



An
Bord
Pleanála

Inspector's Report

ABP-319765-24

Development	Construction of a slatted cattle shed with holding tank under built onto adjoining agricultural building and to carry out ancillary site works
Location	Ballymoneen, Enniscrone, Co. Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	2460075
Applicant(s)	Des Morrison
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Peter Sweetman
Observer(s)	None
Date of Site Inspection	17/12/2024

Inspector

Darragh Ryan

1.0 Site Location and Description

- 1.1. The existing site is located on local road in the Townland of Ballymoonen, Enniscrone Co. Sligo. The site is situated 4.3km south of Enniscrone and approximately 6.5km north of Ballina.
- 1.2. The site is on an existing agricultural complex that immediately abuts a bungalow residential dwelling with a wire fence separating the two uses. The farmyard and complex is an existing dairy and beef enterprise. There are several dry store sheds on site, with milking parlour and slatted units to the rear.
- 1.3. The lands at this location are low lying with agricultural lands dominating the area. There is sporadic residential development in the vicinity of the site, with a bungalow dwelling immediately adjacent to the east and across the road from the subject site to the north.

2.0 Proposed Development

- 2.1. The applicant seeks permission for the construction of a 4 bay slatted unit onto the side of the existing slatted shed to the rear of the farm yard.

The slatted shed is for a total area of 189.00m² and extends to a height of 5.455m. The slatted unit shall be joined to an existing slatted unit and extend out to an agricultural field to the southwest of the site.

3.0 Planning Authority Decision

- 3.1. **The planning authority issued a decision to grant permission subject to 4 conditions. The conditions of note include:**

C2 All farmyard wastes/organic fertilisers, including slurry, farmyard manure, silage effluent and soiled water shall be collected and stored in tanks/pits with a minimum storage capacity equivalent to requirements detailed in the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, S.I. No. 113 of 2022, as amended by S.I. No 393 of 2022.

- a) The agricultural building shall be provided with gutters and down-pipes, and these shall be maintained in a satisfactory condition. Clean surface water runoff from roof areas of the development shall not be discharged onto soiled yard areas. Roof rainwater and clean yard water shall be discharged to a surface water soak-pit system as indicated in the proposals submitted to the Planning Authority. All surface water gullies shall be designed, maintained, and managed to ensure that no polluting matter enters the surface water collection/drainage system or groundwater.
- b) Farmyard manure, slurry, silage effluent, soiled water and chemical fertilisers shall be land spread in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, S.I. No. 113 of 2022, as amended by S.I. No. 393 of 2022.
- c) Farmyard manure shall not be stored in open yard areas on site.
- d) Yard areas on site shall be maintained in a clean condition. Soiled yard areas shall be minimised to reduce the volumes of soiled water produced on site and to ensure the public road is maintained in a clean condition.
- e) There shall be no change in the approved method of agricultural waste storage and disposal on site and livestock numbers shall not be increased in a manner that results in the storage requirements as outlined in the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, S.I. No. 113 of 2022, as amended by S.I. No 393 of 2022
- f) The applicant shall engage the services of a suitably qualified agricultural consultant/professional to prepare a nutrient management plan relating to the land-spreading of all organic fertilisers generated on site and chemical fertiliser application. This nutrient management plan shall consider the provisions of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, S.I. No. 113 of 2022, as amended by S.I. No 393 of 2022. A copy of this nutrient management plan shall be presented to Sligo County Council on request. The nutrient management plan shall be reviewed at appropriate intervals to ensure on-going compliance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, S.I. No. 113 of 2022, or any amended or replacement regulations.

- g) Silage bales shall be stored in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, S.I. No. 113 of 2022, as amended by S.I. No 393 of 2022.
- h) All construction/demolition waste associated with the development shall be disposed of in accordance with the requirements of national waste legislation. The applicant shall maintain waste disposal records for the duration of the construction phase of the development and these records shall be presented to the Planning Authority or authorised officers of Sligo County Council on request.

C4 – The applicant shall pay a financial contribution of €945.00 of financial contribution

3.2.Planning Authority Reports

3.2.1. There is a single Planning Report on file which addressed the following:

- It is considered that the proposed development would not have an impact on any European Designated site.
- The need for environmental impact assessment can be excluded at preliminary examination and a screening determination is not required.
- It is considered that the proposed development complies with the provisions of the County Development Plan with regards agricultural development in rural areas. The scale and design of the proposed structure is acceptable. Effluent is to be collected in the proposed slatted tank and disposed of away from the subject site and as detailed in the fertiliser plan submitted.
- Having inspected the general area it is considered that the proposed development can be accommodated on site without having an adverse impact on the visual or residential amenities of the area.

3.2.2. Other Technical Reports

- Area Engineer – recommends conditions regarding the disposal of surface water on site and ensuring no surface water flows onto the site.

- Assistant Scientist – Environmental Section - This development is located within a white flag catchment area in terms of the targeting of agricultural measures under the EPA National Agricultural Inspection Programme where the emphasis is on protection of water status and the application of standard recommended agricultural measures under the Water Framework Directive (Good Agricultural Compliance Regs).
- Taking into consideration the livestock numbers detailed in the application and proposals for agricultural waste storage submitted with the planning application, on calculation of the volumes of agricultural waste/slurry/soiled water produced on site as per schedules contained in the GAP Regulations 2022, storage proposals appear to be acceptable in terms of compliance with requirements detailed in the national regulations. A condition is included relating to the preparation of a nutrient management plan relating to the land spreading of all organic fertilisers produced at the farm holding.
- Conditions are recommended

3.3.Prescribed Bodies

- None

3.4.Third Party Observations

There is one third party observation on file. The issues raised are addressed as part of the appeal.

3.4.1. The Planning Authority has four distinct sets of legal tasks when it deals with an application such as this one.

1. It must assess the planning merits of Application in accordance with the Planning and Development Act 2000 (as amended) to ensure that the proposed development is in accordance with the proper planning and sustainable development of the area.
2. The Planning Authority is required to form and record a view as to the environmental impacts of the development, considering the EIA Report (EIAR)

if furnished by the Applicant, the views of the public concerned and applying its own expertise or to screen the development for Environmental Impact Assessment.

3. The Planning Authority is the competent authority having responsibilities under the Habitats Directive. As the development is in the zone of influence of the Killala bay/Moy Estuary SAC AA screening is required.
4. The development must be assessed for compliance with the requirements of the water framework directive.

4.0 Planning History

PA reg ref 06/67 – Permission granted to Des Morrison for the construction of a slatted shed with holding tank and feeding area, cattle crush and a workshop.

5.0 Policy Context

5.1. National Planning Framework

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

S.I. No. 113/2022 –European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022

The Regulations provide the relevant standards for the collection and disposal of farm yard manure to give effect to Ireland's Nitrates Action Programme for the protection of waters against pollution caused by agricultural sources.

5.2. Sligo County Development Plan 2024 to 2030 - The Sligo CDP 2024-2030 is effective starting on 11 November 2024, except for those parts of the Plan which are subject to a Draft Ministerial Direction

Development Management Standards – Section 33.10

Section 33.10 Agricultural development standards The Council will seek to ensure that agricultural activities are carried out to the highest environmental standards. Legal requirements relating to the collection, storage and management of agricultural wastes are detailed in the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 (S.I. No. 31 of 2014). Agricultural stakeholders must comply with the requirements of the above regulations. The Planning Authority will apply the following considerations when assessing applications for agricultural buildings:

- Protection of residential amenity – sufficient distance to any dwellings in the vicinity;
- Safe access – adequate sightlines from the points of access onto public roads;
- Visual impact – new buildings should be located within or adjoining existing farmyard complexes where possible.

Structures not forming part of a farm complex should be integrated into the landscape by means of appropriate siting, external colouring and screening. Non-exempted agricultural developments will be permitted in rural areas in accordance with location and siting criteria similar to those outlined in Section 33.4 Housing in rural areas. Agricultural developments will generally not be permitted in the vicinity of towns and villages, where they could affect the visual character of the area or cause an environmental nuisance. In order to assess the potential impact of agricultural development, planning applications for these proposals should include the following:

A. a completed application form for agricultural developments (available from the Planning Office of Sligo County Council or to download from the website of Sligo County Council);

B. all information required in the County Council's Guidance Notes on Agricultural Planning Applications (available from the Planning Office or to download from the website of Sligo County Council).

Agricultural developments relating to provision of waste storage infrastructure shall be carried out in accordance with the storage requirements detailed in the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 (S.I. No. 31 of 2014), in terms of provision of the required 18-week waste storage capacity for the winter housing of livestock

5.3. Natural Heritage Designations

- Killala bay/River Moy SAC – 1.1km southwest of the site
- Killala bay/ River Moy SPA – 1.1km southwest of the site

5.4. EIA Screening

The proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, as amended, and therefore is not subject to EIA requirements. See Form 1 (attached).

6.0 The Appeal

6.1. Grounds of Appeal - There is a single third party appeal against the decision of Sligo County Council to grant permission. The issues raised can be summarised as follows:

An Bord Pleanála has three distinct set of legal tasks when it deals with an application such as this one.

1. It must assess the planning merits of Application in accordance with the Planning and Development Act 2000 (as amended) to ensure that the proposed development is in accordance with the proper planning and sustainable development of the area. It must examine the application to ascertain if the contents of the application comply with the Planning Regulations, in particular Articles 22 and Articles 23

2. The Board is required to form and record a view as to the environmental impacts of the development, considering the EIA Report (EIAR) if furnished by the Applicant, the views of the public concerned and applying its own expertise or to screen the development for Environmental Impact Assessment.

3. The Board is the competent authority having responsibilities under the Habitats Directive. So far as concerns the assessment carried out under Article 6(3) of the Habitats Directive, it should be pointed out that it cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned.”

This is a strict standard and the Planning Authority does not have legal jurisdiction to give permission if it is not met.

The screening assessment as carried out by the Planning Authority did not fulfil the required test. Having regard to the contents of condition 2 requiring the submission of a nutrient management plan relating to land spreading, the planning authority did not know where slurry was going before the decision to grant permission, therefore it undermines the screening assessment carried out under the Habitats Directive.

6.2.Applicant Response

- None

6.3.Planning Authority Response

Response from Sligo County Council dated 28th of May.

The planning authority assessment of the impact of the proposed development has been set out in the Planners report which concluded there was sufficient information to complete AA Screening process.

It is considered that the Appellant has not submitted any additional details to the submission received by the Planning Authority on the 25th March 2024 that would alter the Planning Authorities decision in this application, and it is still considered that the proposed development would be acceptable given the nature of the

proposal details included in the application. The said submission raises environmental concerns which have been addressed in the Planners report.

6.4.Observations

- None

6.5.Further Responses

- None

7.0 Assessment

7.1.Having examined the application details and all other documentation on file, including the appeal and observation and having inspected the site, I consider that the main issues for consideration are;

- Water Quality
- Issues Arising
- Appropriate Assessment.

7.2.Water Quality

7.2.1. The proposed development entails the construction of a cattle shed within the curtilage of an existing farmyard, adjoining an existing cattle shed. The new shed which shall have underground slurry storage is a four-bay shed and a total area of 189m². The shed is proposed to the south of the farm extending out into existing field. The base of the proposed shed structure is formed by a concrete base. A concrete tank situated beneath the slatted area of the proposed shed and will capture all slurry. The total area of underground slurry tank is 215m². As per the information on file post development there will be 20 animals to be housed in the proposed new shed.

7.2.2. I have reviewed floodinfo.ie and note that the appeal site is not indicated as being subject to flooding. Geological Survey Ireland (GSI) mapping indicates that the appeal site is underlain by limestone bedrock and that the area has a 'High' Groundwater Vulnerability. The bedrock aquifer type is 'Locally Important Aquifer -

Karstified (conduit)'. Noting the characteristic of the appeal site and proximity to SAC and SPA, I consider that the appeal site could be vulnerable to some groundwater pollution.

- 7.2.3. Having carried out an analysis of cattle numbers and underground slurry tank capacity I note that for an 18 week slurry holding period is required under the The European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, as amended for Sligo. Having carried out an analysis of the breakdown of effluent generation and storage capacity on the site, I note that the proposed development for 20 animals (10 cows and 10 cattle 450kg) results in a requirement for 136.4 m³ of effluent storage, and that there will be surplus storage capacity (of 158 m³) within the proposed slurry tank. The applicant has stated there is an existing slurry storage capacity on site of 575m³. Based on existing cattle numbers there is a required slurry storage capacity of 536.14m³. The applicant has demonstrated adequate slurry storage capacity for the existing and proposed development. Full details of surface water management from the proposed development have been indicated with soakpits provided.
- 7.2.4. All soiled water management, surface water management and effluent management from silage pits and dugsteads is existing. The European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, as amended, sets out a general obligation to ensure that the capacity of storage facilities for livestock manure and other organic fertilisers, soiled water and effluents from dung steads, farmyard manure pits, silage pits or silage clamps on a holding shall be adequate to provide for the storage of all such substances as are likely to require storage on the holding for such period as are required in the regulations in order to avoid pollution. I note that the applicant will be required to construct and operate the development in accordance with the specifications set out in these regulations. Subject to compliance with these requirements, I am satisfied that the proposed development would not give rise to groundwater pollution.

7.3. Issues Arising

7.3.1. Conditions

The appellant contends that the local authority were not aware where slurry was being spread as a result of the addition of condition 2(g) to the schedule of conditions. I note however that land spreading does not form part of the current planning application/appeal. Condition 2(g) states the following:

“The applicant shall engage the services of a suitably qualified agricultural consultant/professional to prepare a nutrient management plan relating to the land-spreading of all organic fertilisers generated on site and chemical fertiliser application. This nutrient management plan shall consider the provisions of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, S.I. No. 113 of 2022, as amended by S.I. No 393 of 2022. A copy of this nutrient management plan shall be presented to Sligo County Council on request. The nutrient management plan shall be reviewed at appropriate intervals to ensure on-going compliance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, S.I. No. 113 of 2022, or any amended or replacement regulations.”

As per section 7.2.4, notwithstanding the condition of planning permission the applicant is required to comply with The European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, as amended. I do not consider the provision of the above condition as set out by the Planning Authority necessary, as it refers to land spreading which is outside the scope of the current application. In my view the applicant has demonstrated adequate capacity to manage slurry storage in compliance with regulations. I do not consider the condition recommended by the planning authority in this instance to be relative to this planning application. I recommend that the Board's standard condition for agricultural structures, which is more succinct, is included should the Board grant permission for the proposed development.

8.0 AA Screening

- 8.1.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The proposed development comprises the construction of a new agricultural slatted shed (189 sqm) and all associated site works. An effluent storage tank (295m³) is located under the slatted area and will collect effluent from the cattle shed. The proposed shed is indicated as accommodating 20 animals (10 cows and 10 cattle 450kg) results in a requirement for 136.4 m3 of effluent storage. There will be surplus storage capacity (of 158 m3) within the site to cater for the proposal. Roof drainage from the proposed slatted shed is to be directed to soakaways on site

The subject site is located 1.1 km north-east of Killala Bay/ River Moy SAC of (Site Code 000458) and Killala Bay and Moy Estuary SPA (0004036) . There is no drainage ditches in the immediate vicinity of the site. The appeal site is not indicated as being subject to flooding. The appeal site is underlain by limestone bedrock and the area has a 'High' Groundwater Vulnerability. The bedrock aquifer type is "Locally Important Aquifer"

I note the grounds of the third-party appeal which states that the possibility of an indirect impact arising from the proposed development, as indicated by the Planning Authority, generates the need for an Appropriate Assessment for the purposes of Article 6(3). The appeal submission also refers to case law in relation to the requirement for assessments carried out under Article 6(3) of the Habitats Directive not having lacunae, containing complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned

8.1.2. Potential Impact Mechanisms

Taking account of the characteristics of the proposed development in terms of its location and the scale of works, the following are considered to be the relevant potential impact mechanisms:

- The uncontrolled release of pollutants to ground water (e.g. run-off, silt, fuel, oils, concrete etc.) during the construction of the proposed shed and slurry tank and subsequent impacts on water quality sensitive habitats of Killala Bay/ River Moy SAC of (Site Code 000458) and Killala Bay and Moy Estuary SPA (0004036).
- Potential for the release of effluent generated by the proposal at operational stage to ground water and subsequent impacts on water quality sensitive habitats of Killala Bay/ River Moy SAC of (Site Code 000458) and Killala Bay and Moy Estuary SPA (0004036) .

While there is no apparent direct surface water hydrological connection to the SAC, the underlying limestone bedrock and the bedrock aquifer type i.e. ‘Locally Important Aquifer’ there is a potential pathway between the appeal site and Killala Bay/River Moy SAC and Killala Bay and Moy Estuary SPA.

European Sites at Risk from proposed project			
Effect mechanism	Impact pathway/Zone of influence	European Site(s)	Qualifying interest features at risk
Indirect groundwater pollution	Infiltration to groundwater	Killala Bay/River Moy SAC (Site Code 000458) ¹	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-

			<p>Puccinellietalia maritima) [1330]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Humid dune slacks [2190]</p> <p><i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014]</p> <p><i>Petromyzon marinus</i> (Sea Lamprey) [1095]</p> <p><i>Phoca vitulina</i> (Harbour Seal) [1365]</p>
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European Sites at Risk from proposed project			
Effect mechanism	Impact pathway/Zone of influence	European Site(s)	Qualifying interest features at risk
Indirect groundwater pollution	Infiltration to groundwater	Killala Bay/Moy Estuary SPA (004036)	<p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p>

			Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Wetland and Waterbirds [A999]
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7.3.4 Likely Significant Effects on European Sites (alone)

The proposal would not require significant excavations, save for limited groundworks associated with the construction of the shed. At construction stage, standard best practice construction measures will prevent pollutants entering groundwater. Even if these standard construction measures should not be implemented or should they fail to work as intended, the potential indirect hydrological link represents a weak ecological connection given the distance to the (i.e. c. 1km at its closest point). As such, should any pollutants enter groundwater they will be subject to dilution and dispersion, rendering any significant impacts on water quality within Killala Bay/ River Moy SAC and Killala Bay and Moy Estuary SPA unlikely. At operational stage, effluent generated within the slatted shed is directed to the underground tank. I note that this will be designed in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations, as amended. I note that the best practice 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. I conclude that the proposed development would have no likely significant effect 'alone' on any qualifying interest of Killala Bay/ Moy Cullen SAC and Killala Bay and Moy Estuary SPA. .

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

There are no records on Sligo County Council's planning portal of any proposed or permitted projects that could result in impacts in combination with the proposed development. There is no evidence on file of any plans that could impact in

combination with the proposed development. I conclude, therefore, that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of Killala Bay/River Moy SAC, Killala Bay and Moy Estuary SPA or any European sites. No further assessment is required for the project.

7.3.6. 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 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 nature and extent of the proposed development.
- Distance from European Sites.
- The weakness of connectivity between the development site and European Sites.

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

9.0 Recommendation

- 9.1. I recommend that planning permission for the proposed development should be granted for the reasons and considerations set out below.

10.0 Reasons and Considerations

The proposed development by reason of its nature and scale within an established farmyard, where the nature of activities carried out are commensurate with standard agricultural activities for this rural setting and the provisions of the Sligo County Development Plan 2024 to 2030, it is considered the proposed development would not have would not have a significant impact on water quality or on European sites

in the vicinity, and, 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, as amended by the further plans and particulars received by the Planning Authority on the 25th day of March 2024. 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 slatted shed shall be constructed in accordance with the specifications as issued by the Department of Agriculture, Farming and the Marine and referenced in the European Union (Good Agricultural Practice for the Protection

of Waters)(Amendment) Regulations 2022, as amended. The slatted shed 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 Protection of Waters) (Amendment) Regulations, 2022, as amended, and shall provide, but not be limited to, the following:

- (a) Details of the number and types of animals to be housed.
- (b) Arrangements for the cleansing of the buildings and structures (and the public road where relevant).

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

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

Reason: In the interest of public health.

5. 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.

Darragh Ryan
Planning Inspector

15th of January 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	319765-24		
Proposed Development Summary	Construction of a slatted cattle shed with holding tank under built onto adjoining agricultural building and to carry out ancillary site works		
Development Address	Ballymoneen, Enniscrone, Co. Sligo		
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			Proceed to Q3.
No	X	Not a class specified in Part 2 Schedule 5	
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____