



An
Bord
Pleanála

Inspector's Report 319756-24

Development	Permission for the construction of a four bay slatted cattle shed with loose area.
Location	Cashla, Cregmore, Claregalway, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	24/77
Applicant(s)	Barney Carroll
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party V Grant
Appellant(s)	Wild Ireland Defense CLG
Observer(s)	None.
Date of Site Inspection	5th day of February 2025
Inspector	Fergal Ó Bric

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.48 ha and is located in the rural townland of Cashla, approximately six kilometres south-east of the settlement of Baile Chláir (Claregalway). The site is accessed from a local road, the L3102, which in turn accesses onto the R339, a regional route connecting Oranmore with Monivea which ultimately connects to the M6 Motorway (connecting Galway with Dublin) at junction 19.
- 1.2. The subject site is currently in agricultural use and comprises two by three bay agricultural sheds on either side of a hard surfaced yard area. The sheds are used for storage purposes, farm machinery, fuel (timber) and straw storage as well as a dry bedding area for animal wintering, where there were cattle wintering on the day of my site inspection and two cubicle sheds that are stated to be no longer in use.
- 1.3. The existing farm structures on site comprise a stated area of 893 square metres. The farm sheds are set back approximately ninety metres, west of the local county road, the L3102, and behind the residential dwelling associated with the farm. There is a farm access road to the side (north) of the residential dwelling which is the main access to the farmyard complex. Access to the appeal site is from the local county road via an agricultural gated entrance. The site slopes very gradually downwards from the agricultural buildings, from west to east and from the proposed slatted shed towards the public road. There is a large undeveloped field to the rear (west) of the established farmyard complex. There is a post and wire fence along the southern site boundary, a natural stone wall along the eastern site boundary and open to the field along the northern and western site boundaries.

2.0 Proposed Development

- 2.1. The proposed development would comprise a four bay agricultural shed comprising a slatted area with underground slurry storage tank and a loose dry bed area comprising a total stated floor area of 202 square metres (sq. m),
- 2.2. The agricultural shed would have a length of 19.2 metres and a depth of 10.9 metres, with a cantilevered roof overhang of 2.7 metres over a feed apron area and a maximum ridge height of approximately 6.35 metres, consistent with the height of the existing agricultural sheds on site. The hard standing arrangements will remain.

The existing natural stone wall and mature trees located east and south-east of the appeal site would not be impacted by the development proposals.

- 2.3. The Planning Authority conducted an Appropriate Assessment (AA) Screening exercise and concluded 'that the proposed development, by itself or in combination with other development in the vicinity, would not likely have a significant effect on European sites, their qualifying interests or conservation objectives. Stage 2 assessment, is therefore, not required'.
- 2.4. The Planning Authority conducted an Environmental Impact Assessment (EIA) Screening exercise and determined 'that there is no real likelihood of significant effects on the environment arising from the proposed development in the context of EIA legislation. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required'.
- 2.5. The Planning documentation included a Fertiliser Plan (Nutrient Management Plan) as submitted by the applicant to the Department of Agriculture, Food and the Marine. This Plan provides details of Nitrogen and Phosphorus application to his lands, details of manure/soiled water production and storage on site, as generated by their farm sheep and cattle and mapping illustrating the location of lands where the slurry and the farmyard manure would be spread. This plan pertained to the 2023 calendar year.

3.0 Planning Authority Decision

Decision

By order dated 30th day of April 2024, Galway County Council (GCC) issued notification of the decision to grant permission subject to eleven standard conditions. The pertinent conditions are as follows:

Condition number 4: All uncontaminated surface water generated by the development, shall be disposed of onsite to appropriately sized soakaways in accordance with BRE Digest 365 or equivalent, and shall not be discharged to the public road or the adjoining property.

Condition number 5: The agricultural building shall have down pipes and gullies with rainwater directed to a suitably sized soakaway.

Condition number 6: All farm effluent, soiled water and slurry generated by the proposed development and within the farmyard shall be conveyed through properly constructed channels to appropriate storage facilities and no effluent or slurry shall discharge to any stream, river or watercourse, or to the public road,

Condition number 8: All farmyard wastes, slurry, manure and silage effluent shall be managed in accordance with EU Good Agricultural Practice for Protection of Water Regulations 2022.

Condition number 9: All land spreading shall be carried out strictly in accordance with the Nutrient Management Plan as submitted by the applicant to the PA on the 8th day of March 2024 no land spreading shall be permitted in areas liable to flooding or on lands with less than one metre depth of subsoil.

Condition number 10: Waste shall not be spread immediately after periods of unusual heavy rainfall or frozen ground or on land subject to flooding or at any time surface water run-off.

3.1 Planning Authority Reports

- 3.1.1. On the basis of the planning report, the proposals were deemed to be acceptable subject to standard agricultural conditions as set out within Section 3.0 above. A grant of permission was recommended, which forms the basis of the Planning Authority decision to grant permission.

3.2. Other Technical Reports

Environment Section: No objections, subject to including a condition in relation to slurry spreading. This will be referenced later within this assessment.

3.3. Prescribed Bodies

Not referred.

3.4. Third Party Observations

One third party observation was made on this application by Mr. Peter Sweetman on behalf of Wild Ireland Defense CLG. Many of the issues raised in the observation

were also raised within the grounds of appeal (see section 6.0 of this report), and include the following:

- The Planning Authority (PA) must assess the proposals in the context of the Planning and Development Act 2000 (as amended).
- The Planning Authority (PA) is required to form and record a view as to the environmental impacts of the development.
- The proposals are within the zone of influence of the Lough Corrib Special Area of Conservation and Appropriate Assessment is required.
- The proposals must be assessed for compliance with the requirements of the Water Framework Directive.

4.0 Planning History

I am not aware of any relevant planning history pertaining to the appeal site.

5.0 Policy and Context

Galway County Development Plan 2022-2028

- 5.1.1. The operative plan for the area is the Galway County Development Plan 2022 – 2028.

Section 4.7-Rural Development

There are certain industries that are suitable within the rural area outside of designated settlements. These industries include for example agriculture, horticulture, forestry, tourism and rural resource based enterprise. These should be supported where appropriate.

RD 1 Rural Enterprise Potential To facilitate the development of the rural economy through supporting a sustainable and economically efficient agriculture and food industry, 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. Development

of Cafes, Art Galleries, Hot Desk Facilities etc. which are important to the rural economy.

Section 4.8 Agriculture

The Council will facilitate and encourage best practice in terms of new agricultural development.

AD 1 Sustainable Agriculture Practices 'To facilitate the development of sustainable agricultural practices and facilities within the county, subject to complying with best practice guidance, normal planning and environmental criteria and the development management standards in Chapter 15 Development Management Standards'.

AD 3 Modernisation of Agriculture Buildings 'To facilitate the modernisation of agriculture and to encourage best practice in the design and construction of new agricultural buildings and installations to protect the environment, natural and built heritage and residential amenity'.

AD 4 Agriculture Waste 'To ensure agricultural waste is managed and disposed of in a safe, efficient and sustainable manner having regard to the environment and in full compliance with the European Communities Good Agricultural Practice for the Protection of Waters Regulations (2014) and relevant best practice guidelines'.

Map 8.1 of the Development Plan identifies the appeal site as being located within the Central Galway Complex Landscape where the sensitivity is within Class 1-which has a low sensitivity to change and is unlikely to be affected by change.

5.2 Natural Heritage Designations

The nearest Natura 2000 site to the appeal site boundary is the Lough Corrib SAC (site code 000297) is located approximately 2.63 kilometres north-west of the appeal site boundary.

5.3 Environmental Impact Assessment - Screening

5.3.1 Please see Appendices 1 and 2 below where the following conclusion was reached 'In relation to the proposed development and its potential to adversely impact upon the local receiving environment: 'Having regard to the 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 2001, as amended, 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'.

6.0 The Appeal

6.1 Grounds of Appeal

The decision of Galway County Council to grant permission has been appealed by Mr. Peter Sweetman on behalf of Wild Ireland Defense CLG. The grounds of appeal include the following:

Natural Heritage and biodiversity

- The designated site most at risk from the proposed development is the Lough Corrib Special Area of Conservation (SAC).
- The Planning Authority agree that the development may have an effect on the European site.
- Case law sets out that Appropriate Assessment (AA) is required.
- The trigger for AA is that where there is a possibility of there being a significant effect on a site, this would generate the need for AA in accordance with the provisions of Article 6 (3).

6.2 Applicant Response

None received.

6.3 Planning Authority Response

None received.

6.4 Observations

None received.

7.0 Assessment

7.1 Introduction

7.1.1. The proposals would provide for the construction of a four bay agricultural shed comprising a slatted element and a loose dry bedding area and all associated site works immediately adjacent to an existing established farmyard complex.

7.1.2. Having regard to the planning documentation submitted, and having conducted a site inspection, I consider that the main issues are those raised within the report prepared by the Planning Authority and those raised within the third party appeal submission.

- Principle of Development
- Environmental Issues and Water Quality
- Other Issues
- Appropriate Assessment.

7.2 Principle of Development

7.2.1. The proposals would comprise the erection of an agricultural shed, incorporating a slatted area and a dry loose bed area and a feed apron within the vicinity of an existing farm yard complex, The appeal site is located within a rural area, as designated within the current Galway Development Plan and there are a number of other agricultural enterprises located adjacent to the appeal site and in the wider rural hinterland. I am of the opinion that the proposals would be in accordance with Policy objective AD 1 of the Development Plan relating to 'Sustainable Agriculture Practices', and policy objective AD3 in relation to the 'Modernisation of Agriculture buildings.

7.2.2 I have no objection to the proposal in principle, subject to compliance with appropriate standards and demonstration that the development would not have significant adverse effects on the environment or adjacent residential amenities, would not result in the creation of a traffic hazard nor adversely impact upon any European site. These are all matters that will be addressed as part of the assessment below.

7.3 Environmental Issues and Water Quality

7.3.1 The planning documentation submitted by the applicant includes details of animal stocking numbers and a Fertiliser Plan (Nutrient Management Plan) as submitted to the Department of Agriculture, Food and the Marine (DAFM) for the calendar year 2023. The plan outlines that the manures produced on the holding and storage facilities on the farm amount to a total slurry storage requirement of 113m³ over the required 18-week period. I note that the capacity of the proposed slatted tanks as per the drawings submitted at 187.76 m³ exceeds this requirement. The farmyard manure produced (20 m³) will also be accommodated in the form of 81.83 m³ of loose dry bedding.

7.3.2 Slurry and manure will be spread directly from the slats/loose dry bed areas to his lands and the planning documentation includes details of land availability for spreading of both wastes. Proposals in this regard have been considered acceptable by the planning authority, subject to standard agricultural practice conditions. The Environment Section within Galway County Council outlined no objections to the slurry spreading proposals once the spreading of slurry and manure is managed in accordance with EU Good Agricultural Practice for Protection of Water Regulations 2022. Planning conditions to this effect (condition numbers 8 & 9) were included as part of the Planning Authority decision. in the interest of protecting public health and groundwater quality.

7.3.3 It is stated that there will be no soiled water generated by the proposed development as the agricultural housing will be roofed and therefore, under cover. Handling facilities for animals are indoors and, therefore, no animals, slurry or farmyard manure will be stored in the open yard area. Yards are to be kept clean and free

from any build-up of soiled water. Condition number 5 as set out within the PA's decision reinforces this requirement.

7.3.4 Having regard to the above, I am satisfied that the applicant has demonstrated that adequate capacity and proposals for the storage and disposal of effluent within the appeal site would be provided. Ultimately, the management of effluent arising from agricultural activities and the undertaking of land spreading is governed by the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, and the applicant will be required to operate in accordance with the relevant DAFM specifications, especially in the light of making a grant aid application, to assist in the cost of developing the proposed farm buildings. Condition numbers 8 and 9 of the PA decision both include statements to this effect.

7.3.5 In terms of groundwater, as per the EPA groundwater mapping (<https://gis.epa.ie/EPAMaps/Water>), the appeal site overlies the Clare-Corrib groundwater body which is identified as being 'not at risk'. I am satisfied that the applicants' proposals will not adversely impact the underlying groundwater body, given the absence of deep excavations required to construct the proposed development.

7.3.6 The Board should note that land spreading does not form part of this application, and such process is 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. This includes, inter alia, no land spreading within 5-10 metres of a watercourse following the opening of the spreading period (16th January for County Galway). I 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.

7.3.7 Notwithstanding this, land spreading of manure that does not comply with the above-mentioned legislation has the potential to give rise to likely significant effects on European sites within the zone of influence, having regard to the relevant sites'

conservation objectives and the likelihood for these effects have been assessed in the Appropriate assessment screening conducted by the Planning Authority and will be addressed as part of an Appropriate Assessment screening exercise included as Appendix 3 that accompanies this report.

7.3.8 In conclusion, I am satisfied that the applicant has submitted adequate information as part of this planning documentation, in terms of how waste will be managed within the site and that he has demonstrated that adequate waste storage will be available on site to manage the waste generated on site. The details provided are in accordance with best practice guidance as set out by the DAFM. Therefore, I consider that the proposals would not adversely impact upon the local environment, and more particularly water quality. This particular matter will be assessed in greater detail within section 8.0 of this report (Appropriate Assessment) and within Appendix 3 (AA Screening).

7.4 Other Issues

Visual impact

7.4.1 The proposed development would be located behind (east) of existing farm structures and would not be visually prominent from the public domain. A landscaping plan can be conditioned in order to augment the existing mature tree planting located east and south-east of the proposed agricultural structure. This is a matter that can be conditioned by the Board, if they deem appropriate.

Access and Traffic

7.4.2 It is proposed to use the existing gated agricultural entrance to access the proposed development from the adjoining public road, the L3102. This farm access road serves the existing farmyard and buildings and is located immediately north of the applicants' residential property, which is located between the public road and the farmyard complex. Sightlines at the existing farm entrance with the public road are adequate, given that the speed limit along local roads is 60 kilometres per hour

(since the 7th day of February 2025) as implemented by the Road Safety Authority (RSA).

7.4.3 I acknowledge that the construction traffic levels would result in an increase in traffic levels. However, this would be temporary in nature and that once constructed, that the agricultural development, existing and proposed, would not result in a significant increase in traffic levels entering/exiting the appeal site, above the traffic levels that currently operate from the appeal site.

7.4.4 In conclusion, I am conscious of the nature and relatively modest scale of the proposed agricultural development in the vicinity of an established farmyard complex within a rural environment, and I consider that the proposals would be acceptable from a traffic safety perspective and would not adversely impact upon the local road network by reason of excessive wear and tear.

8.0 Appropriate Assessment

Please refer to Appendix 3 (AA Screening) which contains an AA Screening Assessment Report where I have concluded the following:

I conclude within my AA Screening Assessment that the proposed development would not have a likely significant effect alone on the water dependent habitats and species of the Lough Corrib Special Area of Conservation (side code 000297) from surface water run-off, sediment and hydrocarbons that may be generated during the construction and operational phases of the development and the potential for disturbance of species within the European sites during the course of the construction activities. An Appropriate Assessment (AA Stage 2) is not required on the basis of the effects of the project alone. Further assessment of in-combination with other plans and projects is not required at this time. Likely significant effects are

excluded and, therefore, Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

9.0 Recommendation

I recommend that planning permission be granted.

10.0 Reasons and Considerations

Having regard to the rural location of the site; the demonstrated additional farm buildings to house animals on this land holding; the established and permitted farm complex and practices on the holding; the character and pattern of development in the vicinity; and to the policy objectives of the Galway County Development Plan 2022-2028, specifically policy objectives AD1 And AD3 in relation to Sustainable Agriculture Practices and Modernisation of Agriculture buildings, it is considered, subject to the conditions set out below, that the proposed development would not seriously injure the amenities of the area, nor adversely impact upon the local receiving environment, nor adversely impact upon water quality nor give rise to disturbance of protected habitats or species in any European site. 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 to the Planning Authority on the 8th day of March 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The slatted shed shall be used only in strict accordance with a management schedule to 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 Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2022.

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

3. All foul effluent and slurry generated by the proposed development 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 to the public road.

Reason: In the interest of public health.

4. 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 to the satisfaction of the planning authority.

and

(b) all soiled waters, shall be directed to the slatted 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, public health and to ensure a proper standard of development.

- 5 All storage facilities for farmyard effluent shall:
 - a) be so constructed, maintained, and managed as to prevent run-off or seepage, directly or indirectly, into groundwater or surface water of any effluent produced, and
 - b) 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 environmental protection, pollution control and in the interest of public health and residential amenity.

- 6 The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing –

- (i) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech, or alder and which shall not include prunus species.
- (ii) Details of screen planting which shall not include cupressocyparis or leylandii.
- (iii) Details of roadside planting which shall not include prunus species.

(b) A timescale for implementation [including details of phasing]

All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development 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 the interest of residential and visual amenity.

- 7 The use of the proposed building shall be for agricultural purposes only.

Reason: In the interest of clarity.

- 8 The cladding to the roof and walls of the proposed building shall be green/dark green in colour.

Reason: In the interest of visual amenity.

- 9 The spreading of slurry or manure from this facility shall comply with the Requirements of the European Union (Good Agricultural Practices for the Protection of Waters) Regulations 2022, or as otherwise updated.

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

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.

Fergal Ó Bric
Planning Inspectorate

19th day of February 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála	319756-24		
Case Reference			
Proposed Development Summary	Permission for the construction of a four bay slatted cattle shed with loose area.		
Development Address	Cashla, Cregmore, Claregalway, Co. Galway		
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	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank	Schedule 5, Part 2, Class 1 of the P & D Regulations 2001 (as amended) sets out a number of types of development which require the submission of an EIAR and includes the following: Specifically, Class 1(e) sets out the following: <ul style="list-style-type: none"> For intensive poultry farming activities not included in Part 1 of this Schedule which would have more than 40,000 places for poultry: For intensive pig farming activities not included in Part 1 of this Schedule which would have more than 2,000 places for production pigs (over thirty kilograms) in a finishing unit, more than 400 places for 	x

		sows in a breeding unit or more than 200 places for sows in an integrated unit.	
No	Tick or leave blank		

3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?

Yes	Tick/or leave blank		
No	Tick/or leave blank		X

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?

Yes	Tick/or leave blank	Proposals relate to the construction of a four bay slatted cattle shed with loose area. The threshold as set out in Schedule 5, Part 2 of the P & D Regulations 2001 (as amended) Class 1(e) specifically relates to intensive poultry and pig rearing facilities and not cattle or sheep rearing facilities.	X
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5. Has Schedule 7A information been submitted?

No	Tick/or leave blank	X
Yes	Tick/or leave blank	

Inspector: _____

Date: _____

Appendix 2-Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-319756-24
Proposed Development Summary	Permission for the construction of a four bay slatted cattle shed with loose area. a slatted
Development Address	Cashla, Cregmore, Claregalway, Co. Galway.
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
Characteristics of proposed development	<p>The proposed development would comprise the construction of an agricultural shed incorporating a slatted area and a dry loose bedding area, and all associated site works and is located within a rural area.</p> <p>It is considered that the proposed development will not give rise to the production of significant waste, emissions or pollutants.</p>
Location of development	Having regard to the limited nature and scale of development

<p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g., wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>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, 2001, as amended, 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.</p>
<p>Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>The scale of the proposed development would not be described as exceptional in the context of the existing environment.</p> <p>There are no significant developments within the vicinity of the site which would result in significant cumulative effects/considerations.</p>

Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes, no real likelihood of significant effects and, therefore, EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

**Screening for Appropriate Assessment
Screening Determination**

Description of the project

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The development is described in Section 2 of my report. The proposed slatted agricultural shed and loose bed area development is located within the rural area of Cashla, approximately six kilometres south-east of the settlement of Baile Chláir (Claregalway). The appeal site comprises an established farmyard development which comprises a hard surfaced yard area and there are two by three bay agricultural shed structures located on each side of the yard area. The appeal site is located approximately 2.63 kilometres south-east of the nearest part of the designated boundary of the Lough Corrib SAC (site code 000297). The appeal site is located approximately 6.1 kilometres north-east of the Galway Bay Complex SAC (site code 000268). However, there is no apparent surface water hydrological connectivity to the latter of these two particular European sites which are protected by a number of nature conservation designations. Part of the existing development is served by loose bed areas (where cattle were being wintered on the day of my site inspection), and part of the proposed development would be served by slurry storage tanks where slurry is stored within underground tanks and would partly comprise loose bed areas. The site is also served by public watermains. Surface water on site is to be managed by means of a soakpit, to be designed and constructed in accordance with BRE 365 standards.

The appeal site comprises amenity grassland habitat (GA2), which is species poor and regularly mown and actively managed. The appeal site also includes buildings and artificial surfaces (BL3), stone walls and other stonework (BL1).

There is no drainage ditch located within the confines of the appeal site boundary nor within its immediate vicinity. Surface water is to be managed within drainage channels which would outfall to the underground slatted tanks within the bounds of the appeal site and will not drain onto the adjacent lands nor the public roadway.

The appeal site is remote from and located approximately 2.63 kilometres from the nearest boundary of Lough Corrib.

Under the Water Framework Directive (WFD) 3rd cycle 2016-2021 the Lower Lough Corrib waterbody is classified as being 'not at risk' and similarly further upstream within the waterbody is classified as being 'not at risk'. The lake waterbody status is classified as being 'good'. I am not aware of any surface water source/pathway/receptor route connecting the appeal site and this or any other European site

In terms of ground water, the appeal site overlies the Corrib-Clare waterbody which is of regional importance, extreme vulnerability and is classified as being of 'good' status.

I note that the PA did not outline any particular issues in relation to the potential for adverse impacts upon habitats/species with the Lough Corrib SAC or any other Natura 2000 site. One third-party submission was received by the PA and this submission raised the issue of the potential for the proposed development to adversely impact the integrity of the Lough Corrib SAC but did not elaborate any further in terms of the source-pathway-receptor model or the identification of connectivity between the appeal site and this particular European site.

I have taken these comments into consideration in the AA Screening Assessment below.

Potential impact mechanisms from the project

The elements of the proposed development that would potentially generate a source of impact are:

- The agricultural building and its construction.
- Surface water run-off from the appeal site during the construction phase.
- Run off from the development post construction, during its operation.

There is no direct surface water hydrological connection to the Lough Corrib SAC from the appeal site and I note that there is a considerable separation distance between the two, the nearest part of the SAC boundary is located approximately 2.63 kilometres north-west of the nearest part of the appeal site boundary. During the construction and operation of the agricultural development, there would be

potential surface water outfall arising from construction works (silt/ hydrocarbon/ construction related), and during the operation (where soiled/contaminated water) resulting in potential deterioration of water quality and potential for adverse impacts upon habitats/species identified as Qualifying interests (QI's) within the Lough Corrib SAC. Similarly, at operational stage, the surface water outfall from contaminated surface water runoff from the additional hard standing areas could impact on surface water bodies. It is noted that the uncontaminated surface water is proposed to be managed through the use of a soakpit which ultimately would filter into the ground and not directly to the adjoining lands or public roadway.

With reference to EPA mapping, the site is underlain by carboniferous limestone within the Clare-Corrib groundwater body which is classified as having a 'good' water quality status. Therefore, groundwater is not considered to be at risk from the development proposals.

There is no evidence on file that the appeal site support populations of qualifying interest species, including Otters listed as qualifying species of the Lough Corrib SAC. Therefore, any potentially significant *ex-situ* impacts on species associated with the Lough Corrib SAC can be ruled out.

There are no other readily apparent impact mechanisms that could arise as a result of this project.

European Sites at risk

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
Indirect surface water pollution	Surface water outfall from the appeal site which may drain to the Lough Corrib SAC located	Lough Corrib SAC (site code 000297).	Oligotrophic waters containing very few minerals of sandy plains.

	<p>approximately 2.63 kilometres north-west of the nearest part of the appeal site boundary.</p>		<p>Oligotrophic to mesotrophic standing waters with vegetation</p> <p>Hard oligo-mesotrophic waters with benthic vegetation</p> <p>Water courses of plain to montane levels</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils</p> <p>Active raised bogs</p> <p>Degraded raised bogs still capable of natural regeneration.</p> <p>Depressions on peat substrates of the Rhynchosporion</p> <p>Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i></p>
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			Petrifying springs with tufa formation. Alkaline fens. Limestone pavements. Old sessile oak woods Bog woodland. Freshwater Pearl Mussel). White-clawed Crayfish. Sea Lamprey. Brook Lamprey. Salmon. Lesser Horseshoe Bat. Otter. Slender Naiad. Slender Green Feathermoss.
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Lough Corrib SAC.

With reference to the relevant Site Synopsis document on the NPWS website, Lough Corrib is situated to the north of Galway city and is the second largest lake in Ireland, with an area of approximately 18,240 ha (the entire site is 20,556 ha). The lake can be divided into two parts: a relatively shallow basin, underlain by Carboniferous limestone, in the south, and a larger, deeper basin, underlain by more acidic granite, schists, shales and sandstones to the north. The surrounding lands to

the south and east are mostly pastoral farmland, while bog and heath predominate to the west and north. A number of rivers are included within the cSAC as they are important for Atlantic Salmon. These rivers include the Clare, Grange, Abbert, Sinking, Dalgan and Black to the east, as well as the Cong, Bealanabrack, Failmore, Cornamona, Drimneen and Owenriff to the west. In addition to the rivers and lake basin, adjoining areas of conservation interest, including raised bog, woodland, grassland and limestone pavement, have been incorporated into the site.
(www.npws.ie)

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

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

European Site and qualifying feature	Conservation objective (summary) ¹	Could the conservation objectives be undermined (Y/N)?	
		Indirect surface water pollution	Indirect groundwater pollution
Lough Corrib SAC			
Oligotrophic waters containing very few minerals of sandy plains.	To restore the favourable conservation condition of Oligotrophic waters containing very few minerals of sandy plains in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Oligotrophic to Mesotrophic standing waters with vegetation.	To restore the favourable conservation condition of Oligotrophic to	Yes. See discussion below.	No. see discussion below.

¹ Full versions are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO0297.pdf (for the Lough Corrib SAC)

	Mesotrophic standing waters with vegetation in the Lough Corrib SAC.		
Hard Oligo-Mesotrophic standing waters with benthic vegetation.	To restore the favourable conservation condition of Hard Oligo- Mesotrophic standing waters with benthic vegetation. in the Lough Corrib SAC	No. See discussion below	No. see discussion below.
Water course of plan to montane levels.	To maintain the favourable conservation condition of Water course of plan to montane levels in the Lough Corrib SAC	Yes. See discussion below	No. see discussion below.
Semi-natural dry grasslands and scrubland facies on calcareous substrates.	To maintain the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates in the Lough Corrib SAC	No. See discussion below	No. See discussion below.
Molinia meadows on calcareous peaty	To maintain the favourable conservation condition of Molinia	No. See discussion below	No. See discussion below.

or clayey silt laden soils.	meadows on calcareous peaty or clayey silt laden soils in the Lough Corrib SAC		
Active raised bogs.	To restore the favourable conservation condition of Active raised bogs in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Degraded raised bogs still capable of natural regeneration.	The long-term aim for degraded raised bogs still capable of natural regeneration is that its peat-forming capability is re-established; therefore, the conservation objective for this habitat is inherently linked to that of Active raised bogs in the Lough Corrib SAC. A separate conservation objective for this particular qualifying interest has not been set in Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Depressions on peat substrates	These comprise an integral part of good	Yes. see discussion below.	No. see discussion below.

of the Rhyncosporion.	quality Active raised bogs in the Lough Corrib SAC These are an integral part of active raised bogs and thus a separate conservation objective has not been specifically set out for this particular QI in the Lough Corrib SAC.			
Calcareous fens.	To maintain the favourable conservation condition of Calcareous fens in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Petrifying Springs with Tufa formation.	To maintain the favourable conservation condition of Petrifying Springs with Tufa formation in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Alkaline fens	To maintain the favourable conservation condition of Alkaline	Yes. see discussion below.	No. see discussion below.	

	fens in the Lough Corrib SAC.			
Limestone Pavements	To maintain the favourable conservation condition of Limestone Pavements in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Old Sessile Oak Woods	To maintain the favourable conservation condition of Old Sessile Oak Woods in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Bog Woodland	To maintain the favourable conservation condition of Bog woodland in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Freshwater Pearl Mussel	To restore the favourable conservation condition of Freshwater Pearl Mussel in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
White clawed Crayfish	To maintain the favourable	Yes. see discussion below.	No. see discussion below.	

	conservation condition of White clawed Crayfish in the Lough Corrib SAC.		
Sea Lamprey	To restore the favourable conservation condition of Sea Lamprey in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Brook Lamprey	To maintain the favourable conservation condition of Brook Lamprey in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Salmon	To maintain the favourable conservation condition of Salmon in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Lesser Horseshoe Bat	To restore the favourable conservation condition of the Lesser Horseshoe Bat in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.

Otter	To maintain the favourable conservation condition of the Otter in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Slender Naiad	To restore the favourable conservation condition of Slender Naiad in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Slender green feather moss	To maintain the favourable conservation condition of Slender green feather moss in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.

Lough Corrib SAC

In relation to surface water quality, I note that the development proposed would be developed at a location removed (2.63 kilometres distant) from the nearest boundary of the Lough Corrib SAC. At construction stage, it is considered that standard surface/soiled water management best practice construction measures would be sufficient to prevent the possibility of silt, sediment, soils, hydrocarbons and other construction pollutants entering the European site.

Similarly, during the operational stage, I consider that the design features proposed in the form of the underground slurry storage tank and a soakpit would be sufficient to manage soiled/surface water generated within the appeal site. I also consider that given the separation distance between the appeal site and the European site in question, that even in the unlikely event of soiled/contaminated water or material entering the local drainage network, that by the time this material would reach the

Lough Corrib SAC boundary, it would have been subject to a high level of dilution and, therefore, no adverse effect upon the qualifying interest features would arise, Given the considerable separation distance between the appeal site and the Lough Corrib SAC, I consider that it represents a weak indirect hydrological/ecological connection and, therefore, it is considered that there is limited potential to adversely impact upon water quality within the Lough Corrib SAC or to potentially significantly impact its conservation objective, 'To maintain or restore the favourable conservation status of habitats and species within the Lough Corrib SAC.

At operational stage, soiled/surface water from hardstanding within the site will be directed to the underground slurry storage tank and soakpit within the appeal site boundary and these are located approximately a minimum of 2.63 kilometres from the nearest boundary of the Lough Corrib Lake shoreline. Therefore, it is considered that there remains very limited potential to adversely impact water quality within the Lough Corrib SAC. The detailed design of the soiled/surface water soakaway systems will be designed to BRE 365 standards, the standard best practice surface/storm water management system. Therefore, having regard to these standard surface/soiled water management measures, potential for adverse impacts on water quality within the Lough Corrib SAC are unlikely.

In relation to potential groundwater impacts, I would note that the proposals would not require significant excavations, save for limited groundworks associated with the construction of the agri-building. I consider that best practice construction measures will serve to protect groundwater. Even if these measures should fail, this indirect hydrological link via groundwater represents a weak ecological connection. Any pollutants from the site that should enter groundwater during the construction stage, via spillages onto the overlying soils would be subject to dilution and dispersion within the groundwater body, rendering any adverse impacts on water quality within the Clare-Corrib groundwater body which would supply water into the Lough Corrib SAC unlikely.

At operational stage, and as per the discussion of surface water impacts, the drainage channels and soiled water tanks will manage surface and storm water generated within the hard surface areas within the site and these waters would then be released gradually to ground in accordance with best practice surface/storm

water management practice, and in this manner groundwater quality would be protected.

I note that best practice construction measures that would be adhered to at construction stage, and the relevant regulations and standard conditions that will be required to be adhered to at operational stage, are not mitigation measures intended to reduce or avoid any harmful effect on any Natura 2000 site and would be employed by any competent operator, notwithstanding any proximity to any Natura 2000 site.

Having regard to the discussion above, I conclude that the proposed development would be unlikely to significantly impact upon the water dependent habitats and species identified as qualifying features of the Lough Corrib SAC.

Likely significant effects on the European site(s) 'in-combination with other plans and projects'

There is no evidence on file of any plans or projects that are proposed or permitted that could impact in combination with the proposed development and as such no in-combination issues arise.

I conclude, therefore, that the proposed development would not have a likely significant effect in combination with other plans and projects on the qualifying features of any European sites. Further assessment in-combination with other plans and projects is not required at this time. No further assessment is required for the project.

Overall Conclusion- Screening Determination

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on the water dependent habitats and species associated with the Lough Corrib SAC or any other European site either alone or in combination with other plans and projects.

It is, therefore, determined that Appropriate Assessment (stage 2), under Section 177V of the Planning and Development Act 2000 is not required.