



An
Coimisiún
Pleanála

Inspector's Report PL-501493-MO-26

Development	Construct One new slatted shed and One new silage base, together with all associated site works.
Location	Cultycreaghan, Claremorris, Co. Mayo.
Planning Authority	Mayo County Council.
Planning Authority Reg. Ref.	2560860.
Applicant(s)	Dominic Lowry.
Type of Application	Permission.
Planning Authority Decision	Grant Permission + Conditions.
Type of Appeal	Third Party Normal Planning Appeal.
Appellant(s)	Wild Ireland Defence CLG c/ Peter Sweetman.
Observer(s)	None.
Date of Site Inspection	20 th August 2026.
Inspector	C. Daly.

1.0 Site Location and Description

- 1.1. The subject site, of area 0.983ha. consists of a grass field and a separate hard standing area in which is located an existing agricultural shed which is open along its north-east elevation. This is adjacent to a modest pitched roof shed structure which is missing part of its roof and which is open along its south-east side. The area across front of the slatted shed is partly enclosed by a low block wall.
- 1.2. There were some trailers and vehicles parked in front of the shed on the date of my visit. The area around the hardstanding area is in grass on the largely flat site. The site boundaries of the shed area consist of hedgerow and trees on three sides. There is a grass field adjacent to the rear where the land slopes gently downhill. The rectangular shaped grass field to the front of the site adjoining the public road is bordered by hedgerow and there is an existing agricultural entrance and laneway which leads to the farm yard site.
- 1.3. The subject site is adjacent to a dwelling and some agricultural sheds to its north-west side and is opposite some dwellings which are across the local road to the north-east. To the south-east and south-west there are adjacent grass fields. There is a railway line c.120m to the north-west and the N60 is c.400m to the south-east in this rural area. The site is c.7km south-east of Knock, c.7.25km east of Claremorris and c.7.55km south-west of Ballyhaunis.

2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of the following:
 - Construction of one pitched roof slatted shed extension to an existing agricultural shed and one new silage base.
- 2.2. At F.I. stage the floor area proposed was clarified to be 608.25sqm by comparison with the existing shed area of 380.6sqm.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Mayo County Council initially decided to request further information in relation to detailed floor plan measures and external finishes, the gross floor area of the slatted shed, the future farming plans on the application site, details on the provision for storage for farm yard manure, details of the silage pit to the existing storage tank and whether it has sufficient capacity and for the submission of a construction plan to deal with sediment and other run-off to the surrounding drains.

3.1.2. Following F.I., the P.A. decided to grant permission subject to 14 no. conditions.

Notable conditions include:

- Condition no. 2 requires the shed to only be used as an agricultural storage shed and not to be used for industrial or commercial purposes.
- Condition no. 4 requires all baled silage in the farmyard to be stored to the standards in the EU GAP 2022 regulations.
- Condition no. 5 requires all farm yard manure, bedding and waste feed to be retained within the existing and proposed animal housing per the EU GAP 2022 regulations.
- Condition no. 6 requires all animal slurry and effluents arising to be collected and managed in accordance with the EU GAP 2022 regulations.
- Condition no. 7 requires the collection, storage and spreading of all organic fertilizers to be carried out in accordance with the EU GAP regulations 2022.
- Condition no. 8 requires all organic fertilizers to be stored where suitably designed effluent control systems are in place with such systems to be sited and designed in accordance with the EU GAP regulations 2022.
- Condition no. 9 requires all farm structures to be constructed in accordance with current Department of Agriculture standards for farm buildings.
- Condition no. 10 requires all clean water arising from both the existing and proposed roof and yard areas to be segregated away from all organic fertilizer stores and effluent collection systems.

- Condition no. 11 requires the existing farm yard manure storage area to be roofed to prevent water ingress.
- Condition no. 12 requires any missing or damaged rainwater collection piping to be repaired and all drains to be maintained in good working order.
- Condition no. 13 requires all inspection manholes to be installed on all surface water collection systems / pipe lines prior to their discharge point to all soak pits.
- Condition no. 14 requires all construction and demolition waste to be disposed of to a facility in accordance with the provisions of the Waste Management Act 1996.

3.2. Planning Authority Reports

3.2.1. The initial Planner's Report assessment noted the absence of details in retail to the proposed floor area and external materials and noted F.I. would be required. It noted the Environment section requires that the applicant demonstrate compliance with the EU GAP regulations to protect water quality and it noted that it is unclear if the herd size or other agricultural changes would be made with clarification required. It recommended F.I. be requested in relation to the 6 items listed in Section 3.1.1 above.

3.2.2. Following receipt of F.I., the second Planner's Report assessment found the responses in relation to the floor area and external materials, the agricultural intentions to store cattle, details for the storage of farm yard manure, silage pit details and the construction plan including measures to prevent sediment run-off to be acceptable. It recommended that permission be granted subject to 14 conditions.

3.2.3. Other Technical Reports

- Area Engineer: No comment.
- Environment: F.I. required to demonstrate compliance with EU GAP regulations.

3.3. Prescribed Bodies

- Transport Infrastructure Ireland: No objection.
- Uisce Éireann: No response.

3.4. Third Party Observations

One third party observation was received which can be summarised as follows:

- Such applications must be assessed in accordance with the 2000 Act, in relation to EIA requirements, in relation to the Habitats Directive and in relation to the Water Framework Directive.
- There are no derogations under the Habitats Directive.

4.0 Planning History

Subject Site

04751: Permission granted by the P.A. to construct 5 bay single slatted shed incorporating feeding passage and calf creep together with all ancillary site works.

Adjacent Site

063806: Permission granted by the P.A. at adjacent site to the north-west to construct a slatted shed and re-surface existing silage slab.

5.0 Policy Context

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

Volume 1

Section 4.4.9 Agriculture, Agri-Food, Agri-Tech

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 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.

Objective EDO 57 To support, promote and consider, on their individual merits, the reuse of redundant agricultural buildings and the development of new buildings to accommodate farm diversification / enterprise within an overall farmyard complex.

Objective INO 18 To ensure new development is adequately serviced with surface water drainage infrastructure, which meets the requirements of the Water Framework Directive, associated River Basin Management Plans and Catchment Flood Risk Assessment Management (CFRAM) Plans.

Policy NEP 22 To encourage the use of catchment-sensitive farming practices, in order to meet Water Framework Directive targets and comply with the River Basin Management Plan.

Volume 2

Section 10.1.1 Siting

In the construction and layout of agricultural buildings, the Council requires that buildings be sited as unobtrusively as possible and that the finishes and colours used blend the development into its surroundings. New agricultural buildings shall be located within or adjacent to existing farm buildings, unless it has been demonstrated that the building must be located elsewhere for essential operational reasons.

Section 10.1.3 Protection of amenities

Proposed agricultural developments shall demonstrate that the proposal:

- Will not result in a detrimental impact on the amenity of residential dwellings outside of the applicant's landholding in relation to noise, odour, pollution or visual amenities.*
- Will not result in a pollution threat to sources of potable water, water courses, aquifers or ground water*
- Will not create a traffic hazard*
- Makes proper provision for disposal of liquid and solid waste; and*
- Does not impact significantly upon Special Areas of Conservation (SACs), Special*

Protection Areas (SPAs), Natural Heritage Areas (NHAs), Areas of High Amenity, Landscape Sensitivity Areas, Key Scenic Views and Prospects and Key Amenity Routes, sites of heritage or cultural value, or areas at risk of flooding.

Section 12.1 Environmental Assessments

The following measures shall be applied in respect of designated environmental sites:

- *Appropriate Assessment: Screening for Appropriate Assessment and/or Appropriate Assessment will be required with all applications where it is considered that the proposed development may impact (directly and indirectly), or in combination with other projects, on a Natura 2000 designated site i.e., a Special Area of Conservation (SAC) or a Special Protection Area (SPA), to inform decision making. The appropriate assessment shall be carried out in accordance with Article 6 of the Habitats Directive and the European Communities (Birds and Natural Habitats) Regulations 2011 and shall identify and evaluate the direct and indirect effects, which the development would be likely to have upon the designated site...*

Section 12.2 Stone Walls, Trees and Hedgerows

New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees. The retention of existing planted site boundaries will be encouraged within new developments, particularly where it is considered that the existing boundary adds positively to the character/visual amenity of the area.

New planting schemes should consist of local native plant types that are indigenous to the area and can be incorporated into sites to enhance the visual amenity and the biodiversity of the area. Landscaping plans should be submitted with all planning applications and the inclusion of semi-mature trees in larger development schemes will be required. Where sites contain mature trees and/or substantial hedgerow(s) a detailed tree and hedgerow survey should be submitted clearly outlining the extent of what will be retained and replaced. Any existing mature trees must be protected during site development works and incorporated into the scheme design.

5.2 National Policy

S.I. No. 119/2026 - European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2026 refers to standards for disposal and

collection of farm waste based on the Government's Nitrates Action Programme which seeks to protect waters from pollution arising from agriculture.

5.3 Natural Heritage Designations

In relation to designated sites, the subject site is located:

- c.6.6km north-west of Lough Corrib SAC (site code 000297).
- c.6.9km south-east of River Moy SAC (site code 002298).
- c.7.7km south-west of Mannin and Island Lakes PNHA (site code 001910).

To note, the subject site is c.22.1km north-east of Lough Carra SPA (site code 004051) and Lough Carra/Mask Complex SAC and PNHA (site code 001774). At its closest, the subject site is c.580m from the Robe_010 river water body which flows towards Lough Mask via other river water bodies to the west/ south-west.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of the third party appeal by Peter Sweetman on behalf of Wild Ireland Defence CLG can be summarised as follows:

Appropriate Assessment

- By failing to undertake an Appropriate Assessment and a Water Framework Directive assessment, the P.A. failed to comply with its legal obligations.
- Hydrological pathways have been identified from the site to European sites which are capable of transmitting contaminants.
- The P.A. failed to undertake an analysis of groundwater and downstream pathways or consider the relationship between water bodies and downstream Natura 2000 sites and no assessment of the potential effects of nutrients and contaminants arising from slurry spreading was conducted.
- The P.A. screening fails to adhere to case law requirements.

Failure to consider specialist advice

- The Council's Environment Section identified hydrological connectivity to water bodies, vulnerabilities of such waters, uncertainty regarding farming practices, manure management arrangements and silage effluent management.
- The Planner's Report contains no meaningful assessment as to how the concerns of the Environment section were resolved nor did it identify why a detailed assessment was not required.
- There was no WFD assessment despite the close connections to vulnerable water bodies.
- There is reasonable scientific doubt in this case.

Scope of the project

- The principal environmental effects of the project arise from the generation, storage and eventual spreading of slurry and organic fertilisers.
- The planning file fails to identify the full extent of land spreading lands, all land drains and artificial drainage systems in addition to hydrological pathways and the drainage catchment.
- In this circumstance, the P.A. could not determine whether likely significant effects on European sites or water deterioration would occur.

Land Spreading and Water Abstraction

- The proposed development involves the production of slurry requiring storage and spreading on agricultural lands and these constitute projects requiring assessment under the Habitats Directive which the P.A. failed to do.
- No assessment was undertaken of nutrient loading, nutrient transport pathways, ammonia losses, groundwater impacts, cumulative effects or impacts arising from the spreading of slurry from the development.
- There was no identification of the abstraction of water to hydrate the cattle and for cleaning down of the hardstanding areas. Will this impact the river's assimilative capacity in dry and further deteriorate the water body?

Failure to Carry Out WFD Assessment

- The development is located within the at-risk Cong-Robe groundwater body and the area exhibits high to moderate groundwater vulnerability.
- The Planner's Report contains no WFD screening, no article 4 assessment, no deterioration assessment, no groundwater assessment, no nutrient loading analysis, no abstraction data and no cumulative impact assessment and there was a failure to comply with case law in this regard.

Unlawful Deferral of GAP Assessment

- The decision shows an unlawful reliance on the EU Good Agricultural Practice (GAP) for the Protection of Waters Regulations 2022 as a substitute for environmental assessment.
- The obligations under Article 6(3) of the Habitats Directive and Articles 4 of the WFD rest on the competent authority responsible for granting development consent.
- The GAP regulations do not remove the obligation to assess the environment consequences of slurry generation, storage and spreading.

Unlawful Reliance on Mitigation Measures at Screening Stage

- The screening relies on mitigation measures such as slurry storage infrastructure to conclude that no likely significant effects would arise and mitigation measures cannot be relied upon at stage 1.
- If mitigation measures are relied upon then a Stage 2 Appropriate Assessment is required and the decision fails to demonstrate that likely significant effects can be excluded in the absence of mitigation.

Failure to Assess Cumulative Effects

- The Robe_010 waterbody is already under pressure and at risk of failing its WFD objectives and agricultural activities are recognised as a significant source of nutrient pressures within Irish catchments and the P.A. carried out no assessment of nutrient loading from the development when combined with agricultural activities in the catchment.

Non-Compliance with the Precautionary Principle and Case Law

- The decision identifies hydrological pathways but fails to assess them.
- The decision identifies vulnerable groundwater but fails to assess groundwater impacts.
- The decision acknowledges an at-risk waterbody but undertakes no WFD assessment.
- The decision recognises uncertainty regarding farming practices and slurry management but grants permission with reliance on future compliance with regulatory requirements.

Importance of Protecting Water Resources

- Once nutrient pollution or groundwater contamination occurs, remediation is often difficult, costly and sometimes impossible. The prevention approach of the Habitats Directive and WFD exists because environmental damage is frequently irreversible.
- Proper assessment is required to protect human health, agriculture, fisheries, wildlife, groundwater resources and economic activity.
- Maps submitted identifying the site as provided by the applicant with no land spreading lands identified.
- Map submitted of waterbodies and Natura 2000 sites, satellite images of the site with different soil, land types in the which may be part of lands for spreading.

6.2. Applicant Response

The response on behalf of the applicant can be summarised as follows:

- The primary purpose of the development is to protect the environment as it will improve the management of slurry and effluent to protect groundwater, surface water and the wider environment.

- It will facilitate the housing of livestock during the winter months removing animals from grazing lands when ground conditions are most vulnerable. This prevents soil poaching, compaction and nutrient runoff.
- Animal slurry will be collected and stored in purpose built compliant storage facilities and will only be land spread during appropriate periods per best agricultural practice minimising any risk to groundwater or the environment.
- The submitted Nutrient Management Plan provides comprehensive details of the farm enterprise including the number and type of livestock, the volume of slurry generated and the capacity of the existing and proposed slurry storage facilities. This shows adequate storage capacity is available per regulatory requirements.
- The NMP shows the lands available for slurry application and includes detailed maps showing the locations where it may be spread together with the permissible application rates.
- The NMP confirms that slurry will be applied only on suitable lands, at agronomically appropriate rates and in compliance with the requirements of the relevant environmental and agricultural regulations.
- The NMP was prepared by Teagasc and it shows there will be no risk to groundwater, surface water or the wider environment.

6.3. Planning Authority Response

None received.

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:

- Principle of Development

- Agricultural Policy
- Other Matters

7.2. Principle of Development

- 7.2.1. I note the site location within an unzoned agricultural and rural area significantly removed from the closest settlement. I note CDP policies which seek to support agriculture and food production. Subject to adherence to CDP policies on siting, the protection of amenities and environmental protection, give the agricultural type of development proposed I consider it to be acceptable in principle.

7.3. Agricultural Policy

- 7.3.1. I note the shed design with part pitched roof to height 6.083m and part main mono pitched roof to height 7.419m. This would form an extension to the front of the existing slatted shed on the site which is open facing to the north-east (front) of the site. I note Section 10.1.1 (Siting) of Volume 2 of the CDP. I note the lower concrete walls below the external sheeting. Provided this is in a dark colour similar to the existing grey, I consider that it would integrate with the existing shed structure.
- 7.3.2. By being sited in the farm yard to its front beside the existing shed and adjacent to the agricultural shed site to the north-west and with intervening hedgerow between the site and the public road to the north-east, in my opinion it would be as unobtrusively sited as possible. Also being an agricultural structure, it would reasonably blend into its mainly agricultural and rural surroundings. Should permission be granted, I recommend a condition to require the existing storage shed to be roofed to prevent water ingress and in the interest of visual amenity.
- 7.3.3. In relation to the protection of amenities (Section 10.1.3 of Volume 2 of the CDP), I note the site location with an intervening farm yard site between it and the nearest dwelling c.60m to the north. I also note the intervening hedging and hedgerow and that the subject site is at a somewhat lower elevation than the nearest dwelling. In this context and noting the intervening grass field to the north-east between the site and the public road, I consider that the new shed structure and extended structure would not be excessively scaled for the site or the surroundings. Should permission be granted, I recommend a condition requiring the retention of boundary hedgerows consistent with Section 12.2 of Volume 2 of the CDP.

- 7.3.4. In my opinion, due to the separation distance and intervening partial screening, it would not have an undue detrimental impact on the amenity of residential dwellings in the vicinity in relation to noise, odour, pollution or visual amenities. I note that the existing structure is served by the public mains and that this would be the case for the proposed shed such that it would not result in any water abstraction concerns.
- 7.3.5. I note the Waste Management Plan prepared by Rathcroghan Designs in relation to the construction stage. This details measures for waste prevention, packaging and disposal which involves, inter alia, reuse, recycling, segregation and transport to a licensed facility. Should permission be granted, I recommend a standard condition be applied in relation to same to ensure adherence to best practice standards.
- 7.3.6. In relation to environmental impact, particularly potential water and ground pollution, I note that it would be required by the GAP regulations 2026 to adhere to water pollution standards which are for the purpose of avoiding water pollution. Should permission be granted, I recommend standard conditions to ensure this. Noting this, the incorporation of standard compliant slurry storage facilities and that land spreading would be per best practice regulatory standards as noted in the submitted Nutrient Management Plan (NMP), and that a standard SUDS condition can be required to ensure surface water drainage does not result in any pollution, I consider that the proposed development would not result in any on-site or off-site pollution.
- 7.3.7. I note that no access changes apply to the site which is accessed via a short laneway off the local road to the north-east and that there would be no significant increase in trips to and from the site such that it would not create a traffic hazard. I have noted elsewhere in this report no significant impacts on protected or sensitive sites. I have considered WFD and AA matters separately below. I therefore consider that the proposed development would accord with Section 10.1.3 (protection of amenities) of Volume 2 of the CDP.

7.4. Other Matters

- 7.4.1. I note the concerns raised in relation to EIA, AA and WFD, including in relation to case law, by the appellant. I have undertaken my assessments in relation to these matters in sections 8, 9 and 10 below and in the associated appendices of this report including in relation to potential pathways to sensitive sites. I have also assessed other environmental impacts above and I am satisfied that they are in line with

planning policy and relevant legal requirements. I have assessed these matters in line with the relevant obligations and I do not consider that reasonable scientific doubt exists in this case notwithstanding the appellant's claims of the absence of detailed assessment.

- 7.4.2. I note the appeal concerns that the Environment Section's concerns were not addressed. I note the P.A. considered the F.I. response that the new shed is for the storage of cattle for slaughter for beef. The response also noted that the existing storage shed would be used to store farm yard manure with effluent directed to the underground tank in the new slatted shed. It noted the inclusion of a diversion chamber to separate soiled and solid water. It noted the Revised Nutrient Management Plan with storage capacity details for slurry in relation to proposed volumes and the P.A. considered this response acceptable.
- 7.4.3. I note that the revised NMP was prepared by Teagasc and that the appellant has presented no specific expert rebuttal but rather a general questioning of the P.A. assessment in relation to these issues and that the applicant is regulated under a separate code in relation to agricultural pollution, I am satisfied that the proposed development would be required to accord with the GAP regulations 2026 such that no significant pollution concerns would arise.
- 7.4.4. In relation to land spreading and AA, I have screened out European sites due to lack of potential connections from the subject site. Nevertheless I note that the slurry to be held in the tank of the slatted shed would be spread on lands. I have noted in Appendix 2 the relevant measures incorporated into the development and the 2026 GAP regulations which I do not consider to be mitigation measures such that no Stage 2 Appropriate Assessment is required.
- 7.4.5. I have applied the precautionary principle in my AA assessment and assessed the relevant potential pathways from the proposed development to European sites in the area. I have noted the appellants submitted maps in my environmental assessments.
- 7.4.6. I note the land spreading details submitted in the NMP report including in relation to water channel pathways on and in the vicinity of these lands. I note that the 2026 GAP regulations regulate land spreading. I note the applicant is legally obliged to adhere to the GAP Regulations 2026 and ACP is not the competent authority for

land spreading. In my opinion, any failure by ACP to carry out the functions of a separate public body does not constitute an unlawful reliance on the GAP regulations and I have assessed the environmental impact of the development where applicable.

- 7.4.7. I consider that reliance on the GAP regulations for the control of land spreading is not a mitigation measure for the purpose of preventing a significant effect on any European site as this is governed by regulation and applies to all land where spreading takes place in order to prevent pollution to surface water and ground water.
- 7.4.8. In relation to the lands identified for land spreading in the NMP report, I note that only lands where the GAP Regulations (2026) limitations can be met can be used for the purpose of land spreading. Should permission be granted, I recommend a condition to require adherence to the GAP regulations.

8.0 EIA Screening

- 8.1. 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 (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Please refer to Form 1 in Appendix 1 of this report.

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, 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 Corrib SAC (site code 000297), River Moy SAC (site code 002298), Lough Carra SPA (site code 004051) and Lough Carra/Mask Complex SAC (site code 001774) European Sites 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 works.
- The location and distance from the nearest European sites.
- The required adherence to the GAP regulations.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive (see Appendix 3), together with relevant guidance published by the Environmental Protection Agency (Ireland), including applicable codes of practice for the protection of water quality. This assessment had regard to land spreading.
- 10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.
- 10.3. The proposed development has been designed in accordance with EPA codes of practice and best practice guidance, ensuring that appropriate measures can be incorporated to prevent pollution, control runoff, and protect both surface water and groundwater receptors.
- 10.4. Furthermore, the development will not adversely affect the achievement of established environmental objectives, including the maintenance or attainment of Good Ecological Status/Potential and Good Chemical Status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

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

12.0 Reasons and Considerations

Having regard to the provisions of the Mayo County Development Plan 2022 – 2028, the location within an existing rural agricultural area, to the nature and scale of the development and its relationship with adjacent development and the surrounding area including water bodies in the vicinity, it is considered that subject to compliance with the conditions set out below, the development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of design, visual and residential amenity, public health and environmental impact. The development is, therefore, considered to 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 15th day of April 2025, 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 building shall be used for agricultural/horticultural storage and 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.

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

Reason: In the interest of orderly development.

4. (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 2026, 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.

5. (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 S.I. No. 119/2026 - European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2026.

(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 S.I. No. 119/2026 - European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2026.

(c) Where a 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.

6. All foul effluent and slurry generated by the development and in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

Reason: In the interest of public health and the environment.

7. 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 S.I. No. 119/2026 - European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2026 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 S.I. No. 119/2026 - European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2026 shall be strictly adhered to.

Reason: In the interest of environmental protection and public health.

8. The existing storage shed shall be roofed to prevent water ingress.

Reason: In the interests of public health and amenity.

9. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation

of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

10. The existing hedgerow boundaries shall be maintained in place and shall be replaced with indigenous species evergreen plants if they fail.

Reason: In the interest of visual amenity.

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

4th September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501493-MO-26
Proposed Development Summary	Construct one new slatted shed and one new silage base, together with all associated site works.
Development Address	Cuiltycreaghan, Claremorris, Co. 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?	☒ 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: Form 2 – AA Screening Determination

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-501493-MO-26	
Step 1: Description of the project and local site characteristics Construct one new slatted shed and one new silage base, together with all associated site works.	
Brief description of project	Construction of one pitched roof slatted shed extension to an existing agricultural shed and one new silage base.
Brief description of development site characteristics and potential impact mechanisms	Site area 0.983ha. Proposed additional floor area of 608.25sqm by comparison with existing floor area of 380.6sqm
Screening report	N
Natura Impact Statement	N
Relevant submissions	
To note, the subject site is c.22.1km north-east of Lough Carra SPA (site code 004051) and Lough Carra/Mask Complex SAC and PNHA (site code 001774). At its closest, the subject site is c.580m from the Robe_010 river water body which flows towards Lough	

Mask via other river water bodies to the west. These European sites are too remote from the site to even be considered.

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
Lough Corrib SAC (site code 000297)	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] Hard oligo-mesotrophic waters with benthic	c.6.6km to south-east	None. No hydrological connection.	N

	vegetation of Chara spp. [3140] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Active raised bogs [7110]			
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	Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150] Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210] Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] Limestone pavements [8240] Old sessile oak woods with <i>Ilex</i> and			
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	Blechnum in the British Isles [91A0] Bog woodland [91D0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Austropotamobius pallipes (White-clawed Crayfish) [1092] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Salmo salar (Salmon) [1106] Rhinolophus hipposideros			
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	(Lesser Horseshoe Bat) [1303] Lutra lutra (Otter) [1355] Najas flexilis (Slender Naiad) [1833] Hamatocaulis vernicosus (Slender Green Feather-moss) [6216] Conservation Objectives, NPWS, 28th April 2017.			
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.6.9km to north-west	None. No hydrological connection.	N

	Depressions on peat substrates of the Rhynchosporion [7150] Alkaline fens [7230] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Austropotamobius pallipes (White-clawed Crayfish) [1092] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355]			
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	Conservation Objectives, NPWS, 3 rd August 2016			
Lough Carra SPA (site code 004051).	Common Gull (Larus canus) [A182] Conservation Objectives, NPWS, 7th March 2025	c.22.1km to south-west	Site is within catchment of the Robe_010 and is c.580m from same and this river waterbody is significantly remote from the SPA that any potential emissions from the subject site that reaches it would be significantly diffused over the more than 22.1km flow path. No other potential connections.	N
Lough Carra/Mask Complex SAC (site code 001774).	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Oligotrophic to mesotrophic	c.22.1km to south-west	Site is within catchment of the Robe_010 and is c.580m from same and this river waterbody is significantly remote from the SAC that any	N

	standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] European dry heaths [4030] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Calcareous fens with Cladium mariscus and species of the		potential emissions from the subject site that reaches it would be significantly diffused over the more than 22.1km flow path.	
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	Caricion davallianae [7210] Alkaline fens [7230] Limestone pavements [8240] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] <i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303] <i>Lutra lutra</i> (Otter) [1355] <i>Hamatocaulis vernicosus</i> (Slender Green Feather-moss) [6216]			
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	Conservation Objectives, NPWS, 26 th November 2021			
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 <u>or</u> in combination) on European Sites AA Screening matrix I note the slurry storage facilities incorporated with capacity noted in the NMP and that such slurry would be spread on lands in the area as outlined in the NMP. I note that the applicant is legally obliged to adhere to the GAP Regulations 2026 and ACP is not the competent authority for land spreading. Reliance on the GAP regulations for the control of land spreading is not a mitigation measure for the purpose of preventing a significant effect on any European site as this is governed by regulation and applies to all land where spreading takes place in order to prevent pollution to surface water and ground water. I note the purpose of these regulations is to prevent water pollution. In relation to the lands identified for land spreading in the NMP report, I note that only lands where the GAP Regulations (2026) limitations can be met can be used for the purpose of land spreading. I am satisfied that no risk of water pollution arises either individually or cumulatively. In this context, I do not consider that any cumulative impacts would arise in relation to impacts on European sites.				
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*			
	Impacts	Effects		
Site 1: Name (code)				

QI list		
	Likelihood of significant effects from proposed development (alone): Y/N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Impacts	Effects
Site 2: Name (code) QI list		
	Likelihood of significant effects from proposed development (alone): Y/N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
*Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.		
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 Corrib SAC (site code 000297), River Moy SAC (site code 002298), Lough Carra SPA (site code 004051) and Lough Carra/Mask Complex SAC (site code		

001774). 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 Lough Corrib SAC (site code 000297), River Moy SAC (site code 002298), Lough Carra SPA (site code 004051) and Lough Carra/Mask Complex SAC (site code 001774) European Sites 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 works.
- The location and distance from the nearest European sites.
- The required adherence to the GAP regulations.

Appendix 3
Water Framework Directive

WFD IMPACT ASSESSMENT SCOPING TABLE			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-501493-MO-26	Townland, address	Cuiltycreaghan, Claremorris, Co. Mayo.
Description of project		Construct one new slatted shed and one new silage base, together with all associated site works.	
Brief site description, relevant to WFD Screening,		The subject site, of area 0.983ha. consists of a grass field and a separate hard standing area adjacent to the field in which is located an existing slatted agricultural shed which is open along its north-east elevation. This is adjacent to a modest pitched roof shed structure which is missing part of its roof and which is open along its south-east side. The area in front of the slatted shed is partly enclosed by a low block wall. The area around the hardstanding area is in grass on the largely flat site. The site boundaries of the slatted shed area consist of hedgerow and trees on three sides. There is an adjacent grass field to the rear where the land slopes gently downhill.	
Proposed surface water details		None – SUDS measures can be conditioned.	
Proposed water supply source & available capacity		Existing – public mains.	
Proposed wastewater treatment system & available		N/A	

capacity, other issues	
Others?	N/A

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	Robe_010 (IE_WE_30R010030)	Moderate	Under review	Channelisation activities, sediment, peat extraction, agriculture, forestry.	Potential from field drains adjacent to subject site to nearest river, potential via field drainage channels to nearest river water body and onwards.	SUDS can be conditioned, slurry storage facilities provided, compliance with best agricultural practices including for land spreading.	Mitigation is sufficient, there will be no residual impacts.
Ground	Cong-Robe (IE_WE_G_0019)	Good	At risk	Surface water run-off including pollutants,	Drainage to ground and onwards to	SUDS can be conditioned, slurry storage facilities	Mitigation is sufficient, there will be no

				agricultural run-off, domestic waste water treatment emissions and drainage from peatland and forestry, urban waste water, abstraction, invasive species, industry and mines and quarries.	nearest river water body.	provided, compliance with best agricultural practices including for land spreading.	residual impacts.
River	Robe_020 (IE_WE_30R010200)	Good	Not at risk	Agriculture run-off, channelisation activities, sediment, forestry, waste water treatment.	Potential from field drains adjacent to subject site to nearest river, potential via field drainage channels to nearest river water body and onwards.	SUDS can be conditioned, slurry storage facilities provided, compliance with best agricultural practices including for land spreading.	Mitigation is sufficient, there will be no residual impacts.
River	Robe_030 (IE_WE_30R010310)	Good	Not at risk	Agriculture run-off, channelisation activities, sediment, forestry, waste	Potential from field drains adjacent to subject site to nearest river, potential via	SUDS can be conditioned, slurry storage facilities provided, compliance	Mitigation is sufficient, there will be no residual impacts.

				water treatment.	field drainage channels to nearest river water body and onwards.	with best agricultural practices including for land spreading.	
River	Robe_040 (IE_WE_30R010400)	Moderate	Under review	Nutrients, physical habitat degradation, urban waste water treatment and channelisation activities.	Potential from field drains adjacent to subject site to nearest river, potential via field drainage channels to nearest river water body and onwards.	SUDS can be conditioned, slurry storage facilities provided, compliance with best agricultural practices including for land spreading.	Mitigation is sufficient, there will be no residual impacts.
River	Robe_050 (IE_WE_30R010600)	At risk	Poor	Nutrients, physical habitat degradation, urban waste water treatment and channelisation activities.	Potential from field drains adjacent to subject site to nearest river, potential via field drainage channels to nearest river water body and onwards.	SUDS can be conditioned, slurry storage facilities provided, compliance with best agricultural practices including for land spreading.	Mitigation is sufficient, there will be no residual impacts.
River	Robe_060 (IE_WE_30R010950)	Not at risk	Good	Nutrients, physical habitat degradation, urban waste water treatment	Potential from field drains adjacent to subject site to nearest river,	SUDS can be conditioned, slurry storage facilities provided,	Mitigation is sufficient, there will be no residual impacts.

				and channelisation activities.	potential via field drainage channels to nearest river water body and onwards.	compliance with best agricultural practices including for land spreading.	
Lake	Mask (IE_WE_30_665a)	At risk	Good	Agriculture nutrient, invasive species, waste water treatment discharges.	Potential from field drains adjacent to subject site to nearest river, potential via field drainage channels to nearest river water body and onwards.	SUDS can be conditioned, slurry storage facilities provided, compliance with best agricultural practices including for land spreading.	Mitigation is sufficient, there will be no residual impacts.