



An
Bord
Pleanála

Inspector's Report

ABP-317189-23

Development	Retention and extension to cattle shed.
Location	Grangebeg, Fethard , Co. Tipperary, E91 N268
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2360191
Applicant(s)	Tom Morgan
Type of Application	Retention and Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Peter Sweetman on behalf of the Wild Irish Defence
Observer(s)	None
Date of Site Inspection	14 th May 2024
Inspector	Catherine Dillon

1.0 Site Location and Description

- 1.1. The subject site is located approximately 5km to the south east of Fethard village within the townland of Grangebeg. Access to the site is off the R-706 via a private laneway (c.488m long) which leads to a farmyard and two dwellings, one of which is currently under construction. There are a cluster of farm buildings around the two dwellings and the shed the subject of the appeal, is to the north of the laneway. The site has a stated area of 0.39 hectares.
- 1.2. The Clashawley river lies to the east of the site beyond the R706 and its flows into the Anner river. The R706 is identified as a scenic route in the Tipperary County Development Plan 2022.

2.0 Proposed Development

- 2.1. The development is for the retention of an existing slatted shed with an overall floor area of 236.94m² with a maximum height of 6.1m, width of 10.1m, and length of 24m. This shed has an effluent tank with a capacity of 203.95m³. The shed has concrete walls and is clad in PVC coated panels.
- 2.2. The extension to the aforementioned shed is proposed along the northern elevation and would have an overall floor area of 182.88m², length of 24m and width of 7.4m. The shed would comprise concrete walls with metal clad sheeting. The extension would not exceed the height of the existing shed on site but due to the levels on the site, it is proposed to construct a retaining wall. The overall size of the development is stated as 419.82m².
- 2.3. A landholding map was submitted with the planning application which indicates 23.86 hectares in the applicant's ownership which includes the subject site.
- 2.4. Part 4 of the Planning Application states the following:

No. & type of animals = 32 cows

25 No.: 0-1 year olds; 5No.: 1-2 years & 2No. > 7years.

Means of waste collection: Slatted tanks & FYM (Farmyard Manure) pit

Size & Capacity of slurry tank: Existing: 163.16m³ and retention 203.95m³.

Means of disposal of silage effluent: Collected in tank and spread on land with tanker.

Means of collection of soiled yard run off: Gutter system

Means of collecting roof water (clean): Gutter system leading to soakaway

3.0 **Planning Authority Decision**

3.1. **Decision**

By order dated 8th May 2023, Tipperary County Council granted planning permission for the retention of the cattle shed as constructed and for an extension to the shed subject to 5 conditions.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The planner's report dated 28th April 2023, considered the principle of the development acceptable in an established farm enterprise yard in a rural area. The closest dwelling is c.280m to the east of the development, and the existing shed and proposed extension would be within the envelope of the existing farmyard complex and would not therefore impact on residential amenity. In terms of scale and siting the development would integrate with the surrounding area and would not visually impact on the scenic route along the R-706 towards Slievenamon.

3.2.2. Other Technical Reports

District Engineer: Report dated 26/4/2023 Unclear how the storm water run off from the existing and proposed shed is to be managed. Whilst the application refers to a soakpit, no detail is provided on the drawing. The planner's report considered this could be dealt with by way of a planning condition.

3.3. **Prescribed Bodies**

Uisce Eireann: No report received.

3.4. Third Party Observations

- 3.4.1. The Planning Authority received one submission in relation to the application from the Third Party. The main issues raised are similar to those set out in the grounds of appeal.

4.0 Planning History

- 4.1. P.A Ref: P315454: Planning permission granted for loose house for cattle and sheep.
- 4.2. P.A Ref: 955: Planning permission granted for slatted house and underground tank.
- 4.3. P.A Ref: 96106: Planning permission granted for 4 Stables.
- 4.4. P.A Ref: 01/1175: Planning permission granted for 10 stables.
- 4.5. P.A Ref: 22/60599: Planning permission granted for provision of dwelling, septic tank and wastewater treatment system, access to public road, demolition of existing shed and associated site works. (Dwelling currently under construction)

5.0 Policy Context

5.1. Tipperary County Development Plan 2022-2028

Tipperary County Development Plan 2022-2028, is the relevant statutory plan for the area. The site is located in a rural area outside of a designated settlement and is not governed by any specific land use zoning objectives. The following policies and objectives are considered to be relevant.

SO- 6: To support a sustainable, diverse and resilient rural economy, whilst integrating the sustainable management of land and natural resources.

5.1.1. Chapter 8: Enterprise & Rural Development

Agriculture: This Council will support the sustainable expansion of agriculture and horticulture, where it is demonstrated that it respects the natural functions of the environment, including water systems and ecology. In addition, the Council will favourably consider projects ancillary to existing farming activities, such as

renewable energy in agriculture, which contribute toward the viability of the farm and the rural community.

5.1.2. **Chapter 10- Renewable Energy & Bioeconomy**

Policy 10-3: Support and facilitate the development of a sustainable and economically efficient agricultural and food sector and bioeconomy, balanced with the importance of maintaining and protecting the natural services of the environment, including landscape, water quality and biodiversity.

5.1.3. **Chapter 11- Environment & Natural Assets**, in particular

Polices 11-1&2: Regarding the protection of the natural environment and human health in line with Articles 6(3) and 6(4) of the Habitats Directive.

Policy 11-14: Ensure that proposals for agricultural developments, as appropriate, comply with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010 or any amendment thereof.

5.2. **Project Ireland 2040 National Planning Framework (NPF)**

- 5.2.1. National Policy Objective (NPO) 23 is relevant to the consideration of the appeal which seeks to 'facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.'

5.3. **European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (as amended) S.I 113/2022.**

The purpose of these Regulations is to give effect to Ireland's Nitrates Action Programme concerning the protection of waters against pollution caused by nitrates from agricultural sources. These Regulations set parameters for farmyard and nutrient management and the distances for spreading fertiliser from water sources to prevent water pollution.

5.4. Natural Heritage Designations

- 5.4.1. No natural heritage designations apply to the subject site. The distance and direction to the nearest European sites to the subject site, including Special Areas of Conservation (SAC) and Special Protection Areas (SPAs) are listed in Table 1 below.

Table 1: European Sites

Site Code	Site name	Distance (approx..)	Direction
002137	Lower River Suir SAC	c.740m	East
001952	Comeragh Mountains SAC	c.16km	South
000646	Galtee Mountains SAC	c.27km	West

5.5. EIA Screening

Refer to Form 1 in Appendix 1.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The Third-party submission raised concerns in relation to the following summarised grounds:
- Measures intended to avoid or reduce the harmful effects of the plan or project have not been taken into account by the planning authority at screening stage.
 - Planning Authority has failed to assess the spreading of slurry or seek any information as to how it would be disposed.
 - CJEU in Cases C-293/17 and C294/17 which states, “the application of fertilisers on the surface of land in the vicinity of Natura 2000 sites may be classified as a ‘project’.”

- The Board is requested to make an order for the appellant's costs.

6.2. **Applicant Response**

None

6.3. **Planning Authority Response**

None

7.0 **Assessment**

7.1. The main issues are those raised in the Third Party 's grounds of appeal, and the Planning Report, and I am satisfied that no other substantive issues arise. Having examined the application details and all other documentation on file, after an inspection of the site, and having regard to relevant local and national policies and guidance, I consider that the main issue on this appeal relates to potential impacts on European Sites. I consider the issues to be considered can be dealt with under the following headings: -

- Principle of Development
- Appropriate Assessment

7.2. **Principle of Development**

- 7.2.1. The proposal is seeking the retention of an existing slatted shed on the site and an extension to the shed on an existing farmyard which is located a substantial distance from the main road and nearby residential properties. Having regard to the established agricultural use on the appeal site, the nature of the proposed development and the policy support at local and national level for developments of this nature, I am satisfied that the principle of the proposed development is acceptable at this location, would not be visually detrimental to the area and would not result in an intensification of use and is in accordance with the pertinent policies of the current CDP.
- 7.2.2. I note there are a group of archaeological earthworks in the rectangular field to the east of the proposed development but I am satisfied given the distance of the

development from this field there would be no archaeological impact from the development.

7.3. Appropriate Assessment (AA) Screening

Compliance with Article 6(3) of the Habitats Directive

- 7.3.1. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

Background on the application

- 7.3.2. The subject site is not located within any European Site. The subject site and farm buildings are located approximately 740 metres from the Lower River Suir SAC (Site Code:002137) to the east. I note that the Planning Authority undertook a screening for AA and concluded that there would be no potential for significant effects on any European Site.

European Sites

- 7.3.3. A summary of European Sites within a possible zone of influence of the development is presented in Table 2 below. Where a possible connection between the development and a European Site has been identified, these sites are examined in more detail.

Table 2: Natura 2000 sites identified

European Site (site code) and distance to site	List of Qualifying Interests	Connections (Source, pathway, receptor)	Considered further in screening
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Conservation Objectives			Y/N
<p>Lower Suir SAC (002137)</p> <p>Approximately 714m to the east</p> <p>To restore (R) and/or maintain (M) the favourable conservation status.</p>	<p>Atlantic salt meadows [1330] (R)</p> <p>Mediterranean sale meadows (R)</p> <p>Water courses of plain to montane levels [3260](M)</p> <p>Hydrophilous tall herb fringe communities [6430] (M)</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] (R)</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior [91E0] (R)</p> <p>Taxus baccata woods of the British Isles [91J0] (R)</p> <p>Freshwater Pearl Mussel [1029] (R)</p> <p>White-clawed Crayfish [1092] (M)</p> <p>Sea Lamprey [1095] (R)</p> <p>Brook Lamprey [1096] (R)</p> <p>River Lamprey [1099] (R)</p> <p>Twaite Shad [1103] (R)</p> <p>Salmon [1106] (R)</p> <p>Otter [1355] (M)</p>	<p>A watercourse from the eastern side of the R706 (to the south east of the subject site) flows into the River Clashawley. The River Clashawley flows within the Lower River Suir SAC c.740m from the site. There is therefore a potential link of clean surface water into groundwater.</p>	<p>Yes- proximity of the site to tributary of the SAC.</p>
<p>Comeragh Mountains SAC (001952)</p> <p>Approx. 16km to south</p> <p>To restore (R) and/or maintain (M) the favourable conservation status.</p>	<p>Oligotrophic waters containing very few minerals of sandy plains [3110] (M)</p> <p>Water courses of plain to montane levels [3260] (M)</p> <p>Northern Atlantic wet heaths [4010] (R)</p> <p>European dry heaths [4030] (R)</p> <p>Alpine and Boreal heaths [4060] (R)</p> <p>Blanket bogs (* if active bog) [7130] (R)</p> <p>Siliceous scree of the montane to snow levels [8110] (R)</p> <p>Calcareous rocky slopes [8210] (R)</p> <p>Siliceous rocky slopes [8220] (R)</p>	<p>None</p>	<p>No There is no hydrological connection between the proposed development and the SAC.</p>

	(Slender Green Feather-moss [6216] (R))		
Galtee Mountains SAC (000646) Approx. 27km to west To restore (R) and/or maintain (M) the favourable conservation status.	Northern Atlantic wet heaths with Erica tetralix [4010] (R) European dry heaths [4030] (R) Alpine and Boreal heaths [4060] (R) Species-rich Nardus grasslands, on siliceous substrates in mountain areas [6230] (R) Blanket bogs (if active bog) [7130] (R) Siliceous scree of the montane to snow levels [8110] (R) Calcareous rocky slopes with chasmophytic vegetation [8210] (R) Siliceous rocky slopes with chasmophytic vegetation [8220] (R)	None	No There is no hydrological connection between the proposed development and the SAC.

I note that the nearest European Site is the Lower River Suir SAC approximately 740m to the east of the subject site. The Conservation Objectives for this SAC is to maintain or restore the favourable conservation status of the habitat and species. Consideration of likely significant impacts in terms of Stage 1 AA Screening, is based on the source-pathway-receptor risk assessment principle.

Identification of likely significant effects

7.3.4. Taking account of the characteristics of the proposed development in terms of its location and the scale of works, the following issues are considered for examination in terms of implications for likely significant effects on the qualifying interests (QI) of the Lower River Suir SAC:

- Construction related habitat and species disturbance and fragmentation as a result of construction related surface water and airborne pollution.
- Operational related habitat and species disturbance and fragmentation as a result of surface water pollution.

Appendix 2 Table 3 outlines the Qualifying Interests for the Lower River Suir SAC and identifies the potential adverse effects on the conservation objectives. The Conservation Objectives of this site is to restore or maintain the favourable

conservation objectives of the site. A watercourse flows from the eastern side of the R706 into the Clashawley river which is within the Lower River Suir SAC and flows into the Anner river. The water quality rating for both the Clashawley and Anner River currently have a rating of 4-‘good’ status. The subject site is located in an area of high ground water vulnerability on clayey soils, which would suggest relatively slow percolation rates.

- 7.3.5. On the planning application form it is stated the surface water is to be discharged to a soakpit. I note the district engineer had raised the issue that the soakpit is not indicated on any of the drawings, however I agree with the Planning Authority and consider this can be confirmed by way of a condition in the event of planning permission being granted.
- 7.3.6. All soiled water within the yard is to be disposed of via the underground slurry tanks. The construction phase will result in short term construction related emissions typical of an agricultural development. Having regard to the above, I am satisfied that the development would not likely result in a direct or indirect effect on the conservation objectives of the European Site in terms of species or habitat fragmentation or disturbance. Furthermore, I am satisfied that the development would not likely result in any ex-situ effects on any species, having regard to the established use of the site and distance to the closest European Site.
- 7.3.7. It is contended by the Appellant that the Planning Authority failed to assess the spreading of slurry. With regards to the slurry tanks, I note that these would have to be designed and sealed in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, as amended.
- 7.3.8. The spreading of slurry on lands is governed by S.I No. 113/2022 entitled ‘European Union (Good Practice for Protection of Waters) Regulations 2022, as amended, which provides a separate legal code to govern slurry spreading. The regulations contain specific measures to protect surface waters and groundwater from nutrient pollution arising from agricultural sources. This includes, inter alia, no land spreading within 10 metres of streams or drains, following the opening of the spreading period (13th January for County Tipperary).
- 7.3.9. I also note that an Appropriate Assessment was completed as part of Ireland’s fifth Nitrates Action Programme (NAP) 2022-2025, which is given effect by the European

Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022, and concluded that the programme would not adversely affect the integrity of any European Site. Notwithstanding this, the Board should note that the carrying out of land spreading does not form part of this application.

- 7.3.10. Consequently, oversight from the planning system is not required and there is no legal impediments to the Board to determine the appeal. In this context, I am satisfied that there is no direct source-pathway-receptor between the slurry tanks and the river catchment subject to best farming practices being adhered to.
- 7.3.11. In terms of the Appellant's claims that the Planning Authority have failed to have regard to the Courts of Justice of the European Union Judgement in Joined Cases C-293/17 and C-294/17, it is contended that neither of these cases are applicable in this instance as both cases related to developments within designated sites. It is stated that the appeal site is not located within or adjacent to a designated site protected by the Habitats Directive. The Applicant's farm upon which the appeal site is located has a rating of 3 for 'near surface nitrate susceptibility' (with 1 being the highest) and a rating of 5 for sub surface nitrate susceptibility. The lands are not in any Natura 2000 site and the lands are currently being used for grazing with animal manure being applied to these lands. Given the scale of the development and the distance of the site from the SAC, and the conservation objectives of the SAC, I consider the development would not impact on the SAC, either directly or indirectly.
- 7.3.12. The Board should note that I have not taken into account any measures intended to reduce or avoid any harmful effect on the Lower Suir SAC, or any other European Site. The Planning Authority's advisory note requires the development to be built in accordance with the Department of Agriculture specifications and operated in a manner that meets the requirements of S.I 113 of 2022, the European Union (Good Agricultural Practice for Protection of Waters) Regulations. These measures are a standard requirement for such development and is not a measure designed to mitigate any potential effect on the SAC.
- 7.3.13. The application site is not located adjacent or within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ. The distance between the proposed development site and any European Sites,

is such that the proposal will not result in any likely changes to the European sites that comprise part of the Natura 2000 network in the Lower Suir SAC.

Screening Determination

7.3.14. I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that AA (Stage 2) under Section 177V of the Planning and Development Act 2000 is not required.

This conclusion is based on :

- The limited zone of influence of potential impacts, restricted to the immediate vicinity of the proposed development.
- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.
- Distance from the Lower Suir SAC.
- Impacts predicted would not affect the conservation objectives.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

8.0 Recommendation

8.1. I recommend that permission is granted for the following reasons and considerations.

9.0 Reasons and Considerations

Having regard to the nature and scale of the development within an established agricultural farmyard, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the visual or scenic amenity of the area and would be acceptable in terms of public health and

environmental sustainability. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All external finishes of the proposed extension shall match those of the existing adjoining structures.

Reason: In the interest of visual amenity.

3. The proposed development shall be designed and constructed in accordance with the Department of Agriculture, Food and the Marine specifications as per the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2022 (S.I 113 of 2022).

Reason: In the interest of public health and residential amenity.

4. All foul effluent and slurry generated by the proposed development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or public road.

Reason: In the interest of public health.

5. Drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard:

- (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system, and

- (b) all soiled waters shall be directed to a storage tank.

Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of environmental protection and public health.

6. Prior to the commencement of development, a Resource Waste Management Plan (RWMP), as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of public health:

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Catherine Dillon
Planning Inspector

12th June 2024

Appendix 1 - EIA Pre-Screening

An Bord Pleanála Case Reference	317189		
Proposed Development Summary	Permission to retain the as constructed cattle shed. Planning permission is also being sought for an extension to the same cattle shed and all associated site works.		
Development Address	Grangebeg, Fathard, Co.Tipperary E91 N268		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	X	N/A	No EIAR or Preliminary Examination required
Yes			Proceed to Q.4
4. Has Schedule 7A information been submitted?			
No		Preliminary Examination required	
Yes		Screening Determination required	

Inspector: _____

Date: 12th June 2024

Appendix 2: Appropriate Assessment (AA) Screening

Lower Suir SAC (Site Code: 002137)			
Qualifying Interest	Conservation Objective Targets and Attributes (npws.ie)	Target	Could the conservation objectives be undermined by the development (Y/N)
Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]	To restore the favourable conservation condition	Area stable or increasing, subject to natural processes, including erosion and succession.	No decline in habitat as result of proposed development
Mediterranean salt meadows (Juncetalia maritima) [1410]	To restore the favourable conservation condition	Area stable or increasing, subject to natural processes, including erosion and succession.	No decline in habitat as result of proposed development
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]	To maintain the favourable conservation condition.	Area stable or increasing, subject to natural processes. Important to maintain ground water quality.	No decline in habitat as result of proposed development
Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]	To maintain the favourable conservation condition.	Area stable or increasing, subject to natural processes.	No- No direct habitat removal.
Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	To restore the favourable conservation condition	Area stable or increasing, subject to natural processes, at least 29.3ha for sites surveyed. See map 4	No-No direct habitat removal
Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]	To restore the favourable conservation condition	Area stable or increasing, subject to natural processes, at least 32.9ha for sites surveyed. See map 5	No-No direct habitat removal

Taxus baccata woods of the British Isles [91J0]	To restore the favourable conservation condition	Area stable or increasing, subject to natural processes. Mapping indicates occurs in Cahir Park.	No-No direct habitat removal
Freshwater Pearl Mussel Margaritifera margaritifer [1029]	To restore the favourable conservation condition.	Restore distribution to 10.4km. See map 6 of the SSCOs. The conservation objective applies to the Clodiagh freshwater pearl mussel (Margaritifera margaritifera) population. Regulations 2009. (S.I. 296 of 2009).	No- As per Map 6 of the SSCOs (NPWS 2016), the Conservation Objective population is located in a separate downstream catchment (Clodaigh River catchment) and no source-pathway-receptor chain was identified.
White-clawed Crayfish Austropotamobius pallipes [1092]	To maintain the favourable conservation condition.	No reduction in baseline, See Map 7 of the SSCOs. White claw crayfish occurs extensively on the River Suir and on many of its tributaries including the Anner & Clashawley rivers.	No. Although this species is present in the Clashawley river, it also occurs extensively throughout the River Suir and its tributaries. The latest Q value water quality status of the Clashawley & Anner river is Q4 'good'. Furthermore, S.I No. 113/2022 entitled 'European Union (Good Practice for Protection of Waters) Regulations 2022, as amended, would govern slurry spreading.
Sea Lamprey Petromyzon marinus [1095] Brook Lamprey Lampetra planeri [1096] River Lamprey Lampetra fluviatile [1099]	To restore the favourable conservation condition.	Greater than 75% of main stem length of rivers accessible from estuary.	No. The development would not create artificial barriers that could block or cause difficulties to lampreys upstream/downstream migration.
Twaite Shad Alosa fallax fallax [1103]	To restore the favourable conservation condition.	Greater than 75% of main stem length of rivers accessible from estuary.	No- No artificial barriers proposed that would block this species upstream migration.

Salmon Salmo salar [1106]	To restore the favourable conservation condition.	100% of river channels down to second order accessible from estuary	No- No artificial barriers proposed that would block this species upstream migration. The latest Q value water quality status of the Clashawley & Anner river is Q4 'good'. Furthermore, S.I No. 113/2022 entitled 'European Union (Good Practice for Protection of Waters) Regulations 2022, as amended, would govern slurry spreading.
Otter Lutra lutra [1355]	To maintain the favourable conservation condition.	No significant decline	No. Subject site is 740m from river.
Overall Conclusion: Integrity Test In the absence of any mitigation, the construction and operation of the proposed development would not adversely affect the integrity of the Lower River Suir SAC, either alone or in combination and no reasonable doubts remains as to the absence of such effects.			