



An
Coimisiún
Pleanála

Inspector's Report ABP-322518-25

Development	Retention of enclosed area with crush and walls including all ancillary site works.
Location	Gurteen, Westport, Co. Mayo.
Planning Authority	Mayo County Council.
Planning Authority Reg. Ref.	2460778.
Applicant(s)	John O' Donnell.
Type of Application	Retention Permission.
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	Jack O' Donnell.
Observer(s)	None.
Date of Site Inspection	19 th June 2025.
Inspector	C. Daly

1.0 Site Location and Description

- 1.1. The subject site consists of a farm yard type area immediately behind and to the side of a cottage dwelling. There is an open crush area adjacent to the rear side boundary which is adjacent to a modest sized slatted shed. North of this shed is a modest size slatted shed. Adjacent to this is a small sized hay shed and adjacent larger lambing shed. There is a rear vehicular entrance opposite this shed where the public road curves around to the north side and rear of the site.
- 1.2. On the other side of this road to the north-west there are also two farm sheds outside the site. There is a bungalow dwelling adjacent to the side of the crush area and its site is separated from the farmyard by the side boundary wall of the farmyard/crush area and in part by a laneway/driveway access to the bungalow.
- 1.3. The site is located within a rural area and is accessed off a local road. It is c.4.5km north of Westport town.

2.0 Development

- 2.1. The development, in summary, consists of the following:
 - Retention of enclosed/walled hard standing area with crush.

3.0 Planning Authority Decision

3.1. Decision

Mayo County Council initially decided to request further information in relation to an AA Screening report given the proximity to a watercourse leading to a European site, a revised site layout plan labelling and indicating the nature and use of the agricultural structures within the site, indication of whether there is an intention to roof the area and detail of planting along the southern boundary to screen the development from the south.

Following F.I. the P.A. decided to grant retention permission subject to 10 no. conditions. Notable conditions include:

- Condition no. 2: Requires that all farmyard wastes be collected and stored in tanks/pits with a minimum storage capacity of 18 weeks and adherence to S.I. no. 113/2022 EU regulations.
- Condition no. 3: all agricultural buildings/ structures shall be designed and constructed to Department of Agriculture specifications.
- Condition no. 4: requires gutters and downpipes for all buildings.
- Condition no. 5: requires all ground water gullies to ensure no polluting matter enters the surface water drainage system or groundwater.
- Condition no. 6: land spreading requirement for all farmyard wastes.
- Condition no. 7: soiled yard area to be minimised to reduce the volume of soiled water produced on the site and to ensure the public road is clean.
- Condition no. 8: requires no change in the approved agricultural waste storage and disposal method and livestock numbers shall not be increased which would exceed storage requirements of EU regulations.
- Condition no. 9: silage bales shall be stored in accordance with EU regulations.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The initial Planner's Report noted no concerns in principle given the location and design. It noted that surface water is disposed of on site. It noted a water course in close proximity with a hydrological link to Clew Bay SAC to the west. It recommended that further information be request in relation to the issues noted in Section 3.1 above.

The second Planner's Report noted the submission of a Stage 1 AA screening report, the site layout detail, that the structure is to be without a roof and the boundary planting plan. It noted this information to be satisfactory, recommended that permission be granted and that the Council's standard agricultural planning conditions be applied.

3.2.2. Other Technical Reports

- Area Engineer: No report received.
- Environment (Flood Risk): No objection.

3.3. **Prescribed Bodies**

- Uisce Éireann: No objection subject to conditions.

3.4. **Observations**

Two no. third party observations from the same observer were received which can be summarised as follows:

- Concerns in relation to proximity to the adjacent house and with no consent given contrary to exemption regulations.
- The aggregated area contravenes the exemption regulations.
- Concerns in relation to noise and smell.
- Concerns in relation to health and safety.
- Concerns in relation to devaluation of adjacent property refurbished in 2024.
- The objection is to the location of the cattle crush and enclosures and requests consultation with the applicant on this location.
- The yard was built without permission.
- The walls are high enough to be roofed at a later date.
- Issues in relation to sheep manure on the laneway and in relation to drainage, photos submitted.

One no. first party submission in response to the observation was received which can be summarised as follows:

- There is no intention to roof the walls in this area.
- The smell and noise referred to was never previously mentioned to the applicant and the adjacent house is now rented and the complainant has not lived in the house for over 40 years.
- There was always a cattle crush and sheep dip yard in the area.

- The area was upgraded to make cleaning easier and to eliminate any potential for contamination with all effluent directed to the farm tank / dipping tank.
- Consent for the works was sought.
- The application relates to works which are not exempted development.
- The works will not devalue the adjacent property as the upgraded works improves the farm in line with best practice.

4.0 Planning History

Subject Site

19/409: Permission granted by the P.A. for a roofed handling facility (storage shed).

91/480: Permission granted by the P.A. for an extension to the slatted house.

Sites in the vicinity

23/80: Permission granted by the P.A. at site across the road to the north-west for an agricultural storage shed.

5.0 Policy Context

5.1. Mayo County Development Plan 2022 – 2028 (the CDP)

Volume 1

Section 4.4.9 Agriculture, Agri-Food, Agri-Tech

EDP 21 *To support the implementation of the Mayo County Council Agricultural Strategy to promote the continued development and expansion of the Agri-Food Sector, subject to the measures and environmental objectives of the forthcoming Common Agricultural Policy Strategy for Ireland.*

EDP 23 *To maintain a vibrant and healthy agricultural sector based on the principles of sustainable development, whilst at the same time supporting alternative employment in or close to rural areas to sustain rural communities.*

EDO 57 *To support, promote and consider, on their individual merits, the reuse of*

redundant agricultural buildings and the development of new buildings to accommodate farm diversification / enterprise within an overall farmyard complex.

Volume 2

Section 10.1.1 Siting

In the construction and layout of agricultural buildings, the Council requires that buildings be sited as unobtrusively as possible and that the finishes and colours used blend the development into its surroundings. New agricultural buildings shall be located within or adjacent to existing farm buildings, unless it has been demonstrated that the building must be located elsewhere for essential operational reasons.

Section 10.1.3 Protection of amenities

Proposed agricultural developments shall demonstrate that the proposal:

- Will not result in a detrimental impact on the amenity of residential dwellings outside of the applicant's landholding in relation to noise, odour, pollution or visual amenities.*
- Will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water*
- Will not create a traffic hazard*
- Makes proper provision for disposal of liquid and solid waste; and*
- Does not impact significantly upon Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Areas of High Amenity, Landscape Sensitivity Areas, Key Scenic Views and Prospects and Key Amenity Routes, sites of heritage or cultural value, or areas at risk of flooding.*

Section 12.2 Stone Walls, Trees and Hedgerows

New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees. The retention of existing planted site boundaries will be encouraged within new developments, particularly where it is considered that the existing boundary adds positively to the character/visual amenity of the area.

New planting schemes should consist of local native plant types that are indigenous to the area and can be incorporated into sites to enhance the visual amenity and the

biodiversity of the area. Landscaping plans should be submitted with all planning applications and the inclusion of semi-mature trees in larger development schemes will be required. Where sites contain mature trees and/or substantial hedgerow(s) a detailed tree and hedgerow survey should be submitted clearly outlining the extent of what will be retained and replaced. Any existing mature trees must be protected during site development works and incorporated into the scheme design.

5.2. National Policy

S.I. No. 113/2022 –European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 refers to standards for disposal and collection of farm waste based on the Government’s Nitrates Action Programme which seeks to protect waters from pollution arising from agriculture.

5.3. Natural Heritage Designations

In relation to designated site, the subject site is located:

- c.3.5km north-east of Coolbarreen Lough Proposed Natural Heritage Area (PNHA) (site code 000481).
- c.4.1km south-east of Clew Bay Complex Special Area of Conservation (SAC) (site code 001482).
- c.4.1km south-east of Clew Bay Complex PNHA (site code 001482).
- c.5.1km south-east of Newport River SAC (site code 002144).
- c.6.7km west of Dambaduff Lough PNHA (site code 001491).

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of the third-party appeal by Pat O’ Donnell can be summarised as follows:

- The proximity of the cattle crush and enclosures to the adjacent house contravenes the exemption conditions of the planning regulations i.e. no structure shall be within 100m of any house without the owner’s consent.

- The aggregate area of the existing farmyard buildings of 773sqm contravenes the exemption conditions of the regulations where the combined floor area shall not exceed 300sqm.
- The close proximity of the cattle crush and enclosures will devalue the adjacent property which was refurbished in 2024.
- An agreed alternative location for the cattle crush and enclosures is required and permission should be refused.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Residential and Visual Amenity.
- Other Issues.

7.2. Residential and Visual Amenity

- 7.2.1. I note the position of the established farmyard to the rear of an existing dwelling which includes a lambing shed, a hay shed, two slatted sheds and two small sheds as well as a cattle crush. I note CDP policy in relation to siting of agricultural buildings and the protection of amenities. However, I note the cattle crush for retention is not an agricultural building but rather an uncovered open area enclosed by walls with a concrete surface and metal gates and fences.
- 7.2.2. Having visited the site, I note that the internal cattle crush walls, of lower height (1.4m) than the existing 1.75m high boundary wall, are not visually obtrusive from the adjacent laneway due to their lower scale and height. I note visibility of the cattle crush is generally limited from the adjacent laneway unless one approaches the boundary wall and seeks to look in. Accordingly, I note no significant concerns in relation to the visual impact of the cattle crush and no requirement to condition external finishes given its unobtrusive scale and mostly screened position.

- 7.2.3. In relation to the external wall facing the laneway, I note that its height at 1.75m largely screens the cattle crush from view. Noting its position partially to the front side of the adjacent dwelling, I consider that the recommended planting shown on the Site Layout Plan provided at F.I. stage should be provided for by condition given the rural setting and the proximity to the adjacent dwelling. I recommend that this condition should also require native species planting in lieu of the non-native evergreen *Griselinia Littoralis* in accordance with biodiversity best practice and Section 12.2 of Volume 2 of the CDP.
- 7.2.4. In relation to other impacts on residential amenity in terms of noise and smell, noting the established farmyard use in close proximity and the proposed cattle crush use, which by its nature would be limited in use to intermittent periods and which is required to be maintained in accordance with EU regulations, I do not consider that a significant intensification of use has occurred such that there would be an undue increase in odour or noise in this agricultural area. Potential pollution issues will be dealt with in Section 7.3 below. As I consider the proposal to be generally acceptable in relation to residential and visual amenity, I do not see any rationale for the relocation of the cattle crush outside the site and if this were the case it would merit a refusal recommendation which I do not recommend in this case.
- 7.2.5. Noting my above assessment, I do not consider that there would be any significant devaluation of adjacent residential property in this rural agricultural area as a result of the development. I consider that the development accords with Section 10.1.3 (Protection of Amenities) of Volume 2 of the CDP. Should permission be granted, I recommend a standard condition be applied to ensure the development is maintained in accordance with the relevant EU standards which should not result in odours or noise in excess of that normally expected in a farm setting.

7.3. Other Issues

- 7.3.1. In addition to issues in relation to residential amenity, Section 10.1.3 of the CDP requires no pollution threat, proper provision for disposal of liquids and solid waste. I note the submitted Appropriate Assessment of Protected Sites Screening Report prepared by Environmental Scientist Siobhán Sheil of Sitecheck. This report notes that *“All farmyard structures have been constructed in accordance with existing Dept Agriculture Food and the Marine specifications for agricultural buildings. All stored*

soiled water is managed in accordance with S.I. 31 of 2014 Regulations European Communities (Good Agricultural Practice for Protection of Waters). Storage facilities are in accordance with S122, S123, S126 or S131. Under S.I. 31 of 2014 Regulations, an occupier of a holding shall take all such reasonable steps as are necessary for the purposes of minimising the amount of soiled water produced on the holding. The clean water drainage system in the farmyard is also constructed and managed in accordance with SI 31 of 2014 – S129. Rainwater is collected from all roofs within the farmyard by leak-proof gutters or valleys, discharging directly or through hopper heads to rainwater pipes which discharge over gully traps or through back inlet gully traps to piped drains". Noting the AA Screening Report and having regard to the design which provides for separation of clean and solid water, I consider the proposal acceptable subject to condition.

7.3.2. This report also noted the following,

"The farm has since been changed to a sheep yard used for circa 3 months of the year and has been extensively upgraded and regularised in accordance with EU and Dept Agriculture Food and the Marine Standards...The open drain connecting the road to the river adjacent to the shared driveway between the applicant and his cousins cottage was inspected and clean gravels under clear water was observed. If there was any form of soiled water runoff entering this open drain from either the road or the shared driveway within the previous 6 months or more, the gravels would be silted up, there would be signs of fungus on the bed of the river, the water would have a grey tinge and there could be wastewater odours. None of these indicators were present. It can therefore be concluded that the water quality at this location on the Moyour River is having no negative ecological impact on the Clew Bay Complex SAC". This is consistent with the "good" water status noted on the EPA maps.

7.3.3. I note that the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (as amended) includes a general obligation on farmers to ensure adequate capacity of storage facilities for soiled water and effluents, farmyard waste and manure pits, silage pits, livestock manure and other organic fertilisers among other waste sources to avoid pollution. The applicant is required to operate the development in accordance with these regulations.

- 7.3.4. I note that details in relation to water and drainage management on the site have not been included on the Site Layout or in relation storage capacities. However, noting the number of agricultural sheds in the farm yard which are required by EU regulations to have adequate storage facilities for waste and soiled water and the scale of the facility, I consider that the cattle crush is unlikely to result in a significant increase in soiled water or solid waste on the farmyard site. I consider any negligible increase in this regard requiring disposal can be adequately catered by the existing required on-site storage capacity.
- 7.3.5. Having visited the site, I observed where visible at ground level the existing drainage and storage arrangements associated with the farm buildings and noting the EU regulation requirements I am satisfied in relation to the potential pollution of the surrounding environment, including groundwater, surface water and watercourses in the vicinity (also please see Section 10.0 below in relation to the Water Framework Directive) and in relation to public health, as I consider that no significant pollution threat arises.
- 7.3.6. In relation to the conditions attached by the P.A. specifically in relation to the regulation of pollution or emissions from the agricultural development, I note these conditions relate to the management of the existing structures which is not in scope and I note the applicant is required to comply with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2002 (as amended). Should permission be granted, I recommend that such specific conditions be omitted and replaced with three standard conditions in relation to the management of the development and the disposal of foul waste, water and surface water to ensure it is conveyed through proper storage facilities and that no effluent discharges to any water body or the public road.
- 7.3.7. In relation to traffic and access related issues, I do not consider that the development would result in a significant intensification having regard to the established farmyard use and nor do I consider that vehicles for the transportation of animals associated with the crush would give rise to a significant impact on adjacent residential amenity.
- 7.3.8. The appellant has referenced the exemption criteria of the Planning and Development Regulations 2001 (as amended). I note these refer only to exemption

criteria but that in this case the applicant has applied for permission and the relevant planning criteria have been addressed above and below in this assessment.

8.0 EIA Screening

- 8.1. The development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Please refer to Form 1 in Appendix 1 of this report.

9.0 Appropriate Assessment Screening

- 9.1. Refer to Appendix 2 for AA Screening. The subject site is located in a rural agricultural area c.3.8km south-east of Clew Bay Complex Special Area of Conservation (SAC) (site code 001482). I note the submitted Appropriate Assessment of Protected Sites Screening Report prepared by Environmental Scientist Siobhán Sheil of Sitecheck.
- 9.2. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Clew Bay Complex Special Area of Conservation (SAC) (site code 001482) in view of the conservation objectives of this/ these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.
- 9.3. This determination is based on:
- The scientific information provided in the submitted AA Screening Report.
 - The absence of works for the already completed development.
 - The significant distance from the subject site and indirect nature of the potential pathway.
 - The nature and small scale of the development.

- 9.4. No mitigation aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 Water Framework Directive

- 10.1. I note the submitted Appropriate Assessment of Protected Sites Screening Report prepared by Environmental Scientist Siobhán Sheil of Sitecheck. Section 5 of this report references the National River Basin Management Plan 2018 – 2021 and notes that the “*development will not have any significant effects on water quality*” as required by the Directive and that “the river is not at risk according to the Water Framework Directive”. It also notes no pressures are listed for this river. I note per EPA mapping that the Moyour_010 waterbody has a status of “good”.
- 10.2. The subject farmyard site is located adjacent to a roadside drain which connects with the River Moyour located c.50m across the road from and which flows into Clew Bay. This is c.3.8km south-east of Clew Bay Complex Special Area of Conservation (SAC) (site code 001482).
- 10.3. The development comprises a cattle crush for retention. No water deterioration concerns were raised in the planning appeal.
- 10.4. I have assessed the cattle crush development 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.
- 10.5. The reason for this conclusion is as follows:
- The small-scale nature of works and the agricultural nature of the development with existing provision for on-site agricultural waste storage tanks and associated drainage features to avoid pollution outside the site.
 - The regulated nature of the agricultural activities on the site which are required to comply with European Union (Good Agricultural Practice for

Protection of Waters) Regulations 2022 (as amended) which regulate agricultural activities to avoid pollution to groundwater and other water bodies.

- The “good” status of the River Moyour_010 (European Code: IE_WE_32M010700).

10.6. I conclude that on the basis of objective information, that the 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

I recommend that retention permission be granted.

12.0 Reasons and Considerations

Having regard to the provisions of the Mayo County Development Plan 2022 – 2028, the location within an existing rural agricultural area, to the nature and scale of the development and its relationship with adjacent development and the surrounding area, it is considered that subject to compliance with the conditions set out below, the development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of design, visual and residential amenity, public health and environmental impact. The development is, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 24th 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. 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. 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, or to a slatted tank. Drainage details shall be submitted to and agreed in writing with the Planning Authority, prior to commencement of development.
 - (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.

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

3. The cattle crush shall be designed, sited, constructed and operated in accordance with the requirements as outlined in the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2022, as amended.

The applicant shall provide for the relevant storage requirements as outlined in schedule 3 of the aforementioned regulations. Any land spreading of soiled waters and slurry shall be carried out in strict accordance with the requirements as outlined in the aforementioned regulations. Prior to the commencement of the development details showing how the applicant intends to comply with this requirement shall be submitted to and agreed in writing with the Planning Authority.

NOTE: Where 20% or more of the holding lies within one or more counties of

higher storage requirement as specified the holding shall be deemed for the purposes of the European Union (Good Agricultural Practice for the protection of waters) (Amendment) Regulations 2022, as amended, to lie wholly within the county in relation to which the longest storage period is specified.

Reason: In order to avoid pollution and to protect residential amenity..

4. All foul effluent and slurry generated by the development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

Reason: In the interest of public health.

5. The landscaping scheme shown on drawing number FI_01, as submitted to the planning authority on the 24th day of March, 2025 shall be carried out within 4 months of the date of this permission except that native evergreen species indigenous to the area shall only be planted. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the date of this permission shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

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.

Ciarán Daly

Planning Inspector

2nd July 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ABP-322518-25
Development Summary	Retention of enclosed area with crush and walls including all ancillary site works.
Development Address	Gurteen, Westport, Co. Mayo.
In all cases check box /or leave blank	
1. Does the development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

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

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Appendix 2

AA Screening Determination Template

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Retention of enclosed area with crush and walls including all ancillary site works.
Brief description of development site characteristics and potential impact mechanisms	Concrete area of cattle crush is 178.5sqm, potential for run-off of surface water and soiled water to on site drainage system.
Screening report	Yes
Natura Impact Statement	No
Relevant submissions	None
<p>The submitted Appropriate Assessment of Protected Sites Screening Report prepared by Sitecheck was authored by Siobhán Sheil Environmental Scientist.</p>	

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Clew Bay Complex Special Area of Conservation (SAC) (site code 001482).	<u>Qualifying Interests</u> Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Atlantic salt meadows (Glauco- Puccinellietalia maritimae) [1330] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Machairs (* in Ireland) [21A0] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	c.4.1km	Potential weak indirect via surface water and ground water into Moyour River which leads to the SAC	Y

	Lutra lutra (Otter) [1355] Phoca vitulina (Harbour Seal) [1365] <u>Conservation Objectives,</u> NPWS , dated 19th July 2011			

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Clew Bay Complex Special Area of Conservation (SAC) (site code 001482).	Direct: None.	

<p><u>Qualifying Interests</u></p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120]</p> <p>Machairs (* in Ireland) [21A0]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Phoca vitulina (Harbour Seal) [1365]</p>	<p>Indirect:</p> <p>Construction already complete so no construction related impacts.</p> <p>Negative potential impacts on surface water/water quality due to soiled water related emissions.</p>	<p>Agricultural regulations require strict measures in relation to storage of waste and soiled water that would ensure no potential off site emissions and no negative affect on habitat quality/ function and prey availability that would undermine conservation objectives related to water quality. I also note the reference to measures for the storage of soiled water available on site as noted in the AA Screening Report.</p>
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	Likelihood of significant effects from proposed development (alone): No
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No
	Possibility of significant effects (alone) in view of the conservation objectives of the site* None

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on Clew Bay Complex Special Area of Conservation (SAC) (site code 001482). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Clew Bay Complex Special Area of Conservation (SAC) (site code 001482) in view of the conservation objectives of this/ these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The scientific information provided in the submitted AA Screening Report.

- The absence of works for the already completed development.
- The significant distance from the subject site and indirect nature of the potential pathway.
- The nature and small scale of the development.

No mitigation aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.