



# **Fingal Development Plan 2011-2017**

## **Proposed Variation**

### **Lands at St. Ita's, Portrane**

### **SEA Environmental Report**

**January 2014**





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# 1 NON-TECHNICAL SUMMARY

## INTRODUCTION

This Environmental Report has been prepared in accordance with national and EU legislation as part of the Strategic Environmental Assessment (SEA) of the draft Variation to the Fingal Development Plan 2011-2017.

SEA is a systematic method of considering the likely significant environmental effects of a Plan or Programme by integrating environmental factors into the development of the Plan and related decision-making. The purpose of this Environmental Report is to: a) inform the development of the draft Variation; b) identify describe and evaluate the likely significant environmental effects of the draft Variation and its reasonable alternatives; and c) provide an early opportunity for the statutory authorities and the public to offer views on this Environmental Report and draft Variation through consultation.

## DESCRIPTION OF THE DRAFT VARIATION

Fingal County Council are proposing to vary the Fingal Development Plan 2011-2017 in respect of lands at St. Ita's, Portrane in order to facilitate the long term planning and sustainable development of the St Ita's Hospital complex and demesne [i.e. lands owned by the HSE] into the future. This is to be achieved by supporting the implementation of the objectives laid down in the completed Feasibility Study of St Ita's and with particular regard to the conservation of the historic buildings within the designated ACA at St Ita's.

A feasibility study of St Ita's, has been completed jointly by Fingal County Council and the Health Service Executive (HSE) to determine the optimal future sustainable use of this complex and to consider the development of new modern psychiatric health care and ancillary facilities having regard to the cultural, visual and ecological sensitivities of the site.

The study also prioritises:

- The re-use of existing hospital buildings on the site, many of which are Protected Structures together with their maintenance and management into the future;
- The ongoing maintenance and management of the demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape; and
- The maintenance and provision for an appropriate level of public accessibility through the site.

The Feasibility Study identifies the St Ita's Hospital complex and demesne as a suitable location for the development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital).

It is the objective of Fingal County Council to actively support the implementation of the objectives laid down in this feasibility study including specifically those relating to:

- The development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital) within St. Ita's;
- The reuse of the Protected Structures for appropriate uses together with the ongoing future maintenance and management of these structures;
- The ongoing maintenance and management of the Demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape; and
- The maintenance and provision for an appropriate level of public accessibility through the site.

Arising out of this feasibility study [LO 245], seven amendments are proposed to the CDP in order to support the implementation of the objectives in the feasibility study, objectives which will facilitate the long term planning and sustainable development of the St Ita's Hospital complex and demesne into the future. The seven amendments are outlined below.

## **METHODOLOGY**

This Environmental Report contains the findings of the assessment of the likely significant effects on the environment resulting from implementation of a draft Variation to the Fingal Development Plan in respect of lands at St. Ita's, Portrane. It reflects the requirements of the SEA Directive (2001/42/EC) on the assessment of the effects of certain plans and programmes on the environment and also the transposed regulations in Ireland (S.I. 436/2004), as amended by S.I. 201/2011.

In addition, the Habitats Directive Article 6(3) requires that "*Any plan or project not directly connected with or necessary to the conservation of a site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.*" In recognition of this, Appropriate Assessment Screening has been carried out in parallel with the SEA process, and where relevant the outcomes of the AA have been taken into account during the SEA process. The results of the assessment are included in a separate document, known as Screening for Appropriate Assessment, which is also available for public review.

Based on the requirements of the legislation and guidance, the following information is provided in the Environmental Report.

**Requirement of SEA Objective and Relevant Section of Environmental Report**

| <b>Requirement of SEA Directive (Article 5(1), Annex 1)</b>   | <b>Section of Environmental Report</b>  |
|---|---|
| An outline of the contents and main objectives of the plan and relationship with other relevant plans;  | Chapter 3: Description of the draft Variation and Chapter 5 Relationship to Other Plans and Programmes.       |
| The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan  | Chapter 6: Baseline Environment   |
| The environmental characteristics of areas likely to be significantly affected  | Chapter 6: Baseline Environment.  |
| Any existing environmental problems which are relevant to the plan including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to the Birds Directive or Habitats Directive;  | Chapter 6: Baseline Environment.  |
| The environmental protection objectives, established at international, European Union or national level, which are relevant to the plan and the way those objectives and any environmental considerations have been taken into account during its preparation;  | Chapter 5 Relationship to Other Plans and Programmes.   |
| The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors; | Chapter 7: Strategic Objectives, Targets and Indicators and Chapter 8: Alternatives and Chapter 9 Assessment. |
| The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan;  | Chapter 10: Mitigation and Monitoring   |
| An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information;  | Chapter 4 Methodology; Chapter 8: Alternatives  |
| A description of the measures envisaged concerning monitoring of the significant environmental effects of implementation of the plan;   | Chapter 10: Mitigation and Monitoring   |
| A non-technical summary of the information provided under the above headings."  | Chapter 1: Non-Technical Summary  |



## RELATIONSHIP TO OTHER PLANS AND PROGRAMMES

A review of plans, policies and programmes relevant to the draft Variation was carried out. The review focussed primarily on International, National, European and national plans and programmes. The findings of the review helped define the objectives for the SEA and informed the assessment of alternatives. Some of the key plans, programmes and policies include:

- The Water Framework Directive (2000/60/EC);
- The EU Habitats Directive (92/43/EEC);
- The Urban Wastewater Treatment Directive (91/271/EEC amended by Directive 98/15/EEC);
- The EU Floods Directive (2007/60/EC);
- Drinking Water Directive (80/778/EEC) as amended by Directive 98/83/EC);
- National Development Plan (2007-2013);
- National Spatial Strategy (2002-2020);
- The National Biodiversity Plan;
- Regional Planning Guidelines for the Greater Dublin Area (2010-2022);
- The Eastern River Basin Management Plan and the South Eastern RBMP;
- Fingal County Development Plan (2011-2017); and
- Fingal Biodiversity Action Plan 2010-2015.

## THE BASELINE ENVIRONMENT

As this SEA deals with a draft Variation to the Fingal Development Plan 2011-2017, in respect of lands at St. Ita's, Portrane, the baseline has been described at an appropriate local level.

According to recent EPA publications (EPA, 2012), Ireland's natural environment, although under increasing pressure, generally remains of good quality and represents one of the country's most essential national assets. The fifth EPA State of the Environment Report (2012) identified four priority challenges for the environment, which if addressed successfully, should benefit the present and future quality of Ireland's environment. These comprise: Value and Protecting our Natural Environment; Building a Resource-Efficient, Low Carbon Economy; Implementing Environmental Legislation; and Putting the

Environment at the Centre of Our Decision Making. All of these are relevant to the draft Variation. Existing environmental features of the area, including pressures are outlined below.

### Existing Environmental Pressures

| Issue Area                    | Baseline and Existing Environmental Pressures  |
|-------------------------------|--|
| Flora, Fauna and Biodiversity | <p>The lands at St. Ita's Hospital are located close to the coastline of the Donabate peninsula. There are a number of EU and national sites designated for biodiversity along the coast which are in proximity to Portrane Demesne and the lands at St. Ita's. To the north, there is Rogerstown Estuary SAC, SPA and pNHA (all approximately 650m away). To the south there is Malahide Estuary SAC and pNHA (both approximately 1km away) and Malahide Estuary SPA (approximately 2km away). Also of note in the area is Portrane Shore pNHA, (approximately 670m away), Rockabill to Dalkey Island SAC (approximately 3km away) and Lambay Island SAC and SPA (approximately 5.5km away).</p> <p>In addition, part of the lands have also been identified in the Fingal Development Plan as a Nature Development Area and are considered reservoirs of biodiversity in the wider countryside and together with the corridors and stepping stones allow species to move through the landscape.</p> <p>Of particular note at the lands is the presence of considerable bat activity within the woodlands on the site. Several species of bats have been recorded within the 10km square (O25) in which the site is located. A survey of part of the hospital grounds confirmed 4 roosts.</p> |
| Population and Land Use       | <p>The main settlements of note in the area are Portrane and Donabate. The population of Portrane is following a decreasing trend in population of 11.2% between 2002 and 2006 with a further similar decrease between 2006 and 2011. The population of Portrane as recorded in the census of 2011 was 1,372. In contrast the population of Donabate has increased by 43% between 2002 and 2006 and a further 23.3% up to 2011. The population of Donabate in the 2011 census was 6,778.</p> <p>The main pressure on this area is the need to ensure that there is sufficient capacity in terms of infrastructure and services to cater for proposed development while maintaining the rural character of the area. Changes in land use patterns and density present significant pressures for a variety of environmental aspects, and this in turn will potentially affect the local community. In particular, adequate and appropriate wastewater treatment, water supply, surface and storm water drainage, transport and waste management will need to be planned and phased to service any proposed development.</p>  |
| Water                         | <p>There is no surface water feature within the subject lands however, there are two</p>   |

| Issue Area | Baseline and Existing Environmental Pressures   |
|------------|---|
|            | <p>first order streams located at the northern boundary of the draft Variation lands and to the southern boundary. This is of significance as these waters eventually discharge along the Fingal coast, much of which is designated under the EU Habitats and Birds Directives. The lands at St. Ita's fall within the Eastern River Basin District. A management plan and programme of measures for the ERBD are therefore relevant to any proposals for the area.</p> <p>In order to reduce surface water run-off, protect water quality and to minimise the risk of flooding, any future development at St. Ita's will be required to be developed in accordance with SUDS principles and in compliance with the 'Greater Dublin Strategic Drainage Study'.</p> <p>The status of the groundwater bodies underlying St. Ita's, based on the chemical and quantitative status of the groundwater body, has been determined under the WFD as being of good status.</p> <p>St. Ita's is not located on a main river system, and has no water bodies flowing through it. According to the OPW flood maps, no historical flooding has occurred within the draft Variation area.</p> <p>The pressures which have been identified by the ERBD in the characterisation of the water bodies within and surrounding the draft Variation area include the following:</p> <ul style="list-style-type: none"> <li>• Diffuse source pressures, such as shown in the EPA diffuse sources model; and</li> <li>• Morphological pressures, including intensive land use and built structures</li> </ul> |

| Issue Area        | Baseline and Existing Environmental Pressures   |
|-------------------|---|
| Material Assets   | <p>According to Fingal County Council, Fingal has adequate water supply to meet projected demands during the Plan period (2011-2017). The Council runs two water treatment plants at Leixlip and Bog of the Rings. The primary source of Fingal's water is the Leixlip Treatment plant on the River Liffey. The other treatment plant is the Bog of the Ring plant, which produces 4 megalitres a day.</p> <p>Lands within Portrane are connected to the waste water treatment plant at Portrane, which is situated to the south-west of St. Ita's Hospital complex. The new Waste Water Treatment Plant at Portrane was completed in 2012, and is now operational and will cater for a population of approximately 65,000. There is sufficient wastewater capacity to accommodate additional future demands within St. Ita's.</p> <p>The existing access road to St. Ita's is the Regional Road R126, and Portrane Avenue. Public transport options to the lands are limited and include a train station at Donabate, and three Dublin Bus services: the 33b linking Swords to Portrane, the 33d linking Dublin city to Portrane and the 41n linking Dublin City to Swords Manor via Portrane.</p> <p>There are no over or underground high voltage cables (110kV and 220kV) crossing the land at St. Ita's, however, there are low voltage (20kV) cables which cross the land.</p> <p>There are a number of beaches listed in the area including at Portrane (Brook Beach), Rush (South Beach) and Donabate (Balcarrick Beach). All are currently recorded in the EPA Splash database as of good quality.</p> |
| Cultural Heritage | <p>10 sites of archaeological significance are recorded in the vicinity of St. Ita's. The archaeological potential of the Portrane Demesne to considered to be high, and includes a number of features of archaeological interest on the Demesne. Archaeological features include a major settlement site which covers the period from the Neolithic to the early Bronze age.</p> <p>The lands of St. Ita's Hospital are located within an Architectural Conservation Area. Many of the structures which make up the existing hospital complex are also designated on the Record of Protected Structures. This includes extensive 19<sup>th</sup> Century mental health hospital complex of around 100 structures including 2 chapels, a round tower and the site of a holy well.</p> <p>Many of the buildings at the complex have fallen into disrepair and as such their long term survival cannot be guaranteed.</p>   |

| Issue Area | Baseline and Existing Environmental Pressures  |
|------------|--|
| Landscape  | <p>St. Ita's is designated as having a 'Coastal' Landscape Character. Fingal's CDP notes that these landscapes have '<i>exceptional landscape value with high landscape sensitivity having regard to the combination of visual, ecological, recreational and historical attributes</i>'. Much of this Coastal Landscape Character is zoned high amenity in the CDP, due to the rich archaeological, architectural, natural heritage and high ecological value. Many building elements within the complex are landmark structures, visible over long distances from the coastline particularly to the south. There are exceptional coastal views from this slightly elevated site</p> <p>Coastal development, both landward and seaward continues to put pressure on the coastal landscape in Fingal.</p> |

In accordance with the SEA Directive, the interrelationship between the SEA environmental topics must be taken into account. The key interrelationships identified in this SEA are set out below. Of particular note is the primary relationship between water quality and biodiversity, flora and fauna and human health. Flora and fauna, rely directly on the aquatic environment as a habitat. Water is also used for leisure and recreational purposes, providing a material asset both for local populations and as a part of the tourism economy.

#### Potential Inter-relationship between SEA Topics

|                       |              |                 |            |             |            |             |
|-----------------------|--------------|-----------------|------------|-------------|------------|-------------|
| Objective 1<br>BFF    | √            |                 |            |             |            |             |
| Objective 2<br>P / HH | √            | √               |            |             |            |             |
| Objective 3<br>W      | √            | √               | √          |             |            |             |
| Objective 4<br>CH     | X            | √               | X          | √           |            |             |
| Objective 5<br>L      | √            | √               | √          | √           | √          |             |
| Objective 6<br>MA     | X            | √               | √          | √           | √          | √           |
|                       | Obj 1<br>BFF | Obj 2<br>P / HH | Obj 3<br>W | Obj 4<br>CH | Obj 5<br>L | Obj 6<br>MA |

Key: √ = Yes X= No,

BFF: Biodiversity, Flora and Fauna; P: Population and Human Health; W: Water; MA: Material Assets; CH: Cultural Heritage; L: Landscape

In the absence of the draft Variation to the current Fingal Development Plan, the operation of the existing hospital complex would continue until such time as the facility was decommissioned. During that time it is likely that the protected structures on the lands would continue to fall into disrepair and without a defined

proposal for the lands further long-term damage to these structures is likely to take place. In the absence of the completed Feasibility Study and the proposed Variation, the optimal future sustainable use of this complex would be uncertain and the development of new modern psychiatric health care and ancillary facilities elsewhere would need to be advanced.

In the absence of the draft Variation, it is likely that in the short-term at least, the flora and fauna using the lands would not be disrupted and there would be no loss of woodland, habitats and associated species. There would be no management of the woodland and no enhancement measures for biodiversity value. There may also be increasing scrub encroachment on the lands as a result of lack of land management.

## SEA OBJECTIVES, TARGETS AND INDICATORS

The Fingal Development Plan 2011-2017 underwent SEA in 2011. As part of that process a series of Objectives, Targets and Indicators (OTI) were developed for assessing environmental effects. Given that this draft Variation is directly related to that CDP it is considered appropriate to use the existing OTI. This is to ensure consistency in assessment. Therefore the SEA Objectives proposed for this SEA of the draft Variation are outlined as follows:

### Selected Objectives for the SEA

| SEA Topic   | SEA Objectives  |
|---|---|
| <b>Objective 1<br/>Biodiversity Flora and Fauna</b> | Protect and where appropriate, enhance biodiversity, particularly protected areas and protected species   |
| <b>Objective 2<br/>Population, Human Health</b>     | Provide high-quality residential, working and recreational environments and sustainable transport   |
| <b>Objective 3<br/>Water</b>                        | Protect and where necessary improve water quality and the management of watercourses and groundwater to comply with the standards of the Water Framework Directive objective and measures and all water, habitat and fisheries based legislation including the Urban Wastewater Treatment Directive, the Freshwater Fish Directive etc. |
| <b>Objective 4<br/>Cultural Heritage</b>            | Protect and, where appropriate, enhance the character, diversity and special qualities of cultural, architectural and archaeological, heritage in Fingal  |
| <b>Objective 5<br/>Landscape</b>                    | Protect and, where appropriate, enhance the character, diversity and special qualities of landscapes in Fingal  |
| <b>Objective 6<br/>Material Assets</b>              | Make best use of existing infrastructure and promote the sustainable development of new infrastructure  |

The overall purpose of Environmental Indicators in the SEA process is to provide a way of measuring the environmental effect of implementing the draft Variation once it is adopted. Environmental Indicators are also used to track the progress in achieving targets which are where possible connected to existing environmental protection targets and / or aspirational targets set proposed by Fingal. The proposed

Indicators have been selected bearing in mind the availability of data and the feasibility of making direct links between any changes in the environment and the implementation of the draft Variation. As with the SEA Objectives, the previous relevant targets and indicators proposed for the SEA of the full Fingal Development Plan have been brought forward to this draft Variation to ensure consistency.

## CONSIDERATION OF ALTERNATIVES

Article 5 of the SEA Directive requires the environmental report to consider ‘reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme’ and the significant effects of the alternatives selected. Alternatives must be realistic and capable of implementation and should present a range of different approaches within the statutory and operational requirements of the variation.

The strategic alternatives below were considered for assessment as part of the SEA process for the draft Variation. The three alternatives are as follows:

1. **Alternative 1:** *Continue existing use of St. Ita’s Hospital complex and demesne for psychiatric health care in line with the long established use of the site and provide for other health care and ancillary HSE uses.*
2. **Alternative 2:** *Develop a new residential community in addition to psychiatric health care facilities.*
3. **Alternative 3:** *Appropriate new uses are provided for. Appropriate uses include but are not restricted to health care uses.*

An assessment was undertaken analysing each Strategic Environmental Objective against the individual Alternatives with the summary of which is provided in the following table.

### Assessment of Draft SEA Objectives and Alternatives

| Alternative Scenarios | Likely to Improve status of SEOs | Neutral interaction with status of SEOs | Potential Conflict with status of SEOs would be mitigated | Probable Conflict with status of SEOs – unlikely to be mitigated |
|-----------------------|----------------------------------|---|---|--|
| Alternative 1         | SEO1, SEO3,                      | SEO2,                                   | SEO1, SEO6, SEO5  | SEO 4  |
| Alternative 2         | SEO1, SEO4;<br>SEO6              | SEO2                                    | SEO1, SEO3,<br>SEO4, SEO5 SEO6                            |  |
| Alternative 3         | SEO1, SEO2,<br>SEO4;             |   | SEO1, SEO3,<br>SEO4, SEO5 SEO6                            |  |

SEO1= Biodiversity, Flora and Fauna; SEO2= Population and Human Health; SEO3= Water; SEO4= Cultural Heritage; SEO5= Landscape; SEO6= Material Assets.

Alternative 3 is generally considered to be the most positive alternative when measured against the SEOs of the Environmental Report. Alternative 3 represents the preferred alternative as proposed under the draft Variation.

## EVALUATION OF DRAFT VARIATION

The purpose of this section of the Environmental Report is to evaluate as far as possible the environmental effects of the draft Variation and to set out measures envisaged to prevent, reduce and as far as possible offset any significant adverse effects on the environment. The elements of the draft Variation have been assessed against the SEA environmental objectives for Biodiversity Flora and Fauna, Population and human Health, Water, Cultural Heritage, Landscape and Material Assets. The approach used for assessing the elements of the draft Variation was a baseline and objectives led assessment using assessment matrices in line with current best practice for SEA of land use plans in Ireland.

For the most part the draft Variation would result in positive impacts for cultural heritage, population and material assets by virtue of its proposed reuse of the St. Ita's hospital complex and associated buildings. This would contribute to the long-term sustainable reuse of the building stock, much of which is protected. Although alternations to these protected structures could impact them negatively, it is noted that they are currently in a state of decay and would likely continue to deteriorate without a long term plan for the site.

The proposed Variation provides for the on going maintenance and management of the Demense landscape including the trees and woodland which are an intrinsic part of this unique landscape. Prior to any development at St. Ita's the HSE [1] shall prepare a tree and woodland management programme for all the demesne lands and [2] put in place the necessary resources to implement a phased tree and woodland management programme for all the demesne lands in the HSE's ownership. Any new development will have to ensure the protection of existing trees and woodland. Mitigation measures will be required as well as appropriate replacement planting should any trees or woodland be impacted on.

The potential for negative impacts to biodiversity and landscape, and certain aspects of cultural heritage is recognised in the assessment. The archaeological heritage of the St. Ita's complex has not been fully surveyed, and there is therefore the potential to impact on currently unknown archaeological sites. The site contains mature woodland which has been found to contain bats and other protected ground fauna such as badgers. Implementation of the Variation is likely to result in loss of woodland habitat at the site; loss of bat roosts in woodland trees; loss of connectivity through the site; and loss of foraging areas for bats and badgers. It is also noted that the area is designated as a Nature Development Area in the Fingal CDP and the loss of such habitat in any way has a potential to negatively impact on the spatial framework for biodiversity conservation and management in Fingal. Key issues noted for the assessment include:

- Protection of biodiversity, especially Natura 2000 sites, while facilitating development;
- Protection of the built heritage resource
- Protection of the natural heritage resource
- Promotion of sustainable transport options
- Protection of the sensitive landscape.



## **MITIGATION & MONITORING**

Annex 1 (g) of the SEA Directive requires that the Environmental Report describe the measures envisaged to prevent, reduce and/or offset as fully as possible any significant adverse effects on the environment from implementation of the draft Variation. Recommendations arising from the SEA and AA processes are outlined in the environmental report. A total of 11 mitigation measures have been proposed dealing primarily with potential negative effects on biodiversity, cultural heritage and landscape.

Article 10 of the SEA Directive requires that monitoring be carried out in order to identify at an early stage any unforeseen adverse effects due to implementation of the draft Variation, with the view to taking remedial action where adverse effects are identified through monitoring. Monitoring will be based around the Strategic Environmental Objectives, Indicators and Targets. If adopted, the Variation will fall within the monitoring of the Fingal Development Plan.

## 2 INTRODUCTION

### 2.1 BACKGROUND

Fingal County Council is preparing a draft Variation to their County Development Plan (CDP) 2011-2017 in respect of lands at St. Ita's Hospital, Portrane, Co. Dublin in accordance with Section 13 of the Planning and Development Act 2000 (as amended). It is proposed to vary the CDP through both the written statement and the map based local objectives. See **Chapter 3** for a full description of the draft Variation.

This Environmental Report has been prepared by Fingal County Council as part of the Strategic Environmental Assessment of the draft Variation to the Fingal Development Plan 2011 – 2017, hereafter referred to as the draft Variation, in accordance with national and EU legislation. The purpose of this Environmental Report is to: a) inform the development of the draft Variation; b) identify, describe and evaluate the likely significant effects of the draft Variation and its reasonable alternatives; and c) provide an early opportunity for the statutory authorities and the public to offer views on any aspect of this Environmental Report, through consultation.

The St Ita's Hospital site in Portrane comprises approximately 103 hectares in area, is located on the coastline of the Donabate Peninsula with Rogerstown Estuary to the north and Malahide Estuary to the south. The lands at St. Ita's, Portrane, are zoned 'HA' High Amenity in the Fingal Development Plan 2011 - 2017 (Sheet 7) 'to protect and enhance high amenity areas'. The lands are located within a designated Architectural Conservation Area (ACA). The lands which are the subject of this draft Variation are illustrated in **Figure 2.1**.

### 2.2 FINGAL DEVELOPMENT PLAN 2011-2017

The Fingal Development Plan 2011-2017 provides a blueprint for the development of Fingal for the period 2011 – 2017 with particular reference to the principles of sustainable development, climate change adaptation, social inclusion and high quality design. These four strands permeate the development plan at every level and are considered when framing each variation.

**Sustainable Development** – the concept of sustainable development can be defined as 'development that meets the needs of today without compromising the ability of future generations to meet their own needs'. An important element of the sustainable development thread in the Fingal Development Plan 2011-2017 is the Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA). These assessments are required under legislation and seek to provide for a high level of protection of the environment. The development plan adopts the principle of sustainable development by promoting and encouraging the integration of economic, environmental, social and cultural issues into local policies and programmes.

**Climate Change** – CO<sub>2</sub> emissions from the combustion of fossil fuels is recognised as the greatest contributor to climate change. The effects of climate change include rising sea levels, flooding and

drought. Under the Kyoto Protocol, Ireland's target was to limit emissions to 13% above 1990 levels over the five-year period from 2008 to 2012, within the overall EU target to reduce emissions to 8% in the same timeframe. For the period beyond 2012, the EU Council of Ministers has recently committed to achieving at least a 20% reduction of greenhouse gas emissions by 2020, compared to 1990 levels. The EU Commission's initial proposal for the post 2012 period requires Ireland to deliver by 2020 a 20% reduction in emissions of greenhouse gases.

**Social Inclusion** – Social inclusion affects the well being of individuals, families, social groups and communities. Creating a more socially inclusive society by alleviating social exclusion, poverty and deprivation is a major challenge. Steps towards achieving a more socially inclusive society include the provision of community infrastructure and improving access to information and resources. The development plan seeks to increase social inclusion at both preparation and operational stages of the development plan.

**High Quality Design** – Good design adds quality to the places we live, work and enjoy. Ensuring high quality design adds value to towns, villages and countryside and improves quality of life. The development plan seeks to promote high quality design by encouraging its integration into every aspect of the plan.



**Legend**

- Recreational Beaches
- Proposed Variation Lands

**Client**

Fingal County Council  
Comhairle Contae Fhine Gall

**Project**

**SEA for the Variation at St Ita's**

**Title**

**Subject Lands at St Ita's, Portrane**

Figure 2.1

West Pier Business Campus,  
Dun Laoghaire,  
Co Dublin,  
Ireland.

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| Issue Details    |                             |
|------------------|-----------------------------|
| Drawn By: NA     | Project No. MDE1133         |
| Checked By: KB   | File Ref: MDE1133arc0003D02 |
| Approved By: AG  | Drawing No. Rev:            |
| Date: 09/01/2014 | Arc0003 D02                 |

**NOTE:**

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## 2.3 STRATEGIC ENVIRONMENTAL ASSESSMENT

Strategic Environmental Assessment (SEA) is a process for evaluating, at the earliest appropriate stage, the environmental quality and consequences of Policy, Plan or Programme initiatives. The objective of the SEA process 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 specified plans and programmes with a view to promoting sustainable development. The purpose of SEA is to ensure that the environmental consequences of plans and programmes are assessed both during their preparation and prior to adoption. The SEA process also gives interested parties an opportunity to comment on the environmental impacts of the proposed plan or programme and to be kept informed during the decision making process.

The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive) was transposed into national legislation by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004), as amended by S.I. 200/2011 and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004), as amended by S.I. 201/2011.

The SEA Directive and implementing regulations require that certain Plans and Programmes, prepared by statutory bodies, which are likely to have a significant impact on the environment, be subject to the SEA process. The SEA process is comprised of the following steps:

- **Screening:** Decision on whether SEA is required or not;
- **Scoping:** Consultation with the defined statutory bodies on the scope and level of detail of the environmental assessment, having regard to the level of detail of the draft plan /variation;
- **Environmental Assessment:** An assessment of the likely significant impacts on the environment as a result of the Plan, including consideration of alternatives. The output from this stage of the process is an Environmental Report;
- **Consultation** on the draft Plan and associated Environmental Report; and
- **SEA Statement** identifying how environmental considerations and consultation have been integrated into the Final Plan/Programme.

**Figure 2.2** shows the key steps required to complete the statutory SEA process in accordance with the relevant national legislation.



**Figure 2.2: Overview of SEA Process**

Screening for SEA was carried out in October 2013 and it was concluded that SEA would be required for the draft Variation. Further to this scoping was then undertaken in November and December 2013 with the statutory consultees for SEA in Ireland. Further details of these stages are included in **Chapter 4 Methodology**.

## 2.4 APPROPRIATE ASSESSMENT

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as “The Habitats Directive”, provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/ECC).

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA):

*Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

The Habitats Directive is implemented in Ireland by the European Communities (Natural Habitats) Regulations (SI 94/1997), which has been replaced by European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011). This Birds and Natural Habitats Regulations 2011 consolidate the Natural Habitats Regulations 1997 to 2005 and the Birds and Natural Habitats (Control of Recreational Activities) Regulations 2010.

Appropriate Assessment is generally carried out with reference to four stages as follows:

**Stage 1: Appropriate Assessment Screening/ Test of Significance;**

**Stage 2: Appropriate Assessment;**

**Stage 3: Assessment of Alternative Solutions; and**

**Stage 4: Assessment Where Adverse Impacts Remain.**

In recognition of this, an Appropriate Assessment Screening of Natura 2000 sites potentially impacted by the draft Variation was carried out in parallel with this SEA process. It was determined by the Competent Authority that the draft Variation would not have a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and as such a Stage 2 Appropriate Assessment would not be required. The Screening for Appropriate Assessment is published separately.

### 3 DESCRIPTION OF THE PROPOSED VARIATION

#### 3.1 BACKGROUND TO DRAFT VARIATION

Fingal County Council are proposing to vary the Fingal Development Plan 2011-2017 in respect of lands at St. Ita's, Portrane in order to facilitate the long term planning and sustainable development of the St Ita's Hospital complex and demesne [i.e. lands owned by the HSE] into the future. This is to be achieved by supporting the implementation of the objectives laid down in the completed Feasibility Study of St Ita's and with particular regard to the conservation of the historic buildings within the designated ACA at St Ita's.

LO 245 in the CDP states:

*'Undertake a feasibility study of St Ita's, in conjunction with the Health Service Executive, to determine the optimal future sustainable use of this complex. The study will explore the development of new modern psychiatric health care and ancillary facilities taking cognisance of the cultural, visual and ecological sensitivities of the site. The study will also prioritise the re-use of the existing buildings, including protected structures on site and also maintain and provide for an appropriate level of public accessibility through the site'.*

A feasibility study of St Ita's, has been completed jointly by Fingal County Council and the Health Service Executive (HSE) to determine the optimal future sustainable use of this complex and to consider the development of new modern psychiatric health care and ancillary facilities having regard to the cultural, visual and ecological sensitivities of the site.

The study also prioritises:

- The re-use of existing hospital buildings on the site, many of which are Protected Structures together with their maintenance and management into the future;
- The ongoing maintenance and management of the demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape; and
- The maintenance and provision for an appropriate level of public accessibility through the site.

The Feasibility Study identifies the St Ita's Hospital complex and demesne as a suitable location for the development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital).

It is the objective of Fingal County Council to actively support the implementation of the objectives laid down in this feasibility study including specifically those relating to:



- The development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital) within St. Ita's;
- The reuse of the Protected Structures for appropriate uses together with the ongoing future maintenance and management of these structures;
- The ongoing maintenance and management of the Demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape; and
- The maintenance and provision for an appropriate level of public accessibility through the site.

Arising out of this feasibility study [LO 245], seven amendments are proposed to the CDP in order to support the implementation of the objectives in the feasibility study, objectives which will facilitate the long term planning and sustainable development of the St Ita's Hospital complex and demesne into the future. The seven amendments are outlined below. For clarity the existing wording in the development plan is presented in red followed by the draft Variation text in black.

### **3.1.1 Proposed Change 1 - Page 47 of the Written Statement:**

#### **ST. ITA'S HOSPITAL**

The existing institutional complex is very extensive and accommodates a large number of protected structures and attractive buildings in an extensive demesne type landscape. Building elements within the complex are landmark structures, which are visible over long distances from the coastline particularly to the south. There are exceptional coastal views from this slightly elevated site. It is an exceptional site which, in the event of it no longer being required by the Health Service Executive, could be reused to provide for future housing (conversion of existing structures), amenity and other ancillary needs within the County. There is a need to examine options regarding the optimal re-use and refurbishment of the complex of buildings within the demesne setting, to ensure the future sustainable use of this important and unique resource.

#### **ST. ITA'S HOSPITAL**

*The existing institutional complex is very extensive and accommodates a large number of protected structures and attractive buildings in an extensive demesne type landscape. Building elements within the complex are landmark structures, which are visible over long distances from the coastline particularly to the south. There are exceptional coastal views from this slightly elevated site.*

*The need to examine options regarding the optimal re-use and refurbishment of the complex of Protected Structures within the demesne setting was identified by the Council, to ensure the future sustainable use of this important and unique resource.*

*A feasibility study of St Ita's, has been completed jointly by Fingal County Council and the HSE to determine the optimal future sustainable use of this complex and to consider the development of new modern psychiatric health care and ancillary facilities having regard to the cultural, visual and ecological sensitivities of the site.*

*The Feasibility Study identifies the St ITA's Hospital complex and demesne as a suitable location for the development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital). It also prioritizes the re-use of the existing hospital buildings [many of which are Protected Structures] together with their maintenance and management into the future; the ongoing maintenance and management of existing trees and woodland and the maintenance and provision for an appropriate level of public accessibility through the site.*

*It is the objective of Fingal County Council to actively support the implementation of the objectives laid down in this feasibility study including specifically those relating to:*

- The development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital) within St. Ita's.*
- The reuse of the Protected Structures for appropriate uses together with the ongoing future maintenance and management of these structures ;*
- The ongoing maintenance and management of the Demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape.*
- The maintenance and provision for an appropriate level of public accessibility through the site.*

### **3.1.2 Proposed Change 2 – Local Objective (LO) 245:**

*Undertake a feasibility study of St Ita's, in conjunction with the Health Service Executive, to determine the optimal future sustainable use of this complex. The study will explore the development of new modern psychiatric health care and ancillary facilities taking cognisance of the cultural, visual and ecological sensitivities of the site. The study will also prioritise the re-use of the existing buildings, including protected structures on site and also maintain and provide for an appropriate level of public accessibility through the site.*

#### **Revised LO 245:**

*A feasibility study of St Ita's, has been completed jointly by Fingal County Council and the HSE to determine the optimal future sustainable use of this complex and to consider the development of new modern psychiatric health care and ancillary facilities having regard to the cultural, visual and ecological sensitivities of the site.*

*It is the objective of Fingal County Council to actively support the implementation of the objectives laid down in this feasibility study including specifically those relating to:*

- *The development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital) within the St. Ita's Hospital complex and demesne.*
- *The reuse of the Protected Structures for appropriate uses together with the ongoing future maintenance and management of these structures ;*
- *The ongoing maintenance and management of the Demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape.*
- *The maintenance and provision for an appropriate level of public accessibility through the site.*

### **3.1.3 Proposed Change 3 - New Additional LO 245 [A] (insert on CDP Map no. 7)**

*'To provide specifically for, and support the development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital), within the St Ita's Hospital complex and demesne. The joint Fingal County Council and HSE Feasibility Study for St. Ita's campus has identified St. Ita's Portrane as a suitable location for the development of new modern psychiatric health care and ancillary facilities and in principle the proposed development is considered to be in accordance with the zoning objective for the area.'*

### **3.1.4 Proposed Change 4 - Record of Protected Structures: insert new objective AH 14 A [page 214 CDP] as follows:**

*'Promote the use or reuse of all the Protected Structures at St. Ita's Hospital complex and demesne in Portrane as a priority for Fingal County Council. Notwithstanding the use class 'HA' Zoning matrix , appropriate uses within the Protected Structures and within the ancillary land areas within the complex including uses which also relate to and are consistent with the historic use of the overall historic complex (established prior to the foundation of the Irish State)will be actively promoted and allowed to proceed subject to appropriate consent where such activities will secure viable sustainable re use of the complex into the future and which will provide for the proper conservation and sustainable development of St. Ita's .*

### **3.1.5 Proposed Change 5 - Designed Landscapes – Historic Gardens, Demesnes & Estates: insert new objective AH 24 [A] [page 218 CDP] as follows:**

*A feasibility study of St Ita's, has been completed jointly by Fingal County Council and the HSE to determine the optimal future sustainable use of this complex and to consider the development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital), having regard to the cultural, visual and ecological sensitivities of the site. It is an objective of Fingal County Council to secure the implementation of the objectives laid down in this feasibility study that relate to: the re-use of the existing Protected Structures and historic building stock for appropriate uses together with the ongoing maintenance and management of these*

*structures; the ongoing maintenance and management of existing trees and woodland and the maintenance and provision for an appropriate level of public accessibility through the site.*

### **3.1.6 Proposed Change 6 - Page 272 CDP**

#### **HEALTH CENTRES/SERVICES**

A number of public, voluntary and private agencies are responsible for the provision of healthcare facilities within the County, with the Health Services Executive (HSE) being the primary agency responsible for delivering health and personal social services. While the residents of the County have access to the various hospitals located in the surrounding counties, there are currently three public hospitals within the Fingal area namely, Connolly Hospital in Blanchardstown, and the more specialised facilities of St. Mary's Hospital in Baldoyle and St. Ita's in Portrane.

The Primary Care Strategy published by the Department of Health and Children in 2001, promotes the development of a team-based approach to service provision, which will help to provide a fully integrated primary care service. Consequently, practices wishing to develop their premises are encouraged to provide a 'one stop' primary health and community care service, integrated under one roof. There are obvious benefits in locating such medical/health care facilities in a location close by or adjacent to other community facilities, shops and public transport, such as town, district or neighbourhood centres.

#### *HEALTH CENTRES/ SERVICES*

*A number of public, voluntary and private agencies are responsible for the provision of healthcare facilities within the County, with the Health Services Executive (HSE) being the primary agency responsible for delivering health and personal social services. While the residents of the County have access to the various hospitals located in the surrounding counties, there are currently three public hospitals within the Fingal area namely, Connolly Hospital in Blanchardstown, the National Orthopedic Hospital at Cappagh and St. Ita's in Portrane.*

*This Development Plan provides for the development of new modern psychiatric health care and ancillary facilities, (which can include the provision of a National Forensic Mental Health Service Hospital) within the St. Ita's Hospital complex and demesne in Portrane, taking cognisance of the cultural, visual and ecological sensitivities of the site. The appropriate conservation and viable future re-use of the Protected Structures within the boundary of St. Ita's for appropriate uses is also a priority of Fingal County Council together with the maintenance and provision for an appropriate level of public accessibility through the site.*

*The Primary Care Strategy published by the Department of Health and Children in 2001, promotes the development of a team-based approach to service provision, which will help to provide a fully integrated primary care service. Consequently, practices wishing to develop their premises are encouraged to provide a 'one stop' primary health and community care service, integrated under one roof. There are obvious benefits in locating such medical/health care facilities in a location close by or adjacent to other community facilities, shops and public transport, such as town, district or neighbourhood centres.*

**3.1.7 Proposed Change 7 - Proposed Change to 'HA' Zoning Objective (pages 340-341):  
Additional narrative at bottom of Use Classes table -**

*Nothing in this County Development Plan Zoning Matrix (use classes related to HA Zoning objective) shall disallow proposals for:*

*(i) The building of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital) within the St. Ita's hospital complex and demesne in Portrane on 'HA' zoned lands. The Feasibility Study identifies the St Ita's Hospital complex and demesne as a suitable location for the development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital);*

*(ii) Future renewal, improvement, redevelopment of the established historic building stock within St. Ita's Hospital complex and demesne at Portrane;*

*(iii) Appropriate uses including uses which also relate to and are consistent with the historic use of the complex within the demesne established prior to the foundation of the Irish State;*

*Please refer to LO 245[A] on CDP map no. 7 and Objective AH 14A CDP Written Statement.*

## 4 METHODOLOGY

### 4.1 INTRODUCTION

The SEA Directive requires that certain Plans and Programmes, which are likely to have a significant impact on the environment, be subject to the SEA process. This process has been followed with regard to the draft Variation and is summarised along with a timeline of activities to date in **Table 3.1** with further detail provided in the following sections.

**Table 3.1: Steps of the SEA process**

| SEA Step / Stage         | Purpose  | Status  |
|--------------------------|--|---|
| Screening                | Decision on whether or not an SEA required.  | In terms of provisions of Article 13K of the Regulations (as amended), the planning authority, in this case Fingal County Council has determined that the draft Variation has potential to have significant effects on the environment given the sensitivities of the lands at and surrounding St. Ita's, Portrane. In view of the above it is therefore considered that a Strategic Environmental Assessment is required in respect of the draft Variation of the Fingal Development Plan 2011-2017. Screening was completed in October 2013 |
| Scoping                  | Consultation with the defined statutory bodies on the scope and level of detail to be considered in the assessment.  | A Scoping Report was prepared and sent to the five statutory consultees for SEA in Ireland (as outlined in <b>Section 4.4</b> ) in November 2013. Submissions were received and have been incorporated where relevant into this environmental report. Scoping was completed in December 2013.   |
| Environmental Assessment | Assessment of the likely significant impacts on the environment as a result of the draft Variation and reasonable alternatives culminating in the production of an Environmental Report. | This is the subject of this Environmental Report which was completed in January 2014.   |
| Consultation             | Consultation on the draft Variation and associated Environmental Report.   | Ongoing. Statutory consultation on the draft Variation, SEA Environmental Report and AA Screening will take place in Q1 of 2014.  |
| SEA Statement            | Identification of how environmental considerations and consultation have been integrated into the final Variation culminating in the production of an SEA Statement.                     | To be published with final adopted Variation in Q2 2014.  |

## 4.2 GUIDANCE

The following guidance / methodology documents have been referred to during the SEA process:

- SEA Scoping Guidance, EPA 2011
- SEA Pack, EPA 2013
- SEA Integration Guidance, EPA 2013
- Integrated Biodiversity Impact Assessment, Streamlining AA, SEA and EIA Processes, Best Practice Guidance. EPA (2012).
- GISEA Manual, *Current Practice And Potential On The Application Of Geographic Information Systems As A Support Tool In Strategic Environmental Assessment Of Irish Land Use Plans*. EPA (2009).
- *Implementation of SEA Directive (2001/42/EC). Assessment of Certain Plans and Programmes on the Environment. Guidelines for Regional Planning Authorities*. DEHLG (2004).
- *Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland*. Synthesis Report. EPA (2003).

The Department of the Environment, Community and Local Government have issued a number of relevant circulars in relation to SEA which will have relevance for the environmental assessment of the draft Variation and will be taken into account during the course of the SEA. These circulars are as follows:

- *PSSP 6/2011: 'Further Transposition of the EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA)'*.
- *Circular PL 9 of 2013: 'Article 8 (Decision Making) of EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA) as amended'*.

## 4.3 SEA SCREENING

**Screening** of the draft Variation for SEA was carried out between August and October 2013. It was determined that SEA was required for the draft Variation by virtue of the potential to impact on landscape, cultural heritage, local biodiversity and traffic.

In terms of provisions of Article 13K of the Regulations (as amended), the competent authority has determined that the draft Variation as detailed above has potential to have significant effects on the environment given the sensitivities of the lands at and surrounding St. Ita's, Portrane. In view of the above it was therefore considered that a Strategic Environmental Assessment would be required in respect of the draft Variation of the Fingal Development Plan 2011-2017 with particular reference to:

- Potential to impact on a number of Protected Structures, Recorded Monuments and the ACA associated with St. Ita's Demesne as a result of proposals to reuse existing buildings and facilitate new infrastructure;
- Potential to impact on the trees and woodlands at St. Ita's which are both a defining, essential and integral part of the character of St. Ita's demesne and its landscape character and also provide habitat for bats.
- Potential to impact on preserved views to the north and east of the lands;
- Potential to impact on the spatial framework for biodiversity conservation and management in Fingal through impacts to the *Nature Development Areas* at St. Ita's as identified in the Fingal CDP; and
- Potential to impact on traffic in the Donabate Portrane area.

#### 4.4 SEA SCOPING

Statutory **SEA scoping** for the environmental assessment of the draft Variation was carried out between August and December 2013.

Under Article 13M of the Regulations (as amended), of the regulations the competent authority preparing the Variation is required to consult with specific 'environmental authorities' (statutory consultees) on the scope and level of detail of the information to be included in the Environmental Report. These statutory consultees are established within the national legislation as being:

- Environmental Protection Agency (EPA);
- Minister for Environment, Community and Local Government (DECLG);
- Minister for Communications, Energy and Natural Resources (DCENR);
- Minister for Agriculture, Food and the Marine (DAFM); and
- Minister for Arts, Heritage and the Gaeltacht (DAHG).



The main objective of scoping is to identify key issues of concern that should be addressed in the assessment of the draft Variation and the appropriate level of detail to which they should be considered in the Environmental Report with reference to:

- Current knowledge and methods of assessment,
- The contents and level of detail of the draft Variation,
- The stage of the draft Variation in the decision-making process, and
- The extent to which certain matters are more appropriately assessed at different levels in the decision-making process in order to avoid duplication of environmental assessment.

Although issuing a Scoping Report is not a formal requirement of the SEA Regulations, it is recommended as good practice. As such an SEA Scoping Report was prepared for the draft Variation and this was sent to the defined statutory consultees for comment in November 2013. Submissions were received from the Environmental Protection Agency, Department of Arts, Heritage and the Gaeltacht and the Department of Communications, Energy and Natural Resources, (specifically the Geological Survey of Ireland). A copy of these submissions is included in **Appendix A** to this report. The broad issues raised are highlighted in **Table 3.2** with information on where they have been dealt with in the Environmental Report also presented.

**Table 3.2: Issues Raised by Statutory Consultees**

| Stakeholder | Issue Raised  | Response / Where in Environmental Report?  |
|-------------|---|--|
| EPA         | <p>Availability of scoping process guidance from the EPA website.</p> <p>Protection and where possible the enhancement of designated national and European sites including the Malahide Estuary (SPA/SAC/NHA), Rogerstown Estuary (SAC/SPA/NHA/Nature Reserve), Portraying Shore (NHA)</p> <p>Protection of designated recreational beaches including Rush – South Beach and Portrayed – the Brook Beach.</p> | <p>This document was consulted during the scoping process. (Refer to Section 4.2)</p> <p>This is addressed in Section 6.2 of the Baseline; in the biodiversity, flora and fauna objectives in Chapter 7; in the assessment of the draft Variation in Chapter 9 and in the mitigation presented in Chapter 10. In addition, AA screening was undertaken in relation to the draft Variation.</p> <p>Designated recreational beaches are identified in Section 6.5 of the baseline. It is not anticipated that the draft Variation will not interfere with these beaches. The Fingal DP provides for protection of these beaches in CT28 and CT29 and these objectives will apply equally to the draft Variation.</p> |

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|  | <p>Protection and where possible the enhancement of water quality – Broadmeadow Estuary is designated as a nutrient sensitive estuary under the Water Framework Directive (WFD)</p> <p>Support provision of appropriate ecological buffer zones between Variation area and areas proposed for development.</p> <p>Protection of shellfisheries adjacent to the variation area (Malahide Shellfishery)</p> <p>Protection of existing ecological corridors / linkages including features such as the Portrane Demesne. The Fingal Green Infrastructure Strategy should be incorporated as relevant and appropriate into the preparation of the Variation.</p> <p>Protection of areas of significant landscape character (including coastscape).</p> <p>Traffic Management Considerations should be taken into account and existing traffic management plans be reviewed in the</p> | <p>Water quality is discussed in Section 6.4 of the baseline, in Chapter 9 Assessment and Chapter 10 Mitigation and Monitoring. It is anticipated that there is sufficient water supply and wastewater treatment capacity within the county to service the lands at St. Itas.</p> <p>In order to reduce surface water run-off, protect water quality and to minimise the risk of flooding, any future development at St. Ita's will be required to be developed in accordance with SUDS principles and in compliance with the 'Greater Dublin Strategic Drainage Study'.</p> <p>It is also noted that it is a policy of the Council to ensure an adequate supply of water fit for human consumption, to provide the capacity to treat waste water to appropriate standards, to control and manage surface water, mitigate against flooding and to protect and improve water quality in the County while allowing for sustainable development.</p> <p>The ecological buffer zone identified on sheet 15 of the CDP which lies to the to the north of the lands will not be impacted by the provisions of the draft Variation. Further, mitigation measures have been included in Chapter 10 to ensure the wet grassland [undesigned] directly north of the lands is protected.</p> <p>Designated shellfish waters are discussed in Section 6.2 Baseline. Objective FM02 of the Fingal Development Plan specifically addresses the protection of shellfish waters.</p> <p>The Fingal Green Infrastructure Strategy and associated maps has been referenced during the assessment. Features of note are included in Chapter 6, Baseline and impacts are addressed in Chapter 9, Assessment.</p> <p>Landscape is discussed in Section 6.7 of the Baseline. Impacts to landscape character are discussed in Chapter 9 Assessment.</p> <p>The requirement for a TIA has been included as mitigation for any project proposals for the site. This is included in Chapter 10 Mitigation and</p> |
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|---|---|---|
| <p>DAHG<br/>(Development Applications Unit)</p> | <p>context of adequacy to manage and proposed increase in traffic arising out of the Variation.</p> <p>Potential to impact on the area identified as a Wetland Amenity Zone in the Feasibility Report with particular reference to impacts to Snipe and the SPAs at Rogerstown and Malahide estuaries.</p> <p>Use of the most up to date Conservation Objectives in the Appropriate Assessment Screening.</p> | <p>Monitoring.</p> <p>This area has been identified a low lying wet grassland in Section 6, Baseline. Impacts to the area are discussed in Chapter 9, Assessment and relevant Mitigation is presented in Chapter 10.</p> <p>The appropriate Assessment Screening has been carried out with reference to the most up to date conservation Objectives for all sites within 15km of the subject lands.</p> |
| <p>DCENR<br/>(Geological Survey of Ireland)</p> | <p>Availability of datasets</p> <p>Geological Heritage Sites</p> <p>Notification of geological feature</p>  | <p>These datasets have been referenced as part of the Baseline Description of the Plan area contained in Chapter 5.</p> <p>These datasets have been referenced as part of the Baseline Description of the Plan area contained in Chapter 5.</p> <p>The request to notify the GSI of any relevant features has been included in the mitigation measures listed in Chapter 10.</p>                        |

#### 4.4.1 Defining the Scope

The following table outlines the scope for the Environmental Report.

**Table 3.3: Defining the Scope of the Environmental Report**

|                                  |   |
|----------------------------------|---|
| <p><b>Geographic Scope</b></p>   | <p>The geographical extent of the draft Variation is limited to the functional area of Fingal County Council and the lands of St. Ita's specifically (<b>Figure 2.1</b>). Therefore, the geographical scope of the SEA will, in the main, be focussed on this area, though geographical areas, which are contiguous with the boundary, may be considered depending on the impacts identified for each issue area.</p> |
| <p><b>Temporal Scope</b></p>     | <p>The draft Variation will be incorporated into the existing CDP, which covers the period from 2011 to 2017 and will be reviewed again thereafter.</p>   |
| <p><b>Level of Detail of</b></p> | <p>The draft Variation relates to a defined local area within the county of Fingal and will sit</p>   |

|  |  |
|--|--|
| <b>the Plan</b>                          | within the Fingal Development Plan 2011-2017.  |
| <b>Level of Detail of the Assessment</b> | The assessment will be at a sub county level reflecting the position of the draft Variation in the planning hierarchy.   |
| <b>Assessment Parameters</b>             | Cumulative/synergistic and secondary, permanent and temporary effects will be assessed along with direct and indirect impacts. Short, medium and long-term impacts will also be assessed.  |
| <b>Scoping of the SEA Topics</b>         | <p>The following environmental topics, listed in the SEA Directive and associated regulations have been <u>scoped in</u> for the assessment in this SEA. These are:</p> <ul style="list-style-type: none"> <li>• Biodiversity, Flora and Fauna</li> <li>• Population and human health</li> <li>• Water</li> <li>• Material Assets</li> <li>• Cultural, Architectural and Archaeological Heritage</li> <li>• Landscape</li> </ul> |
| <b>SEA Topics Screened Out</b>           | <p>The following environmental topics, listed in the SEA Directive and associated regulations have been <u>scoped out</u> for the assessment in this SEA. These are:</p> <ul style="list-style-type: none"> <li>• Soil</li> <li>• Air and climatic factors</li> </ul> <p>The SEA Scoping Report outlined the reasons why these two disciplines have not been included within the Environmental Report.</p>                       |

#### 4.4.2 Environmental Report

Based on the legislation and guidance, the Environmental Report must include the information outlined in **Table 3.4**.

**Table 3.4: Key Elements of the Environmental Report**

| <b>Requirement of SEA Directive (Article 5(1), Annex 1)</b>   | <b>Section of Environmental Report</b>  |
|---|---|
| An outline of the contents and main objectives of the plan and relationship with other relevant plans;  | Chapter 3: Description of the draft Variation and Chapter 5 Relationship to Other Plans and Programmes.       |
| The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan  | Chapter 6: Baseline Environment   |
| The environmental characteristics of areas likely to be significantly affected  | Chapter 6: Baseline Environment.  |
| Any existing environmental problems which are relevant to the plan including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to the Birds Directive or Habitats Directive;  | Chapter 6: Baseline Environment.  |
| The environmental protection objectives, established at international, European Union or national level, which are relevant to the plan and the way those objectives and any environmental considerations have been taken into account during its preparation;  | Chapter 5 Relationship to Other Plans and Programmes.   |
| The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors; | Chapter 7: Strategic Objectives, Targets and Indicators and Chapter 8: Alternatives and Chapter 9 Assessment. |
| The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan;  | Chapter 10: Mitigation and Monitoring   |
| An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information;  | Chapter 4 Methodology; Chapter 8: Alternatives  |
| A description of the measures envisaged concerning monitoring of the significant environmental effects of implementation of the plan;   | Chapter 10: Mitigation and Monitoring   |
| A non-technical summary of the information provided under the above headings.”  | Chapter 1: Non-Technical Summary  |

As this is a draft Variation to the existing Fingal CDP 2011-2017, which itself underwent SEA prior to its adoption, it is intended to broadly follow the approach used for the CDP, however having regard to the more local nature of the draft Variation. To that end, the proposed assessment has been predominantly an objectives led assessment using a system of *objectives*, *targets* and *indicators*. The *objectives*, *targets* and *indicators* follows those used in the SEA of the CDP to the greatest extent possible to ensure consistency and to recognise that this variation will be adopted into the existing CDP. Baseline information from the local area has been used where possible in the assessment, particularly with regard to local level information contained in the Feasibility Study carried out jointly by the HSE and Fingal County Council in 2013. It is considered that this type of approach will provide the most robust assessment possible in the context of this draft Variation.

#### **4.4.3 SEA Statement**

The SEA Statement for the draft Variation will be compiled after the statutory consultation on the draft Variation and Environmental Report has been completed.

The main purpose of the SEA Statement will be to provide information on the decision-making process and to document how environmental considerations, i.e. the views of consultees and the recommendations of the Environmental Report, have been taken into account in the adopted Variation. The SEA Statement will illustrate how decisions were taken, making the process more transparent.

### **4.5 DIFFICULTIES AND DATA GAPS**

- Corine landcover data for the year 2006 was the most up to date data available.
- There was no available noise mapping for the subject lands.
- Although granted permission, the Donabate Distributor Road currently remains un-built.

## 5 RELATIONSHIP TO OTHER PLANS AND PROGRAMMES

### 5.1 INTRODUCTION

The objective of the SEA Directive is “to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations in the preparation and adoption of plans and programmes with a view to promoting sustainable development”.

In order to meet the requirements of the Directive in this respect, the environmental assessment must,

*...identify the environmental protection objectives, established at International, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.*

The purpose of this review is to take into consideration the policy and legislative framework within which the draft Variation is being developed. In this regard it is important to note that the draft Variation will be adopted into the Fingal Development Plan 2011-2017 therefore the policy and legislative framework for the draft Variation also reflects the framework of the CDP. Consideration has been given to the key statutory and non-statutory plans, programmes and policies relevant to the draft Variation in order to inform the SEA Strategic Environmental Objectives and Targets (discussed further in **Chapter 7**).

The following section provides an overview of the key planning and environmental policies that are relevant and draft Variation. A full list of policies is presented in **Appendix B**.

### 5.2 PLANNING AND DEVELOPMENT POLICIES

**National Development Plan (2007-2013):** The National Development Plan integrates strategic development frameworks for regional development, for rural communities, for all-island co-operation, and for protection of the environment with common economic and social goals. The National Development Plan together with the National Spatial Strategy and Regional Planning Guidelines must inform the development of Fingal through its County Development Plan and associated core strategy, which in turn informs the draft Variation.

**National Spatial Strategy (2002-2020):** The National Spatial Strategy (NSS) is a 20 year planning framework to guide policies, programmes and investment in the interest of delivering balanced social, economic and physical development and population growth between the regions. The National Spatial Strategy together with the Regional Planning Guidelines must inform the development of Fingal through its County Development Plan and associated core strategy, which in turn informs the draft Variation.

**Regional Planning Guidelines for the Greater Dublin Area (2010-2022):** These Guidelines combine two Regional Authority Areas, the Dublin Regional Authority and the Mid-East Regional Authority. The Regional Planning Guidelines (RPGs) work to implement the strategic planning framework set out in the

National Spatial Strategy (NSS). As part of the planning framework, the Guidelines allocate housing and population targets for the individual counties based on national and regional population targets set by the NSS. The RPGs set out growth targets for Fingal however they do not specifically reference areas at the scale of the draft Variation. The most relevant area mentioned would be Donabate which is classed as a moderate sustainable growth town.

**Greater Dublin Area Draft Transport Strategy 2011-2030:** This strategy outlines a strategic transport plan for the GDA for the next 20 years. The role of the strategy is to establish the essential policies and measures required to support the GDA in meeting its full potential as are outlined in the strategy visions and objectives. With Dublin Airport and the M1 Motorway located within Fingal County, transport is a significant feature of planning for the county. The subject lands are served by the R126 regional road, a number of Dublin Bus routes and a rail link station located at Donabate. It is noted that planning permission exists for a distributor road at Donabate but to date this has not been built. The objectives of the strategy must be taken into account in the draft Variation.

**Fingal County Plan (2011-2017):** This Plan was prepared in accordance with the requirements and provisions of the Planning and Development Act and sets out an overall strategy for the proper planning and sustainable development of Fingal over the period 2011-2017. The overall vision, core strategy, policies and objectives for the County are fully applicable to the draft Variation. Currently the subject lands at St. Ita's, Portrane, are zoned HA High Amenity in the Fingal Development Plan. The stated vision is as follows:

*'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored'.*

### **NTA Greater Dublin Area Cycle Network Plan (2013)**

This document outlines plans to develop an integrated cycle network in the GDA in recognition of government policy which to ensure that a cycling culture is developed in Ireland over the next 5-10 years. The National Cycle Policy Framework which informs this network plan includes for cycle-friendly planning principles be incorporated in all national, regional, local and sub-local plans. This has direct relevance for the Fingal Development Plan and the proposed Variation. Any proposals for the lands at St Ita's must have regard to maintaining and / or enhancing cycling culture generally and practical access to the site and any proposed facilities built thereon.

## **5.3 ENVIRONMENTAL PLANS AND POLICIES**

**Habitats (92/43/EEC) and Birds (2009/147/EC) Directives:** These directives seeks to prevent and eliminate the causes of habitat loss and maintain and enhance current levels of biodiversity. The Habitats Directive requires Ireland and other EU member states to designate key habitats as Special Areas of Conservation (SACs) while the Birds Directive protects bird species through designation of Special Protection Areas (SPAs). Together, these form the Natura 2000 network of sites. The Fingal Development Plan 2011-2017 is proactive in its strategy to protect and enhance these designated areas and to deliver on aspects of biodiversity support such as green linkages. This strategy will also be relevant to the draft Variation. It is noted that although the lands at St. Ita's do not include an SAC or



SPA designation, such EU designations are present in the coastal areas adjacent to the lands. The lands are also home to fauna including bats which are protected under the Habitats Directive.

### **European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011)**

The Habitats Directive is implemented in Ireland by the European Communities (Natural Habitats) Regulations (SI 94/1997), which has been replaced by European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011). This Birds and Natural Habitats Regulations 2011 consolidate the Natural Habitats Regulations 1997 to 2005 and the Birds and Natural Habitats (Control of Recreational Activities) Regulations 2010. This requires that Appropriate Assessment is undertaken for plans and projects with potential to impact on the Natura 2000 network. Given the proximity of St. Ita's to the coastal designations along the Fingal coastline, an Appropriate Assessment screening has been undertaken as part of the assessment of the draft Variation. The Screening for Appropriate Assessment is published separately.

**Water Framework Directive (2000/60/EC):** This Directive seeks to maintain and enhance the quality of all surface water and groundwater in the EU. The Directive is focussed at the River Basin District level to ensure that all potential pathways for pollution can be explored and measures to mitigate negative impacts can be better focussed. There are eight RBD on the island of Ireland and Fingal falls within the eastern RBD. River Basin Management Plans and associated programmes of measures have been developed for the region and must be implemented. The draft Variation must have regard to these measures. The assessment of potential impacts on water quality needs to be considered in the context of the WFD and the River Basin Management Plan and Programme of Measures for the Eastern River Basin District which lays out the objectives for waters within Fingal.

**Groundwater Directive (2006/118/EC):** The Directive seeks to prevent and combat groundwater pollution in the EU. It contains key criteria for the assessment of the chemical status of groundwater, for identifying significant upward trends in groundwater pollution levels and for preventing and limiting indirect discharges of pollutants to groundwater. The formulation of the draft Variation should have regard to these objectives.

**Floods Directive (2007/60/EC) and Associated CFRAMS:** Floods are a natural and inevitable part of life in Ireland. Floods pose a risk to human life and wellbeing, can cause extensive damage to property and have significant consequences for the environment. With the effects of climate change, it is likely that there will be more frequent and severe flooding events in the future. The EU has responded to this with the Floods Directive. This Directive sets a framework for proactive management of flooding and, like the WFD, will see measures being implemented through the development plan process. The first step in this is the development of Catchment Flood Risk Assessment and Management Studies (CFRAMS) which are ongoing through the Office of Public Works (OPW). These studies will identify areas susceptible to flooding and identify measures to reduce or eliminate flooding in key areas.

As a sub-set of the CFRAMS, Fingal County Council together with Meath County Council and the OPW undertook a pilot study in the Fingal East Meath area in recognition of the flood problems being experienced therein. The Fingal East Meath Flood Risk Assessment and Management Study (FEM FRAMS), was a catchment-based flood risk assessment and management study of nineteen rivers and

streams and their catchments, including the Broadmeadow River, the Ward River and their tributaries was being undertaken. This study was completed in 2012.

**Urban Waste Water Directive (91/271/EEC), amended by Directive (98/15/EEC):** The primary objective is to protect the environment from the adverse effects of discharges of urban wastewater, by the provision of urban wastewater collecting systems (sewerage) and treatment plants for urban centres. The Directive also provides general rules for the sustainable disposal of sludge arising from wastewater treatment. With the construction of a new wastewater treatment facility at Portrane to cater for 65,000 PE (completed in 2012) and a new plant proposed for the Greater Dublin Area, over the next decade, capacity is unlikely to be an issue for the development of the draft Variation.

**Drinking Water Directive (80/778/EEC) as amended by (Directive 98/83/EC):** The primary objective is to protect the health of the consumers in the European Union and to make sure drinking water is wholesome and clean. The (Drinking Water) (No. 2) Regulations 2007 (SI No. 278 of 2007) have the following aims:

- To provide for the creation of EPA and local authorities as supervisory authorities;
- To set obligations for water suppliers to provide wholesome and clean drinking water;
- To ensure protection of public health;
- To inform the public; and
- To monitor and carry out remedial action.

The primary source of Fingal's water is Leixlip Treatment Plant on the River Liffey. The draft Variation must have regard to ensuring adequate and clean water is available for all existing and planned developed within area. It is noted that Fingal anticipate adequate water supply to meet projected demands for the full CDP for the qualifying period i.e. 2011-2017 therefore water supply is unlikely to be an issue for the development of the draft Variation

**Surface Water Regulations (2009):** These Regulations have significant implications across a range of existing legislation. They provide for the classification of surface water bodies by the EPA for the purposes of the Water Framework Directive which dictates that water bodies are required to achieve Good Status by 2015. No rivers flow through the lands at St. Ita's therefore surface water is unlikely to be an issue for the development of the draft Variation

**National Sustainable Development Strategy (1997) and Making Ireland's Development Sustainable (2002):** The aim for Ireland outlined in the Sustainable Development Strategy (1997) is "to ensure that economy and society in Ireland can develop to their full potential within a well protected environment, without compromising the quality of that environment and with responsibility towards present and future generations and the wider international community". The subsequent report in 2002 "Making Ireland's Development Sustainable" was a five-year review of the original 1997 Strategy. The overall tenet of the Strategy is to balance economic growth with a continued commitment to promoting environmental quality.

The integration of SEA into plan making is a significant step in sustainable development for planning authorities such as Fingal. The Fingal CDP underwent SEA in 2011 and sets the framework for sustainable planning throughout the county.

**National Biodiversity Plan (2002 – 2006) and Fingal Biodiversity Action Plan (2010-2015):** In response to the requirements set out in Article 6 of the UN Convention of Biological Diversity 1992, a Biodiversity Plan was prepared by the Department of Arts, Heritage, Gaeltacht and the Islands. The Plan seeks to ensure the full and effective integration of biodiversity concerns in the development and implementation of other policies, legislation and programmes which is of critical importance if the conservation and sustainable use of bio-diversity is to be achieved.

The first Fingal Biodiversity Action Plan (FBAP) is a far-reaching initiative to conserve and enhance Fingal's natural heritage. The Biodiversity Action Plan puts forward an ambitious programme of actions to protect the habitats, plants and animals that can be found in our County. The Fingal Biodiversity Action Plan is to be a key document in guiding the work of everyone involved in the conservation of the natural environment in Fingal by providing a framework for biodiversity action for the next 5 years and setting a template of action for the next 20 years. The primary purpose of the FBAP is to focus the efforts and resources of Fingal County Council and other nature conservation groups to protect and enhance biodiversity within Fingal in the most efficient manner. The draft Variation is on lands which have been identified within Fingal as part of a Nature Development Area within the Fingal CDP 2011-2017.

**National Heritage Plan (2002-2006) and Fingal Heritage Plan (2011-2017):** The core objective of the National Heritage Plan is to protect and enhance Ireland's heritage. The Plan sets out archaeological policies and principles that should be applied by all bodies when undertaking a development. An aim of this National Plan is to enhance the role of Local Authorities in heritage protection and management. Fingal has chosen to develop a Fingal Heritage Plan 2011 – 2017. Fingal has a rich heritage dating back thousands of years, from the passage tombs of Bremore to medieval church settlements such as Swords and Lusk and castles like Malahide and Ardgillan. Fingal also has a unique natural heritage of coastline, waterways, landscape and wildlife, and a cultural heritage of local history, music and folklore. The Fingal Heritage Plan 2011 – 2017 sets out a range of objectives to protect, manage and promote Fingal's Heritage.

## 6 BASELINE ENVIRONMENT

This section of the Environmental Report examines the relevant significant issues of the current state of the environment within St. Ita's and environs in relation to biodiversity, fauna, flora, population, human health, water, cultural heritage, landscape, material assets and the interrelationship between these factors. The baseline has been compiled using available datasets and indicators developed during scoping. It has focused on mapping the relevant baseline information that relates to the policies and objectives contained within the draft Variation.

SEA is carried out at a strategic level with a focus on readily available information (primarily desk-top assessment). It is therefore not possible for the baseline environment to be presented in as much detail as could be done for a project-level environmental impact assessment as often suitable baseline information does not exist at the regional or sub-regional level. However, there have been a number of surveys undertaken in order to inform the feasibility study carried out jointly between Fingal County Council and the HSE in respect of Local Objective 245 of the current CDP. The feasibility study included desktop and field survey work in relation to Ecology (including an Ecological Survey; Appropriate Assessment; Bat Survey; and a Tree and Woodland Review); Architectural and Archaeological Surveys; Visual and Landscape Assessment; and also a survey of existing pedestrian, cycle and vehicular routes. The results of these surveys have informed the baseline assessment of the SEA.

### 6.1 CURRENT STATE OF THE ENVIRONMENT

According to EPA publications (EPA, 2008 and 2012), Ireland's natural environment, although under increasing pressure, generally remains of good quality and represents one of the country's most essential national assets. In the EPAs *2020 Vision – Protecting the Irish Environment* document it is noted that pressures on the environment have increased significantly. As Ireland's economy grew in the past ten years, these pressures accelerated at a rate which exceeded that observed in other EU countries.

The fifth EPA *State of the Environment Report* (2012) identified four priority challenges for the environment, which, if addressed successfully, should benefit the present and future quality of Ireland's environment. These comprise: Value and Protecting our Natural Environment; Building a Resource-Efficient, Low Carbon Economy; Implementing Environmental Legislation; and Putting the Environment at the Centre of Our Decision Making. These challenges are summarised below in **Table 6.1**.

**Table 6.1: EPA State of the Environment Report (2012) Key Challenges**

| <b>Challenges</b>  | <b>Components</b>   | <b>Relationship to draft Variation</b>  |
|--|---|---|
| <p><b>Challenge 1:<br/>Value and Protecting our Natural Environment</b></p>      | <p>A good environment is a critical component of high quality of life for future generations.</p> <p>Meeting the requirements of the Water Framework Directive (WFD) in protecting water resources in a changing climate.</p> <p>Maintaining clean air and healthy soil and protecting biodiversity and nature from further loss and damage.</p>  | <p>The draft Variation needs to consider the objectives and precepts of other existing Policies, Plans and Programmes, such as the Habitats Directive and Water Framework Directive, to ensure that the issues addressed by these are brought forward into the overall planning process. The draft Variation needs to ensure sufficient natural environment policies are included within the Variation.</p> |
| <p><b>Challenge 2:<br/>Building a Resource-Efficient, Low Carbon Economy</b></p> | <p>Need to overcome recent economic downturn.</p> <p>Increasing scarcity and costs of fuels and resources.</p> <p>Opportunity to ensure future development is based on highly efficient processes and improved resource efficiency through waste prevention to efficient and renewable energy and investment to become a resource-efficient competitive economy.</p> <p>Protection from future economic shocks.</p> <p>Requirement to meet international climate change agreements targets and 2020 targets on GHG emissions.</p> | <p>The draft Variation should:</p> <p>Promote climate change reduction measures, i.e. through waste reduction, renewable energy and sustainable practices.</p> <p>Take account of potential climate change impacts when developing policies and objectives to ensure that the draft Variation does not contribute to the impact of climate change.</p>  |
| <p><b>Challenge 3:<br/>Implementing Environmental Legislation</b></p>            | <p>Compliance with International Obligations with respect to water quality, air quality, GHG emissions and waste management.</p> <p>Role of the EPA and other regulators to ensure effective enforcement of environmental legislation at national and local levels.</p> <p>Prevent avoidable environmental damage, protect Ireland's reputation and green image, which is important to economic sectors, agri-food and</p>  | <p>The draft Variation needs to consider the requirements of national and local level legislation in developing policies and objectives as well as EU and international obligations.</p> <p>Consideration with respect to enforcement should also be given in preparation of the Variation.</p>   |

| Challenges   | Components  | Relationship to draft Variation   |
|--|---|---|
|  | tourism sectors.  |   |
| <b>Challenge 4:<br/>Putting the<br/>Environment at<br/>the Centre of<br/>Our Decision<br/>Making</b> | <p>Achieving sustainable development and growth at national, regional and local levels.</p> <p>Need for clear leadership and co-ordinated efforts from Government and public bodies, business, industry and farmers and the public.</p> | The draft Variation needs to ensure that there is buy-in from all levels of society and that the environment is at the centre of decision making. Consideration of the objectives of other existing Policies, Plans and Programmes at a national, regional and local level will aid in addressing the challenge of reversing environmental degradation. |

In *2020 Vision – Protecting the Irish Environment* (EPA, 2007) the EPA outlines six environmental goals which reflect on the main challenges identified in the State of the Environment reports as well as key issues at the global and EU level as reflected in the 6<sup>th</sup> Environmental Action Plan (EAP). These goals are:

- Limiting and adapting to climate change;
- Clean air;
- Protected waters;
- Protected soils and biodiversity;
- Sustainable use of natural resources; and
- Integration and enforcement.

These goals are identified as a means of realising the vision of protecting and improving Ireland's environment. Many of these goals are relevant to the draft Variation as this local level plan contains the policies and objectives to guide land use and development in the area.

## 6.2 BIODIVERSITY

“Biological diversity” refers to the variety of living things. In the same way as a rich diversity of cultures enhances the quality of our lives, so does a rich diversity of plants and animals. Biological diversity is known to be important to the proper functioning of the planet's life support system. Therefore, conservation of biological diversity has become one of the keys aims of governments throughout the world.

Urban growth on the island of Ireland has been accelerating at a greater rate over recent years as increased development expands city and town limits into the countryside. Artificial land cover throughout Ireland remains relatively low; however, the constant encroachment on natural habitats undoubtedly has an impact on natural flora, fauna and biodiversity.

The lands owned by the HSE at Portrane are not currently designated for any nature conservation purposes under national or international legislation, but a number of Natura 2000 sites (Special Areas of Conservation (SACs) / Special Protection Areas (SPAs)) and a proposed Natural Heritage Area (pNHA) are in close proximity to the lands.

### 6.2.1 Designated Sites

Special Areas of Conservation (SACs) have been selected for protection under the European Council Directive on the conservation of natural habitats and of wild fauna and flora (92/43/EEC) - referred to as the Habitats Directive. The Habitats Directive seeks to establish Natura 2000, a network of protected areas throughout the EU. It is the responsibility of each Member State to designate SACs to protect habitats and species, which, together with Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC), form the Natura 2000 network. The integrity of a Natura 2000 site (referred to in Article 6.3 of the EU Habitats Directive) is determined based on the conservation status of the qualifying features of the SAC. The qualifying features for the designated sites have been obtained through a review of the Conservation Objectives available from the National Parks and Wildlife Service (NPWS).

The Wildlife (Amendment) Act, 2000 provides the legal basis for the establishment of a national network of sites known as Natural Heritage Areas (NHAs). The aim of the NHA network is to conserve and protect nationally important plant and animal species and their habitats. They are also designated to conserve and protect nationally important landforms, geological or geomorphological features. Planning authorities are obliged by law to ensure that these sites are protected and conserved.

The lands at St. Ita's Hospital are located close to the coastline of the Donabate peninsula. There are a number of EU and national sites designated for biodiversity along the coast which are in proximity to Portrane Demesne and the lands at St. Ita's. To the north, there is Rogerstown Estuary SAC, SPA and pNHA (all approximately 650m away). To the south there is Malahide Estuary SAC and pNHA (both approximately 1km away) and Malahide Estuary SPA (approximately 2km away). Also of note in the area is Portrane Shore pNHA, (approximately 670m away), Rockabill to Dalkey Island SAC (approximately 3km away) and Lambay Island SAC and SPA (approximately 5.5km away). These sites are summarised in **Table 6.2**, and illustrated in **Figure 6.1**. **Figure 6.2** shows all such designated sites within 15km of the draft Variation lands, which corresponds to the consideration given in the Appropriate Assessment Screening.

**Table 6.2: Designated Ecological Sites within 15 kilometres of the draft Variation**

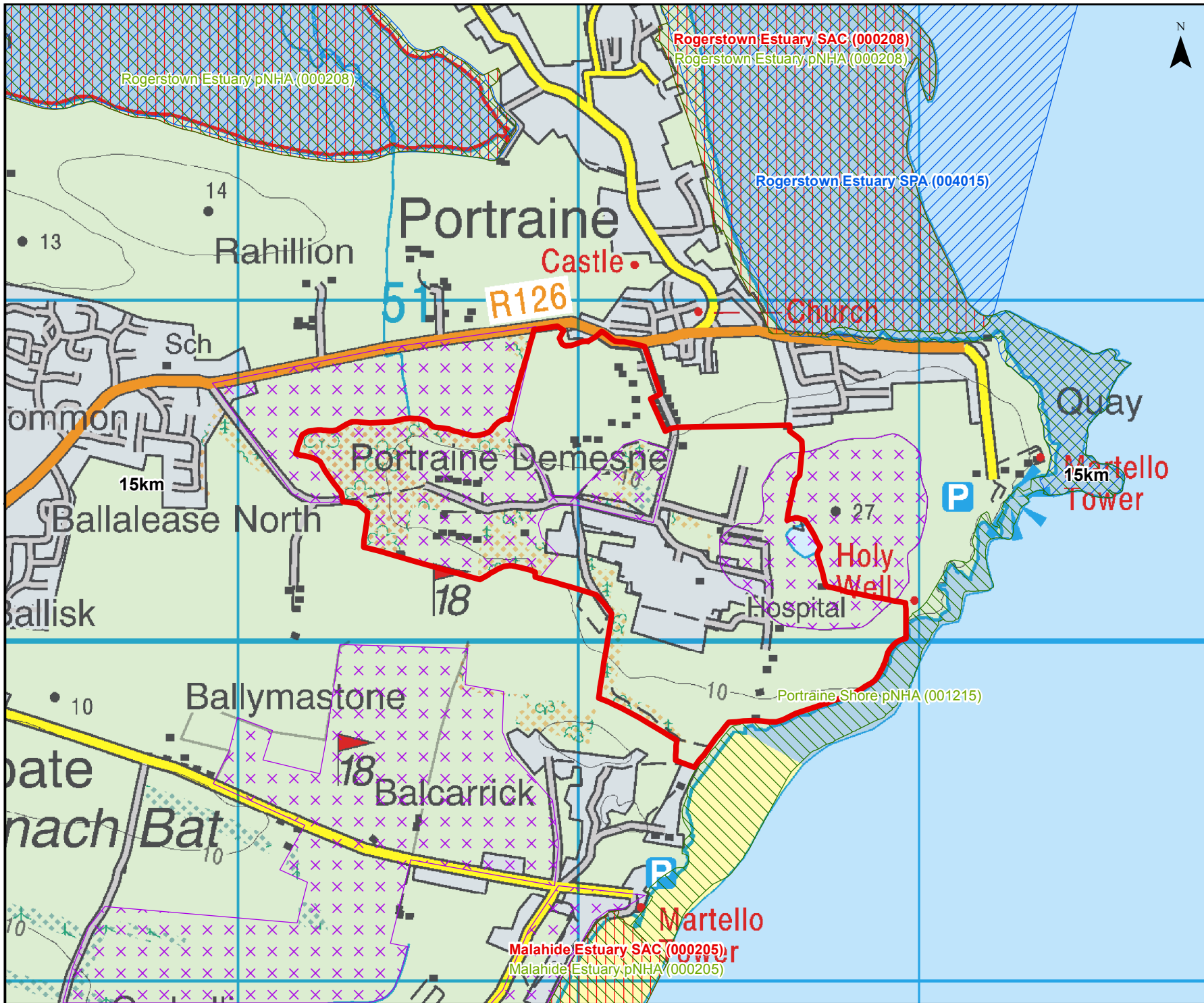
| Designated Ecological Site | Site Code | Approximate Distance from the Subject Lands | Conservation interest (summarised from site synopsis) Priority habitats indicated with an asterisk.  |
|----------------------------|-----------|---|--|
| Rogerstown Estuary SAC     | 000208    | 650m North                                  | Estuaries [1130]<br>Mudflats and sandflats not covered by seawater at low tide [1140]<br>Salicornia and other annuals colonizing mud and sand [1310]<br>Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</i> ) [1330]<br>Mediterranean salt meadows ( <i>Juncetalia maritimi</i> ) [1410]<br>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]<br>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] |
| Rogerstown Estuary SPA     | 004015    | 650m North                                  | To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Greylag Goose, Light-bellied Brent Goose, Shelduck, Shoveler, Oystercatcher, Ringed Plover, Grey Plover, Knot, Dunlin, Black-tailed Godwit, Redshank, Wetlands & Waterbirds.  |
| Rogerstown Estuary pNHA    | 000208    | 650m North                                  | As for the SAC   |
| Portrane Shore pNHA        | 001215    | 670m East                                   | Rocky shore<br>Geological interest   |
| Malahide Estuary SAC       | 000205    | 1km South                                   | Mudflats and sandflats not covered by seawater at low tide [1140];<br>Salicornia and other annuals colonizing mud and sand [1310];<br>Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</i> ) [1330];<br>Mediterranean salt meadows ( <i>Juncetalia maritimi</i> ) [1410];<br>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]; and<br>*Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130].          |



| Designated Ecological Site     | Site Code | Approximate Distance from the Subject Lands | Conservation interest (summarised from site synopsis) Priority habitats indicated with an asterisk.   |
|--------------------------------|-----------|---|---|
| Malahide Estuary SPA           | 004025    | 2km South                                   | To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Great Crested Grebe, Light-bellied Brent Goose, Shelduck, Pintail, Goldeneye, Red-breasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Knot, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Redshank, Wetlands & Waterbirds |
| Rockabill to Dalkey Island SAC | 003000    | 3km East                                    | Reefs [1170]<br>Phocoena phocoena [1351] Harbour porpoise   |
| Lambay Island SAC              | 000204    | 5.5km East                                  | Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]<br>Reefs [1170]<br>Grey seal ( <i>Halichoerus grypus</i> ) [1364]<br>Harbour seal ( <i>Phoca vitulina</i> ) [1365]  |
| Lambay Island SPA              | 004069    | 5.5km East                                  | To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Fulmar, Cormorant, Shag, Greylag Goose, Lesser Black-backed Gull, Herring Gull, Kittiwake, Guillemot, Razorbill, Puffin.   |
| Baldoyle Bay SPA               | 004016    | 7km South                                   | To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Light-bellied Brent Geese, Shelduck, Ringed Plover, Golden Plover, Grey Plover, Bar-tailed Godwit, Wetland & Waterbirds.   |
| Baldoyle Bay SAC               | 000199    | 7km South                                   | Mudflats and sandflats not covered by seawater at low tide [1140];<br>Salicornia and other annuals colonizing mud and sand [1310];<br>Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</i> ) [1330]; and<br>Mediterranean salt meadows ( <i>Juncetalia maritimi</i> ) [1410].  |
| Skerries Islands SPA           | 004122    | 8.5km North                                 | To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Cormorant, Shag, Light-bellied Brent Goose, Purple Sandpiper, Turnstone, Herring Gull  |
| Ireland's Eye SAC              | 002193    | 8.8km South                                 | Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]; and<br>Perennial vegetation of stony banks [1220].   |
| Rockabill SPA                  | 004014    | 9km North                                   | Reefs [1170];<br>Phocoena phocoena [1351] Harbour porpoise  |

| Designated Ecological Site | Site Code | Approximate Distance from the Subject Lands | Conservation interest (summarised from site synopsis) Priority habitats indicated with an asterisk.  |
|----------------------------|-----------|---|--|
| North Dublin Bay SAC       | 000206    | 10.9km South                                | <p>Mudflats and sandflats not covered by seawater at low tide [1140];</p> <p><i>Salicornia</i> and other annuals colonizing mud and sand [1310];</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330];</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410];</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120];</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130];</p> <p>Annual vegetation of drift lines [1210];</p> <p>Embryonic shifting dunes [2110];</p> <p>Humid dune slacks [2190]; and</p> <p><i>Petalophyllum ralfsii</i> [1395] (Petalwort).</p> |
| South Dublin Bay           | 000210    | 14.7km South                                | <p>Mudflats and sandflats not covered by seawater at low tide [1140].</p>  |

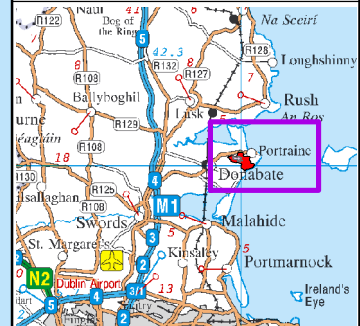
Source: National Parks and Wildlife Service, 2013



**Legend**

- Proposed Variation Lands
- Special Protection Area (SPA)
- Special Area of Conservation (SAC)
- Proposed Natural Heritage Area (pNHA)
- Nature Development Area

Natura boundaries downloaded from the National Parks and Wildlife Services site ([www.npws.ie](http://www.npws.ie)). Data last updated on website on 17/08/2011.




**Client**



Fingal County Council  
Comhairle Contae Fhine Gail

**Project**  
SEA for the Variation at St Ita's

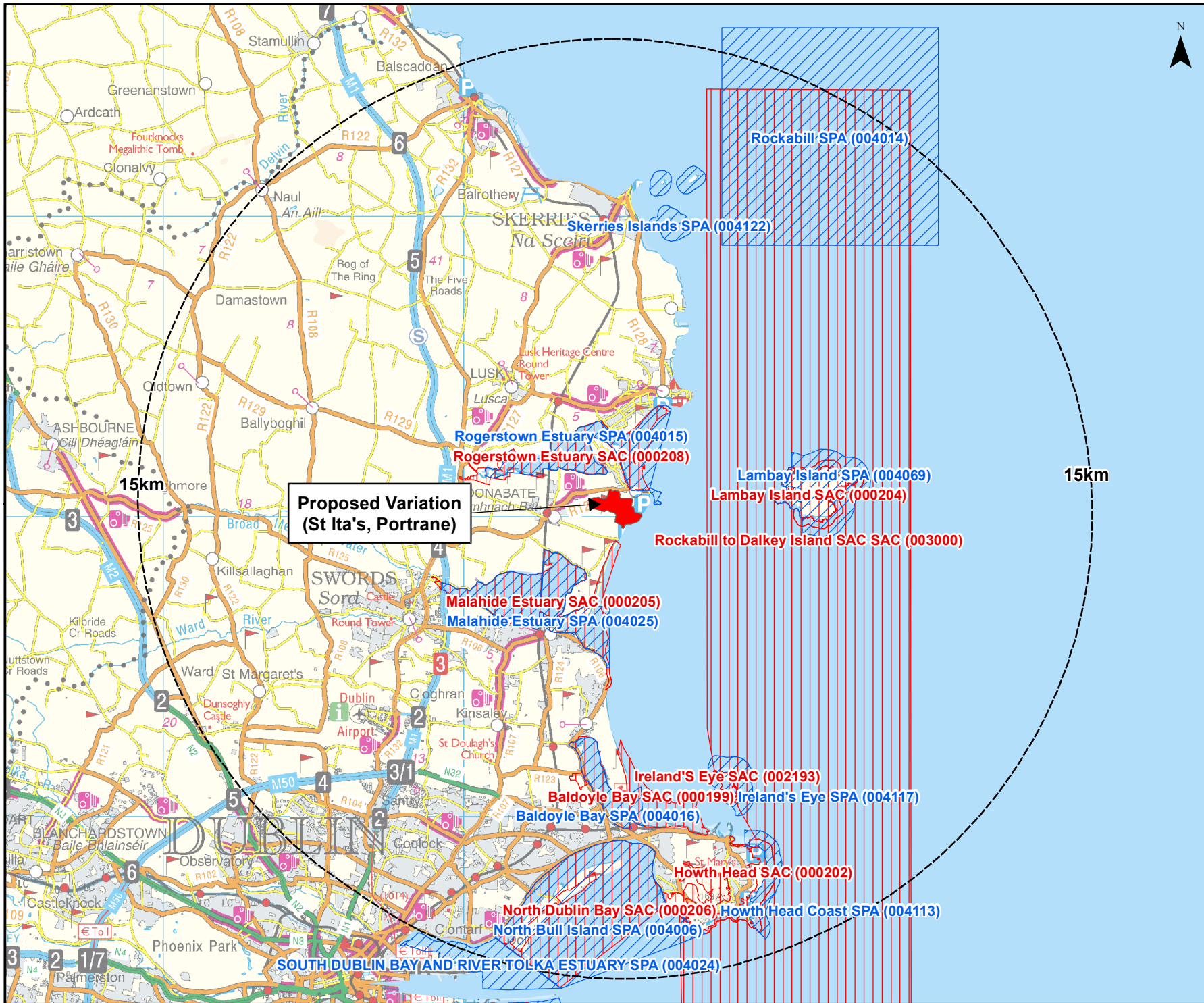
**Title**  
Designated Sites in Proximity to Draft Variation  
Figure 6.1



West Pier Business Campus,  
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| Issue Details          |                              |
|------------------------|------------------------------|
| Drawn By: NA           | Project No. MDE1133          |
| Checked By: KG         | File Ref: MDE1133arc0007D01  |
| Approved By: AG        | Drawing No. Rev: Arc0007 D01 |
| Scale: 1: 170,000 @ A4 | Date: 09/01/2014             |

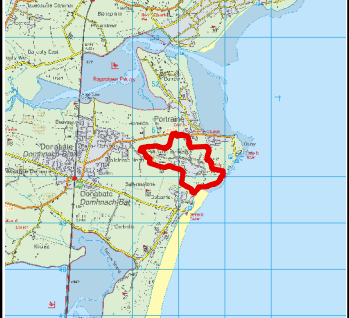
**NOTE:**  
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**Legend**

- Proposed Variation Lands
- Buffer 15km
- Special Protection Area (SPA)
- Special Area of Conservation (SAC)

Natura boundaries downloaded from the National Parks and Wildlife Services site ([www.npws.ie](http://www.npws.ie)). Data last updated on website on 17/08/2011.



**Client**



Fingal County Council  
Comhairle Contae Fhine Gall

**Project**  
SEA for the Variation at St Ita's

**Title**  
Natura 2000 Sites within 15km of the Draft Variation  
Figure 6.2



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| Issue Details          |                              |
|------------------------|------------------------------|
| Drawn By: NA           | Project No. MDE1133          |
| Checked By: KG         | File Ref: MDE1133arc0004D02  |
| Approved By: AG        | Drawing No. Rev: Arc0004 D02 |
| Scale: 1: 170,000 @ A4 | Date: 09/01/2014             |

**NOTE:**  
1. This drawing is the property of RPS Group Ltd. It is a confidential document and must not be copied, used, or its contents divulged without prior written consent.  
2. All levels are referred to Ordnance Datum, Mean Head.  
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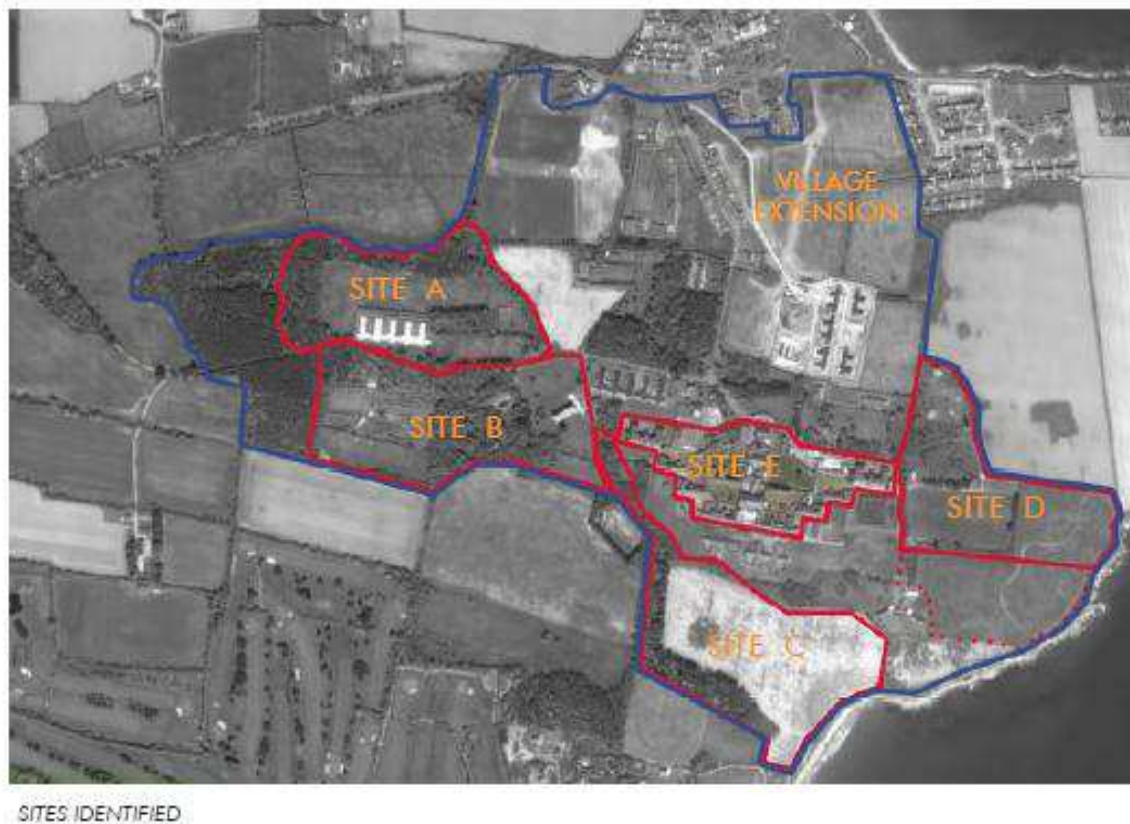
## 6.2.2 Local Nature Conservation Designations

Article 10 of the Habitats Directive recognises the importance of ecological networks as corridors and stepping-stones for the movement of wildlife. Migration, movement and the long-term genetic health of species are assisted through creating linked networks for biodiversity purposes. The Directive requires that connectivity and areas of ecological value that lie outside of designated ecological sites be maintained. The Directive recognises the need for the management of these areas through land use planning and development policies. The networks are considered imperative in connecting areas of biodiversity to each other, thus avoiding the creation of isolated islands of habitat. These corridors are particularly important for mammals, small birds and bats.

Portrane Demesne is identified as a 'Nature Development Area' (NDA) in the Fingal County Council County Development Plan 2011 - 2017. These Nature Development Areas are considered reservoirs of biodiversity in the wider countryside and together with the corridors and stepping stones allow species to move through the landscape. Nature Development Areas within St. Ita's demesne are identified and mapped in the Fingal Development Plan and these areas relate mainly to the existing woodland areas (see *Fingal Biodiversity Action Plan 2010-2015*).

## 6.2.3 Habitats

An ecological assessment of the St. Ita's site was carried out in 2013 as part of the Feasibility Study carried out jointly by FCC and the HSE. The assessment divided the hospital lands into 5 sites, as originally identified in the site suitability document drawn up by O'Mahony Pike Architects, see **Figure 6.3**. These sites do not cover the whole of the land at St. Ita's, but describe potential locations for the new National Forensic Mental Health Service (NFMHS).



**Figure 6.3: Ecological Assessment Sites (source: Feasibility Study 2013)**

The habitats identified in these sites are as follows:

- Site A: Dominated by a field of improved agricultural grassland and bounded by mixed broadleaved woodland to the west, south and north, and a treeline on an earthen bank with a drainage ditch to the east. Earthen banks and drains are also a feature of the woodland along the northern part of the site and drain to an area of wet grassland to the north. This area may be important for birds, particularly those using Malahide and Rogerstown Estuaries. Scoping correspondence from DAHG has indicated that snipe occur at this location. A small copse of woodland adjoining an old paddock is located within this site. The southern part of the site contains a number of specimen trees of high quality with potential for roosting bats.
- Site B: contains the old walled garden with its orchard and a large block of mixed broadleaved woodland which forms the central link between the woodland to the west and the remainder of the site to the east. A large block of woodland between the walled garden and the former site of Portrane House is also present and contained some good mature specimens of Oak, Ash and Beech as well as other species. The fruit trees in the orchard may be of heritage value. Areas of mown grassland and specimen trees surround the nurse's residence. Japanese Knotweed is an issue along the deep drainage ditch/ water feature at this site. Japanese Knotweed is known as

an Invasive Alien Species (IAS), and can develop an extensive system of roots and form dense stands. Once stands become established they are extremely persistent and difficult to remove.

- Site C: Low lying site sheltered from the west and south by a triple treeline on an earthen bank and is dominated by a tilled field which appears poorly drained. Scrub has developed on the embankment in front of the main hospital buildings.
- Site D: An exposed area of amenity grassland used by St. Ita's football club. The playing fields are surrounded by a tall stone wall with a scattered treeline of pines.
- Site E: This site includes the main hospital buildings and adjoining grounds of amenity grassland, ornamental shrubs, parking areas and planted trees at St. Ita's. The main interest in this area is for roosting bats in the buildings.

A tree survey was also commissioned as part of the Feasibility Study in 2013. The poor species composition and structure of some of the woodland arising from lack of tree and woodland management was noted. The apple orchard within the old walled garden was also surveyed as part of this survey and it was noted that this requires skilled pruning and labour if the trees are to be restored. A copy of the map of woodland habitat types drawn up as part of that survey is reproduced in **Figure 6.4**. This tree survey also included management recommendations for each woodland compartment.

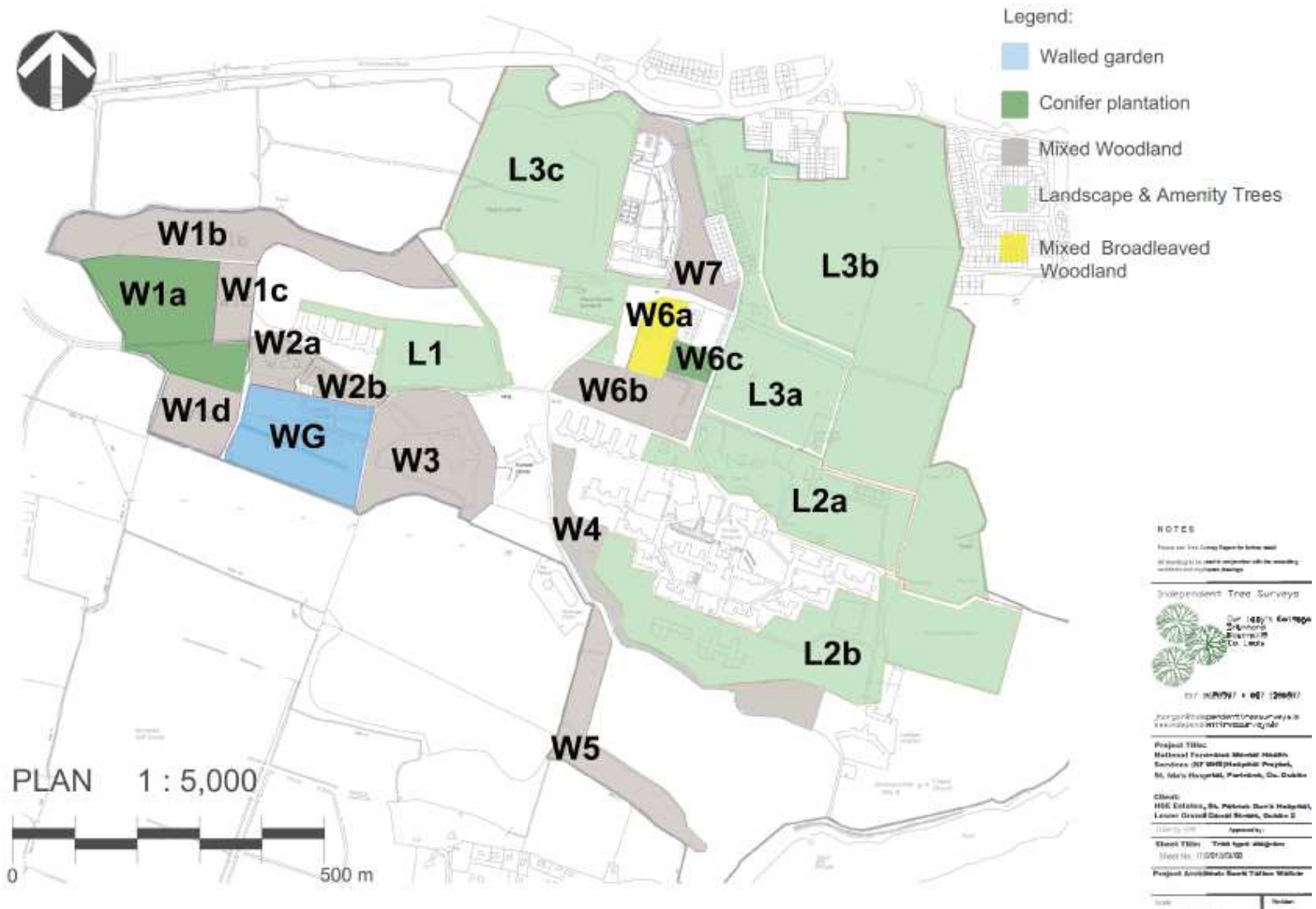


Figure 6.4: Tree Survey Map (source: Feasibility Study 2013)



## 6.2.4 Species

### Rare, scarce and threatened vascular plant records

The NPWS Rare and Protected Species database was consulted for records of species of conservation importance. According to this database, the draft Variation lies within the 10km Grid squares (hectads) O25 and O24. These hectads contain a number of historical records of rare and scarce botanical species – namely Hairy Violet (*Viola hirta*), Red Hemp Nettle (*Galeopsis angustifolia*), Round Prickly Headed Poppy (*Papaver hybridum*), Basil Thyme (*Acinos arvensis*), Meadow Barley (*Hordeum secalinum*) and Oyster Plant (*Mertensia maritima*). None of these species have been recorded on the lands at Portrane in recent years, with the dates of the records ranging from 1794 to 1995. However, it is noted that the NPWS dataset is known to be incomplete, particularly in respect of fish, bats and birds, and therefore the absence of records for a certain species does not necessarily mean that the species does not occur within the St. Ita's draft Variation area.

### Invasive Species

A number of invasive species were recorded during surveys for the Feasibility Study. These include Japanese knotweed (*Fallopia japonica*), three cornered leek (*Allium triquetrum*), giant hogweed (*Heracleum mantegazzianum*), and other non-native species which are compromising the biodiversity of woodlands within the site such as winter heliotrope (*Petasites fragrans*), snowberry bush (*Symphoricarpos albus*), Montbretia (*Crococsmia x crocosmiiflora*), cherry laurel (*Prunus laurocerasus*) and buddleia bush (*Buddleia davidii*).

### Bat Interest

Consultation with Bat Conservation Ireland (BCI) identified that several species of bats have been recorded within the 10km square (O25) in which the site is located. These include:

- Common pipistrelle (*Pipistrellus pipistrellus*),
- Soprano pipistrelle (*Pipistrellus pygmaeus*),
- Nathusius pipistrelle (*Pipistrellus nathusii*),
- Daubenton's bat (*Myotis daubentonii*),
- Leisler's bat (*Nyctalus leisleri*),
- Brown long-eared bat (*Plecotus auritus*),
- Whiskered bat (*Myotis mystacinus*),

- Natterer's bat (*Myotis nattereri*),
- Several unidentified *Myotis* species, and
- an unidentified pipistrelle species (*Pipistrellus* sp.).

A detailed bat survey of part of the hospital grounds was completed in 2012 for the Feasibility Study. This survey confirmed the following roosts;

- Brown long-eared bat – maternity roost
- Soprano pipistrelle – maternity roost
- Common pipistrelle – satellite roost
- Various night roosts

Within Site A, as shown in **Figure 6.3**, the modern flat-roof building was found to be used as a satellite roost for three species of bats: soprano pipistrelle, common pipistrelle and brown long-eared bat. The treeline and wooded area around this building was found to be used extensively as commuting and foraging area for four species of bat: soprano pipistrelle, Leisler's bat, common pipistrelle and brown long-eared bats. This area also provides commuting routes for individuals from roosts located in the agricultural buildings to feeding areas in both Site A and Site B. Site A is identified in the Bat survey report as a valuable site for bat usage. Its commuting and foraging importance is greater than its importance as a roosting site. Its roosting importance is likely to be of Medium Importance for individual bats during inclement weather conditions.

There is an array of buildings located in Site B, none of which were recorded as roosting sites for bats. However, there was extensive evidence collated with regards to commuting and foraging for five species of bats: Soprano Pipistrelle, Leisler's bat, Natterer's bat, Common Pipistrelle and Brown Long-eared bats. Site B is identified by Aughney (2012) as a valuable site for bat usage. It's commuting and foraging importance is greater than its importance as a roosting site.

The survey also confirmed the following species of bats from the general hospital grounds using a combination of passive recording and dawn and dusk detector surveys:

- Leisler's bats,
- Common pipistrelle,
- Brown long-eared bats,
- Natterer's bats,

- *Myotis* species,
- Soprano pipistrelle

A number of potential roosts in trees were also recorded within the draft Variation lands as shown in **Figure 6.5**. The figure is taken from the baseline Bat Survey undertaken in 2012 by Tina Aughney as part of the Feasibility Study.



**Figure 6.5: Potential Tree Bat Roosts (source: St Ita's Feasibility Study 2013)**

Other known roosts nearby include a roost of an unidentified bat species from a private residence on the Portrane Road in the village of Donabate and a roost of unidentified pipistrelle bats from a hay barn and a disused building at Turvey. A good variety of species have been recorded from the grounds of

Newbridge House (these include Leisler's bat, Common and Soprano Pipistrelle and Brown Long-eared bat). Observations of other species from the general area of Donabate include Soprano Pipistrelle and an unidentified *Myotis* sp. from the townland of Turvey, and Leisler's bat, Common and Soprano Pipistrelles and Brown Long-eared bat at Portrane village.

### 6.2.5 Existing Environmental Pressures / Problems

The trees and woodlands are a defining, essential and integral part of the character of St. Ita's demesne and its landscape character. There has been little active management of the woodland areas in recent years within the demesne. The draft Variation will provide for the preparation and implementation of a phased tree and woodland management programme for all of the lands at St. Ita's to ensure the retention of trees and woodland into the future. In addition, the use of trees and woodlands to contain and screen any proposed new development will be encouraged. Any new build facilities proposed within St. Ita's will be assessed having regard to the impact of development on the protection of existing trees and woodland areas.

The lands at St. Ita's are not included in any Natura 2000 sites [SPA or SAC's], NHA or pNHA however, they are in proximity to Rogerstown Estuary (an SAC; SPA; pNHA, a Ramsar site and a statutory nature reserve), Portrane Shore (pNHA), Malahide Estuary (an SAC; SPA; pNHA, a Ramsar site) and the Malahide Designated Shellfish Waters.

With regard to the EU designated areas i.e. SAC and SPA, an Appropriate Assessment Screening under the EU Habitats Directive has been undertaken and it has been determined that full AA is not required for the proposed Variation. The Screening for Appropriate Assessment Report is published separately.

Any future development on the subject lands will be required by law to undergo further Appropriate Assessment to determine the implications of the project for the designated site in view of the site's conservation objectives. The competent authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the designated site concerned.

The Fingal CDP has designated ecological buffer zones on lands adjoining both the Rogerstown and Malahide Estuaries but these lands do not include any of the lands at St. Ita's hospital complex and demesne.

## 6.3 POPULATION AND HUMAN HEALTH

The draft Variation to the Fingal Development Plan 2011-2017 refers to lands at St. Ita's which are located in a rural setting, on the north eastern area of the Donabate Peninsula. Portrane and Donabate are the towns in closest proximity to the draft Variation lands. St. Ita's is currently being used as a mental health facility. The draft Variation would allow for operation of a mental health care facility to continue at the site albeit in the form of a new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital).

The recorded population for Fingal, Portrane and Donabate in the 2002, 2006 and 2011 census of population are presented in the **Table 6.3**.

**Table 6.3: Population Statistics**

| Area     | Census Population 2002 | Census Population 2006 | Percentage change in population between 2002 and 2006 | Census Population 2011 | Percentage increase in population between 2006 and 2011 |
|----------|------------------------|------------------------|---|------------------------|---|
| Fingal   | 196,413                | 239,992                | +22.2   | 273,991                | +14.2   |
| Portrane | 1,726                  | 1,532                  | -11.2   | 1,372                  | -11.1   |
| Donabate | 3,854                  | 5,499                  | +43   | 6,778                  | +23.3   |

Source: Census 2002, 2006 and 2011

The population of Portrane is following a decreasing trend in population with 440 private households recorded in 2011. The census population figure for Portrane recorded a decrease of 11.2% in population between 2002 and 2006 with a further similar decrease between 2006 and 2011. In contrast the population of Donabate has increased by 43% between 2002 and 2006 and a further 23.3% up to 2011. Fingal has also experienced a population increase and there are now 93,146 private households within the county which represents an increase of 14.2% between 2006 and 2011.

### 6.3.1 Existing Environmental Pressures / Problems

The main pressure on this area is the need to ensure that there is sufficient capacity in terms of infrastructure and services to cater for proposed development while maintaining the rural character of the area. Changes in land use patterns and density present significant pressures for a variety of environmental aspects, and this in turn will potentially affect the local community. In particular, adequate and appropriate wastewater treatment, water supply, surface and storm water drainage, transport and waste management will need to be planned and phased to service any proposed development.

It is noted that a number of infrastructure projects have been advanced in the area which have or will address any short comings in the medium to long term. For example, the Donabate Distributor Road received planning in 2011 although it is as yet unbuilt; the Portrane WwTP has been constructed in the site adjacent to St. Ita's and this caters for 65,000 PE. A larger WwTP is also under consideration for Fingal County. This would service the Greater Dublin Area but as yet this project has not applied for planning. A new water supply for the Dublin Region is also being considered but again this project is unlikely to apply for planning in the short-term.

## 6.4 WATER

### 6.4.1 River Basin District and Water Bodies

Since 2000, the Water Framework Directive 2000/60/EC (WFD) has directed water management in the EU. The WFD requires that all Member States implement the necessary measures to prevent deterioration of the status of all waters (surface, ground, estuarine and coastal) and protect, enhance and restore all waters with the aim of achieving at least Good Status by 2015. All public bodies, including Fingal County Council, are also required to coordinate their policies and operations so as to achieve/maintain Good Status of water bodies, within their jurisdiction in line with the relevant River Basin Management Plan and Programme of Measures.

For the purpose of implementing the WFD, Ireland has been divided into eight River Basin Districts or areas of land that are drained by a large river or number of rivers and the adjacent estuarine / coastal areas. The management of water resources is divided into these River Basin Districts. St. Ita's is located in the Eastern River Basin District (ERBD).

The Local Authorities located in the ERBD have prepared a River Basin Management Plan (RBMP), which was adopted in 2010. The RBMP provides objectives and a programme of measures for River Basin District in order to implement the requirements of the WFD.

### 6.4.2 Surface Water

No rivers flow through the lands within the draft Variation. However there are two first order streams in proximity to the draft Variation, located at the northern boundary of the draft Variation lands and the southern boundary, as shown in **Figure 2.1**.

### 6.4.3 Groundwater

The Geological Survey of Ireland (GSI) rates aquifers based on their hydrogeological characteristics as well as on the value of the groundwater resource. Ireland's entire land surface is divided into aquifer categories. The St Ita's aquifer is classified as a poor aquifer with bedrock that is generally unproductive except for local zones. The GSI further rates aquifers according to their vulnerability to pollution. Aquifer vulnerability refers to the ease with which pollutants of various kinds can enter underground water. The lands at St. Ita's are rated as having extreme to moderate vulnerability, and contain an area to the east of the lands with rock near the surface.

Groundwater Protection Schemes are a county specific project to provide protection to groundwater aquifers by placing tighter controls on activities within all or part of the zone of contribution of the source. The status of the groundwater bodies underlying St. Ita's, based on the chemical and quantitative status of the groundwater body, has been determined under the WFD as being of good status.

#### 6.4.4 Flooding

St. Ita's is not located on a main river system, and has no water bodies flowing through it. According to the OPW flood maps, no historical flooding has occurred within the draft Variation area.

The European Directive 2007/60/EC (Floods Directive) on the assessment and management of flood risks requires member states to carry out preliminary flood assessments in order to identify areas at risk. St. Ita's is located in the Eastern Catchment Flood Risk Assessment and Management Study (ECFRAM) and as part of this study ECFRAM will be required to produce flood maps; flood risk objectives; and Flood Risk Management Plans.

The DEHLG published '*The Planning System and Flood Risk Management Guidelines for Planning Authorities*' which will ensure that flood risk assessment and management is incorporated within the planning system. These guidelines have been adhered to during the preparation of the draft Variation.

#### 6.4.5 Existing Environmental Pressures / Problems

Fingal East Meath Flood Risk Assessment and Management Study (FemFrams) identified no flood risk areas within the draft Variation lands.

The draft Variation lands are located within the Donabate Water Management Unit (WMU). The Donabate Water Management Unit has been assigned 'moderate' status by the EPA under the Water Framework Directive. In 2009, a Programme of Measures was established for each Water Management Unit (WMU) within the river basin district as part of the ERBD River Basin Management Plan 2009-2015. This is aimed at addressing those pressures which threaten the water environment and put water bodies at risk of not achieving 'good status' by 2015. Each local authority must implement this Programme of Measures. The full Programme of Measures document is available at [www.erbd.ie](http://www.erbd.ie).

The pressures which have been identified by the ERBD in the characterisation of the water bodies within and surrounding the draft Variation area include the following:

- Diffuse source pressures, such as shown in the EPA diffuse sources model; and
- Morphological pressures, including intensive land use and built structures

In order to reduce surface water run-off, protect water quality and to minimise the risk of flooding, any future development at St. Ita's will be required to be developed in accordance with SUDS principles and in compliance with the 'Greater Dublin Strategic Drainage Study'.

## 6.5 MATERIAL ASSETS

The material assets of St. Ita's may be broken down into a number of relevant categories including: drinking water, wastewater, transport infrastructure, energy and communication infrastructure and waste management.

### 6.5.1 Drinking Water

According to Fingal County Council, Fingal has adequate water supply to meet projected demands during the Plan period (2011-2017). The Council runs two water treatment plants at Leixlip and Bog of the Rings. The primary source of Fingal's water is the Leixlip Treatment plant on the River Liffey. The other treatment plant is the Bog of the Ring plant, which produces 4 megalitres a day. This plant extracts groundwater from wells and supplements the water supply of the northern part of the County. Treated water is distributed throughout Fingal using a combination of pumped mains, gravity mains and reservoirs. At present, Fingal has approximately 1,570km of water mains. The majority of the water is pumped from Leixlip up twin rising mains to the main storage reservoir at Ballycoolen. The water then gravitates through pipes from this reservoir to the East Coast Areas, including the land at St. Ita's.

### 6.5.2 Wastewater

The Urban Waste Water Treatment Directive (91/271/EEC) (amended by Directive 98/15/EEC) aims to protect the environment from the adverse effects of wastewater discharges by ensuring that wastewater is appropriately treated before it is discharged to the environment. Such treatment is essential in order to meet the requirements of the WFD. The wastewater strategy for the Greater Dublin Region is set out in the Greater Dublin Strategic Drainage Study (GDSDS), 2005.

Lands within Portrane are connected to the waste water treatment plant at Portrane, which is situated to the south-west of St. Ita's Hospital complex. The new Waste Water Treatment Plant at Portrane was completed in 2012, and is now operational and will cater for a population of approximately 65,000. There is sufficient wastewater capacity to accommodate additional future demands within St. Ita's.

### 6.5.3 Transportation

The existing access road to St. Ita's is the Regional Road R126, and Portrane Avenue. The development of the Donabate Distributor road in the future will increase road capacity on the Donabate peninsula and facilitate movements between Portrane and the M1 and R132. Public transport options to the lands are limited although there is a train station located at Donabate, approximately 2.5km away. Three Dublin Bus services operate to Portrane: the 33b linking Swords to Portrane, the 33d linking Dublin city to Portrane and the 41n linking Dublin City to Swords Manor via Portrane. Existing access to the draft Variation lands are shown in **Figure 6.6**, which outlines four main access points to the lands as follows:

1. the main access along Portrane Avenue to the northeast,



2. the access route from the west via the old Demesne entrance,
3. the route to the old WWTP which terminates at this point, and
4. the temporary construction access road which was built for the WWTP construction. This road, shown in light blue, remains insitu but is not currently used. The WWTP is shaded red.

To facilitate increased trip demand to the draft Variation lands, a more efficient use of the available street space must be made. This can only be achieved by increasing the use of sustainable modes of transport and by reducing the reliance on the private car, particularly at peak periods.

Fingal County Council recognises that cycling and walking are cost effective, non-polluting and highly flexible transportation modes that reduce congestion, foster improved health and are accessible to young people. Newly published government policy, 'Smarter Travel – A New Transport Policy for Ireland (2009-2020)' and the 'National Cycle Policy Framework (2009-2020)' have clearly placed an emphasis on walking and cycling as alternatives to vehicular transport. The Fingal Development Plan 2011-2017 has regard to the cycle policy framework document produced by the Department of Transport, which seeks to ensure that the urban road infrastructure and traffic management measures are designed to be cyclist friendly.



**Figure 6.6: Existing Vehicular Access to St. Ita's (source: Feasibility Study 2013)**

There are also existing pedestrian access routes through the site, using (1) and (2) above and also including one (3) linking through to Portrane Beach.

#### **6.5.4 Energy**

There are no over or underground high voltage cables (110kV and 220kV) crossing the land at St. Ita's, however, there are low voltage (20kV) cables which cross the land. These have no clearance restrictions.

#### **6.5.5 Waste Management**

Fingal County Council will conform to the European Union and national waste management hierarchy in the undertaking of waste prevention, waste recycling and energy recovery and disposal. The Local Authority will also have regard to the National Hazardous Waste Plan under Section 26 of the Waste Management Acts 1996-2008, as adopted by the Environmental Protection Agency. Fingal is included in the Dublin Region Waste Management Plan (2005-2010).

#### **6.5.6 Recreational Beaches**

There are a number of beaches listed in the area including at Portrane (Brook Beach), Rush (South Beach) and Donabate (Balcarrick Beach). The Fingal Development Plan recognises that beaches and their associated bathing waters provide a unique natural resource that offers a high value leisure environment. As such, the CDP seeks to protect beaches, access to beaches and designated bathing areas as valuable local amenities and as a tourism resource. Objective CT29 of the CDP states:

*Protect bathing waters, including those listed in the Water Framework Directive Register of Protected Areas for the Eastern River Basin District, at Sutton, Portmarnock, Malahide, Donabate, Portrane, Rush, Loughshinny, Skerries and Balbriggan in order that they meet the required bathing water standards and implement the findings and recommendations of the Quality of Bathing Water in Ireland reports as published.*

Fingal are committed to implementing the Eastern River Basin Management Plan and Programme of Measures to achieve this. The EPA Splash National Bathing Water Information website summarises water quality at the three listed sites as good quality. All three beaches are listed on the Water Framework directive Register of Protected Areas, under Recreational Waters.

#### **6.5.7 Existing Pressures/ Problems**

Waste Water from any development within St. Ita's will discharge to the adjoining Donabate/ Portrane Waste Water Treatment Plant and sea outfall. The expanded Donabate/ Portrane WWTP was completed in 2012. There is adequate capacity in the Donabate WWTP to accommodate any future additional demands within St. Ita's. There are existing wayleaves in respect of the existing foul rising main to the Donabate / Portrane Waste Water Treatment Plant traversing the St. Ita's lands.

Water supply for the majority of the Fingal area is derived from the Leixlip Water Treatment Plant. Water supply improvements from the Leixlip Water Treatment Plant are currently underway and due for completion by 2014.

In order to reduce surface water run-off, protect water quality and to minimise the risk of flooding, any future development at St. Ita's will be required to be developed in accordance with SUDS principles and in compliance with the 'Greater Dublin Strategic Drainage Study'.

Any development arising from the implementation of the draft Variation will place increased pressure on existing infrastructure in the context of development already planned in the CDP.

## 6.6 CULTURAL, ARCHITECTURAL AND ARCHAEOLOGICAL HERITAGE

Heritage, by definition, means inherited properties, inherited characteristics and anything transmitted by past ages and ancestors. Heritage features include physical buildings, structures and objects, complete or in part, which have been left on the landscape by previous and indeed current generations. St. Ita's comprises a number of structures of historical and architectural importance.

### 6.6.1 Archaeological Heritage

Under the National Monuments (Amendment) Act, 2004 the archaeological heritage of St. Ita's is protected. The record of monuments and places as outlined in **Figure 6.7** is an inventory of known archaeological sites of significance within the draft Variation lands. It can be seen that there are two sites on the eastern and southeastern boundary of the draft Variation lands. **Table 6.4** provides an inventory of known archaeological sites of significance.

**Table 6.4: Sites of Archaeological Importance**

| RMP No       | Site Type                  | Description   |
|--------------|----------------------------|---|
| DU008-026    | Quay, townland Beaverstown | Two roughly parallel banks which have been levelled, with elongated hollow remaining.   |
| DU008-027    | Windmill                   | Post 1700   |
| DU008-028    | Townland Burrow            | Named 'site of R.c. Chapel' on the OS 1837 edition. Located on the west side of the peninsula overlooking Rogerstown estuary. This is an oval shaped platform, diameter c. 50m, H1m, with a rectangular hollow in the east end. According to local tradition, St Mochuda built a church close to his well which lies south of the site. |
| DU008-029    | Burrow                     | This is a natural spring with a rough stone setting located in reeds just above the high tide mark. It is said to have been the site of a pattern held on Lamma Sunday, venerated as a holy well. <i>St Ita's Hospital, Portrane – Archaeological Desktop Study</i> 15 of 17  |
| DU008-030    | Castle, Portrane           | Located in a level field of tillage overlooking the mouth of Rogerstown estuary. Rises to three storeys with a spiral stairs tower in the north east corner that projects to the east. The entrance passage is defended by a murder hole. There is a barrel vault over the ground floor.  |
| DU008-031001 | Church                     | Situated in a small walled graveyard <b>DU008-031002</b> north of the road. Rectangular in plan with an undivided nave and chancel, and a battlemented West tower. Described as a ruin in 1630. A possible bullaun stone <b>DU008-031003</b> is located within the ground floor of the church tower.                                    |

| RMP No       | Site Type   | Description   |
|--------------|---|---|
| DU008-032    | Burial  | In 1942, burnt human bones in a beach deposit were found at Portrane, in the townland of Quay. The deposit comprised charcoal and ash interpreted as the remains of a funeral pyre. |
| DU008-058    | House- 18 <sup>th</sup> -19 <sup>th</sup> century | Located south of castle, local tradition has it that this was a smuggler's cottage in 1722.   |
| DU012-007    | Holy well, Quay                                   | This natural spring well is located deep in a sea cave below the boundary wall of Portrane Demesne, and is accessible only at low tide.   |
| DU012-008    | Martello Tower                                    | Located at the end of Balcarrick Road, close to the waters edge.  |
| DU012-009001 | Chapel  | The likely location of this chapel site was repositioned c80m further north by a geophysical study in 2008  |
| DU012-009002 | Holy well   | No trace of this holy well, marked on the OS first and second editions as St Kenny's well, survives.  |
| DU012-010    | Martello tower                                    | Situated on the cliff edge east of Portrane.  |
| DU012-041    | House   | The Down Survey shows a house site at Balcarrick, which may be incorporated into the present early 18th century house known as Balcarrick House.                                    |

Portrane Demesne, lands associated with the former Portrane House are within the draft Variation lands and shown in **Figure 6.6**.

An Archaeological Desktop Study was carried out in April 2013 by Carrig Conservation International Ltd. The study considered the archaeological potential of the Portrane Demesne to be high, and includes a number of features of archaeological interest on the Demesne. Archaeological features include a major settlement site which covers the period from the Neolithic to the early Bronze age. This site is located to the south west of the draft Variation lands and was discovered during the works at the Portrane wastewater treatment plant (WWTP). Geophysical survey and subsequent archaeological work in 2010 for the WWTP included test excavations within Portrane Demesne, which identified archaeological sites including pits, ditches and furrows and a fulacht fiadh (burnt mounds generally of the bronze age).

### 6.6.2 Architecture and Cultural Heritage

The term architectural heritage is defined in the Architectural Heritage (National Inventory) and Historic Monuments Act 1999 as meaning all: structures and buildings together with their settings and attendant grounds, fixtures and fittings; groups of structures and buildings; and sites which are of historical, archaeological, artistic, cultural, scientific, social or technical interest. The National Inventory of Architectural Heritage (NIAHs) purpose is to protect and conserve the built heritage and it is the NIAH surveys that provide the basis for the recommendations to the planning authorities for the inclusion of particular structures in their Record of Protected Structures (RPS). For the draft Variation, these structures are shown in **Figure 6.7**.

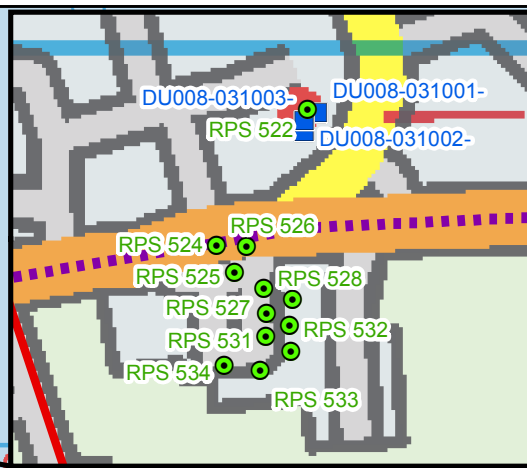
The RPS has been compiled to protect the structures that are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. In relation to a protected structure, the meaning of the term 'structure' includes the interior of the structure, the land lying within the curtilage

of the structure, and any other structures lying within that curtilage and their interiors, and all fixtures and features which form part of the interior or exterior of these structures. Where indicated in the RPS, protection may relate to specified features within the attendant grounds of a structure, which would not otherwise be included. The specific structures within St. Ita's are detailed in **Table 6.5**.

The Council may designate a place, area, group of structures or townscape that is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, or that contributes to the appreciation of a protected structure, as an Architectural Conservation Area (ACA). The lands of St. Ita's Hospital are located within an ACA as shown in **Figure 6.7**. The Council seeks to ensure that any new development or alteration of a building within or adjoining an ACA positively enhances the character of the area and is appropriate in terms of the proposed design, including: scale, mass, height, proportions, density, layout, materials, plot ratio, and building lines.

**Table 6.5: Sites of Architectural Importance**

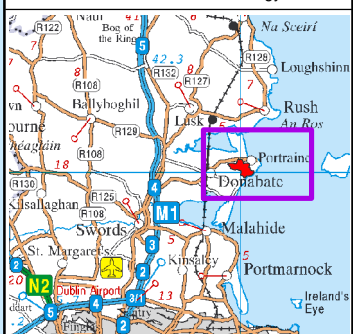
| RPS No./ ID | Status/ Protection  | Description   |
|-------------|---------------------|---|
| RPS 536     | Protected Structure | Extensive 19 <sup>th</sup> Century mental health hospital complex of around 100 structures including 2 chapels. |
| RPS 537     | Protected Structure | A round tower, c1865, with a conical stone roof. In grounds of St. Ita's Hospital.                              |
| RPS 538     | Protected Structure | Site of church and holy well.   |



**Legend**

- Proposed Variation Lands
- ACA\_Boundary
- Record of Protected Structures
- Record of Monuments & Places (RMP)

Data Source: RPS from Fingal County Council. RMP from www.archaeology.ie.



**Client**



Fingal County Council  
Comhairle Contae Fhine Gall

**Project**

**SEA for the Variation at St Ita's**

**Title**

**Archaeology, Architecture & Cultural Heritage**

Figure 6.7



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### 6.6.3 Existing Environmental Pressures / Problems

There has been an absence of general maintenance of the buildings at St. Ita's over many years and many of the buildings are currently in a state of disrepair and some are derelict. The hospital is currently used by the HSE as a mental health facility providing acute and continued care beds for psychiatric services; however a number of the buildings are currently unoccupied and/or vacant.

Development at St. Ita's has the potential to directly and cumulatively impact upon the heritage features of the area and on the lands directly. Development which involves material alterations or additions to protected structures can detract from the special character of the structure and its settings, and have the potential to result in the loss of features of architectural or historical interest. Development on sites adjoining protected monuments, places or structures can also impact the setting of these cultural heritage items.

As the land at St. Ita's is an area of high archaeological significance, the study by Carrig Conservation recommends that a programme of further archaeological test excavations be carried out under licence from Department of Arts, Heritage and the Gaeltacht on all areas where large scale development is planned.

## 6.7 LANDSCAPE

### 6.7.3 Introduction

Landscapes are areas that are perceived by people and are made up of a number of layers including;

- Landform, which results from geological and geomorphological history;
- Land cover, which includes vegetation, water and human settlements; and
- Human values, which are a result of historical, cultural, religious and other understandings and interactions with landform and land cover.
- The subject variation lands contain a number of sites, areas and vantage points from which views over local landmarks, lands and rivers may be obtained. In addition to scenic views, the subject lands contain a number of important prospects/ views. These are areas/ zones of special/ high amenity value or interest, and prominent landscapes which are visible from the surrounding area.

### 6.7.4 Landscape Character

**Figure 6.8** outlines the indicative landscape characters for the lands within and surrounding St. Ita's. This classification was undertaken in 2004 as part of a Landscape Character Assessment (LCA) for the County of Fingal. The assessment identified the character of the landscape based on land cover and landform and also addresses landscape values relating to historical, cultural, religious and other understandings of the landscape.

St. Ita's is designated as having a 'Coastal' Landscape Character. Fingal's CDP notes that these landscapes have '*exceptional landscape value with high landscape sensitivity having regard to the combination of visual, ecological, recreational and historical attributes*'. Much of this Coastal Landscape Character is zoned high amenity in the CDP, due to the rich archaeological, architectural, natural heritage and high ecological value.

The findings of the LCA were used to generate a landscape sensitivity rating for the land within St. Ita's. This landscape sensitivity is a measure of the ability of the landscape to accommodate change or intervention without the implication of unacceptable effects to its character and values. The coastal character has been identified as being highly sensitive to development. Particular parts of the Coastal Landscape Character area have a low capacity to absorb new development, and these are identified as highly sensitive areas in the Green Infrastructure maps within the CDP. The lands at St. Ita's are designated as highly sensitive landscape in the CDP map. The retention and active management of trees and woodland blocks should help integrate development into sensitive landscapes.

### 6.7.5 High Amenity Zone

High Amenity Zones are areas which consist of landscapes of special value where inappropriate development would impact on the landscape setting negatively. High amenity areas are also sensitive landscapes as development in these areas may affect directly or indirectly the quality of the high amenity areas.

The lands at St. Ita's, Portrane, are zoned HA High Amenity in the Fingal CDP (**Figure 6.8**) 'to protect and enhance high amenity areas'. The stated vision is as follows:

*'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored'*.

New hospital development is currently a 'not permitted' use in the HA zone in the 2011-2017 Fingal Development Plan. In this regard, the existing uses on the site are established and non-conforming uses given the presence of and continued operation of the mental health hospital in this location since its inception in the early 20th century and prior to the foundation of The State.

The Fingal Development Plan does not give certainty regarding the re use of the lands at St. Ita's



for hospital and hospital related appropriate use activity having regard to [1] the historic multi functional use activity in association with the hospital within St. Ita's hospital lands e.g. dispensary/ pharmacy, catering, laundry, butchery, bakery, craft workshops, maintenance yard, farm and horticulture, staff residential accommodation etc. and [2] the campus like nature and the historic spread of hospital activity throughout the St. Ita's hospital grounds [most of this use activity has lapsed in recent years on clinical and other grounds].

The intention of the proposed Variation is to give certainty to facilitate appropriate re use of the historic structures at St Ita's and to accommodate new modern health care and ancillary facilities within the historic hospital lands at St. Ita's. This will facilitate the long term planning and sustainable development of the St Ita's Hospital complex and demesne into the future.

### **6.7.6 Protected Views**

A protected view is the requirement within the CDP to preserve the view of a specific place or historic building from another location. Important prospects are prominent landscapes or areas of special amenity value or interest which can be seen from the surrounding area. To the east of St. Ita's, the coastline has been designated as a preserved view, and there are exceptional coastal views from the slightly elevated site at St. Ita's.

### **6.7.7 Historic Landscape Characterisation**

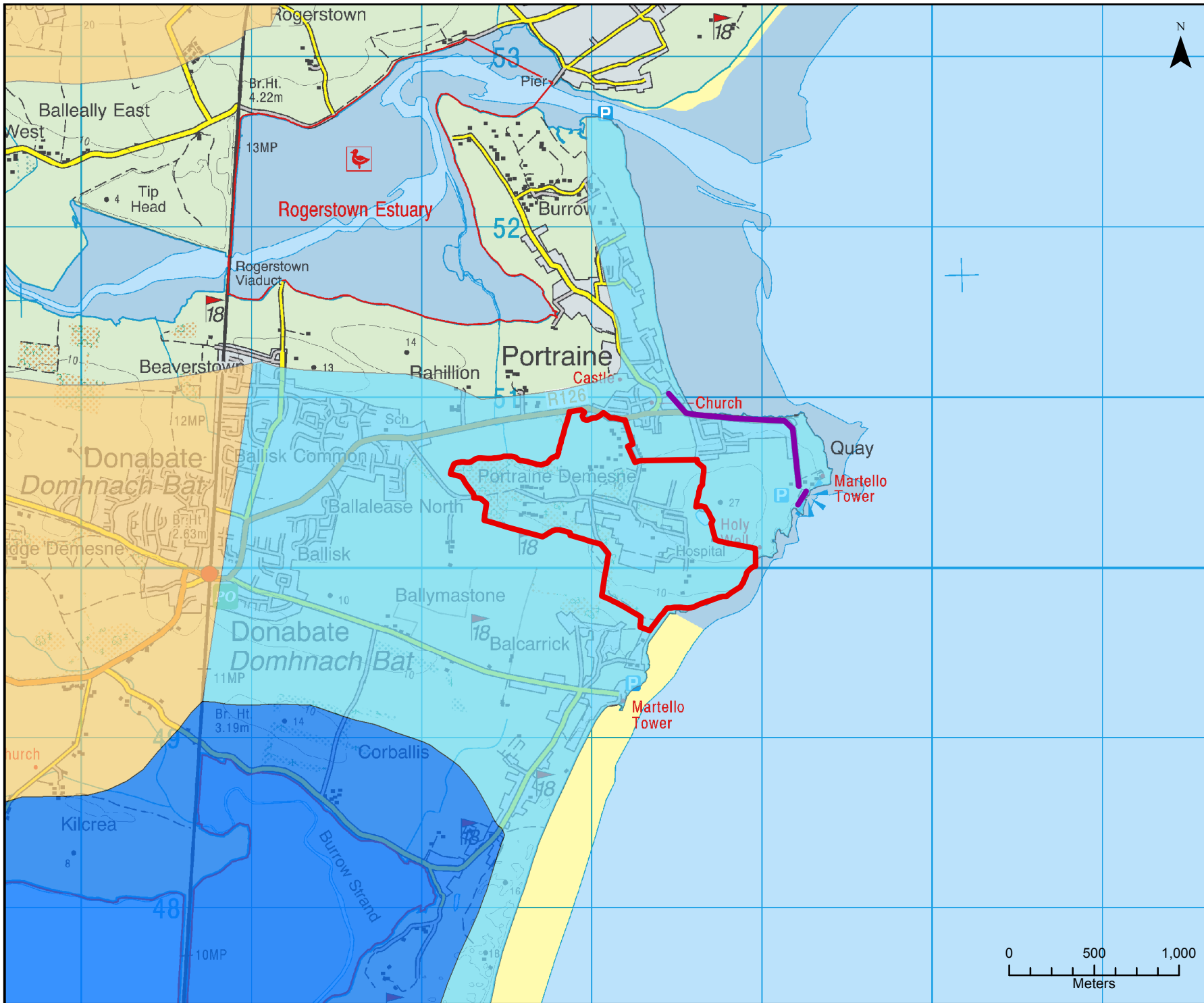
Historic Landscape Characterisation (HLC) aims to identify and understand the historic development of today's landscape by emphasising the contribution that historic processes made to the character of the landscape as a whole. This process contributes to a broader assessment and understanding of landscape character. The land at St. Ita's is mapped in the CDP as a Historic Landscape Characterisation Area.

### **6.7.8 Habitats and Landscape Features of Importance for Biodiversity**

Most of our biodiversity occurs outside sites that are subject to legal protection under national or EU law. There are habitats and features that are of particular importance for biodiversity throughout the landscape. These include, but are not limited to, woodlands, hedgerows and other field boundary types such as stonewalls, earthen embankments and ditches, rivers, streams and associated riparian zones. These elements should be protected and enhanced. It is also important to recognise that habitats and landscape features cannot be sustained in the long-term in isolation from one another. There must be a network of protected areas, ecological 'corridors' and ecological 'stepping stones' available to support the movement of species and to sustain the habitats, ecological processes and functions necessary to maintain biodiversity.

### **6.7.9 Existing Pressures/ Problems**

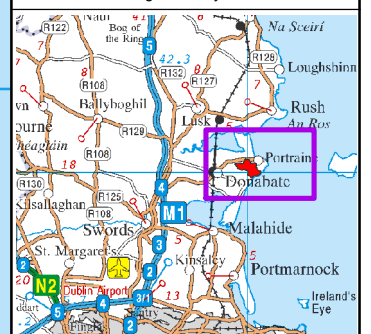
High amenity zones as well as protected views and prospects will become increasingly important with regards to future planning and development within the lands at St. Ita's, and maintaining the natural beauty of this area. The coastal fringe is very sensitive to development. Development needs to reflect or re-enforce the distinctiveness of the landscape and retain important features or characteristics.



**Legend**

- Proposed Variation Lands
  - Preserve Views
- Landscape Character Area**
- Low Lying Agricultural
  - Coastal
  - Estuary

Data Source: Fingal County Council



**Client**

**Fingal County Council**  
Comhairle Contae Fhine Gall

**Project**  
**SEA for the Variation at St Ita's**

**Title**  
**Landscape Character Areas**

**Figure 6.8**

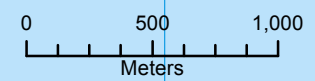
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| Issue Details    |                              |
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## 6.8 EVOLUTION OF THE ENVIRONMENT IN ABSENCE OF THE VARIATION

The lands at St. Ita's, Portrane, are zoned 'HA' High Amenity in the Fingal Development Plan 2011 - 2017 (Sheet 7) 'to protect and enhance high amenity areas'. The lands currently house St. Ita's Hospital complex, which is operated by the HSE. The CDP states *inter alia* the following:

*The existing institutional complex is very extensive and accommodates a large number of protected structures and attractive buildings in an extensive demesne type landscape. Building elements within the complex are landmark structures, which are visible over long distances from the coastline particularly to the south. There are exceptional coastal views from this slightly elevated site. It is an exceptional site which, in the event of it no longer being required by the Health Service Executive, could be reused to provide for future housing (conversion of existing structures), amenity and other ancillary needs within the County. There is a need to examine options regarding the optimal re-use and refurbishment of the complex of buildings within the demesne setting, to ensure the future sustainable use of this important and unique resource.*

It must be recognised therefore that in the absence of the draft Variation, the existing wording of the CDP nonetheless envisages the reuse of the lands for future housing (conversion of existing structures), amenity and other ancillary needs within the County. Consequently, without the draft Variation it is still likely that the landuse at the site will alter.

In the absence of the Variation it is anticipated that the existing structures (many of which are protected) would continue to fall into a state of disrepair as the existing facility reaches the end of its life cycle. Without adequate funding or concrete proposals for the sustainable future use of the site, this decay of buildings may continue for the lifetime of the plan and beyond and may be unsalvageable in the long term. It is likely therefore that important architectural heritage features would be lost.

The woodland at St. Ita's is not currently actively managed. It generally has limited biodiversity potential, however, a number of potential bat roosts have been identified. The proposed Variation provides for the on going maintenance and management of the Demense landscape including the trees and woodland which are an intrinsic part of this unique landscape. Prior to any development at St. Ita's the HSE [1] shall prepare a tree and woodland management programme for all the demesne lands and [2] put in place the necessary resources to implement a phased tree and woodland management programme for all the demesne lands in the HSE's ownership.

In the absence of the draft Variation, the condition of the trees and woodland will likely continue to decline with encroachment of invasive species (already present) and pressure on native flora and fauna and possibly the removal of woodland.

## 7 STRATEGIC ENVIRONMENTAL OBJECTIVES, TARGETS AND INDICATORS

Because SEA, as its name suggests, is set at a strategic level, it is not possible for the baseline environment to be described (and assessed) in as much detail as could be done for a project-level environmental impact assessment. Instead, SEA uses a system of objectives, targets and indicators to rationalise information for the purposes of assessment.

As outlined earlier, the Fingal Development Plan 2011-2017 underwent SEA in 2011. As part of that process a series of Objectives, Targets and Indicators (OTI) were developed for assessing environmental effects. Given that this draft Variation is to that CDP it is considered appropriate to use the existing OTI. This is to ensure consistency in assessment.

OTI are defined as:

**Objectives:** provide a benchmark of what is intended (e.g. Reduce Air Pollution);

**Targets:** describe the long-term desired state for each objective; and

**Indicators:** allow measurement of the objectives over time;

As part of the scoping phase of this SEA, a review of the SEA Objectives used for the Fingal CDP SEA carried out in 2011. The objectives are based on the current understanding of the key environmental issues and are considered in the most part relevant to the specific variation proposed, however it is recognised that they are focussed at the county level and as such not all will be explicitly relevant to the specific lands at St. Ita's. Those Objectives, Targets and Indicators from the CDP which were not considered relevant to the current proposal were removed e.g. those referencing requirement for housing to be within a set distance of a crèche facility. For transparency, the full set of OTI used in the assessment of the CDP 2011-2017 have been included in **Appendix C** with those not considered relevant included as grey text and those brought forward for use in the assessment of the draft Variation in black text.

Selection was also based on consultation with statutory consultees during the scoping stage. Section 7.2 describes the Strategic Environmental Objectives, Targets and Indicators used in assessing the draft Variation.

## 7.1 DEVELOPMENT OF STRATEGIC ENVIRONMENTAL OBJECTIVES, TARGETS AND INDICATORS

### 7.1.1 Strategic Environmental Objectives

There are essentially three types of Objectives considered as part of this SEA. The first relates to the *Objectives of the variation to the Fingal Development Plan 2011-2017* (see **Chapter 3**). The second relates to wider *Environmental Objectives*, i.e. environmental protection objectives at national and European level (also see **Chapter 5**), and finally there are the *Strategic Environmental Objectives (SEOs)*, which were devised to test the environmental effects of the draft Variation, as outlined in **Table 7.1**.

The Strategic Environmental Objectives reflect the existing environmental issues relevant to the draft Variation. They are focussed on protecting and enhancing the natural and human environment and on minimising negative effects. The Strategic Environmental Objectives were developed to be consistent with environmental protection objectives established by International, European and National environmental policies, objectives and standards and with the existing Fingal CDP 2011-2017.

Also, included in **Table 7.1** are detailed assessment criteria, which represent the issues that have been considered during the assessment of whether the draft Variation, including the proposed alternatives, would contribute to meeting the Strategic Environmental Objectives.

**Table 7.1: Strategic Environmental Objectives**

| Environmental Objective and SEA Topics  | Detailed Assessment Criteria* –<br>To what extent will the Draft Variation policies and objectives:  |
|---|--|
| <p><b>Objective 1</b><br/><b>Biodiversity Flora and Fauna</b><br/>Protect and where appropriate, enhance biodiversity, particularly protected areas and protected species</p> | <ul style="list-style-type: none"> <li>• Provide effective protection of international, national and local “protected areas”;</li> <li>• Protect habitats and species on the lands at St. Ita’s;</li> <li>• Provide effective protection of biodiversity in the wider landscape including species protected by law;</li> <li>• Support delivery of Ireland’s Biodiversity Strategies and Fingal Biodiversity Action Plan (2010-2015); and</li> <li>• Contribute towards protection of habitats from invasive species.</li> </ul> |
| <p><b>Objective 2</b><br/><b>Population, Human Health</b><br/>Provide high-quality residential, working and recreational environments and sustainable transport</p>           | <ul style="list-style-type: none"> <li>• Meet the core strategy of objectives in the Regional Planning Guidelines and the Fingal Development Plan 2011-2017.</li> <li>• Support the Dublin Agglomeration Noise Action Plan;</li> <li>• Increase modal shift to public transport;</li> <li>• Co-ordination of land use and transportation;</li> <li>• Improve access to recreation opportunities; and</li> <li>• Protect drinking water areas (including private abstractions).</li> </ul>  |
| <p><b>Objective 3</b><br/><b>Water</b><br/>Protect and where necessary</p>  | <ul style="list-style-type: none"> <li>• Improve water quality in rivers where currently less than good status and maintain groundwater status;</li> </ul>   |

| <b>Environmental Objective and SEA Topics</b>   | <b>Detailed Assessment Criteria* –<br/>To what extent will the Draft Variation policies and objectives:</b>  |
|---|--|
| improve water quality and the management of watercourses and groundwater to comply with the standards of the Water Framework Directive objective and measures and all water, habitat and fisheries based legislation including the Urban Wastewater Treatment Directive, the Freshwater Fish Directive etc. | <ul style="list-style-type: none"> <li>• Support the objectives of the Eastern River Basin Management Plan;</li> <li>• Promote sustainable drainage practices to improve water quality and flow and to enhance opportunities for biodiversity;</li> <li>• Reduce the impacts from point source pollution, diffuse source pollution and morphological alterations;</li> <li>• Ensure sustainable levels of abstraction from surface and groundwater; and</li> <li>• Continue to promote sustainable use of water and water conservation.</li> <li>• Protect marine water quality</li> </ul> |
| <p style="text-align: center;"><b>Objective 4<br/>Cultural Heritage</b></p> <p>Protect and, where appropriate, enhance the character, diversity and special qualities of cultural, architectural and archaeological, heritage in Fingal</p>   | <ul style="list-style-type: none"> <li>• Improve protection for known archaeological sites and monuments and their settings;</li> <li>• Improve protection for protected structures and conservation areas;</li> <li>• Improve protection for areas of archaeological potential and for undiscovered archaeology; and</li> <li>• Enhance access to sites of heritage interest.</li> </ul>  |
| <p style="text-align: center;"><b>Objective 5<br/>Landscape</b></p> <p>Protect and, where appropriate, enhance the character, diversity and special qualities of landscapes in Fingal</p>   | <ul style="list-style-type: none"> <li>• Protect and, where appropriate, enhance designated areas of high quality landscape;</li> <li>• Improve protection for landscapes of recognised quality;</li> <li>• Ensure that landscape character is considered in the development process;</li> <li>• Retain trees and woodlands; and</li> <li>• Maintain clear urban/rural distinctions.</li> </ul>  |
| <p style="text-align: center;"><b>Objective 6<br/>Material Assets</b></p> <p>Make best use of existing infrastructure and promote the sustainable development of new infrastructure</p>   | <ul style="list-style-type: none"> <li>• Improve efficiencies of transport, energy and communication infrastructure;</li> <li>• Ensure sufficient waste water treatment and water supply infrastructure to serve existing and new development;</li> <li>• Continue to provide water conservation measures; and</li> <li>• Reuse of existing buildings</li> </ul>   |

\*Detailed criteria are cited where appropriate and these have been used to ensure consistent application of the objectives. Note air quality and human health have been screened out as part of the scoping process.

#### 7.1.1.1 Inter-relationship in Environmental topics

The inter-relationship between environmental aspects of the environment has been considered during the assessment.

In accordance with the SEA Directive, the interrelationship between the SEA environmental topics must be taken into account. The key interrelationships identified in this SEA are set out below. Of particular note is the primary relationship between water quality and biodiversity, flora and fauna. Flora and fauna, rely directly on the aquatic environment as a habitat. Water is also used for leisure and recreational purposes, providing a material asset both for local populations and as a part of the tourist economy.

**Table 7.2: Potential Inter-relationship between SEA Topics**

|                       |              |                 |            |             |            |             |
|-----------------------|--------------|-----------------|------------|-------------|------------|-------------|
| Objective 1<br>BFF    | √            |                 |            |             |            |             |
| Objective 2<br>P / HH | √            | √               |            |             |            |             |
| Objective 3<br>W      | √            | √               | √          |             |            |             |
| Objective 4<br>CH     | X            | √               | X          | √           |            |             |
| Objective 5<br>L      | √            | √               | √          | √           | √          |             |
| Objective 6<br>MA     | X            | √               | √          | √           | √          | √           |
|                       | Obj 1<br>BFF | Obj 2<br>P / HH | Obj 3<br>W | Obj 4<br>CH | Obj 5<br>L | Obj 6<br>MA |

Key: √ = Yes X= No,

BFF: Biodiversity, Flora and Fauna; P: Population and Human Health; W: Water; MA: Material Assets; CH: Cultural Heritage; L: Landscape

### 7.1.2 Strategic Environmental Indicators and Targets

As with the Strategic Environmental Objectives, reference in the first instance has been made to the those used in the Fingal Development Plan SEA completed in 2011. The targets and indicators associated with each SEA Objective are presented in **Table 7.3**.

**Table 7.3: Strategic Environmental Objectives, Targets and Indicators**

| Objectives                 | Targets  | Indicators   | Source/ Responsibility  |
|----------------------------|--|--|---|
| <b>Objective 1<br/>BFF</b> | No planning permissions granted within 100m of the boundary of a designated site.  | Number of developments receiving planning permission within 100m of the boundary of a designated site. | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer. |
|                            | All actions of the Fingal Biodiversity Action Plan to be achieved by 2017.         | Number of actions achieved in Biodiversity Action Plan.  | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer. |
|                            | No loss of locally rare /distinctive species/habitats.                             | Number of sites containing locally rare/distinctive species/habitats.                                  | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer. |
|                            | No net loss of green linkages established under Green Infrastructure Plan/Strategy | Area of new green infrastructure established.  | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer. |
|                            | No loss of designated sites.   | Number of planning permissions with biodiversity conditions.   | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer. |



| Objectives                 | Targets  | Indicators   | Source/ Responsibility  |
|----------------------------|--|--|---|
| <b>Objective 2<br/>PHH</b> | Decrease in journey time and distance travelled to work during the lifetime of the plan                                      | Distance and mode of transport to work.  | Fingal Co. Co.: Housing, Planning (with input from Fingal Childcare Committee), Parks and Community.  |
| <b>Objective 3<br/>W</b>   | Implementation of the Programme of Measures identified under the ERBD River Basin Management Plan.                           | % increase in waters achieving 'good status' as defined in the WFD   | EPA - Monitoring will be in 2013 as part of WFD interim review.   |
|                            | Comply with the recommendations of the Fingal Groundwater Protection Scheme currently under preparation by the GSI           | Number of planning permissions granted in areas identified as 'vulnerable' under the Groundwater Protection Scheme.  | Fingal Co. Co: Water Services and Planning.   |
| <b>Objective 4<br/>CH</b>  | No impact on the fabric or setting of monuments on the Record of Monuments (RMP) by development granted planning permission  | Number of monuments on the Record of Monuments (RMP), impacted by development granted planning permission  | The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register, Heritage Council Ireland.<br><br>Fingal Co. Co.: Conservation Officer, Planning |
|                            | No decrease in condition of monuments on land in ownership/control of Fingal Co. Co.   | Condition of monuments on land in ownership/control of Fingal Co. Co.  | The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register, Heritage Council Ireland.<br><br>Fingal Co. Co.: Conservation Officer, Planning |
|                            | No impacts on the architectural heritage value or setting of protected structures by development granted planning permission | Number of protected structures impacted by development granted planning permission.  | The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register, Heritage Council Ireland.<br><br>Fingal Co. Co.: Conservation Officer, Planning |
|                            | No protected structures to be demolished because of long term neglect and dereliction  | Number of protected structures that have been demolished because of long term neglect and dereliction  | The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register, Heritage Council Ireland.<br><br>Fingal Co. Co.: Conservation Officer, Planning |
| <b>Objective 5<br/>L</b>   | Maintain and enhance the character of the designated landscapes  |  | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.  |
|                            | No development permitted which will result in avoidable impacts on the landscape   | Percentage of proposed dwellings/developments which contain within their planning permissions, and/or have carried out landscaping proposals as required by a condition of the planning permission | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.  |

| Objectives                | Targets  | Indicators  | Source/ Responsibility   |
|---------------------------|--|---|--|
|                           | No change in the character of the rural landscape  | The absolute no. and percentage increase in the area given over to development sites in the rural area. | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.               |
|                           | No change in protected views   | Number of protected views lost through development.   | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.               |
|                           | No planning permissions granted that would have an effect on the integrity or continuity of hedgerows      | The length of hedging removed measured within a representative area                                     | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.               |
| <b>Objective 6<br/>MA</b> | Increased rates of brownfield site and land reuse and development over the lifetime of the plan            | Rates of brownfield site and land reuse and development   | Teagasc Corine Land Cover Project  |
|                           | Decreased rate of Greenfield development over the lifetime of the plan.                                    | Rates of Greenfield development   | Teagasc Corine Land Cover Project  |
|                           | No non urban developments granted within 100 metres of coastline during the lifetime of the plan           | Number of non urban developments granted permission within 100 metres of coastline                      | Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment  |
|                           | Increase in the length in Km of coastal walkway developed over the lifetime of the plan                    | Length in Km of coastal walkway   | Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment  |
|                           | All beaches to comply with Bathing Water standards within the lifetime of the plan                         | Number of beaches complying with bathing water standards  | EPA  |
|                           | Decrease in the % unaccounted for water over the lifetime of the plan                                      | % unaccounted for water   | Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment. |
|                           | Decrease in the ratio of population to water available for human consumption over the lifetime of the plan | Ratio of population to water available for human consumption  | Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment. |

## 8 CONSIDERATION OF ALTERNATIVES

### 8.1 INTRODUCTION

The preparation of policies and objectives affecting a geographical area such as St. Ita's presents a significant opportunity to affect the way physical change and development occurs, where it happens and the character of that process. The SEA process seeks to document the development process where key decisions are reached, and consider the environmental impacts of the policy path chosen. The examination of alternative means of achieving the strategic objectives of the draft Variation, in the first place recognises the broad challenges before policy makers, as well as seeking the articulation of why the draft Variation prescribes one path over another.

The consideration of draft Variation alternatives is a real-world exercise that recognises that the Variation to the County Development Plan must work within an existing context of National and Regional Strategic Plans, and an Irish and European legislative framework that has sustainable development at its core. It is not an open-book exercise, where every conceivable option is examined. Therefore, in selecting realistic alternatives that could be evaluated, 'no development' or 'unconstrained development', were considered unreasonable alternatives, because the Development Plan already provides for development on these lands. This section sets out the following:

### 8.2 LEGISLATIVE CONTEXT

The consideration of alternatives is a requirement of the SEA Directive (2001/42/EC). It states under Article 5(1) that;

*Where an environmental assessment is required under Article 3(1), an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated. The information to be given for this purpose is referred to in Annex I.*

Annex 1 (h) of the Directive clarifies that the information to be provided on alternatives under Article 5(1), is *inter alia* an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.

Article 9 of the Directive requires that a statement shall be prepared providing information on the reasons for choosing the plan as adopted, in the light of the other reasonable alternatives dealt with.

Annex 1 (f) details the environmental topics to be considered in the evaluation of the alternatives, which is the same as that addressed in the assessment of the plan itself:

*...biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors.*

Therefore, the Directive emphasises that the SEA process must consider alternatives that are 'reasonable', and take into account 'the objectives' of the plan, and 'the geographical scope of the plan'.

The term 'reasonable' is not defined in the legislation. Good practice points to the analysis of 'alternatives' as being a constructive and informative exercise for the policy makers, and that only 'possible' scenarios/options for policy are examined. Plan scenarios that run counter to European environmental directives, the National Spatial Strategy (NSS), Ministerial Guidelines or Regional Planning Guidelines (RPG) would not be considered reasonable.

Alternatives are required to take into account the objectives of the draft Variation. The alternatives study therefore must operate within the strategic objectives, set out for the plan, and provide an examination of alternative means of implementing the draft Variation.

The Directive does not prescribe at what stage consideration of alternatives should be undertaken, as it requires a rationale for choosing the Variation as adopted in the light of the other reasonable alternatives dealt with. However, to present a useful input into the plan making process, all guidance points to alternatives assessing the implementation of the Variation at a strategic level, at the stage where the preferred strategy is being finalised. This is not to say that location specific policies should not be examined but this must be placed within the context of the SEAs role to examine the strategic environmental implications of the direction of the plan at the appropriate policy level.

### **8.3 REASONS FOR SELECTING THE ALTERNATIVES**

The Purpose of the draft Variation is to facilitate the long term planning and sustainable development of the St Ita's Hospital complex and demesne [i.e. lands owned by the HSE] into the future by supporting the implementation of the objectives laid down in the completed feasibility study undertaken jointly by FCC and HSE in response to LO245 of the current CDP 2011-2017. The proposed variation has particular regard to the conservation of the historic buildings within the designated ACA at St Ita's.

The Variation team and SEA team developed three alternative scenarios detailing potential scenarios for the future development of St. Ita's. Scenarios developed are not predictions or preferences; instead they offer a range of outcomes arising from different planning and development strategies. These scenarios form the basis for comparative evaluation of the likely environmental effects of these reasonable alternatives.

The 'reasonable alternatives' all relate to the future use of the complex of buildings [many of which are Protected Structures] and the demesne at St. Ita's. It is considered that the best method for conserving historic buildings is to keep buildings in active use. Identifying suitable new uses for the existing hospital complex will be vital in ensuring the long-term conservation of this complex of buildings and the demesne landscape.

## 8.4 ALTERNATIVES CONSIDERED

The three alternatives are as follows:

1. **Alternative 1:** *Continue existing use of St. Ita's Hospital complex and demesne for psychiatric health care in line with the long established use of the site and provide for other health care and ancillary HSE uses.*
2. **Alternative 2:** *Develop a new residential community in addition to psychiatric health care facilities.*
3. **Alternative 3:** *Appropriate new uses are provided for. Appropriate uses include but are not restricted to health care uses.*

### 8.4.1 Alternative 1

*Continue existing use of St. Ita's Hospital complex and demesne for psychiatric health care in line with the long established use of the site and provide for other health care and ancillary HSE uses.*

*St. Ita's complex and demesne has been used as a psychiatric hospital facility since it was purpose built at the turn of the 20th Century. This alternative comprises the following elements:*

- Continue existing use of *St. Ita's* Hospital complex and demesne for psychiatric health care and ancillary facilities in line with the long established use of the site.
- Provide for the development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital]
- Provide for additional health care uses at *St. Ita's* together with ancillary HSE uses. These uses may include new nursing home / convalescent/ rehabilitation facilities for the growing numbers of older people in the community.
- Continue use of the demesne lands for recreational and amenity use.
- Provide for the ongoing maintenance and management of the Demesne landscape including the trees and woodland.

#### **Environmental effects:**

- There may be less people living and working within the *St. Ita's* site compared to Alternatives 2 and 3 and therefore limited increased use of the demesne lands with all its ecological sensitivities;
- While the existing vacancy level within the *St. Ita's* Hospital complex will reduce with more HSE uses being relocated to Portrane, it is unlikely that the demands for space by the HSE would be

sufficient to occupy all of the available space in the existing buildings and vacancy levels may remain significantly high into the future;

- Conservation of the building stock would be difficult to achieve in the future if many of the buildings remain vacant with no new uses. If buildings remain vacant or under used building condition will likely continue to deteriorate unless these buildings are 'mothballed' until they are required for use by the HSE;
- Traffic demands are likely to be less within the St. Ita's site when compared to Alternatives 2 and 3 given the restricted uses [health and related uses] on the site; and
- Employment opportunities for the local community may be limited given the restricted uses [health and related uses] on the site.

#### **8.4.2 Alternative 2**

*Develop a new residential community in addition to psychiatric health care facilities.*

This alternative comprises the following elements:

- Proposed conversion of use of most of *St. Ita's* Hospital complex [many of which are Protected Structures] for residential use [possibly could accommodate circa 200 residential units]. There are some UK examples where this has occurred including Repton Park [the former Claybury hospital].
- Provide for the development of new modern psychiatric health care and ancillary facilities on the lands (which can include the provision of a National Forensic Mental Health Service Hospital).
- The use of the some of existing buildings for mental health within *St. Ita's* continues.
- Continue use of the Demesne lands for recreational and amenity use.
- Provide for the ongoing maintenance and management of the Demesne landscape including the trees and woodland.

#### **Environmental effects:**

- Given the increased numbers living within the St. Ita's site, there will likely be increased use of the demesne lands with all its ecological sensitivities compared to Alternatives 1 or 3;
- Existing buildings will be in use over time if residential market picks up and the building stock will be conserved and maintained into the future;
- Traffic demands are likely to increase compared to option 1 given the increased numbers living within the St. Ita's site; and

- Employment opportunities for the local community may be limited given the restricted uses on the site for residential and psychiatric health care uses.

### 8.4.3 Alternative 3

**NOTE this is the draft Variation:** *Appropriate new uses are provided for. Appropriate uses include but are not restricted to health care uses.*

This alternative comprises the following elements:

- *St. Ita's* Hospital complex [many of which are Protected Structures] provides for appropriate uses. Appropriate uses allowed include but are not restricted to health care uses. Appropriate uses might also include residential, office; education, community and leisure uses.
- Provide for the development of new modern psychiatric health care and ancillary facilities on the lands (which can include the provision of a National Forensic Mental Health Service Hospital).
- Continue use of the Demesne lands for recreational and amenity use.
- Provide for the ongoing maintenance and management of the Demesne landscape including the trees and woodland.

#### **Environmental effects:**

- Given the increased numbers working within the *St. Ita's* site, there will likely be increased use of the demesne lands with all its ecological sensitivities compared to Alternative 1.
- The existing stock of buildings will have greater chance of being used and conserved into the future compared with the other Alternatives 1 or 2. Conservation of the building stock will be achieved if buildings are in use. Building stock will be maintained and managed if they are occupied. Appropriate use development would more likely be viable and deliverable because it could have a bigger 'draw' on different markets [i.e. Residential; leisure, office]
- Traffic demands are likely to increase compared to option 1 given the increased numbers of people living and working within the *St. ITA's* site.
- Employment opportunities for the local community would be potentially greater with the proposed mixed use development compared to either Alternatives 1 or 2 on the basis that there may be more employment generating uses on the site.

## 8.5 EVALUATION OF SEA ALTERNATIVES

**Table 8.1** summarises the scoring for each development alternative against the Strategic Environmental Objectives (SEOs).

**Table 8.1: Alternatives Option Scores against SEOs**

| Alternative Scenarios | Likely to Improve status of SEOs | Neutral interaction with status of SEOs | Potential Conflict with status of SEOs would be mitigated | Probable Conflict with status of SEOs – unlikely to be mitigated |
|-----------------------|----------------------------------|---|---|--|
| Alternative 1         | SEO1, SEO3,                      | SEO2,                                   | SEO1, SEO6, SEO5  | SEO 4  |
| Alternative 2         | SEO1, SEO4;<br>SEO6              | SEO2                                    | SEO1, SEO3,<br>SEO4, SEO5 SEO6                            |  |
| Alternative 3         | SEO1, SEO2,<br>SEO4;             |   | SEO1, SEO3,<br>SEO4, SEO5 SEO6                            |  |

SEO1= Biodiversity, Flora and Fauna; SEO2= Population and human health; SEO3= Water; SEO4= Cultural Heritage; SEO5= Landscape; SEO6= Material Assets.

### 8.5.1 SEA Preferred Alternative

Alternative 1 is the least intensive use of the site. Under this alternative, it is probable that some buildings on site would remain unused, making conservation of the buildings more problematic. Alternatives 2 and 3 are likely to have similar impacts in terms of biodiversity, material assets, water and landscape. However, alternative 3 is considered to be more likely to attract different markets due to its proposed mixed use, while alternative 2 would depend on the residential market. Alternative 3 is therefore more likely to improve the status of cultural heritage at St. Ita's.

## 8.6 THE PREFERRED ALTERNATIVE

The preferred alternative as proposed under the development strategy for the draft Variation is Scenario 3. A detailed assessment of the preferred alternative is presented in Chapter 9.



## 9 EVALUATION OF DRAFT VARIATION

### 9.1 INTRODUCTION

This chapter of the report provides a discussion of the likely significant impacts (positive and negative, direct and indirect, cumulative and synergistic), which are anticipated from implementation of the policies/objectives contained within the draft Variation. The draft Variation contains seven changes which have been assessed for environmental impacts. The assessment is presented in an assessment matrix as detailed below together with a discussion of the likely significant impacts. The assessment matrix tests whether the proposed changes will have positive or negative implications for the defined Strategic Environmental Objectives (SEOs) (see Chapter 7) with reference back to the detailed assessment criteria outlined in Chapter 7.

The assessment rating assigned for the purposes of comparison are plus (+) indicates a potential positive impact, minus (-) indicates a potential negative impact, plus/minus (+/-) indicates that both positive and negative impacts are likely or that in the absence of further detail the impact is unclear, and a neutral or no impact is indicated by a zero (0). Combinations of these symbols are also possible, e.g.0/-, which indicates that impact may be neutral or negative depending on how the policy or objective is delivered.

Where negative impacts have been identified, mitigation measures have been devised where possible through inclusion of either new policies / objectives, or recommendations have been made to amend or include additional text within the policies / objectives. In addition, more specific recommendations have been made based on survey work completed for the Feasibility Study. All mitigation measures proposed as a result of this assessment are documented in **Chapter 10** of this environmental report.

**It is recognised from the outset that the assessment has been undertaken in the knowledge that the proposed variation would be adopted into the current Fingal CDP and as such the environmental protection policies in place in that statutory document will equally apply to the variation when adopted.**

### 9.2 IMPACT ASSESSMENT OF DRAFT VARIATION

At the Plan level of this draft Variation, the focus of the SEA is on strategic changes to landuse and the direct and indirect effects this is likely to have on the wider area and on the core strategy objectives of the CDP. Prior to the detailed assessment presented below, a review of the compatibility of the draft Variation with the strategic objectives for Fingal County has been undertaken to identify if any conflicts exist which would need to be addressed in the text of the draft Variation (**Table 9.1**).

**Table 9.2** sets out the environmental assessment of the draft Variation in relation to the seven changes proposed (see Chapter 3 for details of the proposed variation).

**Table 9.1: Compatibility of draft Variation with Strategic Policies of the County Development Plan 2011-2017**

| Strategic Policy   | Comment   |
|--|---|
| Promote sustainable development by providing for the integration of economic, environmental, social and cultural issues into development plan policies and objectives, utilizing to that end the Strategic Environmental Assessment (SEA) and Habitats Directive Assessment (HDA) processes. | Actively supports this strategic policy. No conflict anticipated.   |
| Minimise the County's contribution to climate change, and adapt to the effects of climate change, with particular reference to the areas of land use, energy, transport, water resources, flooding, waste management and biodiversity.   | Potential to require additional transport and water resources. Loss of vegetation.  |
| Contribute to the creation of a more socially inclusive society by providing for appropriate community infrastructure and improving access to information and resources.   | No conflict anticipated.  |
| Add quality to the places where Fingal's people live, work and recreate by integrating high quality design into every aspect of the Plan.  | No conflict anticipated   |
| Promote and facilitate the long-term consolidation and growth of the county town of Swords in accordance with the Swords Strategic Vision 2035.  | No conflict anticipated.  |
| Consolidate the growth of the major centres of Blanchardstown and Balbriggan largely within their previously identified limits by encouraging infill rather than greenfield development and by intensification at appropriately identified locations.  | Actively supports this strategic policy. No conflict anticipated.   |
| Consolidate the development and protect the unique identities of the settlements of Howth, Sutton, Baldoyle, Portmarnock, Malahide, Donabate, Lusk, Rush and Skerries  | Actively supports this strategic policy. No conflict anticipated.   |
| Develop an enhanced identity and link with Fingal for the broader communities of Santry, Meakstown/ Charlestown and Lanesborough and define them beyond a South Fingal Fringe settlement.  | No conflict anticipated.  |
| Safeguard the current and future operational, safety, and technical requirements of Dublin Airport and provide for its ongoing development within a sustainable development framework.   | No conflict anticipated.  |
| Promote enterprise and employment throughout the County, including the Metro North Economic Corridor and Blanchardstown, and work with the other Dublin Local Authorities to promote the Dublin City Region as an engine of economic recovery and growth for the region and the country.     | No conflict anticipated.  |
| Protect, maintain and enhance the natural and built heritage of the County.  | Potential to impact on natural and built heritage at St. Ita's. Measures to safeguard this heritage and enhance will be required for any development of the site. |

| Strategic Policy   | Comment   |
|--|---|
| Provide viable options for the retention of the rural community by the promotion of a controlled growth of the rural villages and clusters balanced with careful restriction of residential development in the countryside.  | Growth in rural areas has potential negative impacts for BFF, W, CH, L and MA through change of landuse and construction related impacts. Positive impacts on PHH and CH by promotion and retention of rural communities. |
| Strengthen and consolidate green belts around key settlements.   | No conflict anticipated.  |
| Seek the development of a high quality public transport system throughout and adjoining the County, including the development of Metro North and Metro West, improvements to the railway infrastructure and the facilitation of QBC's, together with enhanced facilities for walking and cycling and a roads infrastructure geared to the needs of the County.   | No conflict anticipated.  |
| Secure the timely provision of the water supply and drainage infrastructure necessary to facilitate the sustainable development of the County.   | No conflict anticipated.  |
| Secure the timely provision of other infrastructure essential to the sustainable development of the County, in particular in the areas of waste disposal, energy supply, renewable energy generation and ICT.  | No conflict anticipated.  |
| Ensure the timely provision of schools, recreational facilities, roads, waste water treatment facilities and emergency services, commensurate with the number of housing units proposed for construction on lands zoned for residential development.   | No conflict anticipated.  |
| Avoid building on areas liable to flooding or which would be liable to exacerbate flooding.  | No conflict anticipated.  |
| Facilitate the sustainable development of a new deep water port in the general vicinity of Bremore, together with associated landside activities within existing urban development areas. Safeguard the natural and archaeological heritage of the Bremore area, through a Local Area Plan which would prioritise transport infrastructure, minimize any negative impact of landside activities on nearby existing urban communities, and maximise the economic benefits to such communities, in the event of a new deep water port being developed in the general vicinity. | No conflict anticipated.  |

**Table 9.2: Assessment Matrix for draft Variation to the Fingal CDP with Respect to Lands at St. Ita's, Portrane.**

| <b>SEO</b>                                  | <b>Proposed Change 1</b> | <b>Proposed Change 2</b> | <b>Proposed Change 3</b> | <b>Proposed Change 4</b> | <b>Proposed Change 5</b> | <b>Proposed Change 6</b> | <b>Proposed Change 7</b> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>Biodiversity<br/>Flora and<br/>Fauna</b> | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               |
| <b>Cultural<br/>Heritage</b>                | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               |
| <b>Landscape</b>                            | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               |
| <b>Population<br/>and Human<br/>Health</b>  | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               |
| <b>Water</b>                                | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               | <b>+/-</b>               |
| <b>Material<br/>Assets</b>                  | <b>+</b>                 | <b>+</b>                 | <b>+</b>                 | <b>+</b>                 | <b>+</b>                 | <b>+</b>                 | <b>+</b>                 |

Where (+) = positive, (-) = negative, (+/-) = both positive and negative and (0) = neutral.

## 9.2.1 Discussion

The purpose of the draft Variation is to facilitate the long term planning and sustainable development of the St Ita's Hospital complex and demesne [i.e. lands owned by the HSE] into the future. This is to be achieved by supporting the implementation of the objectives laid down in a Feasibility Study of St Ita's which has been undertaken jointly by FCC and the HSE. All seven of the changes proposed as part of the draft Variation relate to this and as such an overall discussion of the implications of this is presented below to avoid significant repetition for each of the proposed changes.

The Feasibility Study identifies the St Ita's Hospital complex and demesne as a suitable location for the development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital).

It is the objective of Fingal County Council to actively support the implementation of the objectives laid down in this feasibility study including specifically those relating to:

- The development of new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital) within St. Ita's.
- The reuse of the Protected Structures for appropriate uses together with the ongoing future maintenance and management of these structures;
- The ongoing maintenance and management of the Demense landscape including the trees and woodland which are an intrinsic part of this unique landscape; and
- The maintenance and provision for an appropriate level of public accessibility through the site.

Arising out of this feasibility study [LO 245], seven amendments are proposed to the Fingal Development Plan in order to support the implementation of the objectives in the Feasibility study, objectives which will facilitate the long term planning and sustainable development of the St Ita's Hospital complex and demesne into the future.

The draft Variation introduces the possibility, in principle, of the development of a new modern psychiatric facility in the future. It is noted that any proposals for a specific project would be subject to the provisions of the Planning and Development Act 2000 (as amended) and associated regulations including the need for project level Environmental Impact Assessment and Appropriate Assessment, both of which are fully supported by objectives such as Objective AA1 in the CDP 2011-2017.

Potential short to medium term direct negative impacts are anticipated from any proposed new development on **Biodiversity, Flora and Fauna** as it would include loss of woodland habitat at the site; loss of bat roosts in woodland trees; loss of connectivity through the site; and loss of foraging areas for bats and badgers. It is also noted that the area is designated as a *Nature Development Area* in the Fingal CDP and the loss of such habitat in any way has a potential to negatively impact on the spatial framework for biodiversity conservation and management in Fingal. This framework supports local, regional, national and European biodiversity throughout the county and any disruption to its coherence would negatively impact on the receiving environment. This is of particular concern in relation to Article 10 of the EU Habitats Directive which states that *..... Member States shall endeavour, where they consider it necessary, in their land use planning and development policies and, in particular, with a view to improving the ecological coherence of the Natura 2000 network, to encourage the management of features of the landscape which are of major importance for wild fauna*

*and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.* The loss of roosts and connectivity within and through the site will give rise to direct negative impacts to protected fauna using the area. Prior to any site work or development on site, it is essential that a fully qualified and licensed bat specialist is employed to carry out surveys of the site in the appropriate seasons to update current knowledge of bat usage of the site. Based on this, and prior to development proposals being formulated, a mitigation strategy shall be prepared, in consultation with NPWS to address direct and indirect impacts on bats. It is noted that any interference with bats or their roosts can only be done under license from the NPWS. It is noted that the draft Variation will not impact on the ecological buffer area to the north of the R126 (See Sheet 15 Green Infrastructure in the Fingal Development Plan 2011-2017).

Fields to the north of St. Ita's have been identified in the Ecology Report, completed for the Feasibility Study, as wet grassland and have subsequently been identified by DAHG as potentially important as a supporting feature for the nearby Malahide and Rogerstown Estuaries (both SPAs) and for snipe in particular. While the Variation does not directly impact on this area, the Feasibility Study has identified it as a wetland amenity zone. Given the potential of the area for birds, it is recommended that this area is fully excluded from consideration of any development, including but not limited to: access routes including pedestrian / cyclist associated with operation, development of any amenity areas which could attract people / domestic animals, any construction access routes and any stockpiling of material or other related activities or ancillary works during construction.

Cumulatively with recent projects in the area such as the WwTP on adjacent lands and potential future projects such as the Donabate Distributor Road (planned development) there is potential for gradual erosion of features such as treelines and hedgerows, fields and field margins as a result of intensification of landuses. These features provide a significant resource to flora and fauna using the wider area and this gradual loss is a long term negative impact on biodiversity generally. It is therefore recommended that any development of the site should be accompanied by a biodiversity action plan which addresses any identified negative impacts and also presents a strategy for enhancement of the lands to the benefit of biodiversity.

A positive aspect for Biodiversity, Flora and Fauna is the objective for ongoing maintenance and management of the Demesne landscape including the trees and woodland which are an intrinsic part of this unique landscape. Stated objectives of the HSE in the Feasibility Study are: [1] to prepare a tree and woodland management programme for all the demesne lands and [2] to put in place the necessary resources to implement a phased tree and woodland management programme for all the demesne lands in the HSE's ownership. A considered and well implemented woodland management programme for the entire demesne would address biodiversity value in terms of ground flora, control and eradication of invasive species and as such would deliver positive impacts for flora and fauna using the site.

A number of invasive species were noted during a habitat survey for the Feasibility Study and the control and / or eradication of these would be of benefit to the biodiversity locally and within Fingal generally. This would result in short to medium term positive impacts. It is essential that the tree and woodland management programme for all the demesne lands is in the first instance reviewed by a qualified ecologist to ensure it maximizes enhancement for biodiversity, flora and fauna using the site to address in particular loss of woodland habitat at the site; loss of bat roosts in woodland trees; loss of connectivity through the site; and loss of foraging areas for bats and badgers.

Following review and update, implementation of the phased tree and woodland management programme for the entire demesne lands in the HSE's ownership should become a condition of planning for the site should the proposed National Forensic Mental Health Service Hospital proposal be realised. A detailed construction management plan should be required for any development of the site to prevent spread of invasive species.

It is noted that the architectural heritage survey carried out for the Feasibility Report acknowledged that a new *National Forensic Mental Health Service Hospital* would require a specialised design given the very specific and specialised nature of the facility and as such, St. Ita's in its current form could not satisfy the requirements. Reuse of buildings is therefore likely to be limited to structures suitable for offices and treatment rooms in the first instance. Additional suitable stock may in the future be offered to other public bodies if such a need arises. It is anticipated that the overall impact on **Cultural Heritage** (including Archaeology, Architecture and Cultural Heritage) will be long-term positive, as it provides the potential for historical and protected structures to be kept in use and, as such, conserved. The complex has been expanded with the construction of new buildings in recent decades. Existing buildings and structures are distributed throughout the lands and many are vacant. There has been a decline in the quality of general maintenance of the buildings at St. Ita's over many years and many of the buildings are currently in a state of disrepair and some are derelict. The current proposal would see a focussed plan for the hospital and its grounds which would see reuse of existing buildings and importantly maintenance and upkeep of those in a state of disrepair. For example, there is currently damage to buildings as a result of poor rainwater systems and this has led to decay in building materials. The Variation would facilitate the improvement of this situation with long term positive impacts for the architectural heritage by broadly keeping historical uses alive within the area albeit in a much modernized format. Given the limitations on reuse of buildings it is considered that other aspects of the complex which can be rehabilitated as part of any development should be prioritised as soon as possible. It is therefore recommended that priority is given to rehabilitation of the walled garden as an amenity feature to contribute meaningfully to the concept of re-use and conservation of the available facilities. It is recognised that the lands at St. Ita's have not undergone a full archaeological survey. The Feasibility Study cited the Demesne as having a high potential for archaeology which may be impacted upon by future development. There is potential for negative impact to cultural heritage via impacts to currently unknown archaeological sites, therefore any sites on which development is proposed should be archaeologically assessed prior to the design stage.

A potential for long-term direct and indirect negative impacts to cultural heritage and its related setting exists should the *National Forensic Mental Health Service Hospital* project be built. As the existing buildings would not be of a nature or standard acceptable for a modern psychiatric or detainment facility, internal modifications are likely to be required for those that can be reused as offices etc. Unsympathetic design of these and any new structures present a risk to the integrity of the complex however it is likely this could be managed through the early involvement of an landscape and architectural heritage specialists to ensure designs are in keeping with the historical context of the existing structures and their settings should a project come to fruition. A fully qualified landscape architect and architectural heritage specialist should be involved in any design proposals for the site. Similarly, the specialised design required for a *National Forensic Mental Health Service Hospital* will require new buildings and the addition of security fences and lighting which will change the setting of St. Ita's significantly and has the potential to impact negatively on the visual setting of the existing complex.

The development of a new modern psychiatric health care and ancillary facilities (which can include the provision of a National Forensic Mental Health Service Hospital) within St. Ita's has the potential to have a direct negative impact on the high quality **Landscape** of the area and consequently an indirect negative impact on the local community and visitors viewing the landscape character. St. Ita's is

zoned High Amenity and the lands have been designated as highly sensitive in the Fingal CDP with a low capacity to absorb new development. Building elements within the complex at St. Ita's are landmark structures, which are visible over long distances from the coastline particularly to the south. There are exceptional coastal views from this slightly elevated site. The Fingal Development Plan 2011-2017 shows preserved views to the north east and east of the lands. A proposal for a new modern psychiatric health care is likely to include construction of new buildings, security fences, lighting and possibly access roads etc. all of which could have a direct negative impact on the receiving landscape. It is noted in the landscape assessment carried out for the Feasibility Study identified that existing woodland could offer potential for screening of such a development at the site. It is noted that although the area is primarily rural in nature, the cumulative effect of developments such as the Portrane WwTP on adjacent lands and the planned Donabate Distributor Road, together with development of this site in line with the objectives of the feasibility study will be the gradual alteration of the existing environment to include more urban fabric. This could have negative impacts on the character of the landscape over the long-term. To mitigate this it will be important to ensure that any development at the site maintains as far as possible existing rural landscape features such as hedgerows and field boundaries and that there is sensitive siting of any infrastructure so as to maximise screening using existing landscape features e.g. woodland, topography.

The potential impacts on **Population and Human Health** are negative in terms of a likely increase in local traffic, but positive in terms of a potential increase in local employment arising from development. It is recommended that any development at St. Ita's is subject to the provision of covered cycle parking to promote sustainable transport options. Access to the lands is via the R126 and through Donabate Village. The Donabate LAP prepared in 2006 provided for the development of the proposed Donabate Distributor Road linking the Portrane Road and Hearse Road west of Donabate village. Permission was granted for this road by An Bord Pleanála in 2011. There is an existing right of way on the lands in questions and this could be impacted by any development of the lands. This would have long term negative impacts for the local population / community if an alternative is not provided as it would represent a loss of public amenity. Such a change to the right of way should only be permitted after the identification and development of an alternative.

The impacts on **Water** relate to water quality in particular. The draft Variation lands are located within the Donabate Water Management Unit (WMU). The Donabate Water Management Unit has been assigned 'moderate' status by the EPA under the Water Framework Directive and a Programme of Measures was established as part of the ERBD River Basin Management Plan 2009-2015. Fingal is committed to implementation of this Programme of Measures to ensure the objective of the WFD to achieve 'good status' in all water bodies by 2015 can be achieved. This is supported by Objective W01; W02 and W03 in the CDP.

No rivers flow through the lands within the draft Variation, however there are two first order streams in proximity to the lands. While the streams in and of themselves have limited ecological value it is noted that they discharge to waters which are designated under the EU Habitats Directive and as such must be viewed as being highly sensitive. Any development of these lands must therefore have regard to the pathway these streams present to more sensitive waters. As a matter of course, SUDs should be implemented on site and the necessary sediment traps and petrol / oil interceptors installed to ensure no negative impact on these streams or the waters to which they discharge.

With regard to **Material Assets**, as noted above, there is likely to be an increase in traffic as a result of increased use of the lands at St. Ita's. This has the potential to negatively impact on existing traffic patterns in the area both in the short-term for any construction and also in the longer term with additional people living and working at St. Ita's. A traffic impact assessment should be undertaken as part of any planning application of the site and this should include a mobility management plan to



ensure maximum modal shift to sustainable forms of transport to reduce car dependency at these lands. It is anticipated that the increase in demand for water and waste water treatment can be met by available supply of drinking water in Fingal and by the new WwTP at Portrane.

## 10 MITIGATION AND MONITORING

### 10.1 INTRODUCTION

Annex 1 (g) of the SEA Directive requires that the Environmental Report describe the measures envisaged to prevent, reduce and/or offset as fully as possible any significant adverse effects on the environment from implementation of the Variation. The key recommendations arising from the SEA are outlined in **Table 10.1** of this section of the Environmental Report.

### 10.2 HOW HAS THE SEA INFLUENCED THE DRAFT VARIATION

Integration of the SEA and the draft Variation was achieved through involvement of the relevant team members at the key stages of the project, including SEA Scoping, review of the existing environment and generation of policies/ objectives. The SEA, AA and Plan teams participated in meetings, telephone and email discussions in relation to development of alternatives, gathering of baseline environment data and development of policy and text recommendations for inclusion in the draft Variation.

### 10.3 MITIGATION MEASURES

Table 10.1 outlines the main mitigation measures recommended by the SEA to offset negative impacts to the receiving environment.

**Table 10.1: Recommended Mitigation Measures**

| Ref. | Mitigation Measure   |
|------|--|
| 1    | <p>Existing buildings: Prior to the development of any new hospital facility at St. Ita's the HSE shall agree with the Planning Authority a programme to:</p> <p>[1] Carry out the immediate refurbishment of a number of existing buildings within the active use area identified on Map 9.2 of the feasibility study.</p> <p>[2] Ensure that all buildings outside of the active use area will be mothballed in accordance with an agreed protocol as developed with the conservation consultants, Carrig and as set out in Appendix G of the feasibility study and as referenced in Map 9.2. This approach will incorporate appropriate planned maintenance regimes for the occupied and the unoccupied (mothballed) spaces</p> <p>The HSE shall put in place/ commit the necessary resources to implement a phased programme of maintenance works for both necessary maintenance works and medium/long term works to ensure the conservation of the existing buildings at St. Ita's in the future.</p> |
| 2    | <p>Trees and woodland: Prior to the development of any new hospital facility at St. Ita's the HSE [1] shall prepare a tree and woodland management programme for all the demesne lands and [2] put in place the necessary resources to implement a phased tree and woodland management programme for all the demesne lands in the HSE's ownership</p>  |
| 3    | <p>Archaeology: Any sites on which development is proposed shall be archaeologically assessed prior to the design stage in accordance with the requirements of the Fingal Development Plan 2011-2017 and any requirements of the Department of Arts , Heritage and the Gaeltacht . Such assessments should take place.</p>   |

| Ref. | Mitigation Measure   |
|------|--|
| 4    | Prior to any site work, it is essential that a fully qualified and licensed bat specialist is employed to carry out surveys of the site in the appropriate seasons to update current knowledge of bat usage of the site. Based on this, and prior to development proposals being formulated, a mitigation strategy shall be prepared, in consultation with NPWS to address direct and indirect impacts on bats. It is noted that any interference with bats or their roosts can only be done under license from the NPWS.  |
| 5    | It is recommended that any development of the site should be accompanied by a demesne wide biodiversity action plan which addresses any identified negative impacts and also presents a strategy for enhancement of the lands to the benefit of biodiversity. This shall include mowing regimes of grassland to benefit insects, breeding skylark and flora, and additional planting proposals and other wildlife friendly measures such as the erection of bat and bird breeding boxes. It shall also include a survey to identify the locations of invasive species on the lands.  |
| 6    | It is essential that the trees and woodland management programme for all the demesne lands is in the first instance reviewed by a qualified ecologist to ensure it maximises enhancement for biodiversity, flora and fauna using the site to address in particular loss of woodland habitat at the site; loss of bat roosts in woodland trees; loss of connectivity through the site; and loss of foraging areas for bats and badgers. Following review and update, implementation of this tree and woodland management programme should become a condition of planning for the site should the proposed <i>National Forensic Mental Health Service Hospital</i> proposal be realised. A detailed construction management plan should be required for any development of the site to prevent spread of invasive species. |
| 7    | It is recommended that priority is given to rehabilitation of the walled garden as an amenity feature to contribute meaningfully to the concept of re-use and conservation of the available facilities. This should include consideration of the potential heritage value of the apple trees contained within.   |
| 8    | Given the potential of the wet grassland area to the north of St. Ita's to support important birdlife in the area, this area will be fully excluded from consideration of any development, including but not limited to: access routes including pedestrian / cyclist associated with operation, development of any amenity areas which could attract people / domestic animals, any construction access routes and any stockpiling of material or other related activities or ancillary works during construction.  |
| 9    | A fully qualified landscape architect and architectural heritage specialist should be involved in any design proposals for the site.   |
| 10   | Any development at the site should maintain as far as possible existing rural landscape features such as hedgerows and field boundaries and ensure sensitive siting of any infrastructure so as to maximise screening using existing landscape features e.g. woodland, topography.   |
| 11   | Extinguishment of right of way through the lands should only be permitted after the identification and development of an alternative.  |
| 12   | As a matter of course, SUDs should be implemented on site and the necessary sediment traps and petrol / oil interceptors installed to ensure no negative impact on these streams or the waters to which they discharge.  |

| Ref. | Mitigation Measure   |
|------|--|
| 13   | A traffic impact assessment should be undertaken as part of any planning application of the site and this should include a mobility management plan to ensure maximum modal shift to sustainable forms of transport to reduce car dependency at these lands. |
| 14   | It is recommended that any development at St. Ita's is subject to the provision of covered cycle parking to promote sustainable transport options.   |

## 10.4 MONITORING

Article 10 of the SEA Directive (2001/42/EEC) requires Member States to monitor the significant environmental effects of the implementation of plans *"in order, inter alia, to identify at an early stage unforeseen adverse effects to be able to undertake appropriate remedial action"*. The primary purpose of monitoring is to cross-check significant environmental effects which arise during the implementation stage against those predicted during the plan preparation stage.

The Directive leaves considerable flexibility to Member States in deciding how monitoring shall be arranged; however, it is generally agreed that a mixture of "quantitative and qualitative indicators are required. The Directive recognises that the monitoring does not necessarily require new research activity and that existing sources of information can be used. In addition, monitoring can be used to identify any information gaps and deficiencies that were identified as part of the SEA process. Furthermore, Government Guidelines state that monitoring should concentrate on the likely significant effects identified in the Environmental Report (DoEHLG, 2004).

Monitoring will be based around the Strategic Environmental Objectives, Indicators and Targets set out in Chapter 7 of this Environmental Report which themselves have been taken from the SEA carried out on the Fingal Development Plan 2011-2017 are set out in **Table 10.1**. The indicators presented are at a level which is relevant to the draft Variation and are collated on and reported on by a variety of government agencies including the EPA, NPWS and OPW and Fingal CC.

### Responsibilities and Frequency of Reporting

The statutory Manager's Report on progress in achieving objectives of the Variation, takes place two years after the adoption of the CDP. As such this time period has passed therefore the next review will be as part of the official update and review process for the CDP. At that time if an objective of the draft Variation is resulting in a significant adverse effect then this can be addressed in the new CDP process. It is largely the responsibility of Fingal County Council to undertake the monitoring and to interpret the monitoring data relevant to St. Ita's and to deal with unforeseen effects as a result of implementing the draft Variation.

**Table 10.2: Monitoring and Reporting Programme**

| Objectives                             | Targets   | Indicators   | Source/ Responsibility  |
|--|---|--|---|
| <b>Biodiversity, Flora &amp; Fauna</b> | No planning permissions granted within 100m of the boundary of a designated site. | Number of developments receiving planning permission within 100m of the boundary of a designated site. | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer. |
|  | All actions of the Fingal Biodiversity Action Plan to                             | Number of actions achieved in Biodiversity Action Plan.  | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity          |

| Objectives                      | Targets  | Indicators  | Source/ Responsibility  |
|---------------------------------|--|---|---|
|                                 | be achieved by 2017.   |   | Officer.  |
|                                 | No loss of locally rare /distinctive species/habitats.   | Number of sites containing locally rare/distinctive species/habitats.   | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer.   |
|                                 | No net loss of green linkages established under Green Infrastructure Plan/Strategy   | Area of new green infrastructure established.   | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer.   |
|                                 | No loss of designated sites.   | Number of planning permissions with biodiversity conditions.  | Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer.   |
| <b>Population, Human health</b> | Decrease in journey time and distance travelled to work during the lifetime of the plan                                      | Distance and mode of transport to work.   | Fingal Co. Co.: Housing, Planning (with input from Fingal Childcare Committee), Parks and Community.  |
| <b>Water</b>                    | Implementation of the Programme of Measures identified under the ERBD River Basin Management Plan.                           | % increase in waters achieving 'good status' as defined in the WFD  | EPA - Monitoring will be in 2013 as part of WFD interim review.   |
|                                 | Comply with the recommendations of the Fingal Groundwater Protection Scheme currently under preparation by the GSI           | Number of planning permissions granted in areas identified as 'vulnerable' under the Groundwater Protection Scheme. | Fingal Co. Co: Water Services and Planning.   |
| <b>Cultural Heritage</b>        | No impact on the fabric or setting of monuments on the Record of Monuments (RMP) by development granted planning permission  | Number of monuments on the Record of Monuments (RMP), impacted by development granted planning permission           | The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register, Heritage Council Ireland.<br><br>Fingal Co. Co.: Conservation Officer, Planning |
|                                 | No decrease in condition of monuments on land in ownership/control of Fingal Co. Co.   | Condition of monuments on land in ownership/control of Fingal Co. Co.   | The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register, Heritage Council Ireland.<br><br>Fingal Co. Co.: Conservation Officer, Planning |
|                                 | No impacts on the architectural heritage value or setting of protected structures by development granted planning permission | Number of protected structures impacted by development granted planning permission.                                 | The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register, Heritage Council Ireland.<br><br>Fingal Co. Co.: Conservation Officer, Planning |
|                                 | No protected structures to be demolished because of long term neglect and dereliction  | Number of protected structures that have been demolished because of long term neglect and dereliction               | The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register, Heritage Council Ireland.   |

| Objectives             | Targets  | Indicators   | Source/ Responsibility   |
|------------------------|--|--|--|
|                        |  |  | Fingal Co. Co.: Conservation Officer, Planning                                     |
| <b>Landscape</b>       | Maintain and enhance the character of the designated landscapes  |  | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.               |
|                        | No development permitted which will result in avoidable impacts on the landscape                           | Percentage of proposed dwellings/developments which contain within their planning permissions, and/or have carried out landscaping proposals as required by a condition of the planning permission | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.               |
|                        | No change in the character of the rural landscape  | The absolute no. and percentage increase in the area given over to development sites in the rural area.  | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.               |
|                        | No change in protected views   | Number of protected views lost through development.  | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.               |
|                        | No planning permissions granted that would have an effect on the integrity or continuity of hedgerows      | The length of hedging removed measured within a representative area  | Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning.               |
| <b>Material Assets</b> | Increased rates of brownfield site and land reuse and development over the lifetime of the plan            | Rates of brownfield site and land reuse and development  | Teagasc Corine Land Cover Project  |
|                        | Decreased rate of Greenfield development over the lifetime of the plan.                                    | Rates of Greenfield development  | Teagasc Corine Land Cover Project  |
|                        | No non urban developments granted within 100 metres of coastline during the lifetime of the plan           | Number of non urban developments granted permission within 100 metres of coastline   | Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment  |
|                        | Increase in the length in Km of coastal walkway developed over the lifetime of the plan                    | Length in Km of coastal walkway  | Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment  |
|                        | All beaches to comply with Bathing Water standards within the lifetime of the plan                         | Number of beaches complying with bathing water standards   | EPA  |
|                        | Decrease in the % unaccounted for water over the lifetime of the plan                                      | % unaccounted for water  | Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment. |
|                        | Decrease in the ratio of population to water available for human consumption over the lifetime of the plan | Ratio of population to water available for human consumption   | Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment. |



## ACRONYMS AND ABBREVIATIONS

|              |  |
|--------------|--|
| <b>AA</b>    | Appropriate Assessment                                     |
| <b>CFRAM</b> | Catchment Flood Risk Assessment and Management             |
| <b>DAHG</b>  | Department of Arts, Heritage and the Gaeltacht             |
| <b>DCENR</b> | Department of Communications, Energy and Natural Resources |
| <b>DECLG</b> | Department of Environment, Community and Local Government  |
| <b>EC</b>    | European Community   |
| <b>EIA</b>   | Environment Impact Assessment                              |
| <b>EPA</b>   | Environmental Protection Agency                            |
| <b>ER</b>    | Environmental Report                                       |
| <b>EU</b>    | European Union   |
| <b>GHG</b>   | Greenhouse Gas   |
| <b>HSE</b>   | Health Service Executive                                   |
| <b>IPPC</b>  | Integrated Pollution Prevention and Control                |
| <b>NHA</b>   | Natural Heritage Area                                      |
| <b>NIAH</b>  | National Inventory of Architectural Heritage               |
| <b>NPWS</b>  | National Parks and Wildlife Service                        |
| <b>OPW</b>   | Office of Public Works                                     |
| <b>P.E.</b>  | Population Equivalent                                      |
| <b>POM</b>   | Programme of Measures                                      |
| <b>P/P</b>   | Plan or Programme  |
| <b>ERBD</b>  | Eastern River Basin District                               |
| <b>ERBMP</b> | Eastern River Basin Management Plan                        |
| <b>RMP</b>   | Records of Monuments and Places                            |
| <b>SAC</b>   | Special Area of Conservation                               |
| <b>SEA</b>   | Strategic Environmental Assessment                         |
| <b>SPA</b>   | Special Protection Area                                    |
| <b>WFD</b>   | Water Framework Directive                                  |
| <b>WWTP</b>  | Waste Water Treatment Plants                               |



## GLOSSARY

|                                 |   |
|---------------------------------|---|
| Appropriate Assessment          | An assessment of the effects of a plan or project on the Natura 2000 network. The Natura 2000 network comprises Special Protection Areas under the Birds Directive, Special Areas of Conservation under the Habitats Directive and Ramsar sites designated under the Ramsar Convention (collectively referred to as European sites). Also known as the Habitats Directive Assessment. |
| Aquifers:                       | A water bearing rock which readily transmits water to wells and springs.  |
| Baseline environment:           | A description of the present state of the environment of the P/P area.  |
| Biodiversity:                   | Word commonly used for biological diversity and defined as assemblage of living organisms from all habitats including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part.   |
| Birds Directive (79/409/EEC):   | Council Directive of 2nd April 1979 on the conservation of wild birds.  |
| Cumulative effects:             | Effects on the environment that result from incremental changes caused by the strategic action together with other past, present, and reasonably foreseeable future actions. These effects can result from individually minor but collectively significant actions taking place over time or space.   |
| Designated authority:           | An organisation that must be consulted in accordance with the SEA Regulations.  |
| Diffuse sources (of pollution): | These are primarily associated with run-off and other discharges related to different land uses such as agriculture and forestry, from septic tanks associated with rural dwellings and from the land spreading of industrial, municipal and agricultural wastes.   |
| Ecology:                        | The study of the relationship among organisms and between those organisms and their non-living environment.   |
| Ecosystem:                      | A community of interdependent organisms together with the environment they inhabit and with which they interact, and which is distinct from adjacent communities and environments.  |
| Environmental assessment:       | The preparation of an environmental report, the carrying out of consultations, the taking into account of the environmental report and the results of the consultations in decision-making and the provision of information on the decision (in accordance with Articles 4 to 9 of the SEA Directive).  |
| Environmental indicator:        | An environmental indicator is a measure of an environmental variable over time, used to measure achievements of environmental objectives and targets.   |

|                                 |  |
|---------------------------------|--|
| Environmental objective:        | Environmental objectives are broad, overarching principles which should specify a desired direction of environmental change.   |
| Environmental receptors:        | Include biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage (including architectural and archaeological) and landscape as listed in the SEA Directive. This list is not exhaustive, and can include other receptors which may arise for a particular P/P.   |
| Environmental Report:           | A document required by the SEA Directive as part of a strategic environmental assessment which identifies, describes and evaluates the likely significant effects on the environment of implementing a plan or programme.  |
| Good status:                    | Is a general term meaning the status achieved by a surface water body when both the ecological status and its chemical status are at least good or, for groundwater, when both its quantitative status and chemical status are at least good.  |
| Groundwater:                    | All water which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil. This zone is commonly referred to as an aquifer which is a subsurface layer or layers of rock or other geological strata of sufficient porosity and permeability to allow a significant flow of groundwater or the abstraction of significant quantities of groundwater. |
| Greenhouse Gas:                 | Gaseous constituents of the atmosphere which absorb/trap infrared (thermal) radiation which is mainly emitted by the earth's surface and thereby influence the earth's temperature.  |
| Habitats Directive (92/43/EEC): | Council Directive of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna.  |
| Hierarchy of plans:             | Both higher and lower level P/P relevant to the P/P being assessed.  |
| Interrelationships:             | Associations or linkages, related to environmental impact of the proposed P/P usually on environmental receptors.  |
| Key environmental issues:       | Those significant environmental issues, which are of particular relevance and significance within a P/P area and/or the zone of influence of that P/P. These issues should be identified during SEA Scoping process.   |
| Material assets:                | Critical infrastructure essential for the functioning of society such as: electricity generation and distribution, water supply, wastewater treatment, transportation etc  |
| Mitigation measures:            | Measures to avoid/prevent, minimise/reduce, or as fully as possible, offset/compensate for any significant adverse effects on the environment, as a result of implementing a P/P.  |
| Monitoring:                     | A continuing assessment of the environmental conditions at, and surrounding, the plan or programme. This determines if effects occur   |

as predicted or if operations remain within acceptable limits, and if mitigation measures are as effective as predicted. The primary purpose of monitoring is to identify significant environmental effects which arise during the implementation stage against those predicted during the plan preparation stage.

**Natural Heritage Area:** An area considered important for the habitats present or which holds species of plants and animals whose habitat needs protection.

**Non-technical summary:** A summary of the findings of the ER, summarised under the headings listed in Annex 1 of the SEA Directive that can be readily understood by decision-makers and by the general public. It should accurately reflect the findings of the ER.

**Plan or Programme:** Including those co-financed by the European Community as well as any modifications to them:

- which are subject to preparation and/or adoption by an authority at national, regional or local level or which are prepared by an authority for adoption, through a legislative procedure by Parliament or Government, and
- which are required by legislative, regulatory or administrative provisions.

**Programme of Measure:** Defines in detail those actions which are required to achieve the environmental objectives of the Directive within a river basin district.

**Quantitative status:** An expression of the degree to which a body of groundwater is affected by direct and indirect abstractions. If this complies with WFD requirements the status is good.

**Reasonable alternatives:** Alternatives should take into account the objectives and geographical scope of the P/P. There can be different ways of fulfilling the P/P objectives, or of dealing with environmental problems. The alternatives should be realistic, capable of implementation and should fall within the legal and geographical competence of the authority concerned.

**River Basin:** Means the area of land from which all surface water run-off flows, through a sequence of streams, rivers and lakes into the sea at a single river mouth, estuary or delta.

**River Basin Districts:** Administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD.

**Scoping:** The process of deciding the content and level of detail of an SEA, including the key environmental issues, likely significant environmental effects and alternatives which need to be considered,

---

|                               |  |
|-------------------------------|--|
|                               | the assessment methods to be employed, and the structure and contents of the Environmental Report.   |
| Screening:                    | The determination of whether implementation of a P/P would be likely to have significant environmental effects on the environment. It is the process of deciding whether a P/P requires an SEA.  |
| SEA Directive:                | Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'.  |
| SEA Statement:                | A statement summarising; How environmental considerations have been integrated into the P/P; How the ER, the opinions of the public, and designated authorities, and the results of transboundary consultations have been taken into account; The reasons for choosing the P/P as adopted in the light of other reasonable alternatives. |
| Significant effects:          | Effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors.                                 |
| Special Area of Conservation: | Site designated according to the Habitats Directive.   |
| Special Protection Area:      | An area designated under the European Directive on the Conservation of Wild Birds.   |
| Statutory authority:          | The authority by which or on whose behalf the plan or programme is prepared.   |
| Surface water:                | Means inland waters, except groundwater, which are on the land surface (such as reservoirs, lakes, rivers, transitional waters, coastal waters and, under some circumstances, territorial waters) which occur within a river basin.  |
| Water body:                   | A discrete and significant element of surface water such as a river, lake or reservoir, or a distinct volume of groundwater within an aquifer.   |
| Water Framework Directive:    | The WFD is European legislation that promotes a new approach to water management through river basin planning. The legislation addresses inland surface waters, estuarine waters, coastal waters and groundwater.  |

**APPENDIX A**  
**[SEA SCOPING RESPONSES]**



17 December 2013

Mr Peter Byrne  
Senior Planner,  
Fingal County Council,  
PO Box 174,  
County Hall,  
Main Street,  
Swords,  
Co Dublin.

Ms. Carstairs  
Bedford SSO

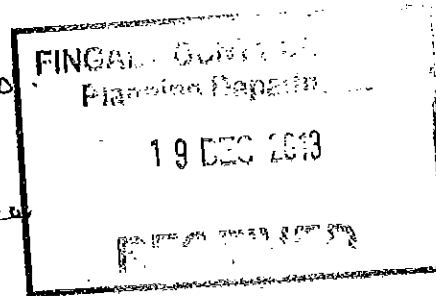
Copy to

Margorie O'Shea  
SEP.

DB

S.P.

19/12



**Re: Scoping for the Strategic Environmental Assessment of the Proposed Variation to the Fingal Development Plan 2011 – 2017 in respect of lands at St Ita's, Portrane.**

Dear Mr Byrne,

I refer to correspondence dated the 27<sup>th</sup> November 2013 in the above regard.

Please find attached response from the Geological Survey of Ireland.

Regards,

  
Mary Brady

Corporate Support Unit  
Department of Communications Energy and Natural Resources  
Elm House  
Earlsvale Road  
Cavan.

01 678 2058

*Fáiltear roimh comhfhreagras i nGaeilge*



Mr Peter Byrne  
Senior Planner  
Fingal County Council  
Planning and Strategic Infrastructure Department  
PO Box 174  
County Hall  
Main Street  
Swords  
Co. Dublin

5<sup>th</sup> December 2013

Our Ref: SCP131104.1

**Re: Scoping for the Strategic Environmental Assessment of the Proposed Variation to the Fingal Development Plan 2011-2017 in respect of lands at St Ita's Portrane**

Dear Ms. Byrne,

I refer to and acknowledge your correspondence, dated 27<sup>th</sup> November, in relation to the Strategic Environmental Assessment Scoping for the Proposed Variation to the Fingal Development Plan 2011-2017 in respect of lands at St. Ita's, Portrane (the Variation).

Please find enclosed the EPA's initial submission, which consists of an SEA Scoping Pack, Integration of Environmental Considerations Checklist and a number specific comments to be taken into account in the preparation of the Variation and SEA, as per the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).

**Scoping Process Guidance**

Guidance on the SEA Scoping Process is available on the EPA website and should be considered in the preparation of the SEA. This can be consulted at the following address: <http://www.epa.ie/pubs/advice/ea/>

**Specific Comments to be considered**

A number of key aspects to be considered are outlined below and should be taken into account in the draft Variation and SEA.

- Protection and where possible the enhancement of designated national and European sites including the Mallahide Estuary (SPA/SAC/NHA), Rogerstown Estuary (SAC/SPA/NHA/Nature Reserve), Portrane Shore (NHA)
- Protection of designated recreational beaches including Rush – South beach and Portrane – the Brook Beach.
- Protection and where possible the enhancement of water quality – Broadmeadow Estuary is designated as a nutrient sensitive estuary under the Water Framework Directive (WFD)
- Support provision of appropriate ecological buffer zones between Variation area and areas proposed for development
- Protection of shellfisheries adjacent to the variation area (Malahide Shellfishery)
- Protection of existing ecological corridors / linkages including features such as the Portrane Demesne. The Fingal Green Infrastructure Strategy should be incorporated as relevant and appropriate into the preparation of the Variation.



- Protection of areas of significant landscape character (including coastscape).
- Traffic Management Considerations should be taken into account and existing traffic management plans be reviewed in the context of adequacy to manage and proposed increase in traffic arising out of the Variation.

#### **Some Key Plans for consideration**

- NTA Greater Dublin Area Cycle Network Plan and also the Greater Dublin Area Transport Strategy
- Eastern River Basin Management Plan and associated Programme of Measures
- Pollution Reduction Programme for Shellfish Waters for the Malahide shellfishery
- Greater Dublin Area Regional Planning Guidelines

Further comment will be provided by the Agency upon receipt of the Draft Environmental Report and Variation and associated documents during the next statutory consultation phase of the SEA Process.

#### **Updated SEA Regulations / Circular**

Amending SEA Regulations were signed into Irish law on 3<sup>rd</sup> May 2011, amending the original SEA Regulations, and should be referenced and integrated into the Variation and SEA process as appropriate:

- Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011), amending the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).

The DoECLG Circular (PSSP 6/2011) '*Further Transposition of the EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA)*' which should also be referred to and integrated into the Variation.

Your attention is also brought to the recent DoECLG Circular (Circular PL 9 of 2013) '*Article 8 (Decision Making) of EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA) as amended*' which should be taken into account during the preparation of the Draft Variation and in undertaking the SEA process.

#### **European Communities (Birds and Natural Habitats) Regulations 2011**

The requirements of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), should also be taken into account in implementing the Variation.

#### **Environmental Authorities**

Under the SEA Regulations (*S.I. No. 436 of 2004*), as amended by *S.I. No. 201 of 2011*, notice should be given to the following:

- The Environmental Protection Agency
- The Minister for the Environment, Community & Local Government
- Minister for Agriculture, Marine and Food, and the Minister for Communications Energy and Natural Resources, where it appears to the planning authority 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 heritage or to nature conservation, the Minister for Arts, Heritage and Gaeltacht Affairs, and

- any adjoining planning authority whose area is continuous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan.

A copy of your decision regarding the determination should be made available for public inspection at your offices, local authority website and should also be notified to any Environmental Authorities already consulted.

Should you have any queries or require further information in relation to the above please contact the undersigned.

I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: [sea@epa.ie](mailto:sea@epa.ie).

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Cian O'Mahony'.

---

**Cian O'Mahony**  
*Scientific Officer*  
*SEA Section*  
*Office of Environmental Assessment*  
*Environmental Protection Agency*  
*Regional Inspectorate*  
*Inniscarra, County Cork*



Mr Peter Byrne  
Senior Planner  
Planning and Strategic Infrastructure Department  
Fingal County Council  
County Hall  
Main Street  
Swords  
Co Dublin.

16 December 2013

**RE: Scoping for the Strategic Environmental Assessment of the Proposed Variation to the Fingal Development Plan 2011-2017 in respect of lands at St Ita's, Portrane.**

**GSI Ref: 13/321**

Dear Mr Byrne,

I would like to acknowledge receipt of your letter of the 27<sup>th</sup> November 2013 concerning the above scheme.

Please note that Geological Heritage data can now be viewed online on the GSI Public Data Viewer at: [http://spatial.dcenr.gov.ie/imf/imf.jsp?site=GSI\\_Simple](http://spatial.dcenr.gov.ie/imf/imf.jsp?site=GSI_Simple) – see below.

**Datasets**

The Geological Survey of Ireland, as the national earth science agency, has datasets on Bedrock Geology, Quaternary Geology, Mineral deposits, Groundwater Resources, Geological Heritage, Landslides and the Irish Seabed. These comprise maps, reports and extensive databases that include mineral occurrences, bedrock/mineral exploration, groundwater, site investigation boreholes, karst features, wells and springs.

To assist with an Environmental impact Assessment (EIA), and especially the "Soils & Geology" and "Surface Water & Groundwater" parts, maps/databases are available on the GSI website under "Online Mapping"- direct link: <http://www.gsi.ie/Mapping.htm> with datasets currently available for Bedrock, Geological Heritage, Groundwater, Karst, Geotechnical boreholes, Mineral locations. More recent viewers accessible from the same link include the National Landslide Viewer, the Aggregate Potential Mapping and the Geotechnical Viewer.

Please note that Geological Heritage data can now be viewed online on the GSI Public Data Viewer at: [http://spatial.dcenr.gov.ie/imf/imf.jsp?site=GSI\\_Simple](http://spatial.dcenr.gov.ie/imf/imf.jsp?site=GSI_Simple)

There are two map layers under 'Geological Heritage':



**1. 'Geological Heritage Sites Boundaries':** a national dataset (one shapefile with boundary polygons) showing the nine County Geological Sites audits to date (Carlow, Clare, Kildare, Sligo; and Meath, Kilkenny, Fingal, Waterford and Roscommon, at July 2013).

County Geological Sites audit data are still available for download (as individual county shapefiles and site report pdfs; with direct links to individual reports in the most recent 5 audits) at: <http://www.gsi.ie/Programmes/Heritage+and+Planning/County+Geological+Sites+Audits/>

**2. 'Geological Heritage Sites No Boundaries':** a national dataset (one shapefile with buffer polygons) covering all the other counties not yet audited, indicating the provisional location/extent of sites. These sites have buffers appropriate to their type (or theme), ranging between 200m, 500m and 1000m (for the largest landscape/glacial features). These are not 'mitigation' buffers, but an attempt to encompass the extent of the particular type of site.

These will all be available to download as well in the next few weeks from: <http://www.dcenr.gov.ie/Spatial+Data/Geological+Survey+of+Ireland/GSI+Spatial+Data+Downloads.htm>

### Data Updates

The 'No Boundaries' data is provisional data only. As each county's geological heritage is audited, the 'No Boundaries' data will be replaced with the audited 'Boundaries' data, so please re-visit the viewer regularly for updates. There can also be *ad hoc* updates of individual site data at any time.

We anticipate that with necessary funding and the ongoing good partnerships of local authorities and the Heritage Council, that it will be possible to complete the remaining county audits within the next 5 years. Please note that all the above sites are of, at least, County Geological Site (CGS) status (some are also recommended for designation as Natural Heritage Areas) and are included in the relevant County Development Plan with associated protection policy/ies.

### Other comments

Should you identify a Geological Heritage Site with buffer within your study area, please contact Sarah Gately, Head of the Geological Heritage and Planning Programme at [sarah.gately@gsi.ie](mailto:sarah.gately@gsi.ie), for further information and possible mitigation measures if applicable.

As GSI's karst dataset is far from comprehensive due to important data gaps, GSI would welcome complementary data collected during any EIA; data which would be added to the national database. If you wish to contribute data, please contact Caoimhe Hickey for details ([caoimhe.hickey@gsi.ie](mailto:caoimhe.hickey@gsi.ie)).

At a later stage, GSI would much appreciate a copy of reports detailing any site investigations carried out. The data would be added to GSI's national database of site investigation boreholes, implemented to provide a better service to the civil engineering sector. Data can be sent to Beatriz Mozo ([beatriz.mozo@gsi.ie](mailto:beatriz.mozo@gsi.ie), 01-678 2795).

I hope that these comments are of assistance, and if the GSI can be of any further help, please contact me.

Yours sincerely,

\_\_\_\_\_  
John Butler, Clerical Officer





# EPA SEA SCOPING SUBMISSION PROPOSED VARIATION TO FINGAL DEVELOPMENT PLAN– LANDS AT ST ITA’S PORTRANE

## INTEGRATION OF ENVIRONMENTAL CONSIDERATIONS IN THE VARIATION

The Proposed Variation should be set in the context of the planning hierarchy and a clear statement should be provided as to the function of the Variation and what the Variation can and cannot do. Where other Plans/Programmes/Strategies are responsible for implementing relevant policies / objectives / initiatives, these should be acknowledged and fully referenced in the Variation.

The comments below relate to the integration of the environmental considerations and recommendations that have been set out in the Environmental Report, as well as the additional information highlighted by the EPA, within the Variation. Suggestions are put forward for consideration with a view to addressing the integration of a number of key environmental considerations within the Variation.

The EPA is a statutory Environmental Authority under the SEA Regulations. The EPA’s role in SEA in relation to Land Use Plans focuses on promoting full integration of the findings of the Environmental Assessment into the Variation. It is not the function of the EPA to either approve or enforce the Variation.

In addition to the generic guidance below, specific environmental information is highlighted in red). Both the generic and specific information should be taken into account in the preparation of the Variation and SEA in the context of integrating the protection of environmental vulnerabilities / sensitivities into the Variation, where relevant and as appropriate.

### Summary of Latest Updates in 2013

| Changes  | Comments   |
|----------|--|
| 01/03/13 | Updated Integrated Water Quality Reports (EPA, 2012)                 |
| 01/03/13 | Updated Air Quality in Ireland Report to 2011 (EPA, 2012)            |
| 18/04/13 | Updated links to Reports following EPA website re-organisation       |
| 18/04/13 | Updated National Waste Report (EPA, 2011)                            |
| 26/08/13 | Updated Provision/Quality Drinking Water Report for 2011 (EPA, 2012) |
| 26/08/13 | Updated Quality of Bathing Water Report for 2012 (EPA, 2013)         |
| 26/08/13 | Added link to EPA’s Bathing Water GIS resource                       |
| 26/08/13 | Added link on available Air Quality Indices and Health aspects       |

## 1 WATER

### *1.1 Water Framework Directive*

The Variation should promote the protection of surface water, groundwater, coastal and estuarine water resources and their associated habitats and species, including fisheries. **The North western Irish Sea is currently classified as being of high status under the WFD. The Rogerstown Estuary is currently described as being of moderate status.**



Provisions should be made in the Variation for the incorporation of the specific relevant objectives and measures for individual water bodies set out in the **Eastern River Basin Management Plan (ERBMP)** and associated Programme of Measures (POM). The Variation should not hinder, and where possible promote the achievement of these specific objectives at water body level. In addition the Variation should outline the current water quality status and the status to be achieved by 2015 in any receiving waters covered by the Variation.

You are in particular referred to the Water Maps GIS Tool within this weblink:  
<http://www.wfdireland.ie/maps.html>

The full range of Protected Areas within the Eastern River Basin Districts (ERBD) as set out in Annex IV 1(i) – (v) inclusive of the Water Framework Directive should be taken into account in the Drafting of the Variation. **Some of the features listed on the WFD Register of Protected Areas include: Broadmeadow Estuary (Nutrient Sensitive Estuary), Malahide Beach, Portrane (the Brook) Beach, Donabate (Belcarrick) Beach (Recreational Beaches) and Malahide Shellfishery (Shellfish Waters).**

The EU's *Common Implementation Strategy for the Water Framework Directive (2000/60/EC) – Guidance Document No. 20*, in particular *Section 3.5 Key Issues for Article 4.7 should be taken into account*. Provisions should also be included in the Variation to ensure that any proposed land use zoning or development associated with the Variation is not in breach of the requirements of the Water Framework Directive. The guidance document can be found at:

[http://circa.europa.eu/Public/irc/env/wfd/library?l=/framework\\_directive/guidance\\_document\\_s/documentn20\\_mars09pdf/EN\\_1.0\\_&a=d](http://circa.europa.eu/Public/irc/env/wfd/library?l=/framework_directive/guidance_document_s/documentn20_mars09pdf/EN_1.0_&a=d)

The Variation should refer to and incorporate the Surface Water legislation '*Environmental Objectives (Surface Waters) Regulations 2009*' 2009 (S.I. No 272 of 2009), where relevant and appropriate. You are referred to the Legislation at:

<http://www.environ.ie/en/Environment/Water/WaterQuality/EnvironmentalObjectivesSurfaceWatersRegulations2009/>

The Variation should refer to the recent '*Water Quality in Ireland 2007 – 2009*' (EPA, 2011) as appropriate and relevant. You are referred to the Report at:  
<http://www.epa.ie/pubs/reports/water/waterqua/>

### ***1.2 Drinking Water/Water Supply***

The SEA and Plan making processes should address drinking water supply capacity, leakage and quality in the Variation area. Future predicted increases in population and demand should be taken into consideration in the context of current drinking water supply and future requirements.

The Variation should implement the European Communities (Drinking Water)(No.2) Regulations 2007 and should include a commitment to include, as appropriate, the relevant recommendations set out in *The Provision and Quality of Drinking Water in Ireland – A Report for the Year 2011, (Office of Environment Enforcement- EPA, 2012)*. This Report is available at: <http://www.epa.ie/pubs/reports/water/drinking/>

The Variation should seek to implement best practise in the provision of appropriate drinking water to service the Variation area. The Variation should include, where applicable, specific objectives for the improvement of any water supplies in the Variation area. In particular, the Variation should address, or promote the addressing of the specific objectives to be achieved where these water supplies are included on the EPA's Remedial Action List (RAL). The RAL



published in the most recent annual Drinking Water report can be found at: <http://www.epa.ie/downloads/pubs/water/drinking/>. It should be noted that the RAL is a dynamic list which is reviewed quarterly by the EPA, so the current list may differ from that published in the most recent annual Drinking Water Report. Guidance on the Remedial Action List has been prepared by the EPA and is available in Section 6 of the Drinking Water Handbook mentioned above and available at: <http://www.epa.ie/pubs/reports/water/drinking/>

The EPA has also published a series of Drinking Water Advice Notes, which include the following areas:

- Advice Note No. 1: Lead Compliance Monitoring and Surveys
- Advice Note No. 2: Action programmes to restore the quality of drinking water impacted by lead pipes and lead plumbing
- Advice Note No. 3: E.coli in Drinking Water
- Advice Note No. 4: Disinfection By-Products in Drinking Water
- Advice Note No. 5: Turbidity in Drinking Water
- Advice Note No. 6: Restoring Public Water Supplies Affected by Flooding
- Advice Note No. 9: Cryptosporidium Sampling and Monitoring
- Advice Note No. 10: Service Reservoir Inspection, Cleaning and Maintenance

The complete list of available Advice Notes is available at: <http://www.epa.ie/pubs/advice/drinkingwater/>

These Advice Notes set out EPA guidance on the actions that are necessary following exceedances of these parameters and also the preventative measures that should be taken to improve the security of the supply to prevent a repeat failure in the future. This is provided in the context of the EPA recommended approach to managing a drinking water supply i.e. the Water Safety Plan Approach. Please be aware that EPA Lead Guidance Circulars No.s 1 and 2 have been reissued as Advice Notes No.s 1 and 2 though there has been no change to the text of these documents.

As set out in the recommendations referred to above, Fingal County Council must develop appropriate solutions that may involve abandoning or replacing drinking water sources, upgrading the treatment facilities or improving management and operational practices.

### ***1.3 Waste Water Treatment***

The Variation should highlight the requirement under *The Waste Water Discharge (Authorisation) Regulations* for all wastewater discharges, including storm water discharges which come within the scope of these Regulations to be licensed (for agglomerations over 500pe) or certified (for agglomeration below 500p.e). In this regard, the Variation should highlight the specific requirements of Regulations 43 & 44 of the *Waste Water Discharge (Authorisation) Regulations, 2007*, S.I. No. 684 of 2007, regarding the consideration of proposals and consultation on such proposals by Planning Authorities and An Bord Pleanála, where applications for proposed development are being considered and decided upon.

The Variation should include as appropriate measures to improve water quality impacted by waste water discharges as identified in the EPA Waste Water Report and the Water Quality in Ireland reports.

The Variation should implement the Urban Waste Water Treatment Regulations 2001 and 2004 and promote, as appropriate, specific provisions for the implementation of the relevant recommendations set out in the recent *Focus on Urban Waste Water Discharges in Ireland report* (EPA, 2012), available at <http://www.epa.ie/pubs/reports/water/wastewater/>



An Update on 'Focus on urban Waste Water discharges in Ireland' Report (EPA, 2012) was also published and is available at the above link also.

A summary of the content to be taken into account, as relevant, is provided below:

- Seriously polluted river locations where the source of pollution is attributed to urban waste water discharges are listed in Appendix D.
- Moderately or slightly polluted river locations where there is a high probability that the principle cause of pollution can be attributed to urban waste water discharges are listed in Appendix E.
- Urban waste water works identified in Pollution Reduction Programmes as key pressures on designated shellfish waters are listed in Appendix F.
- Smaller agglomerations in the size range 500 p.e. up to the Directive thresholds, with no treatment or preliminary treatment only in 2009 are listed in Appendix I.
- Agglomerations where secondary treatment or nutrient treatment is not yet installed as per the Urban Waste Water Treatment Directive are listed in Table 2-2 and Table 2-3.
- There is an asset map showing the national status of urban treatment provided for 2009 (page 6)
- The report now has RBD maps showing the location of all waste water works over 500p.e and whether they are in sensitive areas – pages 30 to 36.

The EPA has published a *Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e ≤ 10)*, (EPA, 2009). The code of practice (CoP) establishes an overall framework of best practice in relation to the development of wastewater treatment and disposal systems, in unsewered rural areas, for protection of our environment and specifically water quality. The code replaces previous guidance issued by the EPA on wastewater treatment systems for single houses (EPA, 2000) and incorporates the requirements of new European guidelines, recent research findings and submissions and comments received during the consultation process. It is available from the link provided above.

The Variation should, where possible and appropriate, include/ and /or promote the inclusion of specific Policies and Objectives regarding the provision and maintenance of adequate and appropriate wastewater treatment infrastructure to service zoned lands and developments within the Variation area.

Where the introduction of additional lands for development is being proposed within the Variation area, relevant Policies/objectives should be included in the Variation, and as appropriate, to promote assessment of the adequacy of the existing wastewater treatment facility (ies) in terms of both capacity and performance and the potential risk to human health and water quality. Where relevant, the potential impact on habitats and species of ecological importance should be addressed.

The Variation should include as appropriate measures to ensure that trade effluent in the area covered by the Variation is managed properly and discharged to sewer in accordance with relevant discharge licences where appropriate.

#### **1.4 Groundwater Protection**

The Variation should include clear Policy and Objective for the protection of groundwater resources and associated habitats and species. The Variation should make reference to the requirements of the Groundwater Directive (2006/118/EC) on the protection of groundwater against pollution and deterioration, which came into force on the 12<sup>th</sup> December 2006.



This Directive addresses the main elements of groundwater protection as required by Article 17 of the WFD. It establishes underground water quality standards and introduces measures to prevent or limit inputs of pollutants into groundwater. You are referred to the following legislation *European Communities Environmental Objectives (Groundwater) Regulations 2010* (S.I.9 of 2010) at:

<http://www.environ.ie/en/Environment/Water/WaterQuality/GroundwaterRegulations2010/>

The Agency has also published a number of reports in relation to groundwater which should be integrated as appropriate into the Variation. You are referred to these reports at:

<http://www.epa.ie/downloads/pubs/water/ground/>

The Variation should take account of any Groundwater Protection Schemes and Groundwater Source Protection Zones data available at the Geological Survey of Ireland: <http://www.gsi.ie>. Where not already available, the Variation should promote the development of a Groundwater Protection Scheme for the relevant local authority areas covered by the Variation.

Consideration should also be given, where relevant and appropriate, to promotion of the inclusion of Policies and Objectives in the Variation for the following:

- *Enforcement of Planning Conditions related to installation, operation and maintenance of on-site wastewater treatment / septic tank systems.*
- *The development of a wastewater leak detection programme. The use of a strategic metering system to aid in leak detection should be considered*

### **1.5 Bathing Water**

The most recent report on bathing water quality '*The Quality of Bathing Water in Ireland – A Report for the Year 2012, (EPA, 2013)*' sets out the status of Irish Seawater and Freshwater Bathing areas. You are referred to this report at:

<http://www.epa.ie/pubs/reports/water/bathing/>

*“The purpose of the Bathing Water Regulations is the protection of human health”, and the relevant local authorities, where appropriate, “should ensure that where any bathing water fails the mandatory bathing standards that the public are made ware of this fact by means of information notices posted at the bathing area.”* To this effect the Variation should include as appropriate a Policy/ Objective to ensure this requirement is complied with.

You are also referred to the new “*Directive on bathing water* (Directive 2006/7/EC)” which came into force on 24 March 2006 and which will repeal the existing 1976 Directive with effect from 31 December 2014. The new Directive is implemented in Ireland by the *Bathing Water Quality Regulations 2008* (S.I. No. 79) of 2008.

The Variation should promote the protection of waters within the Variation area that are used for bathing. **In this regard, the EPA’s bathing water GIS resource “Splash” is available at:** <http://splash.epa.ie/#>

### **1.6 Water Conservation**

The Variation should include measures to promote conservation of water. In this context, the development of a Water Conservation Strategy should be considered, and where relevant addressed in combination with adjoining local authorities. The Strategy should address new and existing developments within the Variation area. Where such a Strategy is being developed, specific timescales should be assigned to its preparation with clear responsibilities and timescales for its implementation.





### **1.7 Water Services Act 2007- Strategic Water Services Plans**

The Variation should include provisions to promote the preparation and implementation of Water Services Plans in accordance with any Regulations likely to be made under Section 36 of the Water Services Act 2007.

Section 36 Subsection (7) c. of the Water Services Act 2007 makes specific reference to the inclusion in Water Services Strategic Plans, where considered reasonable and necessary, of objectives to:

- “protect human health and the environment”;
- “facilitate the provision of sufficient water services for domestic and non – domestic requirements in the area to which the plan relates”; and,
- “support proper planning and sustainable development including sustainable use of water resources”.

### **1.8 Flood Prevention and Management**

The Variation should promote the appropriate zoning of lands and restriction of use in areas liable to flooding to avoid increased risk of flooding of the lands either within or adjoining the zoned areas. A specific Policy should be included to provide for/promote appropriate flood risk assessments to be undertaken, where development(s) and zoning are being proposed in the Variation area where there is risk of flooding.

The Variation should make reference to the E.U Directive (2007/60/EC) on the assessment and management of flood risks entered into force on 12 December 2007. The provisions of this Directive include the development of flood risk management plans.

The Flood Risk Management approach as adopted by the Office of Public Works (OPW) should be promoted, as appropriate, in consultation with the OPW where there is potential risk of flooding in the Variation area. You are referred to the Planning Guidelines on flooding in “*The Planning System and Flood Risk Management - Guidelines for Planning Authorities (Environment, Heritage and Local Government – OPW, November 2009* which can be consulted at:

<http://www.environ.ie/en/Publications/DevelopmentandHousing/Planning/NationalSpatialStrategy/Flood%20Risk%20Management/>

The Variation should promote the development, where appropriate, of adaptation measures to account for the likely increased risk of flooding due to Climate Change within the Variation area.

The Variation should include measures to promote the implementation of adequate and appropriate Sustainable Urban Drainage Systems.

The Variation should provide for protection, management, and as appropriate, enhancement of existing wetland habitats where flood protection/management measures are necessary. See definition of “Wetlands” in - *Wetlands Conservation and Protection in EPA Code of Practice: Environmental Risk Assessment for Waste Sites (EPA, 2007)*. The full report is available at: <http://www.epa.ie/pubs/advice/waste/waste/>

### **1.9 Hydrometrics**

Consideration should be given to incorporating hydrometric information, as relevant and appropriate, into the Variation, particularly in relation to water services and wastewater



treatment. You are referred to the Agency's available information in this regard at: <http://www.epa.ie/water/wm/hydrometrics/network/>

Where flood risk assessment is concerned, your attention is also brought to existing hydrometric data available from the OPW: See: <http://www.opw.ie/hydro/index.asp>

### **1.10 Integration of infrastructure, zoning and development**

Where zoning/rezoning of lands and the introduction of new development is being proposed within the Variation area, the Variation should ensure the adequacy of the existing water supply/wastewater treatment facilities and associated networks are assessed. This should address both capacity and performance and the potential risk to human health, water quality and water quantity. The potential impact on habitats and species of ecological importance should also be addressed as appropriate, from pressures impacting on water quality and quantity.

Zoning for development within the Variation area should be linked to availability and adequacy of water supply/waste water treatment infrastructure and capacity. The provision of adequate and appropriate infrastructure in advance of development within the Variation area should be promoted through the Variation.

The implications of Flood Risk likely to be associated with already zoned and undeveloped lands in the Variation area should also be considered. This should be considered in the context of possible rezoning options as appropriate.

The above requirements should be promoted in the Variation and as appropriate should be reflected in relevant Policies/Objectives.

## **2 BIODIVERSITY**

The Convention on Biological Diversity defines biodiversity as “*the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part.*” This includes sites, habitats, species and networks of importance at the international, national or local level, and which may occur within or outside the Variation area. The Variation should include clear Objectives to conserve and protect all designated sites within and adjacent to the Variation area (including the habitats and/or species for which they have been selected, or which they support), and should also promote the protection of undesignated sites and local biodiversity features.

The main elements of biodiversity are:

- European (Natura 2000) sites (SACs and SPAs, and candidate SACs and SPAs),
- NHAs, National Parks, Nature Reserves, Wildfowl Sanctuaries, Refuges for Fauna or Flora or sites proposed for designation,
- Undesignated sites such as proposed NHAs (pNHAs), local biodiversity areas,
- Sites and habitats that can be considered to be corridors or stepping stones for the purpose of Article 10 of the Habitats Directive,
- ‘Natural habitats and protected species’ for the purposes of the Environmental Liability Directive, including habitats and species listed under the Habitats Directive (Annex I habitats, Annex II and Annex IV species and their habitats) and Birds Directives (Annex I species and their habitats, and regularly occurring migratory birds) wherever they occur,
- Legally protected species including protected flora under the European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts 1976-2000,



- Sites identified under the Bern, Ramsar and Bonn Conventions,
- Biodiversity in general including habitats important for birds, red listed and BoCCI listed species, natural and semi-natural habitat areas including wetlands, woodlands, waterbodies, etc.

### **Specific Sites to be considered in the Variation**

You are referred to designated sites, located within 15km of the Variation Area, which should be taken into account in the Variation which include the following: Rogestown Estuary (Nature Reserve/NHA/SAC/SPA/Ramsar site), Portraine Shore (NHA), Malahide Estuary (NHA/SAC/SPA), Lambay Island (NHA/SAC/SPA), Broadmeadow Estuary (Ramsar site)/

## **2.1 EU Protected Habitats and Species in Ireland**

### ***Habitats Directive***

The Variation should include, where relevant, a specific commitment to deliver the requirement of the Habitats Directive (Article 4, Paragraph 4) for the maintenance or restoration of annexed habitats and species within SACs at a “favourable conservation status”. In particular, the Variation should include a specific Policy/Objective for promoting the maintenance and, as appropriate, achievement of favourable conservation status of habitats and species, in association with the NPWS and other stakeholders. (See section on Annex I, II and IV below)

In addition, provisions should be made in the Variation to deliver the requirements of Article 3, Paragraph 3, to “*improve the ecological coherence of Natura 2000 by maintaining, and where appropriate developing, features of the landscape which are of major importance for wild fauna and flora*”. (see section on green infrastructure below)

Further, the Variation should include a Policy/Objective to reflect the provisions of Article 10 of the Habitats Directive:

*“Member States shall endeavour, where they consider it necessary, in their land-use planning and development policies, and in particular, with a view to improving the ecological coherence of the Natura 2000 Network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.”*

### ***Annex I/ Annex II /Annex IV Habitats Directive***

The Variation should also commit to the protection of SACs, Annex I habitats and Annex II and Annex IV species and their key habitats which occur within and adjoining the Variation area as per the Habitats Directive and Environmental Liability Directive.

### ***Birds Directive***

The Variation should include a commitment to protect SPAs, Annex I bird species, and regularly occurring migratory bird species and their habitats, and to avoid pollution or deterioration of important bird habitats outside SPAs (as per Article 4(4) of the Birds Directive). The Variation should also promote the protection of wetlands and, in particular, wetlands of international importance as required by Article 4, Paragraph 2 of the Birds Directive.

### ***Appropriate Assessment***



The Variation should promote the setting up of procedures to ensure compliance with the requirements of Article 6 of the Habitats Directive, and should be itself subject to Appropriate Assessment (AA). The Variation also should include a clear Policy/Objective that sets out a requirement for AA Screening for new, reviewed or amended Plans and proposed projects being prepared by the local authority for the Variation area, which may have the potential to impact on European sites. Potential for cumulative/in-combination effects associated with other relevant Plans/Programmes/Projects should also be determined.

A determination for the requirement for an Appropriate Assessment of all Land Use Plans and related variations should be made in consultation with the DAHG - National Parks and Wildlife Service, and this should be highlighted in the Variation.

The Variation should promote the application of the Guidance set out in the recent DoEHLG Publication '*Appropriate Assessment of Plans and Projects in Ireland- Guidance for Planning Authorities* (2009; revision 2010)', which can be found at:

<http://www.npws.ie/en/media/NPWS/Publications/CodesofPractice/AA%20Guidance.pdf>

The Variation should also promote the application of the EU Guidance "*Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites*" and "*Managing Natura 2000 Sites*", which can be found at the links below. Section 3.6 "*Habitats Directive Article 6(3) and (4) Assessment Review Package*" of the former is of particular relevance and can be found at:

[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura\\_2000\\_asses\\_s\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_asses_s_en.pdf)

[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision\\_of\\_art6\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_en.pdf)

The Variation should include Policies/Objectives to ensure that Fingal County Council, in fulfilling its responsibilities in the supply of services, zoning of lands and undertaking and authorisation of development, addresses the potential effects on biodiversity and the needs of priority habitats and species which occur within or adjoining the LA areas, as identified in the National Parks and Wildlife Service Report "*The Status of EU Protected Habitats and Species in Ireland*", (NPWS, Department of the Environment, Heritage and Local Government, 2008). <http://www.npws.ie/en/media/Media,6440,en.pdf>

#### ***Water Framework Directive***

The Water Framework Directive Register of Protected Areas ([www.wfdireland.ie](http://www.wfdireland.ie)), and in particular those protected areas relating to biodiversity. The Variation should include policies/objectives for the protection of these areas occurring within and adjacent to the Variation area.

#### ***Fisheries***

The Variation should promote the protection of salmonid waters, designated fisheries and shellfisheries where relevant and appropriate within each Variation area and adjoining LA areas.

The Variation should promote the guidance from Inland Fisheries Ireland (formed from the amalgamation of the Regional Fisheries Boards in July 2010), including where appropriate and relevant:

- *Guidelines to the Planning, Design, Construction and Operation of Small Scale Hydro Electric Schemes and Fisheries*
- *10 steps to environmentally friendly drainage maintenance*

See: <http://www.fisheriesireland.ie/Research/recent-publications.html>

## **2.2 Nationally Designated Habitats and Species**

The Variation should include policies/objectives for the protection of NHAs, National Parks, Nature Reserves, Wildfowl Sanctuaries, Refuges for Fauna or Flora and sites proposed for designation. In addition, species protected under the Wildlife Acts including protected flora (Flora (Protection) Order, 1999 – S.I. No. 94 of 1999) should be taken into account. Consideration should be given to protecting proposed NHAs in a similar way to fully designated NHAs.

## **2.3 Other (Undesignated) Biodiversity Considerations**

The Variation should promote the protection of non-designated areas including the protection of habitats, species and local biodiversity features including rivers, wetlands, hedgerows, individual trees, streams, grassland, coastal etc.). The protection of habitats in undesignated areas such as pNHAs, and species found on Irish Red Lists and Birds of Conservation Concern in Ireland (BoCCI), should also be promoted in the Variation. These can be found at: <http://www.npws.ie/publications/redlists/>

### ***Buffer Zones / Linkages***

The Variation should promote the provision/application of appropriate buffer zones between designated ecological sites and areas zoned for development, and should take cognisance of potential boundary changes to designated sites made during the lifetime of the Variation. Where the application of buffer zones is being considered, you should consult with the National Parks and Wildlife Service (NPWS) of the Department of Arts, Heritage and the Gaeltacht (DAHG). Inland Fisheries Ireland should also be consulted where fisheries protection is a concern/objective.

The provision of appropriate buffer zones between local (undesignated) biodiversity features and areas zoned for development should be considered. The Variation should promote the protection of linkages between local biodiversity features and ecological networks, e.g. hedgerows, watercourses etc. Opportunities for enhancement of local biodiversity features should be promoted where appropriate.

A relevant policy should be included to maintain or enhance biodiversity richness by protecting rivers, stream corridors and valleys by reserving riparian zones/ecological corridors, maintaining them free from inappropriate development, discouraging culverting or realignment, and promoting natural flood functions.

### ***Green Infrastructure***

Green infrastructure is the network of green spaces, habitats and ecosystems, including wild, semi natural and developed environments, which provide multiple social, environmental and economic benefits to society (including ecosystem services). Consideration should be given to including policies/objectives in the Variation for the development of green infrastructure within the Variation area.

Consideration should be given to providing a Variation lead approach to the inclusion of green infrastructure taking into account the above guidelines as relevant and appropriate.

### ***Habitat Mapping***

Variations with landuse zoning should be supported/informed by available habitat information and maps (including wetland mapping) and other ecological surveys. Where these are not available, consideration should be given to including a policy/objective in the Variation for carrying out future habitat mapping. This Habitat Mapping should be undertaken at an appropriate scale and in accordance with the Heritage Council's "*Best*



*Practice Guidance to Habitat Mapping and Survey*” available at <http://www.heritagecouncil.ie/wildlife/publications/>. It should be undertaken on a phased basis and should have specific timescales assigned. The scope of the proposed habitat mapping should be agreed in consultation with the National Parks and Wildlife Service, DAHG, the Heritage Council, Inland Fisheries Ireland, and other relevant statutory and non-statutory nature conservation interest groups.

#### ***Biodiversity Action Plans***

The Variation should, where relevant and appropriate, refer to and integrate the new National Biodiversity Action Plan, *Ireland’s National Biodiversity Plan – Actions for Biodiversity 2011-16* (DoAHG, 2011). You are referred to this at:

<http://www.npws.ie/legislationandconventions/nationalbiodiversityplan/>

The Variation also should support/acknowledge existing Local Heritage/Biodiversity Plans and should promote the implementation of key actions set out in these Plans. Where not already prepared and adopted through County Development Plans, the Variation should promote the preparation of County and, where relevant and appropriate, Local Heritage/Biodiversity Plans. These county/local plans should reflect the actions/goals of the National Biodiversity Action Plan.

#### **2.4 Data Sources / Resources**

##### ***Alien Species & Noxious Weeds***

The Variation should promote the implementation of measures to control and manage alien/invasive species (e.g. Japanese Knotweed, Giant Hogweed, Zebra Mussel etc.) and noxious weeds (e.g. Ragwort, Thistle, Dock etc.) within the Variation area according to best practice (as per the new Birds and Habitats Regulations).

##### ***Management Plans for Designated Areas***

The availability of conservation objectives and Management Plans for European sites within the Variation area should be determined. Where available, the Variation should include a specific Policy/Objective in local authority land use Plans to take into account the objectives and management practices proposed in the available Management Plans.

### **3 AIR, NOISE AND CLIMATIC FACTORS**

#### **3.1 Noise**

The Variation should include reference to and, as appropriate, promote the implementation of Noise Directive and associated national regulations.

#### ***3.2 Air & Climatic Factors***

Consideration should be given to promoting specific Policies / Objectives in the Variation for the protection and improvement, as appropriate, of air quality within the Variation area, particularly in areas zoned for increased urban and transport related development.

The Variation should promote specific Policies/Objectives and associated provisions for the development and promotion of appropriate climate change adaptation and mitigation measures that can be implemented through relevant land use plans and/or specific plans e.g. Flood Risk Management Plans, Integrated Coastal Zone Management Plans etc.

The Variation should also promote the inclusion of specific Policies, which promote the integration of the implications of Climate Change at a county and local level. In particular the Variation should refer to *Ireland’s National Climate Strategy 2007 – 2012*. This is available at:



<http://www.environ.ie/en/Environment/Atmosphere/ClimateChange/>

The Variation should also address how climate change might impact on the implementation of the Variation. In this regard you are referred to the potential impact of climate change on “increased risk of flooding” and possible “increased occurrence of drought conditions”

You are referred to *Air Quality in Ireland 2011*, (EPA, 2012), which sets out the most recent status in each of the four air quality zones in Ireland. You are referred to this report at: <http://www.epa.ie/pubs/reports/air/quality/>. A number of useful reports on air quality indices and health related aspects are also available for download at the same link.

Your attention is also brought to recent air quality data available at: <http://www.epa.ie/air/quality/data/>.

The objectives of EU and Irish air quality legislation is “*to avoid, prevent or reduce harmful effects on human health and the environment as a whole*”, and the relevant local authorities, where appropriate, “*shall promote the preservation of best ambient air quality compatible with sustainable development.*” To this effect the Variation should include as appropriate a Policy/ Objective to ensure this requirement is complied with.

Consideration should be given to promoting specific Policies / Objectives in the Variation for the protection and improvement, as appropriate, of air quality within the Variation area, particularly in areas zoned for increased urban and transport related development.

### **3.3 Radon**

The Variation should consider the significant concentrations of radon, which may occur within the Variation area. The Radon Maps provided by the Radiological Protection Institute of Ireland ([www.rpii.ie](http://www.rpii.ie)) with regard to assessing the risk of radon, which should be taken into account as appropriate into the Variation.

## **4 ENERGY CONSERVATION/RENEWABLE ENERGY**

Consideration should be given to the inclusion in the Variation, as appropriate, of a Policy/Objective in relation to the preparation and implementation of “An Energy Conservation Strategy” and associated awareness campaign within the Variation area. Specific timescales should be assigned to the preparation of such a strategy.

The Variation should promote, where appropriate, the use of renewable energy systems (e.g. solar, wind, geothermal etc.) within the Variation area. The Variation should also provide for promotion of energy conservation measures in buildings. Relevant guidance can be found on the website of Sustainable Energy Ireland: [www.sei.ie](http://www.sei.ie).

## **5 LANDSCAPE CHARACTER ASSESSMENT**

The Variation should promote the protection of designated scenic landscapes, scenic views, scenic routes and landscape features of regional, county and local value. Where not already available the Variation should promote the undertaking of Landscape Character Assessment in accordance with the relevant Guidance from the Department of the Environment, Community and Local Government and the Heritage Council.

The Variation should also take into account the landscape character adjoining the Variation area. There is a need to take into account landscape features and designations adjoining the Variation area.



Consideration should also be given to promoting the requirement for an appropriate “Visual Impact Assessment” for proposed development with potential to impact adversely on significant landscape features within the Variation area. The Variation should promote the application of standard impact assessment methodology for all such development.

Consideration should also be given to the promotion of the designation, and use of, agreed and appropriate viewing points for these assessments. The scope of each assessment should be agreed in consultation with the relevant Planning Department staff.

The Variation should promote the recognition of visual linkages between established landmarks and landscape features and views which should be taken into account when land is being zoned and when individual development proposals are being assessed / considered within the Variation area.

## **6 GEOLOGY / GEOMORPHOLOGY**

Where relevant and appropriate, the Variation should promote the protection of any designated Geological and Geomorphological NHAs/pNHAs, which may be present within or adjacent to the Variation area. The Geological Survey of Ireland should be consulted in this regard.

## **7 HUMAN HEALTH / QUALITY OF LIFE**

The Variation should ensure provision of adequate and appropriate infrastructure and to serve both the existing community and likely future predicted increases in population within the Variation area.

In preparing the Variation, there would be merits in exploring current practice and opportunities with respect to promoting the protection and, as appropriate, improvement of “Quality of Life”. Where relevant, the application of existing “Quality of Life Indices” would be considered in consultation with relevant statutory and non-statutory bodies/organisations.

You are also referred the relevant aspects already referred to above under water, biodiversity, air, energy.

## **8 TRANSPORTATION**

The Variation should promote and, as appropriate provide for, the provision of sustainable modes of transport. The *Department of Transport 2020 Vision – Sustainable Travel and Transport Public Consultation Document (February 2009)* should be reviewed in the context of possible initiatives which could be included as Objectives within the Variation.

## **9 TOURISM**

The Variation should promote where relevant and appropriate long term, sustainable planning for tourism within the Variation area.

## **10 INFRASTRUCTURE PLANNING**

The Variation should promote the integrated planning for adequate and appropriate infrastructure to service any development proposed and authorised during the lifetime of the Variation.





In particular, the Variation should promote the provision of adequate and appropriate wastewater treatment, water supply, surface and storm water drainage, transport, waste management, community services and amenities etc. on planned and phased basis to address any current problems and/or deficits and to reflect predicted increases in population during the life of individual plans adopted within the Variation area.

The Variation should promote the development of traffic management measures to reduce the potential for traffic congestion and associated vehicular emissions within the Variation area. In particular the preparation of Integrated Traffic Management Plans, where relevant and appropriate, for the existing urban areas and proposed new urban developments should be promoted as appropriate through the Variation. This approach should address the short, medium and long-term traffic management requirements within the Variation area.

### **11 URBAN WASTE WATER DISCHARGE LICENSING**

The Variation should refer to the requirement under The Waste Water Discharge (Authorisation) Regulations (as described in *Section 1.3 Wastewater Treatment* above) for all wastewater discharges, including storm water discharges which come within the scope of these Regulations to be licensed. The EPA is currently in the process of licensing discharges from wastewater treatment facilities.

### **12 WASTE MANAGEMENT**

The Variation should promote the integration of land use zoning and development to existing and planned availability of waste infrastructure and capacity. Priority should be given to provision of adequate and appropriate waste related infrastructure in advance of any development.

The Variation should promote and incorporate the information, and any recommendations, in the following EPA reports:

- *The Nature and Extent of Unauthorised Waste Activity in Ireland (Sep 2005)* - This report sets out the findings of a nationwide investigation by the EPA's Office of Environmental Enforcement (OEE) on unauthorised waste activities in Ireland and sets out an Action Plan to deal with the issue. You are referred to the report at: <http://www.epa.ie/pubs/reports/waste/unauthorisedwaste/>
- *National Waste Report 2011* – You are referred to this Report at: <http://www.epa.ie/pubs/reports/waste/stats/>
- *National Hazardous Waste Management Plan 2008 – 2012* – available at <http://www.epa.ie/pubs/reports/waste/haz/>
- *Ireland's Environment 2012* – State of the Environment report - This fifth state of the environment report evaluates the state of the environment across a number of themes including, water quality, air quality and emissions, waste, chemicals, land and soil. You are referred to this report at: <http://www.epa.ie/irelandsenvironment/>

### **13 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

The Variation should highlight that under the EIA and Planning and Development Regulations certain projects that may arise during the implementation of the Variation may



require an Environmental Impact Assessment. There are also requirements with regard to EIA for sub-threshold development. In this regard, you are referred to the following Publications:

- “*Guidelines on Information to be contained in Environmental Impact Statements*” (EPA, 2002).
- “*Advice Notes on Current Practice in the preparation of Environmental Impact Statements*”, (EPA, 2003).

In addition to the above, you are referred to the Department of the Environment, Community and Local Government’s Publication: “*Environmental Impact Assessment (EIA) Guidance for consent Authorities regarding sub-threshold development*”, (DoEH&LG, 2003). These documents can be downloaded at: <http://www.epa.ie/monitoringassessment/assessment/eia/>

It should be noted that the Projects would also be required to be screened with respect to the requirement for Habitats Directive Assessment/Appropriate Assessment as required by Article 6 of the Habitats Directive.

You are also referred to the recently published DoEHLG guidance available in relation to Appropriate Assessment ‘*Appropriate Assessment of Plans and Projects in Ireland*’ (DoEHLG, 2009) at:

<http://www.npws.ie/en/media/NPWS/Publications/CodesofPractice/AA%20Guidance.pdf>

#### **14 STRATEGIC ENVIRONMENTAL ASSESSMENT(SEA)**

Consideration should be given to the inclusion of a specific Policy/Objective in the Variation to ensure full compliance, with the requirements of *Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment* – The SEA Directive and the associated *Planning and Development (Strategic Environmental Assessment) Regulations, 2004*.

The Variation should promote the development and implementation of Procedures to ensure compliance with the requirements of the SEA Directive and related SEA Regulations.

#### **15 EPA REPORT: IRELAND’S ENVIRONMENT 2012 “MAIN ENVIRONMENTAL CHALLENGES”**

The Variation should include relevant Policies and Objectives to address, where appropriate, the “Environmental Challenges and Priorities” for Ireland as set out in Chapter 10 of *EPA Ireland’s Environment 2012* (EPA, 2012). These are as follows:

##### **Environmental Goals**

- Limiting and Adapting to Climate Change
- Protecting Water Resources
- Sustainable Use of Resources
- Clean Air
- Protection of Soil and Biodiversity
- Integration and Enforcement

##### **Environmental Challenges**

- Valuing and Protecting our Natural Environment
- Building a Resource-Efficient, Low Carbon Economy
- Implementing Environmental Legislation
- Putting the Environment at the Centre of Decision Making



- Meeting the Challenges to Build a Sustainable Ireland

The Report can be downloaded at:

<http://www.epa.ie/irelandsenvironment/irelandsenvironment2012/#d.en.44040>

Fingal County Council in implementing the Variation and in fulfilling its responsibilities should ensure Variation-making authorities take into account and address, where appropriate, the relevant Environmental Challenges” set out above.



## **APPENDIX I: ADDITIONAL ENVIRONMENTAL RESOURCES**

### ***European Environmental Agency “10 Message” Publications***

The European Environment Agency (EEA) has released a series of publications which provide a short assessment of European Biodiversity and associated climate change impacts on a range of ecosystems. These topics include: *Protected Areas, Freshwater Ecosystems, Marine Ecosystems, Forest Ecosystems, Urban Ecosystems, Agriculture Ecosystems, Mountain Ecosystems, Coastal Ecosystems and Cultural landscapes and biodiversity heritage*. These are available at: <http://www.eea.europa.eu/publications/10-messages-for-2010>

### ***Ramsar “Wise Use of Wetlands” Handbooks***

The Ramsar Convention on Wetlands has released a series of handbooks on the “wise use of wetlands” which can be found at [http://www.ramsar.org/cda/en/ramsar-pubs-handbooks/main/ramsar/1-30-33\\_4000\\_0](http://www.ramsar.org/cda/en/ramsar-pubs-handbooks/main/ramsar/1-30-33_4000_0). “*Handbook 13 Inventory, Assessment and Monitoring*” of wetlands may be of particular relevance: <http://www.ramsar.org/pdf/lib/hbk4-13.pdf>

### ***Invasive Species***

Invasive Species Action Plans are available for a number of species on the Invasive Species Ireland website. Information on invasive species can be found at: <http://www.invasivespeciesireland.com/>

The National Biodiversity Data Centre website <http://invasives.biodiversityireland.ie/> contains online maps and information showing the distribution of invasive species on a national level which should be consulted where relevant.

The National Roads Authority has produced a report entitled the “Management of Noxious Weeds and Non-Native Invasive Plant Species on National Roads” which can be found at: <http://www.nra.ie/Publications/DownloadableDocumentation/Environment/file.16172.en.pdf>

### ***Green Infrastructure***

- <http://www.irishlandscapeinstitute.com/home.html>
- <http://www.uep.ie/news/greencity.htm>
- <http://www.eea.europa.eu/publications/green-infrastructure-and-territorial-cohesion>
- <http://www.comharsdc.ie/files/Comhar%20Green%20infrastructure%20report%20final.pdf>

### ***National Parks and Wildlife Service***

The National Parks and Wildlife Service holds data and information on nature conservation sites, ecological survey datasets, including data on certain habitats and species inside and outside designated sites, ecological survey reports and ecological monitoring reports, including as summarised in *The Status of EU Protected Habitats and Species in Ireland* (NPWS, Department of the Environment, Heritage and Local Government, 2008).

<http://www.npws.ie/en/media/Media.6440.en.pdf>

### ***National Biodiversity Data Centre (the Data Centre)***

The National Biodiversity Data Centre website, <http://www.biodiversityireland.ie/>, is a national resource, presenting data and information on all aspects of biodiversity. It also serves as a link between the Data Centre knowledgebase and the provision of high quality information to improve decision making. Key features of the website include:

- Easy access to detailed information on over 1.5 million observations of Ireland’s wildlife (as of July 2011).



- a dedicated mapping tool for information on Ireland's threatened habitats and species which serves as a portal to data and information on all species protected under legislation in Ireland and all Red Listed species, available at: <http://maps.biodiversityireland.ie/>
- An inventory of the primary sources of data on Ireland's biodiversity resource <http://biodiversity.biodiversityireland.ie/>
- A latest news feature to highlight any new developments in wildlife recording and surveying in Ireland



**An Roinn**  
***Ealaíon, Oidhreachta agus Gaeltachta***  
**Department of**  
***Arts, Heritage and the Gaeltacht***

Our Ref: FP2013/164

10 January 2014

Fingal County Council  
PO Box 174  
County Hall  
Swords  
Fingal  
Co. Dublin  
[devplan@fingalcoco.ie](mailto:devplan@fingalcoco.ie)  
[Fingal.DevelopmentPlan@fingal.ie](mailto:Fingal.DevelopmentPlan@fingal.ie)

**Re: AA screening, SEA scoping and feasibility report for proposed variation of Fingal County Development Plan 2011 to 2017 relating to approximately 103 ha of the HSE's land at St. Ita's in Portrane, Co. Dublin**

A Chara,

I refer to the Council's notification in relation to the above-proposed variation of Fingal County Development Plan 2011 to 2017. Outlined below are the recommendations of the Department of Arts, Heritage and the Gaeltacht in relation to nature conservation.

The feasibility report shows a wetland amenity zone on some of its maps, such as on page 76 of appendix B. The SEA should assess the impact on this area with reference to its importance for birds, particularly snipe which occur there. While snipe are not listed as a feature of interest for the nearby Malahide Estuary and Rogerstown Estuary Special Protection Areas (SPAs) they would form part of the wetlands feature of interest should they be part of a population that also utilises the nearby estuary SPAs. It is noted that this was not examined in the AA screening document which may therefore need to be amended. The issue should also be included in the SEA.

The Local Authority should note that site-specific, as opposed to generic, conservation objectives are now available for some sites including Rogerstown and Malahide Estuaries. Each conservation objective is defined by a list of attributes and targets. You might also note that it is now advised, as per the notes and guidelines in the detailed conservation objectives, that any reports quoting conservation objectives should give the version number and date. This will allow statutory consultees and others assessing reports to be confident that the correct and most up to date version of the conservation objectives are used at the time of writing any report. It is not clear from the AA screening submitted if the most up to date conservation objectives have been used or not. The most up to date conservation objectives are available on [www.npws.ie](http://www.npws.ie) and for both Rogerstown and Malahide SPAs and SACs are dated 2013.

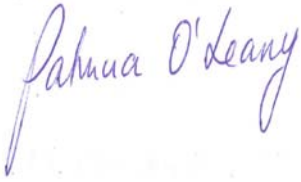
The SEA should also assess the impact on bat species which are identified as being present in the feasibility report.

Kindly forward any further information received; or in the event of a decision being made a copy of same should be forwarded to the following address as soon as it issues:

The Manager  
Development Applications Unit  
Department of Arts, Heritage and the Gaeltacht  
Newtown Road  
Wexford

Alternatively, documentation associated with the above can be referred electronically to the DAU at the following address: [manager.dau@ahq.gov.ie](mailto:manager.dau@ahq.gov.ie) In addition, please acknowledge receipt of these observations by return.

Is mise le meas,



**Patricia O'Leary**  
**Development Applications Unit**  
**Tel: (053) 911 7482**

**APPENDIX B**  
**[OTHER PLANS AND PROGRAMMES]**

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### International Level Plans, Policies and Programmes

| Topic             | Title  |
|-------------------|--|
| Biodiversity      | UN Convention on Biological Diversity (1992)   |
| Climate Change    | UN Kyoto Protocol. The United Nations Framework Convention on Climate Change (UNFCCC) Kyoto Protocol, 1997                                 |
| Cultural Heritage | The World Heritage Convention. United Nations Convention Concerning the Protection of the World Cultural and Natural Heritage (Paris 1972) |
| Human Health/Air  | World Health Organisation (WHO) Air Quality Guidelines (2005) and Guidelines for Europe (1997)   |

### European Level Plans, Policies and Programmes

| Topic        | Title  |
|--------------|--|
| Noise        | The Environmental Noise Directive (END) (2002/49/EC)   |
| Biodiversity | The EU Biodiversity Strategy. Communication from the Commission: Our life insurance, our natural capital: An EU biodiversity strategy to 2020 [COM (2011) 244] |
|              | The EU Habitats Directive. Conservation of Natural Habitats and of Wild Flora and Fauna (92/43/EEC)  |
|              | The EU Birds Directive. Conservation of Wild Birds Directive (79/409/EEC) and (2009/147/EC) codified version.  |

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| Topic                   | Title   |
|-------------------------|---|
|                         | Freshwater Fisheries Directive (78/659/EEC) as amended by Council Directive (2006/44/EC) on the quality of fresh waters needing protection or improvement in order to support fish life |
| Cultural Heritage       | Convention for the Protection of the Archaeological Heritage of Europe (revised) (Valletta 1992)  |
|                         | Convention for the Protection of the Architectural Heritage of Europe (Granada 1985)  |
| Sustainable Development | Review of the EU Sustainable Development Strategy (EU SDS) - Renewed Strategy (2006): European Council DOC 10917/06   |
|                         | The Gothenburg Strategy (2001). Communication from the Commission on “a Sustainable Europe for a Better World”  |
|                         | The Sixth Environmental Action Programme (EAP) of the European Community 2002- 2012   |
|                         | The SEA Directive (2001/42/EC)  |
|                         | The EIA Directive (85/337/EEC) as amended by Directives 97/11/EC and 2003/35/EC   |
|                         | Second European Climate Change Programme (ECCP II) 2005   |
| Water                   | The Water Framework Directive (2000/60/EC)  |
|                         | EU Floods Directive (2007/60/EC)  |
|                         | Bathing Water Directive (2006/7/EC)   |
|                         | The Groundwater Directive (2006/118/EC)   |
|                         | The Urban Wastewater Treatment Directive (91/271/EEC) as amended by Directive 98/15/EEC   |
|                         | Drinking Water Directive (80/778/EEC) as amended by Directive 98/83/EC  |

| Topic | Title                             |
|-------|-----------------------------------|
| Waste | The Landfill Directive (99/31/EC) |

### National Level Plans, Policies and Programmes

| Topic        | Title  |
|--------------|--|
| Biodiversity | National Biodiversity Plan – Actions for Biodiversity 2011-2016  |
|              | The Wildlife Act 1976 and the Wildlife (Amendment) Act 2000  |
|              | Flora Protection Order 1999  |
|              | European Communities (Natural Habitats) Regulations, S.I. 94/1997, as amended S.I. 233/1998, S.I. 378/2005 and European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011) |
|              | Quality of Salmonid Waters Regulations 1988 (S.I. 293 of 1988)   |
| Climate      | National Climate Change Strategy (2000) and National Climate Change Strategy 2007-2012   |
|              | Department of Transport, 2013: 'Statement of Strategy: 2011-2014'  |
| Heritage     | National Heritage Plan 2002 - 2006   |
|              | The National Monuments Acts (1930 to 2004)   |

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| Topic                   | Title  |
|-------------------------|--|
|                         | The Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act 1999 |
|                         | Planning and Development Act 2000  |
| Planning                | National Spatial Strategy 2002-2020  |
|                         | National Development Plan 2007-2013 Transforming Ireland - A Better Quality of Life for All                |
|                         | Planning and Development Act 2000  |
|                         | Planning and Development Regulations, 2001 (S.I. 600 of 2001)  |
|                         | Planning and Development (Strategic Infrastructure) Act 2006   |
|                         | The Sustainable Residential Development in Urban Areas Guidelines 2009                                     |
|                         | Retail Planning Guidelines for Planning Authorities, 2012  |
| Sustainable Development | Sustainable Development: A Strategy for Ireland, 1997  |
|                         | Making Ireland's Development Sustainable - 2002  |
|                         | National Climate Change Strategy 2007 - 2012   |
|                         | Housing Policy Framework: Building Sustainable Communities, 2005   |

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| Topic     | Title  |
|-----------|--|
|           | Delivering Homes, Sustaining Communities, 2007   |
|           | Towards Sustainable Communities; Guidelines on Local Agenda 21, 2001   |
| Transport | Transport 21   |
|           | Smarter Travel Policy, 2009  |
| Water     | Arterial Drainage Acts, 1945 and 1995  |
|           | European Communities (Drinking Water) (No. 2) Regulations 2007 (SI No. 278 of 2007)  |
|           | Water Services Acts 2007 and 2012 (Domestic Waste Water Treatment Systems) Regulations 2012 (S.I. No. 223 of 2012)   |
|           | Water Pollution Acts 1977-1990   |
|           | European Communities (Waste Water Treatment) Prevention of Odours and Noise) Regulations 2005 (SI No. 787 of 2005)   |
|           | Waste Water Discharge (Authorisation) Regulations 2007 (SI No. 684 of 2007) as amended by Waste water Discharge (Authorisation) (Amendment) Regulations 2010 (SI No. 231 of 2010)  |
|           | European Communities Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009) as amended by European Communities Environmental Objectives (Surface Waters) (Amendment) Regulations 2012 (S.I. No. 327/2012) |
|           | Water Services Investment Programme 2010-2012  |
| Waste     | The Waste Management Act 1996 and amendments   |

| Topic | Title   |
|-------|---|
|       | Changing our Ways (1998)                                  |
|       | Delivering Change - Recycling and Preventing Waste (2002) |
|       | Waste Management – Taking Stock and Moving Forward (2004) |
|       | National Overview of Waste Management (2004)              |

#### Regional and County Level Plans, Policies and Programmes

| Topic                | Title  |
|----------------------|--|
| Biodiversity         | Fingal Biodiversity Action Plan (2010-2015):           |
| Transport            | A Platform for Change Strategy 2000-2016               |
|                      | Greater Dublin Area Draft Transport Strategy 2011-2030 |
|                      | NTA Greater Dublin Area Cycle Network Plan (2013)      |
| Cultural Heritage    | Fingal Heritage Plan (2011-2017):                      |
| Water and Wastewater | Greater Dublin Strategic Drainage Study                |

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| Topic    | Title  |
|----------|--|
|          | Water Supply Project – Dublin Region                               |
| Planning | Regional Planning Guidelines for the Greater Dublin Area 2010-2022 |
|          | Fingal Development Plan 2011-2017                                  |

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## **APPENDIX C**

**[OBJECTIVES TARGETS AND INDICATORS  
FROM FINGAL DEVELOPEMNT PLAN 2011-2017]**



**Table C1: Objectives, Targets and Indicators from the Fingal County Development Plan 2011-2017 SEA Environmental Report\***

| Objectives  | Targets  | Indicators   | Source/Responsibility/ Frequency  |
|---|--|--|---|
| <p><b>Objective 1</b><br/> <b>Biodiversity Flora and Fauna</b><br/>                     Protect and where appropriate, enhance biodiversity, particularly protected areas and protected species</p> | <ul style="list-style-type: none"> <li>• No planning permissions granted within 100m of the boundary of a designated site.</li> <li>• All actions of the Fingal Biodiversity Action Plan to be achieved by 2017.</li> <li>• No loss of locally rare /distinctive species/habitats.</li> <li>• No net loss of green linkages established under Green Infrastructure Plan/Strategy</li> <li>• No loss of designated sites.</li> </ul>  | <ul style="list-style-type: none"> <li>• Number of developments receiving planning permission within 100m of the boundary of a designated site.</li> <li>• Number of actions achieved in Biodiversity Action Plan.</li> <li>• Number of sites containing locally rare/distinctive species/habitats.</li> <li>• Area of new green infrastructure established.</li> <li>• Number of planning permissions with biodiversity conditions.</li> </ul>  | <p>Fingal Co. Co.: Planning, Heritage Officer, Biodiversity Officer.</p> <p>Initial monitoring of the 2011-2017 CDP was undertaken 2 years after the adoption of the plan as part of the Managers report. Monitoring relevant to this variation will therefore be part of the review process for the next CDP which will commence in 2015.</p>                                    |
| <p><b>Objective 2</b><br/> <b>Population, Human Health</b><br/>                     Provide high-quality residential, working and recreational environments and sustainable transport</p>           | <ul style="list-style-type: none"> <li>• Appropriate mix of tenure types (including social housing) in all new developments. The number of homes in private occupancy should not be less than 80% of all tenures in a new development.</li> <li>• Provide 20 childcare places per 75 units</li> <li>• Decrease in journey time and distance travelled to work during the lifetime of the plan</li> <li>• All granted planning applications for new residential developments of more than 5 houses to be accompanied by a design statement</li> <li>• Sufficient number of school sites zoned during the lifetime of the plan to accommodate resident school going children.</li> <li>• All new homes to be built within</li> </ul> | <ul style="list-style-type: none"> <li>• Distance and mode of transport to work.</li> <li>• Ratio of houses in county to total childcare places provided.</li> <li>• % of planning applications granted for new residential developments that are accompanied by a design statement</li> <li>• Number of new homes built within                         <ul style="list-style-type: none"> <li>o 100m of a pocket park</li> <li>o 1km of a park in excess of 2 ha</li> <li>o 1km of commercial facilities</li> </ul> </li> <li>• Number of school sites zoned.</li> <li>• % of employed both living and working in Fingal</li> </ul> | <p>Fingal Co. Co.: Housing, Planning (with input from Fingal Childcare Committee), Parks and Community.</p> <p>Initial monitoring of the 2011-2017 CDP was undertaken 2 years after the adoption of the plan as part of the Managers report. Monitoring relevant to this variation will therefore be part of the review process for the next CDP which will commence in 2015.</p> |

| Objectives  | Targets  | Indicators  | Source/Responsibility/ Frequency   |
|---|--|---|--|
|   | <ul style="list-style-type: none"> <li>o 100m of a pocket park</li> <li>o 1km of a park in excess of 2 ha</li> <li>o 1km of commercial facilities</li> <li>• Increase the % of Fingal residents working in Fingal.</li> </ul>  |   |  |
| <p><b>Objective 3 Soil</b><br/>Protect the function and quality of the soil resource in Fingal</p>  | <ul style="list-style-type: none"> <li>• No land reclamation permits</li> </ul>  | <ul style="list-style-type: none"> <li>• Number of land reclamation permits issued</li> </ul>   |  |
| <p><b>Objective 4 Water</b><br/>Protect and where necessary improve water quality and the management of watercourses and groundwater to comply with the standards of the Water Framework Directive objectives and measures and all water, habitat and fisheries based legislation including</p> | <ul style="list-style-type: none"> <li>• Implementation of the Programme of Measures identified under the ERBD River Basin Management Plan.</li> <li>• Comply with the recommendations of the Fingal Groundwater Protection Scheme currently under preparation by the GSI</li> </ul> | <p>% increase in waters achieving 'good status' as defined in the WFD</p> <ul style="list-style-type: none"> <li>• Number of planning permissions granted in areas identified as 'vulnerable' under the Groundwater Protection Scheme.</li> </ul> | <p>EPA - Monitoring will be in 2013 as part of WFD interim review.</p> <p>Fingal Co. Co: Water Services and Planning.</p> <p>Initial monitoring of the 2011-2017 CDP was undertaken 2 years after the adoption of the plan as part of the Managers report.</p> <p>Monitoring relevant to this variation will therefore be part of the review process for the next CDP which will commence in 2015.</p> |

| Objectives   | Targets   | Indicators   | Source/Responsibility/ Frequency   |
|--|---|--|--|
| the Urban Wastewater Treatment Directive, the Freshwater Fish Directive etc.   |   |  |  |
| <p><b>Objective 5</b></p> <p><b>Air Quality and climate</b></p> <p>Contribute to mitigation of, and adaptation to, climate change and air quality issues</p> | <ul style="list-style-type: none"> <li>• No new residential development within the areas identified as unsuitable in the Flood Risk Management Plans prepared for the County.</li> <li>• No new residential development within the 1:1000 flood plain</li> <li>• All new residential buildings granted planning permission within the lifetime of the plan to have a minimum A3 BER Rating</li> <li>• All pre 1990 houses re-let by Fingal Co. Co. to have an improved BER rating</li> <li>• Increase in the % of households granted planning permission within 500m of QBC within the lifetime of the plan</li> <li>• Increase in the % households granted planning permission within 1 km of railway station</li> </ul> | <ul style="list-style-type: none"> <li>• Number of new residential developments permitted within the moderate risk zone (1:1000 to 1:100 year flood plain for river flooding and 1:1000 and 1:200 year flood plain for coastal flooding).</li> <li>• Number of non water compatible developments permitted in the high risk zone (greater than 1:200 year event for coastal flooding and 1:100 year event for river flooding).</li> <li>• Percentage of new residential buildings granted planning permission with minimum A3 BER rating</li> <li>• Percentage of pre 1990 houses re-let by Fingal Co. Co. with improved BER rating</li> <li>• % of households granted planning permission within 500m of QBC</li> <li>• % of households granted planning permission within 1 km of railway station during the lifetime of the plan</li> </ul> |  |
| <p><b>Objective 6</b></p> <p><b>Cultural Heritage</b></p>  | <ul style="list-style-type: none"> <li>• No impact on the fabric or setting of monuments on the Record of Monuments</li> </ul>  | <ul style="list-style-type: none"> <li>• Number of monuments on the Record of Monuments (RMP), impacted by development</li> </ul>  | <p>The Archaeological Survey monitoring programme, Ireland Buildings at Risk Register,</p> |

| Objectives  | Targets  | Indicators   | Source/Responsibility/ Frequency  |
|---|--|--|---|
| Protect and, where appropriate, enhance the character, diversity and special qualities of cultural, architectural and archaeological, heritage in Fingal  | <p>(RMP) by development granted planning permission</p> <ul style="list-style-type: none"> <li>• No decrease in condition of monuments on land in ownership/control of Fingal Co. Co.</li> <li>• No impacts on the architectural heritage value or setting of protected structures by development granted planning permission</li> <li>• No protected structures to be demolished because of long term neglect and dereliction</li> </ul>  | <p>granted planning permission</p> <ul style="list-style-type: none"> <li>• Condition of monuments on land in ownership/control of Fingal Co. Co.</li> <li>• Number of protected structures impacted by development granted planning permission.</li> <li>• Number of protected structures that have been demolished because of long term neglect and dereliction</li> <li>• Number of cultural heritage sites where public access has been provided</li> </ul>  | <p>Heritage Council Ireland.</p> <p>Fingal Co. Co.: Conservation Officer, Planning Initial monitoring of the 2011-2017 CDP was undertaken 2 years after the adoption of the plan as part of the Managers report. Monitoring relevant to this variation will therefore be part of the review process for the next CDP which will commence in 2015.</p> |
| <p><b>Objective 7 Landscape</b></p> <p>Protect and, where appropriate, enhance the character, diversity and special qualities of landscapes in Fingal</p> | <ul style="list-style-type: none"> <li>• Maintain and enhance the character of the designated landscapes</li> <li>• No new planning permissions granted within SAAO Areas during the lifetime of the plan.</li> <li>• No development permitted which will result in avoidable impacts on the landscape</li> <li>• No change in the character of the rural landscape</li> <li>• No change in protected views</li> <li>• No planning permissions granted that would have an effect on the integrity / continuity and / or setting of the inland waterways</li> </ul> | <ul style="list-style-type: none"> <li>• Number of developments granted planning permission within total rural area, and, specifically SAAO Areas</li> <li>• Percentage of proposed dwellings/developments which contain within their planning permissions, and/or have carried out landscaping proposals as required by a condition of the planning permission</li> <li>• The absolute no. and percentage change in the number of rural houses</li> <li>• The absolute no. and percentage increase in the area given over to development sites in the rural area.</li> <li>• Number of protected views lost through development</li> <li>• The length of hedging removed measured within a representative area</li> </ul> | <p>Fingal Co. Co.: Biodiversity Officer, Heritage Officer and Planning. Initial monitoring of the 2011-2017 CDP was undertaken 2 years after the adoption of the plan as part of the Managers report. Monitoring relevant to this variation will therefore be part of the review process for the next CDP which will commence in 2015.</p>            |

| Objectives  | Targets  | Indicators   | Source/Responsibility/ Frequency   |
|---|--|--|--|
|   |  | <ul style="list-style-type: none"> <li>• Number of planning permissions granted / refused that would have an effect on the integrity / continuity and / or setting of the inland waterways</li> </ul>  |  |
| <p><b>Objective 8</b><br/><b>Material Assets</b><br/>Make best use of existing infrastructure and promote the sustainable development of new infrastructure</p> | <ul style="list-style-type: none"> <li>• No loss of prime agricultural land</li> <li>• Increased rates of brownfield site and land reuse and development over the lifetime of the plan</li> <li>• Decreased rate of Greenfield development over the lifetime of the plan.</li> <li>• No non urban developments granted within 100 metres of coastline during the lifetime of the plan</li> <li>• Increase in the length in Km of coastal walkway developed over the lifetime of the plan</li> <li>• All beaches to comply with Bathing Water standards within the lifetime of the plan</li> <li>• Decrease in the % unaccounted for water over the lifetime of the plan</li> <li>• Decrease in the ratio of population to water available for human consumption over the lifetime of the plan</li> </ul> | <ul style="list-style-type: none"> <li>• Area of prime agricultural land lost to development</li> <li>• Rates of brownfield site and land reuse and development;</li> <li>• Rates of Greenfield development</li> <li>• Number of non urban developments granted permission within 100 metres of coastline</li> <li>• Number of beaches complying with bathing water standards</li> <li>• Length in Km of coastal walkway</li> <li>• % unaccounted for water</li> <li>• Ratio of population to water available for human consumption</li> </ul> | <p>Teagasc Corine Land Cover Project<br/>EPA</p> <p>Fingal Co. Co.: Planning, Heritage Officer, Water Services, Parks and Environment.</p> <p>Initial monitoring of the 2011-2017 CDP was undertaken 2 years after the adoption of the plan as part of the Managers report. Monitoring relevant to this variation will therefore be part of the review process for the next CDP which will commence in 2015.</p> |

\*Those determined to be NOT RELEVANT to this draft Variation are shown in grey.