



Planning Ref: 2660915

18 September 2026

Planning Section
Kildare County Council

Dear Sir/Madam

Re: 2660915: Construction of approximately 960m of new restored stream channels and riparian buffer; 2 no. new agricultural crossings, establishment of native broadleaf woodland up to 4.56ha and temporary access for the duration of the works and all ancillary site works at Furryhill and, Punchestown Upper, County Kildare

Comment

The Heritage Council was established in 1995 as a statutory body under the Heritage Act 1995 with a Council (the Board of the body) appointed by the Minister. The Heritage Council is a prescribed body under the provisions of the Planning and Development Acts 2000-2010 and S.I. No. 600/2001 of the Planning and Development Regulations, section 28 inter alia, in accordance with its functions under Section 6 of the Heritage Act, 1995. We seek to provide submissions on forward planning, development management and strategic infrastructure developments as they relate to Ireland's heritage, namely built, cultural and natural heritage.

The Heritage Council believes that ecological restoration projects should in principle be supported. The draft National Nature Restoration Plan has recently undergone consultation, and includes ambitious targets for a variety of ecosystems, one of which includes Article 9 - *Restoration of the natural connectivity of rivers and natural functions of the related floodplains*.

With regards to this application, the key considerations for the Heritage Council are:

- The justification for the restoration is clear and unambiguous
- The restoration is grounded in sound scientific principles
- That the benefits of the scheme once completed, outweigh any negative effects on ecology during the construction and recovery stages.
- That the impacts are monitored insofar as to identify the benefits of the scheme for future replication.

Justification

The justification for the works is to establish more natural river processes, and this appears to be couched upon the LAWPRO (2021) Report - *Identification of Options for Improvement in the Rathmore Stream 010 Catchment, County Kildare* and the issues identified therein. We note that the Water Framework Directive 3rd Cycle River Waterbodies Risk for the Rathmore Stream_010

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was 'At risk' with Q Values, as monitored downstream, identified as having 'moderate' to 'good' levels [Section 4.6.1].

We also view the River Hydro-morphology Assessment Technique (RHAT) surveys as key to the justification for any intervention. This Assessment, as described in the Ecological Impact Assessment, identified that the surveyed reach of the Hartwell River is of 'Poor' hydromorphological condition. This appears to be the result of historic modification of the channel. It therefore follows that from a hydromorphological viewpoint, the proposal is justified.

Sound scientific principles/ benefits

The works will undoubtedly be a significant intervention during the construction phase, and there is certainly potential for negative impacts. We are aware of the submission made on the application from Inland Fisheries Ireland (IFI). Whilst we note the key issues for consideration as noted in this submission, the local authority may benefit from further engagement with IFI to verify that the reporting as submitted with the application, reflects best practice, and is satisfactory to address IFI's points. Whilst some points could be dealt with by condition, the dewatering of the current channel in particular will be a sensitive point, as will the need to ensure unobstructed fish passage.

It does appear that the approach to 'construction offline' will reduce the extent of in-river works required during construction. It is essential however, that the mitigation measures, particularly as described in 6.2.1.1 are conditioned. We would put special emphasis on the necessity of the presence of the team of ecologists (to include freshwater ecologists) during the dewatering with regards rapid translocation. We however would defer to IFI on this point.

We also note that the new agricultural crossing bridges will be constructed in dry conditions before the water is directed into the new watercourse. A suitable condition will still be needed for the protection of the existing channel during this specific construction stage.

Aside from specific aquatic ecology matters, the majority of the works will take place to the south of the river channel. The current habitat in this location is primarily improved or semi-improved grassland of limited ecological value. There is some loss of hedgerows and scrub, however we are satisfied that the significant riparian and broadleaved planting regime proposed more than compensates for any negative effects. Standard ecological conditions, with regards to removal of vegetation outside of the bird breeding season will be needed.

Monitoring

Ecological restoration is a relatively new form of planning application. This will become increasingly more frequent, given the national targets for nature restoration. From a specific land use change viewpoint there is no objection to nature restoration, granted that the ecological value is increased and that there is no loss of existing important habitats.

It should be acknowledged that the desired outcomes for specific habitat and ecosystem restoration will only be seen over long-time horizons. Given that many types of restoration will be untried or untested in specific locations, monitoring of a restoration project over long-time horizons is essential.

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This is unlike other standard planning applications. Therefore, we commend the comprehensive Outline Monitoring Plan submitted. To ensure compliance with the relevant county development plan policies we believe that the reporting contained in the monitoring plan should be a condition of the permission, whereby the reporting deadlines (over a ten-year period), as described, are submitted to the local authority. This should include the metrics as identified but also any changes to water quality status etc. The Heritage Council believe that this is not just necessary for compliance with policy but would contribute to a bank of information that would guide future restoration projects nationwide. In addition, the retention of freshwater ecological expertise for supervision is recommended.

The most relevant policies from the Kildare County Development Plan 2023-2029 for this application include **Policy BI P7**, regarding inland waters, **Objective BI O37** on the protection of watercourses, and **Objective BI O47** regarding the restoration of riverine floodplains.

Having engaged with the comprehensive amount of submitted reporting; in general terms, we believe the proposal complies with these objectives and policies. However, relevant conditions and engagement with the relevant authorities, as noted **Objective BI O39** is necessary to achieve full compliance.

We trust these observations will assist Kildare County Council in determining this application.

Yours sincerely

Virginia Teehan

Chief Executive Officer

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