



An
Coimisiún
Pleanála

Inspector's Report

PL-500963-WC-26

Development

Construction of a dungstead and cattlehouse with slatted tank; Permission is also sought to extend existing cattle house.

Location

Derrynasafagh, Dunmanway, Co. Cork

Planning Authority

West Cork County Council

Planning Authority Reg. Ref.

256224

Applicant(s)

Richard O' Donovan

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Pamela and Jamie Hunt

Observer(s)

None

Date of Site Inspection

28th May 2026

Inspector

Bernadette Quinn

1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of 0.19 ha, is located in a rural area characterised by agricultural lands, farmyards and individual dwellings. The site is irregular in shape and slopes from the front (south) down to the rear (north) with an increase in level change towards the rear. The site contains an operational farmyard with a cattle house, open yard, machinery and cow shed and hard surfaced area for storage of wrapped bales. There is an existing vehicular entrance from the adjacent laneway to the south. To the north and east the site is bounded by agricultural lands. On the immediately adjoining site to the southwest is a two-storey dwelling in separate ownership.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of:

- A 44 sq.m. cattle shed located to the northern part of the site with a slatted tank below and with a height of 4.7m;
- A 15 sq.m. extension with a ridge height of 2.8m located to the western side of the existing cattle shed;
- A dung stead with a stated area of 54 sq.m. located on an existing area of concrete yard on the northwestern part of the site.

3.0 Planning Authority Decision

3.1. Decision

On 17th February 2026 Cork County Council issued notification of decision to grant permission subject to 10 conditions.

3.1.1. Conditions

Condition 4: All over ground tanks containing fuels shall be contained in a waterproof bunded area, the capacity of the bund is to be the greater of the following; 110% of the largest tank size or 25% of total volume stored in the bunded area. All valves on the tank shall be contained within the bunded area. The bunded area shall be fitted with a

locking valve that shall be opened only to discharge storm water. The developer shall ensure that this valve is locked at all times. Reason: To prevent water pollution.

Condition 5: All uncontaminated surface water run off from roofs, silos not in use, etc., shall be discharged to soakaways or to watercourses and shall not be discharged to or allowed to enter the effluent holding tanks. Reason: To prevent water pollution.

Condition 6: All soiled water, FYM runoff, yard washings, silage effluent, slurry, and contaminated rainwater shall be discharged to the existing or the proposed effluent storage tanks, or to a suitably constructed tank to the satisfaction of the Planning Authority. The tank or tanks shall be properly maintained to the Planning Authority's satisfaction and emptied as required so as to prevent the discharge of polluting matter to any watercourse or aquifer. Reason: To prevent water pollution.

Condition 10: Landscaping of this site shall be carried out in accordance with the Site Layout received by the Planning Authority on 21.01.2026. All landscape planting shall be completed within the first year of the granting of permission for this development. Any trees that die or are removed within three years of planting shall be replaced in the first planting season thereafter. Reason: To protect biodiversity.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Report dated 10th December 2025 can be summarised as follows:

- Further information is required including a revised Site Layout Plan accurately portraying the existing buildings on site and works to facilitate the construction of the cattle house to the north having regard to changes in site levels; Contextual Elevations depicting proposed structures and neighbouring structures and boundary treatments; Site Sections to provide information pertaining the extent of cut and fill which will occur to facilitate the development; and landscaping and planting plans.
- The Environment section report seeks further information in relation to details on land ownership, the location of the third-party water supply, the effluent and slurry management, and compliance with specifications (S123 for livestock units and S108 for dungsteads), effluent storage and design for dungstead. The site lies in a vulnerable groundwater area within the Bandon_030

waterbody (moderate status, high nitrate risk), further information is required to demonstrate compliance with Nitrates Regulations (SI No. 113/2022).

- The proposed development is mainly occurring to the north of the site, further away from the existing farm buildings and as such further from the existing residential structure.
- The established suckler enterprise on the site would not require the housing of livestock all year.
- The proposed dungstead will facilitate the requirement to store and dispose of soiled straw bedding.
- The new proposed slatted unit is modest in nature and scale when compared to similar agricultural development in the area. Whilst it may constitute an intensification of the agricultural enterprise, given its scale and size, it is not considered unreasonable.

Following a request for further information, the planning officers report dated 17th February 2026 can be summarised as follows:

- The proposed slatted unit is located approximately 34m from the nearest third-party dwelling and positioned behind long-established agricultural buildings.
- Adequate information has been submitted in relation to Environment Section requirements in respect of landholding, stocking rate, existing and proposed effluent management infrastructure, design and operation of the proposed manure storage facilities, and compliance with the Nitrates Regulations.
- Supplementary planting has been indicated on the northern end of the site on the east and western boundaries and is considered acceptable.
- Having regard to the nature and scale of the proposed development, its location within an existing and long-established farmyard, and the agricultural character of the surrounding rural area, it is considered that the development is acceptable in principle, as such agricultural works are appropriate and generally facilitated in this context.
- A full assessment has been undertaken, and it is considered that the Applicant has satisfactorily addressed all further information items.

- The development is not anticipated to give rise to undue visual, residential, environmental, or amenity impacts. A grant of permission is recommended.

3.2.2. Other Technical Reports

Area Engineer: No objection

Environment: Following a request for further information, no objection subject to conditions.

3.3. Prescribed Bodies

None on file

3.4. Third Party Observations

One submission was received details of which are summarised in the planning officer's report. Issues raised are similar to issues raised in the third party appeal.

4.0 Planning History

Appeal Site:

15/522 / PL04.246371: Permission granted by the Planning Authority and ACP for retention of alterations to cattle house granted under planning reference no. 07/887, permission to vary the terms of condition 1 of planning reference no. 07/887 to allow for building no. 2 on site layout plan to be used for the purpose of calving cows and rearing calves.

07/887: Permission granted by the Planning Authority to construct a cattle house with slatted slurry tank, concrete aprons and associated site works.

5.0 Policy Context

5.1. Development Plan

The Cork County Development Plan 2022-2028 (CDP) is the relevant statutory plan for the area. The site is located in a rural area, and in accordance with CDP Objective ZU 18-4, where the site is not explicitly zoned, the specific zoning of the site is deemed to be the existing use of the lands which is agriculture.

The following Development Plan Policies are considered relevant:

Section 8.16 of the CDP relates to Agriculture and Farm Diversification and the importance of agriculture in innovation and job creation. A key element of the County's strategy to protect and enhance the County's rural areas is to provide support and encouragement for a dynamic, innovative, and sustainable agriculture and food production sector.

Objective EC: 8-15 (a) aims to: a) Encourage the development of sustainable agriculture and related infrastructure including farm building.

Objective WM 11-1 refers to the EU Water Framework Directive. WM 11-1 (a) seeks to 'Protect and improve the County's water resources and ensure that development permitted meets the requirements of the River Basin Management Plan and does not contravene the objectives of the EU Water Framework Directive.'

Objective WM 11-2 relates to the protection of surface water quality in the County.

Objective 11-6 relates to protection from agricultural pollution and seeks to "Protect the County's waters from agricultural pollution in accordance with the Nitrates Directive (91/676/EEC) through the implementation of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 (SI 605 of 2017) or any future revised / additional requirements and ensuring that all agricultural development shall comply with those Regulations."

5.2. Natural Heritage Designations

The appeal site is located c.3 km west of Bandon River SAC, Site Code: 002171.

6.0 EIA Screening

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended.

7.0 The Appeal

7.1. Grounds of Appeal

One third party appeal has been received from Pamela and Jamie Hunt. The appeal can be summarised as follows:

- A history of planning applications on the site is outlined. Permission granted under reference 07/887 has not been constructed in accordance with the permission granted and was partially built on the appellant's land.
- Cork County Council failed to carry out post construction checks or confirm landownership of land relating to an application for retention under permission reference 15/0522.
- The applicant does not own part of the application site which is in the appellant's folio.
- Alterations have been carried out since the 2015 application.
- The proposed calf house would be within the confines of the appellants boundary, and its proximity will give rise to noise adversely impacting the appellants quality of life.
- Extending the calf house would limit the appellants potential to extend their property in the future.
- In assessing the 2015 permission on the appeal site the Environment Department raised concerns in relation to threat to nearby third party drinking water supply source.
- Surface water from the road has flowed through the silage bays which is likely to cause contamination of ground water in the area and a hazard to the appellants drinking water supply.
- A proposed dung stead will cause further threat to the appellants water quality without any requirement for a hydrological survey or regular water monitoring.
- An alternative location for the calf shed was not explored and the siting of the calf shed adds to the intensification of the farmyard.
- There are concerns in relation to the proximity of dung steads proposed to be located 15m from the appellants home and encroaching on their garden boundary which is below the recommended distances by Teagasc resulting in impacts from flies, smells and rodents, visual impacts and impact on the use of the appellant's garden.

- There are concerns that inadequate storm drainage and guttering to sheds will cause adjacent lands to become contaminated.
- The required minimum distance between a storage facility and a private water supply is 30m for existing farmyards, subject to hydrogeological survey. No details of the distance from the appellants well to the proposed dung stead are shown and the location has not been adequately represented on the drawings; it is estimated that the appellants well is located 29m from the proposed dung stead.
- Bases for the proposed calf shed and dung stead have already been poured.
- The calf shed and dung stead are close to / encroaching the boundary line with no space for buffer planting and no potential to reinstate previous planting that has been removed and which acted as a buffer.
- The new slatted shed will facilitate the intensification of the farmyard and associated impacts on the appellants residential amenity and boundary.
- There is insufficient space on the farmyard for additional vehicles and parking occurs on the public road, often blocking access. There are concerns for the safety of pedestrians and cyclists.
- There are concerns that additional traffic will further deteriorate the road.
- The proposal will intensify existing out of hours farm work and construction work resulting in impacts on the appellants.
- There is no water supply on the farm and there are concerns in relation to impacts resulting from extraction of water from a local stream and potential cross contamination.
- There are concerns in relation to risk of fire/explosion and gases as a result of proximity to the appellants property.
- Consideration should be given to locating the development on an alternative site on the applicant's landholding or further from the appellant's property within the existing farmyard. Other farms in the area do not have cattle sheds within 100m of their dwellings yet the proposal is within 15m of the appellant's home.

- The proposal will devalue the appellant's home.

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

No response received.

7.3. Planning Authority Response

No response received.

7.4. Observations

None received.

8.0 Assessment

8.1. 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 inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issue in this appeal are as follows:

- Impacts on Residential Amenities
- Water Quality
- Traffic Impacts
- Other Matters

Impacts on Residential Amenities

8.2. The appellants raise concerns in relation to impacts from intensification of the farmyard and from the proposed cattle house, extension and dung shed due to proximity to their property and resulting impacts of noise, odour, visual impacts, flies and rodents, resulting in an impact on the use of their garden. The appellant's raise concerns that an alternative site was not considered and the proposal will devalue their home.

8.3. In terms of impacts on residential amenity, I am cognisant of the relationship of the proposed development to the appellant's property and I acknowledge the concerns raised by the appellants in their appeal. I note the planning authority did not raised concerns in this regard. I note the location of the proposed works within an existing and established farmyard and the extent of lands relating to the farm which the

applicant's further information response states is 33.99 ha. I also note the information provided on file in relation to the use of the farm and the stated need for the proposed development which is stated to be required to house 25 animals and I note that this will facilitate an increased activity at the farm yard above existing operations. I also note Development Plan policy which supports agricultural developments including Objective EC: 8-15 which aims to encourage the development of sustainable agriculture and related infrastructure including farm building.

- 8.4. The proposed extension to existing cattle house will have a floor area of 15 sq.m. and a ridge height of 2.8m and will be located approx. 2m from the site's eastern boundary. The area is identified as 'lying area for calves' and will be an extension to an existing loose cow house. Whilst I note the proximity of this extension located within 2m of the appellants boundary and approx. 13m from the rear elevation of the appellants dwelling, having regard to the limited scale of this extension, its enclosed nature and its proposed use as an extension of the existing cattle house, I consider the extension is unlikely to give rise to increased noise or odour impacts.
- 8.5. A proposed roofed cattle house with slatted tank below will be located towards the northern end of the site. The appellant's dwelling is located to the southwest of the existing farm buildings with these existing structures separating the proposed new cattle house and slatted tank from the appellants dwelling. The cattle house will have a floor area of 44 sq.m. and a maximum ridge height of 4.7m. This structure will be located a minimum distance of approx. 12m from the appellants rear boundary and a minimum of approx. 30m from the appellants dwelling. Having regard to the design, which is for an enclosed structure, and to the distance from the appellants property, as well as the presence of existing farm structures between the appellants property and this proposed new structure, I do not consider unacceptable impacts relating to noise and odour are likely to arise.
- 8.6. A dung stead with an area of 54 sq.m. is proposed adjoining the northwestern site boundary with seepage channels connecting the area to the slatted tank within the new cattle house. The dung stead will be located approx. 0.7m from the appellants boundary and a minimum of approx. 21m from the rear elevation of the appellants dwelling and will be an uncovered area for storage of manure with a stated volume of 108 m³. Having regard to the close proximity to the appellants boundary and dwelling

I have concerns that the proposed dungstead has the potential to result in unacceptable odour impacts on the appellants property. If the Commission decides to grant permission, I recommend the inclusion of a condition requiring the omission of the dungstead.

- 8.7. I note the appellants concerns that the proposal will limit their potential to extend their property in the future. Noting the proposal relates to the expansion of agricultural activity in a rural area and in the absence of sufficient details to support this concern I do not have concerns in this regard.
- 8.8. In relation to concerns that the proposal will devalue the appellants property, whilst I have noted concerns above in relation to the proposed dungstead, I note that no evidence has been submitted to support concerns that the appellants property will be devalued.
- 8.9. The appellants raise concerns that an alternative site was not considered for the proposed development. I note that a landholding map submitted with the application includes the applicant's stated landholding which has an overall stated area of 33.99ha and appears to include an additional farmyard located approx. 180m to the northeast of the appeal site. Noting the presence of an existing farmyard at the appeal site and having regard to the scale of development proposed and to my assessment above, I consider the proposal to locate additional farm structures at this location is acceptable.
- 8.10. In relation to concerns relating to construction impacts, I consider these concerns can be addressed by standard conditions relating to construction working hours. I note concerns relating to out of hours farm work, however having regard to the scale of development proposed I do not consider the proposal will give rise to unacceptable impacts in this regard.

Water Quality

- 8.11. Concerns are raised in relation to pollution of ground water and the appellant's well as well as potential cross contamination resulting from extraction of water from a local stream.
- 8.12. The site layout plan indicates the appellants well located approximately 20m west of the site boundary and approx. 40m from the proposed dungstead, 32m from the

proposed cattle house extension and approx. 49m from the proposed cattle shed. I note the Local Authority Environment Officer report includes a detailed assessment of the proposal and requested further information in relation to the location of the neighbouring well, and management of slurry, effluents and soiled water. Following receipt of further information, the Environment Officer report states no objection subject to conditions relating to surface water run-off, soiled water storage and fuel storage and that the proposed works comply with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022, SI No 113 of 2022 i.e. 'The Nitrate Regulations'. In relation to the appellants concerns regarding proximity to their well, I note that the proposed works are in excess of 30m from the well and are separated from the well by existing structures on the farmyard and I note that the applicant will be required to construct the development in accordance with relevant regulations relating to Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2025. If the Commission decides to grant permission I recommend inclusion of a condition requiring compliance in this regard.

- 8.13. I refer the Commission to section 10 of this report which finds that the proposed development is in compliance with the requirements of Article 4 of the Water Framework Directive and to Appendix 3 which concludes no impacts on water quality. In relation to concerns relating to extraction of water from a stream, I consider concerns in this regard are outside the scope of this assessment.
- 8.14. In relation to land spreading the Commission should note that land spreading is the spreading of organic waste onto or into land to improve soil health. Whilst the activity does not form part of this planning application, it is a controlled activity, regulated by the Department of Agriculture, Food and the Marine (DAFM) and local authorities through the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (herein referred to as "the GAP regulations"). These regulations are for the purpose of preventing water pollution. They provide for the limitation of quantities of nitrates and phosphate that can be directly applied to land. Surface water is protected through the provision of buffers from surface water features. Groundwater is protected by the prohibition of direct discharge to groundwater and measures to prevent indirect pollution through discharge to ground and percolation through the soil. If the Commission decides to grant permission, I recommend that a condition requiring adherence to these Regulations should be attached.

- 8.15. In relation to concerns regarding inadequate storm drainage and guttering to sheds, I note the PA attached condition no. 5 relating to runoff from structures and condition no. 6 relating to storage of soiled water. I consider this matter can be addressed by similar conditions requiring compliance with the PA's requirements relating to drainage.
- 8.16. Having regard to the above I am satisfied that the proposal complies with Objective 11-6 relating to protection from agricultural pollution and is acceptable with regard to water quality.

Traffic Impacts

- 8.17. Concerns are raised relating to inadequate parking in the farmyard resulting in parking on the public road and blocking access, concerns for the safety of pedestrians and cyclists and that the proposal will further deteriorate the road.
- 8.18. I note the road is a narrow rural laneway located towards the end of a cul-de-sac. Having reviewed the drawings and inspected the site, and having regard to the nature and scale of development proposed and the volume of traffic likely arising, and noting that no changes are proposed to the vehicular entrance, I am satisfied that there is adequate vehicular parking on site and I do not consider the proposal is likely to give rise to safety concerns on the adjoining public road as a result of parking on the road associated with the development. I do not share the appellants concerns that the proposal is likely to deteriorate the public road and I note that matters relating to road maintenance are a matter for the local authority.

Other Matters

- 8.19. In relation to removal of vegetation, I note that there is an existing mature hedgerow separating the appeal site from the appellants property and that in response to further information the applicant submitted details of proposed planting along the northeast and northwest boundary. I consider the existing and proposed landscaping in acceptable. Condition No. 10 attached by the PA relates to landscaping. If the Commission decides to grant permission I recommend the inclusion of a standard condition in relation to landscaping.

- 8.20. I note concerns raised in relation to risk of fire. In this regard I consider this matter relates to building control which is outside the scope of consideration within the appeal.
- 8.21. In relation to concerns that construction has commenced, I note hard standing areas exist to the rear of the existing cattle house in the vicinity of the proposed extension to the cattle house and at the northern part of the site. These hard standing areas appear to have been in place for some time and I see no evidence that they relate to works commenced to facilitate the proposed development.
- 8.22. In relation to concerns that permission reference 07/887 on the appeal site has not been constructed in accordance with the permission granted, I note that under permission reference 15/522 / PL04.246371, retention permission was granted by the PA and ACP for retention of alterations to permission ref. no. 07/887. Furthermore, I consider matters relating to planning enforcement are a matter for the PA and not for consideration in this appeal.
- 8.23. Concerns are raised by the third party that part of the appeal site is within their ownership. Having assessed the proposed development I note that the applicant has indicated on the application form that he is the owner of the land and a site layout plan submitted outlines the proposed works within the red line boundary. Section 5.13 of the Development Management Guidelines for Planning Authorities (June 2007), states the planning system is not designed as a mechanism for resolving disputes about title to land or premises and these are ultimately matters for resolution in the Courts. Furthermore, Section 34(13) of the Planning Act (as amended) states that a person is not entitled solely by reason of a permission to carry out any development. As such, should the Commission consider granting permission for the development, the onus is on the applicant to ensure sufficient legal interest exists to implement the permission.

9.0 **AA Screening**

9.1. 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 any European Site in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and extent of the subject development;
- The distance from European Sites;
- The weakness of connectivity between the development and European Sites; and,
- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.

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 South Western River Basin Management Plan 2022–2027.

The receiving water environment has been identified and assessed, see Appendix 3 attached.

Having regard to the nature, scale, and location of the proposed development, and the mitigation measures 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.

Any residual risks are capable of being addressed through implementation of a Construction Environmental Management Plan (CEMP).

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 should be granted, subject to conditions, for the reasons and considerations set out below.

12.0 Reasons and Considerations

Having regard to the provisions of the Cork County Development Plan 2022-2028, to the location of the proposed development within an established farmyard and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not have an adverse effect on the residential and visual amenities of neighbouring properties, and would be acceptable with regard to traffic safety, public health and water quality. Accordingly, it is considered that the proposed development would comply with Objective EC: 8-15 relating to development of sustainable agriculture and Objective 11-6 relating to protection from agricultural pollution of the Cork County Development Plan 2022-2028 and 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 Further information received by the planning authority on the 21/01/2026, 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. The proposed development shall be amended as follows:

The proposed dungstead indicated on the site layout plan submitted to the Planning Authority on the 21st January 2026 shall be omitted from the development.

Reason: In the interests of residential amenity

3. All external finishes shall harmonise with the existing agricultural structures on site.

Reason: In the interests of visual amenity

4. All construction activities on site shall be carried out/managed in such a manner that no polluting material or contaminated surface water enters groundwater, any watercourse, or public roadway.

Reason: In the interest of ensuring the protection of water quality in the receiving environment.

5. 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.

6. (a) Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (S.I. No. 393/2022) (as amended).

(b) Where slurry or manure generated by the proposed development is moved to other locations, details of such movements are to be notified to the Department of Agriculture, Food & the Marine in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (S.I. No. 393/2022) (as amended).

(c) Where slurry or manure is removed by a third party, by agreement, to be land spread elsewhere, details of such an agreement (to include name of third party, lands to be spread, amounts of material) should be furnished to the local authority in which said lands are located.

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

7. (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 the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2025 , or, if superseded by subsequent regulations.
- (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.

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

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

9. The Landscape scheme submitted to the planning authority on the 21st January 2026 shall be implemented fully in the first planting season following the substantial completion of the external construction works. All planting shall be adequately protected from damage until established. Any trees, plants or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Reason: In the interest of residential and visual amenity.

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

Reason: in order to safeguard the amenities of property in the vicinity

11. A finalised 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 interests of environmental protection, residential amenities, public health and safety and environmental protection.

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.”

Bernadette Quinn
Planning Inspector

18th June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500963-WC-26
Proposed Development Summary	Construction of a dungstead and cattlehouse with slatted tank; Permission is also sought to extend existing cattle house
Development Address	Derrynasafagh, Dunmanway, Co. Cork
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here

☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☐ 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)	State the Class and state the relevant threshold
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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

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-500963-WC-26				
Step 1: Description of the project and local site characteristics				
Brief description of project		The proposed development relates to construction of a dungstead, cattlehouse with slatted tank, and extension to existing cattle house.		
Brief description of development site characteristics and potential impact mechanisms		See section 2 of report above. The appeal site with an area of 0.19 ha and is located in an existing farmyard in a rural area. The site slopes from south down to north with a level of approx.. 142 at the southern boundary to 135 in the vicinity of the northern boundary. The appeal site is located c.3 km west of Bandon River SAC, Site Code: 002171. This site is approx.. 100m south of a tributary of the Bandon River (BANDON_030 IE_SW_20B020300).		
Screening report		N. PA screened out the need for AA.		
Natura Impact Statement		N		
Relevant submissions		None		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Bandon River SAC, Site Code: 002171	Water courses of plain to montane levels with the Ranunculus fluitantis and Callitriche-Batrachion vegetation [3260]	3km	No spatial overlap and no direct connection. Possible indirect connection during	Y

	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Lampetra planeri (Brook Lamprey) [1096] ConservationObjectives.rdl		construction via watercourse c. 100m to north of site. This watercourse is hydrologically connected to the designated site approx. 6km downstream	
2025 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 <u>or</u> 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		
Site 1: Bandon River SAC, Site Code: 002171 QI list	Direct: None Indirect: localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction.	The nature extent and scale of the proposed extension, the established agricultural use on the site, the absence of any direct hydrological link to the SAC, the implementation of standard construction management techniques, and the distance from 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 listed Qualifying Interests. Conservation objectives would not be undermined.		

		During the operational phase seepage channels will connect the proposed dung stead area to the proposed slatted tank. The slatted tanks will be used to collect and store foul water associated with the proposed development. There will be no direct discharge to nearby surface water features.
	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? The spreading of organic fertilisers is managed under the GAP Regulations 2025. These regulations are for the purpose of preventing water pollution. They provide for the limitation of quantities of nitrates and phosphate that can be directly applied to land. Surface water is protected through the provision of buffers from surface water features. Groundwater is protected by the prohibition of direct discharge to groundwater and measures to prevent indirect pollution through discharge to ground and percolation through the soil. Therefore, I am satisfied, subject to the adherence to the GAP Regulations 2025, that no incombination or cumulative impacts arise from any land spreading associated with the proposed development.	
Further Commentary/discussion All effluent from the extended cattle shed will be disposed of via the underground slurry tanks. These slurry tanks will be designed and sealed in accordance with the relevant regulations (the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022, as amended. Additionally, I note that the application of fertilisers is regulated under the same regulations. These regulations contain specific measures to protect surface water and groundwater from nutrient pollution arising from agricultural sources. This includes, but is not limited to, a prohibition on land spreading within 5-10 metres of a watercourse following the opening of the spreading period. I note that an Appropriate Assessment was carried out as part of Ireland's fifth Nitrates Action Programme (NAP) 2022-2025, which is given effect by Statutory Instrument no 113 of 2022, the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022. That Appropriate Assessment concluded that the programme would not adversely affect the integrity of any European Site. In any case, the carrying out of land spreading does not form part of this application. The information contained within the submitted reports is considered sufficient to allow me to undertake an Appropriate Assessment screening of the proposed development. I do not consider that any other European Sites fall within the zone of influence of the project, based on a combination of factors including the intervening distances, the lack of suitable habitat for qualifying interests, and the lack of hydrological or other connections. No reliance on avoidance measures or any form of mitigation is required in reaching this conclusion.		

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 Bandon River SAC, Site Code: 002171. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

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

This determination is based on:

- The nature and extent of the subject development;
- The distance from European Sites;
- The weakness of connectivity between the development and European Sites; and,
- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.

Appendix 3

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	PL-500963-WC-26	Townland, address	Derrynasafagh, Dunmanway, Co. Cork
Description of project		Construction of a dungstead and cattlehouse with slatted tank; Permission is also sought to extend existing cattle house	
Brief site description, relevant to WFD Screening,		The appeal site with an area of 0.19 ha and is located in an existing farmyard in a rural location. The site slopes from a level of approx. 142 at the southern boundary to 135 in the vicinity of the northern boundary. The nearest water body is a tributary of the Bandon River (BANDON_030 IE_SW_20B020300) c. 100 metres to the northwest. The EPA map notes the Soil Information System National Soils Map classifies the soil type as well drained sandstone till. The site is surrounded by well drained grassland with no drainage ditches. There is an existing well on the neighbouring property approx. 20m west of the site boundary.	
Proposed surface water details		Stormwater discharges to groundwater. Seepage discharge from the dung stead will discharge to new slatted tank.	
Proposed water supply source & available capacity		Not applicable	
Proposed wastewater treatment system & available capacity, other issues		Not applicable	
Others?			

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?
River	BANDON_030 IE_SW_20B020300	Moderate	At risk	Sediment, Nutrients, Organic	Not hydrologically connected to surface watercourse.	Standard mitigation measures included in CEMP	Mitigation sufficient. No residual impacts predicted.
Groundwater	Bandon IE_SW_G_086	Good	Not at Risk	None	Potential for stormwater discharges to groundwater	Free draining soil conditions. Potential for spillages to enter groundwaters.	Mitigation sufficient. No residual impacts predicted.