



An
Coimisiún
Pleanála

Inspector's Report PL-501408-LK-26

Development	Retention of hay shed, machinery shed and hardcore area. Construction of 2 agricultural sheds and associated site works
Location	Greenhills , Crecora , Co. Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2561073
Applicant(s)	Sean O'Donovan
Type of Application	Retention
Planning Authority Decision	Grant Retention with Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Anne and Michael Leech
Observer(s)	None
Date of Site Inspection	16 TH July 2026
Inspector	Bernadette Quinn

1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.280ha is located in the townland of Greenhills, Crecora, Co. Limerick. There is an existing farmyard at the appeal site which contains a number of agricultural sheds and hardstanding area. There is a single storey residential property to the east of the farmyard.

2.0 Proposed Development

- 2.1. The proposed development is for the retention of a hay shed with a floor area of 105 sq.m. and an open machinery shed with a floor area of 165 sq.m. and a hardcore area measuring 489 sq.m. along with all ancillary site works.

3.0 Planning Authority Decision

3.1. Decision

On 30th April 2026 Limerick City and County Council (LCCC) issued notification of the decision to grant permission subject to conditions.

3.1.1. Conditions

Conditions 2 and 3 relate to the accommodation of surface water run-off within the site. Condition 4 relates to farm management.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report dated 12th December 2025 can be summarised as follows:

- There is an open enforcement case on the lands, this application has been submitted to regularise the development.
- Given the agricultural character of the surrounding area and the presence of similar farmyard structures, there are no concerns regarding the visual impact of the proposed development.

- I note the site layout plan for an agricultural unit previously granted under planning reference 18/193.
- In relation to a third-party submission that the slatted shed is not located in accordance with planning reference 18/193, having reviewed aerial photography, carried out a site inspection, and confirmed details with the enforcement officer, it is considered that the shed is positioned correctly or within a minimal variance from the approved location. Any minor deviation is not considered significant.
- The previous grant of permission has established a precedent for agricultural development along this boundary.
- The proposal will not give rise to any significant concerns, given that the receiving environment is predominantly agricultural in character.
- Surface water will be managed on-site via an existing soakaway. In the context of the proposed development, it is considered appropriate for the applicant to demonstrate the capacity of this soakaway
- Further information is required in relation to surface water management/capacity and the submission of a Farmyard Management Plan.

Following a request for further information the Planning Officer's report dated 30th April 2026 can be summarised as follows:

- Surface water proposals are considered adequate.
- The applicant has demonstrated a need for the proposed development by virtue of the Farm Management Plan which is considered acceptable by the Environment and Climate Action Department.

3.2.2. Other Technical Reports

Environment and Climate Action: Following a request for further information in relation to the submission of a Farmyard Management Plan, no objection subject to conditions.

3.3. Prescribed Bodies

None on file

3.4. Third Party Observations

Two submissions were received details of which are summarised in the planning officer's report.

4.0 Planning History

18/193: Permission granted for a slatted agricultural livestock unit and all associated site works

5.0 Policy Context

5.1 Development Plan

The Limerick Development Plan 2022-2028 (CDP) is the relevant statutory plan for the area. The following sections are considered relevant to the appeal:

- Objective IN O12 Surface Water and SuDS
- 5.8.16 Agriculture states that the Planning Authority will support and facilitate agricultural developments and improvements, subject to consideration of the proposal's likely impact on the character and amenity of the surrounding area
- Objective ECON O36 Agricultural Developments states that it is an objective of the Council to favourably consider proposals for agricultural development where: a) They are appropriate in nature and scale to the area in which they are located; b) The proposal is necessary for the efficient use of the agricultural holding or enterprise; c) The development is not visually intrusive in the local landscape and, where the proposal is for a new building(s) and there are no suitable redundant buildings, the proposal is sited adjacent to existing buildings; d) The proposal demonstrates that it has taken into account traffic, environmental and amenity considerations and is in accordance with the policies, requirements and guidance contained in this Plan.
- Section 11.6.8 refers to Agricultural Buildings, Re-use of Redundant Farm Buildings, Farm Diversification

5.4 Natural Heritage Designations

Tory Hill SAC (Site Code: 000439) is located approximately 5km south of the site and the Lower River Shannon SAC (Site Code: 002165) is located approximately 10km west of the site.

6.0 EIA Screening

The development proposed to be retained is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended.

7.0 The Appeal

7.1. Grounds of Appeal

One no. third party appeal has been received from Anne and Michael Leech. The grounds of appeal can be summarised as follows:

- The location of the hay shed on the boundary with the neighbouring farm is causing flooding to that farm.
- Soakage pits located on higher ground are resulting in surface water flowing into the neighbouring farm.
- Maps supplied do not show buildings or an entrance on the neighbouring farm.
- Development permitted under permission 18/193 was not built in the location detailed on maps provided and there is an enforcement in relation to the site.
- The distances specified for slatted sheds to houses in the vicinity was not adhered to, the distance is 45m and not 100m as specified in regulations and permission was not sought from the neighbour.
- Work continued on site following an enforcement warning letter.
- Surface water from the hay shed was discharging to the public road.

- The development will further exacerbate flooding on the neighbouring farm and its proximity will devalue neighbouring property.
- Correspondence to the planning authority is attached including correspondence outlining omissions relating to planning permission 18/193 and 25/61073, a copy of the submission to the planning authority relating to 25/6103 and correspondence relating to drainage.
- Photographs are attached to support the grounds of appeal.

7.2. Applicant Response

No response received.

7.3. Planning Authority Response

None received.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issue in this appeal are as follows:

- Impact on Neighbouring Property
- Surface Water
- Other Matters

8.2. Impact on Neighbouring Property

8.2.1. The appeal raises concerns that the shed for which retention permission is sought will negatively impact on the neighbouring farm including as a result of the proximity of the shed to the site boundary and impacts from surface water runoff and flooding, and that impacts will result in devaluing the neighbouring property.

- 8.2.2. The hay shed is located between 2.7m and 3.5m from the eastern site boundary and has a floor area of 105 sq.m., an eaves height of 5m and a maximum ridge height of 6.65m and is finished in concrete and corrugated metal cladding. The machinery shed is located 1.6m from the western site boundary adjoining the applicants dwelling, has a floor area of 165 sq.m. and has a ridge height of 5.9m. A hardcore area to store silage bales is located to the north of the hay shed adjacent to the eastern site boundary.
- 8.2.3. The appeal outlines concerns that the separation distance from the shed to an old neighbouring houses does not comply with separation distances required of 100m. It is not clear from the appeal which regulations are being referred to. I note that Section 11.6.8 of the Development Plan relates to agricultural buildings and includes that buildings should be located a minimum of 100m from the nearest dwelling other than the applicant's/landowner's dwelling. The appeal refers to an old farmhouse located approx. 45 meters away on the neighbour's farm. The site layout plan indicates a disused house and hayshed on the adjoining lands to the east. I note that under permission reference 18/193 on the site permission was granted for a slatted agricultural shed to the north of the hay shed to be retained at a similar distance from the eastern site boundary. I also note the PA did not raise concerns in relation to the proximity to neighbouring property.
- 8.2.4. I note the concerns raised in relation to the proximity of the shed to the eastern site boundary with the neighbouring farm which is between 2.7m and 3.5m. This boundary comprises mature trees and hedgerows and having regard to the planning history of the site, to the nature and scale of the development for which retention permission is sought and its location within an existing operational farmyard I consider the separation distance provided is acceptable.

8.3. Surface Water

- 8.3.1. Concerns are raised in the appeal in relation to surface water disposal from the site to the public road and adjoining property. In assessing the application, the PA requested further information in relation to surface water management and capacity and provision of a detailed Farm Management Plan.
- 8.3.2. In response to the further information request the applicant submitted design calculations for the soakaway proposed to serve the development to be retained. A

detailed Farm Management Plan was also submitted and the PA was satisfied that the proposal was acceptable subject to conditions relating to the accommodation of surface water run-off within the site and storage of farm effluent.

- 8.3.3. Having reviewed the application and appeal and having inspected the site I am satisfied that the proposal is acceptable with regard to surface water drainage and farm management including effluent storage. I note condition 2 and 3 attached to the PA's notification to grant permission relate to the disposal of surface water and condition 4 relates to farm management including slurry storage. If the Commission decides to grant permission, I recommend the inclusion of standard surface water conditions requiring the disposal of surface water on site and standard conditions relating to farm management.

8.4. Other Matters

- 8.4.1. The appeal raises concerns relating to the enforcement history on the site and that development permitted under permission reference 18193 is not constructed in accordance with permission. I note that the Planning Officers report states that there is an open enforcement case on the lands and that the application has been submitted to regularise the development. I consider that matters relating to compliance with permission or enforcement are matters for the Planning Authority and are not relevant in the consideration of this appeal.
- 8.4.2. In relation to concerns that the proposal will devalue neighbouring property, I note that no evidence has been submitted to support this concern. Having regard to my findings above, I do not consider the proposal is likely to devalue neighbouring property.
- 8.4.3. I note concerns raised in the appeal that the buildings or an entrance on the neighbouring farm are not shown on drawings. I note that the Planning Authority was satisfied that the drawings submitted were acceptable. I note that the site layout plan indicates a disused house and hay shed on the adjoining property and I am satisfied that the drawings are acceptable for the purpose of assessing this appeal.

9.0 AA Screening

9.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive

9.2. I have considered the project in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. The subject site is located approximately 5km north of Tory Hill SAC (Site Code: 000439) and 10km east of the Lower River Shannon SAC (Site Code: 002165). Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:

- The nature and extent of the subject development;
- The distance from and the weakness of connectivity between the development and European Sites;
- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.
- To the screening determination of the PA.

9.3. I conclude, on the basis of objective information, that the development to be retained would not have a likely significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore AA, under Section 177V of the Act, is not required.

10.0 Water Framework Directive

10.1. An assessment of the development to be retained has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive. Having considered the nature, scale, and location of the development to be retained, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects. In addition, the proposed development will not adversely affect the achievement of established environmental

objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the development to be retained is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend that permission for retention should be granted, subject to conditions.

12.0 Reasons and Considerations

Having regard to the provisions of the Limerick Development Plan 2022-2028, to the location of the proposed development to be retained within an established farmyard and to the nature and scale of the development, it is considered that, subject to compliance with the conditions set out below, the development to be retained would not have an adverse effect on the residential and visual amenities of neighbouring properties, and would be acceptable with regard to surface water drainage and farm management. Accordingly, it is considered that the proposed development would comply with Objective ECON O36 relating to agricultural developments of the Limerick Development Plan 2022-2028 and would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by Further information received by the planning authority on the 08th April 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All construction activities on site shall be carried out/managed in such a manner that no polluting material or contaminated surface water enters groundwater, any watercourse, or public roadway.

Reason: In the interest of ensuring the protection of water quality in the receiving environment.

3. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-
 - (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways
 - (b) all soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2025, as amended, or to a slatted tank. Drainage details shall be submitted to and agreed in writing with the planning authority within three months of the date of grant of permission.
 - (c) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters)(Amendment) Regulations 2025, as amended shall be strictly adhered to.

Reason: In the interest of environmental protection and public health.

4. (a) Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025) (as amended).
- (b) Where slurry or manure generated by the proposed development is moved to other locations, details of such movements are to be notified to the Department of Agriculture, Food & the Marine in accordance with the

European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 (S.I. No. 393/2022) (as amended).

(c) Where slurry or manure is removed by a third party, by agreement, to be land spread elsewhere, details of such an agreement (to include name of third party, lands to be spread, amounts of material) should be furnished to the local authority in which said lands are located.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

5. (a) A management schedule for the operation of the slatted shed shall be submitted to the planning authority, prior to the housing of animals in the facility.

(b). The management schedule shall comply with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations 2025 , or, if superseded by subsequent regulations.

(c) The management schedule shall provide for:

- the number, age and types of animals to be housed,
- arrangements for the disposal of slurry
- arrangements for the storage and disposal of manure and
- the cleansing of buildings and structures, including the public road, where relevant.

Reason: In order to prevent pollution and in the interest of amenity.

6. The building shall be used for agricultural and associated purposes only. The building shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming, whether or not such use might otherwise constitute exempted development.

Reason: In the interest of orderly development and the amenities of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional

assessment and recommendation set out in my report in an improper or inappropriate way.”

Bernadette Quinn
Planning Inspector

21st August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501408-LK-26
Proposed Development Summary	Retention of hay shed, machinery shed and hardcore area. Construction of 2 agricultural sheds and associated site works
Development Address	Greenhills , Crecora , Co. Limerick
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	

No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)
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Inspector: _____ Date: _____