

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Irish Prison Service,
Ballinalee Road,
Co. Longford.

Reference Number: DED 859
Application Received: 12th March, 2025
Name of Applicant: Irish Prison Service
Agent: MacCabe Durney Barnes

WHEREAS a question has arisen as to whether the conversion of lower ground floor to 34. no cell units 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 described for the conversion of the lower ground floor to 34 no. cell units at Castlerea Prison, Harristown, Castlerea, Co. Roscommon falls under Section 4(1)(h) of the Planning and Development Act as amended.
- (c) The the conversion of lower ground floor to 34 no. cell units 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 – 2024 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 convert the lower ground floor to 34 no. cell units 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:



Brian Farragher,

Senior Executive Planner,
Planning.

Date: 8th April, 2025

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.

Carmel Curley

From: Carmel Curley
Sent: Wednesday 9 April 2025 10:45
To: info@irishprisons.ie; planning@mdb.ie
Subject: DED 859 - Irish Prison Service
Attachments: DED 859 - Notification of Decision.pdf

Hi there,

Please find attached Notification of Decision for DED Application 859.

Regards,

Carmel

Carmel Curley, Staff Officer,
Planning Department, Roscommon County Council,
Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98

☎: (090) 6637100

✉: planning@roscommoncoco.ie | 🌐 www.roscommoncoco.ie

MAP LOCATION



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

Reference Number:	DED 859
Re:	Permission for the conversion of lower ground floor to 34 no. cell units under the Planning and Development Act (Exempt Development) Regulations 2018.
Name of Applicant:	Irish Prison Service
Location of Development:	Castlerea Prison, Harristown, Castlerea, Co. Roscommon

WHEREAS a question has arisen as to whether the following works; the conversion of lower ground floor to 34 no. cell units 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 site of the proposed development is located inside the walls of Castlerea Prison. The proposed development consists of the conversion of the under-used lower ground floor area into 34 no. additional cell units.

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

DED 607: Roscommon County Council provided a Section 5 Determination on 25th September 2023 in relation to development associated with the subject site which held, inter alia, that the construction of 10 no. bedspaces in modular independent living units at a site of 2,080m² at Castlerea Prison, Harristown, Castlerea, Co. Roscommon was an exempted development.

DED 752: Roscommon County Council provided a Section 5 Determination on 17th September 2024 in relation to development associated with the subject site which held, inter alia, that the construction of 25 no. modular independent units (ILU) and an office building at Castlerea Prison, Harristown, Castlerea, Co. Roscommon was an exempted development.

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 for the conversion of the lower ground floor to 34 no. cell units at Castlerea Prison, Harristown, Castlerea Co. Roscommon constitutes exempted development.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; the conversion of lower ground floor to 34 no. cell units at 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.

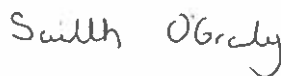
AND WHEREAS I have concluded that

- The works outlined above are development.
- The works described for the conversion of the lower ground floor to 34 no. cell units at Castlerea Prison, Harristown, Castlerea, Co. Roscommon falls under Section 4(1)(h) of the Planning and Development Act as amended.
- The the conversion of lower ground floor to 34 no. cell units 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 EIA does not apply with respect to the current case.

AND WHEREAS I have concluded that the said development to the conversion of lower ground floor to 34 no. cell units at Castlerea Prison, Harristown, Castlerea, Co. Roscommon is an exempted development and I recommend that a declaration to that effect should be issued to the applicant.

Signed:

Graduate Planner



Date: 4th April 2025

Signed:

Senior Executive Planner



Date: 8th April 2025

Carmel Curley

From: Carmel Curley
Sent: Friday 14 March 2025 09:32
To: info@irishprisons.ie
Cc: planning@mdb.ie
Subject: DED 859 - Acknowledgement Letter & Receipt
Attachments: DED 859 - Ack Letter & Receipt.pdf

Good morning,

Please find attached Acknowledgement Letter & Receipt for your Section 5 Declaration of Exempted Development Application DED 859.

Regards,

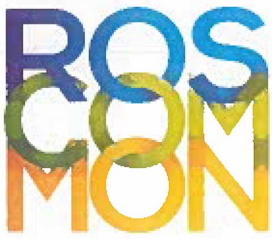
Carmel

Carmel Curley, Assistant Staff Officer,
Planning Department, Roscommon County Council,
Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98
☎: (090) 6637100

✉: planning@roscommoncoco.ie | 🌐 www.roscommoncoco.ie

MAP LOCATION





Comhairle Contae
Ros Comáin
Roscommon
County Council



Irish Prison Service,
Ballinalee Road,
Co. Longford.

Date: 13th March, 2025
Planning Reference: DED 859

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

Development: Permission for the conversion of lower ground floor to 34 no. cell units under the Planning & Development Act (Exempt Development) Regulations 2018 at Castlerea Prison, Harristown, Castlerea, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of the application which was received on the 12th March, 2025, 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. **L/01/0/233622** dated 13th March, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 859**
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
Senior Executive Planner
Planning Department.

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

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

13/03/2025 09:53:36

Receipt No L01/0/233622

IRISH PRISON SERVICE
MCCABE DURNEY BARNES
20 FITZWILLIAM PLACE
DUBLIN 2

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
DED859	

Total :	80.00 EUR
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Tendered :	
Credit/Debit Card	80.00
5009	

Change :	0.00
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Issued By : Louis Carroll
From : Central Cash Office

20 Fitzwilliam Place t: + 353 1 6762594
Dublin 2 f: + 353 1 6762310
D02 YV58 e: planning@mdb.ie
w: www.mdb.ie

MACCABE DURNEY BARNES

PLANNING | ENVIRONMENT | ECONOMICS

Our Ref: 2285

Roscommon City Council,
Planning Registry Section,
Áras an Chontae,
Roscommon,
County Roscommon,
F42 VR98.

11th March 2025

Re: Section 5 application

Dear Sir/Madam,

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 34 no. cell units within the existing lower ground floor, provision of recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices and the development of two yards within the Harristown Block at Castlereagh Prison is or is not development and is or is not exempted development?"

Please find 2 copies 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. Site plan 1-500
7. Site plan 1-2500
8. Lower ground floor plan
9. Upper ground floor plan
10. First floor plan



Yours sincerely



Jerry Barnes
MACCABE DURNEY BARNES

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	Conversion of lower ground floor to 34 no. cell units
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Castlerea Prison, Harristown, Castlerea, County Roscommon, Ireland
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>6,615sqm</u> b) <u>6,651 sqm</u>
Height above ground level:	Up to first floor within existing building
Total area of private open space remaining after completion of this development	n/a
Roofing Material (Slates, Tiles, other) (Specify)	n/a

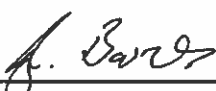


Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	n/a
Is proposed works located at front/rear/side of existing house.	Within and to the rear of the Harristown Block (yards)
Has an application been made previously for this site	No
If yes give ref. number (include full details of existing extension, if any)	n/a
Existing use of land or structure	Prison accommodation
Proposed use of land or structure	Increased capacity prison accommodation
Distance of proposed building line from edge of roadway	Within the curtilage of Castlerea Prison
Does the proposed development involve the provision of a piped water supply	Yes
Does the proposed development involve the provision of sanitary facilities	Yes, new ventilated waste pipe discharging to existing external foul lines

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

Signature: 
Date: 4th March 2025

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



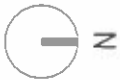
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3RD PARTY INFORMATION

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LEGEND:



Extent of works



P06	STAGE 5 PLANNING ISSUE	11/03/2025	PB	AOD
P03	STAGE 5 PLANNING ISSUE	28/02/2025	PB	AOD
P02	PRELIMINARY ISSUE FOR INFORMATION	25/02/2025	PB	AOD
P01	PRELIMINARY ISSUE FOR INFORMATION	28/01/2025	PB	AOD
Rev	Description	Date	By	Chk

Revisions	Suitability
Project	

IPS FW - HARRISTOWN
ADDITIONAL CELLS

Client

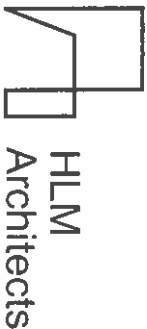
IRISH PRISON SERVICE

Title

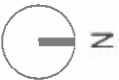
Site Plan 1-500

Drawing No.	Revision
IPSH-HLM-0003	P06

Scale	Drawn
1 : 500 @A3	PB
Date	Checked
11/03/2025	AOD



Site Plan 1-500
Scale: 1 : 500



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LEGEND:
 Site Area :Extent of works



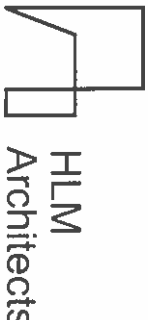
Project	Revisions				Suitability	
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	P03	STAGE 5 PLANNING ISSUE	28/02/2025	PB		AOD
	P02	PRELIMINARY ISSUE FOR INFORMATION	25/02/2025	PB		AOD
	P01	PRELIMINARY ISSUE FOR INFORMATION	28/01/2025	PB		AOD
	Rev	Description	Date	By		Chk

**IPS FW - HARRISTOWN
ADDITIONAL CELLS**

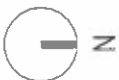
Client
IRISH PRISON SERVICE

Title
Site Plan 1-2500

Drawing No.	Revision
IPSH-HLM-0001	P06
Scale	Drawn
1 : 2500 @A3	PB
Date	Checked
11/03/2025	AOD



Site Plan 1-2500
Scale: 1 : 2500



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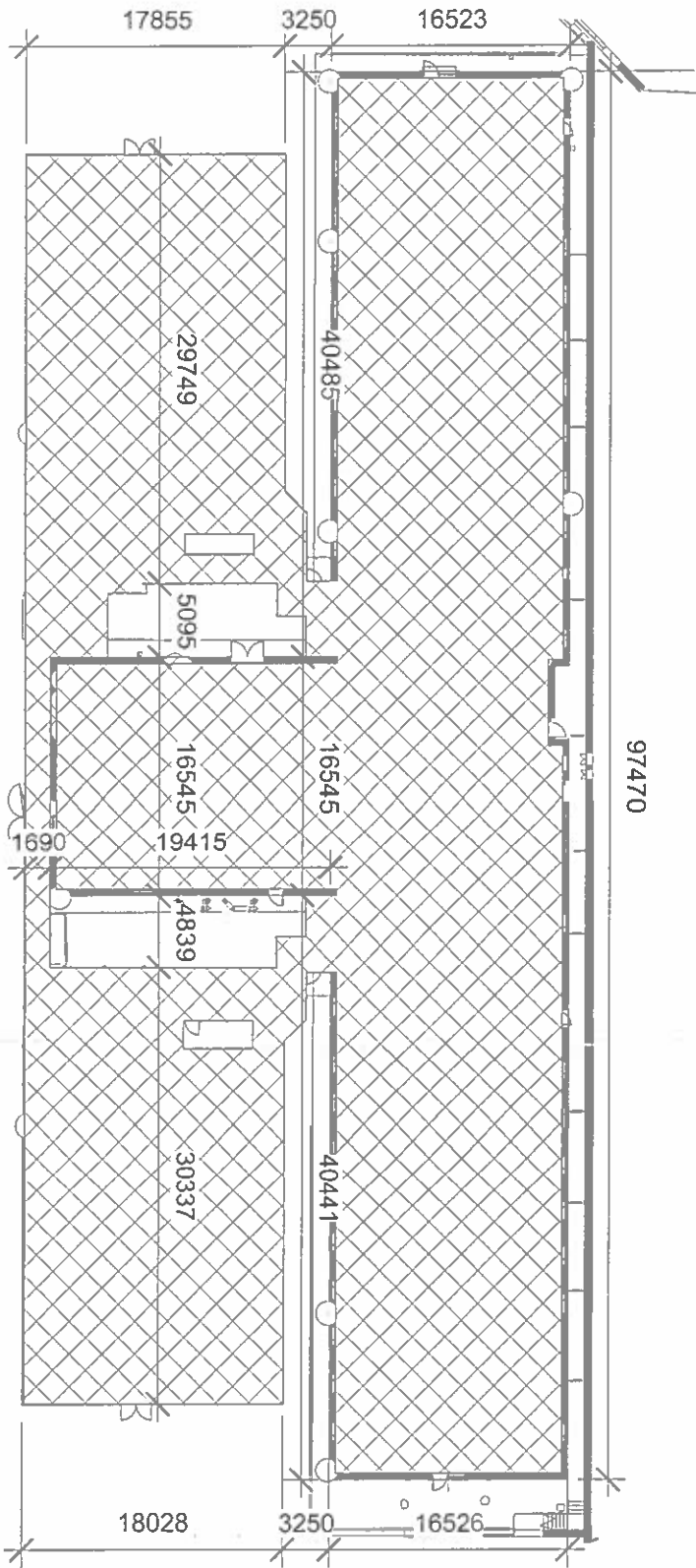
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LEGEND:



Redacted internal areas in accordance to security protocol



Lower Ground Floor - Planning 1-500
Scale: 1 : 500

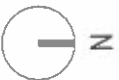


Title	
Lower Ground Floor	
Drawing No.	Revision
IPSH-HLM-0110	P06
Scale	Drawn
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Date	Checked
11/03/2025	AOD

Client
IRISH PRISON SERVICE

Revisions
Project
**IPS FW - HARRISTOWN
ADDITIONAL CELLS**

P06	STAGE 5 PLANNING	11/03/2025	PB	AOD
ISSUE				
Rev	Description	Date	By	Chk



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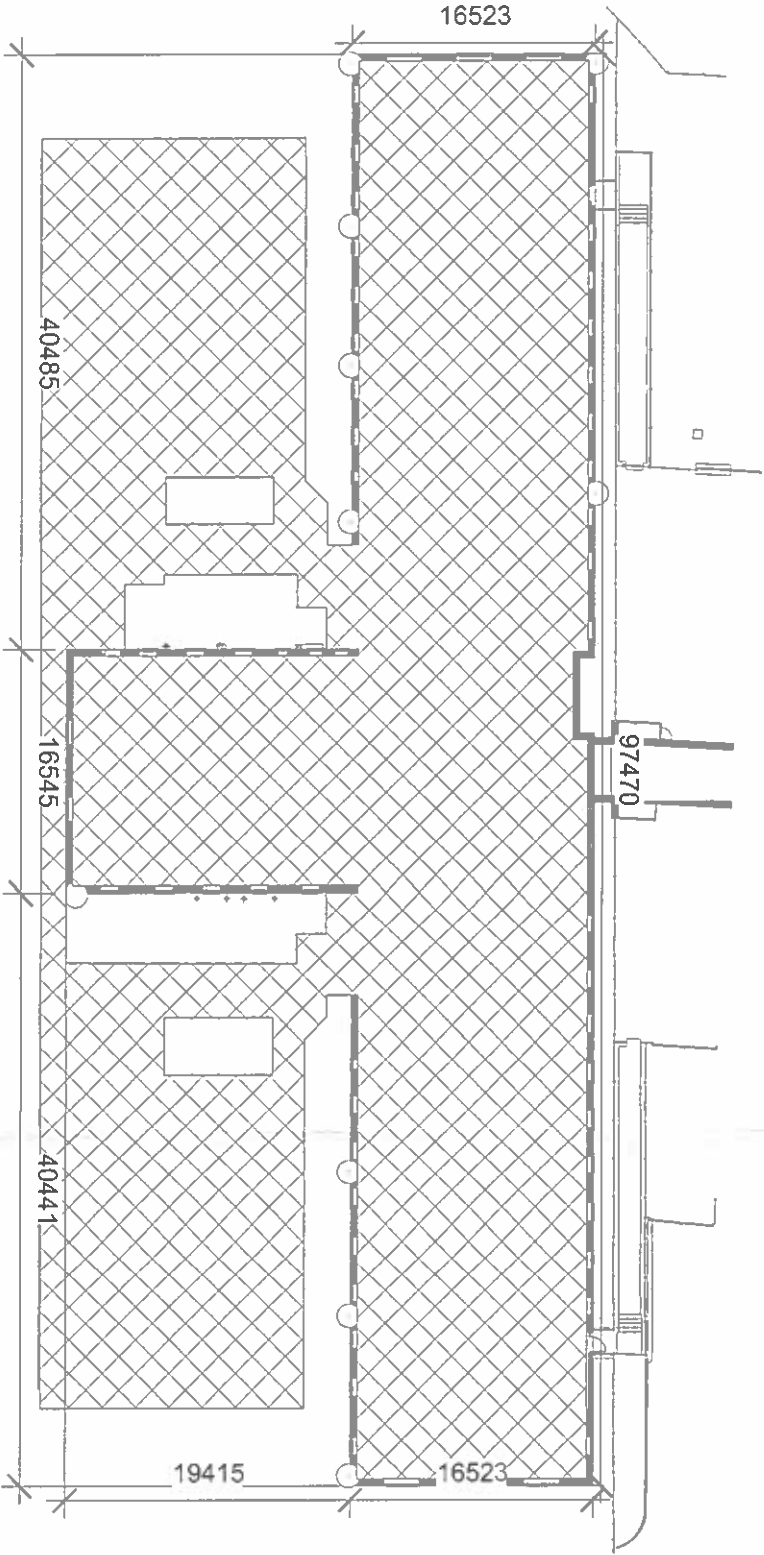
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LEGEND:



Redacted internal areas in accordance to security protocol



Upper Ground Floor - Planning 1-500

Scale: 1 : 500



P06	STAGE 5 PLANNING	11/03/2025	PB	AOD
ISSUE				
Rev	Description	Date	By	Chk
Revisions				
Project				Suitability

**IPS FW - HARRISTOWN
ADDITIONAL CELLS**

Client

IRISH PRISON SERVICE

Title

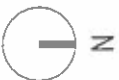
Upper Ground Floor

Drawing No.	Revision
IPSH-HLM-0111	P06

Scale	Drawn
1 : 500 @A3	PB
Date	Checked
11/03/2025	AOD



Scale: 1:500



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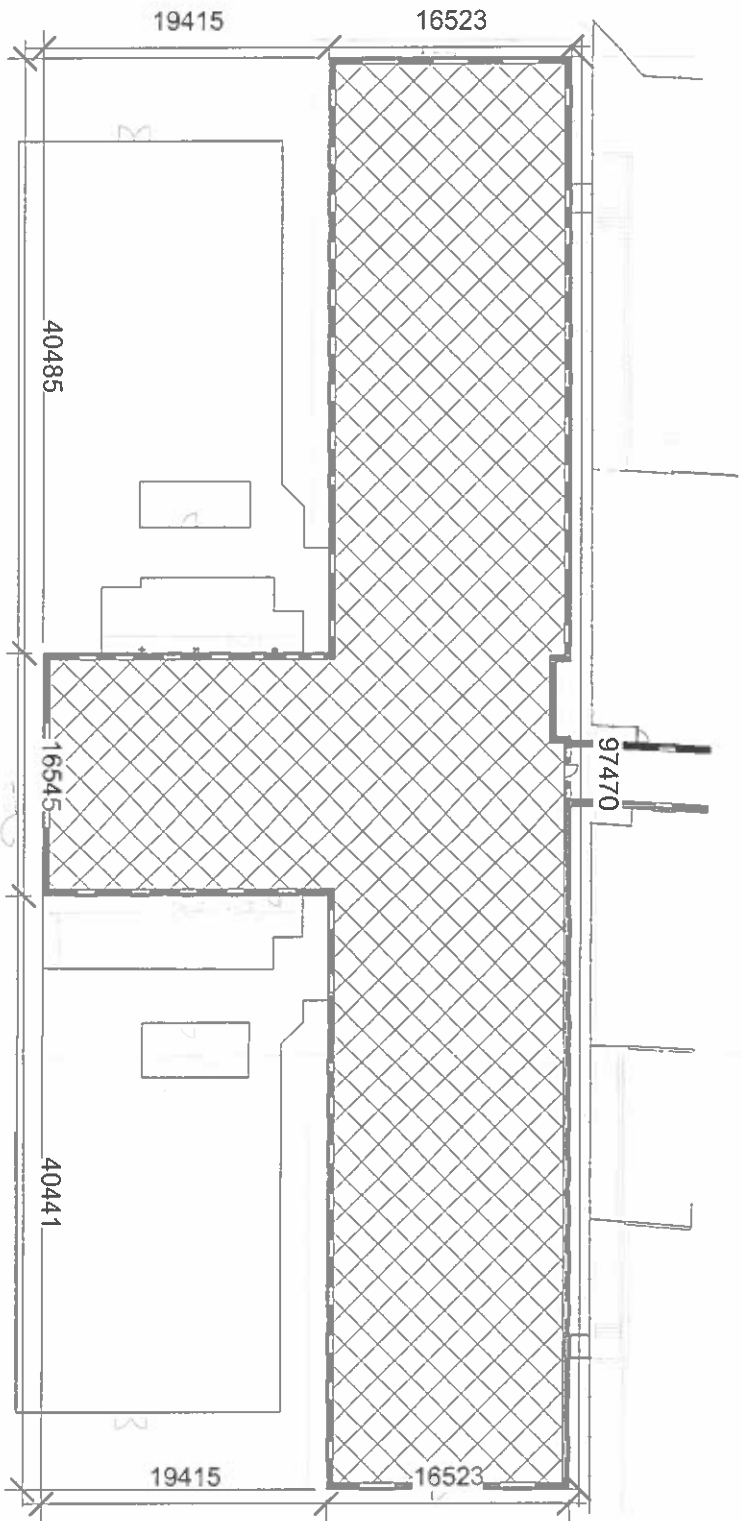
3RD PARTY INFORMATION
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LEGEND:



Redacted internal areas in accordance to security protocol



First Floor - Planning 1:500
Scale: 1 : 500



Title	
First Floor	
Revision	
Drawing No.	Revision
IPSH-HLM-0112	P06
Scale	
1 : 500 @A3	Drawn
Date	Checked
11/03/2025	AOD

P06	STAGE 5 PLANNING	11/03/2025	PB	ACD
	ISSUE			
Rev	Description	Date	By	Chk
Revisions				
Project	Suitability			

**IPS FW - HARRISTOWN
ADDITIONAL CELLS**

Client

IRISH PRISON SERVICE



20 Fitzwilliam Place, Dublin 2, D02YV58,
Ireland

Phone. +353 1 6762594



planning@mdb.ie



www.mdb.ie



8. 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.



7. EIA AND AA

The planning authority as the competent authority shall carry out Environmental Impact Assessment (EIA) screening for all plans and projects and Appropriate Assessment (AA). Section 181A of the PDA 2000 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 PDA 2000 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.





6. APPLICATION OF RELEVANT LEGISLATION

6.1 Does a Question Arise?

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

6.2 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.

6.3 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**.

6.4 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 Castlereagh prison. Being an extension to the currently operational residential Harristown Block, a structure within Castlereagh Prison which has inadequate accommodation facilities for the number of inmates. 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.

Section 5 Reference – 34 No. Additional Cell Units, Harristown Block, Castlereagh Prison

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.





Section 3 of the PDA 2000 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 PDA 2000 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 PDA 2000 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.

5. LEGISLATIVE PROVISIONS

5.1 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, PDA 2000, no such prohibition applies to State Authorities.

5.2 Relevant Legislation

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

5.2.1 Declaration

Section 5 of the PDA 2000 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).*

5.2.2 Interpretation and Definitions – General

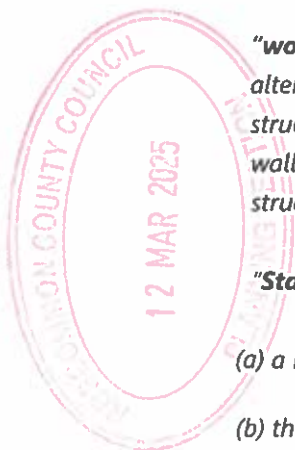
Section 2 of the PDA 2000 provides statutory interpretations relevant to a Section 5 referral.

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;"*





4. RELEVANT PLANNING HISTORY

The following is a summary of relevant proposals notified to the Planning Authority in Roscommon and elsewhere by way of Section 5 declaration. In 2023 and 2024 the IPS sought two separate Section 5 declarations from Roscommon County Council for works at Castlerea Prison. The proposed works were declared as being exempted development in both cases. There are no relevant section 34 or Part 9 planning permissions relating to development at the prison.

4.1 Castlerea Planning History

4.1.1 Section 5 referral

P.A. Reg. Ref: DED 607: The construction of 10. No. bed spaces in modular independent living units at a site 2,080m² at Castlerea Prison, Harristown, Castlerea, Co. Roscommon

Declaration: By virtue of the powers vested in Tracy Davis, Senior Executive Planner on behalf of Roscommon County Council (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 construction of 10. No. bed spaces in modular independent living units at a site 2,080m² at Castlerea Prison, Harristown, Castlerea, Co. Roscommon is development and is exempted development as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

P.A. Reg. Ref: DED 752: The construction of 25 no. modular Independent Living Units (ILU's) and office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon.

Declaration: By virtue of the powers vested in Alan O'Connell, Senior Executive Planner on behalf of Roscommon County Council (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.

Section 5 Reference – 34 No. Additional Cell Units, Harristown Block, Castlereagh Prison

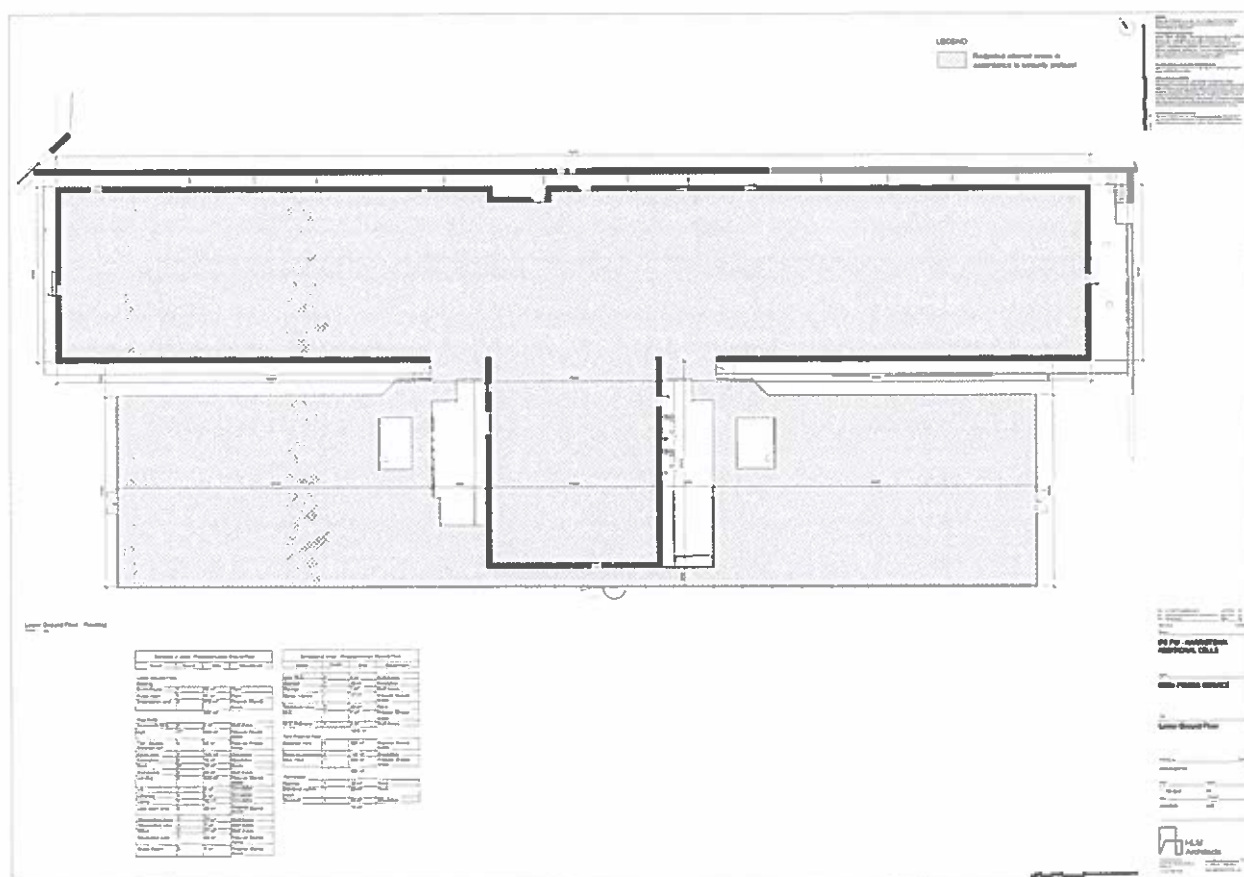


Figure 4: Proposed lower ground floor plan (Source: HLM Architects)



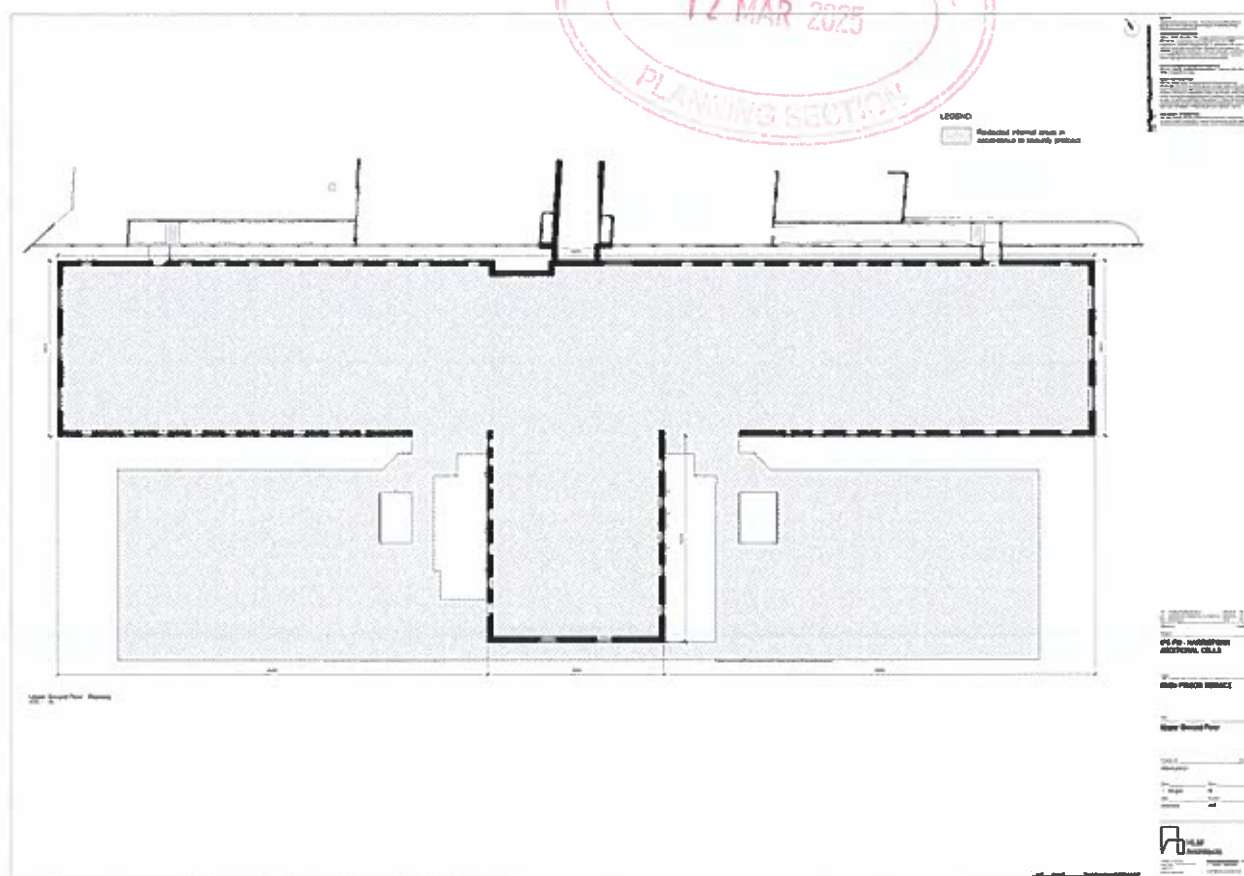


Figure 3: Harristown Block existing floor plan (Source: HLM Architects)

3. PROPOSED DEVELOPMENT

The proposed development is comprised of works to the Harristown Block within the curtilage of Castlereagh Prison. The IPS intend undertake conversion of the under-used lower ground floor level into 34 no. additional cell units with recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices. Two courtyards with observation huts and toilets extending to the east and west of the south wing are also proposed in addition to an external wood pellet storage silo. The works proposed will include the addition of new cell dividing walls, floor, doors and windows throughout the building along with mechanical, electrical and drainage works to support the conversion.

The unit mix of proposed additional cells has the potential to accommodate for a total of 31 no. standard inmates and 3 no. disabled inmates. In the case that units are furnished to accommodate bunk beds and disabled cells are utilised as double cells this total increases to 68 no. persons. This mix is as follows:

- 31 no. standard & 3 no. disabled/double cells at lower ground floor level.

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



Figure 2: Site outline (source: MDB & ArcGIS)

The proposed development will be located to the south-east of Castlerea Prison, within the existing Harristown Block. This block currently consists of 64 no. cells and ancillary accommodation spread over three floors. Each floor consists of a south, east and west wing and circle. The lower ground floor is under-used, predominantly providing for utility, access and operational functions of the building. South, east and west wings on the upper floors house cells and rooms accommodating a variety of functions inclusive of but not exclusive to recreation, office and educational uses. Circle areas on these floors include staff toilets, offices, store areas and escape stairs. Two segregation yards are located to the east and to the west of the south wing.



2. SITE LOCATION AND DESCRIPTION

Castlereagh Prison is located in a predominantly agricultural landscape, c.1.5km from the centre of Castlereagh Town. The south-west of the prison is defined by a forested area while c. 200 and 500m to the north of the prison boundary respectively lie the N60 road and Dublin/Ballina railway line. The prison area is c. 10.2 ha and its layout is defined by a variety of building types interspersed with open space. A large tract of open space defines the southern portion of the prison. To the north of the boundary wall lies the visitor's centre and associated car park.



Figure 1: Location of the subject site (source: MDB& ArcGIS)

The Castlereagh Prison is a closed, medium security prison complex located south of the N60 Road to the south of Castlereagh 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 male prisoners. The site is located within the Castlereagh Prison campus and is for the purpose of accommodating prisoners and is within the perimeter walls of the Castlereagh Prison.



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 2000).

Referrer: IPS acting for the Minister for Justice

Address of referrer: IDA Business Park, Ballinalee Road, Longford N39 A308. IPS contact name is Joseph Gill.

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

Planning Authority: Roscommon County Council (RCC)

This report has regard to the provisions of the Development Management Guidelines for Planning Authorities, June, 2007. The Guidelines provided in Section 9.4 note 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 to 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 34 no. cell units within the existing lower ground floor, provision of recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices and the development of two yards within the Harristown Block at Castlerea Prison is or is not development and is or is not exempted development?"

1.3 Executive summary

The IPS consider that pursuant to the relevant legislation, the proposed construction of additional cells and yards 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 as they are for the accommodation of the existing prison population. The IPS request the Planning Authority to confirm this position in a Section 5 declaration. The IPS recently sought Section 5 declarations from RCC in relation to works within the curtilage of Castlerea Prison and RCC issued declarations dated the 22nd September 2023, and the 17th September 2024 that the works for the provision of additional accommodation was development and was exempted development (Roscommon County Council Ref. DED 607 & 752).

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Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
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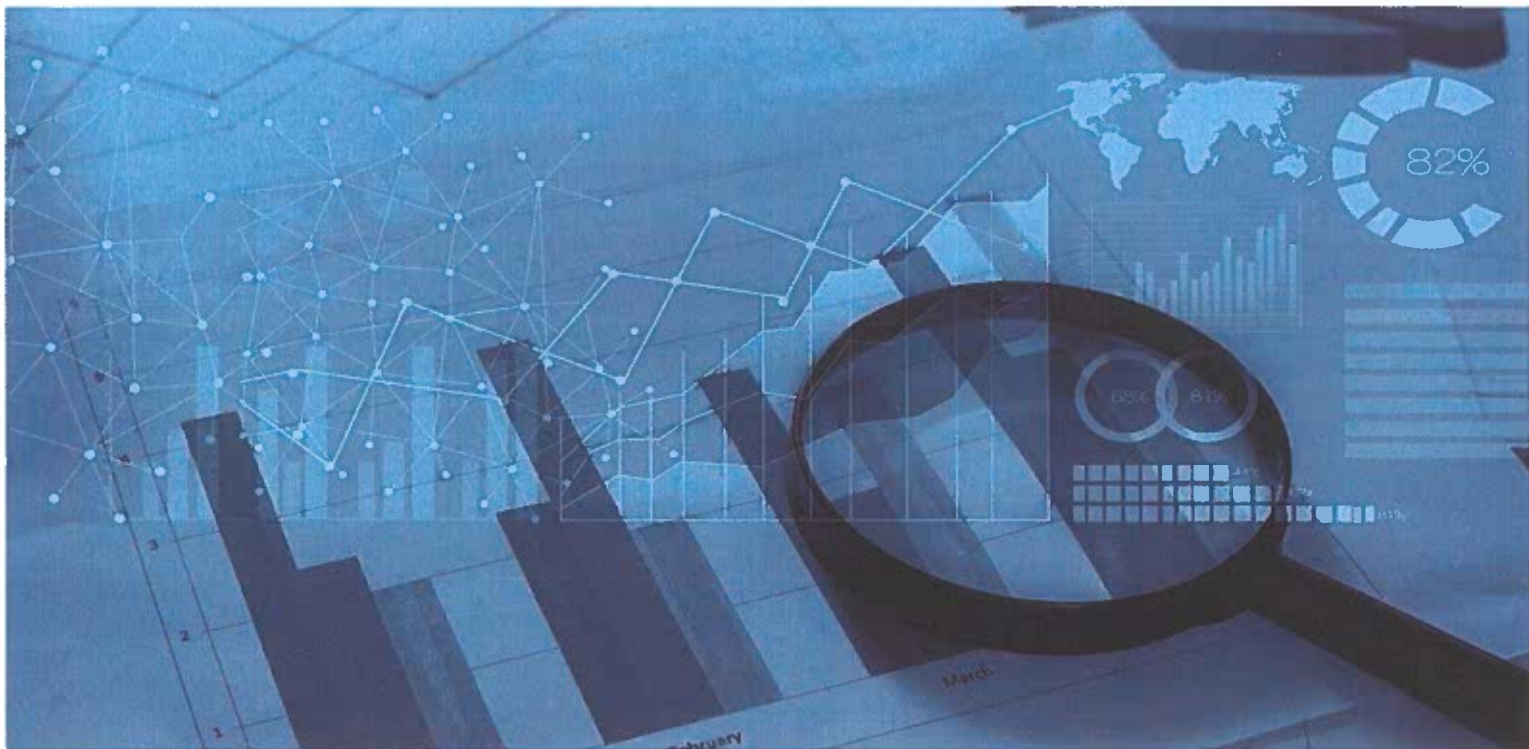
Section 5 Reference

34 no. Additional Cell Units, Harristown Block, Castlerea Prison

10 March 2025



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Castlerea Prison include the construction of 35 no. total modular independent living units under two separate applications (PA Reg. Refs. DED 607 & DED 752). The construction phases of these projects will require monitoring via a Construction Management Plan to minimise the potential construction phase impacts on residents of the prison. As the proposed development is modest in nature and is comprised of an alteration to an existing structure, it is concluded that the potential for cumulative effects having regard to permitted projects are unlikely to occur.

4.3 Preliminary Examination Conclusion

Following the preliminary examination, it is concluded that there are not significant and realistic doubts regarding the likelihood of significant effects on the environment arising from the proposed development and therefore there is no requirement to proceed to a Step 3 assessment as per the OPR Guidelines.

This preliminary conclusion examination is consistent with Local Authority developments in the vicinity of similar scaled developments.



- 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 several questions to assist the preliminary examination.

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

4.2.1 Nature of the development:

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

The proposed conversion of the lower ground floor level of the Harristown Block to cater for 34 no. additional cell units. The addition of cells, class offices, sensory, recreation, video call rooms and two yards to the Harristown Block is not considered exceptional in the context of the prison. All works will be within the curtilage of the prison, with the majority occurring within the aforementioned block, and will enhance existing functions and capacity. Impact on the existing residents of the block will be minimised, with alterations to services at lower ground floor level which may cause significant disruption to the block's users to be avoided. The conversion will not be visible from outside of the prison walls.

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

The proposed development consists of the conversion of an existing building and works on the made ground directly adjacent to it to provide for two new yards. As the construction works will occur within the bounds of the Harristown Block and the yards will be positioned in what is currently open space, no waste will be produced as a result of the demolition of pre-existing structures within the yards. The re-use of the largest possible amount of existing services and structures within the building is being undertaken as an element of the construction. However, the alteration of structures within the block may give rise to minor amounts of waste. 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 development will result in the conversion of the lower ground floor, upper ground floor and first floor of the Harristown Block within a large prison complex. This conversion will result in the number of units in the block increasing by a total of 34. These cells will offer potential for the accommodation of an additional 68 no. inmates within the prison if they are filled to capacity through the use of bunk beds and the double room function of the disabled cells. The minimum capacity of this conversion is an additional 68 no. bed spaces. As this development will provide much needed accommodation within a prison facility which has been noted as over capacity, the size of the proposed development is not considered exceptional in its context.

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

A review of Roscommon County Council's planning application portal has not highlighted any considerable cumulative impacts from relevant recent consented cases. As the proposed development poses no impacts in isolation, the risk of cumulative effects can also be ruled out. Recent section 5 references within the curtilage of

Comment: In relation to the proposed development at Castlerea Prison, the above threshold is relevant. It does not however exceed the threshold of 500 dwelling units as noted in Part 2 of Schedule 5 of the PDR2001.

*(b) (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. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.) provided as part of, and incidental to the primary purpose of, a development.*

Comment: As the definition of development in the planning legislation refers to "new works [including alteration and/or demolition]", under the PDA 2000, and the area is 'elsewhere', a CA may consider the assessment under this heading. If the CA concludes that the proposed extension is not a project per the Directive, they need not proceed to Step 2, and no further screening is required. The development is on a site of c. 0.4 ha, in an area deemed 'elsewhere'. This is less than the 20 ha threshold so mandatory EIA does not apply.

In relation to sub-threshold development, the definition of urban development is not defined. EC Guidance 'Interpretation of definitions of project categories of annex I and II of the EIA Directive' (European Union, 2015) recommends that an urban development project should be seen as a project that is urban in nature regardless of its location.

On balance, it may be considered that **the proposed development is sub-threshold infrastructure project** under Paragraph 10 of Part 2 of Schedule 5 of the PDR2001.

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.

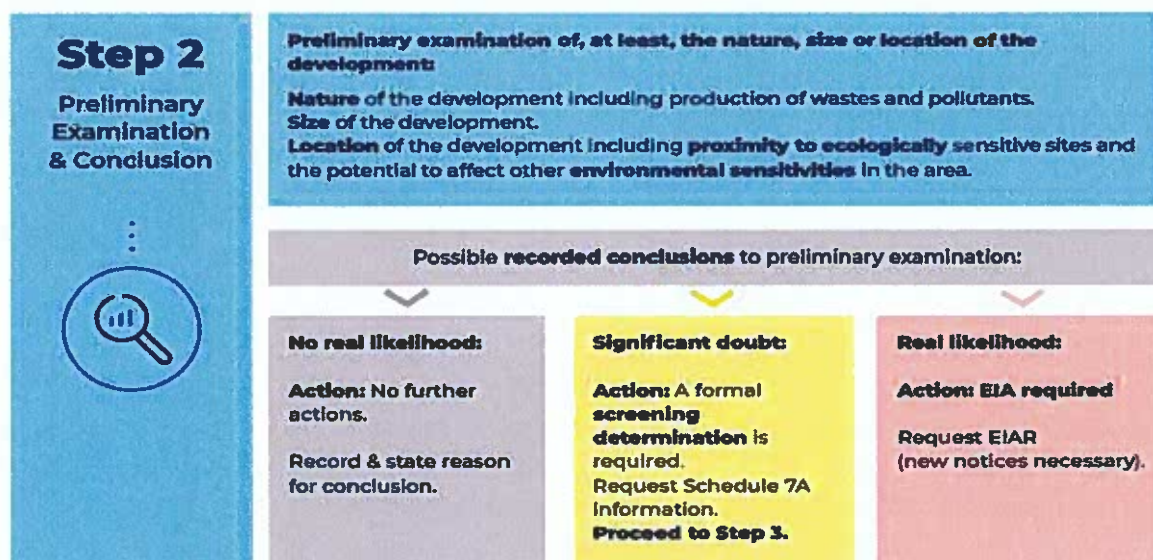


Figure 11: Extract from OPR EIA Screening Guidance Note (Source: OPR)

4.2 Preliminary Examination

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; and

4. PRELIMINARY EXAMINATION

The methodology has 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) which aids planning authorities as the CA in this area.

- Step 1: Understanding the proposal (non-statutory).
- Step 2: Preliminary examination and conclusion (statutory).
- Step 3: Screening determination (statutory).

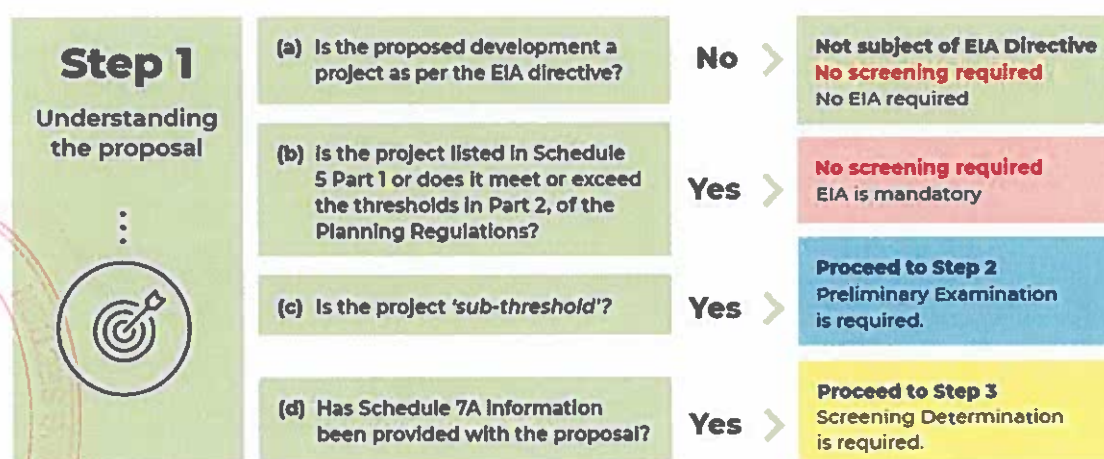


Figure 10: Extract from OPR EIA Screening Guidance Note (Source: OPR)

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

4.1 Understanding the proposal

4.1.1 Mandatory and sub threshold development

EIA is mandatory for certain types of projects as set out in Annex I of the EIA Directive (and Part 1 of Schedule 5 of the PDR 2001). The proposed development does not correspond to a class of development set out in Annex 1 (or Part 1 of Schedule 5 of the PDR 2001) for which EIA would be a mandatory requirement.

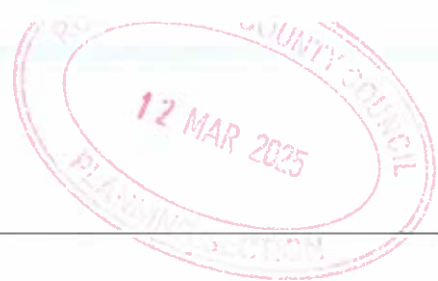
EIA is also mandatory for other projects that meet or exceed a stated threshold as set out in Annex II of the Directive (and Part 2 of Schedule 5 of the PDR 2001). The proposed development does not correspond to a class of development meeting or exceeding a threshold as set out in Annex II (or Part 2 of Schedule 5 the PDR 2001) for which EIA would be a mandatory requirement.

'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5 of the PDA2000, but which does not equal or exceed a quantity, area or other limit (the threshold). Having regard to Part 2 of Schedule 5, the Proposed Development may be considered having regard to Classes 10 (b)(i) and 10 (b)(iv) as follows:

10. Infrastructure projects

.....

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



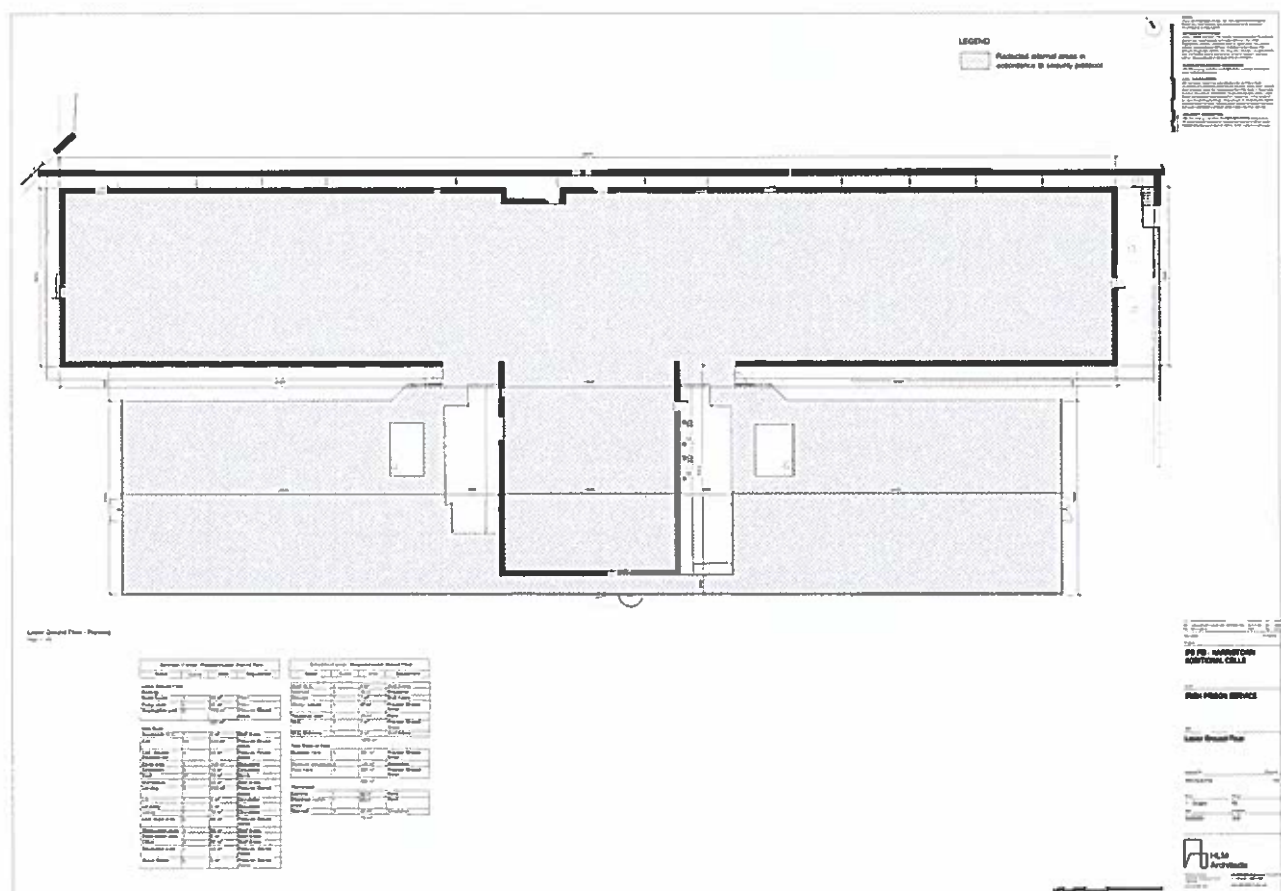
3. PROPOSED DEVELOPMENT

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The unit mix of proposed additional cells has the potential to accommodate for a total of 31 no. standard inmates and 3 no. disabled inmates. In the case that units are furnished to accommodate bunk beds and disabled cells are utilised as double cells this total increases to 68 no. persons. This mix is as follows:

- 31 no. standard & 3 no. disabled/double cells at lower ground floor level.

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.



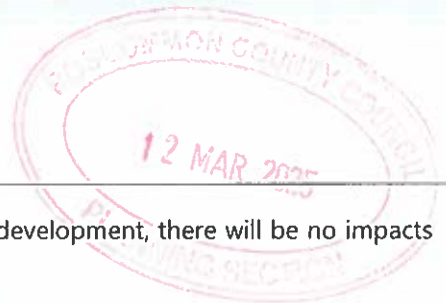
2.3.11 Ecological nature of site

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 January 2025 and should be read in conjunction with this report for further detail.

2.3.12 Other Site Environmental Sensitives

There are no additional noted environmental sensitivities associated with the subject site.





to the prison complex, and the relatively small nature of the proposed development, there will be no impacts on the NHAs or pNHAs.

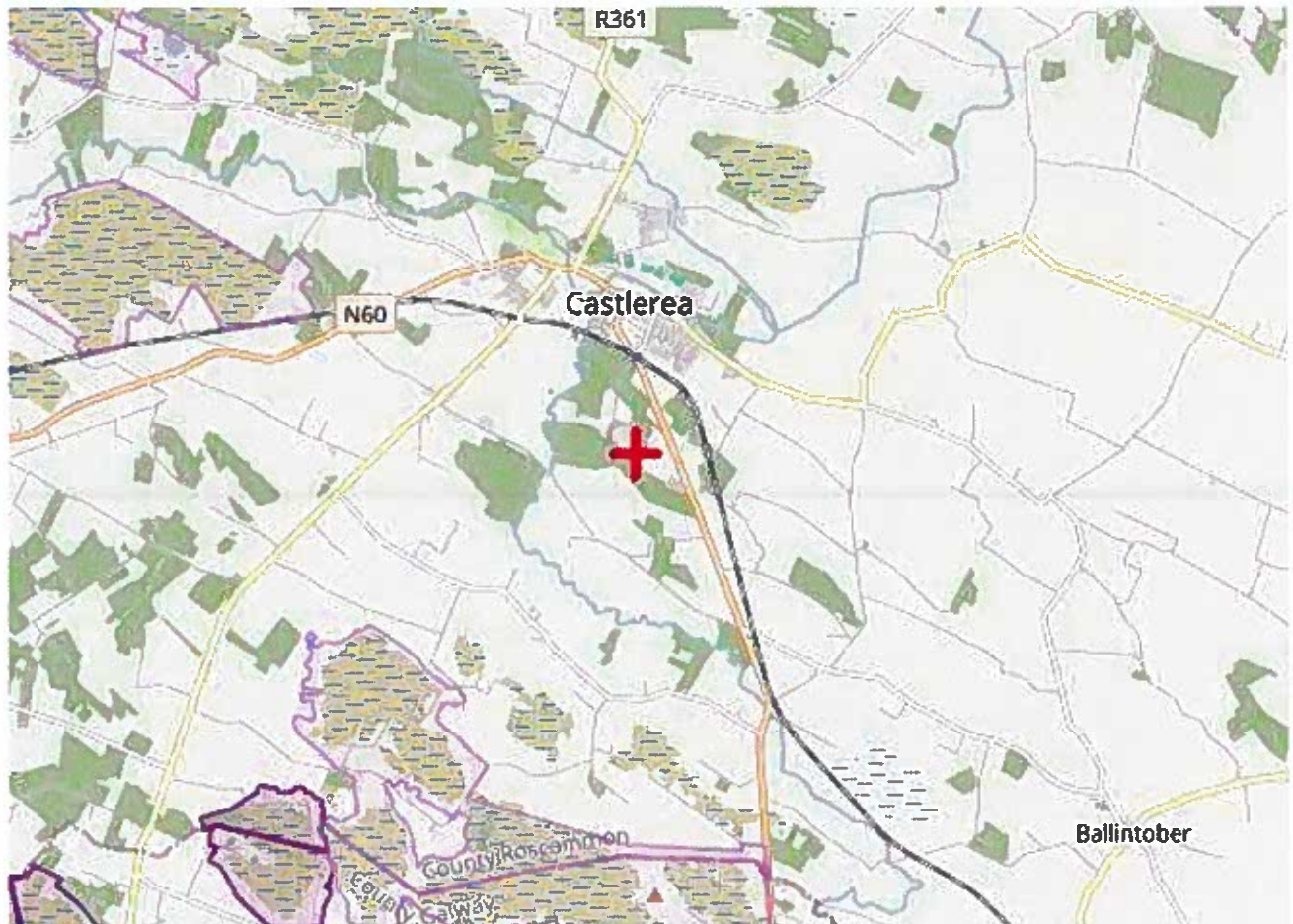


Figure 8: NHAs and pNHAs in the context of the subject site (Source: EPA Mapping)

2.3.9 Archaeology and Protected Structures

There are no recorded monuments or protected structures within the site. The nearest Sites and Monuments Record is c. 350m to the north of the site. This is a cross located on the west side of the avenue to the old Harristown House. The development will not have an effect on this or any other structure.

2.3.10 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.

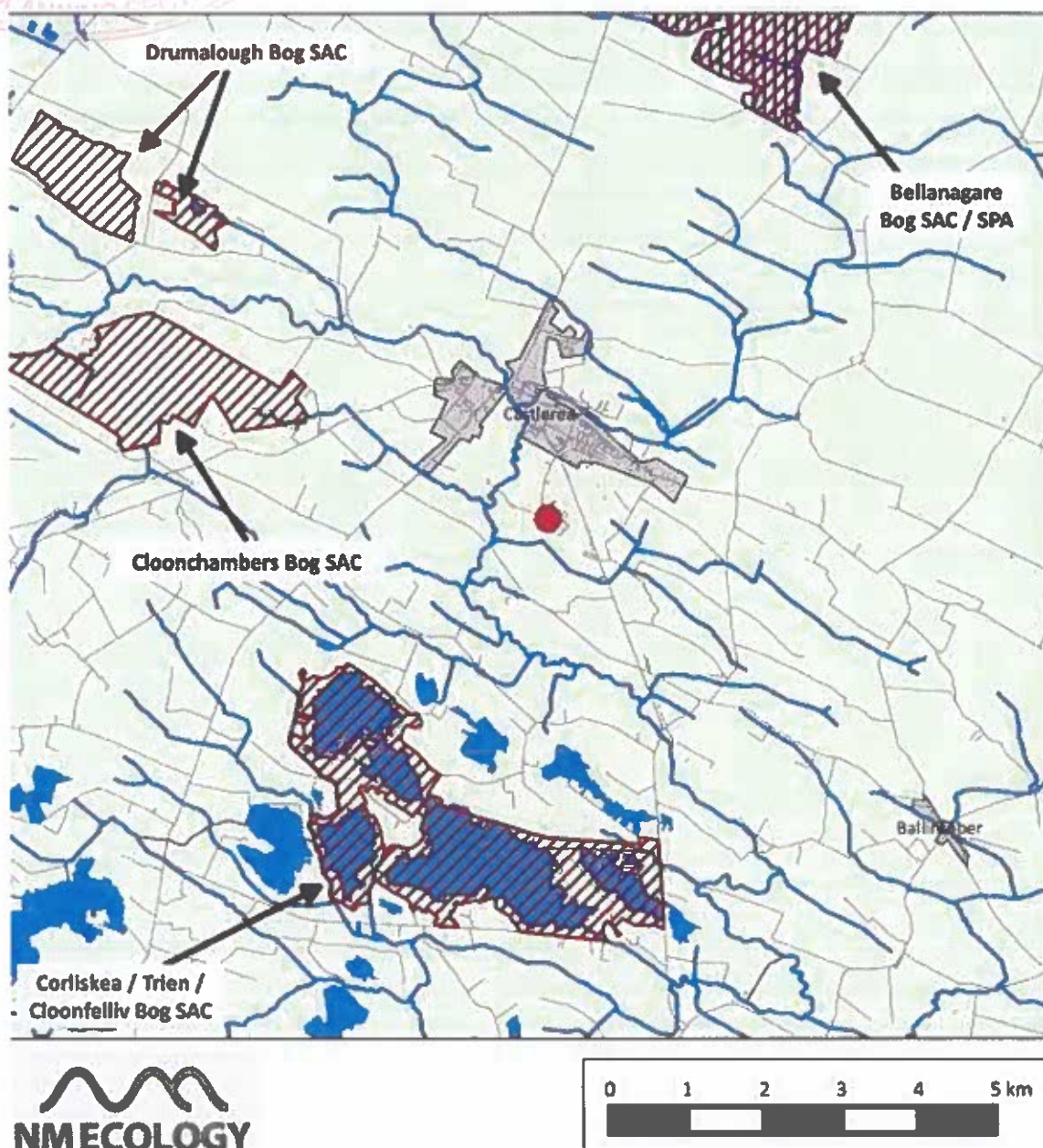


Figure 7: European sites in the context of Castlerea Prison (source: NMEcology)

It has been concluded that there is no likelihood of significant effects on designated sites as a result of the proposed development. This is based on the site neither being within or adjacent to any European sites and direct effects therefore being excluded, on the lack of surface water or other pathways linking the proposed development site to European sites and on habitats within the site being unsuitable for the birds associated with nearby SPAs.

2.3.8 Natural Heritage Areas (NHAs) and Proposed Natural Heritage Areas (pNHAs)

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). Additionally, the (000221 Moorfield Bog/Farm Cottage) NHA and (000235 Bracklagh Bog) NHA are located 5km and 6.6km from the subject site respectively. Due to the distance

		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 River Suck and associated tributary are not within or directly adjacent to the proposed development. Surface water connection to the sites is therefore ruled out. As the closest designated site is 3km away, if pollutants were to soak into the ground at the site they would have to pass through this distance of subsoil before reaching the European site. Groundwater pathways are therefore ruled out. Furthermore, all of the designated sites noted in Table 1 are raised bogs which are not associated with surface or groundwater features and GSI vulnerability in at the proposed development site is low.



2.3.5 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)

2.3.6 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.

2.3.7 Designated sites

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). Designated sites were considered using the source-pathway-receptor model which identifies potential pathways between source and site. The site is not within or adjacent to any designated European sites and thus no direct impacts are considered possible. The nearest European site is located c. 3km south-west of the subject site: the 'Corliskea / Trien / Cloonfelliv' Bog SAC.

Table 1: Relevant European sites proximate to the subject 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



Figure 4: River Waterbodies in the context of the subject site (Source: EPA Maps)

Flood maps do not indicate any flooding designations.

2.3.4 Aquifer and Groundwater

The prison is located over "Locally Important Aquifer – Bedrock" (LI) and "Regionally Important Aquifer – Karstified" (Rkc). The section of the prison within which the proposed development is located is defined by the latter (Rkc). This is described as an aquifer which is significant for water supply at a regional scale, capable of supplying yields of >400 m³/d. Within the prison boundary, rainwater either enters the prisons' internal drainage system or soaks into the ground. The GSI vulnerability is defined as "Low" [L].

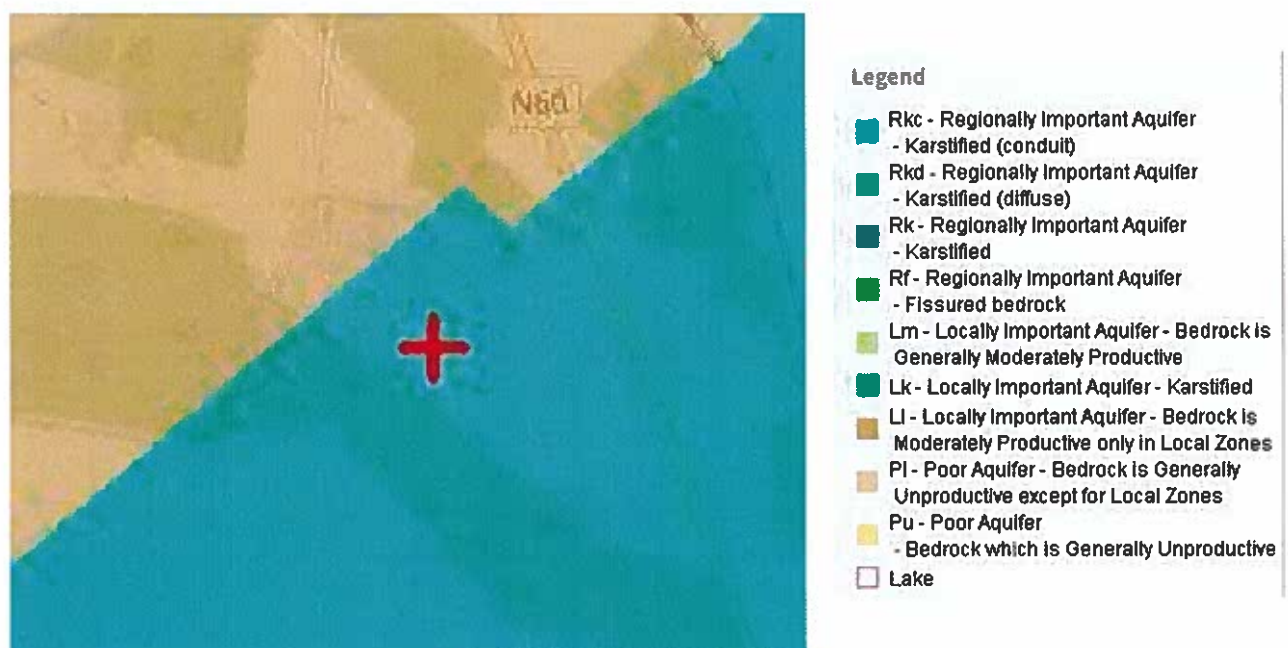


Figure 5: Aquifers in the vicinity of the Site (Source: GSI Maps)



2.3.3 Hydrology

There are no watercourses recorded on the site in the EPA mapping. The closest watercourse is the River Suck (EPA Code: 26S07), located approximately 900 m north-west of the proposed development site. A tributary of the River Suck is also located approx. 220 m south of the site (EPA Code: 26H03). Water in this tributary travels westwards, merging with the River Suck c. 860m from the site. 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 Castlerea are of good or high status.



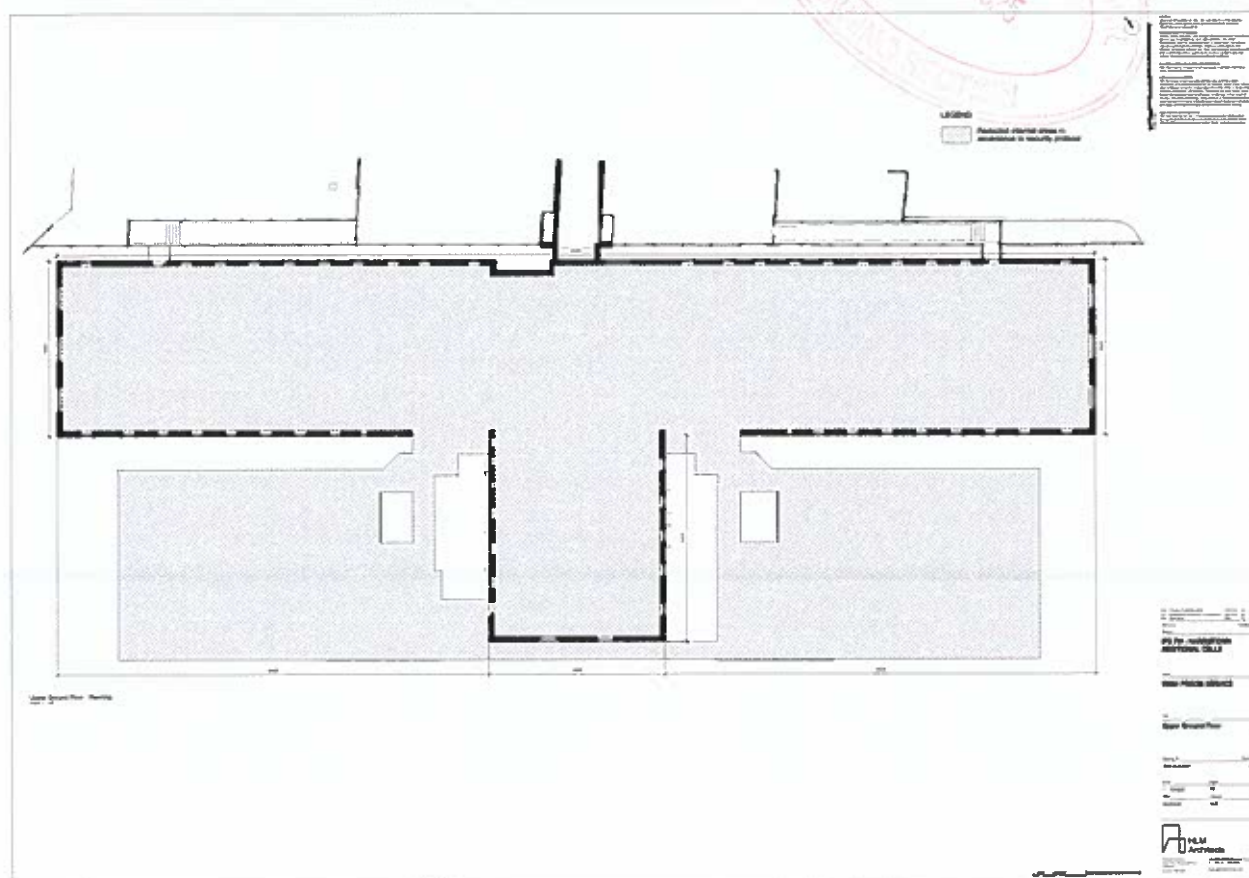


Figure 3: Harristown Block existing floor plan (Source: HLM Architects)

2.3 Environmental Sensitivities of the Site

The information set out below was derived from the data available within the EPA Mapping Tool, Geological Survey Ireland Spatial Resources mapping (GSI Mapping), 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 an examination of the information available on Geological Survey Ireland Spatial Resources the bedrock (Bedrock Lithology 100k) is comprised of 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

The EPA mapping indicates the subsoils at the subject site are 'Manmade'. The area outside the prison boundary is 'Sandstone Till (Devonian)'.



Figure 2: Site outline (source: MDB & ArcGIS)

2.2 Site Description

The proposed development will be located to the south-east of Castlerea Prison, within the existing Harristown Block. This is located within the boundary of the prison's high boundary wall. This block currently consists of 64 no. cells and ancillary accommodation spread over three floors. Each floor consists of a south, east and west wing and circle. The lower ground floor is under-used, predominantly providing for utility, access and operational functions of the building. South, east and west wings on the upper floors house cells and rooms accommodating a variety of functions inclusive of but not exclusive to recreation, office and educational uses. Circle areas on these floors include staff toilets, offices, store areas and escape stairs. Two segregation yards are located to the east and to the west of the south wing.





2. THE SITE AND SURROUNDINGS

2.1 Site Context

Castlerea Prison is located in a predominantly agricultural landscape with low-density rural housing, c.1.5km from the centre of Castlerea Town. The south-west of the prison is defined by a conifer forested area while c. 200 and 500m to the north of the prison boundary respectively lie the N60 road and Dublin/Ballina railway line. The prison area is c. 10.2 ha and its layout is defined by a variety of building types interspersed with open space. A large tract of open space defines the southern portion of the prison. To the north of the boundary wall lies the visitor's centre and associated car park.



Figure 1: Location of the subject site (source: MDB& ArcGIS)

The Prison is a closed, medium security prison complex located south of the N60 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 male 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.

- Step 1: Understanding the proposal (non-statutory).
- Step 2: Preliminary examination and conclusion (statutory).
- Step 3: Screening determination (statutory).

Where a 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 and state the reasons,
- 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 Development Plan 2022-2028
- Roscommon County Council Planning Application Portal
- An Bord Pleanála website
- EPA - <https://gis.epa.ie/EPAMaps/>
- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>
- Historic environment viewer [Historic Environment Viewer \(archaeology.ie\)](http://www.archaeology.ie)
- NPWS Designations Viewer [NPWS Designations Viewer \(arcgis.com\)](http://www.arcgis.com)

In addition to the above, an Appropriate Assessment Screening dated 30th January 2025 prepared by NM Ecology was used to inform this document.



1. INTRODUCTION

1.1 Background

This report has been prepared by MacCabe Durney Barnes on behalf of the Irish Prison Service (IPS), to support a screening determination for Environmental Impact Assessment (EIA) in respect of a referral pursuant to section 5 Planning and Development Act 2000 as amended, in relation to works at the Harristown Block, Castlerea Prison, County Roscommon. It has been prepared in respect of the proposed conversion of lower ground floor level to accommodate 34 no. additional cell units with recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices. Two courtyards extending to the east and west of the south wing are also proposed.

This document has been prepared to assist Roscommon County Council, the competent authority (CA), in their screening of the proposed works at the subject site as part of the Section 5 referral.

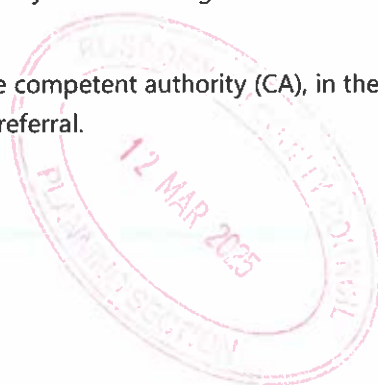
1.2 Legislation and Guidance

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 the relevant Planning and Development legislation. The methodology has 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).



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Environmental Impact Assessment Screening

34 no. Additional Cell Units, Harristown Block, Castlerea
Prison

10 March 2025



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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.

References

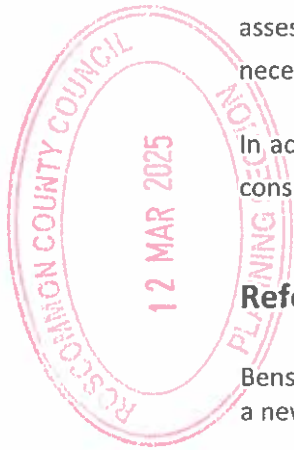
Benson, L. (2009) Use of inland feeding sites by Light-bellied Brent Geese in Dublin 2008-2009: a new conservation concern? *Irish Birds* 8: 563-570.

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Office of the Planning Regulator 2021. *Practice Note PN01: Appropriate Assessment Screening for Development Management*. Available online at opr.ie





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 covers a building and adjoining grassland, which would be unsuitable for geese. For this reason, 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 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

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 surrounding surface water features. They are typically underlain by a layer of 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

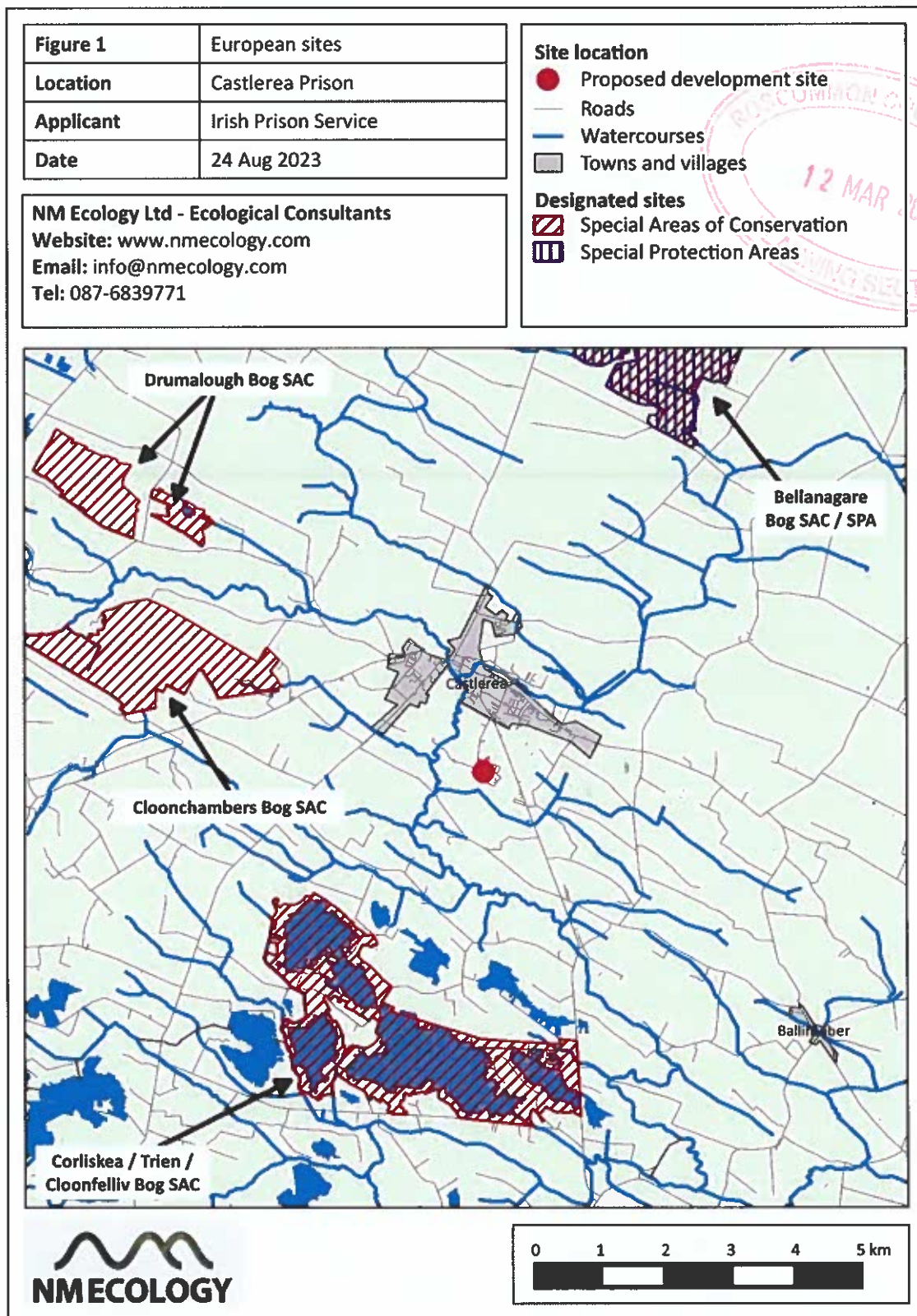
There is no possibility that any pollutants could travel 3 km over land to reach any European sites, so it can be ruled out as a pathway.

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.



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.



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 is comprised of works to the Harristown Block within the curtilage of Castlerea Prison. The IPS intend undertake conversion of the under-used lower ground floor into 34 no. additional cell units. Two courtyards extending to the east and west of the south wing are also proposed. The works proposed will include the addition of new cell dividing walls, floor, doors and windows throughout the building along with mechanical, electrical and drainage works to support the conversion.

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.

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 January 2025.

2 Description of the Project

2.1 Environmental setting

Site location and surroundings

The proposed development site (hereafter referred to as 'the Site') is within the existing Harristown Block in the south-east of Castlerea Prison, within the prison's boundary wall. The Harristown Block currently consists of 64 no. cells and ancillary accommodation spread over three floors.

The remainder of the prison complex includes a range of structures, amenity grassland, horticultural land, and other associated features, all enclosed within a boundary wall. Outside the prison complex the broader surroundings consist mainly of conifer plantations, with some agricultural land and low-density rural housing.

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 eighteen years of professional experience, including fifteen 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.

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 alteration / conversion of existing buildings to create additional cells and facilities.

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.





Screening for Appropriate Assessment

Additional Cell Units, Harristown Block,
Castlerea Prison

10 March 2025



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MACCABE DURNEY BARNES

PLANNING | ENVIRONMENT | ECONOMICS

Our Ref: 2285

Roscommon City Council,
Planning Registry Section,
Áras an Chontae,
Roscommon,
County Roscommon,
F42 VR98.



11th March 2025

Re: Section 5 application

Dear Sir/Madam,

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 34 no. cell units within the existing lower ground floor, provision of recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices and the development of two yards within the Harristown Block at Castlereagh Prison is or is not development and is or is not exempted development?"


Please find 2 copies 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. Site plan 1-500
7. Site plan 1-2500
8. Lower ground floor plan
9. Upper ground floor plan
10. First floor plan

Yours sincerely



Jerry Barnes
MACCABE DURNEY BARNES



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	Conversion of lower ground floor to 34 no. cell units
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Castlerea Prison, Harristown, Castlerea, County Roscommon, Ireland
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>6,615sqm</u> b) <u>6,651 sqm</u>
Height above ground level:	Up to first floor within existing building
Total area of private open space remaining after completion of this development	n/a
Roofing Material (Slates, Tiles, other) (Specify)	n/a

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	n/a
Is proposed works located at front/rear/side of existing house.	Within and to the rear of the Harristown Block (yards)
Has an application been made previously for this site	No
If yes give ref. number (include full details of existing extension, if any)	n/a
Existing use of land or structure	Prison accommodation
Proposed use of land or structure	Increased capacity prison accommodation
Distance of proposed building line from edge of roadway	Within the curtilage of Castlerea Prison
Does the proposed development involve the provision of a piped water supply	Yes
Does the proposed development involve the provision of sanitary facilities	Yes, new ventilated waste pipe discharging to existing external foul lines

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

Signature:



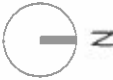
Date:

4th March 2025

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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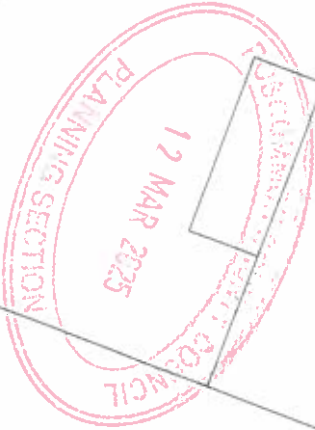


Extent of works

DESIGN/SKETCH DESIGN
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P03	STAGE 5 PLANNING ISSUE	28/02/2025	PB	AOD
P02	PRELIMINARY ISSUE FOR INFORMATION	25/02/2025	PB	AOD
P01	PRELIMINARY ISSUE FOR INFORMATION	28/01/2025	PB	AOD
Rev	Description	Date	By	Chk
Revisions	Suitability			
Project				

IPS FW - HARRISTOWN
ADDITIONAL CELLS

Client

IRISH PRISON SERVICE

Title

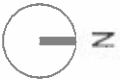
Site Plan 1-500

Drawing No.	Revision
IPSH-HLM-0003	P06
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Date	Checked
11/03/2025	AOD



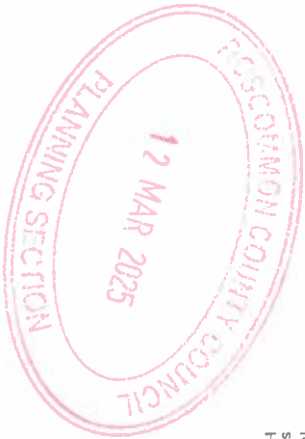
Site Plan 1-500

Scale: 1 : 500



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LEGEND:

 Site Area :Extent of works



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P03	STAGE 5 PLANNING ISSUE	28/02/2025	PB	AOD
P02	PRELIMINARY ISSUE FOR INFORMATION	25/02/2025	PB	AOD
P01	PRELIMINARY ISSUE FOR INFORMATION	28/01/2025	PB	AOD
Rev	Description	Date	By	Chk
Revisions				Suitability
Project				

IPS FW - HARRISTOWN
ADDITIONAL CELLS

Client

IRISH PRISON SERVICE

Title

Site Plan 1-2500

Drawing No.	Revision
IPSH-HLM-0001	P06
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Site Plan 1-2500
Scale: 1 : 2500



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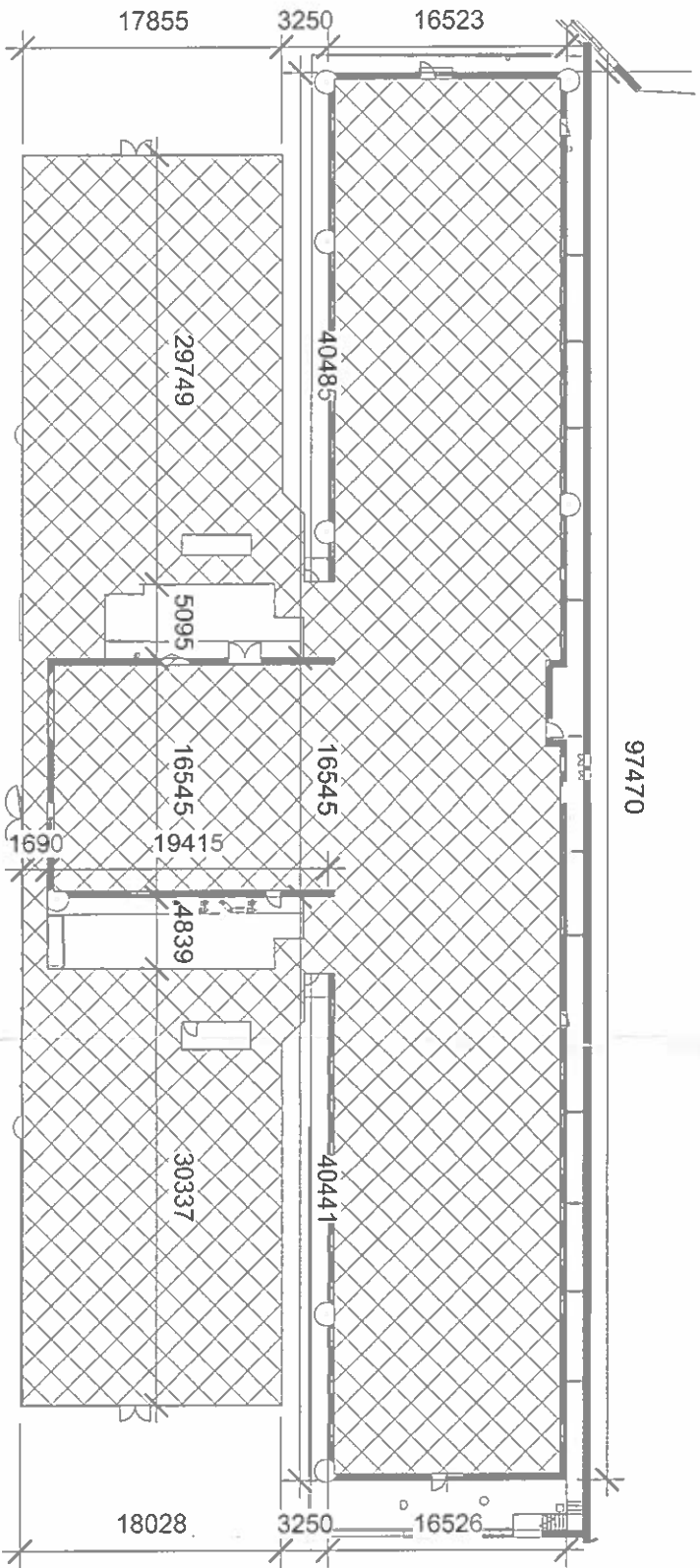
DESIGN/SKETCH DESIGN
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Redacted internal areas in accordance to security protocol



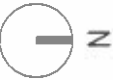
Lower Ground Floor - Planning 1-500
Scale: 1 : 500



Revisions		Suitability	
Project			
IPS FW - HARRISTOWN ADDITIONAL CELLS			
Client			
IRISH PRISON SERVICE			
Title			
Lower Ground Floor			
Drawing No.	Revision		
IPSH-HLM-0110	P06		
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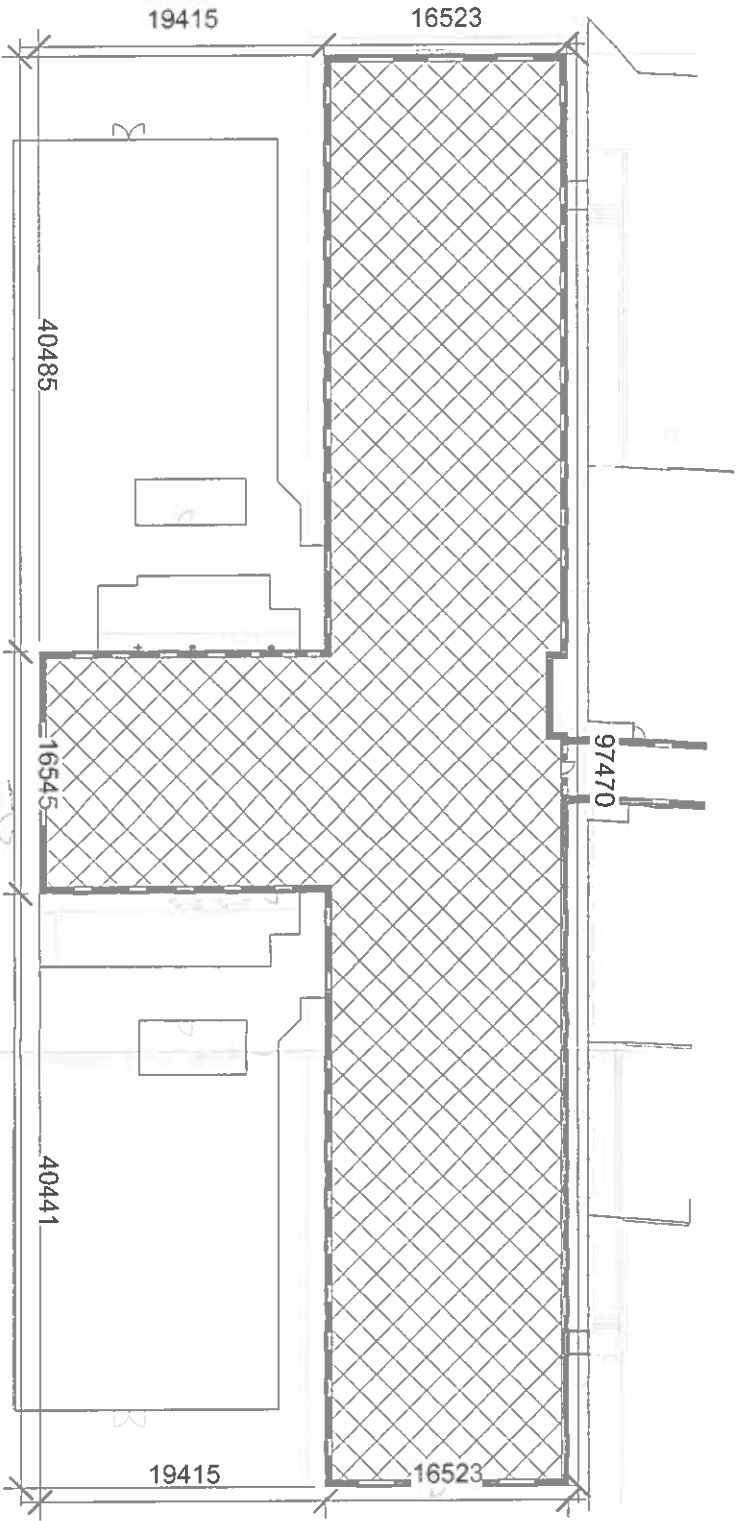
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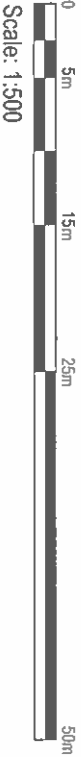
LEGEND:



Redacted internal areas in accordance to security protocol



First Floor - Planning 1-500
Scale: 1 : 500



Drawing No.		Revision	
IPSH-HLM-0112		P06	
Scale	1 : 500 @A3	Drawn	PB
Date	11/03/2025	Checked	AOD

**IPS FW - HARRISTOWN
ADDITIONAL CELLS**

IRISH PRISON SERVICE

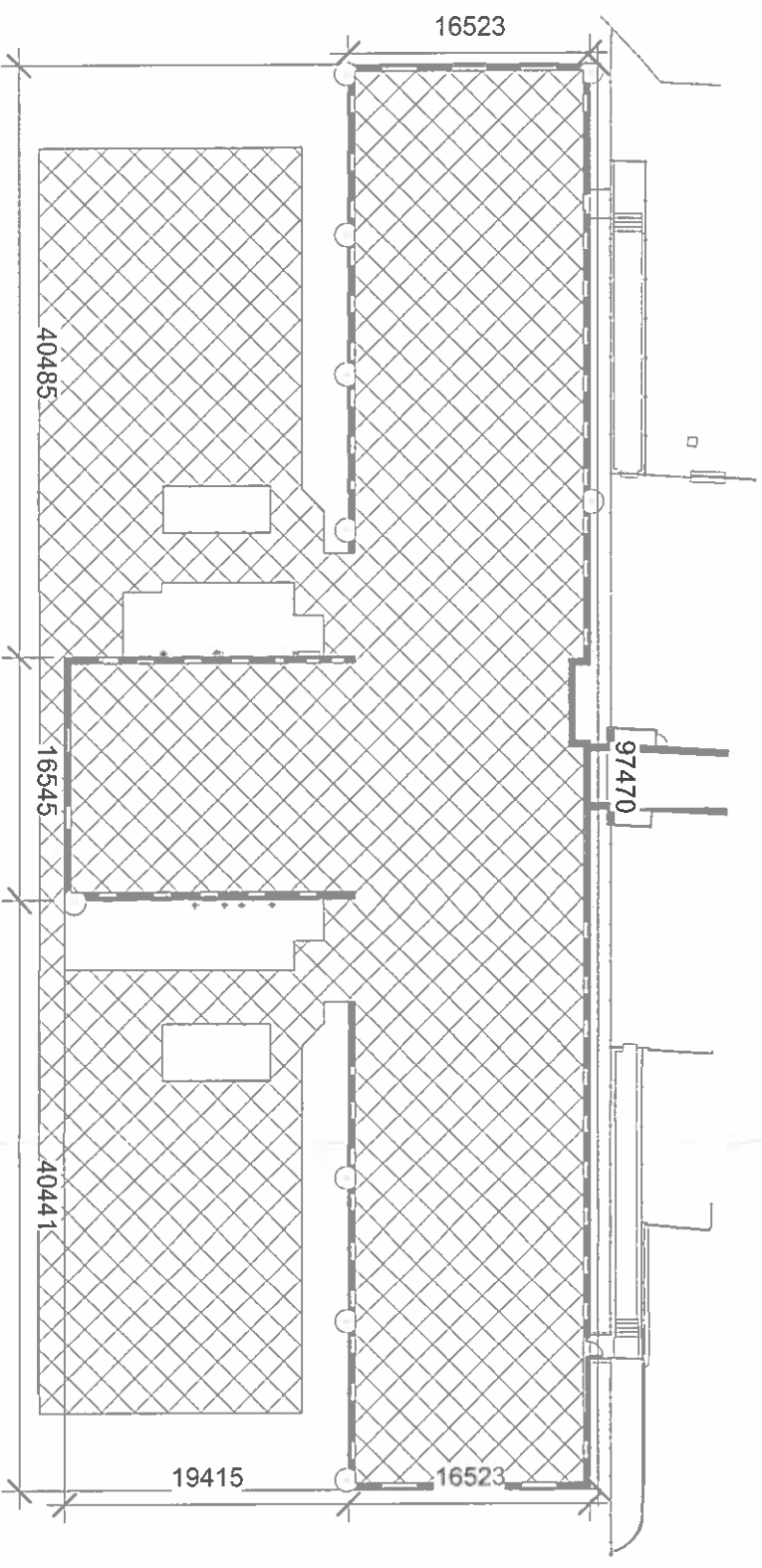
First Floor

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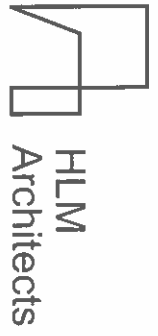
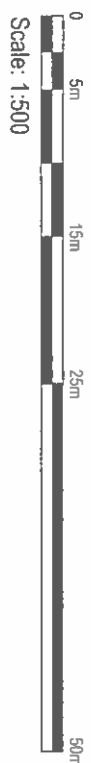


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LEGEND:
 Redacted internal areas in accordance to security protocol



Upper Ground Floor - Planning 1-500
Scale: 1 : 500



P06 STAGE 5 PLANNING 11/03/2025 PB AOD				
ISSUE				
Rev	Description	Date	By	Chk
Revisions				
Project				
Suitability				
IPS FW - HARRISTOWN				
ADDITIONAL CELLS				
Client				
IRISH PRISON SERVICE				
Title				
Upper Ground Floor				
Drawing No.		Revision		
IPSH-HLM-0111		P06		
Scale		Drawn		
1 : 500 @A3		PB		
Date		Checked		
11/03/2025		AOD		



Section 5 Reference

34 no. Additional Cell Units, Harristown Block, Castlerea Prison

10 March 2025



MACCABE DURNEY
BARNES
Planning Environment Economics



Document status

Job Number: 2285

Job Title: 34 no. Additional Cell Units, Harristown Block, Castlerea Prison

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
0	Review	LC	JB	JB	11/03/25

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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 2000).

Referrer: IPS acting for the Minister for Justice

Address of referrer: IDA Business Park, Ballinalee Road, Longford N39 A308. IPS contact name is Joseph Gill.

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

Planning Authority: Roscommon County Council (RCC)

This report has regard to the provisions of the Development Management Guidelines for Planning Authorities, June, 2007. The Guidelines provided in Section 9.4 note 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 to 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.

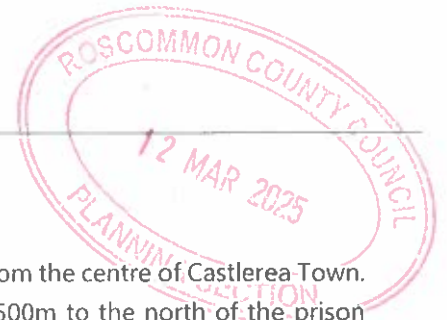
1.2 Question to be determined

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

"Whether the construction of 34 no. cell units within the existing lower ground floor, provision of recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices and the development of two yards within the Harristown Block at Castlerea Prison is or is not development and is or is not exempted development?"

1.3 Executive summary

The IPS consider that pursuant to the relevant legislation, the proposed construction of additional cells and yards 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 as they are for the accommodation of the existing prison population. The IPS request the Planning Authority to confirm this position in a Section 5 declaration. The IPS recently sought Section 5 declarations from RCC in relation to works within the curtilage of Castlerea Prison and RCC issued declarations dated the 22nd September 2023, and the 17th September 2024 that the works for the provision of additional accommodation was development and was exempted development (Roscommon County Council Ref. DED 607 & 752).



2. SITE LOCATION AND DESCRIPTION

Castlerea Prison is located in a predominantly agricultural landscape, c.1.5km from the centre of Castlerea Town. The south-west of the prison is defined by a forested area while c. 200 and 500m to the north of the prison boundary respectively lie the N60 road and Dublin/Ballina railway line. The prison area is c. 10.2 ha and its layout is defined by a variety of building types interspersed with open space. A large tract of open space defines the southern portion of the prison. To the north of the boundary wall lies the visitor's centre and associated car park.



Figure 1: Location of the subject site (source: MDB& ArcGIS)

The Castlerea Prison is a closed, medium security prison complex located south of the N60 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 male 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.

Section 5 Reference – 34 No. Additional Cell Units, Harristown Block, Castlerea Prison



Figure 2: Site outline (source: MDB & ArcGIS)

The proposed development will be located to the south-east of Castlerea Prison, within the existing Harristown Block. This block currently consists of 64 no. cells and ancillary accommodation spread over three floors. Each floor consists of a south, east and west wing and circle. The lower ground floor is under-used, predominantly providing for utility, access and operational functions of the building. South, east and west wings on the upper floors house cells and rooms accommodating a variety of functions inclusive of but not exclusive to recreation, office and educational uses. Circle areas on these floors include staff toilets, offices, store areas and escape stairs. Two segregation yards are located to the east and to the west of the south wing.



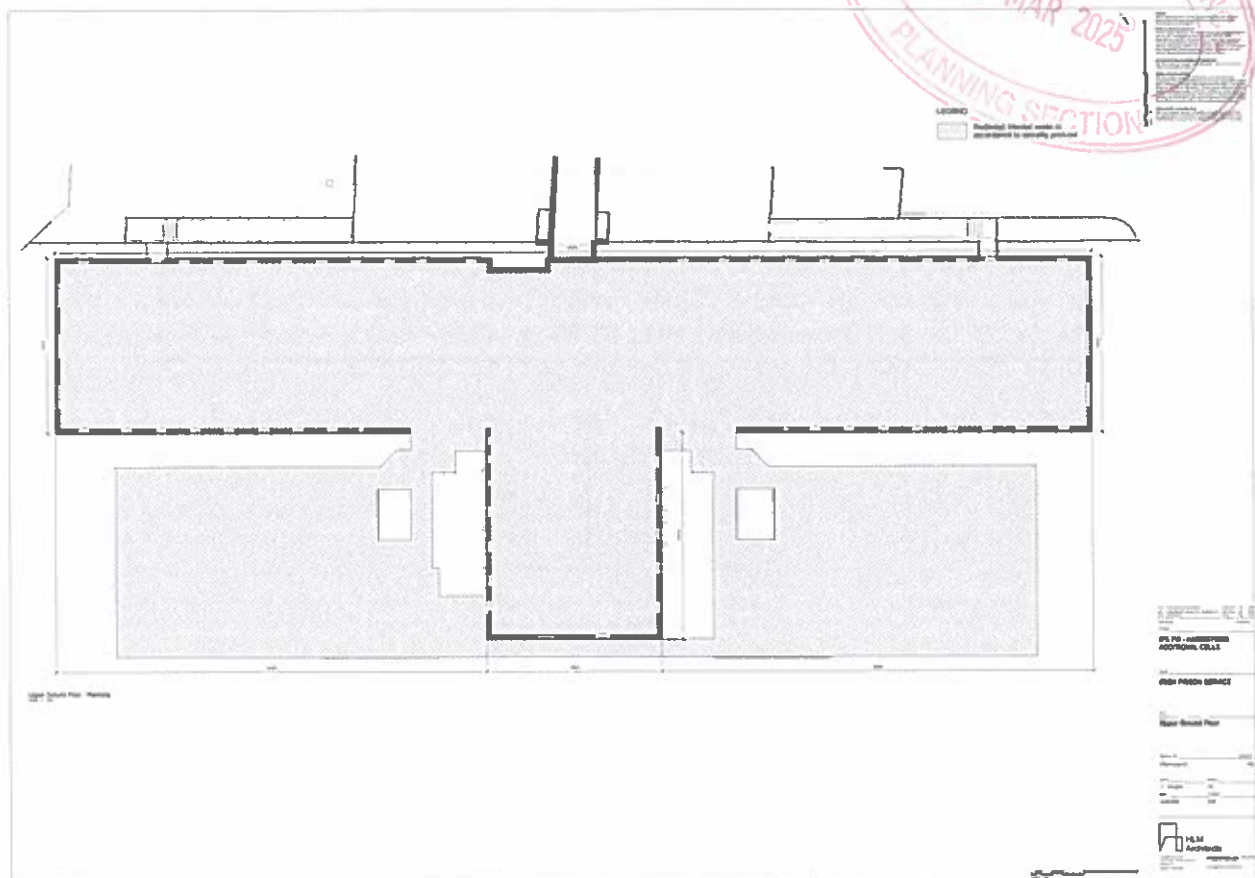


Figure 3: Harristown Block existing floor plan (Source: HLM Architects)

3. PROPOSED DEVELOPMENT

The proposed development is comprised of works to the Harristown Block within the curtilage of Castlereagh Prison. The IPS intend undertake conversion of the under-used lower ground floor level into 34 no. additional cell units with recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices. Two courtyards with observation huts and toilets extending to the east and west of the south wing are also proposed in addition to an external wood pellet storage silo. The works proposed will include the addition of new cell dividing walls, floor, doors and windows throughout the building along with mechanical, electrical and drainage works to support the conversion.

The unit mix of proposed additional cells has the potential to accommodate for a total of 31 no. standard inmates and 3 no. disabled inmates. In the case that units are furnished to accommodate bunk beds and disabled cells are utilised as double cells this total increases to 68 no. persons. This mix is as follows:

- 31 no. standard & 3 no. disabled/double cells at lower ground floor level.

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

Section 5 Reference – 34 No. Additional Cell Units, Harristown Block, Castlereagh Prison

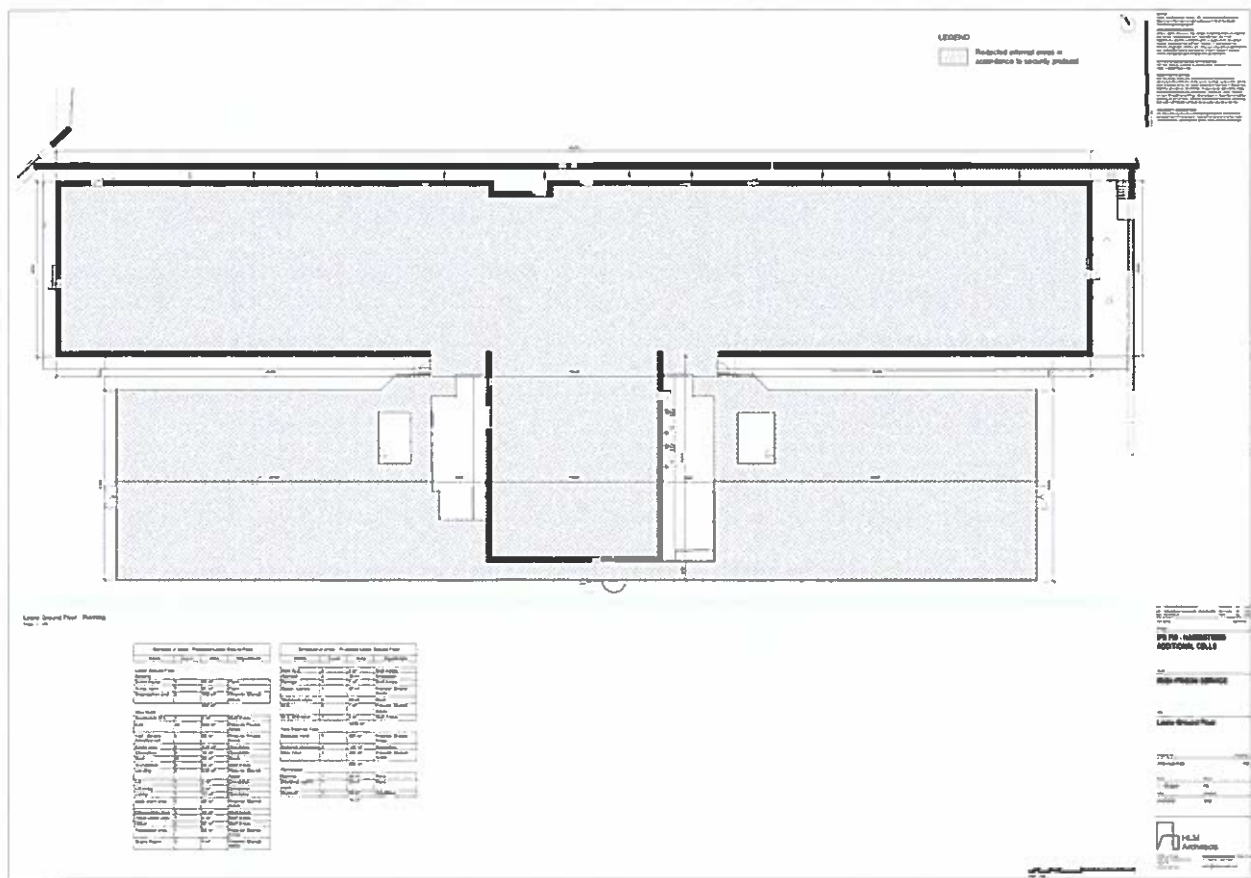


Figure 4: Proposed lower ground floor plan (Source: HLM Architects)



4. RELEVANT PLANNING HISTORY

The following is a summary of relevant proposals notified to the Planning Authority in Roscommon and elsewhere by way of Section 5 declaration. In 2023 and 2024 the IPS sought two separate Section 5 declarations from Roscommon County Council for works at Castlerea Prison. The proposed works were declared as being exempted development in both cases. There are no relevant section 34 or Part 9 planning permissions relating to development at the prison.

4.1 Castlerea Planning History

4.1.1 Section 5 referral

P.A. Reg. Ref: DED 607: The construction of 10. No. bed spaces in modular independent living units at a site 2,080m² at Castlerea Prison, Harristown, Castlerea, Co. Roscommon

Declaration: By virtue of the powers vested in Tracy Davis, Senior Executive Planner on behalf of Roscommon County Council (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 construction of 10. No. bed spaces in modular independent living units at a site 2,080m² at Castlerea Prison, Harristown, Castlerea, Co. Roscommon is development and is exempted development as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

P.A. Reg. Ref: DED 752: The construction of 25 no. modular Independent Living Units (ILU's) and office at Castlerea Prison, Harristown, Castlerea, Co. Roscommon.

Declaration: By virtue of the powers vested in Alan O' Connell, Senior Executive Planner on behalf of Roscommon County Council (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.



5. LEGISLATIVE PROVISIONS

5.1 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, PDA 2000, no such prohibition applies to State Authorities.

5.2 Relevant Legislation

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

5.2.1 Declaration

Section 5 of the PDA 2000 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).

5.2.2 Interpretation and Definitions – General

Section 2 of the PDA 2000 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 PDA 2000 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 PDA 2000 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 PDA 2000 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.

**Section 5 Reference – 34 No. Additional Cell Units, Harristown Block, Castlerea
Prison**

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.





6. APPLICATION OF RELEVANT LEGISLATION

6.1 Does a Question Arise?

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

6.2 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.

6.3 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**.

6.4 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. Being an extension to the currently operational residential Harristown Block, a structure within Castlerea Prison which has inadequate accommodation facilities for the number of inmates. 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.

7. EIA AND AA

The planning authority as the competent authority shall carry out Environmental Impact Assessment (EIA) screening for all plans and projects and Appropriate Assessment (AA). Section 181A of the PDA 2000 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 PDA 2000 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.



8. 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.



Environmental Impact Assessment Screening

34 no. Additional Cell Units, Harristown Block, Castlerea
Prison

10 March 2025



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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 a screening determination for Environmental Impact Assessment (EIA) in respect of a referral pursuant to section 5 Planning and Development Act 2000 as amended, in relation to works at the Harristown Block, Castlerea Prison, County Roscommon. It has been prepared in respect of the proposed conversion of lower ground floor level to accommodate 34 no. additional cell units with recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices. Two courtyards extending to the east and west of the south wing are also proposed.

This document has been prepared to assist Roscommon County Council, the competent authority (CA), in their screening of the proposed works at the subject site as part of the Section 5 referral.

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 the relevant Planning and Development legislation. The methodology has 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).

- Step 1: Understanding the proposal (non-statutory).
- Step 2: Preliminary examination and conclusion (statutory).
- Step 3: Screening determination (statutory).

Where a 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 and state the reasons,
- 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 Development Plan 2022-2028
- Roscommon County Council Planning Application Portal
- An Bord Pleanála website
- EPA - <https://gis.epa.ie/EPAMaps/>
- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>
- Historic environment viewer [Historic Environment Viewer \(archaeology.ie\)](http://archaeology.ie)
- NPWS Designations Viewer [NPWS Designations Viewer \(arcgis.com\)](http://arcgis.com)

In addition to the above, an Appropriate Assessment Screening dated 30th January 2025 prepared by NM Ecology was used to inform this document.



2. THE SITE AND SURROUNDINGS

2.1 Site Context

Castlereagh Prison is located in a predominantly agricultural landscape with low-density rural housing, c.1.5km from the centre of Castlereagh Town. The south-west of the prison is defined by a conifer forested area while c. 200 and 500m to the north of the prison boundary respectively lie the N60 road and Dublin/Ballina railway line. The prison area is c. 10.2 ha and its layout is defined by a variety of building types interspersed with open space. A large tract of open space defines the southern portion of the prison. To the north of the boundary wall lies the visitor's centre and associated car park.

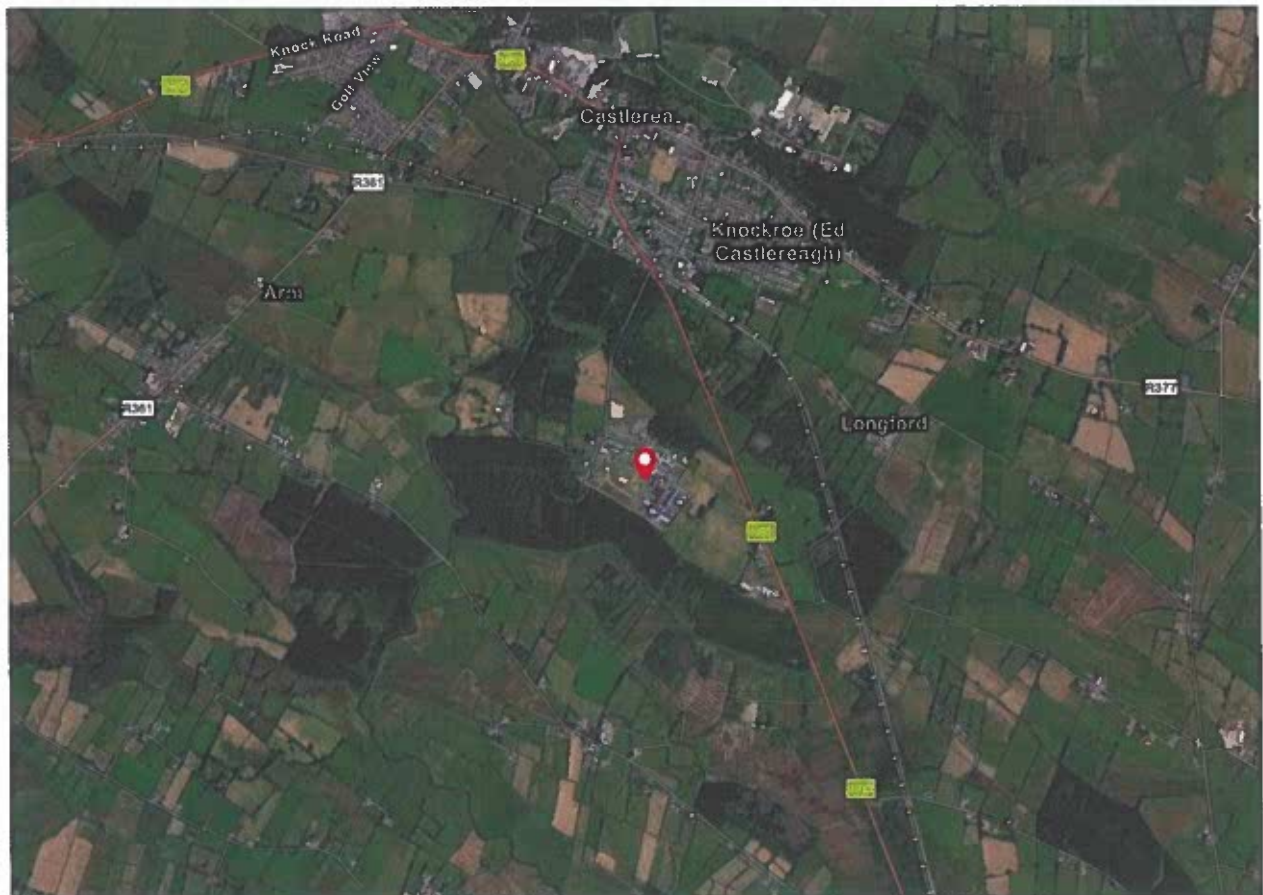


Figure 1: Location of the subject site (source: MDB& ArcGIS)

The Prison is a closed, medium security prison complex located south of the N60 Road to the south of Castlereagh 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 male prisoners. The site is located within the Castlereagh Prison campus and is for the purpose of accommodating prisoners and is within the perimeter walls of the Castlereagh Prison.



Figure 2: Site outline (source: MDB & ArcGIS)

2.2 Site Description

The proposed development will be located to the south-east of Castlereagh Prison, within the existing Harristown Block. This is located within the boundary of the prison's high boundary wall. This block currently consists of 64 no. cells and ancillary accommodation spread over three floors. Each floor consists of a south, east and west wing and circle. The lower ground floor is under-used, predominantly providing for utility, access and operational functions of the building. South, east and west wings on the upper floors house cells and rooms accommodating a variety of functions inclusive of but not exclusive to recreation, office and educational uses. Circle areas on these floors include staff toilets, offices, store areas and escape stairs. Two segregation yards are located to the east and to the west of the south wing.



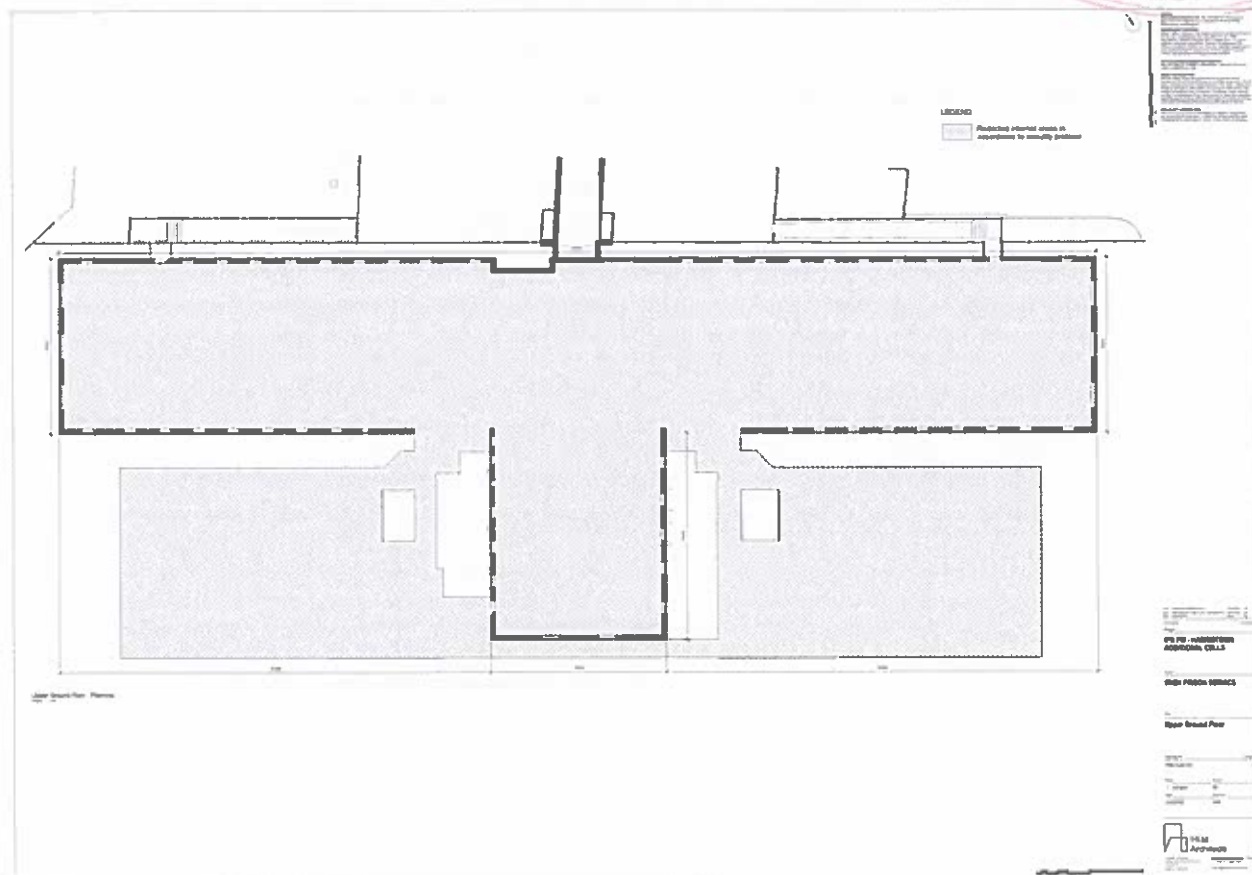


Figure 3: Harristown Block existing floor plan (Source: HLM Architects)

2.3 Environmental Sensitivities of the Site

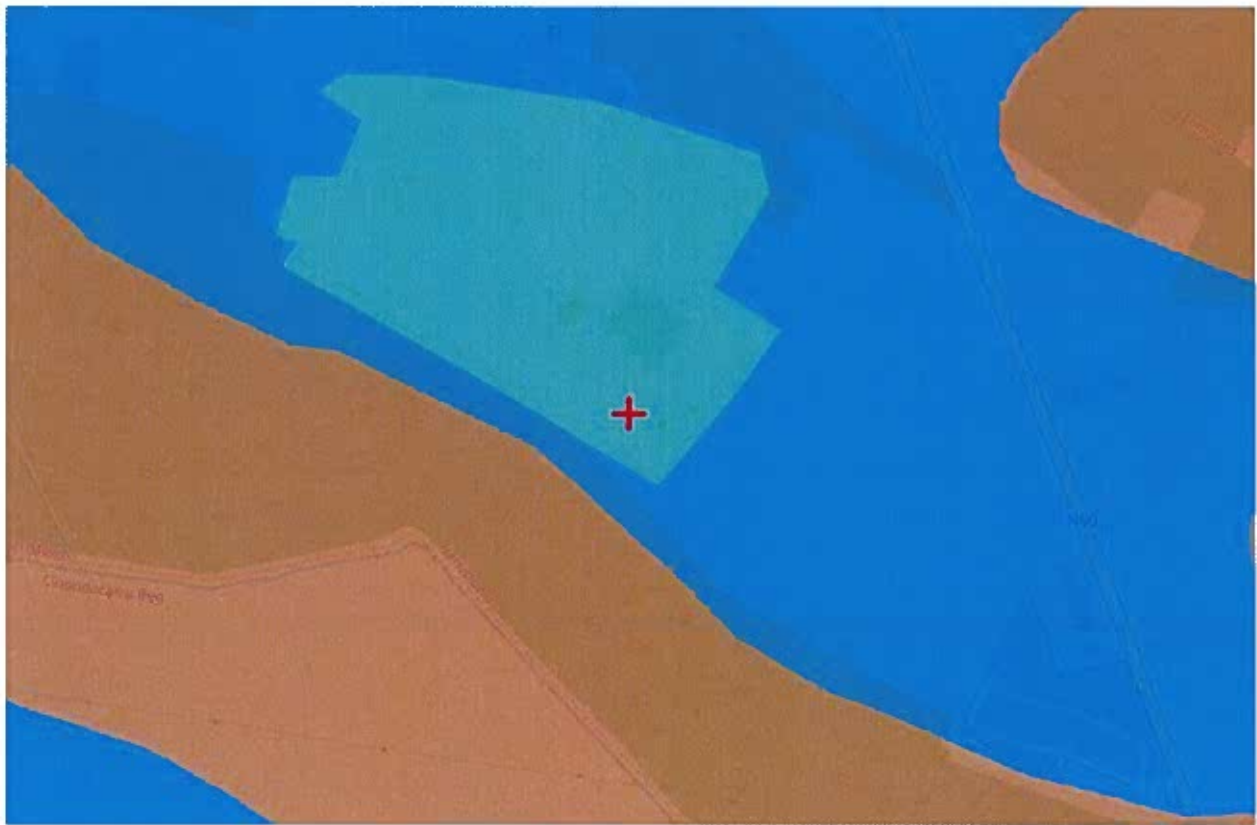
The information set out below was derived from the data available within the EPA Mapping Tool, Geological Survey Ireland Spatial Resources mapping (GSI Mapping), the Roscommon County Council Planning Application Portal, and the relevant local statutory planning documentation, including the Roscommon County Development Plan 2022-2028.

2.3.1 Bedrock

According to an examination of the information available on Geological Survey Ireland Spatial Resources the bedrock (Bedrock Lithology 100k) is comprised of 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

The EPA mapping indicates the subsoils at the subject site are 'Manmade'. The area outside the prison boundary is 'Sandstone Till (Devonian)'.



2.3.3 Hydrology

There are no watercourses recorded on the site in the EPA mapping. The closest watercourse is the River Suck (EPA Code: 26S07), located approximately 900 m north-west of the proposed development site. A tributary of the River Suck is also located approx. 220 m south of the site (EPA Code: 26H03). Water in this tributary travels westwards, merging with the River Suck c. 860m from the site. 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 Castlerea are of good or high status.



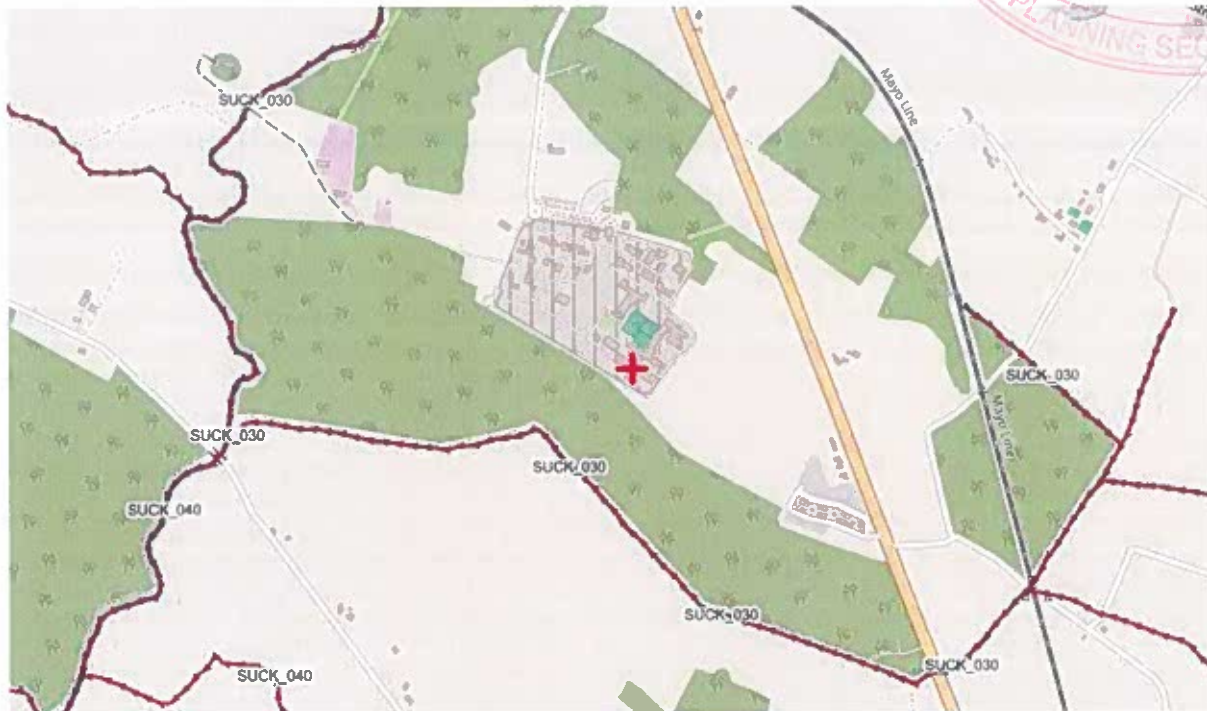


Figure 4: River Waterbodies in the context of the subject site (Source: EPA Maps)

Flood maps do not indicate any flooding designations.

2.3.4 Aquifer and Groundwater

The prison is located over "Locally Important Aquifer – Bedrock" (LI) and "Regionally Important Aquifer – Karstified" (Rkc). The section of the prison within which the proposed development is located is defined by the latter (Rkc). This is described as an aquifer which is significant for water supply at a regional scale, capable of supplying yields of >400 m³/d. Within the prison boundary, rainwater either enters the prisons' internal drainage system or soaks into the ground. The GSI vulnerability is defined as "Low" [L].



Figure 5: Aquifers in the vicinity of the Site (Source: GSI Maps)

2.3.5 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)

2.3.6 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.

2.3.7 Designated sites

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). Designated sites were considered using the source-pathway-receptor model which identifies potential pathways between source and site. The site is not within or adjacent to any designated European sites and thus no direct impacts are considered possible. The nearest European site is located c. 3km south-west of the subject site: the 'Corliskea / Trien / Cloonfelliv' Bog SAC.

Table 1: Relevant European sites proximate to the subject 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 River Suck and associated tributary are not within or directly adjacent to the proposed development. Surface water connection to the sites is therefore ruled out. As the closest designated site is 3km away, if pollutants were to soak into the ground at the site they would have to pass through this distance of subsoil before reaching the European site. Groundwater pathways are therefore ruled out. Furthermore, all of the designated sites noted in Table 1 are raised bogs which are not associated with surface or groundwater features and GSI vulnerability in at the proposed development site is low.



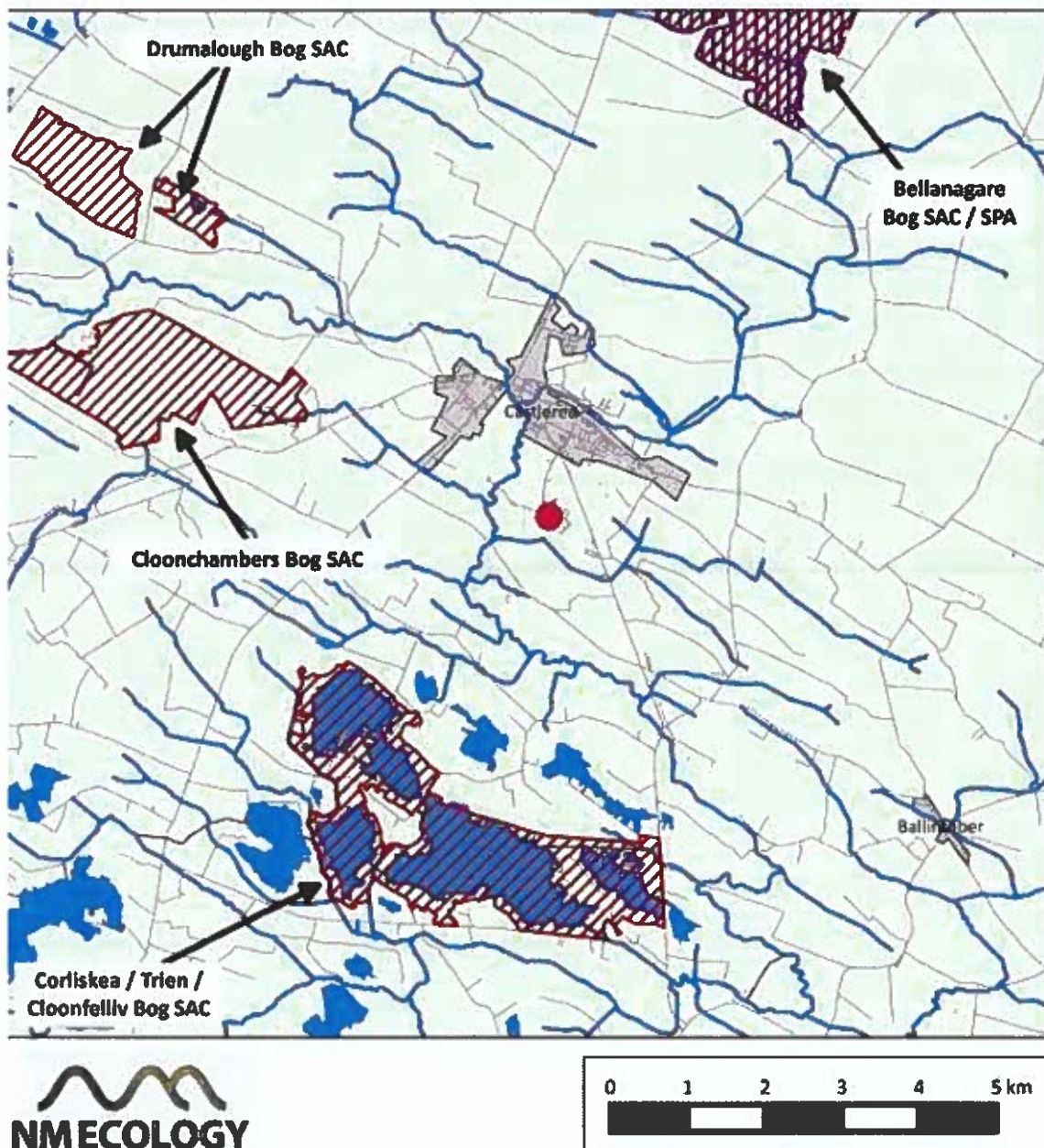


Figure 7: European sites in the context of Castlerea Prison (source: NMEcology)

It has been concluded that there is no likelihood of significant effects on designated sites as a result of the proposed development. This is based on the site neither being within or adjacent to any European sites and direct effects therefore being excluded, on the lack of surface water or other pathways linking the proposed development site to European sites and on habitats within the site being unsuitable for the birds associated with nearby SPAs.

2.3.8 Natural Heritage Areas (NHAs) and Proposed Natural Heritage Areas (pNHAs)

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). Additionally, the (000221 Moorfield Bog/Farm Cottage) NHA and (000235 Bracklagh Bog) NHA are located 5km and 6.6km from the subject site respectively. Due to the distance

to the prison complex, and the relatively small nature of the proposed development, there will be no impacts on the NHAs or pNHAs.

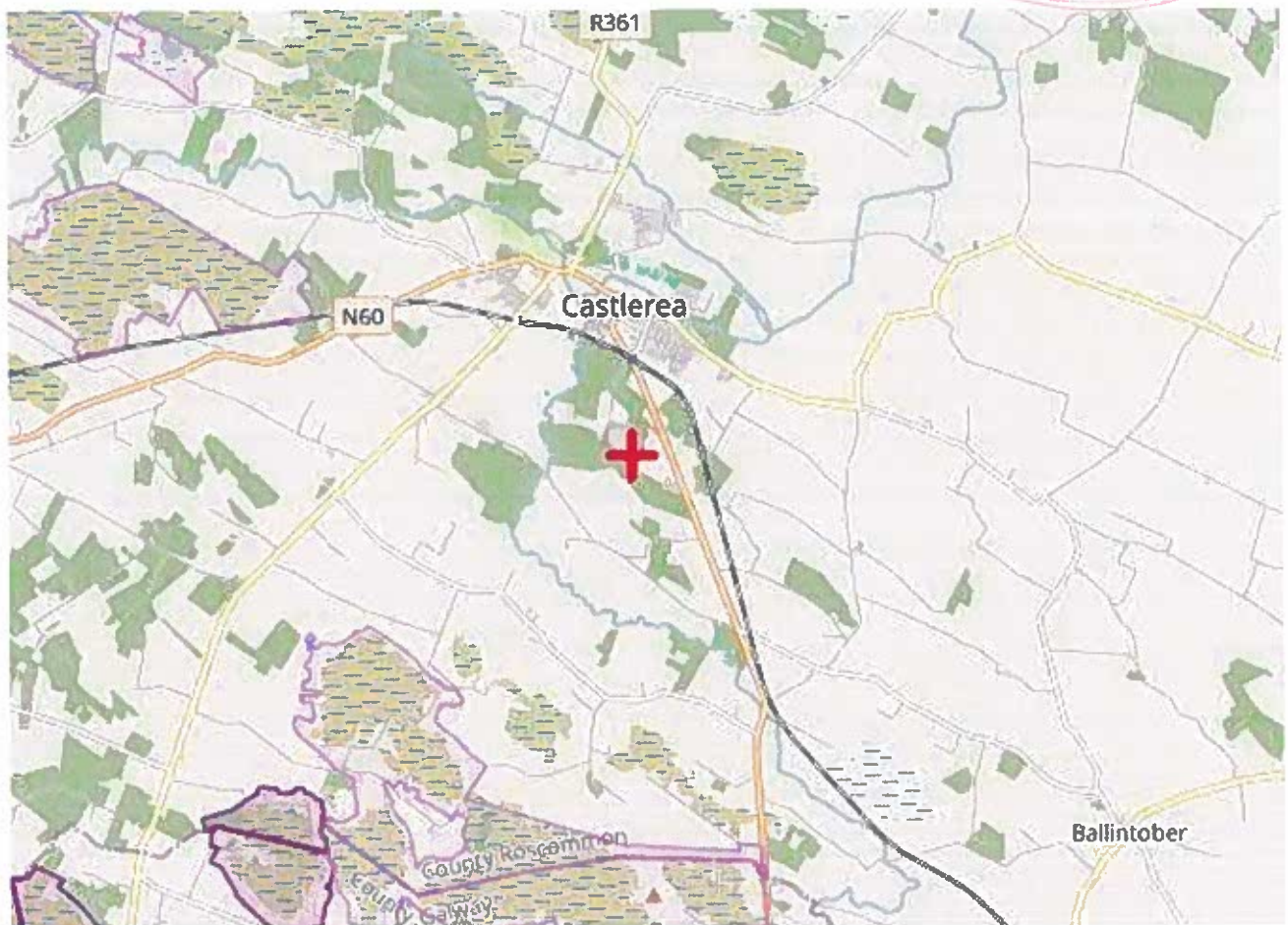


Figure 8: NHAs and pNHAs in the context of the subject site (Source: EPA Mapping)

2.3.9 Archaeology and Protected Structures

There are no recorded monuments or protected structures within the site. The nearest Sites and Monuments Record is c. 350m to the north of the site. This is a cross located on the west side of the avenue to the old Harristown House. The development will not have an effect on this or any other structure.

2.3.10 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.

2.3.11 Ecological nature 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 January 2025 and should be read in conjunction with this report for further detail.

2.3.12 Other Site Environmental Sensitives

There are no additional noted environmental sensitivities associated with the subject site.





3. PROPOSED DEVELOPMENT

The proposed development is comprised of works to the Harristown Block within the curtilage of Castlerea Prison. The IPS intend undertake conversion of the under-used lower ground floor level into 34 no. additional cell units with recreation, video call rooms, lift and staircases serving existing ground floor along with kitchenettes, plant rooms and class offices. Two courtyards with observation huts and toilets extending to the east and west of the south wing are also proposed in addition to an external wood pellet storage silo. The works proposed will include the addition of new cell dividing walls, floor, doors and windows throughout the building along with mechanical, electrical and drainage works to support the conversion.

The unit mix of proposed additional cells has the potential to accommodate for a total of 31 no. standard inmates and 3 no. disabled inmates. In the case that units are furnished to accommodate bunk beds and disabled cells are utilised as double cells this total increases to 68 no. persons. This mix is as follows:

- 31 no. standard & 3 no. disabled/double cells at lower ground floor level.

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.

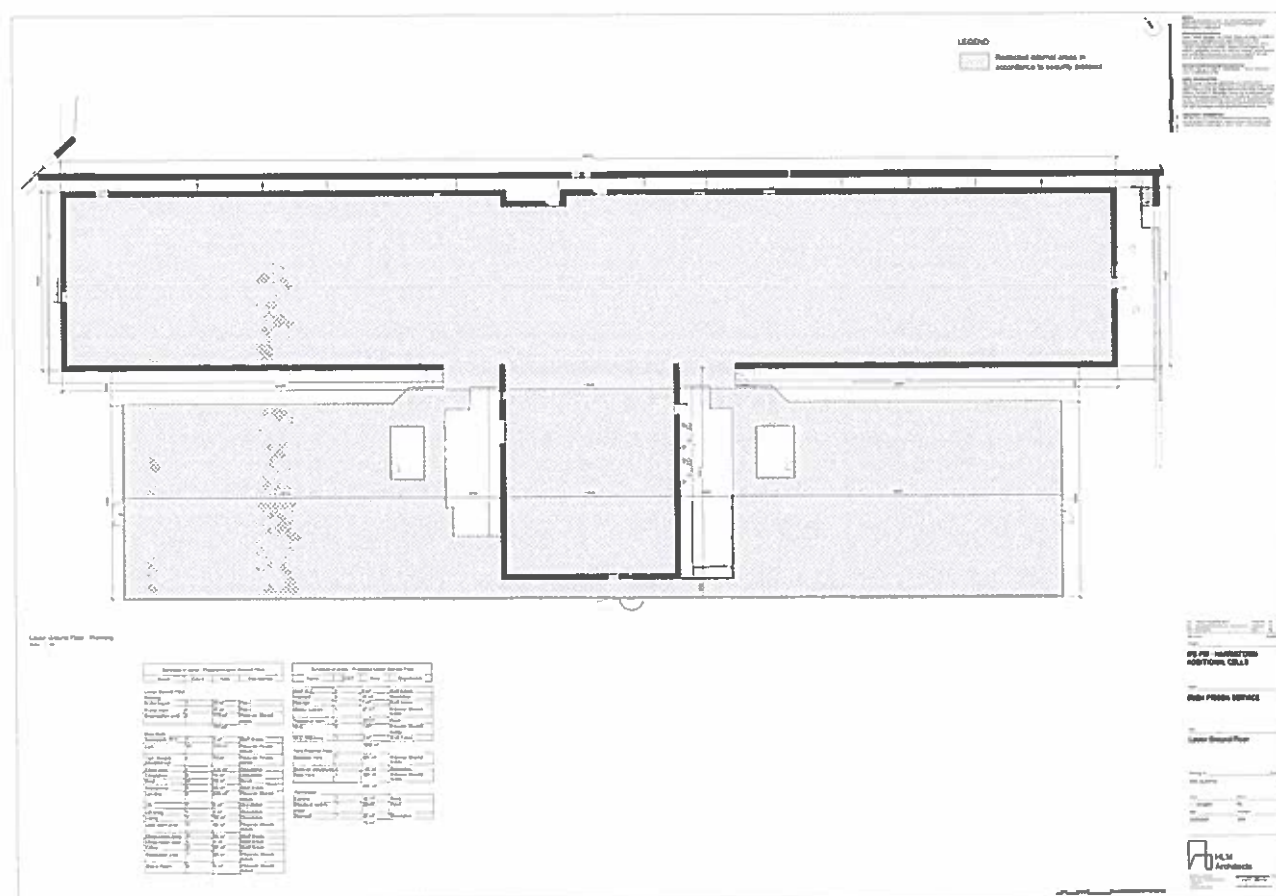


Figure 9: Proposed lower ground floor plan (Source: HLM Architects)

4. PRELIMINARY EXAMINATION

The methodology has 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) which aids planning authorities as the CA in this area.

- Step 1: Understanding the proposal (non-statutory).
- Step 2: Preliminary examination and conclusion (statutory).
- Step 3: Screening determination (statutory).

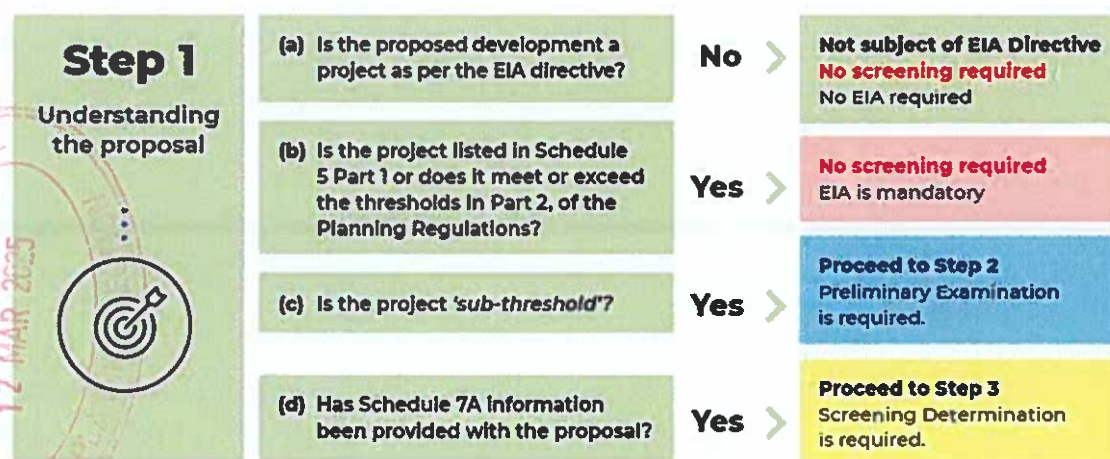


Figure 10: Extract from OPR EIA Screening Guidance Note (Source: OPR)

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

4.1 Understanding the proposal

4.1.1 Mandatory and sub threshold development

EIA is mandatory for certain types of projects as set out in Annex I of the EIA Directive (and Part 1 of Schedule 5 of the PDR 2001). The proposed development does not correspond to a class of development set out in Annex 1 (or Part 1 of Schedule 5 of the PDR 2001) for which EIA would be a mandatory requirement.

EIA is also mandatory for other projects that meet or exceed a stated threshold as set out in Annex II of the Directive (and Part 2 of Schedule 5 of the PDR 2001). The proposed development does not correspond to a class of development meeting or exceeding a threshold as set out in Annex II (or Part 2 of Schedule 5 the PDR 2001) for which EIA would be a mandatory requirement.

'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5 of the PDA2000, but which does not equal or exceed a quantity, area or other limit (the threshold). Having regard to Part 2 of Schedule 5, the Proposed Development may be considered having regard to Classes 10 (b)(i) and 10 (b)(iv) as follows:

10. Infrastructure projects

.....

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

Comment: In relation to the proposed development at Castlerea Prison, the above threshold is relevant. It does not however exceed the threshold of 500 dwelling units as noted in Part 2 of Schedule 5 of the PDR2001.

.....

(b) (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**. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.) provided as part of, and incidental to the primary purpose of, a development.

Comment: As the definition of development in the planning legislation refers to "new works [including alteration and/or demolition]", under the PDA 2000, and the area is 'elsewhere', a CA may consider the assessment under this heading. If the CA concludes that the proposed extension is not a project per the Directive, they need not proceed to Step 2, and no further screening is required. The development is on a site of c. 0.4 ha, in an area deemed 'elsewhere'. This is less than the 20 ha threshold so mandatory EIA does not apply.

In relation to sub-threshold development, the definition of urban development is not defined. EC Guidance 'Interpretation of definitions of project categories of annex I and II of the EIA Directive' (European Union, 2015) recommends that an urban development project should be seen as a project that is urban in nature regardless of its location.

On balance, it may be considered that **the proposed development is sub-threshold infrastructure project** under Paragraph 10 of Part 2 of Schedule 5 of the PDR2001.

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.

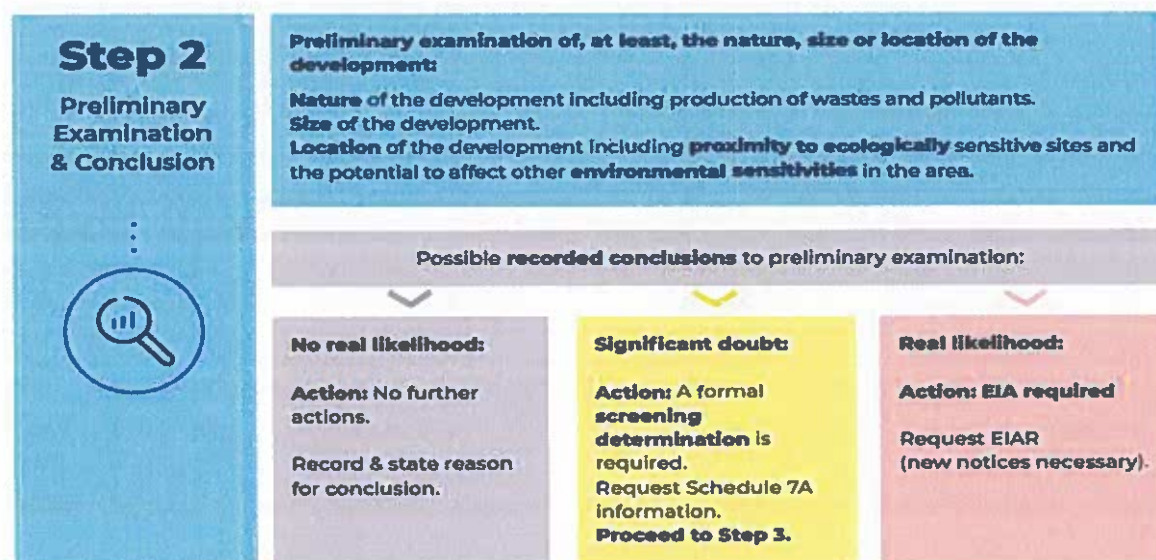


Figure 11: Extract from OPR EIA Screening Guidance Note (Source: OPR)

4.2 Preliminary Examination

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; and

- 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 several questions to assist the preliminary examination.

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

4.2.1 Nature of the development:

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

The proposed conversion of the lower ground floor level of the Harristown Block to cater for 34 no. additional cell units. The addition of cells, class offices, sensory, recreation, video call rooms and two yards to the Harristown Block is not considered exceptional in the context of the prison. All works will be within the curtilage of the prison, with the majority occurring within the aforementioned block, and will enhance existing functions and capacity. Impact on the existing residents of the block will be minimised, with alterations to services at lower ground floor level which may cause significant disruption to the block's users to be avoided. The conversion will not be visible from outside of the prison walls.

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

The proposed development consists of the conversion of an existing building and works on the made ground directly adjacent to it to provide for two new yards. As the construction works will occur within the bounds of the Harristown Block and the yards will be positioned in what is currently open space, no waste will be produced as a result of the demolition of pre-existing structures within the yards. The re-use of the largest possible amount of existing services and structures within the building is being undertaken as an element of the construction. However, the alteration of structures within the block may give rise to minor amounts of waste. 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 development will result in the conversion of the lower ground floor, upper ground floor and first floor of the Harristown Block within a large prison complex. This conversion will result in the number of units in the block increasing by a total of 34. These cells will offer potential for the accommodation of an additional 68 no. inmates within the prison if they are filled to capacity through the use of bunk beds and the double room function of the disabled cells. The minimum capacity of this conversion is an additional 68 no. bed spaces. As this development will provide much needed accommodation within a prison facility which has been noted as over capacity, the size of the proposed development is not considered exceptional in its context.

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

A review of Roscommon County Council's planning application portal has not highlighted any considerable cumulative impacts from relevant recent consented cases. As the proposed development poses no impacts in isolation, the risk of cumulative effects can also be ruled out. Recent section 5 references within the curtilage of

Castlerea Prison include the construction of 35 no. total modular independent living units under two separate applications (PA Reg. Refs. DED 607 & DED 752). The construction phases of these projects will require monitoring via a Construction Management Plan to minimise the potential construction phase impacts on residents of the prison. As the proposed development is modest in nature and is comprised of an alteration to an existing structure, it is concluded that the potential for cumulative effects having regard to permitted projects are unlikely to occur.

4.3 Preliminary Examination Conclusion

Following the preliminary examination, it is concluded that there are not significant and realistic doubts regarding the likelihood of significant effects on the environment arising from the proposed development and therefore there is no requirement to proceed to a Step 3 assessment as per the OPR Guidelines.

This preliminary conclusion examination is consistent with Local Authority developments in the vicinity of similar scaled developments.



5. SCREENING CONCLUSION

Having regard to the nature and scale of the proposed development which is below the thresholds set out in Class 10 of Part 2 of Schedule 5, and the scale, nature and location, it is considered that the proposed development would not be likely to have significant effects on the environment and it is concluded that an Environmental Impact Assessment report is not required.





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Screening for Appropriate Assessment

Additional Cell Units, Harristown Block,
Castlerea Prison

10 March 2025



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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 alteration / conversion of existing buildings to create additional cells and facilities.

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 eighteen years of professional experience, including fifteen 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 January 2025.

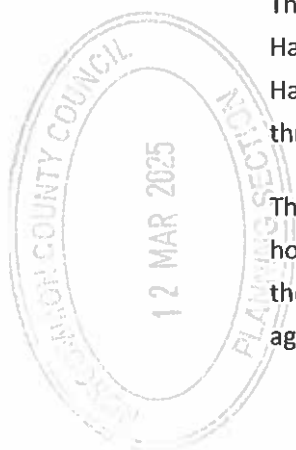
2 Description of the Project

2.1 Environmental setting

Site location and surroundings

The proposed development site (hereafter referred to as 'the Site') is within the existing Harristown Block in the south-east of Castlerea Prison, within the prison's boundary wall. The Harristown Block currently consists of 64 no. cells and ancillary accommodation spread over three floors.

The remainder of the prison complex includes a range of structures, amenity grassland, horticultural land, and other associated features, all enclosed within a 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 is comprised of works to the Harristown Block within the curtilage of Castlerea Prison. The IPS intend undertake conversion of the under-used lower ground floor into 34 no. additional cell units. Two courtyards extending to the east and west of the south wing are also proposed. The works proposed will include the addition of new cell dividing walls, floor, doors and windows throughout the building along with mechanical, electrical and drainage works to support the conversion.

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.

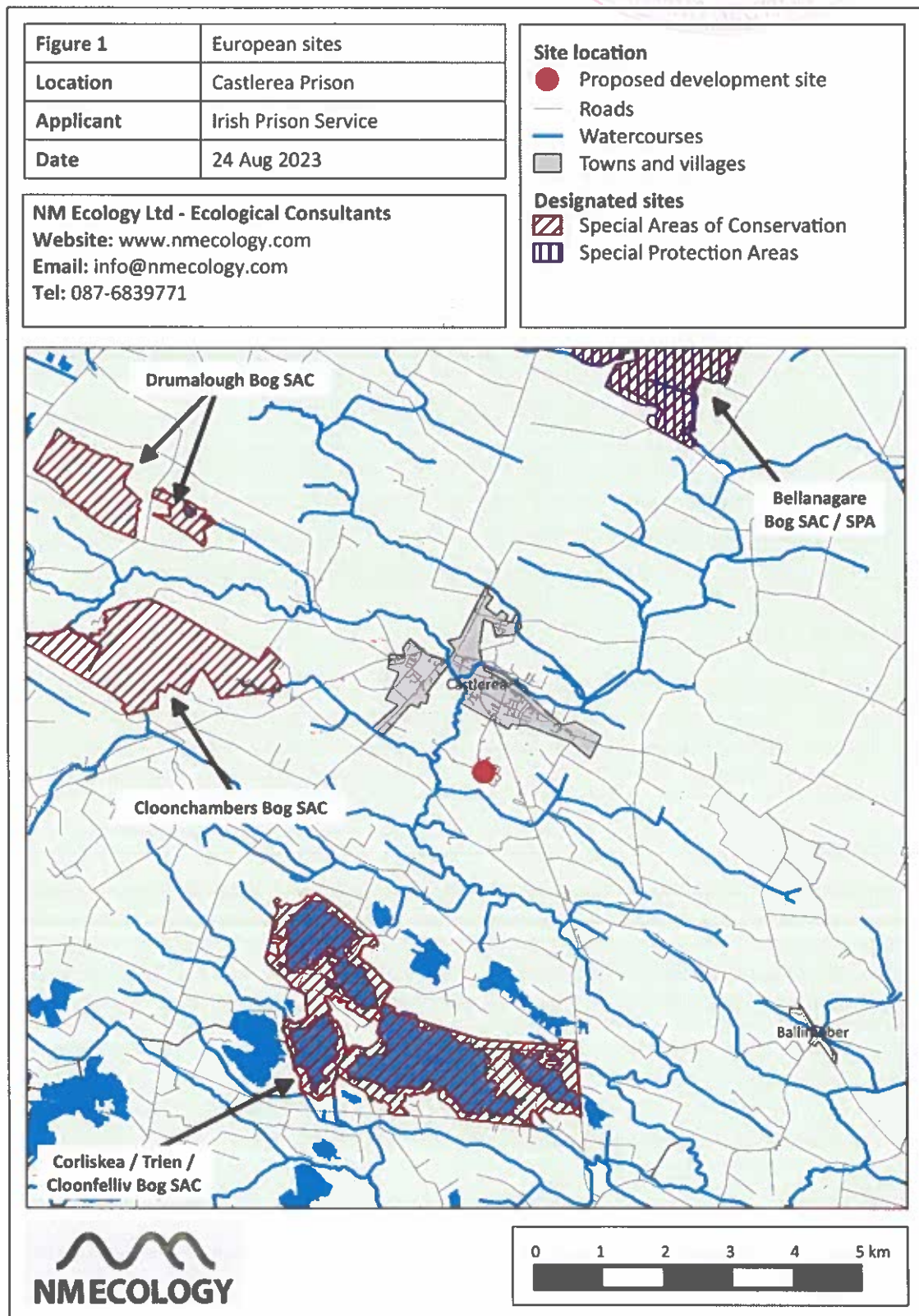
Some of the bird species associated with SPAs can use secondary habitats outside the SPA boundaries, e.g. brent geese feeding on urban grasslands. The suitability of habitats within the Site for SPA bird species is discussed in Section 3.3.

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.



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 surrounding surface water features. They are typically underlain by a layer of 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

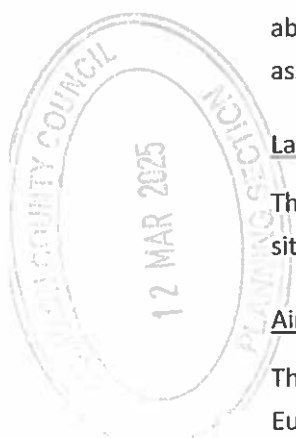
There is no possibility that any pollutants could travel 3 km over land to reach any European sites, so it can be ruled out as a pathway.

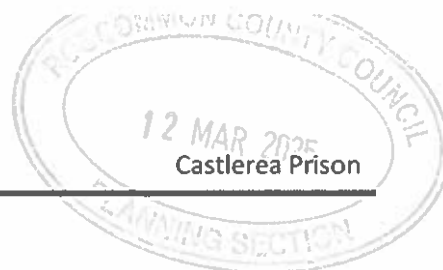
Air

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 covers a building and adjoining grassland, which would be unsuitable for geese. For this reason, 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 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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