



An
Coimisiún
Pleanála

Inspector's Report PL-500035-WX

Development	Permission for the retention of works completed to date and for the erection of a steel framed extension to existing farm shed consisting of cubicle housing, straw bed area, feeding passage and underground slatted tank and all associated site and ancillary works.
Location	Ballygarrett, Kilnahue, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20250927
Applicant(s)	Peter Kavanagh
Type of Application	Permission for retention and planning permission
Planning Authority Decision	Grant
Type of Appeal	Third Party V Grant
Appellant(s)	Brendan Kavanagh

Observer(s)

None.

Date of Site Inspection

15th day of December 2025

Inspector

Fergal Ó Bric

1.0 Site Location and Description

1.1 The subject site has a stated area of 0.74 hectares and is located in the rural townland of Ballygarrett, which is located approximately five kilometres north-west of the settlement of Gorey. The site is accessed from a local county road, which in turn accesses onto the R725 approximately 1.5 kilometres south of the subject site, a regional route linking Gorey in north County Wexford with Carnew in south County Wicklow.

1.2 The subject site is currently in agricultural use and comprises two large three bay agricultural sheds on either side of a hard surfaced yard area and silage pit. The existing sheds comprise cubicle and slatted areas for cows, a milking parlour and dairy as a dry bedding area for animal wintering, where there were cattle wintering on the day of my site inspection.

1.3 The existing farm structures on site comprise a stated area of 1,609 square metres. The existing farm structures are set back approximately fifty metres north-east of the local county road and north-west (behind) behind the residential dwelling (stated to belong to the applicants' parents). The existing farm structures sought to be retained and completed under the current proposals would be located approximately eighty metres set back from the local road, north (to the rear) of the residential dwelling and would be attached to and immediately contiguous to the existing farm buildings on site. There is a combined residential and farm access laneway to the side (south-west) of the residential dwelling and farm buildings which is the main access to the farmyard complex. Access to the appeal site is from the local county road via the farm access laneway. The site slopes gradually downwards from the agricultural buildings, from north-east to south-west towards the public road. There is a large undeveloped field to the rear (north, north-west and east) of the established farmyard complex. There is a post and wire fence located east and north-east of the farm structures which divides a large field into grazing paddocks and hedgerow boundary fence further along the

northern and western site boundaries, a wall and shrubbery separate the farm buildings from the applicants' parents dwelling.

2.0 Development

- 2.1 The development comprises the retention and completion of a four bay A-framed agricultural shed comprising a slatted area with underground slurry storage tanks, a loose dry bed area, cubicle areas and a feed passage comprising a total stated floor area of 603 square metres. The planning drawings submitted illustrate an area of 234 square metres where an agricultural shed is stated to have previously existed prior to the construction of the new agricultural shed structure.
- 2.2 The agricultural shed has a length of 27.65 metres and a depth of 19.185 metres, with a windbreak mesh vent (to be completed) at the roof apex to provide for ventilation and a maximum ridge height of approximately 7.165 metres, consistent with the height of the existing adjoining agricultural sheds on site. The hard standing arrangements will remain. The existing natural screening along the western and northern site boundaries are not impacted by the development proposals.
- 2.3 The Planning Authority conducted an Appropriate Assessment (AA) Screening exercise and concluded 'Having regard to the limited extent of the proposed works and the substantial distance to the nearest Natura 2000 sites, no element of the project alone or in combination is likely to give rise to any impacts on the Natural 2000 sites...It is considered that significant impacts can be ruled out and Stage 2 AA is not required'.
- 2.4 The Planning documentation included correspondence from a Teagasc agricultural advisor, and a Fertiliser Plan (Nutrient Management Plan) as submitted by the applicant to the Department of Agriculture, Food and the Marine. This Plan provides details of Nitrogen and Phosphorus application to his lands, details of manure/soiled

water production and storage on site, as generated by his farm cattle. This plan pertained to the 2024 calendar year.

3.0 **Planning Authority Decision**

3.1 **Decision**

By order dated 19th day of September 2025, Wexford County Council (WCC) issued notification of the decision to grant permission subject to five standard conditions.

The pertinent conditions are as follows:

Condition numbers 2 and 3: Development Contributions

Condition number 4: All storm water generated on site must be diverted as per the details submitted as part of the planning documentation.

Condition number 5: All farmyard manures, slurries and soiled water generated from the farming enterprise shall be stored, contained and applied to land or exported in accordance with S.I. 113 of 2022 European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022.

3.2 **Planning Authority Reports**

3.2.1 On the basis of the planning report, the proposals were deemed to be acceptable subject to standard agricultural conditions as set out within Section 3.1 above. A grant of permission was recommended, which forms the basis of the Planning Authority decision to grant permission.

3.3 **Other Technical Reports**

Environment Section: No objections, subject to conditions.

Roads Department: No objections.

3.4 **Prescribed Bodies**

Not referred.

3.5 Third Party Observations

One third party observation was made on this application by a neighbouring resident. 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:

- That subsoil related to the development works was placed close to the river Bann watercourse without planning permission.
- The height and scale of the development is not consistent with the existing farm buildings on site.
- The farm structure is too tall and blocks skyline views.
- Sightlines at the entrance are restricted and could result in health and safety issues.

4.0 Planning History

On site:

Planning reference number 2018/1586-In 2018 planning permission was granted to erect a steel framed agricultural shed over a slatted tank, feeding passage and straw bed area and all associated site and ancillary works.

Planning Enforcement:

Reference number-0244-2024. In 2024, a warning letter was issued to the applicant regarding possible non-compliance with planning conditions set out under planning reference 2018/1586.

Reference number-0119-2025. In 2025, a warning letter was issued to the applicant regarding possible erection of an unauthorised farm structure. This relates to the structure which is the subject of the current appeal.

5.0 Policy and Context

5.1 Wexford County Development Plan 2022-2028

The Wexford County Development Plan 2022 -2028 was adopted by the Planning Authority on 13th day of June 2022 and came into effect on the 25th day of July 2022. The relevant sections of the Plan are set out within Volume 1, Chapter 8 and Volume 2, chapters 5 and 6 and Volume 7 in relation to Landscape Character Assessment.

Volume 1: Written Statement

Chapter 8: Transportation Strategy

Section 8.8 Sightlines which require works

The Council will ensure that all developments are served by safe accesses onto public roads in accordance with the standards contained in the Development Management Manual.

Volume 2: Development Management Manual

Section 5: Enterprise and Employment Developments

Section 5.5: Agricultural Developments

Section 5.5.1 Agricultural Buildings

‘The Planning Authority will facilitate agriculture developments at appropriate locations. The Planning Authority recognises the need for agricultural buildings and acknowledges that there is often a requirement for these structures to be significant in scale. Notwithstanding this, these buildings will be required to be sympathetic to their surroundings in terms of scale, materials and finishes. The buildings should be sited as unobtrusively as possible and the finishes and colours used must ensure the buildings will blend into its surroundings and landscape. The use of appropriate roof colours of dark green and grey will be required. Where cladding is proposed it shall be dark in colour also’.

Section 6: Transport and Mobility

Section 6.26 Siting and design of Access/Egress points

'The Planning Authority will only permit the formation of a new, or the material intensification of use of an existing, vehicular access/egress to a public road (including to/from a private laneway) where it has been demonstrated that

- The principle of a new/intensified access point to/from that category of road satisfies the criteria for such as set out in the roads section of Volume 1 Chapter 8 Transportation Strategy.

Volume 7: Landscape Character Assessment

The appeal site is located within 'lowlands' as per the LCA assessment.

Section 7.4 Landscape and Biodiversity

'New developments should have regard to the location of new buildings/extensions relative to planted boundaries. Prior to construction, the applicant shall provide details of adequate measures on site to protect all planting/trees to be retained and this protection shall be maintained throughout the development during the construction period'

5.2 Natural Heritage Designations

The nearest Natura 2000 site to the appeal site boundary is the Slaney River Valley SAC (site code 000781) located approximately 710 metres east of the nearest part of the appeal site boundary.

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 structure and its 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 nearest water body to the appeal site is the River Slaney watercourse which is located approximately 710 metres east of the appeal site.

The development comprises the erection of a steel framed extension to an existing farm shed consisting of cubicle housing, straw bed area, feeding passage and underground slatted tank and all associated site and ancillary works. 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, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Having regard to the relatively minor scale and nature of the development.
- The separation distance between the appeal site and the Slaney watercourse,
- The existing established 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 Wexford County Council to grant permission has been appealed by a neighbouring resident. The grounds of appeal include the following:

- Sightlines of 65 metres are not available at the entrance to the public road,
- The diversification to a dairying enterprise in the year 2020 has resulted in increased traffic in and out of the farmyard with additional ready-mix lorries, milk collection lorries and animal feed lorries.
- The site entrance is located on a bend along a narrow road.
- The development is two metres too high and not in keeping with other development within the farmyard complex.
- Wexford County Council did not seek the submission of an environmental impact study in relation to the placing of subsoils in proximity to the River Bann.
- All subsoils should be removed under a waste permit from the works carried out for this development.

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 a four bay agricultural shed comprising a slatted element, underground slurry storage tanks, a loose dry bedding area, cubicle areas and all associated site works immediately adjoining existing farm structures within an existing 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 report prepared by the Planning 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 retention and completion of a four bay agricultural structure. The farm structure incorporates a slatted area with underground slurry storage tanks, a dry loose straw bed area and cubicle areas all within an existing farmyard complex. The appeal site is located within a rural area, as designated within the current Wexford County Development Plan and there are a number of other agricultural enterprises located adjacent to the appeal site and in the wider rural hinterland. Section 5.5.1, within Volume 2 of the current WCDP sets out the following in relation to agricultural development: 'facilitating agricultural development at appropriate locations' and 'that there is often a requirement for these structures to be significant in scale' and that the buildings 'should be sited as unobtrusively as possible and the finishes and colours used must ensure the building will blend into its surroundings and landscape and 'the use of appropriate roof colours of dark green

and grey will be required'. I am of the opinion that the proposals would be in accordance with this particular Development Plan provision.

7.2.2 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 is proposed to use the existing established private agricultural and domestic laneway to access the proposed development from the adjoining public road. This farm access laneway serves the existing farmyard and buildings and is located immediately south-west of the applicants' parent's residential property and the existing farmyard complex. Sightlines at the existing farm entrance with the public road, although not specifically detailed on the Site layout Plan submitted by the applicant are considered adequate, given the speed limit along local roads is 60 kilometres per hour (since the 7th day of February 2025) as implemented by the Road Safety Authority (RSA).

7.3.2 I acknowledge that the construction traffic levels resulted in an increase in traffic levels. However, this would have been temporary in nature and that once constructed, that the agricultural development, existing and proposed, would not result in an excessive increase in traffic levels entering/exiting the appeal site, above the traffic levels that were previously generated on the appeal site.

7.3.3 Based on the correspondence submitted from Teagasc, dated June 2025, the applicant is stated to have switched to dairy farming in 2020. Therefore, milk lorries would have been collecting milk from the farm enterprise since that point. Therefore, I do not consider that the farm extension will result in an increased milk collection frequency by the milk processor, rather the development provides for increased rationalisation within the farmyard complex whereby cows would be moved less

frequently, additional feed space would be provided and overall safety on the farm would be improved and result in less labour-intensive activities for the applicant/farmer.

7.3.4 In conclusion, I am conscious of the nature and relatively modest 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 planning documentation submitted by the applicant includes details of animal stocking numbers and a Fertiliser Plan (Nutrient Management Plan) as submitted to the Department of Agriculture, Food and the Marine (DAFM) for the calendar year 2024. The plan outlines that the manures produced on the holding and storage facilities on the farm amount to a total slurry storage requirement of 650 m³ over the required 18-week period. I note that the total storage capacity of the proposed slatted tanks as per Nutrient management Plan (NMP) is stated to be 799.4 m³ and, therefore adequate slurry storage would be provided for on site. The farmyard manure generated on site (64 m³) will also be accommodated and managed within the development.

7.4.2 Slurry and manure will be spread directly from the slats/loose dry bed areas to his lands, and the planning documentation includes details of land availability for spreading of both wastes, stated to comprise 56.33 hectares. These lands are immediately contiguous to the farmyard complex. Proposals in this regard have been considered acceptable by the Planning Authority, subject to standard agricultural practice conditions. The Environment Section within Wexford County Council outlined no objections to the development subject to a number of conditions in relation to complying with current Department of Agriculture, Food and the Marine construction specifications, that all storm water from the roof of the proposed farm

structure be diverted to a new storm water system and that all manure, slurries and soiled water generated on site be stored, contained and applied to lands in accordance with the EU Good Agricultural Practice for Protection of Water Regulations 2025. Planning conditions to this effect (condition numbers 4 & 5) were included as part of the Planning Authority decision.

- 7.4.3 It is noted stated that the development is roofed and, therefore, under cover. Handling facilities for animals are indoors and, therefore, no animals, slurry or farmyard manure will be stored in the open yard areas. Yards would be kept clean and free from any build-up of soiled water.
- 7.4.4 Having regard to the above, I am satisfied that the applicant has demonstrated that adequate capacity and proposals for the storage and disposal of effluent within the appeal site is provided. Ultimately, the management of effluent arising from agricultural activities and the undertaking of land spreading is governed by the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025, and the applicant will be required to operate in accordance with the relevant DAFM specifications, especially in the light of making a grant aid application, to assist in the cost of developing the proposed farm buildings. Condition numbers 4 and 5 of the PA decision both include statements to this effect.
- 7.4.5 In terms of groundwater, as per the EPA groundwater mapping (<https://gis.epa.ie/EPAMaps/Water>), the appeal site overlies the Ballyglass groundwater body which is identified as being 'at risk'. However, I am satisfied that the agricultural development will not adversely impact the underlying groundwater body, given the absence of deep excavations required to construct the development.
- 7.4.6 The Board should note that land spreading does not form part of this application, and such process is regulated under the European Union (Good Agricultural Practice for Protection of Waters) 2025 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 (12th January for Wexford). 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 2025 and concluded that the programme would not adversely affect the integrity of any European Site.

- 7.4.7 Notwithstanding this, land spreading of manure that does not comply with the above-mentioned legislation has the potential to give rise to likely significant effects on European sites within the zone of influence, having regard to the relevant sites' conservation objectives and the likelihood for these effects have been assessed in the Appropriate Assessment screening conducted by the Planning Authority and will be addressed as part of an Appropriate Assessment screening exercise included as Section 8.0 of this report below.
- 7.4.8 In terms of the reference by the appellant to the tipping of subsoil adjacent to the River Bann, I note that no photographic evidence of such tipping has been submitted. I note that the PA report states that the proposals were referred to the Environment Section within Wexford County Council and have outlined no objections to the development and recommended that permission be granted subject to a number of planning conditions. The Planning Report also notes that the land folio details submitted as part of the planning documentation 'show the lands in the applicant's control are not adjacent to the River Bann'. Therefore, I do not consider that the development would adversely impact within the River Bann nor to any other watercourse.
- 7.4.9 In conclusion, I am satisfied that the applicant has submitted adequate information as part of this planning documentation, in terms of how waste will be managed within the site and that he has demonstrated that adequate effluent storage will be available on site to manage the effluent generated on site. The details provided are in accordance with best practice guidance as set out by the DAFM. 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

Visual impact

7.5.1 The appellant has raised the issue of the farm structures which are the subject of the current appeal being two metres taller than the existing farm structures within the complex and that they are too tall. I note from the elevation plan drawings submitted as part of the planning documentation that the maximum height of the structure to be retained would be 7.168 metres which is consistent in height with the adjoining farm structures within the farmyard complex. Therefore, I am satisfied that the height and scale of the farm structures sought to be retained and completed under the current proposals are acceptable in this instance. I also note that their location to the rear (east) of the existing farm structures, that they will not be particularly visible nor prominent from the adjoining public roadway. I also note that there are existing hedgerow boundaries along the northern and western site boundaries which are mature and restrict views of the farmyard complex of buildings.

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 710 metres west of the Slaney River Valley SAC (site code 000781). The development description was set out within Section 2 of the report above. The applicant did not submit an Appropriate Assessment (AA) Screening Report as part of their planning documentation. The PA conducted an AA screening exercise and concluded that 'Having regard to the limited extent of the proposed works and the substantial distance to the nearest Natura 2000 sites, no element of the project alone or in combination is likely to give rise to any impacts on the Natural 2000 sites...It is considered that significant impacts can be ruled out and 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 ww.floodinfo.ie the appeal site and lands are located within Flood Zone C where there is a low risk of flooding. I note that the applicants state that surface water (clean) generated

within the subject site would be managed through the use of existing on-site surface water soakpits and, therefore, would not increase the risk of flooding within the site or on adjacent lands.

- 8.3 One European site was identified within a one 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 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 Slaney River Valley SAC European site.
- 8.4 I note that the applicant states that the farm structure would be served by slatted tanks and that soiled water would also be managed on site through the use of gullies. 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 Section 7.4.2 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 Slaney River Valley SAC 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 Slaney River Valley SAC 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 Slaney River Valley SAC or any other European Site. The reason for this conclusion is as follows:

- The relatively modest scale of the development, which relates to the retention and completion of a farm building.
- The separation distance from the nearest European sites and the absence of 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.

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 retention and planning permission for a steel framed farm structure extension be granted.

10.0 Reasons and Considerations

Having regard to the rural location of the site; the demonstrated need for the additional farm building to house animals on this land holding as set out within the Teagasc correspondence and the Nutrient Management Plan 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 5.5.1 of the Wexford County Development Plan 2022-2028, in relation to 'facilitating agricultural development at appropriate locations and that there is often a requirement for these structures to be significant in scale', it is considered, subject to the conditions set out below, that the development would not seriously injure the amenities of the area, 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 28th 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. All foul effluent and slurry generated by the proposed development shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river, or watercourse, or to the public road.

Reason: In the interest of public health.

3. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-

(a) uncontaminated surface water run-off shall be disposed of to the satisfaction of the planning authority.

and

(b) all soiled waters, shall be directed to the slatted storage tank. 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.

- 4 All storage facilities for farmyard effluent shall:
- a) be so constructed, maintained, and managed as to prevent run-off or seepage, directly or indirectly, into groundwater or surface water of any effluent produced, and
 - b) designed and constructed in accordance with the Department of Agriculture, Food, and the Marine specifications as per the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2025 (S.I 588/2025).

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

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

Reason: In the interest of clarity.

- 6 The spreading of slurry or manure from this facility shall comply with the Requirements of the European Union (Good Agricultural Practices for the Protection of Waters) Regulations 2025, or as otherwise updated.

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

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

21st day of January 2026

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	PL-500035-WX		
Proposed Development Summary	Permission for retention and completion of an agricultural structure.		
Development Address	Ballygarrett, Kilnahue, Co. Wexford		
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 retention and completion of an agricultural structure 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 retention and completion of an agricultural structure.	X

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

Inspector: _____

Date: _____