



An
Bord
Pleanála

Inspector's Report ABP-322017-25

Development	Retention of agricultural shed and entrance.
Location	Cloghaunard, Beach Road, Clifden, Co. Galway.
Planning Authority	Galway County Council.
Planning Authority Reg. Ref.	2461655
Applicant(s)	Ronan Joyce.
Type of Application	Permission for retention.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party
Appellant(s)	Ronan Joyce.
Observer(s)	None.
Date of Site Inspection	7 May 2025.
Inspector	Stephen Rhys Thomas.

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1.0 Site Location and Description

- 1.1. The site is located along Beach Road, a coastal road that links Clifden with Dooghbeg Point and beach. The site is part of wider agricultural lands that stretch northwards up a hillside to a small valley. The appeal site comprises a new entrance point consisting of a splayed stone wall and wooden gate. The 13.5 sqm shed is positioned on a concrete pad and combines with a small cattle race and crush. The roadside boundary in the vicinity of the shed consists of mature hedging and trees and the ruins of a stone building. The wider area is characterised by coastal waters to the south at a significantly lower level and hillside to the north, combined with houses and agricultural buildings either at the road edge or set within the hillside. Mature trees and hedging are also a feature along this narrow and winding country road. A small unnamed watercourse runs through the site to the west of the shed, and flows to Clifden Bay to the south.

2.0 Proposed Development

- 2.1. Permission is sought to retain the following:
- An agricultural shed with a floor area of 13.5 sqm. The shed has a mono-pitch roof with black corrugated galvanised finish to roof and all shed elevations. The shed is positioned within a fenced small enclosure that incorporates a cattle crush, all set on a concrete pad.
 - An agricultural entrance with gateway.

All on a site of 0.1 Hectare.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority refused permission for three reasons, as follows:

1. It is considered by virtue of the lack of justification for the project and standalone nature of the development where extensive works have been carried out without the benefit of planning permission and proposed work results in a significant adverse

intervention of this rural setting, on the receiving Class 3 Special landscape which is Highly Sensitive to Change, would constitute haphazard/dispersed and disorderly development, would result in a built form and unit that would not fit appropriately or integrate effectively into this rural setting, and would contravene materially Policy Objectives LCM 3 and AD1 & DM Standard 13 & 46 of the Galway County Development Plan. Accordingly, to grant the proposed development would interfere with the character of the landscape, would detract from the visual amenity of the area, would militate against the preservation of the rural environment, would contravene materially development objectives and a development management standard contained in Galway County Development Plan and would be contrary to the proper planning and sustainable development of the area.

2. Based on the information submitted with the planning application where sightlines have not been indicated as being within the control of the applicant, the Planning Authority is not satisfied that the applicant has satisfactorily demonstrated that they can provide and maintain the required sightlines from the proposed entrance to the site along the public road nor is the building line of the unit hereby proposed to be retained recessed appropriately relative to the roadside verge. Therefore, to grant the development as proposed would be contrary to DM Standard 28 & 29 and would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise and thus would be contrary to the proper planning and sustainable development of the area.

3. The site of the proposed development is located within the zone of influence of the West Connaught Coast SAC. In the absence of the Nutrient Management Plan encompassing for (inter alia) the farm enterprise and an AA Screening Report accompanying the application content incorporating for a fulsome evaluation of the potential impacts of the development, the Planning Authority cannot consider that likely significant effects on the said Natura 2000 designations can be ruled out. Therefore, if permitted as proposed, the planning authority cannot be satisfied that the proposal will not adversely affect the integrity of European sites in light of their conservation objectives. Therefore, if permitted as proposed, the development has the potential to adversely affect the qualifying interests and conservation objectives of protected European sites for flora and fauna and would materially contravene Policy Objective NHB1- Natural Heritage and Biodiversity of Designated Sites,

Habitats and Species and NHB 2 - European Sites and Appropriate Assessment and DM standard 50: Environmental Assessments of the Galway County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The basis for the planning authority's decision is summarised as follows:

- Appropriate Assessment (AA) Screening Determination: the Planning Authority cannot be satisfied that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on these or any other European sites.
- EIA and FRA not required.
- The documentation lacks detail with regard to framing practices, land ownership, or a nutrients management plan.
- Traffic - visibility splay to the south west is not in line with the requirements of DM Standard 28.
- The development results in an adverse visual impact upon the surrounding landscape.

Permission refused in accordance with the Planner's recommendation.

3.2.2. Other Technical Reports

- None.

3.3. Prescribed Bodies

3.3.1. None.

3.4. Third Party Observations

3.4.1. Two submissions, one in support of the application and the other disputes land ownership.

4.0 Planning History

4.1. None.

5.0 Policy Context

5.1.1. The relevant policy background is outlined as follows:

5.2. Development Plan

Galway County Development Plan 2022 -2028.

5.2.1. The subject site is located in a rural area defined in the development plan as Landscape Sensitivity 3 - Special, in a Coastal Landscape. Relevant policies, objectives and development management standards of the plan include:

- Policy Objective LCM 3 Landscape Sensitivity Ratings Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County. In areas of high landscape sensitivity, the design and the choice of location of proposed development in the landscape will also be critical considerations.
- Policy Objective AD 1 Sustainable Agriculture Practices To facilitate the development of sustainable agricultural practices and facilities within the county, subject to complying with best practice guidance, normal planning and environmental criteria and the development management standards in Chapter 15 Development Management Standards.
- Policy Objective NHB1- Natural Heritage and Biodiversity of Designated Sites, Habitats and Species

Protect and where possible enhance the natural heritage sites designated under EU Legislation and National Legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts) and extend to any additions or alterations to sites that may occur during the lifetime of this plan.

Protect and, where possible, enhance the plant and animal species and their habitats that have been identified under European legislation (Habitats and

Birds Directive) and protected under national Legislation (European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011), Wildlife Acts 1976-2010 and the Flora Protection Order (SI 94 of 1999).

Support the protection, conservation and enhancement of natural heritage and biodiversity, including the protection of the integrity of European sites, that form part of the Natura 2000 network, the protection of Natural Heritage Areas, proposed Natural Heritage Areas, Ramsar Sites, Nature Reserves, Wild Fowl Sanctuaries (and other designated sites including any future designations) and the promotion of the development of a green/ ecological network.

- Policy Objective NHB 2 - European Sites and Appropriate Assessment

To implement Article 6 of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011. All such projects and plans will also be required to comply with statutory Environmental Impact Assessment requirements where relevant.

- DM Standard 13: Agricultural 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 Standard 28: Sight Distances Required for Access onto National, Regional, Local and Private Roads.
- DM Standard 29: Building Lines.

- **DM Standard 46: Compliance with Landscape Sensitivity Designations**
Subject to the provisions of the plan but in particular the settlement policies of Chapters 2, 3 & 4 and the consequent restriction on development in rural areas, the control of permissible development shall be in accordance with the policies as they relate to the four sensitivity classes of landscape in Section 8.13.2 of this plan. It will deem the following types of development generally to be acceptable in the various areas of sensitivity as follows:

Class 3 – Special Restricted to essential residential needs of local households, family farm business and locally resourced enterprises (subject to site suitability and appropriate scale and design) including those with substantiated cases for such a specific location and which are in compliance with settlement policies.

Table 15.6: Landscape Sensitivity Designations

- **DM Standard 50: Environmental Assessments**

The following measures shall be applied in respect of designated environmental sites:

a) **Appropriate Assessment Screening for Appropriate Assessment and/or Appropriate Assessment** will be required with all applications where it is considered that the proposed development may impact (directly and indirectly), or in combination with other projects, on a Natura 2000 designated site i.e., a Special Area of Conservation (SAC) or a Special Protection Area (SPA), to inform decision making. The appropriate assessment shall be carried out in accordance with Article 6 of the Habitats Directive the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), as relevant.

b) **Ecological Assessment** An Ecological Assessment may be required for small scale projects in other areas e.g. (proposed) Natural Heritage Areas, Ramsar Sites, Nature Reserves, National Parks) that may be considered environmentally sensitive and may have direct/indirect impacts on the natural heritage value of the area. The need for an ecological assessment should be discussed with the Planning Section prior to the submission of an application.

The assessment should include consideration of impacts in relation to biodiversity, ecological linkages, water quality and drainage.

c) Environmental Impact Statement/Assessment Under the EIA Directive the assessment of the effects of certain public and private projects on the environment is required. The thresholds for such an assessment are listed in the Planning and Development Regulations 2001 (as amended). An EIS may also be required for development proposals below the statutory thresholds; EIA Guidance for Consent Authorities on Sub Threshold Development (2003) is available in this regard. The Planning Authority may require the submission of an Environmental Impact Statement (EIS) in accordance with the provisions of Part 10 of Assessment the Planning and Development Regulations 2001 (as amended).

5.2.2. Other relevant sections of the plan include:

- Policy Objectives Rural Development
- RD 1 Rural Enterprise Potential
- RD 3 Assimilation of Buildings
- Policy Objectives Agriculture Development
- Policy Objective Commercial Developments in Rural Area
- CD 1 Rural Enterprises

5.3. Natural Heritage Designations

5.3.1. The following sites are noted:

- The Twelve Bens/Garraun Complex SAC is located 1 kilometre to the east.
- The Connemara Bog Complex SAC is located 1.2 kilometres to the south east.
- The West Connacht Coast SAC 4.4 kilometres to the west.
- Slyne Head Peninsula SAC is located 2.7 to the south.
- The Proposed Natural Heritage Areas: Connemara Bog Complex is located 1.2 kilometres to the south east.

- Proposed Natural Heritage Areas: Slyne Head Peninsula is located 2.7 to the south.

6.0 Environmental Impact Assessment (EIA) Screening

6.1.1. The appeal concerns the retention of agricultural shed (13.5 sqm) and entrance, Part 2, Class 1. Agriculture, Silviculture and Aquaculture, Class 1(a) of Part 2 (rural restructuring / hedgerow removal); and Class 10(dd) of Part 2 relating to private roads in the form of driveways of the of the Planning and Development Regulations 2001 (as amended) all refer. I have considered all of these Classes at appendix 1 and 2 of my report and no thresholds have been met. The renovation works in the open countryside will not have an adverse impact in environmental terms on surrounding land uses. It is noted that the site is not designated for the protection of the landscape or of natural or cultural heritage, but is located in a landscape with a high sensitivity to change. The proposed development is not likely to have a significant effect on any European Site as discussed in section 9.0 of my report below and there is no direct meaningful hydrological connection present such as would give rise to significant impact on nearby water courses. The proposed development would not give rise to waste, pollution or nuisances that differ from that arising in the area. It would not give rise to a risk of major accidents or risks to human health.

6.1.2. Having regard to: -

- The nature and scale of the proposed development, which is significantly under the mandatory threshold in respect of Class 1, Class 1(a) of Part 2 (rural restructuring / hedgerow removal); and Class 10(dd) of Part 2 relating to private roads in the form of driveways, of the Planning and Development Regulations 2001 (as amended),
- The existing pattern of development in the vicinity,
- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003).

- 6.1.3. I have concluded that, by reason of the nature and scale of the existing shed development and the rural location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report for the proposed development was not necessary in this case, for further detail and analysis note that appendices 1 and 2 of my report refer.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. The first party grounds of appeal are summarised as follows:

- A background is provided to the inadvertent construction of the new entrance and shed. The owner is involved in farming and the development will assist with that enterprise. The farm family owns land in the area and rights to commonage. The shed was constructed to assist with bovine tuberculosis eradication program. The shed is not designed to house cattle, but for use in the event of a TB reactor or other health reasons. Other sites on the applicant's landholdings were considered to be inappropriate. On this site, seven cattle roam, no fertilizer is used, no slurry produced or spread and animals are housed on straw during treatment as required.
- Reason 1 – the shed was constructed for animal welfare reasons, and the entrance constructed to facilitate safe access to the grazing lands. The structure is agricultural in character and small in scale, it is not an adverse intervention into the landscape. The applicant notes the sensitivity of the landscape, however, the site is well screened behind hedge and trees. No Visual Impact Assessment is required because the development is already in place and can be readily assessed in relation to any impact.

The design and layout of the development is compliant with DM standard 13, layout is commensurate with the scale and type of farming practiced on site, no residential properties are close, entrance is safe, and visual impact is minimal due to existing planting.

- Reason 2 – sight lines are shown on layout drawings and letters of consent provided by owners on either side to maintain sight lines as necessary. If required the splayed entrance to the west can be lowered.

Sight lines to the west are 120 metres and to the east 62 metres, speeds are lower than the posted speed limit of 80kph due to the configuration and geometry of the road and drivers are alerted to the existence of walkers.

The front building line of the shed is 7 metres from the road edge, less than the 15 demanded by DM standard 29, but other buildings along Beech Road are closer than this requirement. To position the shed 15 metres from the road edge would require a lot of excavation works and the visual effect would be greater.

- Reason 3 – the existing cattle herd of seven graze 8 Hectares, and would occupy the lands, with or without the shed. The stock are hardy Dexter cattle and are wintered outside without the need for housing. No chemicals, fertilizers or slurry is spread on the land and the shed is only used intermittently as needed.

A Nutrient Management Plan (NMP) has been prepared and demonstrates how effluent is produced and managed on site.

The appeal is accompanied by:

- maps of lands available for farming,
- land registry folios/maps,
- letter setting out rationale and reasons for the development from the owner that states amongst other things that a cattle crush has always been located at this location and that this location is one of the few areas where there is road frontage on the owner's 20 Hectare holding, applicant's agricultural qualifications, herd number application (G1031936), and herd profile.
- Letter of support for the development,
- Two letters of consent to maintain sight lines,
- Sight line drawing PP-05-01,

- Fertilizer Plan for the entire holding.
- Statement of Organic Nitrogen and Phosphorus.

7.2. Planning Authority Response

None.

7.3. Observations

None.

8.0 **Assessment**

8.1. The main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Visual Amenity
- Traffic
- Designated Sites
- Conditions

8.2. **Landscape Character Impact**

- 8.2.1. The planning authority refused permission on the basis that the development has not been justified and has resulted in a significant adverse intervention in a Class 3 Special landscape. The shed is disorderly and does not fit in with the landscape and would materially contravene Policy Objectives LCM 3 and AD1 & DM Standard 13 & 46 of the Galway County Development Plan. The development interferes with the character of the area, impact visual amenity and work against the preservation of this rural landscape. The applicant disputes all of this points and has set out a very detailed and thorough rationale for the provision of small agricultural shed, crush and new entrance.
- 8.2.2. The development it is proposed to retain is located along Beach Road, a scenic road that links Clifden with the beach, harbour and facilities at Dooghbeg Point. It is narrow road with hilly agricultural lands, sheds and houses along its northern side and glimpses of Clifden Bay and the Owenglin River to the south. It is a picturesque country lane that attracts, walkers, cyclists as well as normal motorised traffic. The area is designated in the development plan as a Coastal Landscape with a landscape sensitivity level of 3 (special) or highly sensitive to change. The road is not a scenic route for the purposes of any development plan designation.
- 8.2.3. The first part of the reason for refusal refers to a lack of justification for the shed and its entrance. I have reviewed all of the documentation prepared by the applicant and find everything to be in order. The lands are in use for cattle grazing at a low stocking rate, I observed weanlings (young cattle) at the upper portions of the

landholding on the day of my site visit. According to the applicant, these are Dexter cattle, known for their hardiness and ability to be outwintered. I observed the small scale shed and its attendant small race and cattle crush and surmised its use for medical treatment and TB testing. As the documentation shows, this is the case and the diminutive shed is only used for animal treatment reasons, and animal isolation should a reactor occur. The new field entrance allows for vehicles to safely pull in, for daily stock observation and animal care should it be required. I am entirely satisfied that a full and complete rationale for the requirement of a small isolation/treatment shed and improved entrance have been prepared and the need for the development is completely justified.

8.2.4. In terms of the impact of the shed and entrance in this coastal landscape highly sensitive to change, I find the facts on the ground do not support this view. The landscape in the area is indeed special, the development plan landscape character assessment states this. In addition, I note that LCM 3 and DM Standard 46 seek to support the landscape sensitivity ratings and provide guidance for the location and use of new development. Also of relevance is that AD 1 and DM Standard 13 provides advice on sustainable agricultural practices and farm building design and layout. These are policies and standards to guide development and the applicant has adequately shown that regard has been had to their content, I am not satisfied that any material contravention of the development plan has occurred. I find that there can be no material contravention of the Development Plan with respect to landscape and agricultural buildings and the Board can consider the appeal before it without turning to section 37(2) of the 2000 Act and instead consider the appeal in the context of objective LCM 3, AD 1 and DM standards 46 and 13 of the statutory plan.

8.2.5. In terms of visual impact, the shed is close to the road but positioned behind the stone walls of a former building, of which a gable and side wall are upstanding to a height of approximately 1.6 metres. Incidentally, the applicant has stated that a race and cattle crush was located along the walls of this ruin some time in the past. Screening hedging and trees make it very difficult to see the shed from the road, either passing in a car or walking. The small scale shed is black in colour and minimally visible. The new entrance to the agricultural holding beyond is noticeable, however, it comprises rubble stone wall construction with a wooden gate and post and wire stock fencing behind. Stone walls are not uncommon in the area and other

vehicle entrance ways are equally noticeable along the length of this road. Over time the field entrance will age, but I recommend that some hedging comprised of native plant species should be planted behind the wall and along the road frontage of the site without hindering sight lines.

- 8.2.6. I am satisfied that development it is proposed to retain, in no way adversely affects the character of this landscape. The development is not haphazard or disorderly, it is well integrated and positioned behind a former building now derelict, at the foot of the landholding and necessary for animal welfare purposes. The shed and field entrance are inherently agricultural in nature and not a surprising or inappropriate development in this rural setting. Policy Objectives LCM 3 and AD1 as well as DM Standard 13 and 46 have been referred to and complied with. It is my view that the development as completed positively contributes to the sustainability of this rural area, integrates and preserves the character of the landscape, and does not detract from the visual amenity of the area in any meaningful or perceptible way.

8.3. Traffic

- 8.3.1. The second reason for refusal relates to the lack of information concerning available sight lines within the control of the applicant. In addition, an appropriate building line has not been maintained from the road edge. All of these factors would be contrary to DM Standard 28 and 29 and would endanger public safety by reason of traffic hazard. The applicant has prepared a drawing to show sight lines, drawing number PP-05.01 refers. Letters of consent from each land owner to the east and west are on file.
- 8.3.2. The Beach Road is a country lane that links Clifden with Dooghbeg Point, it is used by walkers, cyclists and motorised vehicle traffic. I walked and drove the road and encountered all these forms of traffic, but for the most part on a summer's day in good weather, I experienced slow vehicle speeds and very limited levels of traffic. Warning signs are positioned along the road to alert drivers to the presence of walkers and drivers appear to take note.
- 8.3.3. The layout drawing prepared by the applicant illustrates that forward visibility to the west and east is 120 metres and 62 metres respectively. From observations of the site I can confirm this to be the case. The road undulates hence, visibility to the east is reduced to 62 metres. In addition, the drawing shows conditions on approach to

the entrance and 150 metres and 70 metres refer. The drawings and annotations prepared by the applicant comply with the requirements of DM Standard 28 in order to assess the traffic safety implications of the site. Table 15.3: Sight Distances required for Access onto National, Regional and Local Roads states that for a road with a design speed of 85kph requires 160 metres, this is not achieved nor is it achievable. DM standard 28 goes on to state that on narrow Local Roads with poor horizontal and vertical alignment and where the 80 km/h speed limit applies, the design speed applied for access visibility requirements should be the speed (km/h) that one can drive the road in a safe manner. This can be assessed as the 85th percentile speed drivers travel on the road. The visibility will then be assessed on the 85th percentile speed for that road.

- 8.3.4. The posted speed limit for this road is 80kph, however, it is extremely unlikely that this speed could ever be safely or actually achieved given the alignment, geometry and road width. On the day of my site visit I observed very slow vehicle speeds. That being the case, a lower design speed should be considered. There are no internal roads reports on the file, however, I am satisfied that the development as proposed should be considered. I note the aims and intent of Table 15.3, specifically the sight distances required, but I also note the flexibility introduced for local roads. This is such a case where the physical properties of the existing road mean that achievable and safe road speeds are nowhere close to the posted speed limit of 80kph and so the available sight lines achievable for the site are acceptable. In addition, I note the letters of consent from landowners on either side of the gateway, that permit ongoing maintenance to ensure visibility. I also note the undertaking given by the applicant to reduce wall height in order to facilitate even greater sight line visibility, a measure that I do not think is necessary given the drawings already submitted.
- 8.3.5. DM standard 29 demands a 15 metres setback from the existing or proposed realigned carriageway surface edge with reference to local roads. The shed is closer than 15 metres and the applicant explains that to position the development 15 metres from the road edge would require significant excavation of the hillside and even greater visual impact. In the area, I observed that there are a number of older properties located right on the road edge and that there is an existing structure on the site almost positioned on the verge. The shed is closer than the required 15 metres, but I do not anticipate that residential or rural amenity will be adversely

impacted upon, nor do I consider that a threat to public safety will be increased. It is highly unlikely that any future road widening or realignment will occur at this location, I have not seen any plans or proposals in this regard. I note that DM standard 29 states that in general building lines are necessary, the implication is that in some cases they are not. In this instance, I am satisfied that the factors listed in DM standard 29 (amenity, safety and future widening) are not adversely impacted upon by the development as completed. Given the information on file, I anticipate that the development will not result in a traffic hazard or obstruct road users.

8.4. Designated Sites

- 8.4.1. The final reason for refusal relates to designated sites and the planning authority's concern about the lack of information in order to conclude that likely significant effects can be ruled out. The planning authority cites the absence of a Nutrient Management Plan encompassing the farm enterprise and the preparation of an AA Screening Report as problematic. The planning authority state that the development if permitted would materially contravene Policy Objective NHB1- Natural Heritage and Biodiversity of Designated Sites, Habitats and Species and NHB 2 - European Sites and Appropriate Assessment and DM standard 50.
- 8.4.2. The applicant explains that the existing cattle herd of seven graze 8 Hectares, and would occupy the lands, with or without the shed. The stock are hardy Dexter cattle and are wintered outside without the need for housing. No chemicals, fertilizers or slurry is spread on the land and the shed is only used intermittently as needed. A Nutrient Management Plan (NMP) has been prepared, and it demonstrates how effluent and overall fertiliser management occurs across the lands. The overall aim of the applicant is to farm these lands organically.
- 8.4.3. Designated sites in the area include:
- The Twelve Bens/Garraun Complex SAC, located 1 kilometre to the east.
 - The Connemara Bog Complex SAC, located 1.2 kilometres to the south east.
 - The West Connacht Coast SAC, located 4.4 kilometres to the west.
 - Slyne Head Peninsula SAC, located 2.7 to the south.
 - The Proposed Natural Heritage Areas: Connemara Bog Complex, located 1.2 kilometres to the south east.

- Proposed Natural Heritage Areas: Slyne Head Peninsula, located 2.7 to the south.

Section 9.0 of my report examines the development from an AA perspective, and I have concluded that given the small scale and nature of the development combined with the location and distance relative to the nearest European site and the lack of meaningful connections AA is not required.

8.4.4. I have examined all of the material prepared by the applicant, including the Fertiliser Plan 2025, the lands available for grazing, stocking rate, intended use and design of the 13.5sqm shed, the Department of Agriculture Statement of Organic Nitrogen and Phosphorus across 23.04 Hectares, and the agricultural qualifications of the applicant. The lands, including commonage, are and have been available for the grazing of stock. In this context I note that maximum stocking rate permitted for commonage is 50 kg organic nitrogen per hectare*, in this instance the applicant is well below this threshold at 108kg across 23.04 Hectares (*according to Department of Agriculture, Food and the Marine - Cattle Only Nitrogen and Phosphorus Statements). The shed amounts to 13.5sqm shed in floor area, and its use is confined to the temporary housing of sick animals, in accordance with animal welfare guidelines. The shed will not be used for housing stock over the winter months, it simply isn't designed for this purpose. The shed sits on a concrete pad and straw bedding will be used on the occasion of intermittent need. I note that a small water course flows within a narrow stone channel to the west of the shed. However, I also note the design of the shed, race and crush set on a concrete pad, ill suited to prolonged periods of occupation and hence no resultant levels of slurry production. I am satisfied that the shed does not have the potential to significantly pollute local waters, simply because its use is so limited in scope that adverse impacts will be extremely low and periodic in nature, if at all. The arrangement of the grazing lands at an off farm location, the need for good animal husbandry infrastructure is an entirely normal and reasonable agricultural practice in this rural area. Similar farming practices are carried out throughout the wider area and I anticipate no adverse environmental issues to arise from the development as it stands.

8.4.5. I am satisfied that there is enough material on the file, combined with my own observations of the lands, the livestock and shed configuration that there is no quantifiable potential to adversely affect the qualifying interests and conservation

objectives of any protected European site. I note the planning authority's cautionary approach, and that their decision was predicated on a lack of information on the file at the time. However, circumstances have changed and this is a situation, where it is clear that the development could not have any conceivable effect on a European site. I am satisfied that there is enough material on the file for the Board to establish the facts and provide a reasoned determination, section 9.0 of my report refers. I am satisfied that the development can be screened out from assessment because it is obvious that the entire project, through all of its stages could not possibly have any effect on any European site and that no measures intended to avoid or reduce potentially harmful effects on a European site are incorporated. All relevant information is on the file and I am satisfied that the need to prepare environmental assessments under DM Standard 50 is not necessary in this instance and that the development complies with Policy Objectives NHB1 and NHB 2.

8.5. Conditions

- 8.5.1. In terms of the planning conditions appropriate to this form of development, I recommend the attachment of standard and technical conditions to do with agricultural developments. In addition, I recommend the attachment of conditions as they are highlighted within section 8.3 of my report.
- 8.5.2. Part 4 of the Galway County Council Development Contribution Scheme 2016 provides that Agricultural Development shall be exempt from Development Contributions. As the shed retention and improved entrance are to serve agricultural lands I consider that the proposal comes under 'agricultural development' for the purposes of the Development Contribution Scheme. In the event that the Board grant retention and permission for the proposed development a condition requiring the payment of a financial contribution is not required.

9.0 Appropriate Assessment (AA) Screening

- 9.1. I have considered the retention of a shed project in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is positioned relative to the following designated sites:
- The Twelve Bens/Garraun Complex SAC, located 1 kilometre to the east.

- The Connemara Bog Complex SAC, located 1.2 kilometres to the south east.
- The West Connacht Coast SAC, located 4.4 kilometres to the west.
- Slyne Head Peninsula SAC, located 2.7 to the south.
- The Proposed Natural Heritage Areas: Connemara Bog Complex, located 1.2 kilometres to the south east.
- Proposed Natural Heritage Areas: Slyne Head Peninsula, located 2.7 to the south.

The proposed development comprises the retention of a 13.5 sqm shed and vehicular entrance. Nature conservation concerns were raised in the reason for refusal and is addressed in section 8.4 of my report.

9.3. 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 effect on a European Site.

9.3.1. The reason for this conclusion is as follows:

- small scale and nature of the development
- location-distance from nearest European site and lack of meaningful connections

9.3.2. I conclude, 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.

9.3.3. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive (WFD) Screening

10.1. The subject site is located in a rural location, is positioned on the Clifden Castlebar Groundwater site code IE_WE_G_0017, and approximately 30 metres at high water upslope from the Transitional Water Body Clifden Bay site code WE_270_0100, Appendix 3 of my report refers.

- 10.2. The proposed development comprises the retention of an agricultural shed with a floor area of 13.5 sqm. The shed has a mono-pitch roof with black corrugated galvanised finish to roof and all shed elevations. The shed is positioned within a fenced small enclosure that incorporates a cattle crush, all set on a concrete pad. An agricultural entrance with gateway is also included with the application.
- 10.3. Permission was refused by the planning authority with reference to water quality, as follows:

The site of the proposed development is located within the zone of influence of the West Connaught Coast SAC. In the absence of the Nutrient Management Plan encompassing for (inter alia) the farm enterprise and an AA Screening Report accompanying the application content incorporating for a fulsome evaluation of the potential impacts of the development, the Planning Authority cannot consider that likely significant effects on the said Natura 2000 designations can be ruled out. Therefore, if permitted as proposed, the planning authority cannot be satisfied that the proposal will not adversely affect the integrity of European sites in light of their conservation objectives. Therefore, if permitted as proposed, the development has the potential to adversely affect the qualifying interests and conservation objectives of protected European sites for flora and fauna and would materially contravene Policy Objective NHB1- Natural Heritage and Biodiversity of Designated Sites, Habitats and Species and NHB 2 - European Sites and Appropriate Assessment and DM standard 50: Environmental Assessments of the Galway County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

- 10.4. Section 9.0 of my report refers to Appropriate Assessment, in which I conclude, 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 (under Section 177V of the Planning and Development Act 2000) is not required.
- 10.5. With specific reference to water quality, the Qualifying Interests of the West Connacht Coast SAC include *Tursiops truncatus* (Common Bottlenose Dolphin)

[1349] and Phocoena phocoena (Harbour Porpoise) [1351], given the conclusions reached with respect to the lack of a need for Appropriate Assessment (under Section 177V of the Planning and Development Act 2000), there are no other meaningful hydrological connections to any other designated site, I am satisfied that water quality deterioration impacts will not result from the development.

- 10.6. I have assessed the 13.5 sqm shed retention project and have considered the objectives as set out in Article 4 of the Water Framework Directive 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 it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The limited scale and agricultural nature of the development proposed.

- 10.7. 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.

11.0 Recommendation

- 11.1. Having regard to the above assessment, and based on the following reasons and considerations, it is recommended that permission be granted subject to conditions.

12.0 Reasons and Considerations

Having regard to the Galway County Development Plan 2022 -2028, and the scale and nature of the proposed development, it is considered that the proposed development would not seriously injure the amenities of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic

safety and visual amenity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 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 An Bord Pleanála on the 6th day of March 2025, 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 use of the shed to be retained shall be limited to agricultural use only, which may include for activities associated with farming purposes. The following shall apply in relation to the shed to be retained:

(a) the shed shall not be sold, let or otherwise transferred or conveyed, save as part of the overall landholding.

(b) 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.

Reason: To ensure that the use of the building provides for activities appropriate to a rural area.

3. A comprehensive boundary/entrance treatment and landscaping scheme along the road frontage shall be submitted to and agreed in writing with the planning authority within 6 months of this order. This scheme shall include the following: -

(a) the establishment of a hedgerow along the roadside frontage positioned to the rear of existing walls, and, using only indigenous deciduous trees and hedging species

Upon receipt of written agreement from the planning authority the applicant shall fully implement the approved details within 6 months unless otherwise agreed in writing with the planning authority.

Any plants, trees or hedging which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

4. (a) The removal of organic waste material and its spreading on land by the applicant or third parties shall be undertaken in accordance with the systems of regulatory control implemented by the competent authorities in relation to national regulations pursuant to Council Directive 91/676/EEC (The Nitrates Directive) concerning the protection of waters against pollution caused by nitrates from agricultural sources.

(b) If slurry or manure is moved to other locations off the farm, the details of such movements shall be notified to the Department of Agriculture, Food and Marine, in accordance with the above Regulations.

(c) Where a third party removes the slurry or manure, the details of the agreement shall be submitted to the local authority where the waste material is to be disposed to.

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

5. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. No surface water from the proposed

development, shall discharge onto the public road or adjoining properties. In this regard-

(a) uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways

(b) all soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2022, as amended.

(c) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters) (Amendment) Regulations 2022, as amended shall be strictly adhered to.

Drainage details shall be submitted to and agreed in writing with the planning authority, within 3 months of this grant of planning permission, and the applicant shall submit written confirmation, accompanied by photographs, to demonstrate that said works have been satisfactorily undertaken.

Reason: In the interest of environmental protection and public health.

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.

Stephen Rhys Thomas
Senior Planning Inspector

26 May 2025

14.0 Appendix 1 - EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-322017-25		
Proposed Development Summary	Retention of 13.5 sqm agricultural shed and entrance.		
Development Address	Cloghaunard, Beach Road, Clifden, 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	✓ proceed to Q2.
		No	Tick if relevant. No further action required
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	✓	Part 2, Class 1. May also include: Class 1(a) of Part 2 (rural restructuring / hedgerow removal); and Class 10 (dd) of Part 2 relating to private roads in the form of driveways.	Proceed to Q3.
No	Tick or leave blank		Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes	Tick/or leave blank		EIA Mandatory EIAR required
No	✓	<p>Part 2, Class 1. May also include:</p> <p>Class 1(a) of Part 2 (rural restructuring / hedgerow removal); and Class 10 (dd) of Part 2 relating to private roads in the form of driveways.</p>	Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?

Yes	✓	<p>Part 2, Class 1. Agriculture, Silviculture and Aquaculture, and does not equal or exceed any relevant quantity, area or limit where specified for this class.</p> <p>Class 1(a) of Part 2 (rural restructuring / hedgerow removal); the development will entail no field boundary removal, any re-contouring is well below 5 hectares.</p> <p>Class 10(dd) of Part 2 relating to private roads in the form of driveways. Development access amounts to less than 10 metres, far less than the threshold of 2,000 metres.</p>	Preliminary examination required (Form 2)
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5. Has Schedule 7A information been submitted?

No	✓	Pre-screening determination conclusion remains as above (Q1 to Q4)
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Yes	Tick/or leave blank	Screening Determination required
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Inspector: _____ Date: _____

15.0 Appendix 2 - EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-322017-25
Proposed Development Summary	Retention of 13.5 sqm agricultural shed and entrance.
Development Address	Cloghaunard, Beach Road, Clifden, Co. Galway.
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Development comprises a very small shed on agricultural lands, it considered that there are no environmental implications with regard to the size, design, cumulation with existing/proposed development, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European</p>	<p>Development comprises a very small shed on agricultural lands, there are no environmental sensitivities in terms of geographical areas likely to be affected by the development in particular existing and approved</p>

sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).		land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		Development comprises a very small shed on agricultural lands, there is not likely to be significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No, Schedule 7A Information is not required.

There is a real likelihood of significant effects on the environment.	EIAR required.	No, an EIAR is not required.
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Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

16.0 Appendix 3 - Water Framework Directive (WFD) Screening Matrix

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-322017-25	Townland, address	Cloghaunard, Beach Road, Clifden, Co. Galway
Description of project		<p>Permission is sought to retain the following:</p> <ul style="list-style-type: none"> An agricultural shed with a floor area of 13.5 sqm. The shed has a mono-pitch roof with black corrugated galvanised finish to roof and all shed elevations. The shed is positioned within a fenced small enclosure that incorporates a cattle crush, all set on a concrete pad. An agricultural entrance with gateway. <p>All on a site of 0.1 Hectare</p>	
Brief site description, relevant to WFD Screening,		<p>The site is located along Beach Road, a coastal road that links Clifden with Dooghbeg Point and beach. The site is part of wider agricultural lands that stretch northwards up a hillside to a small valley. The appeal site comprises a new entrance point consisting of a splayed stone wall and wooden gate. The 13.5 sqm shed is positioned on a concrete pad and combines with a small</p>	

	cattle race and crush. The roadside boundary in the vicinity of the shed consists of mature hedging and trees and the ruins of a stone building. The wider area is characterised by coastal waters to the south at a significantly lower level and hillside to the north, combined with houses and agricultural buildings either at the road edge or set within the hillside. Mature trees and hedging are also a feature along this narrow and winding country road. A small unnamed watercourse runs through the site to the west of the shed, and flows to Clifden Bay to the south.
Proposed surface water details	Soakpit, positioned 30 metres and downslope from unnamed watercourse.
Proposed water supply source & available capacity	None.
Proposed wastewater treatment system & available capacity, other issues	None. Shed is not for overwintering stock, dry bedding only, removed after each use. No slurry production or storage on the site.
Others?	None.
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)
Transitional Water Body ¹	Approximately 30 metres at high water.	Clifden Bay WE_270_010 0 Transitional Water Body	SW 2016-2021 Ecological Status or Potential - Good	WFD Risk: Not at risk	Unknown.	Unnamed watercourse links the site with the Transitional Water Body.
Groundwater Body ²	0 metres	Clifden Castlebar IE_WE_G_00 17	GW 2016-2021 Overall Groundwater Status is Good across	WFD Risk: Not at risk	Unknown.	On site soak pit drainage.

¹ https://www.catchments.ie/data/#/waterbody/IE_WE_270_0100?_k=5g02u1

² https://www.catchments.ie/data/#/waterbody/IE_WE_G_0017?_k=qur6qf

			all tests listed.				
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	WE_270_0100	N/A - Already constructed.	N/A - Already constructed.	N/A - Already constructed.	N/A - Already constructed.	N/A - Already constructed.
2.	Ground	IE_WE_G_0017	N/A - Already constructed.	N/A - Already constructed.	N/A - Already constructed.	N/A - Already constructed.	N/A - Already constructed.
OPERATIONAL PHASE							

3.	Surface	WE_270_0100	Existing drainage ditch.	On site soak pit drainage or to on site unnamed watercourse, contaminated roof water and or cattle race and crush pad at time of use.	On site soak pit drainage, ensure that only clean surface water run-off from the roof flows to soak pit and that any dry bedding and standing waste during treatment and veterinary assessment times are removed from the site as required and in accordance with Dept of	No.	Screened out.
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					Agriculture rules.		
4.	Ground	IE_WE_G_001 7	New pathway could exist via proposed surface water soak pit.	On site soak pit drainage, contaminated roof water and or cattle race and crush pad at time of use.	On site soak pit drainage, ensure that only clean surface water run-off from the roof flows to soak pit and that any dry bedding and standing waste during treatment and veterinary assessment times are removed from the site as required and in accordance with	No.	Screened out.

					Dept of Agriculture rules.		
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A