



An
Coimisiún
Pleanála

Inspector's Report ACP-323376-25

Development	Permission will consist of the provision of an agricultural structures and all site works
Location	Carstown, Co.Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2560336
Applicant(s)	Lurganboy Farm Ltd
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Lurganboy Farm Ltd
Observer(s)	none
Date of Site Inspection	28 Oct 2025 and 13 Nov 2025
Inspector	Aisling MacNamara

1.0 Site Location and Description

1.1. The proposed development relates to a 2.32ha site located within the rural area of Carstown in County Louth. The site is accessed from the L2308 Carstown Road which is located c 7km north of Drogheda. The main development site is located north of Carstown House, a historic country house within a woodland. The access to the site is via an existing agricultural entrance and gravel access road which traverses agricultural lands and flanks the eastern side of the woodland associated with the house. The site is part of an existing open field and on all other sides is adjoined by open agricultural lands. The site is flat and there are drainage channels bounding in parts.

2.0 Proposed Development

2.1. Permission is sought for the following:

- construction of agricultural shed (770sqm), 2 no. dungsteads (1550sqm), a hardstand area (6900sqm), a circular slurry tank (volume 496,623 gallons) and an underground soiled water storage tank (volume 57,855 gallons)
- associated site development works

3.0 Planning Authority Decision

3.1. Decision

By order dated 18th July 2025, the planning authority refused permission for six reasons:

(1) It is a policy objective of the Louth County Development Plan 2021-2027 (as varied) to prohibit inappropriate development within the curtilage and/or attendant grounds of a protected structure and to ensure new development will not adversely affect the site, setting or views to and from historic gardens and designed landscapes of heritage significance. The access road to the proposed development dissects the attended grounds of Carstown House (protected structure of national importance reg no: 13902116) and severs its access to the public road. The site adjoins the boundary of its historic

garden/designed landscape (NIAH Garden ID LH0013) and the structures proposed are in close proximity to same. It is considered that the proposed development, by reason of its close location, would have a negative and injurious impact upon the setting of the protected structures immediately to the south and would have a detrimental impact on the amenity of the associated historic garden/designed landscape at this location, thus to permit such a development would set an undesirable precedent for other similar inappropriate proposals and would be contrary to the proper planning and sustainable development of the area.

- (2) It is a requirement of the Louth County Development Plan 2021-2027 (as varied) that new farm enterprises on an undeveloped landholding such as this proposal, submit a business plan setting out the requirement for the development at this location. The applicant has failed to provide this information and it is, therefore, considered that the proposal would be at variance with the requirements of the Louth County Development Plan 2021-2027 (as varied) and contrary to the proper planning and sustainable development of the area.*
- (3) The applicant has failed to demonstrate to the satisfaction of the Planning Authority that the required sightline visibility is available at the vehicular entrance to the local road and, as such, the proposed development would contravene the roads policy objectives of the Louth County Development Plan 2021-2027 (as varied) and would endanger public safety by reason of a traffic hazard.*
- (4) The applicant has failed to provide sufficient details of how surface water will be managed and disposed of within the site. As such, the development is contrary to Policy IU 19 of the Louth County Development Plan 2021-2027 (as varied) which requires the use of SUDS measures be incorporated in all new development and thus is contrary to the proper planning and sustainable development of the area.*
- (5) The proposed development is located within proximity to a number of Recorded Monuments and areas containing archaeological significance which are subject to statutory protection in the Record of Monuments and Places,*

established under section 12 of the National Monuments (Amendment) Act 1994. It is the policy objective (BHC 3) of the Louth County Development Plan 2021-2027, as varied, to protect known and unknown archaeological areas, sites, monuments, structures and objects, having regard to the advice of the National Monuments Services of the Department of Housing, Local Government and Heritage. Based on the lack of information submitted in this regard, it is considered that the applicant has failed to demonstrate compliance with this policy and as such, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

(6) On the basis of the information provided within the application and in the absence of an Appropriate Assessment Screening Report or Natura Impact Statement, the Planning Authority cannot be satisfied that the development individually, or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 004080 (Boyne Estuary SPA/SAC) or any other European Site, in view of the site's Conservation Objectives. In such circumstances, the Planning Authority is precluded from granting permission for the subject development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Case Planner (15/07/2025) recommended refusal of permission for 6 reasons as per the decision.

3.2.2. Other Technical Reports

- Waste and Environment: No objection subject to conditions relating to management of effluent and soiled water, preparation of Construction and Demolition Resource Waste Management Plan.
- Executive Engineer, Placemaking & Physical Development (01/07/2025): Request Further Information in relation to sightlines, evidence of legal agreement to carry out any works within visibility sightline, BRE365 calculations for soakaway and OPW flood map areas, design calculations for

twin wall pipeline and culvert / ditch crossing. Notes that 'existing agricultural entrance' appears to be established in 2021 (google earth maps) including ditch/ stream crossing and twin wall drainage pipe and newly hung gate and posts.

3.3. Prescribed Bodies

- Department of Housing, Local Government and Heritage (08/07/2025): The proposed development is in proximity to recorded monuments (castle, field system and enclosure). The Department recommends that an Archaeological Impact Assessment should be prepared to assess any impact on archaeological remains within the proposed development site.

3.4. Third Party Observations

Three third party submissions were received, raising issues relating to environmental and water contamination risk, odour nuisance and air quality issues, increased traffic and road safety concerns, negative visual impacts and degradation of rural landscape, impact on Carstown House and its historical setting, potential negative impact on property values.

4.0 Planning History

None identified

5.0 Policy Context

5.1. National policy

- Architectural Heritage Protection Guidelines for planning authorities.

5.2. Development Plan

The Louth County Development Plan 2021-2027, as varied applies. The following is of relevance:

- The site of the proposed development is located within Rural Policy Zone (RPZ) 2 which is an area under strong urban influence.
- Carstown House is protected structure Lhs021-010

Description: dating from 1612, two-storey five-bay, with 5 gables across the front, extended mid 17thC, rebuilt mid 18thC, incl. red brick lodges, piers and railings. Rectangular-plan, dormer windows to south; extended to east from threebay to five-bays, gable-fronted porch to south and return c. 1820; extensions to north-west and north-east and leanto to north-east c. 1850. now derelict. of National Importance.

Appraisal: Displaying a hybrid of building styles and containing an intact seventeenth-century interior, this house is of considerable architectural and historic importance. Features such as the sizeable dormers, '1612' date stone, Cromwellian chimneystack and imposing entrance elevate its otherwise simple form. The finely-carved capitals to the porch add a touch of delicacy to the structure. The site is completed by the outbuilding complex with Gothic-inspired boundary walls and the impressive gate lodge.

- Carstown House is NIAH 13902116 of archaeological, architectural, artistic and social interest of national rating.
- Carstown House is listed in Table 9.5 'Historic Garden and Designed Landscapes' LH0013

The following objectives are of relevance:

Chapter 5 Economy and Employment

EE 55 To support rural entrepreneurship and rural enterprise development of an appropriate scale at suitable locations in the County.

EE 59 To secure vibrant and viable rural communities by supporting the development of rural based enterprises.

EE 60 To continue to support the agricultural sector and to facilitate the development of environmentally sustainable agricultural activities.

Chapter 9 Built Heritage and Culture

BHC 3 To protect known and unknown archaeological areas, sites, monuments, structures and objects, having regard to the advice of the National Monuments Services of the Department of Housing, Local Government and Heritage.

BHC 20 To ensure that any development, modification, alteration, or extension affecting a protected structure and / or its setting is sensitively sited and designed, is compatible with the special character and is appropriate in terms of the proposed scale, mass, density, layout, and materials of the protected structure.

BHC 21 The form and structural integrity of the protected structure and its setting shall be retained and the relationship between the protected structure, its curtilage and any complex of adjoining buildings, designed landscape features, designed views or vistas from or to the structure shall be protected.

BHC 38 To ensure new development will not adversely affect the site, setting or views to and from historic gardens and designed landscapes of heritage significance.

Chapter 10 Infrastructure & Public Utilities

IU 19 To require the use of Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures be incorporated in all new development (including extensions to existing developments). All development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run off quality and impacts on habitat and water quality.

IU 22 To ensure all new development incorporates appropriate measures to protect existing water bodies, through appropriate treatment of runoff. In particular, discharges from car parks shall be appropriately treated so as to remove pollutant materials.

IU 25 To ensure, where feasible, that no development including clearing or storage of materials takes place within a minimum distance of 10m measured from each bank of any river, stream or watercourse.

Chapter 11 Environment, Natural Resources & The Coast

ENV 21 To assess agricultural developments and associated agricultural waste matters within the County in accordance with the European Union (Good Agricultural

Practice for Protection of Waters) Regulations 2017 for the purpose of preventing or eliminating the entry of polluting matters to waters.

Chapter 13 Development Management Guidelines

Section 13.13.11.7 Agricultural Enterprises and Buildings

Table 13.13 Minimum visibility standards for New Accesses

5.3. **Natural Heritage Designations**

There are no natural heritage designated sites at the site or within close proximity to the site. The closest designated sites are the following:

- Boyne Coast and Estuary SAC and pNHA and Boyne Estuary SPA located c 3.6km from the site
- Blackhall Woods pNHA located c 2.5km from the site

6.0 **EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The grounds of appeal raised by the applicant in the first party appeal are summarised as follows:

- Refusal reason 1 - protected structure access The actual access to the protected structure is via the existing gate lodge located to the west of the site. The access referenced in the application does not provide a formal

entrance to the protected structure. This entrance is associated with agricultural lands and does not form part of the architectural curtilage of the house. Therefore the proposed development does not adversely affect the protected structure and no physical or visual impacts will arise from the continued agricultural use of the entrance. ACSU (Archaeological Consultancy Services Unit) impact assessment report includes background information on the protected structure and the access road referred to in the refusal reason.

- Refusal reason 2 - lack of business plan This is not a new farm enterprise. It is a continuation of existing agricultural operations and longstanding use for such purposes. Policy RD39 relates to new farm enterprises. The requirement of business plan does not apply. The facilities are for a single holding of 130 acres that has no yard or facilities. Details of the overall landholding being farmed including folios and maps were provided in the application documents – comprising over 840 acres. Sufficient justification for the need for the development and its long term viability was submitted with the application documents.
- Refusal reason 3 - sightlines / road safety The Placemaking & Physical Development Section of the Council recommended that issues raised be addressed by further information request. The existing site entrance has been in use since Lurganboy Farms Ltd bought the landholding in 2021. Acknowledge that the original site entrance was situated further east. The relocation was carried out by previous landowner including piping of roadside ditch at the crossing before selling the land to Lurganboy Farms. Drawing is submitted showing the availability of sightlines from both the existing site access point and the previous access point. In order to provide the 125m sightlines from point 3m back would require the removal of 200m roadside hedge and trees. The impact would be much greater at the location of the previous access but all of the hedge and tree removal would be located within the applicants landholding. If required by ACP, willing to accept a condition requiring the access point to be relocated to the original position and hedgerow removed and set back behind sight lines. However this is not necessary. The photographs in Council's engineer report shows sightlines are

available and extensive in western direction. The proposed development is not going to result in increase of agricultural traffic. There is no new harvesting or other activities. The storage facilities allow for efficient use of lands. The sightline standards relate to cars and are less relevant to agricultural vehicles and use, which are more visible and used infrequently.

- Refusal reason 4 - surface water drainage Existing surface water discharges via existing drainage ditches in fields. The surface water from the proposed building and hardstand area will discharge to soakaway in accordance with BRE 365. BRE calculations are submitted. Happy to accept condition requiring site testing and final size of soakaway to be agreed prior to development. The existing twin wall pipe at the ditch crossing at the entrance was installed by previous landowner, there is no evidence that it is not working or is insufficient. A condition can be applied seeking revised details to be agreed if necessary. The issues raised do not warrant refusal reason.
- Refusal reason 5 - archaeological impact A report by ACSU Archaeology is submitted. There is a possibility of archaeology on the site. This can be addressed by standard archaeological monitoring condition.
- Refusal reason 6 - appropriate assessment / Natura sites The obligation to carry out AA screening is with the competent authority not the applicant. The role of the applicant is to provide information. There are no hydrological links between the site and nearby SACs or SPAs. The development is modest in scale and will not result in emissions or discharges to protected habitats. The Council regularly grants permission for developments without requiring AA screening reports. The Placemaking Section does not raise environmental matters and Environmental Section report indicates no objection to the development. A request for further information could of addressed the matter.
- Summary Requests ACP to overturn the decision of Louth County Council. The issues raised in the reasons for refusal could be addressed via request of further information or through standard conditions. The development is in keeping with established use of the lands, does not pose a risk to public safety or the environment and would not have a significant effect on built or natural heritage. In the context of national planning objectives to support the

rural economy and facilitate timely decision making, the proposed development represents proper planning and sustainable development.

- Enclosed drawing of existing and previous sightlines, BRE 365 calculations and ACSU Archaeological Impact Assessment Report.

7.2. **Planning Authority Response**

None

7.3. **Observations**

None

7.4. **Further Responses**

None

8.0 **Assessment**

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

- Principle of development
- Impact on Carstown House protected structure and garden / designed landscape
- Impact on archaeology
- Sightlines and road safety
- Drainage
- Appropriate Assessment

8.2. **Principle of development**

8.2.1. It is proposed to construct new agricultural facilities comprising an agricultural shed, two dungsteeds, a hardstand area, a circular slurry tank and underground soiled water tank and ancillary works within the rural area of Carstown County Louth. The site is existing farmed land served by an existing agricultural entrance and access

which appears to have been recently constructed and the planning status of which is unclear.

- 8.2.2. A cover letter is submitted with the application setting out the background to the proposal. The development is proposed by the corporate entity Lurganboy Farm Ltd which farms over 840 acres of farmland in south Louth for beef rearing. The site is part of a 130 acre holding which has no yard or facilities and which is currently being farmed. The proposed development is required to support the growth and efficiency of Lurganboy Farm Ltds operations. The documents submitted with the application include a landholding report for the overall Lurganboy Farm land holding and a map of the 130acre landholding which relates to this application.
- 8.2.3. The Louth County Development Plan (CDP) 2021-2027 includes objectives to support rural enterprise and agriculture. These include EE55 and EE59 for rural enterprise and EE60 which is to support the agriculture sector and to facilitate development of environmentally sustainable agricultural activities.
- 8.2.4. Refusal reason two of the planning authority's decision states that the applicant has failed to submit a business plan for a new farm enterprise on an undeveloped landholding and that this was at variance to the requirements of the CDP.
- 8.2.5. Chapter 13 of the CDP includes development management standards, including section 13.13.11.7 which relates to agricultural enterprise and buildings. The section includes the following: *"To assist in the assessment of planning applications for agricultural buildings and in particular new farm enterprises on an undeveloped landholding, a business plan setting out the requirement for the development will be required. This shall include full details of the land holding, livestock number and herd number (if applicable)"*
- 8.2.6. Having visited the site and having regard to the information submitted, I am satisfied that the lands are currently farmed and in agricultural use and that the proposal relates to an existing farm enterprise and not an undeveloped landholding. Therefore I do not consider that a business plan is required as per section 13.13.11.7 and I do not consider that the proposal contravenes this section. I am satisfied that the proposal will support the operation of the farm business.
- 8.2.7. I am satisfied that the proposed development is acceptable in principle and is in accordance with objective EE60 of the CDP to support agricultural uses.

8.3. Impact on Carstown House protected structure and garden / designed landscape

- 8.3.1. The site is located c 230m north of Carstown House which is designated under the CDP as a protected structure and which is designated under the National Inventory of Architectural Heritage as of national archaeological, architectural, artistic and social interest. The garden at Carstown House is listed in the CDP as a 'historic garden and designed landscape'.
- 8.3.2. The CDP includes objectives relating to the protection of architectural heritage. Objective BHC20 is to ensure development affecting a protected structure is sensitively sited and is compatible with its special character and objective BHC21 is to retain the setting and integrity of a protected structure and to protect the relationship between the protected structure, its curtilage and any complex of adjoining buildings, designed landscape feature and designed views or vistas to or from the structure. Objective BHC38 is to ensure new development will not adversely affect the site, setting or views to and from historic gardens and designed landscapes of heritage significance.
- 8.3.3. Refusal reason one of the planning authority's decision states that the proposed development by reason of its close location to the protected structure, would have a negative impact on the setting of the protected structure and would be detrimental to the amenity of the historic garden and designed landscape of the protected structure. The refusal reason refers to the location of the site which adjoins the boundary of the historic garden / designed landscape and the proximity of the proposed structures to same and refers to the location of the access road which dissects the Carstown House grounds and severs its access to the public road.
- 8.3.4. The applicant has submitted a ACSU report which contains a consideration of the impact of the development on archaeology and built heritage at the site. The report indicates that the site is on lands that were part of the original tenant holding of the Carstown demesne. The site is on lands historically known as 'back wood field'. This 'back wood field' lies to the north of 'back wood', which is a dense c 140m thick woodland located between the main house and the surrounding fields. This woodland provided the function of screening views from the house and gardens towards the agricultural lands. Therefore, whilst the site lies within part of the original

demesne, it was part of the tenant holding of the estate and was not part of the house, outbuildings, gardens and woodland which make up the core of the estate. In 1868 the house was accessed by a privet drive / lane from two gate lodges located at the western and eastern entrances of the drive. In 2017 the house was accessed only via the western access route opposite Belview lane. The report notes that the historic house was destroyed by fire in 2017 and is roofless and that the historic ornamental and kitchen gardens are now overgrown and have been reclaimed by woodland. The existing farm access that is part of the development proposal is solely used for agricultural traffic and no access is possible from this road to the historic house due to the boundary of dense woodland and there is no gateway, access way or gap present to access.

8.3.5. The Architectural Heritage Protection Guidelines for planning authorities sets out guidelines for proposals relating to protected structures. Section 13.3 sets out general principles and sets out a list of matters to be considered when considering proposals impacting protected structures. I have considered these items and note the following:

- The information in the ASCU report and historic maps including my visual inspection on site visit indicates that the site contains land not immediately associated with the protected structure. The development does not impact on any buildings or gardens or features of interest, such as boundary walls, railings, gates, gate piers, fences or parkland or trees etc associated with the protected structure.
- Whilst the existing access road does dissect the historic route of the historic access road from the house to the eastern gate lodge, this historic access road is no longer in place and is now farmland. The existing access to the proposed agricultural facilities is a modest gravel access road serving agricultural lands and there are no structures, gateways or planting in place that interfere with the historic access ways to Carstown House. The existing gravel access in itself would not block or sever any future reestablished historic access.
- The proposed facilities include a shed which has ground to ridge height of 9.7m finished in cladding, 4.5m high slurry tank and associated hardstanding area and walls. The proposed structures are located to the north of the existing mature and thick woodland which provides a visual 'screen' and separation between the main

house, outbuildings and gardens and the proposed structures. I do not consider that the proposed structures would intrude on any views from or towards the protected structure or its gardens.

- 8.3.6. I am satisfied that having regard to the location, scale and design of the proposed buildings and its associated access road and entrance, that none of these works would adversely impact on the character or setting of the protected structure and would not adversely impact on any historic garden / designed landscape or views to or from these features. I am satisfied that the development is in accordance with objectives BHC20, BHC21 and BHC38.

8.4. Impact on archaeology

- 8.4.1. The main part of the development site is located in proximity to Recorded Monuments LH021-046001 Castle – unclassified (c 210m to south) and LH021-046002 house (c 230m to south) , LH021-085002 Field system (c 280m to west) and LH021-085001- Enclosure (c 300m to west), all of which are subject to statutory protection in the Record of Monuments and Places. There are no recorded monuments within or directly adjoining the site.
- 8.4.2. Refusal reason five of the planning authority’s decision states that based on the lack of information submitted in relation to policy objective BHC3 for the protection of archaeological sites it is considered that the applicant has failed to demonstrate compliance with this policy and the development is contrary to proper planning and sustainable development. Objective BHC3 relates to the protection of known and unknown archaeological sites.
- 8.4.3. At application stage the Department of Housing, Local Government and Heritage submitted an observation stating that given the scale, extent and location of the proposed development, it could impact on archaeological remains and that an archaeological impact assessment should be submitted as further information including documentary research, geophysical survey and test excavations. The ACSU archaeological impact assessment report submitted by the applicant with the appeal also recommends that archaeology can be protected by condition for archaeological testing prior to development.
- 8.4.4. Having regard to the distance from the known archaeological remains and the letter of the Department and the ACSU report, I am satisfied that any unknown

archaeological remains can be adequately protected by the imposition of a condition requiring the submission of an archaeological impact assessment report in accordance with the requirements of the Department prior to development.

- 8.4.5. I am satisfied, that subject to attaching a condition for the protection of archaeology, that the development would not adversely impact on archaeology and that the development would be in accordance with objective BHC3 of the CDP.

8.5. Sightlines and road safety

- 8.5.1. As part of the proposed development, permission is sought for ancillary site development works. The site layout drawing shows access to the new structures via an existing agricultural entrance to Carstown Road L2308.
- 8.5.2. Refusal reason three of the planning authority's decision states that the applicant has failed to demonstrate required sightlines at the vehicular entrance and as such the development would contravene the roads policy objectives of the CDP and would endanger public safety by reason of traffic hazard.
- 8.5.3. The report of the Executive Engineer noted that the entrance is newly established in 2021 and that the applicant should submit evidence of sightlines in compliance with Table 13.13 of the CDP to the nearside edge of the road in both directions.
- 8.5.4. In the appeal submission, the applicant concedes that the existing entrance for the development is newly established and has been constructed in place of the former entrance to the east (opposite the gate lodge) which is now no longer in place. The applicant has submitted drawings of the former (2.4mx120m sightline) and existing entrance (3mx 125m sightline). The applicant states that sightlines at the existing entrance are extensive and that there will be no material intensification of traffic movements. They state that sightlines of 125m to nearside edge of road from point 3m back at the entrance would require removal of vegetation from both the former and existing entrance, that if so required by ACP they are happy to relocate the entrance back to the former entrance point and that the roadside boundary from this point is in the control of the applicant so removal of vegetation can be carried out. However they argue that this is not necessary and that sightlines at the existing entrance are extensive.

8.5.5. Section 13.16.17 Entrances and Sightlines of the CDP sets out the following guidance in relation to entrances and sightlines:

All new entrances and junctions will require clear and unobstructed sight lines to be provided. These sight lines shall be selected using the applicable road design manual TII Design Manual for Roads and Bridges' or if the development is in towns and villages or where the speed limit is within the 60km/h zone the Design Manual for Urban Roads and Streets. Any development shall take the following criteria into consideration:

- The designation of the road, its function in the road hierarchy, and existing/projected volumes of traffic;*
- The typical speed (not speed limit) of the road;*
- The vertical and horizontal alignment of the road; and*
- Any other factors that may be relevant to the location or included in the road design manual.*

Table 13.13 sets out the minimum visibility standards for new entrances onto streets and roads where the speed limit is in excess of 60km/h and the 'Design Manual for Urban Roads and Streets' is not applicable. These are minimum standards and the Authority can request greater standards depending on the characteristic of the road, observed traffic speeds, volume and type of vehicles etc.

8.5.6. Table 13.13 states that on local roads sight distance should be 75m from 4.5m back for non domestic developments but in certain circumstances a setback of 3m may be allowed. The entrance is to be used by farm vehicles and I consider that it is reasonable to use a 3m 'x' distance in measuring sightlines which would allow satisfactory visibility from larger vehicles.

8.5.7. TII Publication Geometric Design of Junctions DN-GEO-03060 (2023) states that a design speed of 60km requires a Y distance sightline of 90m to the near edge of the road measured from its intersection with the centre line of the minor road and that an 'x' distance of 3m is desirable but can be relaxed to 2.4m at simple junctions. For a design speed of 70km/hr, a visibility of 120m is required.

- 8.5.8. I note the drawings submitted by the applicant with the appeal showing layout drawings of sightlines. However, these drawings do not contain a topographical survey of the existing roadside boundary.
- 8.5.9. The L2308 Carstown Road is a busy local road of relatively straight alignment. Table 13.13 requires a sightline of 75m from 3m setback. From site visit, I am satisfied that sightlines to the west can be achieved in accordance with the Table 13.13 however the sightline to the east is not achieved due to hedge near the entrance. The lands to the east are in the control of the applicant and a sightline can be achieved with the setback of a small hedge section. I consider that sightlines in both directions can be achieved in accordance with Table 13.13 subject to a condition requiring the setback of the roadside boundary to the east to provide the required sightline.
- 8.5.10. The TII standards allow for a sightline to be taken from 2.4m back at simple junctions such as proposed and a sightline of 90m is required for a 60km speed. I consider that this can be achieved.
- 8.5.11. I am also satisfied that the design existing entrance is acceptable and can accommodate the traffic movements associated with the proposed development and that the surrounding roads have capacity to accommodate the additional traffic movements associated with the development.
- 8.5.12. In conclusion, I am satisfied that the existing entrance is acceptable and in terms of traffic safety and design and that the entrance and sightlines are in accordance with section 13.16.17 and Table 13.13 of the CDP.

8.6. **Drainage**

- 8.6.1. Refusal reason four of the planning authority's decision states that the applicant failed to provide sufficient details of how surface water will be managed and disposed of within the site and as such the development is contrary to policy IU19 of the CDP which requires SUDS measures to be incorporated in all new developments.
- 8.6.2. It is proposed to drain storm water from the proposed building and hardstand area to a proposed new on site soakaway designed in accordance with BRE 365 standards.
- 8.6.3. The proposed dungstead and slurry pit will provide storage facilities for slurry and farmyard manure so that these byproducts can be used as fertiliser and spread on

lands in the applicants control. The dungsteads have 2.4m high walls and combined floor area of 1550sqm. A proposed 219m³ underground soiled water storage tank is with capacity to cater for the effluent runoff from the proposed dungsteads.

- 8.6.4. The report of the Environment Section of the Council indicates no objection to the proposed development subject to standard conditions pertaining to management of effluent and soiled water. The report of the Executive Engineer indicates that details are required in relation to the proposed soakaway and BRE calculations, flood risk lands in the vicinity and compliance with policies IU19, IU22 and IU25 of the CDP and that details are required for the design of the pipeline installed at the culvert at the new entrance including calculations to show that it accounts for climate change.
- 8.6.5. Objective IU19 is to require the use of sustainable drainage systems to minimise and limit the extent of hard surfacing and paving and to require the use of SUDS measures and assessment detailing run off quantity, run off quality and impacts on habitat and water quality. Objective IU22 is to ensure all new development incorporates appropriate measures to protect existing waters through appropriate treatment of runoff and objective IU25 is to ensure where feasible that no development includes clearing or storage of materials within 10m of the bank of a stream.
- 8.6.6. From a review of the OPW CFRAM and National Indicative Flood Mapping, the site is not located within any flood zone. The applicant has submitted calculations of storm runoff for design of the soakaways and calculations for effluent storage. No effluent is to be disposed to any surface water drain or stream and no natural hedgerow or trees are removed. The access way is permeable gravel which is a sustainable drainage measure. I am satisfied that the area of hardstanding is limited to that required having regard to the nature and scale of the development and that sustainable drainage measures are incorporated and that details on run off quantity and quality are provided. I do not consider there is a risk of pollution to habitats or water bodies. I consider that the requirements of objective IU19 have been satisfied and that there is no contravention of this objective.
- 8.6.7. I am satisfied that final design details of the proposed soakaway and the pipe at the entrance can be agreed with the planning authority prior to development and that standard conditions for the collection and storage of soiled water and effluent, would

ensure that there would be no risk of pollution of the environment. I am satisfied that the proposal incorporates measures to protect existing water bodies through appropriate treatment of runoff and that the proposal is in accordance with IU22 of the CDP. The new structures are to be located set back from the boundary of the field. There are drainage channels located along the boundary of the field. Subject to condition prohibiting new works within 10m of a stream or drainage channel, I am satisfied that the development would be in accordance with IU25 of the CDP.

8.6.8. Based on the above, I am satisfied that the design and scale of the development is satisfactory and that the development would not result in adverse impacts on the environment or public health and I am satisfied that the proposed development is acceptable.

8.7. **Appropriate Assessment**

8.7.1. Refusal reason six of the planning authority's decision indicates that in the absence of an appropriate assessment screening report or natura impact statement, that the planning authority cannot be satisfied that the development would not have a significant effect on Boyne Estuary SPA/SAC or any other European site and that the planning authority is precluded from granting permission for the development.

8.7.2. In this regard, I have considered the proposed development in light of the requirements of section 177U of the Planning and Development Act 2000 (as amended). This appropriate assessment screening assessment is attached as an appendix to this report.

8.7.3. 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 the Boyne Coast and Estuary SAC and North-west Irish Sea SPA or any other European Site in view of the conservation objectives of those sites and Appropriate Assessment is therefore not required.

8.7.4. This determination is based on:

- the modest scale and nature of the development,
- the lack of significant impact mechanisms,

- distance to any European site,
- weak indirect hydrological connections via the development and Termonfeckin_020,
- lack of ecological connections,
- no significant ex-situ impacts on birds.

9.0 Water Framework Directive Screening

9.1. I have considered the proposed development in light of the requirements of the Water Framework Directive (WFD). A screening assessment for WFD is attached as an appendix to this report.

9.2. The site is located within the Newry, Fane, Glyde and Dee WFD catchment and the BURREN_SC_010 (main site) and Boyne_SC_130 (southern part of site – access road and entrance) sub catchments. The main site overlays the Louth groundwater body and the southern part of the site overlays the Wilkinstown groundwater body. The TERMONFECKIN_020 river is c 155m to the north of the site. The Louth groundwater body is good status and not at risk. The Wilkinstown groundwater body is poor status and is at risk and the Termonfeckin_020 is moderate status and is at risk.

9.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and where necessary, restore surface and 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 proposed development, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any water bodies either qualitatively or quantitatively.

9.4. The reason for this conclusion is as follows:

- the low risk status of the Louth groundwater body,
- the low risk of potential impacts to the groundwater bodies and Termonfeckin river, having regard to the proposed measures for disposal of storm water and soil water discharges associated with the development.

9.5. 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 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.

10.0 Recommendation

I recommend that permission be granted subject to the conditions as set out below.

11.0 Reasons and Considerations

Having regard to the objectives of the Louth County Development Plan 2021-2027, the location of the development on established farmland and the use of the lands for agricultural purposes and the form and design of the development which is for agricultural facilities associated with the farm, it is considered that, subject to compliance with conditions set out below, the proposed development would be an acceptable form of development, would not be detrimental to built heritage, would not be a threat to water bodies or the environment, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would not be likely to have a significant effect on a European site. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity</p>
---	---

2	<p>(a) Full visibility shall be made available for 75 metres on the eastern side of the entrance from a point 3 metres back in from the edge of the road carriageway.</p> <p>(b) The area between the road carriageway and revised boundary shall be finished 200-300mm above carriageway level and finished in grass.</p> <p>(c) The revised boundary shall match the existing roadside boundary.</p> <p>Reason: In the interests of traffic safety.</p>
3	<p>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-</p> <p>(a) uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways.</p> <p>(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.</p> <p>(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.</p> <p>(d) The twin-wall pipeline at the entrance to the public road shall be sized and designed with capacity to cater for existing and proposed flows including for climate change and any required modifications to the existing pipe shall be carried out to the requirements of the planning authority.</p>

	<p>Drainage details in accordance with the above shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.</p> <p>Reason: In the interest of environmental protection and public health.</p>
4	<p>(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.</p> <p>(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.</p> <p>(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.</p> <p>Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of waters.</p>
5	<p>A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.</p> <p>Reason: In the interest of environmental protection.</p>

6	<p>No work shall be carried out within 10m of a stream of drainage channel.</p> <p>Reason: In the interest of environmental protection.</p>
7	<p>The cladding to the proposed building shall be green/dark green in colour.</p> <p>Reason: in the interest of visual amenity.</p>
8	<p>The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) and following consultation with the National Monument Service (NMS) in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works.</p> <p>The AIA shall involve an examination of all development layout/design drawings, completion of documentary research and fieldwork, a geophysical survey and archaeological testing (consent/licensed as required under the National Monuments Acts).</p> <p>The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.</p>

	<p>Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest</p>
9	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

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.

Aisling Mac Namara
Planning Inspector

17th November 2025

Form 1 - EIA Pre-Screening

Case Reference	323376
Proposed Development Summary	- construction of agricultural shed, 2 no. dungstead, a hardstand area, a circular slurry tank and an underground soiled water storage tank, - associated site development works (including entrance, gravel access road c 0.7km)
Development Address	Carstown, Co.Louth
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	(dd) All private roads which would exceed 2000 metres in length.

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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Form 2 - EIA Preliminary Examination

Case Reference	323376
Proposed Development Summary	<ul style="list-style-type: none"> - construction of agricultural shed, 2 no. dungstead, a hardstand area, a circular slurry tank and an underground soiled water storage tank, - associated site development works (including entrance, gravel access road c 0.7km)
Development Address	Carstown, Co. Louth
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (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).	<ul style="list-style-type: none"> - Proposed agricultural use is compatible with other uses in area, - Modest size and intensity of development - Localised impact on natural resources - Modest production of waste - No significant risk of pollution or nuisance - No significant risk of accidents / disasters to human health
Location of development (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 sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<ul style="list-style-type: none"> - Greenfield site within rural area - Local ecology only on site - Built heritage in proximity - Carstown House protected structure / NIAH located to south. National monuments located to west and south of site. - Site is 155m from Termonfeckin river to north. Streams and ditches at site link to Termonkeekin river. - No designated natural heritage sites on or adjoining the site. - Localised impacts landscape.
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).	Having regard to the following: <ul style="list-style-type: none"> - nature and scale of the development, - lack of significant environmental sensitivities on the site, - absence of significant effects and in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

<p>There is no real likelihood of significant effects on the environment.</p> <p>x</p>	<p>EIA is not required.</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	
<p>There is a real likelihood of significant effects on the environment.</p>	

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3: 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	agricultural shed, 2 no. dungsteeds, a hardstand area, a circular slurry tank and an underground soiled water storage tank, together with all associated site development works			
Brief description of development site characteristics and potential impact mechanisms	Streams, ditches on site – potential for hydrological connection to European site. No impacts on natural boundaries. Existing lands is being farmed.			
Screening report	No			
Natura Impact Statement	No			
Relevant submissions	n/a			
Planning authority	Planning authority AA screening report of Case Planner indicates that further information is requested in relation to disposal of surface water. In the absence of these details, the potential impact on European sites cannot be established.			
Step 2. Identification of relevant European sites within zone of influence 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
Boyne Coast and Estuary SAC	Habitats 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand	3.9km	Possible indirect connections (drainage ditches and stream on site connect to Termonkeekin_020 which discharges to estuary)	yes

	<p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>2110 Embryonic shifting dunes</p> <p>2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p>			
River Boyne and River Blackwater SAC	<p>Habitats</p> <p>7230 Alkaline fens</p> <p>91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)*</p> <p>Species</p> <p>1099 River Lamprey (<i>Lampetra fluviatilis</i>)</p> <p>1106 Salmon (<i>Salmo salar</i>)</p> <p>1355 Otter (<i>Lutra lutra</i>)</p>	4.5km	<p>No direct connections.</p> <p>No possible indirect connections due to distance</p>	no

Clogher Head SAC	<p>Habitats</p> <p>1230 Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>4030 European dry heaths</p>	6.4km	<p>No direct connections</p> <p>No possible indirect connections due to distance</p>	no
Boyne Estuary SPA	<p>Birds</p> <p>A048 Shelduck (Tadorna tadorna)</p> <p>A130 Oystercatcher (Haematopus ostralegus)</p> <p>A140 Golden Plover (Pluvialis apricaria)</p> <p>A141 Grey Plover (Pluvialis squatarola)</p> <p>A142 Lapwing (Vanellus vanellus)</p> <p>A143 Knot (Calidris canutus)</p> <p>A144 Sanderling (Calidris alba)</p> <p>A156 Black-tailed Godwit (Limosa limosa)</p> <p>A162 Redshank (Tringa totanus)</p> <p>A169 Turnstone (Arenaria interpres)</p> <p>A195 Little Tern (Sterna albifrons)</p> <p>Habitats</p> <p>Wetlands</p>	3.9km	<p>No direct connection.</p> <p>Indirect connection unlikely due to distance.</p>	no

North-west Irish Sea SPA	Birds	4.6km	Possible indirect connections (drainage ditches and stream on site connect to Termonkeekin_020 which discharges to estuary)	yes
	A001 Red-throated Diver (<i>Gavia stellata</i>)			
	A003 Great Northern Diver (<i>Gavia immer</i>)			
	A009 Fulmar (<i>Fulmarus glacialis</i>)			
	A013 Manx Shearwater (<i>Puffinus puffinus</i>)			
	A017 Cormorant (<i>Phalacrocorax carbo</i>)			
	A018 Shag (<i>Phalacrocorax aristotelis</i>)			
	A065 Common Scoter (<i>Melanitta nigra</i>)			
	A177 Little Gull (<i>Larus minutus</i>)			
	A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>)			
	A182 Common Gull (<i>Larus canus</i>)			
	A183 Lesser Black-backed Gull (<i>Larus fuscus</i>)			
	A184 Herring Gull (<i>Larus argentatus</i>)			
	A187 Great Black-backed Gull (<i>Larus marinus</i>)			
	A188 Kittiwake (<i>Rissa tridactyla</i>)			

	A192 Roseate Tern (Sterna dougallii)			
	A193 Common Tern (Sterna hirundo)			
	A194 Arctic Tern (Sterna paradisaea)			
	A195 Little Tern (Sterna albifrons)			
	A199 Guillemot (Uria aalge)			
	A200 Razorbill (Alca torda)			
	A204 Puffin (Fratricula arctica)			

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

- (a) Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).
- (b) Are there any design or standard practice measures proposed that would reduce the risk of impacts to surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?
- (c) Identify possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects)

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Boyne Coast and Estuary SAC Habitats 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines	No direct impacts Indirect impacts	Due to distance, construction related impacts from noise and dust are unlikely. There is a weak indirect hydrological connection via streams/ ditches on site to Termonkeekin river which discharges to the estuary however due to scale of the development and employment of standard construction and engineering

<p>1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p>		<p>measures there would be no potential for degradation of water quality. The development is not likely to result in significant effects on the QIs of the SAC.</p>
	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	
<p>North-west Irish Sea SPA</p> <p>Birds A001 Red-throated Diver (Gavia stellata) A003 Great Northern Diver (Gavia immer) A009 Fulmar (Fulmarus glacialis) A013 Manx Shearwater (Puffinus puffinus) A017 Cormorant (Phalacrocorax carbo) A018 Shag (Phalacrocorax aristotelis) A065 Common Scoter (Melanitta nigra) A177 Little Gull (Larus minutus) A179 Black-headed Gull (Chroicocephalus ridibundus) A182 Common Gull (Larus canus) A183 Lesser Black-backed Gull (Larus fuscus) A184 Herring Gull (Larus argentatus) A187 Great Black-backed Gull (Larus marinus) A188 Kittiwake (Rissa tridactyla) A192 Roseate Tern (Sterna dougallii) A193 Common Tern (Sterna hirundo) A194 Arctic Tern (Sterna paradisaea) A195 Little Tern (Sterna albifrons) A199 Guillemot (Uria aalge) A200 Razorbill (Alca torda)</p>	<p>No direct impacts</p> <p>Indirect impacts</p>	<p>Due to distance, construction related impacts from noise and dust are unlikely. The lands are currently farmed and are not in natural state. Removal of topsoil vegetation will not impact on any feeding habitats.</p> <p>There is a weak indirect hydrological connection via streams/ ditches on site to Termonkeekin river which discharges to the estuary and sea however due to scale of the development and employment of standard construction and engineering measures there would be no potential for degradation of water quality.</p> <p>The development is not likely to result in significant effects on the QIs of the SPA.</p>

A204 Puffin (<i>Fratercula arctica</i>)	
	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

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 Boyne Coast and Estuary SAC and North-west Irish Sea SPA. 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 the Boyne Coast and Estuary SAC and North-west Irish Sea SPA or any other European Site in view of the conservation objectives of those sites and Appropriate Assessment is therefore not required.

This determination is based on:

- The modest scale and nature of the development,
- the lack of significant impact mechanisms,
- distance to any European site,
- weak indirect hydrological connections via the development and Termonfeckin_020,
- lack of ecological connections,
- no significant ex-situ impacts on birds.

Appendix 4: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING						
Step 1: Nature of the Project, the Site and Locality						
An Bord Pleanála ref. no.	323376	Townland, address	Carstown, Louth			
Description of project	agricultural shed, 2 no. dungsteeds, a hardstand area, a circular slurry tank and an underground soiled water storage tank, together with all associated site development works					
Brief site description, relevant to WFD Screening,	Rural site Streams and drain traverse site.					
Proposed surface water details	Soakpit to BRE 365 standards					
Proposed water supply source & available capacity	n/a					
Proposed wastewater treatment system & available capacity, other issues	Underground soiled water tank					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Water body name(s) (code)	Distance to (m)	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 runoff, drainage, groundwater)
River	TERMONFECKIN_020	c 155m to north	Moderate 2019-2024	At risk	Agriculture	via drain . stream
Groundwater	Louth (Main site)	underground	Good 2019-2024	Not at risk		Drainage to ground

Groundwater	Wilinstown (southern part of site – access road and entrance)	underground	Poor 2019-2024	At risk	Agriculture	Drainage to ground	
Step 3: 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	Waterbody 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.
	Construction related emissions to ground	Louth Wilinstown	underground	pollution	Standard best construction, CEMP	No	Screened out
	Constructed related runoff via ditches/ stream to river	TERMONFECKIN_020	To river	Pollution and sedimentation	Standard best construction, CEMP	No	Screened out
OPERATIONAL PHASE							
	Storm water from building and hardstand area to ground via soakaway	Louth (Main site)	underground	pollution	Clean storm water separated to soakaway to BRE 365 standard	No	Screened out
	Soiled water from dungstead and shed	TERMONFECKIN_020	Via drainage ditches and	Pollution and sedimentation	Soiled water storage tank	No	Screened out

		Louth	stream to river undergro und				