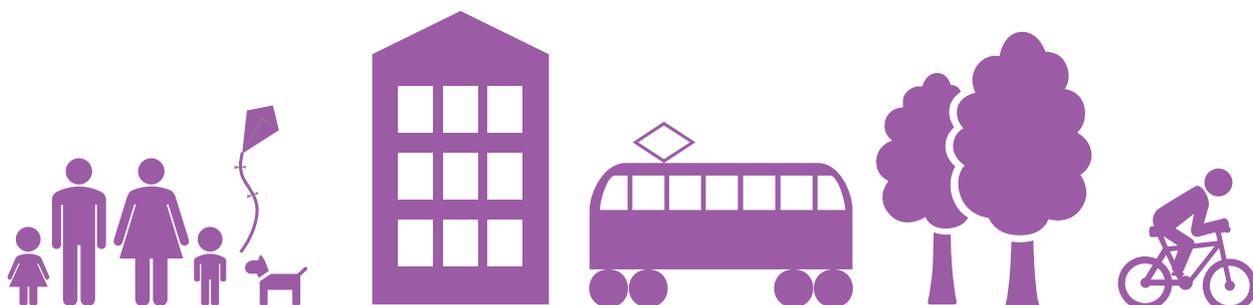


# Castlelands

Draft Masterplan  
May 2019



## Appendix 5 Strategic Environmental Assessment (SEA) Screening



# Contents

- 1 Background..... 1
  - 1.1 Introduction..... 1
  - 1.2 Castlelands Masterplan Area ..... 1
  
- 2 Strategic Environmental Assessment (SEA) ..... 2
  - 2.1 Introduction..... 2
  - 2.2 Determination for the need for SEA ..... 2
  - 2.3 The Draft Masterplan and Screening for Requirement for SEA..... 3
  - 2.4 Appropriate Assessment (AA) and relationship to Screening for SEA..... 3
  - 2.5 Consultation with Environmental Authorities ..... 3
  
- 3 Planning Context for Draft Masterplan ..... 6
  - 3.1 Fingal Development Plan 2017-2023..... 6
  
- 4 Draft Castlelands Masterplan ..... 9
  - 4.1 Vision for Draft Masterplan ..... 9
  - 4.2 Key Principles for Delivery of Draft Castlelands Masterplan..... 9
  - 4.3 Nature and Extent of Proposed Development within Castlelands Masterplan ..... 10
  - 4.4 Preliminary review of the requirement for Appropriate Assessment (AA)..... 10
  - 4.5 Strategic Flood Risk Assessment (SFRA) ..... 12
  - 4.6 Cultural Heritage - Archaeology ..... 12
  
- 5 Screening for Requirement for Strategic Environmental Assessment (SEA) ..... 13
  
- 6 Recommendation on requirement for SEA ..... 16
  
- 7 References..... 17
  - 7.1 European ..... 17
  - 7.2 National and Regional..... 17
  - 7.3 County ..... 17
  - 7.4 Guidelines..... 17
  - 7.5 Other ..... 18
  
- Appendix 1: Observations / Submissions from Environmental Authorities ..... 19



# 1 Background

## 1.1 Introduction

Fingal County Council (FCC) has commenced the preparation of a Draft Masterplan (hereafter referred to as the “Draft Plan”) for lands at Castlelands in Balbriggan, County Dublin.

The purpose of preparing a Masterplan is to achieve quality developments in terms of urban design, structure, delivery of community / amenity facilities and permeability, in accordance with the requirements of Fingal Development Plan 2017-2023.

The Masterplan will be a non-statutory plan, which has nonetheless been framed within the context of EU, national, regional and local development plan policies.

## 1.2 Castlelands Masterplan Area

Castlelands is strategically located to the south of Balbriggan Town Centre. The lands are bound to the east by the Dublin-Belfast main railway and the R127 Balbriggan - Skerries Road with open coastal lands beyond. To the north and west lie the established residential areas of Hampton Cove, Pinewood, Castleland, Ardgillan, and The Channies. To the south lies the agricultural parkland of Hampton Demesne, see Figure 1.1 below.

The Masterplan Site comprises c.24.2 hectares (ha) of primarily greenfield, undulating lands that benefit from sea views to the east. Approximately 22ha are zoned as a ‘RA - Residential Area’ in the Fingal Development Plan 2017-2023. A small residential development has recently been constructed at the southern end of Pinewood in the northeast corner of the Site. The remaining c.2.2ha of the Masterplan Site are zoned as ‘OS - Open Space’, see Figure 3.1 in Section 3.

Figure 1.1: Location of Castlelands Masterplan Site



## 2 Strategic Environmental Assessment (SEA)

### 2.1 Introduction

Directive 2001/42/EC<sup>1</sup> ('SEA Directive') of the European Parliament and of the Council on the assessment of the effects of certain plans and programmes on the environment requires Member States of the EU to assess the '*likely significant environmental effects*' of plans and programmes prior to their adoption. This provides for the assessment of strategic environmental considerations at an early stage in the decision-making process.

Article 1 of the SEA Directive states that:

*"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 SEA Directive was transposed into Irish law through:

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

The former regulations, (S.I. No. 435 of 2004 as amended by S.I. No. 200 of 2011 ), relate to SEA as it applies to plans or programmes prepared for "*agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism and town and country planning or land use*".<sup>2</sup>

The latter regulations (S.I. No. 436 of 2004 as amended by S.I. No. 201 of 2011) relate to SEA as it applies to plans or programmes where the context requires, "*a development plan, a variation of a development plan, a local area plan (or an amendment thereto), regional planning guidelines or a planning scheme*".<sup>3</sup>

As a non-statutory land use masterplan the Draft Plan is being screened for the requirement for SEA under the requirements of S.I. No. 436 of 2004 as amended by S.I. No. 201 of 2011.

### 2.2 Determination for the need for SEA

Article 3(4) of Directive 2001/42/EC requires that "*Member States shall determine whether plans and programmes, other than those referred to in paragraph 2, which set the framework for future development consent of projects, are likely to have significant environmental effects.*" This process for deciding whether a particular plan, other than those for which SEA is mandatory, would be *likely to have significant environmental effects*, and therefore, would require SEA is known as 'Screening'.

The criteria for determining (or Screening) whether a particular plan is *likely to have significant environmental effects* are set out in Annex II of the SEA Directive. These criteria are reproduced in Schedule 1 of S.I. No. 435 of 2004, as amended by S.I. No. 200 of 2011, and again in Schedule 2A of the Planning and Development Regulations 2001, as amended.

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

<sup>2</sup> See Section 9(1)(a)

<sup>3</sup> Section 5(c)

The Screening criteria are set out under two principal headings, each of which have a number of sub-criteria (refer to Section 5 of this Report):

- characteristics of a Plan; and
- characteristics of the effects and of the area likely to be affected.

## 2.3 The Draft Masterplan and Screening for Requirement for SEA

The Masterplan is a non-statutory land use plan and the Draft Plan is being screened for the requirement for SEA in accordance with the requirements of:

- Directive 2001/42/EC (SEA Directive) and particularly Articles 3(3), 3(4) & 3(5) relate to ‘Screening’ for the requirement for SEA.
- S.I. No. 435 of 2004 European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, as amended by S.I. No. 200 of 2011 - European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011.
- Schedule 2A of the Planning and Development Regulations 2001, as amended, which sets out the “*Criteria for determining whether a plan or programme is likely to have significant effects on the environment*”.

This Report constitutes a Screening of the proposed Draft Plan for the requirement for SEA in accordance with the above legislation. The report has been prepared following consultation with the Environmental Authorities specified in Paragraph 9(5) of S.I. No. 435 of 2004, as amended by S.I. No. 200 of 2011. The specified Environmental Authorities are listed in Section 2.5 of this Report.

## 2.4 Appropriate Assessment (AA) 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).

Stage 1 is to establish whether AA is required for the particular plan or project. Stage 1 is referred to as Screening for the requirement for AA 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 1/08<sup>4</sup> (15<sup>th</sup> 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 Natura 2000 site or that such an impact cannot be ruled out, adopting the precautionary approach:***

- an AA of the plan must be carried out, and
- ***in any case where a SEA would not otherwise be required, it must also be carried out.***”

Hence, where the plan *requires* AA it shall *also require* a SEA.

## 2.5 Consultation with Environmental Authorities

In accordance with Article 9(5) of S.I. No. 435 of 2004, as amended by S.I. No. 200 of 2011, FCC provided notice to the specified environmental authorities (below) that implementation of the Draft Plan would ***not be likely to have significant effects on the environment*** and sought submissions or observations prior to finalising the Screening for the Requirement for SEA.

<sup>4</sup> NPWS SEA letter: <https://www.npws.ie/sites/default/files/general/circular-sea-01-08.pdf>

The preliminary Screening for SEA was issued to the following specified environmental authorities:

- (a) the Environmental Protection Agency (EPA);
- (b) the Minister for Housing, Planning and Local Government;
- (c) where it appears to the competent authority that the plan or programme, or modification 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;
- (d) where it appears to the competent authority that the plan or programme, or modification to a plan or programme, might have significant effects on fisheries or the marine environment, the Minister for Agriculture, Food and the Marine; and
- (e) the Minister for Communications, Climate Action and Environment.

The preliminary Screening was also issued to the local authorities bounding the Fingal County Council area.

### 2.5.1 Observations / Submissions received from Environmental Authorities

An observation/submission was received from the EPA (see Appendix 1 for copy of full submission). A response to the observation / submission is provided in Table 2.1.

Environmental Authority	Comment	Response
EPA	<p><b>Consultation noted.</b></p> <p>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.</p>	Noted and acknowledged.
	<p><b>Sustainable Development.</b></p> <p>Ensure that the Plan is consistent with the need for proper planning and sustainable development.</p>	<p>The stated vision for the Draft Masterplan is to ...</p> <p><i>“to promote the development of a distinctive quality new residential quarter within Balbriggan, through the development of a sustainable residential community comprising a choice of high quality new homes with a mix of dwelling types, size and tenure; appropriate local, community, recreational and educational facilities for both existing and future residents; the integration of existing and new open space areas and recreational amenities, all within an identifiable and accessible environment which promotes sustainable development based around strong public transport and walking and cycling links”.</i> (page 1)</p> <p>This objective for sustainable development is reiterated throughout the Draft Masterplan, including under ‘Key Principles’ surface water management, accessibility, transport, phasing and implementation and under the stated Policy Context.</p>
	<p><b>Critical Infrastructure.</b></p> <p>Adequate and appropriate critical service infrastructure should be in place, or required to be put in</p>	<p>The Draft Masterplan includes specific references to the delivery of critical infrastructure, including</p> <p>Community and education;</p>

	<p>place, to service any development proposed and authorised during the lifetime of the Plan</p>	<p>Social and physical; Green infrastructure; Transport and Movement infrastructure; Water supply, foul drainage, flood risk management and surface water management; and ...its timely / phased delivery to service proposed development. The following statement is provided under Phasing (page 27): <i>“The purpose of phasing is to ensure that infrastructure, services, facilities and amenities required for the development of the subject lands are provided together with, or in advance of, development.”</i></p>
	<p><b>Climate Change.</b> Take into account the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.</p>	<p>The Draft Masterplan is based on the key principles of sustainable development and takes account of climate change mitigation.</p>
	<p><b>Higher-level Plans.</b> Ensure that the Plan is consistent with key relevant higher-level plans and programmes.</p>	<p>Policy Context, including higher-level plans, is noted at Appendix 1 of the Draft Masterplan.</p>
	<p><b>Future Amendments.</b> 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).</p>	<p>Noted. Correct reference for screening in relation to the Masterplan is Schedule 1 of the SEA Regulations (S.I. No. 435 of 2004, as amended by S.I. No. 200 of 2011).</p>
	<p><b>State of the Environment Report – Ireland’s Environment 2016</b>, and its key issues, challenges and actions.</p>	<p>The Draft Masterplan has been drafted with regard to environmental considerations and objectives. This is specifically noted under Background Analysis on page 9 of the Draft Masterplan.</p>

### 3 Planning Context for Draft Masterplan

#### 3.1 Fingal Development Plan 2017-2023

Fingal Development Plan notes (Table 2.1, pg. 30) that **Balbriggan** is identified as a Large Growth Town II Regional Planning Guidelines Settlement Hierarchy for the GDA<sup>5</sup>. In reviewing Housing Land Capacity, the Development Plan outlines that Balbriggan has capacity for 4,332 residential units over 153ha (Section 2.6, Table 2.8, pg. 38).

The Development Plan goes on to recognise that Balbriggan is Fingal’s only Large Growth Town, stating that (Section 2.9, pg. 46):

*“It is characterised by a young and expanding population which has rapidly grown to in excess of 20,000 people over the last two decades. Major investment by Fingal County Council and other stakeholders in the town’s water services and roads infrastructure has provided a basis for the town to continue to grow in a sustainable manner.*

*Balbriggan has a substantial quantum of zoned land for high technology and general industrial development. The town’s excellent accessibility to major transport corridors, as well as its proximity to Dublin Airport and the Ports at Drogheda and Dublin make Balbriggan a desirable location for enterprise.”*

The Development Plan includes **Objective SS19** (pg. 47) to:

*“Support and facilitate residential, commercial, industrial and community development to enable Balbriggan to fulfil its role as a Large Growth Town in the Settlement Hierarchy recognising its important role as the largest town in the hinterland area.”*

The Development Plan includes **Objective PM05** (pg. 56) to:

*“Develop a hierarchy of high quality vibrant and sustainable urban and village centres including the continued sustainable development and enhancement of:*

- *Swords as the County Town of Fingal,*
- *Blanchardstown as a vibrant major town centre,*
- *Balbriggan as a large growth town,*
- *The network of town, village and district centres, and*
- *A range of local and neighbourhood centres.”*

Balbriggan is considered in detail in the Development Plan in Section 4.3 Hinterland (pg. 125-128), where the current population is estimated as c.20,000 persons and that *“Major infrastructural projects involving major upgrades to the water supply, foul drainage and roads infrastructure have been carried out throughout the town and its environs. Balbriggan is eFibre broadband enabled with superfast fibre delivering speeds of up to 100Mb.”*

The Development Plan sets out 16 Specific Objectives for Balbriggan, including **Objective BALBRIGGAN 16** (pg. 128), which requires the preparation of a number of masterplans within Balbriggan, including the Castlelands Masterplan:

#### **Objective BALBRIGGAN 16**

*Prepare and / or implement the following Masterplans during the lifetime of this Plan:*

...

*Castlelands Masterplan (see Map Sheet 4, MP 4.F)*

...

<sup>5</sup> Greater Dublin Area (GDA)

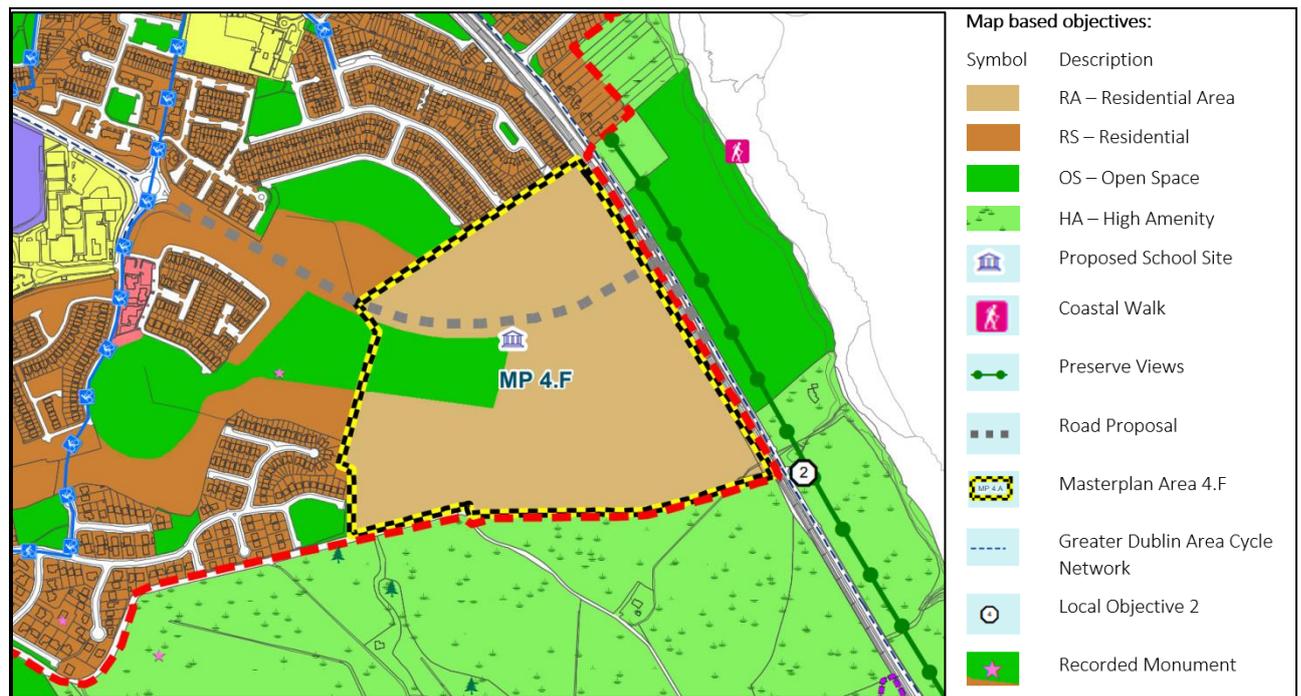
The Development Plan goes on to set out a non-exhaustive list (pg. 128) of the main elements to be included in the Masterplan:

**“Castlelands Masterplan**

- Provide for the retention of the traditional walking route from Pinewood to Hampton Demesne.
- Carry out a needs analysis to provide for a new community facility with a minimum of 300sq.m. within eastern Balbriggan Town.”

The Masterplan lands are included on **Sheet 4 Balbriggan** of the Fingal Development Plan 2017-2023. Figure 3.1 below provides an extract of Sheet 4 outlining the Castlelands Masterplan Site.

**Figure 3.1: Extract from Fingal Development Plan Zoning Map Sheet 4 showing area of Castlelands Masterplan (MP4.F)**



In the terms of **land use**, the majority of the Masterplan lands are zoned ‘**RA - Residential Area**’ which has the stated objective to: “Provide for new residential communities subject to the provision of the necessary social and physical infrastructure.” A small portion of the lands are zoned ‘**OS - Open Space**’ which aims to: “Preserve and provide for open space and recreational amenities.”

Established ‘**RS - Residential**’ and ‘**OS - Open Space**’ land uses lie to the west and north of the Masterplan Site. Lands to the south are zoned as ‘**HA - High Amenity**’. The Dublin-Belfast main railway line and the R127 Skerries to Balbriggan coast road runs along the eastern boundary of the Masterplan Site. Coastal lands to the east of railway / coast road are zoned ‘**OS - Open Space**’ (‘OS’) and ‘**HA - High Amenity**’. Views of the coast from the R127 coast road are identified for preservation, as also noted under ‘Coastal Character Type’ and ‘Views and Prospects’ in Section 9.4 Landscape of the Development Plan (pg. 328 & 333 respectively).

Sheet 4 of the Development Plan includes a number of **Specific Objectives** of relevance to the Castlelands Masterplan Site. A **Road Proposal** crosses the lands to connect into the R127 Balbriggan Skerries coast road, see Figure 3.1 above. The Road Proposal is identified in **Table 7.1 Road Schemes** of the Development Plan (pg. 262) as the “**Castlelands Link to R127**”, and **Objective MT41** of the Development Plan (pg. 261) seeks “to implement the Road Improvement Schemes indicated in Table 7.1”.

The requirement for a **School Site** is identified as a Specific Objective within the Masterplan Site. In addition map-based **Local Objective No.2** (pg. 129, Appendix 6 of Development Plan) seeks to “Promote and facilitate a pedestrian over-bridge as part of an attractive walkway along Tanner’s Water Lane to the proposed coastal path linking to the

*town centre.*” Tanner’s Water Lane defines part of the southern boundary of the Masterplan Site. A **Recorded Monument** is identified to west of the Masterplan Site.

Table 6.1 of the Development Plan (pg. 209) includes provision for **Level 5: Local Shops and Small Villages or ‘LC’ - Local Centre** within Castlelands. The types of services to be provided in local shops are outlined as:

*“Level 5 Centres should meet the basic day to day needs of surrounding residents, whether as a rural foci points close to other community facilities such as the local primary schools, post office and GAA club or as a terrace of shops within a suburb. Expected are a maximum of one or two small convenience stores, newsagents, and potentially other supporting services.”*

There is an existing local centre to the west of the Masterplan lands. Additional small scale local retail facilities will be facilitated within the Masterplan Site.

Sheet 14 (Green Infrastructure 1) of the Development Plan indicates that the Masterplan Site are located within a **‘Highly Sensitive Landscape’**.

Sheet 15 (Green Infrastructure 2) of the Development Plan indicates the presence of **Annex 1 Habitat** on the coastal edge east of the Masterplan Site and the location of a **Fingal Rare Flora Site** on coastal lands southeast of the Masterplan Site. These locations are outside of the Masterplan Site. Lands to the south of the Masterplan Site are identified as a **Nature Development Area**.

Sheet 16 (Green Infrastructure 3) does not recorded the presence of any river or stream and does not indicate any **flooding** on the Masterplan Site. Nevertheless the Masterplan Site have been subject to a separate Strategic Flood Risk Assessment (SFRA) (see Section 4 below).

In summary, and notwithstanding the requirement for a Masterplan, the lands have been zoned for residential and associated open space use in Fingal Development Plan. While located within a highly sensitive landscape, the lands are not otherwise identified as being of specific natural significance. A new school site and local retail / shops are to be provided on the Site. In addition, the Development Plan already includes for a new link road objective across the Site.

## 4 Draft Castlelands Masterplan

### 4.1 Vision for Draft Masterplan

The Vision for the Castlelands Masterplan is *“to promote the development of a distinctive quality new residential quarter within Balbriggan, through the development of a sustainable residential community comprising a choice of high quality new homes with a mix of dwelling types, size and tenure; appropriate local, community, recreational and educational facilities for both existing and future residents; the integration of existing and new open space areas and recreational amenities, all within an identifiable and accessible environment which promotes sustainable development based around strong public transport and walking and cycling links.”*

### 4.2 Key Principles for Delivery of Draft Castlelands Masterplan

In order to achieve this Vision, the Draft Castlelands Masterplan will be underpinned by the following key principles:

- Create a distinct, sustainable urban quarter through the use of innovative, high-quality architecture and green infrastructure, with a strong emphasis on place-making, together with the necessary supporting community, educational and retail facilities.
- Deliver a mix of residential typologies that matches the needs of future residents, provides a variety of housing suitable for people at a range of life stages and helps diversify the housing stock in Balbriggan.
- Ensure that the provision of green infrastructure is at the heart of the design and layout of development on the lands and that proposals connect to and enhance existing green infrastructure assets both internal and external to the site.
- Facilitate the provision of a national school on the Masterplan lands to address the identified requirement for additional primary level spaces.
- Meet the sporting and recreational needs, and ensure that the wider area benefits from the development of the lands through the provision of a leisure centre / swimming pool on the Masterplan lands.
- Provide for the construction of the Castlelands Link Road to the R127, which will be designed as a high capacity urban street with a strong emphasis on connectivity and the promotion of place. The link road will include a bridge crossing of the Dublin to Belfast Railway line.
- Ensure that the Masterplan lands are highly accessible, and reduce the need to undertake local car-based journeys through the provision of a high quality walking and cycling network and green routes within the Masterplan lands and connecting to the surrounding area.
- Ensure that development is phased to coincide with infrastructural upgrades, specifically the provision of the Castlelands Link Road to the R127, in order to manage the impact of development on the surrounding area and contribute to the efficient movement of vehicles in the locality.
- Ensure that the scale of development is appropriate at the interfaces of existing residential areas, specifically at Pinewood Green Avenue and Pinewood Green Road to the north and Ardgillan/Castleland Park View to the west.
- Incorporate existing features such as trees, hedgerows and sea views, where possible, into future proposals.
- Support the role and function of the Town Centre of Balbriggan and promote the use of sustainable transport options by providing for pedestrian and cyclist connectivity from the Masterplan lands.
- Mitigate flood risk by incorporating SuDS features into new development and take advantage of the opportunities created to ensure that these areas enhance the landscape quality of the area while also increasing visual amenity, opportunities for recreation, and harbouring biodiversity.
- Provide a ‘Higher Density Core’ with buildings overlooking and supervising (1) the linear park which crosses the centre of the Masterplan lands and (2) the Castlelands Link Road.
- Limit the heights of development where appropriate in order to protect existing residential amenities (development adjoining the Ardgillan and Pinewood housing estates).
- Retain the existing vegetation along the southern boundary.

### 4.3 Nature and Extent of Proposed Development within Castlelands Masterplan

The Masterplan Site will provide for the following indicative aspects:

- Up to 1,000 residential units;
- A net density of between 45 – 57 units per hectare (in accordance with DoE Guidance);
- c.4.9ha. or 20% open space;
- Delivery of the Castlelands Link Road to the R127 (an existing objective of Fingal Development Plan);
- A new primary school; and
- Provision of a swimming pool and recreational building.

The Masterplan will provide for the phasing of the required social and physical infrastructure at an early stage in the proposed development of the Site and in advance of the majority of the residential units.

Residential development will be delivered in phases. The full development of the Masterplan Site will likely take place over approximately 10 years.

### 4.4 Preliminary review of the requirement for Appropriate Assessment (AA)

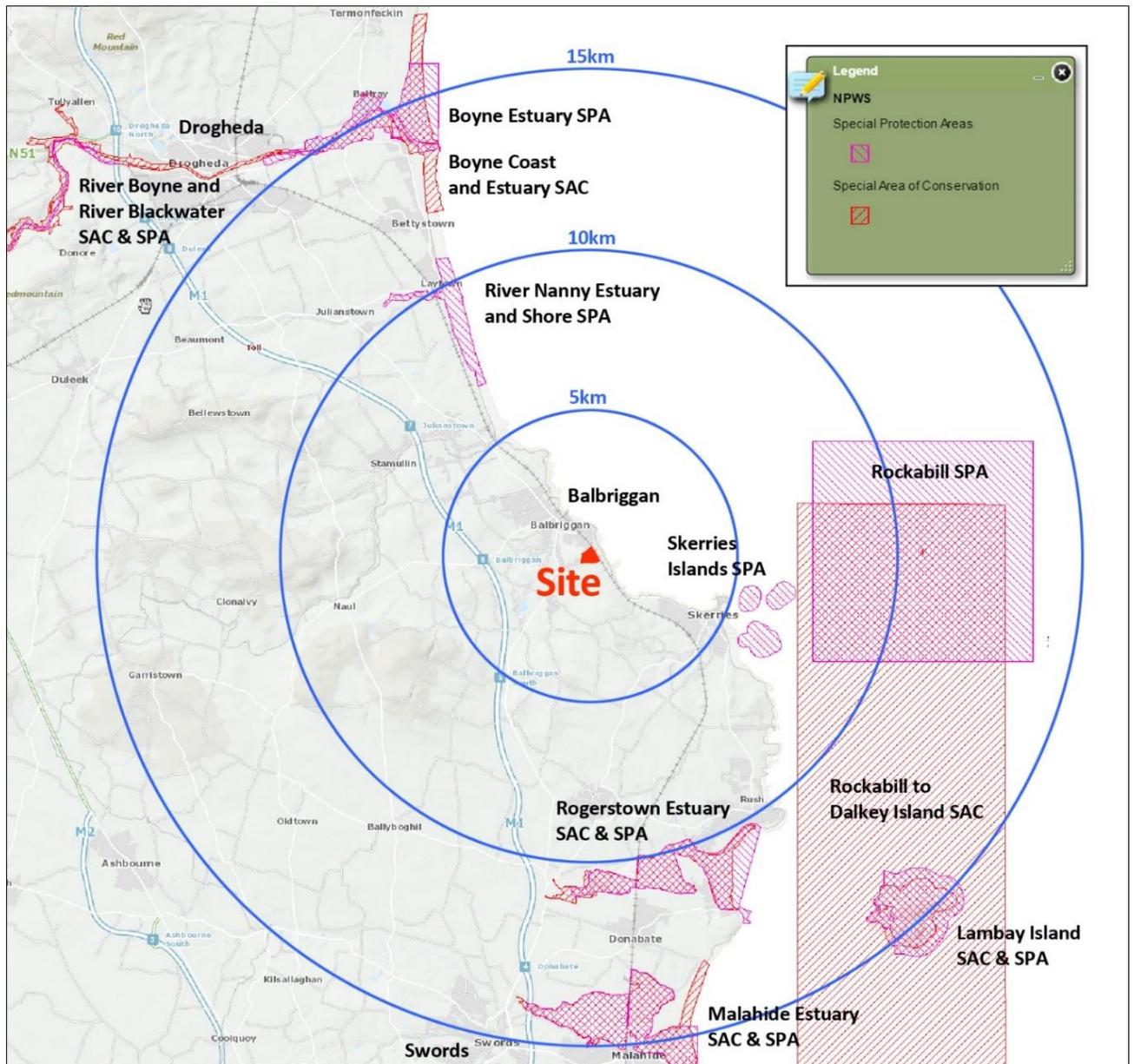
There are 14 European Sites within 15km of the Castlelands Masterplan Site (see Table 4.1 and Figure 4.1 below). The sites include six SACs, the nearest of which is the off-shore Rockabill to Dalkey Island SAC (Code No. 003000). There are eight SPAs, the nearest of which is the off-shore Skerries Islands SPA (Code No. 004122).

There is only one site; the off-shore Skerries Islands SPA, within 5km of the Masterplan Site.

**Table 4.1: European Sites within 15km of the Castlelands Masterplan area**

Site Name	Site Code	Distance (km)*	Direction from Masterplan Site
<b>Special Area of Conservation (SAC)</b>			
Rockabill to Dalkey Island SAC	003000	7km	Southeast
Boyne Coast and Estuary SAC	001957	12km	North
Rogerstown Estuary SAC	000208	10km	South
Malahide Estuary SAC	000205	13km	South
Lambay Island SAC	000204	13km	Southeast
River Boyne and River Blackwater SAC	002299	15km+	Northwest
<b>Special Protection Area (SPA)</b>			
Skerries Islands SPA	004122	5km	Southeast
River Nanny Estuary and Shore SPA	004158	7km	North
Rockabill SPA	004014	7km	Southeast
Rogerstown Estuary SPA	004015	10km	South
Malahide Estuary SPA	004025	13km	South
Lambay Island SPA	004069	13km	Southeast
Boyne Estuary SPA	004080	14km	North
River Boyne and River Blackwater SPA	004232	15km+	Northwest

Figure 4.1: European Sites (SACs & SPAs) within 15km of Castlelands Masterplan



In addition to the European Sites, Sheet 15 (Green Infrastructure 2) of the Fingal Development Plan indicates the presence of Annex 1 Habitat on the coastal edge, c.200m east of the Masterplan Site, and the location of a Fingal Rare Flora Site on coastal lands southeast of the Masterplan Site.

Despite the number of European sites within 15km of the Site, the Screening for AA has demonstrated that the Draft Masterplan will have no direct effect on European Sites or Annex 1 habitats. Likewise, given the location of the European Sites, there is no potential for a link between the source (the Masterplan proposals), the pathway (*i.e.* via air or water), to the receptors (European Site(s)), therefore **no potential for an indirect effect** to arise.

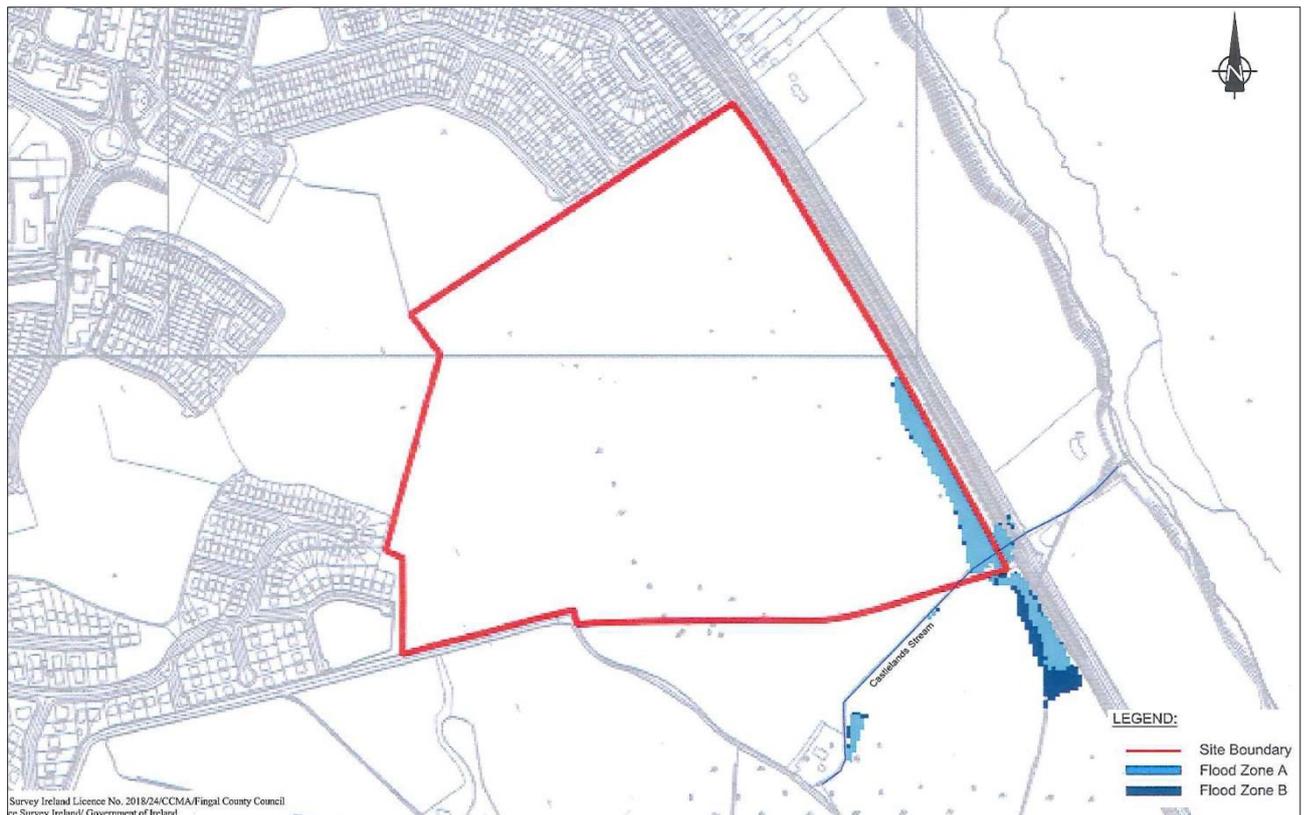
Following a review of the emerging objectives of Draft Masterplan against the Conservation Objectives of the relevant European Sites, it was concluded that there is no possibility that the implementation of the Draft Plan could result in any likely significant effects on European Sites on its own or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

Therefore, a SEA is **not required for the Draft Plan** because of a requirement for Appropriate Assessment (AA).

## 4.5 Strategic Flood Risk Assessment (SFRA)

A Surface Water Management Plan and Strategic Flood Risk Assessment (SFRA) was prepared for the Masterplan Site by Arup. The findings of the SFRA indicated potential for some limited flooding in the low-lying south-eastern corner of the Masterplan Site and adjoining lands (see Figure 4.2 below). Given the nature of the topography, the extent of Flood Zone A and Flood Zone B do not differ significantly. Development is to be excluded from the identified flood zones and provision of appropriate stormwater drainage systems will mitigate the flood risk within the Site.

Figure 4.2: Flood Zone Mapping for Castlelands Masterplan (source SWMP<sup>6</sup>, Arup)



## 4.6 Cultural Heritage - Archaeology

An archaeological test-excavation was undertaken at the Masterplan Site. A total of 40 test-trenches (c. 6km) were excavated under archaeological supervision with the test-trench layout primarily focussing on geophysical anomalies identified in a survey, (Licence no. 18R0210), with others to assess the archaeological potential of the general area.

Four archaeological sites of burnt mound / fulacht fia class were identified. These types of features / sites are common in the Irish landscape and generally date from the Bronze Age (c. 2200-800 BC) and while their functions may vary are principally considered to have been used for cooking.

It is recommended that the identified archaeological features be subject to full archaeological excavation in advance of construction under licence to the Department of Culture, Heritage and the Gaeltacht (DCHG) in consultation with the National Museum of Ireland (NMI). It is further recommended that the topsoil stripping of the remainder of the wider site be subject to archaeological monitoring licensed under the National Monuments Acts.

<sup>6</sup> Surface Water Management Plan. March 2019

## 5 Screening for Requirement for Strategic Environmental Assessment (SEA)

The Screening for the requirement for SEA has been conducted in accordance with the criteria set out in Schedule 1 of S.I. No. 435 of 2004 - European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, as amended by S.I. No. 200 of 2011 - European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011.

The criteria are set out under two principal headings, and each is addressed in turn in Tables 5.1 and Table 5.2 below respectively:

- Characteristics of a Plan; and
- Characteristics of the effects and of the area likely to be affected.

**Table 5.1: The Characteristics of the Plan, having regard in particular to:**

5.1.1 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
<p>The land use zoning objectives and activities for the lands are set out in the Fingal Development Plan 2017-2023 and the preparation of a Masterplan is an objective of the Development Plan. While the Draft Masterplan includes for the Castlelands Link to R127 road proposal, this proposal is an existing objective of the Fingal Development Plan (refer Objective MT41 &amp; Table 7.1 Road Schemes).</p> <p>Therefore, the Draft Masterplan outlines potential future arrangements for the Castlelands lands in a manner which is consistent with the established land use zoning objectives for the lands.</p>
5.1.2 The degree to which the plan influences other plans, including those in a hierarchy
<p>The Castlelands Masterplan will be a non-statutory plan that responds directly to a specific objective requiring its preparation as set out in the Fingal Development Plan 2017-2023. The primary purpose of the Draft Plan is to provide further detail and clarity with regard to the intentions of the Planning Authority to give effect to the objectives for the lands. The Masterplan will have no influence on other plans either above or below in a hierarchy.</p> <p>Therefore, the Draft Masterplan outlines potential future arrangements for the Castlelands lands in a manner which is consistent with the land use zoning objectives for the lands as established in the Fingal Development Plan 2017-2023. The Fingal Development Plan 2017-2023 was subject to a full SEA.</p>
5.1.3 The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development
<p>The Castlelands Masterplan will be a non-statutory plan that provides detail and clarity with regard to the existing land use objectives for the lands. The sustainability principles at the core of the Draft Masterplan are informed by the existing policy and key objectives in the current Fingal Development Plan. Therefore, future development will continue to accord with the objectives and policies, including the environmental requirements of the Development Plan.</p>
5.1.4 Environmental problems relevant to the plan or programme
<p>The Draft Masterplan outlines potential future arrangements for the Castlelands lands in a manner which is entirely consistent with the land use zoning objectives for the lands as established in the Fingal Development Plan 2017-2023. The Fingal Development Plan was subject to a full SEA.</p> <p>The Draft Masterplan takes account of the existing requirements of the Fingal Development Plan 2017-2023 to:</p> <ul style="list-style-type: none"> <li>• avoid effects on European Sites -             <ul style="list-style-type: none"> <li>○ The Draft Plan has been subject to Screening for the requirement for AA;</li> </ul> </li> </ul>

## Draft Castlelands Masterplan

### Screening for Requirement for Strategic Environmental Assessment (SEA)

<ul style="list-style-type: none"> <li>• avoid giving rise to adverse flooding effects, or effects on existing flood patterns -             <ul style="list-style-type: none"> <li>◦ The Draft Plan has been subject to a SFRA;</li> </ul> </li> <li>• provide for sustainable surface water management practices -             <ul style="list-style-type: none"> <li>◦ A Surface Water Management Plan has been prepared to inform the Draft Masterplan;</li> </ul> </li> <li>• ensure adequacy of critical infrastructure including, wastewater treatment, potable water supply, sustainable transport options; and</li> <li>• provide for sustainable development, in terms of meeting the needs for balanced population growth, enhanced biodiversity, promotion of green infrastructure, positive climate action and protection of heritage.</li> </ul>
<p><b>5.1.5 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)</b></p>
<p>The Masterplan will be a non-statutory plan which outlines potential development arrangements for the Castlelands lands in a manner which is entirely consistent with the land use zoning objectives for the lands as established in the Fingal Development Plan 2017-2023. Therefore, the Draft Masterplan includes for the implementation of European environmental legislation as already set out in the Fingal Development Plan 2017-2023, or where otherwise required or updated since the adoption of the Fingal Development Plan.</p>

**Table 5.2: Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:**

<p><b>5.2.1 The probability, duration, frequency and reversibility of the effects</b></p>
<p>Typical effects in keeping with the development of the lands for primarily residential use, as zoned in the Fingal Development Plan 2017-2023, are likely to arise. These are likely to be short duration and recurring with each phase of proposed development. As typical for residential and associated development of lands effects will be permanent, but equally not likely to be significant or adverse in nature.</p> <p>The Draft Castlelands Masterplan Site will provide for circa 20% open space as well as up to 1000 residential units at circa 45-57 units per hectare. Other uses include a community building, small-scale retail opportunities and provision for a primary school site. The lands are zoned for the proposed uses in the Fingal Development Plan 2017-2023 and similar uses are located on lands to the west and north of the Site.</p>
<p><b>5.2.2 The cumulative nature of the effects</b></p>
<p>The Draft Castlelands Masterplan forms part of the overall balanced development strategy of Fingal County Council as set out in the Fingal Development Plan 2017-2023. The Fingal Development Plan, which included the land use objectives for the lands, was subject to SEA and the Draft Masterplan is consistent with the policies and objectives of the overarching county-wide policy.</p> <p>Given the location of the Masterplan lands adjoining the developed southern edge of Balbriggan, and the land use objectives as established from the Fingal Development Plan, the Draft Masterplan will not give rise to significant cumulative effects on the environment.</p>
<p><b>5.2.3 The trans-boundary nature of the effects</b></p>
<p>The implementation of the Draft Castlelands Masterplan will have no international, national, regional or inter-county trans-boundary effects.</p>
<p><b>5.2.4 The risks to human health or the environment (e.g. due to accidents)</b></p>
<p>The Masterplan lands are zoned for residential and open space use in the Fingal Development Plan 2017-2023, and the Draft Castlelands Masterplan outlines potential development arrangements for the lands in a manner which is consistent with the Fingal Development Plan.</p>

<p>Proposed uses are primarily residential, with associated small-scale retail opportunities, provision for a school site, and provision of major areas of open space for development structure, amenity and surface water management. No unusual or particular risks that may not be appropriately mitigated by standard planning and development provisions (<i>e.g.</i> planning conditions) have been identified.</p> <p>No significant risks to human health or to the environment due to accidents or other considerations in the implementation of the Draft Masterplan have been identified.</p>
<p><b>5.2.5 The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</b></p>
<p>The Draft Castlelands Masterplan Site will provide for circa 20% open space as well as up to 1000 residential units at circa 45-57 units per hectare. Other uses include a community building, small-scale retail opportunities and provision for a primary school site. The lands are zoned for the proposed uses in the Fingal Development Plan 2017-2023 and similar uses are located on lands to the west and north of the Site.</p> <p>The Masterplan Site, which extends to circa 24.2 hectares is small in the geographical context of Balbriggan town, and being located on the southern edge of the existing town, the population likely to be affected is also small.</p>
<p><b>5.2.6 The value and vulnerability of the area likely to be affected due to:</b></p>
<p><b>(a) special natural characteristics or cultural heritage</b></p>
<p>The Masterplan Site is zoned for residential and open space use in the Fingal Development Plan 2017-2023.</p> <p>While the Masterplan lands have an attractive landscape setting with coastal views to the east and woodlands to the south, they do not hold special natural characteristics of cultural heritage so as to be considered valuable or vulnerable. A programme of archaeological testing identified 4no. burnt mound/fulacht fia sites, features which are commonplace in the Irish landscape. The identified features will subject to full archaeological excavation in advance of construction under licence to the Department of Culture, Heritage and the Gaeltacht (DCHG) in consultation with the National Museum of Ireland (NMI). It is proposed that topsoil stripping of the remainder of the wider site will also be subject to archaeological monitoring licensed under the National Monuments Acts.</p> <p>The nearest European Site is the offshore Skerries Islands SPA, which is c.5km from the Masterplan Site. A Screening for the requirement for AA concluded that there is no possibility that the implementation of the Draft Plan could result in any likely significant effects on European Sites either on its own or in combination with other plans and programmes.</p> <p>The Draft Masterplan will have no adverse effect on a Recorded Monument (SMR No. DU005-075) – an enclosure site – located over 100m to the west of the Masterplan lands, or on Protected Structures located at greater distances in the wider environment of Balbriggan.</p>
<p><b>(b) exceeded environmental quality standards or limit values</b></p>
<p>It is not anticipated that any environmental quality standards or limit values will be exceeded.</p>
<p><b>(c) intensive land-use</b></p>
<p>The Masterplan lands are already zoned for residential and open space use in the Fingal Development Plan 2017-2023, and the Draft Castlelands Masterplan outlines potential development arrangements for the lands in a manner which is both consistent with the Fingal Development Plan and with the established land use of adjoining residential areas to the north and west.</p>

At circa 45-57 units/per hectare, the proposed uses are not considered to be within anticipated intensities and proposed residential and residential-related development is to be delivered over a number of manageable phases.

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

There are no protected landscapes of a recognised national, European or international status on or adjoining the masterplan lands and the Draft Castlelands Masterplan will not have an adverse impact on protected landscapes.

The nearest European Site is the offshore Skerries Islands SPA, which is c.5km from the Masterplan Site. A Screening for the requirement for AA concluded that there is no possibility that the implementation of the Draft Plan could result in any likely significant effects on European Sites either on its own or in combination with other plans and programmes.

The Draft Masterplan will have no adverse effect on a Recorded Monument (SMR No. DU005-075) – an enclosure site – located over 100m to the west of the Masterplan Site, or on Protected Structures located at greater distances in the wider environment of Balbriggan.

The Masterplan Site, together with the entirety of the coastal landscape of Fingal, is identified as a highly sensitive landscape at County level (see Sheet 14 of the Development Plan 2017-2023). The designation includes developed (e.g. all of Balbriggan Town), zoned (e.g. the Masterplan Site) and undeveloped landscapes (e.g. general rural / agricultural) landscapes. The Masterplan will not have an adverse impact on the designation.

## 6 Recommendation on requirement for SEA

Following detailed review and assessment it is considered that the Draft Castlelands Masterplan **will not result in significant adverse environmental effects and therefore, does not require further assessment of the likely effect on the environment of the implementation of the Draft Masterplan through SEA.**

This assessment is derived from consideration of the following factors:

- The Masterplan is a non-statutory plan, which lies below the Fingal Development Plan in hierarchy;
- The lands are already zoned for the residential and open space use in Fingal Development Plan 2017-2023 and the Development Plan was subject to full SEA;
- The existing protective objectives and policies of the Fingal Development Plan 2017-2023;
- The Draft Castlelands Masterplan does not require AA;
- The minimal nature of any likely adverse environmental effects arising from the Draft Castlelands Masterplan; and
- Consultation with Environmental Authorities.

## 7 References

### 7.1 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.*

### 7.2 National and Regional

*European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435/2004).*

*Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004).*

*European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (S.I. No. 200/2011).*

*Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2004 (S.I. 201/2011).*

*Planning and Development Act 2000, as amended.*

*Planning and Development Regulations 2001, as amended.*

*Project Ireland 2040 National Planning Framework, Department of Housing, Planning and Local Government, 2018.*

*Draft Regional Spatial and Economic Strategy for the Eastern and Midland Region, Eastern & Midland Regional Assembly, 2018.*

### 7.3 County

*Fingal Development Plan 2017-2023. Fingal County Council, 2017.*

*Strategic Environmental Assessment SEA Statement for the County Development Plan 2017-2023. Fingal County Council, 2017.*

### 7.4 Guidelines

*Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment Guidelines for Regional Authorities and Planning Authorities. Environmental Protection Agency, 2004.*

*Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment. Environment Directorate-General of the European Commission, 2003.*

*Integrated Biodiversity Impact Assessment - Streamlining AA, SEA and EIA Processes - Practitioner's Manual. Environmental Protection Agency (EPA), 2013.*

*Ireland's Environment - An Assessment 2016, EPA, 2016.*

*SEA Pack. EPA, 2018.*

*SEA of Local Authority Land Use Plans (V1.2) - EPA Recommendations and Resources. EPA 2018.*

*SEA Process Checklist - Consultation Draft. EPA, 2008.*

*SEA Spatial Information Sources Inventory, EPA, 2019*

*SEA Resource Manual for Local and Regional Planning Authorities. Environmental Protection Agency, 2008.*

## Draft Castlelands Masterplan

### Screening for Requirement for Strategic Environmental Assessment (SEA)

*Synthesis Report on Developing a Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland.* Environmental Protection Agency, 2003.

*The Planning System and Flood Risk Management Guidelines for Planning Authorities.* Department of Environment, Heritage and Local Government, 2009.

## 7.5 Other

*Archaeological Test Excavation: Hampton Demesne, Castlelands, Balbriggan, Co. Dublin.* Archer Heritage for Fingal County Council, 2018.

*Castlelands Surface Water Management Plan.* Arup for Fingal County Council, 2019.

## Appendix 1: Observations / Submissions from Environmental Authorities

Ms Yolanda McMahon  
Executive Planner  
Planning and Strategic Infrastructure Department  
Fingal County Council

10<sup>th</sup> April 2019

Our Ref: 190305

**Re. SEA Screening for Castlelands Masterplan, Balbriggan, Co Dublin**

Dear Ms McMahon,

We acknowledge your notice, dated 21st March 2019, in relation to the Castlelands Masterplan, Balbriggan, Co Dublin (the 'Plan') and associated Strategic Environmental Assessment (SEA) screening.

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. We suggest that you take this guidance document into account and incorporate the relevant recommendations as relevant and appropriate to the Plan.

**Proposed SEA Determination**

We note your proposed determination regarding the need for SEA 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. Adequate and appropriate critical service infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the Plan.

In considering the Plan, Fingal County Council should take into account the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.

Fingal County Council should also ensure that the Plan is consistent with key relevant higher-level plans and programmes.

### **State of the Environment Report – Ireland’s Environment 2016**

In preparing the Plan, 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](http://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](http://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)

### **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](mailto:sea@epa.ie).

Yours sincerely,

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

---

David Galvin  
SEA Section  
Office of Evidence and Assessment