



An
Coimisiún
Pleanála

Inspector's Report ACP-323604-25

Development

Permission to demolish two existing poultry sheds and to construct three agricultural sheds and all associated site works and permission for retention of an unauthorised development consisting of the demolition of a poultry shed and existing ground excavation works.

Location

Crosslaney Road, Millgrange,
Carlingford, Co. Louth.

Planning Authority

Louth County Council

Planning Authority Reg. Ref.

2460613

Applicant(s)

Raymond and Gerard Murphy

Type of Application

Permission for retention and planning permission

Planning Authority Decision

Grant

Type of Appeal

Third Party,s V Grant

Appellant(s)	1) Kieran and Marie Roche 2) Stephen and Paula McCromish 3) Tim and Raman Simpson
Observer(s)	None.
Date of Site Inspection	4th day of August 2026
Inspector	Fergal Ó Bric

1.0 Site Location and Description

- 1.1 The subject site has a stated area of 0.59 hectares and is located in the rural townland of Millgrange, which is located approximately three kilometres (as the crow flies) south-east of the settlement of Carlingford. The site is accessed from a local county road, Crosslaney Road, which in turn accesses onto the R175 approximately four hundred metres south-east of the subject site. The R175 is a regional route linking Dundalk with the north Louth coastal settlements of Carlingford, Greenore and Omeath.
- 1.2 The subject site comprises two poultry sheds which do not appear to have been in use for some time, one is open to the elements with the front and rear doors not being in place and part of the roof was missing and the other poultry unit was locked up and was surrounded by dense overgrowth along its side and rear walls and on part of its roof.
- 1.3 The existing poultry structures on site comprise a stated area of 300 square metres (sq. m). and the demolished poultry structure which was located to the rear (west) of the existing poultry structures had a stated floor area of 299 square metres. The existing farm structures are set back approximately thirty-five metres west of the local county road and west (behind) an adjacent single storey residential dwelling unit. The three proposed farm structures are stated to comprise 882 sq. m. and would be located approximately ninety metres set back from the local road, west (to the rear) of the two existing poultry structures and of the adjacent residential dwelling. There is an existing farm entrance and accessway which accesses the existing farm structures on site, although it is proposed to open a new farm entrance further south of the existing entrance within the overall farm holding. The site slopes gradually downwards from the proposed and existing agricultural buildings, from west to east towards the public road. There is a large tillage field to the side and rear (south and west) of the established farmyard buildings. There is a post and wire fence located along the eastern (roadside boundary) of the subject site. The site is open to the adjoining farmlands to the north,

west and south of the appeal site. These lands (part of the applicants' overall farm holding) are currently being used for tillage purposes.

2.0 Development

- 2.1 Permission is sought for the demolition of two poultry sheds and to construct three agricultural sheds and all associated site works and permission for retention of an unauthorised development consisting of the demolition of a poultry shed and existing ground excavation works. The proposed agricultural sheds are to be attached to each other and is designed as a three bay A-framed agricultural shed with a concrete floor comprising a total stated floor area of 882 square metres (three sheds of 294 sq. m. each). There are three roller shutter doors and a pedestrian door on the front elevation within each of the three bays.
- 2.2 Each agricultural shed has a width of 18.2 metres and a depth of 16.615 metres and a maximum ridge height of approximately 8 metres and an eaves height of 5.95 metres. The sheds would have masonry rising walls to a height of approximately four metres with metal sheeting in the upper parts of the sheds including the roof areas. It is set out with the Site Layout Plan (dated 22nd day of July 2025) that there would be a hardcore free draining yard with aggregate ranging from 10mm to 100mm in diameter in front (east) of the proposed agricultural sheds.
- 2.3 The Planning Authority conducted an Appropriate Assessment (AA) Screening exercise and concluded 'The development would not be likely to have a significant effect individually or in combination with other plans or projects on any European site (Special Area of Conservation or Special Protected Area) and as such an Appropriate Assessment (Stage 2 AA) is not required'.
- 2.4 The Planning Authority conducted an Environmental Impact Assessment (EIA) Screening exercise and concluded 'Having regard to the limited nature and scale of the development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects arising on the environment arising from the retained development. The need for environmental impact assessment can,

therefore, be excluded at preliminary examination and a screening determination is not required’.

- 2.5 The planning documentation submitted by the applicants to the Planning Authority included correspondence from a Teagasc agricultural advisor outlining the proposed uses within the agricultural sheds and the justification for them as well as a Farm Management Plan (FMP) outlining his existing agricultural activities and plans for the coming years for the lands at this location. His architect has submitted a planning justification for the proposed building. The applicants also submitted surface water management details for the subject site as well as an Appropriate Assessment (AA) Screening Report, a surface water Management Plan.
- 2.6 The applicants submitted further information to the Planning Authority (PA) in relation to the following: Details of sightlines and roadside site clearance at the site entrance to achieve the required visibility; Results of a bat survey within all buildings and trees within and abutting the site; Details of the intended uses within the proposed sheds; A swept path analysis for a maximum length articulated vehicle egressing the site; Details of a landscaping plan and boundary treatment for the subject site and details of liaisons with the Carlingford Greenway Active Travel Team.
- 2.7 The Coimisiún referred the appeal to the Heritage Council, the Department of Housing, Local Government and Heritage and An Taisce for comment. No response was received from any of these prescribed bodies.

3.0 Planning Authority Decision

3.1 Decision

By order dated 14th day of August 2025, Louth County Council (WCC) issued notification of the decision to grant permission subject to eight standard conditions. The pertinent conditions are as follows:

Condition no. 2-To submit revised surface water management proposals for the subject site

Condition no. 3: Use of the agricultural sheds shall be for agricultural purposes only and no third party produce or machinery shall be stored therein.

Condition no. 5: To close existing agricultural entrance and the roadside boundary reinstated upon completion of the new agricultural entrance, hereby permitted.

Condition no. 6: Maintenance of visibility splays at proposed entrance, that applicants be responsible for the full cost of any damage caused to the adjoining public road and that spillage of material on the adjoining public road shall be prevented and responsible for the cost of cleaning the adjoining public road of spillages of material during construction and demolition works.

Condition no. 7: Landscaping Plan shall be implemented in full in the first planting season following commencement of development.

Condition no. 8: Development Contributions

3.2 Planning Authority Reports

First Planning Report dated 29th day of November

3.2.1 The Planning Officer noted the following:

- There are a number of rural enterprise/agricultural development policy objectives set out within the current Louth County Development Plan (LCDP) 2021-2027.
- A submission received from a number of local residents who raised issues in relation to increased traffic levels, the visual amenity of the area, potential to adversely impact local natural heritage sites, that the applicants do not farm the land in this area.
- An internal referral response received from the Placemaking Section who recommended that further information be sought in relation to sightlines, the submission of auto-track analysis relating to long length articulated vehicles

egressing the site and in relation to part of the site being located within a route corridor for the Dundalk to Carlingford Greenway.

- Screening for EIA and AA by PA identified no likely impacts upon the environment or designated Natura 200 sites.
- The principle of the development of agricultural sheds at this location acceptable, given that there are existing poultry sheds within the site.
- The Planner accepted that the existing sheds not suitable due to their poor condition, incompatibility with current farming needs, their low eaves height

(approximately 3.5 metres) and absence of adequate space in the curtilage of existing sheds.

- Uses within proposed sheds would include storage of grain, hay, potatoes and agricultural machinery.
- Applicants submitted a business plan outlining their land ownership including land folio numbers.
- No landscaping proposals were submitted for the development.
- The Placemaking Section recommended that further information be sought in relation to sightlines and the submission of an auto-track analysis in relation to a maximum length articulated vehicle.
- Part of the site is located within Flood Zone B. However agricultural buildings constitute less vulnerable development and is, therefore, deemed appropriate within Flood Zone B.
- Placemaking Section raised no issue with the surface water management proposals.
- A bat survey of the buildings and trees within and abutting the subject site was recommended.
- The Planner recommended that further information be sought and will be addressed later within this report.
- A grant of permission was recommended, which forms the basis of the Planning Authority decision to grant permission.

Second Planning Report dated 12th and 14th days of August 2025

- A response to the further information request was received on the 22nd day of July 2025.
- A new entrance to the development is proposed further south of the existing farm access, which would be blocked up under the proposals.
- The Placemaking Section within LCC outlined no objections to the new entrance subject to conditions.
- Results of a bat survey were submitted which stated that no bats were roosting within the subject site.

- Correspondence from Teagasc was submitted which confirms that the scale of the proposed agricultural sheds is commensurate for the proposed using of storing grain, potatoes and farm machinery.
- The applicants have demonstrated that there is adequate space at the entrance to cater for a large articulated vehicle to egress the site. The applicants have submitted a landscape plan for the site including a schedule of hard and soft planting works.
- The applicants are to be advised of the potential route corridor for the Dundalk Bay to Carlingford Greenway.
- No additional submissions were received in relation to the information contained within the further information response.
- The applicants would be required to update their surface water management report to cater for the new entrance location and access way within the site.
- Development Contributions recommended on agricultural development in excess of 500 sq. m.

3.3 Other Technical Reports

Environment Section: No objections, subject to conditions.

Placemaking & Physical Development Section: No objections, subject to conditions.

3.4 Prescribed Bodies

Not referred.

3.5 Third Party Observations

The Planning Authority set out that a third-party observation was made on this application by a number of neighbouring residents. Many of the issues raised in the observation were also raised within the grounds of appeal (see section 6.0 of this report), and include the following:

- The proposed development will generate additional traffic along this narrow local county road and adversely impact the road network capacity.

- The development will adversely impact the visual amenity within a highly scenic area.
- The proposed development would adversely impact the wildlife in the area and the designated natural heritage features that exist in proximity to the subject site.
- The applicants are not from this locality and do not farm lands in this area.

4.0 **Planning History**

On site:

Planning reference number 23/60294-In 2024, the current applicants sought planning permission for the demolition of two poultry sheds and permission for the retention of an unauthorised development consisting of (1) demolition of poultry shed, (2) ground excavation works and (3) widened agricultural entrance. Permission was refused by the PA for two reasons which can be summarised as follows (1) Absence of a justification for the proposed development and for the demolition of the poultry structures nor clarity in relation to the uses within the proposed structures. (2) PA cannot be satisfied that the development would not be likely to have a significant effect on adjacent European sites and would be contrary to the NBG3 policy objective in relation to protecting and conserving European sites.

Planning Enforcement:

Reference number-UD 23/007-Alleged unauthorised widening of entrance and construction of a grain store-Investigation is ongoing.

5.0 **Policy and Context**

5.1 **Louth County Development Plan 2021-2027**

The following are considered to be the relevant sections within the Plan for this assessment:

Chapter 5 -Economy & Employment

Section 5.19.1-Agriculture- The EU Farm to Fork Strategy and EU Biodiversity Strategy 2030 are key policy documents in the development of sustainable agriculture and the protection integration and management of wildlife habitats. This Plan will continue to support the agriculture industry and will promote any changes to farming practices that will adapt to climate change and provide more sustainable methods of production.

Section 5.19.3-Rural Enterprises- Rural businesses and enterprises are an important source of local employment in the County. This includes agricultural, equine, engineering/ manufacturing, recreational, tourism, energy/renewable energy, and rural resource-based enterprises. Whilst this Plan supports such enterprises and the diversification of the rural economy, it is also recognised that a balance is required between supporting rural based enterprises and projects and protecting the local environment. It goes on to states that “In the first instance, new employment related developments are directed to settlements where services are available, and lands have been identified for employment uses”; and that “It is also recognised that there are instances where a development can be more readily accommodated or is more appropriate to a rural area. This can be due to a locational specific, or resourced based development, or a development of regional or national importance” any development of a rural based enterprise, either new or expansion to existing in the open countryside, must take account of the traffic related impacts and in particular the traffic movements and capacity of the road network to accommodate a development”.

Policy Objective EE55- To support the development of small-scale rural enterprises where the scale and nature of the enterprise is appropriate for the location and surrounding land uses.

Policy objective EE56- To support rural entrepreneurship and rural enterprise development of an appropriate scale at suitable locations in the County.

Policy objective EE 61 To continue to support the agricultural sector and to facilitate the development of environmentally sustainable agricultural activities.

Policy Objective EE 62 To facilitate the diversification of the agricultural sector by supporting alternative farm enterprises subject to the nature and use of any enterprise being compatible with the environment in which it is located.

Chapter 8 - Natural Heritage, Biodiversity and Green Infrastructure

Section 8.3-European Sites in County Louth

Policy Objective NBG 3 To protect and conserve Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated under the EU Habitats and Birds Directives.

Policy Objective NBG 4 To ensure that all proposed developments comply with the requirements set out in the DECLG 'Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities 2010'.

Policy Objective NBG 5 To ensure that no plan, programme, or project giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan, either individually or in combination with other plans, programmes or projects.

Policy Objective NBG 6 To ensure a screening for Appropriate Assessment (AA) on all plans and/or projects and/or Stage 2 Appropriate Assessment (Natura Impact Report/ Natura Impact Assessment) where appropriate, is undertaken to make a determination. European Sites located outside of the County but within 15km of the proposed development site shall be included in such screenings as should those to which there are pathways, for example, hydrological links for potential effects.

Policy Objective NBG 15 To ensure that any development within or adjacent to a NHA or pNHA is designed and sited to minimise its impact on the ecological value of the site and to resist development that would result in a significant deterioration of habitats or a disturbance of species.

Chapter 10 - Infrastructure & Public Utilities

Policy objective IU 1-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.

Policy Objective 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.

Policy Objective IU 20 To require all development proposals meet the design criteria, (adjusted to reflect local conditions), and material designs contained in the Greater Dublin Strategic Drainage Study (GDSDS) and demonstrate how runoff is captured as close to source as possible with subsequent slow release to the drainage system and watercourse.

Policy Objective IU 26 To reduce the risk of new development being affected by possible future flooding by: • Avoiding development in areas at risk of flooding and • Where development in floodplains cannot be avoided, taking a sequential approach to flood risk management based on avoidance, reduction and adaptation to the risk.

Policy Objective IU 27 To ensure all proposals for development falling within Flood Zones A or B are consistent with the “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” 2009. Proposals for development identified as being vulnerable to flooding must be supported by a site-specific Flood Risk Assessment and demonstrate to the satisfaction of the Planning Authority that the development and its infrastructure will avoid significant risks of flooding and not exacerbate flooding elsewhere. In Flood Zone C, where the probability of flooding is low (less than 0.1%), site specific Flood Risk Assessment may be required, and the developer should satisfy themselves that the probability of flooding is appropriate to

the development being proposed. The County Plan SFRA datasets and the most up to date CFRAM Programme climate scenario mapping should be consulted by prospective applicants for developments in this regard and will be made available to lower-tier Development Management processes in the Council. Applications for development in flood vulnerable zones, including those at risk under the OPW's Mid-Range Future Scenario, shall provide details of structural and non-structural risk management measures, such as those relating to floor levels, internal layout, flood-resilient construction, emergency response planning and access and egress during flood events.

Chapter 13 - Development Management Guidelines

Section 13.13.11.1- All buildings and structures in a rural area shall be designed and constructed to a high standard.

Section 13.13.11.7-Agricultural Enterprises and Buildings

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). New buildings shall be designed to maximise efficiency, address any pollution control requirements (e.g. collect soiled water and farm waste management), provide additional feed and machinery storage areas, and improve livestock welfare. It is acknowledged that the scale of agricultural buildings are such that they will be visible from surrounding roads and public viewpoints.

However, new buildings shall be positioned and designed so they are as unobtrusive as possible. When designing a building particular attention shall be given to the sensitivity of the landscape in which it will be located. If the scale and height of the building is particularly large, the reasons for a building of the particular size shall be set out. Wherever possible, new buildings shall be clustered with existing buildings in the yard. Finishes to buildings will normally include rendered/block walls and dark coloured panels to the side and roof of buildings such as dark green, red, or grey. Landscaping can assist in the integration of new buildings into the landscape. Any planting shall include native species only.

Section 13.16.17-Entrances and Sightlines-A well-designed access is important for the safety and convenience of all road users and should have regard to the design speed, function, and traffic volumes on the public road in addition to pedestrians, cyclists, and vulnerable road users.

Table 13.13: Minimum visibility standards for new entrances

Road Category	Sight Distance (Y)	Visibility over ground	Set back (X)
Local Road	75 metres	0.6-1.05 metres	4.5 metres

5.2 Natural Heritage Designations

The nearest Natura 2000 site to the appeal site boundary is the Carlingford Mountains SAC (site code 000453) is located approximately 1.4 kilometres west of the appeal site. The Carlingford Lough SPA (site code 004078) and the Carlingford Shore SAC (site code 002306) are both located approximately 1.6 kilometres north-east of the subject site.

The Carlingford Mountain pNHA (site code 000453) is located approximately 1.4 kilometres west of the appeal site

5.3 Environmental Impact Assessment - Screening

5.3.1 Please see Appendix 1 at the end of this planning report. Having regard to the relatively modest nature of the agricultural structures sought to be demolished and the proposed agricultural structures and their location removed from any sensitive locations or features, there is no real likelihood of significant adverse effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

5.4 WFD Screening:

The subject site is located approximately 1.6 kilometres south-west Carlingford Estuary and Carlingford Lough.

The development comprises agricultural (poultry) structures to be demolished and the erection of three proposed agricultural structures further back and within the same site. The detailed development description is set out within Section 2.0 of my report above.

Surface water would be managed on site through the use of soakpits, as per the details submitted as part of the planning documentation.

I have assessed the planning documentation 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 & ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the relatively minor nature and scale of the proposals and the location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Having regard to the relatively minor scale and nature of the development.
- The separation distance between the appeal site and nearest waterbody in Carlingford Lough,
- The proposed on-site surface water management measures.

Conclusion

I conclude that on the basis of objective information, the proposed development will not result in a risk of deterioration on any water body (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.

6.0 The Appeal

6.1 Grounds of Appeal

The decision of Louth County Council to grant permission has been appealed by a number of neighbouring residents. The grounds of appeal include the following:

- The proposed agricultural sheds are totally out of proportion to the seventy-acre land holding owned by and the thirty-acre land holding rented by the applicants.
- The average yield from tillage wheat crops is three tonnes per acre and their land holdings would not produce enough grain to fill one of the proposed sheds.
- The sheds may well be rented to a third party for the storage of grain.
- The adjoining road, the Crosslaney Road is narrow and unsuitable for large haulage vehicles hauling grain to and from agricultural sheds.
- The road is too dangerous for cycling and for walking.
- Children coming and going to/from school are being put in danger.
- Grain spillage along the road has increased the number of vermin in the area.
- The haulage vehicles travel up and down the Crosslaney Road seven days a week from early morning until late at night.
- The large agricultural sheds will adversely impact the natural beauty of the area.
- There are designated areas for industrial development such as at Greenore.
- No feasibility study has been carried out regarding road safety or flooding arising on the local road or within adjacent third-party property.
- The applicants have not mentioned the issue of asbestos within the buildings and how its disposal would be managed.
- The main concern is that the use of the building will transform from agricultural use to commercial use and result in an increase of large goods vehicles in the area.

6.2 Applicant Response

None received.

6.3 Planning Authority Response

None received.

6.4 Observations

None received.

7.0 Assessment

7.1 Introduction

7.1.1. The development provides for the demolition of two poultry sheds and the construction of three agricultural sheds, and all associated site works and permission for retention of an unauthorised development consisting of the demolition of a poultry shed and existing ground excavation works. The proposed agricultural structures would be located immediately adjoining and west of the existing poultry structures within what was historically an established farmyard complex.

7.1.2. Having regard to the planning documentation submitted, and having conducted a site inspection, I consider that the main issues are those raised within the reports prepared by the Local Authority, and those raised within the third-party appeal submission.

- Principle of Development
- Access, Traffic and Road Safety
- Environmental Issues and Water Quality
- Other Issues
- Appropriate Assessment.

7.2 Principle of Development

- 7.2.1 The proposals relate to the demolition of two poultry sheds and the construction of three agricultural sheds, and all associated site works and permission for retention of an unauthorised development consisting of the demolition of a poultry shed and existing ground excavation works. The existing and proposed agricultural structures are concrete surfaced and given the stated uses within the proposed structures for the storage of grain, potatoes and farm machinery, the issue of slurry/manure storage does not raise in this particular instance, all within an established farmyard complex which appears to have been vacant for some time, given the unkempt nature of the poultry structures and overgrown nature of the site.
- 7.2.2 The appeal site is located within a rural area, as designated within the current Louth County Development Plan (LCDP) 2021-2027 and there are a number of other agricultural/equine enterprises located adjacent to the appeal site and in the wider rural hinterland. Section 13.3.11.7, within Volume 1 of the current LCDP sets out the following in relation to agricultural development: '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' and 'It is acknowledged that the scale of agricultural buildings are such that they will be visible from surrounding roads and public viewpoints' and that 'finishes to buildings will normally include rendered/block walls and dark coloured panels to the side and roof of buildings such as dark green, red, or grey. Landscaping can assist in the integration of new buildings into the landscape. Any planting shall include native species only. I also note the provisions of policy objectives EE61 and EE62 which relate to supporting the agricultural sector and facilitating agricultural diversification and supporting alternative farm enterprises. I am of the opinion that the proposals would be in accordance with these particular Development Plan provisions.
- 7.2.3 I have no objection to the agricultural development in principle, subject to compliance with the appropriate Development Plan standards and demonstration that the development would not have significant adverse effects upon the local environment or landscape or adjacent residential amenities, would not result in the creation of a

traffic hazard nor adversely impact upon any European site. These are all matters that will be addressed as part of the assessment below.

7.3 Access, Traffic and Road Safety

7.3.1 It was originally proposed to use the existing agricultural access into the subject site, but the Planning Authority had raised concerns regarding the availability of sightlines from that entrance which were particularly restricted in a northerly direction due to the substandard horizontal alignment of the adjoining public road (Crosslaney Road) in a northerly direction. As part of their further information response, the applicants submitted a revised Site Layout Plan drawing number RM-1024-05-Rev B (dated 22nd day of July 2025) including details of a revised agricultural entrance location further south of the existing agricultural entrance and whereby sightlines of 75 metres in each direction have been demonstrated from a set back of 4.5 metres from the roadside edge. The applicants have also stated that the existing roadside grassed bank south of the existing agricultural entrance will be required to be set back in order to achieve the required visibility from the proposed agricultural entrance location. The applicants are proposing a new post and wire fence will be erected behind the visibility splay and will be back planted with native hedgerow.

7.3.2 Sightlines at the existing farm entrance with the adjoining public road (Crosslaney Road), are not considered adequate. Notwithstanding the default speed limit along all local roads in Ireland is 60 kilometres per hour (since the 7th day of February 2025) as implemented by the Road Safety Authority (RSA), I consider that the revised proposals submitted as part of the further information response would result in an improvement of sightlines to/from the farm lands and buildings and would accord with the standards as set out within the current Louth County Development Plan, as set out within Table 13.13 within Section 13.16.17 in relation to entrances and sightlines.

7.3.3 The appellants also raised the issue of the ability of the site to cater for large articulated vehicles entering/exiting the site for the delivery of grain. This issue was also raised as part of the further information request from the Planning Authority. The

applicants submitted a swept path analysis as part of their further information response dated the 22nd day of July 2025 to the PA where they demonstrate that a large articulated vehicle would have the ability to manoeuvre in a right-hand direction towards the R175 when exiting the subject site from the proposed new agricultural entrance.

7.3.4 I acknowledge that the construction and demolition stages of the development would result in an increase in traffic levels. However, this would be temporary in nature and that once the demolition and construction works are completed, that the agricultural development proposed relating to the storage of grain, hay, potatoes and farm machinery, would not result in an excessive increase in traffic levels entering/exiting the appeal site.

7.3.5 I note that the Placemaking and Physical Development Section within Louth County Council outlined no objections to the proposed new agricultural entrance and setbacks along the roadside boundary (as set out within the further information response) in order to achieve the visibility splay as required under the LCDP standards. They have recommended that a number of standard conditions are included in the event that a grant of planning permission is being recommended including that sightlines as set out within the Site Layout Plan drawing number RM-1024-05-Rev B as submitted to the PA on the 22nd day of July 2025 be made available prior to the commencement of any demolition or construction works of any agricultural buildings, that the applicant/developer be responsible for any damage occurs to the adjoining public road or that the full cost of any repair required be borne by the applicant and that measures be taken to prevent spillage of clay, rubble or material on the adjoining public road and that vehicles leaving the site are free of material that may be deposited on the adjoining public road.

7.3.6 In conclusion, I am conscious of the established agricultural activities on site, albeit they are somewhat historical and related to poultry development. However, the current proposals are stated to relate to tillage activities within an existing land holding where tillage crops are currently being grown within the surrounding lands, all within the same landholding belonging to the applicants. Given the nature and

scale of the agricultural development which is the subject of this appeal, and which is located within an established farmyard complex within a rural environment, I consider that the proposals to be acceptable from a traffic safety perspective and would not adversely impact upon the local road network by reason of health and safety or creation of a traffic hazard.

7.4 Environmental Issues and Water Quality

- 7.4.1 The existing and proposed agricultural structures are concrete surfaced and given the stated uses within the proposed structures relate to the storage of grain, potatoes and farm machinery, the issue of slurry/manure storage does not raise in this particular instance. The planning documentation submitted by the applicant includes details of their land holding at Millgrange which comprises 29 hectares and that they also lease a further 10 hectares in the adjacent townlands of Templetown and Rathcor further south-east of the subject lands on the opposite side of the R175.
- 7.4.2 The applicants set out the average annual yields expected from the grain crops within the subject lands would result in an annual grain harvest of 140 tonnes and an average annual yield of 4,500 tonnes of potatoes. The leased land holding is stated to generate approximately 330-350 tonnes of hay per annum. The applicants state that the crops to be stored have no particular specialised storage requirement. It is stated that no drying of grain crops will occur within the sheds. They state that crop sowing season occurs between the months of June and September and crop harvesting occurs between the months of July and September.
- 7.4.3 Proposals in this regard have been considered acceptable by the Planning Authority, subject to standard agricultural practice conditions. The Environment Section within Louth County Council outlined no objections to the development subject to a number of conditions in relation to submitting a Project Construction and Demolition Waste Management Plan (PCDWMP) for the written agreement of the PA prior to the commencement of development, the inclusion of construction and demolition work

hours and that all loading/unloading/storage of grain/potatoes occur within the proposed sheds and not in the external open yard areas.

- 7.4.4 The Coimisiún should note that land spreading does not form part of this application, and that this process is regulated under the European Union (Good Agricultural Practice for Protection of Waters) 2026 Regulations, as amended. The regulations contain specific measures to protect surface waters and groundwater from nutrient pollution arising from agricultural sources. This includes, inter alia, no land spreading within 5-10 metres of a watercourse following the opening of the spreading period (16th January for Louth). I note that an Appropriate Assessment was completed as part of Ireland's fifth Nitrates Action Programme (NAP) 2022-2025, which is given effect by the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2026 and concluded that the programme would not adversely affect the integrity of any European Site.
- 7.4.5 In terms of surface water management, the applicants submitted a soakaway design report as part of their surface water management proposals and are proposing to install a soakaway that would cater for the surface water run-off from the roof areas and hard surface areas within the subject site, although it is stated the access driveway would comprise a permeable hardcore material. I consider that the soakaway proposals would be SuDS compliant and would be in compliance with policy objectives IU 1 and IU19 in relation to surface water management proposals being SuDS compliant and site specific and to minimise the area of hard surface areas within sites.
- 7.4.6 In conclusion, I am satisfied that the applicants have submitted adequate information as part of this planning documentation, in terms of surface water will be managed within the site and that he has demonstrated that adequate soakaway storage will be available on site to manage the surface water generated on site. Therefore, I consider that the proposals would not adversely impact upon the local environment, and more particularly water quality. This particular matter will be assessed in greater detail within Section 8.0 of this report (Appropriate Assessment) and within Appendix 1 (EIA Pre Screening).

7.5 Other Issues

Landscape and Visual impact

7.5.1 The appellant has raised the issue of the farm structures which are the subject of the current appeal being excessive in scale and that they would adversely impact the local landscape. I note from the elevation plan drawings submitted as part of the planning documentation that the maximum height of the proposed agricultural structures would be eight metres, with an eaves height of 5.9 metres. I acknowledge that the existing poultry structures on site have a much lower ridge height which reach a maximum of five metres. The applicants have set out within their planning documentation submitted that the ridge height of eight metres is required to ensure that modern agricultural machinery can gain access to the structures. I am satisfied that the height and scale of the proposed farm structures under the current proposals are acceptable in this instance and would allow for access for larger agricultural machinery and loaders for loading/unloading of grain/potatoes. I also note that their location to the rear (west) of the existing farm structures, that they will not be particularly visible nor prominent from the adjoining public roadway. They will be set back in excess of ninety metres from the adjoining Crosslaney Road.

7.5.2 I also note that the applicants submitted landscaping proposals as part of their further information response to the Planning Authority on the 22nd day of July 2025. These proposals relate to the setting back of the existing roadside boundary in order to achieve the required sightline splay and also in the area where the poultry houses would be demolished. The applicants stated that the planting would use native tree species in the form of Horn Beam, Beech and Birch as well as hawthorn hedging. In the event that a grant of planning permission is being recommended, a planning condition can be included for a detailed landscaping plan to be submitted and agreed with the PA prior to the commencement of development.

7.5.3 The appeal site is located within the Carlingford Lough & Mountains including West Feede uplands as per the current Louth Landscape Character Assessment which forms part of the LCDP 2021-2107. This particular landscape area is classified as being of international importance. However, this brownfield agricultural site is located

on the perimeter of this particular LCA area, given the site is removed from Carlingford Village by a distance of approximately three kilometres and the Carlingford Mountains by a distance of approximately 1.4 kilometres, in an area where there are a number of existing agricultural and equine related developments, I consider that its location within this rural area to be acceptable.

Uses within proposed agricultural buildings

7.5.4 The appellants have raised the issue of proposed commercial or industrial uses being conducted from the agricultural sheds or that the agricultural sheds would be used by third party's for the storage of grain or other agricultural produce. As per the public notices, the applicants are seeking to construct three agricultural sheds within the site and within their planning documentation they state that the sheds will be used for the storage of grain, potatoes and agricultural machinery. The applicants own twenty-nine hectares of land at this location at Millgrange, Carlingford as stated within their submitted Business Plan and land folios to support this claim have also been submitted. I note that there are no other modern agricultural sheds currently within their land holding. The applicants have also submitted correspondence from Teagasc which sets out the average annual returns from grain and potato crops per annum within Ireland, and this states that the scale of the proposed agricultural structures is commensurate within the annual returns from tillage crops, specifically grain and potatoes in this instance. An allowance has also been made for the storage of agricultural machinery and hay within the proposed sheds. It is on the basis of the submitted information that I am conducting my assessment. In the event that grant of planning permission is being recommended, a condition would be included that the proposed sheds be used for agricultural purposes only.

Asbestos

7.5.5 The appellants raised the issue of disposal of asbestos from the roofs of the existing poultry structures which are to be demolished under the proposals. The issue of asbestos disposal is not specifically a planning matter but is a matter of public health. In the event that a grant of planning permission is being recommended, a

condition can be included that the disposal of waste material from the site, including asbestos shall be to a licensed waste facility so that the demolition materials are disposed of in accordance with best practice waste regulations.

Vermin

7.5.6 The appellants have raised the issue of the grain storage and spillage within the site and on the adjoining roads as attracting vermin to the area. The issue of vermin control is not specifically a planning matter but is a matter of public health. However, I do not consider that it would be in the farmers interest to waste grain through spillages as this would result in reduced financial returns. However, in the event that a grant of planning permission is being recommended, a condition can be included that all grain trailers that leave/visit the site shall be fitted with dust covers so as to minimise any loss of grain from vehicles egressing the subject site.

Greenway

7.5.7 The applicants were requested to note that one of the proposed route corridors (Route corridor 2) for the Dundalk Bay to Carlingford Greenway passes through the subject site and they were requested as part of the further information request to provide for same within their proposal. The applicants have provided two potential routes for the proposed Greenway, one passing to the north of the subject site and another traversing the eastern part of the subject site and then further south of the proposed agricultural structures. Given that the PA granted permission for the proposals which provide for two possible options for Route Corridor 2 which is one of a number of Route Corridor options, I consider what the applicants have presented as being acceptable and would not hinder the realisation of the Greenway Route.

8.0 Appropriate Assessment

8.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approximately 1.4 kilometres east of the Carlingford Mountains SAC (site code 000453). The Carlingford Lough SPA (site code 004078) and The Carlingford Shore

SAC (site code 002306) are both located approximately 1.6 kilometres north-east of the subject site. The Carlingford Lough SPA (site code UK9020161) is located approximately 3.2 kilometres north-east of the subject site on the northern side of Carlingford Lough however, does not form part of the Natura 2000 network of designated sites, although follows along similar conservation principles. The development description was set out within Section 2 of the report above. The applicants submitted an Appropriate Assessment (AA) Screening Report as part of their planning documentation which concluded that 'no negative impacts upon any Natura 2000 site will arise that that a finding of no significant impact (FONSI) can be reached'. The PA conducted an AA screening exercise and concluded that 'the development proposed would not be likely to have a significant effect individually or in combination with other plans or projects on any European site (Special Area of Conservation or Special Protected Area) and as such an Appropriate Assessment (Stage 2 AA) is not required'.

- 8.2 There are no watercourses nor drainage ditches located within the confines of the appeal site. As per the data set out within the OPW flood mapping www.floodinfo.ie part of the appeal site is located within Flood Zone B and the remainder of the subject lands are located within Flood Zone C where there is a low risk of flooding. I note that agricultural sheds are deemed to constitute a less vulnerable use as per the definition set out within the Flood Management Guidelines. I note that the applicants have submitted a surface water management Report as part of their planning documentation which states that surface water (clean) generated within the subject site would be managed through the use of on-site surface water soakpits and, therefore, would not increase the risk of flooding within the site or on adjacent lands.
- 8.3 Three European sites were identified within a two kilometre radius of the appeal site, as referenced in Section 8.1 above. I consider that this site can be screened out due to the absence of direct surface water hydrological or ecological pathways from the appeal site to this European site. Therefore, I am satisfied that the appeal site does not contain any habitat that would be of particular interest in terms of resting or

feeding, for the qualifying interest species associated with the Carlingford Mountain SAC or the Carlingford Lough SPA European sites.

8.4 I note that the applicants state that the farm structure would be concrete floored and no farm animals would be housed within the structures which are proposed for storage of grain, potatoes and farm machinery only. Surface water would also be managed on site through the use of soakaways. Therefore, I am satisfied that no adverse impacts on water quality, or the qualifying interest(s) or conservation objective(s) of European sites would arise.

8.5 I am satisfied that the implementation of the standard control construction measures including those of surface water management, referenced within Sections 7.4.6 and 7.4.7 of my report above will not result in the proposed development adversely impacting upon surface nor ground water quality within the area. I consider that even in the unlikely event that the standard construction control measures should fail, an indirect hydrological link to the Carlingford Lough SPA and Carlingford Shore SAC European sites represents a weak ecological connection, given the separation distance to the nearest European sites. As such any pollutants from the site that should enter groundwater during the construction stage, via spillages onto the overlying soils, or via spillages into the surrounding drains, will be subject to dilution and dispersion within the groundwater body, rendering any significant impacts on water quality within the Carlingford Lough and Shore European sites unlikely. This conclusion is supported within the Planning Authority's AA screening Report conclusion, specifically referenced in paragraph 8.1 above.

8.6 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 the Carlingford Lough SPA and Carlingford Shore SAC European sites or any other European Site. The reason for this conclusion is as follows:

- The relatively modest scale of the development, which relates to the demolition of two existing poultry structures and the construction of three agricultural structures and permission for retention of demolition of a farm building and ground excavation works.

- The separation distance from the nearest European sites and the absence of direct hydrological or ecological connectivity to any Natura 2000 site.
- The AA screening exercise conducted by the Planning Authority which concluded that either alone or in combination with other plans or projects, there would be no likely significant effects on any European sites.
- The AA screening exercise conducted by the applicants' Environmental Consultant which concluded that either alone or in combination with other plans or projects, there would be no likely significant effects on any European sites

8.7 I conclude, that on the basis of objective information, the proposed development would not have a significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and, therefore, Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

9.0 **Recommendation**

I recommend that permission for the demolition of two existing poultry sheds and for the construction of three agricultural sheds and all associated site works and permission for retention of an unauthorised development consisting of the demolition of a poultry shed and existing ground excavation works be granted.

10.0 **Reasons and Considerations**

Having regard to the rural location of the site; the demonstrated need for the additional farm buildings to cater for grain, potato and machinery storage on this land holding as set out within the Teagasc correspondence submitted as part of the planning documentation, the established and permitted farm complex and practices on the holding; the character and pattern of development in the vicinity; and to the provisions within Section 13.13.11.7 and policy objectives EE61 and EE62 in relation to supporting the agricultural sector and facilitating and supporting alternative farm enterprises within the Louth County Development Plan 2021-2027, it is considered, subject to the conditions set out below, that the development would not seriously injure the amenities of the area, adversely impact the local road infrastructure, nor

adversely impact upon the local receiving environment nor landscape, nor adversely impact upon water quality nor give rise to disturbance of protected habitats or species in any European site. The development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application to the Planning Authority on the 11th day of October 2024 and as amended on the 22nd day of July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The construction of the new agricultural entrance onto the adjoining public Road (Crosslaney Road) R744 and the set back to provide for the required visibility splay shall be completed in accordance with the details as submitted on the Site Plan (Drawings no. RM-1024-05-Rev B) as submitted to the Planning Authority on the 22nd day of July 2025. Certification from a suitably qualified Consultant Engineer that these works have been completed shall be submitted to the Planning Authority prior to the commencement of the demolition of the poultry sheds and construction of the proposed three agricultural structures.

Reason: In the interests of traffic and public safety.

3. (a) A landscape masterplan prepared by a suitably qualified professional shall be submitted for the written agreement of the planning authority within three months of this grant of planning permission. The landscaping scheme shall be implemented in full within the first planting season following substantial completion of external construction works.

(b) 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 completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

(c) The eastern boundary treatment shall comprise a post and wire fence with a maximum height of 1.05 metres above ground level. The post and wire fence shall be backplanted with a native hedgerow as per the details submitted within Site Plan drawing number Drawings no. RM-1024-05-Rev B as submitted to the Planning Authority on the 22nd day of July 2025.

Reason: In the interest of residential and visual amenity.

4. Water supply and drainage arrangements for the site, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Final drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of environmental protection, public health and to ensure a proper standard of development.

- 5 The two poultry sheds shall be demolished in advance of construction works commencing on the three agricultural structures. The use of the proposed three agricultural buildings shall be for the storage of agricultural produce and machinery only.

Reason: In the interest of clarity.

- 6 All waste generated by the proposed demolition and construction works shall be disposed of to an authorised waste facility which is suitably licensed.

Reason: In the interest of public health.

- 7 The external finishes of the proposed agricultural buildings shall comprise of concrete rising walls and a dark coloured (dark brown, green or grey) coloured cladding or otherwise to be agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interest of visual amenity.

- 8 Site development, demolition and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.
Reason: In order to safeguard the residential amenities of property in the vicinity.
- 9 Prior to the commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's 'Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects' (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.
Reason: In the interest of proper planning and sustainable development.
- 10 All grain trailers that leave/visit the site shall be fitted with dust covers.
Reason: In the interest of public health.
- 11 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.

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.

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.

Fergal Ó Bric
Planning Inspectorate

14th day of September 2026

Appendix 1 - Form 1

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	ACP-323604-25		
Proposed Development Summary	Permission to demolish two existing poultry sheds and to construct three agricultural sheds and all associated site works and permission for retention of an unauthorised development consisting of the demolition of a poultry shed and existing ground excavation works.		
Development Address	Crosslaney Road, Millgrange, Carlingford, Co. Louth		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	x
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank		
No	Tick or leave blank	The demolition of two poultry sheds and construction of three agricultural sheds and all associated site works and permission for retention of an unauthorised development consisting of the demolition of a poultry shed and existing ground excavation works does not fall within a class of development as per Schedule 5 of the current Planning & Development Regulations.	x
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes	Tick/or leave blank		
No	Tick/or leave blank		X
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	Proposals relate to the demolition of two poultry sheds and construction of three agricultural sheds, and all associated site works and permission for retention of an unauthorised development consisting of the demolition of a poultry shed and existing ground excavation works retention and completion of an agricultural structure.	X

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	X
Yes		

Inspector: _____ **Date:** _____