



Location of Proposed development (Please include EIRCODE):

BALLYBETHY NORTH,  
ABBEEFEARE, CO. KIMERICK  
V9H45VD

Description of Proposed development:

Re-roofing of silage shed  
with attached lean-to  
and tractor shed.

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

Section 4(1)(h) - Planning & Development Act 2000  
(as amended)

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:

- 1A - site location map
- 1B - site location map
- 2 - site layout plan
- 3A & 3B - dimensional plans and elevations  
with floor area and use

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

If Yes please provide floor areas of all existing structures:

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Signature of Applicant (or Agent)

Liam Galvin

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**LIMERICK CITY & COUNTY COUNCIL**  
**CIVIC OFFICES**  
**MERCHANTS QUAY**  
**LIMERICK**  
**21/01/2026 10:35:49**

**Receipt No / Uimhir Admhála: RC6/2092177**

**Customer Address / Seoladh an  
Chustaiméara:**

Liam Galvin  
Ballybehy North  
Abbeyfeale Co Limerick

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**PL041** **80.00 EUR**

Liam Galvin Abbeyfeale Exemption Section 5

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**Paid With / Íoctha Le:** Credit / Debit Card

**Total / Iomlán:** 80.00 EUR

**Tax (VAT):** 0.00 EUR

**Tendered / Tairgthe:** 80.00 EUR

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**From / Ó:** REVENUE CASH OFFICE 6 -  
MERCHANTS QUAY

**Vat reg No. /  
Clárúimh CBL:** 3267368TH

**Please retain this receipt for your records**

Please do not reply to this email

Ballybehy North,  
Abbeyfeale,  
Co. Limerick  
V94 Y5V0

Planning Department,  
Limerick City and County Council,  
Dooradoyle,  
Limerick.  
V94 XF67

21/01/2026

A Chara,

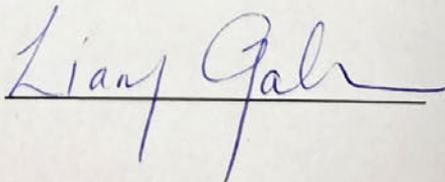
Please find attached Section 5 Application Form as well as relevant plans, drawings etc as appropriate and photos of the proposed development site -

1. **silage shed with attached lean-to**  
(identified as 4 on legend : Doc. 2 - site layout plan)
2. **tractor shed**  
(identified as 3 on legend : Doc. 2 - site layout plan)

I intend to re-roof these sheds and will be seeking a TAMS (DAFM) grant to fund part of the cost of this work, a requirement of which is a Local Authority letter of planning exemption. The sheds in question were built by my late father, James Galvin, in the early 1970s. The corrugated metal sheeting on the roof and on the top area of the wall (part of the roof structure) of the silage shed with attached lean-to (4) and the corrugated metal sheeting of the tractor shed (3) is now leaking and needs to be replaced with new corrugated metal sheeting (illustrated in photos attached).

I trust that this is in order.

Yours Sincerely

  
Liam Galvin



1B

Surveyed 2000  
Revised 2000  
Levelled

# Rural PLACE Map



ITM CENTRE PT. COORDS

516544,629571

DESCRIPTION

MAP SHEETS

Digital Map  
5282 5283

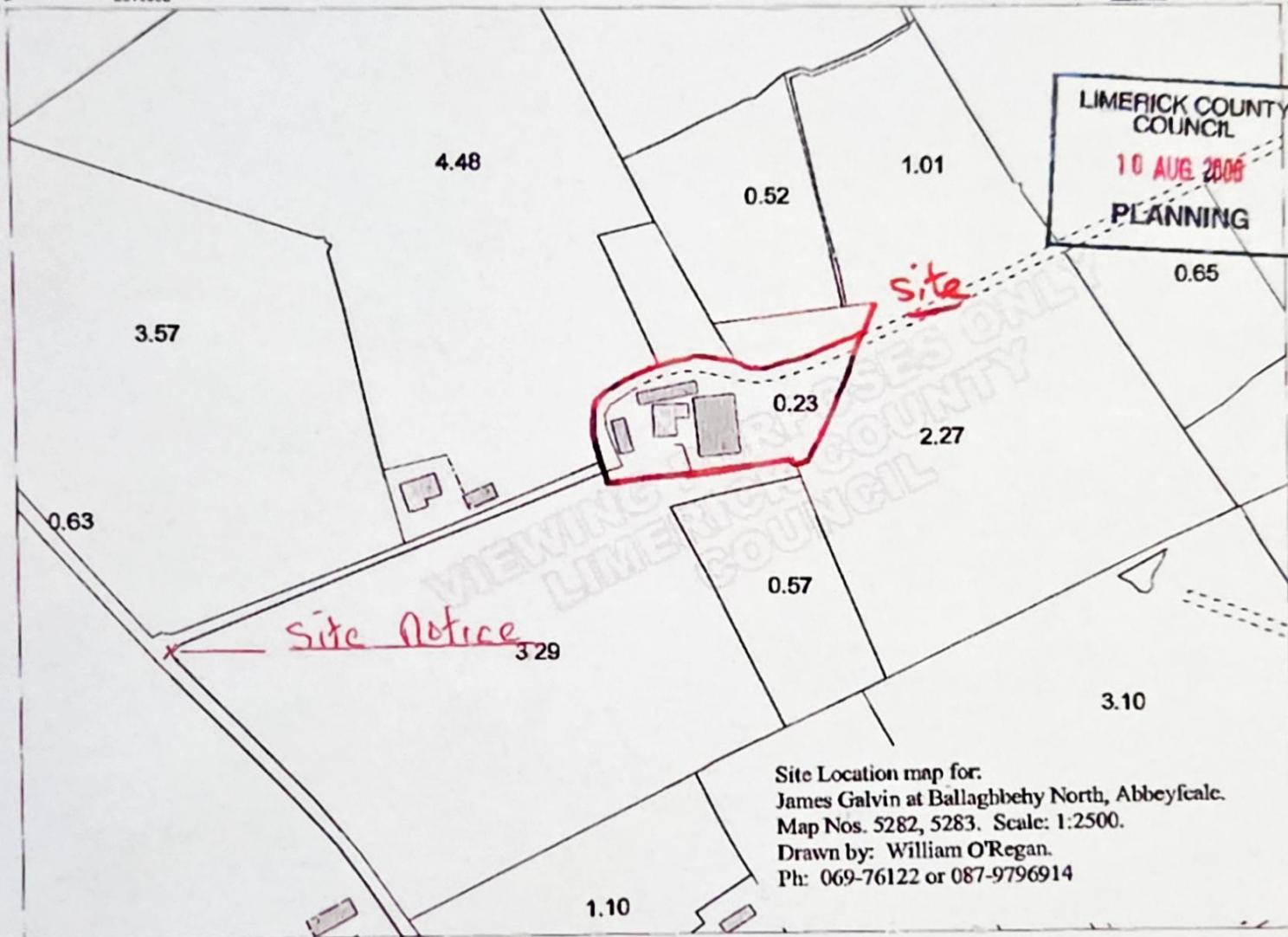


Proximity to Waterways  
90% from 1995, 10% from 2000  
Ordnance Survey Ireland  
Please see sheet 8

Surveyed by William O'Regan  
Digitized by Ordnance Survey  
Scale 1:12,500  
Unauthorised reproduction of  
Survey Ireland's Ordnance Survey  
data is a criminal offence.

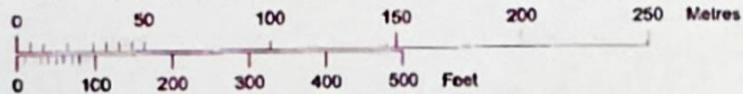
Ordnance Survey Ireland  
The Ordnance Survey is a public body  
established under the Ordnance Survey  
Act 1980. It is a body corporate  
with legal personality and is  
responsible for the production and  
maintenance of the Ordnance Survey  
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with legal personality and is  
responsible for the production and  
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of Ireland.

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© Ordnance Survey Ireland 2008



Site Location map for:  
James Galvin at Ballaghbehy North, Abbeyfcale.  
Map Nos. 5282, 5283. Scale: 1:2500.  
Drawn by: William O'Regan.  
Ph: 069-76122 or 087-9796914

Scale:- 12,500  
Scale:- 12,500

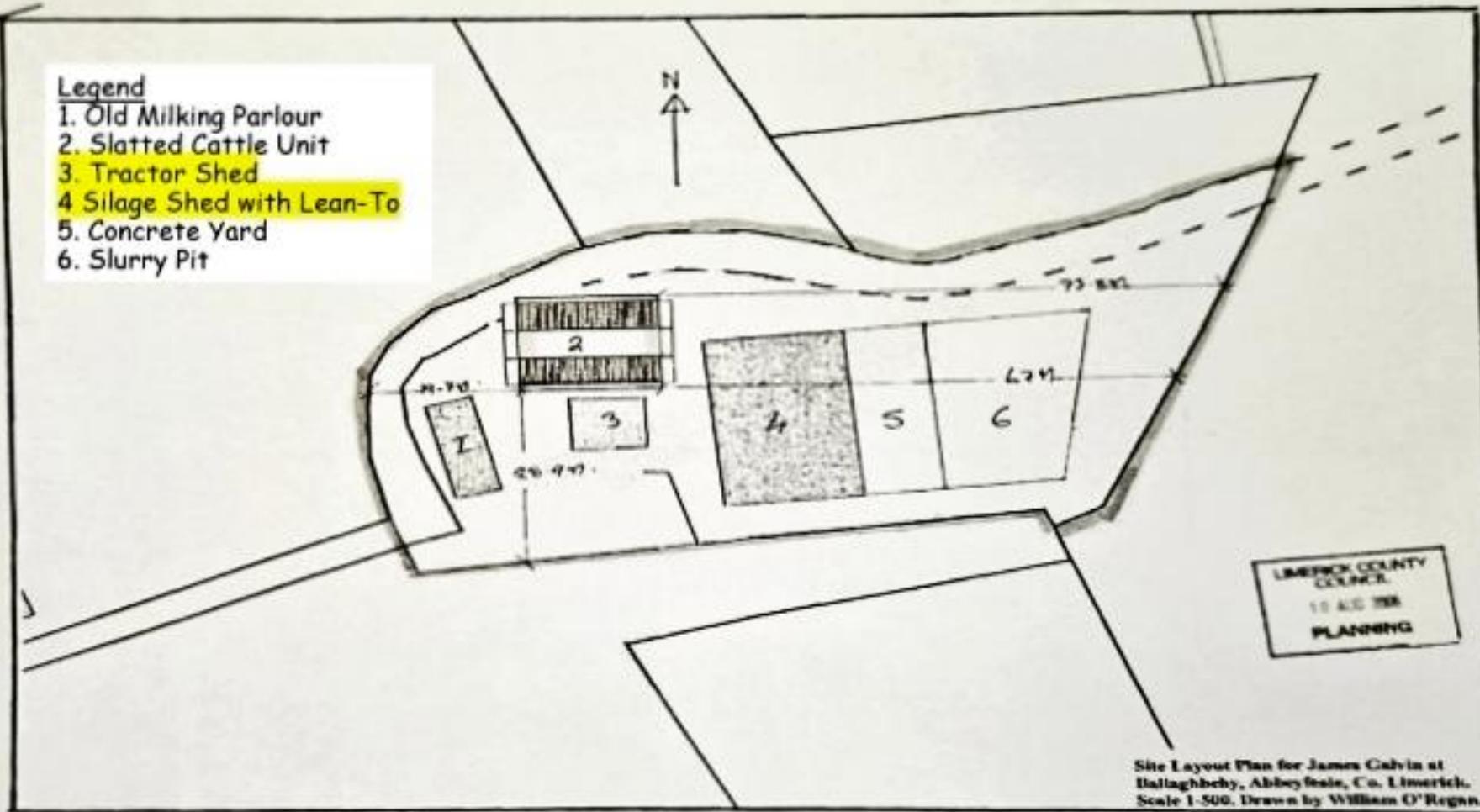


Plot Ref No. 1113639\_1\_2  
Plot Date 26-MAY-2008



Legend

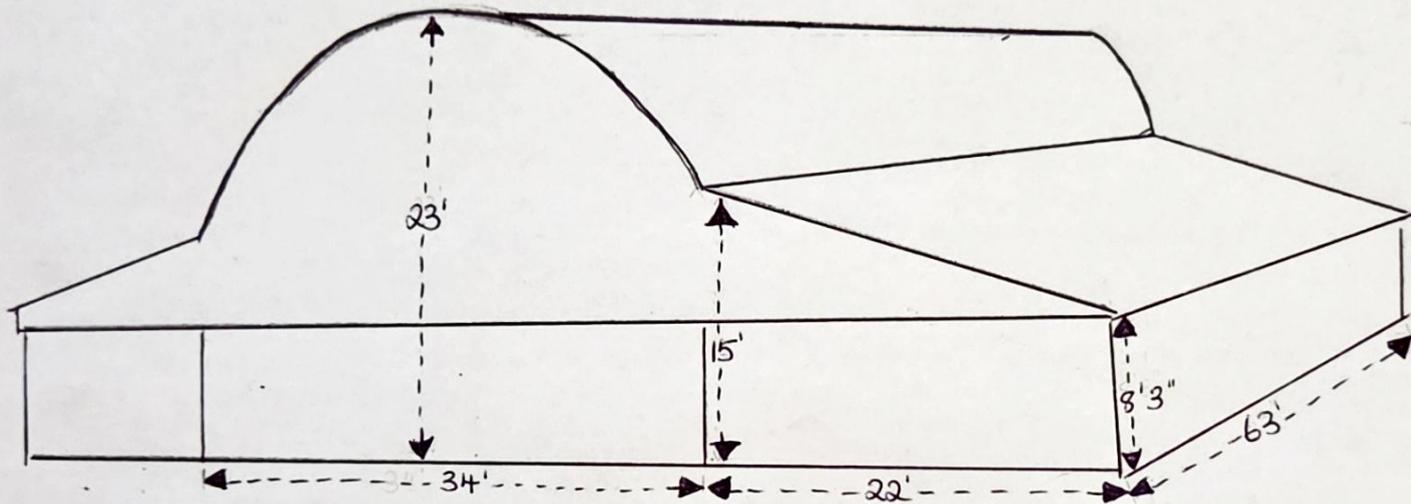
1. Old Milking Parlour
2. Slatted Cattle Unit
3. Tractor Shed
4. Silage Shed with Lean-To
5. Concrete Yard
6. Slurry Pit



Site Layout Plan for James Gavin at  
Ballaghbehy, Abbeyfeale, Co. Limerick.  
Scale 1:500. Drawn by William O'Regan.

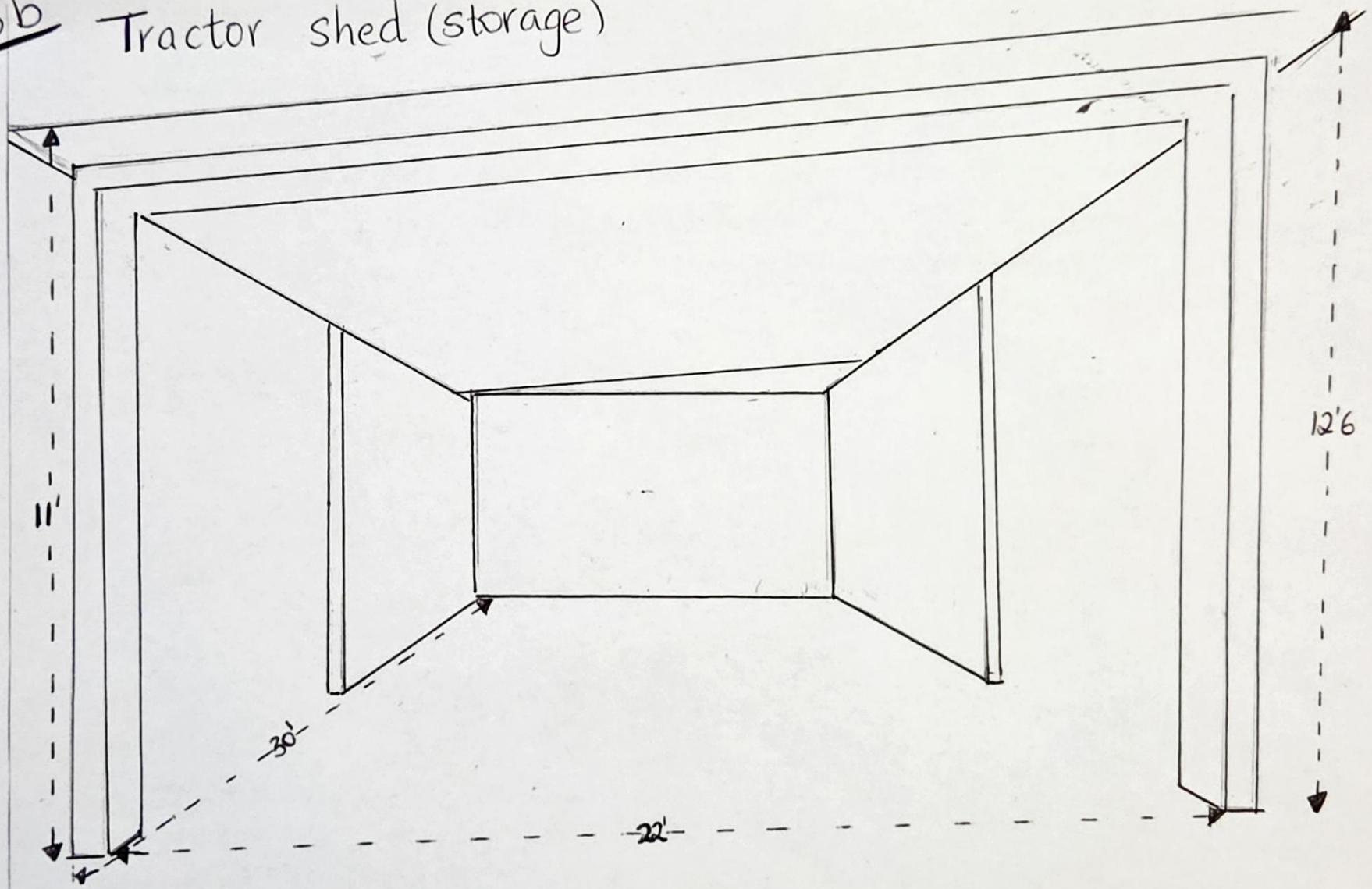
3a

Silage shed and lean-to (machinery storage)



Floor Area: 392 sq yards

3b Tractor shed (storage)



Floor Area : 73.33 square yards

Roof sheeting to be replaced includes corrugated sheeting along the top of the wall here which is part of the roof structure



# Silage Shed with Lean-to (4)



Roof sheeting & attached side sheeting to be replaced



## Tractor Shed (3)



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

<b>File Reference number</b>	<b>EC-007-26</b>
<b>Applicant</b>	<b>Liam Galvin</b>
<b>Location</b>	<b>Ballaghbehy North Abbeyfeale Co. Limerick V94Y5VO</b>

**Description of Site and Surroundings:**

The site is located along the L-7060 Road in Ballaghbehy North, within the rural landscape area of the Western Uplands. There is an existing farmyard complex on site, and the application relates to the replacement of the roofs of two storage facilities.

**Zoning:**

No zoning conditions are applicable to the site location.

**Proposal:**

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

- The applicant is seeking a declaration of exemption for the replacement of the existing roof of a silage shed and a tractor shed
- The current roof material is stated as being corrugated metal sheeting and the proposed replacement material will similarly be corrugated metal sheeting

This Section 5 declaration includes the following:

- Application form
- Site location
- Elevations
- Floor plans

**Planning History:**

**06/2397 – Conditional Permission –** Erection of slatted cattle unit.

**Enforcement History:**

No enforcement history on site.

### **Relevant An Coimisiún 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 proposal, comprising the replacement of the roofs of two existing farm storage structures, constitutes ‘works’ and ‘development’.**

### **Is the proposal exempted development?**

No change to the use of the existing shed structures is proposed. The proposal in this instance comprises the replacement of the existing roofs of the sheds. Section 4 (1)(h) of the Planning and Development Act 2000 (as amended) allows for works 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 to be considered as exempted development.

In this instance, the replacement of the existing corrugated metal roof using the similar material as proposed is considered to be consistent with the character of the existing structures.

### **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**

The site is 40 metres from the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA. A screening for appropriate assessment was undertaken given the proximity to the SPA (see appendix 1). Having regard to the nature and scale of the proposed development, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site. The appropriate assessment screening report and determination is attached to this report.

### **Environmental Impact Assessment**

Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations it has been concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

### **Conclusion/Recommendation**

The proposal for the replacement of the existing roof of a silage shed and a tractor shed with corrugated metal sheeting similar to the current roofing material as detailed on the application and plans submitted is considered to be within the scope of Section 4 (1)(h) of the Planning and Development Act 2000 (as amended).

Regard has been had to –

- (a) Section 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 5, 6 & 9 of the Planning and Development Regulations 2001 (as amended)
- (c) The plans & particulars submitted with the application received on 21/01/2026.

It is therefore considered that the said works are development and exempted development under Section 4 (1)(h) of the Planning and Development Act 2000 (as amended).

<b>Graduate Planner</b>	<b>Isaac Cunningham</b>	<b>Date:</b>
<b>Signature:</b>		<b>23/01/2026</b>
<b>A/Senior Executive Planner</b>	<b>Jennifer Collins</b>	<b>Date:</b>
<b>Signature</b>		<b>16/02/2026</b>

### Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-007-26
(e) Brief description of the project or plan:	Roof replacement for two existing farm storage structures.
(e) Brief description of site characteristics:	The site is located along the L-7060 Road in Ballaghbehy North, within the rural landscape area of the Western Uplands. There is an existing farmyard complex on site. Most notably, the site is around 40 metres from the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA.
(e) 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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA	Hen Harrier (Circus cyaneus) [A082]	0.04	None	N
Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	1	None	N
Moanveanlagh Bog SAC	<a href="https://www.npws.ie/protected-sites/sac/002351">https://www.npws.ie/protected-sites/sac/002351</a>	12.25	None	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. - Vegetation clearance - Demolition	The habitat on the site is sub optimal in nature for nesting, roosting and foraging Hen Harrier. The development proposed is also limited in intensity, frequency, timing and duration and no

<ul style="list-style-type: none"> <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> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>	<p>significant disturbance to the SPA's Hen Harrier breeding population is expected.</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 replacement of like for like roof materials, which maintain a non-reflective finish, eliminates the potential impact of glint and glare to discourage foraging raptors in the SPA.</p>
<p><b>In-combination/Other</b></p>	<p>N/A given the level of development in the rural area, agricultural and one-off dwellings.</p>

<p><b>(a) 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> <li>- Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	<p>There is no likely reduction in the Hen Harrier habitat area, and any disturbance is severely limited by the small nature of the proposed development. Likewise, there are no likely changes to the two SAC sites listed.</p>

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

### 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 submitted, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

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.

**Conclusion:** An appropriate assessment is not required.

	Tick as appropriate:	Recommendation:
i. It is clear that there is <b>no likelihood</b> of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
ii. It is <b>uncertain</b> 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. <b>Significant effects</b> are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	 <hr style="width: 20%; margin: 0 auto;"/> Isaac Cunningham, Graduate Planner 23/01/2026	
<b>Signature and Date of the Decision Maker:</b>	 Jennifer Collins, A/Senior Executive Planner 16/02/2026	

## Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-007-26
Development Summary:	Roof replacement for two existing farm storage structures.
Was a Screening Determination carried out under Section 176A-C?	<p style="text-align: center;">Yes. no further action required</p> <p style="text-align: center;">No. Proceed to <b>Part A</b></p>
<b>A. Schedule 5 Part 1</b> - 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] _
<input checked="" type="checkbox"/>	No
	<p style="text-align: center;"><b>EIA is mandatory</b></p> <p style="text-align: center;">No Screening required</p> <p style="text-align: center;">Proceed to <b>Part B</b></p>
<b>B. Schedule 5 Part 2</b> - 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
<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]_
	Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : [insert here] _
<b>c. If Yes</b> , has Schedule 7A information/screening report been submitted?	
	Yes, Schedule 7A information/screening report has been submitted by the applicant
	<p style="text-align: center;"><b>Screening Determination required</b></p>

<p>No, Schedule 7A information/screening report has not been submitted by the applicant</p>	<p><b>Preliminary Examination required</b></p>
<p><b>Signature and Date of Recommending Officer:</b></p>	<p></p> <hr/> <p>Isaac Cunningham, Graduate Planner 23/01/2026</p>
<p><b>Signature and Date of the Decision Maker:</b></p>	<p></p> <p>Jennifer Collins, A/Senior Executive Planner 16/02/2026</p>



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 Galvin,  
Ballaghbehy North,  
Abbeyfeale,  
Co. Limerick.  
V94Y5VO**

EC/007/26

16 February 2026

**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

[customerservices@limerick.ie](mailto:customerservices@limerick.ie)  
[www.limerick.ie](http://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/2026/158

**File Ref No. EC/007/26**

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

**RE:** **A replacement of the existing roof of a silage shed and a tractor shed at Ballaghbehy North, Abbeyfeale, Co. Limerick**

**ORDER:** Whereas by Director General's Order No. DG/2025/200 dated 24<sup>th</sup> November 2025, 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 Isaac Cunningham, Graduate Planner dated 23/01/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Liam Galvin, Ballaghbehy North, Abbeyfeale, Co. Limerick to state that the works as described above is

**Development and is Exempt Development.**

Signed

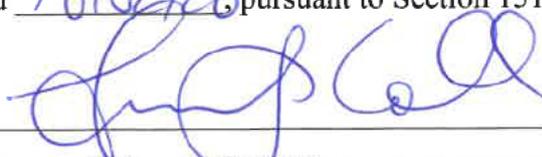
  
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

16/02/26

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2026/158 dated 16/02/26 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**  
& County Council

Pleanáil, agus Cruthú Áite  
Comhairle Cathrach agus Contae Luimnigh  
Bothar Thuar an Dail  
Tuar an Dail, Luimneach  
V94 WV78

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

## **SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**DECLARATION NO.**

**EC/007/26**

**Name and Address of Applicant:** Liam Galvin, Ballaghbehy North, Abbeyfeale, Co. Limerick

**Agent:** N/A

**Whether** the replacement of the existing roof of a silage shed and a tractor shed at Ballaghbehy North, Abbeyfeale, 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 21<sup>st</sup> day of January 2026.

**AND WHEREAS** the Planning Authority has concluded that the replacement of the existing roof of a silage shed and a tractor shed at Ballaghbehy North, Abbeyfeale, Co. Limerick **DOES** come within the scope of exempted development Section 4 (1)(h) of the Planning and Development Act 2000 (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:



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