



An  
Bord  
Pleanála

## Inspector's Report ABP-317954-23

<b>Development</b>	Retention of an agricultural shed for housing livestock, entrance to the farmyard, and all associated site works.
<b>Location</b>	Ballyneggin, Castlebar, Co. Mayo.
<b>Planning Authority</b>	Mayo County Council.
<b>Planning Authority Reg. Ref.</b>	23215.
<b>Applicant(s)</b>	Ellen Teresa O'Malley.
<b>Type of Application</b>	Permission for Retention.
<b>Planning Authority Decision</b>	Grant Permission for Retention.
<b>Type of Appeal</b>	Third Party versus decision.
<b>Appellant(s)</b>	Paul Doherty.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	5 June 2024.
<b>Inspector</b>	Stephen Rhys Thomas.

## Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	4
3.1. Decision .....	4
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies .....	4
3.4. Third Party Observations .....	5
4.0 Planning History .....	5
5.0 Policy Context .....	5
5.1. Development Plan .....	5
5.2. Natural Heritage Designations .....	5
5.3. EIA Screening .....	6
6.0 The Appeal .....	6
6.1. Grounds of Appeal .....	6
6.2. Applicant Response .....	7
6.3. Planning Authority Response .....	7
6.4. Observations .....	7
7.0 Assessment .....	8
8.0 Appropriate Assessment .....	12
9.0 Recommendation .....	13
10.0 Reasons and Considerations .....	13
11.0 Conditions .....	13
Appendix 1 – Form 1: EIA Pre-Screening	
Appendix 2 - Screening for Appropriate Assessment - Screening Determination	

## **1.0 Site Location and Description**

- 1.1. The appeal site is located along the L1719 country road, 1.4 kilometres west of Turlough Village in County Mayo. The working farmyard site lies along the roadside in open countryside, characterised by agricultural fields, mostly in grass and enclosed by mature hedgerows and trees. There are occasional one-off rural houses on large garden plots along this road and a new dwelling is located across the road from the appeal site.
- 1.2. The appeal site comprises a working farmyard close to the public road. The farmyard is made up of a number of older farm buildings arranged around a number of yard areas. The shed it is proposed to retain, has a covered floor area of 104 sqm and comprises an asymmetrically pitched roofed structure, open to the front and over a effluent storage tank, known as a slatted unit. The front of the shed faces north across an open yard containing farm machinery and on to the public road. The new shed along with others in the farm complex are all visible from the road and from the new dwelling opposite. A new Griselinia hedge has been planted to the inside of the low wall that comprises the roadside boundary. A wide grass margin runs along the roadside between the boundary wall and road edge.

## **2.0 Proposed Development**

- 2.1. The proposed development can be summarised as follows:

To retain:

- an agricultural shed for housing livestock,
- entrance to the farmyard,
- and all associated site works

- 2.2. Further information was sought with reference to designated sites, the scope of development did not change.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

- 3.1.1. The planning authority issued a notification to grant permission subject to nine conditions, most are technical and standard in nature, notable conditions are summarised as follows:

Conditions 2, 5, 7 and 8 all seek compliance with S.I. No. 605/2017 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017.

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Reports**

The basis of the planning authority's decision can be summarised as follows:

###### **First Report**

- The proximity of the site to a watercourse should be assessed with regard to the River Moy SAC, further information required.

###### **Second Report**

- Satisfactory information was submitted with reference to designated sites.
- The retention of 104 sqm as an extension to an existing shed is acceptable.
- Development is in accordance with section 10 of the development plan.
- Grant permission subject to conditions.

##### **3.2.2. Other Technical Reports**

Environment Section – no objections.

#### **3.3. Prescribed Bodies**

None.

### **3.4. Third Party Observations**

- 3.4.1. A single observation received, the development should be at least 100 metres from a dwelling, it is not, Planning and Development Regulations refer.

## **4.0 Planning History**

- 4.1. None.

## **5.0 Policy Context**

### **5.1. Development Plan**

#### **5.1.1. Mayo County Development Plan 2022-2028**

Relevant policies and objectives include:

Volume 1

Policy EDP 21 To support the implementation of the Mayo County Council Agricultural Strategy to promote the continued development and expansion of the Agri-Food Sector, subject to the measures and environmental objectives of the forthcoming Common Agricultural Policy Strategy for Ireland.

Volume 2 Development Management Standards

Diagram 2 Commercial/Agricultural Entrance

10.1.1 Siting

10.1.2 Material Finishes

10.1.3 Protection of amenities

### **5.2. Natural Heritage Designations**

- 5.2.1. The River Moy SAC (site code 002298) is located 0.8 of a kilometre to the north west of the site.

### **5.3. EIA Screening**

- 5.3.1. Having regard to the existing, limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Note Appendix 1.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. A single third party appeal against the notification to grant permission has been received and can be summarised as follows:
- The shed was built without permission or discussion with locals, and is located 40 metres from our dwelling house, this is not within the exempted development limits of 100 metres. The two entrances do not form part of the permission. The noise, odour and tractor movements all cause a nuisance and impact upon residential amenity. The shed could have been located somewhere else on the overall holding.
  - The site has not been adequately landscaped and no conditions have been attached to screen the development.
  - Land spreading and the capacity of the storage tank have not been assessed.
  - The AA Screening Report has deficiencies, no account is given to land spreading or impact from contaminated water. Lough Corrib SAC and Lough Mas SAC were considered when it is the River Moy SAC that will be impacted upon. Emissions to air have not been considered in any assessment and nor has the construction phase of development.
  - Impacts to the Water Framework Directive has not been considered.

6.1.2. The appeal is accompanied by photographs of the development taken from the appellant's viewpoint.

## **6.2. Applicant Response**

6.2.1. The applicant has responded to each itemised detail of the grounds of appeal and the main points can be summarised as follows:

- No new entrances have been constructed.
- Consultation did take place.
- The working farmyard existed before the new house was built.
- Shed was constructed on the footprint of an older structure and trees had to be removed for safety concerns and a hedge has been planted in their place.
- Noise, smells and odours are always present at a working farmyard and this will not change.
- Machinery (classed as vintage) is used only when necessary and do not have lights for road use. All fodder is kept on site and travels across the farmyard for use in sheds.
- The AA screening report was prepared by a qualified professional and contains all relevant information, accepted by the planning authority.

## **6.3. Planning Authority Response**

None.

## **6.4. Observations**

None.

## **7.0 Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Land Use
- Residential Amenity
- Traffic
- Land spreading
- Other Matters

### **7.2. Land Use**

7.2.1. The site is located within a rural area and the proposal for the retention of a shed forms part of an existing and operational farmyard complex. I consider that that the proposed development for retention is compatible with the established land use within this agricultural and rural area. There are numerous policies that support agricultural development contained within the operative Development Plan. I consider that the proposal for retention permission will not set a precedent for other similar type of permission in the vicinity. In any event, all applications are assessed on their own merits. The shed's relative height, materials and elevational treatment integrates well with that of the buildings within the existing farmyard complex.

### **7.3. Residential Amenity**

- 7.3.1. The appellant has raised a number of issues about the agricultural activities that take place on this site and how they impact their residential amenities. It is the opinion of the appellant that all of the activities that take place at this farmyard, result in noise, odour, lighting and loss of privacy and these impacts are made worse because of the addition of the shed it is proposed to retain. The proximity of the shed is viewed as the primary impact, and this magnifies the elements listed above.
- 7.3.2. The applicant refutes all of these issues and points out that the farmyard has been in existence for a long period of time, well before the appellant's house and the activities as they are carried out on the site are common to all farms in the area. In terms of the shed it is proposed to retain, it has been positioned at a location where



a shed previously stood and is a significant distance from the appellant's dwelling. It is pointed out that the farm vehicles do not use the road for feeding stock, all of that activity happens within the yard.

- 7.3.3. I have visited the site and it comprises a working farmyard that serves the surrounding agricultural landholding outlined in blue on the maps supplied with the application. Most buildings within the farmyard complex are of older stock and still functional. The new building it is proposed to retain is of a standard agricultural design, 4.9 metres in height with a floor area of 104 sqm, covered feeding corridor and over a concrete holding tank. In terms of scale, the shed is not noticeably larger than other sheds on site. However, as a new structure in the overall yard it is an addition that can be clearly seen from the road and nearby dwellings. This is as a result of its position within the yard and proximity to the edge of the public road, 23 metres. The shed is located 63 metres from the front building line of the appellant's house to the north and 60 metres from a dwelling to the east.
- 7.3.4. The appellant refers to exempted development limits of 100 metres between houses and agricultural sheds, class 6 of Article 6 Part 3 of the Planning and Development Regulations 2001 as amended refer. The applicant is not making use of these regulations to exempt the need for planning permission to be sought and though the separation distances and other limits are useful to know, they are not relevant in this instance.
- 7.3.5. The appellant refers to a list of nuisances that are perceived to affect their residential amenities, odour, noise, traffic movements, lighting etc. I note that the farmyard has been in place in for some time and certainly before the construction of the appellant's dwelling in 2021. All of the activities carried out on a farm are usually concentrated within the farmyard and more so during the winter months and when fodder is gathered in for storage. This is the pattern of use at this farmyard like many others around the country. The replacement or addition of a shed to improve livestock housing and welfare is to be expected and the position of the shed is chosen with reference to its logical place in the operational effectiveness of the overall farm. I consider that the day to day operations of the farmyard occurred long before the appellant's house was constructed and therefore the amenities of this rural and agricultural area should have been well known. In addition, I consider that any changes made to the farmyard are to be expected, subject to the necessary

consents and would not amplify pre-existing activities to such a degree that would result in a perceptible diminution of residential amenity, such as it exists. With reference to issues such as odour, noise and emissions these are all controlled by other environmental codes for which the local authority is a competent body to enforce. If there are matters that need to be addressed with reference to noise and odours, then this is a matter to be taken up locally with the planning authority.

#### **7.4. Traffic**

- 7.4.1. The appellant has raised concerns around traffic movements at the farm and how they represent a nuisance in terms of noise and light. In addition, the absence of a second entrance to the farmyard from the planning application is seen as an omission. I note from the site drawing that the existing farmyard entrance is labelled as to be retained and I observed its presence on the day of my site visit. The planning authority raise no concerns about this entrance and the applicant points out that the job of feeding fodder to livestock is carried out within the yard and not over the public road. I am satisfied that there are no issues with regard to traffic safety and the appeal on hand. The shed to retain is located within an existing and operational farmyard complex accessed from a single entrance off the public road and can also be accessed from the entrance to the associated farmhouse to the west and more generally from the farmlands to the south.

#### **7.5. Land Spreading**

- 7.5.1. The appellant has queried why no assessment was made in relation to land spreading of effluent generated and whether enough capacity exists to cater for intended use. In this respect that the planning authority attached condition 2 of the notification to grant permission refers to a minimum storage capacity.
- 7.5.2. Foul water generated by livestock housed in the proposed shed would be intercepted by the slurry tank beneath the slatted shed. Subsequent, land spreading would be regulated by the provisions of S.I. No. 113/2022 entitled “European Union (Good Practice for Protection of Waters) Regulations 2022” (as amended). I am aware of past legal judgments that refer to the spreading of slurry on lands and whether or permission is required, Michael Hoey -v- An Bord Pleanála [2018] IEHC 701 refers. The proposal before the Board refers to the retention of the construction of a slatted cattle shed with a slurry holding tank, and whether this proposal, as distinct from any

land spreading that may follow, could have a significant effect upon European sites in the surrounding area is assessed here. In this respect, S.I. No. 113/2022 entitled “European Union (Good Practice for Protection of Waters) Regulations 2022” (as amended) is of relevance, as it provides a separate legal code to govern land spreading. As the planning authority have done, I recommend the attachment of a condition to ensure the satisfactory disposal of waste water material, protect public health and prevent pollution of watercourses.

## **7.6. Other Matters**

- 7.6.1. Surface water – it is not apparent from drawings how the surface water from the shed will be managed. I note that the planning authority have attached two conditions to the notification to grant permission that relate to surface water management, conditions 3 and 4 both refer. I anticipate that surface water run off from the roof of the proposed shed would be intercepted by rainwater goods and piped to the existing drainage system on site or soakpits. In any case, an appropriately worded condition can ensure that surface water run-off from the development is appropriately managed.
- 7.6.2. Landscaping – the appellant notes that conditions to do with landscaping and screening have not been attached to the permission. I note that this is the case, no specific landscaping condition has been attached. The applicant points out that a new hedgerow has been planted on site and that in time this will screen the shed. I observed the location of a newly planted griselinia hedge to the back of the farmyard boundary wall that aligns the public road. In time this evergreen hedge will provide a visual screen to the entire farmyard. In most cases the establishment of a new hedgerow would entail the provision of a mix of hedging plants of native species. However, in this case I am satisfied that an evergreen hedge such as griselinia would be appropriate. In this case, a suitably worded condition should be attached, so that a detailed landscaping plan should show the location of the screening hedgerow and the replacement of any plants that are damaged or die off.

## **8.0 Appropriate Assessment**

- 8.1.1. The subject site is located 0.8k south of the River Moy SAC (site code 002298) and comprises permission for the retention of an agricultural shed that provides animal housing and a storage tank for effluent.
- 8.1.2. The appellant has raised issues with the AA documentation submitted by the applicant, specifically in relation to land spreading, the construction phase and farm intensification. Section 7.5 of my report already outlines that land spreading of slurry does not form part of this planning application and should not be considered at all. The application does not seek the further intensification of stocking levels and the construction phase is now over.
- 8.1.3. I note the content and conclusions reached in the applicant's AA Screening Report that states given the distance to the nearest designated site, the absence of any need for specific measures, the lack of any hydrological pathways, there is no likelihood of significant effects to the QIs or COs of the River Moy SAC.
- 8.1.4. 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.
- 8.1.5. This conclusion is based on:
- Objective information presented in the AA Screening Report prepared by the applicant.
  - 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.
  - The nature of works, the retention of a small scale agricultural shed for the housing of livestock with an effluent storage tank within an existing and fully operational farmyard complex.

- The location and distance from the nearest European site and the lack of hydrological connections.
- Taking into account the screening assessment by the planning authority

8.1.6. No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion. Detailed assessment at Appendix 2 of my report refers.

## **9.0 Recommendation**

9.1. Having regard to the above assessment, and based on the following reasons and considerations, it is recommended that permission be granted subject to conditions.

## **10.0 Reasons and Considerations**

Having regard to the Mayo County Development Plan 2022 -2028, specifically Policy EDP 21 that seeks to support the development and expansion of the Agri-Food Sector, and the scale and nature of the development it is proposed to retain, it is considered that the proposed development would not seriously injure the amenities of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and visual amenity. The proposed development would, therefore, 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, as amended by the particulars submitted on the 18<sup>th</sup> day of July 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. Water supply and 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 to ground in appropriately sized soakaways.

(b) all soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2022, as amended, or to a slatted tank. Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

(c) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended shall be strictly adhered to.

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

3 The sheds shall be used only in strict accordance with a management schedule, which shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. The management schedule shall be in accordance with the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2022, as amended, and shall provide at least for the following:

a) Details of the number and types of animals to be housed.

b) The arrangements for the collection, storage and disposal of slurry.

c) Arrangements for the cleansing of the buildings and structures.

Reason: In order to avoid pollution and to protect residential amenity.

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

Reason: In the interest of public health.

5. Slurry generated by the proposed development shall be disposed of by spreading on land in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended or by other means acceptable in writing to the planning authority. The methods, locations, rates and times of land spreading shall be carried out in strict accordance with the criteria as prescribed in the aforementioned regulations.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

6. A comprehensive boundary/entrance treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority. This scheme shall include the following: -

(a) details of boundary/entrance treatments along the northern boundary of the site adjoining the public road, including heights, materials and finishes;

Upon receipt of written agreement from the planning authority the applicant shall fully implement the approved details within 6 months unless otherwise agreed in writing with the planning authority. All planting shall be adequately protected from damage until established. Any plants that die, are removed or become seriously damaged or diseased, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

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Stephen Rhys Thomas  
Senior Planning Inspector

20 June 2024



## Appendix 1 - Form 1

### EIA Pre-Screening

**[EIAR not submitted]**

<b>An Bord Pleanála Case Reference</b>	ABP-317954-23			
<b>Proposed Development Summary</b>	Retention of an agricultural shed for housing livestock, entrance to the farmyard, and all associated site works.			
<b>Development Address</b>	Ballyneggin, Castlebar, Co Mayo.			
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	✓	
		<b>No</b>	No further action required	
<b>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?</b>				
<b>Yes</b>			EIA Mandatory EIAR required	
<b>No</b>	✓		Proceed to Q.3	
<b>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]?</b>				
		<b>Threshold</b>	<b>Comment (if relevant)</b>	<b>Conclusion</b>
<b>No</b>	✓	Schedule 5 Part 2, Class 1. Agriculture, Silviculture and Aquaculture, and does not equal or exceed any relevant quantity, area or limit where specified for this class.	No class specified.	No EIAR or Preliminary Examination required
<b>Yes</b>				Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	N/A	<b>Preliminary Examination required</b>
<b>Yes</b>	N/A	<b>Screening Determination required</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Appendix 2**  
**Screening for Appropriate Assessment**  
**Screening Determination**

**Template 2: Screening for Appropriate Assessment**

**Screening Determination**

**Step 1: Description of the project**

I have considered the Livestock Shed in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The subject site is located 0.8k south of the River Moy SAC (site code 002298). The proposed development comprises the retention of an agricultural shed for housing livestock, entrance to the farmyard, and all associated site works.

**Step 2: Potential impact mechanisms from the project.**

The development involves none of the following direct impacts:

- Habitat loss or deterioration
- Species disturbance or mortality

The development involves no indirect impacts, because of the distance to the nearest designated site, the absence of any need for specific measures, the lack of any hydrological pathways that would significantly effect to the QIs or COs of the River Moy SAC.

**Step 3: European Sites at risk**

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 European sites, is the operational related habitat and species disturbance and fragmentation as a result of surface water pollution.

The River Moy SAC (site code 002298) is the only proximate designated site that could feasibly have any connection with the site. The site synopsis is published on the NPWS website.

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

The Qualifying Interests (QI) of the River Moy SAC (site code 002298) are the following:

Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*) [6510]

Active raised bogs [7110]

Degraded raised bogs still capable of natural regeneration [7120]

Depressions on peat substrates of the *Rhynchosporion* [7150]

Alkaline fens [7230]

Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]

Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]

*Austropotamobius pallipes* (White-clawed Crayfish) [1092]

*Petromyzon marinus* (Sea Lamprey) [1095]

*Lampetra planeri* (Brook Lamprey) [1096]

*Salmo salar* (Salmon) [1106]

*Lutra lutra* (Otter) [1355]

The Conservation Objective of this designated site is to restore the favourable conservation condition of the QIs listed above. The appeal site does not form part of the SAC and there are no feasible linkages or pathways.

All effluent from the cattle house will be disposed of via the underground slurry tanks. The construction phase resulted 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, having regard to the characteristics of the subject site, i.e. an established farmyard, and to the nature of surrounding agricultural grazing lands, I consider that they are not attractive or suitable for Otter. I am satisfied that the development would not likely result in any significant ex-situ effects on any species.

I note the Appellant questions the capacity of the slurry tank, together with the issue of land spreading and effects on European Sites. With regards to the slurry tank, this must be designed and sealed in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations, as amended. Furthermore, I note that the application of fertilisers are regulated under the European Union (Good Agricultural Practice for Protection of Waters) Regulations, as amended. The regulations contain specific measures to protect surface waters and groundwater from nutrient pollution arising from agricultural sources. Notwithstanding this, the Board should note that the carrying out of land spreading does not form part of this application.

I conclude that the proposed development would have no likely significant effect 'alone' on any qualifying feature(s) of the River Moy 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'**

There are no relevant plans or projects that exist in the vicinity and there are no residual impacts that could impact in combination, and no in-combination issues arise.

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:

- Objective information presented in the AA Screening Report prepared by the applicant.
- 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.
- The nature of works, the retention of a small scale agricultural shed for the housing of livestock with an effluent storage tank within an existing and fully operational farmyard complex.
- The location and distance from the nearest European site and the lack of hydrological connections.
- Taking into account the screening assessment by the planning authority

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