

Limerick City and County Council

Planning Department

Section 5 Application



DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

BRUFF GAA

Applicant's Address:

ARD YKEOHANE

BRUFF

V35 YW72

Telephone No.

[REDACTED]

Name of Agent (if any):

Address:

[REDACTED]

Telephone No.

[REDACTED]

Address for Correspondence:

Claire Murnane - Cahircullamore, Meanus, Bruff

Co. Limerick. V35E004

Location of Proposed development (Please include EIRCODE):

Bruff GAA V35 YW72

Description of Proposed development:

Erection of Solar Panels on Clubhouse Roof
on Southern roof
- Overall Roof Area 156 m²
- No. of Solar Panels = 50 @ 2 m² = 100 sq meters.

Section of Exempted Development Regulations and/or section of the Act under which exemption is claimed:

Planning & Dev Act 2000 (Exempted Development) No 3 Regulations 2022 & the Supporting Planning & Development (Solar Safeguarding Zone) Regulation 2022
Is this a Protected Structure or within the curtilage of a Protected Structure.
YES/NO

Applicant's interest in site: Owner

List of plans, drawings, etc. submitted with this application:

SITE LOCATION MAP

SITE LAYOUT PLAN

DRAWING OF LAND FOLIO LK2284.

Superimposed Photo showing SOLAR Panel Layout

Have any previous extensions/structures been erected at this location YES/NO

If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent)

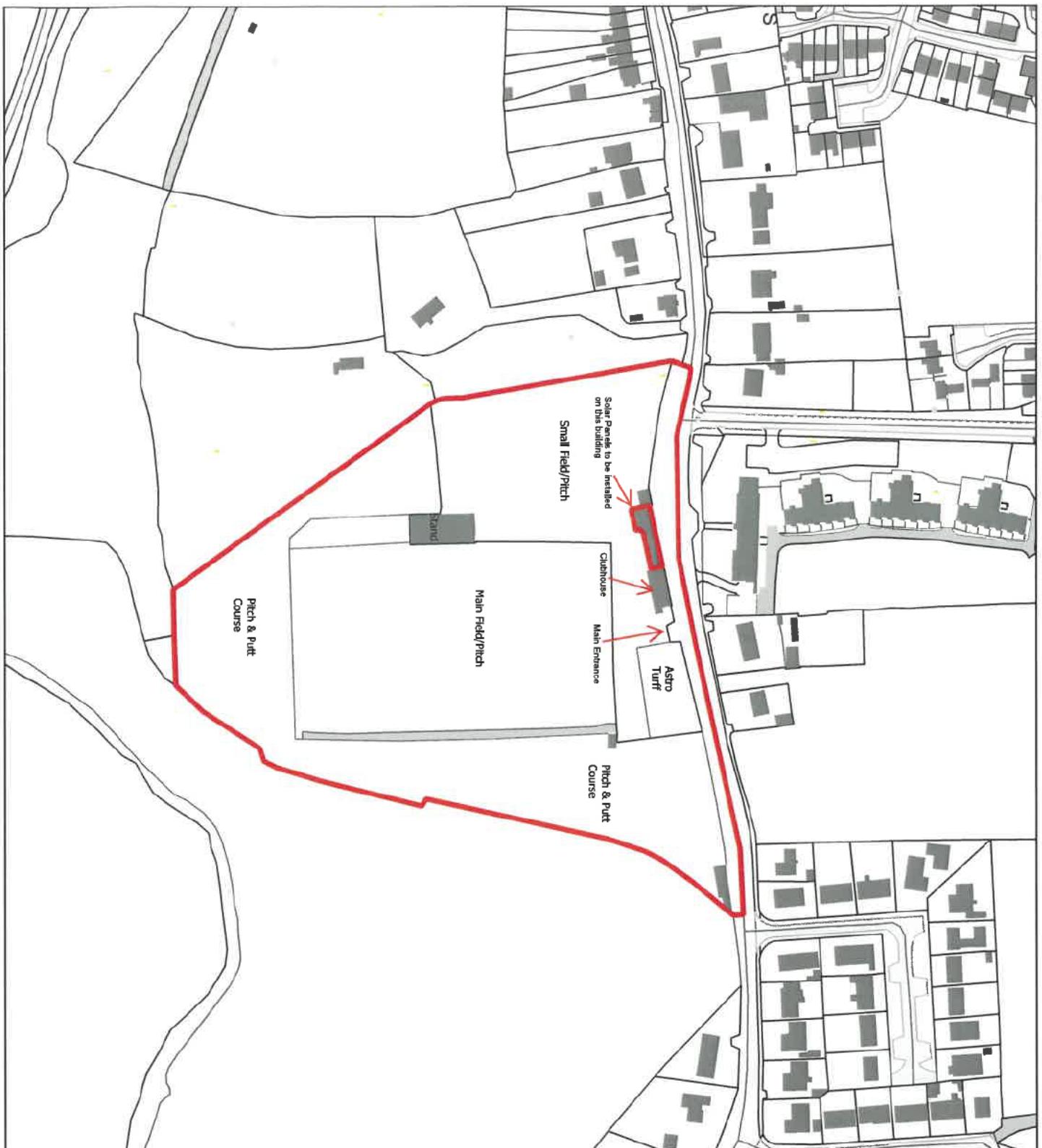
NOTES: Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

**Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67**

**Enquiries:
Telephone: 061-556556
E-Mail: planning@limerick.ie**



Site Layout Plan
Bruff GAA club grounds highlighted in
red.

Address: Bruff GAA Club House
Ardykeohane

Bruff
Co. Limerick
V35YW72

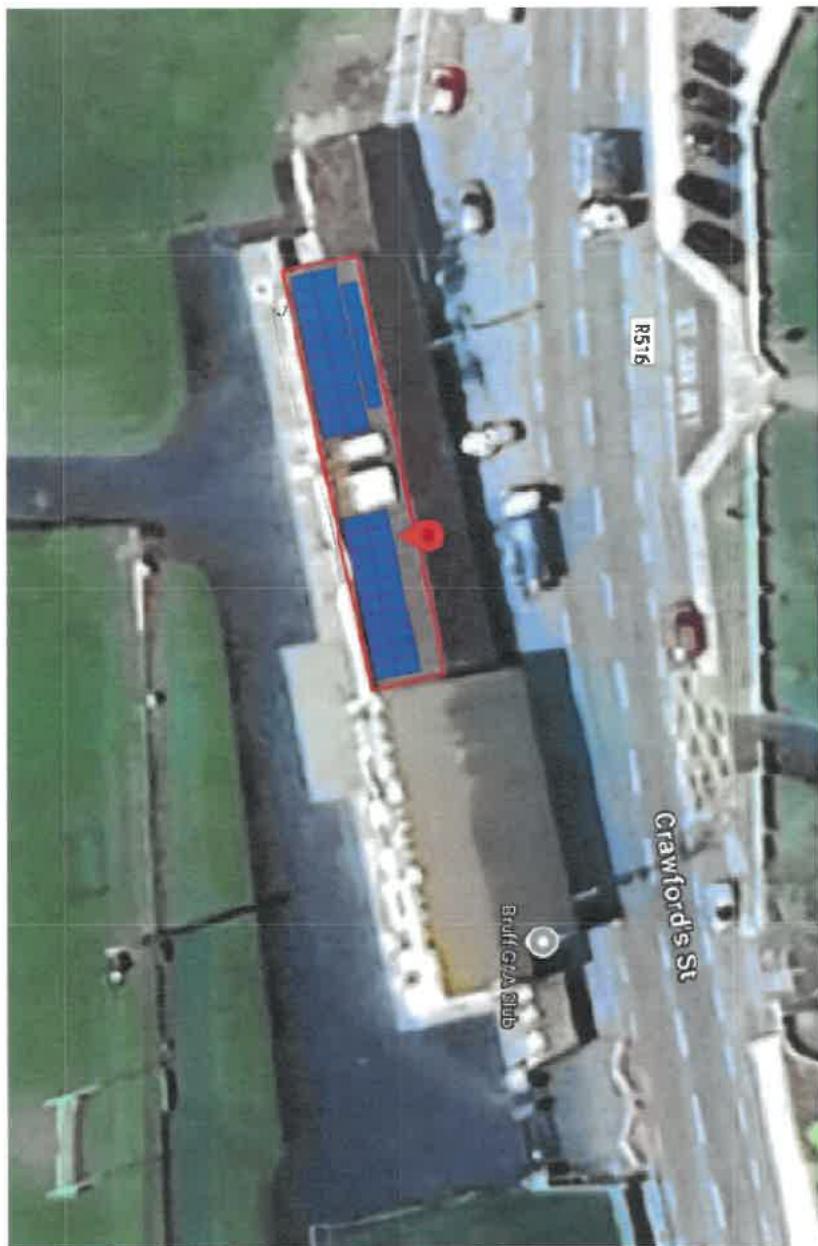
Site Area: 4.353 ha Approx.

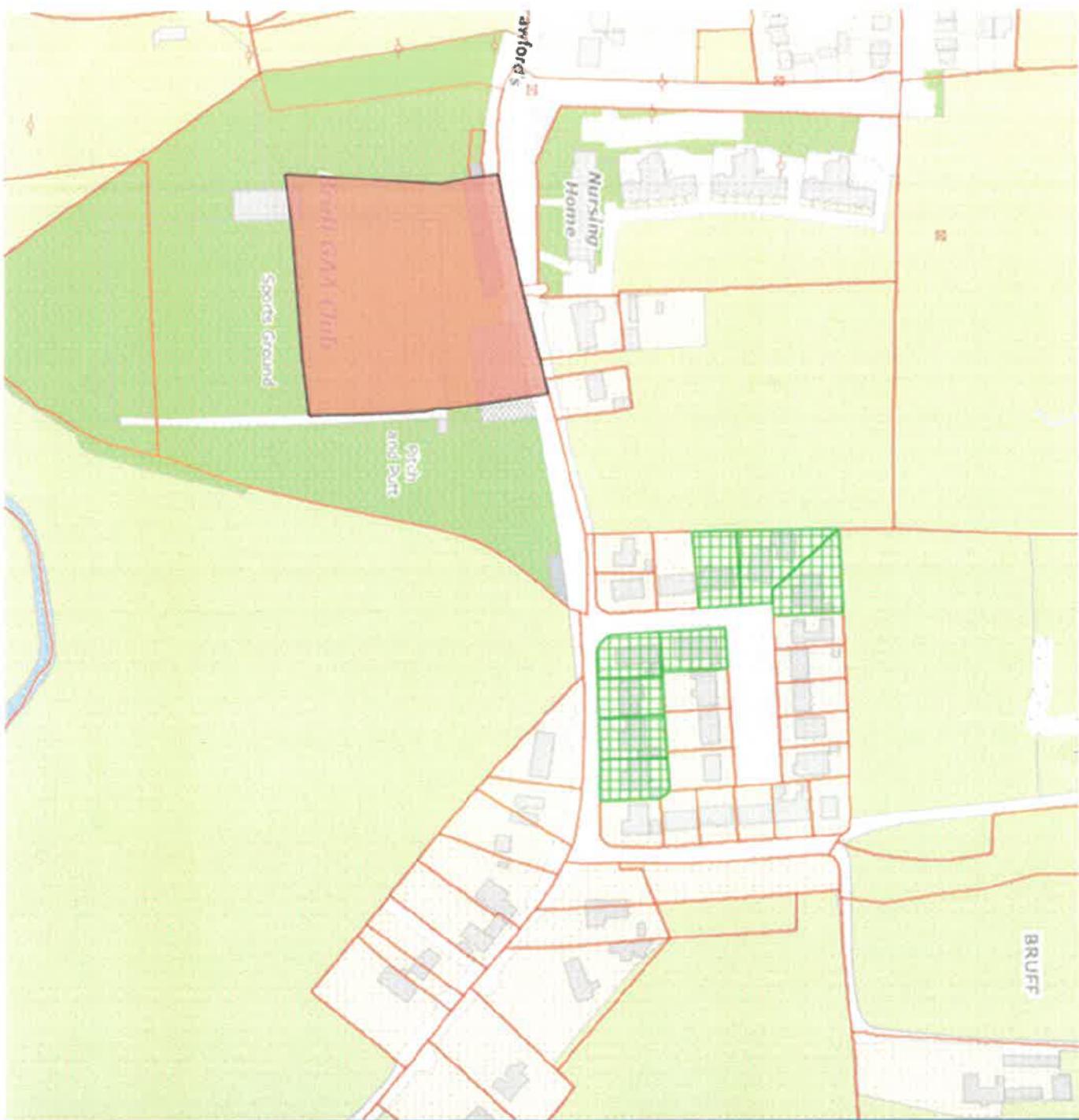
ITM Co-ords: 563209, 636188

Scale: 1:2500 @ A4

Date drafted: 22/01/2024

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Eireann.
All Rights reserved.
Licence number CYAL50252415





Folio Number	LK22324
Title Level	Freehold
Plan Number	25
Property Number	3
Area of selected plans.	1.09 hectares.
Number of Plans on this folio:	3
Address	Bruff Gaa Club, Anankeen, Bruff, Co. Limerick, V35 W72
Highlight All Plans	
View Folio PDF	
Request Certified Copy	

>Title registration documents are plan areas are not conclusive. See Section 62(2) of the Registration of Title Act 2005 and Rule 8(3) of the Land Registration Rules 2012.

Print Current View

Help

LIMERICK CITY & COUNTY COUNCIL
CASH OFFICE
CMC OFFICES
DOORADOYLE
CO LIMERICK

27/03/2025 09:57:01

Receipt No /
Uimhir Admhála : LA25/025175772

BRUFF GAA CLUB
C/O CLAIRE MURHANE
BRUFF
CO LIMERICK

EXEMPTION CERTIFICATES

80.00

GOODS
VAT Exempt/Exon-vatable

Total/Inniúan

80.00 EUR

Tendered/Tainghe
Credit / Debit Card
VISA
*****1699

Change/Sóinseáil

0.00

Issued By/
Eisithe ag : John Harold

Report on application under Section 5 of the Planning and Development Act 2000 (as amended)

Reference no. EC-055-25

Name and Address of Applicant: Bruff GAA
Ardykeohane,
Bruff,
Co. Limerick
V35YW72

Agent: N/A

Location: Bruff GAA
Ardykeohane,
Bruff,
Co. Limerick
V35YW72

Description of Site and Surroundings:

The site is the home of Bruff GAA and is zoned Open Space and Recreation in the Limerick Development Plan 2022-2028. There are playing pitches, a clubhouse and a spectator stand on site, the site is accessed off the R516.

Zoning:

Open Space and Recreation

Proposal:

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- Erection of solar panels on southern roof of the clubhouse

This Section 5 declaration includes the following:

- Application Form
- Site location
- Image of proposal
- Site layout

Planning History:

13/353 – Permission granted to Bruff GAA for the erection of 6 no. 6m lighting columns, 2m high protective netting along the boundary and a synthetic surface to hurling wall area

12/431 – Application by Bruff GAA for erection of 6 no. 10m high lighting columns with twin 400 wattage lamps, 2m high protective netting along the full perimeter of the hurling wall area & provision of a synthetic surface to hurling wall area was withdrawn.

09/1062 – Permission granted to Bruff GAA for a hurling wall & associated site works and emergency roadside entrance

03/581 - Permission granted to Bruff GAA for the construction of clubhouse, extension and refurbish 2 No. dressingrooms and associated site works.

94/713 – Permission granted to Bruff Pitch and Putt Club for construction of clubhouse

Enforcement History

N/A

Relevant An Bord Pleanála referrals

N/A

Assessment

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 2(1) in this Act, except where otherwise requires –

'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

'structure' as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

Section 3(1) defines 'development' as 'the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land'.

The proposed development on site, comprising erection of solar panels on the Clubhouse roof constitutes 'works' and 'development'.

Is the proposal exempted development?

The proposal is for the erection of solar panels on southern roof of the clubhouse. Following a site inspection on the 2nd April 2025 it was noted that the southern elevation of the clubhouse is not road facing. The proposal for the erection of solar panels will be assessed under Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Class 61

The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:

- (i) an educational building,
- (ii) health centre or hospital,
- (iii) recreational or sports facility,
- (iv) place of worship,
- (v) community facility or centre,
- (vi) library,
- (vii) sites for the provision of gas, electricity, telecommunications services or water supplies or wastewater services operated by a statutory undertaker.

The building in question is part of a sports facility.

1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.

The site is not within a solar safeguarding zone.

2. Where such development is located within a solar safeguarding zone, the planning authority for the area shall be notified in writing no later than 4 weeks after the commencement of such development and such notification shall include details regarding the location and scale of the development.

The site is not within a solar safeguarding zone.

3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.

Drawings are submitted to show 15cm is not exceeded.

4. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.

Drawings are submitted to show a 50cm from the roof edge.

5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.

None proposed on drawings.

6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.

1.6 metres above roof level will not be exceeded.

7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.

None proposed on drawings.

8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site.

Proposal is for solar panels on the roof.

9. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.

Proposal is for solar panels on the roof.

10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.

Proposal is for solar panels on the roof.

11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.

Proposal is for solar panels on the roof.

12. The placing or erection of any free-standing solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.

Not within an ACA.

13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.

No sign shown on drawings submitted.

14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.

To be used by GAA club.

15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.

Can be removed if necessary.

Article 9 Restrictions

The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended).

Appropriate Assessment

An AA Screening examination has been undertaken and is attached as Appendix 1. As outlined in the screening report it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the referenced European sites or any other European site, in view of the said sites conservation objectives. An appropriate assessment is not, therefore, required

Environmental Impact Assessment

An EIA Screening examination has been undertaken (see Appendix 2). Based on a preliminary examination of the proposal there is no real likelihood of significant effects on the environment and EIA is not required.

Conclusion/Recommendation

The erection of solar panels on the clubhouse roof as detailed on the application and plans submitted are considered to be within the scope of Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

(a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)

(b) Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

(c) The plans & particulars submitted with the application received on the 26th March 2025.

It is therefore considered that the said works are development and are exempted development under the Planning and Development Regulations 2001 (as amended).

John Wallace

John Wallace
A/Executive Planner

Date 09/04/2025

Jennifer Collins
Agreed

Jennifer Collins
A/Senior Executive Planner

Date: 22/04/2025

Appendix 1- AA Screening examination AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
a. File Reference No:	EC/055/25
b. Brief description of the project or plan:	<p>This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:</p> <ul style="list-style-type: none"> • Erection of solar panels on southern roof of the clubhouse
c. Brief description of site characteristics:	The site is the home of Bruff GAA and is zoned Open Space and Recreation in the Limerick Development Plan 2022-2028. There are playing pitches, a clubhouse and a spectator stand on site, the site is accessed off the R516.
d. Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
e. Response to consultation:	N/A

STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165 Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	15.8km	None	No
001430 Glen Bog SAC	https://www.npws.ie/protected-sites/sac/001430	2.6km	None	No
00439 Tory Hill SAC	https://www.npws.ie/protected-sites/sac/000439	11.5km	None	No

¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

² if the site or part thereof is within the European site or adjacent to the European site, state here

STEP 3: Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g. <ul style="list-style-type: none"> - Vegetation clearance - Demolition - Surface water runoff from soil excavation/infill/landscaping (including borrow pits) - Dust, noise, vibration - Lighting disturbance - Impact on groundwater/dewatering - Storage of excavated/construction materials - Access to site - Pests 	None predicted as this is for a installation of solar panels on the roof of an existing structure, limited works involved.
Operation phase e.g. <ul style="list-style-type: none"> - Direct emission to air and water - Surface water runoff containing contaminant or sediment - Lighting disturbance - Noise/vibration - Changes to water/groundwater due to drainage or abstraction - Presence of people, vehicles and activities - Physical presence of structures (e.g. collision risk) - Potential for accidents or incidents 	Given the nature of the proposal, not anticipated there would be any impact during operational phase as these are solar panels.
In-combination/Other	None given level of development in the area
(b) Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> - Reduction or fragmentation of habitat area - Disturbance to QI species - Habitat or species fragmentation - Reduction or fragmentation in species density - Changes in key indicators of conservation status value (water or air quality etc) 	None predicted

<ul style="list-style-type: none"> - Changes to areas of sensitivity or threats to QI - Interference with the key relationships that define the structure or ecological function of the site 	
<p>(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</p>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

STEP 4: Screening Determination Statement														
<p>The assessment of significance of effects: Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives</p>														
<p>No effects have been identified on any designated sites</p>														
<p>Conclusion: Given the sites size, no hydrological connection to any SAC/SPA, the site does not encroach on any SAC/SPA and the scale of the development, An AA Screening is not required.</p>														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 20%; text-align: center;">Tick as appropriate:</th> <th style="width: 50%;">Recommendation:</th> </tr> </thead> <tbody> <tr> <td>(i) It is clear that there is no likelihood of significant effects on a European Site</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td> The proposal can be screened out: Appropriate Assessment not required. </td> </tr> <tr> <td>(ii) It is uncertain whether the proposal will have a significant effect on a European Site</td> <td style="text-align: center;"><input type="checkbox"/></td> <td> <input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission </td> </tr> <tr> <td>(iii) Significant effects are likely</td> <td style="text-align: center;"><input type="checkbox"/></td> <td> <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission </td> </tr> </tbody> </table>				Tick as appropriate:	Recommendation:	(i) It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.	(ii) It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission	(iii) Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
	Tick as appropriate:	Recommendation:												
(i) It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.												
(ii) It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission												
(iii) Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission												

Signature and Date of Recommending Officer:	 John Wallace, A/Executive Planner 09/04/25
Planner	 Jennifer Collins, A/Senior Executive Planner 22/04/2025

Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC-055-25	
Development Summary:	Installation of solar panels	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/>	Yes. no further action required
	<input checked="" type="checkbox"/>	No. Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)?		
(Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here] _____		EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No		Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds?		
(Tick as appropriate)		
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2		No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here] _____		EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is sub-threshold : [insert here] _____		Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant		Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant		Preliminary Examination required
Signature and Date of Recommending Officer:		 <hr/> John Wallace A/Executive Planner 09/04/2025

**Signature and Date of the Decision
Maker:**



Jennifer Collins, A/Senior Executive Planner
22/04/2025

Appendix 3 – Site Inspection Photographs





Comhairle Cathrach
& Contae Luimnígh
**Limerick City
& County Council**

Pleanáil, agus Cruthú Áite
Comhairle Cathrach agus Contae Luimnígh
Bothar Thuar an Daill
Tuar an Daill, Luimneach
V94 WV78

Planning and Place-Making
Limerick City and County Council
Dooradoyle Road
Dooradoyle, Limerick
V94 WV78

PLANNING & PLACE-MAKING

REG POST:

**Bruff GAA,
c/o Clare Murrane,
Cahirguillamore,
Meanus,
Bruff,
Co. Limerick,
V35E004**

EC/055/25

22 April 2025

Re: Declaration under Section 5

Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,


**(for) Senior Planner,
Development Management**

Tuar an Daill, Luimneach
Dooradoyle, Limerick

customerservices@limerick.ie
www.limerick.ie
@LimerickCouncil
061 - 556 000

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2025/388

File Ref No. EC/055/25

SUBJECT: Declaration under Section 5.
Planning and Development Act 2000 as amended
Planning and Development Regulations 2001 as amended

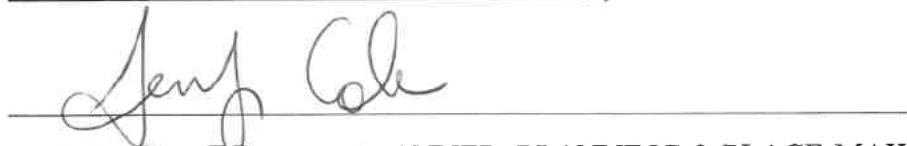
RE: **Erection of solar panels on southern roof of the clubhouse at Bruff GAA,
Ardykeohane, Bruff, Co. Limerick. V35YW72**

ORDER: Whereas by Director General's Order No. DG/2024/122 dated 27th November 2024, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Jennifer Collins, A/Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Jennifer Collins, A/Senior Executive Planner, having considered the report and recommendation of John Wallace, A/Executive Planner dated 09/04/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Bruff GAA, c/o Clare Murrane, Cahircuillamore, Meanus, Bruff, Co. Limerick, V35E004 to state that the works as described above is

Development and is Exempt Development. *kl*

Signed



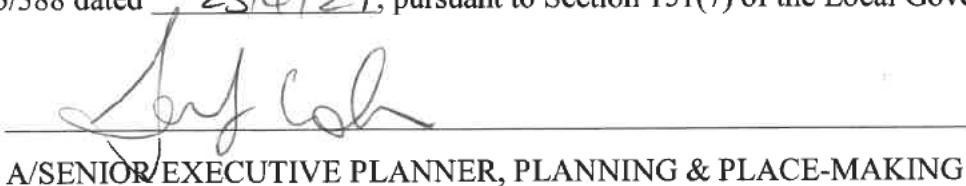
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

23/4/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/388 dated 23/4/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:



A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/055/25

Name and Address of Applicant: Bruff GAA, Ardykeohane, Bruff, Co. Limerick. V35YW72

Agent: N/A

Whether the erection of solar panels on southern roof of the clubhouse at Bruff GAA, Ardykeohane, Bruff, Co. Limerick, V35YW72 is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 27th of March 2024.

AND WHEREAS the Planning Authority has concluded that the erection of solar panels on southern roof of the clubhouse at Bruff GAA, Ardykeohane, Bruff, Co. Limerick, V35YW72 **DOES** come within the scope of exempted development under the Planning and Development Regulations 2001 (as amended). See Report attached.

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is Exempt Development.** *kl*

Signed on behalf of the said Council

Karen Conlon
Date: *23/04/2025*

NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.