



LIMERICK CITY & COUNTY COUNCIL

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Conor Hough
 Applicant's Address: TullymacThomas, Dromcollogher,
C. Limerick
P56 NX30

Telephone No. [REDACTED]

Name of Agent (if any): Denis O' Connor
 Address: AGDesign, Knockduff,
Cullen, Malton,
C. Cork. P51HW1H

Telephone No. 087-4486052 (email - agdesignplanning@gmail.com)

Address for Correspondence:

Denis O' Connor
AGDesign, Knockduff, Cullen, Malton, C. Cork
P51HW1H.

Location of Proposed development:

Tulligmacathomas, Drincollogher, Co. Limerick
Grid Ref: R37350, 25051
Eircode = P56 NX30

Description of Proposed development:

This Section 5 application is under 'Class 6A' slurry storage exemption criteria. The proposed capacity is 167.13 m^3 which is under the 1000 m^3 limit. Existing + Proposed Capacity is 1323.15 m^3 , which is under the 1500 m^3 limit. The adjacent roadway is ^{not} a public road, it is a private road therefore the proposed tank is more than 10m from a public road. The proposed tank is underground, therefore it is under the 8m height limit. There is no well near-by and the proposal is not located within a floodzone. There is no third party dwelling within 100m. We hope that we have met all the required criteria.

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

YES/NO NO

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

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

Proposed Tank - Floorplan + Section (Scale 1/100)
Proposed Site Layout - (Scale 1/500)
Rural Place Map (Scale 1/2500)
Record Place Map (Scale 1/10,560)

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

If Yes please provide floor areas of all existing structures:

N/A

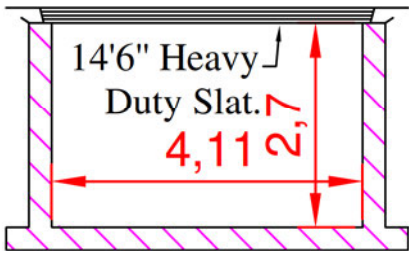
Signature of Applicant (or Agent)

David O'Connor (Agent)
AG Design (Agri Design Services), Knockduff, Cullen,
Mallow, Co. Cork

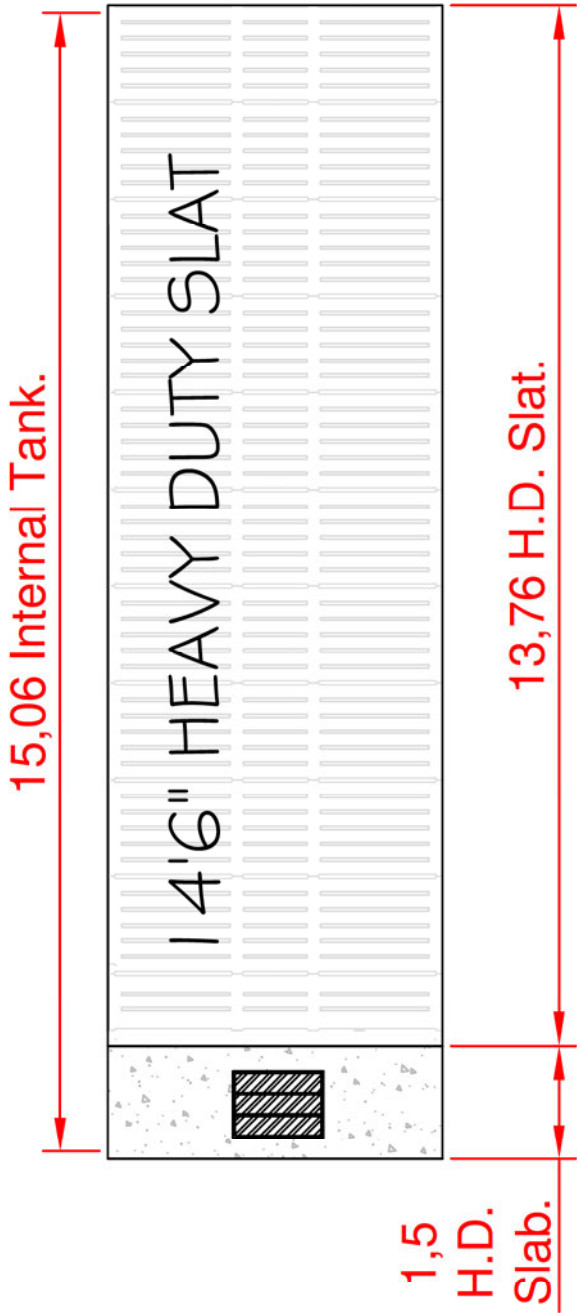
SECTION 5 EXEMPTION APPLICATION.

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No elevations as proposed tank is underground.



Section through proposed tank.



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 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 & S123 Minimum Specification for the Structure of Agricultural Buildings.

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.

PLANS: D. O' Connor. B. Tech. Agri Design Services. 087-4486052.	
TITLE: Proposed Slatted Tank - Section & Floorplan.	
SCALE: 1/100	UNITS: Metres
APPLICANT: Conor Hough. TulligmacThomas, Dromcollogher, Co. Limerick.	



SECTION 5 EXEMPTION APPLICATION.
PLANNING PERMISSION
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Proposed Tank 1 = 15.06 x 4.11 x 2.7 = 167.12m3.

Tank 2 = (22.3 x 4.73 x 2.7)
+ (16 x 4.73 x 2.7)
+ (7.3 x 2.4 x 1.5)
+ 9 x 1.2 x 1.5)
= 531.61m3.

Tank 3 = 15 x 4.11 x 3 =
184.95m3.

Tank 5 = 3 x (13.3 x 3.5 x 2.4)
= 335.16

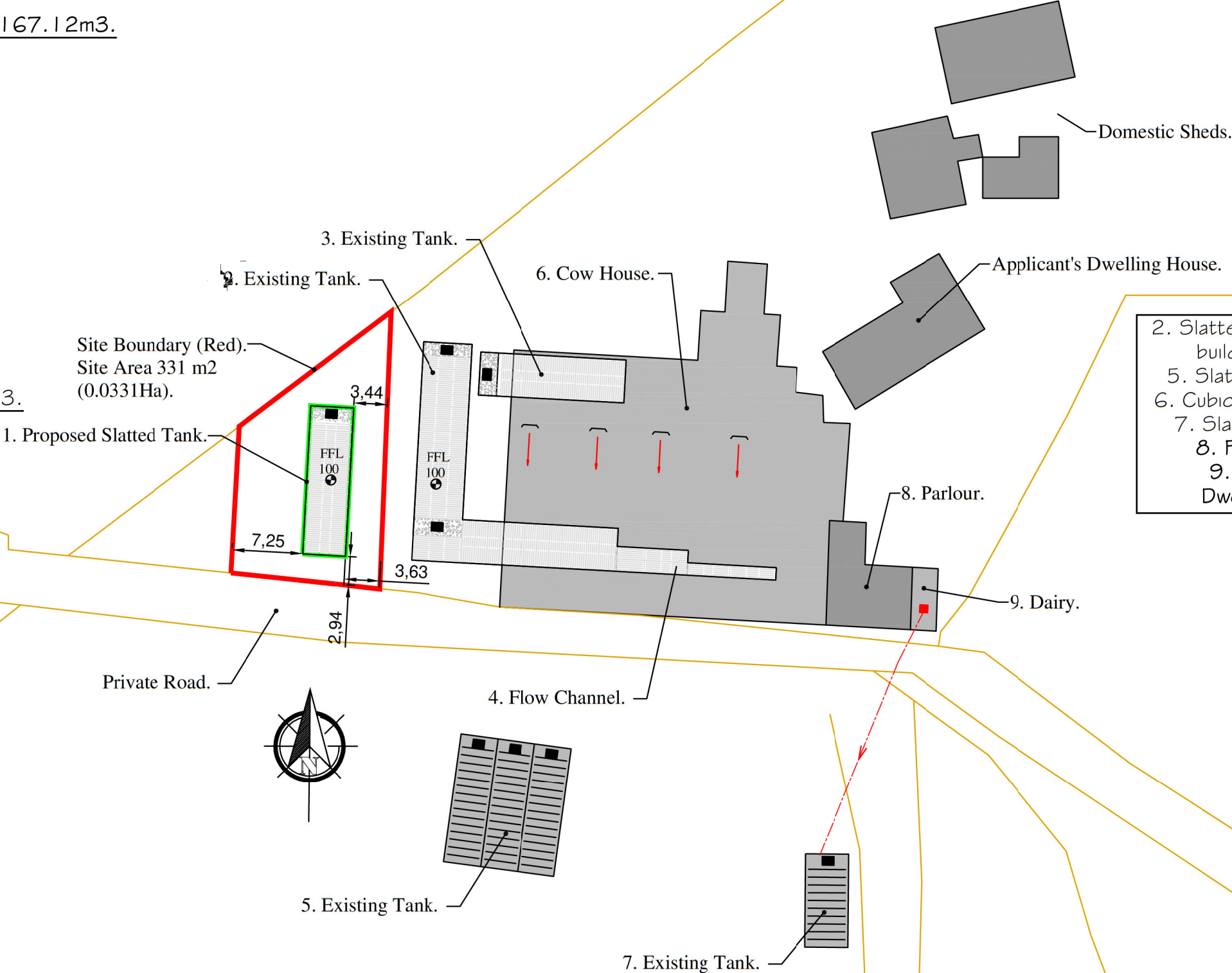
Tank 7 = 9.4 x 4.11 x 2.7
= 104.31m3.

Total Existing = 1156m3.

Total Proposed = 167.12m3.

Existing + Proposed = 1323.15m3.

PROPOSED INDICATED WITH —————



- 2. Slatted Tank (area outside building) = 152m2.
- 5. Slatted Tank - 152m2.
- 6. Cubicle House = 947m2.
- 7. Slatted Tank - 43m2.
- 8. Parlour = 74m2.
- 9. Dairy - 18m2.
- Dwelling - 120m2.

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

TITLE:
Proposed Site Layout.

SCALE: 1/500 UNITS: Metres

APPLICANT:
Conor Hough.
TulligmacThomas,
Dromcollogher,
Co. Limerick.

AG Design

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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Planning Pack Map

SECTION 5 EXEMPTION APPLICATION.
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DRAWINGS ONLY.



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Éireann

**CENTRE
COORDINATES:**
ITM 537412,625061

PUBLISHED: 29/04/2026 **ORDER NO.:** 50532928_1

MAP SERIES: 1:5,000
1:2,500 **MAP SHEETS:** 5348
5348-C

PLANS:	D. O'Connor, B. Tech, Agri Design Services. 087-4486052.
TITLE:	Proposed Slatted Tank.
APPLICANT:	Conor Hough, Tulligmacthomas, Dromcollogher, Co. Limerick.

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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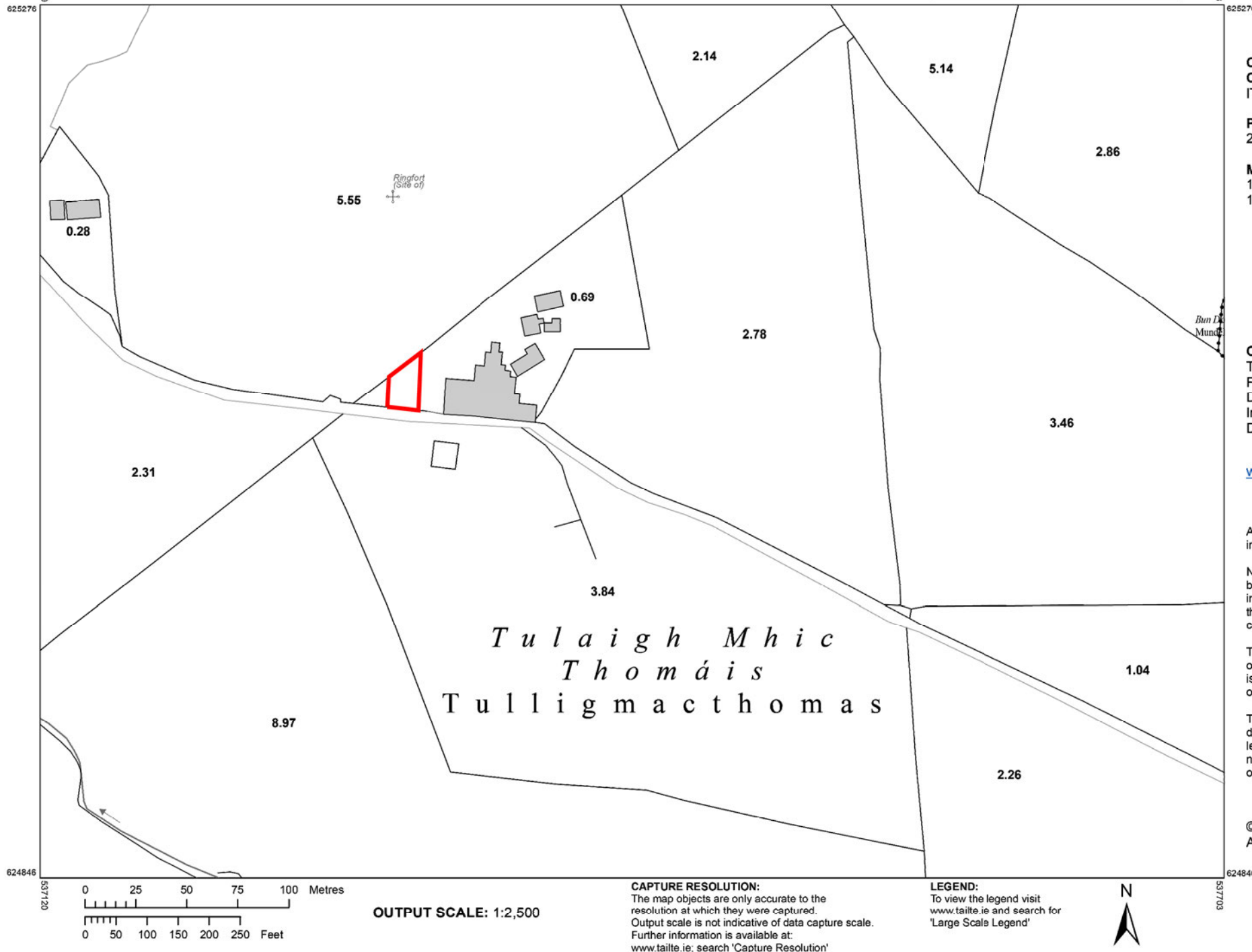
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LEGEND:
To view the legend visit
www.tailte.ie and search for
'Large Scale Legend'

Site Location Map



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Éireann

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ITM 537412,625061

PUBLISHED: 29/04/2026 **ORDER NO.:** 50532928_1

MAP SERIES: 6 Inch Raster
6 Inch Raster **MAP SHEETS:** CK001
LK045

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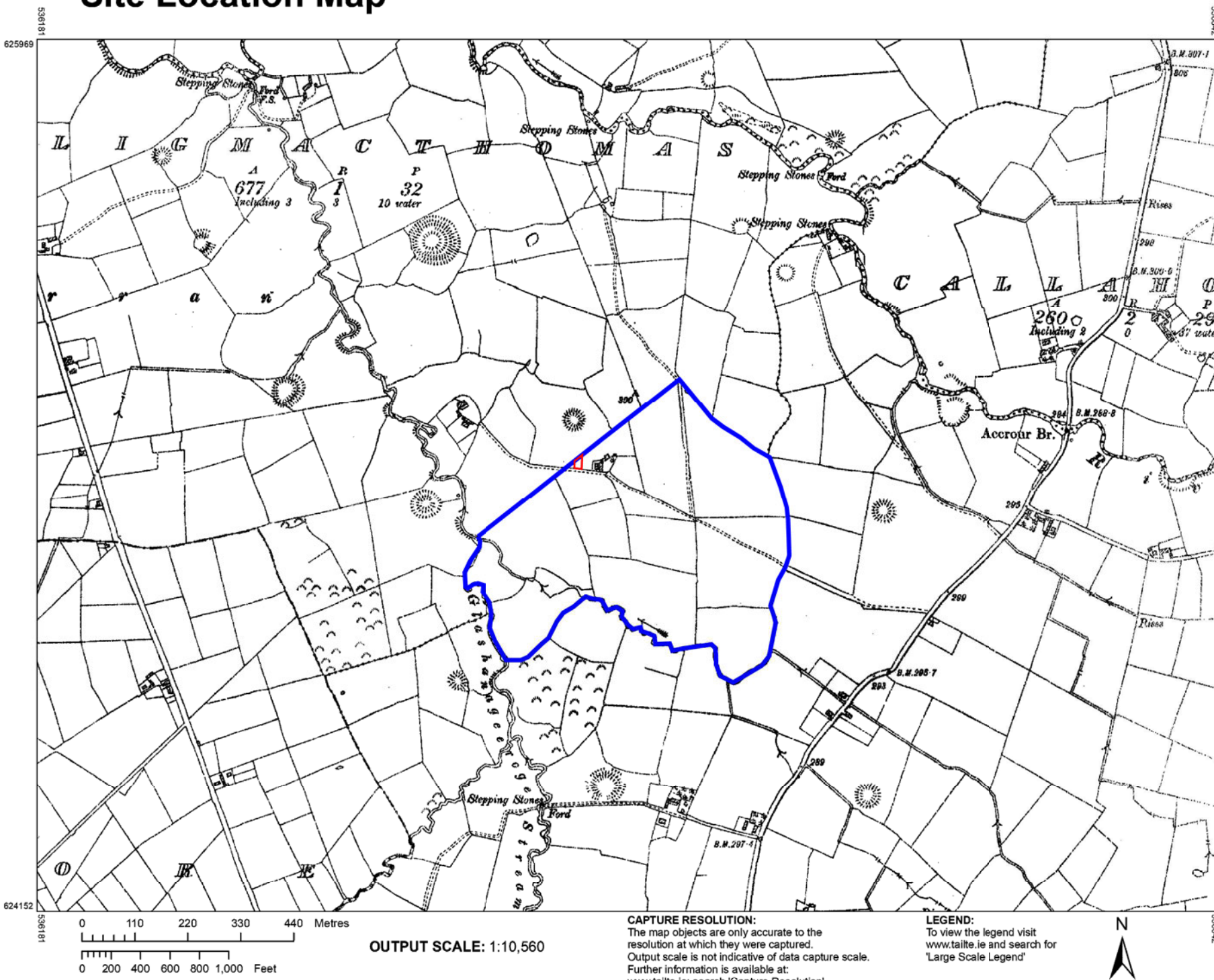
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'Large Scale Legend'

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



File Reference number	EC-095-26
Applicant	Conor Hough
Location	Tulligmacthomas, Dromcollogher, Co. Limerick, P56 NX30

1.0 Description of Site and Surroundings:

The application site is approximately 4km north of Dromcollogher. It is accessed via private road off regional road R519. There is an existing farm complex on the site.

Slatted Tank 152m³

Cow House 947m²

Slatted Tank 531.61m³

Slatted Tank 335.16m³

Slatted Tank 104.31m³

Parlour – 74m²

Dairy – 18m²

Dwelling

2.0 Proposal:

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- The construction of an underground slurry storage tank.

This Section 5 declaration includes the following:

- Application form
- Site location and landholding map
- Site layout plans
- Plan cross section drawings

3.0 Planning History:

95/726 - Conditional Permission- Construction of easy feed cubicle house, milking parlour and slurry tank.

3.1 Enforcement History

None

4.0 Relevant An Coimisiún Pleanála referrals

None.

5.0 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).

5.1 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.

‘**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 –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

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 proposed development on site, comprising the construction of a slatted shed, feed passages, cattle crush and slatted tank, constitutes 'works' and 'development'.

5.2 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 167.13m³.

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 1156m³. The aggregate total capacity of existing and proposed storage is 1323.15m³.

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 no dwelling, other than the applicant's dwelling, located within 100m of the site.

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 water source serving the site has not been identified- it is unclear whether the required separation distance from a water source is available.

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 slurry storage 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.

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

6.0 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).

7.0 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.

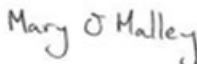
8.0 Environmental Impact Assessment

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.

9.0 Conclusion/Recommendation

It is recommended further information is requested as follows:

1. The applicant is required to confirm compliance with Condition 9 of Class 6(a), by providing written confirmation that the proposed slurry storage structure is not located within 60 metres of a public or private water source. The location of the water source serving the application site should be identified on a site layout plan.
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:		01/07/2026
Senior Executive Planner	Barry Henn	Date:
Signature:		01/07/2026

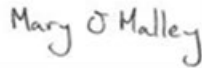
Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:				
(e) File Reference No:		EC-095-26		
(e) Brief description of the project or plan:		Underground slurry storage tank		
(e) Brief description of site characteristics:		Established farmyard		
(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
002170 Blackwater River SAC	https://www.npws.ie/protected-sites/sac/002170	14.1km	Yes	Yes
004161 Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA	https://www.npws.ie/protected-sites/sac/004161	9.2km	None	No
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		None. No direct encroachment or hydrological connection		

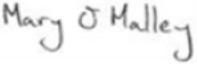
- Storage of excavated/construction materials - Access to site - Pests	
Operation phase e.g. - Direct emission to air and water - Surface water runoff containing contaminant or sediment - Lighting disturbance - Noise/vibration - Changes to water/groundwater due to drainage or abstraction - Presence of 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 01/07/2026	
Signature and Date of the Decision Maker:	 Barry Henn, SEP 01/07/2026	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-95-26
Development Summary:	Underground slatted slurry storage tank
Was a Screening Determination carried out under Section 176A-C?	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)	
N/A	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	EIA is mandatory
	No Screening required
Yes the project is of a type listed but is sub-threshold :	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 01/07/2026
Signature and Date of the Decision Maker:	 Barry Henn, Senior Executive Planner 01/07/2026



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

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

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

t: 061 556 000

DEVELOPMENT MANAGEMENT, PLANNING

REG POST:

EC/095/25

01 July 2026

**Conor Hough
c/o Denis O'Connor,
AGDesign,
Knockduff,
Cullen,
Mallow,
Co. Cork.
P51 HW1W**

RE: Declaration under Section 5

Dear Sir/Madam,

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

1. Confirm compliance with Condition 9 of Class 6(a), by providing written confirmation that the proposed slurry storage structure is not located within 60 metres of a public or private water source. The location of the water source serving the application site should be identified on a site layout plan.

2. 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/095/26.

Yours sincerely,



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

Keogh, Caroline

From: [REDACTED]
Sent: Thursday 23 July 2026 13:40
To: [REDACTED]
Subject: FW: [EXTERNAL]EC/095/25 Conor Hough Tulligmacthomas.
Attachments: CH Well Location.pdf

From: Denis O Connor <agdesignplanning@gmail.com>
Sent: Thursday 23 July 2026 12:36
To: [REDACTED]
Subject: [EXTERNAL]EC/095/25 Conor Hough Tulligmacthomas.

Caution: This is an external email and may have a suspicious subject or attached content. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

Good morning,

In response to your RFI dated July 1st, please find attached an amended Site Layout detailing the location of the private well.

The well is located more than 60m from the proposed slatted tank.

The applicant has confirmed that ancillary provision shall include as appropriate, the installation of any signage, fencing or any other safety infrastructure as recommended by the HSA 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.

I hope that this further information supplied is to the Council's satisfaction and that it will allow the Council to determine this application in due course.

Please do not hesitate to contact me if I can be of any further assistance.

Kind regards,

--
Denis O' Connor.
Farm Building Design & Planning.
087 - 4486052



SECTION 5 EXEMPTION APPLICATION.
PLANNING PERMISSION
DRAWINGS ONLY.

PROPOSED INDICATED WITH —

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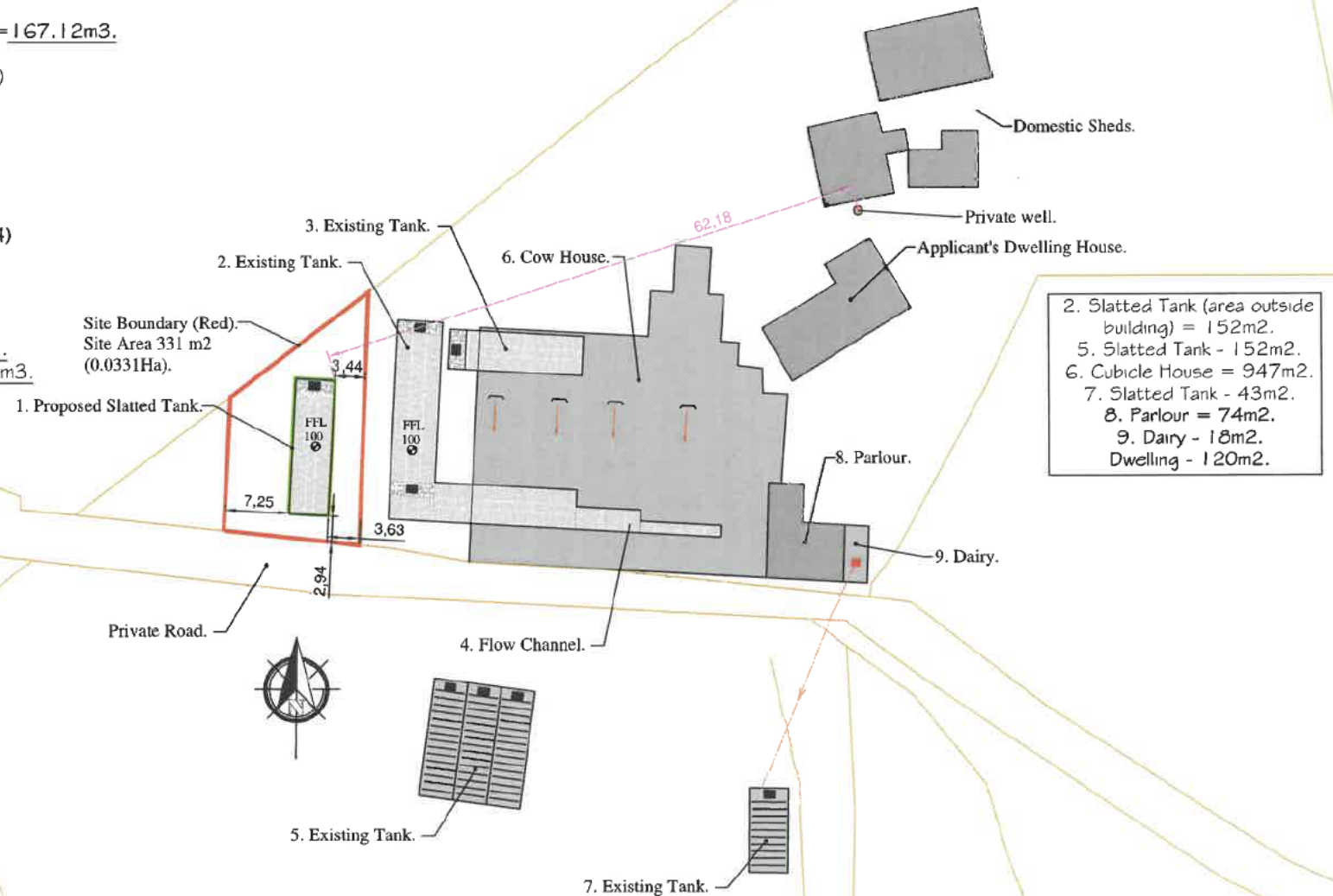
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Total Existing = 1156m³.

Total Proposed = 167.12m³.

Existing + Proposed = 1323.15m³.



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

TITLE:
Proposed Site Layout.

SCALE: 1/500 UNITS: Metres

APPLICANT:
Conor Hough.
Tulligmacthomas,
Dromcollogher,
Co. Limerick.

AG Design

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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.

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.

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 & S123 Minimum Specification for the Structure of Agricultural Buildings.

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.

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

File Reference number	EC-095-26
Applicant(s)	Conor Hough
Location	Tulligmacthomas, Dromcollogher, Co. Limerick P56 NX30

Previous Assessment:

This application relates to the construction of an underground slurry tank. Previous assessment concluded that the Planning Authority was not in a position to determine whether the development falls within an exempted development class under condition 9 & 14 of Class 6(a) of 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:

In relation RFI point 1, the applicant has submitted an amended site layout plan detailing the location of the private well, which shows that it is located more than 60 metres away from the proposed development.

In relation to RFI point 2, the applicant has confirmed that 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).

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 slurry storage tank constituting ‘works’ and ‘development’.

Is the proposal exempted development? The construction of an underground slurry storage tank will be assessed against Class 6(a) of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Class 6(a):

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:

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

The applicant has submitted an amended site layout plan detailing the location of the private well, which shows that it is located more than 60 metres away from the proposed development. This now complies with the proposal.

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 confirmed that 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.

Conclusion/Recommendation

The development proposal refers to the construction of an underground slurry storage tank. 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 08/06/2026 and 23/07/2026.

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).

Student Planner	Conor Deering	Date:
Signature:		27/07/2026
Senior Executive Planner	Senior Executive Planner	Date:
Signature:		16/08/2026

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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:

**Conor Hough
c/o Denis O'Connor,
AGDesign,
Knockduff,
Cullen,
Mallow,
Co. Cork.**

EC/095/26

14 August 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/2026/1037

File Ref No. EC/095/26

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

RE: **Construction of an underground slurry storage tank at TulligmacThomas,
Dromcollogher, Co. Limerick**

ORDER: Whereas by Director General's Order No. DG/2026/058 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 Grainne O'Keeffe, 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, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Conor Deering, Student Planner dated 27/07/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Conor Hough, c/o Denis O'Connor, AGDesign, Knockduff, Cullen, Mallow, Co. Cork to state that the works as described above is

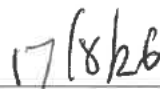
Development and is Exempt Development.

Signed



SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date





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

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SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/095/26

Name and Address of Applicant: Conor Hough, Tulligmacthomas, Dromcollogher, Co. Limerick

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

Whether the construction of an underground slurry storage tank at Tulligmacthomas, Dromcollogher, 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 08th day of June 2026 and further information received on the 23th day of July 2026.

AND WHEREAS the Planning Authority has concluded that the construction of an underground slurry storage tank at Tulligmacthomas, Dromcollogher, 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:

14/08/26

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.