

# CHERRYHOUND LAP

## SCOPING REPORT

### 1.0 Purpose of Report

Fingal County Council intends to prepare a Local Area Plan for the 'GE' employment zoned lands at Cherryhound. The Local Area Plan will be prepared in the context of the policies and objectives of the Fingal County Development Plan 2011-2017 and in accordance with the requirements of Sections 18-20 of the Planning and Development Act 2000, (as amended). A Screening Report was carried out and it identified a requirement to apply a SEA to the Draft Plan as the future working population would exceed the mandatory 5,000 population figure set out in the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011.

The proposed LAP comprises c. 240 hectares in area and will have a likely working population of a minimum of 9,000 persons. Fingal County Council will prepare an Environmental Report in accordance with Article 14B of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004). The Environmental Report will identify and evaluate the likely significant effects on the environment of implementing the LAP, identify alternatives considered and their likely environmental impacts, set out reasons for the option chosen and measures proposed to mitigate any adverse effects. The Environmental Report will also identify measures for monitoring the implementation of the LAP.

Article 14C. (1) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004), requires that the prescribed Environmental Authorities be consulted when deciding on the scope and level of detail to be included in the Environmental Report.

An Appropriate Assessment will also be carried out pursuant to Articles 6(3) of the Habitats Directive.

### 2.0 The Need for an LAP

The purpose of the Local Area Plan is to set out a framework for the optimal development of the plan lands, in terms of densities, building heights, location of public open space, urban design, access arrangements and infrastructural requirements to facilitate development.

The County Development Plan provides that LAPs will be prepared in co-operation with relevant stakeholders. It is anticipated the LAP will have a life of 15 years but Section 19 (1) (c) (ii) of the Planning and Development Act 2000 requires that a Local Area Plan shall be reviewed at least every 6 years after the making of the previous Local Area Plan. Accordingly, the Cherryhound Local Area Plan shall remain in force for up to 5 years after which a new or amended LAP shall be made. The proposed Cherryhound Local Area Plan will indicate the period for which the LAP shall remain in force.

### 3.0 Location and Character

The LAP area comprises 240 hectares (593 acres) of which 170 hectares (420 acres) are not developed (71%). The developed areas include the ESB sub-station / stores to the south and established employment generating uses. The majority of the lands are in agricultural use, for tillage and pasture. Field sizes are large, typical to North County Dublin. There is an extensive

quarrying operation in the area that has ceased production. It forms a major excavated land area at the eastern perimeter of the subject LAP lands. Mounding acts as a screening device. There are also a small number of dwelling houses. The Ratoath Road and Bay Lane traverse the lands. A 220 KV ESB line crosses the northern part of the lands and the 110KV ESB line crosses the southern section. The landscape is gently rolling. It is without features, with a typical pattern of enclosed fields with hedgerows. The groups of hedges / trees are visually / ecological important in the landscape. At field margins, there are some field drains. These flow northwest to the Ward River Catchment or southwest to the Pinkeen River / Tolka Valley.

Adjacent lands (to the south and south west) that are outside the LAP are being taken up slowly for development. Land use to the north and northwest is agricultural, with Hollystown Golf Club and associated residential development. Hollywoodrath LAP lands are to the west. Planning permission exists for a residential development at medium and low densities. To the southwest, the lands are zoned for employment uses. Lands to the south are in employment use with some vacant sites. To the east, the lands are mainly in agricultural use.

#### 4.0 Policy Framework

The SEA Directive requires an analysis of the plans' *"relationship with other relevant plans and programmes"*. The LAP will be considered in the context of National, Regional and Local Plans viz: -

- The National Spatial Strategy, 2002-2020
- National Development Plan 2007-2013
- Childcare Facilities- Guidelines for Planning Authorities 2001
- National Climate Change Strategy, 2007 – 2012
- The Regional Guidelines for the Greater Dublin Area 2010-2022;
- Dublin Transportation Office- A Platform for Change -Strategy 2000-2010
- Transport 21 (2008)
- Fingal County Development Plan 2011-2017.
- Smarter Travel – A Sustainable Transport Future (2009)
- National Action Plan for Social Inclusion (2007-2016)

#### 4.1 Fingal Development Plan 2011-2017

##### 4.1.1 Zoning

The lands are zoned 'GE' - General Employment with an objective '*Provide opportunities for general enterprise and employment*' and are subject to an LAP

The Development Plan lists a number of Use Classes that are 'Permitted in Principle' in the area. They include the following; -

*"Builders Providers/Yard., Civic Waste Facility, Enterprise Centre, Food, Drink and Flower Preparation/Processing, Fuel Depot/Fuel Storage, High Technology Manufacturing, Industry-General, Industry-Light, Logistics, Offices Ancillary to Permitted Use, Open Space, Petrol Station, Research and Development, Restaurant/Café (To serve the local working population only), Retail Local – less than 150 sqm. GFA, Road Transport Depot, Sustainable Energy Installation, Telecommunications Structures, Training Centre, Utility Installations, Vehicle Sales Outlet – Small Vehicles, Vehicle Sales Outlet- Large Vehicles, Vehicle Servicing/Maintenance, Warehousing, Waster Disposal & Recovery Facility – Excluding High Impact, Wholesale"*

4.1.2 The subject lands also carry a specific objective to facilitate the provision of the planned strategic road network to serve the Greater Blanchardstown Area. The network provides for a new road link

- 4.1.3 75% of the subject lands are within the Inner Airport Noise Zone. 25% of the subject lands are within the Outer Airport Noise Zone. 50% of the subject lands are within the Outer Public Safety Zone. The location of the area under one of the flight paths of Dublin Airport may necessitate noise insulation measures to be taken in the design of buildings. The Council in its scrutiny of development proposals will implement Government policy with regard to Public Safety Zones for Dublin Airport.

## 4.2 Local Objectives

The Development Plan provides for the following Local Objectives on the subject lands.

- ❖ **No. 365** - Consider within the context of the LAP, the provision of a high quality mixed-use gateway development including hotel, office development and logistics uses.
- ❖ **No. 368** - Ensure a high level of landscaping and tree planting along the route of the N2/N3 Link Road at Killamonan / Cherryhound in order to soften the visual effect of the 'GE' lands around it.
- ❖ **No. 380** - Ensure that the LAP for these employment-generating lands at Killamonan / Cherryhound provide for the use of the southwestern portion of the lands as a high quality landscaped buffer area between industrial/commercial buildings and the residential areas. Roadside hedges and existing trees, which are located along the southwestern edge of the subject area and woods in the southwestern area, will be protected where practicable.
- ❖ **No. 381** - Provide for the extraction of aggregates at this location.
- ❖ **No. 395** - Require a high level of landscaping and tree planting along the boundaries of these 'GE' lands at Killamonan / Cherryhound in order to soften the visual effect of the industrial/commercial buildings.

The Development Plan provides for the following Local Objective on the adjoining lands to the east.

- ❖ **No.377** - Consider the long term use of these lands as part of the Cherryhound LAP process

## 5.0 Scoping

The purpose of scoping is to determine the nature and level of detail of information to be included in the Environmental Report. The scoping process should develop an understanding of the impact on the different aspects of the environment, if any, and ensure that the relevant environmental issues are highlighted and addressed appropriately in the Environmental Report. Scoping will ensure that the Planning Authority remains focused upon the relevant environmental issues.

## 6.0 Legal Requirements

Article 14C.(2)(b) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 states that the environmental report is required to include the information that may reasonably be required, taking into account: -

- i. The current knowledge and methods of assessment
- ii. The contents and level of detail in the plan

- iii. The stage of the plan in the decision- making process, and
- iv. The extent to which certain matters are more appropriately assessed at different levels in the decision-making process in order to avoid duplication of the environmental assessment.

## 6.1 Matters to be considered in the Environmental Report

The SEA Directive states that only the information listed in Annex 17 of the Directive that is reasonably required should be included in the Environmental Report. Paragraph (f) of Annex 1 of the Directive details the broad categories of components in the environment, required to be investigated: -

- o Population, human health
- o Biodiversity, flora and fauna
- o Soil
- o Water
- o Air, climatic factors
- o Material assets: Cultural Heritage – Architectural and Archaeology
- o Noise
- o Landscape
- o Interrelationship between the above factors.

### **Population and Human Health**

The working population of Cherryhound will increase to 9,000 persons as a minimum and could rise to 18,000 as a result of the development of the plan lands. This will increase the demands for physical and social infrastructure in terms of traffic and transport, retail and recreational facilities. The Environmental Report will investigate/assess the impact of the provision of such infrastructure on the existing and future population and will include mitigation measures to minimise any significant impact on the environment.

### **Biodiversity, Flora and Fauna**

The LAP lands comprise largely green field sites. The lands are not included within or adjacent to any designated sites- SACs, SPAs or NHAs, nor do the lands contain any preserved trees, woodlands or hedgerows. The development of the lands will involve the removal of all topsoil and would require sub-surface ground works, which may have a negative effect on the biodiversity of the area. As part of the SEA process/Environmental Report, the Council have engaged Consultant Ecologists to record habitats, plant species and vegetation types present on the lands habitats and Land uses surrounding the plan lands will also be noted. In particular the presence of habitats or species which are legally protected under Irish European legislation will be recorded.

### **Soil/ Aquifers/ Bedrock**

The Geological Survey of Ireland (GSI) provides information available on bedrock, subsoil, aquifer classifications and vulnerability. The Cherryhound is situated in an area of Carboniferous Limestone. Bedrock consists of calp (which is not exposed). The overburden consists of boulder clay. There are no known important aquifers.

### **Water**

#### ***Water Supply***

Existing developed areas in the vicinity of the LAP Area are supplied with water from the low level reservoirs at Ballycoolen, boosted via the Cruiserath pumps. Lands within the LAP area above 64 MOD will be supplied by gravity from the Ballycoolen Water Tower. The subject lands will be

served by the extension of a 300mm diameter distribution main to Tyrrellstown via the Tyrrellstown-Cherryhound Interchange Link Road. The expected delivery date is 2013 subject to the availability of funds.

### ***Foul Drainage***

The natural drainage for the LAP lands is in a southerly direction towards the Tolka Valley 9C sewer and is part of the Ringsend Wastewater Treatment Plant catchment. The 9C sewer currently has limited capacity available to service additional developments. It suffers greatly from the effects of infiltration causing it to exceed capacity during intense rainfall events. Duplication of the sewer is estimated to cost circa €80 million and it is not included in the current Department of the Environment, Community and Local Government Water Services Investment Programme (WSIP) 2010-2012. The sewer is further constrained by the Liffey Siphons at the Phoenix Park, however, it is planned to refurbish the existing siphons and works should be complete by the end of 2013. Ringsend WWTP is currently operating beyond the design capacity and pending completion of the Ringsend Wastewater Treatment Plant Expansion (2015), no significant additional volumes can be accommodated at the plant. Beyond 2015, there is a requirement for a new Regional Wastewater Treatment Plant. It is anticipated that this will be constructed in North Fingal with a likely completion date of 2020/21 (for the new plant, outfall and orbital sewer). As the subject lands are proposed for employment uses, the demand for foul sewage services is normally considerably less than for a housing development. However, until the duplicate 9C sewer is constructed, only limited development can take place. The Council will consider interim measures using temporary wastewater treatment plants, subject to the proper standards/appropriate maintenance agreements

### ***Surface Water***

A Sustainable Urban Drainage System (SuDS) as outlined in the Greater Dublin Strategic Drainage Study will be implemented in the LAP area. This will reduce surface water run-off, minimise the risk of flooding in the area and surrounding areas and prevent pollution. A SuDS Strategy for the subject lands will be detailed in the LAP.

### ***Air, Climatic Factors,***

It is considered that any significant impacts on air and climatic factors would likely be in the short-term and associated with the construction phase of any future development. With regard to dust, it is envisaged that there will likely be an increase in dust activity during the construction phase of development that may impact on the sensitive receptors and the local flora and fauna. However these impacts are likely to be temporary and not likely to cause significant environmental effects. During the operational phase of the development, there will likely be a permanent increase in traffic volumes in the local area and an associated rise in vehicle emissions.

### ***Traffic***

There will inevitably be an increase in traffic volumes in the area over the period of the LAP. The LAP and SEA process will examine the projected traffic needs of the area and determine the road networks.

### ***Noise***

It is not envisaged that the implementation of the proposed LAP will result in significant negative long-term impacts. It is considered likely that there will be short-term noise impacts from the construction phase of development on the sensitive receptors in proximity to the subject lands. However the lands lie partially within the Inner and Outer Noise Zones associated with Dublin Airport and there will be some noise impacts on the future population from aircraft overhead.

### **Material Assets**

The material assets are limited in the area as it largely agricultural in nature. Main services are absent and the road infrastructure is inadequate. Recreational facilities are limited.

### **Cultural Heritage**

There is one Protected Structure within the LAP lands; No. 676 cited as a Field System site and described as an "Earthwork" at Goddamendy in the south of the LAP area. It is effectively an archaeological feature.

### **Archaeology**

Archaeological Assessment of the LAP lands was carried out by Archer Heritage to identify any archaeological potential within the plan lands and to propose mitigation measures where necessary. There are a no Recorded Monuments within the plan lands. The Environmental Report will assess the likely significant environmental impact of the proposed development on the archaeological heritage of the plan lands.

### **Landscape**

The development of the LAP lands will result in the urbanisation of lands previously used for agriculture and will therefore impact on the natural landscape and the existing visual amenities of the area. A visual appraisal/assessment of undeveloped lands will be prepared as part of the LAP/SEA process. The LAP and Environmental Report will address appropriate densities and building heights for development and will consider the appropriateness of strategic planting to soften the impact of the new development on the landscape and with neighbouring residential development and to protect the visual amenities of the area. It will also consider the impact of the power lines and measures that may be taken to mitigate their negative visual impact.

### **Interrelationship between the above factors**

The Environmental Report will examine the interrelationship between the relevant components in the Environmental Report and shall include measures to mitigate potential harmful impacts to ensure the protection of the existing small residential population and the new working population of Cherryhound, in terms of the quality of human life; protecting the cultural heritage, protecting flora and fauna and areas of potential future amenity.

## **7.0 Appropriate Assessment**

The Environmental Report will be undertaken in conjunction with an Appropriate Assessment.