

Limerick City and County Council

Planning Department

Section 5 Application

Limerick City & County
Council
64 JUL 2025
Planning

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

EDDIE O'DEA c/o O'DEA DAIRY FARMS

Applicant's Address:

COTTAGE

SHEERAN'S CROSS

KILMALLOCK, Co. Limerick

Telephone No.

Name of Agent (if any):

COUNCILLOR JOHN O'DONOGHUE

Address:

c/o Limerick City & County Council

DOORADOYLE ROAD

Limerick

Telephone No.

087-2730565

Address for Correspondence:

EDDIE O'DEA, c/o O'DEA DAIRY FARMS

COTTAGE, SHEERAN'S CROSS,

KILMALLOCK, Co. Limerick

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

THE COTTAGE

SHEERANS CROSS

KILMALLOCK, Co. DUBLIN V35FT22

Description of Proposed development:

Construction of a slatted tank

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

Section 5

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:

FLOOR PLAN, CROSS SECTION

CONTIGUOUS ELEVATIONS

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

If Yes please provide floor areas of all existing structures:

SEE FARM STRUCTURES RECORD ENCLOSED

Signature of Applicant (or Agent)

Eddie S'Dee

NOTES: Application must be accompanied by:

- RECEIPT No. 25178899
- (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.

(F) EFFLUENT MANAGEMENT PLAN

Application to be forwarded to:

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

Enquiries:

Telephone: 061-556556

E-Mail: planning@limerick.ie



Killeedy
Ballagh
Co. Limerick

01/07/2025

Dear sir/madam,

Re: O'Dea Dairy Farm, Cottage, Sheeran's Cross, Kilmallock, Co. Limerick

Please find enclosed effluent management plan for the above named. The O'Dea's operate a family farm partnership (Eddie, Mary, Josephine and Phelim are all involved) and they currently milk 90 cows (with 90 being kept for the winter months). They have adequate slurry storage to cater for a 26 week winter but they wish to increase it further to avoid having to spread slurry in unfavourable weather conditions in the spring. The new tank will also service the existing sheds 2 and 3 by providing a destination for the seepage from these sheds.

Stocking Rate

Mr. Magner farms 65Ha of land in total and is currently stocked at 168kgs of Organic Nitrogen/Ha. Stocking rate will not increase further.

Silage Effluent

Only wilted baled silage is made on this farm and is stored on various gravel hardstands located across the farm. Silage bales may not be stored outside of farmyards within 20 metres of watercourses.

Farm Roadways

The farm roadways on this farm are in a good state of repair. All roadways are sloped away from watercourses in accordance with Department of Agriculture specification S199.

Farmyard Manure Management

Farmyard manure shall be allowed to accumulate under animals under after the closing date for spreading organic manures has elapsed. After this time it may be taken onto land for field storage. If field stored, the buffer distances on the table below must be adhered to. Farmyard manure cannot be stored in a field during the prohibited spreading period for farmyard manure. It can be stored in a field during the spreading season, but it must be stored in a compact heap and you cannot store it within the buffer zones in the following table. Farmyard manure is the only organic fertiliser that may be stored in a field during the spreading season and no organic fertiliser may be stored in the



field during the prohibited spreading period.

Buffer zones applicable when farmyard manure is stored in a field	
Water body/Feature	Buffer zone
Any water supply source providing 100m ³ or more of water per day, or serving 500 or more people	250 metres
Any water supply source providing 10m ³ or more of water per day, or serving 50 or more people	250 metres
Any other water supply for human consumption	50 metres
Lake shoreline	20 metres
Exposed cavernous or karstified limestone features (such as swallow holes and collapse features)	50 metres
Any other surface waters	20 metres

Separation distances

I wish to confirm that the proposed location of the new structure complies with the paragraph from Department of Agriculture specification S123.

The site shall be carefully chosen with a view to minimising operational and constructional problems. It shall be well separated from potential fire hazards and sheltered if possible. As a general guide, a storage facility for silage effluent/slurry/soiled water should be located not less than 50m from any waterbody in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility. The minimum distance between a storage facility and a public/private water supply source, either surface or ground, shall be 60m for new farmyards and this may be reduced to not less than 30m for existing farmyards subject to a hydro-geological survey. In vulnerable situations this distance shall be increased up to 300m.

I trust that this is satisfactory,

Yours faithfully

Joe Kelleher

Joe Kelleher B. Agr. Sc
Agricultural Advisor



Soiled Water & Dairy Washings

O'Dea Dairy Farms - 2025

Storage Requirements

County **Limerick** Storage Period **18** weeksEnter Required Storage Period to be used (If different from above) **18** weeksWeekly Rainfall **26** mmSpecify the method of application of Soiled Water: **Vacuum Tank**Were any soiled water storage tanks built after 1 Jan 2015? **NO**

Dairy Washings

No. of Cows to be milked over winter (i.e. between 15 Oct and 12-31 Jan)

Average No. **90** Max no. at any time **90**Winter Herd Management: Is there a period during which all cows are dry? **YES**Date of Final Milking (Autumn) **1-Dec**Date of First milking (Spring) **1-Feb**Days Milking during Closed Period **47** days

(a) Water from Dairy and Parlour

How is soiled water produced in the dairy and parlour stored?

Stored in a separate Soiled Water TankStorage Period **31** daysNo. Cows **90** Litres / cow / day **30** litresTotal Water from dairy & parlour **23.4** m³**83.7**

(b) Water from Collecting Yard

Is the Collecting Yard washed after each milking? **NO**

How is soiled water produced from the collecting yard stored?

Stored in a separate Soiled Water TankStorage Period **10** daysNo. Cows **90** Litres / cow / day **0** litresTotal Water from washing Collecting Yard **0.0** m³

Areas of any Unroofed Collecting Yard(s)

Areas of any <u>square</u> containing yard(s)				
Square Areas	Yard	Length m	Width m	Area m ²
Circular Areas	Yard	Diameter m		Area m ²

Total area of uncovered collecting yard(s) **m²**Weekly Rainfall (mm) **26**Days Storage Required **10** daysTotal Storage Required for Rainwater on Open Collecting Yards **0** m³

Total Storage Requirements for Dairy Washings

	Storage Type & Volume (m ³)	
	Soiled Water	Slurry
Water from Dairy and Parlour	23.4 83.7	0.0
Water from Collecting Yard (incl. Rainwater if not roofed)	0.0	0.0
Totals	23.4 83.7 m³	0.0 m³

Limerick City & County Council
Planning

Other Soiled Water Produced

Give details of any other areas in the farmyard from which rainfall must be collected and stored as **soiled water**

Square Areas	Yard	Length m	Width m	Area m ²

Circular Areas	Yard	Diameter m	Area m ²

Total area of uncovered collecting yard(s) **0.0** m²

Weekly Rainfall (mm) **26**

Days Storage Required **10** days

Total Storage Required for Rainwater on Open Dirty Yards **0** m³ **0** Gallons

Soiled Water Storage Available

(Enter **full internal dimensions** of all tanks. Net storage will be calculated automatically)

(a) Covered Tanks

Tank	Length (m)	Width (m)	Depth (m)	Gross Volume (m ³)	Freeboard Reduction (m ³)	Net Storage (m ³)

Circular Tanks (covered)	Tank	Diameter (m)	Depth (m)	Gross Volume (m ³)	Freeboard Reduction (m ³)	Net Storage (m ³)

Total Net Storage from Covered Tanks **0.0** m³ **0** Gallons

(b) Uncovered Tanks

Tank	Length (m)	Width (m)	Depth (m)	Gross Volume (m ³)	Rainfall + Freeboard Reduction	Net Storage (m ³)
11	9.2	4.7	3.0	129.0	14.5	114.5

Circular Tanks (uncovered)	Tank	Diameter (m)	Depth (m)	Gross Volume (m ³)	Rainfall + Freeboard Reduction	Net Storage (m ³)

Lagoons		Length (m)		Width (m)		Depth (m)	Gross Volume (m ³)	Rainfall + Freeboard Reduction	Net Storage (m ³)
Tank	Liner	At Top	At Base	At Top	At Base				

Total Net Storage from Uncovered Tanks **114.5** m³ **25,194** Gallons

Total Net Storage Available on the farm **114.5** m³ **25,194** Gallons

Farm Soiled Water Storage Balance

Soiled Water Produced	m ³	Gallons
Dairy Washings	23.4	5,148
Dirty Yards	0	0
Total Soiled Water Produced	83.7 m ³	18,414 Gallons
Soiled Water Storage		
Total Available Net Storage	114.5 m ³	25,194 Gallons
Surplus Storage Available	30.8 m ³	6,780 Gallons



Slurry Storage

O'Dea Dairy Farms - 2025

Storage Requirements

County **Limerick** Storage Period **18** weeksEnter Required Storage Period to be used (If different from above) **26** weeksWeekly Rainfall **26** mm

Slurry Produced

(In situations where animals are housed on Integrated "Slat + Straw" facilities, only include half the number of animals on this page. The other half should be included on the FYM page)

(a) From Animals

	No. not on FYM or	No.	No.			
	Out-wintered	on Slurry	Weeks	m ³ / week	m ³	Gallons
Dairy Cow	90	90	26	0.33	772.2	169,884
Suckler Cow			26	0.29		
Cattle >2 yr	1	1	26	0.26	6.8	1,487
Cattle 18-24 months	25	25	26	0.26	169.0	37,180
Cattle 12-18 months			26	0.15		
Cattle 6-12 months	25	25	26	0.15	97.5	21,450
Cattle 0-6 months			26	0.08		
Total Storage Required for Animals					1,045.5 m ³	230,001 Gallons

(b) From Dirty Yards

(Enter the dimensions of any open yard from which the rainfall must be collected and stored as slurry)

(This should NOT include dairy collecting yards, or FYM stores)

Yard	Length m	Width m	Area m ²

Total yard area for rainfall collection (m²)Weekly Rainfall (mm) **26**No. Weeks **26**

Total Storage Required for Dirty Yards **0** **0**
m³ Gallons

= Area x (Weekly Rainfall / 1000) x No. Weeks

(c) From FYM Seepage

(From FYM Page)

Seepage from under animals **0.0**
Seepage from FYM stores **0.0**

Total Storage Required for FYM Seepage **0.0** **0**
m³ Gallons

(d) From Dairy Washings

(From Dairy Washings Page, if appropriate)

Total Storage Required for Dairy Washings to be stored with Slurry

0.0 **0**
m³ Gallons



(Enter full internal dimensions of all tanks. Net storage will be calculated automatically)

(a) Covered Tanks

[illegible]

Circular Tanks (covered)

Tank	Diameter (m)	Depth (m)	Gross Volume (m ³)	Freeboard Reduction (m ³)	Net Storage (m ³)

Total Net Storage from Covered Tanks	524.6	115,410
	m ³	Gallons

(b) Uncovered Tanks

Tank	Length (m)	Width (m)	Depth (m)	Gross Volume (m³)	Rainfall + Freeboard Reduction	Net Storage (m³)
New Tank (1)	23.2	4.7	2.8	299.9	106.4	193.4

Circular Tanks (uncovered)

Tank	Diameter (m)	Depth (m)	Gross volume (m³)	Freeboard Reduction	Net storage (m³)
5	15.2	4.8	871.1	177.1	694.0

Lagoons

[illegible]

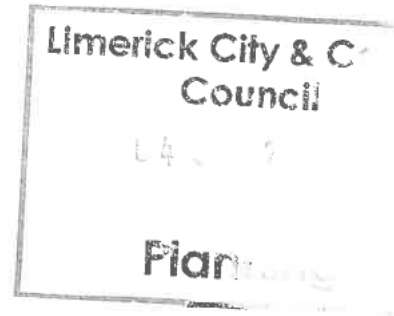
Total Net Storage from Uncovered Tanks	887.4	195,233
	m ³	Gallons

Total Net Storage Available on the farm	1,412.0	310,643
	m ³	Gallons

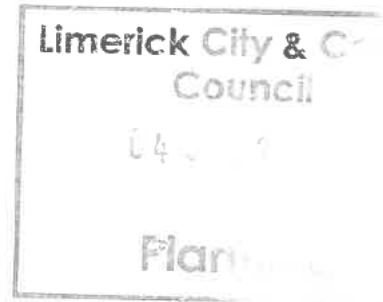
Farm Slurry Storage Balance

Slurry Produced		m ³	Gallons
Animals		1,045.5	230,001
Dirty Yards		0	0
FYM Seepage		0.0	0
Dairy Washings		0.0	0
Total Slurry Produced		1,045.5	230,001
		m ³	Gallons
Slurry Storage			
Total Available Net Storage		1,412.0	310,643
		m ³	Gallons
Surplus Storage Available		366.6	80,642
		m ³	Gallons

Animal Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Average
Dairy Cows - Milking	9	41	78	88	89	89							65.7
Dairy Cows - Dry	69	37	7	1	0	0							19
Dairy Cows - Total	78	78	85	89	89	89							84.7
Suckler Cows	0	0	0	0	0	0							0
Total Cattle 0 - 6mths	2	42	42	24	17	16							23.8
Total Cattle 6 - 12mths	38	20	7	1	0	0							11
Total Cattle 12 - 24mths	32	26	35	40	41	41							35.8
Total Cattle 24 mths+	4	13	2	2	2	2							4.2
Total	154	179	171	156	149	148							159.5



Animal Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Average
Dairy Cows - Milking	11	56	75	81	87	87	84	84	79	67	44	7	63.5
Dairy Cows - Dry	64	30	13	5	0	0	3	3	7	18	34	71	20.7
Dairy Cows - Total	75	86	88	86	87	87	87	87	86	85	78	78	84.2
Suckler Cows	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Cattle 0 - 6mths	9	53	73	79	85	85	76	32	13	6	0	0	42.6
Total Cattle 6 - 12mths	64	11	1	0	0	0	9	53	72	45	45	45	28.8
Total Cattle 12 - 24mths	15	56	60	61	61	61	61	61	45	35	28	28	47.7
Total Cattle 24 mths+	8	5	3	3	2	2	1	1	1	1	1	1	2.4
Total	171	211	225	229	235	235	234	234	217	172	152	152	205.6

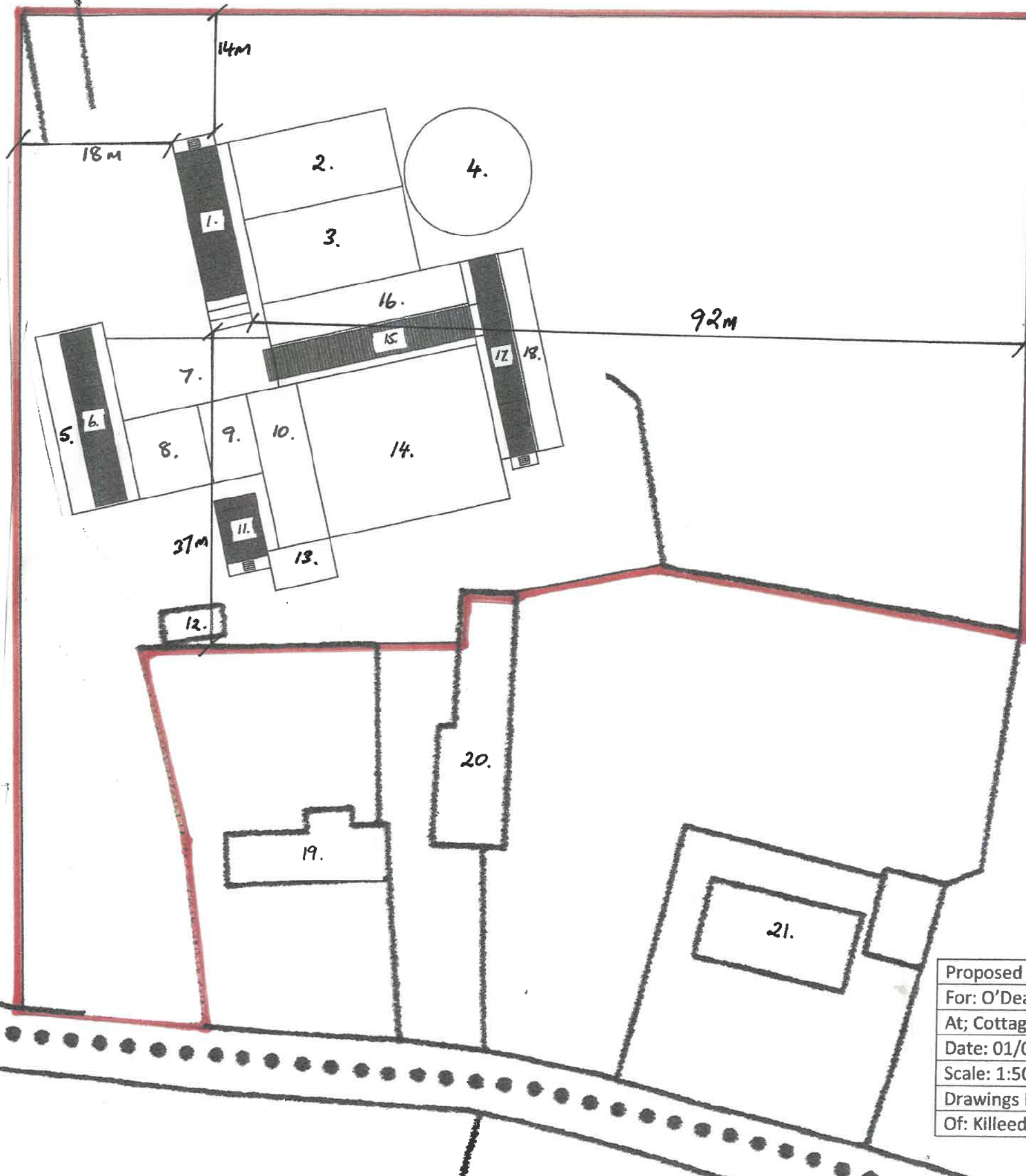


Animal Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Average
Dairy Cows - Milking	3	54	65	71	72	71	72	72	63	54	35	1	52.8
Dairy Cows - Dry	66	26	14	5	2	0	0	0	9	18	37	71	20.7
Dairy Cows - Total	69	80	79	76	74	71	72	72	72	72	72	72	73.4
Suckler Cows	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Cattle 0 - 6mths	3	56	68	73	70	68	65	11	1	0	0	0	34.6
Total Cattle 6 - 12mths	57	27	8	4	0	0	3	56	66	67	67	67	35.2
Total Cattle 12 - 24mths	26	43	58	62	25	21	21	21	21	21	21	21	30.1
Total Cattle 24 mths+	6	4	4	3	3	3	2	2	2	2	2	2	2.9
Total	161	210	217	218	172	163	163	162	162	162	162	162	176.2



Legend:

1. Proposed Slatted Tank
2. Existing Calving Pens
3. Existing Straw bedded shed
4. Existing overground steel slurry store
5. Existing Cubicle House
6. Existing Slatted Tank
7. Existing Roofed Collecting Yard
8. Existing Calf Houses
9. Existing Cow exit yard
10. Existing Milking Parlour
11. Existing Soiled Water Tank
12. Existing Storage Shed
13. Existing Dairy & Plant Room
14. Existing Cubicle Houses
15. Existing Slatted Tank
16. Existing Feed Passage
17. Existing Slatted Shed
18. Existing Feed Passage
19. Applicant's Dwelling House
20. Storage Sheds
21. Dwelling House



92'S

NORTH
↓

Limerick City & Coun.
Council
C4 20/2015
Planning

Proposed Farmyard Development
For: O'Dea Dairy Farm
At: Cottage, Sheeran's Cross, Kilmallock, Co. Limerick
Date: 01/07/2025
Scale: 1:500
Drawings Prepared By: Joe Kelleher B.Agr.Sc.
Of: Killeedy, Ballagh, Co. Limerick

Planning Pack Map



Taite
Éireann

**CENTRE
COORDINATES:**
ITM 562600,631466

PUBLISHED: 01/07/2025
ORDER NO.: 50476032_1

MAP SERIES: 1:5,000 5232
1:2,500 5232-B
1:2,500 5232-D

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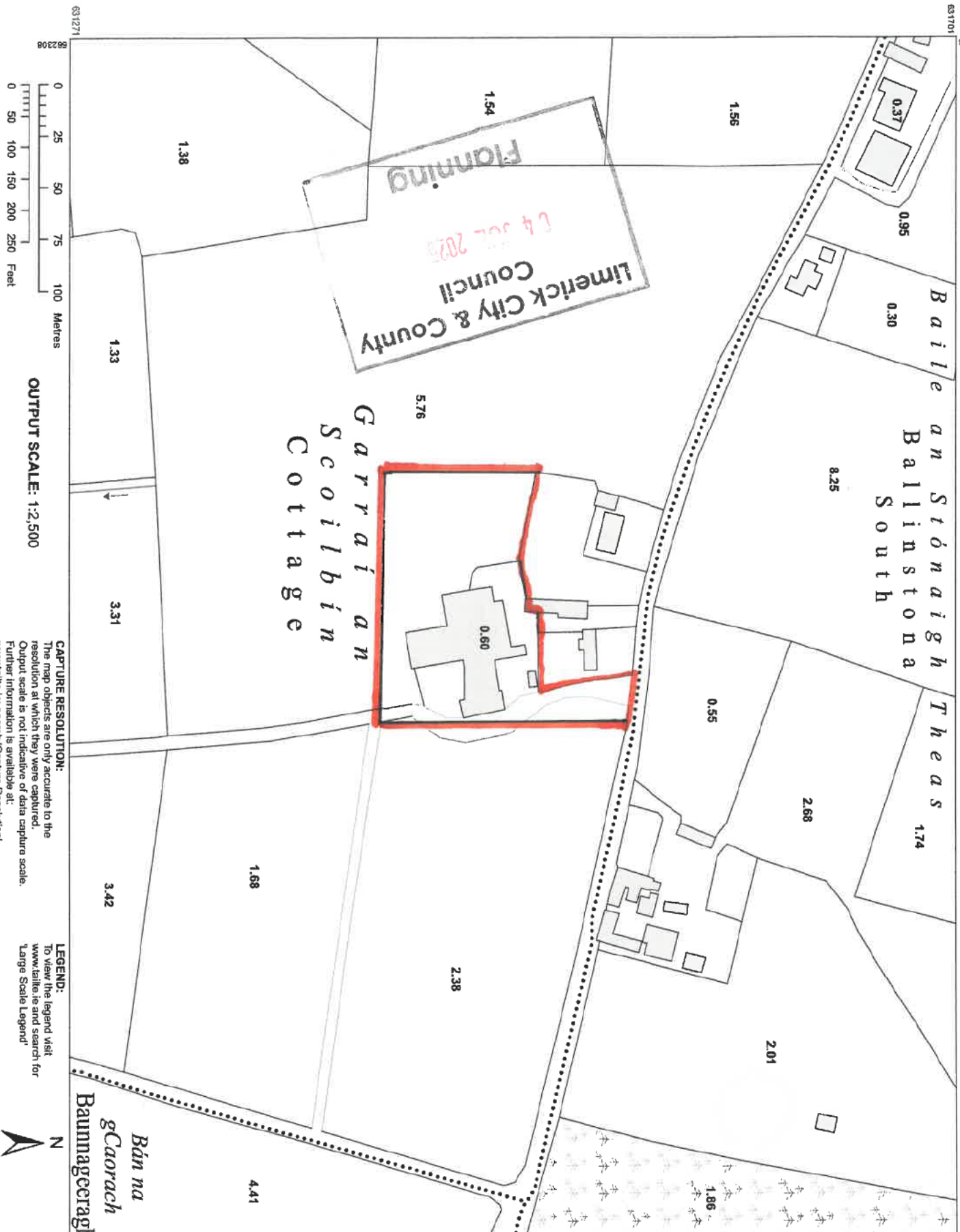
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Site Location Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 562600,631486

PUBLISHED: 01/07/2025 **ORDER NO.:** 50476032_1

MAP SERIES: 6 inch Raster **MAP SHEETS:** LK039
6 inch Raster LK040

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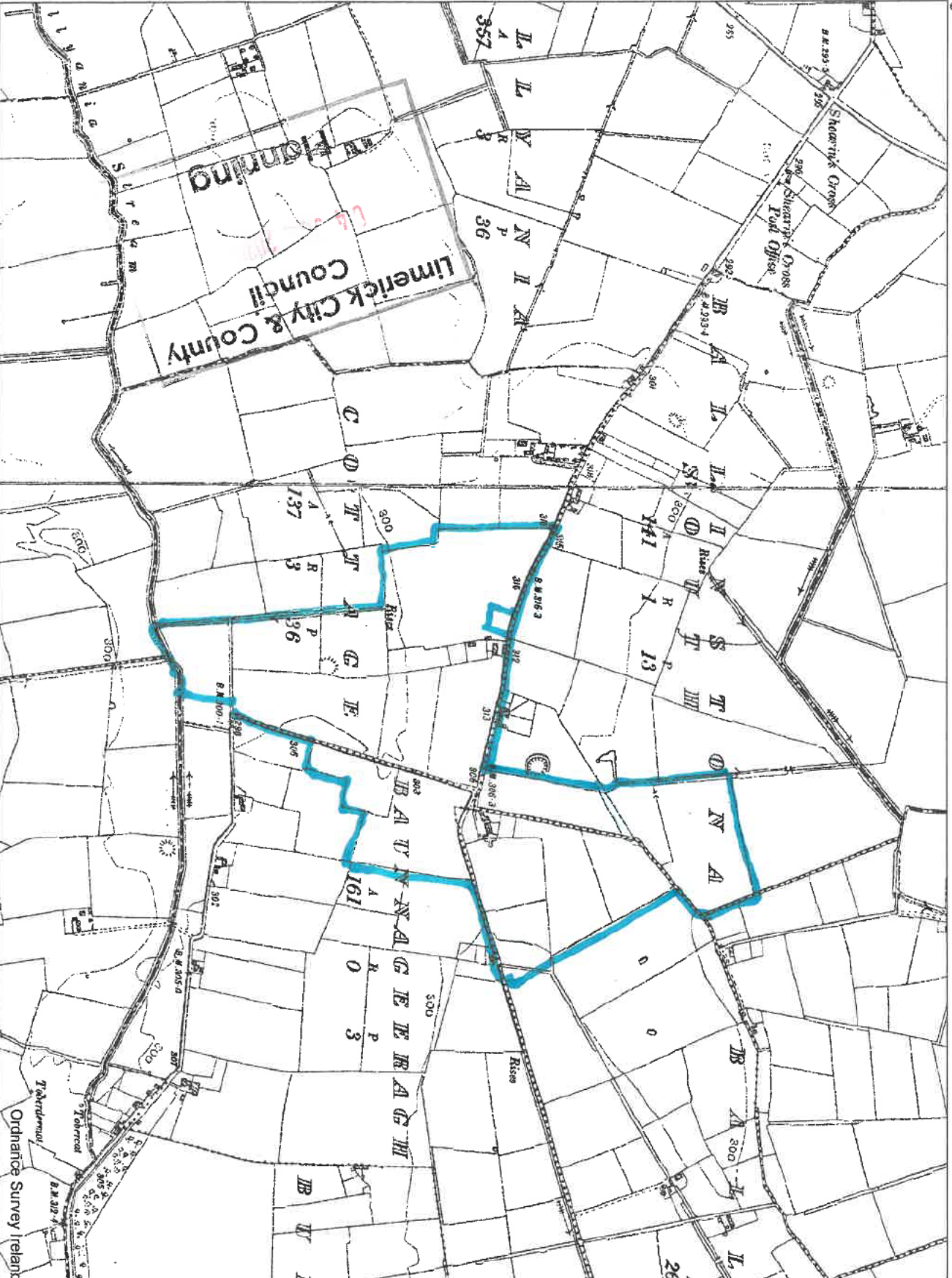
630577

632394

561369

563830

630577



0 110 220 330 440 Metres

0 200 400 600 800 1,000 Feet

OUTPUT SCALE: 1:10,560

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LEGEND:

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'Large Scale Legend'



Ordnance Survey Ireland

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

Reference no. EC-138-25

Name and Address of Applicant: Eddie O' Dea,
C/O O'Dea Dairy Farm Cottage,
Sheeran's Cross,
Kilmallock,
Co. Limerick

Agent: CCLR John O' Donoghue,
C/O Limerick City & County Council,
Dooradoyle,
Co. Limerick

Location: O'Dea Dairy Farms
Sheeran's Cross
Kilmallock
Co. Limerick

Description of Site and Surroundings:

The site consists of an agricultural holding located in the townland of Cottage circa 6.1km northeast of Kilmallock town centre. The site is 65 hectares in size.

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:

- Construction of a slatted tank

This Section 5 declaration includes the following:

- Application Form
- Site location map
- Site Plan
- Dimensions of plans and elevations of the structure and ant existing structures
- A layout identifying the use of each existing building and floor area
- Effluent Management Plan

Planning History:

06/323 - Construction of over ground steel slurry tank. Granted conditionally.

86/26183 - Erection of bungalow, entrance and septic tank. Granted conditionally.

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 construction of a slatted tank constitutes ‘works’ and ‘development’.

Is the proposal exempted development?

The proposal for the construction of a slatted tank area will be assessed under Class 8 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.

No such structure shall be used for any purpose other than the purpose of agriculture.

The proposed tank would be used for slurry storage.

The gross floor space of such structures together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.

Yes, the proposed slurry tank is 116.5sqm the existing slurry tank is 110.20 and the existing soiled water tank is 45.5sqm i.e. a total of 272.2sqm which is less than the 300sqm permitted.

Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

The proposed tank will provide additional slurry storage.

No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.

The proposed tank would be over 10m from the public road.

No such structure within 100 metres of any public road shall exceed 8 metres in height.

The proposed tank is below ground.

No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital,

church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

The proposed tank appears to be c.100m from the nearest adjacent dwelling, the applicant dwelling is identified as and is c.57m from the tank, this is acceptable.

No unpainted metal sheeting shall be used for roofing or on the external finish of the structure

N/A, tank is below ground.

The proposal complies with the limitations as set out in Class 8 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended.

Article 9 Restrictions

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

Appropriate Assessment

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

Conclusion/Recommendation

The development detailed on the application and plans submitted is considered to development which is exempted development under Class 8 of the Planning and Development Regulations 2001, as amended.

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 8 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) The plans & particulars submitted with the application received on 4th day of July 2025.

It is therefore considered that the said works are development and exempted development.

John Wallace

John Wallace
A/Executive Planner

Date: 24/07/2025

Agreed 

Jennifer Collins
A/Senior Executive Planner

Date: 30/07/2025

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-138-25
b. Brief description of the project or plan:	This is an application requesting a Section 5 Declaration on whether the construction of a slatted tank is exempted development
c. Brief description of site characteristics:	The site is an existing agricultural yard
d. Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
e. Response to consultation:	N/A

STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002036	Ballyhoura Mountains SAC https://www.npws.ie/protected-sites/sac/002036	c12.34km	No	N
002170	Blackwater River (Cork/Waterford) SAC https://www.npws.ie/protected-sites/sac/002170	c15.47km	No	N
000646	Galtee Mountains SAC https://www.npws.ie/protected-sites/sac/000646	c22.5km	No	N

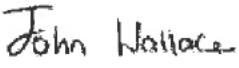

STEP 3: Assessment of Likely Significant Effects	
a. Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (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 	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.

<ul style="list-style-type: none"> • Storage of excavated/construction materials • Access to site • Pests 	
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 	None works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.
In-combination/Other	N/A given the level of development

b. Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site 	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.

c. (Are ‘mitigation’ measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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
On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to: <ul style="list-style-type: none"> • the nature and scale of the proposed development,

<ul style="list-style-type: none"> the intervening land uses and distance from European sites, the lack of direct connections with regard to the Source-Pathway-Receptor model, <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>		
Conclusion: 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 type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	<div style="text-align: center;">  <hr/> John Wallace, Assistant Planner 24/07/2025 </div>	
Signature and Date of the Decision Maker:	<div style="text-align: center;">  <hr/> Jennifer Collins, A/Senior Executive Planner 30/07/2025 </div>	

Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-138-25
Development Summary:	the construction of slatted tank
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 <i>sub-threshold</i> : [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 John Wallace, Assistant Planner 24/07/2025

Signature and Date of the Decision Maker:



**Jennifer Collins, A/Senior Executive
Planner**
30/07/2025



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

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Comhairle Cathrach agus Contae Luimnigh
Bothar Thuar an Daili
Tuar an Daili, Luimneach
V94 WV78

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

PLANNING & PLACE-MAKING

REG POST:

Eddie O' Dea,
c/o O'Dea Dairy Farm Cottage,
Sheeran's Cross,
Kilmallock,
Co. Limerick

EC/138/25

31 July 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 Daili, Luimneach
Dooradoyle, Limerick

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@LimerickCouncil
061 - 556 000

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2025/802

File Ref No. EC/138/25

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

RE: **A construction of a slatted tank at The Cottage, Sheeran's Cross, Kilmallock, 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 24/07/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Eddie O' Dea, c/o O'Dea Dairy Farm Cottage, Sheeran's Cross, Kilmallock, Co. Limerick to state that the works as described above is

Development and is Exempt Development. *KE*

Signed


A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

31/07/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/802 dated 31/07/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:


A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



Comhairle Cathrach
& Contae Luimnigh
Limerick City
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V94 WV78

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/138/25

Name and Address of Applicant: Eddie O' Dea, c/o O'Dea Dairy Farm Cottage, Sheeran's Cross,
Kilmallock, Co. Limerick

Agent: CCLR John O' Donoghue, c/o Limerick City & County Council,
Dooradoyle, Co. Limerick

Whether the construction of a slatted tank at The Cottage, Sheeran's Cross, Kilmallock, 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 04th of July 2025.

AND WHEREAS the Planning Authority has concluded that construction of a slatted tank at The Cottage, Sheeran's Cross, Kilmallock, Co. Limerick **DOES** come within the scope of exempted development under Class 8 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:

31/07/2025

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.