



An
Bord
Pleanála

Inspector's Report

ABP-317298-23

Development	Construction of a straw storage shed and all associated site works
Location	Kilbaha North, Kilrush, Co. Clare
Planning Authority	Clare County Council
Planning Authority Reg. Ref.	2360095
Applicant(s)	John Walsh
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	John Lyons
Observer(s)	None
Date of Site Inspection	19 th April 2024
Inspector	Claire McVeigh

1.0 Site Location and Description

- 1.1. The subject site, a farm of 1.48 hectares, is located approximately 1km west from the small village of Kilbaha in County Clare. The subject site is located north of the R487 regional road, a designated recreational and scenic route. The farm complex comprising a number of farm buildings, milking parlour/dairy, calf sheds, yards, silage slab, dungstead, slatted tanks and two existing straw storage sheds.
- 1.2. The subject site is located in the designated 'settled landscape area'. The farm complex is located on a northwards sloping site. The level of the public road is shown as between 37.923 and 39.634 (as shown on the existing site layout plan) close to the entrance of the farm closest to the location of the proposed straw storage shed. The level of the existing internal roadway adjacent to the position of the proposed straw storage shed is indicated as 31.630 on the existing site layout plan. The ground levels continue to fall from the internal roadway into the area identified as paddock on the existing site layout plan. An ESB line runs just beyond the southern boundary of the subject site.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of a straw storage shed, with proposed ridge level of 38.449m* (as per drawing no. 105) and FFL of 32.000m (Height of 6.449m), finished in a grey (Kilkea Grey Tegral Agribuild Plus) corrugated sheeting sitting on top of a proposed rough cast wall of 2438mm in height, and all associated site works including the raising of the ground levels to provide a level platform. The stated gross floor area of the proposed straw storage shed is 328 sq. metres.
- 2.2. *A discrepancy is noted in the stated ridge line of the proposed straw storage shed which on the proposed site layout plan is indicated as 38.550m (Drawing No. 103).

3.0 Planning Authority Decision

3.1. Decision

On the 25th May 2023 permission granted for the construction of the straw shed and associated site works subject to 7 no. conditions. These were generally of a standard type.

Condition 1 (a) required the development to be carried out in accordance with the plans and particulars submitted 3rd April 2023 and (b) that the proposed shed shall be used for the storage of straw only.

Condition 2 no vehicular access to the straw shed from the R487 regional road during both the construction and operational stages shall be via the existing cow passage adjacent to the eastern boundary of the site.

Condition 3 the areas to the north, east and west of the straw storage shed shall comprise of grassed embankments and the use of exposed concrete retaining walls is not permitted.

Condition 4 clean surface water and run-off from roads shall be collected and directed to the nearest watercourse, but shall not be allowed to flow onto any roadway or discharge to soiled water/slurry/effluent storage areas.

Condition 5 the colour of the straw storage shed shall be dark grey, grass or dark green, dark brown, dark red or in finished concrete neutral. Roof colours shall be darker than wall colours.

Condition 6 FFL shall be as specified on the site layout plan submitted on the 3rd April 2023.

Condition no. 7 all public service cables, including electrical and telecommunications, for the development shall be located underground throughout the site.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The site is located in a rural area that is designated as a settled landscape in the Clare County Development Plan 2023-2029, also visible from the scenic

route to the south. The planner notes that the subject site is not in a designated flood risk area.

- The footprint of the proposed shed would be located on a steep embankment and the shed located between the 31.5 metres and 29 metre contour levels.
- Considered that the FFL of the proposed site would be approximately 6.2metres lower than the roadside shed to the southwest and as such would not have adverse impacts on the views available from the scenic route.
- Views from the north west are distance views and the shed would be seen in the context of the adjacent building and the rising lands to the south.
- Infilling is required to achieve the FFL proposed and a condition is recommended requiring that a graded embankment be included to the north of the shed to cover any required retaining wall.
- No adverse impact on adjacent amenities having regard to the setback from existing dwellings and separation distances from boundaries, the proximity to an existing farmyard and that there is no proposed increase in stock numbers.
- Notes that no alterations to the entrances proposed but highlights that Conditions 2 (a) of P19-516 the eastern access point can be used for the passage of animals only and shall not be used for any type of vehicular traffic.
- Excludes at preliminary examination the need for EIA and EIA screening determination.
- Appropriate assessment screening report and determination that there is no potential for significant effects to European Sites.
- Floor area of less than 800 sq. metres no contributions payable under the Development Contribution Scheme 2017-2023.

3.2.2. Other Technical Reports

West Clare Municipal District (Kilrush LEA) Engineer has no submission or observation to make in respect of the application.

3.3. Third Party Observations

Submission by John Lyons objecting to the proposed development due to concerns with respect of the proposed developments obstruction of Atlantic view and impact on the landscape, site is directly across from their property and potential loss of revenue to business as a bed and breakfast.

Cllr Gabriel Keating placed as representative on the planning application.

3.4. Prescribed Bodies

None.

4.0 Planning History

Current application with the planning authority planning register reference 2460134. This is a digital application. Planning permission sought for partial demolition of existing old silage pit and construction of a calf shed and underground effluent tank and associated siteworks. Further information requested (13th May 2024) in summary relating to:

- Appropriate Assessment Screening report and the preparation of Natura Impact Statement (NIS) as required.
- Details with regard to the management of slurry effluent arising from the proposed development, included a detailed map of the spreadlands which outlines buffer zones to watercourse and other sensitive receptors, a statement of organic nitrogen and phosphorous or a nutrient management plan outlining existing and proposed cattle numbers associated with the farm and proposed development, revised 'Slurry and Water Management Report' which ensures that the correct storage requirements are applied as per Table 2, Schedule 2 European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, as amended.
- Outline the particular age of the calves to be overwintered.

- With regard to the existing calf sheds within the farmyard an outline of the future use of these sheds, the total number and age of animals to be housed during the closed period and the total volume of farmyard manure generated.

2360223 Application withdrawn in respect to an application for the demolition of existing milking parlour and collecting yard and construction of a new milking parlour, drafting & handling facilities, waiting yard, meal bin & underground slatted parlour washings tank and all associated siteworks.

19516 Permission granted (September 2019) to A) Retain construction of an access road and the opening of a new access onto the adjoining public road, B) Construction of a straw bedded extension to the side of existing cow cubicle shed, C) Construction of an underground slatted slurry storage tank, D) Construction of a retaining wall adjacent to public road for drafting area and all associated siteworks

18477 Permission granted (September 2018) to construct an agricultural development of a hay store/machinery yard and ancillary site works.

17587 Permission granted (October 2017) to construct (a) demolition of existing farm store to facilitate the erection of an over ground milk silo located on new concrete slab (b) Retention of as constructed concrete silage slab and walls, (c) associated ancillary site works.

12304 Permission granted (August 2012) to construct a slatted unit consisting of cubicle area with underground slurry storage tanks, calving pens and associated site works.

5.0 Policy Context

5.1. Development Plan

The subject site is located in the countryside outside of the settlement boundary of the small village of Kilbaha and located immediately north of a designated recreational route (Map I9) and scenic route (Map H9). The landscape designation is 'settled landscape' (Map C Landscape Designations). Kilbaha is identified as one of the estuary settlements along the northern shoreline of the Estuary.

The following development plan objectives are relevant:

Development Plan Objective: Estuary Settlements CDP12.11 It is an objective of Clare County Council:

- a) To ensure that the settlements along the northern shoreline of the Estuary benefit from potential economic, tourism and recreational developments, in accordance with the role of the settlement on the Settlement Hierarchy in Chapter 3, Section 3.4 'Settlement Hierarchy'.
- b) To support the concept of settlement networks, to assist collaborative projects and the sharing of assets and strengths, the strengthening of the viability of the existing settlements along the Estuary and the maintenance and expansion of existing population levels and essential services and roles.

14.3.2.1 Settled Landscapes

These landscapes comprise the network of farmland, villages, towns that make up the majority of the County... Uses envisaged within 'Settled Landscapes' include agriculture, energy, forestry, extraction, transportation, industry, commerce, tourism, recreation, leisure, education, residential, healthcare and social infrastructure.

Development Plan Objective: Settled Landscapes CDP14.2 It is an objective of Clare County Council:

To permit development in areas designated as 'settled landscapes' to sustain and enhance quality of life and residential amenity and promote economic activity subject to:

- I. Conformity with all other relevant provisions of the Plan and the availability and protection of resources;
- II. Selection of appropriate sites in the first instance within this landscape, together with consideration of the details of siting and design which are directed towards minimising visual impacts;
- III. Regard being had to the need to avoid intrusion on scenic routes and on ridges or shorelines. Developments in these areas will be required to demonstrate:-
 - a) That the site has been selected to avoid visual prominence.

- b) That the site layouts avail of existing topography and vegetation to reduce visibility from scenic routes, walking trails, water bodies, public amenities and roads.
- c) That design of buildings and structures reduces visual impact through careful choice of forms, finishes and colours, and that any site works seek to reduce visual impact.

14.5 Views and Prospects

...There is a need to protect and conserve views adjoining public roads throughout the County where these views are of high amenity value. In conserving views, it is not proposed that this should give rise to the prohibition of development along these routes but development, where permitted, should not seriously hinder or obstruct these views and should be designed and located to minimise their visual impact.

The subject site sits along the Wild Atlantic Way (Route ref No. 17 - R487 from outside Carrigaholt to Loop Head). It is a strategic aim of the development plan to capitalise on the county's identified nodes along the Wild Atlantic Way.

Development Plan Objective: Scenic Routes CDP14.7 It is an objective of Clare County Council:

- a) To protect sensitive areas from inappropriate development while providing for development and change that will benefit the rural community;
- b) To ensure that proposed developments take into consideration their effects on views from the public road towards scenic features or areas and are designed and located to minimise their impact; and
- c) To ensure that appropriate standards of location, siting, design, finishing and landscaping are achieved

5.2. Natural Heritage Designations

The subject site is located approximately 1km from the Lower River Shannon Special Area of Conservation (SAC) (Site Code: 002165) the wider landholding (as outlined in blue on drawing no. 101) is partially in and partially adjacent to the Lower River Shannon SAC (Site Code: 002165).

Proposed Natural Heritage Area: Loop Head (Site Code 000045) and the Loop Head special Protection Area (SPA) (Site Code 004119) is located 2.5km from the subject site.

5.3. EIA Screening

See completed Form 1 on file. The development proposed is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and, in addition, I have concluded at pre-screening stage that there is no real likelihood of significant effects on the environment arising from the proposed development. A preliminary examination or an Environmental Impact Assessment (EIA) is not required.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal has been submitted by the neighbouring property, a guest house, south of the R487 and facing the subject site.

- Concerns with respect to obstruction of view by reason of the continuation of grey sheds and potential loss of revenue for the guest house. Suggests that the proposed straw shed be moved back to preserve the view of the Wild Atlantic Way.
- Concerns with respect to safety and increased dust given the extra volume of heavy articulated lorries and tractors using the farm entrance opposite the appellants entrance, taking into account the dangerous bend and narrowness of the road.
- Existing problems with flies will get worse with another construction.
- Photographs of existing view from the guest houses submitted includes images of feeder constructed without planning notice.

6.2. Applicant Response

- The farm is a well-established dairy enterprise.
- There is no increase in stock numbers related to the proposed development and therefore no increase in traffic from existing levels.

- The proposed development is located to suit farming needs to keep the produce close to allow for feeding stock in the winter months, to keep it dry from the rain and the building will act as a barrier to strong winds from the north.
- The development will not obstruct the view of the sea line or the townland of Fodera from the road.

6.3. Planning Authority Response

- The planning issues outlined in the third-party appeal pertaining to visual impact, traffic movements and impacts on adjacent amenities were assessed by the planning authority at application stage.
- Having regard to the intended use of the proposed development, the site's rural location, the policies of the current Development Plan and the pattern of development in the area, it is considered that subject to conditions the proposed development would not seriously injure the amenities of the area or property in the vicinity.

6.4. Observations

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all the submissions received in relation to the appeal, the reports of the local authority and having inspected the site, and having regard to the relevant local, regional, national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Impact on the visual amenities of the area
- Impact on residential amenity
- Other matters

7.2. *Impact on the visual amenities of the area*

- 7.2.1. The third-party appellant has raised concerns that the proposed straw storage shed will obstruct their view from their private property. I am of the opinion that the points made with respect to obstruction of view are not valid planning matters and, as such, I do not consider that the Board is in a position to draw any conclusions in relation to the matters raised. However, the points raised by the appellant also make reference to potential impact on the landscape and, as such, a consideration of the proposed development's impact on the visual amenities of the area is appropriate.
- 7.2.2. As noted above, in section 5.0, the subject site sits within the settled landscape designation and fronting the designated scenic route along the R487. The proposed development, comprising a 6.449m high structure with a Finished Floor Level (FFL) of 32.000m, is located at a low point of the sloping subject site approximately 7 metres below the road level, indicated as 39.634 close to the third-party appellant's vehicular entrance. The applicant submits that the proposed development will not obstruct the view of the sea line or the townland of Fodera from the road.
- 7.2.3. I acknowledge that the proposed structure will result in a change in the landscape and will expand the built form within the existing farm complex. I do not agree with the third-party appellant's concerns that the proposed development will result in a continuous line of grey sheds. The siting of the proposed straw storage shed is set back from the cluster of buildings and as such this staggered approach will allow for views through and across the subject site. I consider having regard to the selection of the site within the lower level of the sloping site, the relatively limited height of the structure taken together with the proposed muted grey tones of the proposed finish that the siting and design are directed towards minimising visual impacts within this settled landscape in accordance with development plan objective CDP14.2. I concur with the planner's assessment that the proposed development would not have adverse impacts on the views available from the scenic route directly adjacent to the subject site and those distant views from the northwest given that the shed would be seen in the context of the adjacent building and the rising lands to the south.
- 7.2.4. The planner's recommendation includes a condition requiring that a graded embankment be included to the north of the shed to graduate the raised ground levels into the adjoining paddock. If the Board is minded to grant permission I

recommend that a similar condition be attached to ensure that the areas immediately to the north, east and west surrounding the proposed straw storage shed are graduated grassed/planting embankments details to be agreed in writing with the planning authority.

7.3. Impact on residential amenity and traffic safety

- 7.3.1. The third-party appellant has concerns that the proposed development will negatively impact on their existing residential amenity by reason of an increase in flies and dust, as a result of the expanded farm and associated heavy articulated lorries and tractors serving the farm.
- 7.3.2. I note the applicant's response to the appeal in which they state that there is no increase in stock numbers related to the proposed development so there will be no increase in traffic from existing levels with respect to this proposed development. Furthermore, the applicant puts forward further justification for the siting of the proposed straw storage shed to act as a barrier from the strong winds from the north.
- 7.3.3. On balance, having regard to the established nature of the farm, the proposed use of the storage shed, its location within a settled landscape defined in the Clare County Development Plan 2023-2029 'as areas where people live and work', and the separation distance of more than 75 metres from the third party that the proposal would not have adverse impacts on the adjacent residential amenities. In addition, having regard to the proposed use and the applicant's response to the appeal I am of the opinion that the proposed development will not give rise to a change in vehicular movements. I note that condition no. 2 of the planning authority's recommendation to grant permission restricts vehicular access to the straw shed from the R487 regional road, during both construction and operational stages of the proposed development via the existing cow passage adjacent to the eastern boundary of the site (as per retention permission granted under planning register reference 19516). If the Board is minded to grant permission I recommend that a similar condition be attached to ensure that the use of this access continues to be used solely for the purposes of the passage of animals only.

7.4. *Other matters*

- 7.4.1. The third-party appellant has submitted photographs to illustrate a nut feeder constructed without stated planning notice to him. I note these photographs on the file. In the interests of clarity, the matter of enforcement falls under the jurisdiction of the planning authority.

8.0 **AA Screening**

- 8.1. See completed screening determination form in Appendix 2. In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information I conclude that 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 Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.
- 8.2. 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 European Sites.
 - The absence of meaningful pathway to any European Site.
 - Impacts predicted would not affect the conservation objectives.
- 8.3. No measures intended to avoid or reduce harmful effects on European Sites were taken into account in reaching this conclusion.
- 8.4. No nature conservation concerns were raised in the planning appeal.

9.0 **Recommendation**

- 9.1.1. I recommend that permission for the above-described development be granted for the following reasons and considerations subject to conditions.

- 9.1.2. I note that the floor area of the proposal is less than 800sq. m. Therefore, in accordance with the Development Contribution Scheme 2017-2023 no contributions would be payable.

10.0 Reasons and Considerations

- 10.1.1. Having regard to the location of the site within an area designated as Settled Landscape in the Clare County Development Plan 2023-2029 and, in respect to the selection of the site within the lower level of the sloping site, the relatively limited height of the structure taken together with the proposed muted grey tones of the proposed finish, the siting and design of the proposed straw storage shed are directed towards minimising visual impacts in accordance with development plan objective CDP14.2. The proposed development would not seriously hinder or obstruct the views available from the scenic route directly adjacent to the subject site and those distant views from the northwest given that the shed would be seen in the context of the adjacent building and the rising lands to the south, in accordance with CDP 14.7. Furthermore, having regard to the established nature of the farm, the proposed use of the storage shed which will not give rise to a change in vehicular movements, its location within a settled landscape defined in the Clare County Development Plan 2023-2029 'as areas where people live and work', and the separation distance from the existing residential properties that the proposal would not have adverse impacts on the adjacent residential amenities. Therefore, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 3rd April 2023, 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. The proposed shed shall be used for the storage of straw only.

Reason: In the interest of clarity.

3. Prior to commencement of development the developer shall submit revised drawings, to provide for grassed/planted embankments to the northern, eastern and western areas surrounding the straw storage shed, for the written agreement of the planning authority.

Reason: In the interest of visual amenity.

4. The colour and finish of the straw storage shed shall be Kilkea Grey Tegral Agribuild Plus corrugated sheeting or similar dark grey with rough cast base wall, as per drawing number 105.

Reason: In the interest of visual amenity.

5. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, streams or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent, and slurry storage tanks or to the public road.

Reason: In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.

6. No vehicular access to the straw shed from the R487 regional road during both the construction and operational stages of the proposed development shall be via the existing cow passage adjacent to the eastern boundary of the site.

Reason: In the interests of traffic safety and the protection of adjacent amenities and land uses.

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.

Claire McVeigh
Planning Inspector

31 May 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	317298-23			
Proposed Development Summary	Construction of a straw storage shed and all associated site works.			
Development Address	Kilbaha North, Kilrush, Co. Clare			
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	✓	
		No		
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	✓		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)	Conclusion
No	✓	N/A		No EIAR or Preliminary Examination required
Yes		Class/Threshold.....		Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	√	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Appendix 2: Screening for Appropriate Assessment

Screening Determination

Step 1: Description of the project

I have considered the proposed straw storage shed in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The proposed development comprises the construction of a straw storage shed within an existing dairy farm, with proposed ridge level of 38.449m* (as per drawing no. 105) and FFL of 32.000m (Height of 6.449m), finished in a grey (Kilkea Grey Tegral Agribuild Plus) corrugated sheeting sitting on top of a proposed rough cast wall of 2438mm in height, and all associated site works including the raising of the ground levels to provide a level platform. The stated gross floor area of the proposed straw storage shed is 328 sq. metres.

The subject site just outside the settlement boundary of Kilbaha and is located approximately 1km from the Lower River Shannon Special Area of Conservation (SAC) (Site Code: 002165). The wider landholding (as outlined in blue on drawing no. 101) is partially in and partially adjacent to the Lower River Shannon SAC (Site Code: 002165). Loop Head Special Protection Area (SPA) (Site Code 04119) is located 2.5km from the subject site.

No submissions received from prescribed bodies.

Step 2: Potential impact mechanisms from the project [consider direct, indirect, temporary/permanent impacts that could occur during construction, operation and, if relevant, decommissioning]

Taking account of the characteristics of the proposed straw storage shed in terms of its stated use, location within an existing farm complex and the scale of the works, the following issues are considered for examination in terms of potential impact mechanisms:

- Construction related temporary indirect habitat and species disturbance as a result of construction related surface water pollution (silt/ hydrocarbon/ construction related) from construction works resulting in changes to environmental conditions such as water quality/ habitat degradation.
- Construction related temporary indirect habitat and species disturbance as a result of construction related airborne pollution.

Step 3: European Sites at risk

The construction of a straw storage shed is not likely to have a potential impact mechanism on the qualifying interests of Loop Head SPA, taking into account the development is proposed within an established farm complex, sited on cultivated land and located approximately 2.5km away from the SPA.

The Lower River Shannon SAC (002165) contains a high number of habitats and species listed on Annexes I and II of the E.U. Habitats Directive. There is potential for surface water run off from the proposed construction of the straw storage shed to drainage to drainage channels ultimately draining to the Lower River Shannon SAC

Table 1 European Sites at risk from impacts of the proposed project

Effect mechanism	Impact pathway/Zone of influence	European Site(s)	Qualifying interest features at risk
Surface water pollution during the construction	Indirect surface water	Lower River Shannon SAC (002165)	21 QIs https://www.irishstatutebook.ie/eli/2023/si/328/made/en/pdf and https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002165.pdf

Step 4: Likely significant effects on the European site(s) 'alone'

The Qualifying Interests (QI) of the Lower River Shannon SAC (002165) are the following:

- Sandbanks which are slightly covered by sea water all the time [1110]
- Estuaries [1130]
- Mudflats and sandflats not covered by seawater at low tide [1140]

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- Coastal lagoons [1150]
- Large shallow inlets and bays [1160]
- Reefs [1170]
- Perennial vegetation of stony banks [1220]

- Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]
- Salicornia and other annuals colonising mud and sand [1310]
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330]
- Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation [3260]
- *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*) [6410]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]
- *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029]
- *Petromyzon marinus* (Sea Lamprey) [1095]
- *Lampetra planeri* (Brook Lamprey) [1096]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Salmo salar* (Salmon) [1106]
- *Tursiops truncatus* (Common Bottlenose Dolphin) [1349]
- *Lutra lutra* (Otter) [1355]

Table 2: Could the project undermine the conservation objectives 'alone'

European Site and qualifying feature	Conservation objective (summary)	Could the conservation objectives be undermined (Y/N)?			
		Effect A	Effect B	Effect C	Effect D
Lower River Shannon SAC (002165)	https://www.npws.ie/protected-sites/sac/002165 The Conservation Objective of this site is to restore the favourable conservation condition of QIs 1029, 1095, 1106, 1150, 1330, 1355, 1410	N	-	-	-

	and 91E0, and to maintain the favourable conservation condition of QIs 1096, 1099, 1110, 1130, 1140, 1160, 1170, 1220, 1230, 1310, 1349, 3260 and 6410.				
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Potential for impacts on water quality in the Lower River Shannon from silt laden surface water runoff resulting from vegetation clearance, and soil excavation and other construction related activities.

This would be a temporary impact, but it may be of significance due to the proximity to the SAC and the sensitivity of the QI (aquatic species) to sedimentation. The construction phase will result in short term construction related emissions.

I am satisfied that the development would not likely result in a direct or indirect significant effect on the conservation objectives of the European Site in terms of species or habitat fragmentation or disturbance. I am satisfied that the development would not likely result in any significant ex-situ effects on any species.

I conclude that the proposed development would have no likely significant effect ‘alone’ on any qualifying feature(s) of the Lower River Shannon (SAC). Further AA screening in-combination with other plans and projects is required. **Proceed to Step 5.**

Step 5: Where relevant, likely significant effects on the European site(s) ‘in-combination with other plans and projects’

Where it has been concluded that there are no likely significant effects alone, it is necessary to consider the proposal in combination with other plans and projects.

Table 3: Plans and projects that could act in combination with impact mechanisms of the proposed project.	
e.g. approved but uncompleted, or proposed	
Plan /Project	Effect mechanism
Proposed planning authority register reference 2460134 – decision pending	If permitted the construction phase will likely result in short term construction related emissions and potential for

with local authority please see section 4.0 for details.

temporary indirect surface water pollution.

Where plans and projects have been identified:

Taking each potential effect mechanism in turn, and with reference to the conservation objectives for the qualifying features at risk and the targets and attributes listed, complete the effect mechanism table(s) below for the effects of the project 'in combination with other plans and projects'.

Table 4: Could the project undermine the conservation objectives in combination with other plans and projects?

European Site and qualifying feature	Conservation objective	Could the conservation objectives be undermined (Y/N)?			
		Effect A	Effect B	Effect C	Effect D
Lower River Shannon SAC (002165)	The Conservation Objective of this site is to restore the favourable conservation condition of QIs 1029, 1095, 1106, 1150, 1330, 1355, 1410 and 91E0, and to maintain the favourable conservation condition of QIs 1096, 1099, 1110, 1130, 1140, 1160, 1170, 1220, 1230, 1310, 1349, 3260 and 6410.	N	-	-	-

The proposed project (Table 3) will result in additional short-term construction related emissions and potential for temporary indirect surface water pollution associated with the subject application. I conclude that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site(s). No further assessment is required for the project.

Overall Conclusion- Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information

I conclude that 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 Appropriate Assessment (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 European Sites.
- The absence of meaningful pathway to any European site.
- 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.