Addendum to Inspector's Report ABP-320010A-24

Development	Construction of poultry house and store with all associated site works. Environmental Protection Agency licence required. Natura Impact Statement and Environmental Impact Assessment Report submitted with planning (NIS) was submitted with the application.
Location	Carrickbaggott, Grangebellew, Co. Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2460189
Applicant(s)	Crayvall Egg Production
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First party
Appellant(s)	Crayvall Egg Production Ltd
Observer(s)	Peter Sweetman
Date of Site Inspection	13/10/2025
Inspector	Béhinn O'Shea

1.0 Introduction

1.1. This report is prepared on foot of a Commission Direction. The Inspector's report dated 5th December 2025 recommended refusal of permission for the proposed development for the following reasons:

1. Policy Objective NBG 20 of the Louth County Development Plan 2021-2027 seeks to protect and enhance wetland sites. Policy Objective ENV 15 requires that proposed plans, programmes and projects shall not have an unacceptable impact on the water environment, including groundwater quality and quantity. The wetland site at Carrickbaggot is identified in the Louth County Wetland Survey as being of National importance.

   Having regard to the information provided with the application and in the EIAR in relation to the location and volume of groundwater abstraction, and the failure to assess the significance of same alone and cumulatively, and the failure to assess the impact of abstraction on water (groundwater resources), material assets (water supply) and biodiversity (wetlands), the Commission is not satisfied that the proposed development would not have a significant impact on the environment or accord with the provisions of the Louth County Development Plan 2021-2027. Accordingly to permit the proposed development would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the results set out in the Air Quality Impact Assessment and to the deficiencies in the Natura Impact Statement submitted with the application, in relation to the effects of the modelled level of ammonia emissions on European Dry Heaths at Clogher Head SAC, the Commission cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on European Site No. 001459 Clogher Head SAC in view of the site's Conservation Objectives. In such circumstances the Planning Authority is precluded from granting permission.

1.2. The Commission deferred consideration of the case and issued a Section 132 Notice to the applicant on 9th January 2026 as follows:

1. Policy Objective NBG 20 of the Louth County Development Plan 2021-2027 seeks to protect and enhance wetland sites. Policy Objective ENV 15 requires that proposed plans, programmes and projects shall not have an unacceptable impact on the water environment, including groundwater quality and quantity. The wetland site at Carrickbaggot is identified in the Louth County Wetland Survey as being of National importance. Having regard to the location and volume of groundwater abstraction, you are required to assess the significance of same alone and cumulatively, and to assess the impact of abstraction on water (groundwater resources), material assets (water supply) and biodiversity (wetlands)

2. Having regard to the results set out in the Air Quality Impact Assessment and to the deficiencies in the Natura Impact Statement submitted with the application in relation to the effects of the modelled level of ammonia emissions on European Dry Heaths at Clogher Head Special Area of Conservation, you are required to assess whether the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on European Site - Clogher Head Special Area of Conservation (site code: 001459) in view of the site's conservation objectives.

1.3. The response to the notice was circulated to the Planning Authority and third parties and an Addendum report requested from the Inspectorate.

2.0 Response to Section 132 Notices

2.1. Applicant Response:

The response sets out the following in a covering submission:

2.1.1. Re. Item 1

- The Louth County Wetland Survey is quoted at length. It states that since the survey took place in 2011, no sites identified have neem designated as pNHA or cNHA and the Carrickbaggot wetland has no statutory protection.
- It states that as per Table 7.5 of the Louth Wetland Identification Survey, the Carrickbaggot wetland has a C rating, not a C+ rating and as such is of local conservation value (high value), not national importance.
- The main habitats are noted. The only Annex 1 habitat is [7140] Transition mires and quaking bogs.
- The proposed barn is 400m from the wetland will not be impacted on by the management of the land and farming activities. There is no loss of wetland. The applicant is managing the exiting farmland activities with clear regard for biodiversity and habitats and with sustainable farming practices.
- It has been decided that the proposed development will now be served by the Group Water Scheme, to avoid additional groundwater abstraction, and a letter is attached confirming sufficient capacity to do so.
- There is no increase in ground water abstraction arising from the proposed development therefore the development will not impact in isolation or cumulatively on ground water or water supply. The revised NIS indicates there is no impact on wetlands.

2.1.2. Re. Item 2.

- It is stated that a revised Ammonia Impact Assessment and NIS is submitted, having regard to an updated baseline and updated EPA Guidance Document on the impact of ammonia emissions has been updated. The revised NIS confirms that the proposed development would not significantly affect the conservation objectives of the Natura 2000 sites, subject to mitigation.
- A specific housing/management system is now identified. Details are provided on recording/monitoring equipment, manure storage, system usage requirements, living areas, aeration capacity, dry air temperature, turning of manure belts/dry matter content and registration system requirements. Different nesting box arrangements are provided.

- It is stated the revised Air Quality Assessment shows that the predicted results of ammonia do not exceed the limits for protected vegetation at the designated habitats and there would be no adverse effects on areas of ecological interest including on Clogher Head SAC. All predicted levels of ammonia are significantly below the guideline limit values in respect of Natura 2000 sites, i.e. 1%. The revised documents also show that Nitrogen levels are not exceeded either.

2.1.3. It is concluded that the queries of ACP have been fully addressed.

2.1.4. The covering submission is accompanied by

- Details of the OW 2005.04 aviary housing operating system,
- EIAR addendum,
- Updated NIS,
- Updated Air Quality Impact Assessment,
- Consultant hydrogeologist letter in relation to impact on hydrogeological and groundwater regime in the area,
- EPA License Application Instruction Note 1 (IN1) 2024,
- Overview of Bellview Farm operations and other documentation relating to sustainable farming practices operated within the farm.

2.2. Planning Authority Response

The submission notes the content of the S132 response. Key issues are stated to be as per the LCC planning report dated 23rd May 2024. The PA is satisfied that that many of the issues raised in the submission were considered and addressed in the previous report. The revised and updated environmental information does not fully address LCC refusal reasons. The report requests the decision to refuse permission be upheld.

2.3. Other responses

EPA: Notes the proposed installation is at the same location as an existing licensed installation and sets out considerations and procedures in relation to a license review.

3.0 Environmental Impact Assessment

3.1. The Inspector's Report of 5th December 2025 refers. That report considered the statutory requirement for EIA and compliance with the requirements of Article 94 and Schedule 6 of the Planning Regulations. An examination of alternatives was carried out, and of the likely environmental effects of the proposed development, under the following headings:

- Population and human health.
- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between these factors.
- The vulnerability of the proposed development to risks of major accidents and/or disasters.

3.2. Having regard to the S132 Notice issued, this addendum EIA is confined to assessment of the issues raised and is accordingly limited to the following headings.

- Water (in particular groundwater)
- Material assets (in particular water supply)
- Biodiversity (in particular wetlands and Clogher Head SAC)

3.3. Water (groundwater)

3.3.1. **Issues raised**

3.3.2. The refusal of the planning authority was substantially related to water, deeming information with the application in relation to the landspreading areas and ground water insufficient for EIA and insufficient to satisfy the PA that there would not be a significant effect on European Sites. This was addressed in the previous Inspector's Report.

3.3.3. There was a lack of clarity in the initial EIAR in relation to proposed water source and the significance of extraction in terms of direct effects on groundwater resources (and indirect effects on wetlands and water supply). The S132 Notice requested the applicant to assess the impact of abstraction on water groundwater resources.

3.3.4. **Examination of EIAR**

3.3.4.1. **Context**

Groundwater is dealt with in Section 4.11 and 7.3 of the EIAR, as updated on page 12 and 16 of the EIAR addendum and within the non-technical summary. The EIAR addendum now states in section 4.11.2 and 7.2 that water supply to the existing activity is from an existing deep well located on site. Water supply to the proposed development will be from connection to the local group water scheme the Ballymakenny/Sandpit Group Water Scheme (GWS), and that there will be no increase in ground water extraction as a result of the proposed development. Further confirmation of same is provided by IE Consulting Engineering in an addendum. A letter from the GWS confirming proposed connection and capacity is provided.

3.3.4.2. **Baseline**

The site is located within the Louth Groundwater body. A 'Poor' poor bedrock aquifer underlies the site - Bedrock which is Generally Unproductive.

3.3.4.3. **Potential Effects, Mitigation and Residual Effects.**

It is now proposed that there will be no local groundwater absraction to serve the development, therefore there will be no reduction in groundwater resource volumes.

As no new groundwater abstraction is proposed for the development, there will be no impact on local groundwater volumes and no mitigation measures are required. (Potential impact on quality of groundwater is addressed in the Inspector's report dated 5th December 2025)

As no impact on groundwater is expected, and no mitigation measures apply, there will be no residual effects.

3.3.5. **Analysis, Evaluation, and Assessment: Direct and Indirect Effects**

As no new groundwater abstraction is proposed for the development, there will now be no effect on local groundwater volumes. Water supply of 25m3 per day is now to be provided by the Ballymakenny Group Water Scheme (GWS). The GWS is supplied from three boreholes in the townland of Yellowbatter, Co. Louth just north of Drogheda town c. 7.5 km from the site. The zone of contribution is within a different groundwater body and acquifer to that at the location of the site. Therefore there are no direct effects on groundwater at the site from this supply.

There are potential indirect effects on groundwater bodies supplying the Ballymakenny Group Water Scheme. The GWS abstraction is registered on the EPA abstraction register R00095-01. The EPA assesses significance of abstraction between 25 and 1999m3 per day to determine if a licence is required (to which conditions may be attached), and whether EIA is required. Therefore, in terms of effects on more remote groundwater resources, the abstraction of groundwater to serve the Ballymakenny Group Water Scheme is a separate project for the purposes of EIA, with existing regulatory mechanisms in place to limit abstraction or mitigate any effects of the environment relating to same. As stated there is a letter on file that there is capacity in the GWS.

3.3.6. **Conclusion: Direct and indirect effects**

I am satisfied, having regard to the alternative water supply proposals that there will now be no direct effect on the volume of ground water resources at the location of the proposed site. Effects of alternative water supply through the Group Water Scheme and the environmental impact of same are subject to separate EIA screening and assessment. Indirect effects on biodiversity (wetlands) and material assets (water supply) are considered below.

3.4. Material assets (water supply)

3.4.1. **Issues raised**

3.4.1.1. No issues were raised in the application or appeal in relation to material assets, other than an observation from Irish Rail in relation to the nearby railway line which was addressed in the first Inspector's Report. However, there was a lack of clarity within the EIAR in relation to quantity of water supply, source of supply and proportion from groundwater, along with cumulative impact with other draws on water resources. The S132 Notice requested the applicant to assess the impact of abstraction from groundwater resources on water supply.

3.4.2. **Examination of EIAR**

3.4.2.1. **Context**

Material assets are dealt with in sections 6.12 and 7.12 of the EIAR; in relation to water supply, the development now proposes water use of 25m3 per day from a Group Water Scheme, instead of abstraction.

3.4.2.2. **Baseline**

A Group Water Scheme operates in the area, and otherwise properties are served by private wells. The EIAR addendum states that the existing activity is from an existing deep well located on site. Water supply to the proposed development will be from connection to the local group water scheme the Ballymakenny/Sandpit Group Water Scheme (GWS).

3.4.2.3. **Potential Effects, Mitigation and Residual Effects.**

There is no amendment to the EIAR in the addendum in relation to effects on material assets dealt with in sections 6.12 and 7.12 of the EIAR. It is stated in relation to groundwater that as no new groundwater abstraction is proposed for the development, there will now be no effect on local groundwater volumes and no mitigation measures are required.

As no effects on material assets are identified, no mitigation measures or residual effects are identified.

3.4.3. **Analysis, Evaluation, and Assessment: Direct and Indirect Effects**

3.4.4. I am satisfied that there is now no longer potential for effects on groundwater-based water supply to properties, as the proposed development does not propose additional groundwater abstraction. As noted above, there is potential to indirectly affect water supply to properties served by the GWS, arising from the proposed increased drawdown of water from the Ballymakenny GWS. As above I consider that such effects on the environment from alternative water supply through the Group Water Scheme are to be screened or assessed as part of the Group Water Scheme project. I also note current capacity in the scheme for the proposed development has been indicated, therefore indirect effects at the current time may be ruled out.

3.4.5. **Conclusion: Direct and indirect effects**

I am satisfied, having regard to the alternative water supply proposals that there will now be no direct effect on water supply in the area provided through private wells. Indirect effects on water supply via the GWS may also be ruled out at this time. Future effects of alternative water supply through the Group Water Scheme and the environmental impact of same are subject to separate EIA screening and assessment.

3.5. Biodiversity

3.5.1. **Issues raised**

3.5.1.1. The refusal of the planning authority deemed information with the application (in relation to landspreading areas, ground water, surface water and biodiversity) insufficient for EIA and insufficient to satisfy the PA that there would not be a significant effect on European Sites. This relates primarily to landspreading and was addressed in the previous Inspector's Report.

3.5.1.2. The S132 notice raised a new issue in relation to the Carrickbaggot wetland, which is partly within the development site, and the impact of abstraction and potential streamflow depletion to this wetland, from possible interception of the flow to streams by groundwater extraction.

3.5.1.3. The S132 notice also raised a new issue regarding deficiencies in the Natura Impact Statement submitted with the application, in relation to the effects of the modelled level of ammonia emissions on European Dry Heaths at Clogher Head Special Area of Conservation.

3.5.2. **Examination of EIAR**

3.5.2.1. **Context**

The S132 notice requested an assessment of the impact of abstraction of groundwater resources on biodiversity (wetlands) not referenced in the EIAR. Biodiversity was dealt with in Section 6.9/6.10 and Section 7.9/7.10 of the original EIAR. There are no amendments to the EIAR in the addendum in relation to wetlands. This is addressed in the cover letter accompanying the response.

In relation to ammonia emissions, a Natura Impact Assessment accompanied the application in Appendix 13 and an Air Quality Impact Assessment in Appendix 15 and both have been updated in response to the S132 Notice, along with relevant sections of the EIAR.

3.5.2.2. **Baseline**

The Carrickbaggot wetland is partly within the development site (as outlined in red) and a watercourse runs along the northern boundary of the site, eastward along the northern boundary of this wetland. The main habitats of interest are FW Drainage ditches, GS4 Wet Grassland, PF3 Transition Mire and quaking bog, WD2 Mixed Broadleaf/conifer woodland

The Qualifying Interests of Clogher Head SAC and their Conservation Objectives are referenced in the initial Appropriate Assessment within the Inspector's Report dated 5th December 2025, and, with particular reference to European Dry Heaths, in the attached updated Appropriate Assessment, along with current background levels of ammonia at the site and critical levels. It is not proposed to repeat same here.

3.5.2.3. **Potential Effects, Mitigation and Residual Effects.**

The EIAR addendum does not address the impact of abstraction of groundwater resources on wetlands, but this is referenced in the covering submission and supporting letter from IE consulting. It is now proposed that there will be no additional local groundwater extraction to serve the development. Therefore it is concluded that there will be no reduction in groundwater resource volumes, or effects from abstraction from the proposed development and no overall change to the groundwater regime serving the wetlands. No mitigation measures or residual effects are therefore identified.

The potential effect of ammonia on Clogher Head SAC as assessed by the applicant in the EIAR addendum and updated NIS is considered in the attached Appropriate Assessment. These documents conclude that there would be no significant adverse effects. Mitigation measures and residual effects are not therefore identified.

3.5.3. **Analysis, Evaluation, and Assessment: Direct and Indirect Effects**

I am satisfied that there is now no longer potential for effects on wetlands from streamflow depletion arising from groundwater extraction, as extraction is no longer proposed to serve the proposed development. I note the content of the response to the S132 notice in relation to other impacts on the wetlands, and the

sustainable farming practices, biodiversity measures and climate action measures incorporated within the farm operation. However the S132 Notice in relation to the wetlands was confined to impacts from groundwater abstraction, and no further assessment on biodiversity is thus required.

The EIAR, NIS and AQIA now reference the updated EPA IN1 guidance document from 2024. A specific operating system has been proposed which further reduce projected ammonia emissions at the SAC by 70% . Please refer to the attached Appropriate Assessment and Section 4.0 below for the detailed consideration of the effects of ammonia emissions at Clogher Head.

3.5.4. **Conclusion: Direct and indirect effects**

I am satisfied, having regard to the alternative water supply proposals, that there will now be no direct or indirect effects on wetlands from groundwater abstraction. I have concluded in the Appropriate Assessment below that that significant adverse effects on Clogher Head SAC from ammonia emissions may be ruled out.

3.6. Reasoned Conclusion:

Having regard to the examination of environmental information contained in the Inspector's Report of 5th December 2025, and in particular to the EIAR and supplementary information provided by the developer, including the response to the S132 Notice, the reports from the planning authority, prescribed bodies, and observers, it is considered that the main significant direct and indirect effects of the proposed development on the environment, are:

- Indirect effects on biodiversity (Clogher Head SAC) from ammonia emissions, which will be mitigated by the use of a specific operating system within the poultry house, such that modelled ammonia emissions reaching the site are not at levels of consequence.

I am, therefore, satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment.

4.0 Appropriate Assessment

4.1. I have reviewed the Appropriate Assessment undertaken as part of my initial assessment, and contained within the Inspector's Report dated 5th December 2025, and the response of the applicant to the S132 Notice including updated NIS.

4.2. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Clogher Head SAC, Boyne Coast and Estuary SAC, Dundalk Bay SAC, North-West Irish Sea SPA and Dundalk Bay SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177V was required.

4.3. Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account observations/submissions, I consider that adverse effects on site integrity of the Clogher Head SAC can be excluded in view of the conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects.

4.4. My conclusion is based on the following:

- The provisions of EPA Licence Application Instruction Note 1 (IN1) Assessing the Impact of Ammonia Emissions and Nitrogen Deposition from Intensive Agriculture Installations on European Sites 2024 and NPWS Agricultural Atmospheric Ammonia: Identification & Assessment of Potential Impacts (IWM 135).
- Modelling of worst case scenario ammonia emissions resulting in a PC of less than 1% of critical level of ammonia emissions for the relevant qualifying interests at the SAC.

5.0 Recommendation

I recommend permission be granted.

6.0 Reasons and Considerations

Having regard to:

a) the policies and objectives set out in the Louth County Development Plan 2021-2027 which support agriculture;

b) the existing use on site;

c) the agricultural nature of the proposed development in a rural location, where such a use is appropriate;

d) the pattern of development in the area;

e) the requirement that the development will be subject to a licence from the Environmental Protection Agency, and

f) the requirements of the European Union (Good Agricultural Practice for the Protection of Waters) Regulations 2022 (SI No. 113 of 2022), as amended;

it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would not cause an unacceptable risk to groundwater, surface water, habitats or biodiversity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

7.0 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 submission received by An Commission Pleanála on 24th February 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.

2	The mitigation measures contained in the submitted Natura Impact Statement (NIS), as revised by submission received by An Coimisiún Pleanála on 24th February 2026, shall be implemented in full. Reason: To protect the integrity of European Sites.
3	The best practice methods, mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, Noise Impact Assessment, Air Quality Impact Assessment, and other plans and particulars submitted with the planning application, as amended by the further plans and particulars received by An Coimisiún Pleanála on 24th February 2026, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions. Reason: In the interest of clarity and protection of the environment.
4	The development shall provide no more than 64,000 places for poultry within the development hereby permitted. There shall be no change in poultry type and no increase in the numbers of poultry being accommodated at the proposed development without a separate permission first having been obtained. Reason: in the interests of clarity and orderly development.
5	Prior to the commencement of development a revised site layout plan shall be submitted for the written agreement of the planning authority, showing the specific location of the underground storage tank for soiled water, along with detailed specification for same. All liquid effluent, washwater and any other contaminated run-off generated by the proposed development shall be conveyed through properly constructed channels to the proposed storage facilities and no effluent or other contaminated run-off shall discharge or be allowed to discharge to any stream, river or watercourse.

	Reason: In the interest of orderly development and environmental protection
6	Prior to commencement of development the appliance shall submit final plans and details of proposed stormwater disposal, i.e. swale attenuation or attenuation tank, along with supporting calculations, for the written agreement of the Planning Authority. All uncontaminated roof water from buildings shall be separately collected and discharged in a sealed system to the proposed swale system and shall not discharge or be allowed to discharge to soiled water drains or tanks. Reason: In the interest of orderly development and environmental pollution.
7	Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto the public road or adjoining property. Road drainage across the entrance and along the public road shall not be impeded or interrupted in any way. Reason: In the interest of traffic safety
9	Disposal of poultry manure and soiled water shall be in accordance with the requirements of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations, 2022, as amended. Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses
10	The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works.

	The AIA shall involve an examination of all development layout/design drawings, completion of documentary/cartographic/ photographic research and fieldwork, the latter to include, where applicable - geophysical survey, metal detection survey and archaeological testing (consent/licensed as required under the National Monuments Acts), building survey/ analysis, visual impact assessment. The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer. Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.

11	Details of the finishes of the poultry house, feed stores and manure store shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of visual amenity.
12	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. (ii) Details of screen planting. (iii) Hard landscaping works. b) A timescale for implementation. 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 visual amenity.
13	A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

	Reason: In the interest of residential amenities, public health and safety and environmental protection.
14	Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: In order to safeguard the amenities of property in the vicinity.
15	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. 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.

8.0 Draft Order.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Béibhinn O'Shea
Senior Planning Inspector
27th May 2026.

Appropriate Assessment - Addendum

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) were considered fully in my report dated 5th December 2025. Having regard to the S132 notice issued by ACP on 9th January 2026 this assessment is primarily concerned with potential adverse effects of ammonia emissions on European Dry Heaths at Clogher Head SAC .
I note that the Conservation Objectives of the SAC are for the site are unchanged since my initial assessment.

The following is an appropriate assessment of the implications of ammonia emissions from the proposed development of a poultry house, manure store and associated works in view of the relevant conservation objectives of European Dry Heaths on Clogher Head SAC, based on scientific information provided by the applicant.

The information relied upon includes the following:

- Updated Natura Impact Statement dated January 2026 prepared by Whitehill Environmental on behalf of the applicant
- Updated Air Quality Impact Assessment (AQIA) dated 13th February 2026 prepared by Irwin Carr Consulting on behalf of the applicant
- EPA Licence Application Instruction Note 1 (IN1) Assessing the Impact of Ammonia Emissions and Nitrogen Deposition from Intensive Agriculture Installations on European Sites 2024
- SCAIL and APIS outputs, as referenced in the above IN1. Note SCAIL background pollution maps for Ireland are now from year 2021
- NPWS Conservation Objectives Series Clogher Head SAC 001459 dated 27 January 2017.
- NPWS Agricultural Atmospheric Ammonia: Identification & Assessment of Potential Impacts (IWM 135) 2022

Submissions/observations:

No further submissions following S132 Notice.

Clogher Head SAC (001459) c. 7km to east of site.

Summary of Key issues that could give rise to adverse effects:
Ammonia emissions
See NIS Section 5.3

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)

4030 European dry heaths	To maintain the favourable conservation condition I highlight the following among other attributes/ measures/targets: Attribute: Vegetation composition: lichens and bryophytes Measure: Number of species at a representative number of 2m x 2m monitoring stops Target: Number of bryophyte or non-crustose lichen species present at each monitoring stop is at least three, excluding Campylopus and Polytrichum mosses	Ammonia emissions affecting nutrient balance and health, extent and variety of vegetation**.**	The NIS does not identify mitigation measures however I note the barnhouse operating system now proposed to be used leads to reduction in modelled ammonia emissions reaching the SAC in worst case scenario from 0.029 µg/m3 to 0.0087 µg/m3 i.e. c. 70% and consider this a mitigation measure.

Assessment of issues that could give rise to adverse effects view of conservation objectives

Ammonia emissions and nitrogen deposition.
Detailed atmospheric modelling of the proposed development was undertaken in accordance with the EPA Instruction Note on Assessment of the Impact of Ammonia and Nitrogen on Natura 2000 sites from Intensive Agriculture Installations, EPA 2024 (IN1), 2024.

The flow chart in IN1 is primarily a tool to screen in/out the need for AA of the impact of the proposed development on the European Site, based on (i) the modelled output of ammonia from the development reaching the site, (ii) the background ammonia level at the site and (iii) critical ammonia levels for the site. Notwithstanding that the NIS has screened the site in, assessment against IN1 was carried out.

(Note: I have used co-ordinates selected from a map to generate SCAIL output as the co-ordinates referenced in the EIAR, did not output background levels for ammonia or nitrogen. Screenshots provided below)

Following the flow chart:
Question 1: Ammonia: The ammonia background concentration (BC) 2.15 µg/m3[1] (SCAIL output) exceeds Critical Level (1 µg/m3 given lichens and bryophytes) (APIS output).
Question 5: PEC = Background Level + PC + PCs of other plans and projects = 2.15 + 0.0087µg/m3[2] + 0 = 2.187 µg/m3. The PEC exceeds the critical level. However, this is understandable as the BC already exceeded critical level for European Dry Heaths.
Question 6: This asks, are control measures available which demonstrate that there will be no adverse effect on the integrity the European Site(s) and demonstrate that there will be no damage to the qualifying interest(s) of the European Site(s). The NIS does not identify any control measures which demonstrate that there will be no adverse effect on the integrity the European Site or its qualifying interests; there are no mitigation measures identified in relation to ammonia emissions (as per revised NIS p. 39). However I note that a specific operating system has been chosen for the development in response to the S132 Notice, and has been incorporated into the Aermod Dispersion Modelling, reducing modelled ammonia emissions at the SAC by c. 70% which I consider to be a mitigation measure.

The impact of the modelled emissions still requires to be considered. Both the AQIA and NIS reference that the PC does not exceed 1% of the guideline critical level. In terms of IN1, this criterion is a consideration under step 4 of the IN1 flow chart, for sites where the background levels do not exceed the ammonia critical level.

(I note some discrepancies in the AQIA/NIS. The updated AQIA p 19 states that the background levels exceed the ammonia critical level at Clogher Head. This is contradicted in the updated NIS which on p 30 states that all of the above ground level concentrations of ammonia are significantly below the limit values and page 31 that he critical level of ammonia is not exceeded at any of the locations including Clogher Head. Table 4 on the same page indicates that background levels themselves exceed critical levels.)

The AQIA relies on the fact that site is outside the plume contour representing 0.058 µg/m3 ammonia, which corresponds to a nitrogen deposition of 0.3 kgN/ha/yr, which is considered deminimus for the purposes of a nitrogen assessment. However the subject assessment relates to ammonia, not nitrogen deposition.

The methodology within IN1 does not enable Clogher Head SAC to be screened out from further assessment. However, following application of the revised mitigation measures through the specific operation system specified, I conclude that significant adverse effects on the SAC arising from the proposed development can be excluded:
The SAC is remote from the development site at 7km . It has been included for screening on a distance-based zone of influence of 7.5km which I note is a threshold applied Northern Ireland Environment Agency.
The critical ammonia levels at the SAC, specifically for the Qualifying Interest Annex I habitat European Dry Heaths [4030], are identified as 1 µg/m^3 due to lichens and

[1] 1.94 µg/m3 as per updated AQIA

bryophytes being integral part of the habitat, are already exceeded at a level of 2.15 µg/m^3 as per the SCAIL (Simple Calculation of Atmospheric Impact Limits) tool (accessed May 2026). The critical level in relation to other attributes is 3 µg/m^3 and is not exceeded. In terms of the Conservation Objectives of the site, the targets relating to lichens and bryophytes are not measured by specific ammonia emissions levels. Also, the conservation objectives for European Dry Heaths are to maintain (rather than restore) conservation condition.
The modelled ammonia levels from the proposed development are worst case scenario levels. The proposed development has incorporated mitigation levels reducing modelled emissions by 70%.
Modelled ammonia emissions for the site are now 0.87% of Critical Level, less than 1%. An increment of 1% (or less) of the relevant long term critical load alone is generally considered inconsequential/insignificant by many authorities in the UK and Ireland (ref NPWS IWM 135 p 24/25).

In-combination effects

The revised AQIA considers the need for cumulative assessment in accordance with IN1. The AQIA (page 19) and NIS (page 33) relies on the calculation that the PEC is less than 1% of the critical level and concludes that a cumulative assessment is not required.

EPA IN1 sets out on page Section 3.9 the criteria to use to determine the geographical range of the installations, to include in the in-combination assessment;
All below threshold developments/activities within 5 km of the European Site,
All licensed developments/activities within 10 km of the European Site

No relevant developments/activities are identified in the NIS or raised in observations of the Planning Authority. I was unable to identify any relevant recently permitted developments in such proximity to Clogher Head SAC.

I am satisfied that in-combination effects can be ruled out

Findings and conclusions

The applicant concluded that the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for Clogher Head SAC. This is based on mitigation levels which have reduced modelled emissions at the SAC by 70% resulting in a worst case scenario contribution of 0.87% of critical ammonia load at the site, which at less than 1%, is considered inconsequential in terms of adverse effects.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation Objectives of Clogher Head SAC. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Clogher Head SAC, Boyne Coast and Estuary SAC, Dundalk Bay SAC, North-West Irish Sea SPA and Dundalk Bay SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177V was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account observations/submissions, I consider that adverse effects on site integrity of the Clogher Head SAC can be excluded in view of the conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

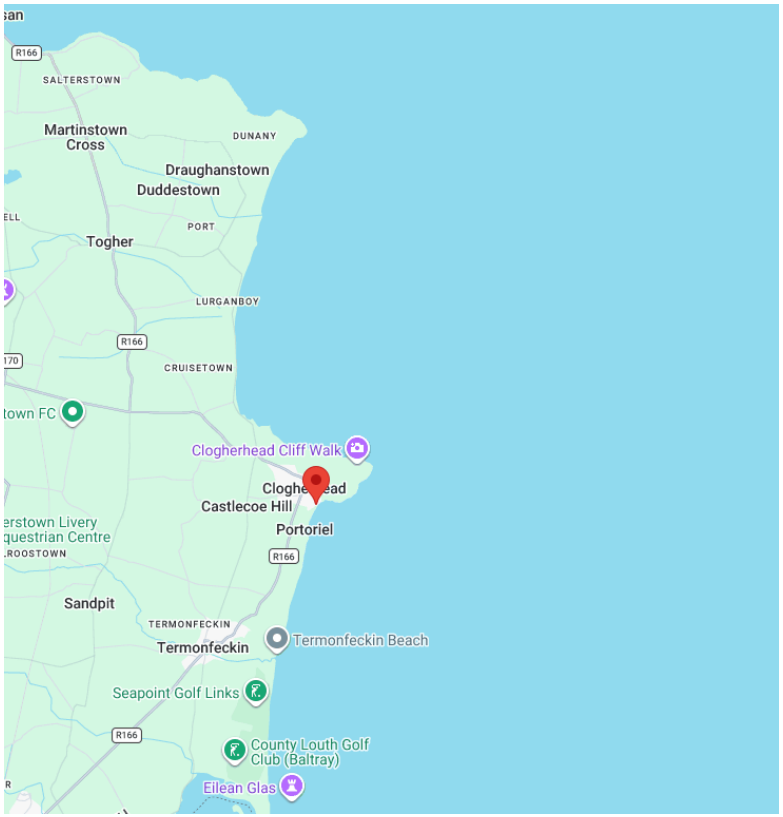
- The provisions of EPA Licence Application Instruction Note 1 (IN1) Assessing the Impact of Ammonia Emissions and Nitrogen Deposition from Intensive Agriculture Installations on European Sites 2024 and NPWS Agricultural Atmospheric Ammonia: Identification & Assessment of Potential Impacts (IWM 135).
- Modelling of worst case scenario ammonia emissions resulting in a PC of less than 1% of critical level of ammonia emissions for the SAC.

Current SCAIL background levels - ING grid co-ordinates from EIAR

Background Levels and Critical Loads

Region: Republic of Ireland
Gridreference: 316399,283546
Habitat: please select...

Concentrations/Depositions and Critical Loads	Conc NH3 (µg/m3)	N Dep. kg N/ha/yr	Acid Dep. kEq H+/ha/yr
Background concentration to habitat	0.00		
Background deposition to habitat		0.00	0.00
Critical Load / Level	1-3	-	0.00 [MaxN:0.00 | MinN:0.00 | MaxS:0.00]

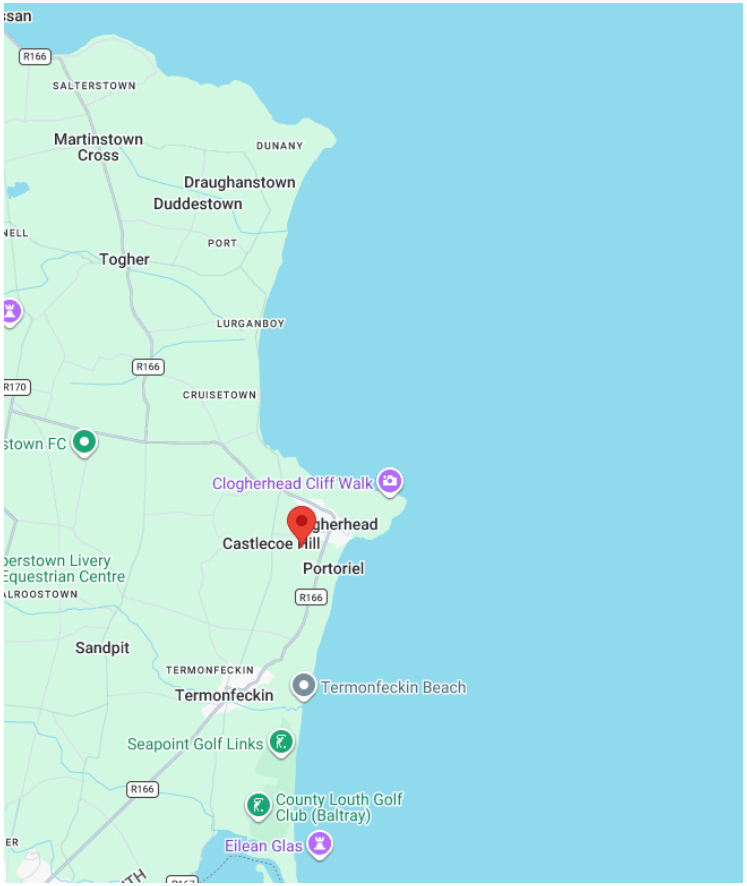


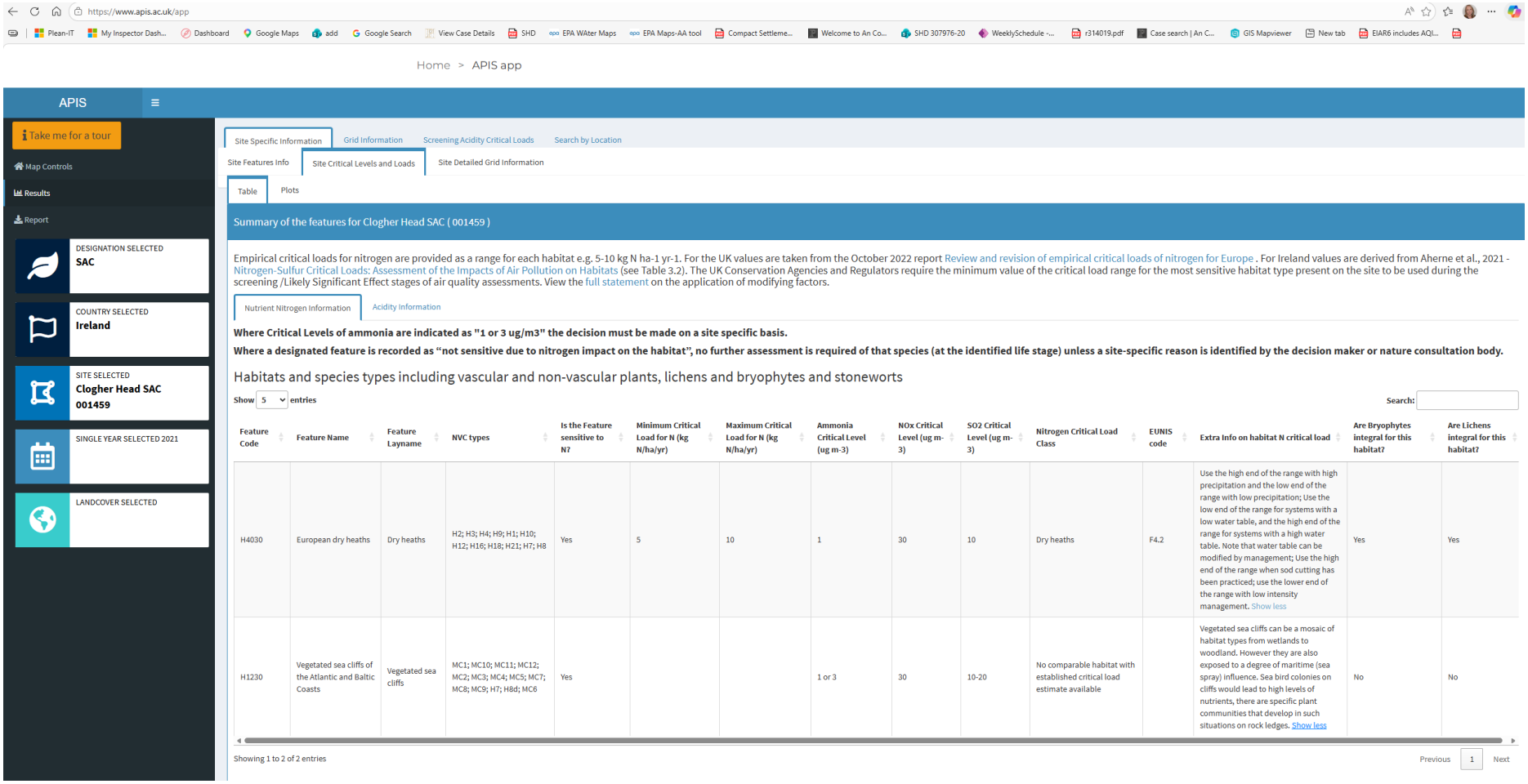
Current SCAIL background levels- ING grid co-ordinates selected from map

Background Levels and Critical Loads

Region: Republic of Ireland
Gridreference: 315510,283413
Habitat: please select...

Concentrations/Depositions and Critical Loads	Conc NH3 (µg/m3)	N Dep. kg N/ha/yr	Acid Dep. kEq H+/ha/yr
Background concentration to habitat	2.15		
Background deposition to habitat		6.95	0.58
Critical Load / Level	1-3	-	0.00 [MaxN:0.00 | MinN:0.00 | MaxS:0.00]




https://www.apis.ac.uk/app
Home > APIS app
APIS
Take me for a tour
Map Controls
Results
Report
DESIGNATION SELECTED
SAC
COUNTRY SELECTED
Ireland
SITE SELECTED
Clogher Head SAC
001459
SINGLE YEAR SELECTED 2021
LANDCOVER SELECTED
Site Specific Information
Grid Information
Screening Acidity Critical Loads
Search by Location
Site Features Info
Site Critical Levels and Loads
Site Detailed Grid Information
Table
Plots
Summary of the features for Clogher Head SAC (001459)
Empirical critical loads for nitrogen are provided as a range for each habitat e.g. 5-10 kg N ha-1 yr-1. For the UK values are taken from the October 2022 report Review and revision of empirical critical loads of nitrogen for Europe . For Ireland values are derived from Aherne et al., 2021 - Nitrogen-Sulfur Critical Loads: Assessment of the Impacts of Air Pollution on Habitats (see Table 3.2). The UK Conservation Agencies and Regulators require the minimum value of the critical load range for the most sensitive habitat type present on the site to be used during the screening /Likely Significant Effect stages of air quality assessments. View the full statement on the application of modifying factors.
Nutrient Nitrogen Information
Acidity Information
Where Critical Levels of ammonia are indicated as "1 or 3 ug/m3" the decision must be made on a site specific basis.
Where a designated feature is recorded as "not sensitive due to nitrogen impact on the habitat", no further assessment is required of that species (at the identified life stage) unless a site-specific reason is identified by the decision maker or nature consultation body.
Habitats and species types including vascular and non-vascular plants, lichens and bryophytes and stoneworts
Show 5 entries
Search:
Feature Code | Feature Name | Feature Layname | NVC types | Is the Feature sensitive to N? | Minimum Critical Load for N (kg N/ha/yr) | Maximum Critical Load for N (kg N/ha/yr) | Ammonia Critical Level (ug m-3) | NOx Critical Level (ug m-3) | SO2 Critical Level (ug m-3) | Nitrogen Critical Load Class | EUNIS code | Extra Info on habitat N critical load | Are Bryophytes integral for this habitat? | Are Lichens integral for this habitat?
H4030 | European dry heaths | Dry heaths | H2; H3; H4; H9; H1; H10; H12; H16; H18; H21; H7; H8 | Yes | 5 | 10 | 1 | 30 | 10 | Dry heaths | F4.2 | Use the high end of the range with high precipitation and the low end of the range with low precipitation; Use the low end of the range for systems with a low water table, and the high end of the range for systems with a high water table. Note that water table can be modified by management; Use the high end of the range when sod cutting has been practiced; use the lower end of the range with low intensity management. Show less | Yes | Yes
H1230 | Vegetated sea cliffs of the Atlantic and Baltic Coasts | Vegetated sea cliffs | MC1; MC10; MC11; MC12; MC2; MC3; MC4; MC5; MC7; MC8; MC9; H7; H8d; MC6 | Yes | | | 1 or 3 | 30 | 10-20 | No comparable habitat with established critical load estimate available | | Vegetated sea cliffs can be a mosaic of habitat types from wetlands to woodland. However they are also exposed to a degree of maritime (sea spray) influence. Sea bird colonies on cliffs would lead to high levels of nutrients, there are specific plant communities that develop in such situations on rock ledges. Show less | No | No
Showing 1 to 2 of 2 entries
Previous 1 Next