

Internal Technical Note

R318472_TN

To Cáit Ryan, Senior Planning Inspector
From Fiona Patterson, Senior Inspectorate Ecologist
Development Pool house extension and other works at Cliff Haven (formerly Carnalea), Thornmanby Road, Howth, Co. Dublin
Topic Ecology – specialist AA support required
Date 18th September 2025

1.0 Introduction

- 1.1. The proposed development comprises (1) a pool house extension to rear of existing dwelling house to include swimming pool room, ancillary rooms, new roof terrace, canopy of external hot tub area and stairs connections (2) extension to existing ground floor rear terrace to rear and (3) removal of existing external steps to side of dwelling and provision of new steps to side of proposed extension and (4) other works including lower existing garden level to rear to accommodate proposed pool house extension, landscaping, SuDS drainage and associated site works at Cliff Haven (formerly Carnalea), Thornmanby Road, Howth, Co. Dublin.
- 1.2. Planning permission was granted by the planning authority subject to conditions (Planning Authority reference F23A/0519).

- 1.3. The Board issued a Section 132 notice on 14 October 2024 in respect of 2no. items. Item 2 sought an AA Stage 1 Screening Report and a NIS (where significant effects cannot be excluded).
- 1.4. Section 132 Notice – Item 2: *“Having regard to the proximity of the appeal site above the Howth Head Special Area of Conservation (site code 000202) and its qualifying interests of European Dry Heaths and Vegetated Sea Cliffs, you are requested to submit an Appropriate Assessment Stage 1 Screening Report and a Natura Impact Statement (where significant effects can't be excluded) that demonstrates the construction, operation and maintenance of the proposed development, individually or in combination with other plans or projects, would not be likely to give rise to significant effects on any European Site in view of their Conservation Objectives”.*
- 1.5. Specialist ecology support is requested regarding the information received in response to Item 2 of the Board's section 132 notice. The information received from the Applicant includes an AA Screening report and NIS. The advice being sought is as follows:
- Whether notwithstanding that the Applicant's AA Stage 1 Screening Report 'screens in' potential significant effects on Howth Head SAC (000202), as outlined in the response to Item 2 of the Board's section 132 notice, can these impacts instead be 'screened out' at Stage 1? if not, are the proposed mitigation measures acceptable?
 - In terms of detail, Table 6 (of the NIS) includes Current Conservation Status & Trend for Howth Head SAC's 2no. QIs Vegetated Sea cliffs of the Atlantic and Baltic coasts [1230] and European dry heaths [4030] to be 'Inadequate' and 'Bad' respectively. Ecologist is requested to comment, if relevant, on the stated Current Conservation Status & Trend for these 2no. QIs, and any implications that the ascribed 'Inadequate' and 'Bad' status may have on the AA Stage 1 Screening, or NIS, if applicable.
 - Ecologist to comment on the planning authority's Condition 6.

2.0 Issues examined and suggestions for consideration by the Commission

2.1. Conservation Status and Trend for Howth Head SAC

- 2.1.1. Advice is sought on the following matter: “*In terms of detail, Table 6 (of the NIS) includes Current Conservation Status & Trend for Howth Head SAC's 2no. QIs Vegetated Sea cliffs of the Atlantic and Baltic coasts [1230] and European dry heaths [4030] to be 'Inadequate' and 'Bad' respectively. Ecologist is requested to comment, if relevant, on the stated Current Conservation Status & Trend for these 2no. QIs, and any implications that the ascribed 'Inadequate' and 'Bad' status may have on the AA Stage 1 Screening, or NIS, if applicable*”.
- 2.1.2. The nearest European site to the proposed development is Howth Head SAC (000202) and is stated (in the Applicant AA Screening/NIS report) to be located approximately 67m to south of the proposed development boundary. The qualifying interests for this SAC are vegetated sea cliffs of the Atlantic and Baltic coasts [1230] and European dry heaths [4030]. The overall conservation objective for both habitats is to *maintain the favourable conservation condition* which is defined by a list of attributes and targets as presented in the site specific conservation objective (SSCO) document for Howth Head SAC linked below:
https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000202.pdf
- 2.1.3. Under Article 11 of the Habitats Directive¹, each member state is obliged to undertake surveillance of the conservation status of the natural habitats and species in the Annexes and under Article 17, to report to the European Commission every six years on their status and on the implementation of the measures taken under the Directive. In April 2019, Ireland submitted the third (latest) assessment of conservation status for habitats and species at a national level from 2013-2018.
- 2.1.4. Table 6 (of the Applicant AA Screening/NIS report) references the *national* conservation status of vegetated sea cliffs of the Atlantic and Baltic coasts [1230]. The overall assessment of conservation status for vegetated sea cliffs [1230] at a

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

national level, as reported in the latest (2013-2018) NPWS Article 17 report² is “Inadequate”. The NPWS report notes that the assessment is unchanged since the previous reporting period, and the overall status remains inadequate with a stable trend. The main pressures and threats to vegetated sea cliffs coasts [1230] at a national level as reported in the latest NPWS Article 17 report³ include mineral extraction, roads/paths/other similar infrastructure, sports, tourism and leisure activities, modification of coastline, invasive alien species, increase or changes in precipitation and/or sea-level and wave exposure changes due to climate change. I note that the proposed development is located outside of the Howth Head SAC and the activities associated with the proposed development do not contribute to the reported pressures and threats for this habitat type. I do not consider that the “Inadequate” national conservation status for this vegetated sea cliffs [1230] habitat has implications for the AA Stage 1 Screening/NIS for the proposed development.

- 2.1.5. Table 6 (of the Applicant AA Screening/NIS report) references the *national* conservation status of European dry heaths [4030]. The overall assessment of conservation status for European dry heaths [4030] at a *national* level, as reported in the latest Article 17 report is “Bad”. The NPWS report notes that the assessment is unchanged since the previous reporting period, and the overall status remains “Bad” with a stable trend. The main pressures and threats to European dry heaths [4030] as reported in the latest Article 17 report⁴ include intensive grazing or overgrazing by livestock, burning for agriculture, conversion to forest from other land uses, or afforestation, wind, wave and tidal power, including infrastructure, temperature changes and droughts/decreases in precipitation due to climate change. I note that the proposed development is located outside of the SAC and the activities associated with the proposed development do not contribute to the reported pressures and threats for this habitat type. I do not consider that the “Bad” national conservation status for this European dry heath [4030] habitat has implications for the AA Stage 1 Screening/NIS for the proposed development.

² NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. Volume 1: Overview. Unpublished NPWS report.

³ NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. Volume 2: Habitat Assessments. Unpublished NPWS report.

⁴ NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. Volume 2: Habitat Assessments. Unpublished NPWS report.

2.2. Other European Sites and Qualifying Interest Habitats

2.2.1. Howth Head SAC overlaps with North-west Irish Sea SPA (004236) along the cliff edge. This SPA (004236) is stated (in the Applicant AA Screening/NIS report) to be located approximately 148m to the south of the proposed development boundary. The special conservation interest (SCI) species for this SPA include 22 marine birds.

https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004236.pdf

2.2.2. Howth Head SAC adjoins Rockabill to Dalkey Island SAC (003000) further to the south again beyond the cliffs. This SAC (003000) is stated (in the Applicant AA Screening/NIS report) to be located approximately 159m to the south of the proposed development boundary. The qualifying interests for this SAC are Reefs [1170] and Harbour Porpoise [1351].

https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO003000.pdf

2.3. Applicant AA Screening Report/NIS – Can impacts be screened out?

2.3.1. The author of the AA Screening report and NIS is Brian Deegan of Altemar Ltd. Page 1 of the report provides details of Altemar Ltd and experience/qualifications of Brian Deegan. I am satisfied that the Applicant has demonstrated sufficient ecology expertise to carry out relevant survey and to prepare the AA Screening/NIS report for this proposed development.

2.3.2. Howth Head SAC (000202) is stated (in the Applicant AA Screening/NIS report) to be located approximately 67m to south of the proposed development boundary. I note that a scaled drawing showing the location of the proposed development boundary, site plan and the SAC boundary has not been included in the application documentation. From my review of the application drawings and the internal Pleanála online viewer, the distance seems to vary between approximately 61m and 96m. See Figure 1 below (not to scale) showing proposed development boundary (yellow) and SAC (red dashed lines). The topography between the proposed development and the SAC boundary falls steeply from north to south towards the cliff edge.

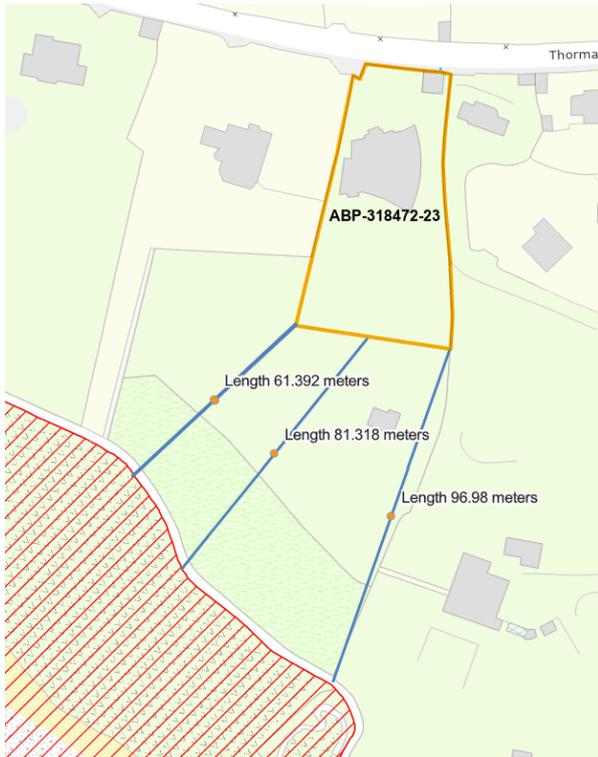


Figure 1 – Approximate distance (m) between proposed development boundary (yellow) and Howth Head SAC (red dashed lines) varies between 61 and 96m approximately

- 2.3.3. Pages 10 to 12 of AA Screening/NIS report provide justification as to why the proposed development has been screened in for AA. A strict application of the precautionary principle has been taken by the author due to the relatively short distance (67m) and steep slope between the proposed development boundary and the Howth Head SAC, and the potential for a risk of significant effects on the qualifying interests of Howth Head SAC via construction impacts including surface water drainage and surface runoff and dust from the site during construction. Page 10 of the report states that *“mitigation measures will need to be implemented to prevent silt and pollutants entering the SAC during excavation and construction phases of the project”*.
- 2.3.4. Page 41 of the report notes that dense vegetation between the proposed development boundary and the SAC would serve as a natural buffer, rendering the likelihood of significant impacts as extremely remote and not at a level of significance that would impact on negatively on the SAC, however the author has chosen to screen in for AA and to include specific mitigation measures out of an abundance of caution. Page 42 of the report notes that the works within the proposed development boundary will be located on existing amenity grassland.

- 2.3.5. Pages 42 onwards provide detail on mitigation measures. These include standard mitigation measures which would be expected for a development of this nature in addition to specific measures proposed to minimise significant impacts on the SAC such as the presence of an ecologist on site, the implementation of a dust management plan, specific silt management and specific construction management protocols within 150m of the SAC.
- 2.3.6. Having reviewed the SSCO document for Howth Head SAC and in particular noting the attributes and targets (which have been defined to maintain the favourable conservation condition of the two QI habitats) and taking note of the main pressures and threats to these two QI habitats as reported in the latest Article 17 report, I consider that the likelihood of significant effects arising from the proposed development on this SAC is generally low. However, given the relatively short distance and steep slope between the proposed development boundary and the SAC and given specific mitigation measures have been deemed to be required by the author, I consider the strict precautionary approach that has been taken by the author of the report to **screen in** construction impacts for AA is reasonable.

2.4. Are the proposed mitigation measures acceptable?

- 2.4.1. I note that the following mitigation measures have been included on Pages 43/44 of the AA Screening/NIS report in relation to restrictions within 150m of the SAC and/or management of hazardous fuels/liquids as follows and I discuss these further below:
- *“No works will take place within 150m of the SAC without consultation with the project ecologist...Plant and equipment will not be parked within 150m of the SAC at the end of the working day.....Hazardous liquid materials or materials with potential to generate run-off shall not be stored within 150m of the SAC.....All oils, fuels and other hazardous liquid materials will be clearly labelled and stored in an upright position in an enclosed bunded area within the proposed development site compound. The capacity of the bunded area shall conform with EPA Guidelines – hold 110% of the contents or 110% of the largest container whichever is greater.....Fuel will be stored in the designed bunded area or in fuel bowsers located in the proposed compound location..... smaller quantities of fuel will be*

carried /stored in clearly labelled metal Jeri cans.....they will not be stored within 150m of the SAC”.

- 2.4.2. Whilst some of the mitigation measures outlined in the NIS for the construction phase are standard that would in any event be required to be implemented, other specifically designed mitigation measures have also been included such as those I have outlined in Section 2.3.5 and 2.4.1 above. I consider that these mitigation measures are *in theory* adequate to ensure that there would be no adverse effects on Howth Head SAC’s site integrity, either alone or in combination with other plans and projects. However, the effective implementation of the mitigation measures in relation to proposed restrictions for refuelling, fuel storage and plant and equipment parking beyond 150m of the SAC needs to be considered against the information provided by the Applicant and the characteristics of the site itself.
- 2.4.3. I refer the Commission to a site plan drawing prepared by Tyler Owens Architects on behalf of the Applicant as part of the further information documentation (Drawing number 2015-104-ABP FI-100). The planning consultant’s report (also included as part of the further information documentation) indicates that the drawing (2015-104-ABP FI-100) shows *“the location of the site compound including location of refuelling areas, location of excavated material storage area...”* I have reviewed this drawing (2015-104-ABP FI-100). It shows the location of a *“site compound office”* to the front of the existing house, at the northwestern corner of the existing house. The location of refuelling areas is not shown on this drawing. This drawing indicates that the adjoining Glenlion site to the east is to be used as the primary location for excavated materials, storage and skips. Permission granted to demolish Glenlion and construct a replacement dwelling; P.A. Ref. F22A/0536 refers.
- 2.4.4. The site plan drawing (Drawing number 2015-104-ABP FI-100) notes *“construction machinery to be craned over existing house at project commencement. It will remain here until no longer required, at which point it will be craned back over house and removed”*. Where material removal is required, the site plan drawing (2015-104-ABP FI-100) notes *“excavation materials will be removed from excavation area via small machinery for which access will be gained alongside of existing house. From front of the existing house it will be craned via a small crane across onto the site of Glenlion cottage and into a skip suitable for the type of waste. The skips will be collected and*

replaced as required. All other construction traffic will be via the current entrance of subject property”.

- 2.4.5. As I have noted previously, a scaled drawing showing the proposed development boundary, site plan and the SAC boundary has not been included in the application documentation. Based on www.tailte.ie mapping, I estimate the site compound office located at the front (north) of the dwelling house is approx. 115m from the SAC at its nearest point. For clarity, the measurements outlined are approximate, and in this regard I note that current www.tailte.ie mapping shows the outline of a previous dwelling house on the subject site, i.e., not the existing dwelling house.
- 2.4.6. The Applicant has indicated that a “site compound office” will be located at the front of the existing dwelling but has not provided details of refuelling locations and fuel storage within the site. The Applicant has not clearly demonstrated how and where the construction plant and equipment to the rear of the house will be refuelled.
- 2.4.7. Based on the information provided by the Applicant (See Section 2.4.4 above), it appears that construction plant and equipment may be stored to the rear (south) of the existing dwelling for the duration of the construction phase due to the necessity to crane it over the existing house at project commencement. Any refuelling areas, and plant/equipment stored to the rear of the existing dwelling would be slightly closer to the SAC, and all within 150m of the SAC. Therefore, it is not clear how the mitigation measure “*Plant and equipment will not be parked within 150m of the SAC at the end of the working day*” can be implemented. The Applicant has indicated that a “site compound office” will be located at the front of the existing dwelling but has not provided details of refuelling locations and fuel storage within the site. The Applicant has not clearly demonstrated how and where the construction plant and equipment to the rear of the house will be refuelled.
- 2.4.8. Due to the lack of construction detail provided in the documentation, it is not clear if the mitigation measures proposed can be effectively implemented. It might be theoretically feasible to reduce the refuelling/storage/parking restrictions to a distance of less than 150m from the SAC but the Applicant has not demonstrated the effectiveness of this in terms of adequate pollution control etc.

2.5. Planning Authority Condition 6

2.5.1. The planning authority's Condition 6 states:

“The developer shall comply with the following requirements of the Planning Authority;

(a) Prior to commencement of the development submit for the written agreement of the Planning Authority a revised landscape plan to be prepared by a suitably qualified indicating the restoration of the natural heathland/maritime grassland. The advice and recommendations of a suitably qualified ecologist is required as part of the habitat restoration plan for this site.

REASON: In the interest of the proper planning and sustainable development of the area.

2.5.2. This proposed condition No 6 is not relevant to the AA.

3.0 Conclusion

3.1. I do not consider that the “Inadequate” national conservation status for the vegetated sea cliffs [1230] habitat has implications for the AA Stage 1 Screening/NIS for the proposed development. I do not consider that the “Bad” national conservation status for this European dry heath [4030] habitat has implications for the AA Stage 1 Screening/NIS for the proposed development.

3.2. I consider that the strict precautionary approach that has been taken by the author of the report to **screen in** construction impacts for AA is reasonable. Due to the lack of construction detail provided in the documentation, it is not clear if the mitigation measures proposed can be effectively implemented.

3.3. I consider that the proposed condition No 6 is not relevant to the AA.

Signed:



Fiona Patterson, BSc, MSc, MISEP CEnv

Inspectorate Ecologist

18th September 2025