chheadú fara choinníocht ná féadfaidh sé an iarratas ar fhorbairt a dhíúilt.

Breidh cóip de phleananna agus sonraí na forbartha beartaithe, den Tuairiscíil ar Mheasúnacht Tionchair Timpeallachta agus de Ráiteas Tionchair Natura ar fáil lena n-úinéirí saor in aisce (nó féadfaidh iad a cheannach ar thailé shonraithe a íoc, a táille í nach mbeidh níos airde ná an costas rianúcháin a bhaineann le cóip den sórt sin a dhéanamh) le linn uaireanta oscailte poiblí (gan Laeanta Saoire Poiblí a íreáil) ón 03/10/2024 go dtí an 15/11/2024 (agus an dá dháta sin a leanaim) ag láithreacha seo a leanas:

- Oifig an Bhóird Pleanála, 64 Sráid Mhaolbhríde, Baile Átha Cliath 1, D01 V902
- Comhairle Contae an Chláir, Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2
- Oifig Cathartha Chill Róis, Hála an Bhaile, Cill Róis, Contae an Chláir, V15 XK70
- Oifig Comhairle Inis Domáin, Bóthar Inse, Inis Domáin, Contae an Chláir, V95 YX81

Féadfaidh amháin ar phleananna agus sonraí an iarratas, ar an Tuairiscíil ar Mheasúnacht Tionchair Timpeallachta agus ar Ráiteas Tionchair Natura, nó iad a íoslódáil, ag an suíomh Gréasáin seo a leanas freisin: www.pleanala.ie

Féadfaidh aighneacht nó tuairim maidir leis an bhforbairt beartaithe maidir le:

- I. Impleacthal na forbartha beartaithe do phleanáil chul agus forbairt inchothaithe sa limistéar lena mbaineann, agus
- II. Na héifeachtaí dóigh a bheidh ag an bhforbairt beartaithe ar an gcomhshuí, má dhéantar i, agus
- III. Na héifeachtaí suntasacha dóigh a bheidh ag an bhforbairt beartaithe ar líteirín Eorpach, má dhéantar i.

a dhéanamh i scríbhinn, agus i scríbhinn amháin chuig an mBord Pleanála ("an Bord"), 64 Sráid Mhaolbhríde, Baile Átha Cliath 1, D01 V902.

Ní foláir tálle €50 a bheith ag gabháil le haon aighneacht/tuairim (seachas i gcás comhleith forordaithe aithe) agus ní foláir iad a bheith lagaithe ag an mBord Pleanála nach déanfaidh na 5.00pm an 15/11/2024. Ní foláir aighneacht nó tuairim an teideal "Scéim Faoisimh Tuilte Chill Chaoi" a bheith orthu agus an tainníse seo a leanas a bheith sin áireamh:

1. Ainm an duine, an údaráis nó an chomhlachta atá ag déanamh na haghneachta nó atá ag tabhairt na tuairime, ainm an duine atá ag gníomhú thar ceann an duine, an údaráis nó an chomhlachta sin, ainm agus seoladh ar cheart an chomhleáras a bhaineann leis an iarratas a sheoladh chuige,
2. Abairt na haghneachta nó na tuairime, agus
3. Na cúiseanna pleanála a bhaineann leis an aighneacht (i.e. cúisí agus argóintí) agus aon mhíreanna gur mhaith leat a chur do chúiseanna nó do thuarim.

Féadfaidh aon duine bailiocht a bhaint ón mBord Pleanála ar an iarratas a chheadú cheistiú trí bhíthin iarratas a dhéanamh ar athbheithín breithiúnach, laoi Ordú 84 de Rialacha na nUachtairtíne (I.R. Uimh. 15 de 1986, arna leasú le I.R. Uimh. 691 de 2011), de réir alt 50 den Acht um Pleanáil agus Forbairt, 2000, arna leasú.

Féadfaidh faoiné phráicticiúil faoi náisiúil a bhaineann le rochtain faoi gceannairde "Foilseacháin - Fógraí faoi Athbheithín Breithiúnach" ar shuíomh Gréasáin an Bhoird ag www.pleanala.ie nó ar shuíomh Gréasáin na Seirbhíse um Fhaisnéis do Shaoirghrá ag www.citizeninformation.ie

Ba cheart aon cheisteanna a bhaineann leis an bpreis iarratas a chur ar an mBord Pleanála (Telefaon: 01 8588100). Arna dháta an 27ú lá seo de mhí Mheán Fómhair 2024.

Alan Farrell, Stiúrthóir Seirbhíse.



COMHAIRLE CONTAE AN CHLÁIR
CLARE COUNTY COUNCIL

NOTICE PURSUANT TO SECTION 175 AND SECTION 177AE OF THE PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED AND THE PLANNING AND DEVELOPMENT REGULATIONS 2001, AS AMENDED

KILKEE FLOOD RELIEF SCHEME IN THE TOWNLANDS OF KILKEE, CO. CLARE

NOTICE OF PLANNING APPLICATION TO AN BORD PLEANÁLA FOR APPROVAL

Notice is hereby given that Clare County Council intends to seek approval from An Bord Pleanála under Section 175 and Section 177AE of the Planning and Development Act 2000, As Amended to carry out proposed works in the townlands of Kilkee, Co. Clare. The proposed development of fluvial flood defence assets comprises of the following:

- A new embankment to the south of the Kilkee Bay Hotel into the centre of the floodplain and the installation of a new headwall and inlet culvert under the new embankment.
- The increase in height of the existing boundary wall at the Dún an Óir Estate.
- A new embankment at the Sandpark Mobile Home and Caravan Park.
- The replacement of the existing debris screen at Kilkee Waterworks.
- The construction of two inlet manholes on an existing culvert at Meadow View Court.
- Upgrades to the existing Atlantic Stream culvert system at Moore Bay, including the installation of new inlet valves.
- A new embankment to the west of Cunningham's Holiday Park and the installation of a new headwall and inlet culvert under the new embankment.
- A new reinforced concrete u channel along the existing Well Stream alignment to the north of Cunningham's Holiday Park.
- The replacement of the existing Well Stream culvert at Crescent Place.
- The resurfacing and regrading of the Well Road, the junction of Well Road with Marine Parade and the junction of Gerakine Place with Marine Parade.
- New surface water pump stations at Well Road and Carrigaholt Road and associated infrastructure.
- New surface water drainage infrastructure at Well Road, Crescent Place, Victoria Park and Carrigaholt Road.
- New sluice gates at various locations along the Well Stream and Victoria Stream flood defences.
- The reconstruction of the Victoria Court boundary wall along the Victoria Stream.
- Repairs and replacement of the Victoria Stream left bank wall at Crescent Place.
- A new embankment to the west of Carrigaholt Road.
- A new flood defence wall along the left bank of the existing Victoria Stream alignment from Victoria Park to Crescent Place.
- A diversion of the Victoria Stream to the centre of the floodplain to the west of Carrigaholt Road.
- The reconstruction of the Victoria Crescent boundary wall along the Victoria Stream.
- A new embankment to the north of Victoria Crescent.
- A new embankment to the southwest of Cunningham's Holiday Park.
- A diversion of the Western Tributary to the centre of the floodplain to the north of the Cluin na Mara estate and a new outlet culvert under the new embankment.
- The regrading of lands to the north of the Cluin na Mara estate and to the west of Cunningham's Holiday Park.
- The proposed works include for road reconstruction, road regrading, drainage works, tree felling, tree planting, landscaping and all associated ancillary works.

An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared as part of the application in respect of the proposed development.

An Bord Pleanála may give approval to the application for development with or without conditions or may refuse the application for development.

A copy of the plans and particulars of the proposed development, the Environmental Impact Assessment (EIAR) and the Natura Impact Statement (NIS) will be available for inspection free of charge, (or may be purchased on payment of a specified fee which shall not exceed the reasonable cost of making such a copy) during public opening hours (excluding Public Holidays) from 03/10/2024 to 15/11/2024 (inclusive of both dates), at the following locations:

- The Offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902
- Clare County Council, Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2
- Kilrush Civic Offices, Town Hall, Kilrush, County Clare V15 XK70
- Ennistymon Council Office, Ennis Road, Ennistymon, County Clare, V95 YX81

The application plans and particulars, the EIAR and NIS may also be viewed at or downloaded from the following website: www.pleanala.ie

Submissions or observations on the proposed development in relation to:

- I. The implications of the proposed development for proper planning and sustainable development in the area concerned, and
- II. The likely effects on the environment of the proposed development, if carried out, and
- III. The likely significant effects of the proposed development on a European site, if carried out.

may be made in writing only to An Bord Pleanála ("the Board"), 64 Marlborough Street, Dublin 1 D01 V902.

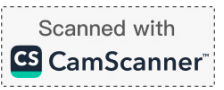
Any submissions / observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by An Bord Pleanála not later than 5.00 p.m. on 15/11/24. Such submissions or observations should be titled "Kilkee Flood Relief Scheme" and must include the following information:

1. 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,
2. The subject matter of the submission or observation, and
3. The planning grounds of the observation (i.e. reasons and arguments), and any items you wish to support your grounds or observation.

Any person may question the validity of any such decision by An Bord Pleanála made in respect of the application for permission 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 Board's website www.pleanala.ie or on the Citizens Information Service website www.citizeninformation.ie. Any enquiries relating to the application process should be directed to An Bord Pleanála (Telephone: 01 8588100). Dated this 27th September 2024.

Alan Farrell, Director of Services.



Children face 'unfair' transition year process

Jess Casey
Education Correspondent

Children are being excluded, or cannot fully participate in Transition Year (TY), simply because their families cannot afford it, the children's watchdog has warned.

Some schools also appear to be failing young people by not having fair application processes in place when it comes to accessing TY.

It follows a report by the Office of the Children's Ombudsman (OCO) which found that some schools' TY access policies lack transparency, may be considered potentially discriminatory, and are oftentimes seen as inaccessible.

The report was initiated by the OCO after it received complaints from young people who have been refused a place in their school's TY programme, due to behaviour, mental health, or disability.

Parents who spoke to the OCO also highlighted a lack of transparency when it comes to how TY places are allocated.

There is no doubt that TY can be a life-changing time for many students in Ireland, according to Nuala Ward, director of investigations at the OCO.

"It is therefore concerning that some schools appear to be failing many young

people by not having fair and transparent application and appeals processes in place," she said.

"Indeed, some schools could, potentially, be considered discriminatory as there is a failure by some schools to provide reasonable accommodations for children with disabilities or mental health difficulties in schools where there is a competitive process to access TY."

The report highlights the experience of a young person whose absences from school due to bullying went against him when it came to getting a TY place.

It also includes the experiences of a young person with Down syndrome who failed to secure a TY place after being interviewed by five adults with no reasonable accommodations in place.

"The cost of TY is also of concern," Ms Ward said.

"There is a significant disparity in the cost of TY between schools and in some cases children are excluded, or cannot fully participate, simply because their families cannot afford it. This is unacceptable.

"In our view, it is a significant decision by a school to exclude a child from entry to this hugely advantageous year and therefore any decision-making process requires the highest level of transparency and fairness."



Ryan Treacy runs up the track after his fall from Spring Meadow at Listowel yesterday. Both horse and jockey were fine afterwards. SEE Sport: 16 Picture: Healy Racing

On the run

Chinese nationals hit with crowbar at home, court hears

Two accused men remanded in custody after alleged attack

Liam Heylin

Three Chinese nationals — an engineer and two language students — were beaten horrifically with a crowbar by two intruders who burst into their bedrooms in Cork City even though the victims were complying with everything asked of them.

Detective Garda Brian Barron objected to bail being granted to the two accused men who were arrested and brought before Cork District Court on multiple charges arising out of the incident.

During his evidence of the allegations in the case, the detective said the victims complied in every way with the demands of the intruders handing over all their cash and phones.

However, even after they had done so, they were beaten with a crowbar and seriously injured. The entire incident went on for seven minutes.

Aidan Cullinane, aged 32, of St Joseph's Park, The Lough, Cork, and Gerard Quinlan, aged 41, of Gibbney Mews, Connaught Avenue, Cork, were both charged with the same counts, namely carrying out a burglary and assault causing harm to one man and two women.

The injured parties were in their early to mid-30s. Det Garda Barron testified: "It is alleged that at 5.45am on April 17, Gerard Quinlan and Aidan Cullinane entered a dwelling house at Miller St, Cork City, as intruders."

"They were not known to the people living there — three occupants who are Chinese nationals. They were asleep at their home."

"The intruders burst into the two upstairs bedrooms simultaneously, demanding cash and mobile phones from the three petrified victims."

"It is alleged that following complete compliance with the demands of the two and having handed over what little money and mobile phones they had, the three residents were then subjected to a vicious and sustained assault at the hands of Aidan Cullinane and Gerard Quinlan, where all three were beaten with a crowbar."

"It resulted in significant injuries. One man had a 7cm laceration to his forehead and other injuries."

"A young woman had a 4cm laceration to her scalp and multiple abrasions and bruising to her face, arm, shoulder abdomen and back.

She sustained three broken ribs. A second woman suffered several wounds to her dominant right hand, including two broken bones. It required surgical intervention and stabilisation by insertion of metal wire.

The horrific ordeal lasted approximately seven minutes. They escaped with €200 approximately and a laptop."

Recovery time from the physical injuries has been put at various lengths from three to 12 months.

Det Garda Barron said: "A huge quantity of CCTV was harvested in the investigation tracking suspects to and from the scene."

The detective said no bail conditions would satisfy the State and he said that there were real concerns for the safety of the community if either of the accused was released on bail.

Aidan Cullinane, represented by solicitor Frank Buttiner, and Gerard Quinlan, represented by barrister William Bulman, were both refused bail by Judge Philip O'Leary who remanded them in custody until October 2 at Cork District Court.

Sergeant John Kelleher said directions would be sought from the DPP.



COMHAIRLE CONTAE AN CHLÁIR
CLARE COUNTY COUNCIL

FÓGRA DE BHUN ALT 175 AGUS ALT 177AE DEN ACHT UM PLEANÁIL AGUS FORBAIRT, 2000, ARNA LEASÚ, AGUS NA RIALACHÁN UM PLEANÁIL AGUS FORBAIRT, 2001, ARNA LEASÚ

SCÉIM FAOISIMH TUILTE CHILL CHAOI I MBAILTE FEARAINN CHILL CHAOI, CO. AN CHLÁIR

FÓGRA I DTAOBH IARRATAIS PLEANÁLA CHUIG AN MBORD PLEANÁLA AR CHEADÚ

Tugtar fógra leis seo go bhfuil sé de rún ag Comhairle Contae an Chláir ceadú a lorg ón mBord Pleanála faoi Alt 175 agus Alt 177AE den Acht um Pleanáil agus Forbairt, 2000, arna leasú, chun oibreacha beartaithe a dhéanamh i mbailte fearainn Chill Chaoi, Co. an Chláir.

Tá an forbairt bheartaithe sácmhainní cosanta do bharrthuille comhléanta de na nithe seo a leanas:

- Is é atá sna hoibreacha beartaithe ná claoirt nua a thógáil ag Óstán Bhá Chill Chaoi.
- Bealach oscailte a chur ar mhálairt síl i dtreo lár na tuillemhá, agus ceannbhalla agus lintéar cuaisín nua a shuiteáil faoi bhun an chlaifort.
- Airde an bhalla teorann láithreach ag Eastát Dhín an Óir a mhéadú.
- Claoirt nua a thógáil ag an bPáirc Tíche Soghluaithe agus Carbháin Páirc an Ghainimh.
- An scéiltéar smionagair láithreach ag Waterworld Chill Chaoi a athsholáthar.
- Dhá dhúpholl cuaisín a thógáil ag Cúirt Radharc na Cluana.
- Na dúphoil agus na lintéir láithreacha ar Thrá Chill Chaoi a uasghrúdaí.
- Claoirt a thógáil ar an taobh thiar theas de Pháirc Saoire Cunningham.
- U-bhealach coircreíte a shuiteáil leath ailiú nua reatha Shruath an Tobair.
- Lintéar láithreach Shruath an Tobair ag Plás an Chorráin a athsholáthar.
- An balla teorann ó 20 Cúirt Victoria chuig 21 Cúirt Victoria a athsholáthar.
- Na ballaí láithreacha ag Plás an Chorráin a dheisiú agus a athsholáthar.
- Claoirt nua a thógáil taobh thiar de Bhóthar Charraig an Chhabaltaigh.
- Balla nua cosanta tuilte a thógáil leath bhruach na líamhe cle ó Bhruach Victoria chuig Plás an Chorráin.
- Bealach oscailte a chur ar mhálairt síl i dtreo lár na tuillemhá, agus an bealach oscailte láithreach a líonadh isteach.
- Balla teorann Chorrán Victoria a atógáil.
- Claoirt nua a thógáil ar an taobh thuaidh de Pháirc Victoria.
- Claoirt nua a thógáil ar an taobh theas de Chorrán Victoria.
- Bealach oscailte a chur ar mhálairt síl i dtreo lár na tuillemhá, agus bealach láithreach a líonadh isteach.
- Tuillemhá a athghrúdaíú i ngort ar an taobh thuaidh d'Eastát Chluain na Mara.
- Tuillemhá a athghrúdaíú i ngort ar an taobh thiar de Pháirc Saoire Cunningham.
- Áirítear leis na hoibreacha beartaithe tógáil bóithre, athghrúdaíú bóithre, oibreacha draenála, leagan crann, cur crann, tírdhreach, agus na hoibreacha coimheacha gaoimhara uile eile.

Ullmháidh Tuarsaí ar Mheasúnacht Tionchair Timpallachta agus Ráiteas Tionchair Natura mar chuid den iarratas i leith na forbartha beartaithe

Féadfaidh an Bord Pleanála an t-iarratas ar forbairt a cheadú fua coinníollacha nó gan coinníollacha nó féadfaidh sé an t-iarratas ar forbairt a dhíolú.

Beidh cóip de phleananna agus sonraí na forbartha beartaithe, den Tuarsaí ar Mheasúnacht Tionchair Timpallachta agus Ráiteas Tionchair Natura ar fáil lena n-úinéirí sa áit seo (nó féadfar iad a cheannach ar tháille shonraithe a íoc, ar láille i nach mbeidh níos airde ná an costas réasúnach a bhaineann le cóip den sórt sin a dhéanamh) le linn uaireanta oscailte poiblí (gan Laethanta Saoire Poiblí a íreámh) ón 03/10/2024 go dtí an 15/11/2024 (agus an dá dháta sin san áireamh) ag na láithreacha seo a leanas:

- Oifig an Bhoird Pleanála, 64 Sáid Mhaolbhríde, Baile Átha Cláith 1, D01 V902
- Comhairle Contae an Chláir, Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2
- Oifigí Cathartha Chill Rois, Halla an Bhaile, Chill Rois, Contae an Chláir, V15 XK70
- Oifig Comhairle Inis Diomáin, Bóthar Inse, Inis Diomáin, Contae an Chláir, V95 YX81

Féadfar amharc ar phleananna agus sonraí an iarratais, ar an Tuarsaí ar Mheasúnacht Tionchair Timpallachta agus Ráiteas Tionchair Natura, nó iad a íoslódáil, ag an suíomh Gréasáin seo a leanas freisin: www.pleanala.ie

Féadfar aighneachtaí nó tuairimí maidir leis an bhforbairt beartaithe a leanas freisin:

- I. Impleachtaí na forbartha beartaithe do phleanáil chuig agus forbairt inchoibthaithe sa limistéir lena mbainneann, agus
- II. Na héifeachtaí is dóigh a bheidh ag an bhforbairt bheartaithe ar an gcomhshuí, má dhéantar í, agus
- III. Na héifeachtaí suntasacha is dóigh a bheidh ag an bhforbairt bheartaithe ar láithreán Eorpach, má dhéantar í.

a dhéanamh i scríbhinn, agus i scríbhinn amháin chuig an mBord Pleanála (an Bord), 64 Sáid Mhaolbhríde, Baile Átha Cláith 1, D01 V902.

Ní foláir táille €50 a bheith ag gabháil le haon aighneacht/tuairimí (seachas i gcás comhlachtaí forordaithe áirithe) agus ní foláir iad a bheith faighte ag an mBord Pleanála tráth nach déanfaid sé 5.00pm ar 15/11/25. Ní foláir d'aighneachtaí nó tuairimí an teideal "Scéim Faoisimh Tuilte Chill Chaoi" a bheith orthu agus an fhaisnéis seo a leanas a bheith san áireamh:

1. Ainm an duine, an údarás nó an comhlachta atá ag déanamh na haigneachta nó atá ag tabhairt na tuairimí, ainm an duine atá ag gníomhú thar ceann an duine, an údarás nó an comhlachta sin, más ann, agus an seoldar ar cheart an chomhlachta a bhaineann leis an iarratas a sheoldh chuige,
2. Ábhar na haigneachta nó na tuairimí, agus
3. Na cúiseanna pleanála a bhaineann leis an aighneacht (i.e. cúisín agus argóintí) agus aon mhíreanna gur mhaith leat a chur le do chúiseanna nó do thuairimí.

Féadfaidh aon duine bailiocht ón chmídh ón mBord Pleanála ar an iarratas ar chead a cheistiú trí bhíthin iarratas a dhéanamh ar ábhair breithneach, faoi údarás 84 de Rialachán (Eilimintí) 2011, 15 de 1986, arna leasú le R.U. Lúmh. 691 de 2011), de réir alt 10 den Acht um Pleanáil agus Forbairt, 2000, arna leasú.

Féadfar faisnéis phraiticiúil faoin sásra ábhair breithneach a rochtain faoi gceantoidéil 'Foisreacháin - Fógraí faoi Ábhair Breithneach Breithnigh' ar shuíomh Gréasáin an Bhoird ag www.pleanala.ie nó ar shuíomh Gréasáin na Seirbhíse um Faisnéis do Shaoirneach ag www.citizensinformation.ie

Ba cheart aon cheisteanna a bhaineann leis an bpróiseas iarratais a chur ar an mBord Pleanála (Teileafón: 01 8588100).

Arna dháta an 27ú lá seo de mhí Mheán Fómhair 2024.

Alan Farrell, Stúirtéir Seirbhíse.



COMHAIRLE CONTAE AN CHLÁIR
CLARE COUNTY COUNCIL

NOTICE PURSUANT TO SECTION 175 AND SECTION 177AE OF THE PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED AND THE PLANNING AND DEVELOPMENT REGULATIONS 2001, AS AMENDED KILKEE FLOOD RELIEF SCHEME IN THE TOWNLANDS OF KILKEE, CO. CLARE NOTICE OF PLANNING APPLICATION TO AN BORD PLEANÁLA FOR APPROVAL

Notice is hereby given that Clare County Council intends to seek approval from An Bord Pleanála under Section 175 and Section 177AE of the Planning and Development Act 2000, As Amended to carry out proposed works in the townlands of Kilkee, Co. Clare. The proposed development of fluvial flood defence assets comprises of the following:

- A new embankment to the south of the Kilkee Bay Hotel.
- A diversion of the open channel to the south of the Kilkee Bay Hotel into the centre of the floodplain and the installation of a new headwall and inlet culvert under the new embankment.
- The increase in height of the existing boundary wall at the Dún an Óir Estate.
- A new embankment at the Sandpark Mobile Home and Caravan Park.
- The replacement of the existing debris screen at Kilkee Waterworld.
- The construction of two inlet manholes on an existing culvert at Meadow View Court.
- Upgrades to the existing Atlantic Stream culvert system at Moore Bay, including the installation of non-return valves.
- A new embankment to the west of Cunningham's Holiday Park and the installation of a new headwall and inlet culvert under the new embankment.
- A new reinforced concrete u-channel along the existing Well Stream alignment to the north of Cunningham's Holiday Park.
- The replacement of the existing Well Stream culvert at Crescent Place.
- The resurfacing and regrading of the Well Road, the junction of Well Road with Marine Parade and the junction of Geraldine Place with Marine Parade.
- New surface water pump stations at Well Road and Carrigaholt Road and associated infrastructure.
- New surface water drainage infrastructure at Well Road, Crescent Place, Victoria Park and Carrigaholt Road.
- New sluice gates at various locations along the Well Stream and Victoria Stream flood defences.
- The reconstruction of the Victoria Court boundary wall along the Victoria Stream.
- Repairs and replacement of the Victoria Stream left bank wall at Crescent Place.
- A new embankment to the west of Carrigaholt Road.
- A new flood defence wall along the left bank of the existing Victoria Stream alignment from Victoria Park to Crescent Place.
- A diversion of the Victoria Stream to the centre of the floodplain to the west of Carrigaholt Road.
- The reconstruction of the Victoria Crescent boundary wall along the Victoria Stream.
- A new embankment to the north of Victoria Crescent.
- A new embankment to the southwest of Cunningham's Holiday Park.
- A diversion of the Western Tributary to the centre of the floodplain to the north of the Cluain na Mara estate and a new outlet culvert under the new embankment.
- The regrading of lands to the north of the Cluain na Mara estate and to the west of Cunningham's Holiday Park.
- The proposed works include for bank reconstruction, road regrading, drainage works, tree felling, tree planting, landscaping and all associated ancillary works.

An Environmental Impact Assessment Report (EiAR) and a Natura Impact Statement (NIS) have been prepared as part of the application in respect of the proposed development.

An Bord Pleanála may give approval to the application for development with or without conditions or may refuse the application for development.

A copy of the plans and particulars of the proposed development, the Environmental Impact Assessment (EiAR) and the Natura Impact Statement (NIS) will be available for inspection free of charge, (or may be purchased on payment of a specified fee which shall not exceed the reasonable cost of making such a copy) during public opening hours (excluding Public Holidays) from 03/10/2024 to 15/11/2024 (inclusive of both dates), at the following locations:

- The Offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902
- Clare County Council, Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2
- Kilrush Civic Offices, Town Hall, Kilsush, County Clare V15 XK70
- Ennistymon Council Office, Ennis Road, Ennistymon, County Clare, V95 YX81

The application plans and particulars, the EiAR and NIS may also be viewed at or downloaded from the following website: www.pleanala.ie

Submissions or observations on the proposed development in relation to:

- I. The implications of the proposed development for proper planning and sustainable development in the area concerned, and
- II. The likely effects on the environment of the proposed development, if carried out, and
- III. The likely significant effects of the proposed development on a European site, if carried out,

may be made in writing only to An Bord Pleanála (the Board), 64 Marlborough Street, Dublin 1 D01 V902.

Any submissions / observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by An Bord Pleanála not later than 5.00 p.m. on 15/11/24. Such submissions or observations should be titled "Kilkee Flood Relief Scheme" and must include the following information:

1. 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,
2. The subject matter of the submission or observation, and
3. The planning grounds of the observation (i.e. reasons and arguments), and any items you wish to support your grounds or observation.

Any person may question the validity of any such decision by An Bord Pleanála made in respect of the application for permission by way of an application for judicial review, under Order 84 of the Rule 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 Board's website www.pleanala.ie or the Citizens Information Service website www.citizensinformation.ie

Any enquiries relating to the application process should be directed to An Bord Pleanála (Telephone: 01 8588100).

Dated this 27th September 2024.

Alan Farrell, Director of Services.



Appendix D – Confirmation of upload to EIA Portal

Michael O'Donoghue

From: Housing Eiaportal <EIAportal@housing.gov.ie>
Sent: 01 October 2024 08:21
To: David O Regan
Subject: Portal Confirmation - Portal ID: 2024164

Dear David,

An EIA Portal notification was received on 01/10/2024 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 01/10/2024 under EIA Portal ID number 2024164 and is available to view at <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2024164

Competent Authority: An Bord Pleanála

Applicant Name: Clare County Council

Location: Kilkee, Co. Clare

Description: Development of a fluvial flood defence scheme that includes: construction of new earthen embankments & reinforced concrete walls, diversion of watercourses, installation of precast U-channels & box culverts, new pump stations and all associated works.

Linear Development: No

Date Uploaded to Portal: 01/10/2024

Kindest Regards,

Hugh Wogan,

EIA Portal team

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreacht
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



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

**Appendix E – Copy of pre-planning correspondence between ABP
and CCC**



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Ref: FLD008

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1

01/03/2024

Dear Sir/Madam,

Re: Kilkee Flood Relief Scheme

Clare County Council (CCC), in conjunction with the Office of Public Works, are proposing a flood relief scheme for Kilkee to address the risk posed by fluvial flooding. Having undertaken an extensive evaluation of the flood risks, considered a number of alternative options and having consulted widely with the public and relevant stakeholders, CCC now wishes to advance a preferred scheme through the necessary statutory consent processes.

The following sets out the background to the project and CCC's evaluation of the requirements for consent under the relevant legislation.

Background and Need for Scheme

Kilkee is located adjacent to Moore Bay along the west coast of County Clare. The study area for the scheme comprises the town centre with rural lands stretching outwards to the east.

The Victoria Stream and the Atlantic Stream are the two main watercourses that flow through the town of Kilkee. Historically, the town has been subject to fluvial flooding and as such, Kilkee was part of the Office of Public Works (OPW) Catchment Flood Risk Assessment Management (CFRAM) study programme. The Preliminary Options Report from this study concluded that a flood relief scheme would be viable and effective for the local community. The viable scheme option for Kilkee, as identified in the CFRAM Options Report, included a series of hard defences consisting of flood embankments and walls.

The overall purpose of the Kilkee Flood Relief Scheme (FRS) project is to design and build flood defences that will protect properties and critical infrastructure in future fluvial flood events.

Note, Kilkee is at risk of both fluvial and coastal flooding. This first Phase is to undertake works that will mitigate against fluvial flooding only. A second Phase will follow as part of a separate planning application that will provide mitigation against coastal risk. Cumulative risks will be considered as part of this application, and the second Phase will carry its own EIAR and NIS.

**Oifig Bainistíochta Tionscadail
An Stiúirthóireacht Forbairt Fhisiceach**

Margadh an Ime, Bóthar Dhrom Bigil, Inis, Co. Chláir, V95RR72

**Project Management Office
Physical Development Directorate**

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



Proposed Development

The proposed development includes a series of flood defences situated within the catchments of both the Victoria, Well & Atlantic Streams, the three sources of fluvial flooding in the town. These comprise of:

- Flood embankments.
- Floodwalls.
- Land acquisition for temporary flood storage.
- Upgrade of existing boundary walls to flood defence walls.
- Culvert and sub-surface drainage installations.
- Pump stations and associated stormwater attenuation tanks.

EIAR Requirements

The Planning and Development Act 2000, as amended, Section 172 sets out the requirements for Environmental Impact Assessment (EIA). The Planning and Development Regulations 2001, as amended, Part 2 of Schedule 5 sets out the types of projects which must undergo a mandatory EIAR. The proposed development consists of a series of small-scale infrastructural developments on the Atlantic, Victoria and Well streams, and does not fall under Schedule 5, Part 1, but falls under Part 2.

This category contains three thresholds; if any of these thresholds are exceeded, the proposed development must undergo a mandatory EIAR. As such, they will be addressed in turn.

“where the immediate contributing sub-catchment of the proposed works (i.e., the difference between the contributing catchments at the upper and lower extent of the works) would exceed 100 hectares”.

Works are proposed on parts of the Atlantic Stream and Victoria Stream in Kilkee, Co. Clare. The contributing sub-catchment of these stretches of river is approximately 188 hectares. The scheme therefore exceeds the 100-hectare threshold.

“where more than 2 hectares of wetland would be affected”.

JBA ecologists have undertaken a Fossitt habitat survey of the scheme area and defined the habitats in the areas to be affected. The survey results showed that approximately 0.94 hectares of wetland are within the scheme area, but are unlikely to be impacted by the FRS. The scheme is therefore under the 2-hectare wetland threshold.

“where the length of river channel on which works are proposed would be greater than 2 kilometres”.



Works are proposed on a stretch of the Victoria Stream, Well Stream, and Atlantic Stream; all in the proximity of Kilkee town. The Victoria Stream would be 1472 meters, and the Atlantic stream would be 1130 meters. The total length of river channel affected is 2.602km, which is above the 2 kilometres threshold.

The proposed flood relief scheme is above two parts of the threshold; the immediate contributing sub-catchment of the works is over 100 hectares, and the length of river channel on which works are proposed is greater than 2km. Therefore, an EIAR has been automatically triggered for this proposed development.

Appropriate Assessment of certain development carried out by or on behalf of local authorities.

As part of the requirements of the Article 6 of Habitats Directive (Directive 92/43/EEC as amended), the Appropriate Assessment process is being undertaken for this scheme.

Given the presence of surface water and air pathways and the potential impacts posed by the proposed scheme on the Kilkee Reefs SAC, it is concluded by our consultants that it is not possible to screen out likely significant impacts on this Natura 2000 site. Therefore, the FRS has been brought forward to the second stage of the Appropriate Assessment process, that being the preparation of a NIS.

Accordingly, under Section 177AE (3), Clare County Council considers that it is required to apply to An Bord Pleanála for approval and that the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.

Maritime Area Consent

Although the works are close to the foreshore, there are no proposed structures (temporary or permanent) seaward of the foreshore highwater mark. Hence, a Marine Area Consent is not required as part of this application.

Conclusion and Next Steps

The Scheme documentation is currently being prepared. An EIAR Scoping pack was issued to statutory consultees with responses now received and collated. We are currently considering same in the finalisation of the documentation including EIAR and NIS.

It is anticipated that Clare County Council will lodge an application to An Bord Pleanála in Q1 2024. We are writing to provide advance notice of the intention to make the aforementioned application and to afford An Bord Pleanála the opportunity to provide any direction if it considers that the process set out above is incorrect. We would be happy to accommodate and clarify any queries you may have, in which case you are invited to contact the undersigned. In the absence of any response, we will assume the approach outlined above to be appropriate and intend to lodge on that basis, unless directed otherwise.

Yours sincerely,

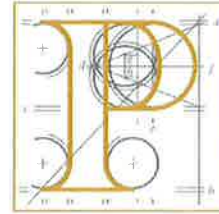
Stephen Lahiffe
Senior Executive Engineer

**Oifig Bainistíochta Tionscadail
An Stiúirthóireacht Forbairt Fhisiceach**

Margadh an Ime, Bóthar Dhrom Bigil, Inis, Co. Chláir, V95RR72

**Project Management Office
Physical Development Directorate**

Buttermarket Building, Drumbiggle Road, Ennis, Co. Clare, V95RR72



An
Bord
Pleanála

Clare County Council
Project Management Office
Physical Development Directorate
Buttermarket Building
Dumbiggle Road
Ennis
Co. Clare
V95 RR72

Date: 13 March 2024

Re: Kilkee Flood Relief Scheme



Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to your letter dated 1st March 2024.

Please be advised that there is no provision for pre-application consultations between the Board and the local authority in relation to applications received under s.177AE or s.175 of the Planning and Development Act. Accordingly, I hereby return your letter.

If you would like to submit a draft copy of the newspaper notices to be published for this application, I can confirm with you that the correct legislation is quoted and that all legislative requirements are met.

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

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

