

An
Bord
Pleanála

Technical Note- Ecology ABP-321908

Development

Development consisting of the construction of a raised platform walkway / cycleway from the Dinis car park to the Torc (Cardiac Hill) car park and all associated works, Killarney Co Kerry. Applicant is NPWS

Topic

Inspector request for specialist ecologist assistance regarding Annex I woodland habitat within SAC

Inspectorate Ecologist

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1.0 Background

- 1.1. A Natura Impact Statement (NIS) and Ecological Impact Assessment (EclA) was submitted on foot of a further information request by Kerry County Council (KCC). KCC granted permission (reference 2460025).
- 1.2. The site is located within Killarney National Park, Macgillicuddy's Reeks and Caragh River Catchment SAC (000365) (also pNHA) and Killarney National Park SPA (004038).
- 1.3. The site is located along part of the southern bank of Muckross Lake. The site abuts the lake shore on the northern boundary and abuts the N71 road on the southern boundary. The site has an area of 3.3ha and is a narrow, elongated shape flanking a c 1km length of the bank along the lake edge. The eastern boundary of the site links to a short section of path to Torc (Cardiac Hill) car park. Dinis car park is located at the western boundary. The site contains a mature woodland heavily vegetated habitat consisting largely of trees and scrub vegetation with rocks and boulders. Site levels fall to varying degrees from the road to the lake depending on topography but is for its most part a relatively steep embankment. There is a stone retaining wall along the southern side of the N71 road.
- 1.4. The development (as revised at further information stage) includes the construction of a 1020m long x 3.4m wide raised platform walkway / cycleway. The area of the site is 3.3ha with developable footprint of 0.35ha.

2.0 Documentation

- 2.1. I have read the documentation attached to this file 321908-25 relating to biodiversity including inter alia the AA Screening, NIS, EclA, tree survey report, construction environmental management plan (CEMP), construction methodologies report, planning drawings, observations and submissions and report of the Planning Authority.

3.0 Assistance required from Inspector

- 3.1. Memo for Inspectorate ecological assistance requested on 8th May 2025. I had several verbal discussions with the Inspector after that date to tease out the issues outlined in her memo and to discuss the potential impacts of the proposed development on the following Annex I woodland qualifying interest (QI) habitats of the

Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365) SAC:

- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles (91A0)
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) (91E0).

3.2. We agreed that the focus of my technical note would be in relation to the adequacy of habitat and tree surveys and accompanying reports in the context of supporting the findings of the NIS, whether the findings of the NIS are plausible, specifically the assessment of potential significant effects regarding the conservation objectives for the woodland QIs.

4.0 **Assessment**

4.1. Section 3.5.1 of the EclA notes that the habitat surveys and mapping had regard to Smith et al (2011) guidance and that habitats were categorised to Level 3 according to Fossit (2000). Section 4.2.3.1 of the NIS states that the “*dominant habitat within the site comprises ‘Oak-birch-holly woodland WN1’, occurring primarily in the central and western sections of the site*” whilst the “*eastern end of the site is characterised by ‘Broadleaved woodland (WD1)’ where non-native beech (*Fagus sylvatica*) is dominant and ‘Scrub (WS1)’* “. The surveyed habitats are presented in Figure 3 of the NIS. Figure 3 is replicated below in my report.

4.2. Section 4.2.3.2 of the NIS (pg. 15) notes that a review of the NPWS EU Habitat Directive Article 17 mapping for terrestrial Annex I habitats determined that the majority of the proposed development site is mapped as Annex I “Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles” (91A0)”. The NIS (pg. 15) also notes that two adjacent pockets of Annex I “Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) (91E0)” are mapped as occurring at the far north-eastern corner of the proposed development site. The Board is directed to Figure 3 of the NIS (see extracted figure below) which shows the field survey mapping and the NPWS Article 17 mapped Annex I woodland habitats within the proposed development site boundary (red line).

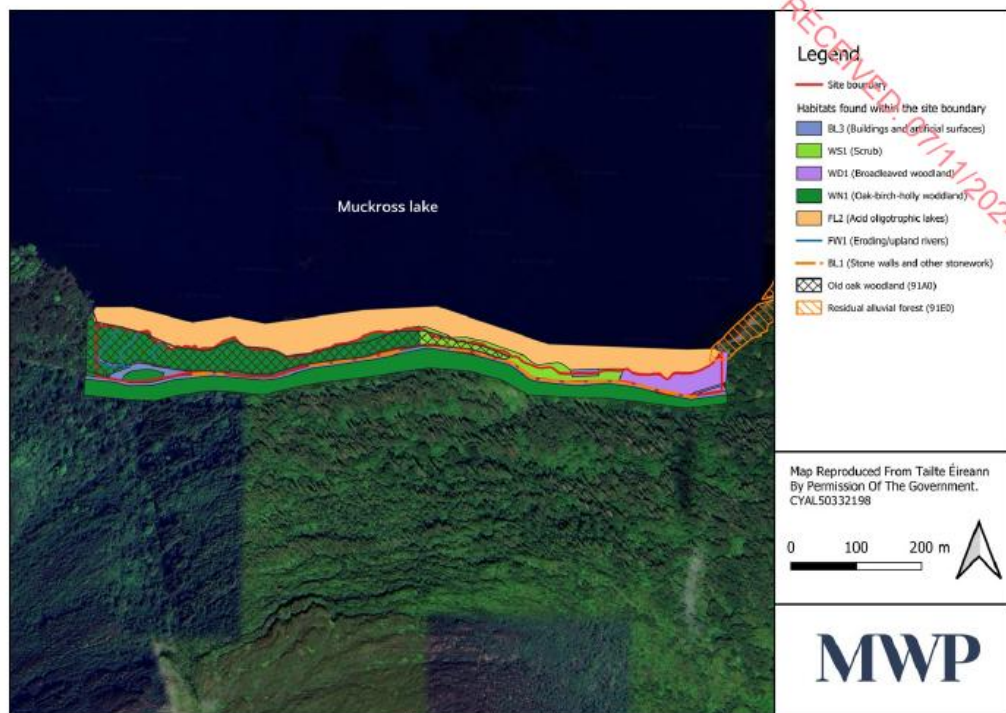


Figure 3. Habitat map of the proposed development site and surrounding area (including NPWS mapped Annex I woodland habitats)

- 4.3. Having reviewed the documentation, I am not satisfied that the level of detail presented in the habitat survey/mapping, nor the tree survey report is adequate to determine the precise impact of the proposed development on Annex I QI habitat for the following reasons:

Survey detail

- 4.4. Whilst the habitats have been categorised to Level 3 according to Fossit (2000), given the potential for direct overlap of the proposed development with Annex I QI habitat within an SAC, I consider that targeted habitat surveys (going beyond Fossit level) undertaken within the site boundary are required. These surveys would more accurately confirm the presence, location, area, condition and conservation assessment of Annex 1 habitat within the site boundary and provide useful baseline information (in terms of best available scientific information) to support the Appropriate Assessment (AA). The design of the targeted habitat surveys must have regard to best practice guidance and published research. For example, the

publications^{1 2 3 4} listed in the footnote below would be considered (as a minimum) in the design of targeted woodland habitat surveys. Other relevant publications would be reviewed for other habitat types.

- 4.5. For example, I note that a section of the scrub (WS1) habitat which was identified during the field survey appears to overlap with the NPWS Annex I mapping (old oak woodland 91A0) (refer to Figure 3 above). Scrub habitat does not meet the criteria to be classified as old oak woodland 91A0. I note that Section 8.1.4.4 of the NIS (pg55) confirms this point. Section 9.2.1.2 of the NIS notes that *“the majority of the proposed development site is mapped as Annex I old oak woodland, approximately 660m (64%) of the total route passes through this QI within the SAC”*. It is not clear if the 660m section includes the scrub habitat or not. I consider that greater detail on the precise area of Annex I habitat through which the route passes is required to support the AA. Targeted habitat surveys as I’ve discussed above, would resolve this information gap.
- 4.6. I note that Section 8.1.4.5 of the NIS (pg56) confirms that the area of woodland at the north-eastern edge of the site boundary is not Annex I alluvial woodland (91E0) even though it was included in the Article 17 mapping.

Survey mapping and proposed development footprint

- 4.7. The proposed development site boundary (red line) rather than site layout is presented in Figure 3 of the NIS. As noted in the documentation, the area of the proposed development site is 3.3ha with developable footprint of 0.35ha, therefore it is assumed that not all of the habitats located within the site boundary will be directly impacted by the proposed development. Figure 3 of the NIS is not sufficiently detailed nor presented at the appropriate scale to confirm the precise overlap between the developable footprint and Annex I and non-Annex I habitats.
- 4.8. The proposed site layout plan is however, presented on drawing number 23765-MWP-XX-XX-DR-C-5101 at a scale of 1:500, 1:1000 @A0 (see snip extracted from

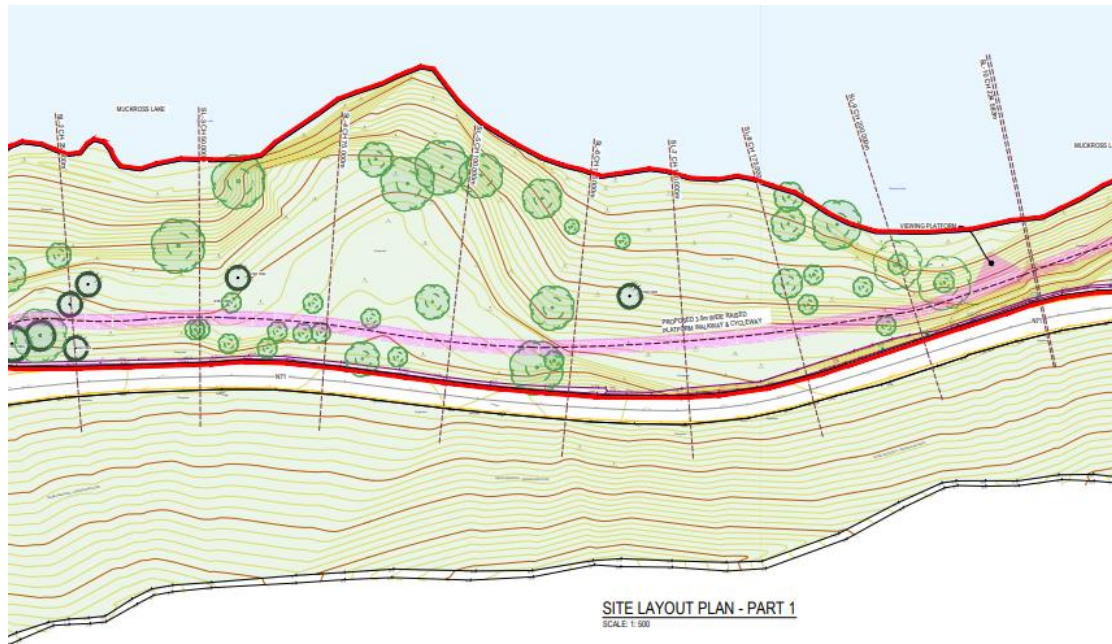
¹ Daly, O.H., O'Neill, F.H., & Barron, S.J. (2023). The monitoring and assessment of four EU Habitats Directive Annex I woodland habitats. Irish Wildlife Manuals, No. 146. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland.

² Hamilton, J.J., Mitchell, F.J.G. & Kelly, D.L. (2022). Monitoring of Vegetation Change Through Permanent Woodland Plots in Killarney National Park: A 30-Year Review. Irish Wildlife Manuals, No. 141. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland.

³ O'Neill, F.H. & Barron, S.J. (2013) Results of monitoring survey of old sessile oak woods and alluvial forests. Irish Wildlife Manuals, No. 71. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland

⁴ Perrin et al (2008) National Survey of Native Woodlands 2003-2008, National Parks and Wildlife Service

this drawing below). It is clear from this drawing that the developable footprint is much smaller than the site area within the red line boundary.



- 4.9. I consider that more detailed habitat mapping (based on targeted surveys as mentioned previously) and the proposed site layout presented together on a map with an appropriate scale is required such that potential impacts from the proposed development on both Annex I and non-Annex 1 habitats can be accurately determined. The area through which the developable footprint passes through each habitat type is also required.
- 4.10. Detailed mapping which shows the location of the surveyed trees, and the developable footprint is required so that the Board can reach definitive findings on potential tree removal, and particularly those within Annex I woodland habitat (91A0). I consider that the adequacy and reliability of the tree survey report is not sufficient to show the impact of the proposed development on trees, particularly those trees which form part of the Annex I woodland (91A0) habitat (refer to main Inspectors report for further details on the tree survey report). The tree survey maps (Figures 3-5) are not presented at an appropriate scale. I note that trees are shown on the site layout drawing (see snip above), but these are not numbered and do not appear to correspond to those presented in the tree survey maps.

Habitat loss within Annex I old oak woodland 91A0

- 4.11. Section 9.2.1.2 of the NIS (pg. 72) states that “*based on a footprint of 0.03m² for the base of each support column, and a total number of 410 columns required, the total area of loss will be approximately 12.3m² for construction of the raised platform*”. The

area of permanent habitat loss within Annex I woodland (91A0) habitat (if any) is required to inform the AA. It has not been provided in the documentation.

- 4.12. In relation to temporary habitat loss, the NIS states “*On the basis of estimated loss of 1 m² of existing vegetation around the base of each support column, the total area of temporary loss of ground vegetation will be approximately 410m²*”. The area of temporary habitat loss within Annex I woodland (91A0) habitat (if any) is required to inform the AA. It has not been provided in the documentation.
- 4.13. Section 9.5 of the NIS states that negligible areas of habitat will be removed within the SAC and that this is not expected to result in significant habitat fragmentation impacts within the SAC. Justification (in terms of best available scientific information) has not been provided to explain why habitat loss (albeit a small area) will not result in adverse effects on site integrity of the SAC overall in view of the conservation objectives.
- 4.14. Section 9.2.1.2 of the NIS states that “*there is no requirement for any felling of any significant mature trees within the proposed development site. All existing significant mature trees will be retained in-situ*”. As noted in the main Inspectors report, there are conflicting statements between the tree survey report and NIS regarding tree retention.
- 4.15. Section 9.6.3 of the NIS presents an assessment of the effects of the proposed development against the specific attributes and targets of Annex I woodland (91A0). In relation to the attributes habitat area/woodland size, the target is “area stable or increasing”, The NIS assessment states that “*The area and distribution of old oak woodland habitat encompassed within the proposed development site will be maintained*”...and “*There will be no reduction in the minimum area (1,254.4 Ha) or distribution of old oak woodland within the SAC as a result of the proposal.*” I am not satisfied that there is sufficient information on the precise area of habitat loss (if any) within this Annex I woodland (91A0) to inform the AA. Natural regeneration prospects within the overall development site boundary have not been discussed in the NIS.

5.0 Conclusions/Recommendations

- 5.1. The habitat and tree surveys and accompanying reports/maps are not adequate in the context of supporting the findings of the NIS. There is insufficient information available in the application documentation for the Board to reach complete, precise and definitive findings on the impacts of the proposed development on Annex I QI

woodland habitats in view of the conservation objectives of the Killarney National Park, Macgillicuddy's Reeks and Caragh River Catchment SAC.

Signed:

A handwritten signature in blue ink, appearing to read 'Fiona Patterson'.

28/05/2025

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