

LIAM BUCK

Registered Building Engineer
Chartered Architectural Technologist

AN COIMISIÚN PLEANÁLA	
LDG-	087550 - 26
ACP-	
23 APR 2026	
Fee: €	220
Type:	Chq
Time:	9:15
By:	Post

Tel: 058 44224

Mob: 0872614774

21st April 2026,

The Secretary,
An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.

Re: Declan Morrissey – D5/2026/9, Referral of application for Declaration of Exempted Development under Section 5 of the Planning & Development Act 2000, as exempted for Agricultural Development, namely: the replacement of a concrete slurry tank at Baile na nGall Mor, An Rinn, Dungarvan, Co. Waterford.

Applicant/Appellant: Mr. Declan Morrissey.
Address: Ballyreilly, Ring, Co. Waterford.

Agent: Liam Buck,
Address: Glen, Clonea, Dungarvan, Co. Waterford.

Planning Authority: Waterford City & County Council.
Registry Ref. No: D5/2026/9.

Dear Sir(s),

I enclose the following documentation to stand as a referral of a Section 5 application which the Local Authority has not determined within the prescribed period.

- Copy of original Section 5 application and details (application form, site location map, site layout plan, concrete tank details & cover letter.
- Copy of Local Authority Acknowledgement and Receipt.
- Attached prescribed fee of €220.00 to An Coimisiún Pleanála.

I submit the following points to clarify

1. the Original Construction date,
2. the legislation under which the original works were carried out,
3. the legislation under which the proposed works would be carried out.

Original Construction Works:

The Concrete Slurry Tank was constructed as part of an Agricultural Development as ancillary effluent storage. Works were carried out C. 1980 under the provisions of the Planning and Development Act, 1963, S.I No. 65 of 1977, Class 7.

The Development as constructed at the time was:

- More than 10m from the public road.
- Wider than 4m.
- Floor area less than 400 m².
- Structures have always been used for the purpose of Agriculture.
- Structure more than 100m from the public road.
- There was no dwelling house within 100m of the development.

Therefore, I confirm that the development as carried out C.1980 is an exempted development under the provisions of the Planning and Development Act, 1963, S.I No. 65 of 1977, Class 7.

Proposed Works:

It is proposed to remove the existing concrete storage tank and replace it with a new concrete storage tank having the same dimensions as part of maintenance and improvement works. These works will not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

As this is not an additional new concrete tank but a replacement of an existing tank for maintenance and improvement works I confirm that these works are considered exempted development works under Section 4.1(h)., of the Planning & Development Act, 2000.

Previous Assessment:

It is believed that the previous Section 5 Determination, Reference D5 2025 35, was incorrectly assessed. It is believed that the exempted status of the original development was assessed under the provisions of the Planning and Development Act, 2000 and not the provisions of the Planning and Development Act, 1963, specifically S.I., No. 65 of 1977, which was enforceable at the time of construction of the original works.

Yours sincerely,



Liam Buck
MCIAT. C.Build E. FCABE.



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

**Waterford City and County Council,
Planning Department, Menapia Building, The Mall, Waterford.**

Telephone : 0761 102020

Fax : 0761 099701

Email: planning@waterfordcouncil.ie

Application for Declaration of Exempted Development under Section 5 of the Planning and Development Act 2000, as amended.

1. Name of Applicant: DECLAN MORRISSEY,
Address: BAILE U RATHALLAIGH, RING, Co. WATERFORD.
2. Tel. No.: _____ Email Address: _____
3. Postal Address of Site or Building BAILE NA NGALL MÓR, RING, DUNGARVAN, Co. WATERFORD.
4. Applicant's interest in site: OWNER
(If applicant is not freehold owner of the property in question, please provide name & address of owner)
5. Full Description of the proposed Development AGRICULTURAL DEVELOPMENT, REPAIR EXISTING CONCRETE SURRY TANK WITH NEW CONCRETE TANK, LIKE FOR LIKE, SAME DIMENSIONS.
6. If the proposed development is an extension to a dwellinghouse, please include the following floor areas:

(i)	Proposed Extension	Sq. metres	
(ii)	Existing Structure	Sq. metres	N/A
(iii)	Rear private open space	Sq. metres	
7. If the proposed development is for the erection of Garage/Shed/Store etc., Please include the following:

(i)	Proposed Garage/Shed/Store etc	Sq. metres	
(ii)	Existing Structure	Sq. metres	N/A
(iii)	Rear private open space	Sq. metres	
8. For any building(s) to be retained on site, or for a change of use of the property

(a)	Please indicate the existing use	N/A
(b)	Please indicate the proposed use	N/A
9. Documents to be included with this application form to be submitted to the Planning Department):

Site Location Map	Site Layout Map
Scale 1:1000 or 1:2500 ✓	Scale 1:200 or 1:500 ✓
Floor Plans &	Fee (€80.00)
Elevations ✓	

10. Site History: Planning reference number(s): NONE

I hereby declare that the information given on this form is correct.

Signature of applicant/agent:  Date: 6/3/2026.

Liam Buck
GLENN, CUNDA,
DUNBAR, W,
CO. WATERFORD.
087 2614774.

Taite
Éireann

CENTRE
COORDINATES:
ITEM 629953,588462

PUBLISHED: 30/04/2025

ORDER NO.: 50463654_1

MAP SERIES: 1:2,500
1:2,500

MAP SHEETS: 6117-C
6117-D

COMPILED AND PUBLISHED BY:
Taitte Eireann,
Phoenix Park,
Dublin 8,
Ireland.
D08FGE4

www.tailte.ie

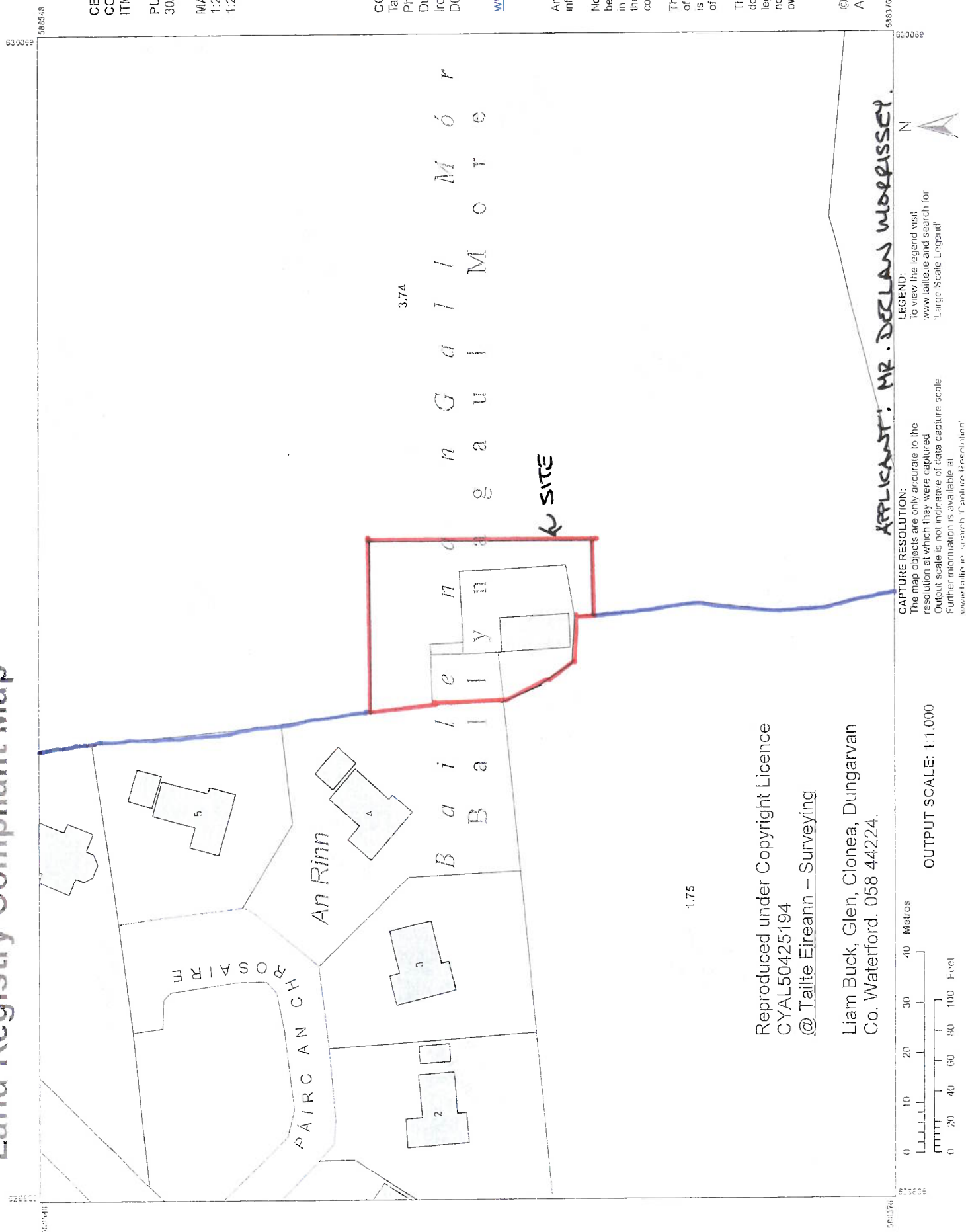
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LIAM BUCK

Registered Building Engineer
Chartered Architectural Technologist

Tel: 058 44224
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planning@waterfordcouncil.ie

5th March 2026

Staff Officer,
Planning Department,
Waterford City & County Council,
Menapia Building,
The Mall,
County Waterford.

Re: Application for Declaration of Exempted Development under Section 5 of the Planning & Development Act, 2000 as amended for Agricultural Development – replacement of a Concrete Slurry Tank with new Concrete Slurry Tank at Baile na nGall Mor, Ring, Dungarvan, County Waterford.

Dear Sir(s),

I refer to the above and I would like the following to stand as an application for a Declaration of Exempted Development under Section 5 of the Planning & Development Act, 2000 as amended:

- Completed & Signed Application Form.
- Letter of explanation.
- Site Location Map scale 1:1000.
- Site Layout Plan, scale 1:500.
- Details of the Concrete Storage Tank, scale 1:100.
- Card Payment of the Fee of €80.00 can be taken by calling me on 087 2614774.

It is proposed to remove the existing concrete storage tank which is in place with over 40 years and replace it with a new concrete storage tank having the same dimensions and carried out to Department of Agriculture Specifications.

Confirmation is required that these works constitute exempted development under Section 4.1(h) of the Planning & Development Act, 2000 (as amended).

If further is required, please advise.

Yours sincerely,



Liam Buck.

LIAM BUCK

Registered Building Engineer
Chartered Architectural Technologist

Tel: 058 44224
Mob: 0872614774

Original Construction Works:

The Concrete Slurry Tank was constructed as part of an Agricultural Development as ancillary effluent storage. Works were carried out C. 1980 under the provisions of the Planning and Development Act, 1963, S.I No. 65 of 1977, Class 7. The Development as constructed at the time was:

- More than 10m from the public road.
- Wider than 4m.
- Floor area less than 400 sq.m.
- Structures have always been used for the purpose of Agriculture.
- Structure more than 100m from the public road.
- There was no dwelling house within 100m of the development.

Therefore, I confirm that the development as carried out C.1980 is an exempted development under the provisions of the Planning and Development Act, 1963, S.I No. 65 of 1977, Class 7.

Proposed Works:

It is proposed to remove the existing concrete storage tank and replace it with a new concrete storage tank having the same dimensions as part of maintenance and improvement works. These works will not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

As this is not an additional new concrete tank but a replacement of an existing tank for maintenance and improvement works I confirm that these works are considered exempted development works under Section 4.1(h), of the Planning & Development Act, 2000.

Previous Assessment:

It is believed that the previous Section 5 Determination, Reference D5 2025 35, was incorrectly assessed. It is believed that the exempted status of the original development was assessed under the provisions of the Planning and Development Act, 2000 and not the provisions of the Planning and Development Act, 1963, specifically S.I., No. 65 of 1977, which was enforceable at the time of construction of the original works.

Therefore I am submitting a new Section 5 Declaration Application for reviewed assessment.



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

IW/RC/D5/2026/9

9/3/2026

Declan Morrissey
c/o Liam Buck
Glen,
Clonea,
Dungarvan,
Co. Waterford

RE: Section 5 Declaration for "Baile na nGall Mor, Ring, Dungarvan, Co. Waterford"

Dear Sir or Madam:

I wish to acknowledge receipt of your application for Section 5 Declaration relating to the above-mentioned property and enclose receipt herewith.

Yours faithfully,

For Imelda Walsh,
Asst Staff Officer.



Waterford City and County Council
Planning Department
1st Floor, Menapia Building
The Mall

09/03/2026 14.41:24

Receipt No. : PLAN/0/636354

Declan Morrissey
c/o Liam Buck

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total : 80.00 EUR

Tendered :
CREDIT CARD 80.00

Change : 0.00

Issued By : ADAM ROCHE
From : PLANNING
Vat reg No.3263046AH

