



1 Location of Proposed development (Please include EIRCODE):

KILLONAN

BALLYSIMON

Co LIMERICK

Description of Proposed development:

Re-roofing of existing  
cattle 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

3 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:

N/A

Signature of Applicant (or Agent) *Bonn 1/1/2*

**NOTES:** Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

\*\*\*\*\*

Application to be forwarded to:

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

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

\*\*\*\*\*

Killonan  
Ballysimon  
Co Limerick  
V94W28Y

Planning Department  
Limerick City and County Council  
Dooradoyle  
Limerick

28/4/2026

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 for the re roofing of the Cattle shed.

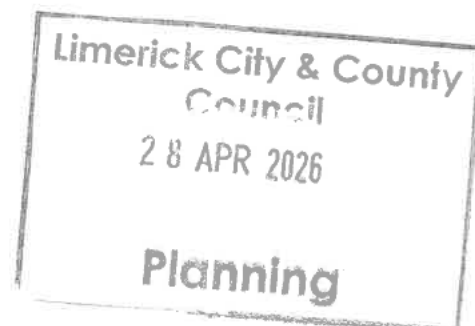
I intend to re- roof the cattle shed and will be seeking a TAMS (DAFM) grant to fund part of the cost of this work and a requirement of the grant application is a Local Authority letter of planning exemption.

As you can see from the photographs the roof on the existing shed is at end of life and needs to be replaced and will be replaced with corrugated sheeting.

I look forward to hearing from you.

Yours Sincerely

  
Barry Laffan

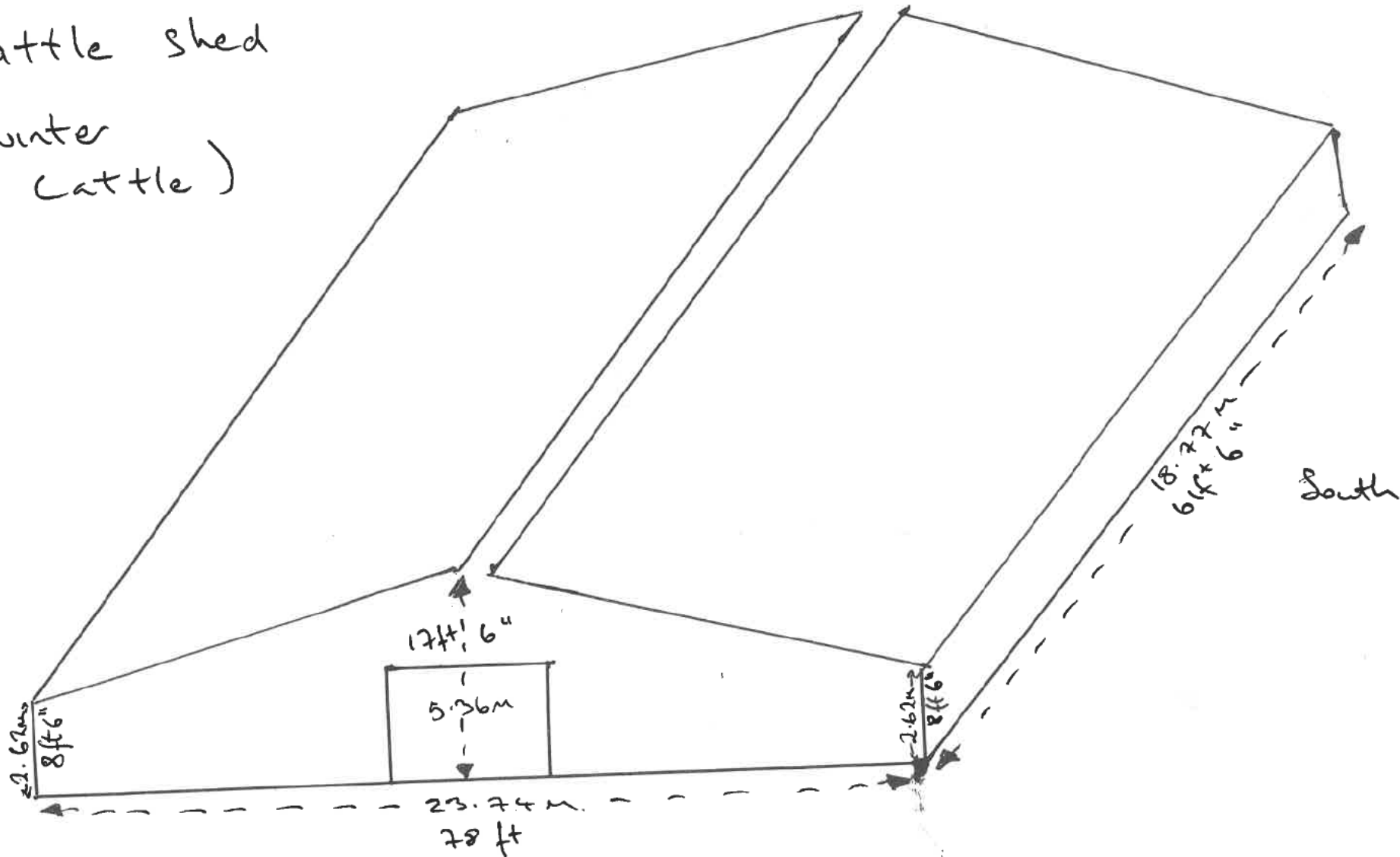


3.

EAST

Cattle shed  
(winter  
cattle)

North



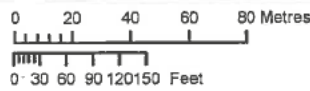
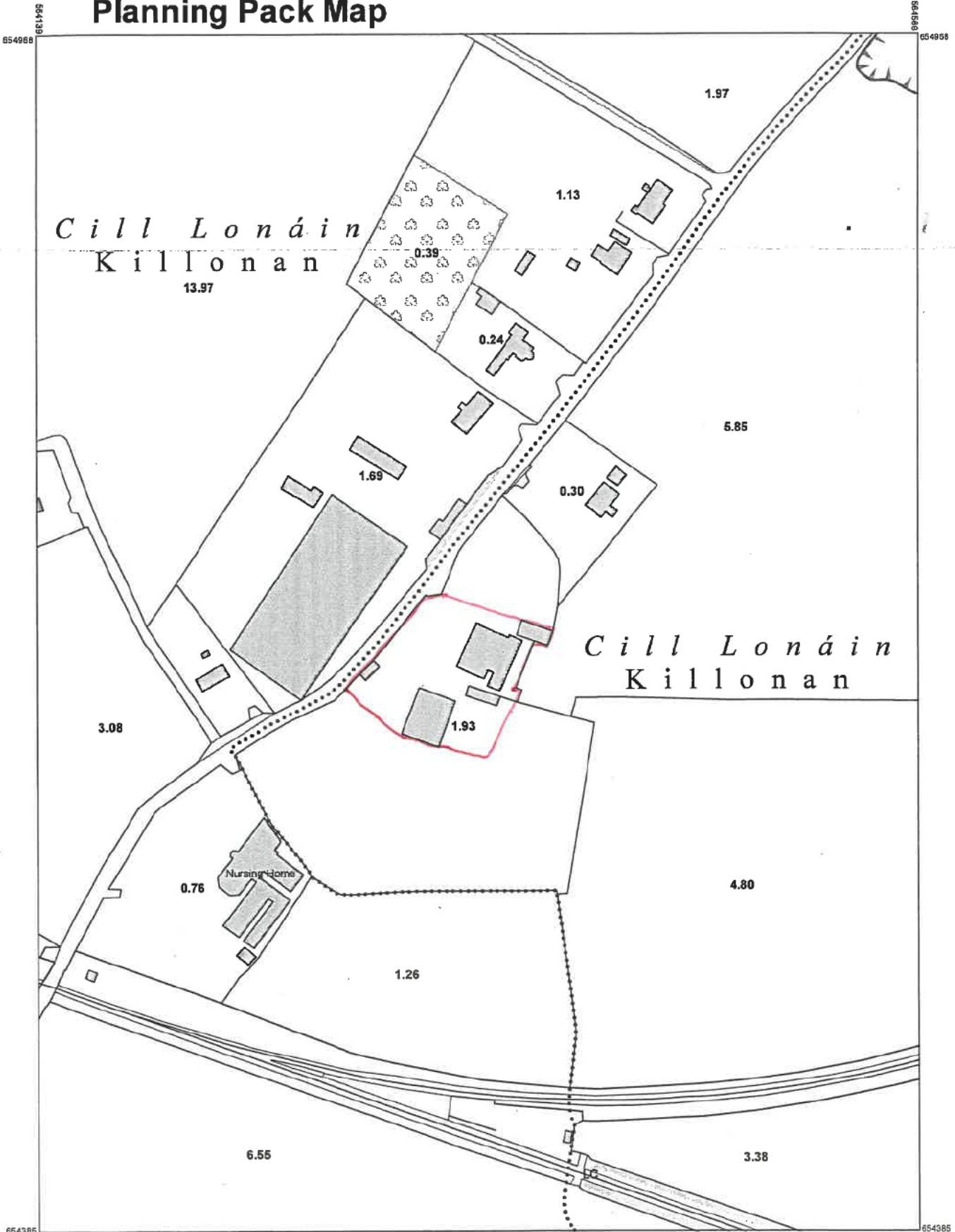
South

Floor Area  $445.60\text{ sq meters}$



1B

# Planning Pack Map



OUTPUT SCALE: 1:2,500



**CENTRE COORDINATES:**  
 ITM 564354,654877

**PUBLISHED:** 27/04/2026  
**ORDER NO.:** 50532376\_1  
**MAP SERIES:** 1:2,500  
**MAP SHEETS:** 4745-C

**CAPTURE RESOLUTION:**  
 The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at [www.tailte.ie](http://www.tailte.ie); search 'Capture Resolution'  
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**COMPILED AND PUBLISHED BY:**  
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 Ireland.  
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**Tailte Éireann**

2.

Legend

- 1. Cattle Shed - Needs re roofing
- 2. Calf house
- 3. Haybarn
- 4. Milking parlour
- 5. Calf house



Cill L  
Killo

1.93

CATTLE SHED  
Roof - Northern Aspect



Sent from my iPhone

Cattle shed  
Photograph of interior

5 10:35



Cattle Shed

Southern Aspect

10:35



Sent from my iPhone

Cattle Shed  
Eastern Aspect

10:35



Sent from my iPhone

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

<b>File Reference number</b>	<b>EC-068-26</b>
<b>Applicant(s)</b>	<b>Barry Laffan</b>
<b>Location</b>	<b>Killonan, Ballysimon, Co. Limerick, V94 W28Y</b>

**Description of Site and Surroundings:**

The subject site, approximately 2.51km east of Ballysimon, accessed from the L-5103, forms part of a larger agricultural landholding in the rural townland of Killonan, southeast of Limerick City.

**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 proposing the replacement of an existing 445.6m<sup>2</sup> cattle shed roof, which is in a current state of disrepair

This Section 5 declaration includes the following:

- Application form
- Site location maps

**Planning History:**

*Subject site:*

**07/2587 – Conditional Permission** – Construction of a double slatted tank and silage base.

*Adjacent:*

**88/28452 – Conditional Permission** – Conversion of dwellinghouse to private nursing home, erection of extension to same and associated works.

**89/280 – Conditional Permission** – Erection of dwellinghouse, front entrance and installation of septic tank.

**89/1124 – Conditional Permission** – Retention of dwellinghouse, site layout, front entrance and septic tank.

**95/272 – Conditional Permission** – Construction of garage to rear of dwelling.

**19/501 – Conditional Permission** – The construction of a dwelling house and separate garage including the following; (1) new site entrance, (2) demolition of existing shed, (3) installation of septic tank and percolation area, and all ancillary site development works.

**Enforcement History:**

None found.

**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 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 replacement of an existing 445.6m<sup>2</sup> cattle shed roof, constituting ‘works’ and ‘development’.**

**Is the proposal exempted development?**

The proposal comprises the roof replacement of an existing cattle shed and no change of use of the existing shed structure is proposed. Section 4 (1)(h) of the Planning and Development Act 2000 (as amended) provides that, where works 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, development shall be considered exempted development. In this instance, while the colour finish of the replacement roof has not been specified, the applicant has stated the existing corrugated metal sheeting will similarly be replaced with corrugated sheeting, subsequently the direct replacement of the existing roof is considered to be consistent with the character of the existing structure.

However, the planning history of the subject cattle shed has not been identified and it is noted the structure would not comply with the exempted development provisions for roofed structures for the housing of cattle, namely Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), which stipulates a 300m<sup>2</sup> limit for such structures. In light of this, it is unclear whether the existing cattle shed benefits from planning permission. Further information is required in this regard.

### **Article 9 Restrictions**

If the cattle shed does not benefit from planning permission, then the structure may be considered unauthorised. In such cases the proposal would trigger Article 9 (1)(a)(viii) which deems that development which may otherwise be considered exempted development is not exempt if such development would consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

### **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 that further information is requested as follows:

A declaration as to whether the proposed development is or is not exempted development cannot be made without establishing the planning status of the existing cattle shed. If the structure is unauthorised then the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) may not apply to the proposed roof replacement, having regard to the restriction on exempted development under Article 9(1)(a)(viii) of the Planning and Development Regulations 2001 (as amended). The applicant is therefore required to submit:

1. Date of construction of the existing cattle shed?

2. Details of any planning permission(s) relating to the construction of the existing cattle shed, including planning reference numbers and copies of relevant decision notices and drawings.

<b>Graduate Planner</b>	<b>Isaac Cunningham</b>	<b>Date: 20/05/2026</b>
<b>Signature:</b>		
<b>Senior Executive Planner</b>	<b>Gráinne O'Keeffe</b>	<b>Date: 20/05/2026</b>
<b>Signature</b>		

**Appendix 1: AA PN01 Screening Form**

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
<b>(e) File Reference No:</b>	EC-068-26
<b>(e) Brief description of the project or plan:</b>	The replacement of an existing 445.6m <sup>2</sup> cattle shed roof, which is in a current state of disrepair.
<b>(e) Brief description of site characteristics:</b>	The subject site, approximately 2.51km east of Ballysimon, accessed from the L-5103, forms part of a larger agricultural landholding in the rural townland of Killonan, southeast of Limerick City.
<b>(e) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	N/A
<b>(e) Response to consultation:</b>	N/A

<b>STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.</b>				
<b>European Site (code)</b>	<b>List of Qualifying Interest/Special Conservation Interest <sup>1</sup></b>	<b>Distance from proposed development <sup>2</sup> (km)</b>	<b>Connections (Source-Pathway-Receptors)</b>	<b>Considered further in screening Y/N</b>
Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	1.03	None	N

<b>STEP 3: Assessment of Likely Significant Effects</b>
<b>(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:</b>

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> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>	None. No direct encroachment or hydrological connection
<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>	
Examples of the type of changes to give consideration to include: <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

(a) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)

Yes       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.

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 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>	 Isaac Cunningham, Graduate Planner <hr/> 20/05/2026	
<b>Signature and Date of the Decision Maker:</b>	 <hr/>	



<p>Yes, Schedule 7A information/screening report has been submitted by the applicant</p> <p>No, Schedule 7A information/screening report has not been submitted by the applicant</p>	<p><b>Screening Determination required</b></p> <p><b>Preliminary Examination required</b></p>
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**Signature and Date of Recommending Officer:**



Isaac Cunningham, Graduate Planner

\_\_\_\_\_

20/05/2026

**Signature and Date of the Decision Maker:**



\_\_\_\_\_

20/05/2026



Comhairle Cathrach  
& Contae Luimnigh

Limerick City  
& County Council

An Roinn Pleanála  
Comhairle Cathrach agus Contae Luimnigh  
Bóthar Thuar an Dailí  
Tuar an Dailí  
Luimneach  
V94 WV78

Planning Department  
Limerick City & County Council  
Dooradoyle Road  
Dooradoyle  
Limerick  
V94 WV78

t: 061 556 000

## **DEVELOPMENT MANAGEMENT, PLANNING**

### **REG POST:**

**EC/068/26**

**21 May 2026**

**Barry Laffan,  
Killonan,  
Ballysimon,  
Co. Limerick.  
V94 W28Y**

**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:

A declaration as to whether the proposed development is or is not exempted development cannot be made without establishing the planning status of the existing cattle shed. If the structure is unauthorised then the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) may not apply to the proposed roof replacement, having regard to the restriction on exempted development under Article 9(1)(a)(viii) of the Planning and Development Regulations 2001 (as amended). The applicant is therefore required to submit:

1. Date of construction of the existing cattle shed?

2. Details of any planning permission(s) relating to the construction of the existing cattle shed, including planning reference numbers and copies of relevant decision notices and drawings.

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/100/25.**

Yours sincerely,



---

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

## Report on application under Section 5 of the Planning and Development Act 2000 (as amended) – Following Receipt of Further Information

<b>File Reference number</b>	<b>EC-068-26</b>
<b>Applicant</b>	<b>Barry Laffan</b>
<b>Location</b>	<b>Killonan, Ballysimon, Co. Limerick, V94 W28Y</b>

### Previous Assessment:

The initial application, related to a proposed replacement of an existing 445.6m<sup>2</sup> cattle shed roof, which is in a current state of disrepair, located in the rural townland of Killonan, southeast of Limerick City. The applicant was requested to provide further information on the following:

1. Confirmation of the planning status of the existing cattle shed and date of construction to enable assessment of the proposed development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

### Submitted Documents:

1. The applicant has provided a written response to the request of further information, confirming the date of construction of the cattle shed and the existence of planning permission for the structure. (Ref.80/18369)

### 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 development proposal, comprising the proposed replacement of an existing 445.6m<sup>2</sup> cattle shed roof, constitutes 'works' and 'development', within the meaning given by the Planning and Development Act 2000 (as amended).

### Is the proposal exempted development?

Following receipt of further information, written confirmation has demonstrated the existence of planning permission for the cattle shed structure, and confirmed construction took place in 1981. In this regard, the planning reference number provided was subsequently checked and it is satisfied that this permission exists and relates to the structure in question.

The development proposal can therefore be assessed under Section 4(1)(h) of the Planning and Development Act (as amended) and as previously assessed the direct replacement of the existing roof is considered to be consistent with the character of the existing structure and as such within the provisions of Section 4(1)(h).

### **Article 9 Restriction**

Given the cattle shed structure has now been confirmed to benefit from planning permission, 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, comprising the proposed replacement of an existing 445.6m<sup>2</sup> cattle shed roof, constitutes development within the meaning of the Planning and Development Act 2000 (as amended). The proposed development does not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and therefore falls within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Regard has been had to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended);
- (b) Article 6 and Article 9 of the Planning and Development Regulations 2001 (as amended);
- (c) The plans and particulars submitted with the application received on the 28<sup>th</sup> of April 2026 and 25<sup>th</sup> of May 2026.

It is therefore considered that the said works constitute 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: 25/05/2026</b>
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<b>Signature:</b>		
<b>Senior Executive Planner</b>	<b>Grainne O'Keeffe</b>	<b>Date: 28/05/2026</b>
<b>Signature</b>		



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t: 061 556 000

## DEVELOPMENT MANAGEMENT, PLANNING

### REG POST:

**Barry Laffan**  
**Killonan,**  
**Ballysimon,**  
**Co. Limerick,**  
**V94 W28Y**

**EC/068/26**

04 June 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/2026/678**

**File Ref No. EC/068/26**

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

**RE:** **A replacement of an existing cattle shed roof at Killonan, Ballysimon, Co. Limerick**

**ORDER:** Whereas by Director General's Order No. DG/2026/058 dated 25<sup>th</sup> May 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 Grainne O'Keeffe, Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

*el* Now therefore pursuant to the delegation of the functions aforesaid, I, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Isaac Cunningham, Graduate Planner dated 25/05/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Barry Laffan, Killonan, Ballysimon, Co. Limerick to state that the works as described above is

**Development and is Exempt Development.**

Signed



\_\_\_\_\_  
SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,  
PLANNING

Date

04/06/26



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

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Bóthar Thuar an Dail  
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## **SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**DECLARATION NO.**

**EC/068/26**

**Name and Address of Applicant:** Barry Laffan, Killonan, Ballysimon, Co. Limerick

**Agent:** N/A

**Whether** the replacement of existing cattle shed roof at Killonan, Ballysimon, Co. Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 28<sup>th</sup> day of April 2026 and Further Information submitted on the 25<sup>th</sup> day of May 2026.

**AND WHEREAS** the Planning Authority has concluded that the replacement of existing cattle shed roof at Killonan, Ballysimon, Co. Limerick **DOES** come within the scope of exempted development under 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:

4/06/2026.

**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.