



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Limerick City and County Council

Planning Department

Section 5 Application

**Limerick City & County
Council**

10 AUG 2026

Planning

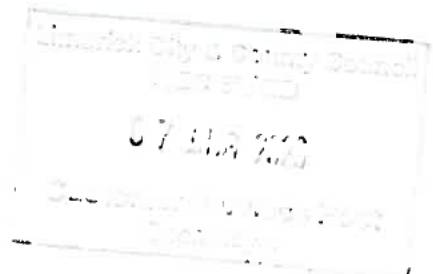
DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

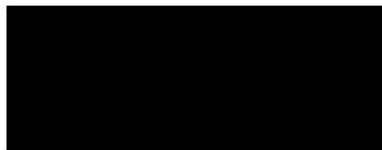
Thomas Moriarty

Applicant's Address:

Fanningstown,
Ardpatrick,
Kilmallock,
Co.Limerick



Telephone No.



Name of Agent (if any): Chris Kinghan

Address: Carricknagoan, Coolderry P.O.,
Carrickmacross, Co. Monaghan, A81 E720.

Telephone No.

085 164 6179

Address for Correspondence: Agent

Chris Kinghan
Carricknagoan, Coolderry P.O.,
Carrickmacross, Co. Monaghan, A81 E720

Location of Proposed development (Please include Eircode):

Fanningstown,
Ardpatrick,
Kilmallock, Co.Limerick

Description of Proposed development:

for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance

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

Full details shown on Site Layout Plan and clearly stated in the Planning history letter for all buildings within 100 m of development

Class 6 Housing of animals – Slatted shed for cattle 254 sq m

Class 8 open loose yards, feeding aprons, and assembly yards 155.2 sq m

Is this a Protected Structure or within the curtilage of a Protected Structure.
NO

Applicant's interest in site: Freehold owner.

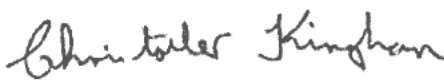
List of plans, drawings, etc. submitted with this application:

See Cover letter/ Schedule of Documentation.

Have any previous extensions/structures been erected at this location YES

If Yes please provide floor areas of all existing structures:

Full details shown on Site Layout Plan and clearly stated in the Planning history letter for all buildings within 100 m of development/

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**

OFFICE USE ONLY

Ref. No. _____

Date Received _____

Fee Received _____

Date Due _____

Planning Pack Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 512273,627103

PUBLISHED: 28/07/2026
ORDER NO.: 50550254_1

MAP SERIES: 1:2,500
1:2,500
MAP SHEETS: 5282-C
5342-A

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

www.tailte.ie

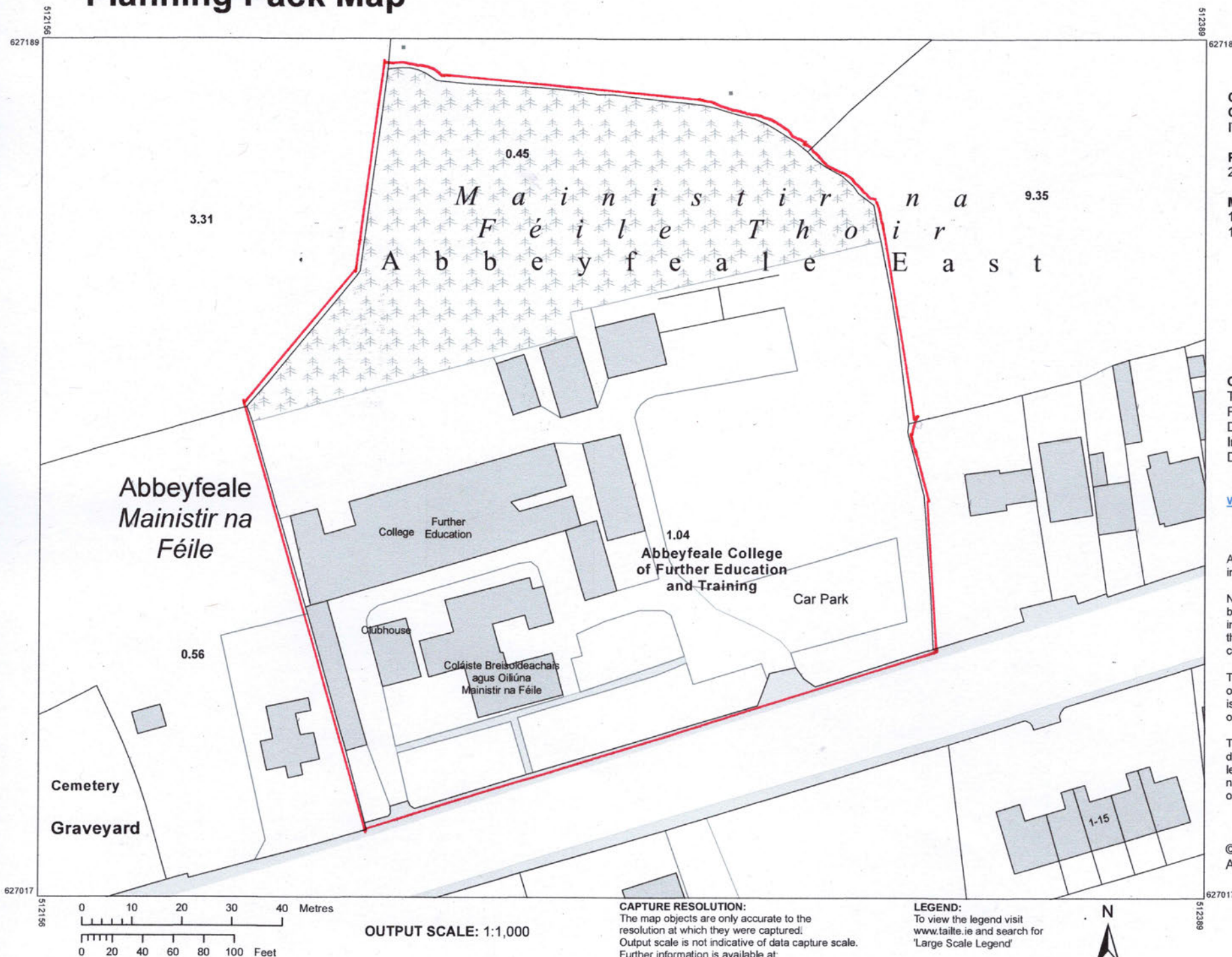
Any unauthorised reproduction
infringes Tailte Éireann copyright.

No part of this publication may
be copied, reproduced or transmitted
in any form or by any means without
the prior written permission of the
copyright owner.

The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

This topographic map
does not show
legal property boundaries,
nor does it show
ownership of physical features.

©Tailte Éireann, 2026.
All rights reserved.

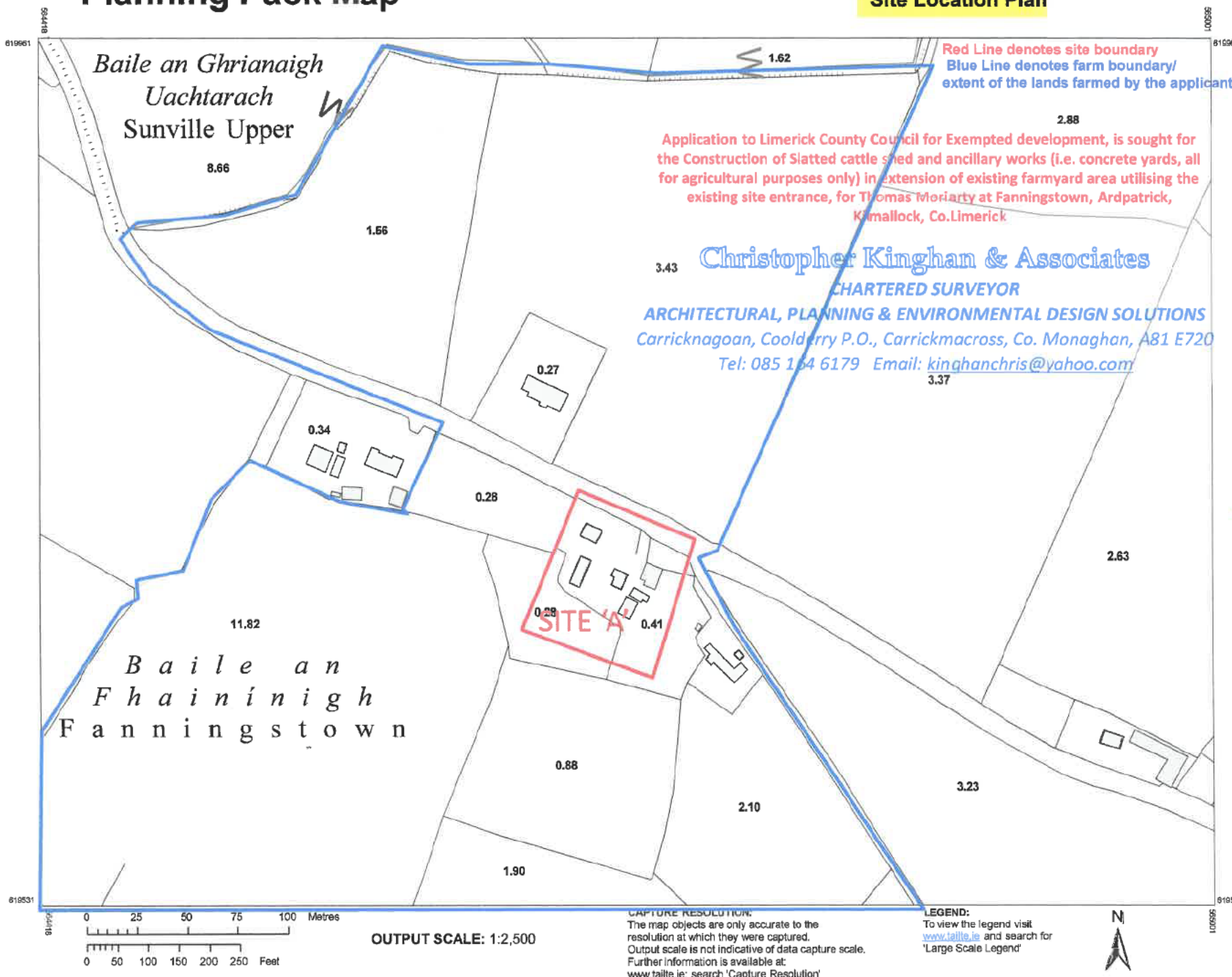


Planning Pack Map

Site Location Plan



**Tailte
Éireann**



CENTRE COORDINATES:
ITM 564710,619746

PUBLISHED: 22/07/2026
ORDER NO.: 50548992_1

MAP SERIES: 1:5,000 5477
1:2,500 5477-A
1:2,500 5477-C

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

www.tailte.ie

Any unauthorised reproduction
infringes Tailte Éireann copyright.

No part of this publication may
be copied, reproduced or transmitted
in any form or by any means without
the prior written permission of the
copyright owner.

The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

This topographic map
does not show
legal property boundaries,
nor does it show
ownership of physical features.

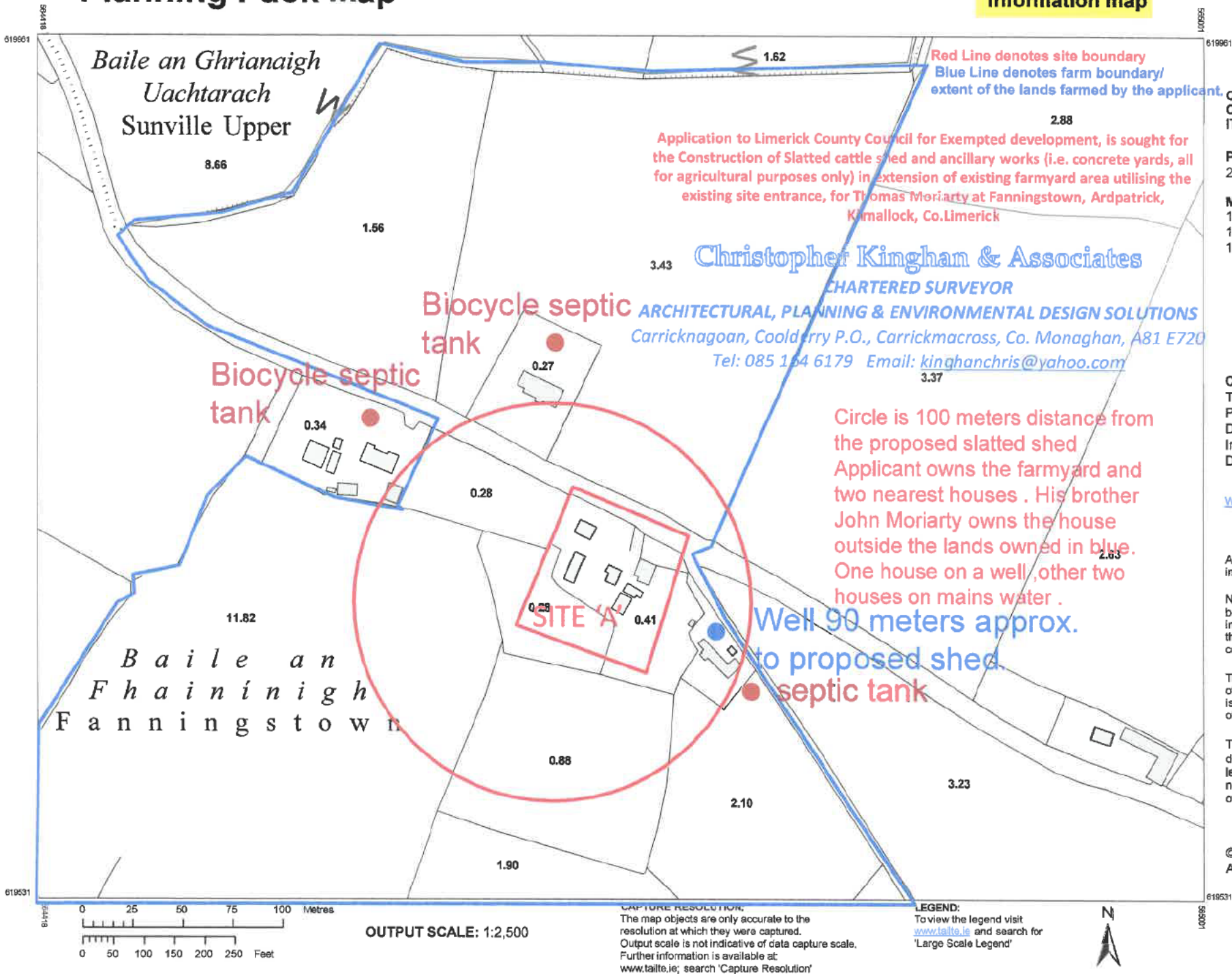
©Tailte Éireann, 2026.
All rights reserved.

Planning Pack Map

Information map



Tailte
Éireann



CENTRE COORDINATES:
ITM 564710,619746

PUBLISHED: 22/07/2026
ORDER NO.: 50548992_1

MAP SERIES: 1:5,000
1:2,500
1:2,500
MAP SHEETS: 5477
5477-A
5477-C

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

www.tailte.ie

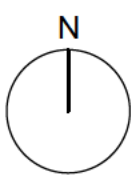
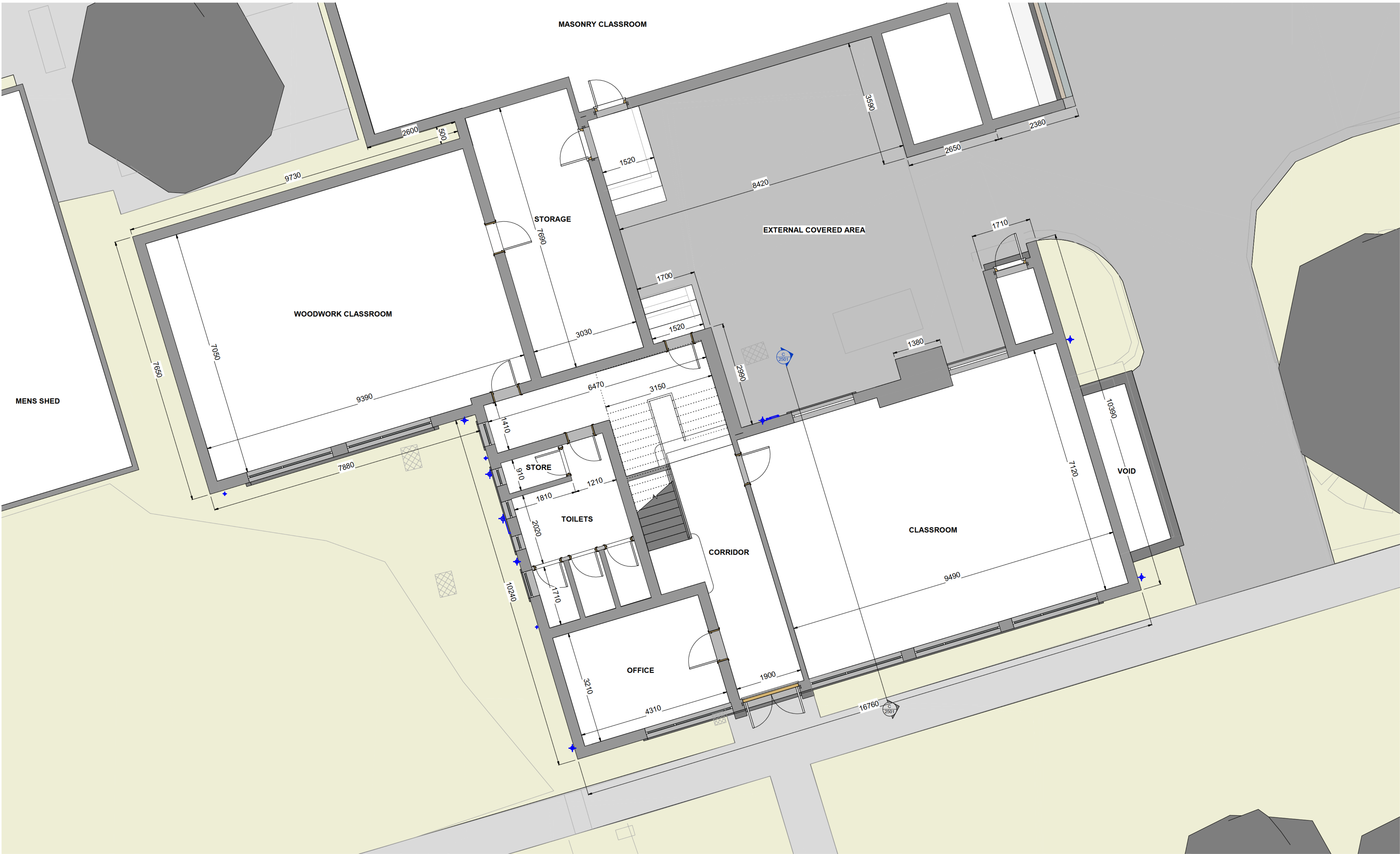
Any unauthorised reproduction infringes Tailte Éireann copyright.

No part of this publication may be copied, reproduced or transmitted in any form or by any means without the prior written permission of the copyright owner.

The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

This topographic map does not show legal property boundaries, nor does it show ownership of physical features.

©Tailte Éireann, 2026.
All rights reserved.



GROUND FLOOR PLAN (NO CHANGES)
1 : 50

NOTES / LEGEND

GENERAL NOTES:

- DO NOT SCALE. USE FIGURED DIMENSIONS ONLY.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS.
- ALL DIMENSIONS TO BE CHECKED ON SITE.
- IN THE EVENT OF ANY DISCREPANCIES BETWEEN DRAWINGS THE CONTRACTOR IS TO INFORM THE ARCHITECT IMMEDIATELY.
- ALL COORDINATES ARE PRESENTED IN THE IRISH TRANSVERSE MERCATOR (TM) GRID SYSTEM AND ALL LEVELS ARE REFERENCED TO THE MALIN HEAD DATUM, WHICH SERVES AS THE NATIONAL VERTICAL REFERENCE FOR IRELAND.

- LANDOWNER SITE BOUNDARY
- CAST IRON DOWNPIPES

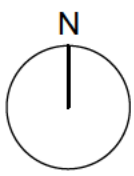
DATE	REV	DESCRIPTION	BY



45 O'CONNELL STREET
LIMERICK
IRELAND
V94 XE18

www.kja.ie
info@kja.ie
+353 61 51 31 71

PROJECT	ROOF UPGRADE
DRAWING TITLE	EXISTING GROUND FLOOR PLAN
PROJECT STAGE	SECTION 5 APPLICATION
CLIENT	LCETB
DRAWING NUMBER	ABFR-X-000-DR-KJA-AR-2001
DATE	JUL 26"
SCALE @ A1	1:50
CHECK BY	JH
REVISION	



FIRST FLOOR PLAN (NO CHANGES)
1 : 50

NOTES / LEGEND

GENERAL NOTES:

- DO NOT SCALE. USE FIGURED DIMENSIONS ONLY.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS.
- ALL DIMENSIONS TO BE CHECKED ON SITE.
- IN THE EVENT OF ANY DISCREPANCIES BETWEEN DRAWINGS THE CONTRACTOR IS TO INFORM THE ARCHITECT IMMEDIATELY.
- ALL COORDINATES ARE PRESENTED IN THE IRISH TRANSVERSE MERCATOR (TM) GRID SYSTEM AND ALL LEVELS ARE REFERENCED TO THE MALIN HEAD DATUM, WHICH SERVES AS THE NATIONAL VERTICAL REFERENCE FOR IRELAND.



LANDOWNER SITE BOUNDARY

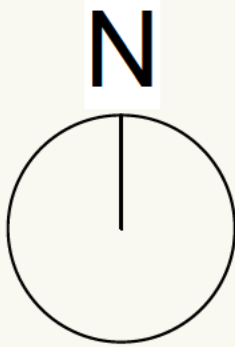
DATE	REV	DESCRIPTION	BY

KJA
Kevin Jackson Architects

45 O'CONNELL STREET
LIMERICK
IRELAND
V94 XE18

www.kja.ie
info@kja.ie
+353 61 51 31 71

PROJECT ROOF UPGRADE	DATE JUL 26"	DRAWN BY NB
DRAWING TITLE EXISTING FIRST FLOOR PLAN	SCALE @ A1 1:50	CHECK BY JH
PROJECT STAGE SECTION 5 APPLICATION	CLIENT LCETB	REVISION
DRAWING NUMBER ABFR-X-001-DR-KJA-AR-2002	PURPOSE CODE P3	



SITE PLAN
1 : 200

NOTES / LEGEND

GENERAL NOTES:

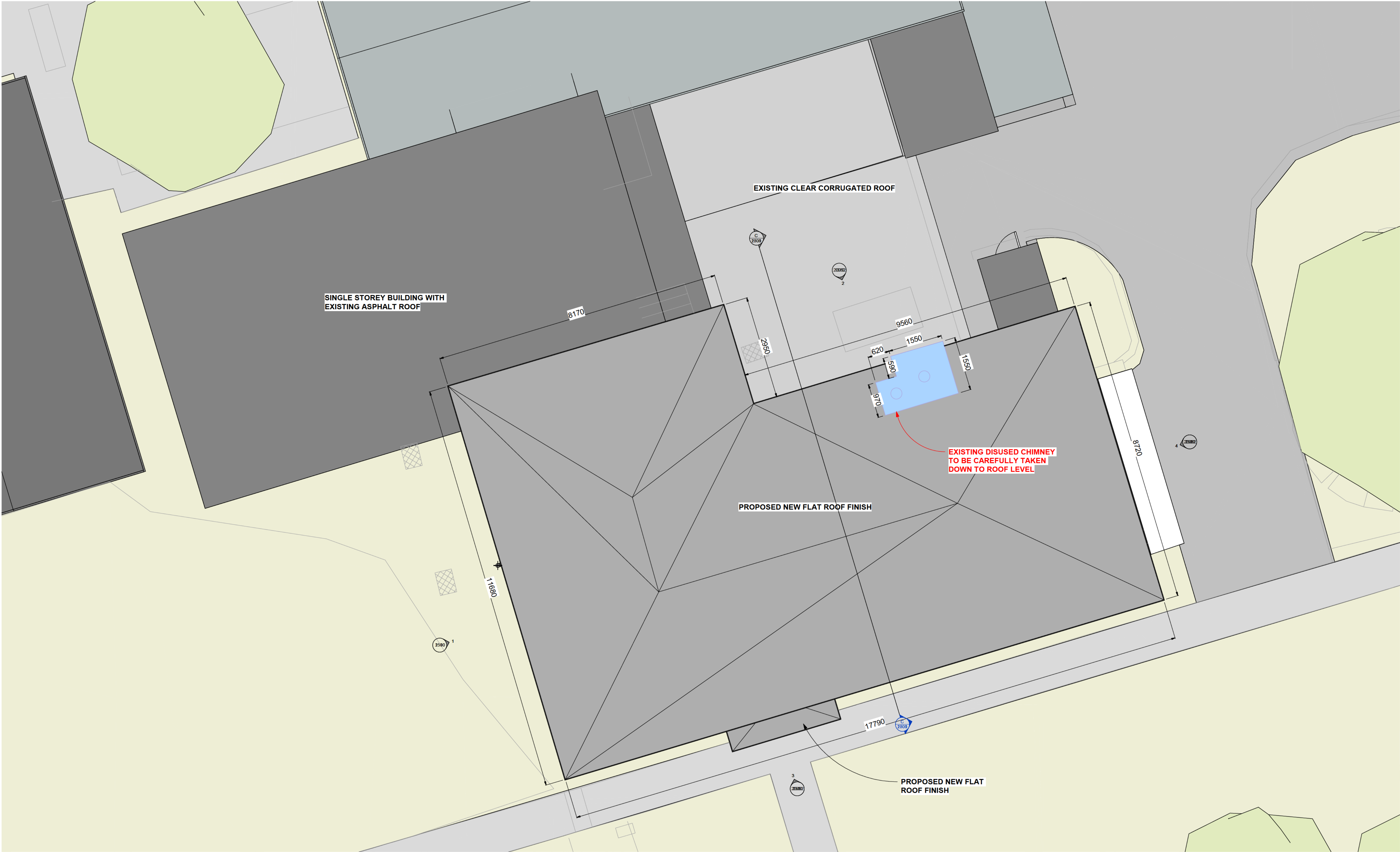
- DO NOT SCALE. USE FIGURED DIMENSIONS ONLY.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS.
- ALL DIMENSIONS TO BE CHECKED ON SITE.
- IN THE EVENT OF ANY DISCREPANCIES BETWEEN DRAWINGS THE CONTRACTOR IS TO INFORM THE ARCHITECT IMMEDIATELY.
- ALL COORDINATES ARE PRESENTED IN THE IRISH TRANSVERSE MERCATOR (TM6) GRID SYSTEM AND ALL LEVELS ARE REFERENCED TO THE MALIN HEAD DATUM, WHICH SERVES AS THE NATIONAL VERTICAL REFERENCE FOR IRELAND.

 LANDOWNER SITE BOUNDARY

DATE	REV	DESCRIPTION	BY

KJA
Kevin Jackson Architects
45 O'CONNELL STREET
LIMERICK
IRELAND
V94 XE18

PROJECT ROOF UPGRADE	DATE JUL 26"	DRAWN BY NB
DRAWING TITLE EXISTING/ PROPOSED SITE PLAN	SCALE @ A1 1:200	CHECK BY JH
PROJECT STAGE SECTION 5 APPLICATION	CLIENT LCETB	REVISION
DRAWING NUMBER ABFR-X-002-DR-KJA-AR-2000	P3	



ROOF PLAN
1 : 50

NOTES / LEGEND

GENERAL NOTES:

- DO NOT SCALE. USE FIGURED DIMENSIONS ONLY.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS.
- ALL DIMENSIONS TO BE CHECKED ON SITE.
- IN THE EVENT OF ANY DISCREPANCIES BETWEEN DRAWINGS THE CONTRACTOR IS TO INFORM THE ARCHITECT IMMEDIATELY.
- ALL COORDINATES ARE PRESENTED IN THE IRISH TRANSVERSE MERCATOR (T.M. GRD) SYSTEM AND ALL LEVELS ARE REFERENCED TO THE MALIN HEAD DATUM, WHICH SERVES AS THE NATIONAL VERTICAL REFERENCE FOR IRELAND.

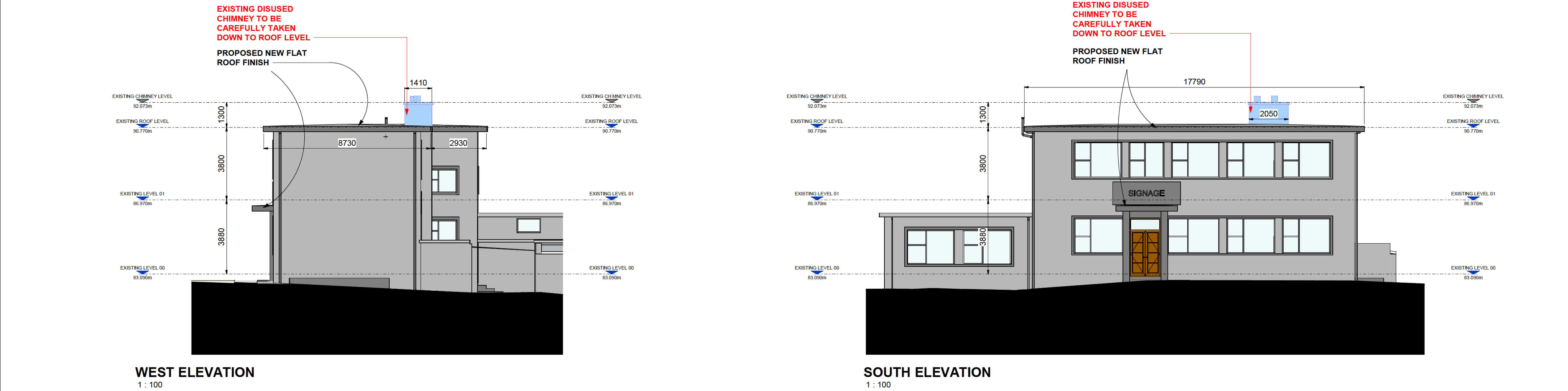
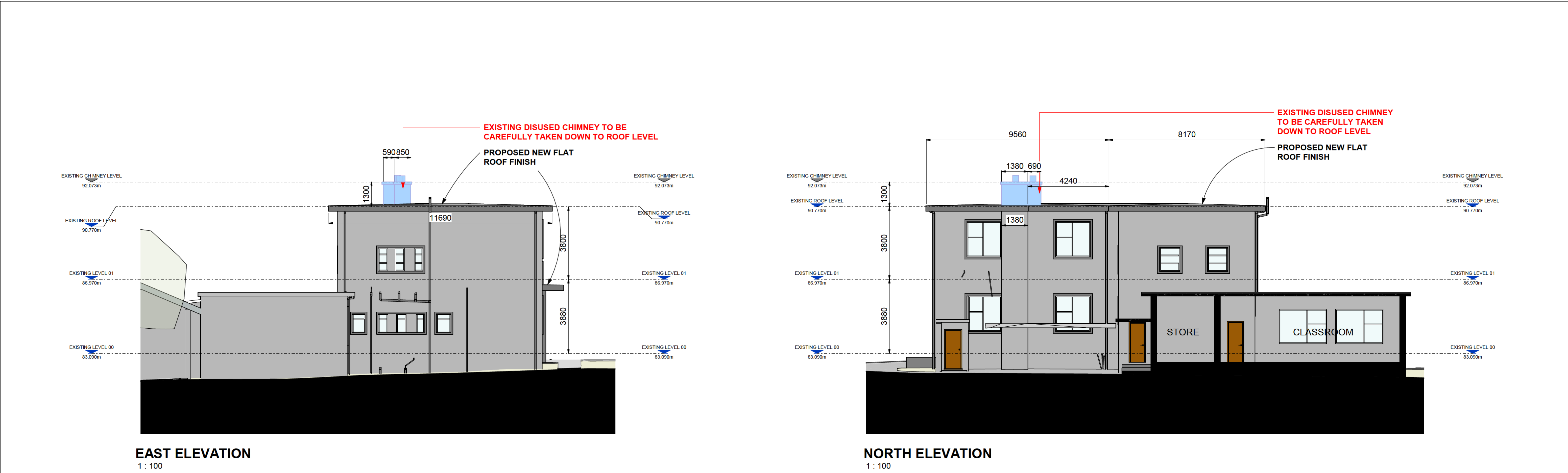
LANDOWNER SITE BOUNDARY

DATE	REV	DESCRIPTION	BY

KJA
Kevin Jackson Architects
45 O'CONNELL STREET
LIMERICK
IRELAND
V94 XE18

www.kja.ie
info@kja.ie
+353 61 51 31 71

PROJECT	ROOF UPGRADE
DRAWING TITLE	PROPOSED ROOF PLAN
PROJECT STAGE	SECTION 5 APPLICATION
CLIENT	LCETB
DRAWING NUMBER	ABFR-X-002-DR-KJA-AR-2003
DATE	JUL 26"
SCALE @ A1	1:50
PURPOSE CODE	P3
DRAWN BY	NB
CHECK BY	JH
REVISION	



NOTES / LEGEND		DATE	REV	DESCRIPTION	BY	PROJECT		
GENERAL NOTES: - DO NOT SCALE. USE FIGURED DIMENSIONS ONLY. - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS. - ALL DIMENSIONS TO BE CHECKED ON SITE. - IN THE EVENT OF ANY DISCREPANCIES BETWEEN DRAWINGS THE CONTRACTOR IS TO INFORM THE ARCHITECT IMMEDIATELY. - ALL COORDINATES ARE PRESENTED IN THE IRISH TRANSVERSE MERCATOR (ITM) GRID SYSTEM AND ALL LEVELS ARE REFERENCED TO THE MALIN HEAD DATUM, WHICH SERVES AS THE NATIONAL VERTICAL REFERENCE FOR IRELAND.						ROOF UPGRADE		
LANDOWNER SITE BOUNDARY						DRAWING TITLE: EXISTING ELEVATIONS		
						PROJECT STAGE: SECTION 5 APPLICATION		
						CLIENT: LCETB		DATE: JUL 26"
						PURPOSE CODE: P3		DRAWN BY: NB
						CHECK BY: JH		REVISION:
						DRAWING NUMBER: ABFR-X-XXX-DR-KJA-AR-2500		

KJA

Kevin Jackson Architects

45 O'CONNELL STREET
LIMERICK
IRELAND
V94 XE18

www.kja.ie

info@kja.ie

+353 61 51 31 71

PROJECT

ROOF UPGRADE

DRAWING TITLE

EXISTING ELEVATIONS

PROJECT STAGE

SECTION 5 APPLICATION

CLIENT

LCETB

PURPOSE CODE

P3

DATE

JUL 26"

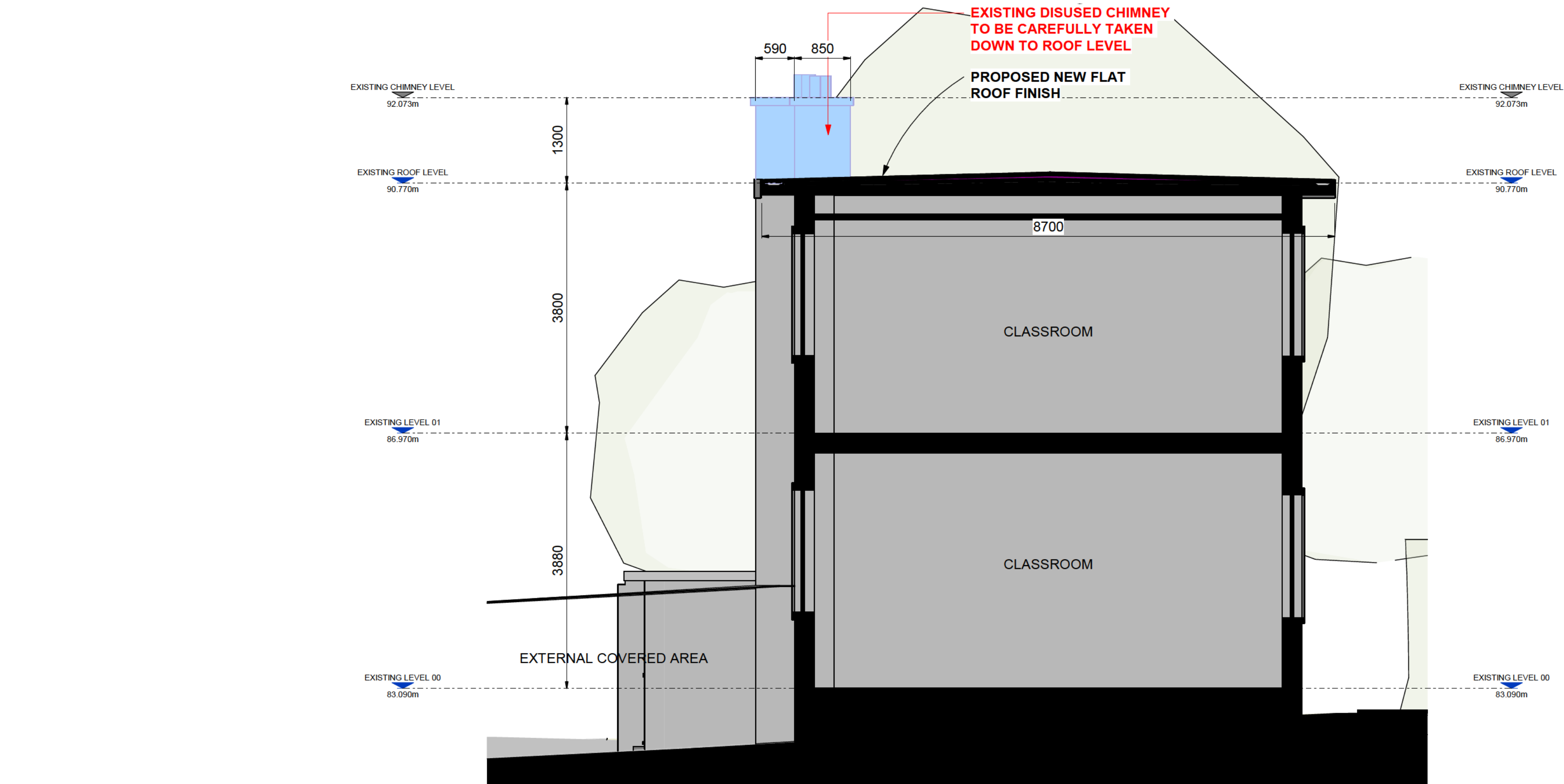
DRAWN BY

NB

CHECK BY

JH

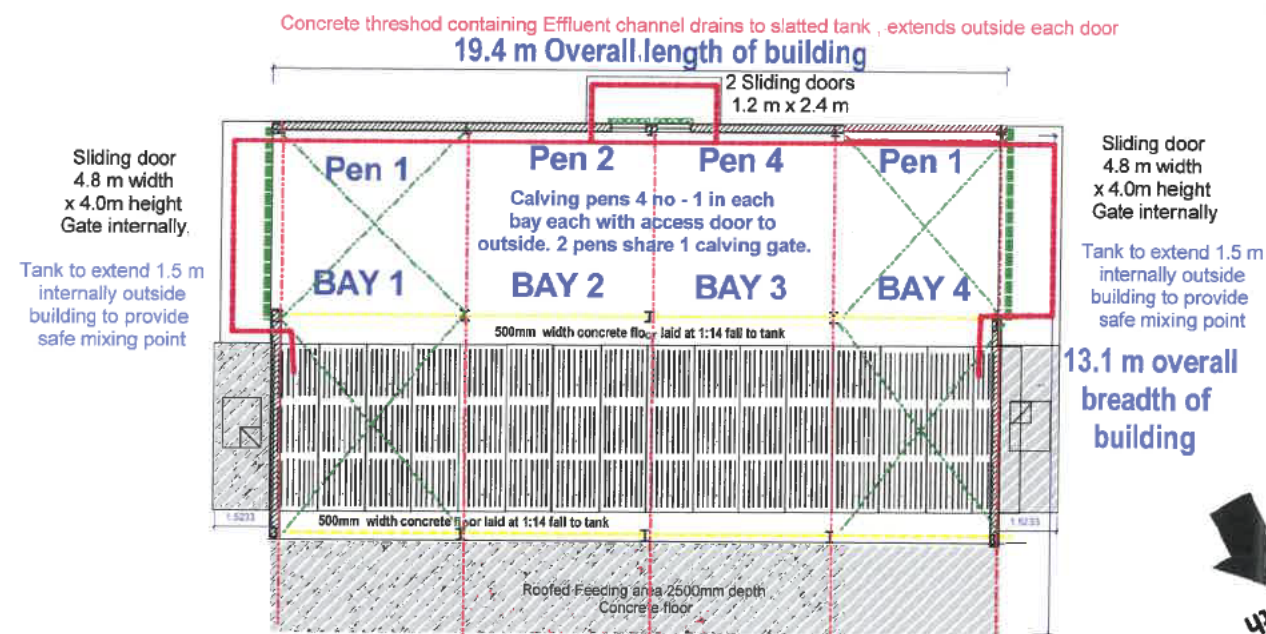
REVISION



SECTION C-C
1 : 50

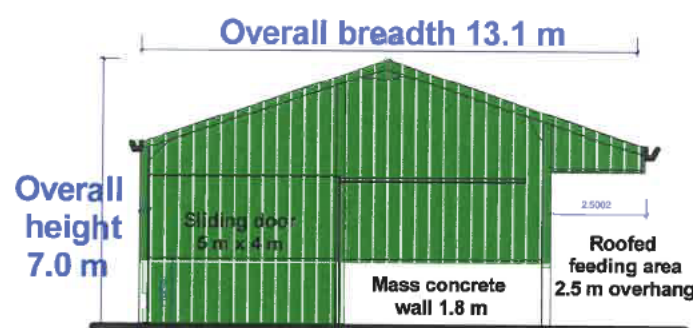
NOTES / LEGEND		DATE	REV	DESCRIPTION	BY
GENERAL NOTES: - DO NOT SCALE. USE FIGURED DIMENSIONS ONLY. - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS. - ALL DIMENSIONS TO BE CHECKED ON SITE. - IN THE EVENT OF ANY DISCREPANCIES BETWEEN DRAWINGS THE CONTRACTOR IS TO INFORM THE ARCHITECT IMMEDIATELY. - ALL COORDINATES ARE PRESENTED IN THE IRISH TRANSVERSE MERCATOR (ITM) GRID SYSTEM, AND ALL LEVELS ARE REFERENCED TO THE MALIN HEAD DATUM, WHICH SERVES AS THE NATIONAL VERTICAL REFERENCE FOR IRELAND.	 LANDOWNER SITE BOUNDARY				

 Kevin Jackson Architects			PROJECT ROOF UPGRADE		
45 O'CONNELL STREET LIMERICK IRELAND V94 XE18			DRAWING TITLE EXISTING SECTION C-C		
www.kja.i info@kja.i +353 61 51 31			PROJECT STAGE SECTION 5 APPLICATION	DATE JUL 26"	DRAWN BY NB
			CLIENT LCETB	SCALE @ A2 1:50	CHECK BY JH
			DRAWING NUMBER ABFR-X-XXX-DR-KJA-AR-2501	PURPOSE CODE P3	REVISION

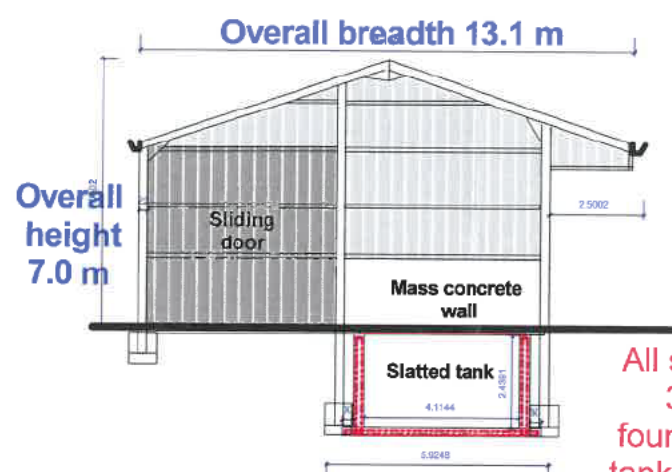


FLOOR PLAN Detailing Slats etc.
Floor area 254 sq m

VENTILATION - Minimum and unobstructed. Continuous strip of ventilation at eaves beneath the gutter of 450 mm full length of building. Ditto at ridge level. * Ventilated cladding highly recommended for gables. *(unless spaced roof sheeting used or ridge cap - see S.101 Page 30/31.



SIDE ELEVATION



SECTION A-A

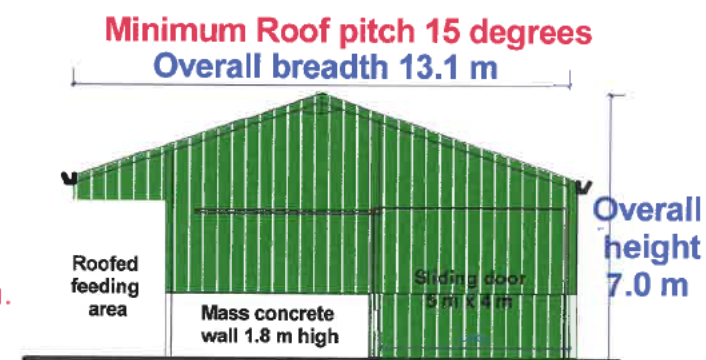
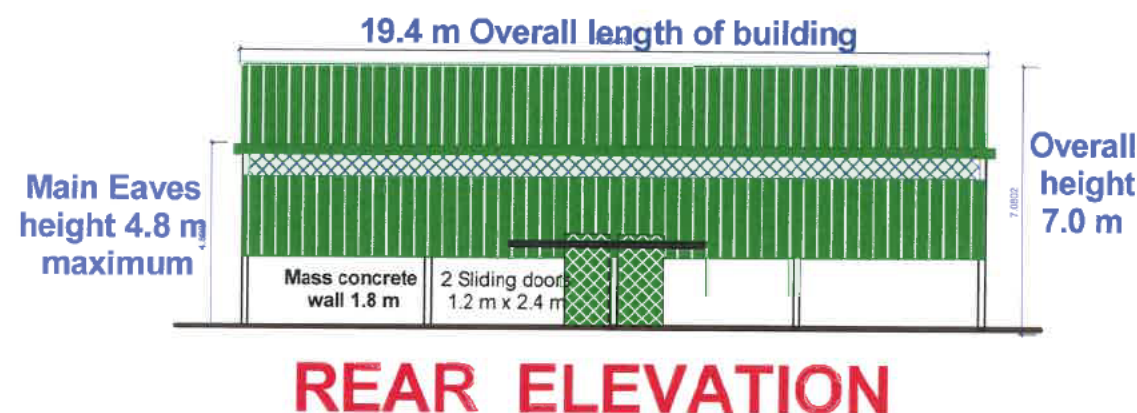
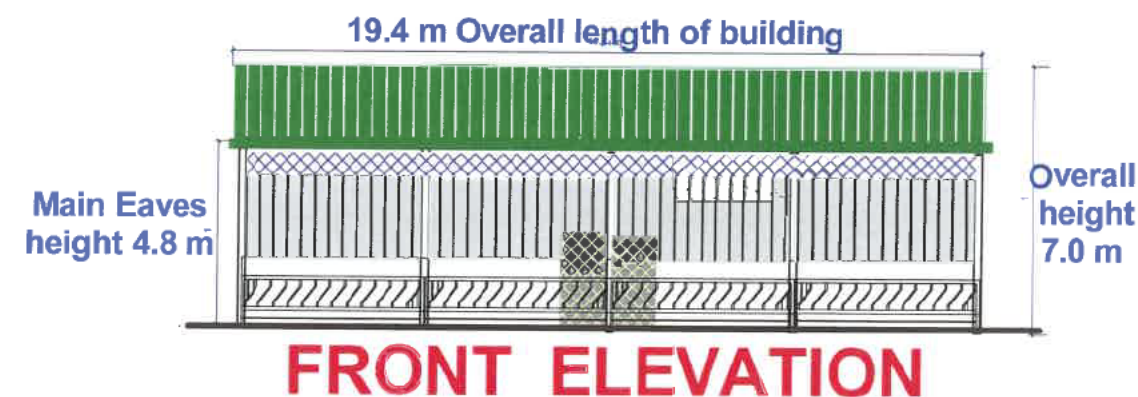
All slatted walls to tank 300mm thick, any foundations in vicinity of tank to be at 3.0 m depth.

Minimum Roof pitch 15 degrees

ELEVATIONS & PLAN DRAWINGS
Scale 1:200 SLATTED / LOOSE CATTLE SHED
PLANNING DRAWING

ALL DRAWINGS MUST BE READ
STRICTLY IN ACCORDANCE
WITH 2 SETS OF SAFETY NOTES &
DEPT. OF AGRI SPECIFICATIONS

Christopher Kinghan & Associates
CHARTERED SURVEYOR
ARCHITECTURAL, PLANNING &
ENVIRONMENTAL DESIGN SOLUTIONS
Carricknagoan, Coolderry P.O.,
Carrickmacross, Co. Monaghan. A81 E720
Tel: 085 164 6179
Email: kinghanchris@yahoo.com



Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co.Limerick.

SLATTED SHED

Construction Specification Notes

For grant aided work it is an important condition of the grant that the buildings are exactly in the position and the size set out in the drawings associated with the planning application or exemption. Failing to meet this condition jeopardises all the grant monies. Note: All materials used in the construction of buildings to this specification shall be sourced as new.

All elements of construction work to comply with the conditions set out in the Planning Permission or Exemption Notice, Irish Building regulations and the current DEPARTMENT OF AGRICULTURE AND FOOD specifications (compliance with these detailed specifications takes precedence over the drawings) as follows:-
Dept of Agriculture Farm Building and Structures Specifications
•Health and Safety Guide for Construction Works (pdf 398Kb)
•Listing of dates of when specifications were updated - 30 November 2018 (pdf 133Kb) Specifications

S100 Concrete Specification - October 2015
S101 Minimum Specifications for the structure of Agricultural Buildings - July 2016 (doc 2,188Kb)
S101A Non-Load Bearing Wall Panels for use in Cattle and Sheep Houses - May 2019 (doc 41Kb)
S101D Accepted Safety Grids for Under Translucent Sheets - January 2017 (doc 1,027Kb)
S102 Minimum Standards for Roof Cladding and Side Cladding - August 2018 (doc 137Kb)
S 123 Minimum Standards for bovine-livestock-units-and-reinforced-tanks-October-2022
S127 - Minimum Specification for Gravel Roads and Access Roads to Mountain and Hill Pastures - Oct 08 (doc 16Kb)
S129 Minimum Specifications for Farmyard Drainage, Concrete Yards and Roads - January 2016 (doc 118Kb)
S135 Screening Belts and Shelter Belts for Farmyards and Farmbuildings - November 2008

S137 Cattle Crush, Race and Enclosure - May 2018 (doc 667Kb)
S147 Calving Pens, Separation Pens, and Isolation Boxes - May 2018 (doc 62Kb)
S148 Farm Fencing - August 2019
S148A Accepted Fencing Posts - Jan 2019

And all other relevant standard specifications from the same source.
Note: These specifications are flexible in that they set out various methods of construction. They are the minimum standard acceptable for grant aided works. Where there is a conflict with the drawings the standards set out in these specifications super-cedes the drawings. Construction details in the working drawings are only suggested methods of construction. Provided the contractor has the agreement of the client and Architect, does not change outer appearance of a building/ or the external dimensions, the Contractor is free to choose any construction method that complies with Dept. of Agriculture standards. Construction details in the working drawings are only suggested methods of construction. Provided the contractor has the agreement of the client and Architect, does not change outer appearance of a building/ or the external dimensions, upon which the Planning permission is based, and the critical internal dimensions upon which the grant aid is based, then the Contractor is free to choose any construction method that complies with Dept. of Agriculture standards.

But, if there is any doubt as to eligibility of any change it is the contractor's responsibility to check with the Dept. of Agriculture and approve the change as otherwise the Dept. may impose financial penalties on the client/employer. The specifications are all available online and copies can also be obtained from the Architect. If explanation or clarification is required on any matter you are welcome to contact the Architect at any time.

B.13 ELECTRICAL INSTALLATIONS

B.13.1 Wiring and fittings shall be installed, and all work shall be carried out in accordance with the Fourth Edition of the National Rules for Electrical Installations, ET101:2008 specifically Part 7-705: Requirements for special installations or locations - Agricultural and horticultural premises. An ETCI completion certificate shall be required, signed by the Electrical Contractor(s) or a person duly authorised to act on his/her behalf to certify that the electrical installation has been constructed and/or has been tested according to the National rules of Electrical Installations and has been found to be satisfactory. An associate certificate, specifically for agricultural work, the "Supplementary Agricultural Certification Form" shall also be signed by the Electrical Contractors or authorised persons and the number of the main ETCI completion Certificate clearly marked on it. If no valid numbered ETCI Certificate is available for the completed installation, then the Electrical Contractor shall complete a new numbered ETCI Certificate indicating that the new installation has been tested for safety and compliance, and note that number on the Supplementary Form. The signed printed "Supplementary Agricultural Certification Form" together with a copy of the ETCI Completion Certificate shall be given to the Department before grant-aid can be finally certified.

B.13.2 Artificial Lighting shall be provided in all houses. The following lux levels are the minimum for each type of house:-

50 lux:	Hay barns; Produce Stores.
50 lux:	All livestock Houses.
100 lux:	Isolation Units; Calving boxes.
200 lux:	Dairies; Milking Premises; Cow Byres.

Note: As a guide 5 Watts/m² using a florescent tube gives approximately 50 lux.

B.14 NATURAL LIGHTING

Good use of daylight is important for safe working conditions and for animal health. The minimum number of translucent sheets on each roof slope or single-sided house shall be as follows:-

Table 16:

Shed Span up to:	Minimum No. of standard 2.6m translucent sheets per 4.8m run of shed
4.2m	1
7.5m	2
9.9m	3

Only translucent sheets listed on S.102 may be used. Translucent sheets may be omitted where spaced sheeting is used for the entire roof.

A safety grid shall be installed under every translucent sheet. The grid shall be as set out in clause B14.1 to B14.5. Alternative proprietary safety grids may be permitted subject to prior acceptance by the Department of Agriculture, Food and the Marine.

B.14.1 Grid Location. The safety grid shall be placed underneath the clear light and on top of the supporting purlins. This means that purlins will be able to directly support any weight placed on the grid.

B.14.2 Grid Size. The grid shall consist of 16mm diameter steel bars, running for the full length of the clear sheet. The bars shall be spaced at not greater than 150 mm intervals across the width of the clear sheet. Alternatively, 12mm bars may be used at not greater than 125mm spacing.

B.14.3 Protection of steel. All bars shall be treated as structural steel in accordance with Clause B.3 of this specification. It is strongly recommended that they be hot-dip galvanised.

B.14.4 Grid Support. At the top purlin (highest purlin) the bar shall be bent into a L-shape, with the leg of the L pointing towards the ground so as to prevent the bar from sliding over the purlins. Each bar shall be rigidly secured to each purlin (e.g. using a galvanised metal strap) so that it cannot move from side to side. The fixings shall be corrosion resistant. Each bar of the safety grid must be fixed independently of the clear sheet.

B.15 DOORS

All doors wider than 1.2m shall be sliding. Doors to central passages, where fitted, shall also be sliding. The sliding gear shall be fitted and erected as per manufacturers' instructions for the size and weight of door fitted. It is important that the sliding track is perfectly straight when erected. The sliding track shall comply with EN 1527. A sliding door should preferably incorporate a hinged type outward-opening single personnel door with a minimum head-height of 2.2m above ground level. Cladding materials for doors shall conform, at least, to the standards specified in S102.

It is recommended that all sliding doors be at least 300mm wider than opening and that the flashing over the door is extended for the full length of the door track. Additionally, it is recommended that a gate is used inside a sliding door to an animal area, and that the lower 1.2m of the inside of the door is lined with 12mm WBP plywood.

Steel roller doors are also permitted, and shall be manufactured from cladding material that conforms to the standards specified in S102. All roller doors shall also comply with EN 13241-1

B.16 CERTIFICATES

The following certificates shall be given to the Department before grant-aid will be paid:

- "Concrete" Certificate (Clause B6)
 - "Electrical" Certificate (Clause B13)
 - Certificate of Protection of Structural Steel
 - Certificate of Structural Timber Treatment, where required
- Stone aggregates certification

And all certification and receipts requested in the Grant Approval document. **FINALLY< this drawing is a Planning drawing. The builder must use the Gran approved drawing available once the Grant has been formally approved. ALL WORKS MUST BE CARRIED OUT as fbd AND aRCHITECT SAFETY DOCUMENTATION, WITH PARTICULAR ATTENTION GIVEN TO INSURANCE, ELECTRICAL WORKS (INCLUDING IN VICINITY OF ESB EQUIPMENT WHICH SHOULD BE MADE SAFE OR RELOCATED) AND eXCAVATIONS AND HEAVY MACHINERY.**

VENTILATION

Full details Page 30 Specification S.101

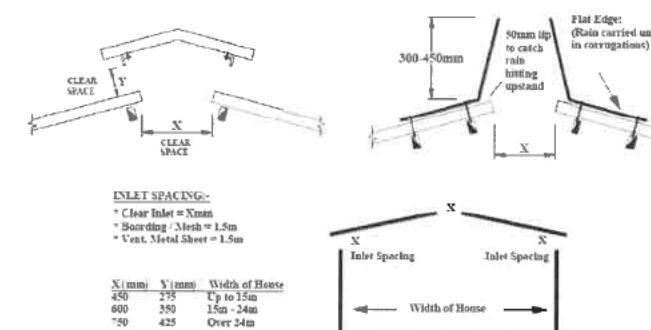


Figure 24 Ventilation details

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co. Limerick.

Christopher Kingham & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknaogan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan.

A81 E720 Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Our Ref: CK/LK/TM Your Ref:

Limerick City & County Council

Planning Department

Dooradoyle,

Limerick,

V94 XF67

Dear Sirs,

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co.Limerick.

Consent by applicant

I am aware and consent to this planning application as described above

Signed: Thomas Moriarty

Applicants : Thomas Moriarty

Address: Fanningstown, Ardpatrick, Kilmallock, Co.Limerick.

Nutrient management Plan

The following drawings comprise the Agfood mapping for all the leased lands where nutrients can be spread.

The entire Farm area can be used for spreading farm manure and slurry with the exception of areas which must be excluded. As detailed in the NITRATES EXPLANATORY HANDBOOK for Good Agricultural Practice for the Protection of Waters Regulations 2022

The Organic farmer must not purchase or spread chemical fertiliser on land as it is prohibited. If soil testing identifies a mineral deficiency then a derogation can be sought to remedy the deficiency.

The following table shows the different buffer zones for different kinds of water bodies (lakes, rivers, wells etc.). The applicant must not spread soiled water, effluents, farmyard manures or other organic fertilisers inside these buffer zones

Buffer zones for spreading organic fertilisers	
Water body/Feature	Buffer zone
Any water supply source providing 100m ³ or more of water per day, or serving 500 or more people	200 metres (or as little as 30 metres where a local authority allows)
Any water supply source providing 10m ³ or more of water per day, or serving 50 or more people	100 metres (or as little as 30 metres where a local authority allows)
Any other water supply for human consumption	25 metres (or as little as 15 metres where a local authority allows)
Lake shoreline	20 metres
Exposed cavernous or karstified limestone features (such as swallow holes and collapse features)	15 metres
Any surface watercourse where the slope towards the watercourse exceeds 10%	10 metres
Any other surface waters	5 metres*

*The 5 metre buffer zone is increased to 10 metres for a period of two weeks preceding and two weeks following the periods when application of fertilisers to land is prohibited as set out in Schedule 4 of the Regulations (Note:- This farmer does not exceed 170 kg of nitrogen per hectare in a year in the form of animal excretion or organic fertiliser application in the form of Slurry, or Farmyard manure

The applicant must do the following:-

- not spread any fertiliser, manure or soiled water on the lands during the prohibited spreading periods. (See Desktop study).
- must keep within the overall maximum fertilisation rates for nitrogen and phosphorus (i.e., organic and chemical fertiliser combined) i.e. 170kgN/Ha.
- must have sufficient storage capacity to meet at least the minimum requirements of the **Regulations**, and all storage facilities must be kept leak-proof and structurally sound.
- must keep various records, including records of any fertilisers purchased under derogation and manures you bring onto the holding or send out of it, for each calendar year.
- Preventing direct run-off from farm roadways to waters (i.e. watercourses and dry drains) in accordance with the farm roadway specification (S.127)

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co.Limerick

Christopher Kingham & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720

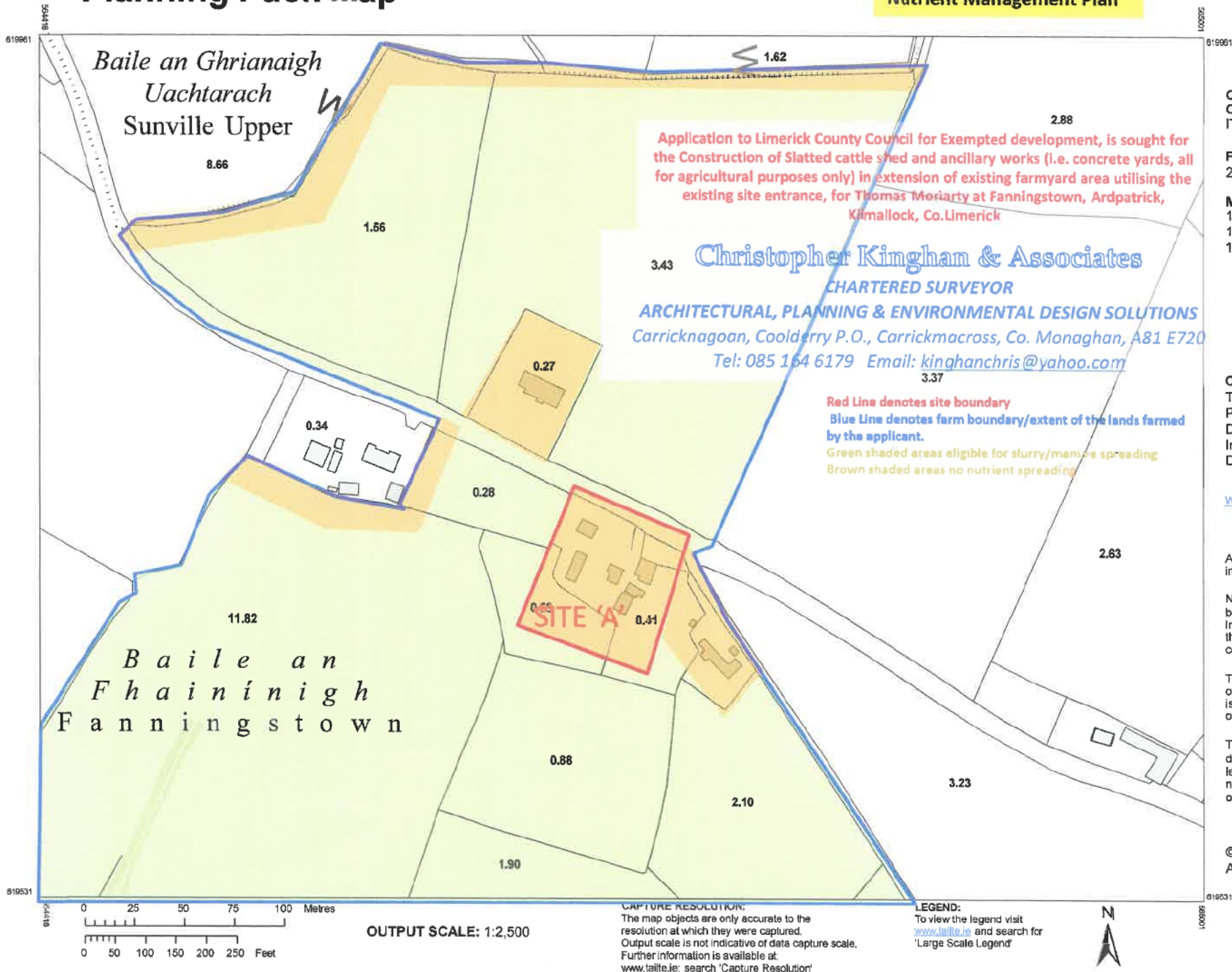
Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Planning Pack Map

Nutrient Management Plan



Tailte Éireann



CENTRE COORDINATES:
 ITM 564710,619746

PUBLISHED: 22/07/2026
ORDER NO.: 50548992_1

MAP SERIES: 1:5,000
 1:2,500
 1:2,500
MAP SHEETS: 5477
 5477-A
 5477-C

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

www.tailte.ie

Any unauthorised reproduction infringes Tailte Éireann copyright.

No part of this publication may be copied, reproduced or transmitted in any form or by any means without the prior written permission of the copyright owner.

The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

This topographic map does not show legal property boundaries, nor does it show ownership of physical features.

©Tailte Éireann, 2026.
 All rights reserved.

Site Location Map

Nutrient Management Plan



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 564710,619746

PUBLISHED: 22/07/2026
ORDER NO.: 50548992_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: CK003
6 Inch Raster CK008
6 Inch Raster CK009
6 Inch Raster LK056

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

www.tailte.ie

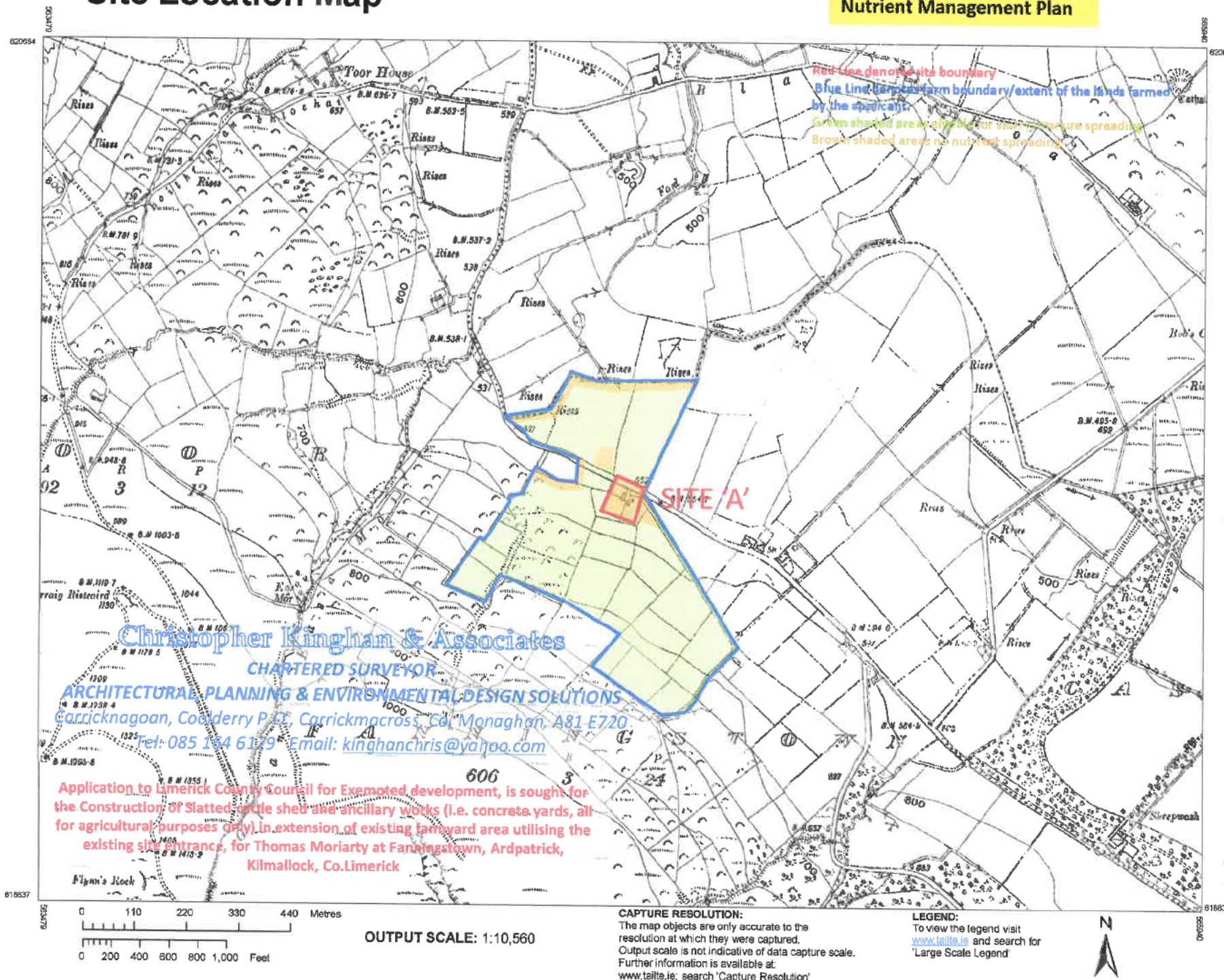
Any unauthorised reproduction
infringes Tailte Éireann copyright.

No part of this publication may
be copied, reproduced or transmitted
in any form or by any means without
the prior written permission of the
copyright owner.

The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

This topographic map
does not show
legal property boundaries,
nor does it show
ownership of physical features.

©Tailte Éireann, 2026.
All rights reserved.



Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Part 1 Desktop Study – Stage 1 - Statement of Screening for Appropriate Assessment of a nearby Natura designated site.

Part 2 of Desktop study. Organic Waste Nutrient Management Plan for the purpose of Planning Applications for Agricultural Development in accordance with the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2025-26.

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co. Limerick.

Part 1 of Desktop study.

Stage 1 - Statement of Screening for Appropriate Assessment – Summary

Section 1 INTRODUCTION

The actual Assessment commences on Page 3. The notes on Pages 1 and 2 detail the reasons and methodology of the need for this natura assessment.

With the introduction of the Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitat and of wild fauna and flora) came the obligation to establish the Natura 2000 network of Sites of Community Interest (SCIs), comprising a network of areas of highest biodiversity importance for rare and threatened habitats and species across the European Union (EU).

In Ireland, the Natura 2000 network of sites comprises Special Areas of Conservation (SACs, including candidate SACs) designated under domestic legislation transposing Directive 92/43/EEC, and Special Protection Areas (SPAs, including proposed SPAs) classified under the Birds Directive (Council Directive 2009/147/EC on the conservation of wild birds) and designated under the same domestic legislation.

SACs are designated for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are designated for the conservation of Annex I birds and other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is designated correspond to the qualifying interests of the sites; from these the conservation objectives of the site are derived.

SACs and SPAs make up the pan-European network of Natura 2000 sites. It should be noted that 'European sites' are defined in Regulation 2(1) of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended ('the 2011 Regulations') and Section 177R of the Planning and Development Act 2000, as amended ('the 2000 Act').

1.1 Appropriate Assessment

1.1.1 The Habitats Directive

A key protection mechanism in the Habitats Directive is the requirement to subject plans and projects to Appropriate Assessment (AA) in line with the requirements of Article 6(3) of the Habitats Directive, which requires that–

This desktop study is concerned only with **Stage 1 - Screening for Appropriate Assessment**: An initial or preliminary assessment of the project or plan's effect on a European site(s). If it cannot be concluded that there will be no significant effect upon a European site, then an appropriate assessment of the implications of a plan or project must be conducted.

1.2 Document Structure

Methodology and Guidance

Section 2 of the document, sets out the methodology followed and guidance documents used in conducting a screening appraisal for appropriate assessment and subsequent appraisal for appropriate assessment of the implications of the proposed development on European sites.

Proposed Development

Section 3 of the report describes the proposed development, the general methodology sequence and activities to be undertaken.

Stage 1 Screening Appraisal

Section 4 of the report contains a preliminary examination and analysis to understand whether or not the proposed development is likely to have a significant effect on any European site. This is the screening appraisal for appropriate assessment. It has been undertaken in view of best scientific knowledge, in light of the Conservation Objectives of the sites concerned and considers the proposed development

individually or in combination with other plans and projects. In accordance with EC guidance and settled case law of the CJEU, measures intended to avoid or reduce the harmful effects of the proposed development on European sites, (i.e. “mitigation measures”) or best practice measures have not been taken into account in the screening stage appraisal.

Section 2 METHODOLOGY

2.1 Published guidance on Appropriate Assessment

Appropriate Assessment Guidelines for Planning Authorities have been published by the Department of the Environment Heritage and Local Government and more recently by the Office of the Planning Regulator Practice Note (PN01) (OPR,2021). In addition to the advice available from the Department, the European Commission has published a number of documents which provide a significant body of guidance on the requirements of Appropriate Assessment.

This Stage 1 Screening Appraisal is carried out in conformity with this guidance.

2.2 Likely Significant Effect

The Commission’s 2018 Notice (EC, 2019) advises that the appropriate assessment procedure under Article 6(3) is triggered not by the certainty but by the likelihood of significant effects, arising from plans or projects regardless of their location inside or outside a protected site. Such likelihood exists if significant effects on the site cannot be excluded. The significance of effects should be determined in relation to the specific features and environmental conditions of the site concerned by the plan or project, taking particular account of the site’s conservation objectives and ecological characteristics.

The threshold for a Likely Significant Effect (“LSE”) is treated in the screening exercise as being above a de minimis level. A de minimis effect is a level of risk that is too small to be concerned with when considering ecological requirements of an Annex I habitat or a population of Annex II species present on a European site necessary to ensure their favourable conservation condition. If low level effects on habitats or individuals of species are judged to be in this order of magnitude and that judgment has been made in the absence of reasonable scientific doubt, then those effects are not considered to be LSEs.

The analysis involved in a Stage 1 screening appraisal for Appropriate Assessment is described in EC (2021) as comprising four steps:

- ascertaining whether the plan or project is directly connected with or necessary to the management of a Natura 2000 site;
- identifying the relevant elements of the plan or project and their likely impacts;
- identifying which (if any) Natura 2000 sites may be affected, considering the potential effects of the plan or project alone or in combination with other plans or projects;
- assessing whether likely significant effects on the Natura 2000 site can be ruled out, in view of the site’s conservation objectives. Case law of the Court of Justice of the European Union (CJEU) has confirmed that a significant effect is triggered when:
 - there is a probability or a risk of a plan or project having a significant effect on a European site;
 - the plan is likely to undermine the site’s conservation objectives; and
 - a significant effect cannot be excluded on the basis of objective information. EC (2021) defines a LSE as being “any effect that may reasonably be predicted as a consequence of a plan or project that would negatively and significantly affect the conservation objectives established for the habitats and species significantly present on the Natura 2000 site. This can result from either on-site or offsite activities, or through combinations with other plans or projects”. The requirement that the effect in question be ‘significant’ exists in order to lay down a de minimis or negligible threshold – thus, plans or projects that have no appreciable or imperceptible effects on the site are thereby excluded.

2.3 Mitigation Measures In determining whether or not likely significant effects will occur or can be excluded in the Stage 1 appraisal, measures intended to avoid or reduce the harmful effects of the proposed development on European sites, (i.e. “mitigation measures”) or best practice measures have not been taken into account in this screening stage appraisal. This approach is consistent with up-to-date EU guidance (EU,2019; EC,2021) and the case law of the Court of Justice of the European Union (CJEU).

EC (2001) states that “project and plan proponents are often encouraged to design mitigation measures into their proposals at the outset. However, it is important to recognise that the screening assessment should be carried out in the absence of any consideration of mitigation measures that form part of a project or plan and are designed to avoid or reduce the impact of a project or plan on a Natura 2000 site”. This direction in the European Commission’s guidance document is unambiguous in that it does not permit the inclusion of mitigation at screening stage.

In April 2018, the Court of Justice of the European Union issued a ruling in case C-323/17 *People Over Wind & Peter Sweetman v Coillte Teoranta* (“People Over Wind”) that Article 6(3) of Directive 92/43/EEC must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, **it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.**

The judgment in *People Over Wind* is further reinforced in EC (2019) and EC (2021) which refers to CJEU Case C-323/17.

Therefore, in consideration of the above, no mitigation measures will be considered in the Stage 1 screening. It is also pointed out prior to commencement of this study that there is no change in stocking rates proposed on this farm, nor any change in the amounts of animal nutrients or the nature of the animal nutrients applied on or into the land by this project.

The maps and data utilised in this Stage 1 screening appraisal are all obtained from <https://www.npws.ie/maps-and-data>

Section 3 describing the proposed development, the general methodology sequence and activities to be undertaken.

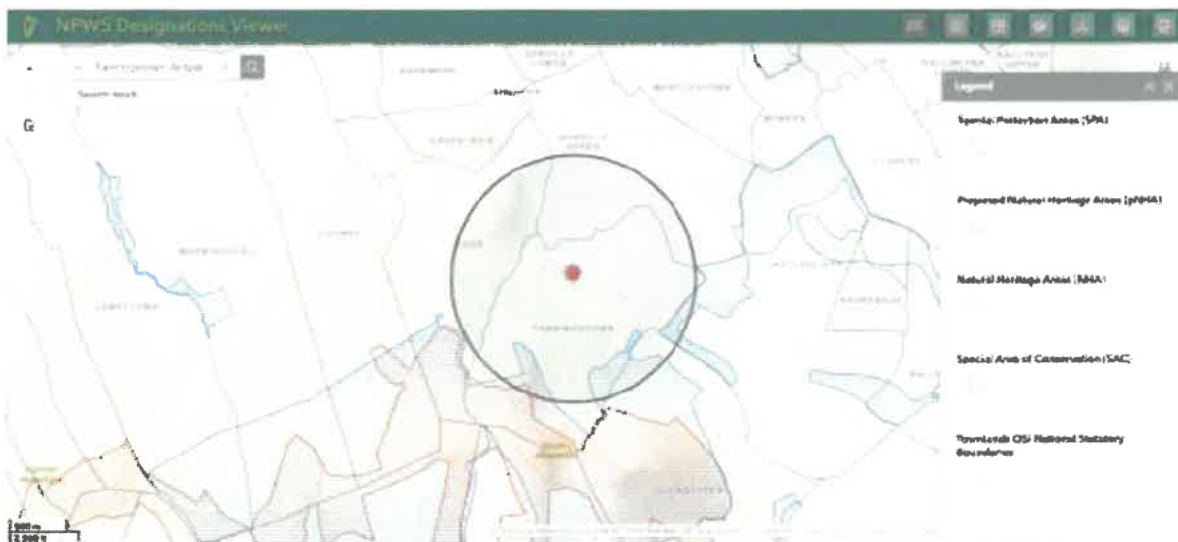
Description of proposed development (which is supported by all the planning documentation listed in the cover letter to the planning department:

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co.Limerick

Section 4. Identification of all Natura 2000 sites located on or near (1km) to the applicant site

None on farm one SAC within 1 km circle of site See map below : The proposed site is in Fanningstown , Ardpatrick townland indicated by the large red dot.

The natura study is mainly dedicated to examining SPA and SAC sites ,



The SAC is on the fringe of a kilometer from the farm approximately 975 m from the proposed building.

Ballyhoura Mountains SAC

Site Details

Site code 002036

Designation: Special Area of Conservation (SAC)

Counties Cork Limerick

Coordinates Latitude: 52.3065 Longitude: -8.52687

Qualifying Interests

Northern Atlantic wet heaths with *Erica tetralix* [4010]

European dry heaths [4030]

Blanket bogs (* if active bog) [7130]

Site Documents All the links shown below can be accessed via this link <https://www.npws.ie/protected-sites/sac/002036>

Site Documents

Download Conservation Objectives

 [CO002036.pdf](#) [3.4 MB]

Download Site Synopsis

 [SY002036.pdf](#) [128 KB]

Statutory Instrument

<https://www.irishstatutebook.ie/eli/2021/si/344/made/en/pdf>

Download Statutory Instrument Map(s)

 [MAP002036.pdf](#) [7.4 MB]

Related Publications



Title:  [Ballyhoura Mountains SAC \(002036\) Conservation objectives supporting document - Upland habitats \(Version 1\)](#)
[442 KB]
Year: 2016
Author: NPWS
Series: Published

The natura study is mainly dedicated to examinimhg SPA and SAC sites, However, as can be seen from the map above there is a pNHA within 3 km of the site. So it is sensible to examine this **PNHA Site Code: 002036 – Ballyhoura Mountains**

The basic designation for wildlife is the Natural Heritage Area (NHA). This is an area considered important for the habitats present or which holds species of plants and animals whose habitat needs protection.

To date, 75 raised bogs have been given legal protection, covering some 23,000 hectares. These raised bogs are located mainly in the midlands. A further 73 blanket bogs, covering 37,000ha, mostly in western areas are also designated as NHAs.

The Geological Survey of Ireland (GSI) is compiling a list of geological/geomorphological sites in need of protection through NHA designation. A committee of expert geologists provides an initial list of sites which then undergo a process of survey, reporting and review, to provide recommendations regarding NHA status or otherwise. The GSI has completed its list of karst (i.e. exposed limestone) and early fossil sites.

In addition, there are 630 proposed NHAs (pNHAs), which were published on a non-statutory basis in 1995, but have not since been statutorily proposed or designated. These sites are of significance for wildlife and habitats. Some of the pNHAs are tiny, such as a roosting place for rare bats. Others are large - a woodland or a lake, for example. The pNHAs cover approximately 65,000ha and designation will proceed on a phased basis over the coming years.

Prior to statutory designation, pNHAs are subject to limited protection, in the form of:

- Agri-environmental farm planning schemes such as Rural Environment Protection Scheme (REPS 3 and 4) and Agri Environmental Options Scheme (AEOS) continue to support the objective of maintaining and enhancing the

- Forest Service requirement for NPWS approval before they will pay afforestation grants on pNHA lands
- Recognition of the ecological value of pNHAs by Planning and Licencing Authorities.

The pNHA is not on this site and it is sufficient for the purpose of this study that the pNHA is named and identified and that the local Planning Authority is made aware of the pNHA



Site Code:	002036
Site Name:	Ballyphucar Mountains
County:	W
Version:	1.02
Area (H&I):	1076 468160

4

5

Site Code	002090
Site Name	Captain's Woods
County	IL
Version	1.01
Area (MI)	149.367235

Site Code	002088
Site Name	Mount Russell World
County	W
Version	1.00
Area (HA)	17.208764



Identification of all Natura 2000 sites located near (within 15 km) to the applicant site – 5 no. within 15 km circle of site 1 no. SPA and 4 no. SACs

SAC: 002170 - Blackwater River (Cork/Waterford) SAC

Zoom to

Site Code	002170
Site Name	Blackwater River (Cork/Waterford) SAC
County	Cork/Waterford
Version	1.01
Area (HA)	10058.604000

SAC: 002036 - Ballyhoura Mountains SAC

Zoom to

Site Code	002036
Site Name	Ballyhoura Mountains SAC
County	Cork
Version	1.01
Area (HA)	730.369900
Source CRS	ITM

SAC: 002037 - Carrigeenamronety Hill SAC

Zoom to

Site Code	002037
Site Name	Carrigeenamronety Hill SAC
County	Cork
Version	1.01
Area (HA)	94.753600
Source CRS	ITM

SPA: 004095 - Kilcolman Bog SPA

Zoom to

Site Code	004095
Site Name	Kilcolman Bog SPA
Version	2.01
Area (HA)	56.710900
Source CRS	Irish Grid
Source Scale	1:10560

The sites identified and not already described are a considerable distance from the site. As such it is sufficient to name and identify the sites.

The applicant farms outside all the SAC SPA areas. The farm activities pose no threat to these natura sites.

Assessment of likely effects Note: A ☒ means that the development poses no risk provided that the development is constructed in full accordance with the full Planning documentation and conditions of the Planning Permission.

Examples of effects that are likely to be significant, that have been considered by this study are:

- ☒ Any impact on an Annex I habitat
- ☒ Causing reduction in the area of the habitat or Natura 2000 site

- ☒ Causing direct or indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the Natura 2000 site
- ☒ Causing serious or ongoing disturbance to species or habitats for which the Natura 2000 site is selected (e.g. increased noise, illumination and human activity)
- ☒ Causing direct or indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site
- ☒ Interfering with mitigation measures put in place for other plans or projects

1. Screening statement with conclusions

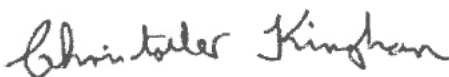
The applicant is a medium sized farmer concentrating on cattle. No intensification of animal nutrients are involved in the farming operation. As stated at the beginning of this Stage 1 assessment, no mitigation measures will be considered in the Stage 1 screening.

It has been pointed out prior to commencement of this study that there is no change in stocking rates proposed on this farm, nor any change in the amounts of animal nutrients or the nature of the animal nutrients applied on or into the land by this project.

The farm is typical to this area. It will be farmed in an environmentally responsible manner. The EU , Irish Government, The Department of Agriculture and Teagasc all encourage the need to provide better animal housing and storage of animal nutrients to protect the environment. 1st stage Screening establishes that there is no potential for significant effects and the project can proceed as proposed. However, no changes may be made after this as this will invalidate the findings of screening.

Conclusion : I recommend that the AA process ends at the Stage 1 Screening stage because my conclusion is that no significant effects are likely.

Name, address and qualifications of the person who prepared the "Statement for Screening"/"Statement for Appropriate Assessment"

Signed: 

Date 16th July 2026

Christopher Kinghan (BSc Hons) A.R.I.C.S.

Chartered Surveyor

Also, PG Dip and PG Cert in Organic farming.

Carricknagoan, Coolderry PO, Carrickmacross, Co. Monaghan.

Sources

<http://www.npws.ie/protected-sites/sac>

Part 2 of Desktop study.

General description of the farm and proposed project.

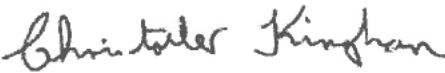
Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co. Limerick..

This Organic Waste Nutrient Management Plan has been prepared for the purpose of Planning Applications for Agricultural Development in accordance with NITRATES EXPLANATORY HANDBOOK for Good Agricultural Practice for the Protection of Waters Regulations 2022 - based upon Statutory Instrument S.I. No. 113 of 2022 [European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022] and Statutory Instrument S.I. No. 393 of 2022 [European Union (Good Agricultural Practice for Protected of Waters) (Amendment) Regulations 2022].

To be read in conjunction with the existing and proposed farmyard plans.

The main problems from agriculture are loss of excess nutrients and sediment to water with losses arising from point sources such as farmyards or diffuse sources such as spreading of fertilisers and manures on land particularly near to water courses.

The Planning Authority has a supplementary application form , so this stage of the desktop study ie Nutrient Management Plan is not applicable.

Signed: 

Date: 16th July 2026

Christopher Kinghan (BSc Hons) A.R.I.C.S.

Chartered Surveyor

Also, PG Dip and PG Cert in Organic farming.

Carricknagoan, Coolderry PO, Carrickmacross, Co. Monaghan.

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan.

A81 E720 Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Our Ref: CK/Limerick/TM Your Ref:

Limerick County Council
Planning Department
Merchants Quay
Limerick

Dear Sirs,

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co.Limerick.

Planning History Letter

In Ireland, "solely for agricultural use" exempted development is covered by Schedule 2, Part 3 – Exempted Development: Rural of the Planning & Development Regulations 2001, as amended. These are the main classes that apply only to agriculture/forestry on a farm holding: PART 3 - RURAL / AGRICULTURAL CLASSES

Separate decisions are sought for the following

Class 6 Housing of animals – Slatted shed for cattle 254 sq m maximum size allowed 300 sq m (out of a total separate allowance of 450 sq m) – Existing animal housing at present within 100 meters is 100 sq m so existing and proposed would be 354 sq m which is within the overall total allowance of 450 sq m.

Note the remaining buildings in the farmyard and within 100 m are Class 9 Storage buildings so are not applicable to this calculation.

Class 8 open loose yards, feeding aprons, and assembly yards. The individual application allowance is 200 sq m and the total allowance is 300 sq m. There is only hardcore yards at present -so not applicable. The proposed new concrete yard shaded in yellow on the farmyard plan is 19.4 m length x 8.0 m = 155.2 sq m so well within the 300 sq m total allowance.

IMPORTANT CONDITIONS FOR ALL AGRICULTURAL EXEMPTIONS

Use only: Structure must be used solely for agriculture/forestry

Setbacks: Usually $\geq 10\text{m}$ from public road, $\geq 100\text{m}$ from any house not on holding, $\leq 8\text{m}$ height near road.

Aggregate limits: Totals count all similar structures within farmyard complex or 100m.

Not exempt if: Needs EIA, Appropriate Assessment, affects protected structure/ACA.

The proposed facilities meet all the above considerations.

Other Planning history

The applicant farms all the lands shown on the Nutrient management mapping.

The applicant has no agricultural planning history.

The applicant is the owner of the lands. There are neighbouring dwellings within 100 meters of the proposed works. Two of which are owned by the applicant and the third house owned by the applicant's brother. Any neighbours within 100 meters of the proposed slatted shed have signed acknowledgement of this application and that they do not object to the development. One copy of letter is provided.

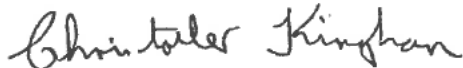
Any dwellings within 100 meters of the development have septic tanks and water supplies marked on the General information map.

The applicant is not intensively stocked. Part of the farm is currently sub-let, but this arrangement ends in the coming months and then the applicant will farm all his land. There will not be any increase in stocking rates compared to the number of animals currently on the farm as a whole. Stocking rates will be in the region of 1.2 LU/Ha . The applicant is considering joining the OFS Organic farming scheme.

This farmyard should pose no threat to the environment or the current trends towards lower stocking rates, the applicant is improving his nutrient management storage, improving herd welfare with better housing, manure storage and handling.

At all stages of the applicant's farm development, the applicants will have adequate slurry, manure and effluent storage as encouraged by Government agencies and stormwater will be kept clean and separate from contamination. There will be no intensification of farm animals.

Yours faithfully,

A handwritten signature in cursive script, reading "Christopher Kinghan".

**Christopher Kinghan B.Sc.(Hons) A.R.I.C.S.
Chartered Surveyor**

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Our Ref: CK/Offaly/PJ Your Ref:

Limerick County Council
Planning Department
Merchants Quay
Limerick

Dear Sirs,

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co.Limerick.

In connection with the above planning application we enclose the following documentation:-

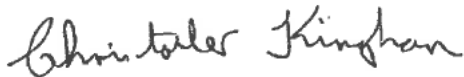
Schedule of Documentation

All 2 copies unless stated otherwise.

- Planning fee
- Application form for Confirmation of Exempted Development.
- Applicant consent form
- Neighbours within 100 meters consent form - note :two nearest dwellings are owned by the applicant .
- Letter re- Planning History & Source of water supply.
- Site Location Map Scale 1:2,500
- General information map Scale 1:2,500
- Proposed Farm/Site Layout Plan + contours and Notes Scale 1:500
- Construction Drawings for Slatted shed. Scale 1:200
- Standard specification and Safety notes
- Soakaway SUDS detail drawing Not to scale. For information purposes only.
- Desktop Study - EU Natura impact statement - Stage 1 - Statement of Screening for Appropriate Assessment of a nearby Natura designated site.
- Nutrient Management maps +Notes. For information purposes only.

We trust the above documentation is satisfactory and look forward to your favourable decision.

Yours faithfully,



Christopher Kinghan B.Sc.(Hons) A.R.I.C.S.
Chartered Surveyor



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:

**Thomas Moriarty
c/o Chris Kinghan,
Carricknagoan,
Coolderry P.O.,
Carrickmacross,
Co. Monaghan.
A81 E720**

EC/144/26

31 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/2026/1096

File Ref No. EC/144/26

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

RE: **Construction of slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance at Fanningstown, Ardpatrick, Kilmallock, 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 Una Walsh, Student Planner dated 14/08/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Thomas Moriarty, c/o Chris Kinghan, Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan to state that the works as described above is

Development and is Exempt Development.

Signed B. Henn

SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date 31/08/2026



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

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

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

t: 061 556 000

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/144/26

Name and Address of Applicant: Thomas Moriarty, Fanningstown, Ardpatrik, Kilmallock, Co. Limerick

Agent: Chris Kinghan, Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan

Whether the construction of slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance at Fanningstown, Ardpatrik, Kilmallock, 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 10th day of August 2026.

AND WHEREAS the Planning Authority has concluded that the construction of slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance at Fanningstown, Ardpatrik, Kilmallock, Co. Limerick **DOES** come within the scope of exempted development under Class 6 and Class 8 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: 31.8.2026

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.



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

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

File Reference number	EC-144 -26
Applicant	Thomas Moriarty
Location	Fanningstown, Ardpatrick, Kilmallock, Co. Limerick

1.0 Description of Site and Surroundings:

The site is located in the townland of Fanningstown which is approximately 1.6km from Ardpatrick Village and 4.8km from Kilfinane Town, with access via regional road R512. There is an agricultural landholding and farmyard complex with other ancillary buildings including storage buildings, workshop, cattle shed and machinery shed. Two adjacent dwellings also owned by the applicant.

2.0 Proposal:

This is an application requesting a declaration under Section 5 of the Planning and Development Act 2000 (as amended) as to whether the proposed development is or is not development and is or is not exempted development:

The proposed development comprises of the construction of a slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance.

The proposal should be considered under Class 6, and Class 8 of Part 3 of Schedule 2 of the Planning and Development Act (as amended).

This Section 5 declaration includes the following:

- Application Form
- Applicant Consent Form
- Copy receipt of Application Fee
- Cover letter
- Construction Drawings for Slatted Shed
- Desktop Study – EU Natura Impact Statement Stage1 – Statement of Screening
- Elevations and floor plans, existing and proposed
- General Information Map
- Letter re. Planning history and source of water supply
- Neighbours within 100 metres consent form
- Nutrient Management Maps
- Photographs of existing side extension
- Planning Fee
- Proposed Farm/Site Layout Plan and contours
- Site Location Map
- Soakway SUDS Detail Drawing
- Structural Engineers Report

3.0 Planning History:

Subject site:

N/A

Adjacent:

06/3446 – Conditional Permission - Construction of two storey dwelling house complete with wastewater treatment system, polishing filter, boundary wall, entrance and garage

06/140 – Withdrawn - Construction of domestic garage and machinery shed

03/1441 – Conditional Permission - Construction of bungalow with entrance, wastewater treatment system and percolation area.

3.1 Enforcement History

N/A

4.0 Relevant An Coimisiún Pleanála referrals

N/A

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).

The proposed development comprises of the construction of a slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance. There is an agricultural landholding and farmyard

complex with other ancillary buildings including storage buildings, workshop, cattle shed and machinery shed. Accordingly, the proposed development should be assessed under Class 6 and Class 8 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

5.1 Is the proposal development?

‘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 cattle shed and all ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance constitutes “works” and development.

6.0 Is the proposal exempted development?

The proposal, the construction of slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard, considered against Class 6 and Class 8 of Part 3, Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Class 6:

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 300 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

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

The proposed development which includes the construction of a slatted cattle shed and ancillary works (i.e. concrete yards) all are to be used for agricultural purposes only, as stated on the application form.

2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 450 square metres gross floor space in aggregate.

The total floor area of the proposed slatted cattle shed is 254 sq.m. The existing animal housing situated within the same farmyard complex or within 100 metres has a floor area of approximately 100 sq.m. The applicant states that the remaining buildings within the farmyard complex and within 100 metres comprise Class 9 storage buildings and are therefore excluded from the aggregate floor area calculation under Class 6. On the basis of the information submitted, the aggregate floor

area of Class 6 structures is approximately 354 sq.m., which does not exceed the 450 sq.m. limitation. Accordingly, this condition is complied with.

3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

All works and materials are stated to conform with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements. It is stated on the letter submitted regarding planning history that the applicant will have adequate slurry, manure and effluent storage as encouraged by Government agencies and stormwaters will be kept clean and separate from contamination. There will be no intensification of farm animals.

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

The structure and any effluent storage are shown no less than 55 metres away from a public road.

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

The proposed structure does not exceed 7.0m in height.

6. 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 nearest dwelling not in the ownership of the applicant is located approximately 104 metres from the proposed structure. Accordingly, the proposed development appears to comply with this condition.

7. 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 proposed to be constructed within Flood Zone A or B.

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

The structure is not within 60 metres of a public or private water source.

9. 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 is not situated less than 50 metres from a water course or water body.

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

The submitted documentation confirms that the structure will have a painted clad finish. All cladding material will be in compliance with S102 Minimum Standards for roof and side cladding as per Department of Agriculture, Food and Marine Building specifications.

11. 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.

12. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.

It is stated on the drawings that all building work shall be carried out in accordance with all relevant Department of Agriculture, Food and Marine Building Specifications.

Class 8

Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.

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

The proposed open loose yards, feeding aprons and assembly sheds, would be used solely for agricultural purposes only, as stated on the application form.

2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.

The proposed new concrete yard, shaded in yellow on the submitted farmyard plan, has a floor space of 19.4m x 8.0m which is a total of 155.2m². It does not exceed 300 square metres gross floor space in aggregate. Other ancillary farm buildings include a storage shed (G) with a floor area of 99 sqm, storage shed (F) with a floor area of 54 sqm, storage shed (E) with a floor area of 81 sqm, a workshop (C/D) with a floor area of 80 sqm, and a machinery shed with a floor area of 105sqm. However, none of these buildings appear to constitute Class 8 structures for the purpose of calculating the aggregate floor area under Class 8.

3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

The proposed slatted tank will provide ancillary effluent storage to serve the proposed structure. Based on the information submitted, it is indicated that the proposed development will be constructed in accordance with Department of Agriculture, Food and Marine requirements and shall have regard to the need to avoid water pollution.

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

The proposed structures are more than 10 metres away from the public road.

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

The structures are proposed underground. No height limits exceeded.

6. 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 nearest dwelling not in the ownership of the applicant is located approximately 104 metres from the proposed structure. Accordingly, the proposed development appears to comply with this condition

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

The structures are proposed underground. This condition is not applicable.

7.0 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).

Article 9(1) Development to which article 6 relates shall not be exempted development for the purposes of the Act— (a) if the carrying out of such development would—	N/A
--	-----

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,	N/A
(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,	N/A
(iii) endanger public safety by reason of traffic hazard or obstruction of road users,	N/A
(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,	N/A
(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,	N/A
(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,	N/A
(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the	N/A

development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,	
(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,	N/A
(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,	N/A
(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,	
(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.	N/A

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,	N/A
(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,	N/A
(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,	N/A
(xi) obstruct any public right of way,	N/A
(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area,	N/A
(b) in an area to which a special amenity area order relates, if such development would be development:—	N/A

(i) of class 1, 3, 11, 16, 21, 22, 27, 28, 29, 31, (other than paragraph (a) thereof), 33 (c) (including the laying out and use of land for golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), 39, 44 or 50(a) specified in column 1 of Part 1 of Schedule 2, or	N/A
(ii) consisting of the use of a structure or other land for the exhibition of advertisements of class 1, 4, 6, 11, 16 or 17 specified in column 1 of Part 2 of the said Schedule or the erection of an advertisement structure for the exhibition of any advertisement of any of the said classes, or	N/A
(iii) of class 3, 5, 6, 7, 8, 9, 10, 11, 12 or 13 specified in column 1 of Part 3 of the said Schedule, or	N/A
(iv) of any class of Parts 1, 2 or 3 of Schedule 2 not referred to in subparagraphs (i), (ii) and (iii) where it is stated in the order made under section 202 of the Act that such development shall be prevented or limited,	N/A
(c) if it is development to which Part 10 applies, unless the development is required by or under any statutory provision (other than the Act or these Regulations) to comply with procedures for the purpose of giving effect to the Council Directive,	N/A
(d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.	N/A
Article 9(2) Sub-article (1)(a)(vi) shall not apply where the development consists of the construction by any electricity undertaking of an overhead line or cable not exceeding 100 metres in length for the purpose of conducting electricity from a distribution or transmission line to any premises.	N/A
Article 9 (3) For the avoidance of doubt, sub-article (1)(a)(vii) shall not apply to any operation or activity in respect of which a Minister of the Government has granted consent or	N/A

approval in accordance with the requirements of regulation 31 of the Habitats Regulations 1997, and where regulation 31(5) does not apply.	

8.0 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 not 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.

9.0 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.

10. Conclusion/Recommendation

The proposal comprises the construction of a slatted cattle shed and ancillary works, including a concrete yard, in extension of an existing farmyard and utilising the existing site entrance. The proposal constitutes development within the meaning of Sections 2 and 3 of the Planning and Development Act 2000 (as amended).

Regard has been had to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act 2000 (as amended);
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended);
- (c) Class 6 and Class 8 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended); and
- (d) the plans and particulars submitted with the application received on 10 August 2026.

It is considered that the proposed slatted cattle shed complies with the relevant conditions and limitations of Class 6 and that the proposed concrete yard complies with the relevant conditions and limitations of Class 8. The proposed development is not restricted by Article 9 of the Planning and Development Regulations 2001 (as amended).

It is therefore considered that the proposed construction of a slatted cattle shed and ancillary works constitutes development and constitutes exempted development under Class 6 and Class 8 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

Student Planner	Una Walsh	Date: 14/08/2026
------------------------	------------------	-----------------------------------

Signature:		
Senior Executive Planner	Barry Henn	Date:
Signature		28/08/2026

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
File Reference No:	EC-144-26
Brief description of the project or plan:	Description of Site and Surroundings: The site is located in the townland of Fanningstown which is approximately 1.6km from Ardpark Village and 4.8km from Kilfinane Town, with access via regional road R512. There is an agricultural landholding and farmyard complex with other ancillary buildings including storage buildings, workshop, cattle shed and machinery shed. Two adjacent dwellings also owned by the applicant.
Brief description of site characteristics:	The proposed development comprises of the construction of a slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance.
Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
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
002036-Ballyhoura Mountains SAC	https://www.npws.ie/protected-sites/sac/002036	Approx. 1.1km	None	N
002037-Carrigeenamoney Hill SAC	https://www.npws.ie/protected-sites/sac/002037	Approx. 6.2km	None	N
0022170 - Blackwater River (Cork/Waterford) SAC	https://www.npws.ie/protected-sites/sac/002170	Approx 10.4km	None	N

004095 – Kilcolman Bog SPA	https://www.npws.ie/protected-sites/spa/004095	Approx 10.4km	None	N

STEP 3: Assessment of Likely Significant Effects	
Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials Access to site Pests	None. No direct encroachment or hydrological connection.
Operation phase e.g. Direct emission to air and water Surface water runoff containing contaminant or sediment Lighting disturbance Noise/vibration Changes to water/groundwater due to drainage or abstraction Presence of people, vehicles and activities Physical presence of structures (e.g collision risk) Potential for accidents or incidents	None. No direct encroachment or hydrological connection.
In-combination/Other	n/a

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

Changes in key indicators of conservation status value (water or air quality etc) Changes to areas of sensitivity or threats to QI Interference with the key relationships that define the structure or ecological function of the site	
--	--

(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		
On the basis of the information submitted, which is considered adequate to undertake a screening determination and having regard to: the nature and scale of the proposed development, the intervening land uses and distance from European sites, the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.		
Conclusion: An appropriate assessment is not required.		
	Tick as appropriate:	Recommendation:
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.
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

Significant effects are likely	☐	☐ Request NIS ☐ Refuse planning permission
Signature and Date of Recommending Officer:	 14/08/2026	
Signature and Date of the Decision Maker:	 28/08/2026	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-144-26
Development Summary:	The proposed development comprises of the construction of a slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance.
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
☒ 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)	
☒ No. the development is not a project listed in Schedule 5, Part 2	No Screening required
☐ Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _[specify class & threshold here]_	EIA is mandatory No Screening required

<i>sub-</i> Yes the project is of a type listed but is <i>threshold:</i> [insert here] _	Proceed to Part C
c. If Yes, has Schedule 7A information/screening report been submitted?	
Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Signature and Date of Recommending Officer:	 _____ 14/08/2026
Signature and Date of the Decision Maker:	 _____ 28/08/2026

Site (Farmyard) Plan

Scale 1:500

**ALL DRAWINGS MUST BE READ
IN ACCORDANCE
WITH SAFETY NOTES AND
SPECIFICATION**

Public road
Schedule of existing buildings

G Storage building 99 sq m
F Storage 54 sq m
E Storage 81 sq m
C/D workshop 80 sq m
B Cattle shed with crush 100sq m
A Machinery shed 105 sq m

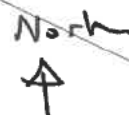
SITE 'A'

Contour line +167.0 m

Proposed animal housing 254 sq m

Total animal housing existing and proposed is 354 sq m within the overall allowance of 450 sq m for Class 6 animal housing.

Existing farm entrance



Public road

Contour line +172.0 m
adjusted to +0.0 m

Contour line +174.0 m

Note: Point A
is 2.5 m from footed road
area and 2.5 m from foot rail of shed

Slatted tank agitated from inside and one
with assisted agitation

**Ancillary Concrete
shaded yellow
8.0 m x 19.4 m
155.2 sq m FFL +0.0 m**

**Slatted Shed
254 sq m
FFL +0.15 m**

**SUDS drainage trenches
450 mm width 1.0 m depth
overall length 28.0 m**

**One of 2 no. Dwellings
and Garage
owned by applicant**

**All proposed works
in green box**

Embankment shaded, the proposed
shed is cut into the slope of the field.

Christopher Kinghan & Associates
CHARTERED SURVEYOR
ARCHITECTURAL, PLANNING &
ENVIRONMENTAL DESIGN SOLUTIONS
Carricknagoan, Coolderry P.O.,
Carrickmacross, Co. Monaghan. A81 E720
Tel: 085 164 6179
Email: kinghanchris@yahoo.com

Application to Limerick County Council for
Exempted development, is sought for the
Construction of Slatted cattle shed and
ancillary works (i.e. concrete yards, all for
agricultural purposes only) in extension of
existing farmyard area utilising the existing
site entrance, for Thomas Moriarty at
Fanningstown, Ardpatrick, Kilmallock,
Co.Limerick.

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrik, Kilmallock, Co.Limerick.

SITE (FARMYARD) LAYOUT PLAN NOTES

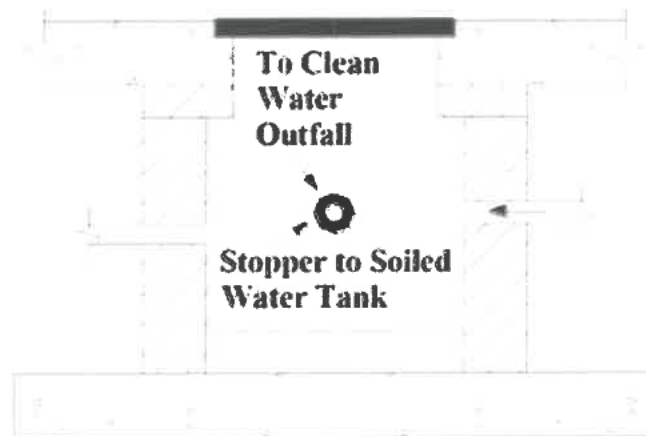
Please read in conjunction with desktop study and Site (farmyard) layout plan drawing scale 1:500.
Note if animal housing does not form part of the application then effluent management may not be applicable (unless there is an existing farmyard).

- 1) **SETTING OUT - Point A *** is an exact fixed point on the drawing from which all proposed buildings can be set out
- 2) Full surface water and effluent drainage facilities are to be provided throughout the farm yard in accordance with **Department of Agriculture Specification S129 Farmyard drainage, concrete yards and roads.**
- 3) All uncontaminated surface waters from all existing and proposed buildings, roofs and yards shall be separately collected, kept clean and piped directly by an impermeable system to soakaways or to the land drains system as indicated on the Site Layout Plan drawing. Uncontaminated drainage is signified on the drawing by a broken/dotted blue line.

All Concrete yards shaded in yellow and/or hardcore yards shaded in grey on the Site (Farmyard) Layout plan are clean yard areas, no soiled water and are to be laid to falls and cross falls and drained by stormwater drainage to SUDS soakaway. Blue dashed lines denote storm water (clean) drainage.

The drainage is constructed to S.129 Minimum Specifications for Farmyard Drainage, Concrete Yards and Roads - January 2016. There will be inspection chambers at all changes in direction, junctions and at maximum distances of 90 meters. Drains at the point of exit from the yard, at the point where it leaves the yard to allow the drainage water to be monitored for contamination.

Such manholes shall be constructed with a facility to close-off the outlet if required and a sump at least 300mm deep to allow the insertion of a submersible pump to facilitate evacuation should accidental spillage of oil, toxic sprays etc. gain access to the clean water yard drainage system.



- 4) **Where applicable**, Contaminated surface water i.e. soiled yard water, and all other effluents including silage effluents **shall not be** allowed to enter drains or waterways. Such effluents shall be directed to slatted tanks or effluent holding tanks. In instances where silage effluent is to be stored, the concrete specification for the holding tank needs to be upgraded accordingly. Contaminated drainage is signified on the drawing by a broken/dotted red line.
- 5) **Where applicable**, All effluent/slurry holding tanks shall be constructed so that groundwater is prevented from entering said tanks. There is to be manholes positioned at any pipe junctions or changes in direction of foul drainage as heretofore described.
- 6) **The farm roadway** from the entrance to the farmyard will be unpaved to DAFM Specification S.199 March 2024 It will be 3.5 m width for its entire length. In accordance with the latest revised S.199 specification for all new farm roadways, a fence on both sides of the roadway shall be erected, where animals are grazing adjacent to the roadway. An electric fence will suffice in this instance.
- 7) All material waste generated during construction, including any waste waters, shall be recovered and disposed of properly in accordance with the Waste Management Acts 1996-2008. With the exception of excavated material from the site which can be re-used within the applicant's farm boundary.
- 8) Main plan dimensions (for validation purposes) are shown for all new buildings.
- 9) The Site boundary is depicted by a solid red line - it is a notional boundary/ not a legal boundary for planning purposes only.
- 10) The position of the site notice is shown on plan, as the site is a considerable distance from the public road an additional notice is located on the public road accordingly.
- 11) It is not intended to screen existing farmyards with hedging.

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan.

A81 E720 Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co.Limerick.

SPECIFICATION & HEALTH AND SAFETY PLAN

TO BE READ IN CONJUNCTION WITH ALL PLANNING AND CONSTRUCTION DRAWINGS

SPECIFICATION

For grant aided work it is an important condition of the grant that the buildings are exactly in the position and the size set out in the drawings associated with the planning application or exemption. Failing to meet this condition jeopardises all the grant monies. Note: All materials used in the construction of buildings to this specification shall be sourced as new.

A simplified sketch can be provided to the builder showing the critical dimensions for setting out the project on request from the Architect. ALL PROPOSED BUILDINGS MUST BE CONSTRUCTED EXACTLY IN THE POSITION AGREED BY THE GRANT OF PLANNING PERMISSION

Farm buildings can be dangerous and specialist work – all builders need to have a full understanding of the Department of Agriculture's specifications.

All elements of construction work to comply with the conditions set out in the Planning Permission or Exemption Notice, Irish Building regulations and the current DEPARTMENT OF AGRICULTURE AND FOOD specifications (compliance with these detailed specifications takes precedence over the drawings) as follows:-

Dept of Agriculture Farm Building and Structures Specifications

- Health and Safety Guide for Construction Works (pdf 398Kb)
- Listing of dates of when specifications were updated - 30 November 2018 (pdf 133Kb)

Specifications

S100 Concrete Specification - October 2015 (doc 99Kb)

S101 Minimum Specifications for the structure of Agricultural Buildings - July 2016 (doc 2,188Kb)

S101A Non-Load Bearing Wall Panels for use in Cattle and Sheep Houses - May 2019 (doc 41Kb)

S101D Accepted Safety Grids for Under Translucent Sheets - January 2017 (doc 1,027Kb)

S102 Minimum Standards for Roof Cladding and Side Cladding - August 2018 (doc 137Kb)

S123 – Minimum specification for Bovine livestock units and tanks.

S127 - Minimum Specification for Gravel Roads and Access Roads to Mountain and Hill Pastures - Oct 08 (doc 16Kb)

S129 Minimum Specifications for Farmyard Drainage, Concrete Yards and Roads - January 2016 (doc 118Kb)

S135 Screening Belts and Shelter Belts for Farmyards and Farmbuildings - November 2008 (doc 39Kb)

S137 Cattle Crush, Race and Enclosure - May 2018 (doc 667Kb)

S147 Calving Pens, Separation Pens, and Isolation Boxes - May 2018 (doc 62Kb)

S148 Farm Fencing - August 2019 (doc 196Kb)

S148A Accepted Fencing Posts - January 2019 (doc 69Kb)

And all other relevant standard specifications from the same source.

Note: These specifications are flexible in that they set out various methods of construction. They are the minimum standard acceptable for grant aided works. Where there is a conflict with the drawings the standards set out in these specifications super-cedes the drawings. Construction details in the working drawings are only suggested methods of construction. Provided the contractor has the agreement of the client and Architect, does not change outer appearance of a building/ or the external dimensions, the Contractor is free to choose any construction method that complies with Dept. of Agriculture standards.

Construction details in the working drawings are only suggested methods of construction. Provided the contractor has the agreement of the client and Architect, does not change outer appearance of a building/ or the external dimensions, upon which the Planning permission is based, and the critical internal dimensions upon which the grant aid is based, then the Contractor is free to choose any construction method that complies with Dept. of Agriculture standards.

But, if there is any doubt as to eligibility of any change it is the contractor's responsibility to check with the Dept. of Agriculture and approve the change as otherwise the Dept. may impose financial penalties on the client/employer.

**The specifications are all available online and copies can also be obtained from the Architect.
If explanation or clarification is required on any matter you are welcome to contact the Architect at any time.**

Checking Ground conditions

Prior to making the grant application, or commencing construction if there is no grant, it is the farmer/ building contractor's responsibility to ascertain ground conditions in the vicinity of the proposed building or tank i.e. dig 2 no. trial holes (outside but in the vicinity of the footprint of the works) at a minimum depth of 3.0m and check the is no bed rock. It is extremely difficult to alter the design once work has commenced and excavating in rock is often NOT financially justifiable.

These trial holes should be fenced off, stepped in construction to enable anyone who falls in to climb out and left open for 48 hours to ascertain the water table – It may be necessary to agree a method of keeping the excavations free of water whilst constructing the works.

DESIGN OF TANKS

General Design

A minimum of 16, 18, 20 or 22 weeks storage shall be provided in all new and converted structures in line with the requirements of S.I. 788 of 2005 European Communities (Good Agricultural Practice for Protection of Waters) Regulations and any subsequent amendments to the regulations. However, where the Local Authority has specified a higher winter storage period, then this must be complied with.

General note for Buildings over slatted tanks (where applicable)

Walls shall not be built directly onto slats under any circumstances. As walls are not mandatory in most houses steel barriers may instead be installed across the gable end of a building, with or without steel cladding. Prefabricated concrete wall panels may also be installed (Clause B9.2 in S.101), positioned at least 10mm above the top of the slats. If it is decided to install a blockwork or mass-concrete gable wall, then it shall be positioned on a supporting beam. This beam may either be prefabricated, or constructed on site and shall have at least 150 mm support at each end. If it is decided to extend the slats under the beam, there shall be a gap of at least 10mm between the beam and the top of the slats. In all circumstances there shall be sufficient space outside the house to install a 1.2m wide slab or manhole slat on the walls of the extended tank.

Where a wall is erected on a tank wall, the tank wall shall be wide enough to carry the full width of wall and provide a full slat bearing of 150mm. Where walls are 200mm, 350mm (min.) tank walls are necessary.

SAFETY AND HEALTH PLAN

FOR SAFETY DURING CONSTRUCTION

Also refer to Dept. of Agriculture Health and Safety

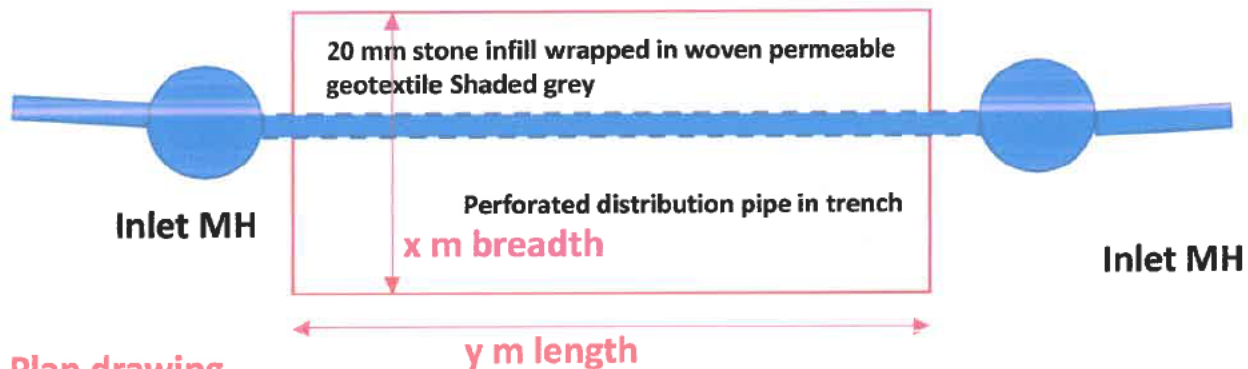
Guide including Form AF1

This document is not part of the planning documentation but is prepared and given to the client at the time of planning submission. It is available to the planning Authority on request.

NOTE: The ESB will be notified to move any of their installations which /if they impact on this development following grant of planning permission (usually within 10 metres of the development).

SUDS Soakaway trench design Schematic only.

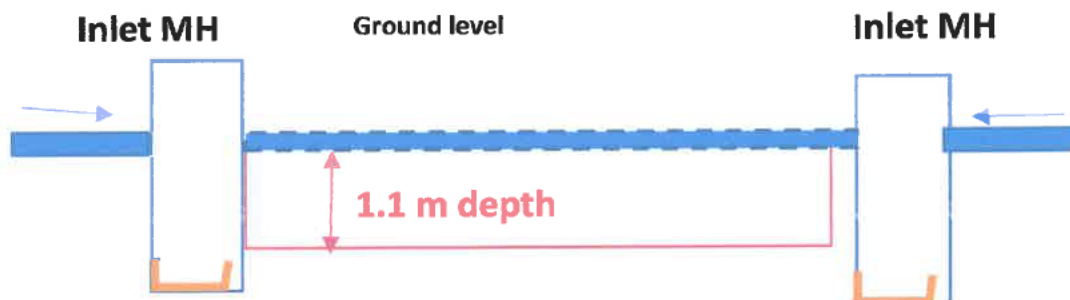
Not to scale.



Plan drawing

length breadth depth dimension determined in calculations.

20 mm stone infill wrapped in woven permeable geotextile Shaded grey



Construct 1.2 m diameter inlet chambers as Silt trap ie. 0.3 m below bottom of trench . Removable collection pans for silt to each side of the trench

Section drawing

Christopher Kinghan & Associates

CHARTERED SURVEYOR

ARCHITECTURAL, PLANNING & ENVIRONMENTAL DESIGN SOLUTIONS

Carricknagoan, Coolderry P.O., Carrickmacross, Co. Monaghan, A81 E720.

Tel: 085 164 6179 Email: kinghanchris@yahoo.com

Application to Limerick County Council for Exempted development, is sought for the Construction of Slatted cattle shed and ancillary works (i.e. concrete yards, all for agricultural purposes only) in extension of existing farmyard area utilising the existing site entrance, for Thomas Moriarty at Fanningstown, Ardpatrick, Kilmallock, Co.Limerick .