



Planning Ref: ABP-313281-22
(Please quote in all related correspondence)

16th May 2022

The Strategic Housing Unit
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Via email: strategichousing@pleanala.ie

Re: Notification under the Planning and Development (Housing) and Residential Tenancies Act 2016; Planning and Development (Strategic Housing Development) Regulations 2017

Proposed Development: SHD development for a 'Build to Rent' (BTR) apartment development consisting of 8 no. blocks ranging in height up to 10 storeys (including lower ground floor) providing a total of 534 no. apartments at this site of c.3.81 ha at 'Winterbrook' and 'Barrington Tower', Brennanstown Road, Dublin 18.

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated headings.

Nature Conservation

Having considered the documentation supporting this application, this Department notes that the Appropriate Assessment (AA) and Ecological Impact Assessment (EIA) of the proposed development supporting the present identified the possibility for pollutants to be mobilised from the development into surface water runoff and into the Carrickmines Stream on the south eastern boundary of the development site. This water course is part of the Loughlinstown River system which supports populations of brown and sea trout, dipper, kingfisher and otter and enters the Killiney Bay at a distance of 1.8 km from Rockabill to Dalkey Island Special Area of Conservation (SAC). Given the existence of this potential hydrological pathway between the development site and this SAC, on a precautionary basis the possibility of detrimental effects on the SAC could not be excluded. A suite of measures proposed in the Natura Impact Statement (NIS) and Construction Environmental Management Plan (CEMP) supporting this application

Aonad na nIarratas ar Fhorbairt

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should however prevent any such mobilisation of polluting materials from the development entering the Carrickmines Stream detrimentally affecting the biota of this watercourse or the Rockabill to Dalkey Island SAC downstream..

It is also noted that it is proposed to remove a considerable number of the mature trees and sections of hedgerow from the development site to facilitate the proposed development. No breeding bird survey of the site was carried however 33 bird species were recorded from the site during winter surveys and incidental to other survey work. Many of these species are nesters in trees and shrubs and therefore any clearance of vegetation from the site during the main bird breeding season from March to August can be expected to lead to the destruction of nests, eggs and nestlings.

Bat activity surveys of the development site in the summers of 2017, 2018, 2019, 2020 and 2021 identified, small numbers of common pipstrelle bats, long-eared bats and on one occasion Daubenton's bats roosting in a protected structure on the site that is to be restored. Both long-eared and Daubenton's bat are species sensitive to artificial illumination. Over twenty trees on the site which are proposed for removal were also identified as having features which could be used by bats for roosting in. As well as the above species soprano pipistrelle and Leisler's bat were recorded foraging over the development site. The Bat Survey Report supporting this application consequently proposes that a Bat House and bat boxes will be provided as substitute roosts while Barrington Tower is restored, subject to the receipt from the National Parks and Wildlife Service (NPWS) of a licence to derogate from the Habitats Directive to carry out the latter work. A new roosting site for bats will also be installed in the restored tower. It is also recommended that a survey of the potential bat roost trees to be felled should be carried out should be carried out before any tree clearance is carried out on the site and that if evidence of bat usage of the potential bat roosts is found a derogation licence to interfere with them shall also be applied for from the NPWS. The Bat Survey Report in addition proposes the installation of bat friendly lighting in the development.

Recommendations:

In the light of all of the above it is recommended that the Board should attach conditions on the following lines to any planning permission granted in response to the current application:

1. That the measures proposed in the Natura Impact Statement and Construction Environmental Management Plan supporting this application to prevent pollution from the development site being mobilised into surface water runoff shall be incorporated in a finalised Construction Environment Management Plan to be submitted to the planning authority for its written agreement before the commencement of any works on site, and to be implemented in full.

Reason: To avoid downstream detrimental effects on the Carrickmines River and the downstream Rockabill to Dalkey Island SA cresulting from water borne pollution originating from the proposed development.

2. That clearance of vegetation from the development site shall only be carried out between September and February ie. outside the main bird breeding season.



Reason: To avoid the unnecessary destruction of bird nests, eggs and nestlings.

3. That felling of potential bat roost trees on the development site shall follow the procedure proposed in the Bat Survey Report supporting the present application and that a bat house and bat boxes and a bat roosting loft in Barrington's Tower shall be installed in the development as proposed in that document.

Reason: To avoid injury to bats roosting on trees on the development site and provide new roosting sites for the bat species recorded in Barrington's Tower on the development site.

4. That a finalised external and internal lighting design scheme for the proposed development signed off on by a bat specialist shall be submitted to the planning authority for their written agreement before the commencement of development on site, this lighting design be implemented in full and its effectiveness in maintaining usage of the development site by bats monitored for two years after the occupation of the development.

Reason: To conserve bat species which are afforded a regime of strict protection under the Habitats Directive (92/43/EEC).

Archaeology

The application for permission for development was accompanied by an EIAR (dated April 2022). Chapter 14 considered cultural heritage (archaeology). The Archaeological Assessment was carried out by staff of Irish Archaeological Consultancy Ltd (IAC). It is noted that the report concluded, based on the desk-based assessment and inspection, that the site had a relatively low potential to yield archaeological remains. A geophysical survey (Leigh 17R0025) followed by targeted archaeological test trenching (McIlreavy 17E0181 report dated 2018) were undertaken and reported upon at EIAR stage. Following these works, archaeological mitigation of archaeological monitoring was recommended (section 14.8, page 14.12). Having reviewed all of the development application's documentation and mapping the NMS agrees with this mitigation and now recommends archaeological monitoring.

Archaeological monitoring should be undertaken as follows:

1. The applicant is required to engage the services of a suitably qualified archaeologist to carry out archaeological monitoring under licence at the development site. As per the mitigation set out in the EIAR (2022, Chapter 14, section 14.8, page 14.12) this archaeological monitoring shall include monitoring and recording of any upstanding remains that may contain historic fabric of interest, in addition to subsurface works. Please allow 5-6 weeks to facilitate the processing of an archaeological licence. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent.



2. Should significant archaeological features be found, any works which would affect them shall cease pending agreement with the National Monument Service as to how they are to be dealt with. Where archaeological material/features are shown to be present, preservation *in situ*, preservation by record (excavation), or further monitoring may be required.
3. Having completed the work, the archaeologist shall submit a written report to the Planning Authority and to the National Monuments Service of the Department of Housing, Local Government, and Heritage.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

Please note that it is strongly recommended that the wording of the Archaeological Condition above be retained in the grant of permission to ensure that the archaeological requirements are understood and carried out by the relevant professional, thank you.

You are requested to send further communications to this Department's Development Applications Unit (DAU) at manager.dau@housing.gov.ie where used, or to the following address:

The Manager
Development Applications Unit (DAU)
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A handwritten signature in purple ink, appearing to read 'Simon Dolan', is written over a horizontal line.

Simon Dolan
Development Applications Unit
Administration