



Planning Ref: FP2022-073

(Please quote in all related correspondence)

Submission Ref: S3-006

22 December 2022

Director of Services – Planning
Clare County Council,
Áras Contae an Chláir,
New Road,
Ennis,
Co. Clare,
V95 DXP2

Via email devplan@clarecoco.ie

Re: Notification under Article 28 (Part 4) or Article 82 (Part 8) of the Planning and Development Regulations, 2001, as amended.

Proposed Development: Notice of Proposed Amendments to Draft Clare County Development Plan 2023-2029

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I refer to correspondence received in connection with the above.

Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated headings.

Archaeology

The Department welcomes the opportunity to comment on the proposed alterations to the Draft Clare County Development Plan 2023-2029. We have reviewed the proposed amendment documents and wish to make the following observations:

Volume 1: Table of Contents

It is noted that Chapter 16 is titled '*Architectural and Cultural Heritage*' in the table of contents and '*Architectural, Archaeological and Cultural Heritage*' in the chapter heading. The latter title is considered to be correct.

Volume 1: Written Statement – Chapter 3: Core Strategy

Section 3.5 Conclusion states: '*The management and enhancement of the landscape, biodiversity, natural heritage, green infrastructure and architectural, archaeological and cultural heritage are the focus of Chapters 14 to 15 respectively.*'

It is noted that Chapter 16 focuses on Architectural, Archaeological and Cultural Heritage.



Volume 1: Written Statement – Chapter 16

The Department acknowledges and concurs with the proposed amendments to the Development Plan objectives CDP16.1, CDP16.7, CDP16.11, CDP16.12, CDP16.13 and Section 16.4.1 – Underwater Archaeology.

It is noted that **CDP16.11** contains a reference error in stating '2011'. Please note that the relevant guidance for flood relief schemes is titled: 'Archaeological Guidelines for Flood Relief Scheme (DHLGH 2022)'. This error is replicated in Volume 10: Environmental Appraisal of the Plan – '10a&b Addendum to Environmental Assessments'.

Volume 1: Appendix 1 - Development Management Guidelines

The Department welcomes the proposed inclusion of specific guidance pertaining to Archaeological Heritage as set out in A1.9 of the Development Management Guidelines.

Volume 1: Appendix 7 - Plans, Policies and Guidelines to which the Development Plan must have Regard

It is noted that national policy as set out in *Frameworks and Principles for the Protection of the Archaeological Heritage* (Government of Ireland 1999) has been omitted from the table of guidelines provided in Appendix 7. This policy document should be included in the list of guidelines consulted.

Additionally, the Council may wish to have regard to recently published guidance from the Office of the Planning Regulator (OPR) titled *Archaeology and the Planning Process* (*Planning Leaflet 13, 2021*) and *OPR Practice Note 03 Planning Conditions* (*October 2022*).

Volume 3b: Shannon Municipal District

TOU2 Northern End of Folk Park states the following: '*In recognition of the historic, architectural and archaeological importance of Bunratty, the Council will consult with the NPWS in respect of future development proposals on this site.*'

Please note that it is the National Monuments Service (NMS) of the Department of Housing, Local Government and Heritage and not the National Parks and Wildlife Service that should be consulted.

TOU3 North of REC2 states: '*This site is located adjacent to Bunratty cemetery and old church, together with the remains of the town defences, which are both Recorded Monuments.*'

Please note that all town defences, whether upstanding or sub-surface, are additionally considered to be National Monuments by reason of the historical, architectural, and archaeological interest attaching to them. Any proposals that may be deemed to have material impacts or effects on the setting and amenity of National Monuments require Ministerial Consent in accordance with Section 14 of the National Monuments Act 1930.



Volume 3c: Killaloe Municipal District

Open Space

OS1 Quin Abbey and Surrounds states: '*Quin Abbey is a Protected Structure and Recorded Monument.*' Please be advised that Quin Friary (Abbey) is a National Monument in state care (No. 15).

Volume 4: Record of Protected Structures (RPS)

The proposed additions and deletions to the RPS are noted. However, no rationale/justification has been provided. It is therefore not possible to comment on the proposed amendments. The Department requests that this additional information be provided to the Department in order to facilitate an informed response to these proposed additions and deletions to the RPS.

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

The Manager
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Is mise, le meas

Malcolm Hillis
Development Applications Unit
Administration