

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Mark McGoldrick,
Irish Prison Service,
Ballinalee Road,
Co. Longford.
N39 A308.

Reference Number: DED 752
Application Received: 19th August 2024
Name of Applicants: Irish Prison Service
Agent: MacCabe Durney Barnes, 20 Fitzwilliam Place, Dublin 2, D02 YV58

WHEREAS a question has arisen as to whether the construction of 25 no. modular Independent Living Units (ILU's) and office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon, is or is not development and is or is not exempted development:

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4, 5 and 181 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6 and 9 and 86 of the Planning and Development Regulations, 2001, as amended.
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.


AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The works to construct 25 no. modular independent living units (ILU) and an office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon falls under Section 4(1)(h) of the Planning and Development Act as amended.
- (c) The construction of 25 no. modular independent living units (ILU) and an office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon is an exempted development.
- (d) The works fall within the provisions of Section 181(1)(a) of the Planning & Development Act 2000 as amended. The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

NOW THEREFORE:

By virtue of the powers vested in me by the Local Government Acts 1925 – 2019 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development to construct 25 no. modular Independent Living Units (ILU's) and office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon, is development that is exempted development as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed on behalf of the Council:



Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 17th September 2024

cc agent via email: **MacCabe Durney Barnes,**
planning@mdb.ie

ADVICE NOTE

Any person issued with a Declaration under Section 5 of the Planning and Development Act, 2000 (as amended) may, on payment to An Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

**Planner's Report on application under
Section 5 of the Planning and Development Act 2000 (as amended)**

| | |
|---------------------------------|--|
| Reference Number: | DED 752 |
| Re: | Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development for the construction of 25 no. modular independent units (ILU) and an office building at Castlerea Prison, Harristown, Castlerea, Co. Roscommon. |
| Name of Applicant: | Irish Prison Service |
| Location of Development: | Harristown, Castlerea, Co. Roscommon |

WHEREAS a question has arisen as to whether the following works; the construction of 25 no. modular independent units (ILU) and an office building at Castlerea Prison, Harristown, Castlerea, Co. Roscommon address is or is not development and is or is not exempted development.

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, and 181 of the Planning and Development Act, 2000, as amended
- (b) Articles 6, 9 and 86 of the Planning and Development Regulations, 2001, as amended
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.

Site Location & Development Description

The subject is located inside the walls of Castlerea Prison. 25 no. modular independent units (ILU) and an office are proposed in 8no. one and two storey blocks.

Environmental Considerations:

The development is not of a nature set out in Part 2 Schedule 5 of the Planning and Development Regulations 2001 as amended. An EIA Screening report was prepared and submitted. It concluded that no EIAR was required for the proposed development. I am satisfied with this finding.

An Appropriate Assessment Screening report was prepared and submitted as part of this application process. It concluded that Stage 2 Appropriate Assessment was not required for the proposed development. The site is located c.3km km away from Corliskea/Trien/Cloonfelliv Bog SAC (site code 002110) and c.3.5km from Cloonchambers Bog SAC (site code 00600). Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to and distance from any sensitive location, there is no real likelihood of significant effects on European sites arising from the proposed development and not of a nature set out in Article 9 (1)(a) of the Planning and Development Regulations 2001 as amended.

Planning History

No planning history on site as per the RCC GIS system.

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2. -(1)

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes

any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3. -(1)

In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 181(1)(a) of the Planning & Development Act 2000 as amended provides that:

The Minister may, by regulations, provide that, except for this section F996[and sections 181A to 181C], the provisions of this Act shall not apply to any specified class or classes of development by or on behalf of a State authority where the development is, in the opinion of the Minister, in connection with or for the purposes of public safety or order, the administration of justice or national security or defence and, for so long as the regulations are in force, the provisions of this Act shall not apply to the specified class or classes of development.

(b) The Minister may, by regulations, provide for any or all of the following matters in relation to any class or classes of development to which regulations under paragraph (a) apply:

Planning and Development Regulations, 2001 as amended

Article 86 (1) In accordance with section 181(1)(a) of the Act, the provisions of the Act shall not apply to the following classes of development: (a) development consisting of the provision of—

.....

(ii) prisons or other places of detention,

.....

(d) development consisting of the carrying out of any works within, or bounding, the curtilage of a building, premises or other installation referred to in paragraph (a), insofar as the works are incidental to the use of such building, premises or installation;

Article 6 relates generally to exempted development.

Article 9 (1) applies:

Development to which article 6 relates shall not be exempted development for the purposes of the Act

Having regard to the above, I am satisfied that the general question raised in this referral can be determined as follows:

- The works are development
- The works to construct 25 no. modular independent units (ILU) and an office at Castlerea Prison, Harristown, Castlerea Co. Roscommon constitutes exempted development.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; the construction 25 no. modular independent units (ILU) and an office Castlerea Prison, Harristown, Castlerea, Co. Roscommon is or is not development and is or is not exempted development, I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4, 5 and 181 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 and 86 of the Planning and Development Regulations, 2001, as amended
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.

AND WHEREAS I have concluded that

- The works outlined above are development.
- The works to construct 25 no. modular independent units (ILU) and an office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon falls under Section 4(1)(h) of the Planning and Development Act as amended.
- The construction of 25 no. modular independent units (ILU) and an office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon is an exempted development.
- The works fall within the provisions of Section 181(1)(a) of the Planning & Development Act 2000 as amended. The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

AND WHEREAS I have concluded that the said development to construct 25 no. modular independent units (ILU) and an office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon is exempted development and I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Date: 17th September 2024

Civil Technician

Signed:



Date: 17th September 2024

Senior Executive Planner



Comhairle Contae
Ros Comáin
Roscommon
County Council



Irish Prison Service,
Castlerea Prison,
Harristown,
Castlerea,
Co. Roscommon.

Date: 21st August, 2024

Planning Reference: DED 752

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.

Development: Permission for the construction of 25 no. modular Independent Units (ILU) and office building at Castlerea Prison, Harristown, Castlerea, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of your application which was received on the 19th August 2024, for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development along with the appropriate fee in the sum of €80.00, Receipt No. L01/0/230144 dated 20th August 2024, receipt enclosed herewith.

Please note that due to current resourcing issues, the processing of the Declaration of Exempted Developments has been curtailed at present and applicants will experience delays in the processing of same. We are currently reviewing internal work programmes with a view to resuming normal services as soon as possible, however we cannot provide a timeframe at present.

We sincerely apologise for any inconvenience caused. Once resumed all applications will be processed in chronological order.

Note: Please note your Planning Reference No. is **DED 752**.

This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
Senior Executive Planner,
Planning Department.

c.c.: MacCabe Durney Barnes Ltd.,
20 Fitzwilliam Place,
Dublin 2, D02 YV58.

Roscommon County Council
Aras an Chontae
Roscommon
09086 37100

20/09/2024 11.52.32

Receipt No : L01/0/230144

IRISH PRISON SERVICE
C/O MACCABE DURNEY BARNES

EXEMPTED DEVELOPMENT

| | |
|---------------------------|-------|
| PLANNING APPLICATION FEES | 80.00 |
| GOODS | 80.00 |
| VAT Exempt/Non-vatable | |
| DED 752 | |

Total : 80 00 EUR

Tendered :
Cheque 80.00
159

Change : 0 00

Issued By : Louis Carroll
From : Central Cash Office



DED 752

Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the

Planning & Development Act 2000 (as amended), regarding Exempted Development

| | |
|---|--|
| Name of Applicant(s) | Irish Prison Service |
| Name of Agent | MacCabe Durney Barnes |
| Nature of Proposed Works | 25 no. modular Independent Living Units (ILU's) and Office |
| Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No. | Castlerea Prison, Harristown, Castlerea, Co. Roscommon |
| Floor Area: a) Existing Structure b) Proposed Structure | a) 608.2 m2 b) Total: 4,809 m2 GFA: 2,553 m2 |
| Height above ground level: | Up to two storey |
| Total area of private open space remaining after completion of this development | N/A |
| Roofing Material (Slates, Tiles, other) (Specify) | Grey, concrete interlocking roof tiles |

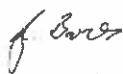
Roscommon County Council

Application for a Declaration under Section 5 of the

| | |
|--|---|
| Proposed external walling (plaster, stonework, brick or other finish, giving colour) | White Carlow Concrete External Wall Panel |
| Is proposed works located at front/rear/side of existing house. | N/A |
| Has an application been made previously for this site | Yes |
| If yes give ref. number (include full details of existing extension, if any) | DED 607 |
| Existing use of land or structure | Horticulture |
| Proposed use of land or structure | Prisoner Accommodation |
| Distance of proposed building line from edge of roadway | 90 metres |
| Does the proposed development involve the provision of a piped water supply | Yes |
| Does the proposed development involve the provision of sanitary facilities | Yes |

Planning & Development Act 2000 (as amended), regarding Exempted Development

Signature: _____



Date: _____

14 August 2024

Note: This application must be accompanied by: -

- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed



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Dublin 2 E: + 353 1 6762310
D02 YV58 e: planning@mdb.ie

W:

www.mdb.ie <http://www.mdb.ie/>

MACCABE DURNEY BARNES

PLANNING | ENVIRONMENT | ECONOMICS

Our Ref: 2237

Planning Department,
Roscommon County Council,
County Hall,
Ardnanagh,
Roscommon,
F42 VR98

16/08/2024

Re: Section 5 application

Dear Planning,

On behalf of the Irish Prison Service acting for the Minister for Justice (a State authority), please find this referral for a declaration pursuant to Section 5 of the Planning and Development Act 2000 as amended, where a declaration is sought from the Planning Authority on the following: *"Whether the construction of 25 no. modular Independent Living Units (ILU) and office building at a site of 1.55ha, located within the main prison in an area known as "the Grove" within the confines of the Castlereagh Prison, Castlereagh is or is not exempted development?"*

Please find a copy of the following documents:

1. Cover letter (this document)
2. Application form
3. Planning report
4. EIA screening report
5. AA screening report

Please also find 2 copies of the following plans: Please note the OSI do not provide maps for the prison as it is a security area. The provided floor plans are also limited for security reasons.

6. Proposed Site Location Plan - IPSC-HLM-ZZ-00-DR-A-00003
7. Landscape General Arrangement Plan - IPSC-HLM-ZZ-00-DR-A-00001
8. Floor Planning Layouts
 - Type B Plan for Planning - IPSC-HLM-02-ZZ-DR-A-00105
 - Type C Plan for Planning - IPSC-HLM-03-ZZ-DR-A-00103
 - Class Office GF Plan for Planning - IPSC-HLM-04-ZZ-DR-A-00105
9. Elevation Plans
 - Type B Elevations - IPSC-HLM-02-ZZ-DR-A-00200
 - Type C Elevations - IPSC-HLM-03-ZZ-DR-A-00200
 - Class Office GF Elevations - IPSC-HLM-04-ZZ-DR-A-00200

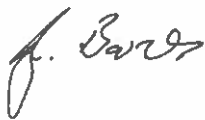


10. Civil Drawings

- Surface Water Layout Plan
- Foul Sewer Layout Plan
- Watermain Layout Plan

11. A cheque for €80 is herewith enclosed

Yours sincerely,



Jerry Barnes
MACCABE DURNEY BARNES





PROPOSED CONNECTION TO
EXISTING 225Ø PVC PIPE

LEGEND:

| | |
|------------------------------|-----|
| PROPOSED FOUL PIPE (Ø150 mm) | --- |
| PROPOSED FOUL MANHOLE | ○ |
| EXISTING FOUL PIPE | --- |
| EXISTING FOUL MANHOLE | ○ |



| Rev | Description | Drawn | Checked | Date |
|-----|-------------|-------|---------|------|
|-----|-------------|-------|---------|------|



**Clifton Scannell Emerson
Associates**

Clifton Scannell Emerson
Associates Limited
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F: +353 1 733 3456
E: info@cse.ie
W: www.cse.ie

IRISH PRISON SERVICE

Client
IPS FW 25 UNITS CASTLEREA
PRISON

Project
FOUL SEWER
LAYOUT

Dwg. Title
GM Date JULY 2024 23_110D
DK Scale 1:1000 @ A3 CSEA Job No.

Project Code Originator Zone/Phase Level Type Role Dwg. No.
23_110D - CSE - GEN - XX - DR - C - 2102

S2 FOR INFORMATION
Status Code Suitability Description

P01 PLANNING
Revision Project Status



| | |
|--------------------------------|--|
| EXISTING WATERMAIN SLOPE VALVE | |
| | |



**Clifton Scannell Emerson
Associates**

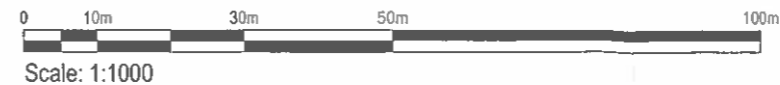
T. +353 1 788 5006
F. +353 1 783 3434
E. info@csel.ie
W. www.csel.ie

Drawn Title _____
 Drawn By GM Date JULY 2024
 Checked By DK Scale 1:1000 @ A3
 CSEA Job No. _____

| | | |
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| 019 | P01 | PLANNING |
|-----|-----|----------|



00000 GENERAL ARRANGEMENT PLAN
Scale: 1 : 1000



Notes

Check all dimensions on site. Do not scale from this drawing.
Report any discrepancies and omissions to HLM Architects.
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| Revisions | Revised By | Date | By | Chk | Suitability |
|-----------|-----------------------|------------|----|-----|-------------|
| P02 | RE-ISSUE FOR PLANNING | 12/08/2024 | EP | CM | |
| P01 | ISSUE FOR PLANNING | 07/08/2024 | EP | CM | |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

Irish Prison Service

Title

LANDSCAPE GENERAL ARRANGEMENT PLAN

Drawing No.

IPSC-HLM-ZZ-00-DR-A-00001

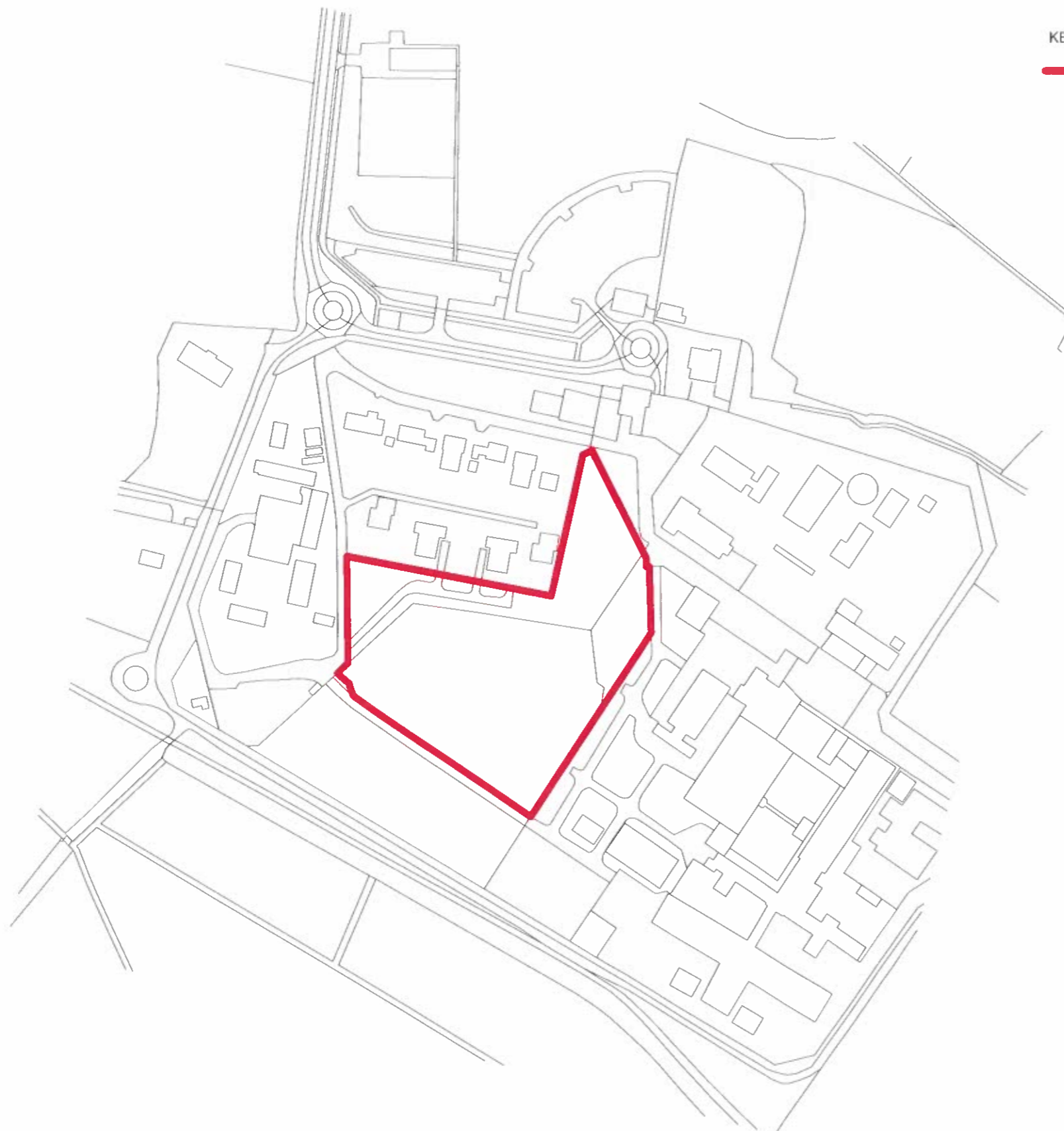
Scale

1 : 1000 @A3

Date

02/08/24





KEY
Proposed Site for Full Planning
Application Area : 15,446m²

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| | | | | |
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| P01 | ISSUE FOR PLANNING | 07/08/2024 | EP | CM |
| Rev | Description | Date | By | Chk |
| Revisions | Suitability | | | |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

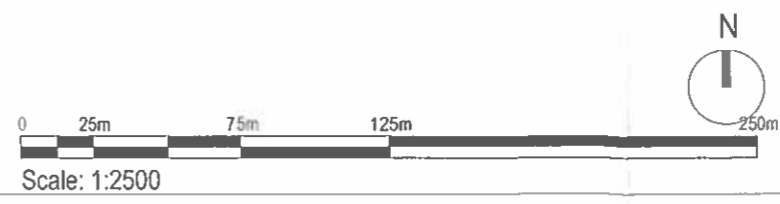
Irish Prison Service

Title

PROPOSED SITE LOCATION PLAN

| | |
|---------------------------|----------|
| Drawing No. | Revision |
| IPSC-HLM-ZZ-00-DR-A-00000 | P01 |
| Scale | Drawn |
| 1 : 2500 @A3 | NK |
| Date | Checked |
| 02/08/24 | CMcN |

0000 PROPOSED SITE LOCATION PLAN
Scale: 1 : 2500





Class Office GA Elevation 1
Scale: 1 : 100

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|-----------|----------------|----------|-------------|-----|
| P02 | Planning Issue | 31/07/24 | MH | KD |
| P01 | For Pricing | 27/02/24 | HLM | IPS |
| Rev | Description | Date | By | Chk |
| Revisions | | | Suitability | |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

CLASS OFFICE ELEVATIONS

| | |
|---------------------------|----------|
| Drawing No. | Revision |
| IPSC-HLM-04-ZZ-DR-A-00200 | P02 |

| | |
|-------------|---------|
| Scale | Drawn |
| 1 : 100 @A3 | CM |
| Date | Checked |
| 10/11/22 | KD |

Class Office GA Elevation 2
Scale: 1 : 100

Class Office GA Elevation 4
Scale: 1 : 100

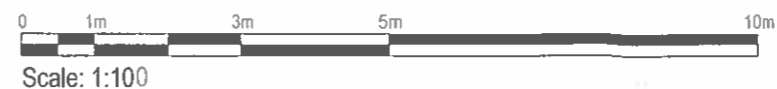


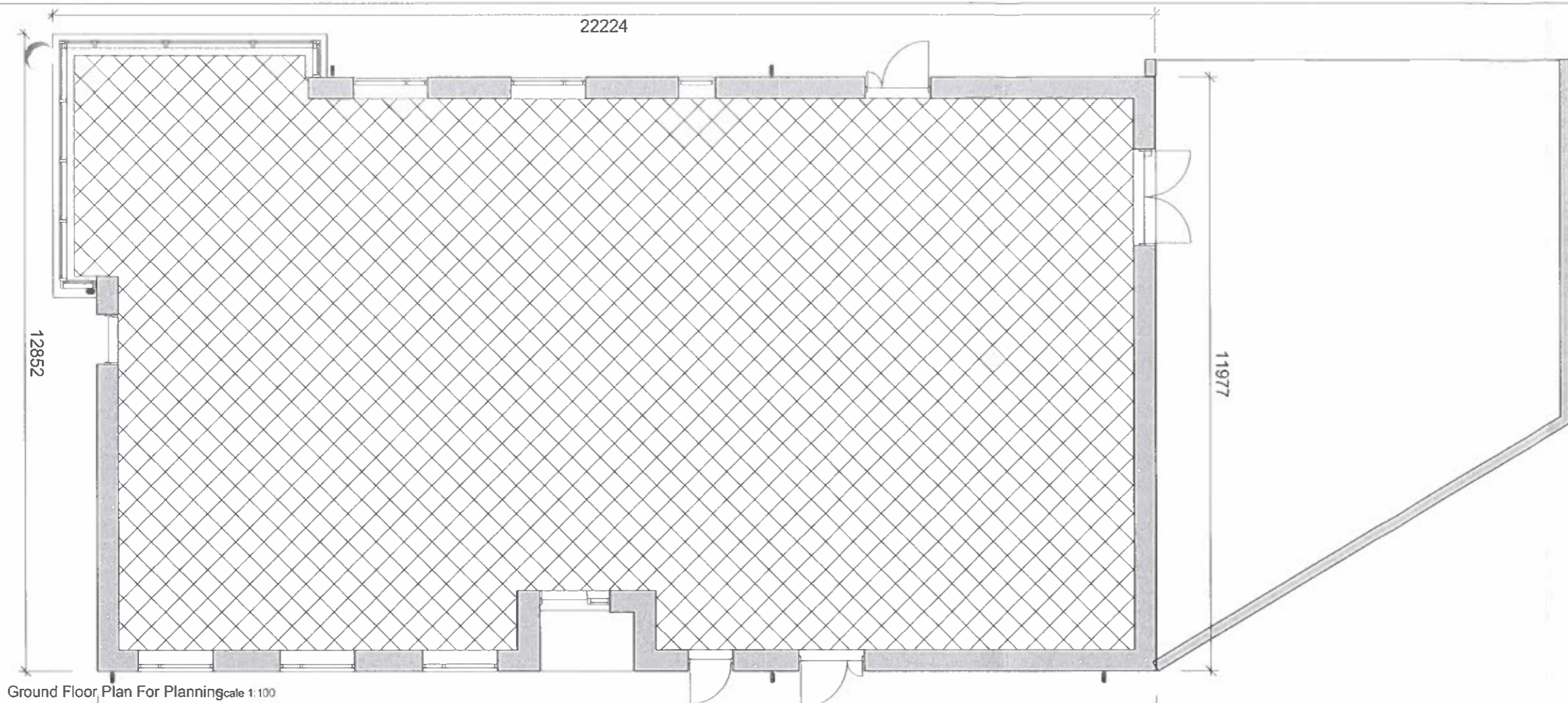
Class Office GA Elevation 3
Scale: 1 : 100



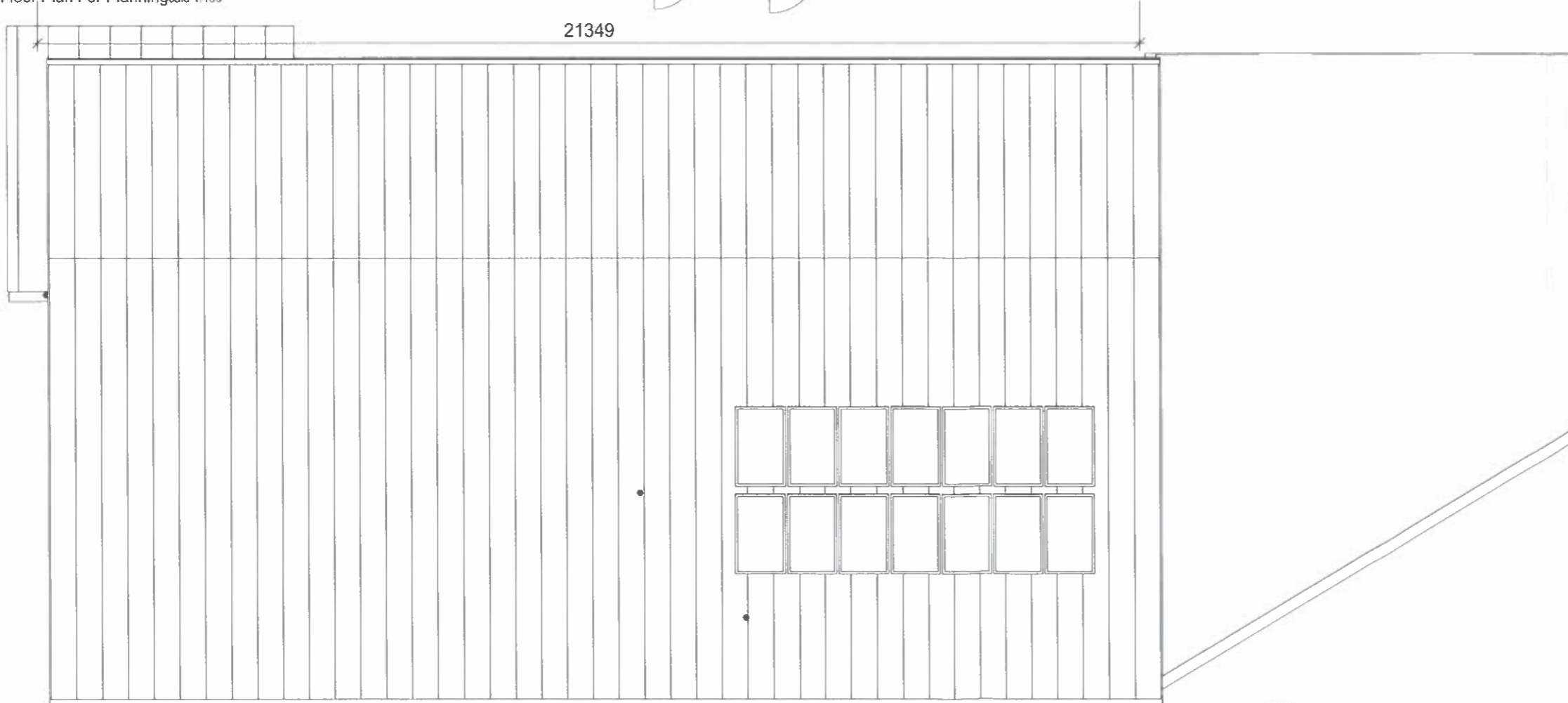
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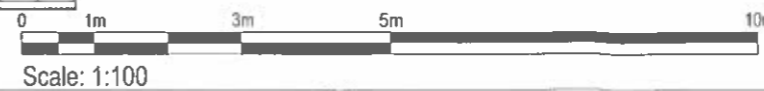




Ground Floor Plan For Planning scale 1:100



Roof Plan Class Office For Planning scale 1:100



Notes

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NOTE:-

DETAILED INTERNAL LAYOUTS REMOVED FOR SECURITY REASONS.



| | | | | |
|-----------|-------------------------|----------|----|-----|
| P02 | Dims added for Planning | 06/08/24 | MH | KD |
| P01 | Planning Issue | 31/07/24 | MH | KD |
| Rev | Description | Date | By | Chk |
| Revisions | Suitability | | | |

S1 COORDINATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

CLASS OFFICE GF PLAN FOR PLANNING

| | |
|---------------------------|----------|
| Drawing No. | Revision |
| IPSC-HLM-04-ZZ-DR-A-00105 | P02 |

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| Scale | Drawn |
| 1 : 100 @A3 | CM |
| Date | Checked |
| 11/17/23 | KD |



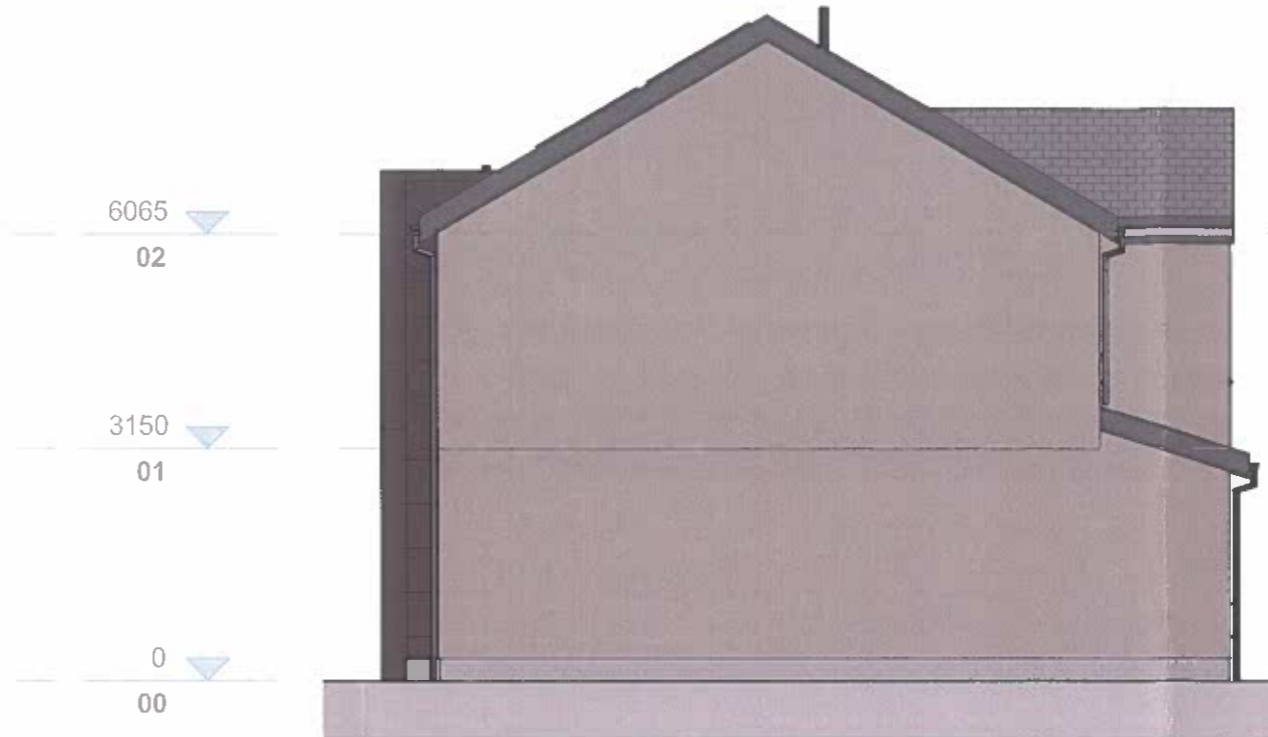
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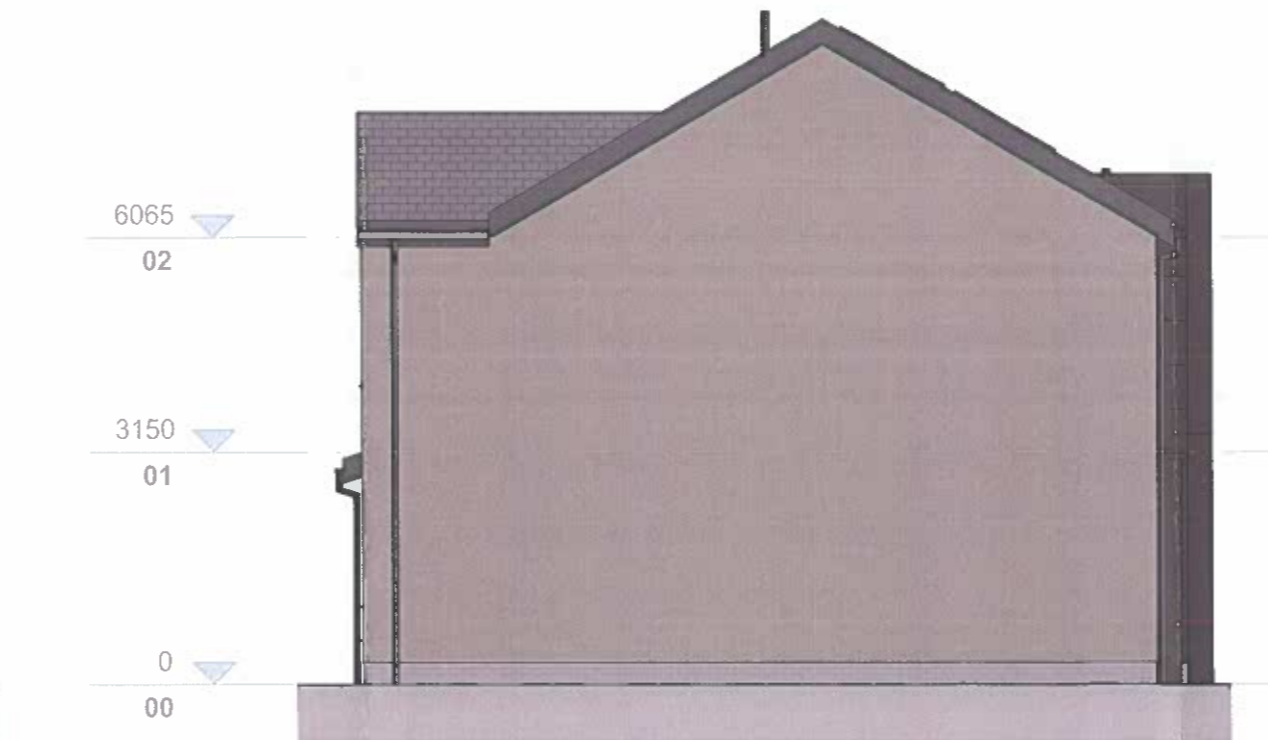
South C
Scale: 1 : 100



North C
Scale: 1 : 100



East C
Scale: 1 : 100



West C
Scale: 1 : 100

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| | | | | |
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| P02 | Planning Issue | 31/07/24 | MH | HLM |
| P01 | For Pricing | 29/01/24 | HLM | IPS |
| Rev | Description | Date | By | Chk |
| Revisions | Suitability | | | |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

TYPE C ELEVATIONS

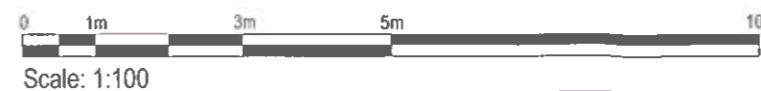
| Drawing No. | Revision |
|---------------------------|----------|
| IPSC-HLM-03-ZZ-DR-A-00200 | P02 |

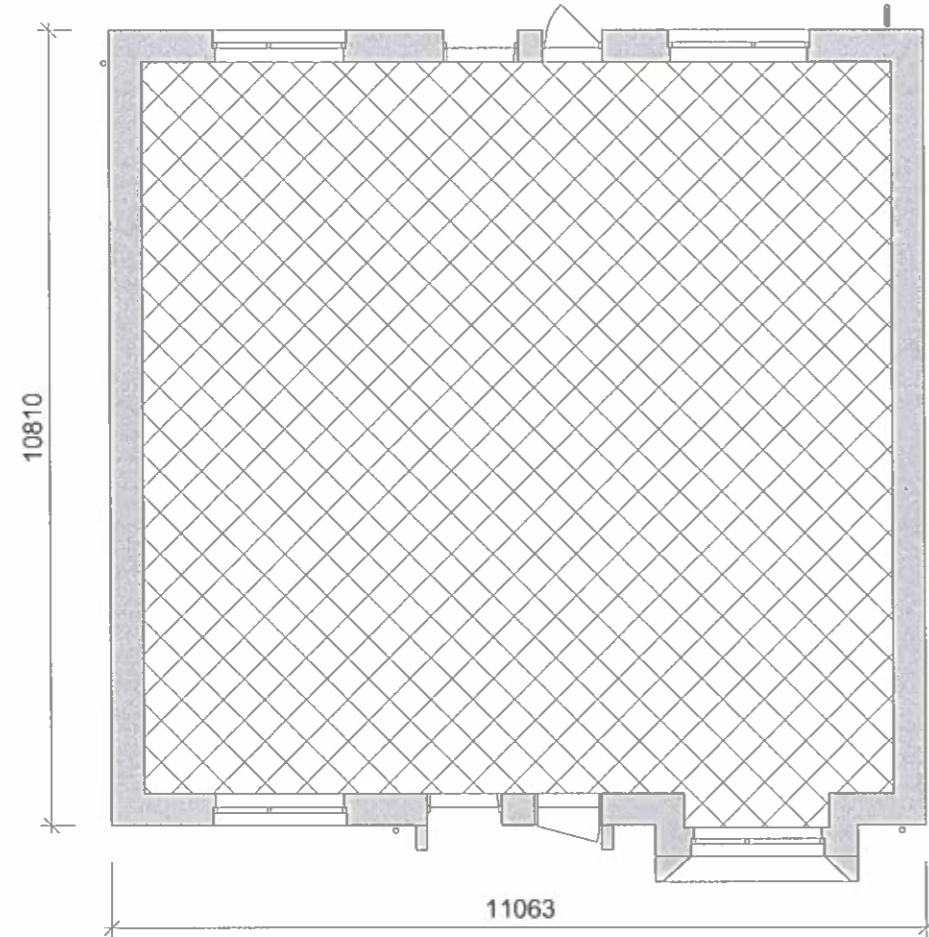
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|-------------|---------|
| 1 : 100 @A3 | CM |
| Date | Checked |
| 10/11/22 | KD |



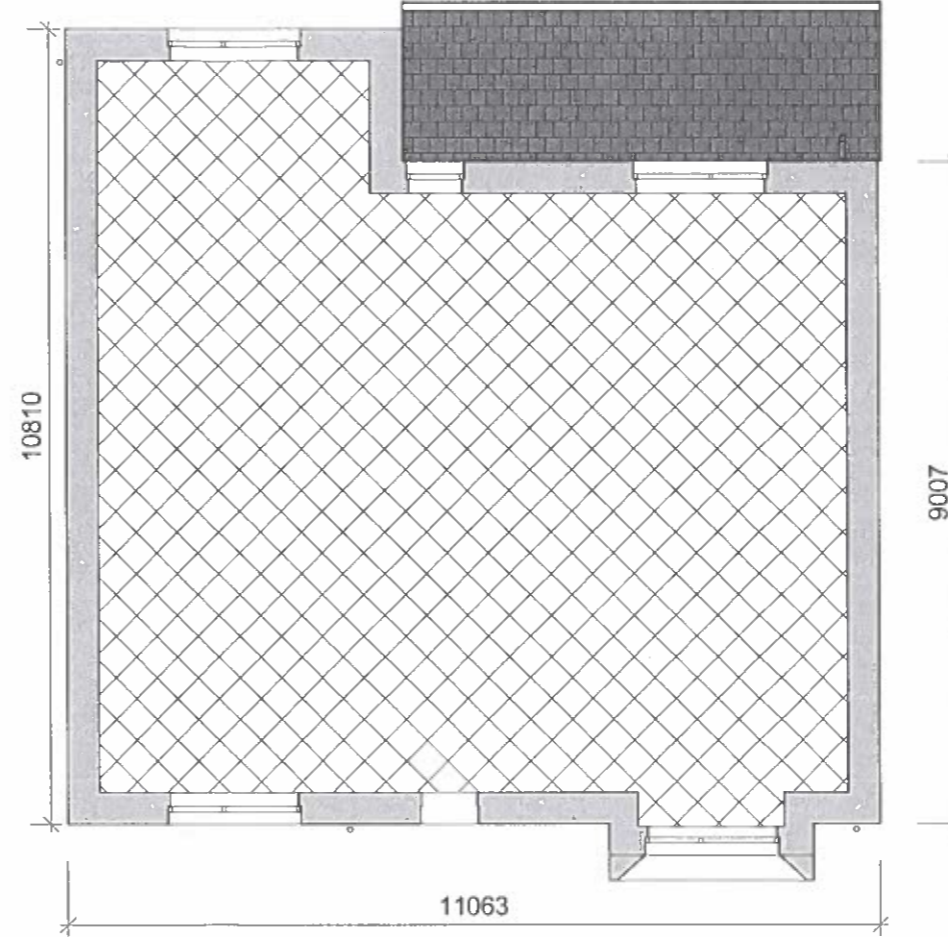
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00 Ground Floor C Planning Layout
Scale: 1 : 100



01 First Floor C Planning Layout
Scale: 1 : 100



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| P02 | Dims added for Planning | 06/08/24 | MH | HLM |
| P01 | Planning Issue | 31/07/24 | MH | HLM |
| Rev | Description | Date | By | Chk |
| Revisions | | | | Suitability |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

TYPE C PLAN FOR PLANNING

| | |
|---------------------------|----------|
| Drawing No. | Revision |
| IPSC-HLM-03-ZZ-DR-A-00105 | P02 |

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| 1 : 100 @A3 | CM |
| Date | Checked |
| 10/11/22 | KD |



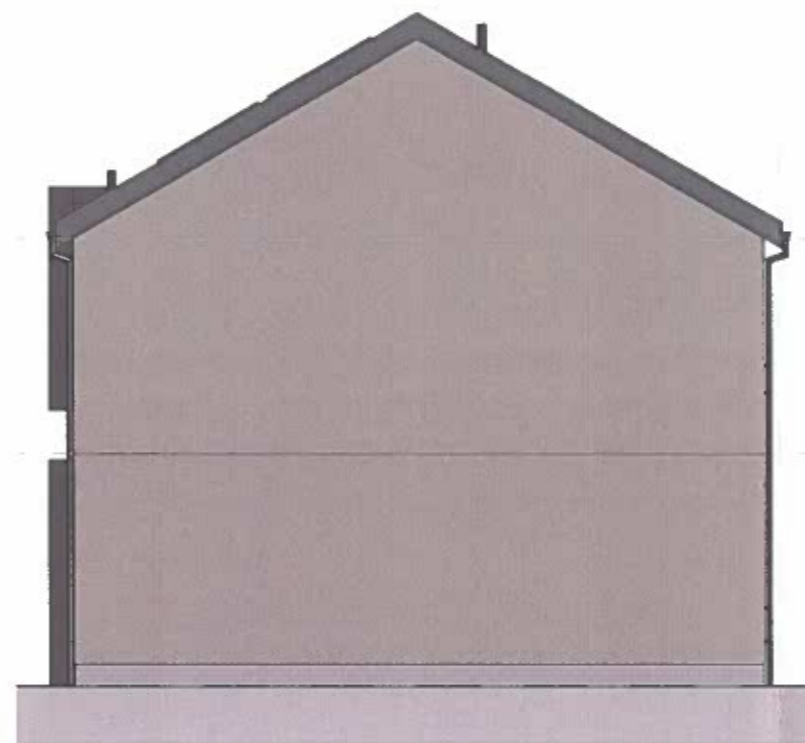
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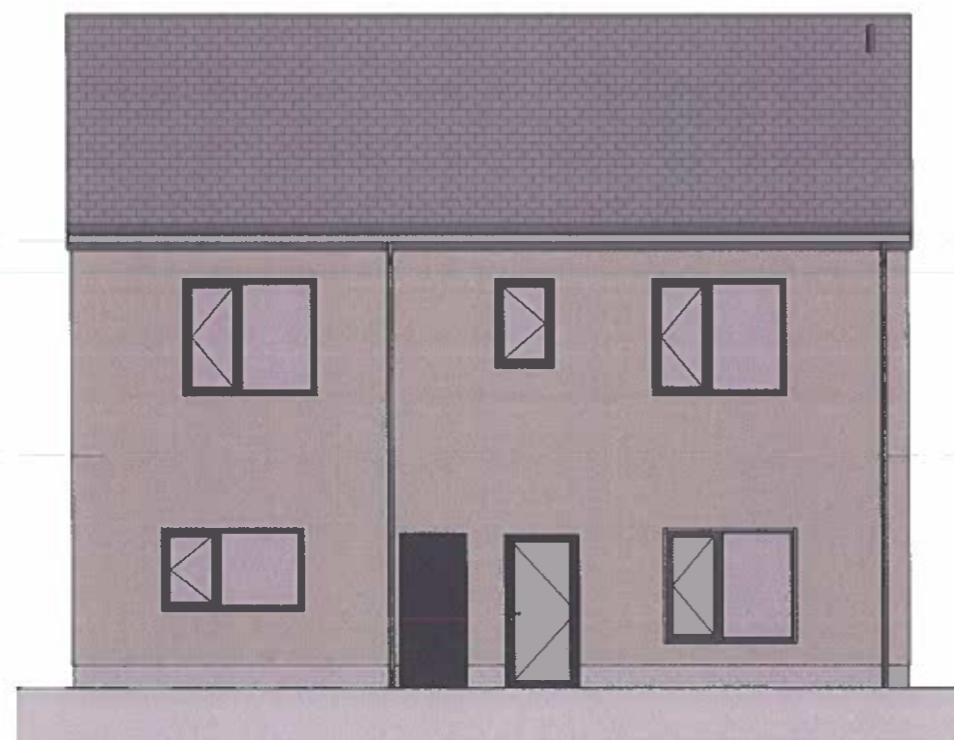
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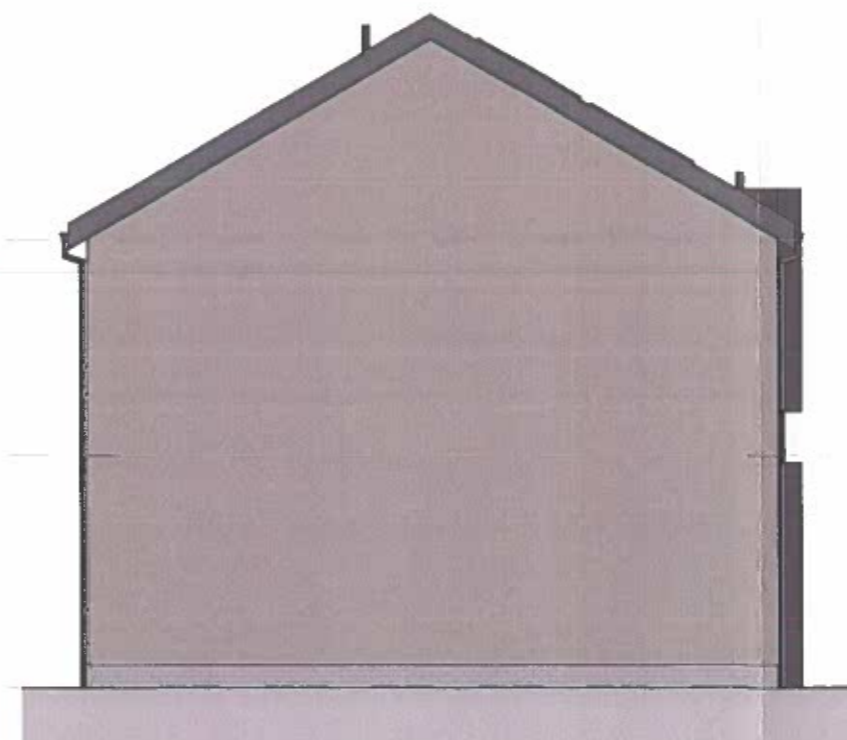
South B
Scale: 1 : 100



East B
Scale: 1 : 100



North B
Scale: 1 : 100



West B
Scale: 1 : 100

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|-----------|-------------|----------|-----|-------------|
| Rev | Description | Date | By | Chk |
| Revisions | | | | Suitability |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

TYPE B ELEVATIONS

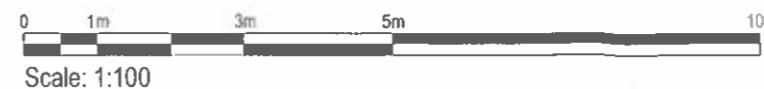
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| P02 | Dims added for Planning | 06/08/24 | MH | KD |
| P01 | Planning Issue | 31/07/24 | MH | KD |
| Rev | Description | Date | By | Chk |
| Revisions | | | Suitability | |

S1 COORDINATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

TYPE B PLAN FOR PLANNING

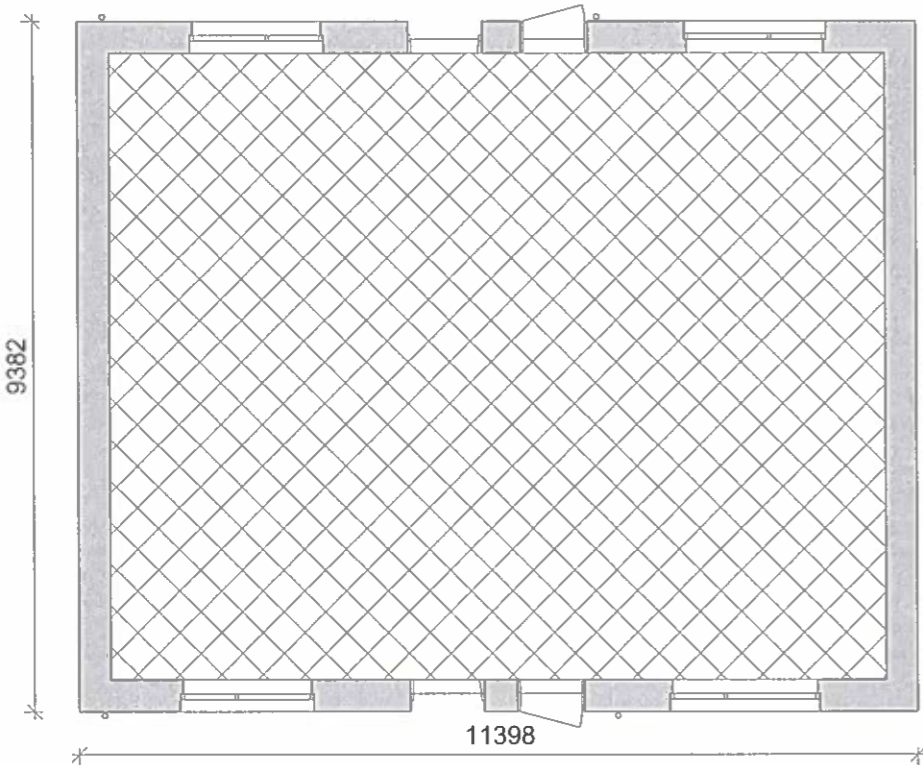
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| IPSC-HLM-02-ZZ-DR-A-00105 | P02 |

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| Scale | Drawn |
| 1 : 100 @A3 | Author |
| Date | Checked |
| 11/17/23 | Checker |

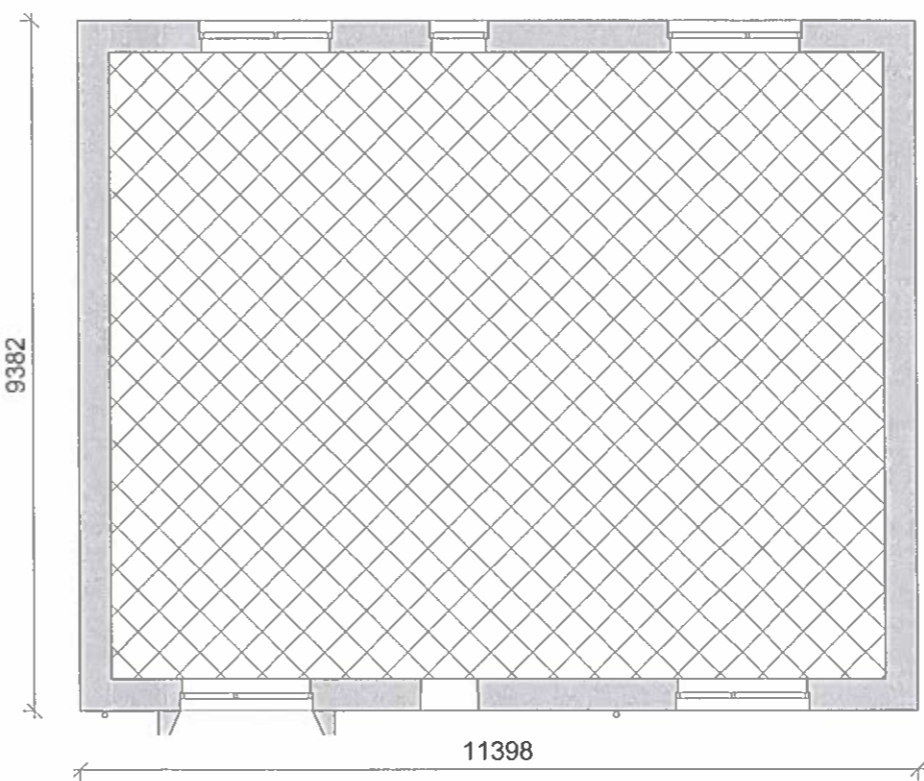


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00 Ground Floor B Planning Layout
Scale: 1 : 100



01 First Floor B Planning Layout
Scale: 1 : 100





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IRISH TRANSVERSE MERCATOR (ITM)
GEOGRAPHIC COORDINATE SYSTEM

A3



LEGEND:

PROPOSED SW PIPE Ø225 mm
PROPOSED SW PIPE Ø150 mm
PROPOSED FILTER DRAIN

PROPOSED ACD DRAIN M1500 CHANNEL
WITH E600 CLASS COVER

PROPOSED SURFACE WATER MANHOLE
PROPOSED SW SILT TRAP CHAMBER
PROPOSED SW INSPECTION MANHOLE
PROPOSED SURFACE WATER GULLY
PROPOSED SW INSPECTION CHAMBER
PROPOSED SW BYPASS SEPARATOR

P01 FOR INFORMATION

| Rev | Description | Drawn | Checked | Date |
|-----|-------------|-------|---------|------|
|-----|-------------|-------|---------|------|



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www.csea.ie

IRISH PRISON SERVICE

Client

IPS FW 25 UNITS CASTLEREA
PRISON

Project

SURFACE WATER
LAYOUT

Drawn By

GM JULY 2024 23_110D

Checked By DK Scale 1:1000 @ A3

Project Code Originator Zone/Phase Level Type Role Dwg No.

23_110D - CSE - GEN - XX - DR - C - 2103

S2 FOR INFORMATION

Status Code Suitability Description

P01 PLANNING

Revision Project Status



PROPOSED CONNECTION TO
EXISTING 225Ø PVC PIPE



LEGEND:

| | |
|------------------------------|-----|
| PROPOSED FOUL PIPE (Ø150 mm) | --- |
| PROPOSED FOUL MANHOLE | ○ |
| EXISTING FOUL PIPE | --- |
| EXISTING FOUL MANHOLE | ○ |

P01 FOR INFORMATION

| Rev | Description | Drawn | Checked | Date |
|-----|-------------|-------|---------|------|
|-----|-------------|-------|---------|------|



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E: info@cse.ie
W: www.cse.ie

Client
IRISH PRISON SERVICE

Project
IPS FW 25 UNITS CASTLEREA PRISON

Dwg. Title
FOUL SEWER LAYOUT

Drawn By: GM Date: JULY 2024
Checked By: DK Scale: 1:1000 @ A3
Project Code: 23_110D - CSE - GEN - XX - DR - C - 2102

Status Code: S2 Suitability Description: FOR INFORMATION

Revision: P01 Project Status: PLANNING

PROPOSED CONNECTION TO
EXISTING 125mm Ø CI PIPE



PROPOSED CONNECTION TO
EXISTING FIRE HYDRANT



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GEOGRAPHIC COORDINATE SYSTEM

A3



LEGEND

- PROPOSED WATERMAIN 150mm Dia PIPE
- PROPOSED WATERMAIN SLUICE VALVE
- PROPOSED FIRE HYDRANT
- EXISTING WATERMAIN
- EXISTING WATERMAIN SLUICE VALVE

P01 FOR INFORMATION

| Rev | Description | Drawn | Checked | Date |
|-----|-------------|-------|---------|------|
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www.csae.ie

IRISH PRISON SERVICE

Client
IPS FW 25 UNITS CASTLEREA
PRISON

Project
WATERMAIN LAYOUT

| | | | | |
|------------|----|-------|-------------|--------------|
| Drawn By | GM | Date | JULY 2024 | 23_110D |
| Checked By | DK | Scale | 1:1000 @ A3 | CSEA Job No. |

| Project Code | Originator | Zone/Phase | Level | Type | Rate | Draw No. |
|--|------------|------------|-------|------|------|----------|
| 23_110D - CSE - GEN - XX - DR - C - 2101 | | | | | | |

S2 FOR INFORMATION

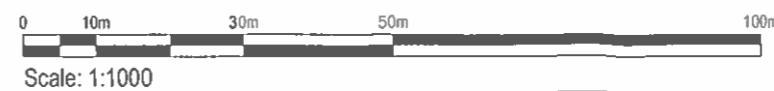
Status Code Suitability Description

P01 PLANNING

Revision Project Status



00000 GENERAL ARRANGEMENT PLAN
Scale: 1 : 1000



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| P02 | RE-ISSUE FOR PLANNING | 12/08/2024 | EP | CM |
| P01 | ISSUE FOR PLANNING | 07/08/2024 | EP | CM |

| Revisions | Suitability |
|-----------|----------------|
| | S2 INFORMATION |

Project
14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client
Irish Prison Service

Title
LANDSCAPE GENERAL ARRANGEMENT PLAN

| Drawing No. | Revision |
|---------------------------|----------|
| IPSC-HLM-ZZ-00-DR-A-00001 | P02 |

| Scale | Drawn |
|--------------|-------|
| 1 : 1000 @A3 | NK |

| Date | Checked |
|----------|---------|
| 02/08/24 | CMcN |





KEY

Proposed Site for Full Planning
Application Area : 15,446m²

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| Rev | Description | Date | By | Chk |
| Revisions | | | | Suitability |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA
PRISON

Client

Irish Prison Service

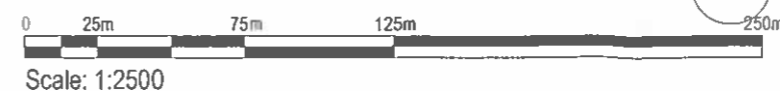
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PROPOSED SITE LOCATION PLAN

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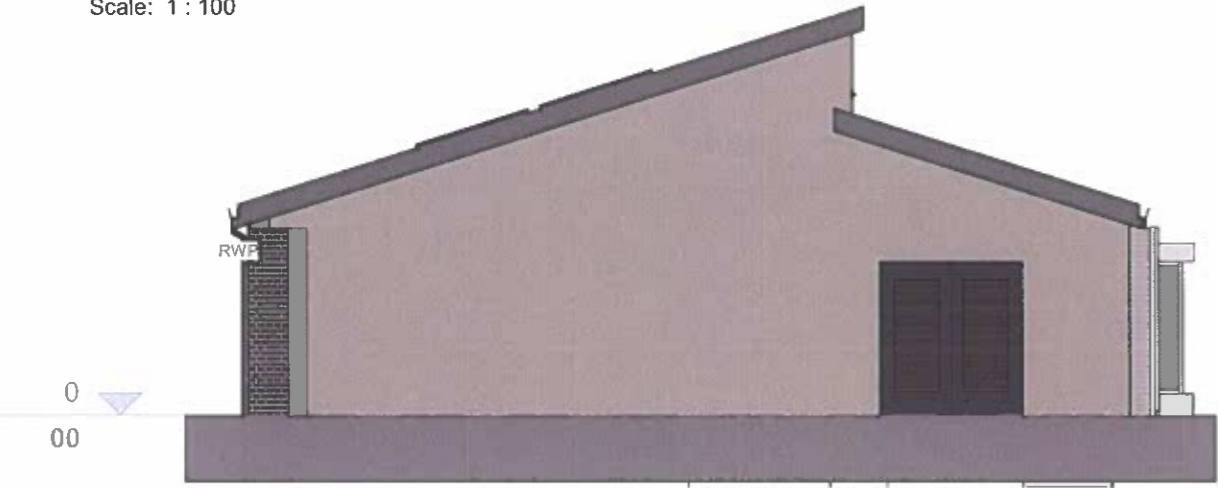
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| Date | Checked |
| 02/08/24 | CMcN |

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Scale: 1 : 2500

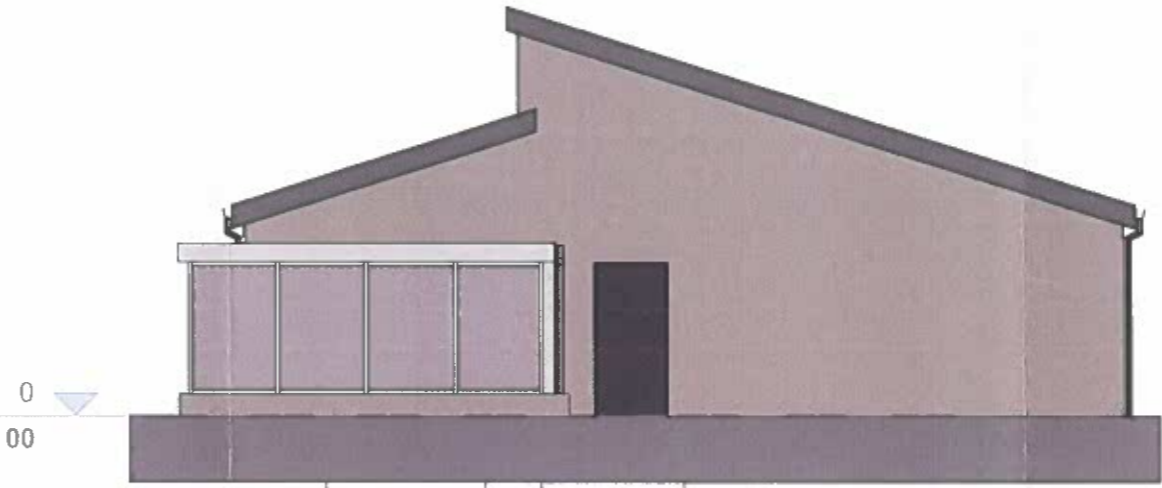




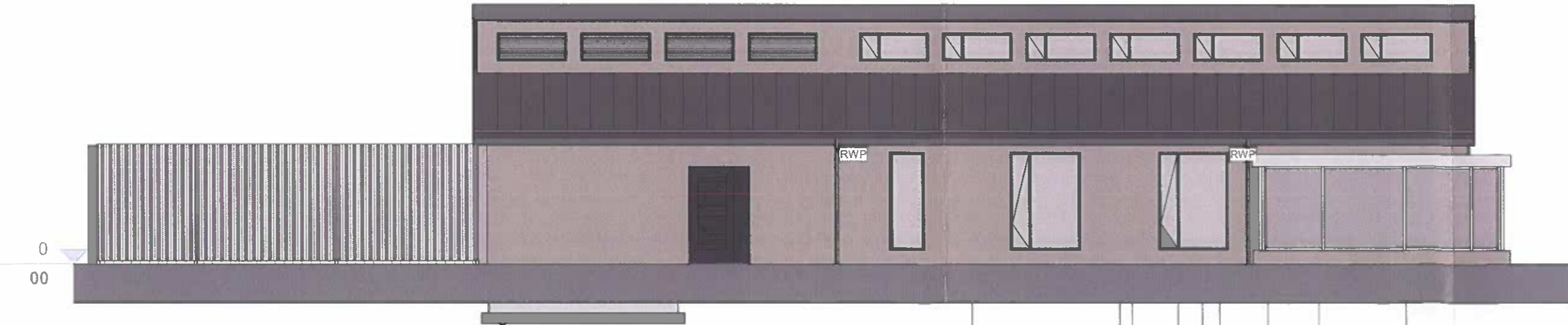
Class Office GA Elevation 1
Scale: 1 : 100



Class Office GA Elevation 2
Scale: 1 : 100



Class Office GA Elevation 4
Scale: 1 : 100



Class Office GA Elevation 3
Scale: 1 : 100

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| P01 | For Pricing | 27/02/24 | HLM | IPS |
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| Revisions | | | | Suitability |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

CLASS OFFICE ELEVATIONS

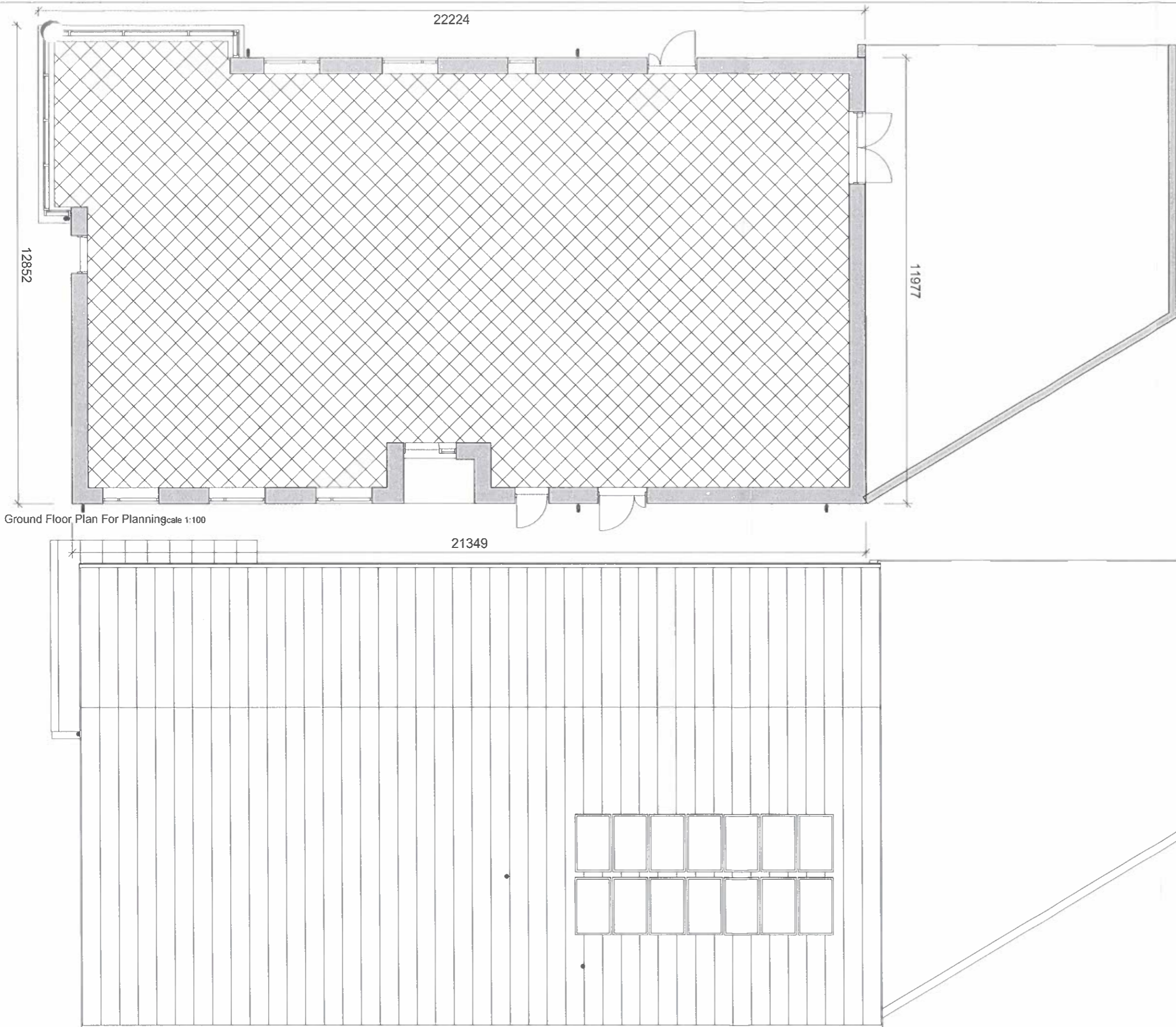
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| IPSC-HLM-04-ZZ-DR-A-00200 | P02 |

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Ground Floor Plan For Planning scale 1:100

Roof Plan Class Office For Planning scale 1:100

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| P02 | Dim's added for Planning | 06/08/24 | MH | KD |
| P01 | Planning Issue | 31/07/24 | MH | KD |
| Rev | Description | Date | By | Chk |
| Revisions | Suitability | | | |

S1 COORDINATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

CLASS OFFICE GF PLAN FOR PLANNING

| | |
|---------------------------|----------|
| Drawing No. | Revision |
| IPSC-HLM-04-ZZ-DR-A-00105 | P02 |

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| 11/17/23 | KD |



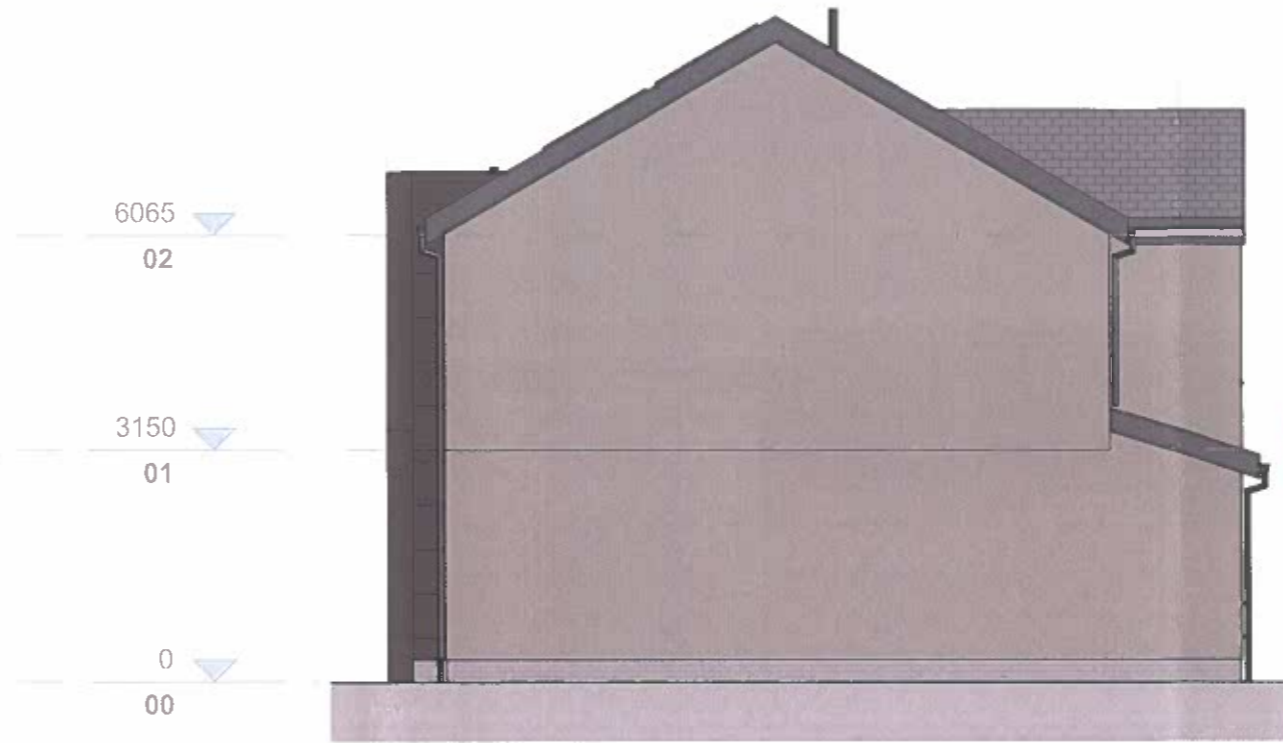
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South C
Scale: 1 : 100



North C
Scale: 1 : 100



East C
Scale: 1 : 100



West C
Scale: 1 : 100

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| P01 | For Pricing | 29/01/24 | HLM | IPS |
| Rev | Description | Date | By | Chk |
| Revisions | Suitability | | | |

S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA
PRISON

Client

IPS

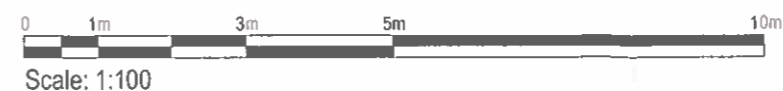
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TYPE C ELEVATIONS

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S2 INFORMATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

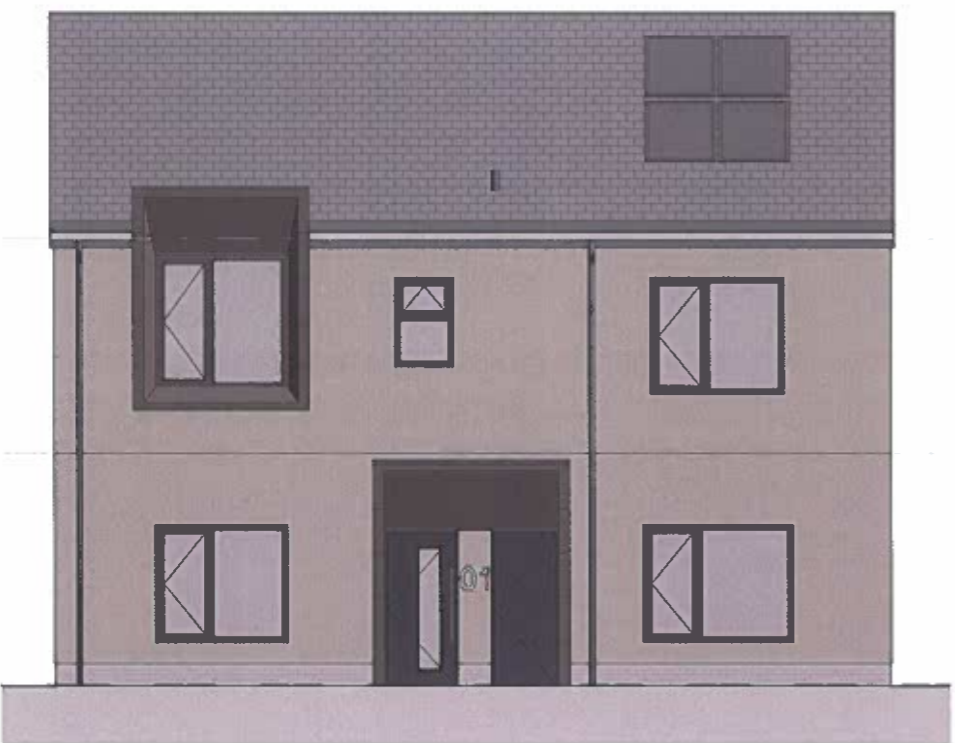
TYPE B ELEVATIONS

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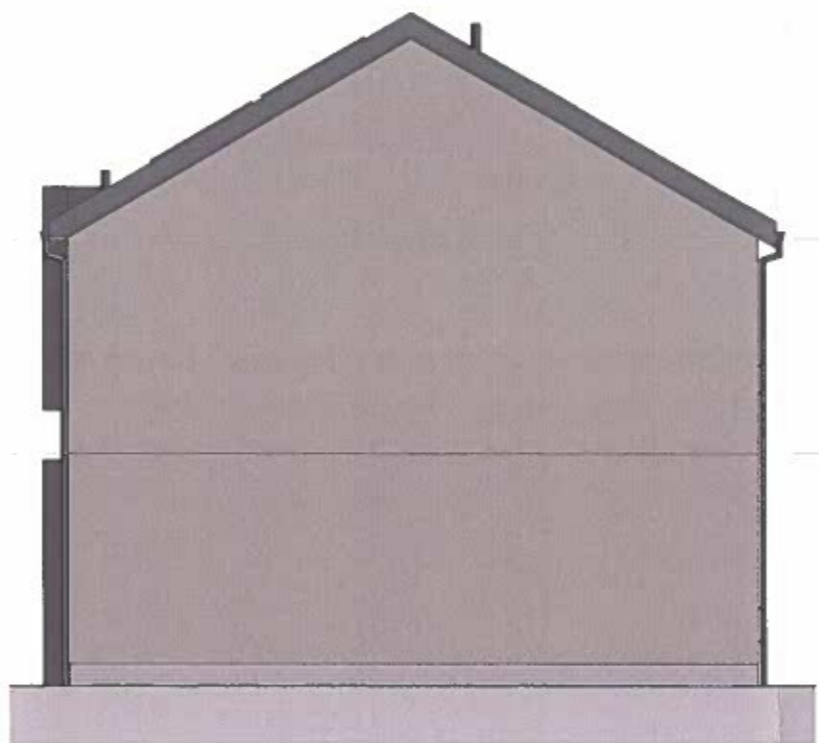
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| 10/11/22 | KD |



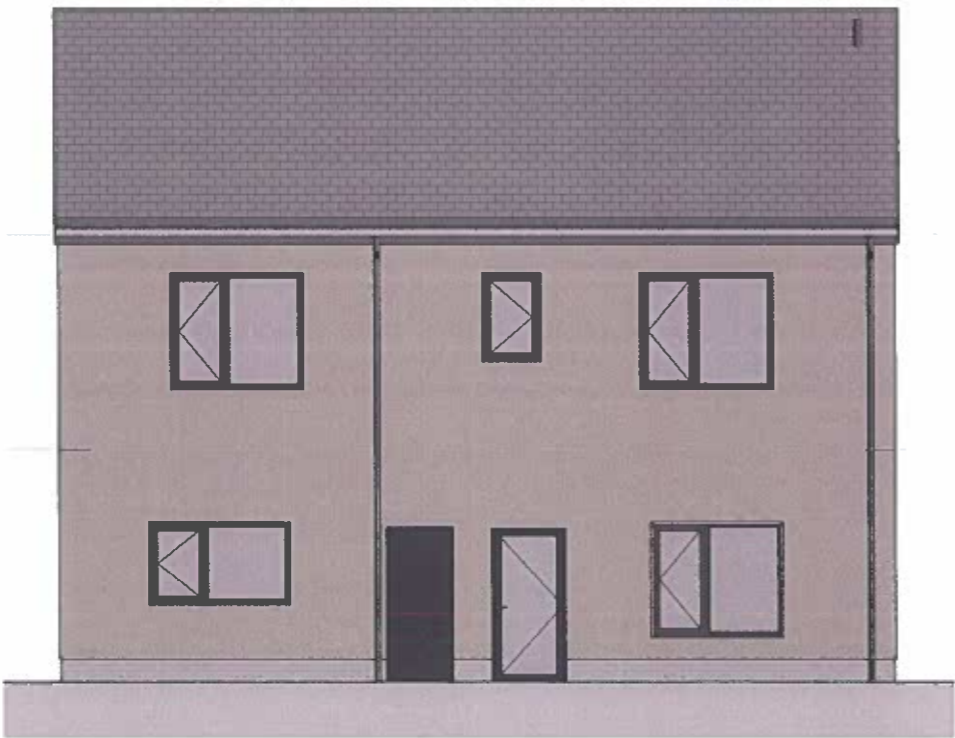
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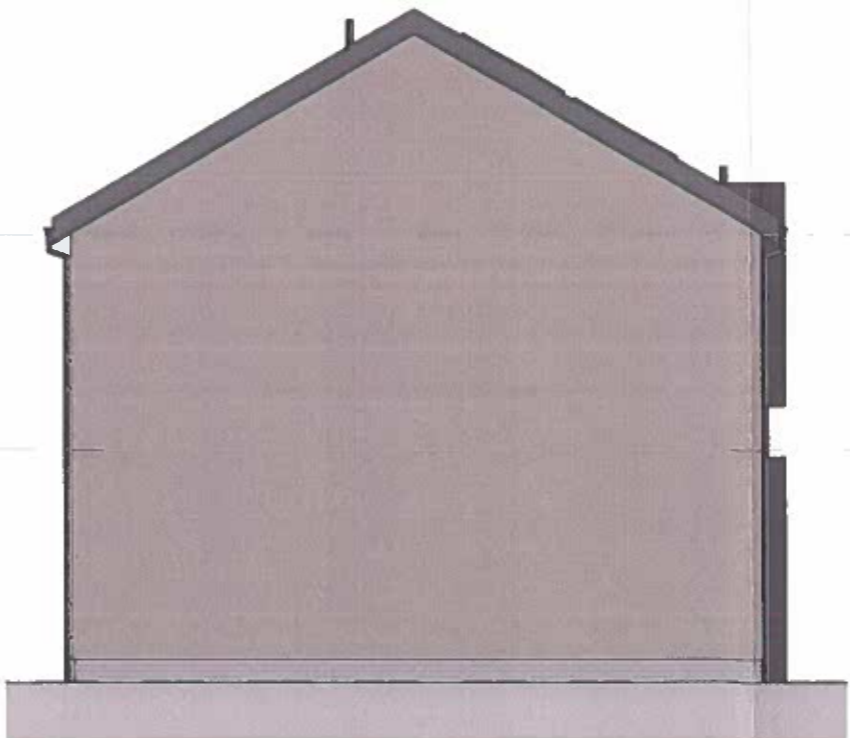
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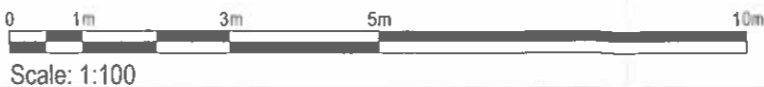
East B
Scale: 1 : 100



North B
Scale: 1 : 100



West B
Scale: 1 : 100



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| | | | | |
|-----------|-------------------------|----------|-------------|-----|
| P02 | Dims added for Planning | 06/08/24 | MH | KD |
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| Revisions | | | Suitability | |

S1 COORDINATION

Project

14-1423-01
IPS FW 25 UNITS CASTLEREA PRISON

Client

IPS

Title

TYPE B PLAN FOR PLANNING

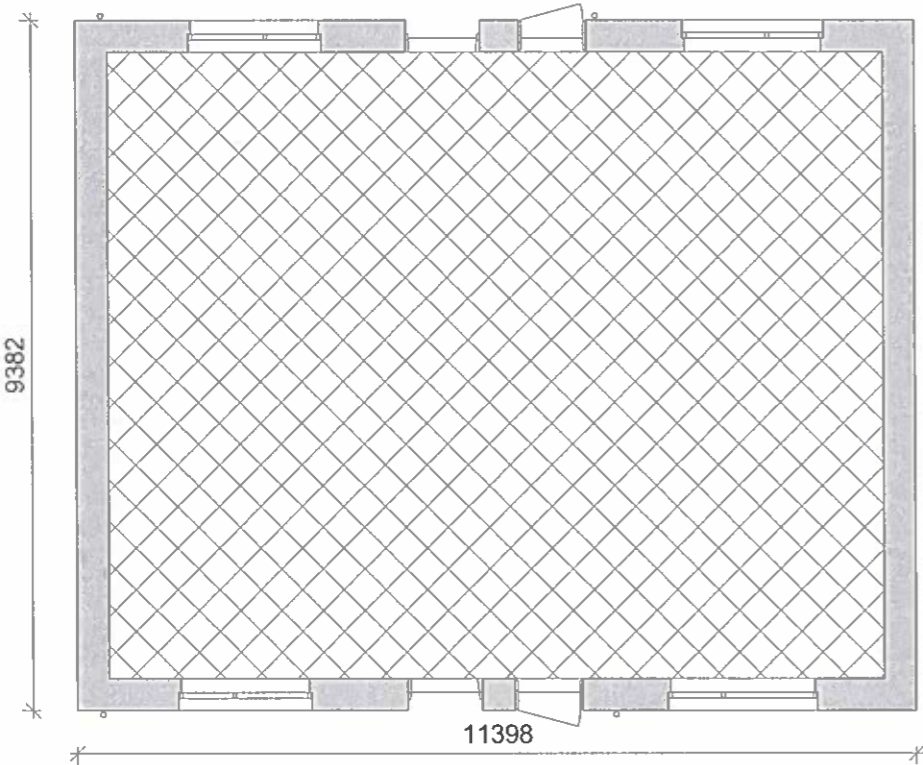
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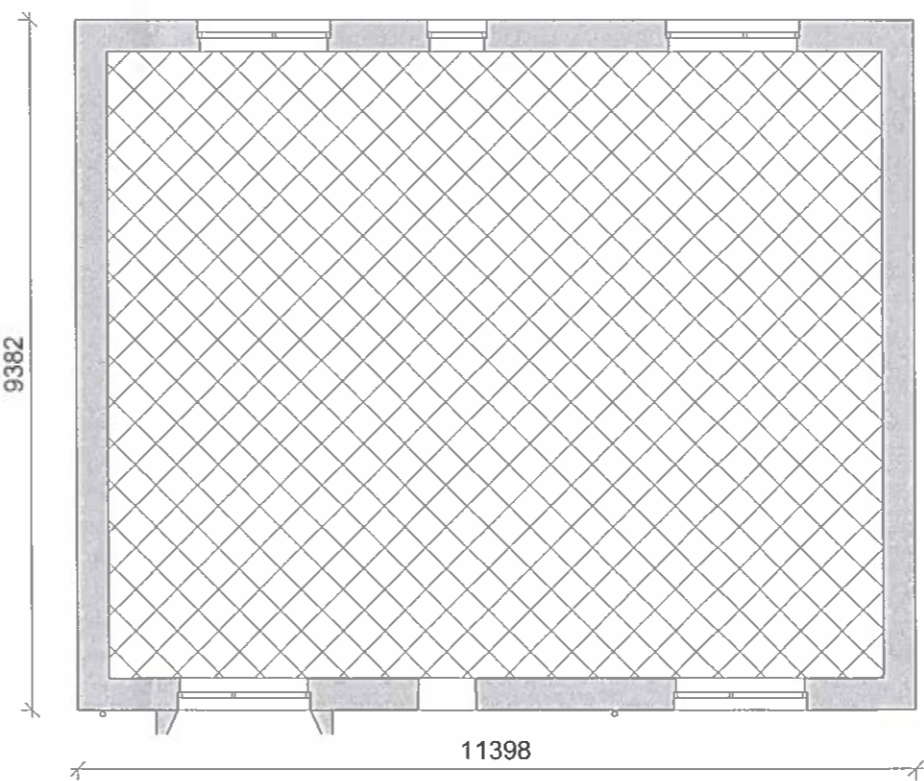


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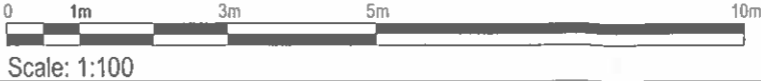
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F. +44 (0) 114 263 9650
sheffield@hlmarchitects.com



00 Ground Floor B Planning Layout
Scale: 1 : 100



01 First Floor B Planning Layout
Scale: 1 : 100





PROPOSED SURFACE WATER MANHOLE
PROPOSED SW SILT TRAP CHAMBER
PROPOSED SW INSPECTION MANHOLE
PROPOSED SURFACE WATER GULLY
PROPOSED SW INSPECTION CHAMBER
PROPOSED SW BYPASS SEPARATOR

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IRISH PRISON SERVICE

Client IPS FW 25 UNITS CASTLEREA
PRISON

SURFACE WATER LAYOUT

Drawn By GM Date JULY 2024 23 110D

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S2 FOR INFORMATION

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Section 5 Reference

Castlerea Prison, Harristown, Castlerea, Co. Roscommon

14 August 2024



MACCABE DURNEY
BARNES
Planning Environment Economics



| Document status | | | | | |
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1. INTRODUCTION AND REFERRAL

1.1 Introduction to Section 5 Referral

On behalf of the Irish Prison Service (IPS) acting for the Minister for Justice (a State authority), this report accompanies a referral for a declaration pursuant to Section 5 of the Planning and Development Act 2000 as amended (PDA).

Referrer: IPS acting for the Minister for Justice.

Address of referrer: Ballinalee Road, Longford, Co. Longford, N39 A308. IPS contact name is Mark McGoldrick, Estates Directorate.

Address of Section 5 subject site: Castlerea Prison, Harristown, Castlerea, Co. Roscommon.

Planning Authority: Roscommon County Council.

This report has regard to the provisions of the Development Management Guidelines for Planning Authorities, June, 2007. The Guidelines provided in Section 9.4 that in making a decision on a declaration, the planning report should set out the matters which have been considered in making the decision and give the main reasons on which, a decision is based. The guidelines provide that the report should:

- Contain details of the question that is being asked;
- A brief description of the location and of the site;
- A summary of the planning history (if any) relating to the question and site;
- Examine the issue in relation the definition of development and exempted development as set out in the Planning Act and Regulations; and
- Address the adequacy of further information, if requested, where such information has been obtained.

1.2 Question to be Determined

The following question has arisen, where the referrer seeks a declaration from the Planning Authority.

"Whether the construction of 25. No. Independent Living Units of up to two storeys and Office within the confines of Castlerea prison, Harristown, Castlerea, Roscommon is or is not development and is or is not exempted development?"

1.3 Executive summary

The IPS considers that pursuant to the relevant legislation, the proposed construction of 25 no. modular Independent Living Units (ILU's) and Office is development and is exempted development as the construction works are located inside the curtilage of the prison complex and are incidental works to the prison. The IPS request the Planning Authority to confirm this position in a Section 5 declaration.

The IPS recently sought section 5 declarations from Cork City Council (P.A Reg.Ref: R752/22), from Dublin City Council (P.A Reg. Ref:0078/23) and Roscommon County Council (P.A. Reg.Ref: DED 607) All were determined to be exempted development.



2. SITE LOCATION AND DESCRIPTION

The Castlerea Prison is a closed, medium security prison complex located south of the N50 Road to the south of Castlerea Town. It opened in 1939 and is a committal prison, meaning that all prisoners have been transferred from other prisons. It has a capacity for 340 prisoners. The site is located within the Castlerea Prison campus and is for the purpose of accommodating prisoners and is within the perimeter walls of the Castlerea Prison boundaries.



Figure 1: Proposed Site Location within Castlerea Prison (Source: HLM Architects)

3. PROPOSED DEVELOPMENT

The proposed development will involve the construction of 25 no. modular Independent Living Units (ILU) and office building at a site of 1.55ha, located within the main prison in an area known as "the Grove" within the confines of the Castlerea Prison, Castlerea. The proposed development will consist of:

- Clearance works including the relocation of the polytunnels, associated sheds and security fencing on site.
- Seven two storey blocks containing:
 - 19 no. 6 bedroom and shared living accommodation units
 - 6 no. 6 bedroom and shared living accommodation units inclusive of 1 no. accessible ground floor bedroom and bathroom.
- Single storey class office building.
- Site development works, landscaping and open space; and
- The development will connect to the existing water and foul water connections.

The site is located within the Castlerea Prison campus and is for the purpose of accommodating prisoners and is within the perimeter walls of the Castlerea Prison.



Figure 2: Landscape General Arrangement Plan showing site layout (Source: HLM Architects)

The IPS intend to construct the building in accordance with all regulations and waste management practices inside the curtilage of the prison. All works will be confined within the prison complex.



4. RELEVANT PLANNING HISTORY

According to the Roscommon County Council web portal on planning information, there is no relevant planning history on the Castlerea Prison lands.

The IPS recently sought a Section 5 declaration from Roscommon County Council at Castlerea Prison (P.A. Reg.Ref: DED 607) for the construction of 10 Independent Living Units. The proposed works were declared as being exempted development.

5. RELEVANT DEVELOPMENT PLAN PROVISIONS

The Roscommon County Development Plan 2022-2028 applies. The site is outside of the settlement boundary for Castlerea Town and therefore has no zoning objective assigned.

No specific policies apply to the prison complex.

The site is not a protected structure, is not located in an architectural conservation area, and is not located in a conservation area or zone of archaeology. The building is not included in the National Inventory of Architectural Heritage.

The Development Management Guidelines do not require that development the subject of a Section 5 be assessed against the Development Plan provisions.

While local authorities are prohibited from contravening a development plan in section 178, PDA2000, no such prohibition applies to State authorities.



6. LEGISLATIVE PROVISIONS AND APPLICATION

6.1 Relevant Legislation

The Planning and Development Act 2000, as amended, (PDA2000) and the Planning and Development Regulations 2001 as amended, (PDR2001) apply in seeking a declaration from the Planning Authority.

6.1.1 Declaration

Section 5 of the PDA2000 provides the details of the process of a declaration and referral on development and exempted development and facilitates a review by An Bord Pleanála.

*"5.—(1) If **any question arises** as to what, **in any particular case, is or is not development or is or is not exempted development** within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority **a declaration on that question**, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter" (bold our emphasis).*

6.1.2 Interpretation and Definitions – General

Section 2 of the PDA2000 provides statutory interpretations relevant to a Section 5 referral.

The relevant definitions are as follows:

*"**works**" includes any act or operation of **construction**, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.*

*"**State authority**" means—*

(a) a Minister of the Government, or

(b) the Commissioners;"

Section 3 of the PDA2000 defines **development** as follows:

*3.— (1) In this Act, "development" means, except where the context otherwise requires, the carrying out of any **works** on, in, over or under land or the making of any material change in the use of any structures or other land (bold our emphasis).*

Section 4 of the PDA2000 relates to exempted development and sets out several exemptions, none of which apply to the proposed construction.

Section 4 also provides that the Minister may provide classes of exemptions which are found in the PDR2001 and again these do not apply to the proposed development.

The planning process in relation to prisons is set out in the following legislation.

- The Prisons Act 2015 (57/2015), as amended
- The Planning and Development Acts 2000 as amended

- Planning and Development Regulations 2001 as amended

Section 2 of the Prisons Act 2015 as amended, defines prison as *"means a place of custody administered by or on behalf of the Minister."*

Section 17 of the Prisons Act 2015 as amended, defines *"site", in relation to a prison, includes any boundary walls or fences and any land which is used for car parking or is otherwise subsidiary or ancillary to the prison"*.

Development is defined in Section 17 of the Prisons Act 2015 as amended, as large prisons and large extensions to prisons. The subject construction works do not come within the limits set out in the Prison Act, so the proposed works are eliminated from consideration of the exemptions, relating to development in Section 28 of the Prisons Act 2015, as amended.

Section 181 of the PDA 2000 provides for development by State Authorities and provides that the PDA 2000 does not apply to specified development of a nature associated with public safety or order, justice or national defence which the Minister sets out by regulation. Part 9 of the PDR relates to provisions with respect to certain specified development by or on behalf of state authorities.

Part 9 of the PDR provides that Section 181 PDA2000 shall not apply to several classes of development (specified development) including prisons (amongst other building types) or other places of detention or to extensions to such buildings.

The PDR also specifies in Art. 86(1)(d) that Section 181 PDA 2000 shall not apply to:

*"(d) development consisting of the carrying out of **any works within, or bounding, the curtilage of a building, premises or other installation referred to in paragraph (a), insofar as the works are incidental to the use of such building, premises or installation;**"*

Works include construction as outlined in Section 2 of the PDA 2000, detailed in section 5.1.2 above.

The Part 9 notice procedure applies to Articles 86(1)(a) to (c) only of the PDR and not to subsection (d). As subsection (d) is not identified as requiring a public notice process, by implication, proposed works that are within the curtilage of the building and incidental to the use of the prison do not require planning permission nor is it required to follow the special consultation process elaborated in Part 9, Article 87.





7. APPLICATION OF RELEVANT LEGISLATION

7.1 Does a Question Arise?

Applying Section 5 of the PDA2000, in this referral, it is submitted that a **question** has arisen.

7.2 State Authority

The IPS operates as an executive office of the Department of Justice. The Minister for Justice is responsible for the administration of the Irish prison system. Works carried out by the IPS are on behalf of the Minister, a State Authority.

7.3 Is or is not Development?

The definition of development in the Prison Act 2007 as amended does not apply.

Section 3 of the PDA2000 provides that "*development*" means, the carrying out of any works and therefore as construction is included in the definition of works it is considered the proposed construction **is development**.

7.4 Is or is not Exempted Development

Section 181(1) (a) of the PDA200 provides that:

*"The Minister may, by regulations, provide that, except for this section and sections 181A to 181C, the provisions of this Act shall not apply to any specified class or classes of development by or on behalf of a State authority where the development is, in the opinion of the Minister, in connection with or for the purposes of public safety or order, the administration of justice or national security or defence and, for so long as the regulations are in force, **the provisions of this Act shall not apply to the specified class or classes of development.**"*

(b) The Minister may, by regulations, provide for any or all of the following matters in relation to any class or classes of development to which regulations under paragraph (a) apply: ...

Part 9 of the PDR specifies in Art. 86, the following:

*"86. (1) In accordance with section 181(1)(a) of the Act, the provisions of the Act **shall not apply** to the following classes of development:*

(a) development consisting of the provision of—

.....

*(ii) **prisons** or other places of detention,*

.....

*"(d) development consisting of the carrying out of **any works within**, or bounding, **the curtilage** of a building, premises or other installation referred to in paragraph (a), **insofar as the works are incidental to the use of such building, premises or installation;**"*

The proposed works are incidental to the operation of the Castlerea prison. The public notice process specified in Art.87 does not include Art 86 (1)(d). Accordingly, it is considered that the proposed construction works are exempted development.

8. EIA AND AA

An Environmental Impact Assessment (EIA) screening and appropriate assessment (AA) screening should be carried out for all plans and projects. Section 181A of the PDA2000 provides that development identified as likely to have significant effects on the environment or adverse effects on the integrity of a European site, as the case may be, shall prepare an EIA report or Natura Impact Statement (NIS) and shall apply to the Board for such approval accordingly.

An EIA screening has been carried out to accompany this Section 5 referral and concludes that the proposed construction works are not identified as likely to have significant effects on the environment.

The Habitats Directive (92/43/EEC) and the associated Birds Directive (2009/147/EC) are transposed into Irish legislation by Part XAB of the PDA2000 and the Birds and Natural Habitats Regulations 2011. Screening for AA must be carried out by the planning authority as the competent authority. If significant effects cannot be excluded based on objective information, without extensive investigation or the application of mitigation, a project should be considered to have a likely significant effect and appropriate assessment should be carried out. This is based on the precautionary principle. An AA screening accompanies this Section 5 referral and concludes that an NIS is not required.



9. CONCLUSION

Having regard to:

- Sections 2, 3 and 181 of the Planning and Development Act 2000, as amended;
- Articles 86 and 87 of the Planning and Development Regulations, 2001 as amended;
- The EIA screening submitted with this submission;
- The AA screening submitted with this submission;
- The Roscommon County Development Plan 2022-2028;
- The construction works are located within the curtilage of the prison and are incidental to the use of the prison; and
- The contents of this report.

The Planning Authority is requested to confirm that the proposed construction is development and is exempted development.





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EIA Screening

25 no. Independent Living Units

Castlerea Prison, Harristown, Castlerea, Co. Roscommon

14 August 2024



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1. INTRODUCTION

1.1 Background

This report has been prepared by MacCabe Durney Barnes on behalf of the Irish Prison Service (IPS), to support it in undertaking a screening for Environmental Impact Assessment in respect of 25 no. modular Independent Living Units (ILU's) and office building at Castlerea Prison, Harristown, Castlerea, Co. Roscommon.

The proposed development will involve the construction of 25 no. modular Independent Living Units (ILU) at a site 1.55ha within the main prison in an area known as "the Grove" within the confines of the Castlerea Prison, Castlerea. The proposed development will consist of:

- Clearance works including the relocation of the polytunnels, associated sheds and security fencing on site.
- Seven two storey blocks containing:
 - 19 no. 6 bedroom and shared living accommodation units
 - 6 no. 6 bedroom and shared living accommodation units inclusive of 1 no. accessible ground floor bedroom and bathroom.
- Single storey class office building.
- Site development works, landscaping and open space; and
- The development will connect to the existing water and foul water connections.

The site is located within the Castlerea Prison campus and is for the purpose of accommodating prisoners and is within the perimeter walls of the Castlerea Prison.

This report has been undertaken to support the IPS review of whether the proposed development requires an environmental impact assessment report (EIAR). In the event that an EIAR is required, the development would have to be referred to An Bord Pleanála for determination. An opinion indicating that the development is exempt from the requirements of Part 9 of the Planning and Development Act has also been prepared. In addition, an Appropriate Assessment (AA) screening has been prepared in relation to the development.

1.2 Legislation and Guidance

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000 as amended
- Planning and Development Regulations 2001 as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- Guidelines on the information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency, 2022
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018



- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development 2003
- Circular Letter: PL 05/2018 27th August 2018 Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) and Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment
- Circular Letter: PL 10/2018 22 November 2018 Public notification of timeframe for application to An Bord Pleanála for screening determination in respect of local authority or State authority development
- Office of the Planning Regulator (May 2021) Environmental Impact Assessment Screening - Practice Note

1.3 Methodology

The EIA screening assesses the proposed scheme with reference to the relevant EIA legislation including the EIA Directive, and Planning and Development Regulations. The methodology has particular regard to the '3-Step' assessment process set out in the Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note PN02 (June 2021). Regard is also had to European and National guidance documents.

Where the local authority concludes, based on such preliminary examination, that—

- I. there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,
- II. there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or
- III. there is a real likelihood of significant effects on the environment arising from the proposed development, it shall— (I) conclude that the development would be likely to have such effects, and (II) prepare, or cause to be prepared, an EIAR in respect of the development.

1.4 Data Sources

The information is obtained from review of several online databases and public sources including:

- Geological Survey of Ireland (GSI) online dataset - <https://www.gsi.ie>
- Roscommon County Council Planning Application Portal
- An Bord Pleanála Planning Applications
- EPA - <https://gis.epa.ie/EPAMaps/>
- GeoHive – <http://map.geohive.ie/mapviewer.html>.
- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>



In addition to the above a Screening for Appropriate Assessment 14th March 2024, prepared by NM Ecology was used to inform this document.



2. THE SITE AND SURROUNDINGS

2.1 Site Context

The site is within the confines of the Castlerea Prison, to the west of the existing main prison campus, on a site that is currently used for horticultural purposes.

The proposed development is illustrated in the figure below. The Castlerea Prison complex consists of accommodation buildings for prisoners, prison staff, and buildings associated with services and functions for the management of the prison complex. The prison is located to the south of Castlerea town. The surroundings consist mainly of agricultural land used for grazing.

The proposed development is for 25 no. modular Independent Living Units and office building constructed using modern methods of construction offsite and subsequently assembled onsite with a GFA of 2,553 m² and the relocation of sheds and polytunnels with a GFA of 608.2 m². The structures will be built within the main prison complex.



Figure 1: Proposed site location within Castlerea Prison (Source: HLM Architects)

2.2 Site Description

The site is accessed from a private road that exits south of the N60 after it crosses the railway line. The prison campus is surrounded by agricultural land used for grazing and the Harristown pumping station is located to the west of the prison.

The prison is surrounded by a high perimeter security wall. The subject site is a plot of land currently used for horticulture and storage. The polytunnels on site are to be relocated. The subject site is 15,446 m².



2.3 Environmental Sensitivities of the Site

The information set out below was derived from the data available within the EPA Mapping Tool, the Roscommon County Council Planning Application Portal, and the relevant local statutory planning documentation, including the Roscommon County Development Plan 2022-2028.

2.3.1 Bedrock

According to Geological Survey Ireland, the prison is located on two formations. The 'Boyle Sandstone Formation, which consists of sandstone, siltstone, black mudstone, and the 'Ballymore Limestone Formation' which consists of dark fine-grained limestone & shale.

2.3.2 Soils and Hydrogeology

EPA maps indicate that the subsoil is 'Man made' but the prison is surrounded by Sandstone till (Devonian).



Figure 2: Subsoils in the context of the subject site (Source: EPA Maps)

2.3.3 Hydrology

There are no watercourses recorded on the site in the EPA mapping. According to the AA screening by NM Ecology Ltd, the closest watercourse is the River Suck (a major tributary of the River Shannon), which is located approximately 500 m north-west of the proposed development site. A tributary of the River Suck is also located approx. 550 m south of the site.

Flood maps do not indicate any flooding designations.

The River Suck and its tributaries are currently of moderate status in the vicinity of Castlerea (Water Framework Directive Status Assessments 2010-2015). Most of the assessed factors were high, but its biological status was



moderate, particularly for fish. This appears to be a localised issue, because other sections of the River Suck upstream and downstream of Castlereagh are of good or high status.



Figure 3: River waterbodies risk in the context of the subject site (Source: EPA Maps)

2.3.4 Aquifer and Groundwater

The prison is located over "Locally Important Aquifer – Bedrock" and "Regionally Important Aquifer – Karstified".

The GSI vulnerability is defined as "Low" [L].

Subsoil Permeability is classified as High [H].

According to the AA screening by NM Ecology: "Underlying bedrock is a mixture of limestone, sandstones and shales, which are a locally important aquifer (Geological Survey of Ireland). Sub-soils are sandstone / shale till. Soils within the prison complex are made ground, and the surrounding area consists of luvisols. "



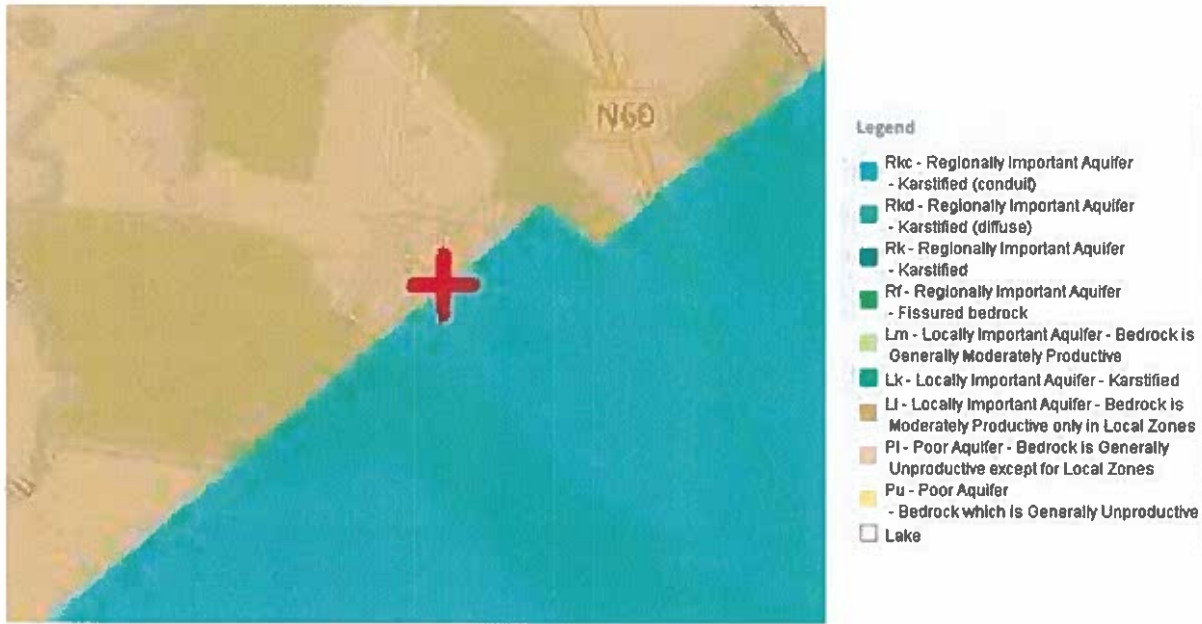


Figure 4: Aquifers in the vicinity of the site (Source: EPA Maps)

2.3.5 Ground Water Vulnerability

The EPA Mapping Tool shows that the groundwater vulnerability at the subject site is not at risk.

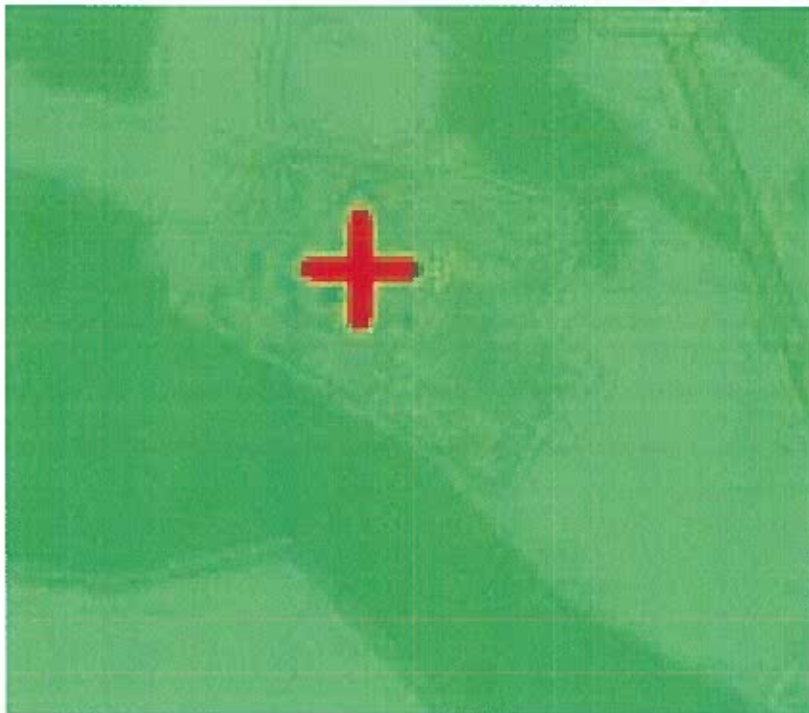


Figure 5: Ground water vulnerability (Source: EPA Maps)



2.3.6 Radon

The prison campus is at the crossover point between two zones. About 1 in 10 homes and about 1 in 20 homes in this area is likely to have high radon levels. The subject site is located on the moderate vulnerability of 1 in 20 homes.

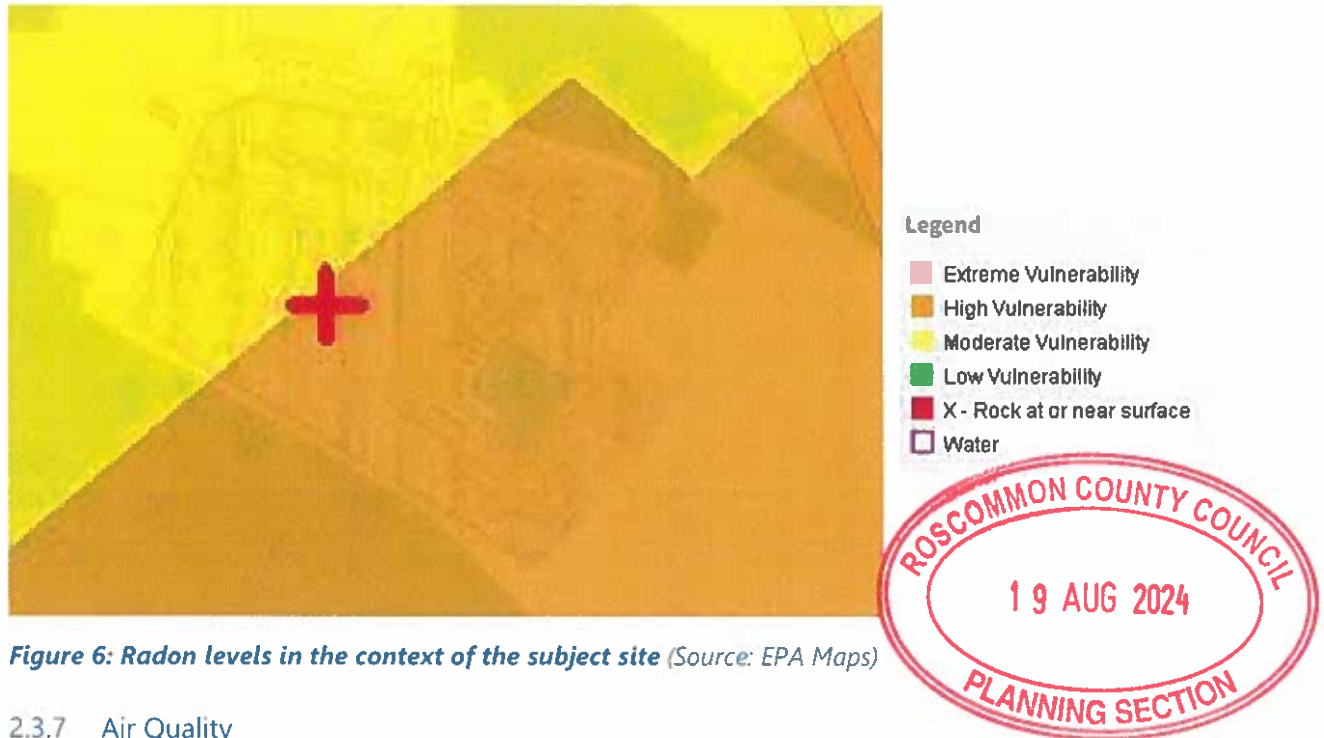


Figure 6: Radon levels in the context of the subject site (Source: EPA Maps)

2.3.7 Air Quality

The site falls within Air Quality Index Region where the Index indicates that the air quality is 'Good'. According to EPA Maps, the site is situated in Zone D Rural Ireland.

2.3.8 Designated Sites

According to the AA screening carried out by NM Ecology, the nearest European site is located 3 km southwest of the subject site: the 'Corliskea / Trien / Cloonfelliv' Bog SAC. The proposed development is of small scale and is situated within a built-up area. Therefore, the proposed development cannot have any impact on any European sites.

The River Suck could potentially provide a distant hydrological pathway between the proposed development site and the River Suck Callows SPA, which is located more than 30 km downstream. However, there are no surface water connections between the proposed development site and the River Suck, so there is no pathway by which any pollutants could reach the river.

Although we have identified a distant surface water pathway to the SAC, we consider it to be too tenuous to pose any risk of likely significant effects on the SAC for the following reasons:

- The proposed development will be of relatively small scale
- There are 30 km of intervening watercourse between the Site and the Corliskea / Trien / Cloonfelliv' Bog SAC and any waterborne pollutants would be diluted to negligible concentrations before they could reach the SAC boundary

For these reasons, a surface water pathway to the SAC is ruled out.



Table 1: European Sites in the Context of the Subject Site

| European Site | Distance | Reason for Designation |
|--|----------|--|
| Special Area of Conservation and Special Protection Area | | |
| Corliskea/Trien/Cloonfellov Bog SAC | 3 km | <u>Qualifying Interests:</u> <ul style="list-style-type: none">• Active raised bogs [7110]• Degraded raised bogs still capable of natural regeneration [7120]• Depressions on peat substrates of the Rhynchosporion [7150]• Bog woodland [91D0] |





2.3.9 Proposed Natural Heritage Areas (pNHA)

The site is located c 3.3 km from a proposed Natural Heritage Area (000600 Cloonchambers Bog) and c. 3 km from (002110 Corliskea/Trien/Cloonfelliv Bog). Due to the distance to the prison complex, and the relatively small nature of the proposed development, there will be no impacts on the pNHA's.

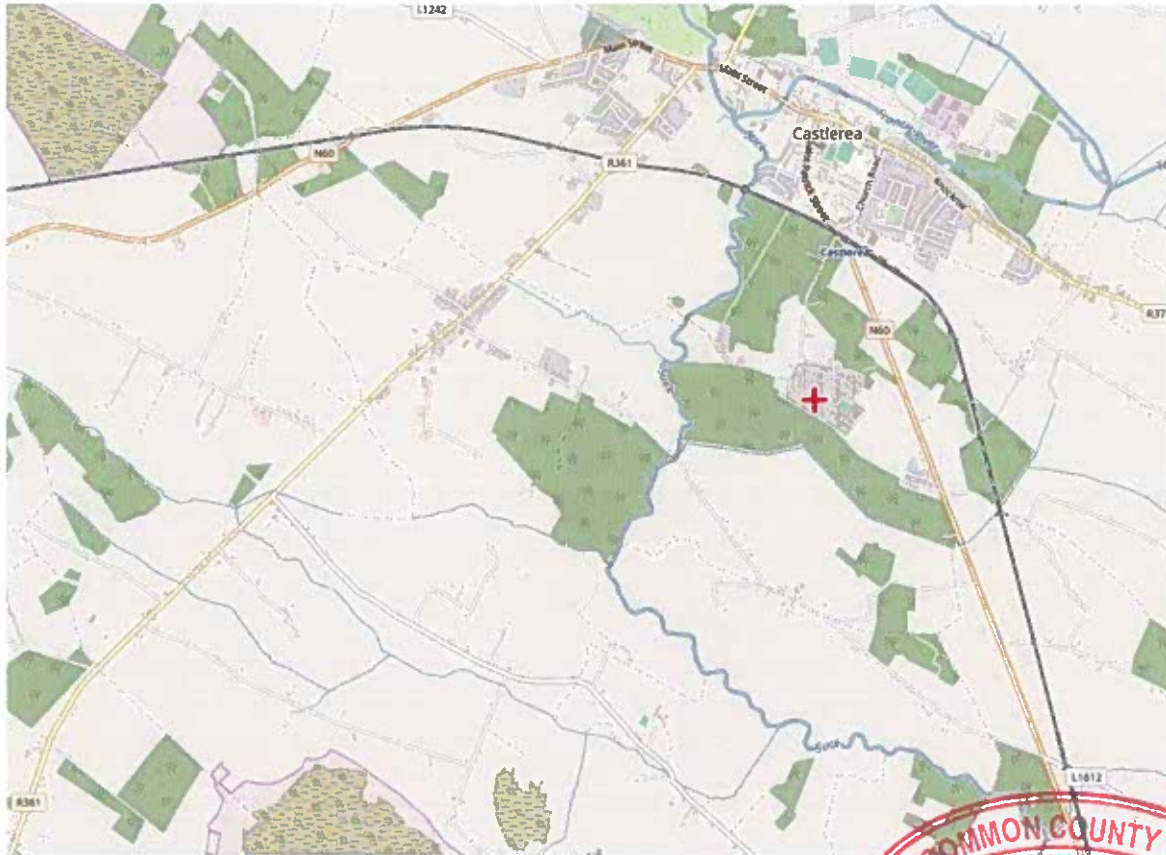


Figure 7: Proposed Natural Heritage Areas (Source: EPA Maps)



2.3.10 Archaeology

There are no recorded monuments within the site.

2.3.11 Zoning at the Subject Site

The Roscommon County Development Plan 2022-2028 applies. The site does not have a zoning objective. The nearest zoned land is to the immediate north along the private access road. The zoning objective is Strategic Industrial/ Enterprise Zones.

"This zone seeks to foster opportunities to enhance the overall economic and employment infrastructure of the area by providing suitable lands for investment at both macro and micro level in industry and enterprise."

No specific policies apply to the prison complex. The site is not a protected structure, is not located in an architectural conservation area, and is not located in a conservation area or zone of archaeology. Castlerea Prison is not included in the National Inventory of Architectural Heritage.

At present, the footprint of the new structure consists mainly of cultivated land used for horticulture. The immediate surrounding lands are already developed for the use of the prison complex. The prison is located to



the south of Castlerea town. The surroundings consist mainly of agricultural grazing land, with a water treatment plan to the west.

2.3.12 Ecological Nature in the Vicinity of Site

The site is within a developed urban area within an existing extensive prison complex. No ecology of note exists within the existing extensive prison complex or within the immediate vicinity of the site. An AA screening was carried out by NM Ecology in August 2023 and should be read in conjunction with this report for further detail.

2.3.13 Other Site Environmental Sensitives

The proposed development includes the clearance of the site which is used for horticulture and the construction of 25 no. modular independent Living Units of up two storeys. All works will be undertaken in accordance with best practice protocols.



3. PROPOSED DEVELOPMENT

3.1 Summary of Proposed Development

The proposed development will involve the construction of 25 no. modular Independent Living Units (ILU) at a site 1.55ha with the main prison in an area known as “the Grove” within the confines of the Castlereah Prison, Castlereah. The proposed development will consist of:

- Clearance works including the relocation of the polytunnels, associated sheds and security fencing on site.
- Seven two storey blocks containing:
 - 19 no. 6 bedroom and shared living accommodation units
 - 6 no. 6 bedroom and shared living accommodation units inclusive of 1 no. accessible ground floor bedroom and bathroom.
- Single storey class office building.
- Site development works, landscaping and open space; and
- The development will connect to the existing water and foul water connections.



The site is located within the Castlereah Prison campus and is for the purpose of accommodating prisoners and is within the perimeter walls of the Castlereah Prison.

The IPS intend to construct the building in accordance with all regulations and waste management practices inside the curtilage of the prison. All works will be confined within the prison complex.



Figure 8: Landscape General Arrangement Plan showing site layout (Source: HLM Architects)



4. PRELIMINARY EXAMINATION

4.1 Guidance on Environmental Impact Assessment Screening

The Office of the Planning Regulator (OPR) has issued guidance on EIA screening in the form of the Environmental Impact Assessment Screening- Practice Note, May 2021 which aids planning authorities as the Competent Authority (CA) in this area.

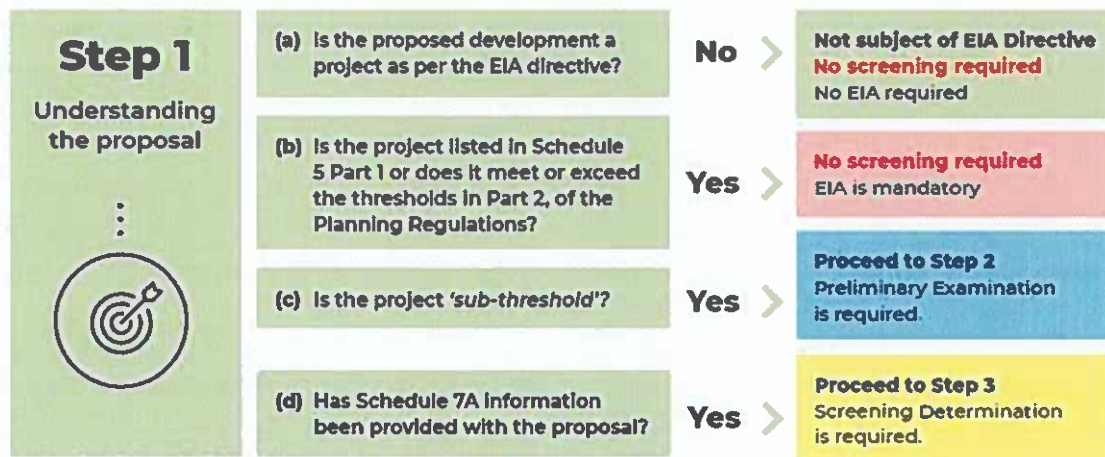


Figure 9: Extract from OPR EIA Screening Guidance Note

This report has had regard to the OPR guidance and methodology.

The proposed application is a project for the purpose of Environmental Impact Assessment (EIA) under Stage 1 stage (a) of the OPR guidance.

4.2 Sub-Threshold Development

A list of the types or classes of development that require EIA or screening for EIA is provided in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. 'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5, but which does not equal or exceed a quantity, area or other limit (the threshold).

In Part 2 of schedule 5, the following is the relevant to assessment of sub-threshold development.

10. Infrastructure projects

(b) (i) Construction of more than **500 dwelling units**.

(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.

(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and **20 hectares elsewhere**.

("business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

In relation to proposed development none of the thresholds above are exceeded, but those highlighted in bold indicate the thresholds of relevance to the subject proposal.

Accordingly, the project is sub-threshold development with reference to the above thresholds and under Step 1(c) of the OPR guidance a preliminary examination is required under Step 2.

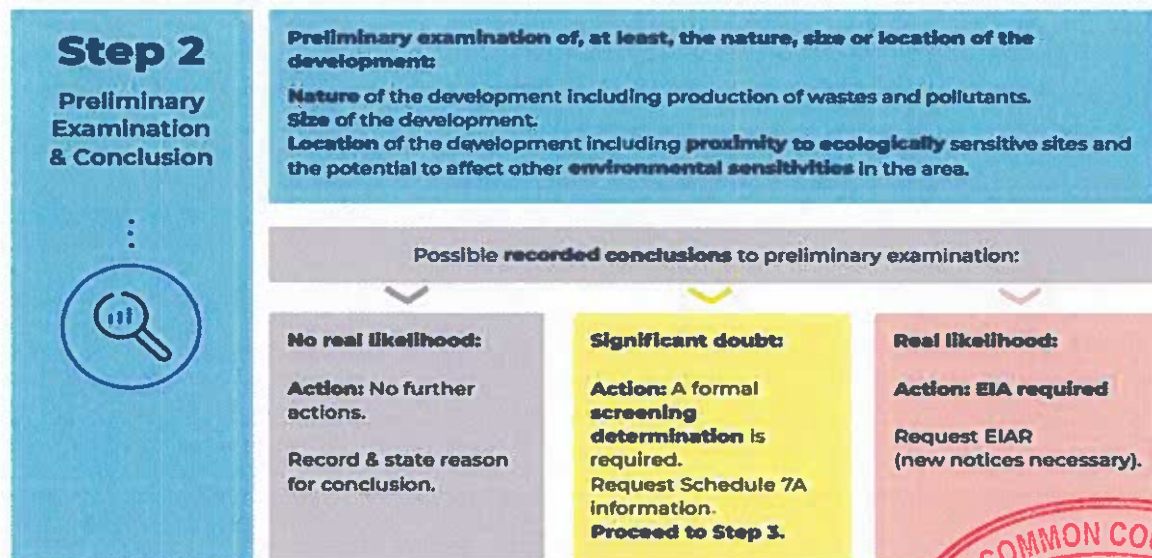


Figure 10: Extract from OPR EIA Screening Guidance Note



4.3 Preliminary Examination considerations

Preliminary examinations must consider at least the following:

- The nature of the development including the production of wastes and pollutants;
- The size of the development; or
- The location of the development including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area.

The OPR guidance states a number of questions to assist the preliminary examination.

This overlaps with the submitted AA screening report and consideration of hydrological and other connections to European sites.

4.4 Nature of the development:

i) *Is the nature of the proposed development exceptional in the context of the existing environment?*

The nature of the development is consistent with and does not detract from the existing use of the Castlerea Prison or the Roscommon County Development Plan 2022-2028. Therefore, the proposed development is consistent with the zoning objectives on site. The proposed construction of 25 no. Independent Living Units and office of up to two storeys for the accommodation of prisoners within the prison. This is an established use on site; therefore, the proposed development is not exceptional in the context of the existing urban environment.



ii) Will the development result in the production of any significant waste, or result in significant emissions or pollutants?

The proposed development will involve the clearance of a small plot of land currently used for horticultural purposes and the removal of the polytunnels and security fencing currently on site. This will give rise to waste during the site clearance works. During the construction phase, any waste generated from the proposed development will be dealt with in the appropriate manner in accordance with the appropriate standards and best practice methodology. The proposed development by its nature will not cause any significant waste, emissions, or pollutants during operation and all construction works will be contained within the confines of the prison walls.

iii) Is the size of the proposed development exceptional in the context of the existing environment?

The size of the development is not exceptional in the context of the existing environment. The development will result in the construction of 25 no. modular Independent Living Units and office of up to two storeys on site. The site is a large prison complex; therefore, the proposed development is not considered exceptional within the Castlerea Prison or wider area.

iv) Are there cumulative considerations having regard to other existing and/or permitted projects?

A search for planning applications on site and in the context of the prison for the previous five years was performed. There have been no recent applications for consent within the wider site.

There have not been any applications on site due to the nature of planning legislation and regulations being exempt from the traditional consenting process. A Section 5 referral was submitted to Roscommon County Council recently for the construction of 10 no. Independent Living Units at Castlerea Prison (P.A. Reg.Ref: DED 607). The proposed works were declared as being exempted development. The cumulative impacts of the proposed development were considered, and it is considered unlikely that there will be significant negative impacts on the receiving environment.

4.5 Location

i) Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?

The site is not located within or adjacent to any European sites. Potential indirect impacts were considered using the source-pathway-receptor model. The proposed development will connect to the existing drainage and water infrastructure on site. An AA screening was also carried out for the proposed development by NM Ecology and should be read in conjunction with this EIA screening report. According to the AA screening report, "...no feasible pathways were identified to the 'Corliskea / Trian / Cloonfelly' Bog SAC or any other European sites".



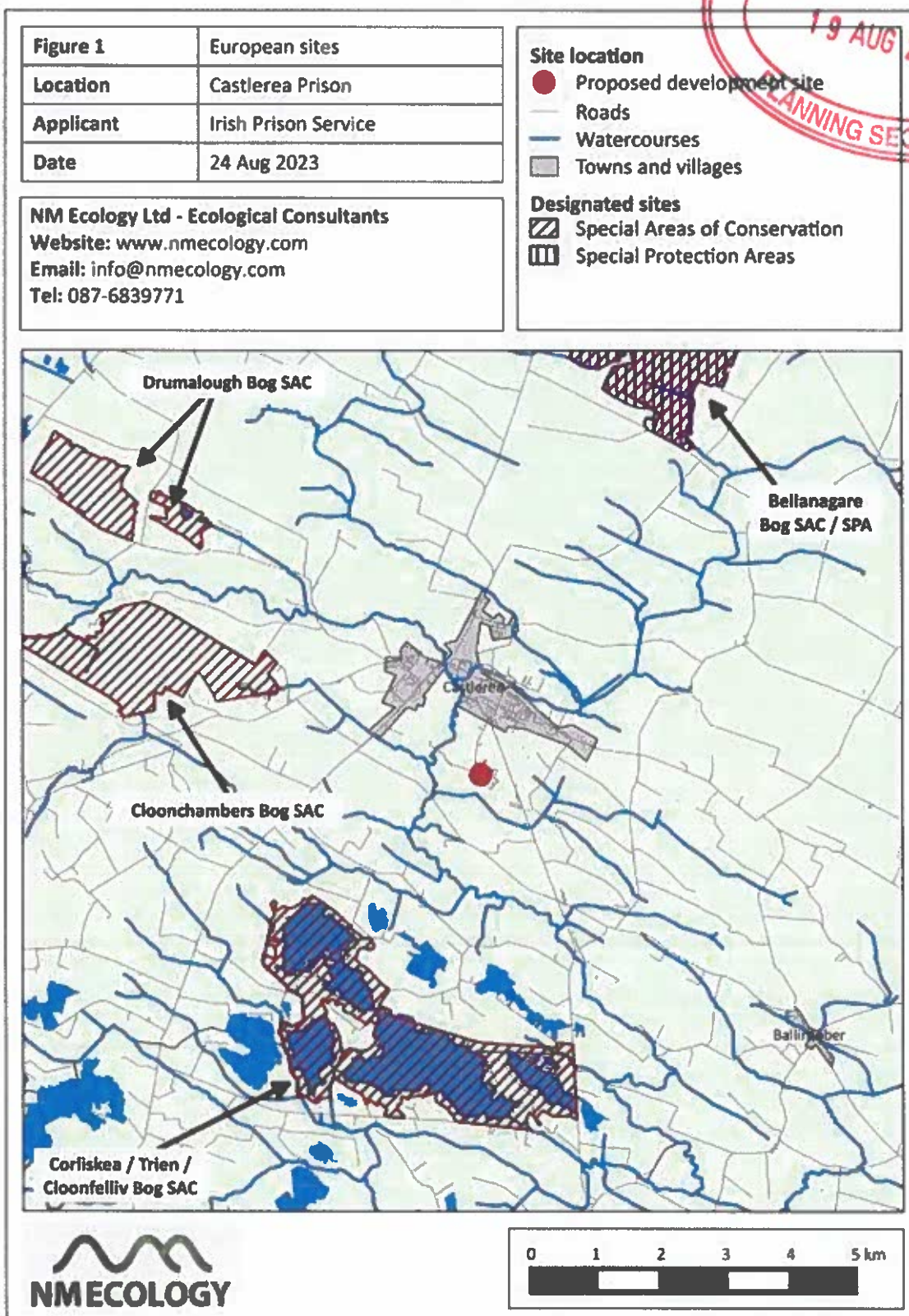
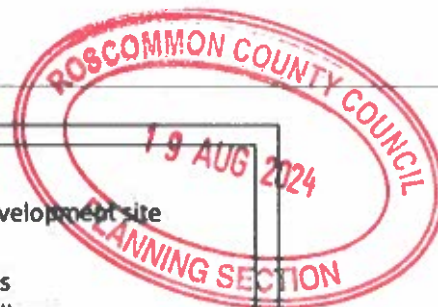


Figure 11: Location of the proposed development site and the relevant European Sites (Source: NM Ecology)

ii) Does the proposed development have the potential to affect other significant environmental sensitivities in the area?

The works consist of the clearance of the site and the construction of 25 no. ILU's and office space. It does not have the potential to affect other significant environmental sensitivities in the area.

4.6 Preliminary Examination Conclusion

Following the preliminary examination, it is concluded that there are no doubts regarding the likelihood of significant effects on the environment arising from the proposed development. No EIAR is required for the development.





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Screening for Appropriate Assessment
Modular Independent Living Units at Castlerea
Prison, Castlerea, Co. Roscommon

14 March 2024



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Executive Summary

This *Screening for Appropriate Assessment* report has been prepared by NM Ecology Ltd on behalf of the Irish Prison Service (the applicant) as part of a planning application for a development at Castlerea Prison, Co. Roscommon. The proposed development will involve the construction of 25 no. modular Independent Living Units within the confines of the Castlerea Prison.

In accordance with their obligations under the *European Communities (Birds and Natural Habitats) Regulations 2011* (SI 477/2011), the competent authority (in this case Roscommon County Council) must assess whether the proposed development could have 'likely significant effects' on any European sites. This document provides information to support an Appropriate Assessment screening exercise, including: a description of the proposed development, a map and list of European sites in the surrounding area, a review of potential source-pathway-receptor links, an appraisal of the suitability of the habitats for birds associated with nearby SPAs, and a screening conclusion.

There is no risk of direct impacts on European sites. Potential pathways for indirect impacts were considered, but none were found to be feasible. Habitats within the site are unsuitable for any of the species associated with nearby SPAs. Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011*, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. The assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.





1 Introduction

1.1 Background to Appropriate Assessment

Approximately 14% of the land area of Ireland is included in the European Network of Natura 2000 sites (hereafter referred to as European sites), which includes Special Protection Areas (SPAs) to protect important areas for birds, and Special Areas of Conservation (SACs) to protect a range of habitats and species. Legislative protection for these sites is provided by the *European Council Birds Directive* (79/409/EEC) and *E.C. Habitats Directive* (92/43/EEC, as amended), which are jointly transposed into Irish law by the *European Communities (Birds and Natural Habitats) Regulations 2011* (SI 477/2011, as amended).

Regulation 42 (1) states that: "*Screening for Appropriate Assessment of a plan or project for which an application for consent is received [...] shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on [any European sites].*" To ensure compliance with this regulation, planning authorities must screen all planning applications for potential impacts on European sites. Supporting information may be requested from the applicant to assist with this process.

This document provides information to support the competent authority's *Screening for Appropriate Assessment* exercise for the proposed development. It includes a description of the proposed development, a map and list of European sites in the surrounding area, a review of potential source-pathway-receptor links, and an appraisal of the suitability of the habitats for birds associated with nearby SPAs.

1.2 Statement of authority

This report was written by Nick Marchant, the principal ecologist of NM Ecology Ltd. He has sixteen years of professional experience, including thirteen years as an ecological consultant, one year as a local authority biodiversity officer, and two years managing an NGO in Indonesia. He provides ecological assessments for developments throughout Ireland and Northern Ireland, including wind farms, infrastructural projects (roads, water pipelines, greenways, etc.), and a range of residential and commercial developments.

He has an MSc in Ecosystem Conservation and Landscape Management from NUI Galway and a BSc in Environmental Science from Queens University Belfast. He is a member of the Chartered Institute of Ecology and Environmental Management, and operates in accordance with their code of professional conduct.

1.3 Methods

This report has been prepared with reference to the following guidelines:

- OPR Practice Note PN01: *Appropriate Assessment Screening for Development Management* (Office of the Planning Regulator 2021)
- *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4)*, (E.C., 2021)
- *Appropriate Assessment of Plans and Projects in Ireland* (Department of the Environment, Heritage and Local Government, 2009)
- *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal* (Chartered Institute of Ecology and Environmental Management, 2018)

A desk-based study was carried out using data from the following sources:

- Plans and specifications for the proposed development
- Qualifying interests / conservation objectives of European sites from www.npws.ie
- Bedrock, soil, subsoil, surface water and ground water maps from the Geological Survey of Ireland webmapping service (dcenr.maps.arcgis.com), the National Biodiversity Data Centre (<http://maps.biodiversityireland.ie/>), and the Environmental Protection Agency web viewer (gis.epa.ie/EPAMaps/)
- The *Roscommon County Development Plan 2022 – 2028*, and details of permitted or proposed developments from the local authority's online planning records

Desktop data from internet resources was accessed in March 2024.

2 Description of the Project

2.1 Environmental setting

Site location and surroundings

The proposed development site (hereafter referred to as the Site) is located in the north-west of the Castlerea Prison complex. It currently contains some cultivated land, two temporary agricultural structures, and a single-storey masonry building.

The remainder of the prison complex includes a range of structures, amenity grassland, and other associated features, all enclosed within a high boundary wall.

Outside the prison complex the broader surroundings consist mainly of conifer plantations, with some agricultural land and low-density rural housing.





Geology and soils

The underlying bedrock is a mixture of limestone, sandstones and shales, which are a locally important aquifer (Geological Survey of Ireland). Sub-soils are sandstone / shale till. Soils within the prison complex are made ground, and the surrounding area consists of luvisols.

Hydrology

There are no rivers or streams within the prison complex. Within the boundary walls of the prison, rainwater either soaks to ground or enters the prisons' internal drainage system.

The closest watercourse on the EPA database of river and streams is the River Suck, which is a major tributary of the River Shannon. Its main channel is located approximately 600 m west of the Site, and a minor tributary – the Harristown Stream – is located approx. 300 m to the south. The prison complex is not considered to have any association with either watercourse.

Water quality in rivers and streams is monitored as part of the Water Framework Directive Status Assessments, with the latest monitoring period from 2016 – 2021. The River Suck and Harristown Stream are of Poor status in the vicinity of Castlerea town, but of Good status further upstream and downstream.

2.2 Description of the proposed development

The proposed development will involve the construction of 25 no. modular Independent Living Units, and associated development. The buildings will connect to the existing foul water and surface water networks for the prison.

3 Review of relevant European sites

In this section we identify European sites that could potentially be affected by the proposed development. The primary consideration is whether the proposed development is within the boundaries of any European sites, because this could lead to direct effects. This is discussed in Section 3.1.

It is also possible that the proposed development could cause indirect effects on European sites located outside the boundary. This is considered using the *source-pathway-receptor* model, which identifies potential *pathways* (e.g. surface water) between the *source* (the Site) and the *receptor* (a European site). This is discussed in Section 3.2.

Some of the bird species associated with SPAs can use secondary habitats outside the SPA boundaries, e.g. brent geese feeding on urban grasslands. The suitability of habitats within the Site for SPA bird species is discussed in Section 3.3.

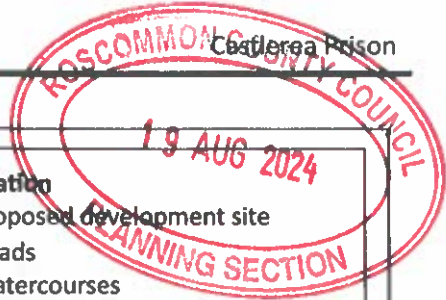
To support the above assessments, a map of European sites in the surrounding area is shown in Figure 1, and details of relevant European sites are provided in Table 1. For the avoidance of doubt, an arbitrary zone of influence (e.g. 15 km) has not been used for this assessment, as this approach is no longer considered to be best practice (OPR 2021).

Table 1: European sites of relevance to the Site

| Site Name | Distance | Qualifying Interests |
|--|-------------------|--|
| Corliskea / Trien / Cloonfelliv Bog SAC (site code 2110) | 3 km south-west | Annex I habitats: active raised bog, degraded raised bog still capable of natural regeneration, depressions on peat substrates of the Rhynchosporion, bog woodland Annex II species: none |
| Cloonchambers Bog SAC (600) | 3.5 km west | Annex I habitats: active raised bog, degraded raised bog still capable of natural regeneration, depressions on peat substrates of the Rhynchosporion Annex II species: none |
| Drumalough Bog SAC (2338) | 5.6 km north-west | Annex I habitats: active raised bog, degraded raised bog still capable of natural regeneration, depressions on peat substrates of the Rhynchosporion Annex II species: none |
| Bellanagare Bog SAC (592) | 5.9 km north | Annex I habitats: active raised bog, degraded raised bog still capable of natural regeneration, depressions on peat substrates of the Rhynchosporion Annex II species: none |
| Bellanagare Bog SPA (4105) | 5.9 km north | Key habitats: raised bog Special conservation interests: Greenland white-fronted goose |

The Conservation Objectives of all European sites discussed in this report are available at <https://www.npws.ie/protected-sites>. They are lengthy and repetitive documents, so in the interests of brevity they are not reproduced here.





| | |
|------------------|----------------------|
| Figure 1 | European sites |
| Location | Castlerea Prison |
| Applicant | Irish Prison Service |
| Date | 24 Aug 2023 |

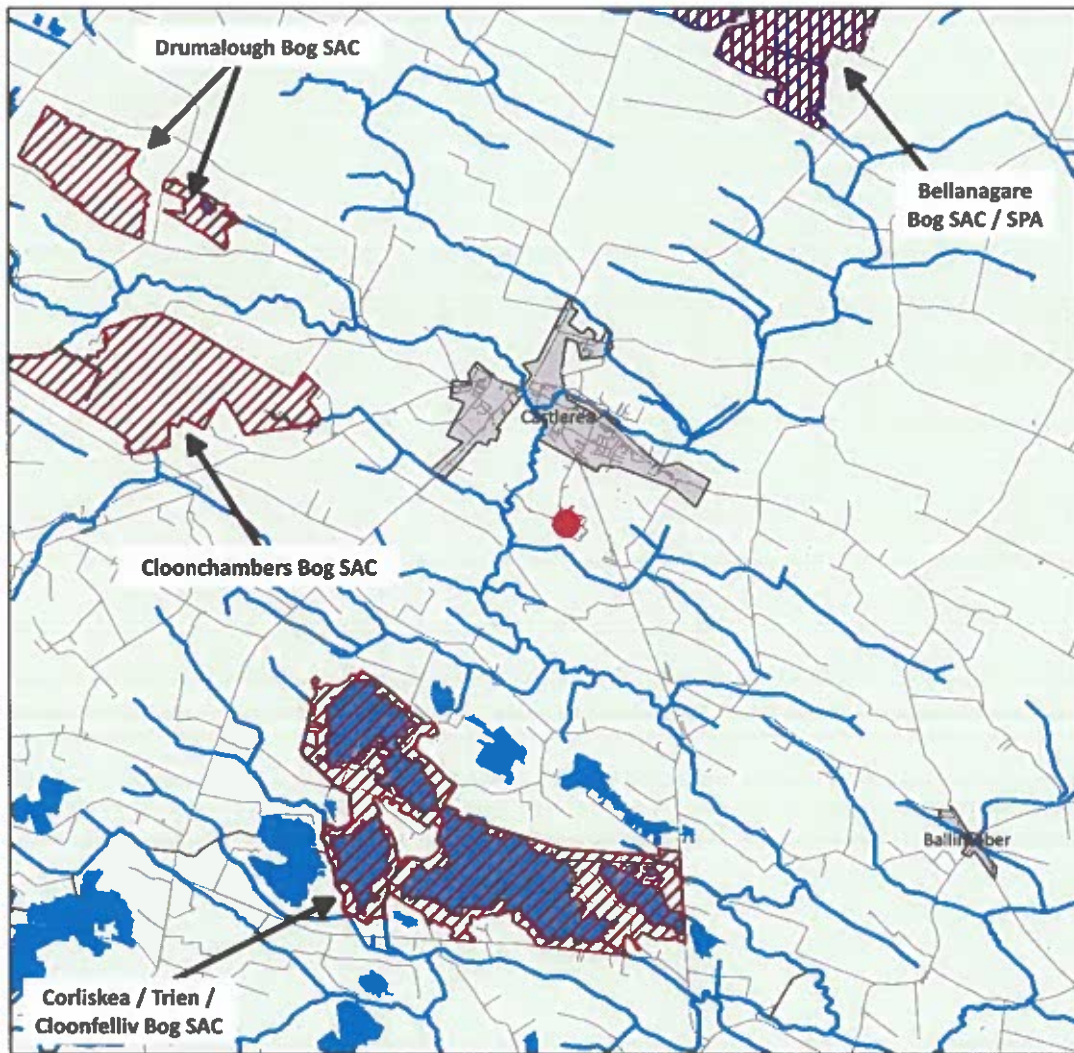
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Tel: 087-6839771

Site location

- Proposed development site
- Roads
- Watercourses
- Towns and villages

Designated sites

- ▨ Special Areas of Conservation
- ▨ Special Protection Areas



3.1 European sites within the Site boundary (potential direct effects)

The Site is not within or adjacent to any European sites (Figure 1). Therefore, the proposed development poses no risk of direct impacts on any European sites.

3.2 European sites outside the Site boundary (potential indirect effects)

In this section we identify potential *pathways* (e.g. surface water) between the *source* (the Site) and the *receptor* (a European site). The most common pathway is surface water, which typically occurs when a pollutant is washed into a river and carried downstream into a European site. Other potential pathways are groundwater, air (e.g. airborne dust or sound waves), or land (e.g. flow of liquids, vibration). The zone of effect for hydrological effects can be several kilometres, but for air and land it is rarely more than one hundred metres.

It is noted that all five of the European sites listed in Table 1 are on raised bogs. Raised bogs are ombrotrophic habitats, which means that they are fed solely by rainwater, and do not have any association with surface water. They are typically underlain by dense clay, which prevents any association with surrounding groundwater.

Surface water

There are no rivers or streams within or adjacent to the Site (refer to Section 2.1 and Figure 1), so surface water can be ruled out as a pathway to any European sites. As noted above, all of the European sites in Table 1 are associated with raised bogs, which do not have associations with surface water features. Therefore, surface water pathways can be ruled out for all sites.

Groundwater

If any pollutants soaked to ground within the Site, they would have to pass through at least 3 km of intervening subsoils / bedrock before reaching the closest European sites. As noted above, all of the European sites in Table 1 are associated with raised bogs, which do not have associations with groundwater. Therefore, groundwater pathways can be ruled out for all sites.

Land

There is no possibility that any pollutants could travel 3 km over land to reach any European sites, so it can be ruled out as a pathway.

Air

There is no possibility that any pollutants could travel 3 km through the air to reach any European sites, so it can be ruled out as a pathway.

Summary

In summary, no feasible pathways were identified between the Site and any European sites.



3.3 Habitat suitability for SPA birds

When considering potential impacts on SPAs, it is important to consider that their Special Conservation Interests are highly mobile. Although the SPAs have been designated to protect their primary habitats, some species also use secondary habitats located outside the SPA boundary.

The only SPA identified in the surrounding area is the *Bellanagare Bog* SPA, which is 5.9 km north of the Site. It was designated to protect Greenland white-fronted geese that formerly fed on the bog, although it is noted in the site synopsis for the SPA that geese no longer use the bog, favouring intensive agricultural land as an alternative. Grassland feeding is relatively common in geese; they typically favour areas of grassland of at least the size of a sports pitch, and with low levels of human activity.

The Site contains some patches of amenity grassland, but they are small and fragmented, with fields of view obstructed by buildings. For these reasons, and due to the distance of the Site from the SPA, the Site is not considered to be suitable habitat for Greenland white-fronted geese.

4 Screening Statement

In Section 3 of the OPR guidance (OPR 2021), it is stated that the first stage of the AA process can have two possible conclusions:

1. No likelihood of significant effects

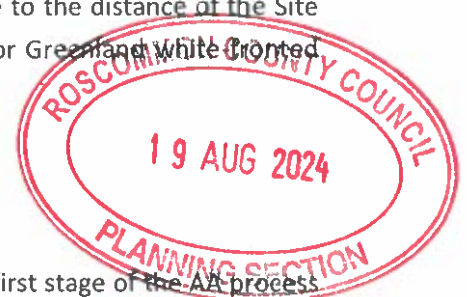
Appropriate assessment is not required and the planning application can proceed as normal. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file.

2. Significant effects cannot be excluded

Appropriate assessment is required before permission can be granted. A Natura Impact Statement (NIS) will be required in order for the project to proceed.

Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is no likelihood of significant impacts on any European sites. This is based on three key conclusions:

- The Site is not within or adjacent to any European sites, so there is no risk of direct effects
- There are no surface water or other pathways linking the Site to any European sites, so there is no risk of indirect effects
- Habitats within the Site are unsuitable for any of the birds associated with nearby SPAs, so there is no risk of indirect effects from noise or visual disturbance



Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An 'in-combination effect' can occur when a project will have a perceptible but non-significant residual effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out.

Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011* (as amended), it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.

In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion.

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