



An
Bord
Pleanála

Inspector's Report

ABP-320753-24

Development	Construction of a three-bay slatted shed with slurry holding tank underneath, creep areas and all associated site works.
Location	Drumheel, Ballinagh, Co. Cavan.
Planning Authority	Cavan County Council
Planning Authority Reg. Ref.	2428
Applicant(s)	David Finnegan.
Type of Application	Permission.
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Wild Ireland Defence.
Observer(s)	None.
Date of Site Inspection	1/5/25
Inspector	Ronan Murphy

1.0 Site Location and Description

- 1.1. The site has a stated area of 0.630ha and is located in the rural town land of Drumheel, which is c. 2.3km to the north-east of Ballinagh and c. 1.39km to the south-west of Cavan Town. The area in which the site is located includes a number of one-off dwellings to the south of the appeal site and to the east (on the opposite side of the road)
- 1.2. The site is accessed via a local road (L-2506-0). There is a hedgerow including large trees and a land drain to the north of the proposed development area. The drain runs in an east-northeast direction towards the eastern (roadside) boundary of the land. There is a river located c. 135m to the south of the subject land.
- 1.3. The bulk of the site is currently in agricultural use and comprises of a number of existing sheds (hay, slatted shed and general-purpose shed) and a bull pen all to the south and east of the development site. The site slopes gently upward from the road level towards the site of the proposed shed. There are large undeveloped fields to the south, north and west of the shed which are bound by mature trees and hedging.

2.0 Proposed Development

- 2.1. The development comprises of a three-bay slatted shed with slurry holding tank underneath. The application also includes a creep area and all associated development.
- 2.2. The proposed structure would have a floor area of c. 60m² and a maximum ridge height of c. 6.9m. The shed would include an underground manure storage tank below the shed which has a storage volume of 173.18m³.
- 2.3. The proposal also includes a 'creep area' to the north of the shed. The creep area would have an overall area of 74.36m² and would have a fall of 1:30.
- 2.4. To facilitate the proposed development, it is proposed to remove a ditch including mature trees and to divert and culvert an existing farm drain.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 Cavan County Council decided to grant planning permission by order dated 12/8/24 subject to 11 conditions including conditions relating to the use of the shed, external finishes, design to comply with the Department of Agriculture and Food specifications S123 and S129, control of effluent / soiled water, uncontaminated run off, disposal of asbestos, excess soils, construction waste disposal and waste collection.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. There are two planning reports on file. The initial area planner report dated 15 May 2024 assess the application in terms of location and design, water / wastewater, traffic safety / access, appropriate assessment and development contribution.

3.2.3. In the planning officers report, AA screening was considered, and it was determined that due to the site's proximity to Bruse Hill NHA, Lough Oughter and Associated Lough SAC, Lough Sheelin SPA and a tributary to the Erne River further information was required for the applicant to engage in the services of a suitably qualified person (e.g. ecologist) to prepare an Appropriate Assessment Screening Report of the proposed development. The report was to assess the potential impacts of the development, and it may lead to the requirement for a Natura Impact Statement. It was stated that should the Appropriate Assessment Screening Report find any significant impacts on Natura 2000 sites; a stage 2 Natura Impact should be carried out by a suitably qualified person or persons. The further information request also required the submission of an Application Form B for farm development agricultural application and information relating to the management and storage of farmyard manure on the farm throughout the year but particularly during the period when the application of organic manure / fertilisers are prohibited to the land in Co. Cavan.

3.2.4. Other Technical Reports

- Environmental Section: Report dated 8/5/24 requesting further information relating to the need for Application Form B for farm development agricultural

application and the management and storage of farmyard manure on the farm throughout the year but particularly during the period when the application of organic manure / fertilisers are prohibited to the land in Co. Cavan.

- Waste Management Section: Report dated 26/4/24 outlining no objection, subject to conditions.

3.2.5 A further information response was received on 18/7/24 which included the following:

- Cover letter,
- An appropriate Assessment Screening Report prepared by Whitehill Environmental,
- Application form for the construction of farm developments for dairy facilities, silage facilities and for the housing of animals,
- A statement of Organic Nitrogen and Phosphorus (Tom Canning)
- Site layout plan showing the location where the farmyard manure is kept, and the wastewater runoff goes in the existing slatted shed.

The area planner's further information report dated 8/8/24 notes that the Environment Section of Cavan County Council state that an AA for the proposed development is not required as it can be excluded that the proposed development, in combination with other plans or projects will not have a significant effect on any European sites. In addition to this, it is stated that having regard to the nature of the development and the distance of the application site from the Natura sites, it is unlikely to have significant effects on the integrity of any of the European heritage sites. The area planner concludes that the matters raised on the further information request has been adequately addressed and a conditional grant of planning permission was recommended.

3.2.6 Other Technical Reports-Post Further Information

Environmental Section: Report dated 25/7/24 outlining no objection, subject to conditions.

3.3. Prescribed Bodies

Inland Fisheries Ireland. There is no response from Inland Fisheries on file.

In addition to this An Bord Pleanála referred the application to the following:

An Chomhairle Ealaíon: There is no response from An Chomhairle Ealaíon on file.

The Heritage Council: There is no response from the Heritage Council on file.

Faillte Ireland: There is no response from Failte Ireland on file.

An Taisce: There is no response from An Taisce on file.

Department of Culture, Heritage and the Gaeltacht: There is no response from Department of Culture, Heritage and the Gaeltacht: on file.

4.0 Planning History

Subject land

16259: Permission granted for alterations to existing single storey dwelling, demolition of existing rear extension, construction of single storey extension to the rear, construction of entrance porch to the front and installation of wastewater treatment system and percolation, together with all associated site works.

There are a number of applications for dwellings in the area, but none included agricultural sheds such as that proposed in this case.

5.0 Policy Context

5.1 National Policy

- Climate Action Plan 2025.
- Project Ireland 2040 – National Planning Framework (2025) and National Development Plan 2021-2030.
- 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.
- Nitrates Action Programme (NAP) 2022-2025.

5.2 Other Guidance

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).

5.3 Development Plan

The *Cavan County Development Plan 2022-2028* is the operational plan for the area. The subject land is within a rural area and is unzoned. The following sections and policies are pertinent to the proposed development:

ABS01: which seeks to facilitate the development of environmentally sustainable agriculture activities whereby watercourses, habitats, areas of ecological importance and environmental assets are protected, and development does not impinge on the visual amenity of the countryside.

ABS02: which seeks to ensure that developments do not impact on archaeological or heritage features of importance.

ABS03: which requires buildings to be of a design, appearance and material specification that is compatible with the protection of rural amenities.

ABS04: which requires an effective means of farm waste management.

AF09: which seeks to facilitate the development of environmentally sustainable agricultural activities while protecting the environment and the visual amenity of the countryside.

Section 10.6 (Natura 2000 sites) notes that Special Protection Areas (SPAs) are designated under the Conservation of Wild Birds Directive (79/409/ECC). Special Areas of Conservation (SACs) are designated under the Habitats Directive.

Section 13.3.2 which states inter alia that a proposed development will only be approved where it can be determined by the competent authority that, based on best scientific evidence that a project or plan proposed will not give rise to significant adverse direct, or indirect or secondary effects on the integrity of any European sites either individually or in combination with other plans or projects.

5.4 Natural Heritage Designations

The appeal site is not located on or within any designated Natura 2000 site(s) or Natural Heritage Area(s). Lough Oughter SPA (Site Code 004049) is located c.4.4km to the northwest of the site and Lough Oughter and Associated Loughs SAC (Site Code 000007) is c. 4.5 to the northwest of the site. Lough Sheelin SPA (Site Code 004065) is c.14.2km to the south.

In addition to this Lough Oughter and Associated Loughs pNHA is located c.4.3km to the northwest, Bruise Hill NHA is located c. 8km to the south-west of the site and Lough Gowna pNHA is located c. 9.2km to the southeast of the site.

The application material includes an Appropriate Assessment Screening report. This will be discussed in Section 8.0 below, relating to Appropriate Assessment.

Flemings Folly, a national monument (CV01081) is located c. 650m to the southwest of the appeal site. A church (National monument CV01190) is located 650m to the south of the appeal site.

5.5 EIA Screening

See completed Appendix 1 - Form 1 on file. Having regard to the nature and type of development proposed, it is not considered that it falls within the classes listed in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (As

amended), and as such preliminary examination or an environmental impact assessment is not required.

5.6 Water Framework Directive

The appeal site lies within the Erne Hydrometric Area (36) and catchment (36) and the Cavan Sub-Catchment (010) and sub-basin (010).

The subject land is not located immediately adjacent to any river. However, there is a drain on the land. A full assessment will be undertaken in Section 7.5 below.

6 The Appeal

6.1 Grounds of Appeal

6.1.1 A third-party submission was received from Mr. Peter Sweetman on behalf of Wild Ireland Defence CLG who raised issue with the following:

- The Planning Authority failed to carry out a screening assessment.
- The Planning Authority failed to carry out an Appropriate Assessment according to the requirements of the High Court and the Courts of Justice of the European Union.
- Request that An Bord Pleanála address this application de novo.

6.2 Applicant Response

6.2.1 Response dated 30th September 2024. The response as related to planning matters outlines the flowing:

- An Environmental study / Habitats Directive screening of the proposed development was carried out by Whitehill Environmental and there was no risk to the environment.
- The object of the slatted shed is to upgrade facilities for safety and environmental reasons.
- Farming operations would be curtailed if the shed is not approved.

6.3 Planning Authority Response

6.3.1 A response was received on 4th October 2024, this response was deemed invalid as it was outside the timeframe for responses.

6.4 Observations

6.4.1 No observations were received.

6.5 Further Responses

6.5.1 No further responses were received.

7 Assessment

7.1 Having inspected the site and reviewed the documents on the file, I consider that the appeal can be addressed under the following headings:

- Principle of development
- Design and siting.
- Appropriate Assessment Screening by planning authority.
- Water Framework Directive Assessment.
- Other matters
- Appropriate Assessment.

7.2 Principle of Development

7.2.1 The *Cavan County Development Plan 2022-2028* is generally supportive of sustainable agriculture. The site is located within a rural area where the predominant land use is agriculture. I am satisfied that this agricultural proposal is consistent with nature of the site and the use is acceptable in principle.

7.3 Design and siting

7.3.1 The proposed development is within an existing established agricultural farmyard. The proposed shed is 176m² m in area (this figure includes the creep area and feeding passage), with a maximum ridge height of 6.9m. It has a depth of 14.4m and a width

of c.12.2m (including the creep area and feeding passage). A storage tank is proposed below the ground floor of the shed. The storage tank has a volume of 173.18m³.

7.3.2 The proposed shed would be of modern specification with respect to its design and layout. It would be of conventional form, and it would be finished in standard materials. This building would be sited to the west of the existing farmyard and in a position that would align with the existing cluster of farm buildings. The building would thus entail the extension westwards of the existing farmyard in a manner that would be visually coherent. Fleeting views of this building would be available to north bound and south bound users of the local road, which bounds the existing farmyard to the east.

7.3.3 Having regard to the established nature of the existing farmyard, and to the scale and height of the proposed shed, I am satisfied that the development will not result in an adverse impact on the visual or scenic amenity of the area. The immediate receiving landscape is an existing farm holding. The proposed shed would integrate adequately within the landscape and would not detract from the value of same. While I note that there are houses in the immediate vicinity of the appeal site, given the location of the shed within a complex of existing farm sheds and its height, I am of the opinion that there would be no undue impacts on residential amenity of the area. Overall, I consider the development is in accordance with Objective ABS03 of the *Cavan County Development Plan 2022-2028*.

7.3.4 It is noted that the proposed development would require the relocation of an existing drain and the removal of existing hedging and trees. It is considered that hedging and trees should be replaced along the line of the relocated drain to maintain biodiversity in the area. This matter could be dealt with by way of condition, should the Board be of a mind to grant planning permission.

7.4 Planning Authority Appropriate Assessment Screening

7.4.1 The Appellant outlines concerns that the Planning Authority failed to carry out a screening assessment and that the Planning Authority failed to carry out an Appropriate Assessment according to the requirements of the High Court and the Courts of Justice of the European Union.

- 7.4.2 I note that in their initial objection to the proposed development concern was raised in relation to the Margaritifera Margaritifera (The Freshwater Pearl Mussel) which is a bivalve mollusc found in clean, fast-flowing rivers, and occasionally in lakes. It is a highly threatened animal, categorised as critically endangered in Ireland. This will be considered in detail in paragraphs 8.14-8.16 below.
- 7.4.3 The initial planning officers report notes that the appeal site is located c.4.5 km northwest of Lough Oughter and Associated Loughs SAC and Lough Oughter SPA. In addition to the from Lough Sheelin SPA is 14.5km to the south of the site.
- 7.4.4 The planning officers report notes that the appeal site is located 0-50m from a tributary from the Erne River and c.1.4km from the River Erne and River Cavan. Therefore, further information was requested for the applicant to provide an Appropriate Assessment Screening Report which also addresses potential impacts of proposed development on Natura 2000 sites in line with EU Natural Habitats Regulations 1997.
- 7.4.5 By way of response to the Further Information request a Habitats Directive Screening Report was lodged with the Planning Authority. It is noted that the environment section of Cavan County Council reviewed the submitted Habitats Directive Screening Report and had no objection to the proposal.
- 7.4.6 The submitted Habitats Directive Screening Report was prepared by Whitehill Environmental. I am satisfied that the applicant's Habitats Directive Screening Report was prepared by a suitably qualified and experienced ecologist in line with current best practice guidance and referred to land spreading. I am satisfied that the planning authority decision on the Appropriate Assessment did not contain any gaps in its screening assessment and assessment of items. Appropriate Assessment will be discussed in Section 8 below.
- 7.4.7 The Board should note that land spreading does not form part of this application, and such process is regulated under the European Union (Good Agricultural Practice for Protection of Waters) Regulations, as amended. The regulations contain specific measures to protect surface waters and groundwater from nutrient pollution arising from agricultural sources. This includes, inter alia, no land spreading within 5-10 metres of a watercourse following the opening of the spreading period (1st February for County Cavan). I note that an Appropriate Assessment was completed as part of Ireland's fifth Nitrates Action Programme (NAP) 2022-2025, which is given effect by

the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022 and concluded that the programme would not adversely affect the integrity of any European Site.

- 7.4.8 Notwithstanding this, land spreading of manure that does not comply with the above-mentioned legislation has the potential to give rise to likely significant effects on European sites within the zone of influence, having regard to the relevant sites' conservation objectives and this has been considered in the applicant's submitted Appropriate Assessment Screening Report.

7.5 Water Framework Directive

- 7.5.1 In accordance with the objectives as set out in Article 4 of the Water Framework Directive which seeks 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 the Board is required to take into consideration the possible effects a project may have on water quality.

Screening Summary

- 7.5.2 The Water Framework Directive is implemented through River Basin Management Plans (RBMPs) the appeal site lies within the Erne Hydrometric Area (36) and catchment (36) and the Cavan Sub-Catchment (010) and sub-basin (010).
- 7.5.3 I make the Board aware that agriculture is listed as a 'significant pressure' type category for at risk waterbodies.
- 7.5.4 There is a drain within the application site which is proposed to be diverted and piped as part of the proposed development. This drain flows in an east-north-eastly direction towards the roadside boundary.
- 7.5.5 No roadside drain along the L-2506-0 was obvious on my site visit. However, I have consulted the 25' Tailte Eireann map (on the internal GIS mapping system). This map shows a roadside drain on the western side of the L-2506. The drain is a short drain, passing a number of properties but does not connect to a water body.
- 7.5.6 Having considered the EPA water maps at (gis.epa.ie/EPAMaps/Water), historic 25' maps on the internal GIS mapping system of An Bord Pleanála and having visited the site and noting no roadside drain on the L -2506-0, I am of the opinion that there is no evidence to suggest that the drain on the site connects to the wider area. This confirms

the information provided in the AA Screening Report that there is no hydrological connection to European sites.

7.5.7 With regard to groundwater, I make the Board aware that I have consulted the Geological Survey of Ireland maps ([Geological Survey Ireland Spatial Resources](#)) with respect to ground water vulnerability and the site is within an area classified as Rock at or near surface or karst. The Cavan Groundwater Protection Maps prepared by the Geological Survey of Ireland note that the appeal site is located within an area of classified as poor aquifer.

7.5.8 I have assessed the proposed 3 bay slatted shed with slurry holding tank and have considered the objectives as set out in Article 4 of the Water Framework Directive and having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- There is no evidence to suggest that the drain on the site connects to the wider area.
- The relatively minor nature and extent of works proposed.
- Mitigation measures along the drain.
- All soiled waters /slurry are directed to a storage tank.

7.6 Other matters

Flood risk

7.6.1 I can confirm that I have consulted that OPW Flood Maps, and the subject site is not within any fluvial, pluvial or coastal flood risk areas.

Traffic safety

7.6.2 Having visited the site, I have no traffic safety concerns with respect to the proposed development.

8 AA Screening

8.1 In accordance with obligations under the Habitats Directives and implementing legislation, to take into consideration the possible effects a project may have, either on its own or in combination with other plans and projects, on a Natura 2000 site, there is a requirement on the Board, as the competent authority in this case, to consider the possible nature conservation implications of the proposed development on the Natura 2000 network, before making a decision.

8.2 The application material includes an Appropriate Assessment Screening report.

Screening summary

8.3 The proposed development is identified as being within the Zone of Influence of Lough Oughter and Associated Lough SAC (Site Code 00007), Lough Oughter Complex SPA (Site Code 004049) and Lough Sheelin SPA (Site Code 004065).

Lough Oughter Complex SPA

8.4 A site-specific conservation objective has been developed for Lough Oughter Complex SPA (Site Code 004049) which is summarised as to maintain the favourable conservation condition of Great Crested Grebe in Lough Oughter Complex SPA.

Lough Oughter and Associated Loughs SAC

8.5 A Site-specific conservation objective has been prepared for Lough Oughter and Associated Lough SAC (Site Code 00007) which is summarised as to restore the favourable conservation condition of Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation in Lough Oughter and Associated Loughs SAC.

Lough Sheelin SPA

8.6 A Site-specific conservation objective has been prepared for Lough Sheelin SPA (Site Code 004065) which is summarised as to restore the favourable conservation condition of Great Crested Grebe at Lough Sheelin SPA. Table 1 below provides a summary of each site.

8.7 There is a drainage ditch to the north of the appeal site which connects to a roadside drain. However, it is noted that the Appropriate Assessment Screening Report states that it is unlikely that the drain would flow towards a permanent waterbody. As

previously stated, I am of the opinion that there is no evidence to suggest that the drain on the site connects to the wider area.

8.8 Site summaries are set out in the table below:

European Site	Distance	Qualifying Interests	Screened in / Out
Lough Oughter Complex SPA (Site Code 004049)	4.2km north-west via the Cavan River 15.7km downstream via the Cavan River	Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Whooper Swan (<i>Cygnus cygnus</i>) [A038] Wigeon (<i>Anas Penelope</i>) [A050] Wetland [A999]	Screened out- No-source- Pathway- Receptor
Lough Oughter and Associated Lough SAC (Site Code 00007)	4.4km north-west 14km downstream via the Cavan River	Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150] Bog woodland [91D0] Lutra lutra (Otter) [1355]	Screened out – No-source- Pathway- Receptor
Lough Sheelin SPA (Site Code 004065)	14.2km south	Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Pochard (<i>Aythya ferina</i>) [A059] Tufted Duck (<i>Aythya fuligula</i>) [A061] Goldeneye (<i>Bucephala clangula</i>) [A067]	Screened Out – No-Source- Pathway- Receptor

		Wetland [A999]	
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Table 1: Site summaries

- 8.9 In addition to the above, given the distance of the appeal site from any European site, I am satisfied that there is no feeding/foraging habitat for birds and therefore there will be no loss of any ex-situ foraging or roosting site for species of conservation interest.

Impact Assessment

- 8.10 Section 3.4 of the Appropriate Assessment Screening report states that there are no individual elements of the proposed development that are likely to give rise to negative impacts on any European sites.
- 8.11 Section 3.5 states that having regard to the location, nature and scale of the proposed development there is no potential for significant effects either from the proposed development or on its own or in combination with other plans and projects.

Appropriate Assessment Screening Conclusion

- 8.12 In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information I conclude that that the proposed development would **not** give rise to likely significant effects on Lough Oughter and Associated Lough SAC (Site Code 00007), Lough Oughter Complex SPA (Site Code 004049) and Lough Sheelin SPA (Site Code 004065) or any other European Site either alone or in combination with other plans or projects.
- 8.13 It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required. This conclusion is based on:
- The nature and extent of the proposed development.
 - Having regard to the absence of any direct hydrological connection from the subject site to any European Site.
 - Having regard to the distance of the site from the European Sites and the absence of any other potential ecological pathways.
 - Having regard to the screening report and determination of the Planning Authority.

Margaritifera margaritifera

- 8.14 As previously discussed the *Margaritifera Margaritifera* (The Freshwater Pearl Mussel) is found in clean, fast-flowing rivers, and occasionally in lakes. It is a highly threatened animal, categorised as critically endangered in Ireland. There are no source-pathways between the subject site and European sites. In addition to this, there are no waterbodies/hydrological connections to this site.
- 8.15 I note that the *Margaritifera Margaritifera* is not included as a QI in any of the Lough Oughter and Associated Lough SAC (Site Code 00007) or Lough Oughter Complex SPA (Site Code 004049) In addition to this I refer the Board to Biodiversity maps (<https://maps.biodiversityireland.ie>) which shows that while an area of Co. Cavan is identified as a *Margaritifera* sensitive area that no *Margaritifera Margaritifera* were found in the county.
- 8.16 Having considered all of the above, I am satisfied that the proposal would not have any impact on *Margaritifera Margaritifera*.

9 Recommendation

- 9.1 In accordance with the foregoing I recommend that the proposed development be granted, for the following reasons and considerations, in accordance with the following conditions.
- 9.2 For the information of the Board, I note that adopted Cavan County Council Development Contributions Scheme 2017-2020 states that agricultural structures under 300m² are exempt from the need to pay contributions. Therefore no financial contribution condition was included. This is consistent with the grant of permission from Cavan County Council.

10 Reasons and Considerations

- 10.1 The proposed development is located in a rural area where agriculture is the predominant land use. The proposed development would improve the existing farmyard facilities, would not impact on the amenities of the area, would not adversely affect Natura 2000 sites or be a threat to ground or surface water and would not impact

on the natural heritage of the area. The proposed development would, therefore, be in accordance with the proper planning and development of the area.

11 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 9th day of April 2024, and amended by further information received on the 18th day of 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.

Reason: In the interest of clarity.

2. The vegetation along the banks of the drain which is proposed to be removed to facilitate the proposed development shall be replaced along the line of the bank of the relocated drain with native species to the satisfaction of the local authority.

Reason: In the interest of protecting ecology and wildlife in the area

3. All uncontaminated surface water run-off from the proposed development shall be collected separately from soiled water and shall be disposed of to the satisfaction of the planning authority.

Reason: To minimise soiled water in the interest of environmental protection and pollution control.

4. All storage facilities for farmyard effluent shall:

a) be so constructed, maintained, and managed as to prevent run-off or seepage, directly or indirectly, into groundwater or surface water of any effluent produced, and

b) designed and constructed in accordance with the Department of Agriculture, Food, and the Marine specifications as per the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2022 (S.I. 113 of 2022).

Reason: In the interest of environmental protection, pollution control and in the interest of public health and residential amenity.

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

Reason: In the interest of clarity.

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

Reason: In the interest of visual amenity.

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

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

8. Site preparation and construction shall adhere to best practice and shall conform with the requirements of Inland Fisheries Ireland.

Reason: For the protection of the aquatic habitat.

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.

Ronan Murphy

Ronan Murphy
Planning Inspector

13 May 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320753-24		
Proposed Development Summary	Construction of a three-bay slatted shed with slurry holding tank underneath, creep areas and all associated site works.		
Development Address	Drumheel, Ballinagh, Co. Cavan.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			Proceed to Q3.
No	X		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No			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	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes	Tick/or leave blank	Screening Determination required

Inspector: _____ Date: _____