



Kildare County Council

# Appropriate Assessment Stage 1: Screening

St. Catherine's Park, Sensory Garden

## Document Details

<b>Client:</b>	Kildare County Council
<b>Prepared by:</b>	AM, Flynn Furney Environmental Consultants
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# 1. Introduction

## 1.1. Background

Flynn Furney Environmental Consultants have been appointed to provide the information necessary to allow the competent authority to conduct an Article 6(3) Screening for Appropriate Assessment for the proposal to develop a sensory garden in St. Catherine's Park, Leixlip.

Screening for Appropriate Assessment is required under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). This Appropriate Assessment Screening Report has been prepared following the European Commission's Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2021) and Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018) as well as the Department of the Environment's Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (DoEHLG, 2010).

## 1.2. Relevant Qualifications

This report has been prepared by A. Maggy, MSc, and reviewed by B. Flynn (Director) MSc. Flynn Furney has over 20 years of experience working on national infrastructure projects (including roads, drainage & sewerage schemes) and community-based projects, with extensive experience in consulting on planning and design for greenways and other walking and cycling trails, and in preparing Biodiversity Action Plans.

## 1.3. Relevant Legislation

Appropriate Assessment (AA) Screening is required for any proposal which constitutes a "plan or project" within the meaning of the Habitats Directive and/or the Habitats Regulations and which is not "directly connected with or necessary to the management of the site as a European Site".

Under Regulation 42A (1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), a Screening for AA is required to be carried out on the proposed draft regulations. AA is a process required under Article 6(3) of the EU Habitats Directive. Article 6(3) is transposed in Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended, and by Part XAB of the Planning and Development Act, 2000, as amended.

The Water Framework Directive (WFD) is a European Union directive that aims to protect and improve the quality of Europe's water resources. It establishes a framework for managing water resources sustainably, ensuring that they are protected from pollution and over-exploitation. It sets out that all watercourses and waterbodies in member states must achieve, or be working towards, a "good" ecological status by 2027.

## 2. Methodology

### 2.1. The AA Screening Methodology

This AA Screening Report has been prepared in accordance with:

- *Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC* (EC, 2021),
- *Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC* (EC, 2018),
- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities* (DHLGH, 2010),
- *Appropriate Assessment Screening for Development Management* (OPR, 2021),

Article 6(3) sets out provisions which govern the conservation and management of Natura 2000 sites across Europe (European Sites). The Natura 2000 Network encompasses both Special Areas of Conservation (SACs), which are designated for habitats and species of conservation importance, and Special Protection Areas (SPAs), which relate primarily to protected bird species and their supporting habitats. The species and habitats for which these sites are designated are referred to collectively as qualifying interests (QIs). Each site will have a list of its own specific conservation objectives (COs) which provide guidance on the goals for its management.

Article 6(3) establishes the requirement for AA:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives.”

Article 6(4) of the same directive states:

“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of the Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial

consequences of primary importance for the environment or, further to an opinion from the Commission to other imperative reasons of overriding public interest.”

The competent authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned. The AA process is thus broken into two parts, those relating to Article 6(3):

- Stage 1: Screening for Appropriate Assessment
- Stage 2: Appropriate Assessment

... and the Article 6(4):

- Stage 3: Consideration of alternative solutions
- Stage 4: Imperative reasons for overriding public interest

Each stage determines whether a further stage in the process is required. If, for example, the conclusions at the end of Stage 1 are that there will be no significant impacts on the European Site, there is no requirement to proceed further.

## 2.2. Appropriate Assessment Screening Report

This report provides Stage 1: Screening for Appropriate Assessment. It aims to establish whether a plan or project is likely to have any significant effects on any Natura 2000 sites. The study is based on an assessment using both publicly available data and data collected during site visits. This is followed by a determination of whether there is a risk that the effects identified could significantly impact any Natura 2000 sites, and if so, whether an AA is required. The need to apply the precautionary principle in making any key decisions in relation to the tests of AA has been confirmed by the European Court of Justice case law. Therefore, where significant effects are likely, possible or uncertain at the screening stage, AA will be required.

## 2.3. Data Collection

The information presented in this report was gathered using both publicly available data and, if required, data collected during site visits and ecological surveys. A desktop study was carried out as part of this screening process. This included a review of available literature on the site and its immediate environs, followed by a review of the possible or likely effects that may occur cumulatively or in combination with other plans or projects, as well as associated draft policies, objectives, land use zonings and associated strategies. The following sources of data were employed:

- Environmental Protection Agency (EPA) Appropriate Assessment Tool
- EPA Maps (to identify watercourses, hydrology and Natura 2000 site boundaries)
- NPWS protected species database and online mapping
- National Biodiversity Data Centre

- Geological Survey Ireland (to assess groundwater vulnerability)

Field surveys were carried out under guidance from the *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal 2nd Edition* (CIEEM, 2018) and the *Handbook for Phase 1 Habitat Survey* (JNCC, 2010, as amended), adapted for Irish flora using *A Guide to Habitats in Ireland* (Fossitt, J.A., 2000).

## 2.4. The SPR Model

This assessment was carried out using the source-pathway-receptor (SPR) approach, a standard tool in environmental assessment. The SPR concept in ecological impact assessment relates to the idea that for the risk of an impact to occur, a pollution source is needed, an environmental receptor is present, and finally, there must be a pathway between the source and the receptor (for example, a watercourse linking a development site to the European Site).

Even though there might be a risk of an impact occurring, that does not necessarily mean that it will occur, and even if it does occur, it may not be significant. Identification of a risk means that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the risk and the characteristics of the receptor.

In this instance, the most relevant receptors are any relevant European Sites within the zone of influence of the proposed works. These were considered during the desktop study stage of this screening assessment to assess the potential for significant effects upon their QIs and COs. This stage of the process is used to determine whether the proposed development may be screened out. That is, there are no European Sites that can be regarded as not being relevant to the process, having no potential to be significantly affected or impacted upon.

## 3. Description of Proposed Development

### 3.1. General Design

St. Catherine's Park spans approximately 80 ha of grassland and woodland, stretching across the counties of Fingal, Kildare, and South Dublin. The River Liffey runs through the southern section, forming a natural boundary between the Kildare and Dublin portions. A footbridge over the river connects the towns of Leixlip and Lucan, providing pedestrian access.

The development will consist of reshaping a section of the park (~ 1.4 ha) located next to the main car park in St. Catherine's Park. Currently, the park features 12<sup>th</sup> century penal church ruins, a BMX track, a playground, and various woodland trails. It is widely used for walking, jogging, cycling and sports. The sensory garden installation seeks to make the park more inclusive for people with disabilities.

The sensory garden will focus on access, colour, touch and sound and will be located beside St. Catherine's Park car park.



Tree planting will involve a 5-metre clearance zone around street lights and new trees. All trees within 2 metres of underground services, foundations and walls will have root barriers and will be clear-stemmed to a 2-metre height. All tree pits will be lined with a root membrane. Tree pits will range in size from 18-20 cm to 16-18 cm with the deepest pits reaching 2 metres.

The development will involve:

- The installation of benches (made from steel with wooden slats)
- The construction of accessible paths (tarmac)
- The construction of a paving area (concrete)
- The installation of planting beds
- The installation of meadow planting (with grass seed and wildflower mix)
- The addition of shrub species (*Viburnum*, *Sambucus*, *Cotinus*, *Hamamelis*)
- Tree planting (*Amelanchier lamarckii*, *Acer freemanii*, *Crataegus monogyna*, *Prunus avium*, *Acer campestre*, *Sorbus* sp.)

Figure 1: Overview of sensory garden development project. Drawing provided by Kildare County Council



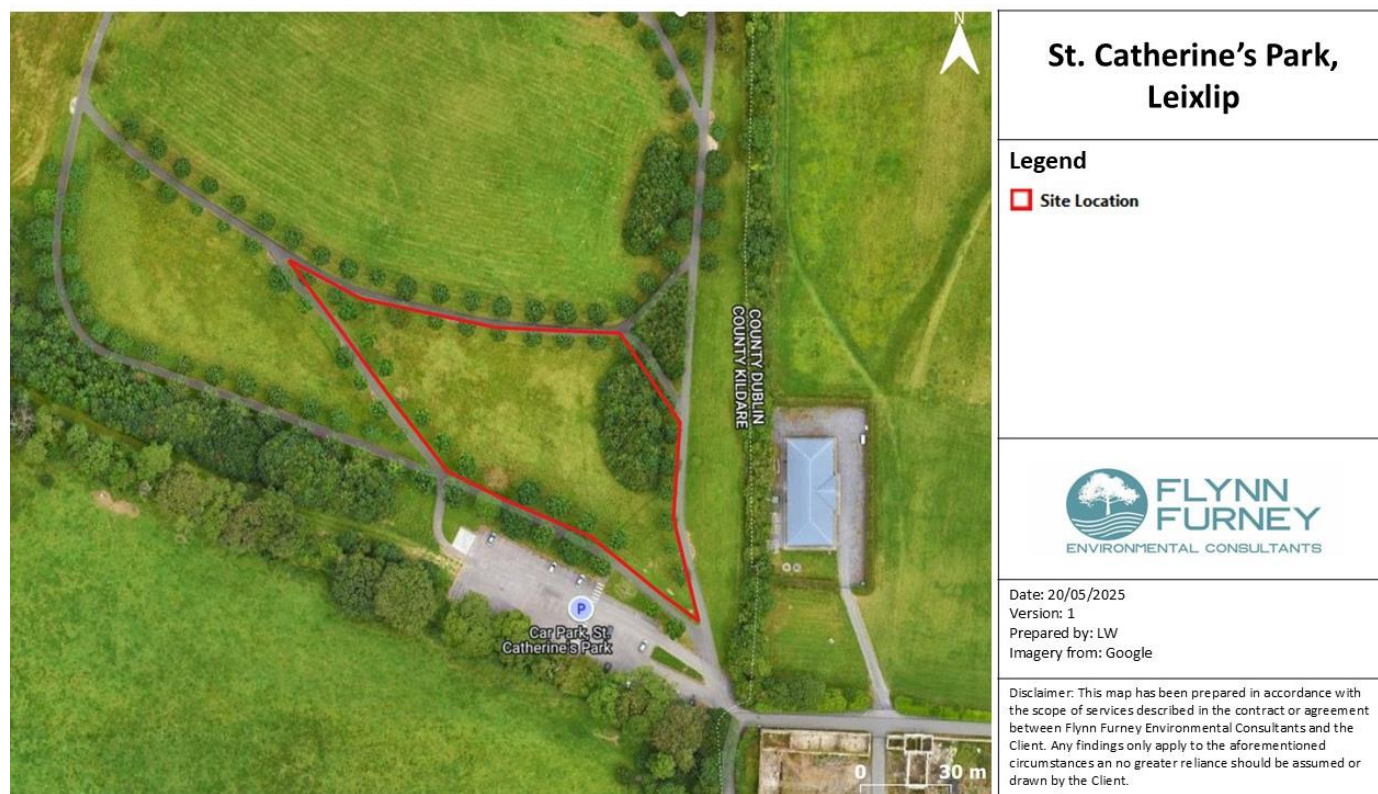


Figure 2: Proposed site of St. Catherine's Park Sensory Garden

## 4. Results of Desk Study and Site Visit

### 4.1. Desk Study

#### 4.1.1. Surface Water

The four nearest waterbodies in proximity to the proposed site are (IE\_EA\_09L011900, IE\_EA\_09L012040, IE\_EA\_09R010600 and IE\_09\_AWB\_RCMLE). All watercourses flow downstream, away from Rye Water Valley/ Carton SAC. Limiting the potential risk of the European Site. Figure 3 references the waterbodies in relation to the proposed site and the European site.

#### 4.1.2. Groundwater

Groundwater vulnerability (figure 4), is defined as the vulnerability of a given area of groundwater to waterborne pollutants. Any works that will break ground or require excavation pose a risk of contaminating groundwater. The surrounding area of St. Catherine's Park is in the (H) high-risk zone of groundwater vulnerability.



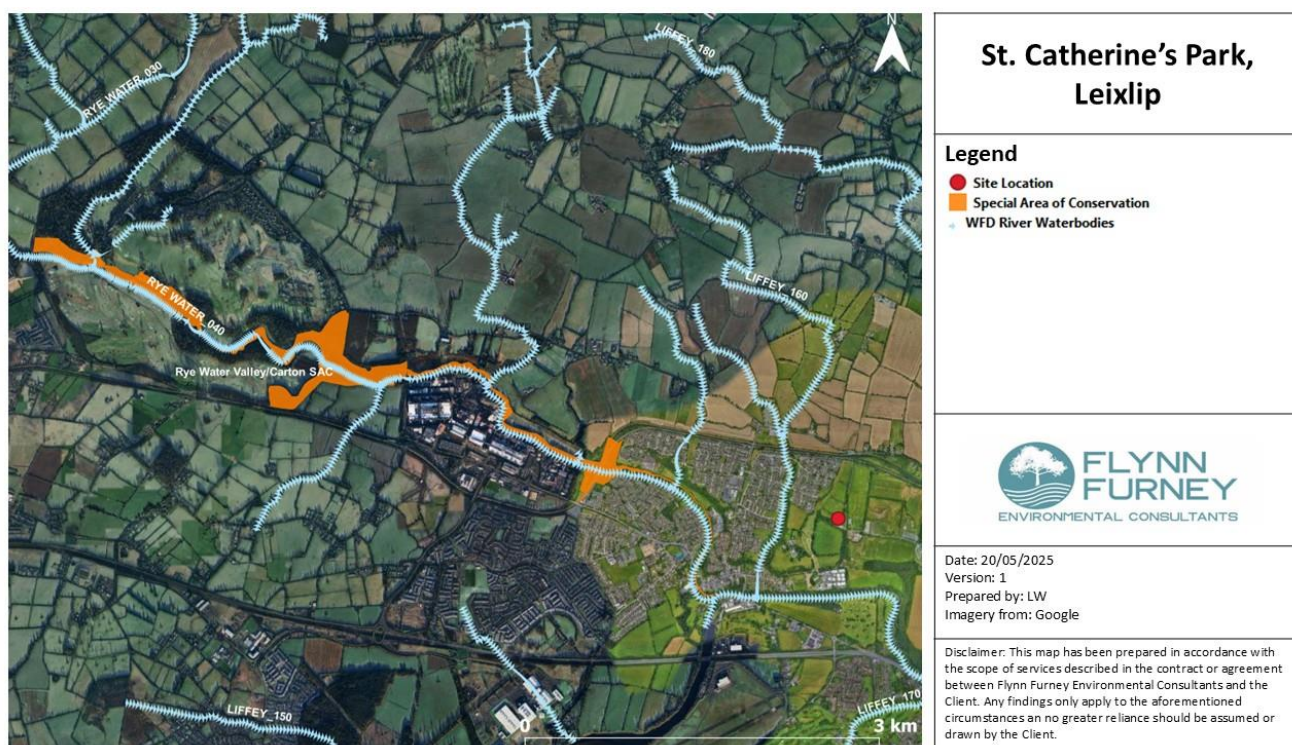


Figure 3: WFD River Waterbodies in relation to site location and SAC.



Figure 4: Groundwater Vulnerability map.

Subsoil permeability (figure 5), is defined as the ease with which water can pass through the subsoil. If the subsoil is highly permeable, pollutants are more easily transported through the soil to the groundwater below, posing a risk of contamination. Any work that excavates the ground may introduce contaminants through the soil. The subsoil permeability at the site is at a cross-section of medium-high subsoil permeability.

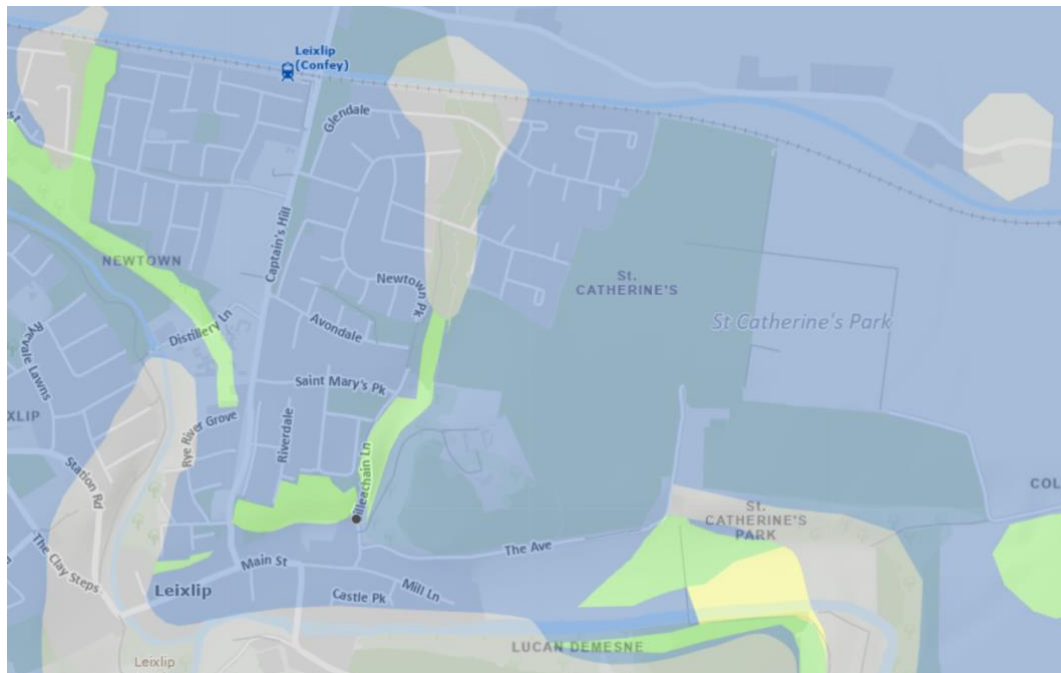


Figure 5: Subsoil permeability map.

Contaminants that would have significant potential to impact the groundwater body - hydrocarbons, wastewater, fertilisers, etc. – are not expected to be used as part of this project in volumes that would present significant risk to the closest European Sites. However, due to the high groundwater vulnerability and medium-high subsoil permeability in the area, precautionary measures should be taken into account when drafting the construction environmental management plan (CEMP) for the landscaping of tree planting with root directors as the depth is reaching upwards of 2 m. For example, excavating the pits and planting the trees in relatively dry conditions, and ensuring that minimal non-biodegradable plastic materials end up buried long-term, so that no surface runoff or non-degradable micro-plastic are added to the soil.

## 4.2. Field Study Results

### 4.2.1. Habitat Assessment

The site primarily consists of amenity grassland (GA2), found in recreational areas, which would regularly be mown. There is a central area of the site which has been left to grow around regularly mown areas. Common species observed were Meadow Buttercup (*Ranunculus repens*), Dandelion (*Taraxicum officinale*), Perennial Rye Grass (*Lolium perenne*), Annual Meadow Grass (*Poa annua*), Hogweed (*Heracleum sphondylium*), Docks (*Rumex spp.*), and Tufted Vetch (*Vicia cracca*). Tree species surrounding the GA2 with less than 30% cover were Norway Maple (*Acer platanoides*), Sycamore (*Acer pseudoplatanus*), Field Elm (*Ulmus minor*), Ash (*Fraxinus excelsior*), and Beech (*Fagus sylvatica*).

The site also included a tree/shrub line border which was outside of the proposed site, a sports pitch (GA2) bordering the site and artificial surfaces (BL3) such as St. Catherine's Park

car park and a fence line past the car park leading into an agricultural field. Species along the fence line included Bitter Dock (*Rumex obtusifolius*), Meadow Buttercup (*Ranunculus repens*), Dandelion (*Taraxicum officinale*), Hogweed (*Heracleum sphondylium*), Tufted Vetch (*Vicia cracca*), Rosebay Willowherb (*Chamaenerion angustifolium*), Oak (*Quercus robur*), Thistle (*Cirsium spp.*), Ribwort Plantain (*Plantago lanceolata*), Horse Chestnut (*Aesculus hippocastanum*), and Blackberry (*Rubus fruticosus* agg.).

Around the centre of the site (GA2), trees lined paved walkways. Species included Norway Maple (*Acer platanoides*) and Field Elm (*Ulmus minor*).

## 5. Evaluation of Results with Regard to European Sites

### 5.1. European Sites with Connectivity to the Project

The development site is located just over 1,040 m from the nearest European site (Rye Water Valley/ Carton SAC). No significant pathways for impacts to this, or any other European site, have been identified. For context, Figure 6 below shows the nearest site.

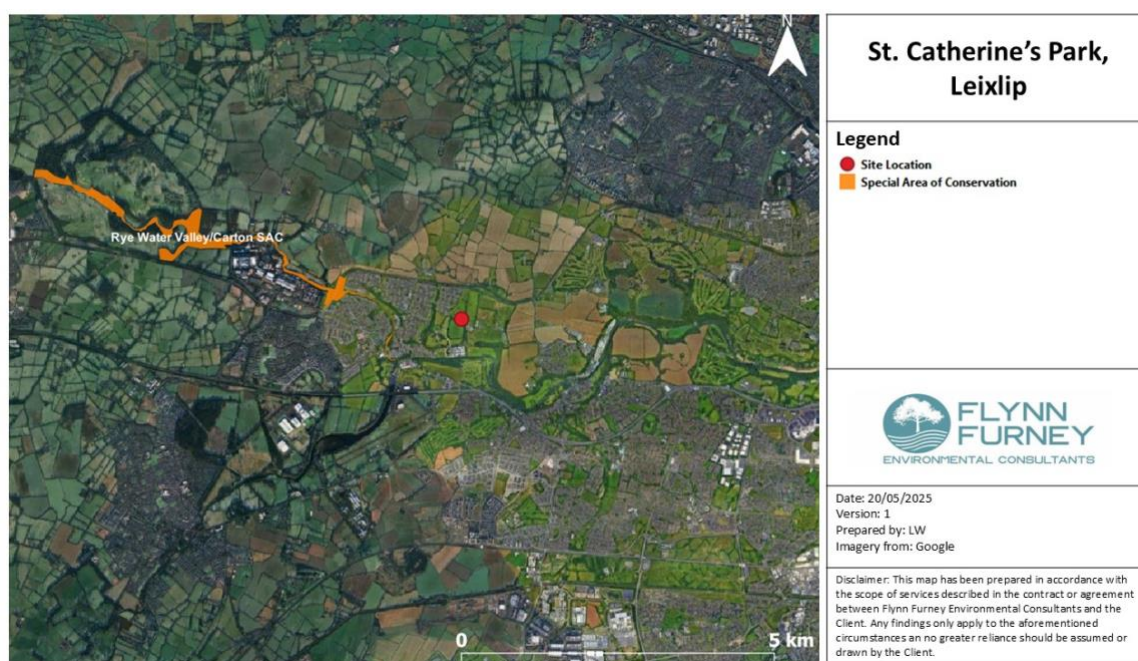


Figure 6: Proximity of proposed site to the nearest European Site: Rye Water Valley/ Carton SAC. Nearest waterbodies flow downstream away from the SAC.

Table 1: Distance between, QIs of, and connectivity to European sites near the proposed development.

Site Code	Site Name	Distance To (m)	Qualifying Interests (* denotes a priority habitat)	Connectivity to Project/Plan
001398	Rye Water Valley/ Carton SAC	1047.51	<b>Habitat</b> 7220 Petrifying springs with tufa formation (Cratoneurion)*	No clear pathways exist, European site is upstream from



			<b>Species</b> 1014 Narrow-mouthed Whorl Snail ( <i>Vertigo angustior</i> ) 1016 Desmoulin's Whorl Snail ( <i>Vertigo moulinsiana</i> )	development site. The project site hosts Desmoulin's Whorl Snail within a 10 km range of site.
001209	Glenasmole Valley SAC	14131.30	<b>Habitats</b> 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) 7220 Petrifying springs with tufa formation (Cratoneurion)*	No pathways exist, European site is removed from development by 14,131 m of already developed land. The project site hosts no QI species or supporting habitats.

## 5.2. Significance of Field Results

Annex I habitats, identified as of utmost conservation importance under the Habitats Directive, receive legal protection within the Irish framework through the transposition of the Directive into national law, primarily under the European Communities (Natural Habitats) Regulations (S.I. 94 of 1997), which mandates the designation and conservation of Special Areas of Conservation to safeguard these critical habitats.

The habitats surrounding the site are typically associated with amenity landscapes, often found in parks or other recreational areas. The centre of the site is primarily GA2, an amenity grassland with small patches of woodland WD5. There were no habitats listed on Annex I habitats within the survey area. Similarly, no rare, threatened, or protected plant species, as listed in the Red Data List, were observed (Wyse Jackson et al., 2016). No species listed on the Flora (Protection) Order 2022 were present.

## 6. Significant Impact Assessment

### 6.1. European Sites with the Potential to be Significantly Impacted

The above section has identified no SACs or SPAs requiring further consideration in this assessment, due to a lack of connectivity and lack of impacts upon mobile QIs, QI-supporting habitat, or ex-situ Annex habitats/species. The remaining Natura 2000 sites are at a greater distance and similarly have no identifiable connectivity with the proposed works. Given the nature and scale of the works, there is no known vector, pathway or conduit for impacts between the proposed works and the remaining Natura 2000 sites. Therefore, the proposed works are considered unlikely (NRA, 2009) to have any significant direct or indirect impacts on the remaining Natura 2000 sites, and they are not considered further in this screening assessment.

## 6.2. Summary of Impacts

The table below assesses whether there is a possibility of like changes to this designated site as a result of the proposed project.

Table 2: Assessment of possible changes to European Sites.

Reduction of habitat area	Disturbance of key species	Habitat or species fragmentation, reduction in species density
The proposed project is anticipated to have no adverse impact on the habitat area of any European Sites, as it does not intersect with any of the habitat types designated as protected under the regulatory framework of the site.	1016 Desmoulin's Whorl Snail ( <i>Vertigo moulinsiana</i> ) was observed within a 10 km range of the proposed site, but it was observed along a reed bed by the Grand Canal far from the proposed site. (Conchological Society record)	No QI species, listed as protected species for this site, were identified in this study. No QI habitats, or other habitats that are deemed significant for any protected species were observed.  The proposed project is not expected to result in adverse impacts on key species, including no anticipated habitat or species fragmentation, and no reduction in species density.

## 6.3. Other Assessment Criteria

### 6.3.1. Is the Project Necessary to the Management of the Designated Site(s)?

The proposed project is not directly connected with the management of any European Sites.

### 6.3.2. Possible Direct, Indirect or Secondary Impacts

All impacts (both direct and indirect) have been assessed within this report. No potential impacts upon European Sites are foreseen due to a lack of connectivity to any features of conservation importance.

### 6.3.3. Cumulative & In-Combination Impacts

The National Planning Application Database for the surrounding areas was consulted and no significant proposed plans or projects were found in a proximity to this proposed development that would lead to cumulative, or in-combination impacts upon any European Sites.

The reasoning being that the nearest planning applications, all of which are located over 100 m away - whether proposed, approved or otherwise - all involve modifications to existing residential buildings (retention of changes, renovations, extensions etc.) that will lead to little

change beyond the boundary of each house. This, coupled with the small and low-impact nature of the proposed development will not lead to any ecological impact sources.

Further, the area of amenity grassland around the proposed development within the park is zoned as G3 – Strategic Open Space, which is zoned “to preserve, provide for and improve recreational amenity, open space and green infrastructure networks”. This land will be retained for conservation, amenity and/or buffer space, and landscape value as a green corridor as per the Leixlip Local Area Plan 2020-2023 (valid until 2026). No significant changes to the landscape are foreseen, under this zoning, for the park as a whole.

## 7. Conclusion

This report concludes that the proposed development is not likely to have a significant effect on European Designated Sites and progression to a Stage II Appropriate Assessment is not required. Having carried out the Stage 1 Screening, the competent authority may determine that a Stage 2 is not required as it can be excluded, on the basis of objective scientific information, that the proposed construction and operation of this development, individually or in combination with other plans or projects, will not lead to any likely significant effects on any European site.



## 8. References

CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal 2nd Edition. The Chartered Institute of Ecology and Environmental Management, Winchester.

EPA (2015b). The EPA's Draft Revised Guidelines on Information to be Contained in Environmental Impact Statements.

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## Appendices

### A1.1. Protected Species Records

Records from the National Biodiversity Data Centre (NBDC) for the 1 km<sup>2</sup> Ordinance Survey square within which the site is located (O0136) were downloaded and reviewed for species-specific records. The results are presented in Table 3.

Table 3: NBDC records of protected species in close proximity to the proposed project site within the last 10 years.

Species Group	Species Name	Record Count	Date of last record	Title of Dataset	Designation
terrestrial mammal	Brown Long-eared Bat ( <i>Plecotus auritus</i> )	2	02/05/2022	National Bat Database of Ireland	Protected Species: EU Habitats Directive    Protected Species: EU Habitats Directive >> Annex IV    Protected Species: Wildlife Acts
terrestrial mammal	Daubenton's Bat ( <i>Myotis daubentonii</i> )	1	02/05/2022	National Bat Database of Ireland	Protected Species: EU Habitats Directive    Protected Species: EU Habitats Directive >> Annex IV    Protected Species: Wildlife Acts
terrestrial mammal	Eastern Grey Squirrel ( <i>Sciurus carolinensis</i> )	1	31/12/2007	The Irish Squirrel Survey 2007	Invasive Species: Invasive Species    Invasive Species: Invasive Species >> High Impact Invasive Species    Invasive Species: Invasive Species >> EU Regulation No. 1143/2014    Invasive Species: Invasive Species >> Regulation S.I. 477 (Ireland)
terrestrial mammal	European Rabbit ( <i>Oryctolagus cuniculus</i> )	1	17/02/2014	Atlas of Mammals in Ireland 2010-2015	Invasive Species: Invasive Species    Invasive Species: Invasive Species >> Medium Impact Invasive Species
terrestrial mammal	Lesser Noctule ( <i>Nyctalus leisleri</i> )	4	03/05/2022	National Bat Database of Ireland	Protected Species: EU Habitats Directive    Protected Species: EU Habitats Directive >> Annex IV    Protected Species: Wildlife Acts
terrestrial mammal	Soprano Pipistrelle ( <i>Pipistrellus pygmaeus</i> )	2	02/05/2022	National Bat Database of Ireland	Protected Species: EU Habitats Directive    Protected Species: EU Habitats Directive >> Annex IV    Protected Species: Wildlife Acts

terrestrial mammal	West European Hedgehog ( <i>Erinaceus europaeus</i> )	1	29/09/2022	Hedgehogs of Ireland	Protected Species: Wildlife Acts
flowering plant	Hairy St John's-wort ( <i>Hypericum hirsutum</i> )	1	02/06/2014	Vascular plants: Online Atlas of Vascular Plants 2012 Onwards	Protected Species: Flora Protection Order    Protected Species: Flora Protection Order >> Flora Protection Order    Threatened Species: Endangered
bird	Common Starling ( <i>Sturnus vulgaris</i> )	1	22/04/2019	Birds of Ireland	Protected Species: Wildlife Acts    Threatened Species: Birds of Conservation Concern    Threatened Species: Birds of Conservation Concern >> Birds of Conservation Concern - Amber List
bird	Common Tern ( <i>Sterna hirundo</i> )	1	22/10/2020	Birds of Ireland	Protected Species: Wildlife Acts    Protected Species: EU Birds Directive    Protected Species: EU Birds Directive >> Annex I Bird Species    Threatened Species: Birds of Conservation Concern    Threatened Species: Birds of Conservation Concern >> Birds of Conservation Concern - Amber List
bird	Common Wood Pigeon ( <i>Columba palumbus</i> )	3	22/10/2020	Birds of Ireland	Protected Species: Wildlife Acts    Protected Species: EU Birds Directive    Protected Species: EU Birds Directive >> Annex II, Section I Bird Species    Protected Species: EU Birds Directive >> Annex III, Section I Bird Species
bird	Herring Gull ( <i>Larus argentatus</i> )	1	22/04/2019	Birds of Ireland	Protected Species: Wildlife Acts    Threatened Species: Birds of Conservation Concern    Threatened Species: Birds of Conservation Concern >> Birds of Conservation Concern - Red List

bird	Mallard (Anas platyrhynchos)	1	15/01/2023	Birds of Ireland	Protected Species: Wildlife Acts    Protected Species: EU Birds Directive    Protected Species: EU Birds Directive >> Annex II, Section I Bird Species    Protected Species: EU Birds Directive >> Annex III, Section I Bird Species
bird	Rock Pigeon (Columba livia)	1	22/10/2020	Birds of Ireland	Protected Species: Wildlife Acts    Protected Species: EU Birds Directive    Protected Species: EU Birds Directive >> Annex II, Section I Bird Species

### A1.2. Invasive Species Records

Records from the National Biodiversity Data Centre (NBDC) for the 1 km<sup>2</sup> within which the site is located (O0136) were downloaded and reviewed for invasive species records. The following invasive species have been previously recorded within 1 km of the site within the past 10 years: Table 4 represents this.

Species Group	Species Name	Record Count	Date of last record	Title of Dataset	Designation
flowering plant	Sycamore (Acer pseudoplatanus)	1	28/04/2024	Vascular plants: Online Atlas of Vascular Plants 2012 Onwards	Invasive Species: Invasive Species    Invasive Species: Invasive Species >> Medium Impact Invasive Species

Table 4: Invasive Species Record