



To : the Secretary
An Bord Pleanála
Re: Dublin Mountain Visitor Centre – Strategic Development Initiative.
Location: Hellfire Club/Montpelier Hill/Massy's Wood
REF: JA0040

From : Elizabeth Davidson, Mount Venus House, Mount Venus road, Rathfarnham D16E429

Dear Sir,

As a long-time resident of the area and a habitual user of the amenities of the location site and in appreciation of the outstanding natural beauty and amenity of the Dublin Mountains, in relation to the F I response, I have a number of observations and submissions which have been informed by the Feasibility study, and the plans submitted to An Bord Pleanála on the implications of the proposed development for proper planning and sustainable development in the area concerned and the likely effects of the proposed development on the environment, in addition to the request for further information reference 06S.JA0040 dated 9th of October 2017 and signed by Kieran Somers executive officer, which states that "the proposed development is not located with any designated site"

"The information available indicates it may contain protected species and is close to 3 European sites including, Glenasmole valley SAC (site code 001209) circa 1.2 km away, the Wicklow Mountains S a SASE (site code 002122) circa 0.6 km away, and the Wicklow Mountains SPA (site code 004040) Circa 0.9 km away. "

However the zone of influence can be potentially 15 km so that for all intents and purposes the above named special areas of conservation and special protection areas are effectively within the site.

The current department or guidelines open "guidance on appropriate assessment for planning authority" (DOEHLG 2009) identify the appropriate distance (at para 3.2.3) as:

"Any Natura 2000 sites within the likely zone of impact of the plan or project. A distance of 15 km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson at al., 2006). For projects, the distance could be much less than 15 km, and in some cases less than 100 m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects."

Contrary to the guidelines there was no case-by-case assessment by reference to any of the factors identified by the department. Given this inadequate methodology the applicant could not have concluded that there would be no significant effects Natura 2000 between 2 km and 15 km from the proposed site.

Nowhere has the applicant effectively addressed the issue of cumulative impact on any spaces, as required.

The introduction of a huge amount of people accessing the site from the city side does not include any who might be attracted to the restaurant from the Wicklow area via the Featherbed or from the Bray/Shankill areas via Glencullen, and no account whatsoever has been taken on this potential footfall.

SQUIRRELS

The Department's letter also indicates that the proposal to clearfell the area adjacent to the car park will need to be modified in order to protect the red squirrel habitat.

The red Squirrel conservation management plan produced by SDCC Ronan O'Donovan engineers on page 5 paragraph 4.2 reiterates the destruction of the above Conifer woodland adjacent to the existing car park. This is in direct contravention of the Department's requirement.

The provision of rope bridges, in this Targets and Actions chapter No6 which are proposed to facilitate squirrels crossing the road to feed on the Hellfire hill may be unnecessary as the prime feeding site is in the above mentioned, the plantation adjacent to the car park. The NPWS document specifically outlines the favourite habitat for red squirrel feeding to be aged conifers.

If these trees are removed as is currently the proposal this feeding ground will be obsolete. However it cannot be guaranteed that squirrels will cease the present activity of crossing the road on foot, and with increased traffic, will be likely besubject to more road deaths.

https://www.npws.ie/sites/default/files/publications/pdf/2008_Squirrel_SAP.pdf

BATS

The Department makes it clear in their submission that they do not consider the bat survey supplied by the applicant to be adequate. The applicant suggests that their surveys followed Best practice guide Lines (Collins (heads) 2016) however if they had done so they would have included the built heritage of the site area and adjacent derelict buildings as potential roosts. In addition a table of observations would have been attached (a template is supplied in the manual above) That the applicants conducted their assessment during the already described inadequate multidisciplinary survey, must surely have contributed to their insufficiency. The fact that they have written extra paragraphs about the bats does not improve the situation that the study was and remains inadequate, as no additional surveys appear to have taken place.

A preliminary inspection was taken in the walled garden and bridge structures in Massy's Wood, according to the further information response.

This has already been deemed to be inadequate by the department, however the applicant insists that it has done enough. No assessment has been carried out in the face of evidence that vegetation destruction and increased human activity has a negative affect on bat populations.

We submit that these mandatory surveys have not been conducted and therefore permission cannot be granted

Deer

The response to the department's request for further information on the deer of the area, owing to the lack of addressing the species in their original application, states that there are present in high numbers both within the site and in the surrounding area, and that because of high human activity in the area it is not feasible to organise deer shooting. There was no consideration of the potential tourism attraction of deer in the area. Nor of any animal welfare considerations.

However there is no indication that the applicant conducted any survey whatever and that this statement of numbers is at best a guess.

The Department of Arts Heritage and the Gaeltacht produced in 2015 a Framework for Deer Management with a number of recommendations that address the complex issue of balancing the richness of the contribution of wildlife to our natural heritage with the responsibility of protecting farmland from over-grazing.

<https://www.agriculture.gov.ie/media/migration/forestry/deermanagement/DeerManagementIrelandAframeworkforAction040315.pdf>

At present the Applicant SDCC has no dedicated biodiversity officer to oversee any work in this area.

We submit that the correct assessment has not been carried out in relation to this species, and permission cannot therefore be granted

Zoning

The applicants claim (12.1) that the zoning HA-DM is "for guidance only" and therefore justifies the breaching of conditions throughout this application.

The following are recent decisions by both AnBord Pleanala and South Dublin county council in relation to the HA-DM zoning:

In relation to the proposed road widening where the applicant states there will be no adverse affects on the trees, please note application SD12B/0292 application refused (16/05/2017) for reasons:

No.2. Objective H "To protect and enhance the outstanding natural character of the Dublin Mountains area"

"the retaining wall is an attractive and visual important feature of this location and its removal significantly arose the natural at character and amenity of the area"

We submit that the removal of the retaining wall will not only have a negative affect on the visual appearance of the roadway but also will significantly damage the roof structures of trees bordering the road with potential for their eventual demise.

SD17A/0157 Glenasmole

Decision to see refuse permission 14/07/ 2017

One having regard for (i)zoned objective HA-DM "to protect and enhance the outstanding natural character of the Dublin Mountains area" as set out in SDCCDP 2016 to 2022.

To the proposal would significantly interfere with protected views of natural beauty as designated for preservation and will therefore contravene HA-DM zoning objective "to protect and enhance The outstanding natural beauty of the Dublin Mountains area"

Glenasmole SAC(site code 1209) and proposed natural heritage area (pNHA) contains important habitats protected under the Habitats Directive.

ST 168/201

Refuse permission:

1. having regard for Zoned Objective HA-DM "to protect and enhance the outstanding natural character of the Dublin Mountains" as set out in SDCCDP 2016 to 2022

2. The proposal would significantly interfere with protected views of natural beauty designated for preservation and will therefore contravene HA-DM zoning objective "to protect and enhance the outstanding natural beauty of the Dublin Mountains area"

It should be noted that nowhere in these decisions is the indication that the zoning objective HA-DM is for "guidance only"

Details of business plan anomaly

F.I

15.2.1 Scale of Building

15.2.1.4

"75 seat cafe/restaurant (175 m2)"

With recommended area per person in restaurant/cafe approx 15 ft2 (approximately 1.35 m2) this gives a seating capacity of in excess of 130.

I consider that the comments made in my first submission have not been addressed by the Applicant SDCC and would respectfully request An Bord Pleanála to take note of this submission and my earlier one.

With thanks for your kind attention to this matter.

Elizabeth Davidson



