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Development: Dublin Mountains Visitor Centre (DMVC) Strategic Development Initiative

Location: Hellfire Club/Montpelier Hill/Massy's/Massey's Wood

Planning Authority: South Dublin Co. Council (SDCC)

Reference No: JA0040

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LITERATURE FROM SM

Dear Sirs

We are residents of Mt Venus Rd approximately 1km from the proposed development. We are also habitual users (4-5 times per week) of the proposed development sites with intimate knowledge of this landscape. We wish to object strongly to the proposed development due to its very negative implications for proper planning and sustainable development in the area. The effects of the DMVC development on the environment are admitted by SDCC (in their own EIAR) to be permanent, long-term and negative.

#### Executive summary

We have examined each of the areas below and are of the strong view that SDCC activities in each of these areas show a disregard for the current development plan for the area. More importantly SDCC shows disregard and lack of understanding for the inherent and intrinsic archeology, built heritage and natural environment within the area.

#### 1. Planning and Council Policy

Lack of understanding on the part of SDCC that there are two distinct planning zones within the Massy's/Massey's/Hellfire Club environment, High amenity and Rural Use. SDCC demonstrates no understanding of the distinction and it is not discussed in relation to the context of Massy's/Massey's Wood.

This DMVC would involve destruction of protected prospects towards and from the proposed development site and also destroy the rural and scenic amenity/character of local roads.

#### 2. Traffic

Ill-thought out traffic management measures which would be likely to increase congestion especially during peak hours on weekdays and on weekend afternoons.

#### 3. Built Heritage/archaeology

The current proposal does not take into account the archaeological heritage beneath the proposed construction area although. SDCC has compared this site's significance to Tara, Stonehenge and Bru na Boinne. It acknowledges in the EIAR that known and unknown monuments may be obliterated during construction.

4. Ecology. SDCC has not conducted any meaningful survey of flora and fauna on Montpelier Hill and Massy's/Massey's Woods. At best their surveys could be called incompetent and at worst, deliberately misleading. Some species have been ignored and others apparently grossly underestimated (in terms of numbers). Proper investigations have not been carried out. There is a lack of understanding which is illustrated by looking at SDCCs proposals in relation to mammals and reptiles (birds are ignored).

The overall impact of the above would involve:

a. Over-intensification of use in relation to visitor numbers forecast

- b. Significant and permanent adverse environmental impact re roads, wildlife and "sky bridge".
- c. The overall negative impact of a and b combined and the fact that SDCC appears to have no woodland management plan.

**Conclusion**

The proposed development represents a massive over-intensification of use. This development demonstrates no clear understanding of the environment and no meaningful mitigation plan. It appears as if SDCC are planning for the DMVC as if it were in one of the existing suburban parks rather than being in a unique and wild natural environment which must be considered part of Natural 2000 environment and SCA/SPA.

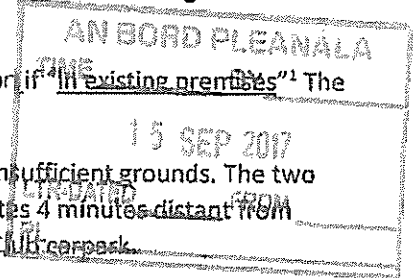
We have examined the areas below and are of the strong view that SDCC's activities in each of these areas show a disregard for the current development plan for the area and more importantly show disregard and lack of understanding of the inherent and intrinsic archeology, built heritage and natural environment within the area.

**1. Planning and council policy**

The Montpelier Hill/Hellfire Club and Massy's/Massey's Wood are designated "high amenity" areas. According to South Dublin County councils Development Plan the views of and from Montpelier Hill are protected. This development would significantly change these prospects from as far away as Howth, but more dramatically from areas such as Three Rock, Tibbradden, Rathfarnham, Cruagh. The prospects from the narrow, characterful Killakee Road would be altered significantly by the introduction of the proposed "sky-bridge" linking Montpelier Hill/Hellfire Club with Massy's/Massey's Wood. This is not appropriate in the context of the historic buildings such as Steward's House on Killakee Road.

According to the EIAR, "Restaurant/Café use is open for consideration if in existing premises"<sup>1</sup> The proposed (new) building does NOT constitute an existing premises.

SDCC has dismissed two existing local buildings for their project on insufficient grounds. The two properties are Orlagh House and Steward's House. Orlagh is 5 minutes 4 minutes distant from Hellfire Club carpark while Stewards House backs on to the Hellfire Club carpark.



**Orlagh House**

This extensive 18<sup>th</sup> century landmark is visible from a distance. Its 100 acres include attractive wooded walks with potential for extensive car-parking. Its appearance on the market in 2016 was brought to the attention of SDCC. Purchase was dismissed on the grounds it did not comply with SDCC's vision for their development. SDCC states "In particular the property is not of the 'forested mountain' character envisaged by SDCC and its partners' "<sup>2</sup> there is no connection (without further land purchase) to any other off-site heritage attractions including the Hellfire Club building and the reatures on Massy's/Massey's Wood". A single parcel of land divides Orlagh from the Coillte lands of the Hell Fire Club. The owner of this land has never been approached by SDCC. He has indicated to us that he would be pleased to discuss lease of a pathway through his land by SDCC. In the absence of such a pathway, A 5 minute minibus journey could link Orlagh and Hellfire Club carpark so a large volume of visitors can park and ride.

**Steward's House**

In use as a successful restaurant for several decades this has potential for sensitive extension behind the courtyard facades with their empty windows, ideal for audio-visual/exhibition spaces, rambler's

<sup>1</sup> [13. MDVC Planning Statement. Chapter 5: Proposed developments compliance with planning policy. 5.3.1 zoning objective. p27].

<sup>2</sup> [EIAR vol 1 chapter 4: Consideration of Alternatives p52]...

reception areas and café extension.

SDCC refused permission for a small scale (3 units) tourism development in 2011 (Planning ref no SD10A/00032). However, on appeal to ABP, it was granted<sup>3</sup>. The planners office SDCC (see website) says "such development would lead to the intensification of use of the existing vehicular entrance to the site. The vision sight lines at the existing entrance are seriously substandard and would endanger public safety". In 2011 ABP disagreed, ruling the application should be allowed.

The historic and attractive Steward's House could be linked by path/ramp to the existing Hellfire Club carpark. This is still a possibility if SDCC would seriously consider using existing buildings for appropriate and sensitive development.

One of grounds for SDCCs dismissal of the above two premises was the lack of "wow factor". This is not a legitimate planning term but a subjective opinion.

This development would materially contravene the zoning objective of the area due to:

- Lack of meaningful consideration of alternatives.
- Increased carbon emissions by bringing further 200,000+ visitors p.a. to the semi-wilderness of Massy's/Massey's Wood and Montpelier Hill (Hell Fire Club)
- It's conversion of semi-wilderness into urban-style environment with outside carpark. This is not consistent with SDCCs stated ET7 objective 1: "to promote the active use of managed forests for tourism and leisure related activities subject to an appropriate scale of development having regard to the pertaining environmental conditions and sensitivities scenic amenity and availability of services"<sup>4</sup>. We do not see how this development complies with the above statement.
- ET8 Objective 1 is to "operate flexibly with regard to the use of converted buildings to facilitate heritage tourism" <sup>5</sup>. SDCC has shown singular lack of flexibility in their approach to utilising existing historic structures.
- ET Policy 9 states "it is the policy of the council to support sustainable rural enterprises whilst protecting the rural character of the countryside and minimising environmental impacts"<sup>6</sup>. It is our view that this development would remove the rural character by inserting an urban style restaurant/retail space and surfacing within the countryside.
- "It is the policy of the council to preserve views and prospects and the amenities of places and features of natural beauty or interest"<sup>7</sup>.

The views of Montpelier Hill/Hellfire Club and the views from it will be changed utterly by the proposed development. The new building would be visible from Howth (as per SDCC's own CGI mockup) and other sites around the city. Establishment of the new, proposed broadleaf trees would 4 decades to obscure the scar on the landscape that is proposed. The proposed sky-bridge represents an urban style of architecture that is not in keeping with this historic roadway and woodland landscape especially in relation to Massy's/Massey's wood which is of greater age than the Coillte coniferous plantations of Montpelier Hill/Hellfire Club.

<sup>3</sup> [4c EIAR vol 1 2.2 The Receiving Environment. P11 paragraph 3.]

<sup>4</sup> [13. MDVC Planning Statement 5.3.4 Economic and Tourism Development Section 4.5.0 p30]

<sup>5</sup> [13. MDVC Planning Statement Chapter 5: Economic and Tourism Development Section 5.3.4 p30]

<sup>6</sup> [13. MDVC Planning Statement 5.3.4 Economic and Tourism Development Section 4.5.0 p30]

<sup>7</sup> [13. MDVC Planning Statement 5.3.4 Economic and Tourism Development Section 4.5.0 p36 paragraph 1]

## Conclusion

It is impossible to reconcile such large scale construction as SDCC is planning (which by its own admission in the EIAR [chapters 11 and 12] will have permanent and moderate to severe impact on the environment) with SDCCs own stated aim in relation to development, that such development should be of an "appropriate scale of development having regard to the pertaining environmental conditions and sensitivities, scenic amenity and availability of services". This is further confirmed and reinforced by the fact that in Planning decisions as recently as this year<sup>8</sup> SDCC has refused permission because it wishes to stop ribbon development because of the nature of the area and the road network in particular. In this context it is clear that the proposed development is non sustainable in the context of the overall area and SDCC has already admitted to the serious permanent adverse effects on the physical environment.

## 3. Traffic

SDCC has consistently refused planning permission for small-scale developments on Killakee Road. One such refusal by SDCC in 2017 stated that:



"The proposed development constitutes undesirable ribbon development on a substandard rural road network, which will lead to a demand for the uneconomic provision of services and would set an undesirable precedent for further similar developments in the area"<sup>9</sup>.

However, in their current planning application SDCC states that "projected increases to traffic flows from the development are not significant"<sup>10</sup>.

This is despite SDCCs estimation of increased visitor numbers of 200,000 per annum. This constitutes a large increase in traffic volume. Large scale housing developments near Gunney Hill are already causing strain on the narrow roads. High traffic volumes are already present at Killakee Rd and Mt Venus Rd during morning and evening rush hour.

SDCC predicts "increased pedestrian and cycling safety accruing from the ...provision of footpath and advisory cycle lane" (also p37 as above) in their DMVC Planning Statement.

SDCC proposes a single cycle lane in the uphill direction going towards Massy's/Massey's Wood /Hellfire<sup>11</sup>. It states "downhill cyclists will not require to yield to uphill traffic, which can straddle the uphill cycle lane as necessary to enable passing. This arrangement will have a strong traffic calming effect to reduce traffic speeds in addition to sharing the limited road space appropriately".

We believe this to be ill thought-out and may increase levels of motorist impatience and dangerous overtaking of cyclists.

We also believe that the proposed 90-metre pinch point B on Killakee Road between the junctions at Mt Venus Rd and Gunny Hill<sup>12</sup> will cause catastrophic traffic congestion at existing traffic volumes

<sup>8</sup> [Application by Kerrie O'Keefe and Owen Brennan to SDCC. Decision Order No 0163. Date of decision 10/2/17 Register Reference SD16A/0428]

<sup>9</sup> [Application by Kerrie O'Keefe and Owen Brennan to SDCC. Decision Order No 0163. Date of decision 10/2/17 Register Reference SD16A/0428]

<sup>10</sup> [13. DMVC Planning Statement. Chapter 6: Planning Merits of the proposed development. 6.1. Benign environmental impacts p37]

<sup>11</sup> [13. DMVC Planning Statement. Chapter 14: Material assets – roads, traffic and transportation p292]

<sup>12</sup> [p292 as above]

(even without the proposed 200,000 increased visitors per annum). Vehicular traffic flow on this stretch is extremely high during peak times (Mon-Fri 7.30-9am, 4.30-6pm September to June). But SDCC has not submitted any traffic counts for either of the two areas they wish to convert to single lane traffic. Nor for any road. This is a gross oversight and underlines the subjective nature of the EIAR.

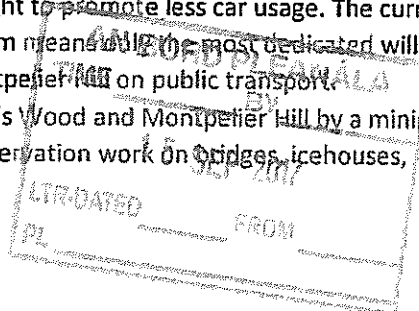
SDCC has stated (at their public information meeting on 27<sup>th</sup> February 2017 at Whitechurch Library) that equestrian traffic (from local riding stables up to Killakee/Massy's/Massey's/Hellfire Club) will use the new footpath. This is illegal. Increased pedestrian numbers on a footpath used by horses is likely to impact negatively on public safety by giving a false sense of security. .

Currently, the narrow road without footpath means motorists (usually) drive with extreme caution and give pedestrians, cyclists and horses a very wide berth. I know this as a habitual pedestrian user of Killakee Rd both on weekdays and at weekends. The proposed road/traffic management plans may have the opposite effects from that intended re. user safety and enjoyment. It also ignores SDCCs stated aim of protecting "the rural character of the countryside".<sup>13</sup>

SDCC states that "the development is consistent with the objective in the RPGs to "ensure that increasing pressures of commercialisation and development do not serve to undermine rural ecosystems, landscapes and conservation areas thus losing what makes such destinations attractive and special places to visit"<sup>14</sup>. We disagree strongly.

6000 people have signed a petition asking to drop the proposed development. They believe it will destroy that which makes Montpelier Hill/HFC an attractive place to visit, namely the "wild" nature of the user experience, the break from commercialisation, and the peace and tranquillity the rural landscape offers. General consensus from many people we have spoken to appears to be in favour of the following:

- Improving current carpark (at HFC) and adding markings. Expand carpark to the East toward Killakee Road (adjacent to Steward's House) to increase capacity. Widen carpark entrance just inside gate to improve flow of two-way vehicular traffic (currently only one vehicle can pass at a time leading to delays and traffic jams during busy times at weekends).
- Improving tracks and trails to encourage people to roam further afield within the Hellfire/Massy's/Massey's areas.
- Use Steward's House or Orlagh to house restaurant/café, visitor facilities etc. If using Orlagh, minibus service could be provided to Hellfire/Massy's/Massey's at weekends when visitor volume is highest.
- Better bus services both from city centre and Tallaght to promote less car usage. The current proposal for bus/minibus links from Tallaght stadium means ~~the most dedicated~~ will make it as far as Massy's/Massey's Wood and Montpelier Hill on public transport.
- Enhance the fragile ecosystems of Massy's/Massey's Wood and Montpelier Hill by a minimal intervention approach but to include sensitive conservation work on bridges, icehouses, walled gardens within Massy's/Massey's.



<sup>13</sup> [13. MDVC Planning Statement p30].

<sup>14</sup> [13.MDVC Planning Statement. 6.3.2.3.Rural Development and Tourism. p40]

## Conclusion

It is impossible to reconcile SDCC's traffic-calming measures with their stated aim to protect and preserve the integrity of the natural environment and the scenic amenity value of the rural roads. SDCCs proposal suburbanises the rural roads, adds in 3km of sewers and paves the way for further ribbon development which it is SDCC's stated aim to prevent. It would overburden the road structure with unsustainable and unacceptable traffic volumes in contravention of SDCCs own development plan for this area.

## 4. Built heritage and archeology

We understand that further monuments have been reported subsequent to the EIAR. These monuments are in addition to the 18<sup>th</sup> century building (Hellfire Club) and the passage graves at the summit. Some are on the the site of the proposed development and would be obliterated.

Additionally, historian Michael Fewer, author of the book, "Hellfire Hill: A Human and Natural History" (South Dublin County Council 2016) wrote in 2015 that many more archeological remains on the East facing slopes of Montelier Hill remained to be studied. He told us that this sentence had inexplicably disappeared from his books conclusion by date of publication in 2016.

The landscape assessment of the county carried out as part of the SDCC Development Plan 2016-22 states that protection of this landscape and its environment is a priority. It is the stated policy of the Council to protect and enhance the visual, recreational, environmental, ecological, geological and archeological, and amenity value of the Dublin Mountains.

Archeology at Montpelier Hill is cited in the EIAR as being of high archeological significance and similar in importance to Loughcrew, Bru na Boinne and Tara. It states the landscape type is similar to that of Stonehenge<sup>15</sup>. How can SDCC plan to construct modern stairs/steps in a site comparable to these great sites? SDCC goes on to acknowledges the possibility of damage to "known or potential archeological features" during both construction and operational phases<sup>16</sup> of the DMVC.

Allowing this development on the site of these additional monuments would obliterate them, in contravention of SDCCs own aim to protect and preserve. The DMVC threatens to become another Wood Quay where the wishes of the Irish people were ignored in favour of obliterating a valuable heritage site. Like Wood Quay the currently proposed development would involve the wanton destruction of a rich heritage that is the birthright of all Irish people. Over 6,000 people have signed the petition to stop the currently proposed development.

The best practice standard involves the construction of visitor centre and modern architecture of any type) a number of kilometres from sites such as this (e.g. Newgrange). Orlagh and Steward's house are perfect examples of such off-site premises that could be appropriately used. The currently-proposed development is clearly not sustainable and is an over-intensification of use. It is evident even from SDCCs own application (with all its omissions) that the impact will be long-term and negative.

## Conclusion

SDCC proposes to ignore further archeological remains on the East side of Monpelier Hill. It appears

<sup>15</sup> [EIAR Chapter 11: Archeology and Cultural Heritadge p200].

<sup>16</sup> [EIAR chapter 11. Archeological and Cultural Heritage. 11.5. Potential impacts of the proposed development. P218]

content to sacrifice these remains in the interests of suburban style development wholly inappropriate to this historic rural landscape.

## 5. Ecology

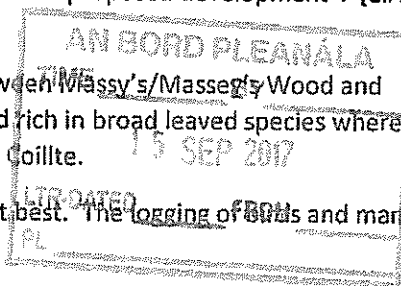
### **Incursion into Massy's/Massey's Wood/impacts on drainage and ecosystem**

Under SDCCs plan, runoff from Montpelier Hill/Hellfire Club to be drained via new pipes/culverts in Massy's/Massey's wood into the Owendoher river. This involves incursion by heavy digging machinery through a wide swathe of woodland. This would have a deleterious impact on the natural semi-wild nature and amenity of Massy's/Massey's Wood. This will also put additional strain on the tributaries of the Dodder river and affect the amenity value of the whole Dodder catchment area further downstream.

SDCC clearly states that "The proposed development will result in habitat loss, disturbance and displacement to the fauna that reside within and adjacent to the proposed development". [EIAR chapter 6 Biodiversity p96. ]

No significant distinction is made in SDCC's application between Massy's/Massey's Wood and Montpelier Hill. Massy's/Massey's Wood is mixed woodland rich in broad leaved species whereas Montpelier Hill/Hellfire Club is coniferous forest planted by Coillte.

SDCC's preliminary screening of ecology was rudimentary at best. The logging of birds and mammals is incomplete.



The mammal survey screened out every species except squirrel, badger and bat. The effect on deer, hare and pinemarten habitats are ignored in the EIAR. Deer are regularly seen in Massy's/Massey's Wood in twilight hours (Coillte fenced off parts of Massy's/Massey's Wood to keep them from grazing undergrowth and young trees). Michael Fewer, commissioned to write "Hellfire Hill: A Human and Natural History" (South Dublin County Council, 2016) has observed spoor of fox, hare, deer on Montpelier Hill/Hellfire Hill during 2015.

Applying to destroy badger setts and squirrel dreys is not acceptable. Such destruction is an offence under the wildlife act. SDCC is applying for a derogation to destroy their two habitats.

SDCC's walkover survey [Dec 2016] was of 300+ acres and was not comprehensive.

### **Badgers**

There are 2 setts adjacent to each other at the East perimeter of Massy's/Massey's wood that have not been identified by SDCCs survey (which included all fence perimeters). The 2 setts were in use in 2016. Why were these missed if the ecologists engaged were expert in their field and experienced?

SDCC is seeking a licence to destroy a badger sett (identified Dec 2016) in Montpelier Hill. This is an offence under the wildlife act and will affect the biodiversity of the site. The sett the ecologists identified on Montpelier Hill and stated was disused in Dec 2016 was in use (as confirmed by local farmer and ex-wildlife cameraman Frank Doyle) in early 2017.

### **Bats**

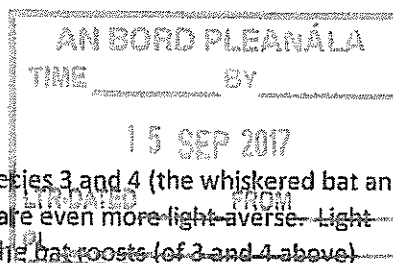
The bat survey conducted for this application is incomplete. Local resident Frank Doyle observed the bat survey being carried out and states that the surveyors looked only around the base of trees and not up into the canopy. Their EIAR mentions [Chapter 6 Biodiversity. 6.4.2.1. p88] mentions trees suitable for bats. However no details are given of methods/specialised equipment used nor numbers of bats counted. In contrast to a bat survey conducted in this area in 2010, SDCCs bat

survey states "Bat activity during the surveys was low"<sup>17</sup>. Numbers of bats that constitute "low" is not defined anywhere in the EIAR

A privately-commissioned formal bat survey was conducted in 2010 (by Donna Mullen MPPN, Wildlife Surveys Ireland). This was date stamped by SDCC 23/9/2010. The survey was conducted for Mr Seamus Murphy of Killakee House. It recorded 4 species of bats in this area and stated their habitat as coniferous forest. Killakee House has no forest. The forest referred to is the Coillte Land – the site of the proposed development which are directly abutting the grounds of Killakee House. [Please see attached copy of bat survey].

The 4 species identified in the coniferous forest (not belonging to Killakee House but to Coillte) were:

1. Soprano Pipistrelle (pipistrellus pygmaeus)
2. Leisler's (nyctalus leisleri)
3. Myotis – probably whiskered bat (myotis mystacinus)
4. Brown long eared bat (plecotus auritus)



All bats shy away from lit areas but of particular concern are species 3 and 4 (the whiskered bat and the brown long eared bat). These are woodland species which are even more light-averse. Light draws insects out of the woodland edges. But light shining on the bat roosts (of 3 and 4 above) delays their emerging to feed on time (according to ecologist Pat Moran). The result is failure to build up fat reserves to survive over the winter. The proposed development would involve lighting outside daylight hours [EIAR chapter 11 Landscape and Visual Resources p193]. Building the large structure envisaged by SDCC would also involve some security lighting, in order to deter anti-social activity. This is likely to have an adverse effect on bat numbers.

#### Squirrels and pinemartens – complex interaction

Red squirrels are frequently spotted in the mornings in the Hellfire Club Carpark and the edge of Massey Wood which adjoins it. We have witnessed this (several times in Feb 2017). Local resident Frank Doyle (ex wildlife film cameraman) has identified at 18 squirrel dreys at the HFC site alone. Construction of walls, fences enclosing Hellfire and Massey's/Massey's will impede free movement of the red squirrel between the two sites.

Predation by the pinemarten on the grey squirrel has allowed the resurgence of the endangered red squirrel (previously diminished by the grey squirrel population).

The EIAR states "one pinemarten was recorded"<sup>18</sup>. Pinemartens, according to the Vincent Wildlife Trust, are "one of the rarest and most elusive wildlife species in Ireland". This pinemarten is of high significance as it is a protected and important mammal.

Fragmentation of pine marten populations in the past has led to reduction in their numbers. This development would negatively affect red squirrel habitat due to grey squirrel re-emergence due to loss of pinemartens which predate on grey squirrels.

SDCC states that "It is considered that the proposed development will not impact significantly on this species and, therefore, it is not included as a Key Ecological Receptor and no further surveys are required"<sup>19</sup> However they also state: "The potential increase in prevalence of grey squirrel is considered to be a long-term significant negative impact and would likely reduce the numbers of red

<sup>17</sup> [EIAR Chapter 6 Biodiversity 6.4.2.1. p88].

<sup>18</sup> [Vol 1 Chapter 6: biodiversity p90]

<sup>19</sup> [EIAR. Vol 1 Chapter 6: biodiversity p90].

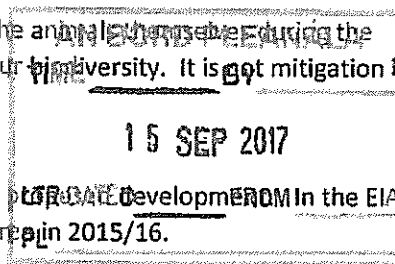


squirrel in the local area”<sup>20</sup> but that “the proposed development does not have the potential to result in significant impacts on the Key Ecological Receptor at the National or County Level”.

Any negative impact on a red squirrels (which are only just recovering from near-obliteration by grey squirrel) is of county and national significance and is unacceptable.

Destruction of red squirrel<sup>21</sup> drey and badger sett and destruction of their local habitats will severely affect these species. The red squirrel is protected and is only just making a resurgence. Red squirrels are commonly seen on the edge of Massy’s/Massey’s Wood closest to the Hellfire Club/Montpelier Hill, and at the eastern side of Hellfire/Montpelier Hill (close to Massy’s/Massey’s Wood). Intensive development will deleteriously affect red squirrel populations in the area of the proposed commercial development.

Destruction of setts, dreys and possible destruction of the animals themselves during the construction phase goes against the aim of protecting our biodiversity. It is not mitigation but destruction.



#### Birds

No bird survey appears to have been carried out for the proposed development. In the EIAR there is no recording of the various species noteworthy in this area in 2015/16.

Local historian Michael Fewer in his book “Hellfire Hill: A Human and Natural History” (South Dublin County Council, 2016) writes about recently observing kestrel, merlin, sparrow hawk, blue jay, raven, jackdaw, goldcrests, chaffinches, wrens and a heron on Montpelier Hill. The merlin in particular is very rare and elusive and protected.

#### Reptiles

The ponds of Montpelier Hill are valuable breeding sites for frogs and newts. In the EIAR SDCC states that “It is considered that the proposed development does not have the potential to result in significant impacts to this Key Ecological Receptor... the proposed development does have the potential to results in significant impacts at the local level”. Then (in the same section) “no likely significant effects on this Key Ecological Receptor at National, Local or County Level<sup>22</sup> These are contradictory statements.

It is not likely that an additional 200,000 visitors per annum envisaged by SDCC will allow the survival of breeding ponds and their resident and visiting frogs and newts.

It is highly debatable whether the 6 new ponds planned by SDCC<sup>23</sup> to provide frog and newt habitat can be kept free of the petrochemical contamination brought about by increased vehicle traffic. Although existing ponds would be fenced off, increased footfall of the envisaged 200,000 extra visitors on the site will endanger the frogs which travel across the land to get to the ponds in late February to breed.

#### Flora (plants)

Plants were surveyed in Massy’s/Massey’s wood in December 2016, the dormant season. This would give rise to failure to properly log annual and perennial species diversity.

<sup>20</sup> [EIAR Chapter 6: Biodiversity. Table 6.16 p97]

<sup>21</sup> drey [EIAR Chapter 6: Biodiversity p104]

<sup>22</sup> " [EIAR Chapter 6: Biodiversity 6.7 Residual impacts p107 Table 6.17]

<sup>23</sup> [EIAR Chapter 6 Biodiversity p105]

SDCCs over-sized development plans would destroy a significant number of protected species and their habitats. This is admitted in the EIAR, that habitats as well as actual animals would be potentially destroyed. This, for a commercial development of cafe/restaurant/shop, is not acceptable. SDCC has ignored multiple mammalian species such as deer, pinemarten and hare. They have demonstrated significant inaccuracy in surveying numbers and types of animals such as badgers and red squirrels. counting setts/dreys and actual wildlife in their wildlife survey. They have completely ignored birds, many of which (e.g. merlin) are extremely rare. SDCCs proposed DMVC does not have any "regard to the pertaining environmental conditions and sensitivities of the area". SDCC has a duty of care to protect and preserve the ecological diversity, rural character and scenic amenity of the area. SDCCs EIAR is of insufficient quality to provide sound basis for a planning decision in respect of the area. It is perfunctory and incompetent at best.

In the EPA's "Guidelines on the information to be contained in environmental impacts statements" it states: "It is in the interest of all parties it is that EISs are kept as concise as possible". It is our contention that the 300-odd pages of the current EIAR contains multiple repetitions and "padding" in order to discourage all but the most dedicated (and 3<sup>rd</sup> level-educated) reader from reviewing it thoroughly. e.g. Chapter 6: Biodiversity 6.3.4.1. p81 Table 6.4 NPWS RECORDS FOR PROTECTED SPECIES (This is a table which is inserted in the EIAR and then ignored – very few of the species relevant to the DMVC development were even cursorily surveyed).

#### Conclusion

We contend that the combination of inadequate/inaccurate wildlife and plant surveys (and omission of surveys of many species altogether) is unacceptable. In addition, the unnecessary repetition and a general reluctance to acknowledge the large-scale destruction the proposed development would wreak on biodiversity in the receiving area makes this the EIAR an almost meaningless exercise. This EIAR does not constitute a valid foundation upon which to make a decision about the impact of this development on biodiversity and the natural environment. It is incomplete, inaccurate and unprofessional. It ignores inconveniently rare and important species such as merlin, sparrowhawk, pinemarten and hare which could also be impacted negatively by the development. This development is in direct contravention of SDCCs aim of protecting our biodiversity. The mitigation measures for the squirrel are derisory (3 artificial squirrel dreys to be placed in the surrounding woodland<sup>24</sup>). This does not compensate for loss of habitat and risk of colonisation by grey squirrel.

For the reasons previously outlined in this document we strongly urge you to refuse this application for the Dublin Mountains Visitor Centre and thereby help retain the natural beauty, biodiversity and amenity of this precious area.

We request an oral hearing on the grounds stated in the executive summary (p1 of this document) and elaborated upon in the body of this submission.

Yours faithfully



Anna Collins



Dermot Collins

<sup>24</sup> (EIAR Chapter 6: Biodiversity p104).

# A Bat Survey of Kilakee House, Rathfarnham, Co Dublin

For Mr Seamus Murphy



By Donna Mullen M.P.P.M

Wildlife Surveys Ireland

Maio, Tierworker

Kells, Co Meath

AN BORD PLEANÁLA	
TIME	BY
	15 SEP 2017
LTR-DATED	FROM
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South Dublin County Council Planning Department - Registry	
23 SEP 2013 SD10 A 0032	
Date	1 2013
14:05	14:05

## **Introduction**

There are up to 10 species of bat in Ireland. Old buildings provide many opportunities for roosting bats. They may have maternity (breeding) roosts in attics, and hibernation or mating roosts in old stonework. They particularly use attics with many different angles, as this allows them to move from place to place and regulate their heat. A house such as Kilakee House provides ample roosting opportunities in the old stone brickwork and roof spaces.

## **Desktop Survey**

Roosts in the area;

(1) The Nature Room, St Enda's, Rathfarnham – a maternity roost of Leisler's bats, surveyed in 2001.

(2) Clovagh yard and Tibbradden Stable yard, Mutton lane, Rathfarnham. Surveyed in 2009. Pipistrelle droppings found throughout the buildings.

Thanks to Bat Conservation Ireland for use of their database.

## Materials and Methods

### Equipment

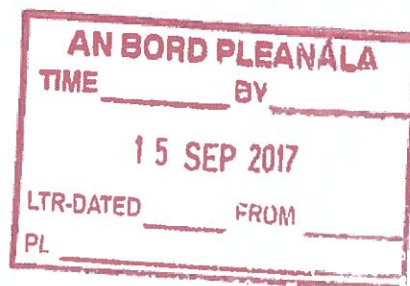
Exide Lamp

Petzl Tikka Head torch

QMC Mini 3 bat detector

Anabat SD1 bat detector and monitor

Rigid See Snake Micro Fibrescope



### Methodology and Results.

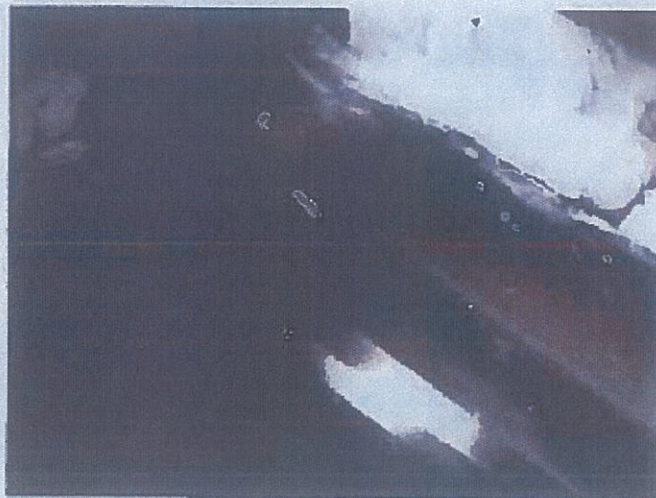
The survey was carried out on Tuesday 8<sup>th</sup> June 2010. The weather was foggy with occasional showers. The house and exposed stable block were checked for bat presence, -squeaking, droppings and staining. No signs of bats were observed. However wind and rain can often remove signs in exposed buildings. The cellar of the house was also checked for bats. No droppings or signs of usage (moth wings etc) were found.

Crevices were examined using a fibrescope. Some crevices were not accessible as they were high and unsafe. Ivy covered some of the building.

The apartment with the fell roof was also examined for bat usage. No signs of bats were found. However it was impossible to check the entire roof because of the disrepair.



The roof space of the house was examined. It was not possible to check all of the roof space, because of the house design. The slates continue down the walls of the house, so the roof space is very small. Mouse droppings were seen, but there were no bat droppings. Also there was a large amount of cobwebs in the roof space. It is reasonable to assume that no bats had been flying within the roof space for many years.



**Cobwebs covering attic timbers**

The bellflower was also examined and showed no sign of bat usage.

### Habitat

Coniferous plantation with some areas of clear fell.

**Grid Ref:** 12178 23775

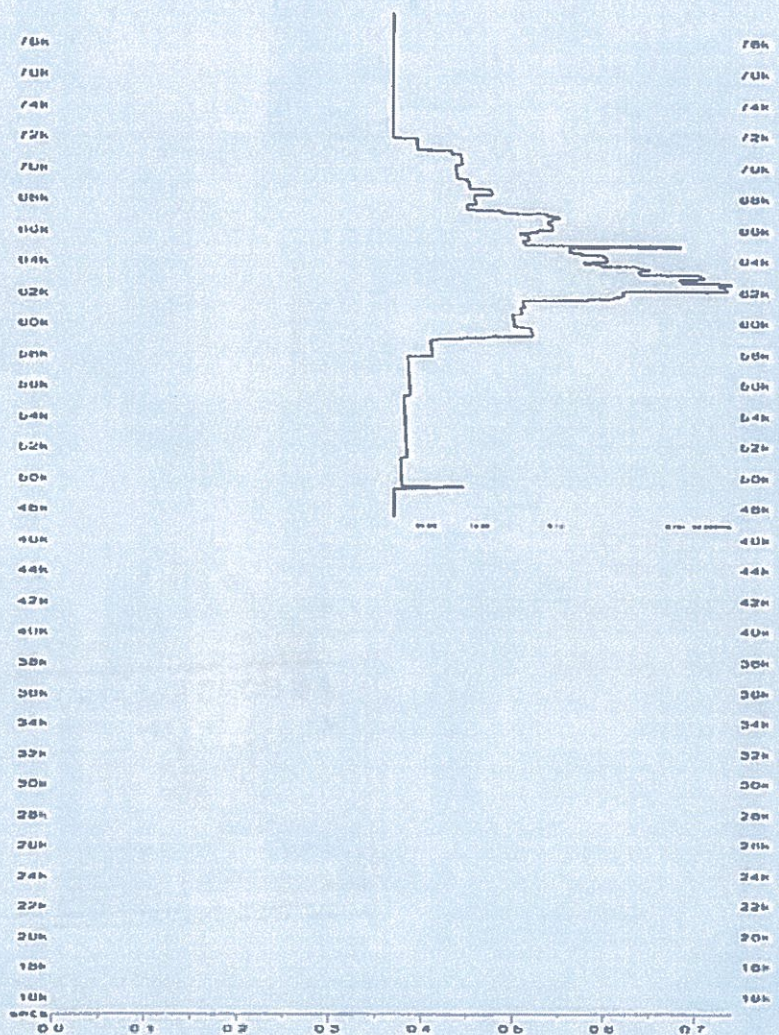
### Bats recorded in the area were:

- (1) Soprano Pipistrelle - *Pipistrellus pygmaeus*
- (2) Leisler's - *Nyctalus leisleri*
- (3) Myotis - probably whiskered bat - *Myotis mystacinus*
- (4) Brown long eared bat - *Plecotus auritus*



### Dusk Survey

The survey commenced at 9p.m. At this time of year bats are emerging around 9.45pm. A soprano pipistrelle was seen flying over the apartment at 9.50pm. We can conclude that its roost is nearby, although it was not seen exiting from any building on this site. A Leisler's bat was seen at 10.15pm. The soprano pipistrelle and Leisler's bat fed intermittently at the rear of the house (near the forest) and towards the wall at the side of the stable block. These areas were sheltered. The Leisler's bat fed throughout the night, leaving the area at 2.50 am.

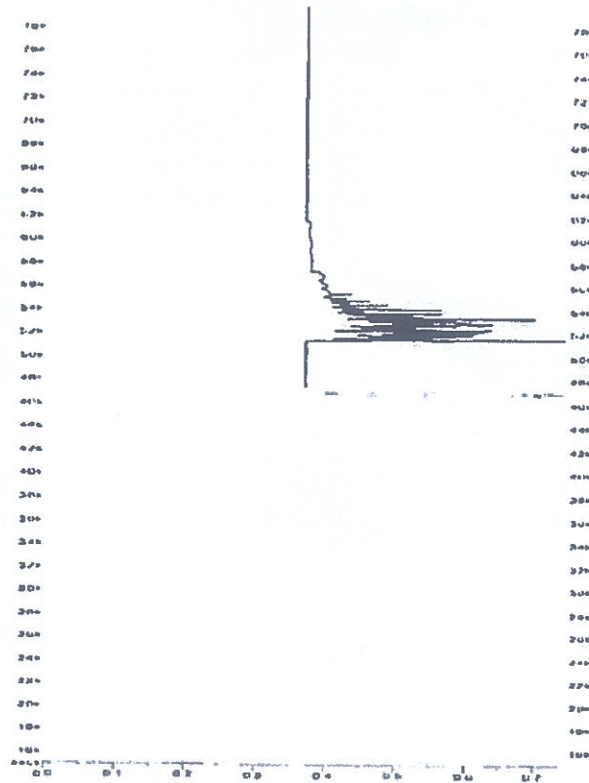


**Myotis bat – probably whiskered, feeding around the stable block at 1 a.m.**

A brief ultrasound signal of a Myotis was heard at 11.45 pm. A second signal was captured on the Anabat recorder at 1 a.m. It is difficult to differentiate Myotis bats in cover, but it is likely to be a whiskered bat. It flew towards the coniferous woodland to the rear of the site.

The dawn survey commenced at 4 a.m. A brown long eared bat was seen commuting towards the forest at 4.20 a.m. No bats were seen swarming around any buildings on this site.





### Leisler's bat feeding

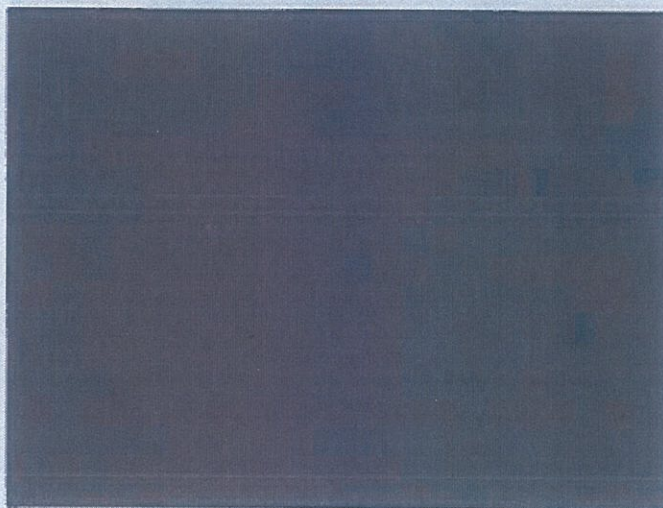
Although bats were not seen to be present on this night, they may be using the ruin at other times in the year, so we would propose making the restoration a bat – friendly project.

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## **Mitigation and method statement**

### **Re-pointing of stonework**

Brown long eared bats frequently roost among old stone, and stone and timber. Whiskered bats also use this type of roost. As both these bats were found on site, it is important that any repointing is undertaken with great care.



### **Gap in stonework in stable block**

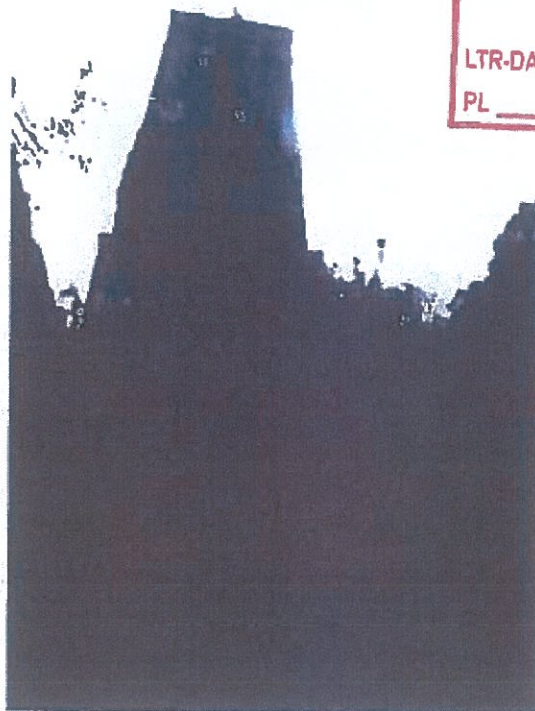
The main threat to bats will occur when the stonework is re-pointed. Bats may become entombed. The stonework should be checked prior to replastering. As most of the crevices are not deep, they can be checked with a torch. If a deep crevice is found, it can be checked by a bat specialist with a fibrescope.

If bats are found, the work will stop on this area, a derogation licence will be applied for and an exclusion will be carried out in the correct season.



Bats are often found between the timber and stonework around a window or lintel. This wood should be removed with great care to avoid injuring bats.

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Ivy must be carefully removed by hand. It should not be removed in late spring or early summer.

### **Ivy removal**

Ivy should not be removed in the summer months without first checking for bats roosting and birds nesting.

### **Bat Access**

Access to the bell tower at the side of the building will be retained for bats to allow their usage of this area. Two bat boxes (Schwegler type 2FN) will be placed high in the belltower (one inside and one outside) to compensate for any loss of roost crevices in the wall which is to be repointed. These can be purchased from [www.alanaecology.com](http://www.alanaecology.com)

### **Timing of work**

To ensure that any roosts are undisturbed, re-roofing of the main house should not take place during the summer months. The bats are at their most vulnerable during this time. The slates should be carefully removed by hand.

**If bats are discovered during the building work, all work should stop until a bat specialist and N.P.W.S are consulted.**

### **Bat Biology**

Female bats gather in groups known as maternity roosts in summer to have their young. They generally have one baby each year, so are slow to reproduce, and disturbance of a maternity roost can be catastrophic.

In winter bats move to old stonework, trees and caves to hibernate. They are especially vulnerable here as they are slow to awaken, and if repointing is carried out, they can easily become entombed.

All Irish bats are insectivorous and do not eat our food or chew wiring in a house. Each bat eats over 3000 insects per night, so they act as a natural insecticide. They do not generally cause any problems in attics – often the householder is unaware the bats are present.

However it is advisable to cover the water tank in attics with bats.

### Legislation

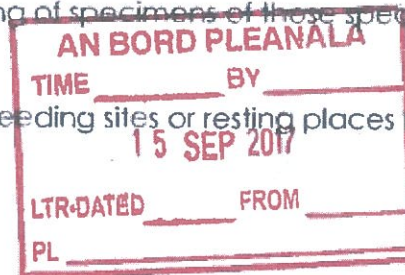
Bats are protected under the 1996 Wildlife Act, the 2000 Wildlife (Amendment) Act, Stat Ist 94 of 1997, Stat Ist 378 of 2005, The Habitats Directive, The Bonn and Bern Convention, and the Euro bats agreement.

The European Community (Natural Habitats) Regulations S.I. No 94 of 1997 states:

23(1) The minister shall take the requisite measures to establish a system of strict protection for the fauna consisting of the animal species set out in Part 1 of the First Schedule prohibiting -

(a) All forms of deliberate capture or killing of specimens of those species in the wild.

(d) The deterioration or destruction of breeding sites or resting places of those species.



### Contact Details

N.P.W.S phone number is 1890 321 421, and they will give you the contact details of your nearest wildlife ranger. The phone number for Bat Conservation Ireland is 046 9242882. I can be contacted at 046 9242886 or 087 6753201.

