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## Technical Note- Ecology ABP-314337-22

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### Development

SHD application, Mariavilla, Moyglare Road, Maynooth, Co. Kildare. Mixed use residential development

### Topic

Inspector request for specialist ecologist assistance

### Inspectorate Ecologist

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## Contents

1.0 Background .....	3
2.0 Documentation.....	3
3.0 Applicant Statement of Authority and Competence .....	4
4.0 Adequacy of ecological information .....	5
5.0 Appropriate Assessment matters.....	8
6.0 Conclusions/Recommendations .....	9

## **1.0 Background**

- 1.1. The development, covered by the 314337-22, comprises of the construction of a mixed-use residential development, comprising of 33 no. student accommodation units (260 no. bedspaces)/ancillary facilities provided across 3 no. blocks (Blocks A1, A2 and A3); 158 no. apartments/ancillary facilities, provided across 3 no. blocks (Blocks B1, B2 and B3); a creche; and 2 no. retail units, along with all associated works to facilitate development. I note the proposal also includes the repositioning of a pedestrian bridge/revisions to landscaping previously permitted under ABP Ref. ABP-301230-18.
- 1.2. The SHD application was accompanied by an AA Screening report, Natura Impact Statement (NIS) and an Ecological Impact Assessment Report (EclA). These documents were informed by a series of surveys conducted in 2021 and 2022 and from other information available at the time of lodgement.
- 1.3. Following a review of the application documentation, the Planning Inspector requested specialist ecological technical assistance to assist further in her assessment of the proposed development on ecology, in particular the validity of the ecological surveys informing the EclA, both their findings and the time that has elapsed since they were conducted. Furthermore, to consider the suitability of the proposed development in the context of European sites that have come into being since the application was initially lodged in August 2022.

## **2.0 Documentation**

- 2.1. I have reviewed the relevant documentation attached to the file relating to ecology including but not limited to:
  - EclA Report 2022 (Enviroguide Consulting)
  - Bat Assessment 2022 (Bat Eco Services)
  - AA Screening Report 2022 (Enviroguide Consulting)
  - NIS 2022 (Enviroguide Consulting).

In addition to drawings, I have also reviewed the following documentation for wider context and greater understanding of the proposed development:

- Arboricultural Report 2022 (Charles McCorkell Arboricultural Consultancy)
- Design Statement 2022 (C+W O'Brien Architects)
- Landscape and Visual Impact Appraisal
- Preliminary Construction and Environmental Plan 2022 (DBFL Consulting Engineers)
- Infrastructure Design Report 2022 (DBFL Consulting Engineers)
- Hydrological and Hydrogeological Assessment Report 2022 (Hydro Environmental Services)
- Submissions/observations to the Board

### **3.0 Applicant Statement of Authority and Competence**

- 3.1. The EcIA, AA Screening and NIS reports were prepared by Enviroguide Consulting. Author was Shannen O'Brien (project ecologist), reviewed by Siobhan Atkinson (senior ecologist) and approved by Jim Dowdal (Director). Habitat, mammal, bird and invasive species surveys were conducted by Shannen O'Brien.
- 3.2. All bat analysis and reporting were completed by Dr Tina Aughney, licensed bat specialist (Bat Eco services). Data collected and surveying was completed by Dr Aughney with the assistance of a trained field assistant.
- 3.3. Section 1 of the EcIA report notes that it follows the Guidelines for Ecological Impact Assessment in the UK and Ireland, by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2018). The relevant guidance documents that were used in the preparation of the bat report and bat survey are listed in Section 1.2 of bat report. The AA Screening and NIS reports were both prepared in accordance with best practice guidance (See Section 2.1 of AA Screening report and Section 1.4 of NIS).

- 3.4. Having reviewed the documentation on the file(s), I am satisfied that the Applicant has demonstrated sufficient ecology expertise and followed the relevant best practice guidance to carry out surveys and to prepare the bat report, EclA, AA Screening and NIS reports.

#### **4.0 Adequacy of ecological information**

- 4.1. In this section, I consider the adequacy of ecological information submitted by the Applicant in terms of ecological surveys, reporting and assessment.
- 4.2. Following a desk study, habitat and bird surveys were carried out at the proposed development site during October 2021 and end May 2022. Habitats were categorised according to the Heritage Council's 'A Guide to Habitats in Ireland' (Fossitt, 2000) to level 3. The habitat mapping exercise had regard to the 'Best Practice Guidance for Habitat Survey and Mapping' (Smith et al., 2010) published by the Heritage Council. Satellite imagery was used together with GPS to accurately enable field navigation. Habitat categories, characteristic plant species, invasive species and other ecological features were recorded. All birds encountered on site, through visual and/or audio means, were recorded during the survey.
- 4.3. Mammal and invasive species surveys were carried out in conjunction with habitat surveys during the same period. The site was examined for tracks and signs of mammals. The habitat types recorded throughout the survey area were used to assist in identifying the fauna considered likely to utilise the area. Section 4.6 of EclA report notes that some areas of the River Lyreen adjacent to the development site were inaccessible during the ecological walkovers and as such, the presence of otter could not be fully determined. Therefore otters were treated as present within the report as noted in Section 5.4.4.
- 4.4. Bat surveys were carried out on 26th – 28th of August 2021 and the 8th – 13th of June 2022 in the form of daytime inspections, dusk survey and walking transects and static surveillance. There were no constraints in relation to survey timing, weather conditions, equipment failure or access.

- 4.5. There are two watercourses bounding the proposed development site, with the Maws Stream flowing along the northern boundary and entering the River Lyreen, which flows along the eastern boundary of the Site. These watercourses intersect at the north-eastern corner of the proposed development site and discharge into the River Rye. There are no designated European sites (SACs/SPAs) or proposed Natural Heritage Areas (pNHAs) or NHAs within the boundary of the proposed development site. According to Section 5.2 of the EclA, the Rye Water Valley/Carton SAC (001398) and pNHA, which is located 1.1km away, is hydrologically connected to the site via the two watercourses. Liffey Valley pNHA, located 7.4km away is also potentially hydrologically connected to the proposed development site. Refer to Section 5.2 of the EclA report for details on other designated sites, some of which are hydrologically connected but were screened out of the EclA for further consideration.
- 4.6. Section 5.4 of the EclA report provides the field survey results. The habitats observed at the proposed development site include Buildings and Artificial Surfaces (BL3), Spoil and Bare Ground (ED2), Recolonising Bare Ground (ED3), Eroding/Upland Rivers (FW1), Improved Agricultural Grassland (GA1), Treelines (WL2) and Scrub (WS1). Butterfly bush (*Buddleja davidii*) and sycamore (*Acer pseudoplatanus*), both defined as “medium impact” invasive plant species were recorded at the site. A habitat map is presented in Figure 11 of the EclA report. The River Lyreen is primarily lined by a mature Lawson Cypress (*Chamaecyparis lawsoniana*) treeline categorised in Fossit as Treeline (WL2), and which also contained a couple of other single tree species.
- 4.7. A number of bird species were observed on the site as listed in Tables 6 and 7 of the EclA report.
- 4.8. The site compound structures within the proposed development area were deemed to not have any potential for bat roosting. The bat survey results indicate that there is little bat foraging area within this proposed development site apart from the mature treeline boundary (which is also a boundary along the Lyreen River). The report notes that four species of bat were recorded (common pipistrelle, soprano pipistrelle, leisler and daubenton) and these

were generally confined to the mature treeline boundary associated with the Lyreen River with one common pipistrelle detected along the waterway boundary (north-western boundary). It notes that no Annex II bat species are known to occur in County Kildare (i.e. lesser horseshoe bat) and were not recorded within the survey. The bat report notes that as this mature treeline connects to the Lyreen River Valley, it is important to ensure that this linear corridor remains suitable for local bat populations post development works. It also states that the suitability of the remainder of proposed development is low and thus bat foraging and commuting area is greatly reduced. Bat mitigation measures are proposed to ensure that the integrity of the Lyreen River Valley is retained as a bat foraging and commuting habitat.

- 4.9. Having reviewed the documentation on the file(s), I consider that the extent of evidence provided by the Applicant provides sufficient details of the ecology baseline within the development site such that an impact assessment can be carried out. I note that the latest surveys were carried out in June 2022 and are now three years old. The land use has not changed substantially since the application was lodged. Given the nature and location of the habitats and species recorded at the time of the surveys, I consider that it is unlikely that the distribution of habitats and species types will have changed significantly since the surveys were carried out such that the conclusions of the EcIA would substantially change from those reported. I also consider that the potential impacts of the proposed development on these habitats and species as presented in the reports will not have changed.
- 4.10. The evaluation as presented in Section 5.5 of the EcIA report follows the NRA 2009 guidelines for assessment of ecological impacts of national road schemes. The potential effects of the proposed development, presented in Section 6 of the EcIA report are generally acceptable.
- 4.11. Section 6.1.3.4 note there is potential for negative impacts on fish and the common frog in the River Lyreen and Maws stream due to water quality deterioration during construction phase. This is rated in the report as a negative, short-term, significant impact at the local level in the absence of suitable mitigation.

- 4.12. As noted in section 4.6 of EclA report, areas of the River Lyreen adjacent to the development site were inaccessible during the ecological walkovers and as such, the presence of otter could not be fully determined. Therefore, otter was treated as present within the report as noted in Section 5.4.4. Section 6.1.3 of the report notes the following potential impacts on otter:
- an indirect, negative, short-term, moderate impact on otter (in the absence of mitigation) could arise during the construction phase of the development as a result of water pollution
  - a negative short-term slight impact at a local level on otter due to disturbance from increased human presence
  - whilst otter holts were not recorded adjacent to or near the site during the surveys, the report recommends that areas designated for vegetation removal will be surveyed to identify any otter holts or other wildlife habitats prior to commencement of works at the proposed development site. Pre-construction surveys are considered good practice.
- 4.13. Mitigation and enhancement measures, as presented in Section 7 are well established and effective and are thus considered generally acceptable.
- 4.14. Section 9 and 10 outline the residual impacts of the proposed development. With the implementation of mitigation measures, no significant residual impacts are expected.
- 4.15. Overall, I consider that the information provided by the Applicant is generally acceptable.

## **5.0 Appropriate Assessment matters**

- 5.1. In this section I consider the suitability of the proposed development in the context of European sites that have come into being since the application was initially lodged in August 2022.
- 5.2. The relevant information on European site is provided in the following applicant documents:
- AA Screening Report 2022 (Enviroguide Consulting)



- NIS 2022 (Enviroguide Consulting).
  - The Hydrological and Hydrogeological Assessment Report 2022 (Hydro Environmental Services) also provides relevant information on hydrological and hydrogeological baseline.
- 5.3. I consider that the only relevant European site is the Rye Water Valley/Carton SAC (001398) due to its indirect hydrological connectivity with the proposed development site. The Site Specific Conservation Objective (SSCO) *Version 1, December 2021* [CO001398.pdf](#) is referenced in the NIS. This is the most up to date version for this SAC.
- 5.4. The mitigation measures as presented in the NIS are generally acceptable, well established and effective in reducing water quality impacts on receiving waters.
- 5.5. Overall, having reviewed the documentation on the file(s), I consider that the extent of evidence provided by the Applicant provides sufficient details such that AA can be carried out.

## 6.0 Conclusions/Recommendations

- 6.1. I consider that the information provided by the applicant is sufficient, that the proposed development will not result in any significant effects on ecology once mitigation measures are in place.
- 6.2. In the event of a grant of permission, a condition should be provided to ensure that all mitigation outlined in the Applicant reports is adhered to.

Signed:



16/05/2025

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Inspectorate Ecologist