



**Limerick City and County Council**

**Planning Department**

**Section 5 Application**

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: Sean Kelly & Creena O'Connor  
~~SEAN + CREENA KELLY~~

Applicant's Address: ELM PARK, CLARINA, CO LIMERICK

Telephone No. [REDACTED]

Name of Agent (if any): S. MCELICOTT

Address: LOMBARDSTOWN, CAHERCOLLISH  
CO LIMERICK

Telephone No. 087 8200454

Address for Correspondence:  
S MCELICOTT, LOMBARDSTOWN, CAHERCOLLISH  
CO LIMERICK

Location of Proposed development (Please include EIRCODE):

Ardnappreaghawn  
ARDNAPPREAGHAWN, CROACH, CO. LIMERICK

Description of Proposed development:

CONSTRUCT MACHINERY STORE, STABLES,  
EXERCISE ARKNA, ANIMAL WALKER

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

PART 3/9 MACHINERY STORE 98.65M<sup>2</sup>, PART 3/6 STABLES 299.28M<sup>2</sup>

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:

LOCATION MAP 1:2500/A3

SITE PLAN 1:500/A3

GENERAL ARRANGEMENT OF STABLES + MACHINERY STORE  
1:200/A3

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

If Yes please provide floor areas of all existing structures:

EXISTING HAYBARN - 194.96M<sup>2</sup>

FORMER ANIMAL SHED - 98.65M<sup>2</sup>, TO BECOME

A STORE

Signature of Applicant (or Agent)

S. McE

ARKNA + WALKER IS PART 3/10

**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.

REC 25/96518  
PAID ON 4/3/2026

\*\*\*\*\*


Application to be forwarded to:

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

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

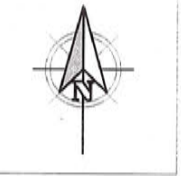
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# SECTION 5 EXEMPTED DEVELOPMENT

CLIENT: SEAN & CREENA KELLY	
PROJECT: SECTION 5 AGRICULTURAL EXEMPTED DEVELOPMENT	
DEVELOPMENT ADDRESS: ARDNAPREACAUN, CROAGH, CO. LIMERICK	
TITLE: SITE LAYOUT PLAN	
DATE: MARCH 2026	DRAWING No. Dwg. 2025.57.201
SCALE: 1:500/A3	REVISIONS:
 SEAMUS McELLIGOTT LOMBARDSTOWN, CHERMUNISH CO. LIMERICK PLANNING DESIGN CONSULTANCY MOBILE (087) 8200454 EMAIL: SMCEPLANNING@GMAIL.COM	



**A3**



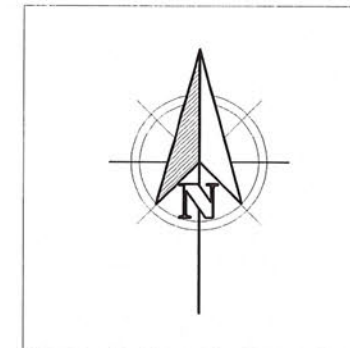
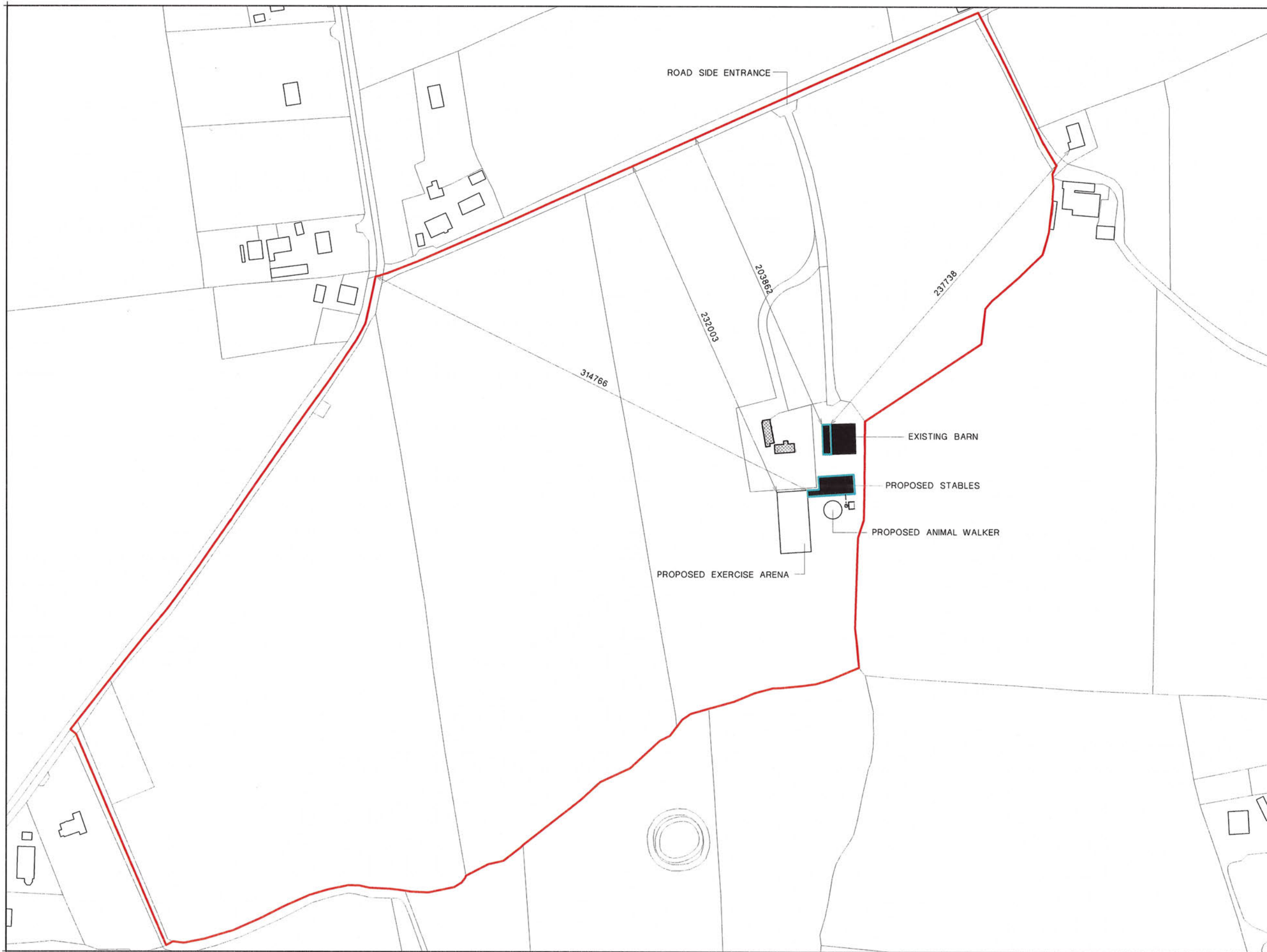
**SITE AREA - 48.347 ACRES**

**O.S. REFERENCE - 5044A**

**PROPOSED SITE LAYOUT PLAN 1:500**

NOTE:  
WRITTEN DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE.  
ARCHITECT TO BE INFORMED IMMEDIATELY OF ANY DISCREPANCY FOUND BEFORE WORK PROCEEDS

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# SECTION 5 EXEMPTED DEVELOPMENT

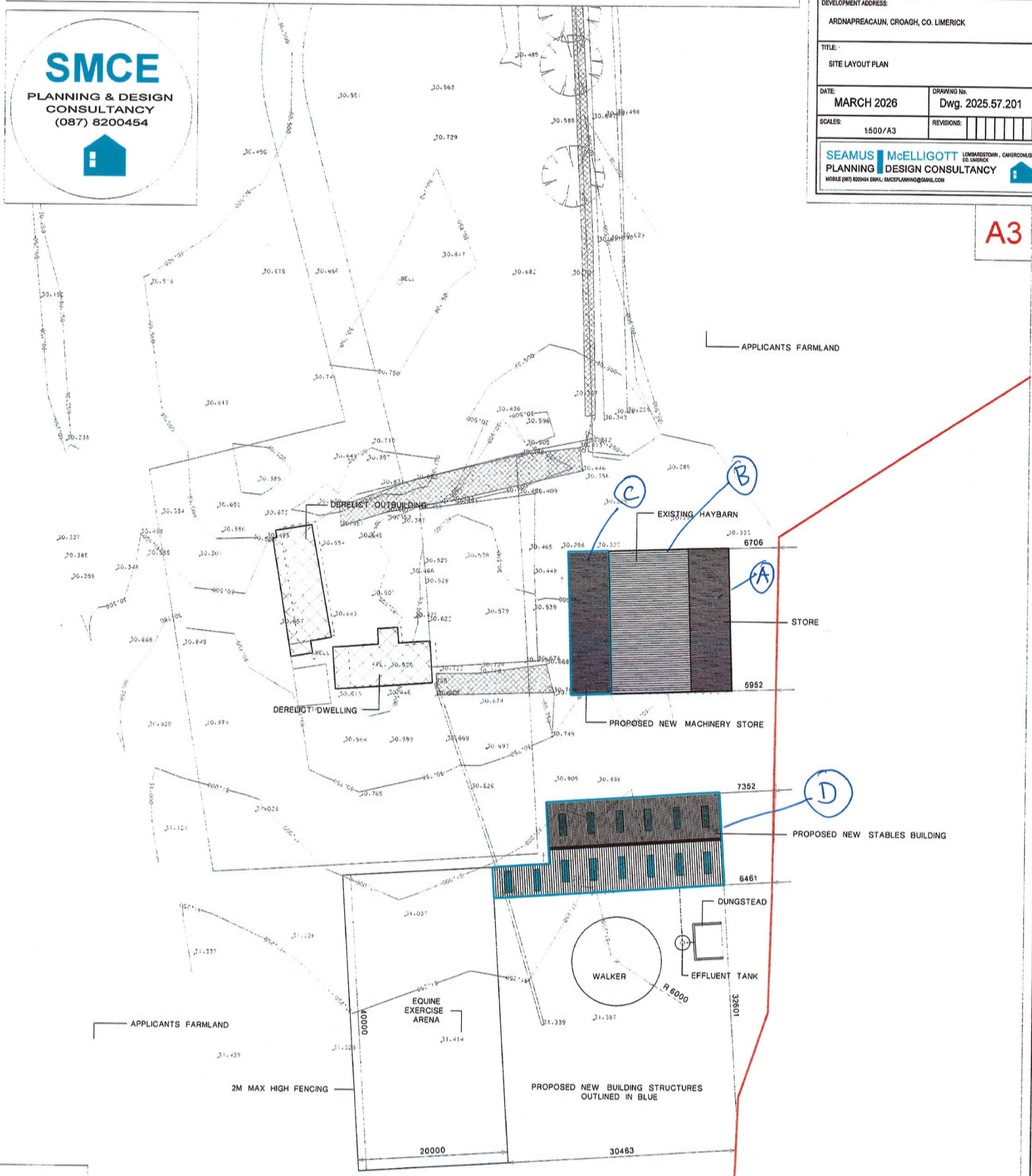
CLIENT: SEAN & CREENA KELLY	
PROJECT: SECTION 5 AGRICULTURAL EXEMPTED DEVELOPMENT	
DEVELOPMENT ADDRESS: ARDNAPREACAUN, CROAGH, CO. LIMERICK	
TITLE: SITE LAYOUT PLAN	
DATE: MARCH 2026	DRAWING No. Dwg. 2025.57.201
SCALE: 1:500/A3	REVISIONS:

**SMCE**

PLANNING & DESIGN  
CONSULTANCY  
(087) 8200454



**A3**



**SITE AREA - 48.347 ACRES**

**O.S. REFERENCE - 5044A**

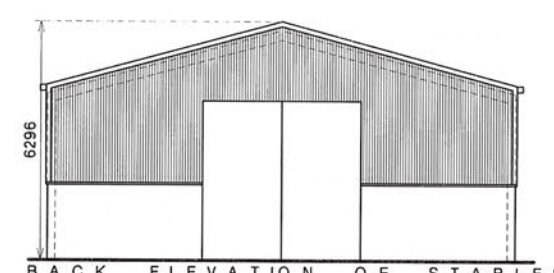
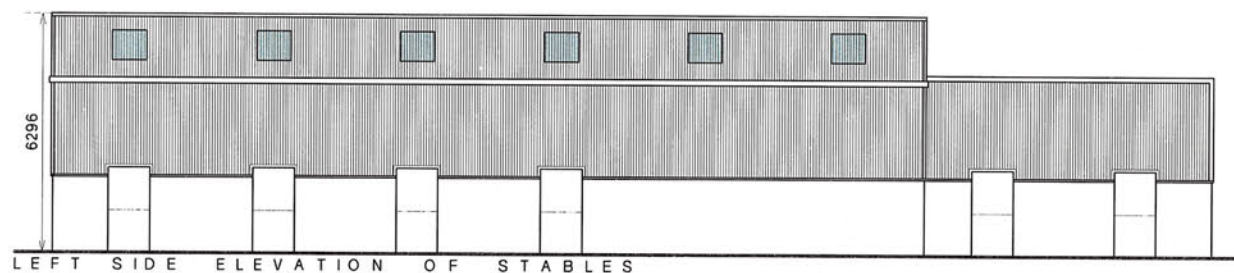
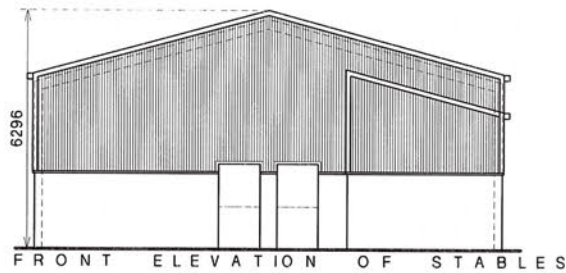
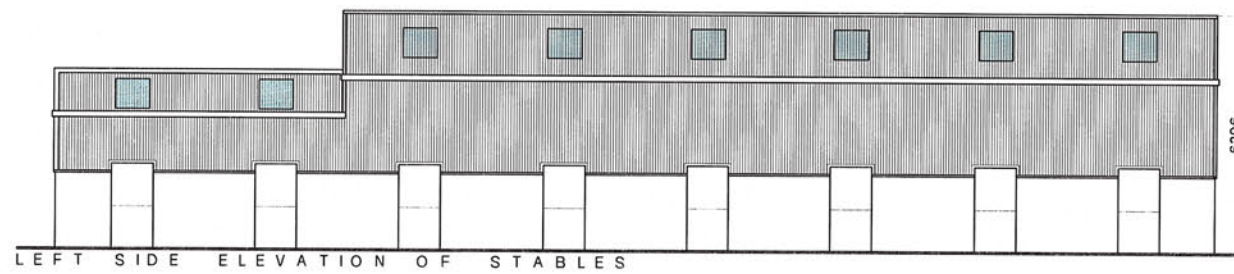
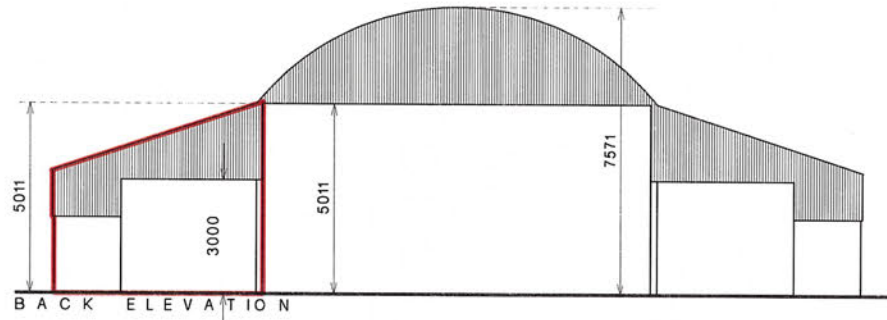
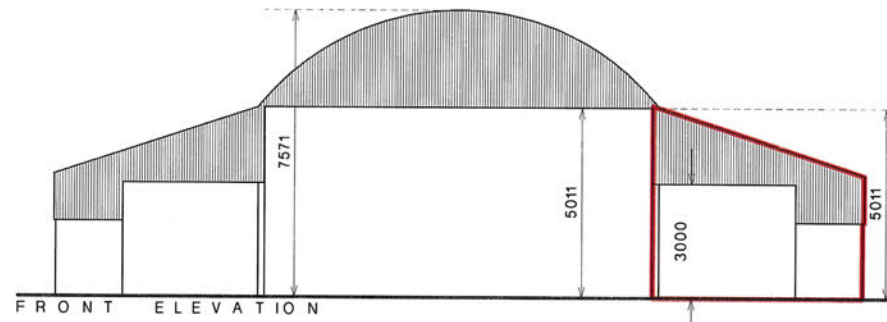
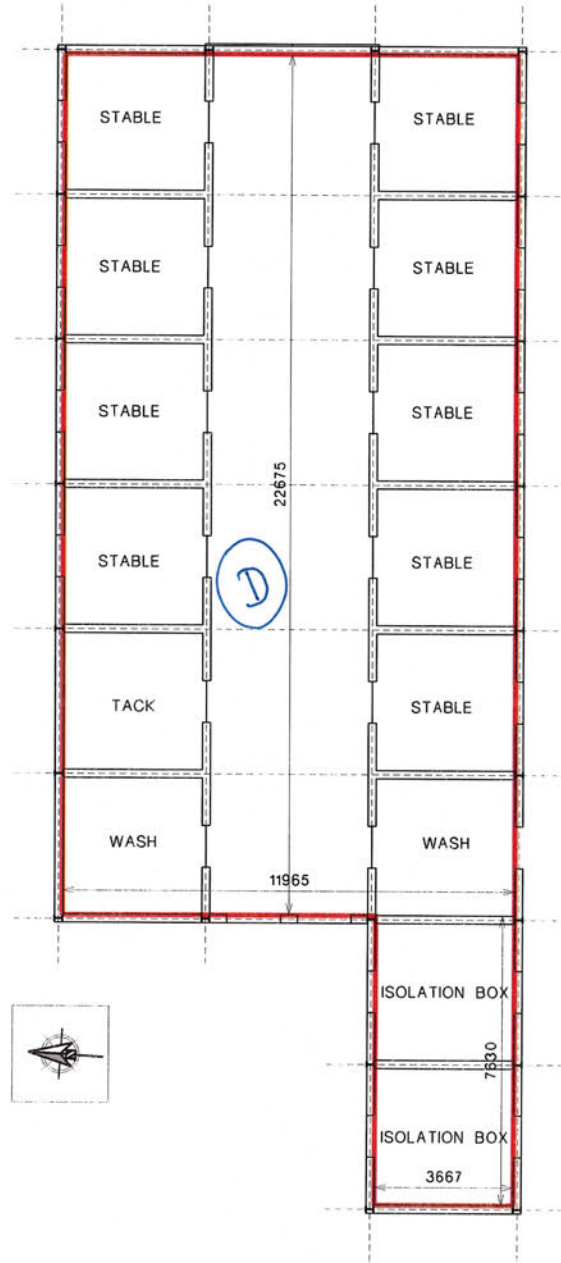
**PROPOSED SITE LAYOUT PLAN 1:500**

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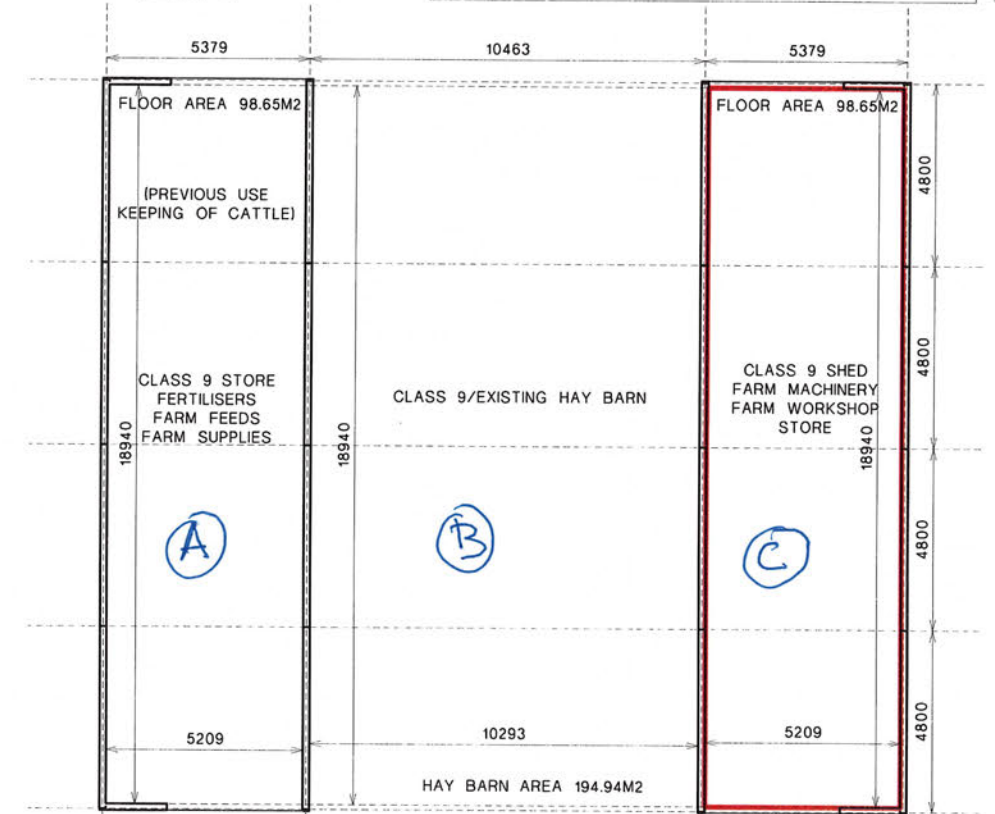
# SECTION 5 EXEMPTED DEVELOPMENT

PLAN OF PROPOSED STABLES BUILDING 1:200 FLOOR AREA OF STABLES = 299.28M<sup>2</sup>

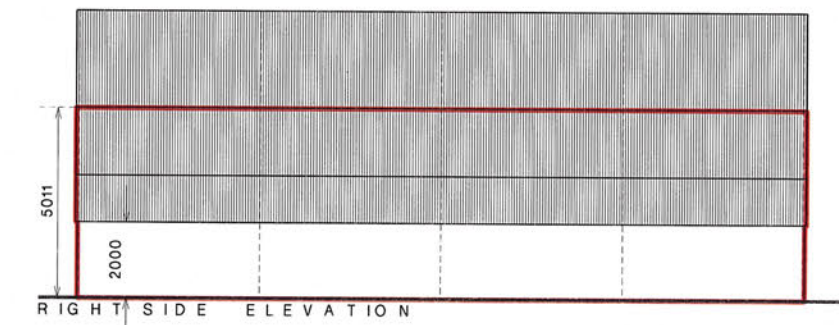


PLAN OF EXISTING BARN STRUCTURE 1:200  
NEW WORKS OUTLINED IN RED

A3



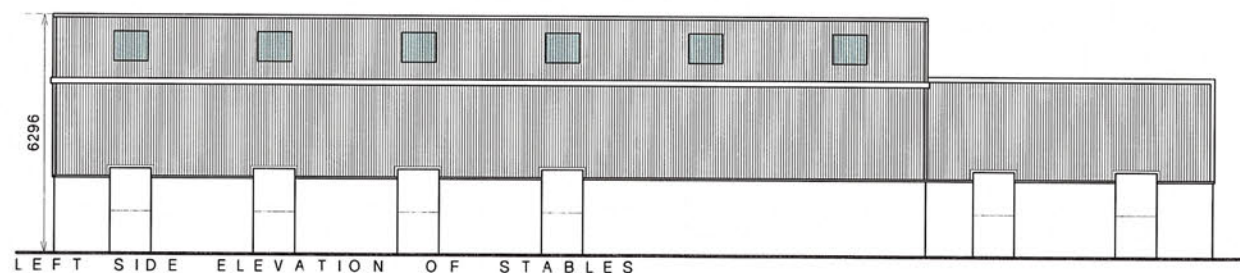
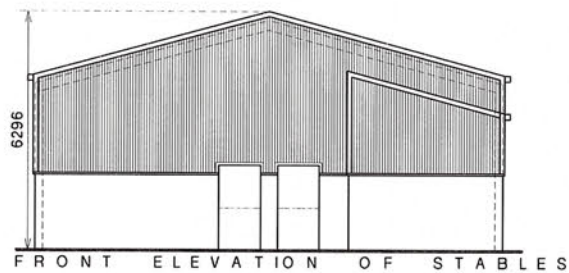
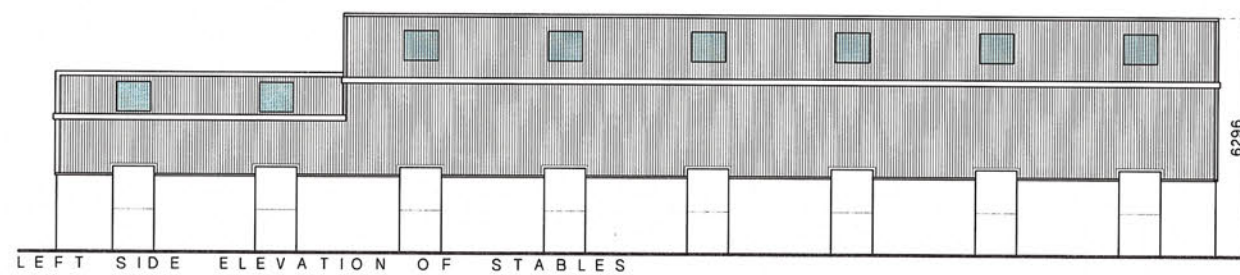
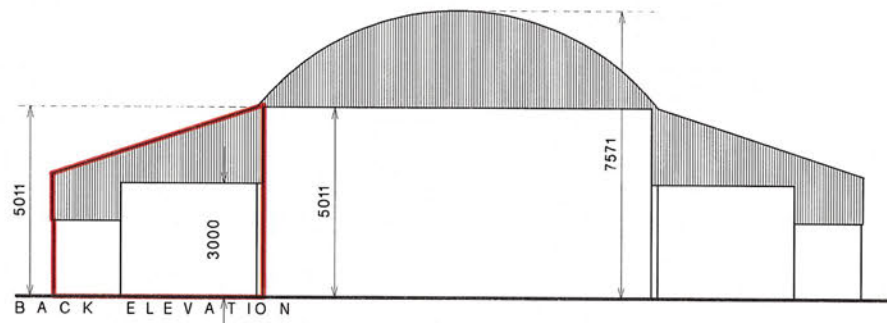
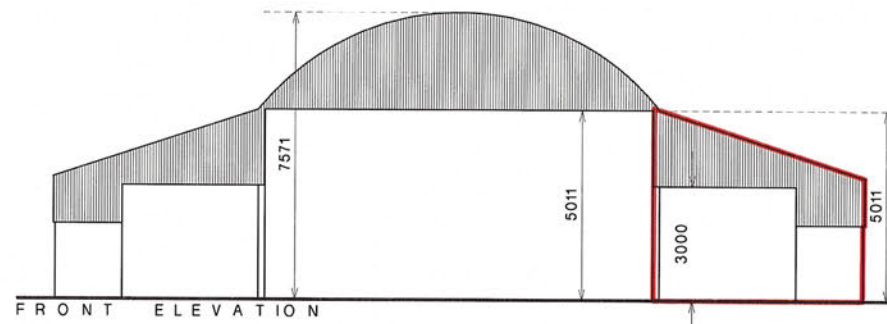
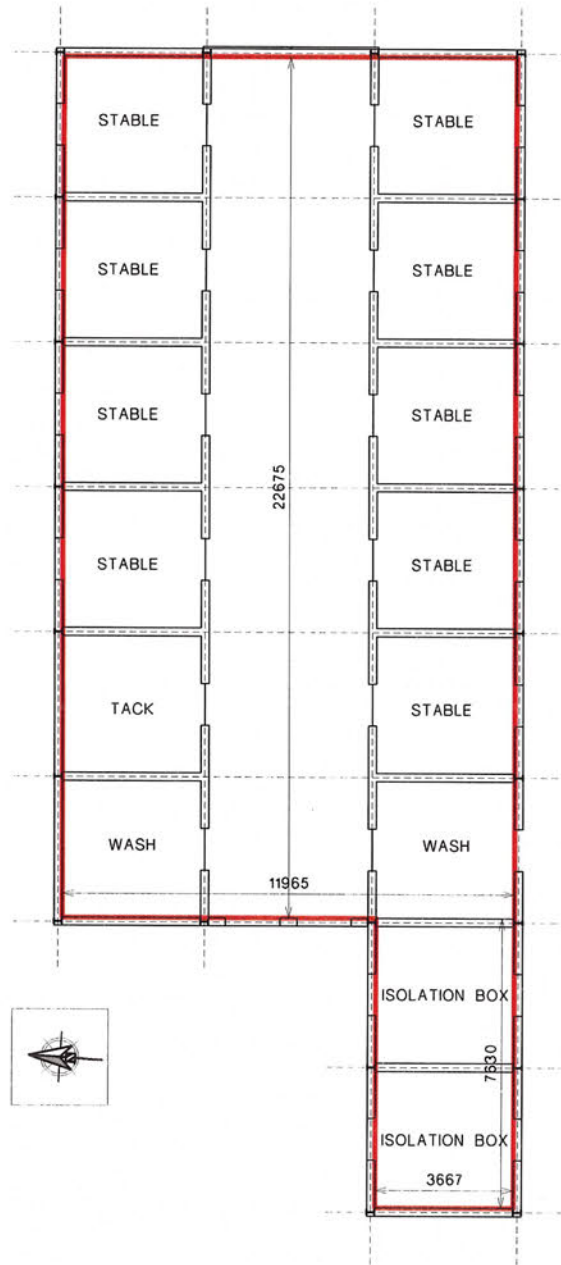
FLOOR AREA OF NEW MACHINERY STORE = 98.65M<sup>2</sup>



CLIENT: SEAN & GREENA KELLY	
PROJECT: SECTION 5 AGRICULTURAL EXEMPTED DEVELOPMENT	
DEVELOPMENT ADDRESS: ARDNAPREACAUN, CROAGH, CO. LIMERICK	
TITLE: GENERAL ARRANGEMENT	
DATE: APRIL 2026	DRAWING No. Dwg. 2025.57.202A
SCALE: 1:200/A3	REVISIONS:
SEAMUS McELLAGOTT LOMBARDSTOWN, CAHERCONLISH CO. LIMERICK PLANNING DESIGN CONSULTANCY MOBILE (087) 8200454 EMAIL: SMCEPLANNING@GMAIL.COM	

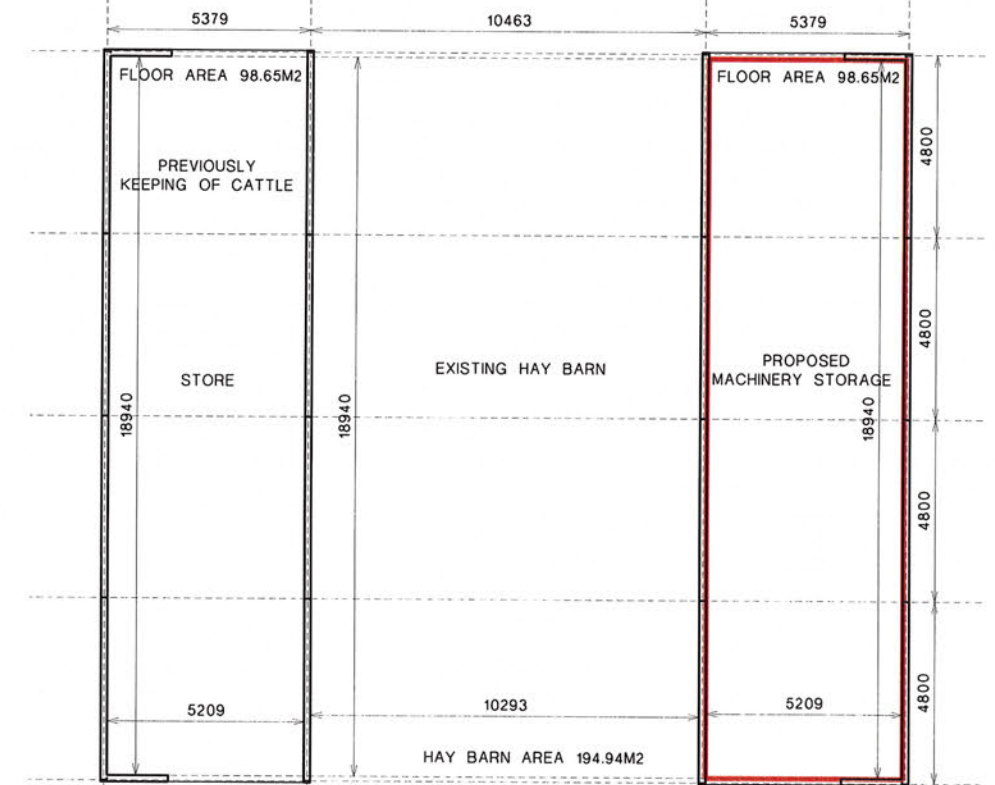
# SECTION 5 EXEMPTED DEVELOPMENT

PLAN OF PROPOSED STABLES BUILDING 1:200 FLOOR AREA OF STABLES = 299.28M<sup>2</sup>

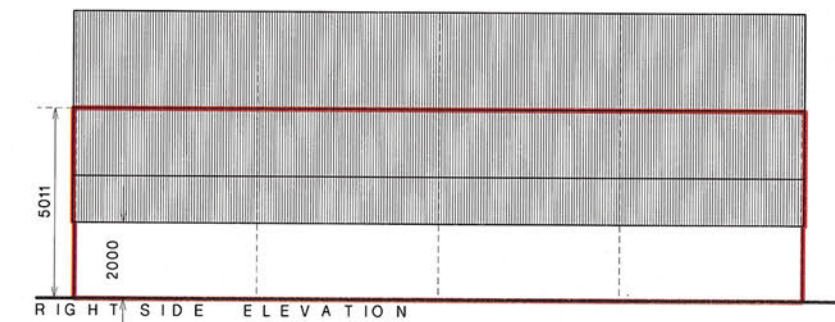


PLAN OF EXISTING BARN STRUCTURE 1:200  
NEW WORKS OUTLINED IN RED

A3



FLOOR AREA OF NEW MACHINERY STORE = 98.65M<sup>2</sup>



CLIENT: SEAN & CREENA KELLY	
PROJECT: SECTION 5 AGRICULTURAL EXEMPTED DEVELOPMENT	
DEVELOPMENT ADDRESS: ARDNAPREACAUN, CROAGH, CO. LIMERICK	
TITLE: GENERAL ARRANGEMENT	
DATE: MARCH 2026	DRAWING No. Dwg. 2025.57.202
SCALES: 1:200/A3	REVISIONS:



**Planning Section,**  
Limerick City + County Council,  
County Hall,  
Dooradoyle,  
Limerick  
**4/4/2026**

**Re: EC-038/26 Declaration of Exempted Development at Ardnapreaghau, Croagh, Co. Limerick for Sean Kelly & Creena O'Connor**

Dear Sirs,

I refer to the above proposed development and moreover your letter dated 1/4/2026 and on behalf of my clients hereby respond as follows:

**Item No. 1:**

Please find attached copies of the marked up drawings originally submitted with sheds numbered A-D inclusive and further explained:

'A' and 'B' are existing structures.

'A' is a lean to structure presently used for the keeping of cattle, floor area 98.65m<sup>2</sup>

'B' is a barn used for storage of hay and fodder and has a floor area of 194.94m<sup>2</sup>

As part of the updated farmyard plan existing building 'A' will revert to being a 'Store' as per Class 9 and shall be used for the purposes of storage associated with agriculture, such as feedstuff, and storage of farm products such as fencing supplies etc used for the farm.

Building 'C' is a proposed lean to structure to the side of the barn with a floor area of 98.65m<sup>2</sup> and shall be used as a Class 9 structure and whilst annotated as 'Machinery Store' means the storage of farm machinery, such as tractor, fertiliser spreader, topper, hedgecutter, land roller etc. We propose to amend the name of the structure to be called a 'shed' (Class 9)

In the cover letter the work workshop is used and again as per Class 9 'other such structure' part of the Building 'C' will be used as a farm workshop for the repair of the farm machinery etc.

We trust this clarifies.,

**Item No. 2: Condition 12 of Class 6 of Part 3 of Schedule 2 of SI 649 of 2025:**

Please note that as per Condition 12 the applicant will indeed provide all necessary slurry advisory warning signage per this condition and as per the signage description contained in the HSA website.

**Item No. 3: Exercise Arena:**

The Planning Section are asked to note that there will be no staging of public, termed commercial events on the farm.

In our application we made it quite clear that these sheds are being constructed for the purposes of **'agriculture'** as defined in the Planning & Development Act which does not permit the staging of public events and we wish to re-affirm the same.

To summarise, A + B + C are all Class 9 and the combined floor area of the 3 buildings is 392.24m<sup>2</sup>. The new structure 'C' is less than 300m<sup>2</sup> (98.65m<sup>2</sup>) and the combined areas of all 3 buildings is less than the aggregate permitted being 900m<sup>2</sup>

The proposed stables building comprises a Class 6 structure with a floor area less than 300m<sup>2</sup> per the updated regulations and does not have a combined area on the farm to make up 450m<sup>2</sup> aggregate therefore in full compliance is met.

We trust the above is clearly laid out.

We would be most grateful if you could arrange to make a speedy decision on the matter within the 3 week period.

Many thanks,



**Seamus McElligott**



**Planning Department,**  
Limerick City + County Council,  
County Hall,  
Dooradoyle,  
Limerick  
**4/3/2026**

**Re: Section 5 Exemption proposal for machinery store, stables, exercise area, animal walker at Ardnareacaun, Croagh, Co. Limerick for Sean & Creena Kelly**

Dear Sirs,

I refer to the above proposed exempted development proposal.

The development is proposed to take place in the curtilage of an existing farmyard setting located on a 48.347 acre holding.

**Existing Farmyard Development:**

The existing farmyard buildings comprises a 194.94m<sup>2</sup> haybarn and an existing attached lean-to structure with a floor area of (98.65m<sup>2</sup>) previously used for the keeping of cattle will now be used as a 'Store' and not the keeping of animals.

The existing structure shall be painted with a colour finish.

**Exemption No. 1: Machinery Store: (Part 3/Class 9)**

It is proposed to construct an attached farm machinery store/workshop to the side of the existing haybarn comprising a floor area of 98.65m<sup>2</sup>.

The new structure is located more than 200m from the nearest public road. There is no height restriction as a result.

The external finishes shall comprise a colourcoat, painted finish.

**Exemption No. 2: Stables Building: (Part 3/Class 6)**

It is proposed to construct a new stables building specific for the keeping of animals (horses) with a proposed floor area of 299.28ms.

The stables building will comprise stalls, tack room, isolation boxes etc all associated with the keeping of animals. The stables building shall conform with the following requirements:

- It shall only be used for the purposes of agriculture.
- All effluent and dung storage requirements shall conform to Department of Agriculture requirements.
- The development is located in excess of 200m from any public road and as such there is no restriction on the heights

- The floor area is 299.28m<sup>2</sup> and the floor area conforms with the most recent exemption regulations published in that developments of up to 300m<sup>2</sup> (aggregate 450m<sup>2</sup>) are acceptable.
- The cladding shall be a colourcoated (painted) clad finish.

**Exemption No. 3: Exercise Arena/Animal Walker (Part 3/Class 10)**

That a proposed exercise arena and an animal walker are exempted development having regard to the following:

- The areas shall only be used for the purposes of agriculture.
- Shall only be used for the exercising of horses or ponies.
- The area and walks are located in excess of 200m from the nearest public road.
- The height of any such structure shall not exceed 2m

Please find attached a site location map showing the extent of the applicant's farm, a site layout plan of the relevant farmyard area and a general arrangement drawing of the extended barn proposal, the new stables, the exercise arena and the walker.

**We wish to reaffirm that all of these facilities shall be used specifically for agriculture purposes and not any commercial purposes whatsoever.**

We look forward to a favorable decision in due course ,

Yours sincerely,



**Seamus McElligott**  
Planning & Design Consultancy

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

<b>File Reference number</b>	<b>EC-038-26</b>
<b>Applicant(s)</b>	<b>Sean Kelly &amp; Creena O'Connor</b>
<b>Location</b>	<b>Ardnapreaghaun Croagh Co. Limerick</b>

### **Description of Site and Surroundings:**

The site is located in the rural townland of Ardnapreaghaun, situated off the L-6027 local road. The site features an existing farm holding totalling 48.347 acres.

### **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:

1. The applicants are proposing the change of use of the existing 98.65m<sup>2</sup> lean-to structure attached to the existing 194.94m<sup>2</sup> haybarn, from previous use for the keeping of cattle to use as a machinery store/workshop
2. The applicants are also proposing the construction of a new 299.28m<sup>2</sup> stables building for the keeping of horses,
3. The applicants are also proposing an ancillary exercise area to the rear of the stables

This Section 5 declaration includes the following:

- Application form
- Site location
- Elevations
- Floor plans

### **Planning History:**

*Subject site:*

**None found.**

*Adjacent:*

**None found.**

### **Enforcement History:**

N/A.

## **Relevant An Coimisiún Pleanála referrals:**

No relevant An Coimisiún Pleanála referrals found for the site.

## **Assessment:**

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

## **Is the proposal development?**

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

**‘works’** includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

**‘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 –

(b) in relation to a protected structure or proposed protected structure, includes—

(i) the interior of the structure,

(ii) the land lying within the curtilage of the structure,

(iii) any other structures lying within that curtilage and their interiors, and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

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 concerns the change of use of the existing 98.65m<sup>2</sup> lean-to structure attached to the existing 194.94m<sup>2</sup> haybarn, from previous use for the keeping of cattle to use as a machinery store/workshop, the applicants are also proposing the construction of a new 299.28m<sup>2</sup> stables building for the keeping of horses, and an ancillary exercise area to the rear of the stables, constituting ‘works’ and ‘development’.**

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

### **1. Change of use of Lean-to Structure from housing of cattle to machinery store/workshop**

The submitted cover letter contains conflicting information in relation to the proposed change of use, as it refers to the “existing lean-to structure” attached to an existing haybarn but also states “it is proposed to construct an attached farm machinery store/workshop to the side of the existing haybarn”. Therefore, further information is required.

Presuming that the lean-to structure is existing, the proposal is for a change of use to a machinery store/workshop. I note that Class 9 of Part 3 of Schedule 2 of the Planning Development Regulations 2001, as amended, provides for works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres. I consider that the uses identified under this class are interchangeable i.e. a change of use from a barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 to use as a store could be considered exempt provided the conditions and limitations associated with Class 9 are complied with. However, I note the submitted cover letter states the previous use of the lean-to structure was for the keeping of cattle. In this regard, I note that Class 9 (below) does not include for use of a structure for the keeping of cattle and therefore cannot be considered exempt under this Class.

**Class 9** - *Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.*

## 2. Proposed Stables

In terms of the construction of a stables on an existing farm holding, this can be assessed under Class 6 of Part 3 of Schedule 2, provided the horses are kept as part of the agricultural enterprise and the structure does not exceed 300 sqm. Subject to the following conditions

**Class 6** - *Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 300 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.*

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

The stated use is limited to agricultural purposes.

2. *The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 450 square metres gross floor space in aggregate.*

The proposed stables have a floor area of 299.28m<sup>2</sup> and from the submitted documentation I note that there only other buildings identified on the farm holding is a haybarn (194.94m<sup>2</sup>) with attached lean-to structure (98.65m<sup>2</sup>) previously use for the housing of cattle. The lean-to structure and proposed stables would equate to a floor area of 397.93m<sup>2</sup> which is below the permitted 450m<sup>2</sup> limit. In addition, there are no other such structures within 100 metres of the farm complex. Therefore, I consider this condition is satisfied.

3. *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 Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.*

All effluent and dung storage are stated to conform with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements.

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

The structure is more than 200 metres from a public road; the question does not apply.

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

The structure is more than 200 metres from a public road.

6. *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 structure is more than 100 metres away from any house or other residential building or school, hospital, church or building used for public assembly other than the associated farm dwelling.

7. *No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone.*

The structure is not proposed to be constructed within Flood Zone A or B.

8. *No such structure shall be within 60 metres of a public or private water source.*

The structure is not within 60 metres of a public or private water source.

9. *No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility.*

The proposed structure is not situated less than 50 metres from a water course or water body.

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

The submitted documentation confirms that the structure will have a painted clad finish.

11. *The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.*

The proposed development is being assessed under section 5 of the Principal Act.

12. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.

The applicant does not state whether this is the case. Further information will be requested in this regard.

### **3. Proposed ancillary unroofed training/exercising area**

In terms of the proposed ancillary unroofed training/exercising area to be located to the rear of the proposed stables, this can be assessed under Class 10 of Part 3 of Schedule 2 and may constitute exempted development where it consists solely of a fenced, unroofed horse-training area with a simple drainage bed or soft surface. Subject to the conditions below:

**Class 10 - *The erection of an unroofed fenced area for the exercising or training of horses or ponies, together with a drainage bed or soft surface material to provide an all-weather surface.***

1. *No such structure shall be used for any purpose other than the exercising or training of horses or ponies.*

The submitted cover letter states that the intended use is for the exercising of horses or ponies.

2. *No such area shall be used for the staging of public events.*

The submitted cover letter states that the area will only be used for the purposes of agriculture. However, it is not clearly stated that there is no intended use for the staging of public events. Further information is required in this regard.

3. *No such structure shall be situated within 10 metres of any public road, and no entrance to such area shall be directly off any public road.*

The proposed exercise area is more than 200 metres from a public road.

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

The submitted cover letter states that the height of any such structure shall not exceed 2 metres.

### **Article 9 Restrictions**

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

### **Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the absence of proximity or connectivity to a Natura 2000 European Site, 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. An 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**

It is recommended further information is requested as follows:

1. a. In relation to the proposed machinery store, the submitted cover letter contains conflicting information in relation to the proposed change of use, as it refers to the “existing lean-to structure” attached to an existing haybarn but also states “it is proposed to construct an attached farm machinery store to the side of the existing haybarn”. The applicant is requested to confirm whether the ‘lean-to structure’ is existing or proposed.  
b. It is noted that reference is also made to farm machinery store/workshop in the submitted cover letter. The applicant shall confirm what the intended use is in relation to ‘store’ and ‘workshop’.
2. In relation to the proposed stables, the applicant shall confirm whether ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety as required under Condition 12 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
3. In relation to the proposed ancillary unroofed training/exercising area, the applicant shall confirm that the area shall not be used for the staging of public events as required under Condition 2 Class 10 of Part 3 of Schedule 2.

<b>Graduate Planner</b>	<b>Isaac Cunningham</b>	<b>Date:</b>
<b>Signature:</b>		<b>26/03/2026</b>

<b>Executive Planner</b>	<b>Jennifer Collins</b>	<b>Date:</b>
<b>Signature</b>		<b>01/04/2026</b>

## Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-038-26
(e) Brief description of the project or plan:	The applicants are proposing the change of use of the existing 98.65m <sup>2</sup> lean-to structure attached to the existing 194.94m <sup>2</sup> haybarn, from previous use for the keeping of cattle to use as a machinery store/workshop. The applicants are also proposing the construction of a new 299.28m <sup>2</sup> stables building for the keeping of horses, and an ancillary exercise area to the rear of the stables
(e) Brief description of site characteristics:	The site is located in the rural townland of Ardnareaghaun, situated off the L-6027 local road. The site features an existing farm holding totalling 48.347 acres.
(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
Askeaton Fen Complex SAC	<a href="https://www.npws.ie/protected-sites/sac/002279">https://www.npws.ie/protected-sites/sac/002279</a>	5.935	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>	6.865	None	N
Curraghchase Woods SAC	<a href="https://www.npws.ie/protected-sites/sac/000174">https://www.npws.ie/protected-sites/sac/000174</a>	6.611	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)
<b>Construction phase e.g</b> <ul style="list-style-type: none"> <li>- Vegetation clearance</li> <li>- Demolition</li> <li>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>- Dust, noise, vibration</li> <li>- Lighting disturbance</li> <li>- Impact on groundwater/dewatering</li> </ul>	None. No direct encroachment or hydrological connection

<ul style="list-style-type: none"> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>	
<b>Operation phase e.g.</b> <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>	None. No direct encroachment or hydrological connection
<b>In-combination/Other</b>	N/A.



<b>(a) Describe any likely changes to the European site:</b>	
<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>	None. No direct encroachment or hydrological connection

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

<b>STEP 4: Screening Determination Statement</b>
<p><b>The assessment of significance of effects:</b> 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>



Given the sites size, no hydrological connection to any SAC/SPA, no encroachment on any SAC/SPA and the limited scale of the development proposed, an AA is not required.

**Conclusion:** AA is not required.

	Tick as appropriate:	Recommendation:
i. It is clear that there <b>is 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: 10%; margin-left: 0;"/> Isaac Cunningham, Graduate Planner 26/03/2026	
<b>Signature and Date of the Decision Maker:</b>	 Jennifer Collins, Executive Planner 01/04/2026	

## Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-038-26
Development Summary:	The applicants are proposing the change of use of the existing 98.65m <sup>2</sup> lean-to structure attached to the existing 194.94m <sup>2</sup> haybarn, from previous use for the keeping of cattle to use as a machinery store/workshop. The applicants are also proposing the construction of a new 299.28m <sup>2</sup> stables building for the keeping of horses, and an ancillary exercise area to the rear of the stables.
Was a Screening Determination carried out under Section 176A-C?	<p>Yes. no further action required</p> <p><input checked="" type="checkbox"/> 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)	
Yes. specify class: [insert here] _	<b>EIA is mandatory</b>  No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, 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	<b>No Screening required</b>
<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]_	<b>EIA is mandatory</b>  No Screening required
Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _	Proceed to <b>Part C</b>
<b>c. If Yes</b> , has Schedule 7A information/screening report been submitted?	
Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>

No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>
<b>Signature and Date of Recommending Officer:</b>	 <hr/> Isaac Cunningham, Graduate Planner 26/03/2026
<b>Signature and Date of the Decision Maker:</b>	 <hr/> Jennifer Collins, A/Senior Executive Planner 01/04/2026



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## **PLANNING, HERITAGE & RYDER CUP**

### **REG POST:**

**EC/038/26**

**01 April 2026**

**Sean Kelly & Creena O'Connor,  
c/o S. McElligott,  
Lonbardstown,  
Caherconlish,  
Co. Limerick.**

**RE: Declaration under Section 5**

---

Dear Sir/Madam,

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

1. a. In relation to the proposed machinery store, the submitted cover letter contains conflicting information in relation to the proposed change of use, as it refers to the “existing lean-to structure” attached to an existing haybarn but also states “it is proposed to construct an attached farm machinery store to the side of the existing haybarn”. The applicant is requested to confirm whether the ‘lean-to structure’ is existing or proposed.  
b. It is noted that reference is also made to farm machinery store/workshop in the submitted cover letter. The applicant shall confirm what the intended use is in relation to ‘store’ and ‘workshop’.
2. In relation to the proposed stables, the applicant shall confirm whether ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety as required under Condition 12 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).


3. In relation to the proposed ancillary unroofed training/exercising area, the applicant shall confirm that the area shall not be used for the staging of public events as required under Condition 2 Class 10 of Part 3 of Schedule 2.

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/038/26.**

Yours sincerely,



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

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

File Reference number	EC-038-26
Applicant	Sean Kelly & Creena O'Connor
Location	Ardnareaghaun Croagh Co. Limerick

### Previous Assessment:

This application relates to the proposed change of use of the existing 98.65m<sup>2</sup> lean-to structure, shed 'A', from cattle housing to agricultural storage, for housing items such as feedstuff and fencing. The application also relates to a proposed 98.65m<sup>2</sup> lean-to structure, 'shed C', for the purposes of agricultural machinery storage. Alongside the lean-to structures, the applicants are also proposing the construction of a new 299.28m<sup>2</sup> stables building for the keeping of horses, with an ancillary exercise area to the rear of the stables. The applicants were requested to provide further information on the following:

- Confirmation of the status of the lean-to structure, shed 'A', as existing or proposed, and the intended use of shed 'A' in relation to the scope of Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) as a 'store' and 'workshop'
- In relation to the proposed stables, the applicant was asked to confirm whether ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety as required under Condition 12 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- In relation to the proposed ancillary unroofed training/exercising area, the applicant was also asked to confirm that the area shall not be used for the staging of public events as required under Condition 2 of Class 10 of Part 3 of Schedule 2

### Submitted Documents:

- The submitted cover letter and annotated drawings, highlight that there is both an existing 98.65m<sup>2</sup> (shed 'A') and a proposed 98.65m<sup>2</sup> (shed 'C') lean-to structure attached to the existing 194.94m<sup>2</sup> haybarn
  - The change of use of the existing Shed 'A' is confirmed to change from Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), as a structure for the housing of cattle, to agricultural storage, for housing items such as feedstuff and fencing under Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- The submitted cover letter confirms that in relation to the proposed 299.28m<sup>2</sup> stables building, Condition 12 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) will be satisfied through the provision of all necessary slurry advisory warning signage

- The submitted cover letter also confirms, the proposal related to the provision of Class 10 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) will not constitute an exercise arena which will facilitate the staging of public events

### **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?**

As previously assessed, it is determined that: the proposed development on site, the proposed change of use of the existing 98.65m<sup>2</sup> lean-to structure, shed 'A', from cattle housing to agricultural storage, for housing items such as feedstuff and fencing, in tandem with a new proposed 98.65m<sup>2</sup> lean-to structure, 'shed C', for the purposes of agricultural machinery storage, alongside the construction of a new 299.28m<sup>2</sup> stables building for the keeping of horses, with an ancillary exercise area to the rear of the stables, constitutes 'works' and 'development', within the meaning given by the Planning and Development Act 2000 (as amended).

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

- The change of use of the existing Shed 'A' from Class 6 of Part 3, as a structure for the housing of cattle, to agricultural storage, for housing items such as feedstuff and fencing under Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) is not a change of use within the scope of Class 9 itself
  - However, the previous Class 6 use is considered superseded, whereby shed 'A' is associated with the development of new additional Class 9 usage in tandem with the proposed shed 'C' lean-to structure. The new uses remain agricultural in nature, forming part of a larger agricultural structure, all proposed with consistent Class 9 use
  - Both lean-to structures do not exceed 300m<sup>2</sup>, and the aggregate floor area of all similar structures do not exceed the 900m<sup>2</sup> limit
- It is considered that with the stated compliance with Condition 12 of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) regarding the proposed stables building
- Equally, it is considered that the exercise arena pertaining to Class 10 of Part 3 will be limited to agricultural use as specified in Section 2 of the Planning and Development Act 2000 (as amended) and the scope given by Class 10 of Part 3 as exempted development which solely relates to an unroofed fenced area for the exercising or training of horses or ponies, together with a drainage bed or soft surface material to provide an all-weather surface, and where there will be no staging of public events

### **Article 9 Restriction**

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 in previous report). 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 in previous report). 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 satisfied that the development proposal, the change of use of shed 'A' and the proposed shed 'C' lean-to structure (assessed against Class 9 of Part 3 of Schedule 2), the construction of the stables (assessed against Class 6 of Part 3 of Schedule 2), and the ancillary exercise area (assessed against Class 10 of Part 3 of Schedule 2), meet the conditions and limitations of their respective exempted development classes, and no Article 9 restrictions arise.

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6, 9 & Class 6, 9 & 10 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended)
- (c) The plans & particulars submitted with the application received on the 4<sup>th</sup> of March 2026 and on the 4<sup>th</sup> of April 2026.

It is therefore considered that said works are development and exempted development under Class 6, 9 & 10 of Part 3 of Schedule 2 of Planning and Development Regulations 2001 (as amended).

<b>Graduate Planner</b>	<b>Isaac Cunningham</b>	<b>Date: 09/04/2026</b>
<b>Signature:</b>		
<b>Senior Executive Planner</b>	<b>Barry Henn</b>	<b>Date: 17/04/2026</b>
<b>Signature:</b>		



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## PLANNING, HERITAGE AND RYDER CUP

### REG POST:

**Sean Kelly & Creena O'Connor,**  
**c/o S. McElligott,**  
**Lonbardstown,**  
**Caherconlish,**  
**Co. Limerick.**

EC/038/26

20 April 2026

**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**

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

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

**No. AOO/DC/2026/452**

**File Ref No. EC/038/26**

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

**RE:** **A change of use of the existing from cattle housing to agricultural storage. The application also relates to a proposed lean-to structure, for the purposes of agricultural machinery storage. Alongside the lean-to structures, the applicants are also proposing the construction of a new stables building, with an ancillary exercise area to the rear of the stables at Ardnareaghaun, Croagh, Co. Limerick**

**ORDER:** Whereas by Director General's Order No. DG/2026/033 dated 18<sup>th</sup> March 2026, 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 Barry Henn, 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, Barry Henn, Senior Executive Planner, having considered the report and recommendation of Isaac Cunningham, Graduate Planner dated 09/04/2026, hereby order that a  
④ Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Sean Kelly & Creena O'Connor, c/o S. McElligott, Lonbardstown, Caherconlish, Co. Limerick to state that the works as described above is

**Development and is Exempt Development.**

Signed



SENIOR EXECUTIVE PLANNER, PLANNING, HERITAGE & RYDER CUP

Date

20/04/2026



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

**DECLARATION NO.**

**EC/038/26**

**Name and Address of Applicant:** Sean Kelly & Creena O'Connor, Elm Park, Clarina, Co. Limerick

**Agent:** S. McElligott, Lonbardstown, Caherconlish, Co. Limerick

**Whether** the change of use of the existing from cattle housing to agricultural storage. The application also relates to a proposed lean-to structure, for the purposes of agricultural machinery storage. Alongside the lean-to structures, the applicants are also proposing the construction of a new stables building, with an ancillary exercise area to the rear of the stables at Ardnapreaghaun, Croagh, Co. Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 04<sup>th</sup> day of March 2026 and further information submitted on the 04<sup>th</sup> day of April 2026.

**AND WHEREAS** the Planning Authority has concluded that the change of use of the existing from cattle housing to agricultural storage. The application also relates to a proposed lean-to structure, for the purposes of agricultural machinery storage. Alongside the lean-to structures, the applicants are also proposing the construction of a new stables building, with an ancillary exercise area to the rear of the stables at Ardnapreaghaun, Croagh, Co. Limerick **DOES** come within the scope of exempted development under Class 6, 9 & 10 of Part 3 of Schedule 2 of 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:

20.4.2026

**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.