



LIMERICK CITY & COUNTY COUNCIL

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

David Barry

Applicant's Address:

Knocklong East,

Knocklong, Co. Limerick

V35 VK10

Telephone No

Name of Agent (if any):

Denis O'Connor

Address:

AG Design, Knockduff,

Cullen, Mallow, Co. Cork

P51 HW1H

Telephone No. 087-4486052.

Address for Correspondence:

Agent - Denis O'Connor, AG Design, Knockduff, Cullen,
Mallow, Co. Cork. P51 HW1H.

Location of Proposed development:

Knocklong East, Knocklong, Co. Limerick.
V35 VK15.

Grid Ref: R71349 30445

Description of Proposed development:

This application is under the recently introduced 'Class 6A' slurry storage exemption criteria. The proposed capacity = $30516m^3$ which is under the $1000m^3$ threshold. Existing + proposed capacity = $1257m^3$ which is under the $1500m^3$ limit. The proposed tank is underground therefore it is under the 8m height limit. It would be more than 10m from a public road + there is no third party dwelling within 100m.

Is this a Protected Structure or within the curtilage of a Protected Structure.

YES ☒ NO

Applicant's interest in site: The applicant owns the site + surrounding
land.

List of plans, drawings, etc. submitted with this application:

- Section + Floorplan of proposed slatted tank (Scale 1/100)
- Proposed Site Layout (Scale 1/500)
- Record Place Map (Scale 1/10,560)

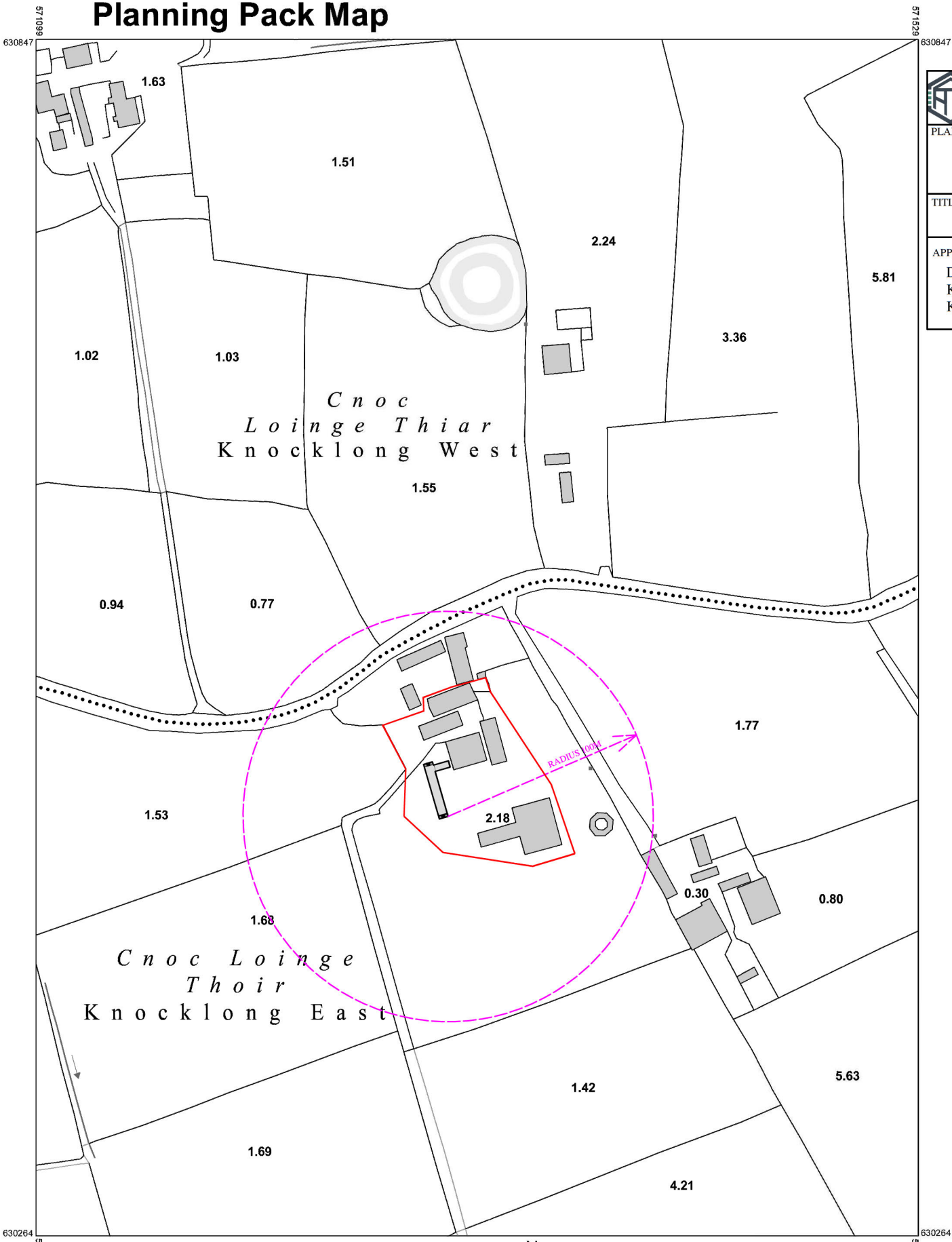
Have any previous extensions/structures been erected at this location YES ☒ NO

If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent)

David J. Conner (Agent)

Planning Pack Map

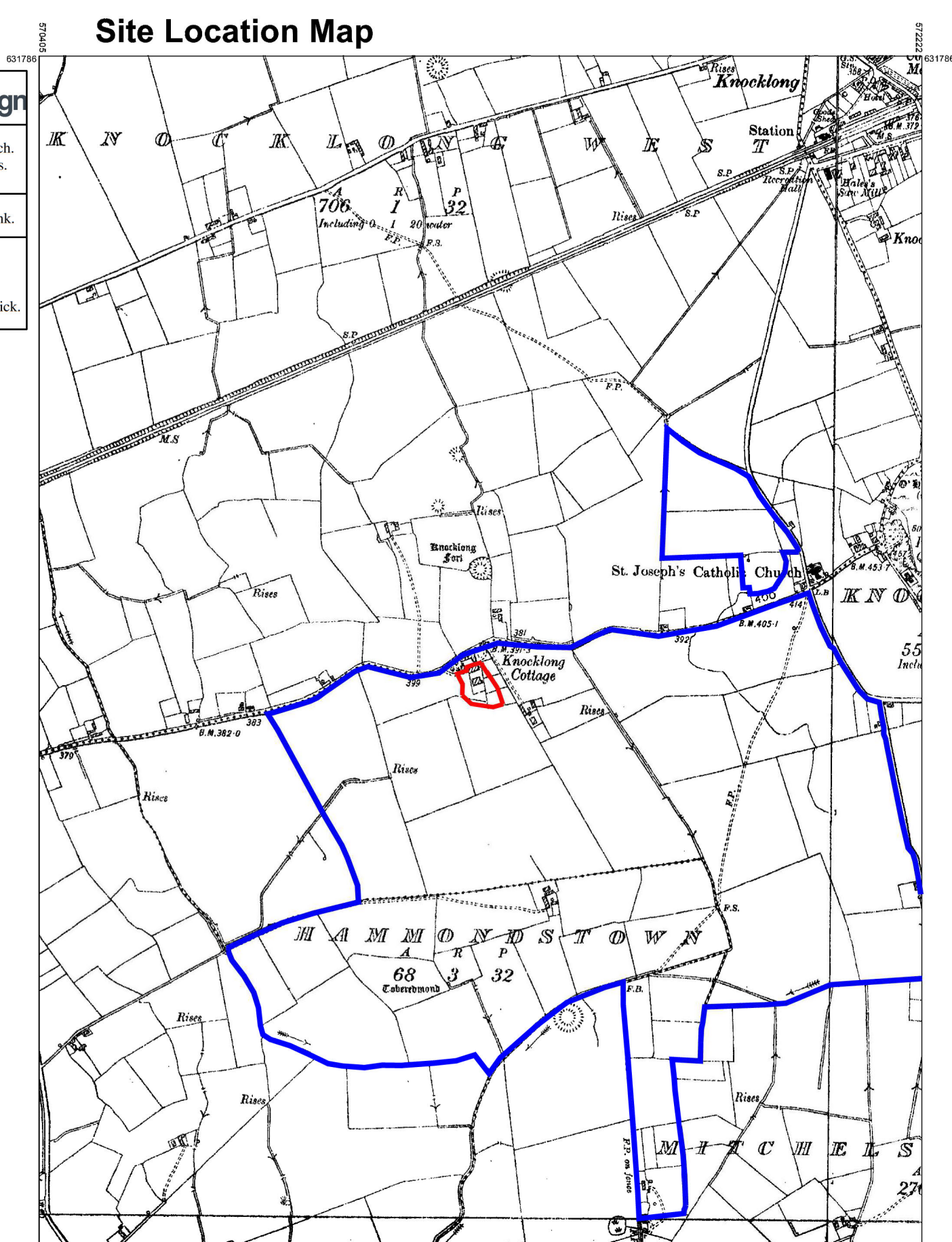


PLANS:
D. O' Connor. B.Tech.
Agri Design Services.
087 - 448 6052.

TITLE:
Proposed Slatted Tank.

APPLICANT:
David Barry.
Knocklong East,
Knocklong, Co. Limerick.

Site Location Map



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Ireland.
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CENTRE COORDINATES:
ITM 571314,630556

PUBLISHED:
01/05/2026

MAP SERIES:
6 Inch Raster
6 Inch Raster
6 Inch Raster
6 Inch Raster
6 Inch Raster

ORDER NO.:
50533562_1

MAP SHEETS:
LK040
LK041
LK048
LK049
TY065

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CENTRE COORDINATES:
ITM 571314,630556

PUBLISHED:
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MAP SERIES:
1:2,500

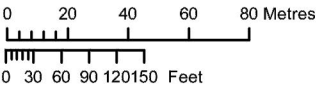
ORDER NO.:
50533562_1

MAP SHEETS:
5234-D

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PLANNING PERMISSION
DRAWINGS ONLY.

SECTION 5 EXEMPTION APPLICATION.

Plans do not purport to show all information required for compliance with building regulations.
No responsibility is accepted by Denis O' Connor for works completed below the minimum requirements of current Irish Building Regulations.
Builder to ensure all work is carried out to current specifications, regulations & is TAMS Building Grant compliant.
All construction to be to Department of Agriculture & Food S101, S120 & S123 Minimum Specification for the Structure of Agricultural Buildings.

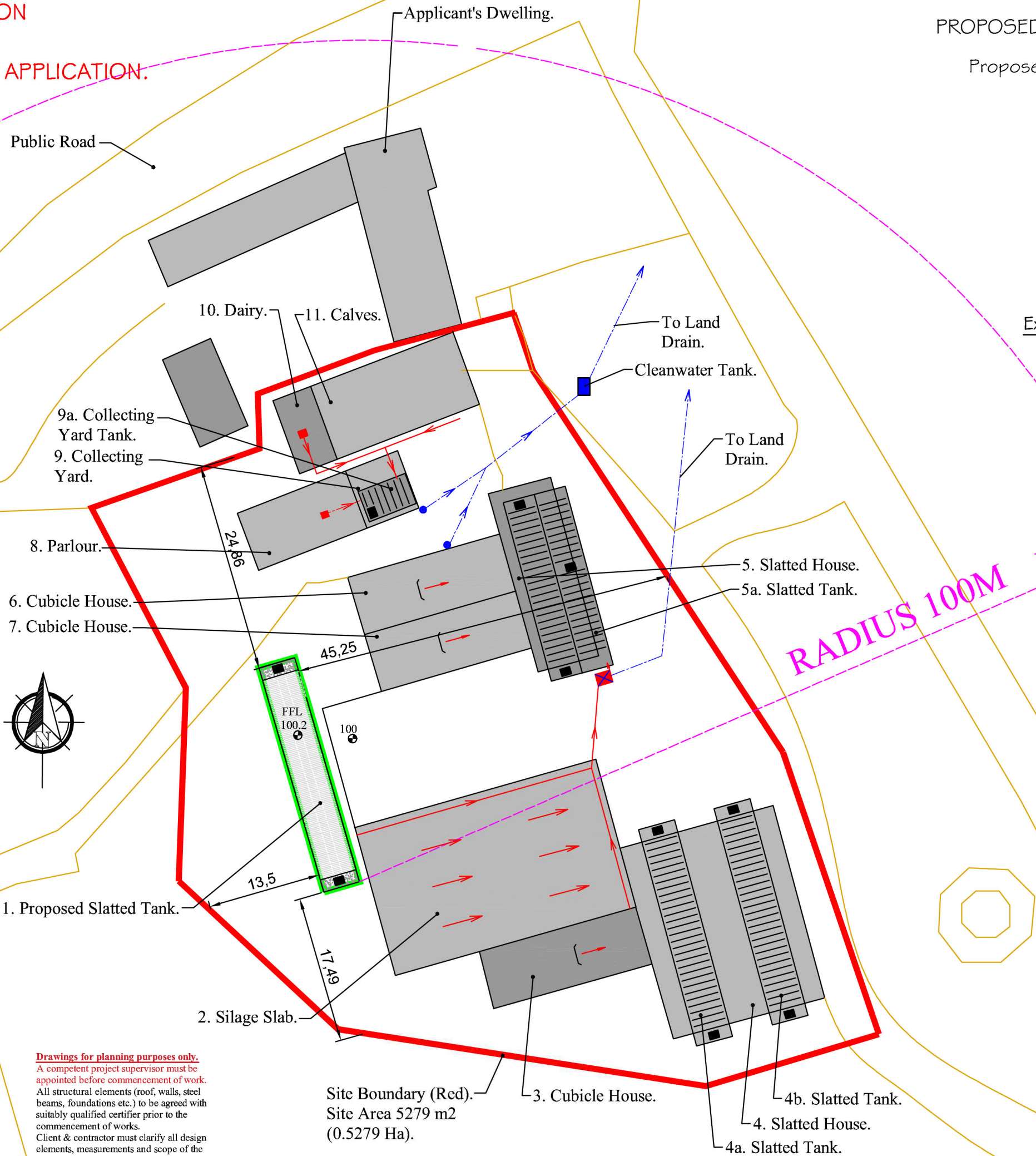
Contractors or anybody carrying out any work within an excavation need to ensure that the side banks are at the proper gradient consistent with the soil structure to ensure a safe working environment for all personnel.

If excavation is to take place near to existing buildings, then if required, existing building should be dismantled so as to provide a safe working environment for all personnel.
It is the builders responsibility to ensure all excavation is safe.

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If excavation is to take place near to existing buildings, then if required, existing building should be dismantled so as to provide a safe working environment for all personnel.
It is the builders responsibility to ensure all excavation is safe.

PLANS: D. O' Connor. B. Tech. Agri Design Services. 087-4486052.	
TITLE: Proposed Site Layout	
SCALE: 1/500	UNITS: Metres
APPLICANT: David Barry. Knocklong East, Knocklong, Co. Limerick.	
	



PROPOSED INDICATED WITH ———
Proposed Tank 1 = 27.5 x 2.7 x 4.11 = 305.16m³

Tank 4a = 27 x 4.11 x 2.4 = 266.3m³.

Tank 4b = 27 x 4.11 x 2.4 = 266.3m³.

Tank 5a = 2 x (22 x 3.5 x 2.4) = 369.6m³

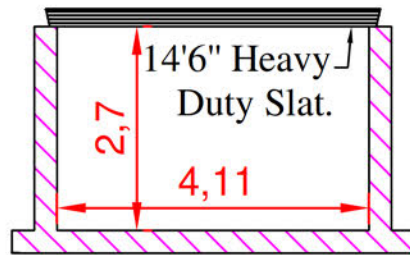
Tank 9 = 6 x 3.5 x 2.4 = 50.4m³.

Total Existing = 952.6m³.
Existing & Proposed = 952.6 & 305.16
= 1257.76m³.

- 2. Silage Slab = 542m².
- 3. Cubicle House = 136.5m².
- 4. Slatted House = 445m².
- 5. Slatted House = 165.7m².
- 6. Cubicle House = 133 m².
- 7. Cubicle House = 130 m².
- 8. Parlour = 100m²
- 9. Collecting Yard = 48m².
- 10. Dairy = 43.4m².
- 11. Calves = 166.3m².

Drawings for planning purposes only.
A competent project supervisor must be appointed before commencement of work.
All structural elements (roof, walls, steel beams, foundations etc.) to be agreed with suitably qualified certifier prior to the commencement of works.
Client & contractor must clarify all design elements, measurements and scope of the project before commencement.

PLANNING PERMISSION
DRAWINGS ONLY.
SECTION 5 EXEMPTION APPLICATION.



SECTION THROUGH PROPOSED TANK.

No Elevations as proposed tank is underground.

$$\text{Proposed Tank 1} = 27.5 \times 2.7 \times 4.11 = \underline{305.16\text{m}^3}$$

$$\text{Tank 4a} = 27 \times 4.11 \times 2.4 = \underline{266.3\text{m}^3}$$

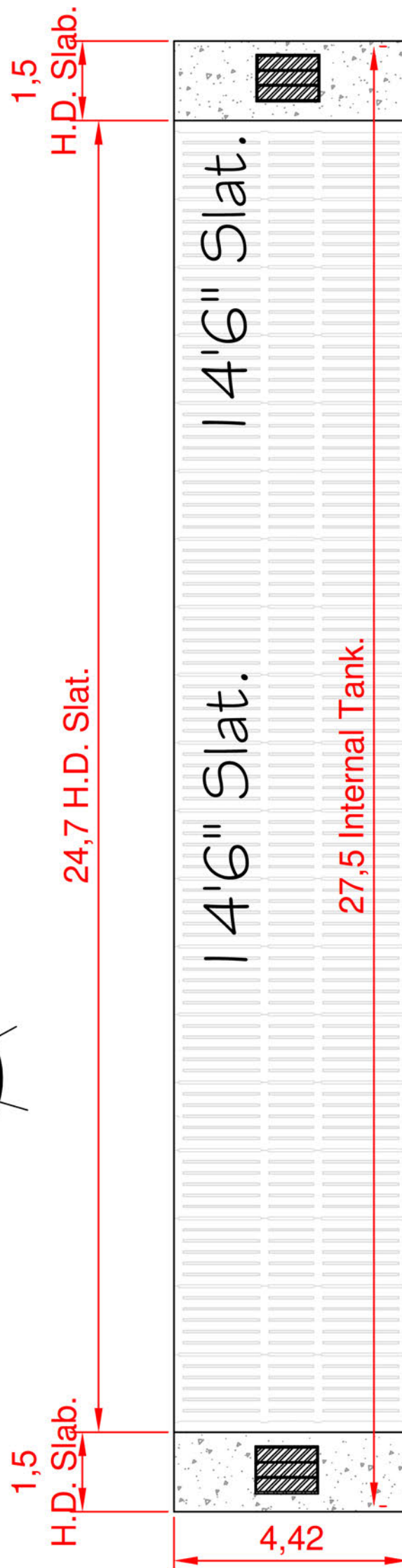
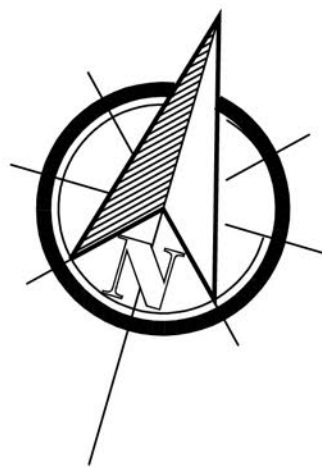
$$\text{Tank 4b} = 27 \times 4.11 \times 2.4 = \underline{266.3\text{m}^3}$$

$$\text{Tank 5a} = 2 \times (22 \times 3.5 \times 2.4) = \underline{369.6\text{m}^3}$$

$$\text{Tank 9} = 6 \times 3.5 \times 2.4 = \underline{50.4\text{m}^3}$$

$$\text{Total Existing} = \underline{952.6\text{m}^3}$$

$$\text{Existing \& Proposed} = \underline{952.6 \& 305.16} = \underline{1257.76\text{m}^3}$$



Contractors or anybody carrying out any work within an excavation need to ensure that the side banks are at the proper gradient consistent with the soil structure to ensure a safe working environment for all personnel.
If excavation is to take place near to existing buildings, then if required, existing building should be dismantled so as to provide a safe working environment for all personnel.
It is the builders responsibility to ensure all excavation is safe.

Contractors or anybody carrying out any work within an excavation need to ensure that the side banks are at the proper gradient consistent with the soil structure to ensure a safe working environment for all personnel.
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Builder to ensure all work is carried out to current specifications, regulations & is TAMS II Building Grant compliant.
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Drawings for planning purposes only.
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Client & contractor must clarify all design elements, measurements and scope of the project before commencement.

PLANS:
D. O' Connor. B. Tech.
Agri Design Services.
087-4486052.

TITLE: Proposed Slatted Tank -
Section & Floorplan.

SCALE: 1/100 UNITS: Metres

APPLICANT:
David Barry.
Knocklong East,
Knocklong, Co. Limerick.



Limerick City & County Council.
Planning & Environmental Services
Planning Office,
Council Buildings,
Dooradoyle, Limerick

Re: EC/073/26

At: Knocklong East, Knocklong, Co. Limerick.

To Whom It May Concern,

Further to your further information request dated 10/June/2026 I can confirm the following:

- The proposed structure will conform to DAFM S123 specs & Dept. of Housing, Local Government and Heritage requirements. The proposed development is an underground slatted slurry tank and will be constructed from concrete. It will not be an earth lined slurry/effluent store. The applicant will be applying for TAMS grant aid, therefore the construction will be subject to inspections from the Dept. of Agriculture during and after construction.
- The development shall include ancillary provisions such as appropriate installation of signage, fencing and any other safety infrastructure as recommended by the Health and Safety Authority regarding slurry safety as required under condition 14 of class 6(a) of part 3 of schedule 2.

Many thanks for your help and apologies for any inconvenience caused.

Kind regards,

Denis O' Connor. (Agent). (087) 448 6052 agdesignplanning@gmail.com

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

File Reference number	EC-073-26
Applicant(s)	David Barry
Location	Knocklong East Knocklong Co. Limerick

Description of Site and Surroundings:

The site is located within the townland of Knocklong East, approximately 900m south-west of Knocklong Village. The site forms part of a larger agricultural landholding and farmyard complex, whereby the applicant runs a dairy enterprise. The site is accessed from the L-8518 local road. The existing farm structures include:

Silage slab – 542sq.m

Cubicle House – 136.5sq.m

Slatted House – 445sq.m

Slatted House – 133sq.m

Cubicle House – 130sq.m

Parlour – 100sq.m

Collecting Yard – 48sq.m

Dairy – 43.4sq.m

Calves – 166.3sq.m

Existing Slurry Storage

Tank 4a 266.3m³

Tank 4b 266.3m³

Tank 54a 369.6m³

Tank 4a 50.4m³

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 construction of a slurry storage tank with a capacity of 305.1 m³

This Section 5 declaration includes the following:

- Application form
- Site location maps
- Site Layout Plan
- Section and Floor plans

Planning History:

Subject site:

06/3010 – Conditional Permission – The construction of an agricultural building, concrete slab and effluent storage tank.

88/29275- Conditional Permission – Erection of bungalow and septic tank

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 construction of an underground slatted slurry storage tank with a storage capacity of 305.16m³, located within the farmyard, constituting ‘works’ and ‘development’.

Is the proposal exempted development?

To assess whether the proposed development is exempted development, the proposed slatted slurry tank shed structures will be assessed against Class 6(a) of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

Class 6A - *Works consisting of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water.*

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

The stated use is for agricultural purposes.

2. *The maximum storage capacity of any such storage facility shall not exceed 1000 cubic metres.*

The total proposed storage capacity is **305.16m³** .

3. *The aggregate capacity of tanks, situated within the same farmyard complex, shall not exceed 1,500 cubic metres.*

The total existing storage capacity is 952.6m³. The aggregate total capacity of existing and proposed storage is 1257.76m³.

4. *The structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. The structure shall not be an earth lined Slurry/Effluent Store.*

Based on the information submitted, it is indicated that the proposed structures will be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. While the structures also appear to be proposed to be constructed within an area of existing hardstanding, for clarification that these structures shall not be an earth lined Slurry/Effluent Store, further information is needed to establish explicit compliance with this condition.

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

The proposed structure is more than 10 metres away from the public road.

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

The height of the proposed structures is shown as 2.7 metres on the submitted drawings.

7. *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.*

There are no houses, other than the applicant's house, within 100 metres, and whether the outbuildings in proximity to the site, *or other residential building or school, hospital, church or building used for public assembly*

8. *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 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.

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

The proposed structures are stated to comply with Department of Agriculture Specification S.123, and the proposed structures appear to be more than 60 metres from a water source according to Environmental Protection Agency GIS maps.

10. *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 structures are stated to comply with Department of Agriculture Specification S.123, and the proposed structures appear to be more than 10 metres from a water course or body according to Environmental Protection Agency GIS maps.

11. *All such tanks shall be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.*

Based on the information submitted, it is stated on the drawings that the construction of the slatted slurry tank shed structures shall be carried out in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tanks.

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

As this is an underground tank no sheeted metal is proposed

13. *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.

14. *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.*

For the avoidance of doubt explicit confirmation of compliance with this condition would be beneficial to accurately assess this application.

Article 9 Restrictions

The subject site is not located within an area identified as experiencing domestic and agricultural wastewater groundwater pressure. Accordingly no restriction arises under 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.

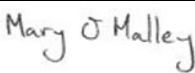
Environmental Impact Assessment

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. The applicant is required to confirm compliance with Condition 4 of Class 6(a), by providing written confirmation that the proposed slurry storage structures will be constructed in accordance with the relevant Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements, having regard to the need to avoid water pollution and to confirm that the proposed structures will not be earth-lined slurry or effluent stores.
2. The applicant is requested 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 14 of Class 6(a) of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Executive Planner	Mary O Malley	Date:
Signature:		10/06/2026
Senior Executive Planner	Barry Henn	Date:
Signature:		10/06/2026

Appendix 1: AA PN01 Screening Form

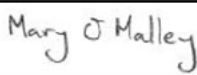
STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-073-26
(e) Brief description of the project or plan:	The applicant is proposing the construction of a slurry storage tank with a capacity of 305.1 m ³
(e) Brief description of site characteristics:	The site is located within the townland of Knocklong East, south-west of Knocklong village. The site forms part of a larger agricultural landholding and farmyard complex. The site is accessed from the L-8518 local road.
(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 ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
Glen Bog SAC	https://www.npws.ie/protected-sites/sac/001430	9.2	None	N
Ballyhoura Mountains SAC	https://www.npws.ie/protected-sites/sac/002036	13.6	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 - Surface water runoff from soil excavation/infill/landscaping (including borrow pits) - Dust, noise, vibration - Lighting disturbance - Impact on groundwater/dewatering - Storage of excavated/construction materials - Access to site - Pests	None. No direct encroachment or hydrological connection
Operation phase e.g. - Direct emission to air and water - Surface water runoff containing contaminant or sediment - Lighting disturbance - Noise/vibration - Changes to water/groundwater due to drainage or abstraction - Presence of people, vehicles and activities - Physical presence of structures (e.g collision risk) - Potential for accidents or incidents	None. No direct encroachment or hydrological connection
In-combination/Other	N/A.

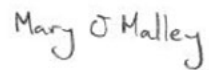
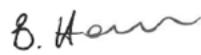
(a) Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: - Reduction or fragmentation of habitat area - Disturbance to QI species - Habitat or species fragmentation - Reduction or fragmentation in species density	None. No direct encroachment or hydrological connection

- Changes in key indicators of conservation status value (water or air quality etc) - Changes to areas of sensitivity or threats to QI - Interference with the key relationships that define the structure or ecological function of the site		
(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 no likelihood of significant effects on a European Site	☒	The proposal can be screened out: Appropriate Assessment not required.
ii. It is uncertain whether the proposal will have a significant effect on a European Site	☐	☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission
iii. Significant effects are likely	☐	☐ Request NIS ☐ Refuse planning permission
Signature and Date of Recommending Officer:	 Mary O Malley, Executive Planner	

	10/06/2026
Signature and Date of the Decision Maker:	 Barry Henn, SEP 10/06/2026

Appendix 2: EIA Screening

Establishing if the proposal is a ' <i>sub-threshold development</i> ':		
Planning Register Reference:	EC-073-26	
Development Summary:	The applicant is proposing the construction of a slurry storage tank with a capacity of 305.1 m ³	
Was a Screening Determination carried out under Section 176A-C?	Yes. no further action required No. Proceed to Part A	
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
Yes. specify class: [insert here] _		EIA is mandatory No Screening required
X	No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)		
X	No. the development is not a project listed in Schedule 5, Part 2	No Screening required
	Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _[specify class & threshold here]_	EIA is mandatory

	No Screening required
<i>sub-</i> Yes the project is of a type listed but is <i>threshold:</i> [insert here] _	Proceed to Part C
c. If Yes, has Schedule 7A information/screening report been submitted?	
Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required
Signature and Date of Recommending Officer:  Mary O Malley, Executive Planner 05/06/2026	
Signature and Date of the Decision Maker:  Barry Henn, SEP 10/06/2026	



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

An Roinn Pleanála
Comhairle Cathrach agus Contae Luimnigh
Bóthar Thuar an Dail
Tuar an Dail
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/073/26

10 June 2026

**David Barry,
c/o Denis O'Connor AGDesign,
Knockduff,
Cullen,
Mallow,
Co. Cork.
P51 HW1H**

RE: Declaration under Section 5

Dear Sir,

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

1. The applicant is required to confirm compliance with Condition 4 of Class 6(a), by providing written confirmation that the proposed slurry storage structures will be constructed in accordance with the relevant Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements, having regard to the need to avoid water pollution and to confirm that the proposed structures will not be earth-lined slurry or effluent stores.

2. The applicant is requested 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 14 of Class 6(a) of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

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/073/26.

Yours sincerely,



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

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

File Reference number	EC-073-26
Applicant(s)	David Barry
Location	Knocklong East Knocklong Co. Limerick

Previous Assessment:

This application relates to the proposed provision of a new slatted slurry storage tank within an existing farmyard complex. Previous assessment concluded that the Planning Authority was not in a position to determine whether the development falls within an exempted development class under Class 6a Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Submitted Documents:

The authorised agent of the applicant submitted the following as response to RFI:

- The applicant has submitted compliance with Condition 4 of Class 6(a), by providing written confirmation that the proposed slurry storage structures will be constructed in accordance with the relevant Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements, having regard to the need to avoid water pollution and to confirm that the proposed structures will not be earth-lined slurry or effluent stores.
- In relation to RFI point 2, the applicant confirmed 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 14 of Class 6(a) of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). The applicant has indicated that there are no provisions as the tank is underground.

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 construction of an underground slatted slurry storage tank with a storage capacity of 305.16m³, located within the farmyard, constituting ‘works’ and ‘development’.

Is the proposal exempted development?

To assess whether the proposed development is exempted development, the proposed slatted slurry tank shed structures will be assessed against Class 6(a) of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

Class 6A - *Works consisting of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water.*

The applicant has submitted details for the assessment of the items as requested in RFI:

4. *The structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. The structure shall not be an earth lined Slurry/Effluent Store.*

Based on the information submitted, it is indicated that the proposed structures will be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. The structures also appear to be proposed to be constructed within an area of existing hardstanding, and these structures appear not be an earth lined Slurry/Effluent Store.

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 has indicated that there are no ancillary provisions as the tank is underground.

Conclusion/Recommendation

The development proposal refers to the proposed provision of a new slatted slurry storage tank within an existing farmyard complex. It is considered the proposed development meets the criteria under Class 6(a) of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 6(a) 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 13/05/2026 and 15/06/2026.

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

Assistant Planner	Deirdre Dunne	Date:
Signature:		16/06/2026
Senior Executive Planner	Barry Henn	Date:
Signature:		16/06/2026



Comhairle Cathrach
& Contae Luimnigh
Limerick City
& County Council

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

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

t: 061 556 000

DEVELOPMENT MANAGEMENT, PLANNING

REG POST:

David Barry,
c/o Denis O'Connor AGDesign,
Knockduff,
Cullen,
Mallow,
Co. Cork.
P51 HW1H

EC/073/26

16th June 2026

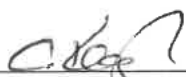
Re: Declaration under Section 5

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/2026/748

File Ref No. EC/073/26

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

RE: A new slatted slurry storage tank at Knocklong East, Knocklong, Co. Limerick

ORDER: Whereas by Director General's Order No. DG/2026/056 dated 25th 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 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 Deirdre Dunne, Assistant Planner dated 16/06/2026, hereby order that a
Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to David Barry, c/o Denis O'Connor AGDesign, Knockduff, Cullen, Mallow, Co. Cork to state that the works as described above is

Development and is Exempt Development.

Signed



SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date

16/06/2026



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

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Bóthar Thuar an Daill
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Planning Department
Limerick City & County Council
Dooradoyle Road
Dooradoyle
Limerick
V94 WV78

t: 061 556 000

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/073/26

Name and Address of Applicant: David Barry, Knocklong East, Knocklong, Co. Limerick

Agent: Denis O'Connor AGDesign, Knockduff, Cullen, Mallow, Co. Cork

Whether the new slatted slurry storage tank at Knocklong East, Knocklong, 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 13th day of May 2026 and further information received on the 15th day June 2026.

AND WHEREAS the Planning Authority has concluded that the new slatted slurry storage tank at Knocklong East, Knocklong, Co. Limerick **DOES** come within the scope of exempted development under Class 6(a) of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). See Report attached.

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is Exempted Development.**

Signed on behalf of the said Council

Date:

16. 6. 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.