



Development	Construction of a slatted livestock shed including an underground slurry storage tank and all ancillary site works
Location	Cullenagh, Timahoe, Laois
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2560839
Applicant(s)	Mary Kerr
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Peter Sweetman
Observer(s)	None
Date of Site Inspection	10/6/26
Inspector	Ronan Murphy

1.0 Site Location and Description

- 1.1. The appeal site is located within the townland of Cullenagh which is a rural area c. 3.67km to the north-west of Timahoe in Co. Laois.
- 1.2. The appeal site which has a stated area of c. 0.290ha and comprises of an existing farmyard which includes a number of agricultural buildings The appeal site is rectangular in shape and is bound by an area of hardstand to the east, north and south and an existing agricultural building to the west,
- 1.3. Access to the site is via a laneway which has access from the L-2776-0 which is a one lane local primary road.

2.0 Proposed Development

- 2.1. The proposed development comprises of a slatted livestock shed which includes an underground slurry storage tank and all ancillary associated site works.
- 2.2. The proposed shed would have an internal area of c. 123m² m in area, with a maximum ridge height of 8.065m which slopes down to 4.2m at the eaves.
- 2.3. The proposed storage tank would be below the ground floor of the shed. The proposed storage tank has an area of c. 121.54m³.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 By order dated 11/2/26 the Planning Authority decided to grant permission, subject to 14 conditions.

3.2. Planning Authority Reports

Planning Reports

- 3.2.1 There is one planning report on file dated 3/2/26. The area planner states that the principle of development is acceptable in this case and that the design / scale of the structure is typical of agricultural structures. It is considered that the proposed development would not adversely impact on the visual amenities of the area or on neighbouring residential amenity.

3.2.2 Annex 1 of the report comprises of an Appropriate Assessment Screening Report which outlines that having regard to the proximity of the nearest SAC / SPA and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC / SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.

3.2.1. Other Technical Reports

- **Environment:** Report dated 16/1/26 outlining no objection, subject to conditions.
- **MD Engineer:** Report dated 8/1/26 outlining no objection, subject to conditions.

3.3. Prescribed Bodies

3.3.1 There are no responses from prescribed bodies on file.

3.4. Third Party Observations

3.4.1 One submission was received by the Planning Authority to the application. The submission can be summarised as follows:

- The Planning Authority has four distinct sets of legal tasks when it deals with an application such as this one.
- It must assess the planning merits of Application in accordance with the Planning and Development Act 2000 (as amended) to ensure that the proposed development is in accordance with the proper planning and sustainable development of the area.
- Secondly, the Planning Authority is required to form and record a view as to the environmental impacts of the development, considering the EIA Report (EIAR) if furnished by the Applicant, the views of the public concerned and applying its own expertise or to screen the development for Environmental Impact Assessment.
- Thirdly, and different in nature to the first two tasks, the Planning Authority is the competent authority having responsibilities under the Habitats Directive.
- Fourthly the development must be assessed for compliance with the requirements of the Water Framework Directive.

4.0 Planning History

- 4.1. **Reg. Ref. 06682.** Application to construct an extension to an existing cattle house with slatted and loose areas and ancillary works. Permission granted, subject to conditions.

5.0 Policy Context

5.1. Development Plan

- 5.1.1 The operative plan for the area is the *Laois County Development Plan 2021-2027*. The following policies and objectives are pertinent:

DM RL1-General Considerations for Agricultural Buildings-. In dealing with applications for agricultural developments the Planning Authority will have regard to the following:

1) Require that buildings be sited as unobtrusively as possible and that the finishes and colour used will blend the development into its surroundings.

2) The proposed developments shall meet with the requirements of the Department of Agriculture with regard to storage and disposal of waste.

3) The Council accepts the need for agricultural buildings and associated works (walls, fences, gates, entrances, yards) to be functional but they will be required to be sympathetic to their surroundings in scale, material, and finishes.

4) Buildings should relate to the landscape. Traditionally this was achieved through having the roof a darker colour than the walls.

5) Appropriate roof colours are dark grey, dark reddish brown or a very dark green. Where cladding is used on the exterior of the farm buildings dark colours should be used.

6) Location and impacts on the road network and other associated uses

7) Ensure it does not have an undue negative impact on the visual/scenic amenity of the countryside and identify mitigating measures where required.

RL 1 - Maintain a vibrant and healthy agricultural sector based on the principles of sustainable development whilst at the same time finding alternative employment in or close to rural areas to sustain rural communities.

RL 2 - Facilitate the development of agriculture while ensuring that natural waters, wildlife habitats, and conservation areas are protected from pollution.

ES 17 – Implement the provisions of water pollution abatement measures in accordance with National and EU Directives and other legislative requirements in conjunction with other agencies as appropriate.

ES 18 - Maintain and improve the water quality in rivers and other water courses in the county, including ground waters.

BNH 1 – 9 - Policy Objectives for Biodiversity and Designated Sites - to conserve and protect habitats and species listed in the annexes of the EU Habitats Directive and the Birds Directive.

5.2. **Relevant National or Regional Policy / Ministerial Guidelines**

- Nitrates Action Programme (NAP) 2026-2028
- Climate Action Plan 2025.
- S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025
- Project Ireland 2040 – National Planning Framework-First Revision (2025) and National Development Plan 2021-2030.
- Department of Rural and Community Development’s Our Rural Future: Rural Development Policy 2021-2025.
- Department of Agriculture, Food, and the Marine’s Food Vision 2030.
- Department of Agriculture, Food, and the Marine’s Ag. Climatise A Roadmap towards Climate Neutrality.

5.3 **Other Guidance**

- European Commission’s ‘Farming for Natura 2000, Guidance on how to support Natura 2000 farming systems to achieve conservation objectives, based on Member States good practice experiences (2018).

5.3. **Natural Heritage Designations**

- 5.3.1 The appeal site is not located on or within any designated Natura 2000 site(s) or Natural Heritage Area(s). The River Barrow and River Nore SAC (Site Code: 002162) is the nearest European site which is c. 6km to the south of the site. The Ballyprior Grassland SAC (Site Code: 002256) is located c. 7.7km to the east.
- 5.3.2 In addition to this, the Timahoe Esker pNHA (Site Code: 000421) is located c. 2.6km to the south-east of the site.
- 5.3.3 This will be discussed in Section 9 below, relating to Appropriate Assessment.

6.0 EIA Screening

- 6.1. See completed Appendix 1 - Form 1 on file. Having regard to the nature and type of development proposed, it is not considered that it falls within the classes listed in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (As amended), and as such preliminary examination or an environmental impact assessment is not required.

7.0 The Appeal

7.1 Grounds of Appeal

- 7.1.1 A third party appeal has been received from Wild Ireland Defence CLG. The appeal raises issues with respect to the Appropriate Screening undertaken by the Planning Authority with reference to Kelly v An Bord Pleanála IEHC 400.

7.2 Applicant Response in the case of a 3rd Party Appeal

- 7.2.1 There is no applicant response on file.

7.3 Planning Authority Response

- 7.3.1 There is no response from the Planning Authority on file.

7.4 Observations

- 7.4.1 There are no observations on file.

7.5 Further Responses

- 7.5.1 There are no further responses on file.

8 Assessment

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

- Principle of development.
- Design and siting.
- Planning Authority Appropriate Assessment Screening.
- Flooding.
- Water Framework Directive Assessment.
- Appropriate Assessment.

8.2 Principle of development

8.2.1 The *Laois County Development Plan 2021-2027* is generally supportive of sustainable agriculture. The site is located within an existing farmyard in a rural area where the predominant land use is agriculture. I am satisfied that this agricultural proposal is consistent with nature of the site and the use is acceptable in principle.

8.3 Design and Siting

8.3.1 The proposed development is within an existing established agricultural farmyard. The proposed shed is 123m² m in area, with a maximum ridge height of 8.065m which slopes down to 4.2m at the eaves. It has a depth of 11m and a width of 12m. A storage tank is proposed below the ground floor of the shed. I refer the Coimisiún to Drawing No. 515-P-103 'Site Layout Plan' which states that the proposed storage tank has an area of c. 121.54m³.

8.3.2 The proposed livestock shed would be of modern specification with respect to its design and layout. It would be of conventional form, and it would be finished in standard materials. The proposed building would be sited to the east of the existing farmyard and in a position that would align with the existing cluster of farm buildings. The building would thus entail the extension eastward of the existing farmyard in a manner that would be visually coherent.

8.3.3 Having regard to the established nature of the existing farmyard, and to the scale and height of the proposed slatted livestock shed, I am satisfied that the development will not result in an adverse impact on the visual or scenic amenity of the area. The immediate receiving

landscape is an existing farm holding and there are no dwellings in the immediate vicinity of the proposed development. The proposed slatted livestock shed would integrate adequately within the landscape and would not detract from the value of same. Given that there are no houses in the immediate vicinity there would be no undue impacts on residential amenity by way of odour or noise, in my view. Overall, I consider the development is in accordance with Standard **DM RL1** of the *Laois County Development Plan 2021-2027*.

8.4 Planning Authority Appropriate Assessment Screening

- 8.4.1 The Appellant questions the appropriate assessment screening carried out by the Planning Authority in terms of the test applied, noting that the Planning Authority failed to carry out an Appropriate Assessment which is required under Article 6.3 of the Habitats Directive. The appellant cites *Kelly v An Bord Pleanála IEHC 400*.
- 8.4.2 The initial planners report includes an Appendix which comprises of an Appropriate Assessment and Screening Report. The report concludes that having regard to the proximity of the nearest SAC/SPA and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.
- 8.4.3 In addition to this, the Environment Department of Laois County Council did not object to the proposed development, subject to conditions.
- 8.4.4 Notwithstanding the above I have undertaken a Screening Exercise for Appropriate Assessment and I have concluded that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on The River Barrow and River Nore SAC (Site Code: 002162) or the Ballyprior Grassland SAC (Site Code: 002256) in view of the conservation objectives of this sites and is therefore excluded from further consideration. Appropriate Assessment is not required. Please see Section 9 and Appendix 2 for further details.
- 8.4.5 The Coimisiún should note that land spreading does not form part of this application, and such process is regulated under S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025. 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 (13th January for County Laois). I note that an Appropriate Assessment was completed as part of Ireland's sixth Nitrates

Action Programme (NAP) 2026-2028 concluded that the programme would not adversely affect the integrity of any European Site.

8.4.6 I make the Coimisiún aware that there is a drain within the field to the east of the appeal site, in turn, this drain runs along the eastern side of the access road to the appeal site. This drain was overgrown and could not be seen on the day of my site visit, but it could be heard and it is shown on the maps of the internal GIS mapping. The drain runs north along the access road for c. 129m before turning in a north-westerly direction before out falling into a bog c.509m to the north-west of the site. This bog is not identified as a Natura 2000 site on EPA maps (<https://gis.epa.ie/EPAMaps/>).

8.4.7 Having considered such, if the Coimisiún is of a mind to grant planning permission, then I would recommend that a condition which requires that the proposed development be designed, cited, constructed and operated in accordance with the requirements as outlined in the S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (as amended) and that the land spreading of soiled waters and slurry shall be carried out in strict accordance with the requirements as outlined in the aforementioned regulations

8.5 **Flooding**

8.5.1 I have consulted the flood mapping system (www.floodinfo.ie) and I note that the subject land is within Flood Zone 'C.'

8.5.2 Having considered the foregoing; I consider the proposed development would not result increase the risk of flood either within the site itself or the surrounding area. The proposal is acceptable from a flood risk perspective.

9 **AA Screening**

9.1 See completed screening determination form in Appendix 2. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on The River Barrow and River Nore SAC (Site Code: 002162) or the Ballyprior Grassland SAC (Site Code: 002256) in view of the conservation objectives of this

sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.2 This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections
- Taking into account the determination by the Planning Authority

10 Water Framework Directive

10.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.

10.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a deterioration in water quality.

10.3 The TRIB TRIOGUE CUSH BRIDGE_010 (IE_SE_14T450060) is c.254m to the west of the appeal site. This waterbody is classified as at-risk ecological status. This is illustrated on the EPA mapping (<https://gis.epa.ie/EPAMaps/>).

10.4 The proposed development comprises the construction of a slatted shed with an underground slurry storage tank. I have assessed the proposal and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.5 The reason for this conclusion is as follows:

- The small scale of the proposed development, and

- The location and distance from the nearest water bodies and the lack of hydrological connections.

Conclusion

10.6 I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment. Please see Appendix 3 below for further details.

11 Recommendation

11.1 I recommend that planning permission be granted for the reasons and considerations outlined below.

12 Reasons and Considerations

Having regard to the nature and scale of the development within an established agricultural farmyard, and the proposed developments compliance with the *Laois County Development Plan 2021-2027*, specifically Objective DM-RL 1, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the visual or scenic amenity of the area and would be acceptable in terms of public health, traffic and environmental sustainability. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13 Conditions

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

Reason: In the interest of clarity.

2. The use of the proposed building shall be for agricultural purposes only.

Reason: In the interest of clarity

3. Details of the finishes of the agricultural shed shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development and visual amenity

4. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-
 - (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways
 - (b) all soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025, as amended, or to a slatted tank. Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.
 - (c) all separation distances for potable water supplies as outlined in S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (as amended) shall be strictly adhered to.

Reason: In the interest of environmental protection and public health

5. The proposed development shall be designed, cited, constructed, and operated in accordance with the requirements as outlined in the S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (as amended). The land spreading of soiled waters and slurry shall be carried out in strict accordance with the requirements as outlined in the aforementioned regulations. Prior to the commencement of the development details showing how the applicant intends to comply with this requirement shall be submitted to and agreed in writing with the Planning Authority.

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

6. (a) A management schedule for the operation of the slatted shed shall be submitted to the planning authority, prior to the housing of animals in the facility.
- (b). The management schedule shall comply with the requirements of S.I. No. 588/2025 - European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (as amended) or as otherwise updated.
- (c) The management schedule shall provide for:
- the number, age, and types of animals to be housed,
 - arrangements for the disposal of slurry
 - arrangements for the storage and disposal of manure and
 - the cleansing of buildings and structures, including the public road, where relevant.

Reason: In order to prevent pollution and in the interest of amenity.

7. (a) The removal of organic waste material and its spreading on land by the applicant or third parties shall be undertaken in accordance with the systems of regulatory control implemented by the competent authorities in relation to national regulations pursuant to Council Directive 91/676/EEC (The Nitrates Directive) concerning the protection of waters against pollution caused by nitrates from agricultural sources.
- (b) If slurry or manure is moved to other locations off the farm, the details of such movements shall be notified to the Department of Agriculture, Food and Marine, in accordance with the above Regulations.
- (c) Where a third party removes the slurry or manure, the details of the agreement shall be submitted to the local authority where the waste material is to be disposed to.

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

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 me, directly or indirectly, following my

professional assessment and recommendation set out in my report in an improper or inappropriate way.

Ronan Murphy
Planning Inspector

11 June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500914-LS-26
Proposed Development Summary	Construct a slatted livestock shed including an underground slurry storage tank and all ancillary associated site works.
Development Address	Cullenagh, Timahoe, Co. Laois
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project.' Proceed to Q.2.
	<input type="checkbox"/> No, no further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	

<p>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</p>	
<p><input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</p>	
<p><input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5, or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p>	

<p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	
<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____

Appendix 2: Standard AA Screening Determination Template 2

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-500914-LS-26	
Step 1: Description of the project and local site characteristics	
Brief description of project	<p>The proposed development comprises a slatted shed, including an underground slurry tank.</p> <p>The proposed shed is 123m² m in area, with a maximum ridge height of 8.065m which slopes down to 4.2m at the eaves. It has a depth of 11m and a width of 12m. A storage tank is proposed below the ground floor of the shed. The proposed storage tank has an area of c. 121.54m³.</p>
Brief description of development characteristics and potential impact mechanisms	<p>The site has a stated area of 0.290ha and is within an existing farmyard. The River Barrow and River Nore SAC (Site Code: 002162) is the nearest European site which is c. 6km to the south of the site. The Ballyprior Grassland SAC (Site Code: 002256) is located c. 7.7km to the east.</p> <p>There are no watercourses or other ecological features of note on the site that would connect it directly to European Sites in the wider area. I note a watercourse (The TRIB TRIOGUE CUSH BRIDGE_010 (IE_SE_14T450060) is located c.254m to the west.</p>
Screening report	No

	Laois County Council screened out the need for AA.			
Natura Impact Statement	No			
Relevant submissions	N/A			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
The River Barrow and River Nore SAC (Site Code: 002162)	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Reefs [1170]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]</p> <p>European dry heaths [4030]</p> <p>Hydrophilous tall herb fringe communities of plains and of the mountain to alpine levels [6430]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p>	c.6km	No direct connection, potential indirect connection	Y

	<p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Vandenboschia speciosa (Killarney Fern) [6985]</p>			
Ballyprior Grassland SAC (Site Code: 002256)	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]	c.7.7km	No direct connection, or indirect	N
<p>¹ Summary description / cross reference to NPWS website is acceptable at this stage in the report</p> <p>² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species</p> <p>^{3.} if no connections: N</p>				
<p>Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites</p>				

AA Screening matrix		
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
Site No.1	Impacts	Effects
<p>The River Barrow and River Nore SAC (Site Code: 002162)</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Reefs [1170]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>European dry heaths [4030]</p> <p>Hydrophilous tall herb fringe communities of plains and of the</p>	<p>Direct:</p> <p>None</p> <p>Indirect</p> <p>localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction.</p>	<p>The nature, scale and extent of the proposed works, the established farming use on the site, the absence of a direct hydrological link, implementation of standard construction techniques, and distance from receiving features connected to the SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC for the QIs listed.</p> <p>Conservation objectives would not be undermined.</p>

<p>montane to alpine levels [6430]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Vandenboschia speciosa</p>		
---	--	--

(Killarney Fern) [6985]		
Site :2 name Qualifying interests	Impacts	Effects
Ballyprior Grassland SAC (Site Code: 002256) Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco- Brometalia) (* important orchid sites) [6210]	Direct: None Indirect localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction.	The nature, scale and extent of the proposed works, the established farming use on the site, the absence of a direct hydrological link, implementation of standard construction techniques, and distance from receiving features connected to the SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC for the QIs listed. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? All effluent from the livestock shed will be disposed of via the underground slurry tank. With regards to the slurry tanks, I note that these will be designed and sealed in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025, as amended. Furthermore, I note that the application of fertilisers are regulated under the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025, 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	

	<p>following the opening of the spreading period (12th January for County Laois). I note that an Appropriate Assessment was completed as part of Ireland's sixth Nitrates Action Programme (NAP) 2026-2028, which is given effect by the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025, and concluded that the programme would not adversely affect the integrity of any European Site.</p> <p>Notwithstanding this, the Coimisiún should note that the carrying out of land spreading does not form part of this application.</p>
--	--

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

I conclude that the proposed development (alone) would not result in likely significant effects on The River Barrow and River Nore SAC (Site Code: 002162) or the Ballyprior Grassland SAC (Site Code: 002256). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Screening Determination

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the River Barrow and River Nore SAC (Site Code: 002162) or the Ballyprior Grassland SAC (Site Code: 002256) in view of the conservation objectives of this sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections
- Taking into account the determination by the Planning Authority.

Appendix 3: Water Framework Directive Screening and Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING							
Step 1: Nature of the Project, the Site and Locality							
An Bord Pleanála ref. no.	PL-500914-Is-26	Townland, address	Site at Cullenagh, Timahoe, Co. Laois				
Description of project		Construction of a slatted livestock shed including an underground slurry storage tanks and all ancillary site works.					
Brief site description, relevant to WFD Screening		The appeal site consists of an existing farmyard which includes a number of agricultural buildings The appeal site is rectangular in shape and is bound by an area of hardstand to the east, north and south and an existing agricultural building to the west.					
Proposed surface water details		Soak pit					
Proposed water supply source & available capacity		N/A					
Proposed wastewater treatment system & available capacity, other issues		N/A					
Others?		The site is not within a Flood Zone.					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)	

River Waterbody	254m	(The TRIB TRIOGUE CUSH BRIDGE_010 (IE_SE_14T45 0060)	At Risk	At Risk	No pressures	Not hydrologically connected to surface watercourse.	
Groundwater Waterbody	Underlying site	Bagenalstown Upper IE_SE_G_153	Not at Risk	Not at risk	No pressures	Groundwater	
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	(The TRIB TRIOGUE CUSH BRIDGE_010	None.	None	None	No.	Screened out.
2.	Ground	Bagenalstown Upper IE_SE_G_153	Drainage	Hydrocarbon spillage.	Standard construction practice	No	Screened out.
OPERATIONAL PHASE							

3.	Surface	(The TRIB TRIOGUE CUSH BRIDGE_010	Nil.	None	None	No	Screened out.
4.	Ground	Bagenalstown Upper IE_SE_G_153	Drainage	Hydrocarbon spillage	Standard construction practice	No	Screened out.
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A