



Planning Ref: 2560303

23 June 2025

Planning Section
Laois County Council

Dear Sir/Madam

Re: 2560303 Construction of part two storey and part three storey 1000 pupil secondary school to include general classrooms, specialist classrooms, a general-purpose hall, PE hall, offices, staff room, library, sanitary facilities and ancillary spaces AT The Downes, Portlaoise, Co. Laois.

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 have reviewed the drawings and documentation submitted with this application. It is important to state from the outset that the need to provide school places in Portlaoise, and similar towns, is recognised. However, there is also a need to ensure that heritage matters are fully considered as part of development proposals.

Part of the development site intersects with the Ridge of Portlaoise proposed Natural Heritage Area (000876), which is an ecological esker site of national importance for both woodland and calcareous grassland, the latter of which is typically species rich. The site synopsis provided by the NPWS notes that the Nettle-leaved Bellflower (*Campanula trachelium*), which is a rare species, legally protected under the Flora Protection Order of 1987 has been recorded on this site, as has *Erigeron acer* (*Wildflower Fleabane*). Eskers have been historically under increasing threat in Ireland. Of the few eskers which have survived, the Ridge of Portlaoise is considered to be one of the best examples of esker in Co. Laois, along with Timahoe and Clonaslee.

Policies for development management standards in the Laois County Development Plan 2021-2027 include DMBNH1 which states that *"where a development is of significant scale or in close proximity to a pNHA, the Council will require an Ecological Impact Assessment to determine the impact of the proposed development on the designated site or natural heritage"*.

Baill na Comhairle | Council Members

Martina Moloney (Cathaoirleach | Chairperson),
John Burgess, Damian Downes, Michael Farrell,
Fionnuala May, Deirdre McDermott, Dr. Patricia O Hare,
John G. Pierce, Sheila Pratschke, Prof. Mark Scott,
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The Heritage Council have reviewed the Natura Impact Statement (NIS) for the development as submitted, which details the potential impacts on the River Barrow and River Nore Special Area of Conservation (SAC), due to the hydrological connectivity between the site and the SAC via the Triogue River. Mention of the Ridge of Portlaoise pNHA is in this document and is recognised as being in the development site.

It is important to note the distinction between an Appropriate Assessment/ Natura Impact Statement for European designated sites under the Habitats and Birds Directives, and an Ecological Impact Assessment for NHA/pNHAs. An Ecological Impact Assessment, as noted under Policy DMBNH1, is the relevant assessment for NHAs/pNHAs. In this case there has been no assessment of the ecological impacts on the pNHA from the development.

While pNHAs are not legally protected in the same manner as an NHA, they are nationally important sites and get commensurate protection as such through county development plans, and therefore there is no 'de-listing' mechanism for such sites. The Ridge of Portlaoise pNHA is one of 28 such sites identified in the Laois County Development Plan 2021-2027 [Table 11.3]. The Laois County Development Plan has been prepared in line with national policy and guidance. Most pertinent of which is the National Planning Framework and Development Plan Guidelines for Local Authorities, both of which place emphasis on the need to protect ecological features outside of the designated network. Within this context, proposed NHAs are the most important. As such Policy DMBNH1 of the Laois County Development Plan 2021-2027 applies and therefore needs to be followed through on.

Accordingly, the Heritage Council recommend that a full ecological impact assessment be requested by further information. This should include a description of the baseline ecological condition of the site, the existing habitats and species (including any breeding birds), and an assessment of the development impacts and associated mitigation. In this regard, of particular concern is the second access road which traverses the pNHA from Well Road and any works within the pNHA to facilitate this. Whilst the main footprint of development is outside the pNHA, it is immediately adjacent and also needs to be fully assessed.

The Heritage Council recommends that this ecological assessment should then inform the site layout, landscaping, and areas of open space or biodiversity enhancement. In terms of the latter, existing important habitats are unlikely to be recreated or replicated but rather should be retained and designed into the scheme's green and open spaces. The following should also be considered:

- The need for a second vehicular access road, which traverses the pNHA onto Wells Road, and the rationale for why the primary access road (north-west) does not provide adequate access given the low population density along Wells Road and to the south of the site.
- How the construction and operation phase impacts will protect existing habitats on site.
- Details of the flood zone area, biodiversity gardens, and areas of open space and verges. And how they are to be managed and maintained within the context of calcareous species rich grasslands associated with the esker pNHA
- Retention of existing hedgerows/treelines, particularly to the east of the site, although this has been noted in the relevant drawings.

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The Heritage Council believe that currently the proposal does not comply with policy DMBNH1, nor Policy BNH 1 which aspires to “*protect, conserve, and seek to enhance the county’s biodiversity and ecological connectivity*”. Whilst it is essential to provide necessary education facilities for the population, and therefore to achieve such social goals, there may be justification for mitigated impacts on heritage, currently there is no due regard to the ecological integrity of the pNHA from the development. This is not satisfactory in terms of the sound planning and sustainable development of the area.

Therefore, further information in the form of an Ecological Impact Assessment is necessary to ensure that the local authority satisfies the policy requirements in the Laois County Development Plan 2021-2027.

I trust these views will inform Laois County Council’s determination of the application.

Yours sincerely

Virginia Teehan

Chief Executive Officer

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