

Review of Biodiversity Aspects of the planning application and associated objections for a Solar Array at Swordlestown North and Swordlestown South, County Kildare, submitted to Kildare County Council on 04/02/2022

Planning Reference: 22111

Report to Support Objection of the Punchestown Area Community Group

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10/03/2022



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Introduction

In February 2022 Punchestown Area Community Group asked Dr. Mary O'Connor to advise them on the Biodiversity aspects of the proposed development of a large solar array at Swordlestown North and Swordlestown South, County Kildare, submitted to Kildare County Council on 04/02/2022, Planning Reference: 22111. The technical advice was to support a local community objection to the scheme

The Review was informed by a review of the relevant sections of the submitted Screening for Appropriate Assessment, Environmental Report, desktop study and a collation of local records of habitats and species of conservation value from the area of the proposed development and its receiving environment in February & March 2022.

Statement of Authority

This document has been prepared by Dr. O'Connor who has over 25 years' experience in preparation of the ecological sections of EIARs and Appropriate Assessment for public and private clients. This also includes the preparation of appropriate mitigation measures and Biodiversity Management Plans.

SCREENING FOR APPROPRIATE ASSESSMENT

It is the finding of the review of the screening for appropriate assessment of the proposed Solar Array Development at Swordlestown North that there is a significant oversight in relation to the Lesser Black Backed Gull *Larus fuscus* which is a conservation objective species of the Poulaphouca Reservoir SPA [004063].

The findings of the Screening for appropriate assessment for the proposed development states that the NBDC holds records for lesser black-backed gull within 2km of the Site, but this record was from 2011. However, it has been the finding of this review that lesser black-backed gull is actually a regular user of the 2km Zone of Influence of the proposed development site.

In addition the Screening for AA also found that neither of the bird species designated for Poulaphouca Reservoir SPA were recorded within the Site during the wintering bird surveys. Further it is stated that, it is therefore considered highly unlikely that the habitats within the Site itself are of significant importance for these species. The report goes on to say that, although the agricultural grassland and stubble crop could have the potential to support foraging for lesser black-backed gull and greylag geese, It is not anticipated that the species will utilise the habitats onsite given the inland nature of the Site and the abundance of suitable grassland feeding habitats within close proximity to the SPA.

The above findings are in error as there are up to date records by local Ballymore Eustace Gun Club members up to and including 2021/2022 of summer and winter usage of large flocks of Lesser Black Backed Gulls within the designated 2km *Zone of Influence* of the site. This is a very serious failing of the screening for AA of the site as it calls into question the conclusion of no significant effect on species of

qualifying interest of the Poulaphouca Reservoir SPA [004063] and the decision not to enter Stage 2 of the AA Screening process i.e. then completion of a Natura Impact Statement.

This is also contrary to the Kildare County Development Plan Planning Policy Objectives

- NH 5 Prevent development that would adversely affect the integrity of any Natura 2000 site located within and immediately adjacent to the county and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive.
- NH 6 Ensure an Appropriate Assessment, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other

Objection

The Appropriate assessment has not adequately assessed the impact of the proposed development on the species Lesser Black Backed Gull (*Larus fuscus*) a species listed as a special conservation interest in the Poulaphouca Reservoir SPA [004063]. This is a very serious failing of the screening for AA of the site as it calls into question the conclusion of no significant effect on species of qualifying interest of the Poulaphouca Reservoir SPA [004063].

Conservation Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

NOTE: Favourable conservation status of a habitat is achieved when: • its natural range, and area it covers within that range, are stable or increasing, and • the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and • the conservation status of its typical species is favourable. The favourable conservation status of a species is achieved when: • population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and • the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and • there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The Screening for AA as submitted has not screened out possible impact to the species Lesser Black Backed Gull (*Larus fuscus*) a species listed as a special conservation interest in the Poulaphouca Reservoir SPA [004063] and is contrary to Objective NH5 and NH6 of the Kildare County Development Plan 2017-2023.

A NOTE ON THE GENERAL CONTEXT Re. EIAR for Solar Installations

In 2018 in light of an increased amount of rural solar array applications a query was made to the Department of Housing and Local Government to ascertain the obligations re. carrying out a full Environmental Impact Report for such developments the answer which is given below.

Response by Department Housing and Local Government to a question raised on Tuesday, 20 February 2018

Question:

601. Deputy Seán Crowe asked the Minister for Housing, Planning and Local Government re. The requirement of a solar installation/solar farm to conduct a full Environmental Impact Assessment

Answer

At present, while solar farm development projects are not specifically listed as requiring assessment under the EIA Directive or under the Regulations, such development proposals **may be required by a planning authority to undertake an environmental impact assessment**, taking into account the **criteria listed in Schedule 7** which include the characteristics of the proposed project having regard to its **size**, its **cumulation with other development, pollution and nuisances**, and **the risk of accidents** as well as the location of the proposed development having regard to **the existing land use, the environmental sensitivity of the geographical area** and the **absorption capacity of the natural environment in the area** of the proposed development.

Additional Legal Opinion

It is noted that, a solar PV project may be subject to a requirement for EIA if there is some aspect of the project which potentially comes within the scope of one or more of the classes of project listed in Annex I or Annex II of the Directive. This is what the CJEU held in C-215/06 *Commission v Ireland*, and other cases.

A solar PV project may also be subject to a requirement for an extensive planning and environmental assessment akin to an EIA, depending on its **scale, characteristics** and **location**.

OVERALL EIA SCREENING CONCLUSION BY THE DEVELOPER FOR THE GOWRAN GRANGE DEVELOPMENT

Based on the findings of this EIA screening assessment it was concluded that the Proposed Development will not result in any likely and significant effects on the environment, therefore, an EIAR is not warranted.

BIODIVERSITY FLORA AND FAUNA FINDINGS OF THE ENVIRONMENTAL REPORT

An ecological assessment has been undertaken, as presented in Chapter 6. The assessment concluded that the Proposed Development will not result in any significant impact on any protected or notable species and that it is considered that an overall positive impact will occur.

A Stage 1 Appropriate Assessment Screening Report and a Biodiversity Management Plan (BMP) have been completed for the Proposed Development and should be read in conjunction with this report.

METHODOLOGY STATED AS BEING FOLLOWED BY THE ENVIRONMENTAL REPORT

The Environmental Report states that its methodology follows EPA Guidance, *Draft Guidelines on the Information to be contained in an EIAR* relating to the Effect and the Extent of the Impact of the proposed development.

The Biodiversity Chapter of the Environmental Report states that it will cover all of the following in considering the impact of the proposed development to habitats, flora and fauna.

The National Park and Wildlife Service (NPWS) notifies sites in Ireland that are of international or national importance for nature conservation (although some sites that are of national importance for certain species have not been so designated).

Internationally important sites:

- Special Areas of Conservation (SACs): the legal requirements relating to the designation and management of SACs in Ireland are set out in the European Communities (Natural Habitats) Regulations 1997 (as amended) (Habs Regs);
 - Special Protection Areas (SPAs) strictly protected sites classified in accordance with Article 4 of the EC Directive on the Conservation of Wild Birds (79/409/EEC), also known as the Birds Directive;
- and,
- Ramsar sites: wetlands of international importance designated under the Ramsar Convention, to which Ireland is a signatory

Other statutory site designations relating to nature conservation:

- National Heritage Areas (NHA): these represent examples of some of the most important natural
- and

- semi-natural terrestrial and coastal habitats in the country and are afforded protection under the Wildlife (Amendment) Act 2000. NHAs are legally protected from damage and receive protection from the date they are formally proposed for designation;

and,

- Proposed Natural Heritage Areas (pNHA): these sites are afforded the same protection as NHA under the Wildlife (Amendment) Act 2000 from the date that they are formally proposed for designation.

Legally protected species;

Many species of animal and plant receive some degree of legal protection for the purposes of this study, legal protection refers to:

- Species included in the Wildlife (Amendment) Act 2000, excluding species that are only protected in relation to their sale, reflecting the fact that the Site disposal will not include any proposals relating to the sale of species; and,
- Species afforded protection under the Flora Protection Order 1999.

Other notable habitat/species categories

- Biodiversity Action Plan (BAP) species: those targeted in local or national BAPs as being of particular conservation concern (priority species).
- **Red and Amber List** birds: those listed as being of high or medium conservation concern as listed by Birdwatch Ireland [39].
- Other Irish **Red Data Book** species and Nationally/Regionally/Locally Notable species where appropriate

The 'ZONE OF INFLUENCE', 'EFFECT AREA' OR 'EXTENT' OF IMPACT

The zone of influence is the area of the receiving environment for which the activities associated with the project and the biophysical changes associated with the project are likely to result. It is not equivalent to the direct physical footprint of the site. But it is the area where the activities of the proposed development and any associated changes, is likely to occur, also called the 'effect area' or 'extent'.

Wherever possible, it is helpful to map the location of the various activities and their 'effect areas,' for example, e.g. zones where birds or mammals forage or commute included the development site and extended areas of use, habitats particularly downstream. It is then necessary to identify, as part of this mapping exercise, the ecological areas and features (i.e. the ecological resources/receptors) likely to be **affected by the biophysical changes caused by the project, however remote from the project.**

This establishes a 'zone of influence' for the project that encompasses all of its potential impacts.

The Zone of Influence as selected by the ecological team is for the proposed development is 2km radius surrounding the site and as 15km for consideration of European Sites.

SUMMARY OF OBJECTION TO THE EIA SCREENING CONCLUSION BASED ON INADEQUACY OF THE ENVIRONMENTAL REPORT TO INFORM THE PLANNING AUTHORITY

- No Statement of Authority has been provided to describe the competence of the ecologists conducting the Biodiversity Section of the report.
- It is the contention of the objection that not all **statutory site designated site relating to nature conservation** lying within 5km of the have been assessed as stated in the Environmental Report i.e. Harristown Common pNHA has not been included in the assessment. No reference was made to the list of Wetland Habitats recorded in the Wetland Survey of County Kildare which includes these wetland NHA areas.
- It is the contention of the objection that the *Zone of Influence* is inadequate in relation to aquatic habitats hydrologically linked to the site and to the habitats which are linked to the core site through the movement of species of conservation importance for commuting and foraging.
- It is the contention of the objection that the Environmental Report is Inadequate to inform the Planning Process in the following areas; the habitats and species assessment of features of biodiversity value have not been adequately carried out for the site (see findings below) and that therefore the planning authority cannot be assured that there will be no deleterious impact to protected habitats or species. (SEE TABLE 1 AND 2 and APPENDIX 1).

This is contrary to the policy objectives of the Kildare County Development Plan NH 11 to Ensure that development does not have a significant adverse impact on rare and threatened species, including those protected under the Wildlife Acts 1976 and 2012, the Birds Directive 1979 the Habitats Directive 1992 and the Flora Protection Order species.

The Environmental report is also inadequate as it does not provide planners with sufficient evidence to fulfil the planning policy objective NH 12 of the Kildare County Development Plan to Ensure that, where evidence of species that are protected under the Wildlife Acts 1976-2012, the Birds Directive 1979 and the Habitats Directive 1992 exists, appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment. In the event of a proposed development impacting on a site known to be a breeding or resting site of species listed in the Habitats Regulations or the Wildlife Acts 1976 -2012 a derogation licence, issued by DAHRRGA, may be required.

HABITATS

HABITAT ASSESSMENT-Inadequate the majority of habitats occurring in the zone of influence including one Annex 1 Habitat from EU habitats Directive Transition Mire/Quaking Bog have not been assessed (See **Table 1** below)

PROTECTED SPECIES

BIRDS ASSESSMENT -Inadequate, Many Red listed Bird species known to occur within the zone of influence of the proposed development which, while some have been mentioned have not been considered in any level of adequate detail in the Environmental Report, e.g. Snipe, Lapwing, Golden Plover, Yellowhammer etc (See **Table 2**). Table two

The list of Birds of Conservation Concern in Ireland as utilised by the Ecologists is totally out of date as many of the species listed as green listed in the ER are actually now considered amber or red listed species. This gives rise as to the competence of the bird section within the Environmental Report

Very impoverished bird lists from the Winter Bird Surveys do not give a detailed picture of the species diversity or site usage by important bird species such as red listed yellowhammer

AMPHIBIANS-NATIONALLY PROTECTED SPECIES (WILDLIFE ACTS)- Inadequate i.e. No detailed assessment of the site for Amphibians, frog or common newt was carried out including not mapping the known pond areas occurring within and directly adjacent to the boundary of the proposed development, which would be a key amphibian habitat.

ASSESSMENT OF ROOSTING BATS EUROPEAN PROTECTED SPECIES (ANNEX II)-Inadequate

No Survey was carried out for the proposed development, no mention was made of the Potential Roost Features i.e. Buildings and Mature Trees were not assessed.

No emergence survey carried out for potential roost sites on site

No recordings of direct evidence of bat usage droppings or urine stains were carried out on site to inform the Environmental Report

ASSESSMENT OF FORAGING /COMMUTING BATS EUROPEAN PROTECTED SPECIES (ANNEX II)-Inadequate

No bat detection surveys were carried out to inform the ER

OTTER EUROPEAN PROTECTED SPECIES (ANNEX II)-Not Assessed in the Report even though this species has been recorded as occurring within the Zone of Influence of the site.

BADGER-Protected Under the Wildlife Acts-Superficially Assessed

OTHER TERRESTRIAL MAMMALS (e.g. Irish stoat, Irish hare, pine marten, and hedgehog) NATIONALLY PROTECTED SPECIES (WILDLIFE ACTS)- No assessment of non-volant mammals

other than badger on site-No Wildlife Trail-cams were utilised during the survey which would provide an idea of the frequency and abundance of mammals on site and the usage of the site.

SALMONIDS ATLANTIC SALMON *Salmo salar* BROWN TROUT *Salmo trutta* EUROPEAN PROTECTED SPECIES (ANNEX II – IN FRESHWATER)-Not Assessed even though **River Liffey** is a **designated Salmonid River** and site lies within the Liffey Catchment

WHITE CLAWED CRAYFISH -Annex II Species-Not Assessed or even mentioned as a possibility of occurrence in the Environmental Report even though they are found occurring in the Swordlestown stream which flows through the site (listed in habitats survey as a drainage channel)

SPECIES PROTECTED FLORA PROTECTION ORDER 2015 Or RED DATA LIST FLORA SPECIES

No Assessment of rare or protected plant has been included in the report even though a species, Green-flowered Helleborine (*Epipactis phyllanthes*) classified in the Red Data List of 2016 as 'Endangered'. Has been found in similar Estate Woodland Habitats as is found in Gowran Grange in Co. Kildare.

OVERALL ASSESSMENT OF IMPACT

-Inadequate no detailed consideration of impact of change of land-use or fragmentation of habitat both recognised as key impacts of Solar Installations

For example recent findings have been made in relation to the large scale land use change to winter foraging bird species such as the red listed yellowhammer which relies on winter stubble for a significant food source. The large scale loss of tillage in this area will be a significant loss of food to such species. No adequate assessment of such impact is included in the Environmental Report.

Table 1. Habitats Likely to Occur within the Site and Zone of Influence of the Gowran Grange Solar Installation (Habitats in Blue Have Been Assessed in the Environmental Report, Habitats in Red Have not been assessed)

Code	Habitat Name	Included in the Report	EU ANNEX Habitat POTENTIALLY AFFECTED?	Potentially Impacted By the Scheme Direct or Indirect	Adequate Assessment within the Environmental Report
Stone Walls and Other Stonework	BL1	No	No	Yes direct	No Assessment
Earth Bank	BL2	No	No	Yes direct	No Assessment
Buildings and Artificial Surfaces	BL3	No	No	Yes direct	No Assessment
River/Stream	FW2	No	No	Yes direct And indirect (through cable route)	No Assessment
Drainage Ditch	FW4	Yes	No	Yes direct	
Artificial lakes and ponds FL8		No	No	Yes direct	No Assessment
Calcareous Spring	FP1	No	No	Unlikely	No Assessment
Reed and large sedge swamps/Tall-herb swamps	FS1/FS2	No	No	Yes direct and indirect through hydrological change and potential cable route	No Assessment
Transition Mire	‘transitio n mires and	No	Yes	Yes (through	No Assessment

Code	Habitat Name	Included in the Report	EU ANNEX Habitat POTENTIALLY AFFECTED?	Potentially Impacted By the Scheme Direct or Indirect	Adequate Assessment within the Environmental Report
	quaking bogs (7140)'			cable route)	
Improved agricultural grassland	GA1	Yes	No	Yes direct	No Assessment
Dry Meadows and Grassy Verges	GS2	No	No	Yes Direct	No Assessment
Wet Grassland	GS4	No	No	Yes Direct	No Assessment
Conifer Plantation	WD4	No	No	Yes Indirect (through cable route)	No Assessment
Mixed Broadleaved Woodland	WD1	Yes	No	Yes Direct	
Hedgerows	WL1	Yes	No	Yes Direct	
Treelines	WL2		No	Yes Direct	
Wet willow-alder-ash woodland	WN6	No	No	Yes (through cable route)	No Assessment
Scrub WS1	No	No	No	Yes Direct	No Assessment
Non-native Ornamental Shrubs	No	No	No	Yes Direct	No Assessment

Red List Bird Species	Location/Townland	Approximate Date	Observer (Initials)	Observations And numbers	Recorded or Assessed in ER
Breeding					
Swift	Mullacash Swordlestown	April and October '21 Regular Summer Visitor latest record '21	PD ED	3	No
Woodcock	Mullacash Swordlestown	Nov '21 and Feb '22 Jan 22/Feb 22 27/02/2	PD MK ED	35 2/2 2	No
Barn Owl	Mullacash Flemingstown North Swordlestown	Resident 26/02/22 7/02/2022	PD DV ED	2 1 1	No
Red Kite	Eadestown Mullacash	Nov 21 Year Round	LB PD	1 2	No
Kestrel	Mullacash Swordlestown	Year Round July 21	PD MK	2 1/1	No
Yellowhammer	Swordlestown	Resident	MK	4 pairs	No
Wintering					
Redwing	Punchestown	Dec 2021	LB	30 +	Yes
Breeding and Wintering					
Lapwing	Punchestown	Jan 2022	LB	12	No

Red List Bird Species	Location/Townland	Approximate Date	Observer (Initials)	Observations And numbers	Recorded or Assessed in ER
	Mullacash	March Onward	PD	25	
Golden plover	Punchestown	December 2021	LB	80 +	No
	Mullacash	Resident		4	
Snipe	Punchestown	Resident	LB	20 +	No
	Mullacash	Resident	PD	40 +	
	Flemingstown North	28/2/22	DV	30 +	
	Flemingstown North	July 21/Dec 21	MK	2/1	

Amber List Bird Species	Location/Townland	Approximate Date	Observer (Initials)	Observations And numbers	
Breeding					
House Martin	Mullacash	April-Sept	PD	50	No
	Swordlestown	Annually	MK		
	Swordlestown N	Anually	DK	Many	
Kingfisher	Swordlestown (Stream)	Occasional	MK	2 pairs	No
Skylark	Punchestown	Feb 2022	LB	6	No
Swallow	Punchestown/Eadestown	Annual Breeders	LB	30 +	No
	Mullacash	Annual Breeders	PD		
	Flemingstown North	1/09/21	DV	100 +	
	Swordlestown	Annual Breeders	MK		
Starling	Punchestown	Year Round	LB		Yes
	Mullacash	Year Round	PD	150 +	

Amber List Bird Species	Location/Townland	Approximate Date	Observer (Initials)	Observations And numbers	
	Flemingstown North	1/03/22	DV	20 +	
	Swordlestown	Year Round	MK	20 +	
	Swordlestown North	Year Round	DK	Many	
Goldcrest	Punchestown	Jan 2022	LB	2	Yes
House Sparrow	Mullacash	April to Sept	PD	200 +	No
	Flemingstown North	1/03/22	DV	10 +	
	Swordlestown	Resident	MK	40 +	
Tree Sparrow	Eadestown	Dec 2021	LB	6	No
	Swordlestown	Resident	MK	2 pairs	
Greenfinch	Eadestown	Dec 2021	LB	8	Yes
	Mullacash	Resident	PD	14	
	Swordlestown	Resident	Mk	6 pairs	
Linnet	Eadestown	Dec 2021	LB	1	Yes
	Mullacash	Resident	PD	18	
	Swordlestown	Resident	MK	Flock (Video)	
Western Yellow Wagtail	Swordlestown N	V. Rare	Aug 2021	1	No
Wintering					
Greylag Goose					
Breeding and Wintering					
Mute Swan	Punchestown	Resident	LB	4	Yes
	Mullacash	Resident	PD	4	
Whooper Swan	Mullacash	Annual Wintering	PD	6	No

Amber List Bird Species	Location/Townland	Approximate Date	Observer (Initials)	Observations And numbers	
Tufted Duck	Punchestown	Jan 2022	LB	4	No
	Mullacash	All year	PD	3	
Amber List Bird Species	Location/Townland	Approximate Date	Observer (Initials)	Observations And numbers	
Breeding and Wintering (Contd.)					
Wigeon	Mullacash	All Year	PD	150 +	No
	Flemingstown S	25/02/22	MK	Many	
Mallard	Mullacash	All Year	PD	200 +	No
	Flemingstown North	1/03/22	DV	10 +	
	Flemingstown S	25/02/22	MK	Many	
Teal	Mullacash	All Year	PD	200 +	No
	Flemingstown S	25/02/22	MK	Many	
Black-headed Gull	Mullacash	All Year	PD	100 +	No
Common Gull	Mullacash	All Year	PD	100 +	No
	Flemingstown North	25/05/21	DV	8	
Lesser Black- backed Gull	Mullacash	Year Round	PD	100 +	No

Mammal Species	Location/Townland	Approximate Date	Observer (Initials)	Observations And numbers	
Hedgehog	Mullacash	Nov 2021	PD	2	No
	Flemingstown North	1/10/21	DV	2	
Pygmy shrew	Swordlestown	Resident Pop.	MK	Several	No
	Swordlestown N	Sept 21, 12 Jun 20	DK	2	
Common Pipistrelle	Swordlestown	Resident pop.	MK		No
Soprano Pipistrelle	Flemingstown North	29/09/21	DV	10 +	No
	Swordlestown	Resident pop.	MK		
Irish Hare	Mullacash	Oct 2021	PD	8	No
	Swordlestown	Periodically	PK	1/2	
Red squirrel	Punchestown	Summer 21	MK	1	No
Otter	Mullacash	Nov 2021	PD	2	No
	Punchestown	2018 Breeding	MK	Family Group	
	Swordlestown North	2015	DK	In Broad field Stream	
Stoat	Mullacash	Dec 2021	PD	1	No
	Swordlestown	Oct 2021	MK	1 in woods	
Badger	Mullacash	Nov 2021	PD	4	Superficial Assessment
	Flemingstown North	27/02/22	DV	2	
	Swordlestown G.Lane	Active Sett	MK	(see Video)	
	Swordlestown N	Feb 2022	DK	1	
Pine marten	Mullacash	Nov 2021	PD	3	No
	Swordlestown	Occasional	MK		

Mammal Species	Location/Townland	Approximate Date	Observer (Initials)	Observations And numbers	
		sighting			
Sika Deer	Mullacash	Nov 2021	PD	14	Superficial Assessment
	Flemingstown North	1/02/22	DV	6	
	Swordlestown	Frequent All Year	MK		
	Swordlestown N S	Frequent All Year	DK		
	Swordlestown	Periodically	PK		
Wood Mouse	Mullacash	May 2021	PD	2	No
	Swordlestown	Summer 2021	MK	Circa 4	
Hazel Dormouse (novel breeding population)	Swordlestown	14/02/21	MK	1	No
	Swordlestown	04/21	MK	1 (see photo)	
	Swordlestown N	Aug 2016	DK	1	
Reptile					
Common Lizard					
Amphibians					
Common Frog	Mullacash	All Year	PD	7	Superficial comment on amphibians
	Flemingstown North	10/10/21	DV	Spawn in Drains	
	Swordlestown	Resident pop.	MK		
Smooth Newt	Swordlestown	Resident pop.	MK	See Photo	No
Invertebrates					
White Clawed Crayfish	Swordlestown N/Broadfield Stream	5 August 2017	DK	3 in stream	No
	ANNEX II Species				
	Habitats Directive				

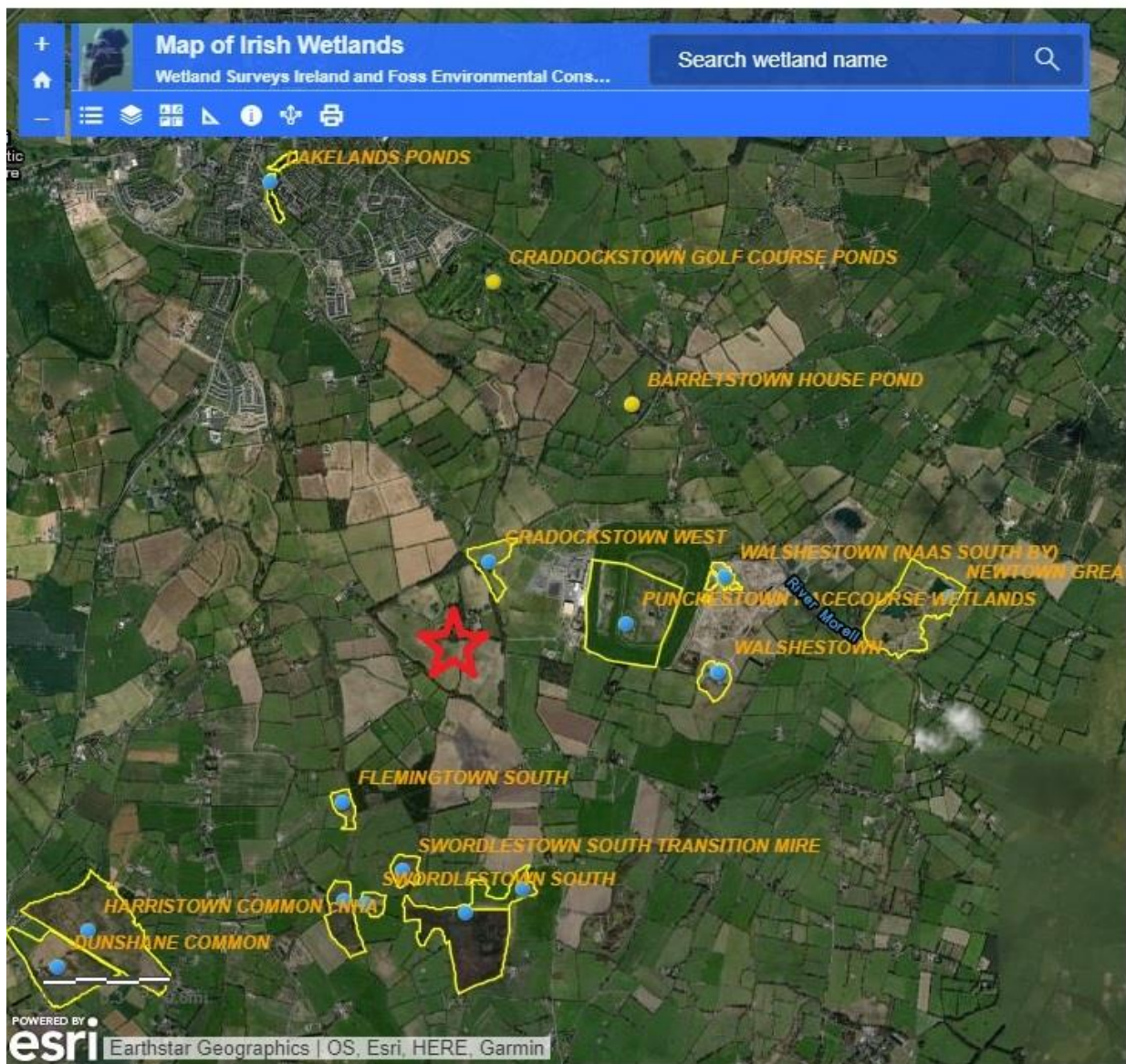


FIGURE 1. Wetlands of County Kildare including those recorded nearest to the proposed development site at Swordlestown North which were not included in the Environmental Report

HISTORIC LANDSCAPE

Historic Landscape Characterisation (HLC) is important for Ireland in respect of two major international obligations: firstly, its contribution to general landscape conservation in the light of Ireland's ratification of the European Landscape Convention (ELC) and, secondly, in the context of the EU Strategic Environmental Assessment (SEA) Directive. 12 Although HLC is not a specifically defined requirement, both SEA and EIA regulations refer to **the need to consider interrelationships between the architectural and archaeological heritage with landscape, which would be effectively done through HLC**. Likewise, **the Planning and Development (Amendment) Act 2010 includes objectives for preserving the landscape**. These requirements must be seen not only in the light of the integrated definition of landscape in the European Landscape Convention, but also the EU and national requirement for environmental assessment (both at strategic and project level), which is a further indicator for the integrated approach that HLC provides.

The landscape of Gowran Grange is a distillation of history, land use and the underlying natural conditions of the area.

The area is primarily covered in a loamy drift soil-type over carboniferous limestone bedrock geology. The Gowran Grange Demesne is situated in a major landscape types as defined by the County Kildare Landscape characterisation study, Eastern Transition Lands of County Kildare. The slope and topography is gentle; and concentrations of surrounding tillage lands and pasturage in this area tend to be characterised by extensive views across large fields with maintained field boundaries, treelines and hedgerows. The Gowran Grange Demesne stands out in this area as characterised by the well wooded undulated landscape of corn fields and pasturage with small wetland features.

The Gowran Grange Demesne is a designed parkland landscape, of early- mid- 19th century design, and inspired and influenced by design in England the political power base of the Anglo Irish ascendancy.

The Landscape setting

The Gowran Grange Demesne, while privately owned is supports features of Historic Landscape as defined by Cookson and Tickner (2013), including formal gardens, a collection of interesting trees and the less formal natural habitats, water channels, artificial ponds and Mixed Broadleaf woodland.

Water features in the Gowran Grange area are concentrated in the core area of Gowran Grange Demesne, where artificial ponds support beautiful fringing aquatic and emergent vegetation. Artificial waterbodies within the Gowran Grange Demesne include a littoral shelf or shallow shelf around the fringes of the artificial ponds. These shallows of the pond facilitates the development of fringing reed beds, swamps and emergent vegetation.

HISTORIC PARKLAND

Feature category	Parkland features
Open Parkland	Parkland trees, tree clump, avenue, sward
Woodland	Designed woodland, woodland perimeter belt
Access & view	Approaches, wider circulation, designed views & vistas
Waterbodies	Canals, lakes, streams, fish ponds, duck decoys, water management structures
Boundaries	Stone Wall, iron railing, hedge
Park-related archaeology	Former park boundaries & features, false antiquities, land use archaeology, pre-park funerary & settlement features (i.e. ring fort feature??, 20th century archaeology
Parkland architecture	Lodges & entrance lodges, ornamental parkland buildings, farm buildings, walled kitchen gardens

Table 1. Key parkland features organised into seven feature categories as per Cookson and Tickner (2013 all of these features occur in the Parkland of the Gowran Grange area

Objection

The Environmental Report while considering the landscape on the basis of the broad County Kildare Landscape Assessment there has been no effort to consider the site specific historic and cultural aspect of the Landscape surrounding the proposed development. This is contrary to the policy of the County Development Plan as outlined here,

LA 4 Seek to ensure that local landscape features, including historic features and buildings, hedgerows, shelter belts and stone walls, are retained, protected and enhanced where appropriate, so as to preserve the local landscape and character of an area, whilst providing for future development.

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APPENDIX 1

PHOTOGRAPHS OF A VARIETY OF SPECIES OF CONSERVATION INTEREST UTILIZING THE ZONE OF INFLUENCE OF THE PROPOSED DEVELOPMENT

Greenfinches Swordlestown, Kildare



Otter Swordlestown June 2020



Pine Martin Swordlestown February 2022



Yellowhammer Swordlestown February 2022



Transition Mire Swordlestown South July 2021



Dormouse at back of photo Feb 2022 Swordlestown North



White Clawed Crayfish Swordlestown Stream 2021

