

Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Knockaderry Cloncagh Resource Centre Limerick CLG

Applicant's Address: Knockaderry, Newcastle West, Co Limerick V42HN73

Telephone No. [REDACTED]

Name of Agent (if any): [REDACTED]

Address: [REDACTED]

Telephone No. [REDACTED]

Address for Correspondence:

As above marked for the attention of Liam Mackessy or lmackessys@gmail.com

Location of Proposed development (Please include **EIRCODE**):

As above V42HN73 _____

Description of Proposed development:

Installation of c. 40 Longi solar panels c. 24Kwp

The Longi Hi-MO6 590Wp solar panel measures approximately 2278 mm (length) x 1134 mm (width) x 30 mm (thickness).

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

The Planning and Development Act 2000 (Exempted Development) (No. 3) Regulations 2022 and the supporting Planning and Development (Solar Safeguarding Zone) Regulations 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:

- Rural place OS Map showing location of the premises
- Land registry map for Folio 31434F with floor area etc added
- Satellite image of premises with PV panels added

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



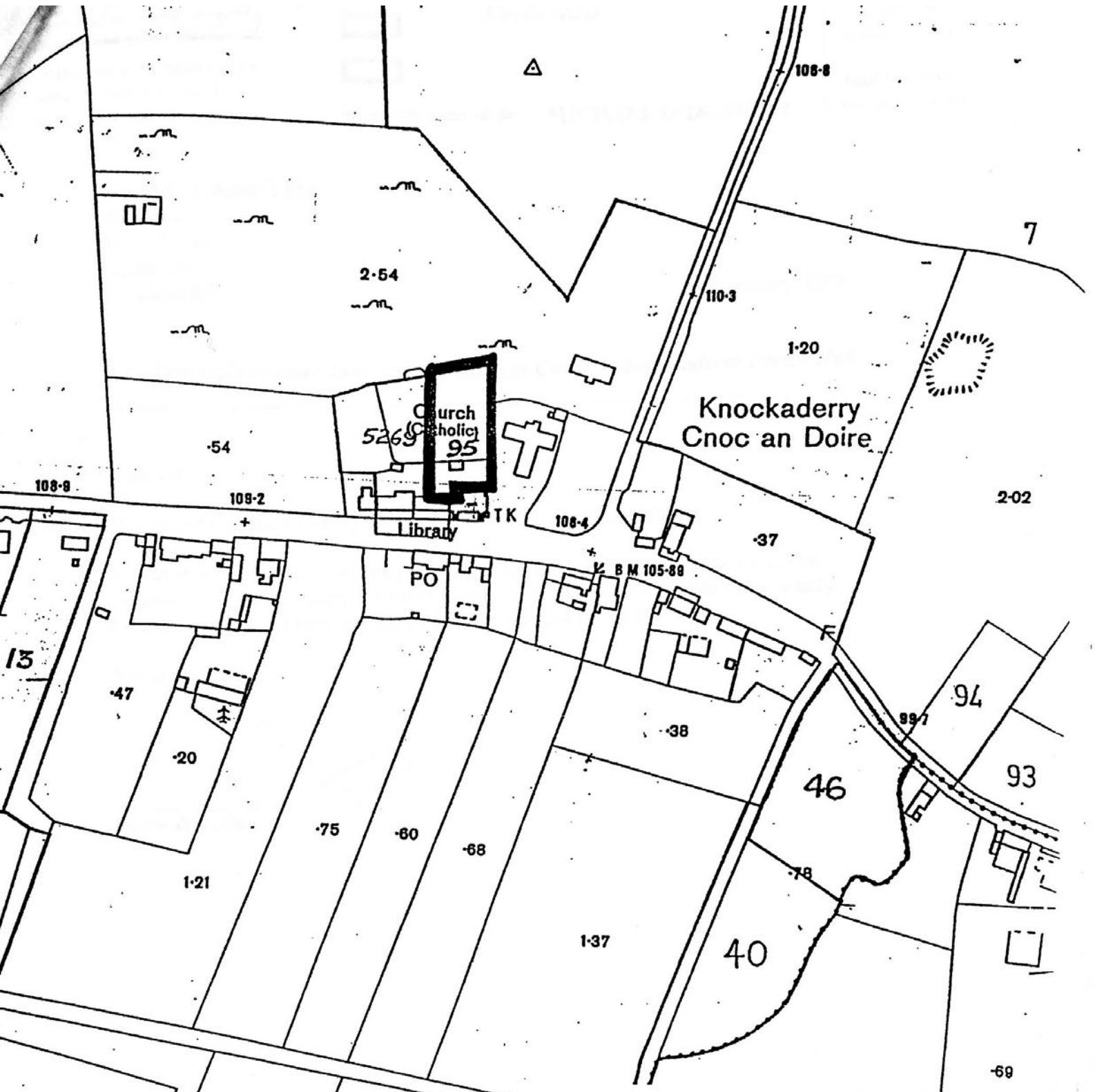
NOTES: Application must be accompanied by:

- (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**



LAND REGISTRY

County.....LIMERICK.....

Folio.....31434F.....O.S.....5163/8.....

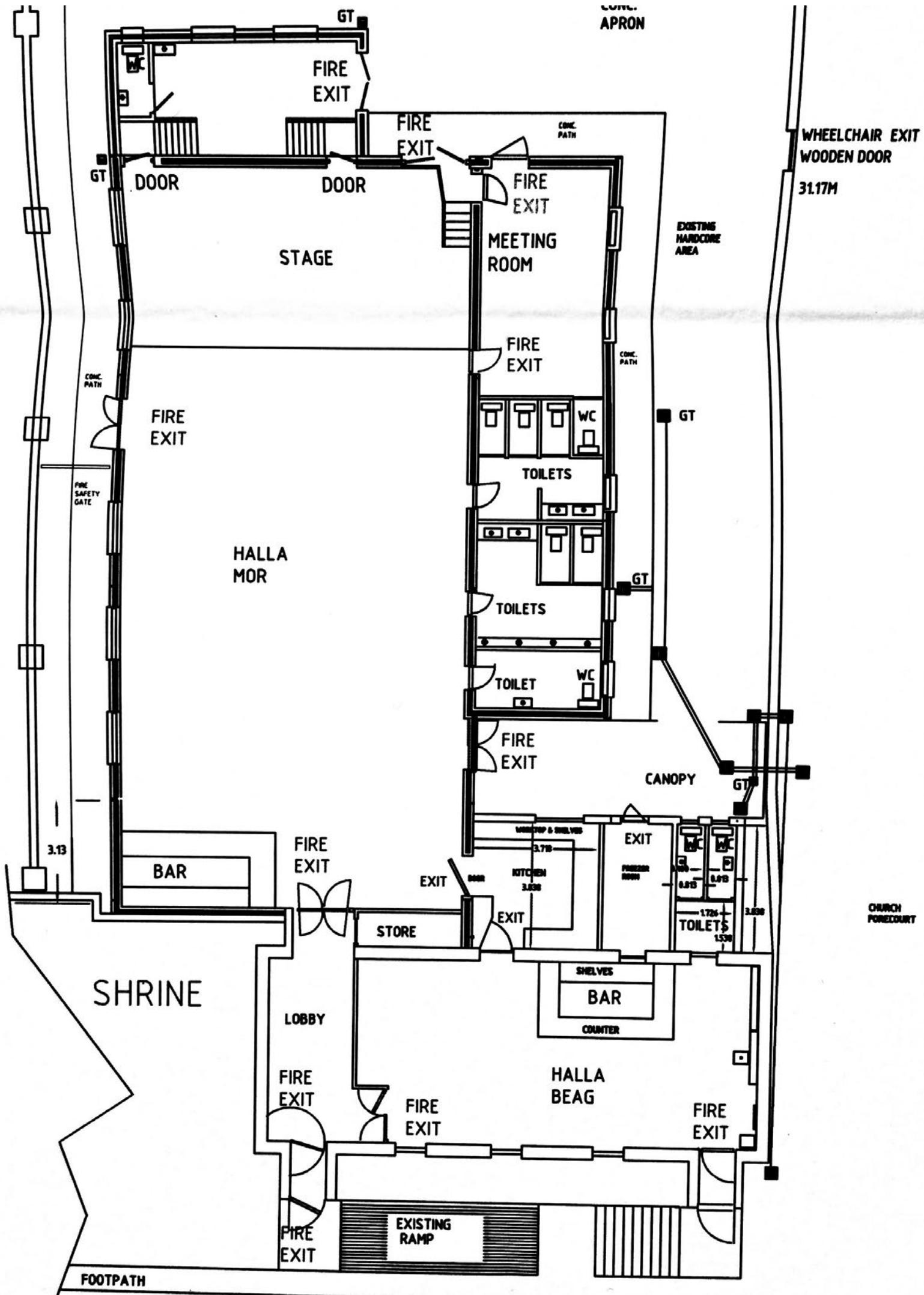
This map should be read in conjunction with the folio.
(Plan No. on 1st page)

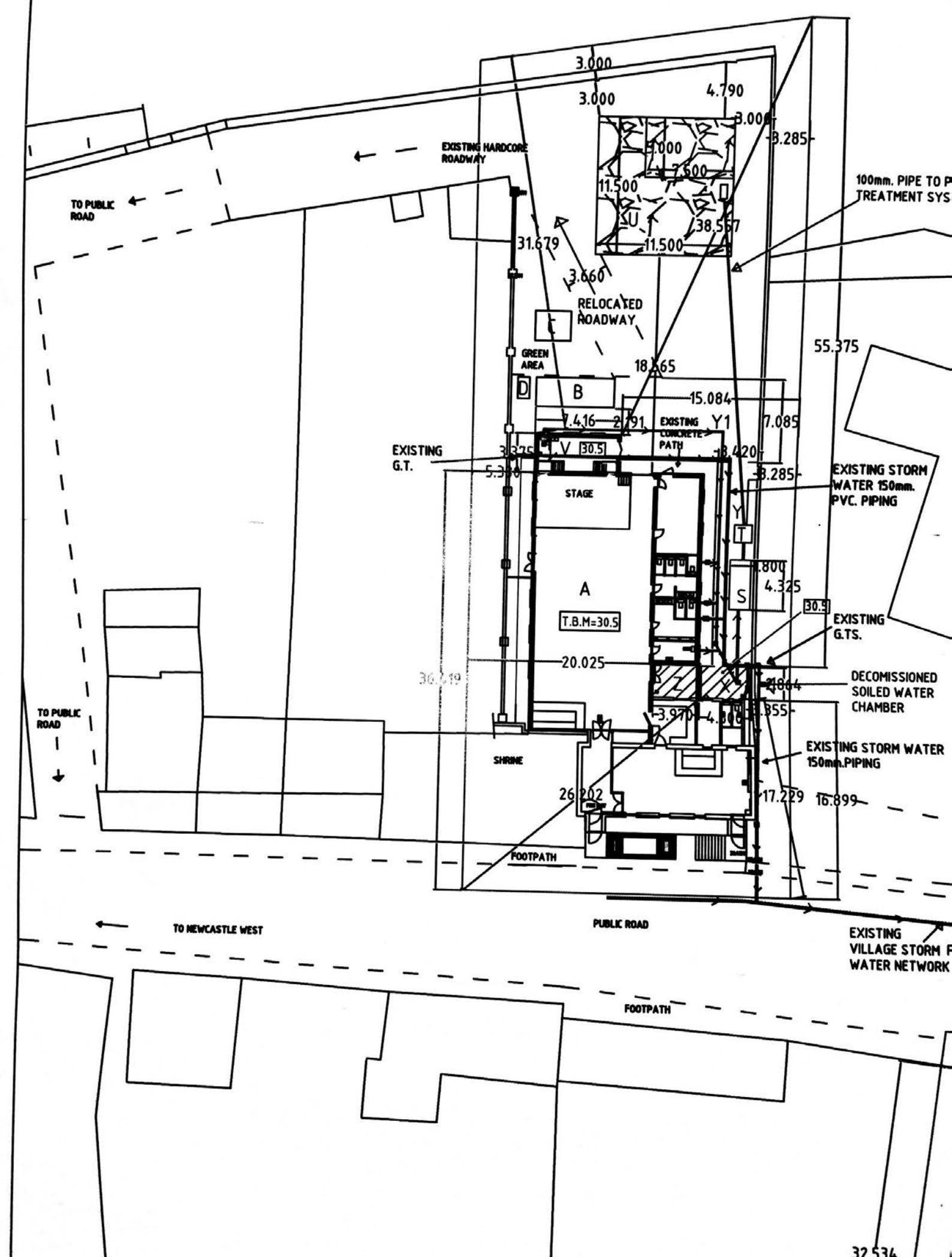
This map does not show appurtenant or servient rights
It is not conclusive evidence as to the boundary or extent
the land. (See Section 25 of the Registration of Titles Act 1960)

Where a boundary has been transferred from a smaller
scale map, accuracy is limited to that of the smaller scale

This map, subject to the provisions of the L.R. Rules, is
acceptable for subdivision purposes.

TD 243/99





Rural PLACE Map

Surveyed 2002 – 2002
0
Revised 1978
Levelled



133892 135410 134717 135410
133892

DESCRIPTION

Knockaderry
Cnoc an Doire

1.79

MAP SCALES

1:2500
5163-B
5163-A



Printed by Mid-West Maps, 94A Henry Street
Limerick City
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Knockaderry Community Hall

SECTION 5 PLANNING EXEMPTION APPLICATION.
APPROX EXTENTS OF COMMUNITY HALL
SITE OUTLINED in RED.
SITE AREA = 0.352 Acres or thereabouts.
COMMUNITY HALL BUILDING
SHOWN HATCHED IN GREEN

Extract from digital ordnance survey sheets no:
"1:2500 | 5163-B"

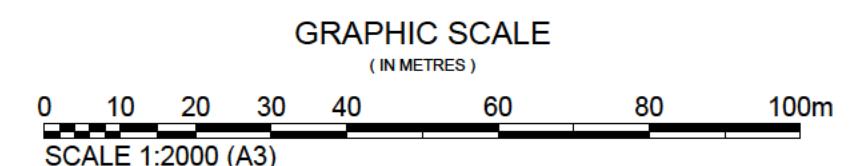
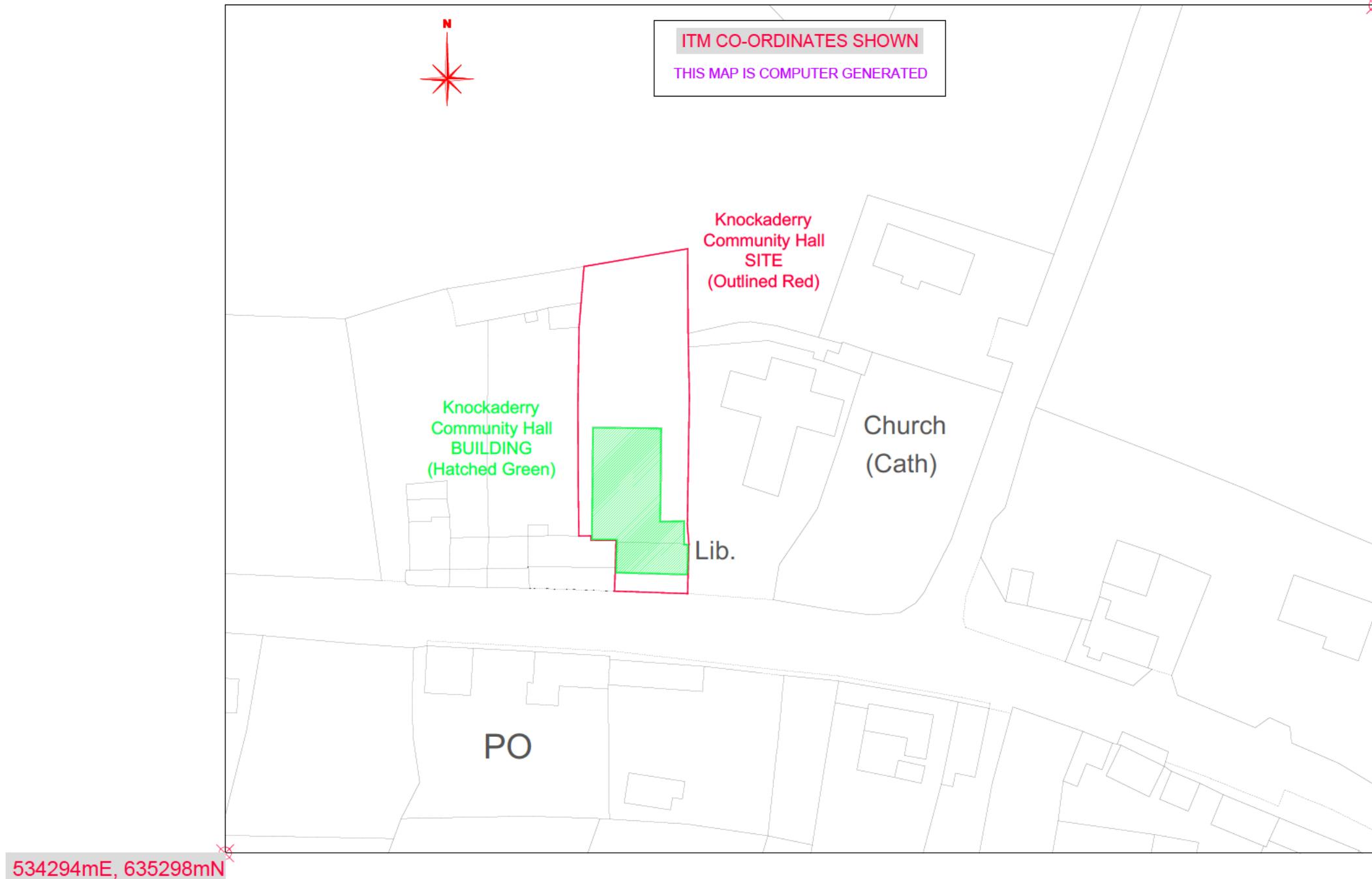
LEGEND

534527mE, 635470mN



ITM CO-ORDINATES SHOWN

THIS MAP IS COMPUTER GENERATED



ORDNANCE SURVEY IRELAND LICENCE NO. SU0002412
(c) ORDNANCE SURVEY IRELAND / GOVERNMENT OF IRELAND.

NOTE:
THIS DRAWING IS TO SUPPORT A
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THIS IS NOT A PLANNING
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LAYOUT DRAWING.

REVISIONS

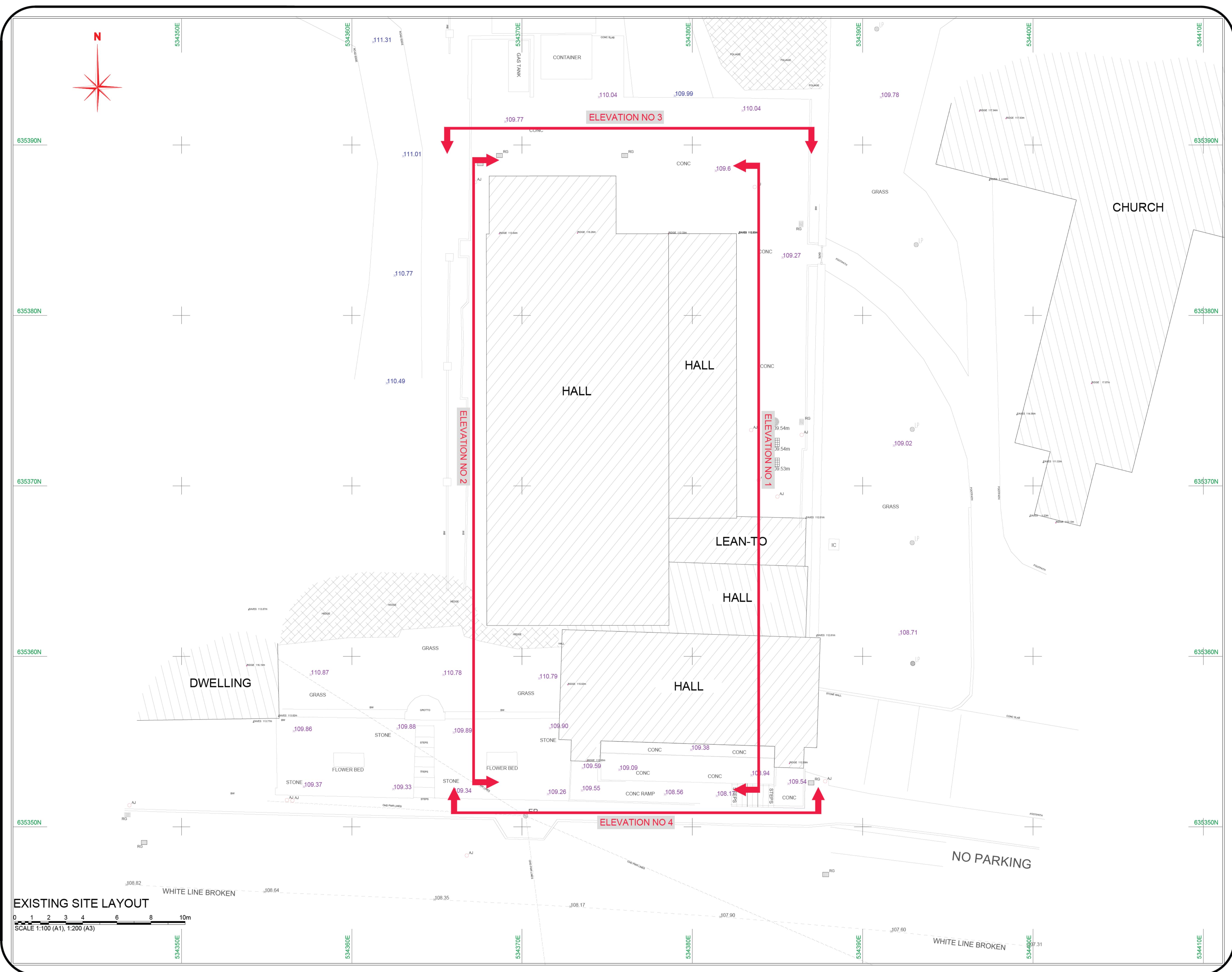
No.	Date	Staff	Description
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...
...



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Mob: +353 (0)87-8702148
Email: Email@newsurveys.ie

(c) Copyright - New Surveys Ltd.

Client :	Knockaderry Community Council	
Scale:	1:2000 (A3)	
Project :	Knockaderry Hall - SECTION 5 PLANNING EXEMPTION APPLICATION	
Site crew :	Emc, Gr, sk	Date : April 2025
Drawn by :	gr	Date : April 2025
Description :	SITE LOCATION	
Drawing number :	25-132-001	Rev: —



LEGEND

TOPO SURVEY:	
AV	AIR VALVE
AJ	ARMSTRONG JUNCTION
ESB	ESB MINI PILLAR
EP	ESB POLE
PWR LINES	ELECTRICITY LINE OVER
TEL LINES	TELECOM LINE OVER
FH	FIRE HYDRANT
WM	WATER METER
GATE	GATE
RG	ROAD GULLY
IC	INSPECTION CHAMBER
LP	LAMP POST
MH CL=10.61m	MANHOLE
SP	SIGN POST
SV	SLUICE VALVE
SC	STOPCOCK
Survey 1 100.00	SURVEY STATION
ICTE	TELECOM CHAMBER
TP	TELECOM POLE
LB	LIGHT BOLLARD
Tree	TREES
Combined Sewer Approx.	COMBINED SEWER
Foul Sewer Approx.	FOUL SEWER
Storm Sewer Approx.	STORM SEWER

SURED BUILDING SURVEY:

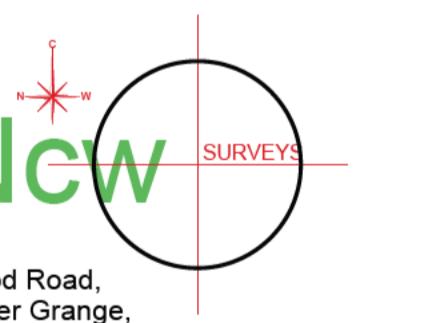
2.00m	FLOOR TO CEILING HEIGHT DIMENSION
 200.00m	FLOOR LEVEL - MALIN DATUM (Metres)
 200.00m	FLOOR LEVEL - MALIN DATUM (Metres)

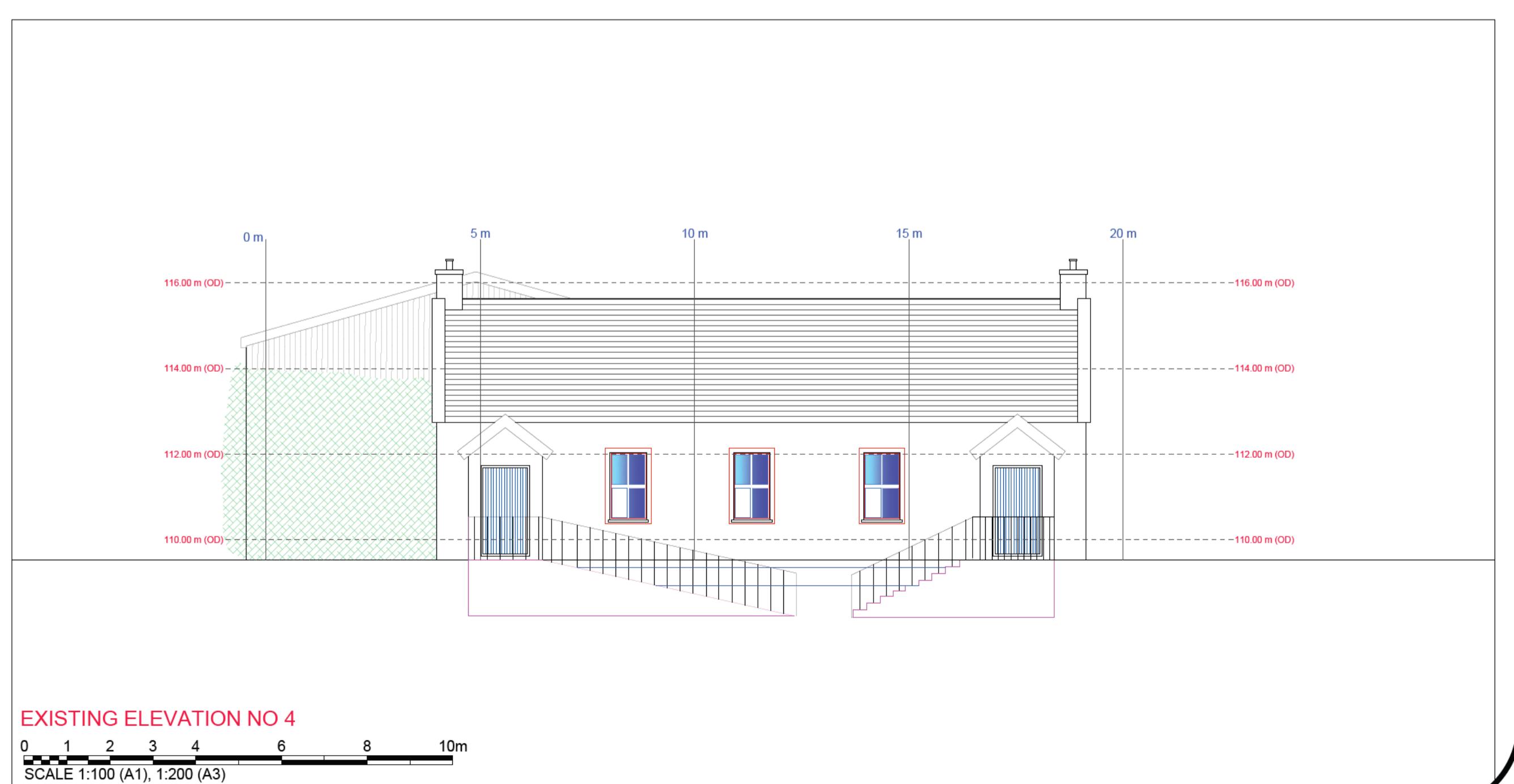
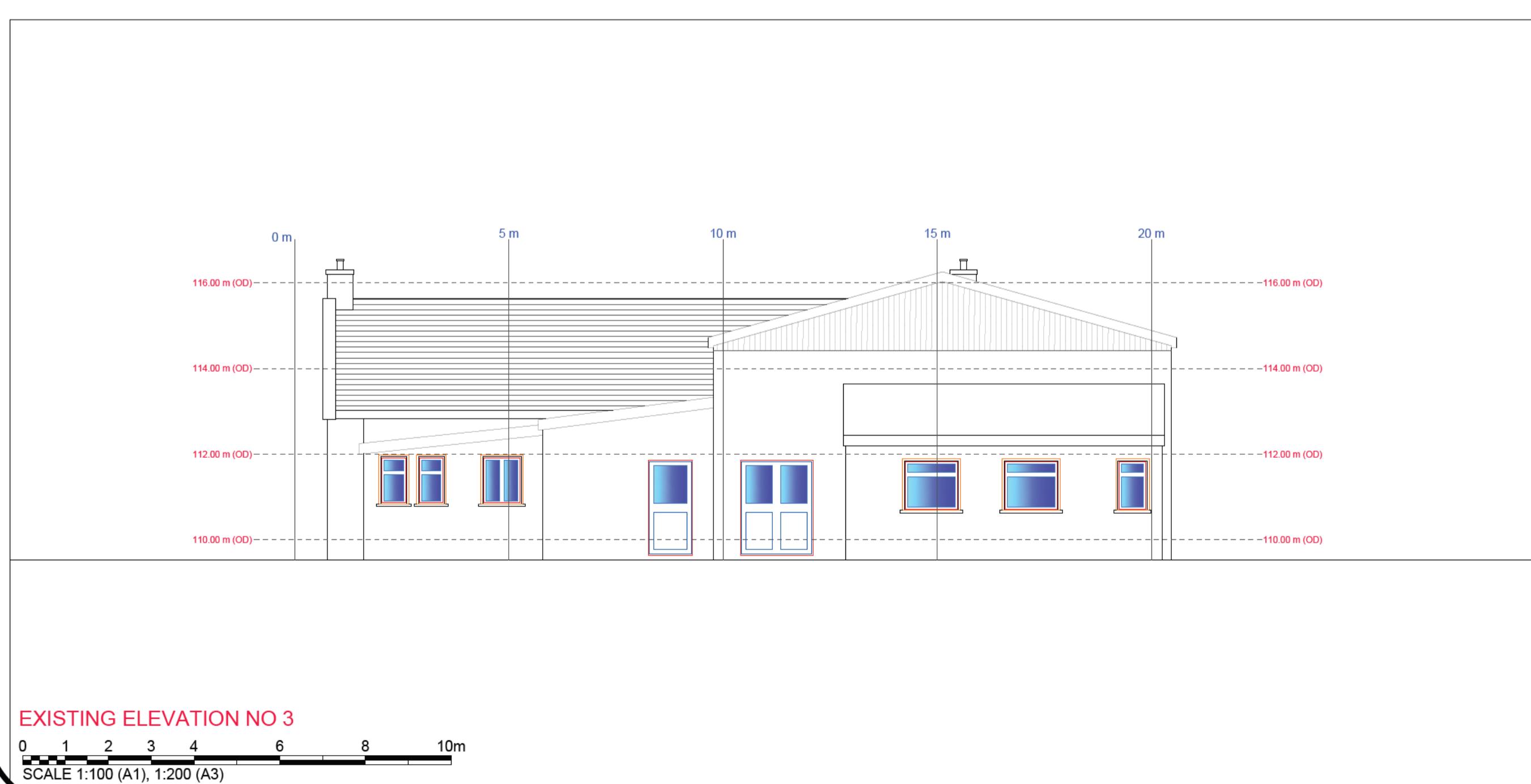
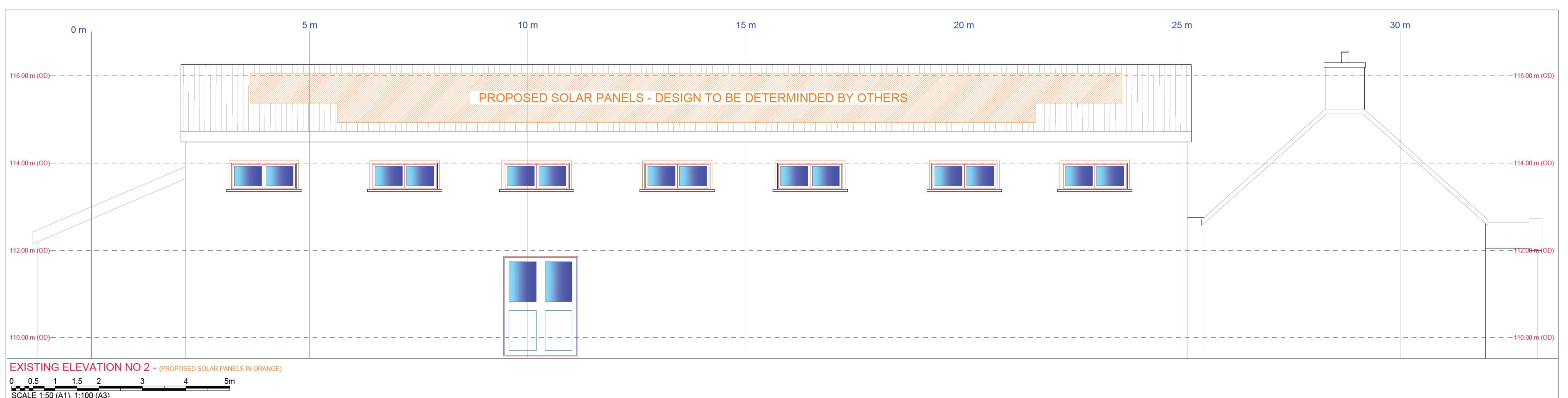
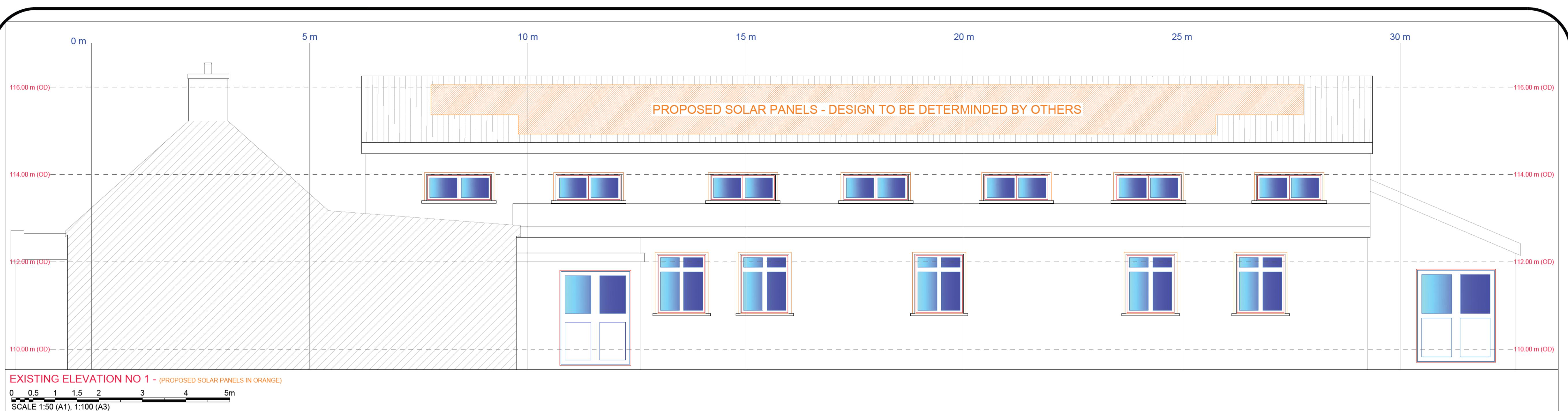
20

re in metres to OSGM15 (MALIN DATUM) unless otherwise
atum was established using a Trimble Network Rover GPS
ate system used - **ITM95**.
fers to Grid North.
DISCREPANCIES ARE FOUND IN THIS SURVEY, THEY
REPORTED TO NCWSURVEYS LTD IMMEDIATELY.
DO SO WILL INVALIDATE ANY SUBSEQUENT ISSUES
OM USING THIS SURVEY DATA.

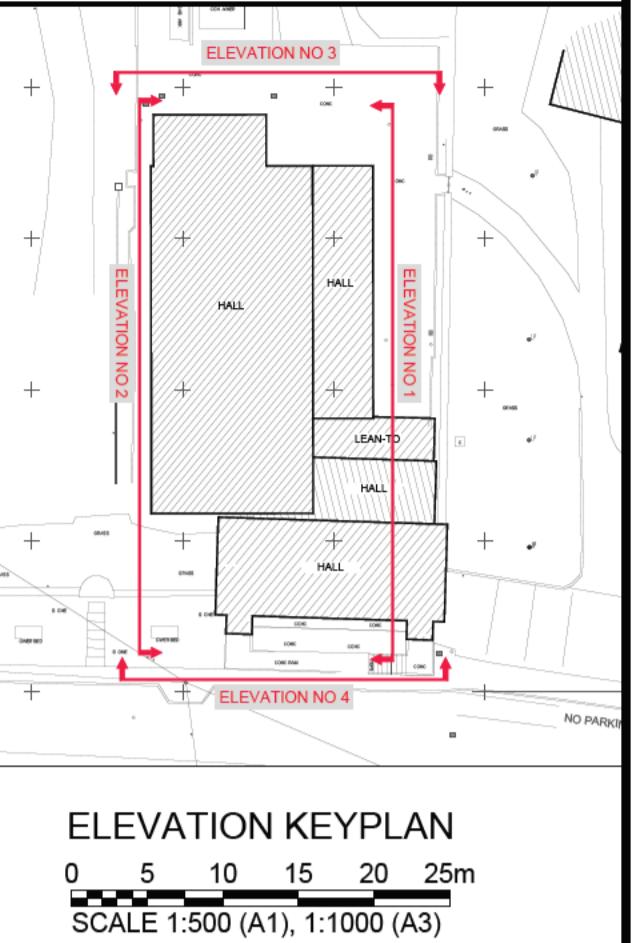
NOTE:
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REVISIONS

Staff	Description
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 <p>Wood Road, Upper Grange, Newcastlewest, Co. Limerick. Tel: +353(0)69-77820 Mob: +353(0)87-8702148 Email: Eamon@Ncwsurveys ie</p> <p>(c) Copyright - Ncwsurveys Ltd.</p>	
<p>Knockaderry Community Council</p> <p>1:100 (A1), 1:200 (A3)</p> <p>Knockaderry Hall - SECTION 5 PLANNING EXEMPTION APPLICATION</p> <p>W : Emc, Gr, Sk Date : April 2025</p> <p>Y : Gr Date : April 2025</p> <p>d by : Emc Date : April 2025</p> <p>ion : EXISTING SITE LAYOUT</p> <p>number : 25-132-002 Rev:</p>	



LEGEND



MEASURED BUILDING SURVEY:



NOTE:

Levels are in metres to OSGM15 (MALIN DATUM) unless otherwise stated. This datum was established using a Trimble Network Rover GPS system.

Co-ordinate system used - **ITM95**.

North refers to Grid North.

IF ANY DISCREPANCIES ARE FOUND IN THIS SURVEY, THEY SHOULD BE REPORTED TO NCWSURVEYS LTD IMMEDIATELY.

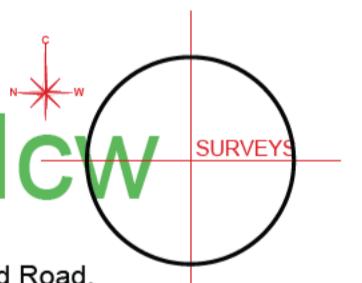
FAILURE TO DO SO WILL INVALIDATE ANY SUBSEQUENT ISSUES ARISING FROM USING THIS SURVEY DATA.

NOTE:

NOTE:
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PERMISSION/STRUCTURAL
LAYOUT DRAWING

REVISED

Date	Staff	Description



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353(0)87-8702148
cameron@Newsurveys.ie

right - Ncwsurveys Ltd.

Knockaderry Community Council

1:100 (A1), 1:200 (A3)

Knockaderry Hall - SECT
PLANNING EXEMPTION

Emc Gr Sk Date

Gr Date

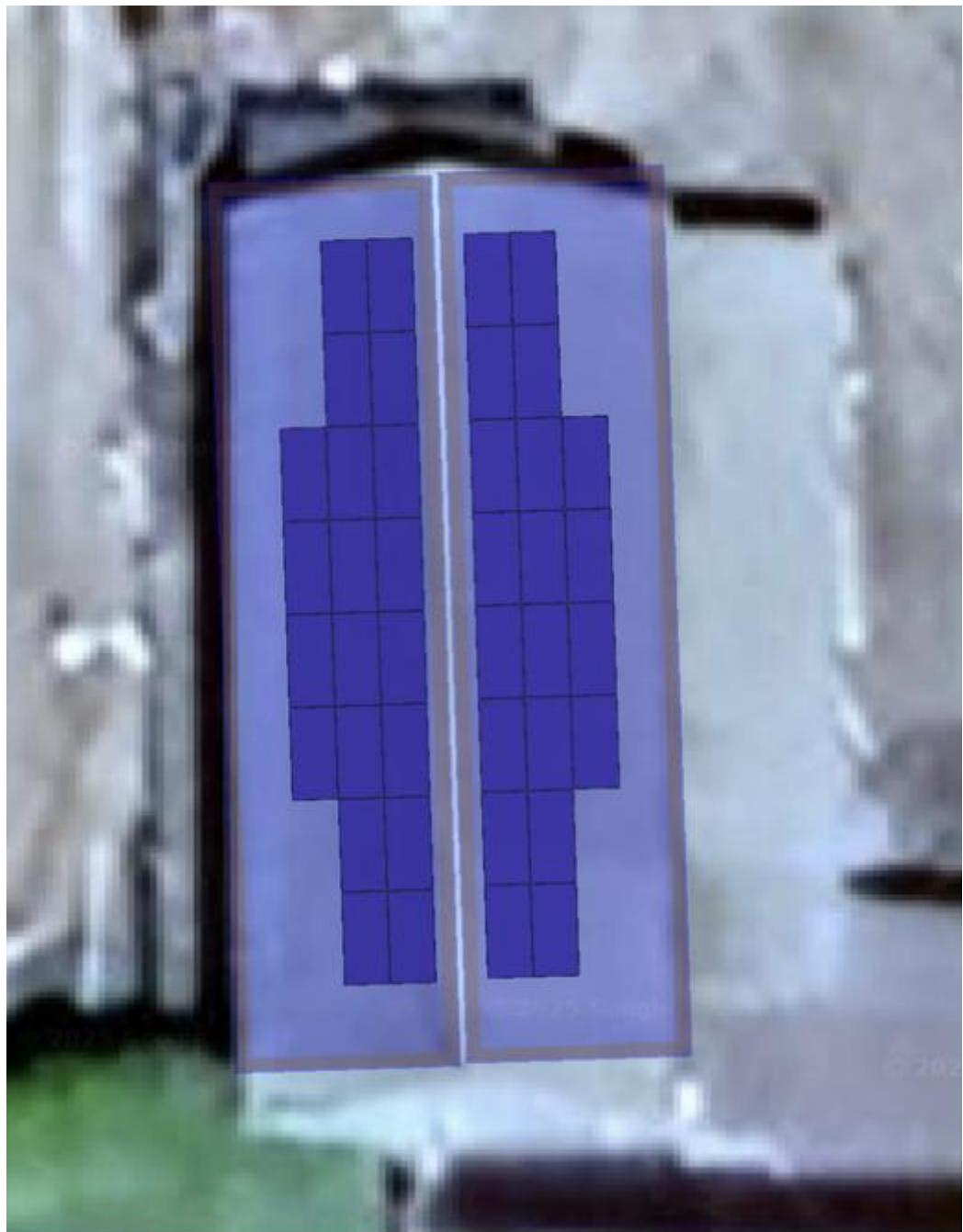
Emc Date

ELEVATIONS

umber :

Knockaderry Resource Centre

Satellite image with PV panels added



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

Reference no. EC-089-25

Name and Address of Applicant: Knockaderry Cloncagh Resource Centre,
Knockaderry,
Newcastlewest,
Co. Limerick
V42HN73

Agent: N/A

Location: Knockaderry,
Newcastlewest,
Co. Limerick
V42HN73

Description of Site and Surroundings:

The subject site is located in Knockaderry which is a level 6 settlement as defined in the Development Plan. Knockaderry hall and library are recorded on the National Inventory of Architectural Heritage.

Zoning:

N/A

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:

- Installation of 40 solar panels

This Section 5 declaration includes the following:

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

Planning History:

09/614 - Permission granted to Knockaderry/Cloncagh Community Council for canopy and permission for the construction of a stage waiting room and a canopy extension and wastewater treatment system.

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 the installation of solar panels constitutes work and is Developmentt.

Is the proposal exempted development?

The proposal is for the erection of solar panels on the roof of the community building. 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 a community building.

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 required 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 required to show 50cm separation distance is achieved.

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 community group.

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 was carried out by Limerick City & County Council (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 necessary (See appendix 1 for AA Screening Form).

Environmental Impact Assessment

An EIA Screening examination was carried out by Limerick City and County Council (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.

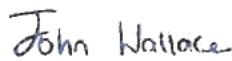
Conclusion/Recommendation

It is recommended further information is requested in relation to the following:

Submit dimensioned drawings to demonstrate the following:

- (a) The distance between the plane of the roof and the solar panels, 15 cm cannot be exceeded.
- (b) The distance between the solar panels and the roof edge (50cm min. required).

In relation to the above, the applicant should note the conditions and limitations of Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.


John Wallace

Agreed

John Wallace
A/Executive Planner

Date 19/05/2025


Jennifer Collins
A/Senior Executive Planner

Date: 19/05/2025

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/089/25
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> <p>Installation of 40 solar panels</p>
c. Brief description of site characteristics:	The subject site is located in Knockaderry which is a level 6 settlement as defined in the Development Plan. Knockaderry hall and library are recorded on the National Inventory of Architectural Heritage.
d. Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
e. Response to consultation:	N/A

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	14.3km	None	N
004077	River Shannon and River Fergus Estuaries SPA https://www.npws.ie/protected-sites/spa/004077	15.7km	None	N
002170	Blackwater River SAC https://www.npws.ie/protected-sites/sac/002170	17.5	None	N
004161	Stack's to Mullaghareirk Mountains, West Limerick Hills & Mount Eagle SPA https://www.npws.ie/protected-sites/spa/004161	8.6km	None	N
002279	Asketon Fen Complex SAC https://www.npws.ie/protected-sites/sac/002351	10km	None	N

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

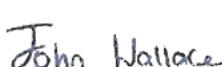
STEP 3: Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (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 an 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	None predicted

<ul style="list-style-type: none"> - Changes in key indicators of conservation status value (water or air quality etc) - 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%;"> <thead> <tr> <th style="text-align: center; width: 30%;">Tick as appropriate:</th> <th style="text-align: center; width: 30%;">Recommendation:</th> </tr> </thead> <tbody> <tr> <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 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 style="text-align: center;"> <input type="checkbox"/> </td> <td> <input type="checkbox"/> Request NIS <input checked="" type="checkbox"/> Refuse planning permission </td> </tr> </tbody> </table>			Tick as appropriate:	Recommendation:	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input checked="" type="checkbox"/> Refuse planning permission
Tick as appropriate:	Recommendation:									
<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.									
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<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input checked="" type="checkbox"/> Refuse planning permission									

Signature and Date of Recommending Officer:	 John Wallace, A/Executive Planner 19/05/2025	
Planner	 Jennifer Collins, A/Senior Executive Planner 19/05/2025	

Appendix 2 – EIA Screening – Establishing if proposal is sub-threshold

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-089-25
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 <input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Screening Determination required Preliminary Examination required
Signature and Date of Recommending Officer:	
 John Wallace, A/Executive Planner 19/05/2025	

Signature and Date of the Decision Maker:


Jennifer Collins, A/Senior Executive
Planner, 19/05/2025



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

Pleanáil, agus Cruthú Áite
Comhairle Cathrach agus Contae Luimních
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:

EC/089/25/JC/KC

19 May 2025

Liam Mackessy
Knockaderry Cloncagh Resource Centre Limerick CLG
Knockaderry,
Newcastlewest,
Co. Limerick
V42HN73

RE: Declaration under Section 5

Dear Sir/Madam,

I refer to the above Section 5 Application you are hereby requested to submit following further information:

1. The distance between the plane of the roof and the solar panels, 15 cm cannot be exceeded.
2. The distance between the solar panels and the roof edge (50cm min. required).

Your application will not be further processed until confirmation of the above is received. A complete response should be submitted.

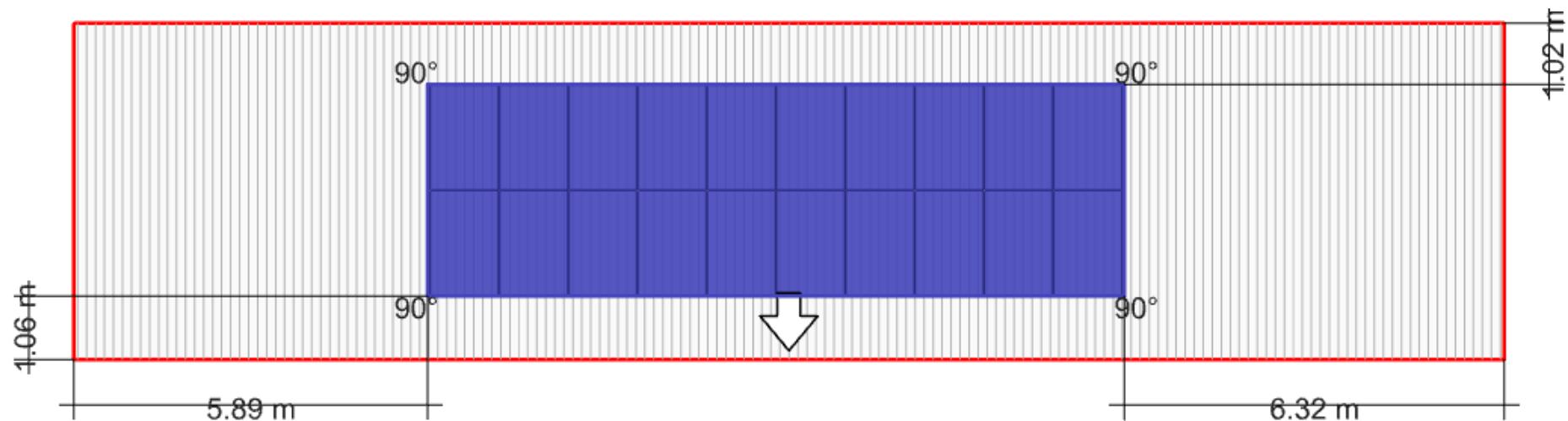
I hereby give you notice that the statutory period of three weeks during which the Planning Authority is required to give a decision will date from the receipt of a satisfactory response to the notice seeking further information.

Please quote your planning reference number on all correspondence EC/089/25.

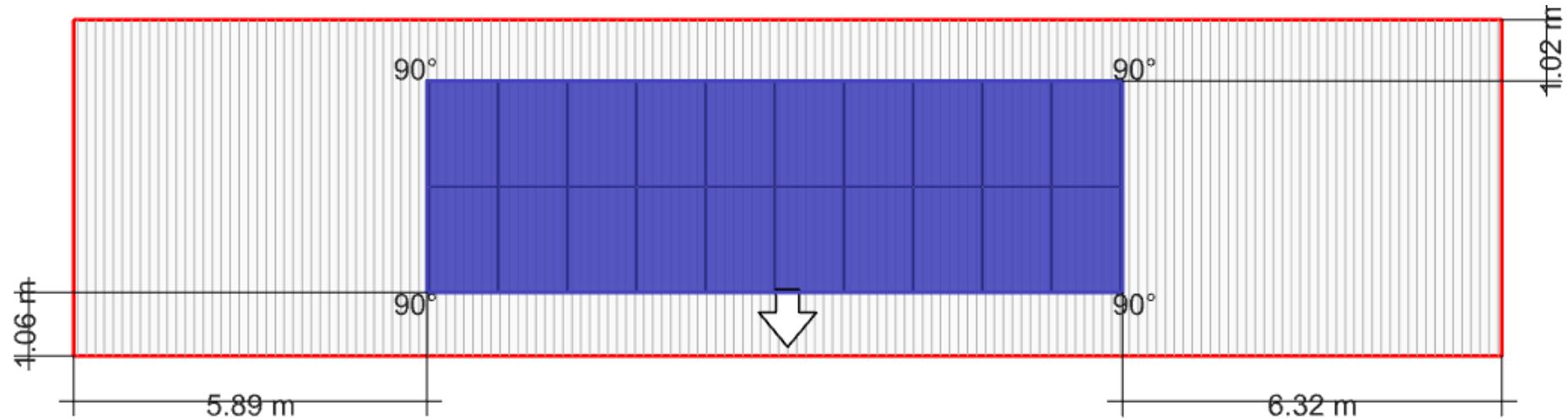
Yours sincerely,

Karen Conlon

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



East Roof 20 Solar Panel Array



Wes Roof 20 Solar Panel Array

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

Reference no.	EC-089-25
Name and Address of Applicant:	Knockaderry Cloncagh Resource Centre, Knockaderry, Newcastlewest, Co. Limerick V42HN73
Agent:	N/A
Location:	Knockaderry, Newcastlewest, Co. Limerick V42HN73

Description of Site and Surroundings:

The subject site is located in Knockaderry which is a level 6 settlement as defined in the Development Plan. Knockaderry hall and library are recorded on the National Inventory of Architectural Heritage.

Zoning:

N/A

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:

- Installation of 40 solar panels

This Section 5 declaration includes the following:

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

Planning History:

09/614 - Permission granted to Knockaderry/Cloncagh Community Council for canopy and permission for the construction of a stage waiting room and a canopy extension and wastewater treatment system.

Enforcement History

N/A

Relevant An Bord Pleanála referrals

N/A

Further Information

Further information was requested on the 19th May 2025 and a response to same was received on 30th May 2025. Details as submitted have been considered in this report.

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 the installation of solar panels constitutes work and is Development.

Is the proposal exempted development?

The proposal is for the erection of solar panels on the roof of the community building. 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 a community building.

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.

Finished solar PV panel elevations noted as 2cm above the roof plane on Further Information Request drawings received.

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.

Adequate separation distance of 1.06m shown on Further Information Request drawings received.

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.

NA, 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.

NA, 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.

NA, 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.

NA, 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.

NA, the proposal is 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 signage 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 to serve existing community resource building.

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 was carried out by Limerick City & County Council (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 necessary (See appendix 1 for AA Screening Form).

Environmental Impact Assessment

An EIA Screening examination was carried out by Limerick City and County Council (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 information detailed on the application and the further information received is 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) Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended),
- (b) The plans and particulars submitted with the application received on 23rd April 2025 and further information submitted subsequently on the 30th May 2025.

It is therefore considered that the said works are development and exempted development under Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

John Wallace

John Wallace
A/Executive Planner

Date 17/06/2025

Agreed

Jennifer Collins

Jennifer Collins
A/Senior Executive Planner

Date: 17/06/2025

**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/089/25
b. Brief description of the project or plan:	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: Installation of 40 solar panels
c. Brief description of site characteristics:	The subject site is located in Knockaderry which is a level 6 settlement as defined in the Development Plan. Knockaderry hall and library are recorded on the National Inventory of Architectural Heritage.
d. Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
e. Response to consultation:	N/A

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	14.3km	None	N
004077	River Shannon and River Fergus Estuaries SPA https://www.npws.ie/protected-sites/spa/004077	15.7km	None	N
002170	Blackwater River SAC https://www.npws.ie/protected-sites/sac/002170	17.5	None	N
004161	Stack's to Mullaghareirk Mountains, West Limerick Hills & Mount Easgle SPA https://www.npws.ie/protected-sites/spa/004161	8.6km	None	N
002279	Asketon Fen Complex SAC https://www.npws.ie/protected-sites/sac/002351	10km	None	N

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 an 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 	None predicted

<ul style="list-style-type: none"> - Changes in key indicators of conservation status value (water or air quality etc) - Changes to areas of sensitivity or threats to QI - Interference with the key relationships that define the structure or ecological function of the site 	
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STEP 4: Screening Determination Statement		
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		
No effects have been identified on any designated sites		
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.		
	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 checked="" type="checkbox"/> Refuse planning permission

Signature and Date of Recommending Officer:	 John Wallace, A/Executive Planner 17/06/2025	
Planner	 Jennifer Collins, A/Senior Executive Planner 17/06/2025	

Appendix 2 – EIA Screening – Establishing if proposal is sub-threshold

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-089-25
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 <input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Screening Determination required Preliminary Examination required
Signature and Date of Recommending Officer:  John Wallace, A/Executive Planner 17/06/2025	

Signature and Date of the Decision Maker:



**Jennifer Collins, A/Senior Executive
Planner, 17/06/2025**



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

Pleanáil, agus Cruthú Áite
Comhairle Cathrach agus Contae Luimnigh
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:

**Liam Mackessy,
Knockaderry Cloncagh Resource Centre Limerick CLG,
Knockaderry,
Newcastlewest,
Co. Limerick
V42HN73**

EC/089/25

18 June 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](https://twitter.com/LimerickCouncil)
📞 061 - 556 000

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2025/626

File Ref No. EC/089/25

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

RE: **The installation of solar panels at Knockaderry Cloncagh Resource Centre Limerick CLG, Knockaderry, Newcastlewest, Co. Limerick**

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 17/06/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Liam Mackessy, Knockaderry Cloncagh Resource Centre Limerick CLG, Knockaderry, Newcastlewest, Co. Limerick to state that the works as described above is

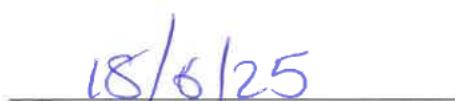
Development and is Exempt Development. *CC*

Signed



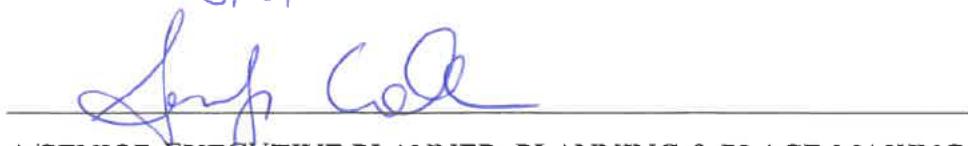
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date



Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/626 dated 18/6/25, 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/089/25

Name and Address of Applicant: Knockaderry Cloncagh Resource Centre Limerick CLG, Knockaderry, Newcastlewest, Co. Limerick

Agent: N/A

Whether the installation of solar panels at Knockaderry Cloncagh Resource Centre Limerick CLG, Knockaderry, Newcastlewest, 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 23rd of April 2025 and further information submitted on the 30th of May 2025.

AND WHEREAS the Planning Authority has concluded that the installation of solar panels at Knockaderry Cloncagh Resource Centre Limerick CLG, Knockaderry, Newcastlewest, Co. Limerick **DOES** come within the scope of exempted development under Class 61 of Part 1 of Schedule 2 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 **Development and is Exempt Development**.

Signed on behalf of the said Council

Date: 18/06/2025

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.