



An
Bord
Pleanála

Inspector's Report

ABP-320636-24

Development	Retention of silage slab and slatted shed with creep area to include concrete apron and all associated site works.
Location	Pollboy, Ballinasloe, Co. Galway.
Planning Authority	Galway County Council.
Planning Authority Reg. Ref.	23/457.
Applicant(s)	Kevin Dolan.
Type of Application	Retention Permission.
Planning Authority Decision	Grant Retention Permission.
Type of Appeal	Third Party.
Appellant(s)	Sean and Rosemary Donnellan.
Observer(s)	None.
Date of Site Inspection	11 th December 2024.
Inspector	Kathy Tuck.

1.0 Site Location and Description

- 1.1. The subject site, which has a given area of c.0.527ha, is located at Pollboy, Ballinasloe, Co. Galway. The site is situated c. 17km to the south of Ballinasloe and c. 59km to the east of Galway City Centre.
- 1.2. The subject site shares its southern boundary with the M6 and the northern boundary with a local primary road L-4601 known as Pollboy Cottages. The site comprises of an active farmyard which comprises of a number of farm buildings. The larger part of the landholding comprises of greenfield sites.
- 1.3. The site located immediately to the west is also indicated as being in the ownership of the applicant. There are a number of additional dwellings located on the opposing side of the L-4601.

2.0 Proposed Development

- 2.1. This is an application for retention permission for the silage slab and slatted shed with creep area to include concrete apron and all associated site works. The gross floor area of all structures to be retained is stated as c.1,441.65sq.m.
- 2.2. The silage slab is located at the south-western section of the site and is set back 4.5m from the southern boundary which is formed with the local primary road L-4601. The silage slab has a stated area of c.670.16sq.m having a length of c.33.8m, a width of c.20.8m along the southern elevation and has a height of c.2.4m.
- 2.3. The slatted shed to be retained is located at the north-east section of the site with a stated area of c.168.77sq.m. The shed is a three-bay shed which is indicated on plan as having 8 slats per bay. The structure has a width of c.4.419m, a length of c.17.068m and a height of c.6m. There is a creep area located to the north of the structure.
- 2.4. The concrete apron is located centrally within the site between the silage slab and the slatted shed and has a stated area of c.602.72sq.m.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority, following a request for further information and clarification of further information, issued a decision to Grant Retention Permission subject to 11 no. conditions on the 25th July 2024. The following conditions are of note:

Condition 4:

- (i) The agricultural building(s) hereby permitted shall be maintained in a neat, tidy and clean condition at all times.
- (ii) The material used for filling up the gap between the silage slab proposed for retention and surrounding areas, as detailed in the plans and particulars received by the Planning Authority on the 8th of July 2024, shall consist of stones and topsoil only and shall be free of construction and demolition waste and of invasive plant specimens.

Reason: In the Interest of visual amenity, proper planning and sustainable development of the area

Condition 7:

- (i) All land spreading must be carried out in strict accordance with the updated Nutrient Management Plan received by the Planning Authority on the 9th May 2024.
- (ii) No land spreading is permitted on areas liable to flooding.
- (iii) Land spreading shall take place strictly in accordance with the distances as outlined in Part 4 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (or as amended). Reason: In the interest of proper planning and the protection of public health.

Condition 8:

The waste shall not be land spread proceeding, during or immediately after periods of unusual heavy rainfall, on frozen ground, on lands subject to flooding or at any time during which there would be heavy run-off surface water.

Reason: To protect public health and to avoid pollution.

Condition 10

- (i) Any in-situ hedgerow and/or trees bounding the site including the existing hedge along the roadside boundary, shall be retained. (ii) The development site shall be levelled and landscaped, using only indigenous deciduous trees and hedging / shrubbery species according to the landscaping proposal included in the response to further clarification received by the Planning Authority on the 8th of July 2024.
- (ii) Planting shall be carried out in the first planting season following the completion of the proposed drainage and ground levelling works. All planting shall be adequately protected from damage until established. Any failures within the first 5-years shall be replaced within the next planting season with others of similar size and species.

REASON: In the interest of protecting the biodiversity of the area and the visual amenity of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The first report of the Planning Authority notes the location of the site, the planning history of the site, submissions received and all relevant planning policy. The assessment also included for a EIA Screening and Appropriate Assessment screening of the works. The report noted concern over effluent management and the lack of a Nutrient Management Plan (NMP). In addition, concerns were raised with regard to surface water drainage and the impact the location of the silage slab will have upon the neighbouring properties. As such a request for the following additional information was made on the 17th January 2024:

1. Submit all details regarding the planning history of all existing agricultural structures on this farmyard and corresponding exemptions.
2. Submit a Nutrient Management Plan.
3. Submit a proposal for the surface water management that will demonstrate that the surface water will be protected by getting contaminated from the run-off water resulting from the dirty areas.

4. Revise the sitting of the silage slab - locate it at considerate distance to the existing residential properties.

The Applicant responded to the request on the 9th of May 2024. The response to the RFI includes a cover letter from the Agent with explanatory details and can be summarised as follows:

1. The Applicant submitted a detailed planning history for the subject site.
2. The Applicant submitted a Nutrient Management Plan/ Farmer Full Fertiliser Plan 2024.
3. The Applicant submitted a revised site layout plan indicating the locations of 3 no. existing soakpits and channels and gullies on the application site, which is further elaborated in the explanatory/cover letter included in the response to RFI.
4. The Applicant stated that it is their intention to use the silage slab subject to retention in the existing location and no revision of the site layout plan was therefore undertaken. The Applicant suggests that they will improve the existing situation by maintaining the existing trees/hedges and completing them with additional planting of native species of trees and hedging along the roadside boundary, when mature, will reduce any negative impact of odour.

The second report of the Planning Authority notes that the response to item 1 and item 2 of the RFI was satisfactory and addresses concerns raised. However, the report notes concern over the response provide to item 3 and 4 and as such the following clarification of additional information was sought on the 5th June 2024:

1. submit a revised site section through the silage slab proposed for retention including clear details on the ground levels of the existing construction.
2. (i) submit a revised landscaping proposal-include details of the proposed numbers and selected types of specimens to be planted along the roadside boundary and the lateral eastern side of the silage pit as referred to in the response to point 4 of the RFI.

(ii) Please submit a proposed timeline for the implementation of the ground works and planting.

The applicant submitted a response to the clarification of additional information on the 8th July 2024 which included an explanatory cover letter and can be summarised as follows:

1. The applicant submitted a cross sections drawing and revised site layout plan indicate clearly the proposed filling up of the area surrounding the silage slab proposed for retention with “a suitable material”. The plan also specifies the insertion of additional drainage along the outer slab perimeter and its connection to the proposed soak pits on site.
2. The applicant submitted photographs depicting the existing roadside boundary ditch and hedges as reference for the additional planting proposed for the section corresponding to the silage slab proposed for retention (A-B section as shown on the revised site layout plan). In addition, the applicant clarified the time schedule for the planting implementation.

The third report of the Planning Authority considered the response provided was acceptable and overcame all concerns raised. As such, the report recommended that retention permission be granted in line with decision issued on the 25th July 2024.

3.2.2. Other Technical Reports

A report from the Environment Section of the Local Authority was received on the 20th December 2024 which requested that a Nutrient Management Plan which will include for a location map of each plot of the plan with townlands identified and show calculations for effluent from the dairy area and sufficient storage for closed periods.

3.3. Prescribed Bodies

A submission from Transport Infrastructure Ireland raised no objection.

3.4. Third Party Observations

The Planning Authority receive two submissions. Concerns raised can be summarised as follows:

- Proximity of development to existing dwelling – less than 30m.
- Discrepancy in drawings submitted.

- Odour from silage and cattle shed.
- Spores from malodorous silage poses risk to human health.
- Silage pit has attracted vermin.
- Hedging had to be removed to get rid of vermin.
- No consultation with neighbours.
- Restricted existing view.
- Overlooking from workers on the farm.
- Light pollution.
- Noise impact.

4.0 Planning History

Subject Site

PA Ref: 10/06	Planning permission granted for extension to existing hayshed.
PA Ref: 12/543	Planning permission granted to construct a slatted shed including a creep area, silage apron and access road to slatted shed, reg.
PA Ref: 08/02	Planning permission granted for renovation and extension to dwelling house (refers to the home of the applicant on site adjoining the application site)
PA Ref 06/089	Planning permission granted to construct new 4 bay single slatted shed.

Adjoining Site

PA Ref 09/9005	Permission granted to construct new dwelling, garage, treatment system and percolation area.
PA Ref 08/9043	Permission refused for the upgrading of the existing site entrance to a meat rendering facility and the construction of a new internal access road, 2 no. weigh bridges, a control kiosk, a sludge intake and process building, a biofilter and associated works.

5.0 Policy Context

5.1. National Policy

5.1.1. 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.

5.1.2. 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 farmyard manure to give effect to Ireland's Nitrates Action Programme for the protection of waters against pollution caused by agricultural sources.

5.2. Local Planning Policy

5.2.1. **Galway County Development Plan 2022-2028**

Land use Zoning

The subject site is located within a structurally weak area with a low landscape sensitivity (Class 1)

Relevant Objectives:

Policy Objective AD1 - Sustainable Agriculture Practices

Policy Objective AD2 – Agricultural Lands

Policy Objective AD 3 –Modernisation of Agriculture Buildings

Policy Objective AD4 – Agriculture Waste

DM Standards 13 - Agriculture Buildings

In dealing with planning applications for such buildings the Planning Authority will have regard to:

a) Design and Layout

The quality of design and layout of the farm complex. Where possible new buildings, shall be located within or adjoining the existing farmyard complex. Buildings shall be of minimum scale and use of muted coloured materials shall be encouraged.

b) Residential Amenity

The proximity of any existing dwelling house.

c) Public Road Access

The safe access to public roads.

d) Rural Landscape

The assimilation of the buildings into the rural landscape by means of appropriate siting, external colouring, screening and shelter belting.

DM Standards 14 – Agricultural Effluent

The European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 set out the requirements for storage of farm effluents and the minimum holding periods for storage of farm wastes. All soiled liquid waste shall be collected before being further treated or spread on land in suitable weather conditions.

The following will be a requirement of planning permission:

- Design calculations;
- Design calculations supporting the selection of a particular volume of storage and details of the spread area.

DM Standards 17 – Rural Enterprise

The Council will consider rural enterprises, and resource development (such as agriculture, agri-food sector, agri-tourism, commercial fishing, aquaculture, marine tourism, forestry, bio-energy, the extractive industry, recreation, cultural heritage, marine enterprise sector, research and analysis) and renewable energy resources (such as wind/ocean energy) in rural and coastal areas within the County subject to considerations of proper planning and sustainable development and shall include the following:

a) Existing Buildings

The conversion of existing farm buildings in rural areas for small scale employment purposes will be considered.

b) Agriculturally Related Industry

New buildings will be considered in rural areas for the provision of agricultural related locally sustainable industry.

c) Farm-Related Business

Business directly related to farming, such as the servicing and repair of farm machinery, land reclamation, drainage work, agricultural contracting etc., where it will not give rise to adverse environmental effects, have safe access and not be prejudicial to residential amenity.

The following information shall accompany any application:

- The type of business proposed;
- The nature and extent of the work;
- Reason for its location (e.g., justification on why it is not proposed within settlement centre, etc.);
- Anticipated levels of traffic generated by the proposal, accessibility, and car-parking;
- The effects on the amenities of the adjoining occupiers particularly in relation to hours of work, noise and general disturbance;
- Whether the proposal requires delivery/shipment of goods and details of same;
- Arrangements for storage and collection of waste. (Materials used or goods manufactured, serviced or repaired in the home-based business must be stored within a building).
- No goods manufactured, serviced or repaired should be displayed so that they are visible from outside the site.
- Should not have any adverse impacts on the amenities of neighbouring dwellings.

DM Standards 47 – Field Patterns, Stone Walls, Trees and Hedgerows.

DM Standards 50 – Environmental Assessments.

DM Standards 67 – Sustainable Drainage System (SuDS).

5.2.2. **Ballinasloe Local Area Plan 2022-2028**

The subject site is located within the boundary of the Ballinasloe Local Area Plan where it is zoned under objective A - Agricultural which seeks to promote the development of agriculture and agriculture. The description of the Agriculture land use zoning seeks “to facilitate the further development of agriculture and facilitate opportunities for farm diversification with agriculture related use”.

Relevant Objectives:

BKT 20: Agriculture

There will be a general presumption against residential development on Agricultural (A) zoned land located within the plan boundary except for single house developments for family members on family-owned lands (see Policy Objectives RH1 and RH2 of the Galway County Development Plan (GCDP) 2022-2028.)

5.3. **Natural Heritage Designations**

The subject site is not located within or adjacent to any Natura 2000. The subject site is located c.390m to the north-west of the River Suck Callows SPA (Site code 004907).

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**

This is a third-party appeal against the decision off Galway County Council to grant retention permission. The appellant currently resides in the dwelling located on the opposing side of the local primary road L-4601. The grounds of the appeal can be summarised as follows:

Ground 1: The development does not comply with Planning Leaflet 9 issued by the Planning Regulator – Agriculture and Farm Development.

- Both the concrete apron and silage slab are in excess of the area for exemption.
- Both are in excess of the separation distances identified.
- Clarification is required as to why development that does not comply with type 3 development of leaflet 9 is allowed.

Ground 2: Planning Authorities Report.

- Images included within the report not a true reflection of the:
 - size and quantity of silage within the pit.
 - Visual impact.
 - Odour, smell and pollution.
- Report recognises the location of the silage slab and recommends that the applicant reconsider the location of such:
 - It is stated that the structure is very exposed to views from public road and existing dwellings.
 - Fails to truly consider views from opposing dwelling.
 - Fails to consider odour pollution.
 - Fails to consider vermin.
- Reference made to the scale of the existing structure which is noted to be of a relatively large size which might enable the farm activities to be best performed in this configuration:
 - Should consideration not have been given to the opposing dwelling which is less than c.33m;
 - What about activities of the dwelling - amenities of opposing dwelling have not been considered.
- Reference to existing roadside boundary

- Documents submitted states that there is an existing roadside ditch (indicated on site plan as E-F) – photos demonstrate that this is not the case. This is supported by images.
- Only plants located along this boundary – planted by us to overcome views of the farmyard.
- Very few trees along this boundary have grown to a height of 900mm.
- Intended to plant indigenous trees and hedging/shrubbery to a height of 3m – these must be evergreen and higher as 3m wont block view.
- Planting will not overcome smell.

Ground 3 – Conditions attached to the grant of permission for retention.

- plant indigenous trees/shrubbery
 - these must be evergreen in order to block views.
 - Evergreens will not lose their leaves and will act as a barrier in terms of visual impact.
- Stones and topsoil
 - Should be filled level with the height of the wall of silage slab.
 - Height increase would ensure that the trees will work better to screen views – trees will be planted at a greater height.
- Location of trees and specie should be reconsidered.
- Height of trees.
 - 3m as indicted on plan is to low – should be reconsidered to be at least 4-5m to screen farm.
- Planting will screen but will not protect residential amenity.

The appeal has been accompanied by a copy of the Planning Leaflet 9 issued by the Planning Regulator – Agriculture and Farm Development; a copy of drawings submitted as part of the application, the Planning Authorities report, and a number of photo images.

6.2. Applicant Response

None received.

6.3. Planning Authority Response

None received.

6.4. Observations

None received.

7.0 Assessment

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;

- Principle of Development.
- Exempted Development.
- Impact on amenity.
- Landscaping.
- Issues Arising.

7.1. Principle of Development

- 7.1.1. The subject site is zoned under objective 'A' – Agriculture within the Ballinasloe Local Area Plan 2022-2028. Agricultural buildings are listed as being permitted in principle under this zoning objective. As such, I consider that the works seeking retention permission which include for the provision of a silage slab, slatted shed and concrete apron are acceptable in principle.

7.2. Exempted Development

- 7.2.1. I note from the outset of my assessment that the concerns raised within the 3rd Party Appeal relate solely to the Silage Slab. Concerns were raised that the works seeking retention permission do not comply with requirements set out within Leaflet 9 – Agricultural & Farm Development issued by the Office of the Planning Regulator. It is

stated that the silage slab, as constructed, is located less than 33m from the opposing dwelling. It is contended that clarification is required as to why development that does not comply with type 3 development of leaflet 9 was permitted.

- 7.2.2. I note that details set out within leaflet 9 issued by the Office of the Planning Regulator, which was raised within the grounds of appeal, provide clarification over works which are considered to be exempted development for agriculture and farm development which are included within the Planning and Development Regulations 2001 (as amended). The works subject to this retention application do not meet the requirements as set out under Schedule 2 Part 3 Class 6 or Class 8 of the Planning and Development Regulations 2001 (as amended) and as such the applicant lodged this application seeking retention permission. Details set out within Leaflet 9 are not relevant in this instance.

7.3. Impact on Amenity

- 7.3.1. The appellant has set out a number of concerns with regard to the assessment which was undertaken by the Planning Authority. It was stated that the assessment failed to consider the impact the silage slab would have on amenities in the area in terms of restricting the existing view, the odour from the stored silage and the vermin which have been attracted to the area.
- 7.3.2. The appellant further contended that the images included within the Planning Authorities report were not a true reflection of the scale.
- 7.3.3. The Planning Authority noted concern over the proximity of the silage slab to the public road and the opposing dwelling. Reference was made to development management standard 13(b) of the County development Plan 2022-2028 which relates to agricultural buildings, which requires the Planning Authority to have consideration to the proximity of any existing dwelling house and the protection of amenity of such.
- 7.3.4. The location of the silage slab formed part of further information request. However, as part of the response provided the slab remained unchanged. The applicant stated that the silage slab area was previously utilised as an area to store bales of silage and that the inclusion of the slab and curtain area now allows for a more updated farming practice. It is further stated that the silage slab has been designed to the specification of the Department of Agriculture.

- 7.3.5. The subject site is located within the open countryside and works seeking retention permission are for structures which form part of an existing operating farm. The site is zoned under Agricultural zoning and there are no protect views within the vicinity. While I note the proximity of the silage slab to the L-460, I consider the existing boundary treatment together with that proposed planting and the change in levels from the road to the site will screen the structure from view.
- 7.3.6. With regard to the concerns raised relating to odour and vermin, I note that the operation of the farmyard is governed by separate codes of practice which requires good maintenance to accord with the current health and safety regulations. The farmyard is also subject to inspection on a regular basis. The application has also been accompanied by a Nutrient Plan which the applicant must comply with.
- 7.3.7. I therefore consider that the impacts of the farmyard will not negatively impact upon the amenities of the adjoining properties.

7.4. Landscaping

- 7.4.1. The appellant has noted concern over the proposal to plant indigenous trees shrubbery to screen the proposed development. It is contended that this type of planting will not adequately screen the structure and it should be replaced with evergreen species which would be allowed to grow to 5m in height. It is stated that the height increase would ensure that the trees will work better to screen the development.
- 7.4.2. The applicant on foot of the request for clarification of further information submitted an amended landscape/site plan which sets out both the existing and proposed planting scheme along the boundary shared with the L-4601. It is stated by the applicant that where planting fails supplementary planting will be put in place. This was acceptable to the Planning Authority and was included as a condition of final decision.
- 7.4.3. I consider that the planting proposed and set out on the landscape/planting scheme submitted to the Planning Authority is acceptable at this location and will screen the silage slab from view from the public road and the opposing dwelling. I do not consider it necessary to replace this with evergreen species as the use of indigenous planting will compliment what is already in existence on this boundary.

7.5. Matters Arising

7.5.1. Conditions

As part of the request for further information the Planning Authority sought that the applicant submit a Nutrient Management Plan which was to provide specific details relating to animal holding/herd numbers, resulting slurry and slurry disposal, including calculations of the required storage for closed periods to slurry spread and location maps of the lands used for the slurry spread. The applicant submitted a Plan which was considered to be acceptable. A number of specific conditions attached to the grant of retention permission by Galway County Council relating to land spreading which were as follows:

Condition 7:

- (i) All land spreading must be carried out in strict accordance with the updated Nutrient Management Plan received by the Planning Authority on the 9th May 2024.*
- (ii) No land spreading is permitted on areas liable to flooding.*
- (iii) Land spreading shall take place strictly in accordance with the distances as outlined in Part 4 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (or as amended). Reason: In the interest of proper planning and the protection of public health.*

Condition 8:

The waste shall not be land spread proceeding, during or immediately after periods of unusual heavy rainfall, on frozen ground, on lands subject to flooding or at any time during which there would be heavy run-off surface water.

Reason: To protect public health and to avoid pollution.

I do not consider the provision of the above conditions as set out by the Planning Authority necessary, as it refers to land spreading which is outside the scope of the current application. 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.

Condition no. 4 refers to the maintenance of the farmyard and the material to be utilised to fill the site. I consider that in the event of a grant of retention permission that

part (ii) of this condition, relating to the fill material, be included to ensure that the material utilised to fill the site is clear to the applicant.

I do not consider that the first part of the condition is required given that the farmyard will be required to be kept in a tidy manner in order to meet the requirements of the other codes of practice and various inspection which will be undertaken by the relevant sections of the Department of Agriculture.

Condition no. 10 relates to the front boundary of the site and requires that the indigenous deciduous trees and hedging/shrubbery species set out within the landscape plan submitted be used only and that this shall be planted within the first planting season following the completion of the proposed drainage and ground levelling works. I consider that this condition should also be included as it ensures that the landscaping agreed with the Planning Authority will be undertaken.

8.0 Appropriate Assessment Screening

- 8.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The application is seeking permission for the retention of a silage slab and slatted shed with creep area to include concrete apron and all associated site works. The gross floor area of all structures to be retained is given as c.1,441.65sq.m.
- 8.2. The application was not accompanied by an Appropriate Assessment Screening Report. The Planning Authorities screening determination concluded that the proposed development, by itself or in combination with other development in the vicinity, would not likely have a significant effect on European sites, their qualifying interests or conservation objectives and therefore, no further assessment is required. The assessment also stated that there are no apparent direct hydrological connectivity within the application site or immediately adjacent lands to these designated sites.
- 8.3. The subject site is not located within or adjacent to any Natura 2000 sites. The subject site is located c.390m to the north-west of the River Suck Callows SPA (Site code 004907). The following sites are also located within 15km of the subject site:
- Middle Shannon SPA (site code 004096) – c. 10.43 km.
 - Glenloughaun Esker SAC (site code 002213) – c. 4.45 km.

- River Shannon Callows SAC (site code 000216) – c. 10.42 km.
- Castlesampson Esker SAC (site code 001625) – c. 10.73 km.
- Killeglan Grassland SAC (site code 002214) – c. 12.14 km.
- Ballynamona Bog and Corkip Lough SAC (site code 002339) – c. 14.65 km.

8.4. From assessment of the EAP Mapping tool on the 10th of February 2025 and from under taking a site visit on the 11th of December 2024 I note that there are no ditches or rivers within the vicinity which connect to the River Suck Callows SPA. The Qualifying Interests of this SPA relate to wetlands and waterbirds.

8.5. Having considered the nature of the works to be retained and considering my assessment with regard to the scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- The proposed works are limited in scale.
- Due to the distance of the site from any SAC and SPA, no impacts/ effects are predicted in this regard.
- There are no identifiable hydrological/ecological connector pathways between the application and the SAC or SPA.

8.6. I conclude that on the basis of objective information, 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. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

9.1. Having regard to the above, I recommend that retention permission be granted for the development based on the following reasons and considerations.

10.0 Reasons and Considerations

10.1. The development which is seeking retention permission for a silage slab and slatted shed with creep area to include concrete apron and all associated site works complies with the provisions of the Ballinasloe Local Area Plan 2022-2028 and the Galway County Development Plan 2022-2028. It is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with the surrounding area, would not be visually detrimental to the area, would not impact negatively upon the current levels of residential amenity enjoyed at this location and is in keeping with the proper and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be retained 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 9th of May 2024 and the 8th July 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The material used for filling up the gap between the silage slab proposed for retention and surrounding areas, as detailed in the plans and particulars received by the Planning Authority on the 8th of July 2024, shall consist of stones and topsoil only and shall be free of construction and demolition waste and of invasive plant specimens.</p> <p>Reason: In the Interest of visual amenity, proper planning and sustainable development of the area.</p>
3.	<p>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</p>

	<p>discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.</p> <p>Reason: In the interest of public health.</p>
4.	<p>The slatted shed shall be maintained 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:</p> <ul style="list-style-type: none"> 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). <p>Reason: In order to avoid pollution and to protect residential amenity</p>
5.	<p>The buildings shall be used for agricultural/horticultural storage and associated purposes only. The building shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming/horticulture, whether or not such use might otherwise constitute exempted development.</p> <p>Reason: In the interest of orderly development and the amenities of the area.</p>
6.	<ul style="list-style-type: none"> (i) Any in-situ hedgerow and/or trees bounding the site including the existing hedge along the roadside boundary, shall be retained. (ii) The development site shall be levelled and landscaped, using only indigenous deciduous trees and hedging / shrubbery species according to the landscaping proposal included in the response to further clarification received by the Planning Authority on the 8 th of July 2024. (iii) Planting shall be carried out in the first planting season following the completion of the proposed drainage and ground levelling works. All

	<p>planting shall be adequately protected from damage until established. Any failures within the first 5-years shall be replaced within the next planting season with others of similar size and species.</p> <p>REASON: In the interest of protecting the biodiversity of the area and the visual amenity of the area.</p>
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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.

Kathy Tuck
Planning Inspector

19th March 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-320636-24		
Proposed Development Summary	Retention of silage slab and slatted shed with creep area to include concrete apron and all associated site works.		
Development Address	Pollboy, Ballinasloe, Co. Galway.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	x	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	x		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	x		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			
5. Has Schedule 7A information been submitted?			

No	X	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Appendix 2

Appropriate Assessment Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is not located within or is not immediately adjacent to any Natura 2000 sites. The subject site is located c.390m to the north-west of the River Suck Callows SPA (Site code 004907).

The application is seeking permission for the retention of a silage slab and slatted shed with creep area to include concrete apron and all associated site works. The gross floor area of all structures to be retained is given as c.1,441.65sq.m.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- The proposed works are limited in scale.
- Due to the distance of the site from any SAC and SPA, no impacts/ effects are predicted in this regard.
- There are no identifiable hydrological/ecological connector pathways between the application and the SAC or SPA.

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

Inspector: _____

Date: _____