



Commissioner of Limerick City and County Council
Limerick City and County Council



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

Michael & Norita O'Grady

Applicant's Address:

Blossom Hill

Rathkeale

Co. Limerick. V94 T277

Telephone No.



Name of Agent (if any):

Address:

As Above

Telephone No.

Address for Correspondence:

Blossom Hill

Rathkeale

Co. Limerick. V94 T277

**Limerick City & County
Council**

02 JUN 2026

Planning

Location of Proposed development (Please include EIRCODE):

Blossom Hill

Rathkeale,

Co. Limerick. V94T277

Description of Proposed development:

The construction of an underground concrete slurry store.

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

Section 5

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

~~YES~~/NO

Applicant's interest in site: OWNER

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

- 1) Site Location Map
- 2) Site Layout Map.
- 3) Elevations, Plan & Section of Proposed underground slurry storage.

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

If Yes please provide floor areas of all existing structures:

Ref. No

072064

1949

- 1) Easy feed Dairy extension - 448.4m²
- 2) Calving/alf facilities - 216.2m²

Granted

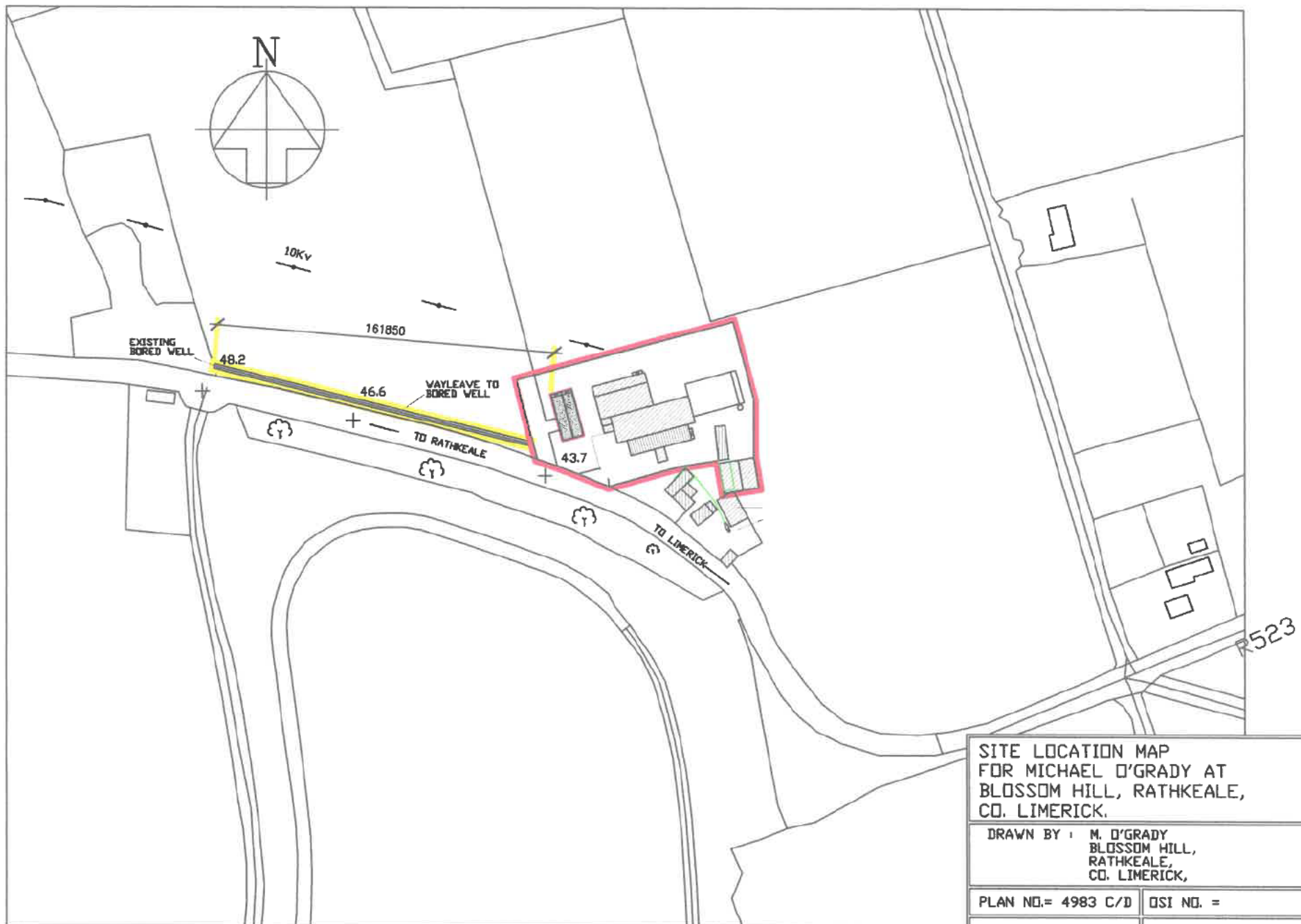
27/9/2007

05/4/2019.

Existing Buildings 1260m²

Signature of Applicant (or Agent)

Michael O'Grady



SITE LOCATION MAP FOR MICHAEL O'GRADY AT BLOSSOM HILL, RATHKEALE, CO. LIMERICK.	
DRAWN BY : M. O'GRADY BLOSSOM HILL, RATHKEALE, CO. LIMERICK,	
PLAN NO.= 4983 C/D	OSI NO. =
TAMS ID No. =	AREA IN RED=0.638HA
DATE = 07/05/26	SCALE = 1:2500

PROPOSED UNDERGROUND SLURRY
STORAGE CONCRETE TANK
FOR MICHAEL O'GRADY,
BLOSSOM HILL RATHKEALE,
CO. LIMERICK

TITLE :
ELEVATIONS, PLANS & SECTIONS

DRAWN BY : M. O'GRADY
BLOSSOM HILL,
RATHKEALE,
CO. LIMERICK,

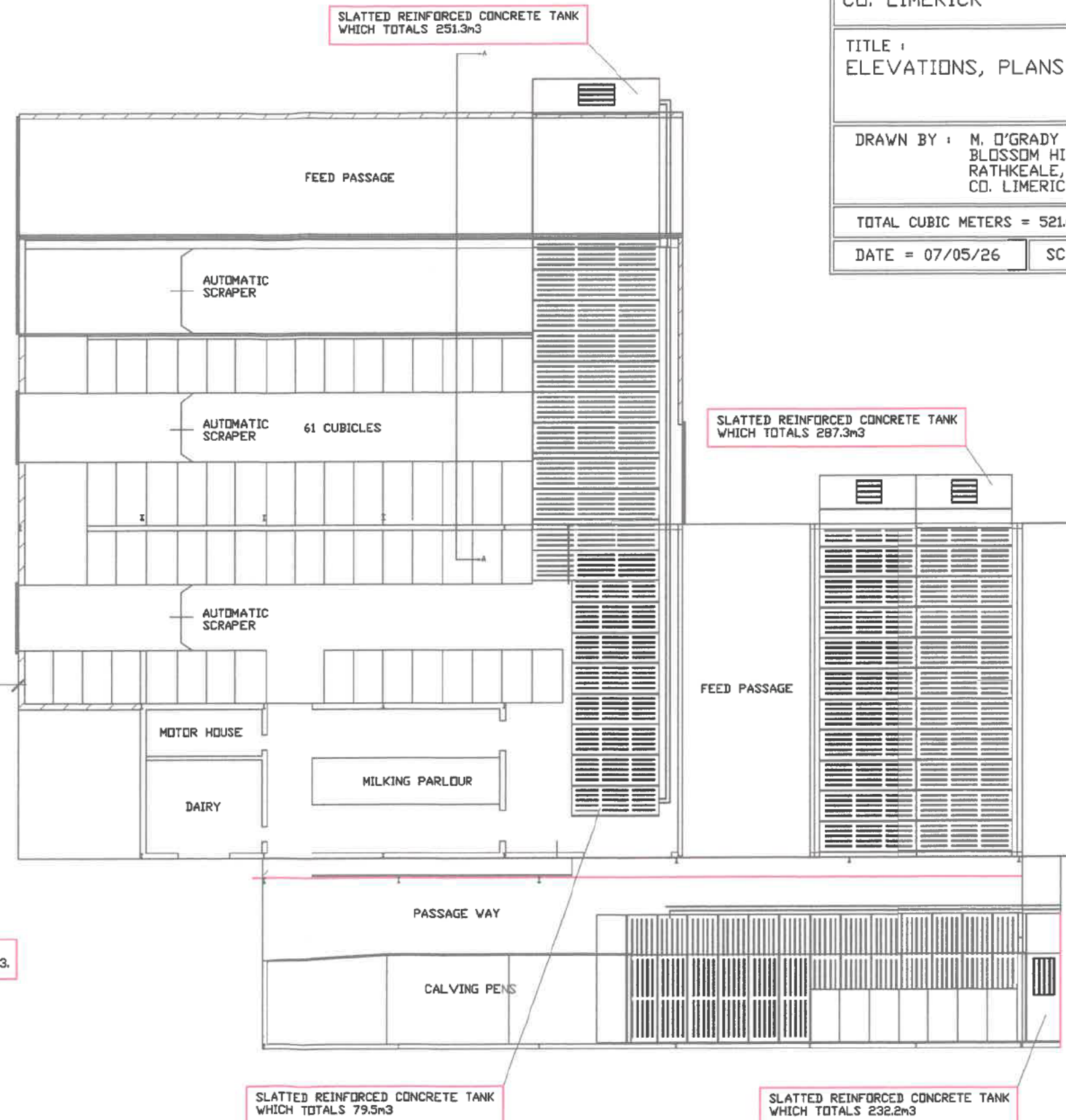
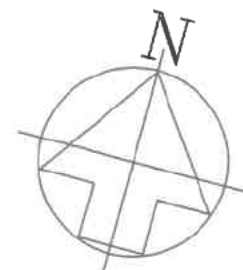
TOTAL CUBIC METERS = 521.66m³

DATE = 07/05/26 SCALE = 1:200



SLATTED REINFORCED CONCRETE TANK CONSISTING OF A 2/5.03M SLAT
LENGTH OF TANK 22.6M (INSIDE MEASUREMENT), (2/4.73M) 9.46M WIDE
AND 2.44M IN HEIGHT WHICH TOTALS 521.66m³

ALL WORK TO COMPLY WITH THE CURRENT
DEPT. OF AGRICULTURE SPECIFICATIONS 123.



PROPOSED UNDERGROUND SLURRY
STORAGE CONCRETE TANK
FOR MICHAEL O'GRADY,
BLOSSOM HILL RATHKEALE,
CO. LIMERICK

TITLE :
ELEVATIONS, PLANS & SECTIONS

DRAWN BY : M. O'GRADY
BLOSSOM HILL,
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CO. LIMERICK,

TOTAL CUBIC METERS = 521.66m³

DATE = 07/05/26 SCALE = 1:200

SLATTED REINFORCED CONCRETE TANK
WHICH TOTALS 251.3m³

FEED PASSAGE

AUTOMATIC
SCRAPER

AUTOMATIC
SCRAPER 61 CUBICLES

AUTOMATIC
SCRAPER

MOTOR HOUSE

DAIRY

MILKING PARLOUR

SLATTED REINFORCED CONCRETE TANK
WHICH TOTALS 287.3m³

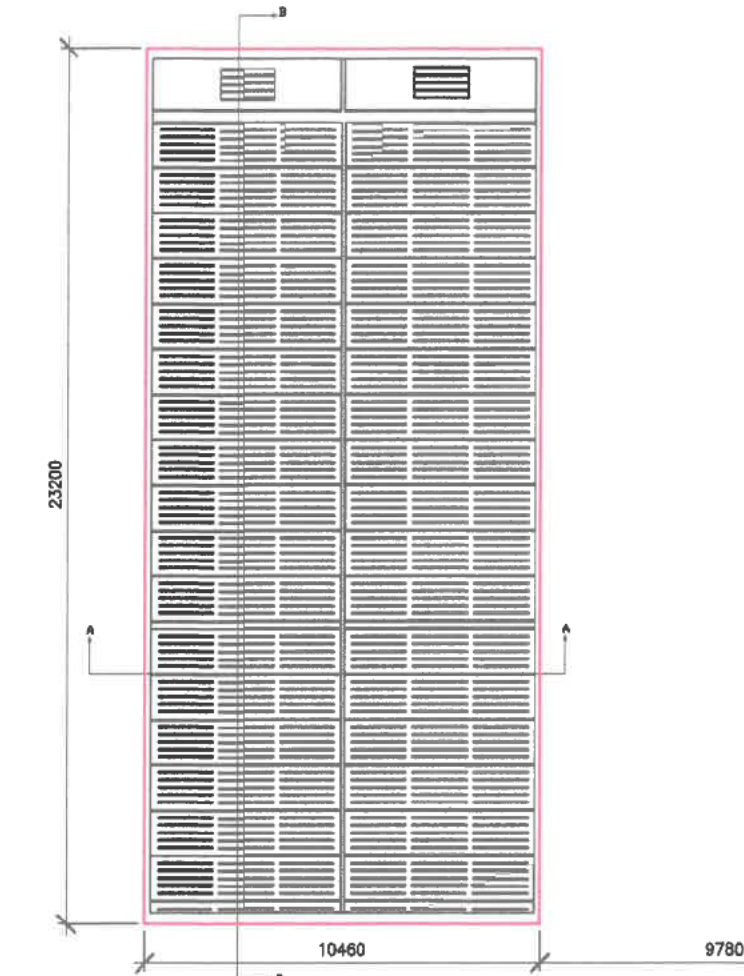
FEED PASSAGE

PASSAGE WAY

CALVING PENS

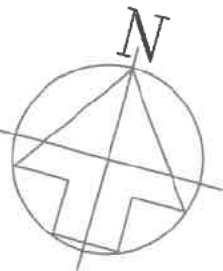
SLATTED REINFORCED CONCRETE TANK
WHICH TOTALS 79.5m³

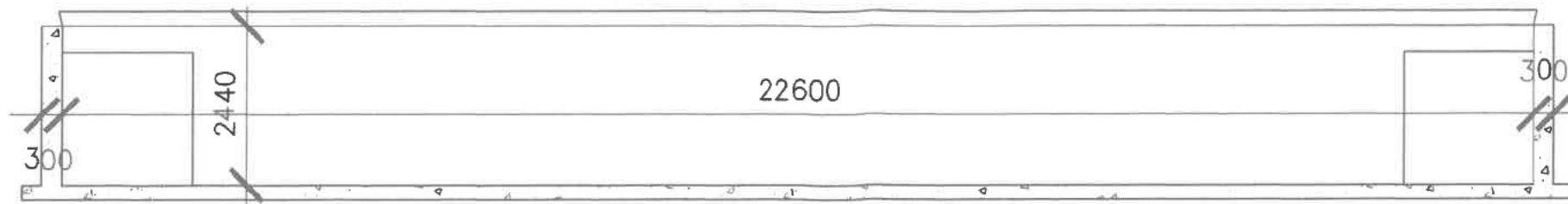
SLATTED REINFORCED CONCRETE TANK
WHICH TOTALS 232.2m³



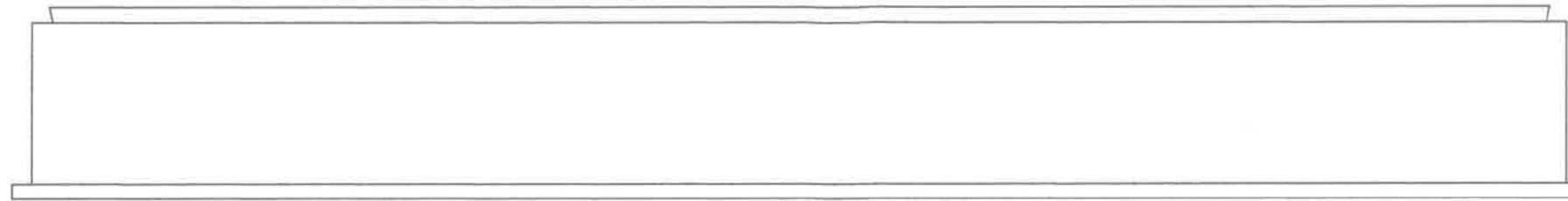
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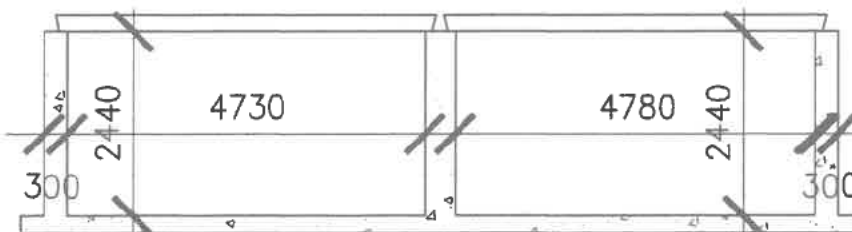
SECTION B-B



SIDE ELEVATION



END ELEVATION



SECTION A-A



PROPOSED UNDERGROUND SLURRY
STORAGE TANK FOR
MICHAEL O'GRADY,
RATHKEALE,
CO. LIMERICK

TITLE :
ELEVATIONS

DRAWN BY : M. O'GRADY
BLOSSOM HILL,
RATHKEALE,
CO. LIMERICK,

TOTAL CUBIC METERS = 521.66m³

DATE = 07/05/26

SCALE = 1:200

Non-Derogation/ Non-GLAS

Proposed Storage

Warnings: 2

Slurry - Slurry Storage Available

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Slurry Storage Available

Add Slurry Storage

Covered Tanks

Rectangular Areas (Covered)

Tank	Length (m)	Width (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
1	15.2	7.0	2.7	287.3	0.0	21.3	266.0
2	19.8	4.7	2.7	251.3	0.0	18.6	232.7
3	9.2	3.2	2.7	79.5	0.0	5.9	73.6
4	18.3	4.7	2.7	232.2	0.0	17.2	215.0
proposed 2026	22.5	9.4	2.4	516.1	0.0	42.3	473.8

Circular Tanks (Covered)

Tank	Diameter (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
No data available in table						

Total Net Storage from Covered Tanks:

1,261.0 m³277000 gal
Proposed storage

Uncovered Tanks

Rectangular Areas (Uncovered)

Tank	Length (m)	Width (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
No data available in table							

Circular Tanks (Uncovered)

Tank	Diameter (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
No data available in table						

Lagoons (Uncovered)

Tank	Top Length (m)	Top Width (m)	Base Length (m)	Base Width (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
No data available in table									

Total Net Storage from Uncovered Tanks:

0.0 m³

Total Net Storage:

1,261.0 m³

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Housing

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Organic fertiliser expor

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Dairy Herd

Soiled Water

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Grassland Stocking Rate (kg/ha):	152.00	169.15
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NMP Total Nitrates ha (Non Commonage ha + Nitrates Commonage Adj.)		55.81 ha
NMP Grassland Ref ha (Including Nitrates Commonage adjusted)		55.81 ha
Non Grass % (>5% crops rule Footnote 2 in NAP Table 12)		0.00 %0.00 ha
Derogation Grassland % (80:20 rule for derogation; commonage excluded from the calculation)		100.00 %

Non-Derogation/ Non-GLAS

Warnings: 2

Slurry - Slurry Storage Balance

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Farm Slurry Storage Balance

Slurry Produced (Animals)

652.5 m³

Cattle Slurry Imported

0.0 m³

Cattle Slurry Exported

0.0 m³

Slurry Produced (Dirty Yards)

0.0 m³

Slurry Produced (FYM Seepage)

0.0 m³

Slurry Produced (Dairy Washings)

168.3 m³

Slurry Produced (Rainfall in open tanks - 18 weeks)

0.0 m³

Total Slurry Produced

820.8 m³

180550.6 Gallons

Diluents Added to Slurry

168.3 m³

Dilution factor

79.5 %

Slurry stored in Slurry Storage

Total Slurry Storage (Currently)

Required (slurry produced)

820.8 m³

Available (current storage)

1,261.0 m³

Surplus Storage Available

440.2 m³

Total Slurry Storage from 1st October 2028

Required (slurry produced)

1,000.8 m³

Available (current storage)

1,261.0 m³

Surplus Storage Available

260.2 m³

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96000 gal surplus 2026
Link new tank57000 gal surplus 2028
Link new tank

Plan Summary

	Plan Settings - Previous Year	Current Year Stocking Rates
Grassland Stocking Rate (kg/ha):	152.00	169.15
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Non Grass % (>5% crops rule Footnote 2 in NAP Table 12)		0.00 % 0.00 ha
Derogation Grassland % (80:20 rule for derogation; commonage excluded from the calculation)		100.00 %

Non-Derogation/ Non-GLAS

Current Storage

Warnings: 3

Slurry - Slurry Storage Available

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Slurry Storage Available

Add Slurry Storage

Covered Tanks

Rectangular Areas (Covered)

Tank	Length (m)	Width (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
1	15.2	7.0	2.7	287.3	0.0	21.3	266.0
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3	9.2	3.2	2.7	79.5	0.0	5.9	73.6
4	18.3	4.7	2.7	232.2	0.0	17.2	215.0

Circular Tanks (Covered)

Tank	Diameter (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
No data available in table						

Total Net Storage from Covered Tanks:

787.3 m³

173,000 gal

Uncovered Tanks

Rectangular Areas (Uncovered)

Tank	Length (m)	Width (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
No data available in table							

Circular Tanks (Uncovered)

Tank	Diameter (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
No data available in table						

Lagoons (Uncovered)

Tank	Top Length (m)	Top Width (m)	Base Length (m)	Base Width (m)	Depth (m)	Gross Volume (m3)	Rainfall Reduction (m3)	Freeboard Reduction (m3)	Net Storage (m3)
No data available in table									

Total Net Storage from Uncovered Tanks:

0.0 m³

Total Net Storage:

787.3 m³

Advisor notes

Farmer notes

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Current year stocking rates

Grassland Stocking Rate (kg/ha):	152.00	169.15
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Non Grass % (>5% crops rule Footnote 2 in NAP Table 12)		0.00 %0.00 ha
Derogation Grassland % (80:20 rule for derogation; commonage excluded from the calculation)		100.00 %

Non-Derogation/ Non-GLAS

Warnings: 3

Slurry - Slurry Storage Balance

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Farm Slurry Storage Balance

Total Slurry to be stored
on FarmVolume of Cattle Slurry
for Spreading

Slurry Produced (Animals)

652.5 m³652.5 m³

Cattle Slurry Imported

0.0 m³

Cattle Slurry Exported

0.0 m³

Slurry Produced (Dirty Yards)

0.0 m³0.0 m³

Slurry Produced (FYM Seepage)

0.0 m³0.0 m³

Slurry Produced (Dairy Washings)

168.3 m³168.3 m³

Slurry Produced (Rainfall in open tanks - 18 weeks)

0.0 m³

Total Slurry Produced

820.8 m³820.8 m³

180550.6 Gallons

180550.6 Gallons

Dilutes Added to Slurry

168.3 m³

Dilution factor

79.5 %

Slurry stored in Slurry Storage

Total Slurry Storage (Currently)

Required (slurry produced)

820.8 m³

Available (current storage)

787.3 m³

Additional Storage Required

33.5 m³

Total Slurry Storage from 1st October 2028

Required (slurry produced)

1,000.8 m³

Available (current storage)

787.3 m³

Additional Storage Required

213.6 m³

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7000 gal deficit 2026
currently47000 gal deficit 2028
if nothing built.

Plan Summary

Plan Summary: Nitrate Rule

Current Year Stocking Rates

Grassland Stocking Rate (kg/ha):	152.00	169.15
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Derogation Grassland % (80:20 rule for derogation; commonage excluded from the calculation)		100.00 %

Non-Derogation/ Non-GLAS

Warnings: 3

Slurry - Slurry Produced

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Slurry Produced

Slurry Produced

From Animals

Animal	No. on Slurry	Weeks slurry produced	Weeks slurry required	Total Slurry Produced (m3)	Storage requirement (m3)
Cattle (6-12 months old)	20	18	18	54.0	12.000 gal 54.0
Cattle (Male 18-24 months old)	20	18	18	93.6	21.000 gal 93.6
Dairy cow 92kg N/ha (4,500 - 6,500kgs & >15%CP)	85	18	18	504.9	111.000 gal 2026 135000 gal. 2028 504.9

Total Slurry Produced

652.5 m³

143639.8 Gallons

Total Storage Required

652.5 m³

143639.8 Gallons

Add Dirty Yard

From Dirty Yards

Rectangular Areas

Yard	Length (m)	Width (m)	Area (m2)
No data available in table			

Circular Areas

Yard	Diameter (m)	Area (m2)
No data available in table		

Total Storage Required for Dirty Yards

0.0 m³

0.0 Gallons

From FYM Seepage

Under Animals

0.0 m³

From Uncovered FYM Heaps

0.0 m³

Total FYM Seepage to be Stored

0.0 m³

0.0 Gallons

From Dairy Washings

Total Storage Required for Dairy Washings to be stored with Slurry

168.3 m³

36954.8 Gallons

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Plans

Version/Copy

Map Viewer

Reports

Michael O'Sullivan

Non-Derogation/ Non-GLAS

Warnings: 2

Manure Storage - Storage Requirements

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Soiled Water

Storage Requirements

County	Limerick
Weekly Rainfall	26 mm/week
Default Storage Period	18 weeks
Custom Storage Period	0 weeks (If different from above.)
Dairy System	Spring Milk System
Soiled Water method of application	Vacuum Tanker

Advisor notes

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Non-Derogation/ Non-GLAS

Warnings: 2

Soiled Water - Dairy Herd

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Soiled Water: Dairy Herd Only complete for Dairy Herds

Winter Period for Zone B is 18 weeks:
01 October 2026 (start of closed period) to 04 February 2027 (end of storage period)

Maximum No. of cows:

milking in October	85	COWS
milking in November	85	COWS
milking in January	5	COWS

Average No. of cows

milking in December	5	COWS
milking in Storage Period	85	COWS

Is there a period during which all cows are dry?

Start Date of Dry Period 01-12-2026

End Date of Dry Period 01-02-2027

Days Milking During Storage Period 62 days

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NMP Total Nitrates ha (Non Commonage ha + Nitrates Commonage Adj.)		55.81 ha
NMP Grassland Ref ha (Including Nitrates Commonage adjusted)		55.81 ha
Non Grass % (>5% crops rule Footnote 2 in NAP Table 12)		0.00 %0.00 ha
Derogation Grassland % (80:20 rule for derogation; commonage excluded from the calculation)		100.00 %

Non-Derogation/ Non-GLAS

Warnings: 2

Soiled Water - Soiled Water Locations

< Prev

Next >

Soiled Water: Soiled Water Storage Facilities

Destination of Water from Dairy and Parlour

Soiled water produced in the dairy and parlour storing method

Storage Period (Days Storage Required minus Days dry during required Storage period)

No. Cows

Soiled Water Produced / Cow / Day

Total Water from dairy & parlour

Stored with Slurry

66	days
85	cows
30.0	litres
168.3	m ³

37.000 gal
+ collect yard.

Destination of Collecting Yard Washings

Is the Collecting Yard washed after each milking? ☐

Soiled water produced in the collecting yard storing method

Storage Period (Days Storage Required minus Days dry during required Storage period)

No. Cows

Soiled Water Produced / Cow / Day

Total Water from washing Collecting Yard

Stored with Slurry

66	days
85	cows
0.0	litres
0.0	m ³

Advisor notes

Farmer notes

Report notes

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- FYM
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Plan Summary

	Plan settings Previous Year	Current year stocking rates
Grassland Stocking Rate (kg/ha):	152.00	169.15
Whole Farm Stocking Rate (kg/ha) (Before Imports and Exports)	152.00	169.15
Net Whole Farm Stocking Rate (kg/ha) (After Imports and Exports)		169.15
NMP Total Nitrates ha (Non Commonage ha + Nitrates Commonage Adj.)		55.81 ha
NMP Grassland Ref ha (Including Nitrates Commonage adjusted)		55.81 ha
Non Grass % (>5% crops rule Footnote 2 in NAP Table 12)		0.00 %0.00 ha
Derogation Grassland % (80:20 rule for derogation; commonage excluded from the calculation)		100.00 %

Non-Derogation/ Non-GLAS

Warnings: 2

Soiled Water - Dairy Washings Summary

Soiled Water: Dairy Washings Summary
Total Storage Requirements for Dairy Washings

- Water from Dairy and Parlour
- Water from Collecting Yard Washing
- Rainwater on Collecting Yards
- Rainwater on Other Yards
- Total Soiled Water Produced

Storage Type & Volume (m3)			
Soiled Water		Slurry	
0.0	m ³	168.3	m ³
0.0	m ³	0.0	m ³
0.0	m ³	0.0	m ³
0.0	m ³		
0.0	m ³	168.3	m ³

Soiled Water stored only in Soiled Water Tank

Total Soiled Water Storage (Currently)	
Required (soiled water produced)	0.0 m ³
Available (current storage)	0.0 m ³
Additional Storage Required	0.0 m ³

Soiled Water Storage Required from 1st October 2028	
Required (soiled water produced)	0.0 m ³
Available (current storage)	0.0 m ³
Additional Storage Required	0.0 m ³

Advisor notes

Farmer notes

Report notes

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Plan Summary

Plan settings Previous Year	Current year stocking rates
-----------------------------	-----------------------------

Grassland Stocking Rate (kg/ha):	152.00	169.15
Whole Farm Stocking Rate (kg/ha) (Before Imports and Exports)	152.00	169.15
Net Whole Farm Stocking Rate (kg/ha) (After Imports and Exports)		169.15
NMP Total Nitrates ha (Non Commonage ha + Nitrates Commonage Adj.)		55.81 ha

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



File Reference number	EC-081-26
Applicant(s)	Micahel & Norita O Grady
Location	Blossom Hill Rathkeale Co. Limerick V94 T277

Description of Site and Surroundings:

The site is located off regional road R523 approximately 1.75km east of Rathkeale. There is an established farmyard on the site. The existing structures include:

- Dairy & Beef unit
- Esay Feed Cubicle House
- Calf House
- Sore
- Haybarn
- Calving/calf facilities
- Garage
- Store
- Building in ruin
- Applicants' Dwelling

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 construction of an underground concrete slurry store- 521.66m3.

This Section 5 declaration includes the following:

- Application form
- Site location
- Site layout plan
- Elevations
- Floor plans

Planning History:

Subject site:

19/49 – Conditional Permission – The construction of an extension onto an easyfeed dairy unit consisting of cubicles, calving/calf facilities, slatted slurry storage and a machinery shed including all associated site works

07/2064 – Conditional Permission – The construction of easy-feed house and isolation facilities

95/591 – Conditional Permission – The construction of easy-feed house and isolation facilities

Adjacent:

04/3516 – Conditional Permission – The construction of two storey extension onto side of the dwellinghouse including elevational changes

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 a slatted reinforced concrete slurry storage tank, totaling 521.66m³, nestled within the perimeter of the existing farmyard, constitutes ‘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 521.66m³.

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 739.34m³. The aggregate total capacity of existing and proposed storage is 1261m³.

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 proposed structure is a reinforced concrete tank

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 proposed structures will be located underground.

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.*

The proposed structure is not within 100metres of any house other than the applicants' house, 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 appears to be more than 60 metres from a water source.

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 structure appears 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 indicated that all works will comply with the current Department of Agriculture specifications 123.

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

This is a slatted underground tank, there is no roof 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.

The applicant has stated that signage is in place near existing agitation points and will be put in place at new agitation point.

Article 9 Restrictions

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

Appropriate Assessment

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

The proposed construction of an underground concrete slurry store-detailed on the application and plans submitted is considered to be within the scope of Class 6a of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

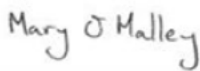
- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 6A of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) The plans & particulars submitted with the application received on (2nd of June 2026 and on the 18th June 2026).

Executive Planner	Mary O Malley	Date:
Signature:	Mary O Malley	18/06/2026
Senior Executive Planner	Barry Henn	Date:
Signature:	B. Henn	19/06/2026

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:				
(e) File Reference No:		EC-081-26		
(e) Brief description of the project or plan:		The applicant is proposing the construction of a slatted slurry tank shed structures, 521.66m ³ within the existing farmyard.		
(e) Brief description of site characteristics:		The site is located within the townland of Blossomhill, off regional road R523		
(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
Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA	https://www.npws.ie/protected-sites/spa/004161	11.3	None	N
Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/00216	11.3	None	N
Askeaton Fen Complex SAC	https://www.npws.ie/protected-sites/sac/002279	2.2	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		None. No direct encroachment or hydrological connection		

- Lighting disturbance - Impact on groundwater/dewatering - Storage of excavated/construction materials - Access to site - Pests	
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 - Changes in key indicators of conservation status value (water or air quality etc) - Changes to areas of sensitivity or threats to QI - Interference with the key relationships that define the structure or ecological function of the site	None. 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 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 _____ 18/06/2026	
Signature and Date of the Decision Maker:	 Barry Henn, SEP _____ 19/06/2026	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-081-26
Development Summary:	The applicant is proposing the construction of a slatted slurry tank

	shed structures, 521.66m ³ within the existing farmyard.
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: _____	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): _____	EIA is mandatory No Screening required
yes the project is of a type listed but is _____	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

Mary O Malley, E.P.

18/06/2026

Signature and Date of the Decision Maker:

B. Henn

Barry Henn, S.E.P.

19/06/2026



Comhairle Cathrach
& Contae Luimnigh
Limerick City
& County Council

An Roinn Pleanála
Comhairle Cathrach agus Contae Luimnigh
Bóthar Thuar an Daill
Tuair 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:

Michael & Norita O Grady
Blossom Hill
Rathkeale
Co. Limerick

EC/081/26

19 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/2026/770

File Ref No. EC/081/26

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

RE: **Construction of an underground concrete slurry store at Blossom Hill, Rathkeale, 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.

Q Now therefore pursuant to the delegation of the functions aforesaid, I, Barry Henn, Senior Executive Planner, having considered the report and recommendation of Mary O Malley, Executive Planner dated 18/06/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Michael & Norita O Grady, Blossomhill, Rathkeale, Co. Limerick to state that the works as described above is

Development and is Exempt Development.

Signed

B. Henn

SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date

19/06/2026



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Dooradoyle Road
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t: 061 556 000

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/081/26

Name and Address of Applicant: Michael & Norita O Grady, Blossom Hill, Rathkeale, Co. Limerick

Agent: N/A

Whether the construction of an underground concrete slurry store at Blossom Hill, Rathkeale, 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 02nd day June 2026 and further information received 18th day of June 2026.

AND WHEREAS the Planning Authority has concluded that the construction of an underground concrete slurry store at Blossom Hill, Rathkeale, Co. Limerick **DOES** come within the scope of exempted development under Class 6a 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: 19.6.2026

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.