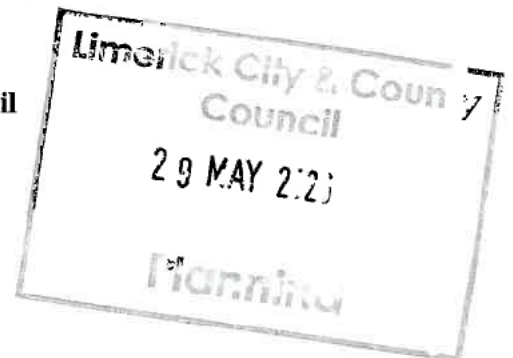




Limerick City and County Council

Planning Department

Section 5 Application



DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

JAMES O'BRIEN

Applicant's Address:

CARRIGBEG

DOON

Co. LIMERICK

Telephone No.



Name of Agent (if any):

MARTIN CROWE B.A.Sc

Address:

CARRIGMORE

DOON

Co. LIMERICK

Telephone No.

086-8290769

Address for Correspondence:

cf. MARTIN CROWE, CARRIGMORE

DOON

Co. LIMERICK

Location of Proposed development (Please include **EIRCODE**):

CARRIGBEG, DOON CO. LIMERICK
V94 VE48

Description of Proposed development:

SLATTED TANK WITH A
CAPACITY OF 500m³

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

SI No 649 of 2025 Section 4 Class 6A 2/3

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:

SITE LOCATION MAP 1:2500

SITE LAYOUT PLAN 1:500

DRAWING OF PROPOSED TANK 1:100

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

If Yes please provide floor areas of all existing structures:

1. EASYFEED 340m² 3 SLATTED SHED 120m²

4. MILKING PARLOUR 100m² 5 LOOSE HOUSE 125m²

6. LOOSE HOUSE 70m², 7 STORE 110m²

Signature of Applicant (or Agent)



NOTES: Application must be accompanied by:

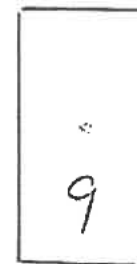
- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

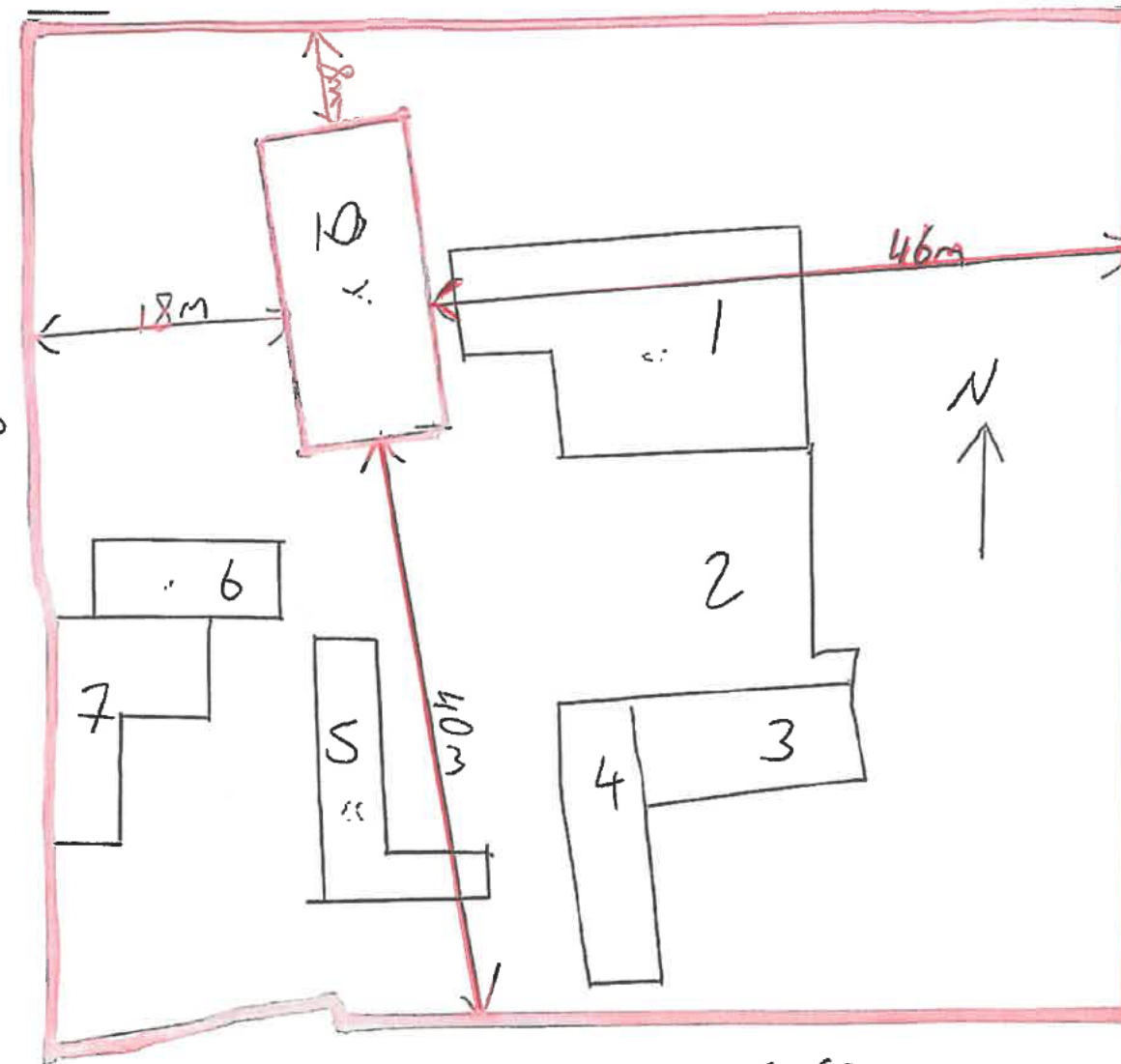
**Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67**

**Enquiries:
Telephone: 061-556556
E-Mail: planning@limerick.ie**

SITE LAYOUT PLAN



PUBLIC ROAD



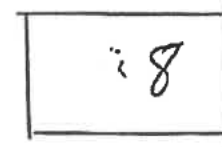
TITLE: SLATTED TANK

DATE: MAY 2026

SCALE: 1:500

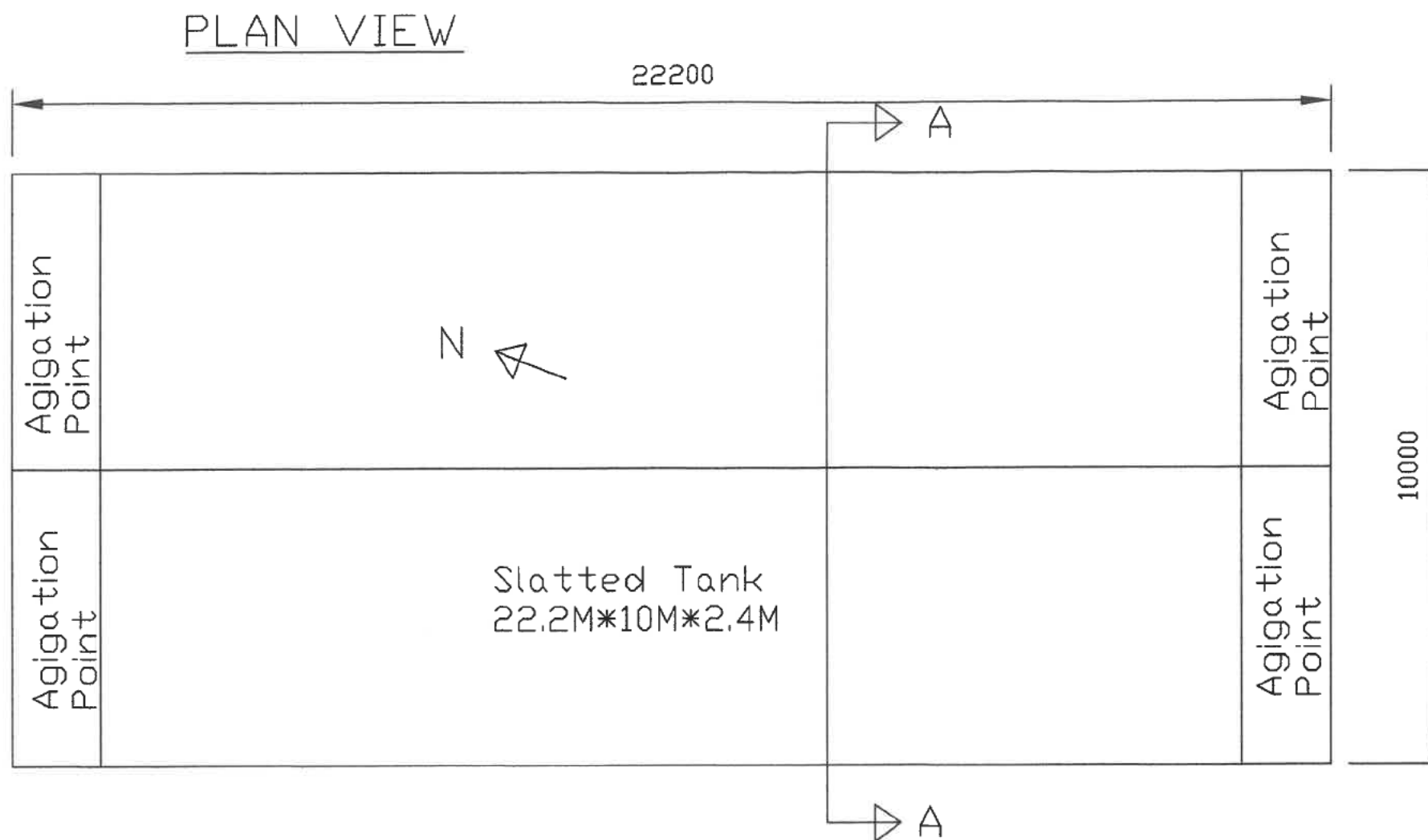
PREPARED FOR: JAMES O'BRIEN
CAROL REG
DOON
CO. LIMERICK

PREPARED BY: MARTIN O'DONN
B. Ag. Sc
CAROL REG
DOON
CO. LIMERICK

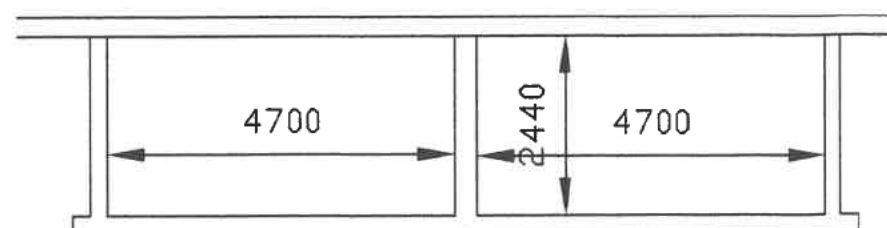


LEGEND

- 1. EASY FEED 240m²
- 2. SILAGE PIT 350m²
- 3. SLATTED SHED 120m²
(TANK CAPACITY 120m³)
- 4. MILKING PARLOR 100m²
- 5. LOOSE HORSE 125m²
- 6. LOOSE HORSE 117m²
- 7. STORE 110m²
- 8. STORE 126m²
- 9. NEIGHBOURING DWELLING
(LETTER OF CONSENT ATTACHED)
- 10. PROPOSED SLATTED TANK 220m²
(CAPACITY OF TANK 500m³)



SECTION AA

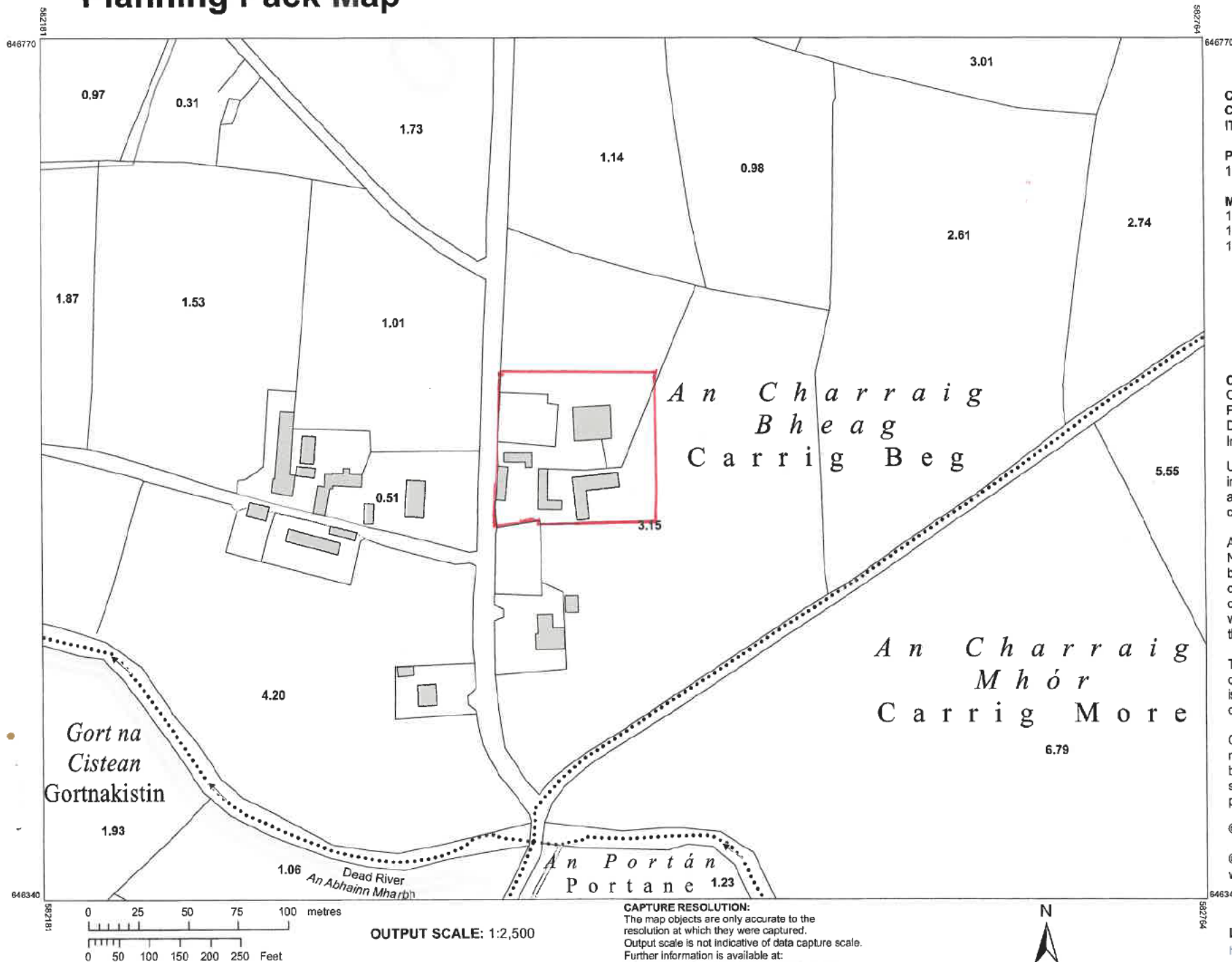


NOTES:

1. ALL DIMENSIONS IN MILLIMETERS
2. ALL DIMENSIONS TO BE CHECKED ON SITE
3. ALL BUILDINGS TO BE CONSTRUCTED TO CURRENT RELEVANT DEPT. OF AGRICULTURE SPECIFICATIONS S.123 & S.101

Designed by: MARTIN CROWE B.Ag. S.C. CARRIGMORE, DOON, CO. LIMERICK	Date: MAY 26	Scale: 1:100 A3
Title: Slatted Tank		
Prepared for: James O'Brien, Carrigbeg, Doon, Co. Limerick	Revision A	Sheet 1

Planning Pack Map



Carrigbeg

Doon

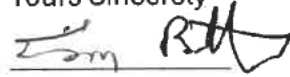
Co. Limerick

26/05/2026

To Whom it May Concern

I have no objection to James O'Brien constructing a slatted tank on his farmyard at Carrigbeg, Doon, Co. Limerick.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'Tom' followed by a stylized 'B' and a flourish.

Thomas Butler

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



File Reference number	EC-082-26
Applicant(s)	James O Brien
Location	Hilltop Carrigbeg Doon Co. Limerick V94 VE48

Description of Site and Surroundings:

The site is located off regional road R507 approximately 3.9km south of Doon. There is an established farmyard on the site. The existing structures include:

- Esay Feed Cubicle Shed 340sq.m
- Slatted Shed 120sq.m -tank capacity 120m³
- Milking Parlour 100sq.m
- Loose House 100sq.m
- Loose House 90sq.m
- Store 110sq.m
- Store 126sq.m
- Proposed Slatted Tank 500m³

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:

- Slatted tank with a capacity of 500m³.

This Section 5 declaration includes the following:

- Application form
- Letter of consent from neighbouring house owner.
- Site location
- Site layout plan
- Floor plans and section drawings

Planning History:

Subject site:

90/282 – Conditional Permission – rection of easy feed cubicle house with calving boxes and accommodation, slurry channel, new exit from milking parlour and effluent tank, roadways, and renovations to slurry pit.

86/26290 – Conditional Permission – The construction erection of cubicle house, extension of existing yard and slurry pit.

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

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 tank with a capacity of 500m³, 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 500m³.

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 120m³. The aggregate total capacity of existing and proposed storage is 620m³.

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.*

The proposed structures will be constructed in accordance with all current Department of Agriculture Specifications s.123 and S.101.

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.*

There is a dwelling (other than the applicant's dwelling) located within 100m of the site. A letter of consent from the owner of that dwelling has been submitted.

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 site is served by public mains. There does not appear to be any public or private water source within 60m of the proposed structure..

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 S.123 & S.101.

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.

Based on the information submitted, it is indicated that all works will comply with the current Department of Agriculture specifications S.123 & S.101.

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 slatted tank 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 29th May, 2026.

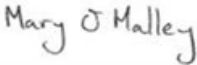
It is therefore considered that the said works are development and exempted development under Class 6A of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Executive Planner	Mary O Malley	Date:
Signature:	<i>Mary O Malley</i>	18/06/2026
Senior Executive Planner	Barry Henn	Date:
Signature:	<i>B. Henn</i>	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-082-26		
(e) Brief description of the project or plan:		The applicant is proposing the construction of a slatted slurry tank shed structures, capacity 500m ³ within the existing farmyard.		
(e) Brief description of site characteristics:		The site, an established farmyard is located off regional road R507 approximately 3.9km south of Doon.		
(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
Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/00216	0.7	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		None. No direct encroachment or hydrological connection		

- 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					
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.					
	<table border="1"> <tr> <td>Tick as appropriate:</td> <td>Recommendation:</td> </tr> <tr> <td>☒</td> <td>The proposal can be screened out: Appropriate Assessment not required.</td> </tr> </table>	Tick as appropriate:	Recommendation:	☒	The proposal can be screened out: Appropriate Assessment not required.
Tick as appropriate:	Recommendation:				
☒	The proposal can be screened out: Appropriate Assessment not required.				
i. It is clear that there is no likelihood of significant effects					

on a European Site		
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 ' <i>sub-threshold development</i> ':	
Planning Register Reference:	EC-082-26
Development Summary:	The applicant is proposing the construction of a slatted slurry tank shed structures, 500m 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: [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): _____	EIA is mandatory No Screening required
Yes the project is of a type listed but is <i>sub- threshold</i> :	Proceed to Part C



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:

James O'Brien
c/o Martin Crowe,
Carrigmore,
Doon,
Co. Limerick.

EC/082/26

22 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/2026/774

File Ref No. EC/082/26

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

RE: A slatted tank at Carrigbeg, Doon, 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 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 James O'Brien, c/o Martin Crowe, Carrigmore, Doon, Co. Limerick to state that the works as described above is

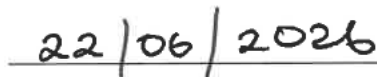
Development and is Exempt Development.

Signed



SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date





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

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/082/26

Name and Address of Applicant: James O'Brien, Carrigbeg, Doon, Co. Limerick

Agent: Martin Crowe, Carrigmore, Doon, Co. Limerick

Whether the slatted tank at Carrigbeg, Doon, 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 29th day of May 2026.

AND WHEREAS the Planning Authority has concluded that the slatted tank at Carrigbeg, Doon, 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:

22.6.2026

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.