



An
Coimisiún
Pleanála

Inspector's Report ABP-320284-24

Development	Extension to easy-feed slatted unit with slurry tanks and associated works.
Location	Gortdromassillahy, Moyvane, Co. Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	2497
Applicant(s)	John Stack
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	25 July 2025
Inspector	Natalie de Róiste

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1.0 Site Location and Description

- 1.1. The site is a farmyard, located on a farm in a rural area in Co. Kerry, close to the border with Co. Limerick. It is 3 kilometres' drive east of Moyvane, 13 kilometres east of Listowel, and 12 kilometres south of Tarbert. It is on an elevated site, c. 400 metres south of the public road, accessed via a private road. There are a number of existing agricultural buildings (cattle sheds, stores and storage sheds) a silage heap, and grain silos, centred around a concrete yard, with a dwelling house located to the north.

2.0 Proposed Development

- 2.1. It is proposed to erect an extension measuring 308 sqm to the north elevation of an existing easy feed slatted unit (which was granted permission under 16/1258, and retention as built under 19/37), with 2 underground slurry tanks, and a feed passage.

3.0 Planning Authority Decision

3.1. Decision

Grant permission.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. Report dated 1 May 2024

- Nature, location, and context of development noted. Development Plan policy and planning history noted. No reports or referrals. Third party submission summarised. EIA screened out. Development Contributions will be due.
- Further information was requested on the following issues: 1) compliance with the relevant specifications from the Department of Agriculture, Food and Marine for the design of the structure; 2) confirmation that adequate lands are available for the spreading of the organic fertilisers (eg manure, slurry, and

soiled water) generated from the development; 3) a nutrient management plan, showing compliance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022; 4) a surface water management plan addressing the disposal of uncontaminated water, and soiled water, and the storage facilities for the milking parlour washings; 5) a landscaping scheme with native hedges and trees, and indicating existing natural ditches to be retained and strengthened; 6) confirmation that farm management will conform with the requirements of the relevant regulations regarding effluent and slurry storage capacity and application; and 7) it was noted that following review of the further information submitted, a Natura Impact Statement might be required.

3.2.3. Further Information was submitted on 5 June 2024, following which a second planning report dated 1 July 2024 noted the following:

- No surface water management plan was submitted, but that could be addressed by condition. The other items requested were satisfactorily submitted.
- Satisfactory reports were received from the Environment Section and the Council Ecologist, and in light of those, a grant of permission was recommended.

3.2.4. Other Technical Reports

- Report dated 1 May 2024, Listowel Roads Office – no comment, grant recommended
- Report dated 1 July 2024, Ecologist, Environmental Assessment Unit – Appropriate Assessment Screening carried out, Natura Impact Statement is not required
- Report dated 1 July 2024, Environment Department – no objection subject to conditions.
- Referred to Kerry NRDO – no report on file

3.3. Conditions

3.3.1. Seven conditions were attached, including the following:

- Condition 4 set out that all effluent and waste water be discharged to appropriate effluent storage tanks, to prevent water pollution.
- Condition 5 set out that all uncontaminated rainwater from roofs be discharged to soakaways or to watercourses to prevent water pollution.
- Condition 6 set out that the slurry storage tank be constructed to the relevant specification, and effluent storage be in compliance with Statutory Instrument no 113 of 2022 European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, in the interest of pollution control.
- Condition 7 set out requirements for landscaping, in the interests of visual amenity and biodiversity.

3.4. Prescribed Bodies

Referred to the Arts Council, An Taisce, Failte Ireland, and to the Development Applications Unit of the Department of Housing Local Government and Heritage (re: archaeology, due to the size of the site). No reports received.

3.5. Third Party Observations

One received, from the appellant. Issues raised are as follows:

- The planning authority must assess the application in accordance with the Planning and Development Act 2000 (as amended)
- The planning authority is required to form and record a view regarding the environmental impacts of the development, and screen the development for EIA
- The planning authority is the competent authority for Appropriate Assessment. The site is in the zone of influence of the Lower River Shannon SAC (002165).
- The development must be assessed for compliance with the Water Framework Directive.

- A guidance document on the protection of the freshwater pearl mussel is submitted with the observation.

4.0 Planning History

Reg ref 19/37 Retention permission granted for slatted unit as constructed.

Reg ref 16/1258 Permission granted for slatted unit with underground slurry tank, demolition of existing cattle shed, replacement of part of existing silage wall, concrete apron to silage base.

Reg ref 14/789 Retention permission granted for waste facility pit for sludge storage.

Reg ref 05/1703 Permission granted for construction of cubicle and loose housing cattle complex, demolition of some existing agricultural buildings.

5.0 Policy Context

5.1. Kerry County Development Plan 2022-2028

- 5.1.1. Chapter 2 Climate Change and Achieving a Sustainable Future includes the following objective:

Objective KCDP 2-9 Promote the development of a more sustainable agri-sector, having regard to the measures and environmental objectives of the forthcoming ‘Common Agricultural Policy Strategy for Ireland, Ag Climatise 2020 – the National Climate & Air roadmap for the agriculture sector’.

- 5.1.2. Chapter 9 of the plan deals with Economic Development, and contains a number of objectives of relevance to agricultural development, particularly in Section 9.7.3 Rural Economy and Section 9.7.6 Agriculture, Agri-Food and Agri-Tech.

Objective KCDP 9-39 Support and facilitate the thematic objectives outlined in “Our Rural Futures”, rural development policy 2021-2025, to strengthen economic activity and employment in rural areas.

Objective KCDP 9-52 Support and facilitate the implementation of the strategic objectives of Food Vision 2030 – A World Leader in Sustainable Food Systems to

sustainably develop the agricultural and food sectors that contribute enormously to the economic development of rural areas.

Objective KCDP 9-53 Facilitate and support the development of sustainable agricultural practices and facilities within the county, subject to normal planning and environmental criteria and the development management standards contained in Volume 6 of this plan.

Objective KCDP 9-55 Facilitate the sustainable 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.

Objective KCDP 9-56 Ensure agricultural waste is managed and disposed 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 (2010-2020) and any subsequent updates and relevant best practice guidelines.

Objective KCDP 9-57 Ensure that intensive agriculture units will only be considered where it is clearly demonstrated by the applicant to the Council that the proposed development will not give rise to negative impacts on animal welfare, the environment, natural or built heritage or residential amenity. The scale and intensity of operations, including the cumulative impact of similar type developments in close proximity, shall be clearly detailed in the application and shall inform the assessment. All applications for such development shall be required to demonstrate that the proposal complies with the development management standards in Volume 6 of this plan.

Objective KCDP 9-62 Ensure the economic benefits associated with promoting the County's agri-food sector are balanced with due consideration for the conservation and protection of the rural environment.

5.1.3. Chapter 11 Environment contains the following objectives of relevance:

Objective KCDP 11-77 Protect the landscapes of the County as a major economic asset and an invaluable amenity which contributes to the quality of people's lives.

Objective KCDP 11-78 Protect the landscapes of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area. Any development which could unduly impact upon such landscapes will not be permitted.

Volume 6 of the plan contains Development Management Standards & Guidelines for various non-residential developments; however, agricultural developments such as this one are not addressed in this volume.

5.2. National Policy

- *Climate Action Plan 2025*
- *Project Ireland 2040 – National Planning Framework first revision (2025) and National Development Plan 2021-2030*
- *Development Management: Guidelines for Planning Authorities 2007*
- Department of Rural and Community Development's *Our Rural Future: Rural Development Policy 2021-2025*
- Department of Agriculture, Food and the Marine's *Food Vision 2030*
- Department of Agriculture, Food and the Marine's *Ag Climatise A Roadmap towards Climate Neutrality* (updated 2021)
- Nitrates Action Programme (NAP) 2022-2025

5.3. Regional Policy

5.3.1. Regional Spatial and Economic Strategy for the Southern Region 2020-32

5.4. Other Guidance

5.4.1. European Commission's *Farming for Natura 2000: Guidance on how to support Natura 2000 farming systems to achieve conservation objectives, based on Member States good practice experiences* (2018)

5.5. Natural Heritage Designations

- Lower River Shannon SAC (002165) – c 2 km south of the site

- Stack's to Mullaghareirk Mountains, west Limerick Hills and Mount Eagle SPA (004161) – 1.5 km east of site

5.6. EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a preliminary examination or screening assessment. Refer to Appendix 1.

6.0 The Appeal

6.1. Grounds of Appeal

One third party appeal was received. It raised a single issue, as follows:

- The Planning Authority failed to carry out an Appropriate Assessment Screening as required in law (see our submission to the Planning Authority), as this development is within the Zone of Influence of the Lower River Shannon SAC (002165) Appropriate Assessment is required.

6.2. Applicant Response

A response was received from the applicant's agent as follows:

- I can confirm that no 'Appropriate Assessment Screening' was requested at any stage by Kerry County Council as part of the planning application process.

6.3. Planning Authority Response

No response was received from the Planning Authority.

6.4. Observations

None received.

6.5. Further Responses

None received.

7.0 Assessment

- 7.1. I have examined the application details and all other documentation on file, including the submission received in relation to the appeal, the reports of the local authority, and the material submitted by the applicant. I have inspected the site, and I have had regard to relevant local/regional/national policies and guidance. I note the narrow grounds of the appeal, which is solely concerned with the Appropriate Assessment of the development and the potential for impacts on the Lower Shannon River SAC. The Appropriate Assessment Screening Determination is appended to this report.
- 7.2. Regarding other issues, I note Kerry County Development Plan has a number of objectives which are favourable towards agricultural developments, including KCDP 9-39, KCDP 9-52, KCDP 9-53 and KCDP 9-55.
- 7.3. I consider that the proposed development (a typical agricultural building in an existing yard, more than 400 metres from the public road) would not have adverse impacts on the visual or scenic amenity of the area. The site does not lie within a designated Visually Sensitive Area or affect any view or prospect listed in the Development Plan.
- 7.4. It would not result in any significant additional motor traffic. No changes are proposed to the site entrance or access road. The report from the Listowel Municipal District Roads Office recommended a grant, with no conditions.
- 7.5. There would be no significant impacts on neighbouring residential amenity, given its nature as an extension to an existing slatted shed in an existing established farm yard, with only the farmer's own residence in proximity (some 70 metres north).
- 7.6. There are no recorded monuments or protected structures in proximity to the site, and it does not lie within an Archaeological Landscape as designated in the Development Plan.
- 7.7. The Planning Authority attached conditions regarding drainage, management of the effluent, and compliance with standards for construction. I note the Ministerial Guidelines on Development Management caution against the attachment of planning

conditions relating to matters that are the subject of more specific controls under other legislation or codes, for fear of an undesirable duplication, (or confusion or contradiction, if the effect of the condition is different from that of the specific control provision). Statutory Instrument 113/2022 European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 sets out detailed legal requirements for farmyard management and nutrient management which, in my view, it is not necessary to replicate or duplicate in a grant of planning permission.

- 7.8. The landscaping plan submitted indicates a new hedgerow to the north and east of the extended building, to enclose the expanded farmyard, with a stretch of the existing hedgerow removed in front of the extension. I note the condition that additional planting be undertaken to screen the existing farmyard structures from the surrounding countryside. In my view, the existing farmyard structures are typical agricultural buildings which do not have undue impacts on the visual amenity of the surrounding area, being integrated into the landscape, partly screened from the public road by various hedgerows and stands of trees. The proposed landscape plan is appropriate, and additional planting over and above that would be an undue imposition.

8.0 AA Screening

- 8.1.1. See Appendix 2 of this report for Appropriate Assessment Screening Determination. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.
- 8.1.2. This determination is based on:
- The nature and extent of the subject development;
 - The distance from European Sites;

- The weakness of connectivity between the development and European Sites, and;
- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.

9.0 Water Framework Directive Screening

- 9.1.1. The European Union Water Framework Directive (WFD) aims to improve water quality and applies to all water bodies. The Directive runs in six-year cycles and is currently in its third cycle 2022 to 2027. Member States are required to achieve 'good' status in all waters and must ensure that status does not deteriorate. The Directive has been given effect by the Surface Water and Groundwater Regulations
- 9.1.2. The proposed development comprises a modest extension of farm buildings, substantially within an existing farmyard complex, with a small encroachment on a greenfield area, as part of an established farm holding. The site is located within the GALEY_030 River Sub Basin and over the Abbeyfeale Ground Waterbody.
- 9.1.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the WFD which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 9.1.4. The reason for this conclusion is based on:
- The small scale of works and nature of the development in an existing farm yard complex which serves to collect, contain and remove slurry for the yard area,
 - The distance from the nearest water bodies and the lack of hydrological connections
 - The construction of the development in compliance with the standards set out by the Department of Agriculture for such works (S123 Bovine Livestock Units and Reinforced Tanks - October 2022).

- 9.1.5. Conclusion: I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment. (Refer to Appendix 3 for screening matrix).

10.0 Recommendation

I recommend a grant of permission.

11.0 Reasons and Considerations

Having regard to the nature and scale of the development within an established agricultural farmyard, and the proposed development's compliance with the Kerry County Development Plan 2022-2028, specifically Objectives KCDP 9-55 and KCDP 9-56, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the visual amenity of the area and would be acceptable in terms of public health, traffic and environmental sustainability. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 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 5 day of June 2024, 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. All external finishes shall harmonise with the existing agricultural structures on site.

Reason: In the interests of visual amenity.

3. All construction work shall be carried out in accordance with current Department of Agriculture and Food specifications and in particular S123: Minimum Specification for Bovine Units and Reinforced Tanks.

Reason: To ensure an adequate standard of construction, and to prevent water pollution.

4. All soiled water, farmyard manure runoff, dairy and parlour washings, yard washings, silage effluent, slurry, and contaminated rainwater shall be discharged to the existing or the proposed effluent storage tanks, or to a suitably constructed tank to the satisfaction of the Planning Authority. The tank or tanks shall be properly maintained to the Planning Authority's satisfaction and emptied as required to prevent the discharge of polluting matter to any watercourse or aquifer and to comply with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) regulations 2002 (as amended).

No polluting matter of any kind resulting from the proposed development shall be allowed enter into any tidal waters, river, stream, lake, canal, reservoir, pond, watercourse or other inland waters whether natural or artificial.

Reason: To prevent water pollution.

5. All uncontaminated surface water run-off from roofs etc., shall be discharged to soakaways or to watercourses and shall not be discharged to or allowed to enter the effluent holding tanks. An inspection chamber and sump shall be provided on all storm water drains immediately before entry to soakaway. The sump shall be a minimum size of 500mm by 500mm and 400mm deep and shall be of watertight construction. Gutters and down pipes shall be provided on all buildings on the farmyard and shall be kept in good repair.

Reason: To prevent water pollution.

6. The building shall be used for agricultural purposes only.

Reason: in the interests of clarity.

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

8. Landscaping shall be carried out in accordance with the landscaping details received on 05/06/24. All hedgerows and natural sod boundaries, apart from those required to be removed for the development as indicated on the landscape plan, shall be retained in full.

Reason: in the interests of visual amenity and biodiversity.

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.

Natalie de Róiste
Planning Inspector

13 August 2025

13.0 Appendix 1 Form 1 - EIA Pre-Screening

Case Reference	ABP-320284-24
Proposed Development Summary	To erect an extension to existing easy feed slatted unit, consisting of 2 no. underground slurry tanks and a feed passage on farmyard
Development Address	Gortdromassillahy, Moyvane, Co. Kerry
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3) <i>[Delete if not relevant]</i></p>
<p>No <input type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3) <i>[Delete if not relevant]</i></p>

Inspector: _____ Date: _____

14.0 Appendix 2 Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		An extension measuring 308 sqm to the north elevation of an existing easy feed slatted unit, with 2 underground slurry tanks, and a feed passage.		
Brief description of development site characteristics and potential impact mechanisms		<p>The proposed development comprises a slatted shed with associated underground slurry tanks. All effluent from the slatted shed will be discharged into the underground slurry tank.</p> <p>The site is located within an existing farmyard, on an existing farm. The proposed development is an extension to an existing slatted shed unit. The applicant has confirmed the works will comply with the relevant Minimum Specifications S100, S101, S102, and S123 by the Department of Agriculture Food and the Marine.</p> <p>The Lower Shannon River SAC is 2 km from the site. There is theoretical potential that construction related sediment could make its way to the SAC, as the development site is located upstream (albeit via a meandering tributary at some distance). The site lies c. 500 metres from a tributary to the south, but lies within the sub basin of a tributary to the north (the Moyvane River some 900 metres away), which joins the Galey River (part of the SAC) 4.2 km away as the river flows, beyond Moyvane village. There are no meaningful connecting pathways between the development and other Natura 2000 sites, including the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (site code 004161)</p>		
Screening report		No. Kerry County Council screened out the need for AA.		
Natura Impact Statement		No.		
Relevant submissions		See section 3.5 of report.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N

Lower Shannon (site 002165)	River SAC code	<p>Sandbanks which are slightly covered by sea water all the time [1110]</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p>	2 km	No direct, possible indirect	Y
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	Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Tursiops truncatus (Common Bottlenose Dolphin) [1349] Lutra lutra (Otter) [1355] <u>Conservation objectives</u> to maintain or restore the favourable conservation condition			
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Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (site code 004161)	Hen Harrier <u>Conservation objectives</u>	1.5 km	No direct or indirect	N
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*		
	Impacts	Effects	
Lower River Shannon SAC (site code 002165) Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by	Direct: none Indirect: localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction	The nature extent and scale of the proposed extension, the established agricultural use on the site, the absence of any direct hydrological link to the SAC, the implementation of standard construction management techniques, and the distance from the SAC make it highly unlikely that the proposed development could generate impacts of a	

<p>seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099]</p>		<p>magnitude that could affect habitat quality within the SAC for the listed Qualifying Interests. Conservation objectives would not be undermined.</p>
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Salmo salar (Salmon) [1106] Tursiops truncatus (Common Bottlenose Dolphin) [1349] Lutra lutra (Otter) [1355]		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Possibility of significant effects (alone) in view of the conservation objectives of the site: No	
Further Commentary / discussion All effluent from the extended cattle shed will be disposed of via the underground slurry tanks. These slurry tanks will be designed and sealed in accordance with the relevant regulations (the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, as amended. Additionally, I note that the application of fertilisers is regulated under the same regulations. These regulations contain specific measures to protect surface water and groundwater from nutrient pollution arising from agricultural sources. This includes, but is not limited to, a prohibition on land spreading within 5-10 metres of a watercourse following the opening of the spreading period. I note that an Appropriate Assessment was carried out as part of Ireland's fifth Nitrates Action Programme (NAP) 2022-2025, which is given effect by Statutory Instrument no 113 of 2022, the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022. That Appropriate Assessment concluded that the programme would not adversely affect the integrity of any European Site. In any case, the carrying out of landspreading does not form part of this application.		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on the Lower River Shannon SAC (site code 002165). The proposed development would have no likely significant effect in combination with other plans and projects on any European site. No further assessment is required for the project. No mitigation measures are required to come to these conclusions.		

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and extent of the subject development;
- The distance from European Sites;
- The weakness of connectivity between the development and European Sites; and,
- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.

15.0 WFD IMPACT ASSESSMENT STAGE 1: SCREENING

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-320284-24	Townland, address	Gortdromassillahy, Moyvane, Co. Kerry
Description of project		Extension to existing slatted shed, associated underground slurry tank.	
Brief site description, relevant to WFD Screening,		<p>Farmyard is on a locally elevated site, close to the 110 metre contour line. The nearest water body is a tributary of the Galey River (Galey_020 IE_SH_23G010300) c. 500 metres to the south.</p> <p>However, due to the terrain, the site is within the sub basin of the Owenmoy Stream/Moyvane River (Galey_030 IE_SH_23G010400), which runs east to west c. 900 metres to the north. The EPA map notes the Soil Information System National Soils Map classifies the soil type as Kilrush Association, a surface water gley with poor drainage and a fine loamy texture. The subsoil is a till type, with a clayey texture.</p>	
Proposed surface water details		Contaminated run-off to slurry tank. Clean roofwater to soakpit or watercourse as per condition.	
Proposed water supply source & available capacity		N/A	

Proposed wastewater treatment system & available capacity, other issues			None. Slurry and effluent to be removed off-site for land spreading in compliance with S.I. No. 113/2022 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (GAP Regs) which give effect to the Nitrates Action Programme concerning the protection of water against pollution caused by nitrates from agricultural sources.			
Others?			N/A			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River waterbody	880 metres	Galey_030 IE_SH_23G01040 0	Moderate	At risk	Urban Waste Water, Agriculture, Hydromorphology	None due to terrain and distance from watercourse
River waterbody	550 metres	Galey_020 IE_SH_23G01040 0	Good	Not at risk	none	No – is not in the river sub basin

Groundwater waterbody		Underlying the site	Abbeyfeale IE-SH-G-001	Good	Not at risk	none	No – clayey subsoils
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if ‘screened’ in or ‘uncertain’ proceed to Stage 2.
1.	Surface: site clearance and construction	Galey_030 IE_SH_23G01 0400	Indirect impact via potential hydrological pathway via field drains and surface run off, and then into Moyvane River	Water pollution from construction run off (silt, concrete, oil spillages)	Use of standard construction practices	No	Screen out
2.	Ground: site clearance and construction	Abbeyfeale IE-SH-G-001	Indirect impact via potential hydrological pathway	Water pollution from construction run off (silt, concrete, oil spillages)	Use of standard construction practices	No	Screen out

OPERATIONAL PHASE							
3.	Surface: Surface Water Run- Off	Galey_030 IE_SH_23G01 0400	Indirect impact via potential hydrological pathway via field drains and surface run off, and then into Moyvane River c. 900 metres away	none	none	No	Screen out
4.	Ground: surface water run off	Abbeyfeale IE-SH-G-001	Indirect impact via potential hydrological pathway via soakaway	Ground water pollution	Use of standard constructio n practices	No	Screen out
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A