



Development	1 No. pig house in order to aid compliance with animal welfare and nitrates regulations, together with all ancillary structures and all associated site works. EPA Licence required.
Location	Buncam East, Ballyheane, Castlebar, County Mayo.
Planning Authority	Mayo County Council.
Planning Authority Reg. Ref.	2560287.
Applicant(s)	Rosderra Farms ULC.
Type of Application	Permission.
Planning Authority Decision	Grant Permission + Conditions.
Type of Appeal	Third Party Normal Planning Appeal.
Appellant(s)	John McCormack and Catherine Munnely.
Observer(s)	None.
Date of Site Inspection	9 th June 2026
Inspector	C. Daly.

1.0 Site Location and Description

- 1.1. The subject rural site, of area 2.75ha, consists of a rectangular area in which are located a number of pitched roof shed type structures of varying sizes and heights, including a fattening house, weaner houses, farrowing house, and dry sow houses. There is a gilt house adjacent at the south-west side of the sheds. There are a number of tall cylindrical meal bins of varying heights at the west side of the buildings and adjacent to the northern building.
- 1.2. The buildings are surrounded by an area of hardstanding on all four external sides wide enough to cater for large vehicles. There is a large area of hardstanding to the north-west of the buildings on the way to the curved driveway and which area includes a wheel wash and a small shed. There is a grass area to the south of the existing buildings which is relatively flat and another grass area to the east side of the buildings which is fenced off and in which sheep were grazing on the day of my site visit. There is an open drain along the northern site boundary.
- 1.3. The area in which the buildings are located is surrounded by tall trees and hedgerow. The driveway leading up to the site is set within an area of trees and there is a small area off the driveway outside the subject site with three small buildings consisting of a canteen/changing rooms, an office and small study adjacent to a parking area.
- 1.4. The piggery buildings are located adjacent to wooded areas on two sides to the east and south and the driveway is largely surrounded by small areas of woodland. The piggery buildings area is set back from the public road by c.150m and is separated from same by a grass field. There are a number of dwellings to the north-west / west located along the public road. The main entrance to the site to the north provides access from the local road L1700. The facility has an IPC Licence (reg. no. P0572-01).

2.0 Proposed Development

2.1. The proposed development, in summary, consists of the following:

- Construction of one pig house (area 2,416.8sqm.) to comply with animal welfare and nitrates regulations.

- It is stated that there will be no increase in pig numbers, slurry production and/or emissions from the development.
- The application includes an AA Screening Report.

2.2. At F.I. stage, details for the upgrade of the existing wastewater treatment system were provided.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Mayo County Council initially decided to request further information in relation to:

- (1) a request to review alternative locations within the site outside of the extreme vulnerability rating zone;
- (2) details of the capacity of the slatted tanks on site and proposed new tank capacity;
- 3) the collection of clean roof water to be diverted to a local water course via an existing surface water monitoring point under EPA licence, show the location of the sampling point on a map and provide water quality results from this waterbody from 2020 to date;
- (4) details of the animal welfare regulations showing the new requirements for the proposed development and
- (5) submit a revised layout map showing the well location and the wastewater treatment system and percolation area.

3.1.2. Following F.I., the P.A. decided to grant permission subject to conditions. Notable conditions include:

- Condition no. 3 requires the prior submission of a site specific Construction Environmental Management Plan (CEMP) for the management of surface water, groundwater, waste, dust and noise.
- Condition no. 4 requires no burning of waste materials on the site and that all construction waste be disposed of a by licenced / permitted waste contractor.

- Condition no. 5 requires all chemical and oils storage to be secure and fully bunded. It also requires all hazardous waste to be contained away from sensitive locations and to be disposed of using a permitted waste collector.
- Condition no. 6 requires that a site suitability assessment be undertaken by a competent technical professional in accordance with the EPA Code of Practice and agreed with the Council's Environment section.
- Condition no. 7 includes noise emission limits for construction which are not to exceed 65dB LAeq (1 hour).
- Condition no. 9 requires all farm yard wastes to be collected and stored in tanks/pits and soiled water to be collected and stored in accordance with EU regulations.
- Condition no. 10 requires roof rainwater and clean yard waters to be discharged separately in closed pipes to a soak pit system.
- Condition no. 11 requires that all existing and proposed surface water gullies be designed, maintained and managed to ensure that no polluting matter enters the surface water collection/drainage system or groundwater.
- Condition no. 12 requires that farm yard manure, slurry, silage effluent, soiled water and chemical fertilisers be land spread.
- Condition no. 13 requires soiled yard areas be minimised to reduce the volumes of soiled water produced on the site and to ensure the public road is maintained in a clean condition.
- Condition no. 14 requires no change in the approved method of agricultural waste storage and disposal on site and that livestock numbers not be increased in a manner that results in regulatory storage requirements being exceeded.
- Condition no. 16 requires the roof material to match that of the existing adjoining farm buildings.

3.2. Planning Authority Reports

3.2.1. The initial Planner's Report assessment notes the inclusion of covered pig housing and underground slurry storage. It notes the proposal to add an extra 30% covered

floor space with no increase in the number of pigs to be housed as part of the existing commercial scale pig farm. It therefore noted no significant concerns in relation to visual impact or impact on the local road network. It recommended that F.I. be requested in relation to the issues raised by the Environment section.

- 3.2.2. The second Planner's Report in relation to F.I. item 1 noted the applicant response in relation to the operational unsuitability of the alternative location to the north-east. The response noted that the majority of the site is above an extremely vulnerable aquifer. It noted the location chosen would integrate with the existing structures and natural environment and the alternative location would result in significantly more ground work potentially affecting viability. The P.A. noted that the chosen location is preferable to a separate farm yard and would minimise visual impact.
- 3.2.3. In relation to F.I. item 2, the report noted the proposed increase in slurry storage from 5,625.6 m³ to 8,716.12m³ (increase of 3,090.6m³). It noted annual organic fertilizer production of 7,338m³ based on the EPA licence. It noted the capacity would be c.60 weeks of organic fertilizer storage capacity, above the minimum 26 weeks required by regulation. The P.A. noted this would comply with the EPA Licence.
- 3.2.4. In relation to F.I. item 3 and the applicant's response showing extracts from their EPA Licence annual reports from 2021 to 2025 including the site layout plans showing the location of the surface water monitoring locations, the P.A. considered the response acceptable.
- 3.2.5. In relation to F.I. item 4, the F.I. response noted that while the use of farrowing crates and stalls is permitted for specified periods of times, that this is under review at EU level. It noted an EC commitment to phase out the use of individual animal confinement pending the outcome of an impact assessment. It noted a parliamentary answer from the Minister for Agriculture, Food and the Marine, which, inter alia, stated "*recently, an updated specification was published for pig housing funded under the TAMS 3 Pig and Poultry Investment Scheme. The specification does not allow the use of gestation stalls for sows, and it includes a requirement for larger farrowing pens in which sows can only be kept in a farrowing crate for a few days in and around farrowing- the rest of the time they must be loose in their pens with their piglets*".

3.2.6. The P.A. noted this and the specification detailing the space allowances required and it was satisfied with this response. In relation to F.I. item 5, it noted the amended site layout plan showing the locations of wells and the wastewater treatment system and percolation area on the site. It also noted that new water supply wells are to be provided and the submitted groundwater analysis. The P.A. was satisfied with this response and all the responses and recommended that permission be granted subject to conditions.

3.2.7. Other Technical Reports

- MD Engineer: No objection subject to conditions.
- Environment, Climate Change and Agriculture (Flood Risk): No flood risk assessment required.
- Environment: F.I. required. Following F.I.: recommended grant subject to conditions.

3.3. Prescribed Bodies

- Environmental Protection Agency: ACP wrote to request the EPA to respond if it is of the view that an Integrated Pollution Control licence or review of such a licence is required in respect of the proposed development. No response was received with the 3 week period given for responses.

3.4. Third Party Observations

7 no. third party observations were received by the planning authority which can be summarised as follows:

- Ongoing issues in relation to bad odour from the site and negative impacts on residential amenity.
- Issues in relation to road safety from the volume and increase in heavy vehicles on narrow local roads.
- The development is close to existing family homes.
- There is a potential for an increase in pig numbers with the large size of the pig house.

- Environmental issues in relation to water quality and pollution from the generation and disposal of pig slurry and a history of environmental issues.
- Questions the requirement to comply with animal welfare regulations.
- Failure to adhere to the County Development Plan.
- The entrance does not have adequate sightlines.
- Timing of operations at night.

4.0 Planning History

11/680: Permission granted by the P.A. to construct a new dry sow house and associated site works to include three no. meal bins and one water storage tank.

This permission was granted on the basis of the pig numbers outlined in the below table.

Animal Class	Current Numbers	IPC Permit Numbers
Farrowing/Suckling Sows	147	140
Dry Sows	500	500
Maiden Gilts	106	110
Boars	8	12
Weaners	2,628	2,630
Finishers	2,430	2,465

The existing development is subject to an IPC Licence which was last amended in April 2024. The licence includes:

- Condition 1 provides for a limit on animal numbers.
- Condition 4 relates to emissions to atmosphere including odour.
- Condition 6 relates to noise.
- Condition 7 relates to surface water and groundwater protection
- Condition 10 relates to monitoring.

5.0 Policy Context

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

Chapter 4 – Economic Development

Objective EDO 54 *To facilitate rural enterprises, and resource development (such as agriculture, agri food sector, agri-tourism, commercial fishing, aquaculture, rural tourism, forestry, bio- energy, the extractive industry, recreation, cultural heritage, marine enterprise sector, research and analysis) and renewable energy resources (such as wind/ solar/ocean energy) that are dependent on their locality in rural locations, it can be demonstrated that the development will not have significant adverse effects on the environment, including the integrity of the Natura 2000 network, residential amenity or visual amenity. Where proposals demonstrate measures to promote environmental enhancement through improved ecological connectivity, such as measures in the Pollinator Plan, additional native species planting or blue and green infrastructure measures, these will be favourably considered.*

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

Policy EDP 22 *To support the implementation, at county level, of the provisions set out in Food Harvest 2025, subject to environmental carrying capacity constraints.*

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

Chapter 10 – Natural Environment

Policy NEP 19 *To protect existing groundwater sources and aquifers in the county and to manage development in a manner consistent with the protection of these resources.*

Policy NEP 20 *To meet our targets to achieve ‘good status’ in all water bodies in compliance with the Water Framework Directive and to cooperate with the*

implementation of the National River Basin Management Plan 2018-2021, and subsequent plans.

Policy NEP 21 To manage, protect and enhance surface water and ground water quality to meet the requirements of the Water Framework Directive.

Objective NEO 37 To ensure that the Water Framework Directive, the River Basin Management Plan and any subsequent Water Management Plans are fully considered throughout the planning process.

Objective NEO 43 To protect through its regulatory controls and in conjunction with the Local Authority Waters Programme, water bodies with 'high ecological status', to restore water bodies that have fallen below 'high ecological status', to maintain water bodies at 'Good Status' and to mitigate threats to water bodies identified as 'At Risk' i.e. 'Moderate and Poor Status'.

5.2. Relevant National Policy / Ministerial Guidelines / Regulations

- **S.I. No. 588 of 2025 (European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025) (GAP Regulations)**

These GAP regulations relate to the application of slurry and when, where and how it can be applied to land. This is to ensure protection of water quality and environmental standards.

- **Department of Agriculture Specification S.141, Minimum Specification for New Pig Houses, (April 2025)**

This includes required floor areas for new pig houses. 1.1sqm is required for finisher pigs above 10kg and 0.2sqm is required per pig less than 10kg in weight.

- **EPA's instruction for the assessment of odour emissions from intensive agriculture pig installations (EPA, 2022).**

This sets that the acceptable odour levels specific to intensive agriculture are 3.0 OUE/m³ for new pig production units and a limit of 5.0 for existing piggeries (licenced between 2001 and 2017).

- **National Biodiversity Action Plan (NBAP) 2023-2030**

The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

- **Water Framework Directive**

Under the EU Water Framework Directive Member States are required to achieve 'good' status in all waters and must ensure that status does not deteriorate. The Directive has been given effect by the Surface Water and Groundwater Regulations. The main objectives of the WFD are to:

- Achieve at least Good Status for all water bodies by 2027.
- Prevent deterioration of existing water quality.
- Restore water bodies that are not meeting the required standards.

In Ireland, the implementation of the WFD is managed through River Basin Management Plans (RBMPs), which are developed and reviewed every six years. The first RBMPs covered the period from 2010 to 2015, with subsequent plans addressing the periods of 2018-2021 and 2022-2027. The Minister for Housing, Local Government and Heritage is responsible for overseeing the implementation of the directive, while the Environmental Protection Agency (EPA) leads the technical aspects and monitoring efforts.

5.3. Natural Heritage Designations

In relation to designated sites the subject site is located:

- c.3.6km west of River Moy SAC (site code 002298).
- c.4.3km north-west of Lough Beg, Carrowmore PNHA (site code 001528).
- c.5.7km north of Lough Carra / Mask Complex SAC and PNHA (site code 001774).
- c.5.7km north of Lough Carra SPA (site code 004051).
- c.7.3km north-west of Cloonboorhy Lough PNHA (site code 001486).
- c.7.8km south-east of Dambaduff Lough PNHA (site code 001491).
- c.8.4km north-west of Slishmeen Turlough PNHA (site code 001559).
- c.9.4km north-west of Mountpleasant School Turlough PNHA (site code 001472).

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of the third party appeal on behalf of John McCormack and Catherine Munnely, with accompanying signatory pages from the associated objection observation to the P.A., can be summarised as follows:

- The description of the proposed development is misleading as it is for the commercial industrial scale production of fattening pigs and is not for the purposes of animal welfare. The application is invalid under articles 17, 18 and 19 of the regulations.
- The proposed development is not for the purpose of aiding compliance with nitrates regulations, and the pig industry is one of the greatest contributors to the deterioration of water quality.
- The submitted AA Screening Report and the AA screening of the P.A. are not robust and do not meet the requirements of the EIA Directive in that the screening does not consider how the conservation objectives of the European sites would be affected.

- The AA screening ignores Lough Carra which is dead and covered in green slime and which is hydrologically connected to the proposed development via the Clareen River and the Allie River.
- The proposed development is hydrologically connected to the Clareen River which is classed as poor by the EPA and there is an express obligation to ensure that this facility does not contribute and cause the poor classification.
- The use of the description “organic fertiliser” is misleading where the unit has not received organic status per EU regulation and ignores the introduction of chemicals, antibiotics and other substances into the environment.
- The cumulative assessment, in the absence of the what the other farms are, is meaningless and the finding of a negligible impact has no scientific basis.
- The reference in the AA screening report to the small size and scale of the development is entirely relative and is not appropriate for a development that already houses 6,000 pigs in a very confined area generating 1,760,000 gallons of slurry. Any failure comply with appropriate environmental measures could have devastating effects on European sites.
- It is not understood how the AA finding was reached that there is no potential for significant effects on its own or in combination with other plan and projects.
- There is no restriction in the planning permission to ensure no increase in the pig numbers at the facility with Condition no. 14 would enable the developer to increase the number of pigs which is contrary to the basis on which the permission was granted and this would undermine the AA screening assessment.
- The heavy traffic including from slurry tankers at all times is not suitable for such local roads and dozens of local residents support this (see attached signatures).
- Traffic hazards exist at the entrance in relation to the absence of sight lines where large industrial vehicles enter at all times of the day and night.
- The movement of vehicles for the removal of slurry should be restricted to between 8am to 5pm daily in the interests of residential amenity.

- The malodours and fumes emanating from the unit have very negative effects on humans, flora and fauna including on microfauna. There is an obligation for baseline studies on the effects, particularly for ammonia emissions, so as to prevent a nuisance occurring affecting the human and natural environment.
- The AA screening report fails to analyse what happens to all the slurry generated and the report takes no account of the vulnerable aquifer where waste permeates the rock structures into the water courses, and it cannot be said there is no hydrological connection to the SACs noting the sensitive karst limestone aquifer.
- It is alleged that there is a record of poor compliance in relation to environmental standards.
- The F.I. response admits there are no new animal welfare regulations in force and there must be a positive restriction on any increase in animal numbers with stringent conditions required with Condition 14 inadequate in this regard.
- The planning application states that proposed wastewater treatment is “not applicable” but in the F.I. response it shows the location of the well and the wastewater treatment system.
- The failure to supply details in relation to wells and wastewater treatment is grounds for refusal as the failure to indicate these is a breach of Article 22 of the planning regulations which invalidates the application.
- The development draws water from the nearby Buncom lake and the application is misleading where it states from existing wells.
- A new sewage treatment system is proposed and it is of concern that the existing system is not fit for purpose and the AA screening report is silent on this.
- In the absence of new animal welfare regulations, permission is being granted for intensification of development on the site where the stated reason for the permission is otherwise.
- They believe property values have already been diminished in the area and they will be further reduced by the proposed development with its persistent

negative effects on the enjoyment and amenity of ordinary rural life and potential health effects.

6.2. Applicant Response in the case of a 3rd Party Appeal

The responses on behalf of the applicant to the appeal can be summarised as follows:

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- The appellants have mis-represented the purpose of the proposed development which will provide additional space to the farrowing sows.
- The proposed development will improve the quality of the buildings and organic fertiliser production and no intensification will occur.
- The contention that the pig industry is one of the greatest contributors to the deterioration of water quality of rivers and lakes is without foundation and pig farms operate to a high environmental standard.
- The resulting organic fertilizer consistent with the definition under S.I. 588 is used by local farmers to offset / replace chemical imports.
- In relation to organic farming, the use of antibiotics and other medications is not inappropriate.
- Condition no. 1 and the basis of the application for no increase in pig numbers ensure no ambiguity and the EPA licence limits pig numbers on the farm.
- Pig farming has one of the lowest carbon footprints of all animal agriculture and one of the lowest resource consumption levels per unit of production.
- There will be no increase in organic fertiliser production as there is no increase in animal numbers and this will facilitate compliance with the Nitrates Directive.
- The proposed development would be located on a long standing established and EPA licenced pig farm in an agricultural area.
- It would be appropriately located, landscaped and designed for a sustainable farm development.

- It will be completed to the highest welfare and environmental standards in an existing agricultural area where such use is predominant.
- There would be no undue risk of water pollution or risk in relation to road safety with no increase in activity proposed.
- It is unclear if the letter signatories consented to being associated with the appeal.
- Per BAT requirements, the farm has implemented low protein diets to minimise odour and ammonia emissions.
- The improved quality and quantity of organic fertiliser can only serve to protect the underlying aquifer.
- The farm has operated with an EPA licence for over 20 years and the farm has been excellent in following its requirements with only one non-compliance issue related to a communication error for a water test parameter.
- There will be a positive economic impact and it would accord with the requirements of the Department of Agriculture, Food and the Marine, Bord Bia, Mayo County Council and the EPA.
- The proposed development would not seriously injure the amenities of the area or of property in the vicinity and would not be prejudicial to public health or pose a threat of environmental pollution.
- No works to the wastewater treatment system were initially proposed as it is unaffected and unrelated to the proposed development (no additional loading) but following F.I. a replacement system was proposed to modernise and upgrade.
- The applicant complied with the requirements of the Council and with the planning regulations.

Whitehill Environmental

- There will be no increase in pig numbers, slurry production and/or emissions from the proposed development.

- The purpose of the proposed development is to provide increased space per sow to comply with forthcoming animal welfare regulations.
- The farm operates under licence issued by the EPA (0572-01) and is in full compliance with the licence.
- While water in the vicinity of the site is noted to be poor, this is not representative of the wider Allies sub-catchment and water quality improves downstream of Ballyheane with results indicating a good status.
- There is no evidence of a sustained downstream deterioration in water quality in the Claureen River or the Allies River attributable to the existing farm operations.
- The current WFD status of Lough Carra and Lough Mask is classified as good.
- While Lough Carra is sensitive and subject to wider catchment pressures, the lake remains at risk from diffuse pressures which are cumulative in nature and which cannot be attributed to the subject site.
- There is no credible pathway by which the proposed development could give rise to additional impacts on surface water quality or on the Lough Carra / Mask Complex SAC either on their own or in combination with other developments and the AA screening conclusions are robust.
- As required, the AA Screening presents complete, precise and definitive findings and conclusions.

6.3. Planning Authority Response

None received.

6.4. Further Responses

A further response from the third party appellants was received which can be summarised as follows:

- The developer has not indicated the number of pigs on the farm.
- The business is not a normal agricultural activity and is industrial factory farming which should not be normalised.

- The use of the word organic in relation to slurry is inappropriate and the developer should provide clarity as to whether the farm is certified as being organic or not.
- The need for antibiotics and disease prevention for the animals multiplies when they are kept in confined close quarters and the scale of slurry produced is at an industrial level.
- There is a huge nuisance associated with the plant and the odours that come from it and the slurry spread on lands in the vicinity and this negatively impacts on air to water heat pumps.
- The large vehicles that use the road in the vicinity are a danger to other road users, particularly pedestrians, and the traffic continues up to midnight in the summer months.
- The EPA monitoring data indicating poor ecological status to the water of the Claureen River in the vicinity of the site is indicative of a significant problem in the immediate area of the site.
- Detailed testing and monitoring of the receiving waters is required by the developer.
- The ecologist has carried out no testing and is reliant on EPA data and to say that there is no credible pathway is extraordinary.
- The Stage 1 AA screening is inadequate and a Stage 2 Appropriate Assessment is required.
- The largest contributor to the loss of pristine status to the country's waterways is from agricultural runoff and pollution.
- A detailed assessment is required in accordance with the requirements of Article 6(3) of the Habitats Directive.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant

local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Preliminary Matters
- Principle of Development
- Water Based Impacts
- Residential Amenity
- Traffic Impacts
- Wastewater Treatment
- Othe Matters

7.2. Preliminary Matters

Pig Numbers

- 7.2.1. I note that the appeal has raised concerns in relation to the quantity of pollution that would result and has noted the potential for an increase in pig numbers as part of the proposed development. It notes deficiencies in relation to P.A. condition no. 14 in this regard. I note that per the planning history, the existing development is based on the pig numbers supplied under reg. ref. 11/680 as outlined in Section 4.0 above.
- 7.2.2. I note that the application is clear that it is for the purpose of compliance with animal welfare and nitrates regulations. In this regard, the applicant's appeal response confirms that no increase in pig numbers is proposed and that the pig house would allow for an increase in space per animal. I note that the appellant has noted that there are no new regulations in this regard. However, I note that there are 2025 regulations which include required minimum floor areas for new pig houses.
- 7.2.3. This includes required floor areas for new pig houses (see Section 5.2 above) and a move toward loose pig housing systems. I note that the new space standards do not currently apply to existing pig houses.
- 7.2.4. However, noting the application documentation and the appeal response which makes clear that no increase in pig numbers is intended as part of the proposed development and that the EPA licence limits capacity based on the existing permitted development, I consider that this matter can be dealt with by condition to ensure that

no increase in pig numbers/types/mix is permitted. This would be consistent with the spirit of the application details and appeal response. I consider that a revised condition could provide greater clarity in this regard than P.A. condition no. 14.

7.2.5. I note the appellant refers to pig numbers of 6,000. I have noted in my separate EIA screening (Section 8.0) that the permitted development is based on the pig numbers outlined in Section 4.0 above and as there would be no increase in pig number, I consider that the proposed development would not trigger a requirement for an EIA.

Planning and Development Regulations

7.2.6. I note that the appeal has raised issues in relation to compliance with articles 17, 18, 19 and 22 of the Planning and Development regulations. The description of the development is particularly questioned in relation to the public notices. I note that the core of the proposed development is "*to construct 1 no. pig house to aid compliance with animal welfare and nitrates regulations*". I consider this to be an agricultural type development notwithstanding the assertions made by the appellants that it is an industrial development of scale.

7.2.7. In this context, having reviewed the submitted drawings and accompanying documentation, I am satisfied that the proposed development is for a pig house and in my assessment, I will have regard to the stated purpose being for animal welfare and nitrates regulation purposes. I have recommended below a condition above to ensure no increase in pig numbers is allowed for should permission be granted. I also note that the appellants have reviewed the application and accompanying details as evidenced by the details of their appeal and have not been prevented from participating. I therefore do not consider that there has been a failure to comply with articles 17, 18, and 19 of the regulations.

7.2.8. In relation to a potential breach of article 22 of the planning regulations and the purported failure to supply details in relation to wells and wastewater treatment, I note the proposed development did not apply for a new water source or a new wastewater treatment system. I also note that at application stage the location of the existing wells and proposed well were shown on the site layout plan. I note that at F.I. stage the applicant supplied details of a new septic tank system that they plan to install.

7.2.9. Noting this, I note no significant errors in the application in relation to these matters that would prejudice third party rights. I draw the Commission's attention to the fact that the application is not for an increase in pig numbers on the site, that no significant intensification of development is proposed in relation to the use of resources (including water abstraction) or emissions from the site or staff numbers on the site and that the applicant has not applied for new water sources or a new/upgraded wastewater treatment system as part of the application (see public notices).

7.2.10. I am also satisfied that, given that no increase in pig numbers is proposed for the EPA licenced activity based on the totality of the application documentation, that there would be no requirement for additional wells or new/upgraded wastewater treatment systems. I therefore do not consider that there has been a failure to comply with article 22 of the regulations.

7.3. Principle of Development

7.3.1. I note the proposed development is for a new pig house to enhance animal welfare standards with no increase in pig numbers proposed. I note the location within a rural agricultural area, the licenced nature of the activity on the site and the general compliance with the CDP. Subject to the below assessment, I consider the principle of such an agricultural type shed on the site to be acceptable.

7.4. Water Based Impacts

7.4.1. I propose to assess this appeal based on the application details submitted. I note that any grant of permission would appropriately control the operation of the development and that additional environmental controls are the responsibility of the Department of Agriculture, Food and the Marine and the EPA as separate consenting authorities. I consider that the scope of the assessment can be focused on the direct, indirect and in-combination/cumulative impacts of the proposed development.

7.4.2. I note the appellants have raised issues in relation to pollution of watercourses in the vicinity with reference to the Clareen and Allie rivers and Lough Carra. It considers the use of the term organic fertilizer to be misleading as there is no evidence that the farm has organic status and that it could use antibiotics and other medical treatments that introduce chemicals/pollutants to the slurry.

- 7.4.3. In relation to the existing development, based on my WFD assessment (see Section 10.0) I note that the EPA data show that while the Claureen River to the south of the site is of a poor status and that the Allies River into which it flows is of good status. I note no hydrological connection from the subject site to Lough Carra, which is noted to be of good status.
- 7.4.4. I note that as part of the F.I. request of the P.A., the applicant was requested to review alternative locations within the site for the proposed development outside of the extreme vulnerability rated zone. Based on the applicant's response that relocation was not practical, the P.A. considered the proposed location reasonable.
- 7.4.5. I note that the F.I. response of the applicant included details of the existing capacity of the slatted tanks on the site as well as of the proposed new capacity. This noted 5,625.6m³ of existing capacity and 3,090m³ of proposed additional capacity. It noted that on completion, the proposed development would have c. 60 weeks of such storage capacity which it noted to be well above the required 26 weeks. I note that the Environment section and the P.A. noted that this would accord with the EPA licence and noted no significant issues subject to standard conditions.
- 7.4.6. I note that surface water drainage calculations were submitted at F.I. stage. The response noted that clean roof water would be collected and diverted to a local watercourse via an existing surface water monitoring point under the EPA licence. It submitted detailed storm water discharge monitoring details for the previous five years. The P.A. considered this response to be acceptable. I concur with this.
- 7.4.7. I note that per the EPA data, that the pressures on the Claureen River water body are noted to include runoff from livestock farming and pasture and sedimentation from same; channelization and drainage measures; domestic wastewater and urban runoff; and interactions with karst geology and groundwater.
- 7.4.8. This shows that agriculture is one source of the existing pollution of the river. In relation to the current permitted development, I note that it, and any associated land spreading, is subject to the GAP regulations and is subject to an EPA licence. I note that soiled water is required to be collected and stored in accordance with EU regulations. I note that the IPC licence requires slurry tanks and that no contaminated water is released with other surface water runoff. I note the surface

water runoff is effectively required to be appropriately discharged separately in closed pipes to a soak pit system.

7.4.9. Based on the current regulatory standards, I do not consider that it is reasonable to attribute the poor status of the nearby Claureen River to the existing development at this site. I note that the appellant has suggested that there is a history of non-compliance on the site in relation to adherence to pollution control regulations. I note that the appellant has responded to this stating that there has only been one instance under the EPA licence and that this related to a miscommunication.

7.4.10. I note that the EPA licence documentation does not indicate that existing development on the site is contributing to negative water quality impacts in the area. I note that the Commission has no role in planning or environmental enforcement and I do not consider that the appellant has raised a significant issue that would merit a refusal of permission in relation to past failures to comply with the existing permission requirements.

7.4.11. In relation to the proposed development, I note that no increase in pig numbers or intensification of pig farming is proposed that would result in an increase in pollutants such as slurry. I note that this can be required by condition and that specific conditions to ensure the provision of slurry tanks and that no polluted runoff emanates from the site or into the ground can be provided for should permission be granted which I recommend.

7.4.12. The appellants have raised concerns in relation to the spreading of slurry in the vicinity of the site on surrounding lands and the odour associated with such land spreading. I consider potential impacts of the development in relation to land spreading to be outside the scope of this assessment given that:

- The operations of the proposed development are independent of the operations of other farms.
- It is impractical to identify final destinations for the slurry produced on the site and I do not consider this feasible or necessary.
- It cannot reasonably be assumed that slurry spreading locations would not change over time or that permanent agreements with farmers would be made or finalised at this stage.

- Land spreading is regulated under other codes under the relevant legislation for the purpose of preventing water pollution. The Good Agricultural Practice Regulations (as amended) are applicable in this regard, see S.I. No. 588 of 2025 (European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025). I note that An Coimisiún Pleanála is not the competent authority for the control of land spreading. Therefore I note that once the Commission is satisfied that when land spreading is carried out in accordance with these regulations, no significant risk of water pollution would arise.
- Land spreading does not form part of the subject application.

7.4.13. I also note that the proposed development is subject to the requirement for Nutrient Management Plans. In relation to potential in-combination effects with other farms, I note that the use of organic fertilisers is managed under the GAP regulations. This is to prevent water pollution. This includes protections for groundwater as it does not allow direct discharge to ground or percolation through the soil. Buffers are provided for in relation to surface water. I am therefore satisfied that in-combination effects from land spreading would not be an issue subject to the application of the GAP regulations as required.

7.4.14. In my WFD assessment I have concluded that no significant impacts on water bodies in the vicinity or downstream would result from the proposed development. I have also concluded in my AA screening assessment that it can be ruled out at screening stage that there would be no significant impacts on applicable Natura 2000 sites.

7.4.15. Based on the above, I am satisfied that no significant water based pollution impact would result that cannot be dealt with by standard conditions similar to those of the P.A. decision. I therefore consider that the proposed development would not be prejudicial to public health. I am satisfied that the proposed development would be consistent with Policies NEP 19, NEP 20, NEP 21 and Objectives NEO 37 and NEO 43 in this regard.

7.5. Residential Amenity

Air

7.5.1. I note that the appellants have raised concerns in relation to malodours emanating from the site and in relation to land spreading in the vicinity of the site. I have noted previously that matters in relation to land spreading are outside the scope of this planning assessment. In relation to odours and issues in relation to air pollution such as in relation to ammonia emissions, I note that such emissions are subject to the EPA licence under which the site operates (P0572-01 see Conditions 4.1 and 4.2 of the licence submitted with the application).

7.5.2. I note as part of these conditions an annual odour management programme is required that the applicant is required to ensure that air emissions from the site do not result in significant impairment or interference with the amenities or receiving environment. I also note that on my site visit, I observed no significant odours when standing outside the buildings on the site and I note that the nearest residential property from the existing farm buildings is c.180m to the north-west. Noting this and that no increase in pig numbers is proposed and based on the above, I do not consider that significant operational air emissions or malodours would result from the proposed development and the proposed development would therefore not be prejudicial to public health or residential amenity.

Noise

7.5.3. I note that the issues in relation to noise are subject to the licence issued by the EPA (Condition no. 6). This licence requires that daytime noise not exceed 55 dB(A) and night-time noise not exceed 45 dB(A) and that there shall be no clearly audible tonal component or impulsive component in the noise emissions. I note that on my site visit I observed no significant noise emanating from the pig houses or from site operations. I note that the nearest residential property from the existing farm buildings is c.180m to the north-west. Noting this and that no increase in pig numbers or intensification of activities is proposed and based on the above, I do not consider that significant operational noise impacts would result from the proposed development and it would not be prejudicial to public health or residential amenity.

Visual Impact

7.5.4. I note that the proposed pig house with meal bins at either end would be located on an area of the site which is at a marginally lower ground level than the existing pig houses and structures. I note that the pitched roof height of the building would be 5.792m and the eaves height would be c.2.3m. I note the building would be just over 101m long and 27.55m in depth. I note that its design, scale and form would be similar to that of the existing large pig houses on the site. I note that the area of the site in this area is particularly well screened by the existing woodland adjacent to the south and east, by the existing buildings to the north and by the existing mature boundary planting to the west and north.

7.5.5. I note that while the northern buildings on the site are visible from the public road to the north, that the proposed building would not be visible as it would be screened by the existing buildings although the two meal bins may be partially visible. Due to their limited width/radius, I do not consider that the meal bins would give rise to a significant visual impact on the site or when viewed from outside it. I note that the landscape sensitivity of the area is low and that long range views of the proposed pig house building would not generally be available.

7.5.6. I consider that the appropriate scale, design and form of the pig house would integrate with the existing buildings on the site, with the site and the surroundings noting its similar design to the existing buildings on the site and that it would have the appearance of an agricultural type building in a rural setting. I am satisfied that the proposed building would not give rise to any undue negative visual impacts on the site or in the vicinity.

Residential Amenity Conclusion

7.5.7. Given that I have not found that there would be any significant negative impacts on residential amenity or human health from the proposed development, I do not consider that the proposed development would significantly devalue property in the vicinity. I note that the development would be required to comply with relevant regulations and its EPA licence.

7.6. Traffic Impacts

- 7.6.1. I note that the appellants have raised issues in relation road safety at the site entrance and on local roads in the vicinity. I note that I have previously assessed that no intensification of development is proposed in relation to the number of pigs on the site. Noting this, I consider that there would be no significant increase in traffic as a result of the proposed development.
- 7.6.2. I note that the Council's engineer noted that permission could be granted subject to conditions. I also note from my site visit where I observed the existing vehicular entrance, that no significant issues arise in relation to adequate sightlines. Noting the nature of the proposed development, I consider that the entrance and local road network is adequate to cater for the proposed development and that no traffic hazards would result.

7.7. Wastewater Treatment

- 7.7.1. In relation to the existing wastewater treatment system on the site, the application did not originally include a proposed new or upgraded system. I note that at F.I. stage the applicant was requested to provide details in relation to wastewater treatment and to identify if there will be an increase in staff numbers. The response then noted, notwithstanding that there would be no increased staff numbers / loading, details of an upgraded septic tank system they propose to install. Groundwater analysis was also supplied and the P.A. found this response to be acceptable subject to a condition to require final details of the wastewater treatment system be agreed.
- 7.7.2. I note that no site suitability or characterisation form was submitted in relation to the upgraded wastewater treatment system and that the aquifer vulnerability is noted to be high to extreme. I note that Section 2.2 of the EPA Code of Practice for Domestic Wastewater Treatment and Disposal Systems Serving Single Houses 2021 (P.E. < 10) provides for the upgrade of existing systems where the site is unsuitable and where the upgrade would provide improved treatment and reduced environmental impact.
- 7.7.3. Noting this, I am satisfied that the proposed development with no intensification of pig farming proposed, would not require increased staff numbers that would require an upgraded wastewater treatment system given no increased loading would arise. Overall, I note that a similar wastewater treatment condition to that of the P.A. can

ensure the existing wastewater treatment system would be upgraded in line with the EPA Code of Practice and that this would represent an environmental and planning improvement. Should permission be granted, I recommend a condition be applied in relation to same.

7.8. Other Matters

- 7.8.1. I note that the appellants have raised issues in relation to the adequacy of the AA screening and have stated that a full Appropriate Assessment is required. I refer to my WFD assessment in Section 10.0 and AA screening assessment in Section 9.0. I note the distance from the site to the Lough Carra / Mask Complex SAC and Lough Carra SPA sites and that there is a potential hydrological connection.
- 7.8.2. While the water quality status of the River Claureen is poor, this status changes to good in the Allie River waterbody which is between the site/River Claureen and the SAC and SPA. I note this is with the existing development in place, and that no intensification of pig farming is proposed. In this circumstance and noting my AA screening and the submitted AA Screening Report prepared by an ecologist, I do not consider the appellants' concerns in relation to the AA screening to be justified.
- 7.8.3. In relation to the existing and proposed wells shown on the site layout plan, I note that the applicant has not applied for any new wells (see public notices) and the proposed development does not give rise to a requirement for same. As no intensification of piggery operations is proposed, I note that there would be no requirement for increased water abstraction as a result of the proposed development. At F.I. stage, the applicant provided ground water analysis as requested. I note that this noted no issues of significant concern to the P.A.. I am satisfied that no significant planning issue arises in relation to the proposed well shown on the site layout plan.
- 7.8.4. In relation to construction impacts, should permission be granted I recommend a standard construction environmental management plan condition and construction traffic management plan condition to ensure no significant negative impacts on this regard and I recommend a standard construction hours condition.

8.0 EIA Screening

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

9.0 AA Screening

- 9.1. 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 (See Appendix 3), 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 Lough Carra / Mask Complex SAC (site code 001774) and Lough Carra SPA (site code 004051) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.
- 9.2. This determination is based on:
- The nature of the proposed development is not for an intensification of piggery operations or pig numbers such that no increase in operational pollution is expected.
 - The weak nature of the potential hydrological connection to European sites.
 - The submitted AA Screening Report and appeal response prepared by Noreen McLoughlin, Environmental Consultant of Whitehill Environmental.
 - Compliance with the terms and conditions of the EPA licence in relation to environmental standards.
 - Compliance with the GAP regulations for agricultural activities.
 - The screening determination of the Planning Authority.
 - NPWS data.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the relevant River Basin Management Plan.
- 10.2. The receiving water environment has been identified and assessed, see Appendix 4 attached. Having regard to the nature, scale, and location of the proposed development, and the mitigation measures which can be conditioned, it is concluded that the proposed development will not:
- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
 - Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
 - Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.
- 10.3. Any residual risks are capable of being addressed through mitigation conditions. The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

- 11.1. I recommend that permission be granted subject to conditions.

12.0 Reasons and Considerations

Having regard to the location of the site within an agricultural rural area, the provisions of the Mayo County Development Plan 2022 – 2028, the established and permitted use of the site as a piggery, the nature of the proposal which is to extend the existing facility with no increase in pig numbers proposed, that the development will be subject to compliance with the 2025 GAP regulations and Environmental Protection Agency licence requirements, the separation distance from residential property, and to the nature and scale of the proposed development with no significant

traffic safety issues likely to result, it is considered that subject to compliance with the conditions set out below, the development would be acceptable.

The proposed development would therefore not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not give rise to an undue risk of water pollution, would not be prejudicial to public health and would not result in significant adverse effects on European sites. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 13th day of January 2026, 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. (a) There shall be no change in the approved method of agricultural waste storage and disposal on site and pig numbers shall not be increased over the numbers outlined in the application granted permission under register reference 11/680 and the types and mix of pigs within the total shall not be changed. There shall be no changes in activities on the site that would result in additional waste storage requirements as outlined in the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 or any subsequent update thereof.
(b) The operator of the facility shall maintain records on site recording: the number and weight of pigs entering the facility on a monthly basis; the number and weight of pigs leaving the facility on a monthly basis; the number and type of pigs on the site at the end of each month and such records shall be available for inspection by authorised officers of the Planning Authority at all reasonable times.

Reason: In the interest of orderly development and pollution control.

3. The building shall be used as a pig house and for associated purposes only. The building shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming/horticulture, whether or not such use might otherwise constitute exempted development.

Reason: In the interest of orderly development and the amenities of the area.

4. Details of the finishes of the pig house shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. The finished floor level of the building shall be not more than 300 millimetres above the existing ground level.

Reason: In the interest of visual amenity and orderly development.

5. The proposed development shall be designed, sited, constructed and operated in accordance with the requirements as outlined in the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2025, as amended. The applicant shall provide for the relevant (location dependent) storage requirements as outlined in schedule 3 of the aforementioned regulations. 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.

NOTE: Where 20% or more of the holding lies within one or more counties of higher storage requirement as specified the holding shall be deemed for the purposes of the European Union (Good Agricultural Practice for the protection of waters) (Amendment) Regulations 2025, as amended, to lie wholly within the county in relation to which the longest storage period is specified.

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

6. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-
- (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways
 - (b) all soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 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 the European Union (Good Agricultural Practice for the Protection of Waters)(Amendment) Regulations 2025, as amended shall be strictly adhered to.
- Reason: In the interest of environmental protection and public health.

7. (a) A Site Suitability Assessment shall be undertaken by a competent technical professional and prepared in accordance with the requirements of the Environmental Protection Agency Code of Practice for Domestic Wastewater Treatment and Disposal Systems Serving Single Houses 2021 (P.E. < 10) and shall be submitted for the agreement of the Planning Authority prior to any works taking place.
- (b) Treated effluent from the septic tank/ wastewater treatment system or any new system on the site shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.
- Reason: In the interests of public health and to prevent water pollution.

8. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

9. Lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. The scheme shall minimise obtrusive light outside the boundaries of the development at all times.

Reason: In the interest of amenity and public safety.

10. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.

11. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

12. 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Ciarán Daly

Planning Inspector

19th June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500930-MO-26
Proposed Development Summary	1 No. pig house in order to aid compliance with animal welfare and nitrates regulations, together with all ancillary structures and all associated site works. EPA Licence required.
Development Address	Buncam East, Ballyheane, Castlebar, County Mayo.
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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to	State the Class here

<p>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 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>State the Class and state the relevant threshold</p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p> <p>Schedule 5, Part 2 <i>Class 1(e)(ii): Installations for intensive rearing of pigs not included in Part 1 of this Schedule which would have more than 2,000 places for production pigs (over 30 kilograms) in a finishing unit, more than 400 places for sows in a breeding unit or more than 200 places for sows in an integrated unit.</i></p>

	<p><i>Class 13</i></p> <p><i>Changes, extensions, development and testing</i></p> <p><i>(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-</i></p> <p><i>(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and</i></p> <p><i>(ii) result in an increase in size greater than –</i></p> <p><i>- 25 per cent, or</i></p> <p><i>- an amount equal to 50 per cent of the appropriate threshold,</i></p> <p><i>whichever is the greater.</i></p> <p>No increase in pig numbers proposed that would trigger a requirement for EIA.</p>
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4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 – EIA Preliminary Examination

Case Reference	PL-500930-MO-26
Proposed Development Summary	1 No. pig house in order to aid compliance with animal welfare and nitrates regulations, together with all ancillary structures and all associated site works. EPA Licence required.
Development Address	Buncam East, Ballyheane, Castlebar, County Mayo.
This preliminary examination should be read with, and in the light of, the rest of the Inspector’s Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. The development comes forward as an extension to an existing pig housing development but does not result in any increase in the number of animals being housed, does not require demolition works and does not give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, and is not vulnerable to climate change. It presents no significant risks to human health. In terms of pollution and nuisance, the development is subject to an EPA licence and it is stated that no intensification of pig farming/production is proposed on the site.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development)	Briefly comment on the location of the development, having regard to the criteria listed

<p>in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is situated in a rural area on agricultural land which is abundant in the area. There is limited residential development in the surrounding area. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan. There is a weak hydrological connection to downstream sensitive sites.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p>Having regard to the nature of the proposed development, its location removed from sensitive habitats/features, the EPA monitoring data for the current operation, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p>Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>

<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p> <p>The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development, the nature of existing operations on the site and compliance with the terms of the existing EPA licence, and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.</p>
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Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required)

Appendix 3: AA Screening Determination

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-500930-MO-26	
Step 1: Description of the project and local site characteristics	
<p>1 No. pig house in order to aid compliance with animal welfare and nitrates regulations, together with all ancillary structures and all associated site works. EPA Licence required. The site is partially surrounded by forest and is set within a rural agricultural area and there is some housing c.180m to the west and north-west.</p>	
Brief description of project	<p>Construction of one pig house (area 2,416.8sqm.) to comply with animal welfare and nitrates regulations.</p> <p>It is stated that there will be no increase in pig numbers, slurry production and/or emissions from the development.</p> <p>At F.I. stage, details for the upgrade of the existing wastewater treatment system were provided although no loading increase proposed.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The site, of area 2.75ha., consists of a number of pig sheds and associated farm buildings totaling 5,720sqm in floor area. The proposed development comprises the construction of a new pig shed within the existing facility, with no increase in animal numbers on site.</p> <p>Potential impact mechanisms via air (odour, dust, noise) and via water bodies from pollutants.</p>

Screening report	Y – Habitats Directive Screening Report prepared by Whitehill Environmental.
Natura Impact Statement	N
Relevant submissions	None.

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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
River Moy SAC (site code 002298)	Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510] Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120]	c.3.6km to the east	None.	No

	<p>Depressions on peat substrates of the Rhynchosporion [7150]</p> <p>Alkaline fens [7230]</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>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Salmo salar (Salmon) [1106]</p>			
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	<p>Lutra lutra (Otter) [1355]</p> <p>NPWS, 3rd August 2016.</p>			
<p>Lough Carra / Mask Complex SAC (site code 001774)</p>	<p>Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto- Nanojuncetea [3130]</p> <p>Hard oligo- mesotrophic waters with benthic vegetation of Chara spp. [3140]</p> <p>European dry heaths [4030]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous</p>	<p>c.5.7km to south</p>	<p>Potential hydrological connection via groundwater/water channels to and via River Claureen and on to River Allie and on to SAC.</p>	<p>Yes</p>

	<p>substrates (Festuco- Brometalia) (* important orchid sites) [6210]</p> <p>Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno- Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Hamatocaulis vernicosus (Slender Green</p>			
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	Feather-moss) [6216] Conservation Objectives, NPWS, 26 th November 2021.			
Lough Carra SPA (site code 004051)	Common Gull (Larus canus) [A182] Conservation Objectives, NPWS, 7 th March 2025	c.5.7km to south	Potential hydrological connection via groundwater/water channels to and via River Claureen and on to River Allie and on to SAC. Potential hydrological connection via groundwater/water channels to and via River Claureen and on to River Allie and on to SAC.	Yes

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

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

³ if no connections: N

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

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Site 1: Lough Carra / Mask Complex SAC (site code 001774)</p> <p>QI List as above.</p>	<p>Direct: N/A</p> <p>Indirect Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sediment and construction related pollution, potential operational pollution from slurry / organic waste.</p>	<p>Potential negative affect on habitat quality/ function and prey availability/ undermine conservation objectives related to water quality if pollutants during operation or construction reached the SAC. However, no increase/ intensification of activity on the site is proposed that would increase emissions including slurry. Also WFD screening section and AA Screening Report shows that water in the vicinity of the site is noted to be poor, but that this is not representative of the wider River Allies sub-catchment and water quality improves downstream of Ballyheane with results indicating a good status. This indicates that the distance diffuses any existing water based pollution from the area in the</p>

		vicinity of the site and that may potentially include any potential pollution from the existing development. It also indicates that construction related pollutants such as silt and hydrocarbons would be diffused over the 5.7km distance to the SAC and noting that the potential link from the subject site to the Buncam Lough and the River Clareen would be via land and land drains and over a distance of c.340m.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Impacts	Effects
Site 2: Lough Carra SPA (site code 004051) QI list as above.	Direct: N/A Indirect Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sediment and construction	Potential negative affect on habitat quality/ function and prey availability/ undermine conservation objectives related to water quality if pollutants during operation or construction reached the SPA. However, no increase/intensification of activity on the site is proposed that would increase

	<p>related pollution, operational pollution from slurry / organic waste.</p>	<p>emissions including slurry. Also WFD screening section and AA Screening Report shows that water in the vicinity of the site is noted to be poor, but that this is not representative of the wider Allies sub-catchment and water quality improves downstream of Ballyheane with results indicating a good status. This indicates that the distance diffuses any existing water-based pollution from the area in the vicinity of the site and that may potentially include pollution from the existing development. It also indicates that construction related pollutants such as silt and hydrocarbons would be diffused over the 5.7km distance to the SPA and noting that the potential link from the subject site to the Buncam Lough and the River Claureen would be via land and land drains and over a distance of c.340m.</p>
	<p>Likelihood of significant effects from proposed development (alone): N</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p>	

To note, in relation to in-combination effects the AA Screening Report notes that all farms are required to adhere to the GAP regulations. I note that reliance on the GAP regulations for the control of land spreading of slurry is not a mitigation measure for the purpose of preventing a significant effect on any European site. Land spreading is subject to regulation which applies to all land where such spreading takes place to prevent pollution to surface water and groundwater.

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 Lough Carra / Mask Complex SAC (site code 001774) and Lough Carra SPA (site code 004051).

The proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Lough Carra / Mask Complex SAC (site code 001774) and Lough Carra SPA (site code 004051) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature of the proposed development is not for an intensification of piggery operations or pig numbers such that no increase in operational pollution is expected.
- The weak nature of the potential hydrological connection to European sites.
- The submitted AA Screening Report and appeal response prepared by Noreen McLoughlin, Environmental Consultant of Whitehill Environmental.
- Compliance with the terms and conditions of the EPA licence in relation to environmental standards.
- Compliance with the GAP regulations for agricultural activities.
- The screening determination of the Planning Authority.
- NPWS data.

Appendix 4 – WFD Impact Assessment Scoping

WFD IMPACT ASSESSMENT SCOPING TABLE			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-500930-MO-26	Townland, address	Buncam East, Ballyheane, Castlebar, County Mayo.
Description of project		1 No. pig house in order to aid compliance with animal welfare and nitrates regulations, together with all ancillary structures and all associated site works. EPA Licence required.	
Brief site description, relevant to WFD Screening,		The rural site consists of agricultural pig houses/sheds on lands surrounded by some woodland and agricultural fields and some rural houses to the west and north-west.	
Proposed surface water details		Measures to ensure separation of roof water from polluted waters on the site. Pollution control runoff measures such as slurry tanks.	
Proposed water supply source & available capacity		Existing well.	
Proposed wastewater treatment system & available capacity, other issues		Slurry storage and building design and construction in accordance with Good Agri Practise Regulations 2026 Existing wastewater treatment system to be upgraded although no increase in loading.	
Others?		Other submitted documents: AA Screening Report, Copy of EPA Licence and F.I. response letter from CLW Environmental Planners Ltd including Assessment Report on Existing Septic Tank and details of new septic tank.	

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	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) (Consider all phases)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
Yes	Ballyhean ground waterbody (site code IE_WE_G_0022)	Good	Not at risk	Nutrients from fertilizers and slurry (nitrogen), runoff from livestock farming (bacteria), domestic wastewater treatment systems, surface runoff, water demands (abstraction), losing streams.	Below site, karstified limestone aquifer which is highly vulnerable to surface pollution. Stormwater run-off, drainage.	Best practice construction measures can be conditioned. SUDS and other measures. Slatted tanks with more than adequate capacity to ensure no untreated or polluted water leaves the site, to GAP standards. Polluting materials to be stored in bunded areas. No increase in loading for the wastewater treatment system but upgrade to system proposed which can be conditioned to EPA standards and no increase in pig numbers/intensification of piggery on the site such that	Yes, no residual impacts.

						no increase in slurry and associated pollution. Application required to adhere to GAP regulations and EPA licence requirements such that no significant pollution concerns.	
Yes	CLAUREEN (MAYO)_010 (site code IE_SH_27F010780)	Poor	At risk	Runoff from livestock farming and pasture and sedimentation from same. Channelization and drainage measures. Domestic wastewater and urban runoff. Interactions with karst geology and groundwater.	Via groundwater and water channels over 340m distance.	Best practice construction measures can be conditioned. SUDS and other measures Slatted tanks with more than adequate capacity to ensure no untreated or polluted water leaves the site can be conditioned, to GAP standards. Polluting materials to be stored in bunded areas. No increase in loading for the wastewater treatment system and no increase in pig numbers/intensification of piggery on the site such that no increase in slurry and associated pollution. Application required to adhere to GAP regulations and EPA licence requirements such that no	Yes, no residual impacts.

						significant pollution concerns.	
Yes	Allie (Mayo)_030 river waterbody (Site Code IE_WE_30A020250)	Good	At risk	Nutrient runoff from agriculture activities, livestock seepage and bank erosion, forestry impacts such as silt runoff and acidification, domestic wastewater system failures, Hydromorphological changes (past land drainage schemes)	c.5.1km to south-west. Via groundwater and water channels to River Claireen and onwards to River Allie.	Best practice construction measures can be conditioned. Polluting materials to be stored in bunded areas. SUDS and other measures such as slatted tanks with more than adequate capacity to ensure no untreated or polluted water leaves the site can be conditioned. No increase in loading for the wastewater treatment system but upgrade to existing system proposed that can be conditioned to EPA Code and no increase in pig numbers/ intensification of piggery on the site such that no increase in slurry and associated pollution. Application required to adhere to GAP regulations and EPA licence requirements such that no significant pollution concerns.	Yes, no residual impacts.