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LRD Opinion Response - Ecology

PRESENTED TO

Zolbury Ltd

Proposed LRD at Lands at Blackglen Road, Sandyford, Dublin 18

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Environmental Consultancy Services

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TABLE OF CONTENTS

REPORT LIMITATIONS ..... **II**

1 BACKGROUND **4**

2 RESPONSE TO DLRCC **4**

3 CONCLUSION **9**

1 BACKGROUND

Response to Ecology related aspects of LRD Opinion in relation to the Proposed LRD at Lands at Lands at Blackglen Road, Sandyford, Dublin 18.

This Response to LRD Opinion has been prepared to address individually the ecology/ biodiversity related issues / items raised in the Dún Laoghaire Rathdown County Council (DLR) Biodiversity Report (Dated 30th July 2024) prepared by Biodiversity Officer Anne Murray and referred to in the LRD Opinion issued in July 2024 under Ref. No.: PAC/LRD2/005/24 in relation to a proposed Large-scale Residential Development (LRD) at Blackglen Road, Sandyford, Dublin 18.

2 RESPONSE TO DLRCC

Each Ecology/ Biodiversity related item is set out below, followed by a response under each item in blue text, referring to other documentation or sections within documents which provide a more detailed or technical response where relevant.

As the overall DLR LRD Opinion document references the items raised in the Biodiversity Report, for clarity these items are listed below as they are presented in said Biodiversity Report (with minor amendments made to the numbering for coherence).

1. **A revised Ecological Impact Assessment (EcIA) in relation to protected habitats and species is requested to address the following:**

   i. A detailed ecological assessment of the Carrickmines Stream and its riparian edge (and the pools/drainage ditch mentioned in the EcIA) including any important associated features or species both within the site but also within the Zone of Influence.

   A detailed ecological assessment of the Carrickmines Stream and its riparian edge is provided within the revised EcIA (Section 4.3.6).

   ii. A detailed hydrogeological assessment by a suitably qualified hydrogeologist with input from a suitably qualified ecologist, for any potential impacts on the Carrickmines stream, Fitzsimons Woods pNHA, ponds or any associated Groundwater Dependent Terrestrial Ecosystems (GDWTE) that occur within the ZOI. This is requested given the proposed development will include basements and may encounter groundwater.

   A detailed Hydrological and Hydrogeological Risk Assessment (HHRA) has been prepared for the Proposed Development and accompanies this application under separate cover. The HHRA includes an assessment of any potential impacts on the Carrickmines stream, Fitzsimons Woods pNHA, ponds or any associated Groundwater Dependent Terrestrial Ecosystems (GDWTE) that occur within the ZOI of the Proposed Development, including an assessment of the proposed basement works. The HHRA is referenced where applicable in the revised EcIA report.

   iii. If groundwater is encountered this will require specific management also during construction and so it is requested that this addressed in the hydrogeological assessment, EcIA and CEMP.

Specific mitigation for groundwater protection has been included within the HHRA and CEMP. The EcIA references the standard suite of mitigation measures included within the CEMP.

iv. It will be important given the presence of pooling water and ditch/stream and also the terrestrial habitats, and also the known occurrence of amphibians at Fitzsimons woods area and surrounds, that surveys for protected species including common newt, other amphibians and common lizard are completed, at the appropriate season by a specialist. The application of the precautionary principle provided in the EcIA is not sufficient to the assessment given particular licences, methodologies, mitigation would be required specific to these protected species and any associated habitats (both during construction and operation).

A rapid herptile assessment was conducted at the Site in July 2024 as a result of feedback received from DLR Biodiversity Officer Anne Murray at the Stage 2 LRD meeting with DLR. The assessment was conducted by herptile expert Rob Gandola and involved a site walkover to assess amphibian and reptile presence/absence and make inferences on usage of the Site where possible. It was noted that the assessment was constrained by the time of year, being carried out outside of the optimal amphibian survey season, and therefore only provides a presence/absence assessment for amphibians. The Rapid Herptile Assessment Report is provided in Appendix VI of the EcIA submitted with this application.

v. Following on from the surveys it is requested that an assessment is completed of protected amphibian species and also common lizard, if/where applicable.

Based on the results of the rapid herptile assessment and discussions with the herptile expert, the mitigation in the EcIA was revised to provide specific measures for the protection of amphibians at the Site including: a full suite of amphibian surveys to be conducted in Spring 2025 and prior to the commencement of any works on Site, the construction mitigation measures to include an ECoW watching brief and pre-clearance surveys for amphibians, an amphibian safe zone within the proposed wildlife refuge area with one-way amphibian fencing, and protection of the existing pooling in the south-east of the Site by way of the wildlife refuge. Amphibian and herptile habitat enhancement measures include the provision of ponds, bioretention areas and hibernacula within the wildlife refuge, and the management of these new habitats for herptiles as detailed within the Wildlife Refuge and Biodiversity Management Plan submitted with this application.

vi. is requested that cumulative impacts are considered and how they have been mitigated including visitor pressure to Fitzsimons Woods pNHA.

Recreational pressures on Fitzsimons Woods have been assessed in detail within the revised EcIA (Section 5.3.1.1) with reference made to the existing management approach and community involvement of the pNHA and the alternative natural amenities proposed within the Site of the Proposed Development itself (extensive woodland and nature trail).

2. It is requested that NPWS are consulted, in relation to any licences under the Wildlife Acts, if applicable.

The rapid herptile assessment was conducted by a licenced herptile expert Rob Gandola in July 2024. No further licences are required from the NPWS at this time. Should any licenced

activities be required during the proposed works if granted, the NPWS will be consulted by the ECoW regarding same.

3. Landscape Plan

It is requested that the Landscape Plan is revised to provide the following:

i. More native planting for the boundaries to include native crab apple, elder, etc for agreement with DLR Biodiversity Officer.

ii. Bracken although native can be highly invasive and may impact on the planned landscaping of the proposed site, if it becomes dominant. Therefore, a bracken

iii. This is requested at this stage to ensure that it considers biodiversity also.

iv. The planting of gorse is not recommended given its invasive nature and although it is native it is likely to arrive back to the site naturally over time. It is also considered a fire fuel and not suitable for a boundary treatment (as a planted species) along the edge of a residential development.

v. Any plant species of the proposed development will be checked by the ecologist for any likely chance of becoming invasive or spreading to the adjacent Fitzsimons Woods pNHA including any dogwood species.

vi. Cutting of ivy from existing trees should not be the default approach by the Arborist or for tree management without good reason and it would be requested that if any ivy cutting is planned that it is done in consultation with DLR Biodiversity Officer and Parks.

The above items have been addressed in detail within the relevant Landscape Architect inputs as part of the final application submission by Gannon's and Associates. The landscape approach for the Proposed Development has been developed with close coordination between Gannon's and Enviroguide and has taken the above commentary by DLR into consideration.

As noted within Section 6.1.1 of the Wildlife Refuge and Biodiversity Management Plan, routine ivy cutting will not be the default management approach for existing trees at the Site and will be carried out with the agreement of DLR Biodiversity Officer and Parks. There are limited trees within the Site of the Proposed Development with minor removals required as part of the proposed works. Trees at the Site provided no bat roost potential during the surveys and are largely to be retained along all of the boundaries of the Site. The EcIA includes a pre-felling assessment for bat roost potential for all trees to be felled at the Site as part of the Proposed Development.

4. Green Infrastructure

The provision of a wildlife corridor/biodiversity refuge is very welcome and has considered the wider DLR Ecological Network, in terms of the provision of the wildlife corridor/biodiversity refuge for protected species. However, the following important points are made:

a) The Green Infrastructure Plan states:

Deer: The site design will accommodate native deer populations, with designated corridors for their movement. These areas will be kept free from human interference and contain vegetation that is favorable for deer foraging. The presence of deer will contribute to the overall biodiversity of the site and enhance the natural ambiance of the development.

As noted in the government report - Deer Management in Ireland - A Framework for Action 20152

The role of deer as a valuable component of biodiversity must be recognised. However, this must be balanced with an equal recognition of the potential for deer to impact adversely on a range of other biodiversity values, particularly where conservation habitats and their dependent species are concerned.

Therefore, it is requested that the Green Infrastructure Plan is revised to remove any references to non native deer species, from the wildlife corridor/biodiversity refuge. The wildlife corridor/biodiversity refuge is not to be considered as a 'foraging' area for non native deer that may damage the biodiversity planting and will not achieve the mitigation that is needed for biodiversity, as part of the proposed development.

This does not remove the need to allow for a safe route for the deer and it recommended that it be considered outside of the wildlife corridor on the site where there are other routes for the deer to allow them to traverse the site safely.

It is requested that the ecologist addresses this matter in the EcIA and all other documents and reports.

The above commentary from DLR regarding the treatment of non-native Sika deer (*Cervus nippon*) in the Green Infrastructure Plan prepare by Gannon's and Associates has been addressed in the revised landscape drawings and report, as well as the EcIA. The wildlife refuge is not designated for non-native deer but rather for the local wildlife assemblage as a whole. Deer currently use the Site and the surrounding lands and will likely continue to do so in some shape or form for the lifetime of the Proposed Development as part of the local wildlife assemblage.

b) Wildlife Corridor and Biodiversity Refuge Management Plan

The integrity of the wildlife corridor/biodiversity refuge will require protection into the future from pressures from land use, from residential activities and from climate change in the longterm. Therefore, a Wildlife Corridor and Biodiversity Refuge management plan will be provided by a suitably qualified ecologist with input by a landscape architect, to demonstrate how it will be created, timing of its development relative to the phasing of the proposed site and construction works, management in the longterm for the habitats and species and also a monitoring programme over the course of its development and in the longterm, for agreement with DLR Biodiversity Officer. It is requested that it will include the cross sections of the wildlife corridor/biodiversity refuge to ensure it is of sufficient area/length/width to function and protect wildlife.

A Wildlife Refuge and Biodiversity Management Plan (WRBMP) has been prepared for the Proposed Development by Enviroguide with input from Gannon's and Associates landscape architects and accompanies this application under separate cover. The WRBMP describes the creation of the refuge area and its management into the future, along with the required monitoring approach to ensure its success. The final creation, management and monitoring approach will be confirmed with the agreement of the DLR Biodiversity Officer should grant of planning be received. A cross section of the wildlife refuge is provided within the within the Green Infrastructure Map and the Landscape Report prepared by Gannon's.

c) It is noted that the Green Infrastructure plan shows arrows are indicating that that there is a particular direction that species will go which is not the objective of the wildlife corridor/biodiversity refuge as it has many functions not just a connection to the north. This may leave the GI open to misinterpretation.

This has been rectified within the Green Infrastructure Map prepare by Gannon's.

d) It is requested that signage regarding the wildlife corridor/biodiversity refuge would be agreed with DLR Biodiversity Officer, in terms of content.

Signage has been designed by Gannon's and accompanies this application as part of their drawing pack. Final wildlife refuge signage will be agreed with DLR Biodiversity Officer should planning be granted.

5. Invasive Species Management Plan

i. It is noted that some of the invasive species such as Winter Heliotrope have more recently been identified as highly impactful species (EPA report) and all IAS will be reassessed based upon more recent reports and data.

ii. An Invasive Alien Species Management Plan will be prepared by an invasive species specialist for the proposed development. This plan will be also incorporated into a revised CEMP.

iii. The invasive species specialist may be required at various stages of the proposed development and will be included in the CEMP, along with their role and any IAS treatments, where relevant.

An IASMP has been prepared by INVAS Biosecurity for the Site of the Proposed Development and is Appended to EcIA in Appendix V. The above commentary by DLR has been addressed within the relevant sections of the IASMP and EcIA. The IASMP will also be appended to the CEMP for reference. The mitigation measures within the EcIA and CEMP are aligned with those included in the IASMP.

6. Lighting

a) It is requested that the lighting plan will exclude lighting of internal walkways and ensure no lighting along the wildlife corridor/biodiversity refuge. Words such as 'minimised or avoided' in the EcIA are not transparent and do not assess fully any potential impacts of lighting on bats or other nocturnal species including any created habitats such as the wildlife corridor/biodiversity refuge.

The above comment has been addressed within the revised EcIA. The lighting plan for the Site has been designed with Enviroguide's ecological input. Light spill from the Proposed Development has been restricted to 0-1 lux along the wooded boundaries of the Site, including the designated wildlife refuge corridor located along the southern and eastern boundaries of the Site. The wildlife corridor area coincides with a known bat commuting/foraging route based on the bat surveys conducted at the Site to date.

7. Construction and Environment Management Plan (CEMP)

a) It is requested that the CEMP details of the primary responsibilities of the Project Ecologist/Ecological Clerk of Works (PE/ECoW) as follows:

- Act as the contact for the Planning Authority and agree the frequency and number of site inspections and monitoring programme for the EcIA, CEMP and also the Landscape Plan.
- Act as the primary on-site ecological contact for the PC and SM regarding implementation of the Biodiversity related mitigation of the EcIA, CEMP and also the Landscape Plan;
- Ensure compliance with all Biodiversity related mitigation of all documents of the Planning file including the EcIA, CEMP and also the Landscape Plan;
  - Request relevant records and documentation from the SM where necessary;
  - Attend routine meetings with the SM;

- Keep detailed records of any ecological incidents and the remedies required and implemented. Report these to the PC and Planning Authority;
- The PE/ECoW shall produce the staged monitoring reports in agreement with the Planning Authority on the implementation of Biodiversity related mitigation of the EcIA, CEMP and also the Landscape Plan. The PE / ECoW shall submit these directly to the Planning Authority and to the PC.
- The PE / ECoW shall also act as overall technical advisor to the PC and SM regarding the implementation of all Biodiversity related mitigation of the EcIA, CEMP, and also the Landscape Plan.

b) It is requested that the CEMP will include the following text for clarity to any contractors:

No modifications to the CEMP can be made post planning permission that will alter the outcomes of the ecological assessments in terms of significance of impacts. Therefore, no modifications can be made without prior agreement with the Planning Authority of DLRCC and no modifications will be proposed that will negatively impact biodiversity.

The CEMP has incorporated the above text as requested by DLR.

c) It is requested that the invasive species specialist will provide input to the biosecurity measures of the CEMP.

The IASMP prepared by INVAS Biosecurity has been appended to the CEMP for reference.

In response to the DLR LRD Opinion with reference to Specific Information Required for Lodgement, the following ecological/ Environmental inputs prepared by Enviroguide are included in this planning submission:

- Tree Survey Report and Arboricultural Impact Assessment (including drawings).
- Ecological Impact Assessment (EcIA) Report.
- EIAR Screening Report.
- Appropriate Assessment (AA) Screening Report.
- This LRD Opinion Ecology Response Document.

3 CONCLUSION

This Response to LRD Opinion has been prepared to address specifically the ecology/ biodiversity related issues / items raised in the DLR Stage 2 LRD Opinion and those raised in the Biodiversity Department report. It is respectfully submitted that these items have been addressed within this document and within the various reports and plans that it references.

As detailed within the various ecological reports that accompany this application, the landscaping approach has been developed through significant coordination between Gannon's and Enviroguide, along with input from specialists in terms of herptiles, to ensure that biodiversity retention and provision is an integral part of this scheme. This approach will ensure that the Site continues to provide habitat for local wildlife such as bats, breeding birds, amphibians, lizards and small mammals; providing habitat connectivity for same to the surrounding lands, while also providing an attractive place for future residents to live.

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