

Appendix 4

Strategic Environmental Assessment (SEA) Screening Report



Contents Amendment Record

This report has been issued and amended as follows:

| Issue | Revision | Description | Date | Prepared by | Checked by |
|-------|----------|--|------------------|-------------|------------|
| 01 | 00 | Preliminary SEA Screening Report - Draft | 22 October 2018 | DF/ST | TB |
| 02 | 01 | SEA Screening Report – Final Draft | 5 December 2018 | TB | TB |
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| 04 | 03 | SEA Screening Report – Display Draft | 12 February 2019 | TB | TB |
| | | | | | |

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1.0 Introduction

1.1 Background

Fingal County Council (FCC) is preparing the Draft Kinsaley Local Area Plan (hereafter referred to as the “Draft LAP”). The Draft LAP seeks to establish a framework for the planned, coordinated and sustainable development of the village core and surrounding lands at Kinsaley village.

As set out in the following sections, this report constitutes a screening of the proposed Draft LAP for the requirement for Strategic Environmental Assessment in accordance with the requirements of Article 14A of the Planning and Development Regulations 2001 (as amended) on the “*determination of need for environmental assessment of local area plan*”.

A Preliminary Screening for SEA was forward to the specified Environmental Authorities (as listed in section 1.3.3 of this report) and submissions and observations received have been incorporated into the Draft LAP and SEA Screening Report.

1.2 Strategic Environmental Assessment (SEA)

Strategic Environmental Assessment (SEA) is a process for evaluating, at the earliest possible stage, the likely environmental effects of implementing a plan, in order to ensure that environmental considerations are addressed in an appropriate manner as part of the decision-making process, during the preparation of the plan and prior to its adoption.

SEA derives from European Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment¹. This directive, which is commonly referred to as the ‘SEA Directive’, was transposed into Irish law through:

- The European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, (S.I. No. 435 of 2004) as amended by S.I. 200 of 2011; and
- The Planning and Development (Strategic Environmental Assessment) Regulations 2004, (S.I. No. 436 of 2004) as amended by S.I. 201 of 2011.

The former regulations apply to plans or programmes for certain sectors (*e.g.* agriculture, energy, industry, *etc.*), while the latter regulations apply to development plans, including local area plans, such as that proposed for Kinsaley, regional planning guidelines or a planning scheme.

Article 1 of the SEA Directive states:

“The objective of this directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”

The transposing Regulations (S.I. 436 of 2004 as amended by S.I. 201 of 2011) require that SEA is mandatory for certain plans and programmes that are above specified thresholds (*e.g.* County Development Plan with a population or target population greater than 10,000 persons or a Local Area Plan with a population or target population greater than 5,000 persons).

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN>

Where plans or programmes fall below or outside of the specified thresholds, ‘screening’ is required to determine whether the making and implementation of a particular plan or programme will, or will not, lead to significant environmental consequences for the area of the plan or programme.

Screening for the purposes of Strategic Environmental Assessment is defined as “[t]he determination of whether implementation of a P/P [Plan or Programme] would be likely to have significant environmental effects on the environment. The process of deciding whether a P/P [Plan or Programme] requires SEA.” (SEA Park, EPA 2018).²

The screening process is carried out with regard to the “Criteria for determining whether a plan or programme is likely to have significant effects on the environment”, as set out in Schedule 1 of Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended and Schedule 2A of Planning and Development Regulations 2001, as amended.

Where screening determines that implementation of the plan or programme would be likely to have significant environmental effects on the environment, then the plan or programme must be subject to full strategic environmental assessment.

1.3 Screening for Strategic Environmental Assessment

1.3.1 Requirement for Strategic Environmental Assessment

Article 14A of the Planning and Development Regulations 2001, as amended, determines the need for environmental assessment (*i.e.* SEA) of a local area plan. Specifically, Article 14A(1) requires screening for SEA for:

‘a local area plan or an amendment to a local area plan for an area the population or the target population of which is less than 5,000 persons or where the area covered by the local area plan is less than 50 square kilometres’.

This means that SEA is mandatory for local area plans for an area where the population or the target population is greater than 5,000 persons or where the area covered the plan area is more than 50 square kilometres.

However, the Draft Kinsaley LAP relates to an area of c.39 hectares (or c.0.4 square kilometres), as well as an existing population of c.340 persons (Fingal County Council (FCC), 2016) and a target population of c.1,800 persons. The target population includes an allowance for the existing permitted total of 182 residential units (*i.e.* 82 units in FCC planning reg. ref. no.: F16A/0511 (ABP ref.: PL06F.248584) and 100 units in FCC planning reg. ref. no.: F16A/0464 (ABP ref.: PL06F.248515)), as well as the proposed development areas set out in the Draft LAP. As the plan area and target population are significantly below the specified thresholds, SEA is not mandatory for proposed Draft Kinsaley LAP.

The proposed Draft LAP for Kinsaley must therefore be subject to screening for the requirement for SEA taking account of the criteria set out in Schedule 2A of the Planning and Development Regulations 2001, as amended (*or as in* Schedule 1 of S.I. 436 of 2004, as amended).

Article 14A(2) of the Planning and Development Regulations 2001, as amended, states that:

Where a planning authority proposes to prepare or amend a local area plan referred to in sub-article (1), the planning authority shall, prior to giving notice under section 20(3) of the Act, consider whether or not implementation of the local area plan or amended plan would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A.

² <http://www.epa.ie/pubs/advice/ea/SEA%20Pack%202018.pdf>

1.3.2 Appropriate Assessment and relationship to Screening for SEA

The EU Habitats Directive (92/43/EEC) requires an ‘Appropriate Assessment’ (AA) to be carried out where a plan or project is likely to have a significant impact on a Natura 2000 site. Natura 2000 sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

The first test is to establish whether appropriate assessment (AA) is required for the particular plan or project. This test is referred to as Screening for AA screening and the purpose is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project, alone and in combination with other plans or projects, could have significant effects on a Natura 2000 site in view of the site’s conservation objectives.

As set out in Department Circular Letter SEA 1/08 & NPWS 1/08³ (15 February 2008), screening for AA is of relevance to screening for SEA in that ***“where following screening, it is found that the draft plan or amendment may have an impact on the conservation status of a Nature 2000 site or that such an impact cannot be ruled out, adopting the precautionary approach:***

- *an appropriate assessment of the plan must be carried out, and*
- *in any case where a strategic environmental assessment (SEA) would not otherwise be required, it must also be carried out.”* (emphasis added).

Hence where the local area plan requires appropriate assessment (AA) it shall also require strategic environmental assessment (SEA).

1.3.3 Consultation with Environmental Authorities

Prior to making a determination that implementation of the Kinsaley LAP would not be likely to have significant effects on the environment, Fingal County Council give notice (as per Article 14A(3)) to the following environmental authorities (as specified in Article 13A(4)):

- (i) the Environmental Protection Agency (EPA);
- (ii) the Minister for Housing, Planning and Local Government (*previously the Minister for the Environment, Community and Local Government*);
- (iii) where it appears that the LAP might have significant effects on fisheries or the marine environment, the Minister for Agriculture, Food and the Marine (*previously the Minister for Agriculture, Marine and Food*), and the Minister for Communications, Climate Action and Environment (*previously the Minister for Communications, Marine and Natural Resources*);
- (iv) where it appears that the LAP might have significant effects in relation to the architectural or archaeological heritage or to nature conservation, the Minister for Culture, Heritage and the Gaeltacht (*previously the Minister for Arts, Heritage and Gaeltacht Affairs*); and
- (v) the planning authorities adjoining the area of Fingal County Council – *i.e.* Dublin City Council, Kildare County Council and Meath County Council.

Submissions/observations were received from the EPA, the Department of Culture, Heritage and the Gaeltacht, the Department of Communications, Climate Action and Environment (Inland Fisheries Ireland); Kildare County Council and Meath County Council (copies are included in Appendix A). Table 1.1 sets out how the points raised in the submissions/observations have been incorporated into the preparation of the Draft LAP and the SEA Screening Report.

³ <https://www.npws.ie/sites/default/files/general/circular-sea-01-08.pdf>

Table 1.1: Response of Draft Plan and SEA to Submissions received from Environmental Authorities (EA)

| | | |
|-----|---|---|
| | | |
| EPA | Consultation noted. EPA sets out its role in relation to SEA and the SEA services and resources it makes available to plan-making and environmental assessment teams. | Noted and acknowledged. |
| | Critical Infrastructure , including wastewater | Objectives 9.1, 9.2 and 9.3 have been included in the Draft LAP to specifically support the delivery and maintenance of wastewater and water supply infrastructure to Kinsealy. |
| | Sustainable Development and reference to National Planning Framework and Draft Regional Spatial and Economic Strategy for the Midland and Eastern Region. | The LAP includes specific reference to The National Planning Framework, The National Development Plan, and the forthcoming Regional Spatial and Economic Strategy (currently in draft form). The Draft LAP also notes (section 8.1.1) the key environmental actions (from the EPA's "State of the Environment Report – Ireland's Environment, 2016") The LAP also includes specific objectives 8.1 to 8.6 inclusive, which directly respond to the issue of sustainable development. |
| | Climate Change , including incorporation of national climate change commitments and relevant sectoral recommendations. | The Draft LAP notes and includes a general objective (section 8.1.1) to support the key environmental actions from the EPA's State of the Environment Report – Ireland's Environment, 2016, These actions include a key action to accelerate mitigation actions to address adverse climate impacts. At section 8.1.2 responds directly to the issue of Climate Change within the LAP. |
| | Flood Risk , including commitment to a detailed flood risk assessment and recommendation for specific objective. | A Specific Flood Risk Assessment (SFRA) was carried out in preparing the Draft LAP. The findings of the SFRA influenced the drafting of the LAP (refer to section 9.4) and the Draft LAP includes objectives 9.4 to 9.17 which directly respond to flood risk and surface water management. |
| | Groundwater and specific protective objective. | The Draft LAP notes and includes a specific objectives (Objectives 9.18, 9.19 & 9.20) for the protection of groundwater. |
| | State of the Environment Report – Ireland's Environment 2016 , and key actions. | The Draft LAP notes and includes a general objective (section 8.1.1) to support the key environmental actions from the EPA's State of the Environment Report – Ireland's Environment, 2016. |

| | | |
|--|--|---|
| Department of Culture, Heritage and the Gaeltacht | Consultation noted. | N/A |
| | <p>Architectural Heritage</p> <p>The Department recommends that the “Row of five labourers’ cottages to the south of the Catholic Church /old school, at the west end of the road to Portmarnock”, be included as an Architectural Conservation Area (ACA).</p> | The Draft LAP sets out in the design principles associated with Development Area No. 5 and how the character of the cottages is to be protected within the LAP. The designation of an ACA is a separate procedure to the making of the LAP and this will be considered separately to the making of the LAP. |
| Department of Communications, Climate Action and Environment | Statement from Inland Fisheries Ireland agreeing with conclusion of screening for SEA. | N/A |
| Kildare County Council | Consultation noted. No comment to make | N/A |
| Meath County Council | Consultation noted. No comment to make | N/A |

2.0 Planning Context

2.1 Kinsaley

The village of Kinsaley (also Kinsealy) is located approximately 1.5 kilometres west of Portmarnock and 2.5 kilometres north of the suburban outskirts of Dublin City. Dublin Airport is located c.3.5 kilometres to the west. The village established around the junction of the R107 Malahide Road and Chapel Road. The Malahide Road facilitates north-south traffic movements, while Chapel Road and Baskin Lane facilitate east-west traffic movements. As a result of its location, the village experiences a significant quantity of through traffic. The nearest rail service is at Station Road, Portmarnock over 1km to the east of the village.

The lands around Kinsaley are largely agricultural in character, combined with the demesne lands of large country houses, including Abbeville (formerly Abbeville) to the northwest and smaller properties such as Emsworth to the southwest, Kinsaley House to the east and Kinsaley Hall to the northeast.

Kinsaley has a strong visual identity and landscape quality formed by the Sluice River, flowing west to east through the village, and by the stone walls and mature trees associated with the nearby Abbeville Demesne. The village core is centred on the parish church, the cottages on Chapel Lane and the relatively recently developed lands at St. Olave's Local Centre and associated residential development.

Recent residential development includes Cooper's Wood north of Chapel Lane and Emsworth Park off Kinsealy Lane. A recently permitted residential development (*i.e.* Kinsealy Woods) is also under construction to the south of Chapel Road.

Kinsealy Business Park to the north of the village provides employment, comprising light industrial units and offices accessed off Kinsealy Lane. Until recently, the Teagasc Research Centre to the south of the village offered a significant level of research-based employment but, following consolidation of the research function into the Teagasc Centre in Blanchardstown, the Kinsealy Centre has ceased operation. Other employment providers are focused on existing retail services along the Malahide Road, including Kinsealy Garden Centre.

2.2 Fingal Development Plan 2017-2023

2.2.1 Fingal Development Plan: Rural Villages / Kinsaley

The Fingal Development Plan 2017-2023 notes that outside of the main urban areas "*the remainder of the County is rural in character and includes the villages of Balscadden, Naul, Garristown, Oldtown, Ballyboghil, Rowlestown, Rivermeade, Coolquay, Ballymadun and **Kinsaley.***" (page 3) (emphasis added).

Table 2.8 of the development plan indicates that there is c.80 hectares of residential capacity lands in "*Other Settlements*", which includes Charlestown & Meakstown, Santry & Ballymun, Balgriffin & Belcamp, Baskin and **Kinsaley**. This equates to 2,791 Potential Residential Units. (page.38) (emphasis added).

In addressing the 4 villages located within the Metropolitan Area of the county, the development plan notes:

*"The future development of Fingal's villages needs careful consideration. In the Metropolitan Area growth in villages such as Coolquay, **Kinsaley**, Rivermeade and Rowlestown will be managed to ensure these centres do not expand rapidly, putting pressure on services and the environment and creating the potential for unsustainable travel patterns."* (page 46) (emphasis added).

The function of Rural Villages (RV), which Kinsaley is predominantly zoned, is stated as:

“These villages vary in function but generally meet the day-to-day needs of the locality and usually offer a mix of commercial and community activity within the village core. Other enterprise, residential, retail, commercial, and community facilities may be provided.” (page 55).

The Statement of Policy for Rural Villages (page 147) is to:

- *Promote attractive and vibrant villages.*
- *Ensure sustainable expansion and development at a level appropriate to and integrated with the existing village.*
- *Meet the socio-economic and civic aspirations of the community, whilst at the same time affording maximum environmental protection.*
- *Preserve the villages' distinctive character, heritage, amenity and local identity.*

The development plan also notes that:

“The RPGs indicate that future growth in commuter villages [which includes Kinsaley] should be curtailed or safeguarded so that they do not act as a catalyst to facilitate continuing expansion of unsustainable growth patterns.” (page 147).

In discussing Kinsaley, the development plan describes the village as follows:

“Functionally, the village can be described as a commuter village under development pressure. Lands within the village boundary are subject to new residential planning permissions with one such development at Cooper’s Wood to the east of Kinsaley Lane.

Local employment exists in the form of Kinsaley Business Park, comprising light industrial units and offices built in the late 80’s and accessed off Kinsaley Lane. Until recently, the Teagasc site to the south of the village offered significant rural based employment but this has ceased since consolidation into the Teagasc Centre in Blanchardstown. Other employment uses are focused on existing retail services along the Malahide Road. Kinsaley has a current population of circa 340 persons.” (page 148).

In discussing Design Criteria for Rural Villages and Rural Clusters, the development plan notes that:

“Village development shall be guided by the adopted Local Area Plans and Village Development Framework Plans.” (page 428).

2.2.2 Fingal Development Plan: Land Use Zoning for Rural Villages / Kinsaley

The vast majority of the Draft LAP lands are identified as ‘RV – Rural Village’ in the Fingal County Development Plan 2017-2023 (refer to Figure 2.1). This land use zoning objective, which notes the requirement for preparation of an “approved Local Area Plan”, seeks to:

“Protect and promote the character of the Rural Village and promote a vibrant community in accordance with an approved Local Area Plan, and the availability of physical and community infrastructure”

Two small areas zoned for CI – Community Infrastructure’ and ‘LC – Local centre’ are located to the north of the junction between R107 Malahide Road and Chapel Lane. In addition the corridor of the Sluice River, which flows west to east through the centre of the lands, is zoned ‘OS – Open Space’. (Refer to Figure 2.1).

The RV – Rural Village land use zoning excludes a small indentation of ‘GB – Greenbelt’ to the south of Kinsaley. It is proposed that this small area be included within the new LAP boundary – but retained as a green corridor between proposed development areas.

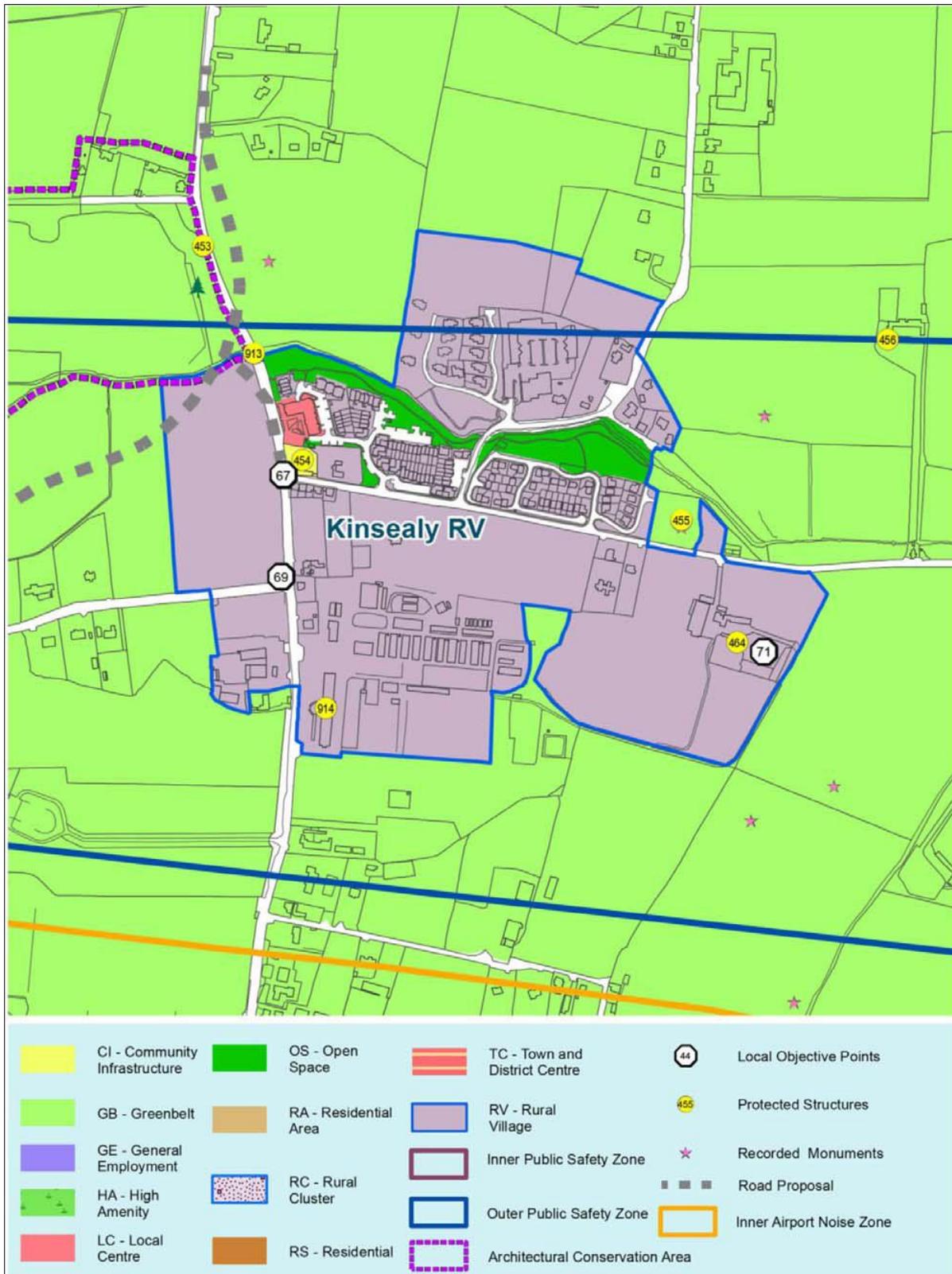


Figure 2.1 Existing land use zoning (Extract from Sheet No. 9 of Fingal Development Plan 2017-2023)

The following map-based local objectives apply to the plan area (refer to numbered white circles on Figure 2.1):

- 67 *Facilitate a traffic impact assessment of the junction of Chapel Lane with the Malahide Road and, subject to an identified need and resources being available, carry out improvement works to same.**
- 69 *Facilitate a traffic impact assessment of the junction of Baskin Lane with the Malahide Road and, subject to an identified need and resources being available, carry out improvement works to same.*
- 71 *That any development of this area will include the integration of the Protected Structure on site (Kinsaley House) within the first phase of development.***

* Traffic impact assessments were subsequently completed for the junction of Chapel Lane and Malahide Road as part of the application processes for two previously permitted residential developments located off Chapel Lane. (FCC planning reg. ref. no.: F16A/0511 & ABP ref.: PL06F.248584, and FCC planning reg. ref. no.: F16A/0464 & ABP ref.: PL06F.248515).

** Permission has subsequently been granted for residential development on the lands around Kinsaley House (FCC planning reg. ref. no.: F16A/0464 & ABP ref.: PL06F.248515).

The Fingal Development Plan includes an objective for a new road connecting from the R139 adjacent to Darndale Park, c.2.5km south of Kinsaley, north to the R107 Malahide Road just to the northwest of the LAP lands (refer to dashed grey line on Figure 2.1). The road alignment shown on the Development Plan is indicative only and subject to future feasibility studies and detailed design. However, this road objective is generally outside of the subject LAP lands.

The LAP lands are located within the Outer Airport Noise Zone associated with Dublin Airport, while a small portion of the northern LAP lands are also located within the Outer Public Safety Zone associated with Dublin Airport (refer to extent of RV – Rural Village lands located north of northernmost blue on Figure 2.1).

2.2.3 Fingal Development Plan: Objectives for Rural Villages / Kinsaley

Fingal Development Plan contains a range of objectives relating to Rural Villages, of which Kinsaley is one. The objectives focus on orderly and sustainable development that maintains the distinctive rural character of the settlement. Strategic Vision objectives and Strategic Policies include:

Strategic Vision (page 7)

- *“Support and protect Fingal’s attractive rural villages and countryside which support agriculture, horticulture, recreation and tourism. Promote vibrant rural villages with a mix of uses, through the creation of a dynamic framework which involves people living, working, and interacting for social and community reasons.*
- *Direct rural generated housing demand to villages and rural clusters and promote the re-use and rehabilitation of existing housing stock in rural areas in preference to new build in order to preserve and enhance the distinct character of rural Fingal.”*

Strategic Policy (page 10)

13. *“Provide viable housing alternatives for the rural community through the promotion of controlled growth of the rural villages and clusters balanced with careful restriction of*

residential development in the countryside and recognising the unique value of the rural communities in Fingal.”

The development plan includes a range of applicable objectives addressing Rural Settlement (e.g. SS07), Sustainable Placemaking (e.g. PM01, PM07), Local Area Plans (e.g. PM13), Mixed Uses and Vitality of Sustainable Communities (e.g. PM35, PM36), Village Settlement Strategy (e.g. RF04, RF05, RF06), Community Infrastructure (e.g. RF07 to RF15), Village Development Framework Plans (VDFPs), (e.g. RF16 to RF18), Rural Transport (e.g. RF69) and Rural Economy and Enterprise (e.g. RF107, RF108 and RF123).

In relation to Village Development Framework Plans, it is a requirement of **Objective RF18** to:

“Prepare a Local Area Plan and VDFP for each of the villages, where necessary, involving public consultation with the local community, to provide a planning framework for appropriate village development. The LAPs will protect and promote:

- i. Village character through preparation of a Village Development Framework Plan,*
- ii. A sustainable mix of commercial and community activity within an identified village core which includes provision for appropriate sized enterprise, residential, retail, commercial, and community facilities,*
- iii. The water services provision within the village,*
- iv. Community services which allow residents to meet and interact on a social basis, and include churches, community and sports halls, libraries and pubs,*
- v. A mix of housing types and tenure which will appeal to a range of socio-economic groups,*
- vi. Retail activity, consistent with the Fingal Retail Strategy, in the form of village shops which will meet the needs of the local community,*
- vii. A public realm within the village which allows people to circulate, socialise and engage in commercial activity in a manner which balances the needs of all involved,*
- viii. The provision of Green Infrastructure, including natural, archaeological and architectural heritage, and green networks within the village.”*

Fingal Development Plan also includes an extensive range of protective environmental policies and objectives including for:

- Environmental Assessment and Appropriate Assessment (e.g. Strategic Policy 1, Objectives ED88, DMS01, DMS02, DMS163, DMS164, DMS165, etc.),
- Protection of Ecological Corridors and of Natural and Built Heritage (e.g. Strategic Policy 11, Objectives DMS170, DMS171, DMS172, CH45, CH46, etc.),
- provision of adequate Waste Water Infrastructure (e.g. Strategic Policy 17, Objectives WT01, WT02, WT05, etc.),
- Flooding (Strategic Policy 20, Objectives SW02, SW04, etc.),
- Open Space and Green Infrastructure (e.g. Strategic Policy 22, Objectives SS10, SS11, PM51, RF113, and Chapter 8 generally),

In relation to the Sluice River it is a requirement of **Objective DMS170** to:

Protect and enhance the ecological corridors along the following rivers in the County by ensuring that no development takes place, outside urban centres, within a minimum distance of 30m

*from each riverbank: Liffey, Tolka, Pinkeen, Mayne, **Sluice**, Ward, Broadmeadow, Ballyboghil, Corduff, Matt and Delvin (see Green Infrastructure Maps). (page 480) (emphasis added).*

Objective WQ05 of the Development Plan (page 280) sets out a similar riparian protection requirement.

In relation to waste water infrastructure it is a requirement of **Objective WT01** to:

Liaise with and work in conjunction with Irish Water during the lifetime of the plan for the provision, extension and upgrading of waste water collection and treatment systems in all towns and villages of the County to serve existing populations and facilitate sustainable development of the County, in accordance with the requirements of the Settlement Strategy and associated Core Strategy. (page 271).

2.3 The Draft Local Area Plan (LAP)

2.3.1 Vision Statement and Strategic Aims of the LAP

The proposed Vision Statement for Kinsaley, as set out in the Draft LAP (section 4.1), is to:

“Enhance and consolidate the village centre whilst ensuring the sustainable expansion of Kinsaley at a level appropriate to and integrated with the existing village in which the housing, socio-economic and civic aspirations of the community are met while retaining its distinctive character and sense of identity and ensuring maximum environmental protection.”

In order to achieve this vision it is proposed that the Draft LAP be underpinned by four strategic aims (section 4.2):

- *“Support the expansion of Kinsaley Village centre as a focal point for the community with an enhanced retail function to serve the needs of existing and future residents.*
- *Support infrastructural investment to ensure safe pedestrian and cyclist movements throughout the village in tandem with enhanced traffic management measures including facilitating the provision of improved pedestrian/cycle access to public transport and local schools.*
- *Protect and enhance the existing natural amenities of Kinsaley together with improving access to established and proposed amenity areas through designated green routes.*
- *Provide for the integrated development of the village and its growing population with the development of new housing delivered in tandem with supporting community and physical infrastructure.”*

2.3.2 The Village Centre

The Village Centre in Kinsaley currently consists of St. Olave’s Local Centre and the adjoining Church of St. Nicholas of Myra and the associated Community Centre. While the Local Centre is generally well supported by the local community, public consultation also revealed a desire for an expanded range of services in the Village Core. Therefore, it is an objective of the Draft LAP to support the limited expansion of the Village Core to include additional retail space, ideally of a nature and scale suitable for a convenience retailer, as well as additional space that could be used for services such as a locally-focused medical use (section 4.6, page 13). The expansion of the Village Centre will be in accordance with Kinsaley’s designated position in the retail hierarchy as a Level 5 Centre as defined in Fingal Development Plan.

2.3.3 Proposed Development Areas

The Draft LAP identifies six Development Areas totalling 20.17 hectares to incorporate existing permitted development and to accommodate further development that will facilitate the consolidation of the village (refer to Table 2.1 and Figure 2.2). As noted permission already exists for the residential development as set out on Development Area No.6.

Table 2.1: Proposed Development Areas

| No. | Development Area | Land Use | Approximate Quantum of Proposed Development |
|---|--|---|---|
| 1. | Kinsaley Lane Development Area – 2.6 ha. | Residential | c.30 dwellings |
| 2. | Garden Centre Development Area – 1.3ha | Residential | c.40 dwellings |
| 3. | Former Teagasc Development Area – 5.6 ha | Residential / Education | c.185 dwellings 1 no. c.16 classroom school site |
| 4. | Malahide Road West Development Area – 4.0 hectares | Mixed-use / Residential / Public Park | 1,200-1500 sqm of convenience retail floorspace and limited number of smaller retail units c.85 dwellings |
| 5. | Malahide Road East Development Area – 0.6 hectares | Residential | c.20 dwellings |
| 6. | Kinsaley House Development Area - 6.6 hectares | Residential | c.123 dwellings and creche (Note: 100 of these units and the crèche are provided for in an extant permission) |
| Totals (20.7 hectares - including the already permitted development within Area 6): | | Residential Education Retail / Commercial | 483 units* (excluding 100 units already permitted in Area 6) 1 no. school 1,200 – 1500 sqm + smaller units. |

* An additional 82 residential units are also under construction south of Chapel Road

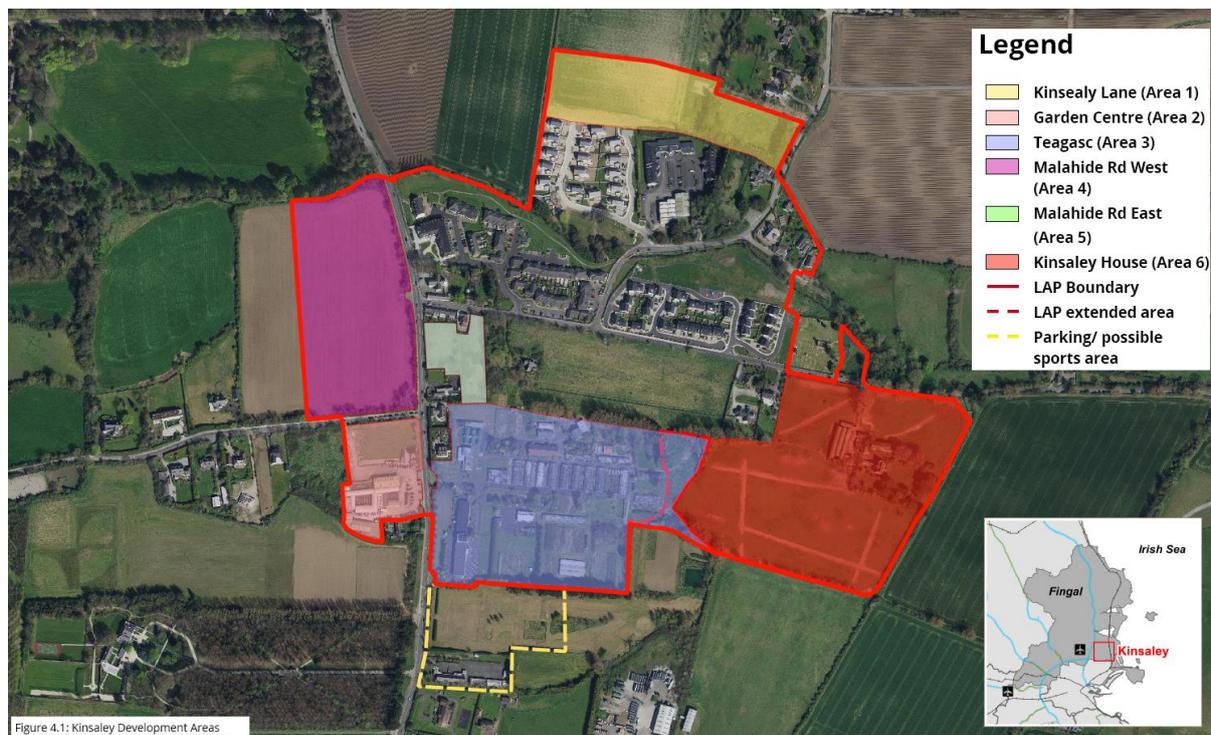


Figure 4.1: Kinsaley Development Areas

Figure 2.2: Development Areas identified in the Draft Kinsaley LAP. (Extract from Figure 4.1 of Draft LAP)

In addition to the Development Areas identified in Table 2.1 and Figure 2.2, it is noted that a number of comparatively large sites that currently accommodate single dwellings, either on a stand-alone basis or in small groups, may present for infill redevelopment within the lifetime of the LAP (section 4.11, page 14). Proposals on these sites should be considered on their individual merits, but should comply with the requirements of the Fingal Development Plan and be consistent with the prevailing character of the area.

The LAP also includes a small area of Greenbelt (GB) lands, which will be retained as a green corridor between Development Area No. 3 and Development Area No. 6.

Furthermore, lands to the south of the Teagasc landholding, also zoned Green Belt may facilitate a future soccer pitch and associated car parking area. This car park would have the dual function of providing a safe set-down area for both the existing and proposed national schools serving the village.

2.3.4 Relevant Planning History

A significant extent of the area of the LAP lands are already allocated to either existing established residential development or to a recently permitted residential development. In addition to the proposed Development Areas (refer to Figure 2.2), construction has also recently commenced at 'Kinsealy Woods' in relation to a residential development of 82 units and childcare facility on a c.3.65 hectare site located south of Chapel Lane at the centre of the LAP lands (refer to FCC planning reg. ref. no.: F16A/0511 & ABP ref.: PL06F.248584). As this development has already commenced it is not included within the six identified Development Areas. It is noted that the permission includes a condition (No.3) phasing the development based on the availability of public water/waste water services.

In addition, a garden centre is located on part of a 1.3 hectare site to the southwest of the village (*i.e.* Development Area No. 2), and the former Teagasc Kinsealy Research Centre is located on c.6.4 hectares of developed lands to the south of the village centre (*i.e.* Development Area No. 2).

A 10 year permission also exists for residential development of 100 units and a childcare facility on c.6.5 hectares surrounding Kinsaley House, a protected structure (refer to FCC planning reg. ref. no.: F16A/0464 & ABP ref.: PL06F.248515). While already permitted, this development is identified as part of Development Area No. 6 in the Draft LAP. It is noted that the permission includes a condition (No.6) phasing the development based on the availability of public water/waste water services.

Proposed Development Area No. 1 relates to c.2.6 hectares of currently undeveloped / agricultural lands located to the immediate north of Kinsealy Business Park and existing residential development at Emsworth Park.

Planning permission was granted to Irish Water in 2018 for a new Wastewater Pumping Station in Kinsaley as part of the Local Network Reinforcement Project (refer to FCC planning reg. ref. no.: F18A/0041).

2.3.5 Landscape

The Draft LAP lands are located within the designated 'Low Lying Agricultural' landscape character type. This is an area characterised by a mix of pasture and arable farming on low lying land with few protected views or prospects. This low lying character type is dominated by agriculture with a number of settlements and is categorised as being of modest value. However, it contains pockets of important value areas requiring particular attention such as important archaeological monuments and demesnes (*e.g.* the nearby Abbeville House Demesne).

A small area located to the west of the Malahide Road, and which also include Abbeville Demesne, is considered as ‘Highly Sensitive Landscape’. The portion of the Draft LAP lands that lie west of the Malahide Road are also located within this landscape and the Draft LAP includes a specific objective to minimise visual impact on highly sensitive landscapes (refer to Objective 6.17).

2.3.6 Natural Heritage

Green infrastructure Map 2 (Sheet 15 of the Fingal Development Plan) highlights the Sluice River as an Ecological Corridor and Abbeville Demesne as a Nature Development Area. European and National designated sites are also highlighted (refer to following sections).

Green infrastructure Map 3 (Sheet 16 of the Fingal Development Plan) indicates that the Sluice River is of Moderate Water Quality Status.

The proposed Draft LAP includes objectives to enhance, manage and protect the ecological network of the LAP lands, including the Sluice River and its public corridor (refer to Objectives 6.1 to 6.6); to provide for new and improved open space, parks and recreation (refer to Objectives 6.7 to 6.10) and for sustainable water management measures (refer to Objective 6.10).

2.3.6.1 European designated conservation areas

Seventeen European sites (Natura 2000 sites) are located within 15km of the area of the Draft LAP as set out in Table 2.2 and Figure 2.3. Despite the number of such sites within a 15km radius, the Draft LAP lands are connected hydrologically to only 2 of these sites (*i.e.* Baldoyle cSAC and SPA) via the Sluice River and Mayne River catchments.

Table 2.2: European Sites within 15km of Draft LAP

| European Site | Site Code | Distance (straight line) to LAP area |
|---|-----------|--------------------------------------|
| Special Areas of Conservation (SAC) / candidate Special Areas of Conservation (cSAC) | | |
| Baldoyle Bay SAC | 000199 | c.2km to the southeast |
| Malahide Estuary SAC | 000205 | c.3km to the north |
| North Dublin Bay SAC | 000206 | c.4km to the south |
| Rockabill to Dalkey Island SAC | 003000 | c.6km to the east |
| Ireland’s Eye SAC | 002193 | c.6.5km to the east |
| Howth Head SAC | 000202 | c.7km to the southeast |
| Rogerstown Estuary SAC | 000208 | c.7.5km to the north |
| South Dublin Bay SAC | 000210 | c.9km to the south |
| Lambay Island SAC | 000204 | c.11.5km to the northeast |
| Special Protection Areas (SPA) | | |
| Baldoyle Bay SPA | 004016 | c.2km to the southeast |
| Broadmeadow/Swords (Malahide) Estuary SPA | 004025 | c.3km to the north |
| North Bull Island SPA | 004006 | c.4.5km to the south |
| Ireland’s Eye SPA | 004117 | c.6.5km to the east |
| South Dublin Bay and River Tolka Estuary SPA | 004024 | c.7.km to the south |
| Rogerstown Estuary SPA | 004015 | c.7.5km to the north |
| Howth Head Coast SPA | 004113 | c.8km to the southeast |
| Lambay Island SPA | 004069 | c.11.5km to the northeast |

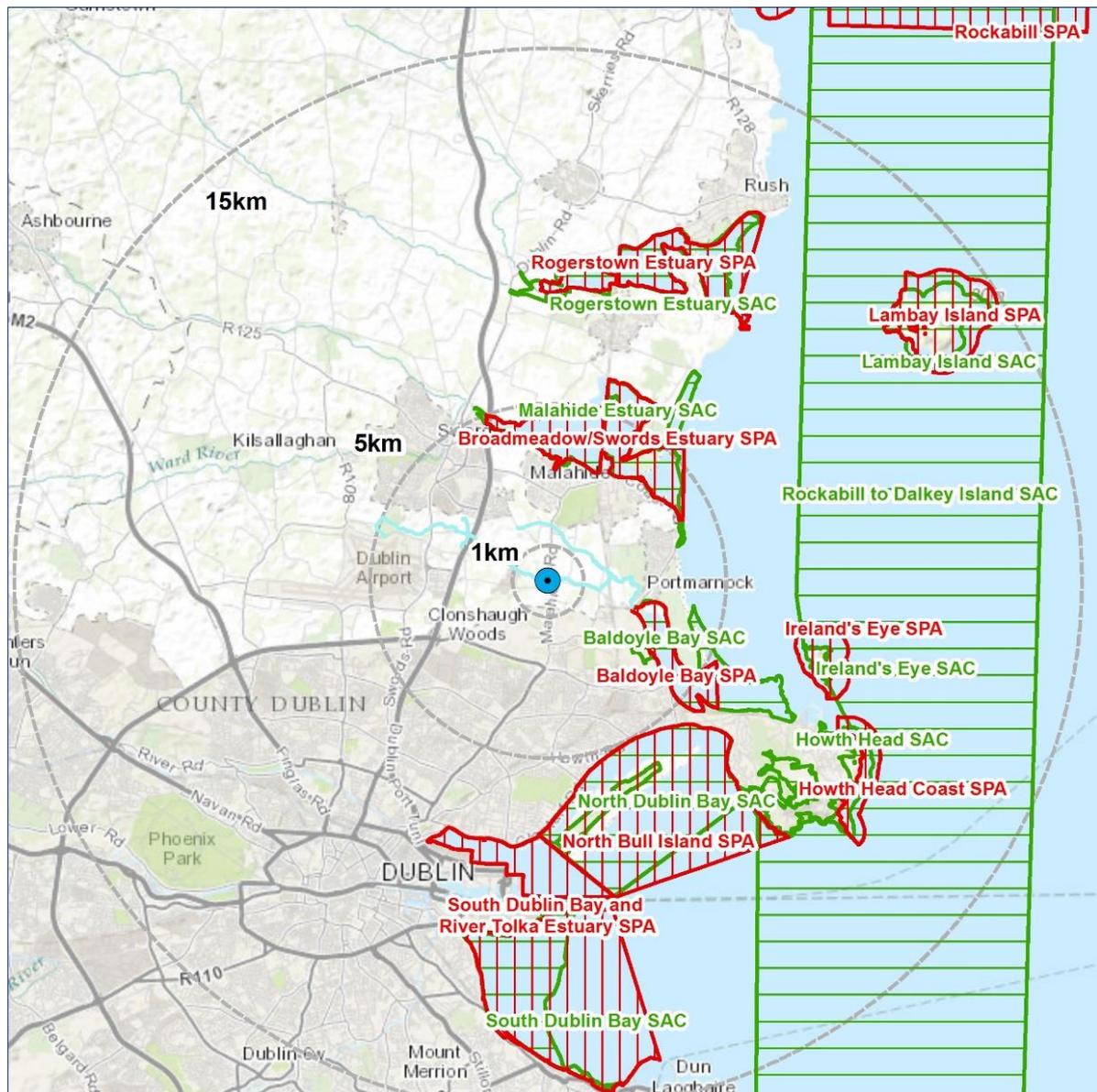


Figure 2.3: European Sites (Source: Screening for Appropriate Assessment, Scott Cawley, 2019)

2.6.3.2 Other designated conservation areas

The nearest non-European designated site to the Draft LAP lands is the Sluice River Marsh proposed Natural Heritage Area (pNHA Site Code: 001763), which is located approximately 1.1km downstream (c.0.9km straight-line distance) of the Draft LAP lands.

The marsh abuts the Sluice River to the north and is bounded to the west by the Dublin-Belfast railway line. This site, which is hydrology connected to the Draft LAP lands via the Sluice River, is of importance as a relatively intact freshwater marsh, a habitat that is now rare in County Dublin. Some waterfowl from Baldoyle Estuary may use the marsh on occasions. The site is not designated for the Qualifying Interests/Special Conservation Interests of Baldoyle Bay cSAC or SPA. The Draft LAP includes specific objectives to protect the ecological network, biodiversity and flood plain of the Sluice River and other streams and water bodies (refer to Objectives 6.2, 6.3 and 9.18 to 9.23).

2.3.7 A second pNHA, Feltrim Hill (Site Code: 001208), located c.0.9km to the northwest, is not to be connected to the Draft LAP lands. Cultural Heritage

There are four structures on the Record of Protected Structures (RPS) of architectural and historical interest within the Draft LAP boundary. These buildings and sites, which are included on the National Inventory of Architectural Heritage are:

- RPS No. 913 – Road Bridge located at Malahide Road, Kinsaley, Co. Dublin. A mid-18th century triple-arch masonry road bridge over the Sluice River.
- RPS No. 454 – St. Nicholas of Myra Church (RC) at Malahide Road (R107), Kinsaley, Malahide, Co. Dublin. This is a mid- 19th Century Catholic Church, tower and school building.
- RPS No. 914 – Malahide/Portmarnock Educate Together National School at Malahide Road, Kinsaley.
- RPS No. 464 – Kinsaley House, Chapel Road, Kinsaley, Malahide, Co. Dublin. An early 18th century five-bay two-storey house.

The following Protected Structures are is located just outside the boundary of the Draft LAP:

- RPS No. 455 – Church (in ruins) & Graveyard at Chapel Lane, Kinsaley, Malahide, Co. Dublin. Remains of medieval church within enclosed graveyard.
- RPS No. 452 – Abbeville House an 18th century nine-bay two-storey house, stables, out-buildings & walled garden. Abbeville House and its associated Architectural Conservation Area (ACA) plays an important role in the heritage of Kinsaley.

The Draft LAP includes a series of specific objectives to protect the archaeological and architectural heritage of the area (refer to Objectives 6.11 to 6.16).

2.3.8 Infrastructure

2.3.8.1 Traffic and Transportation

No significant new road infrastructure is required as part of the proposed Draft LAP. Improvements to the junction between the Malahide Road and Church Road are already provided for under recent grant of permissions (FCC planning reg. ref. no.: F16A/0511 & ABP ref.: PL06F.248584 and FCC planning reg. ref. no.: F16A/0464 & ABP ref.: PL06F.248515).

The nearest train station is Portmarnock, which is c.1.5km to the east of Kinsaley. This station is well served by trains during the day, with frequent peak hour services. Kinsaley is relatively well served by bus in the peak hours, with two services (No. 42 & 43) operated by Dublin Bus.

There are no dedicated cycle facilities provided within the Kinsaley LAP area. However, Fingal County Council has commissioned a Cycling Feasibility Study for the Kinsaley area. Details of the study have not yet been published – but it is anticipated that a cycling link to Malahide Castle and a cycling link to Portmarnock from the Draft LAP lands will be examined in the study.

The Draft LAP includes proposals and objectives for calming of road traffic, traffic management and for enhanced pedestrian and cycling connectivity and services, including to public transport (refer to Objectives 5.2 to 5.5, 5.9 to 5.14, 5.15, 5.18, and 5.20)

2.3.8.2 Waste Water

The LAP lands are currently served by Connolly Avenue Pumping Station and Floraville Pumping Station which discharge to the Wastewater Treatment Plant at Malahide. The pumping stations are operating at capacity and pumping becomes overloaded during storm events, with resultant discharges without screening to the Sluice River.

Planning permission was recently granted to Irish Water for a new Wastewater Pumping Station in Kinsaley as part of the Local Network Reinforcement Project (refer to FCC planning reg. ref. no.: F18A/0041). The development will increase forward pump capacity from an existing 13 litres/second to approximately 70 litres/second and will provide for significant additional capacity for development within Kinsaley. The development will also provide for 6 hours of emergency storage and is projected to remove the risk of unscreened overflows to the Sluice River.

The Draft LAP includes a series of specific objectives to ensure that development is planned in tandem with the delivery and availability of appropriate supporting wastewater infrastructure (refer to Objectives 9.1 to 9.3).

2.3.8.3 Water Supply

Water Supply for the LAP lands and the surrounding area is provided from the Ballycoolin reservoir supply area. The area in general is well-served with trunk mains which have capacity to cater for additional future growth in the area.

Irish Water's 25 year plan for the Greater Dublin Region includes further enhancement water supply proposals to serve the region.

The Draft LAP includes a series of specific objectives to ensure that development is planned in tandem with the delivery and availability of appropriate supporting public water supply infrastructure (refer to Objectives 9.1 to 9.3).

2.3.8.4 Surface Water, Drainage and Flood Risk

Kinsaley lies within the river catchment of the Sluice River, which enters the sea at the Baldoyle Estuary in Portmarnock. The Sluice River rises to the north of Dublin Airport and flows through Kinsaley into the head of Baldoyle Bay. Downstream of the Kinsaley LAP lands, the river is meandering with embankments constructed before the 1830's to curtail tidal flooding. It has a total catchment area of approximately 17.8km²

Irish Water records indicate two surface water outfalls to the Sluice River, located on Kinsealy Lane and at the St. Olave's Development. Outfalls to the river have also been identified from the Malahide Road, Emsworth Park and Coopers Wood residential housing developments.

The Sluice River and tributaries making up the sub-catchment through Kinsaley, is described in the Fingal Development Plan as having a moderate water quality status as per the EPA River quality standards. A moderate water quality status gives rise to reduced diversity of species and the presence of moderate pollution within the water body.

The LAP lands are bisected by the River Sluice flowing from west to east. This section of the Sluice is fluvially dominated, as such; the most prevalent flood risk to the site is from extreme fluvial inundation events or fluvial events in combination with extreme tidal events. Portions of the LAP lands are indicated to be within flood zones A and B in the OPW FEM-FRAM Study and the OPW PFRA.

The Kinsaley LAP lands are therefore, considered to require a stage 3 detailed flood risk assessment with respect to flooding derived from Fluvial and Tidal sources.

The Draft LAP includes a series of specific objectives to ensure protection of surface water and ground waters, flood risk and integration of surface water management (refer to Objectives 9.4 to 9.23).

3.0 Assessment of Likely Significant Effects

3.1 Screening for Appropriate Assessment

A separate report has been prepared providing Information for Screening for Appropriate Assessment and as noted at section 1.4 of this report, a relationship exists between the outcome of screening for AA and screening for SEA.

As set out in Table 2.2 of this report 17 European sites (Natura 2000 sites) are located within 15km of the Draft LAP lands. However, it is considered that only 2 of these – Baldoyle Bay SAC (Site Code 000199) and Baldoyle Bay SPA (site Code 004016) have potential connectivity to the Draft LAP lands. Both sites are located c.2km southeast of Kinsaley (see Figure 2.3), and the Draft LAP lands are connected hydrologically to Baldoyle Bay via the River Sluice and Mayne River catchment. Therefore, potential impacts on these European sites could theoretically arise from contaminated surface water run-off generated during construction and operation of development within the Draft LAP lands.

The preliminary AA Screening Report has concluded that:

“Following review of the draft objectives of the LAP against the Conservation Objectives of the relevant European Sites, it was concluded that there is no possibility that the implementation of the LAP could result in any likely significant effects on European Sites on its own or in combination with other plans and programmes.

Therefore, strategic environmental assessment (SEA) is not required for the Draft LAP because of a requirement for appropriate assessment (AA).

3.2 Flood Risk Assessment

A Strategic Flood Risk Assessment (SFRA) has been carried out for the LAP lands in accordance with the requirements of the OPW *“The Planning System and Flood Risk Management Guidelines for Planning Authorities”*, 2009. It was determined that the most significant source of flooding within the LAP area is from potential fluvial and tidal inundation from the Sluice River. There are other minor areas of pluvial flooding within the LAP boundary.

The majority of the LAP area is within Flood Zone C, where the probability of flooding from rivers and the sea is low (<1 in 1000 year) and is therefore appropriate for highly vulnerable developments.

The specific flood risk assessment of the six proposed Development Areas within the LAP indicated that Development Areas 1, 2, 3 and 5 are not affected by current and future estimated fluvial or tidal flood risk.

The northern portion of Development Area 4 is impacted by potential fluvial and tidal flooding from the Sluice River. This area is to be maintained free of development and used for riparian setback and open space.

Permission has already been granted for development on Development Area 6. This development was also subject to SRFA during the planning application process.

All Development Areas are still susceptible to flooding from pluvial sources and this risk will be managed through appropriate surface water management strategies incorporating Sustainable Drainage Systems (SuDS). There is no requirement for a Justification test for Development Management on any Development Area.

The Draft LAP includes specific objectives in relation to flood risk management (refer to Objectives 9.12 to 9.17).

3.3 Screening for Strategic Environmental Assessment

A screening assessment for likely significant effects has been carried in accordance with the requirements of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004). In so doing the Screening of the Draft Kinsaley Local Area Plan has taken account of the specified criteria for determining the likely significant environmental effects of implementing the Draft LAP as set out in Schedule 1 of SEA Regulations 2004, as amended (or Schedule 2A of the Planning and Development Regulations 2001, as amended).

The screening assessment is presented in the following with reference to the specified criteria.

3.3.1 The characteristics of the plan or programme having regard, in particular, to:

- i. the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions, or by allocating resources;*

The Draft Kinsaley LAP sets out a development framework for the planned, co-ordinated and sustainable development of Kinsaley and for the conservation and enhancement of its natural and man-made environment. The Draft LAP provides guidance in the form of policies and objectives for the development of environmental, physical and social infrastructure in a modest and sustainable manner. The Village Development Framework Plan and the LAP Objectives set out the relevant requirements for the development of lands within Development Areas and within the village generally.

Notably, the extent of population expansion is limited and this expansion has already been assessed as part of Fingal Development Plan 2017-2023.

Development as proposed in the Draft LAP is considered to be consistent with the established and emerging profile of such development within Kinsaley village. As such the LAP provides no major divergence from the existing policy provided for by the Development Plan and instead provides greater detail as to the nature and extent of the development envisioned for the LAP lands.

- ii. the degree to which the plan or programme influences other plans, including those in a hierarchy;*

The Draft LAP is prepared being wholly consistent with the Fingal Development Plan and higher level legislation, which has undergone full Strategic Environmental Assessment. The nature and extent of development proposed in the draft LAP is as already established in the development plan and the primary purpose of the draft LAP is to provide further detail and clarity with regard to the intentions of the Planning Authority to give effect to the objectives for Kinsaley.

The Draft LAP is set within the context of Fingal County Development Plan 2017-2023 and will only influence future development within the village of Kinsaley. It does not have a significant influence on additional plans in a hierarchy and it is considered that the plan will not have a significant environmental effect on any other plans.

- iii. the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development*

The Draft LAP for Kinsaley prepared is in accordance with the provisions of Part II, Chapter II, Sections 18-20 of the Planning and Development Act 2000 (as amended) and therefore, is related to the proper planning and sustainable development of the area. It is also prepared having regard to National, Regional and County level policy documents and in particular to the requirements of the Fingal County Development Plan 2017-2023.

The Fingal Development Plan, which underwent full SEA, integrated environmental considerations into the Plan and concluded that the Plan is based on the principles of sustainable development. The Draft LAP does not in itself propose changes to environmental considerations and seeks to clarify and define intentions and process in relation to the development of Kinsaley in giving effect to the zoning of these lands and the objectives of the Development Plan.

The Draft LAP sets out a strategy for the planned and sustainable development of Kinsaley and for the protection, conservation and enhancement of its natural and man-made environment. The Draft LAP will guide future development by identifying Development Areas for particular uses and for providing a development framework for planning decisions within the village.

iv. environmental problems relevant to the plan or programme;

The Draft LAP is consistent with the objectives of the County Development Plan which has undergone full SEA. The Environmental Report, prepared for the Fingal County Development Plan, concluded that the implementation of the Plan, including the various mitigation measures, would result, in general terms, in a neutral to positive impact on the environment as a whole.

While at present waste water infrastructure in Kinsaley is at times operating near capacity, new proposals by Irish Water to alleviate this situation have been permitted by the planning authority. No other significant environmental problems are identified in relation to the Draft LAP area.

v. The relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste management or water protection)

Issues relating to legislation on the environment are provided for in the Fingal County Development Plan 2017-2023. The Draft LAP is consistent with the policies and objectives of the Development Plan which itself was the subject of SEA. The Draft LAP is therefore guided and informed by the relevant European legislation on the environment including; waste management and water protection policies and objectives as set out in the Fingal County Development Plan 2017-2023.

The statutory planning and transportation policy context for the LAP is determined at the national, regional and local policy levels. In particular the planning context for the preparation of the Draft LAP emanates from the current Fingal Development Plan 2017-2023, which guides and informs the implementation of relevant European legislation on the environment including; waste management and water protection policies and objectives.

Therefore, issues relating to EU legislation on the environment are addressed in the County Development Plan as outlined above and the Draft LAP will ensure the continued implementation of these objectives.

3.3.2 Characteristics of the effects and of the area to be affected having regard, in particular to:

i. The probability, duration, frequency and reversibility of the effects;

The land subject to the Draft LAP is currently zoned under the Fingal Development Plan 2017-2023. The Draft LAP does not zone additional lands beyond the extent of development envisaged in the County Development Plan. It is noted that a small tract of zoned greenbelt (GB) land within the Teagasc landholding will be subsumed into the LAP boundary but the lands will retain its GB zoning.

The Draft LAP aims to guide the sustainable development of the Kinsaley area. Its extent is limited to the existing zoned lands and the objectives as set out in the Fingal Development Plan, and further expanded upon in the Draft LAP and Village Development Framework Plan. Planning permission has already been permitted for some of the lands and other lands are subject to existing development. Therefore their development is established and the impacts of same have been considered by Fingal County Council and any mitigations or conditions considered or put in place.

While development will result in permanent change in identified Development Areas, it is not anticipated that adverse environmental effects will arise as a result of the implementation of the Draft LAP.

ii. The cumulative nature of the effects;

The Draft LAP forms part of the overall balanced, development strategy of Fingal County Council, as set out in the Fingal County Development Plan 2017-2023. The Draft LAP is consistent with the policies and objectives of the overarching county-wide policy and as a result will not have a significant cumulative effect on the environment, when taken with other plans and strategies within the county.

Given the nature of permitted development in the area and the remainder of zoned lands in the vicinity it is considered that there are unlikely to be any cumulative effects.

Given that the Draft LAP will focus on the principles of sustainable development within a limited geographical area and for limited new development – all of which is guided within a Village Development Framework Plan – where cumulative effects arise on the environment it is anticipated that they will be positive.

iii. The trans-boundary nature of the effects;

The LAP will have no international, national, regional or inter-county transboundary effects.

iv. The risks to human health or the environment (e.g. due to accidents);

No risks to human health or to the environment due to accidents or other considerations in the implementation of the LAP have been identified.

v. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);

The spatial extent of the Draft Kinsaley LAP is approximately 39ha. in area (or 0.39 square kilometres), however, this includes established development areas of the Village as well as a number of recently permitted developments. Six Development Areas, providing primarily residential development at between 15 to 30 units / hectare have been identified on c. 13.75 hectares of the Draft LAP lands. Development Area 6 already includes an extant permission for 100 no. residential units and a creche (FCC planning reg. ref.: F16A/0464).

The population of Kinsaley was recorded as 264 persons in the 2016 census, however, the Development Plan, which uses a slightly different boundary to the census, put the village's population at 340 persons (page 148). Permitted residential development will allow for a further 182 residential units or a population increase of c.455 persons.

The six new Development Areas will realise a further 383 residential units or an additional population of c.958 persons. Therefore the ultimate target population arising from the Draft LAP is considered to be up to c.1,800 persons.

The geographical area (c.0.4 sqkm) and target population (c.1,800 persons) are significantly below the threshold values of 50sqkm and / or 5,000 persons for mandatory SEA.

Therefore the magnitude and spatial extent of the effects of the Draft LAP are very local to the village and its immediate rural hinterland. The strategic impacts of the proposed scale and extent of development have also been subject to SEA as part of the preparation of the Fingal Development Plan 2017- 2023.

- vi. *The value and vulnerability of the area likely to be affected due to:*
- a) *special natural characteristics or cultural heritage*

Kinsaley is a small village settlement with a distinctive village character. Its surrounding landscape quality is informed by the Sluice River and its valley, and by the general good quality nature of the surrounding agricultural landscape.

The geographical area (c.0.4 sqkm) and target population (c.1,800 persons) of the Draft LAP are significantly below the threshold values of 50sqkm and / or 5,000 persons required for mandatory SEA. A significant extent of the lands identified as Development Areas within the Draft LAP are currently either already under some form of development (*e.g.* the Garden Centre, the former Research Centre) or subject to extant permissions for proposed development (development Area No. 6). In addition the Development Areas do not adversely affect any aspects of special natural characteristic or cultural heritage.

European Sites

The nearest European sites with connectivity to the potential LAP lands are Baldoyle Bay SAC and SPA located c.2km southeast of Kinsaley. The LAP lands are connected hydrologically to Baldoyle Bay via the River Sluice and Mayne River catchment. Potential impacts on these European sites could theoretically arise from contaminated surface water run-off generated during construction and operation of development within the potential LAP lands.

C.2.5km to the southeast of the site:

- Baldoyle Bay SPA (004016)
- Baldoyle Bay SAC (000199)

C.3km to the northeast of the site:

- Malahide Estuary SAC (000205)
- Broadmeadow/Swords Estuary SPA (004025)

A significant extent of the lands identified as Development Areas within the Draft LAP are currently either already under some form of development (*e.g.* the Garden Centre, the former Research Centre) or subject to extant permissions for proposed development (*i.e.* Development Area No. 6).

These include two main residential developments listed below:

- Permitted Residential Development (FCC Ref. No. F16A/0511; ABP Ref. PL06F.248584);
- Permitted Residential Development (FCC Ref. No. F16A/0464; ABP Ref. PL06F.248515).

A review of the AA Screening Reports prepared for the 2 above applications concluded that there was no likelihood of any significant effects on any European sites arising from these proposed developments, either alone or in combination with other plans or projects.

In addition, the finding of the Preliminary Screening for Appropriate Assessment (AA) for the Draft Kinsaley LAP is that the implementation of the Plan will not have any effect on European sites either on its own or in combination with other plans and programmes.

Flooding and Surface Water Drainage

No areas proposed for development within the 6 Development Areas are affected by current or future estimated fluvial or tidal flood risks. Any potential risk of flooding from pluvial sources will be managed through appropriate surface water management strategies incorporating Sustainable Drainage Systems (SuDS). It is noted that the proposed Draft LAP will incorporate the existing Fingal Development Plan **Objective WQ05** (page 279):

*“Establish riparian corridors free from new development along all significant watercourses and streams in the County. Ensure a 10 to 15 metre wide riparian buffer strip measured from the top of the bank either side of all watercourses, except in respect of the Liffey, Tolka, Pinkeen, Mayne, **Sluice**, Ward, Broadmeadow, Corduff, Matt and Delvin where a **30m wide riparian buffer strip** from top of bank to either side of all watercourses outside urban centres is required as a minimum.”* (emphasis added).

Objective DMS170 of the Development Plan (page 480) has a similar riparian protection requirement.

It is a requirement of all future developments within the Draft LAP lands to comply with the Greater Dublin Regional Code of Practice for Drainage Works and to address surface water management on site through SuDS measures.

Heritage

There are some sites of Archaeological, Architectural and Cultural Heritage value within and around the village, which include:

National Monuments:

- DU015-002002- Graveyard
- DU015-002001- Church

NIAH:

- Saint Nicholas' Roman Catholic Church
- Kinsaley Bridge
- Kinsaley House

Protected Structures:

- 454: St. Nicholas of Myra Church (RC)
- 455: Church (in ruins) & Graveyard (located just outside subject lands)
- 456: Kinsaley Hall (outside the LAP lands)
- 464: Kinsaley House, Chapel Road, Kinsaley, Malahide, Co. Dublin.
- 914: Malahide/Portmarnock Educate Together National School at Malahide Road.

The Draft LAP identifies the important cultural heritage features within and adjacent to the LAP lands and ensures that proposed development or public realm interventions are approached in a sensitive and appropriate manner.

- *b) exceeded environmental quality standards or limit values,*

It is noted that existing wastewater pumping stations in the Kinsaley area are operating at capacity, and Irish Water have recently received planning permission for a new pumping station which will provide sufficient capacity for all existing and planned development areas. This current constraint is acknowledged in the proposed Draft LAP and the Draft Plan will

include objectives supporting the delivery of the planned infrastructure as well as requirement that any planned development will be subject to a connection agreement with Irish Water, in order to protect all waters in the area.

It is not anticipated that any other environmental quality standards or limit values will be exceeded. All sites identified for development in the Draft LAP, which is consistent with the County Development Plan, will be subject to a statutory planning process which will ensure that no environmental quality standards or limit values are exceeded.

- *c) Intensive land-use,*

The LAP consolidates the development of c.39 hectares of land, the majority of which is either under existing or permitted development. Of this 39ha, only 13.75 hectares is highlighted for redevelopment/new development within Development Areas. These Development Areas are detailed in the Draft LAP and subject to a Village Development Framework Plan, which establishes the proposed nature and scale of development. The sites to be development include for residential densities in the range of 15-30 units / hectare which is appropriate for the character of Kinsaley and not considered as intensive land-use.

vii. The effects on areas or landscapes which have a recognised national, European Union or international protection status

The County Development Plan recognises the importance of sites with national and European designations, and sets out policies and objectives for their protection. The Draft LAP accords fully with those objectives. It is not anticipated that the implementation of the Draft Plan would have any significant adverse impacts on areas of recognised national, European or international protection status.

There are no designated sites, Special Areas of Conservation (SAC) for flora and fauna, Special Protection Areas (SPA) for birds or Natural Heritage Areas (NHA) within the Draft LAP lands. The Sluice River flows into the nearby Baldoyle Estuary SPA and SAC, however, an Appropriate Assessment Screening undertaken on the Draft LAP has found that no significant impacts will arise on designated sites.

4.0 Determination under Article 14K

Following careful review and consideration of the environmental issues and following consultation with the Environmental Authorities, it has been determined that the aims and objectives of the Draft Kinsaley Local Area Plan will not in themselves result in a significant adverse environmental effects and therefore, the Draft LAP does not require a detailed assessment of their effect upon implementation through the strategic environmental assessment (SEA) process.

This conclusion has been drawn through consideration of the following factors:

- The extent to which the LAP will act as a framework for the future development of the lands.
- The extent of land which is already zoned Rural Village and environmentally assessed under the Fingal Development Plan 2017-2023.
- The extent of the existing zoned lands which is already subject to existing planning permissions and/or under construction.
- The scope and nature of development proposed in the LAP as presented and the need to ensure that all environmental aspects of same are considered.
- Protective measures and objectives already included in the Fingal County Development Plan 2017-2023 and drafted in the Draft Kinsaley LAP.
- Consultations with the specified Environmental Authorities

5.0 Recommendation

It is not anticipated that implementation of the Kinsaley LAP 2019-2025 will have strategic environmental effects and therefore, strategic environmental assessment is not required. Any potential localised environmental effects arising as a result of specific development carried out within the LAP lands can be appropriately and adequately addressed through the assessment of individual planning applications and within the provisions of the normal planning and sustainable development process.

6.0 References

6.1 European

European Parliament and Council Directive 2001/42/EC of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

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

6.2 National

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7.0 APPENDICES

APPENDIX A: Specific Objectives from Draft Kinsaley Local Area Plan

APPENDIX B: Submissions / Observations received from Environmental Authorities

Appendix B1: Environmental Protection Agency (EPA)

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Appendix B4: Kildare County Council

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APPENDIX A: Specific Objectives from Draft Kinsaley Local Area Plan

Chapter 5 Movement and Transport Strategy

| Objective | Description |
|-----------------------|---|
| <i>Objective 5.1</i> | Provide an alternative pavement treatment along the northern section of the Malahide Road within the LAP lands, between St. Olave's, St. Nicholas of Myra Church, and the proposed new civic square in Development Area 4. |
| <i>Objective 5.2</i> | Ensure the provision of safe, attractive and convenient pedestrian and cycle routes throughout the LAP area, connecting existing and future residential areas to the village centre, schools, and local amenities. |
| <i>Objective 5.3</i> | Implement traffic management solutions for the village as set out in the Movement and Transport Strategy of the LAP in order to provide enhanced facilities for pedestrians and cyclists and to reduce the speed of vehicles travelling through the village. |
| <i>Objective 5.4</i> | The implementation of traffic management solutions and junction improvement/ upgrade works shall be informed by a traffic study to be carried out by Fingal County Council. |
| <i>Objective 5.5</i> | Undertake a transport assessment and concept design of the road network in the area to assess the implications of the traffic management recommendations contained herein, to include a traffic modelling assessment of the AM and PM peak flows and concept design of the Malahide Road/ Chapel Road junction and the Malahide Road/ Baskin Lane junction. |
| <i>Objective 5.6</i> | Facilitate the provision of a suitable pavement treatment along the northern section of the Malahide Road within the LAP lands between St. Olave's, St. Nicholas of Myra church and the proposed village civic square in Development Area 4 (Malahide Road West). |
| <i>Objective 5.7</i> | Facilitate appropriate village entry treatment and gateway features on all approach roads to the village. |
| <i>Objective 5.8</i> | Provide appropriate landscaping and street furniture. |
| <i>Objective 5.9</i> | Support and encourage public transport providers to enhance the provision of public transportation services in the village including enhanced bus waiting areas, improved shelters and Real Time Passenger Information. |
| <i>Objective 5.10</i> | Maintain and improve existing footpaths and ensure that new footpaths are provided as part of a connected permeable network throughout the village. |
| <i>Objective 5.11</i> | Facilitate the recommendations of the Cycleway/Footpath Network Development in the Kinsealy Environs- Feasibility and Concept Study taking cognisance of the objectives of the LAP. |
| <i>Objective 5.12</i> | Facilitate the delivery of a comprehensive network of safe and attractive cycle and pedestrian routes facilitating commuting, educational, housing and leisure trips connecting key attraction points within the village to the wider hinterland. |
| <i>Objective 5.13</i> | Facilitate the provision of footpaths along the main arteries of the Malahide Road, Chapel Road and Baskin lane. |
| <i>Objective 5.14</i> | Provide enhanced pedestrian and cycle connectivity to the existing and proposed schools. |
| <i>Objective 5.15</i> | Facilitate the development of a car parking area within the Teagasc lands to facilitate a multi-purpose parking and drop off area to serve the existing and proposed school campuses and future recreational amenities. |
| <i>Objective 5.16</i> | Ensure that all new developments provide for appropriate levels of off street car parking in accordance with parking standards contained in the Fingal Development Plan. |
| <i>Objective 5.17</i> | Require the provision of appropriate levels of off street car parking to serve new commercial and amenity facilities in the village. |
| <i>Objective 5.18</i> | Ensure adequate levels of disabled parking. |
| <i>Objective 5.19</i> | To facilitate and promote appropriate hard and soft landscaping and appropriate lighting around car parking areas. |
| <i>Objective 5.20</i> | Facilitate the provision of electricity charging infrastructure for electric vehicles both on street and in new developments in accordance with car parking standards. |
| <i>Objective 5.21</i> | Ensure future development takes due cognisance of Public Safety and Airport Noise Zones and that applicants consult with relevant authorities including the Irish Aviation Authority and Dublin Airport Authority as part of the development management process. |

Chapter 6 Green Infrastructure

| Objective | Description |
|-----------------------|---|
| <i>Objective 6.1</i> | Promote the conservation and enhancement of biodiversity having regard to the policies and objectives of the Fingal Development Plan, the Fingal Heritage Plan and the Fingal Biodiversity Plan while allowing for appropriate development, access arrangements and recreational activity. |
| <i>Objective 6.2</i> | Require any development proposal for Development Area 4 (land to the west of the Malahide Road) to incorporate proposals for the treatment of the stream running along the boundary of the site adjacent to the Malahide Road, to ensure its sustainable management and to protect the ecological network. |
| <i>Objective 6.3</i> | Ensure that all proposals for the upgrading of the riparian corridor running along the River Sluice make adequate provision for the protection of biodiversity and flood plain. |
| <i>Objective 6.4</i> | Protect existing trees, hedgerows within the LAP lands which are of amenity or biodiversity value and contribute to the landscape character of the area in so far as is practicable and incorporate same into future development proposals. |
| <i>Objective 6.5</i> | Conserve, protect and enhance existing trees and hedgerows within the LAP lands which form wildlife corridors and link habitats providing the stepping stones necessary for wildlife to flourish while also protecting and enhancing surface water and groundwater resources in the area. |
| <i>Objective 6.6</i> | The planting and design strategy for green routes should incorporate measures to facilitate wildlife movement. |
| <i>Objective 6.7</i> | Provide an appropriately designed, extended open space corridor adjacent to the Sluice River to connect onward to Chapel Road from the existing pedestrian route (rear of the Church and graveyard in ruins). Any proposals should give careful consideration to the interface with the Recorded Monument (north of the church and graveyard in ruins) to the south of the route including archaeological investigations. |
| <i>Objective 6.8</i> | Ensure that new or extended open space networks are designed to facilitate people with a broad range of ability. |
| <i>Objective 6.9</i> | Ensure that areas of open space provide or retain features that encourage biodiversity within the LAP lands recognising that this may be limited in areas of active open space. |
| <i>Objective 6.10</i> | Ensure that flood storage areas are designed to reflect and enhance the landscape character of the area. |
| <i>Objective 6.11</i> | Investigate the possible extension of the open space corridor adjacent to the Sluice River into and through the Abbeville Architectural Conservation Area (ACA). Any proposals shall positively enhance the character of the ACA. |
| <i>Objective 6.12</i> | Protect all archaeological sites and monuments which are listed in the Record of Monument and Places in accordance with National Monuments legislation; all sites and features of archaeological interest discovered subsequently, and to promote best practice in the conservation and management of the archaeological resource. |
| <i>Objective 6.13</i> | Protect recorded archaeological sites and their settings from inappropriate development that would adversely affect or detract from the monuments whilst at the same time enabling the sustainable development of the village. |
| <i>Objective 6.14</i> | To promote and create greater awareness of the rich archaeological heritage of the village and its surroundings. |
| <i>Objective 6.15</i> | Ensure archaeological remains are identified and fully considered at the earliest stages of the development process to protect the resource and facilitate appropriate design. |
| <i>Objective 6.16</i> | Any and all required archaeological investigations including geophysical survey, archaeological assessment and excavation and archaeological monitoring shall in consultation with the Department of Culture, Heritage and the Gaeltacht be undertaken by a suitably qualified archaeologist under licence from the Department and at the expense of the developer. |
| <i>Objective 6.17</i> | Minimise the visual impact of future development on the setting and visual quality of the Highly Sensitive Landscape designation applicable to lands to the west of the Malahide Road. |

Chapter 7 Parks, Open Space and Recreation

| Objective | Description |
|-----------------------|---|
| <i>Objective 7.1</i> | The Teagasc and Kinsaley House Development Areas shall provide a green route/ corridor accommodating cycle and footpath facilities through both sites, connecting to the Malahide Road. The route shall provide for high quality pedestrian and cycle facilities, shall be tree lined, appropriately lit and afforded high levels of passive surveillance. |
| <i>Objective 7.2</i> | Provide for active recreational facilities in the form of a full size all-weather soccer pitch and associated car parking on lands adjacent to the proposed National School in the Teagasc Development Area (Area 3). The soccer pitch shall be 600 sq.m in area (60 metres x 100 metres minimum dimensions). |
| <i>Objective 7.3</i> | Provide a civic square (minimum 2,500 sq.m) within the Malahide Road West Development Area. The civic square shall comprise 50% soft landscaping and be suitably landscaped and finished to a high standard to ensure its suitability for multifunctional usage. |
| <i>Objective 7.4</i> | Provide a Mixed Use Games Area (MUGA) within the Teagasc Development Area (Area 3), adjacent to the proposed National School. |
| <i>Objective 7.5</i> | Provide for a playground within the Teagasc Development Area (c. 400 sq.m), suitably designed by a specialist playground provider which shall be accessible via the proposed green route serving the Teagasc Development Area and via the proposed car park serving the soccer pitch. The play area shall have a suitably designed boundary treatment with passive supervision provided by adjoining residential units. |
| <i>Objective 7.6</i> | Give favourable consideration to proposals to provide active recreational facilities on lands zoned GB to the north of St. Nicholas of Myra National School and south of Protected Structure 914. |
| <i>Objective 7.7</i> | Ensure that Developers lay out and maintain areas of open space to a high standard until such time as they are taken in charge and facilitate the early handover of such areas of public open space to the Council in a completed manner in accordance with approved landscaping plans. |
| <i>Objective 7.8</i> | Encourage improvements to small existing public open space areas through additional tree planting and pathways, where appropriate. |
| <i>Objective 7.9</i> | Ensure that public and or communal open space areas are designed to be overlooked to ensure the potential for anti-social behaviour is minimised through passive surveillance. |
| <i>Objective 7.10</i> | Provide for a riparian corridor/ buffer free from development to the south of the Sluice River within the Malahide Road West Development Area. The riparian corridor shall accord with the recommendations of the Strategic Flood Risk Assessment. |
| <i>Objective 7.11</i> | The design and layout of the proposed open spaces including pedestrian and cycle links shall have regard to the layouts and recommendations for proposed open spaces and pedestrian/cycle accessibility as set out in the Village Development Framework Plan. |
| <i>Objective 7.12</i> | The design and layout of the proposed open spaces including cycle and pedestrian routes shall have regard to layouts and guidelines for proposed open spaces and accessibility as set out in the Village Development Framework Plan for the Village. |
| <i>Objective 7.13</i> | All planning applications within identified Development Areas shall clearly distinguish between areas of private and public space with clearly delineated boundary treatment. |

Chapter 8 Creating Communities

| Objective | Description |
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| <i>Objective 8.1</i> | Development shall strive to reduce the energy and water demand through measures which include the following: <ul style="list-style-type: none"> ▪ Careful consideration of building orientation, form, massing and fenestration to make the most of passive solar gain for heating and cooling. ▪ Maximisation of natural daylight. ▪ Maximisation of passive solar gain for solar thermal water heating and electricity production. ▪ Exploring the potential for incorporating wind energy (e.g. wind turbines and wind spires) or other renewable energy systems, such as combined heat and power (CHP). ▪ Intelligent and energy efficient heating, cooling and ventilation systems. ▪ Reduced water use through rainwater harvesting and recycling of rainwater and in-building grey water treatment systems. ▪ Use of materials with low embodied energy. ▪ Promoting walking and cycling by providing for safe, attractive pedestrian and cycling routes. ▪ Promoting the retention of existing trees and hedgerows where possible and providing for new planting to augment or replace existing, ensuring that the planting has maximum biodiversity value. |
| <i>Objective 8.2</i> | Ensure high standards of energy efficiency in existing and new residential developments in line with good architectural conservation practice and the promotion of energy efficiency and conservation in the design and development of new residential units. |
| <i>Objective 8.3</i> | Promote the use of renewable energy in all developments. |
| <i>Objective 8.4</i> | Promote the principles of Biodiversity by conserving existing indigenous hedgerows and trees and by introducing green routes through the village. |
| <i>Objective 8.5</i> | Promote and facilitate the development of small scale renewable energy facilities within the LAP lands such as wind turbines, spires, solar) where such development does not have a significant negative impact on the landscape and the amenities of property adjacent. All new wind energy developments shall comply with national guidance and the Fingal Development Plan. |
| <i>Objective 8.6</i> | Facilitate and promote walking and cycling as an alternative to the private car by the delivery of an integrated network and safe and attractive pedestrian and cycle routes throughout the village providing access to community and recreational amenities. |
| <i>Objective 8.7</i> | Promote the retention of existing trees and hedgerows where possible and provide for new planting to augment or replace existing, ensuring that the planting has maximum biodiversity value. |
| <i>Objective 8.8</i> | Require proposals for the Teagasc Development Area to incorporate an appropriately sized national school in consultation with the Department of Education and Skills, incorporating associated car parking, drop off/collection and play areas as required. An associated soccer pitch and car parking shall be located within DA3 or may be facilitated immediately to the south of the Development Area. |
| <i>Objective 8.9</i> | Require development proposals on the Malahide Road West Development Area to include a new civic square approximately opposite St. Nicholas of Myra Church, parish hall and St. Olave's at the western end of the Malahide Road. The civic square shall be suitably landscaped and finished to a high standard to ensure its suitability for numerous community functions. |
| <i>Objective 8.10</i> | Provide a mix of high quality pocket parks, small parks and playgrounds within the Development Areas of the village which shall be sized and designed to Development Plan standards. |
| <i>Objective 8.11</i> | Facilitate and co-operate with community and educational organisations in the provision of services for the community as it grows. |
| <i>Objective 8.12</i> | Require the provision of appropriate childcare facilities in line with national guidelines. |
| <i>Objective 8.13</i> | Co-operate with sports clubs, schools and community organisations in the provision of sports and recreational facilities. |
| <i>Objective 8.14</i> | Strengthen the local economy by creating and facilitating opportunities for new businesses to locate and establish in Kinsaley. |
| <i>Objective 8.15</i> | Support the ongoing successful operation of the Kinsealy Business Park as a key employer in the area and as an attractive destination for business and workers. |
| <i>Objective 8.16</i> | Support the expansion of Kinsaley Village centre as a focal point for the village with an enhanced retail function to serve the needs of existing and future residents. |

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| <i>Objective 8.17</i> | Provide for the integrated development of the village and its growing population with the development of new housing delivered in tandem with supporting community and physical infrastructure. |
| <i>Objective 8.18</i> | Encourage the expansion and development of additional retail provision and commercial services and facilities at a level appropriate to the village to meet the retailing and service needs of the existing and future population of Kinsaley. |
| <i>Objective 8.19</i> | Require that all proposals for new retail/commercial developments are designed to the highest architectural standards and promote an awareness of good shop front design ensuring that new shopfronts do not visually detract from the character of the village. |
| <i>Objective 8.20</i> | Ensure that all proposals for new retail and commercial developments respect the character and scale of the village. |
| <i>Objective 8.21</i> | Develop and maximise the tourism potential of Kinsaley and co-operate with the community and relevant organisations in marketing and promoting tourism within the village. |
| <i>Objective 8.22</i> | Facilitate and actively promote tourism activities including walking, cycling and agri-tourism including the development of green routes through the village with attractive pedestrian and cycle facilities so as to enhance the special qualities of Kinsaley and the surrounding natural and built environment. |
| <i>Objective 8.23</i> | Preserve, protect and enhance the natural, built, cultural and historical heritage of Kinsaley to promote the attractiveness of the village to visitors. |
| <i>Objective 8.24</i> | Promote the development of looped walks between existing and new residential areas and the enhanced village core. |
| <i>Objective 8.25</i> | Promote and facilitate the development of remaining sections of the riverside walk within the village through the provision of a riparian corridor. |

Chapter 9 Water and Infrastructure Services

| Objective | Description |
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| <i>Objective 9.1</i> | Collaborate with Irish Water to ensure the delivery of their Capital Investment Plan or any other relevant investment works programme to ensure both foul and water capacity constraints are not a deterrent to sustainable development. |
| <i>Objective 9.2</i> | Support Irish Water in the provision and maintenance of adequate wastewater disposal and water supply in accordance with EU Directives, to service Kinsealy as appropriate. |
| <i>Objective 9.3</i> | Development shall connect to the public sewer and public water mains, subject to a connection agreement with Irish Water, in order to protect all waters in the plan area. |
| <i>Objective 9.4</i> | Developments within the Kinsaley LAP catchment must incorporate Sustainable urban Drainage Systems (SuDS) measures in line with the recommendations of the Surface Water Management Plan to suit individual site layouts and local ground conditions. Design of SuDS Systems should be in accordance with the Greater Dublin Strategic Drainage Study (GSDSDS) and the CIRIA SUDS Manual. |
| <i>Objective 9.5</i> | New surface water drainage networks will be required as part of developments within lands available for development. These networks should be designed in accordance with this SuDS Strategy, CIRIA C753 'The SuDS Manual' and the Greater Dublin Strategic Drainage Systems (GSDSDS). |
| <i>Objective 9.6</i> | Provide an undeveloped flood-plain to accommodate flood waters during extreme flooding events through the provision of a riparian corridor in line with the recommendations of the Strategic Flood Risk Assessment carried out as part of the Kinsaley LAP. |
| <i>Objective 9.7</i> | For all future residential developments: <ul style="list-style-type: none"> ▪ Runoff within the curtilage of the property boundary shall pass through at least one SuDS component prior to discharging to downstream ▪ SuDS components within the public realm. Storage for the 100 year event (as a minimum) including a 10% increase in rainfall intensity for climate change shall be provided within the curtilage of the property boundary, with a maximum discharge rate of 2l/s/ha. ▪ Runoff from public areas (such as roads, parking bays, hard and soft landscaped areas and footpaths) shall pass through at least two SuDS components prior to discharging to the final downstream detention/retention/polishing SuDS components within the public realm. ▪ The Final SuDS Components located in the public realm shall comprise of basins/ponds/wetlands (as appropriate), prior to discharge to the Sluice River or local surface water sewer. Measures must align with acceptable landscape and open space proposals and maintenance requirements. ▪ Storage for the 100 year event (as a minimum) including a 10% increase in rainfall intensity for climate change shall be provided for runoff from the public realm, with a maximum discharge rate of 2l/s/ha. |
| <i>Objective 9.8</i> | For all future commercial, industrial, educational and apartment developments: <ul style="list-style-type: none"> ▪ Runoff from roofs shall pass through at least one SuDS feature prior to discharge to on-site surface water retention features. Blue/green roofs shall be provided to store the 100 year event with an allowance for Climate Change. ▪ Runoff from roads and parking areas shall pass through at least two SuDS features prior to discharge to the final on-site surface water retention features. ▪ The final 'Private' surface water retention features shall comprise basins/ponds/wetlands (as appropriate), prior to discharge to the local surface water sewers/watercourses. ▪ Storage for the 100 year event (as a minimum) including a 10% increase in rainfall intensity for climate change shall be provided for runoff from the developments, with a maximum discharge rate of 2l/s/ha. |
| <i>Objective 9.9</i> | Water Butts, Rainwater Harvesting, Rain Gardens and Permeable Paving are recommended for use in all residential developments. Any Industrial, Commercial and Educational developments and Apartment blocks shall incorporate rainwater harvesting for re-use and should incorporate blue / green roof features. |
| <i>Objective 9.10</i> | Subject to subsoil permeability, filter drains may be required to drain residential gardens and other small green areas within future developments. Runoff from green areas should, where possible, infiltrate directly to groundwater. |

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| <i>Objective 9.11</i> | The relevant authorities should promote the benefits of SuDS retrofitting to the general public. |
| <i>Objective 9.12</i> | Implement the provisions of the DoEHLG/OPW publication 'The Planning System and Flood Risk Management: Guidelines for Planning Authorities' 2009 or any superseding document in relation to flooding and flood risk management and facilitate flood management measures, as appropriate. |
| <i>Objective 9.13</i> | It is recommended that the drainage channels, watercourses and floodplains within the developed and undeveloped areas of the LAP boundary be maintained and protected. |
| <i>Objective 9.14</i> | Riparian corridors should be provided in accordance with the requirements of the Fingal Development Plan 2017-2023 to protect and enhance watercourses and their natural regimes including: ecological, biogeochemical and hydromorphological. |
| <i>Objective 9.15</i> | Sustainable Drainage Systems should be incorporated in all new developments and retro-fitting of SuDS should be encouraged within the Kinsealy LAP lands. |
| <i>Objective 9.16</i> | Future developments within Kinsalely LAP should be designed and constructed in accordance with the "Precautionary Principle" detailed in The Guidelines. It is recommended that the flood zoning within the LAP is based on the High-End Future Scenario (HEFS) for climate change. |
| <i>Objective 9.17</i> | To address the risk of pluvial flooding in new developments in the LAP area, the Kinsalely LAP Surface Water Management Plan Part 2: Sustainable Drainage Systems (SuDS) Strategy will be adopted. This will ensure a consistent approach to the management of flood risk and water quality within Kinsealy LAP. Implementing these measures and complying with the GSDSDS will ensure that the risk of flooding downstream or upstream of any new developments is minimised. |
| <i>Objective 9.18</i> | Strive to achieve 'good status' in all waterbodies in compliance with the Water Framework Directive, the Eastern River Basin District Management Plan 2009-2015 and the associated Programme of Measures (first cycle) and to cooperate with the development and implementation of the second cycle national River Basin Management Plan 2017-2021. |
| <i>Objective 9.19</i> | Protect and develop, in a sustainable manner, the existing groundwater sources and aquifers in the County and control development in a manner consistent with the proper management of these resources in conformity with the Eastern River Basin Management Plan 2009-2015 and the second cycle national River Basin Management Plan 2017-2021 and any subsequent plan and the Groundwater Protection Scheme. |
| <i>Objective 9.20</i> | Implement the recommendations of the Groundwater Protection Scheme. |
| <i>Objective 9.21</i> | Protect existing riverine wetland and coastal habitats and where possible create new habitats to maintain naturally functioning ecosystems whilst ensuring they do not impact negatively on the conservation objectives of any European Sites. |
| <i>Objective 9.22</i> | Establish riparian corridors free from new development along all significant watercourses and streams in the County. Ensure a 10 to 15 metre wide riparian buffer strip measured from the top of the bank either side of all watercourses, except in respect of the Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Corduff, Matt and Delvin where a 30m wide riparian buffer strip from top of bank to either side of all watercourses outside urban centres is required as a minimum. |
| <i>Objective 9.23</i> | Minimise the impact on surface water of discharges from septic tanks, proprietary effluent treatment systems and percolation areas by ensuring that they are located and constructed in accordance with the recommendations and guidelines of the EPA and Fingal County Council. |

Chapter 10 Village Development Framework Plan

| Objective | Description |
|------------------------|---|
| <i>Objective 10.1</i> | Collaborate with Irish Water to ensure the delivery of their Capital Investment Plan or any other relevant investment works programme to ensure both foul and water capacity constraints are not a deterrent to sustainable development. |
| <i>Objective 10.2</i> | Provide high quality housing having regard to the Planning Guidelines on Sustainable Residential Development, the Fingal Development Plan development standards, the design principles as set out in this Local Area Plan and the objectives and design requirements set out in the Village Development Framework Plan. |
| <i>Objective 10.3</i> | Proposals for development shall demonstrate variation in residential streetscapes to create distinctive neighbourhood identities. Suburban type housing development shall be avoided as it does not respond to Kinsale's rural village character. |
| <i>Objective 10.4</i> | Ensure new residential development is designed to respond to the natural environment and landscape setting in which it sits and ensure the enhancement and protection of biodiversity. |
| <i>Objective 10.5</i> | A detailed Design Statement for all developments shall accompany all planning applications within the LAP boundary, the components of which shall be informed by the Village Development Framework Plan and Development Objectives for the Development Areas. |
| <i>Objective 10.6</i> | Provide high quality development at appropriate densities in close proximity to the village centre and pedestrian/cyclist movement corridors. |
| <i>Objective 10.7</i> | All developments shall incorporate the principles of universal design. |
| <i>Objective 10.8</i> | Ensure that all proposals for development provide an attractive and sensitive interface to environmental and historic features particularly the Sluice River, Abbeville Architectural Conservation Area and protected structures within the village. |
| <i>Objective 10.9</i> | All new development shall protect the archaeological heritage of the area. |
| <i>Objective 10.10</i> | New development shall seek to preserve and retain existing quality trees and hedgerows of amenity value. |
| <i>Objective 10.11</i> | Explore opportunities for additional street tree planting along the Malahide Road and Chapel Road utilising constructed tree pits. |
| <i>Objective 10.12</i> | Identify opportunities for heritage interpretation across the village to encourage awareness of Kinsale's rich historical past. |
| <i>Objective 10.13</i> | Align pedestrian and cycle links to capture views to local features (natural and built) and incorporate opportunities for overlooking and passive surveillance insofar as possible. |
| <i>Objective 10.14</i> | Create safe and attractive pedestrian and cycle routes with high levels of legibility and permeability connecting homes to existing and future neighbourhoods, amenities and the village centre. |
| <i>Objective 10.15</i> | Improve and extend the existing footpath network across the village with a focus on providing access to the village core and educational facilities. |
| <i>Objective 10.16</i> | Provide appropriate gateway features on the approach roads to Kinsale village. |
| <i>Objective 10.17</i> | All new street and estate names shall be in Irish or bilingual and shall reflect meaningful local names or references. |
| <i>Objective 10.18</i> | Ensure appropriate levels of internal noise insulation within noise sensitive structures having regard to the location of the village within the Outer Airport Noise Zone. |
| <i>Objective 10.19</i> | Support the expansion of Kinsale Village centre as a focal point for the community with an enhanced retail function to serve the needs of existing and future residents. |
| <i>Objective 10.20</i> | A new civic square shall be provided in the Malahide Road West Development Area approximately opposite St. Nicholas of Myra church and St. Olave's commercial centre which shall be landscaped and finished to a high standard and shall be suitable for use for a variety of functions facilitating community gatherings and acting as a focal point of the expanded village core. |
| <i>Objective 10.18</i> | Support the provision of a range of retailing and commercial options in the village core (Malahide Road West Development Area) including the provision of a supermarket commensurate with the Level 5 of the Fingal Retail Hierarchy to serve local demand for top up shopping. |
| <i>Objective 10.21</i> | Require that all proposals for new retail/commercial developments are designed to the highest architectural standards and promote an awareness of good shop front design ensuring that new shopfronts do not visually detract from the character of the village. |
| <i>Objective 10.22</i> | Ensure that all proposals for new retail and commercial developments respect the character and scale of the village. |

APPENDIX B: Submissions / Observations received from Environmental Authorities

Appendix B1: Environmental Protection Agency (EPA)

Ms Patricia Cadogan
Senior Executive Planner
Fingal County Council
Planning & Strategic Infrastructure Department
Grove Road
Blanchardstown
Dublin 15

17 December 2018

Our Ref: 181202

Re. SEA Screening Report for the Draft Kinsaley Local Area Plan 2018-2024

Dear Ms Cadogan,

We acknowledge your notice, dated 7th December 2018, in relation to the Screening Report for the Draft Kinsaley Local Area Plan 2019-2025 (the Plan).

The EPA is one of five statutory environmental authorities under the SEA Regulations. In our role as an SEA environmental authority, we focus on promoting the full and transparent integration of the findings of the Environmental Assessment into the Plan and advocating that the key environmental challenges for Ireland are addressed as relevant and appropriate to the Plan. Our functions as an SEA environmental authority do not include approving or enforcing SEAs or plans.

As a priority, we focus our efforts on reviewing and commenting on key sector plans. For land use plans at county and local level, we provide a 'self-service approach' via our guidance document '[SEA of Local Authority Land Use Plans – EPA Recommendations and Resources](#)'. This document is updated regularly and sets out our key recommendations for integrating environmental considerations into Local Authority land use plans.

Proposed SEA Determination

We note your proposed determination that the Draft LAP does not require a Strategic Environmental Assessment (SEA).

In finalising your SEA screening determination, we recommend that you take the comments outlined in this submission into account.

Specific Comments on the Plan

Critical Service Infrastructure

We note under Section 2.3.8.2 of the Screening Report that the pumping stations at Connolly Avenue and Floraville, which discharge to the wastewater treatment plant at Malahide, are currently operating at capacity and become overloaded during storm events. Our *Water Quality in Ireland 2010 – 2012* report (EPA, 2015) highlights that one of the key causes of water pollution is from point sources including discharges from waste water treatment plants. We recommend that a specific commitment (Policy/Objective) should be included in the Plan to provide and maintain adequate and appropriate wastewater treatment infrastructure to service zoned lands and developments over the lifetime of the Plan.

Sustainable Development

In proposing and in implementing the Plan, Fingal County Council should ensure that the Plan is consistent with the need for proper planning and sustainable development. The Plan should be consistent with the National Planning Framework and the Draft Regional Spatial and Economic Strategy for the Midland and Eastern region. The Plan should also align with and support national commitments on implementing the UN Sustainable Development Goals.

Climate Change

The Plan should align with and support national climate change commitments. Relevant recommendations contained in sectoral, regional and local climate plans should be incorporated into the Plan as relevant and appropriate.

Flood Risk

We note the commitment to carrying out a stage 3 detailed flood risk assessment with respect to flooding derived from fluvial and tidal sources. The Plan should fully comply with [The Planning System and Flood Risk Management - Guidelines for Planning Authorities](#) (OPW/DEHLG, 2009). We recommend that a specific commitment (Policy/Objective) should be included in the Plan that development proposed within the Plan area will be subject to appropriate flood risk assessment, in accordance with the above guidelines.

Groundwater

We recommend that the Plan should include a Policy/Objective relating to the protection of groundwater resources and associated groundwater-dependent habitats and species. The Plan should also include a commitment to integrate any existing Groundwater Protection Schemes and Groundwater Source Protection Zones, as relevant and appropriate within the Plan area. The Plan should also include a commitment to comply with the [European Communities Environmental Objectives \(Groundwater\) Regulations 2010](#) (S.I. No. 9 of 2010).

In preparing the Plan and associated SEA screening, the recommendations, key issues and challenges described in our most recent State of the Environment Report [Ireland's Environment – An Assessment 2016](#) (EPA, 2016) should be considered, as relevant and appropriate to the Plan.

Available Guidance & Resources

Our website contains SEA resources and guidance, including:

- SEA process guidance and checklists
- list of relevant spatial datasets
- topic specific SEA guidance, such as how to integrate climate change into SEA.

You can access these resources at: <http://www.epa.ie/pubs/advice/ea/>

EPA SEA Search and Reporting Tool

This tool allows public authorities to explore, interrogate and produce high level environmental summary reports. It is intended to assist in screening and scoping exercises. The tool is available through EDEN www.edenireland.ie

EPA WFD Application

Our WFD Application provides access to water quality and catchment data from the national WFD monitoring programme. The Application is accessed through EDEN <https://wfd.edenireland.ie/> and is available to public agencies. Publicly available data can be accessed via the www.catchments.ie website.

Future Amendments to the Plan

Where changes to the Plan are made prior to finalisation, or where modifications to the Plan are proposed following its adoption, these should be screened for potential for likely significant effects in accordance with the criteria set out in Schedule 2A of the SEA Regulations (S.I. No. 436 of 2004)

Appropriate Assessment

You should ensure that the Plan complies with the requirements of the Habitats Directive where relevant. Where Appropriate Assessment is required, the key findings and recommendations should be incorporated into the SEA and the Plan.

Environmental Authorities

Under the SEA Regulations, you should also consult with:

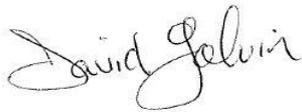
- The Minister for Housing, Planning and Local Government
- Minister for Agriculture, Food and the Marine, and the Minister for Communications, Climate Action and Environment, where it appears that the plan or programme, or modification of the plan or programme, might have significant effects on fisheries or the marine environment

- where it appears to the competent authority that the plan or programme, or amendment to a plan or programme, might have significant effects in relation to the architectural or archaeological heritage or to nature conservation, the Minister for Culture, Heritage and the Gaeltacht, and
- any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan.

As soon as practicable after making your determination as to whether SEA is required or not, you should make a copy of your decision, including, as appropriate, the reasons for not requiring an environmental assessment, available for public inspection in your offices and on your website. You should also send a copy of your determination to the relevant environmental authorities consulted.

If you have any queries or need further information in relation to this submission, please contact me directly. I would be grateful if you could send an email confirming receipt of this submission to: sea@epa.ie.

Yours sincerely,

A handwritten signature in black ink that reads 'David Galvin'.

David Galvin
SEA Section
Office of Evidence and Assessment

APPENDIX B: Submissions / Observations received from Environmental Authorities

Appendix B2: Department of Culture, Heritage and the Gaeltacht



Our Ref: **FP2018/109**
(Please quote in all related correspondence)

09 January 2019

Senior Executive Planner,
Fingal County Council,
PO Box 174,
County Hall,
Swords,
Co. Dublin
K67 X8Y2

Via email: devplan@fingal.ie cc: Patricia.Cadogan@fingal.ie

| |
|--|
| Re: Draft Local Area Plan for Kinsaley, County Dublin |
|--|

A chara

On behalf of the Department of Culture, Heritage and the Gaeltacht, I refer to correspondence received in relation to the above.

Outlined below are heritage-related observations/recommendations of the Department under the stated heading.

Architectural Heritage

This Department notes that within the area of the Draft Local Area Plan there are four protected structures, i.e. Kinsealy Bridge (on the road to Malahide), St Nicholas' Catholic Church, the old school and Kinsealy House.

This Department would recommend the addition of the following as an Architectural Conservation Area:

- Row of five labourers' cottages to the south of the Catholic church/old school, at the west end of the road to Portmarnock.

This row of houses, together with the church and old school, forms the totality of the old village of Kinsealy. The protection and conservation of these houses is important for the survival of the character of Kinsealy village.

In the event that additional heritage-related observations become available before the deadline date, a further letter will issue.



You are requested to send further communications to this Department's Development Applications Unit (DAU) via **eReferral**, where used, or to manager.dau@chg.gov.ie; if emailing is not possible, correspondence may alternatively be sent to:

The Manager
Development Applications Unit (DAU)
Department of Culture, Heritage and the Gaeltacht
Newtown Road
Wexford
Y35 AP90

Is mise, le meas

A handwritten signature in blue ink that reads "Sinéad O'Brien". The signature is written in a cursive style and is located below the text "Is mise, le meas".

Sinéad O' Brien
Development Applications Unit

APPENDIX B: Submissions / Observations received from Environmental Authorities

Appendix B3: Department of Communications, Climate Action and Environment

From: CorporateSupport.Unit [<mailto:CorporateSupport.Unit@DCCAE.gov.ie>]
Sent: 11 January 2019 09:52
To: Patricia Cadogan
Cc: CorporateSupport.Unit
Subject: FW: SEA Screening Report (Consultation): Draft Kinsaley LAP

Ms. Cadogan,

Please see observations below for Strategic Environmental Assessment (SEA) Screening Report prepared in association with the Draft Local Area Plan (LAP) for the village of Kinsaley Co. Dublin from Inland Fisheries Ireland.

Regards,
Eric

Eric Pepper,
Corporate Support Unit
Tel: 01 6782057

From: Gretta Hannigan [<mailto:Gretta.Hannigan@fisheriesireland.ie>]
Sent: 11 January 2019 09:46
To: CorporateSupport.Unit
Subject: RE: SEA Screening Report (Consultation): Draft Kinsaley LAP

Enda Brady,
Dept. of Communications, Climate Action and Environment,
Corporate Support Unit,
Ext. 2308

Dear Sir,

IFI-Dublin have examined the Strategic Environmental Assessment (SEA) Screening Report prepared in association with the Draft Local Area Plan (LAP) for the village of Kinsaley Co. Dublin, and agree with the stated conclusion *that the aims and objectives of the Plan will not in themselves result in a significant adverse environmental effects and therefore, the Draft LAP does not require a detailed assessment of their effect upon implementation through the strategic environmental assessment (SEA) process.*

Please advise Fingal County Council accordingly.

Yours sincerely,
Gretta Hannigan

Gretta Hannigan
Senior Fisheries Environmental Officer

Inland Fisheries Ireland- Dublin

Iascach Intíre Éireann
Inland Fisheries Ireland

Tel +353 (0)1 8842693

Email gretta.hannigan@fisheriesireland.ie

Web www.fisheriesireland.ie

3044 Lake Drive, City West, Dublin 24, IRELAND.

APPENDIX B: Submissions / Observations received from Environmental Authorities

Appendix B4: Kildare County Council



Kildare County Council
Comhairle Contae Chill Dara

Service: Local Area Plan

Service Option:

Date Received: 07/12/2018

Dear Ms. Patricia Cadogan

Your case number 36331 dated 07/12/2018 has been examined by the Forward Planning Team in the Planning Department and the outcome is:

Your email notification has been noted

Regards

Forward Planning

Planning Department

APPENDIX B: Submissions / Observations received from Environmental Authorities

Appendix B5: Meath County Council

Comhairle Chontae na Mí

Teach Buvinda, Bóthar Átha Cliath, An Uaimh,
Contae na Mí, C15 Y291

Fón: 046 – 9097000/Fax: 046 – 9097001

R-phost: customerservice@meathcoco.ie

Web: www.meath.ie

Uimhir Chláraithe: 00172770



Meath County Council

Buvinda House, Dublin Road, Navan,
Co. Meath, C15 Y291

Tel: 046 – 9097000/Fax: 046 – 9097001

E-mail: customerservice@meathcoco.ie

Web: www.meath.ie

Registration No.: 00172770

Planning Department.

21st December, 2018.

Patricia Cadogan,
Senior Executive Planner,
Fingal County Council,
Blanchardstown Office,
Grove Road, Blanchardstown,
Dublin 15.

Re: Draft Local Area Plan for Kinsaley, Co. Dublin.

Dear Madam,

I acknowledge receipt of the above-mentioned and wish to confirm that Meath County Council, Planning Department have no comments to make in relation to same.

Yours sincerely,

Wendy Bagnall,
Senior Executive Planner.