



Comhairle Cathrach  
& Contae Luimnigh  
Limerick City  
& County Council

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Limerick City and County Council

Planning Department

Section 5 Application

Limerick City & County  
Council  
28 MAR 2025

Planning

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name:

Croagh / Kilfinny GAA  
Co Stephen Keary  
Closh, Croagh,  
Co Limerick

Telephone No.

[REDACTED]

Name of Agent (if any):

Address:

Telephone No.

Address for Correspondence:

Co Stephen Keary  
Closh, Croagh, Co Limerick

Location of Proposed development (Please include EIRCODE): (No EIRCODE)

Adamswood, Croagh Co Limerick

Description of Proposed development:

Herbing, Footpaths, Draining (stormwater)  
Height restriction barriers, tar and chip  
surfacing to the existing car park.

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

Exempt development

Is this a Protected Structure or within the curtilage of a Protected Structure.  
YES/NO

Applicant's interest in site: Owners

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

Site location maps

Site layout plans.

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)

Stephen Keay  
for Croagh/Kilfinny GAA.

**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.

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Application to be forwarded to:

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

**Enquiries:  
Telephone: 061-556556  
E-Mail: [planning@limerick.ie](mailto:planning@limerick.ie)**

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## SITE LAYOUT PLAN

for: Croagh/Kilfinny GAA, Camogie Clubs and other facilities  
at: Adamswood, Croagh, Co Limerick.  
Org: Joint Car park Showing drainage and entry points.  
scale: 1:500. -- date: march 2025.  
Drawn by: Stephen Keary (aciob), Croagh,  
Co. Limerick. (Tel: 069/64829).

Landscaping by specialist contractor

225 mm Dia UPVC Stormwater pipe laid to fall of 1: 180

CONSTRUCT NEW MANHOLE AND CONNECT ALL SURFACE WATER DRAINAGE TO EXISTING 350 mm DIA CONCRETE WHICH IS CONNECTED TO THE GRIANAGH STREAM

EXISTING 375 mm DIA CONC PIPE

New 2 Metre wide Slipform concrete footpath with 200 x 200 mm continuous concrete kerb and 60mm thick Tarmacadam finish

Existing gate to playing field

New field gate hung on 125 mm Dia galvd pipe set in concrete



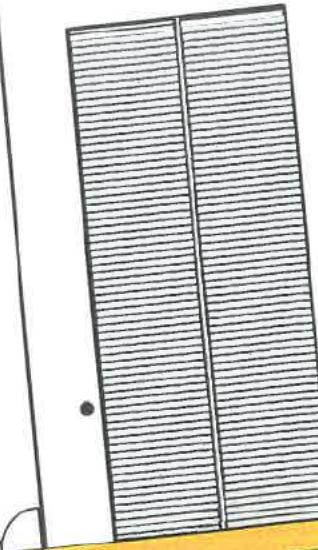
GAA PLAYING FIELD

New 375 high x 200 mm wide Slipform continuous concrete kerb as Carpark Boundary

SECURITY VEHICLE BARRIERS TO BE HOT DIPPED GALVANISED STEEL BOX IRON STEEL PIERS SIZE 200x200 mm x 48 Kg/M. MAIN FRAME AND BRACING TO BE 160x80mm x 18 Kg/M. LOCKING LATCH TO BE VANDAL PROOF

EXISTING DRESSING ROOMS

Low level electronic security barrier with timing facility to be fitted at front of overhead barrier.



Overhead security barrier as described above at main entrance

51.15m

20.42m

20.42m

42.94m

PARKING AREA

CAMOGIE PLAYING FIELD

GAA PLAYING FIELD

OUT

IN

PARKING AREA

225 mm Dia UPVC Stormwater pipe laid to fall of 1: 180

Re-hang existing field gate on 125 mm Dia galvd pipe set in concrete

Permanent field access road TO BE LEFT CLEAR AT ALL TIMES WHILE FIELD IS BEING USED.



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

26/03/2025 14:42:44

Receipt No./  
Uimhí Admhála : LA25/0/25175859

CROAGH / KILFINNY GAA  
C/O STEPHEN KEARY  
CLOUGH  
CROAGH  
CO. LIMERICK

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :  
Cheque 80.00  
A.I.B.  
502168

Change/Sómseáil : 0.00

Issued By/  
Eisithe ag : Ronan Forde  
From/O : CASH OFFICE HQ  
Vat reg No./Cláruimhír CBL: 3267368TH

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

**Reference no.** EC/086/25

**Name and Address of Applicant:** Croagh Kilfinny GAA, C/O Cllr. Stephen Keary, Clogh, Croagh, Co. Limerick.

**Agent:** C/O Stephen Keary

**Location:** Adamswood, Croagh, Co. Limerick

**Description of Site and Surroundings:**

The subject site is located in the townland of Adamswood south east of Croagh Village. The proposal relates to an existing informal carpark located along the L12051 Road which serves the Croagh Kilfinny Camogie pitch to the rear.

**Zoning:**

N/A

**Proposal:**

The question being put before the planning authority, as stated in the application form, is as follows:

- *Whether upgrades to the existing private carpark at Croagh Kilfinny GAA pitch, including the construction of kerbing, footpaths, drainage (stormwater) height restriction barriers and the laying of tar and chip surfacing is or is not development and is or is not exempted development.*

Having regard to submitted documentation, I consider the question being posed should be reformulated as follows to include all identified works:

- *Whether upgrades to the existing private carpark at Croagh Kilfinny GAA pitch, including:*
  - (A) *The delineation of car parking spaces,*
  - (B) *The erection of height restriction barriers,*
    - (i) *Overhead security barriers*
    - (ii) *Low-level security barriers*
  - (C) *The construction of kerbing and footpaths,*
  - (D) *The construction of drainage (stormwater),*
  - (E) *The construction of a wall/fence,*
  - (F) *The laying of tar and chip surfacing*

*is or is not development and is or is not exempted development.*

This Section 5 declaration includes the following:

- Section 5 Declaration Application Form
- Site Location Map
- Site layout plan

**Planning History:**

18/1027 - Croagh Kilfinny Camogie Club - a 40 foot by 8 foot container with internal fit out incorporating two changing areas and toilet facilities with connection to the existing public sewer system adjacent to the complex and all associated works.

12/428 - The construction of a single storey dressing room building consisting of two team changing rooms, public toilets, referees room, store and associated site works (declared withdrawn)

04/114 - Construction of general purpose sports centre and associated site development works-Granted

93/1266 - Construction of dressingrooms and septic tank - Granted

### **Enforcement History**

No Planning Enforcement on site.

### **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’.

(A) *The delineation of car parking spaces,*

A review of the planning history of the site confirms that the existing car park was permitted prior to the most recent planning permission on the site 93/1226. As no file is available relating to same, the layout as permitted is unclear. While I note that subsequent planning applications on the site show a different car park layout, planning permission was sought nor granted for this layout. Having regard to the above, I consider in terms of the proposed demarcation of car parking spaces within the overall permitted car park area, the works would not constitute a change of use and would generally be in keeping with the previous grants of planning permission on the site. In terms of the road markings required to delineate the spaces, I do not consider the painting of parking space boundaries to fall within the definition of works or development as set out in the Sections 2 and 3 of the Planning and Development Act, 2000 (as amended). The proposed development on the site, comprising the delineation of car parking spaces to the existing carpark at Croagh Kilfinny GAA pitch does not constitute ‘works’ and is not ‘development’.

(B) *The erection of height restriction barriers,*

(C) *The construction of kerbing and footpaths,*

(i) *Overhead security barriers*

(ii) *Low-level security barriers*

(D) *The construction of drainage (stormwater),*

(E) *The construction of a wall/fence,*

(F) *The laying of tar and chip surfacing*

The proposed development on site, comprising upgrades to the existing carpark at Croagh Kilfinny GAA pitch, including the construction of height restriction barriers, kerbing and footpaths, a wall/fence, drainage (stormwater) and the laying of tar and chip surfacing, constitutes ‘works’ and ‘development’.

Is the proposal exempted development?

Development can be exempted from the requirement for planning permission by either (a) section 4 of the Planning and Development Act, 2000, or (b) article 6 of the Planning and Development Regulations 2001. Having regard to the question being put before the planning authority, there are a number of exemptions set out within the Act or the Regulations, which provide for an exemption for the type of works proposed – upgrades to the existing private carpark including the construction of kerbing, footpaths, drainage (stormwater) height restriction barriers and the laying of tar and chip surfacing – including *Class 9* and *Class 13 Exempted Development – General* of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended and *Class 3 Exempted Development – Rural* of Part 3, of Schedule 2 of the Planning and Development Regulations 2001, as amended.

**(B) The erection of height restriction barriers**

There are two types of barriers proposed including (i) overhead security barriers and (ii) low-level security barriers. It is my opinion that these can be considered similarly to the erection of a gate so long as the conditions and limitations for same are complied with.

***CLASS 9 Sundry Works***

*The construction, erection, renewal or replacement, other than within or bounding the curtilage of a house, of any gate or gateway.*

***Condition and Limitations***

*The height of any such structure shall not exceed 2 metres.*

**(i) Overhead security barriers**

Having regard to the condition and limitation of Class 9, the proposal to erect overhead security barriers, exceeding a height of 2 metres, is not exempted development.

**(ii) Low-level security barriers**

Submitted documentation identifies proposed height restriction barriers including low level security barriers which will be used to restrict vehicle access, having regard to the height of a typical car (2.5m), I am satisfied that the low level security barriers would not typically exceed 2m in height. The proposal for up to 2m high low-level security barriers is therefore considered exempt development.

**(C) The construction of kerbing and footpaths.**

***Class 13***

*The repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving.*

***Condition and Limitations***

*The width of any such private footpath or paving shall not exceed 3 metres.*

Footpaths proposed are 2 metres wide.

The proposal to construct kerbing and footpaths is therefore considered exempt development.

**(D) The construction of drainage (stormwater).**

### **Class 3 - Minor works and structures**

*Works relating to the construction or maintenance of any gully, drain, pond, trough, pit or culvert, the widening or deepening of watercourses, the removal of obstructions from watercourses and the making or repairing of embankments in connection with any of the foregoing works.*

**Condition and Limitations – None.**

There are no conditions or limitations on the construction of a drain, therefore the proposal to construct drainage (stormwater) is considered exempt development.

### **(E) The erection of a wall/fence.**

#### **Class 4**

*The construction, erection or maintenance of any wall or fence, other than a fence of sheet metal, or a wall or fence within or bounding the curtilage of a house.*

**Condition and Limitations –**

1. *The height of the wall or fence, other than a fence referred to in paragraph 2, shall not exceed 2 metres.*
2. *The height of any fence for the purposes of deer farming or conservation shall not exceed 3 metres.*

The height of the proposed wall/fence has not been provided. However, having regard to the provision of low level security barriers, 2m, I consider the wall/fence would not exceed 2 metres. Therefore, the proposal erect a 2m high wall/fence is considered exempt development.

### **(F) The laying of tar and chip surfacing.**

The current proposal is to change the surface material of the carpark as part of upgrade works to the existing car park. Tar and chip surfacing is proposed. The existing car park surface is gravel. The subject area has an established use as a car park. The proposal under assessment does not therefore result in a change of use of the subject lands. The proposal relates to a change of surface from gravel to tar and chip.

Section 2 of the Planning and Development Act, 2000 (as amended) states that a “structure” means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined. I consider the existing graveled parking area meets the requirements of this definition. I am satisfied that the existing carpark is a structure for the purposes of the Act.

Under the provisions of Section 4(1)(h) of the Planning and Development Act, the following is exempt:

*development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

I consider the resurfacing of the parking area constitutes improvement and alteration of the structure. It will not render the appearance of the general area inconsistent with the character of the structure or of neighbouring structures. The works therefore meeting the requirements of Section (4)(1)(h) of the Planning and Development Act, 2000 (as amended).

Article 9 of the Planning and Development Regulations 2001, as amended outlines restrictions on exempted development, and in terms of the laying of tar and chip surfacing I consider it is appropriate to consider same. The assessment is outlined below:

*(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act*

The proposal does not contravene the conditions of any grant of planning permission.

*(ii) consist of or compromise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,*

Not applicable to the current proposal, no amendments to the public road are proposed.

*(iii) endanger public safety by reason of traffic hazard or obstruction of road users,*

Not applicable to the current proposal, the upgrades are within a private car park.

*(iiiA) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*

Not applicable to the current proposal.

*(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,*

Not applicable to the current proposal.

*(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,*

Not applicable to the current proposal, no works proposed to a public road.

*(vii) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.*

Not applicable to the current proposal.

*(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,*

Not applicable to the current proposal.

*(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works,*

*pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,*

Not applicable to the current proposal.

*(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,*

The Planning Authority, as the competent authority in the appropriate assessment process, has reached a determination that the proposal, alone or in-combination with other developments, will not have a significant effect on European sites.

A Screening for Appropriate Assessment and Determination is appended to this report.

*(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.”*

Not applicable to the current proposal .

*(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,*

Not applicable to the current proposal.

*(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,*

Not applicable to the current proposal.

*(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,*

Not applicable to the current proposal.

*(xi) obstruct any public right of way,*

There are two number dwellings located to the east of the existing car park that are served by an existing private road which also serves the GAA grounds. The existing car park proposed to be upgraded is located to the north of this road serving, therefore access to the existing dwelling will not be obstructed.

*(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.*

Not applicable to the current proposal.

Having regard to the above, the proposed works therefore meeting the requirements of Section (4)(1)(h) of the Planning and Development Act, 2000 (as amended), therefore, the proposed laying of tar and chip surfacing is considered exempt development.

### **Appropriate Assessment**

AA Screening examination has been undertaken (see Appendix 1). Overall, it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA as there are no source-pathway-receptors and the site does not directly encroach on any Natura 2000 European Sites. Therefore, an Appropriate Assessment is not required in this instance.

### **Environmental Impact Assessment**

An EIA Screening examination has been undertaken (see Appendix 2). Overall, it is considered that there is no real likelihood of significant effects on the environment. Therefore, an Environmental Impact Assessment is not required.

### **Conclusion**

Having regard to the question posed, the Planning Authority has concluded as follows:

- (A) The delineation of car parking spaces does not constitute works which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended and is not development within the scope of section 3(1) of the Planning and Development Act 2000, as amended,
- (B) The erection of height restriction barriers,
  - (i) Overhead security barriers constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended and constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended. The erection of overhead security barriers **is not** exempted development having regard to Class 9 of Schedule 2, Part 1 of the Planning and Development Regulations, 2001 (as amended).
  - (ii) Low-level security barriers constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended and constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended. The erection of 2m high low level security barriers **is** exempted development having regard to Class 9 of Schedule 2, Part 1 of the Planning and Development Regulations, 2001 (as amended).
- (C) The construction of kerbing and footpaths, constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended and constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended. The construction of kerbing and footpaths **is** exempted development having regard to Class 13 of Schedule 2, Part 1 of the Planning and Development Regulations, 2001 (as amended).
- (D) The construction of drainage (stormwater), constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended and constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended. The construction of drainage (stormwater) **is** exempted development having regard to Class 3 of Schedule 2, Part 3 of the Planning and Development Regulations, 2001 (as amended).
- (E) The construction of a wall/fence, constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended and constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended. The construction a 2m high wall/fence **is** exempted development having regard to Class 4 of Schedule 2, Part 3 of the Planning and Development Regulations, 2001 (as amended).

(F) The laying of tar and chip surfacing constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended and constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended. The laying of tar and chip surfacing is exempted development having regard to Section 4(1)(h) of the Planning and Development Act, 2000 (as amended).

Regard has been had to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, (as amended);
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, (as amended);
- (c) Classes 9 and 13 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended);
- (d) Classes 3 and 4 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended);
- (e) The plans and particulars submitted with the application received on 28<sup>th</sup> March 2025.

It is therefore considered that upgrades to the existing private carpark at Croagh Kilfinny GAA pitch, including the following:

(A) The delineation of car parking spaces, is not development and does not come within the scope of exempted development as set out in the Planning and Development Act, 2000, (as amended) and the Planning and Development Regulations 2001 (as amended).

It is therefore considered that upgrades to the existing private carpark at Croagh Kilfinny GAA pitch, including the following:

- (B) (ii) The erection of 2 metre high Low-level security barriers,
- (C) The construction of kerbing and footpaths,
- (D) The construction of drainage (stormwater),
- (E) The construction of a wall/fence,
- (F) The laying of tar and chip surfacing.

is development and is exempted development.

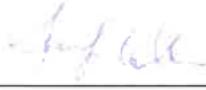
And

It is therefore considered that upgrades to the existing private carpark at Croagh Kilfinny GAA pitch, including the following:

(B) (i) The erection of overhead security barriers exceeding 2m in height is development and is not exempted development.

  
\_\_\_\_\_  
Eithne O'Brien  
Assistant Planner

Date: 22/04/2025

  
\_\_\_\_\_  
Agreed by: \_\_\_\_\_  
Jennifer Collins  
A/Senior Executive Planner

Date: 24/04/2025

## Appendix 1: AA PN01 Screening Form

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
<b>(a) File Reference No:</b>	EC/086/25
<b>(b) Brief description of the project or plan:</b>	<p>A section 5 application on whether upgrades to the existing carpark at Croagh Kilfinny GAA pitch, including</p> <ul style="list-style-type: none"> <li>(A) The delineation of car parking spaces,</li> <li>(B) The erection of height restriction barriers,</li> <li>(C) The construction of kerbing and footpaths,</li> <li>(D) The construction of a wall/fence,</li> <li>(E) The construction of drainage (stormwater),</li> <li>(F) The laying of tar and chip surfacing</li> </ul> <p>is or is not development and is or is not exempted development.</p>
<b>(c) Brief description of site characteristics:</b>	The subject site is located in the townland of Adamswood south east of Croagh Village. The proposal relates to an existing carpark which serves the Croagh Kilfinny Camogie pitch to the rear.
<b>(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	N/A
<b>(e) Response to consultation:</b>	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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002279 – Askeaton Fen Complex	<a href="#">Askeaton Fen Complex SAC</a>   <a href="#">National Parks &amp; Wildlife Service</a>	4.7 km	None. No direct encroachment or hydrological connection.	N.

002165 – Lower River Shannon SAC	<a href="#">Lower River Shannon SAC   National Parks &amp; Wildlife Service</a>	6.4km	Yes – weak hydrological connection exists via stream located c. 90m north of the subject site which flows into the Clonshire River, a tributary of the Maigue/Lower River Shannon SAC.	Y – See step 3
004077-River Shannon and River Fergus Estuaries SPA	<a href="#">River Shannon and River Fergus Estuaries SPA   National Parks &amp; Wildlife Service</a>	11.5km	Yes – weak hydrological connection exists via stream located c. 90m north of the subject site which flows into the Clonshire River, a tributary of the Maigue/Lower River Shannon SAC.	

### 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)
<b>Construction phase e.g</b> <ul style="list-style-type: none"> <li>- Vegetation clearance</li> <li>- Demolition</li> <li>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>- Dust, noise, vibration</li> <li>- Lighting disturbance</li> <li>- Impact on groundwater/dewatering</li> </ul>	During the construction phase, there is potential for impacts on water quality from surface water runoff from site works to temporarily discharge to an adjacent stream which flows into the Clonshire River and subsequently the River Greanagh before reaching the River Maigue/ Lower River Shannon SAC.

<ul style="list-style-type: none"> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>	<p>However, the hydrological connection to the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA is indirect and weak. Intervening land uses and the separation distance of c. 10km means that water quality in the European Sites will not be negatively affected by contaminants, such as silt from site clearance and other construction activities, if such an event were to occur due to dilution and settling out over such a distance.</p> <p>The construction phase will not result in significant environmental impacts that could affect European Sites within the wider catchment area.</p>
<p><b>Operation phase e.g.</b></p> <ul style="list-style-type: none"> <li>- Direct emission to air and water</li> <li>- Surface water runoff containing contaminant or sediment</li> <li>- Lighting disturbance</li> <li>- Noise/vibration</li> <li>- Changes to water/groundwater due to drainage or abstraction</li> <li>- Presence of people, vehicles and activities</li> <li>- Physical presence of structures (e.g collision risk)</li> <li>- Potential for accidents or incidents</li> </ul>	<p>The hydrological connections are indirect and weak and the separation distance is significant, such that there is no real likelihood of any significant effects on European Sites in the wider catchment area.</p>
<p><b>In-combination/Other</b></p>	<p>N/A having regard to developments nearby, primarily rural one-off housing. No likely significant in-combination effects are identified.</p>
<p><b>(b) Describe any likely changes to the European site:</b></p>	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>- Reduction or fragmentation of habitat area</li> <li>- Disturbance to QI species</li> <li>- Habitat or species fragmentation</li> <li>- Reduction or fragmentation in species density</li> <li>- Changes in key indicators of conservation status value (water or air quality etc)</li> <li>- Changes to areas of sensitivity or threats to QI</li> </ul>	<p>None. The application site is not located adjacent or within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.</p> <p>The distance between the proposed development site and any European Sites, and the very weak and indirect ecological pathway is such that the proposal will not result in any likely changes to the above-named European sites.</p>

<ul style="list-style-type: none"> <li>- Interference with the key relationships that define the structure or ecological function of the site</li> </ul>		
<p><b>(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b></p>		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<p><b>STEP 4: Screening Determination Statement</b></p>		
<p><b>The assessment of significance of effects:</b></p> <p>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 identified.</p>		
<p><b>Conclusion:</b></p> <p>On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:</p> <ul style="list-style-type: none"> <li>• the nature and scale of the proposed development on fully serviced lands,</li> <li>• the intervening land uses and distance from European sites,</li> <li>• the lack of direct connections with regard to the Source-Pathway-Receptor model,</li> </ul> <p>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 above listed European sites or any other European site, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.</p>		
	<p>Tick as appropriate:</p>	
<p><b>(i) It is clear that there is no likelihood of significant effects on a European Site</b></p>	<input checked="" type="checkbox"/>	<p>Recommendation:</p> <p>The proposal can be screened out: Appropriate Assessment not required.</p>
<p><b>(ii) It is uncertain whether the proposal will have a significant effect on a European Site</b></p>	<input type="checkbox"/>	<p><input type="checkbox"/> Request further information to complete screening</p> <p><input type="checkbox"/> Request NIS</p> <p><input type="checkbox"/> Refuse planning permission</p>
<p><b>(iii) Significant effects are likely</b></p>	<input type="checkbox"/>	<p><input type="checkbox"/> Request NIS</p> <p><input type="checkbox"/> Refuse planning permission</p>
<p><b>Signature and Date of Recommending Officer:</b></p>		

	Eithne O'Brien, Assistant Planner 22/04/2025
<b>Signature and Date of the Decision Maker:</b>	 Jennifer Collins, A/Senior Executive Planner 24/04/25

## **Appendix 2: EIA Screening**

<b>Establishing if the proposal is a 'sub-threshold development':</b>		
Planning Register Reference:	EC/086/25	
Development Summary:	A section 5 application on whether upgrades to the existing carpark at Croagh Kilfinny GAA pitch, including the construction of kerbing, footpaths, drainage (stormwater) height restriction barriers and the laying of tar and chip surfacing is or is not development and is or is not exempted development.	
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 <b>Part A</b>	
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here] _		<b>EIA is mandatory</b> No Screening required
<input checked="" type="checkbox"/> No		Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> 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		<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here]		<b>EIA is mandatory</b> No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : [insert here] _		Proceed to <b>Part C</b>
<b>c. If Yes</b> , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant		<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant		<b>Preliminary Examination required</b>

<b>Signature and Date of Recommending Officer:</b>	 Eithne O'Brien, Assistant Planner 22/04/2025
<b>Signature and Date of the Decision Maker:</b>	 Jennifer Collins, A/Senior Executive Planner 24/04/25



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:

**Croagh/Kilfinny GAA**  
c/o Stephen Keary  
Clogh  
**Croagh**  
**Co. Limerick**

**EC/086/25**

25<sup>th</sup> April 2025

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### Re: Declaration under Section 5

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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

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🌐 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/2025/409

File Ref No. EC/086/25

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

**RE:** Upgrades to the existing private carpark at Croagh Kilfinny GAA pitch, including the construction of kerbing, footpaths, drainage (stormwater) height restriction barriers and the laying of tar and chip surfacing at Croagh Kilfinny GAA pitch, Adamswood, Croagh, Co. Limerick

**ORDER:** Whereas by Director General's Order No. DG/2024/122 dated 27<sup>th</sup> 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, Acting 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, Acting Senior Executive Planner, having considered the report and recommendation of Eithne O'Brien, Assistant Planner dated 22/04/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Croagh/Kilfinny GAA, c/o Stephen Keary, Clogh, Croagh, Co. Limerick to state that the works as described above is:

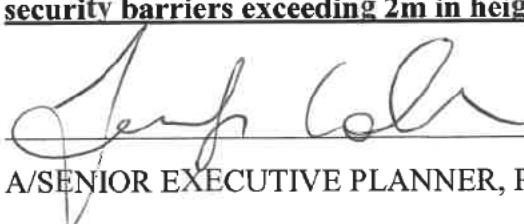
**Not Development: Delineation of car parking spaces**

**Development and is Exempt Development :**

1. The erection of 2 metre high Low-level security barriers,
2. The construction of kerbing and footpaths,
3. The construction of drainage (stormwater),
4. The construction of a wall/fence,
5. The laying of tar and chip surfacing.

**Development and is NOT Exempt Development – The erection of overhead security barriers exceeding 2m in height**

Signed

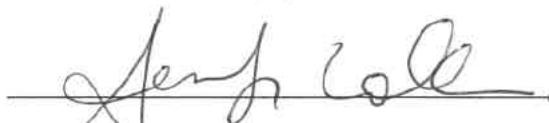
  
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

25/4/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No.  
AOO/DC/2025/409 dated 25/4/25, 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/086/25**

**Name and Address of Applicant:** Croagh/Kilfinny GAA, c/o Stephen Keary, Clogh, Croagh, Co. Limerick

**Agent:** Stephen Keary, Clogh, Croagh, Co. Limerick

**Whether** the upgrades to the existing private carpark at Croagh Kilfinny GAA pitch, including the construction of kerbing, footpaths, drainage (stormwater) height restriction barriers and the laying of tar and chip surfacing at Croagh Kilfinny GAA pitch, Adamswood, Croagh, Co. Limerick 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 28<sup>th</sup> of March 2025.

**AND WHEREAS** the Planning Authority has concluded that the upgrades to the existing private carpark at Croagh Kilfinny GAA pitch, including the construction of kerbing, footpaths, drainage (stormwater) height restriction barriers and the laying of tar and chip surfacing at Croagh Kilfinny GAA pitch, Adamswood, Croagh, Co. Limerick has been assessed having regard to Sections 2, 3 and 4 of the Planning and Development Act, 2000, (as amended); Articles 6 and 9 of the Planning and Development Regulations 2001, (as amended); Classes 9 and 13 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended); & Classes 3 and 4 of Schedule 2, Part 3 of 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:

- **Not Development: Delineation of car parking spaces**

- **Development and is Exempt Development :**

1. The erection of 2 metre high Low-level security barriers,
2. The construction of kerbing and footpaths,
3. The construction of drainage (stormwater),
4. The construction of a wall/fence,
5. The laying of tar and chip surfacing.

- **Development and is NOT Exempt Development – The erection of overhead security barriers exceeding 2m in height**

Signed on behalf of the said Council

*Karen Conlon*

Date: 28/04/2025

**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.