



## LIMERICK CITY &amp; COUNTY COUNCIL

## PLANNING AND ENVIRONMENTAL SERVICES

## SECTION 5 APPLICATION

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: Feohanagh Castlemaheon Resource Centre  
Applicant's Address: Feohanagh  
Co. Limerick

Telephone No. Name of Agent (if any): **MIKE BOYCE**

CONSULTING ENGINEERS LTD

Tel: 087 132 1395

Address:

Appletown, Feohanagh,

Co. Limerick, V42 X773

Telephone No. 063 50218

Address for Correspondence:

(Agent)

Location of Proposed development:

Fedharagh Co. Limerick  
(Old Parochial House)

Description of Proposed development:

Refurbishment of existing Steel  
New 6th floor Steel + New Wall Cladding  
+ New Windows/Door + New Roof  
Minimal Revisions to existing Layout

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

Applicant's interest in site: Owners

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

Floor Plan + Elevation  
Site Layout  
Site Location

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

If Yes please provide floor areas of all existing structures:

Ref to Storage Steel. No Extensions  
No previous alterations

Signature of Applicant (or Agent)

Mu Heng

**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.
- N/A(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:

Limerick City & County Council,  
Planning and Environmental Services,  
City & County Council Offices,  
Dooradoyle Road,  
Limerick.

\*\*\*\*\*

**OFFICE USE ONLY**

Ref. No. \_\_\_\_\_ Date Received \_\_\_\_\_

Fee Received \_\_\_\_\_ Date Due \_\_\_\_\_

\*\*\*\*\*

FOR FIRE CERTIFICATE  
APPLICATION PURPOSES  
ONLY

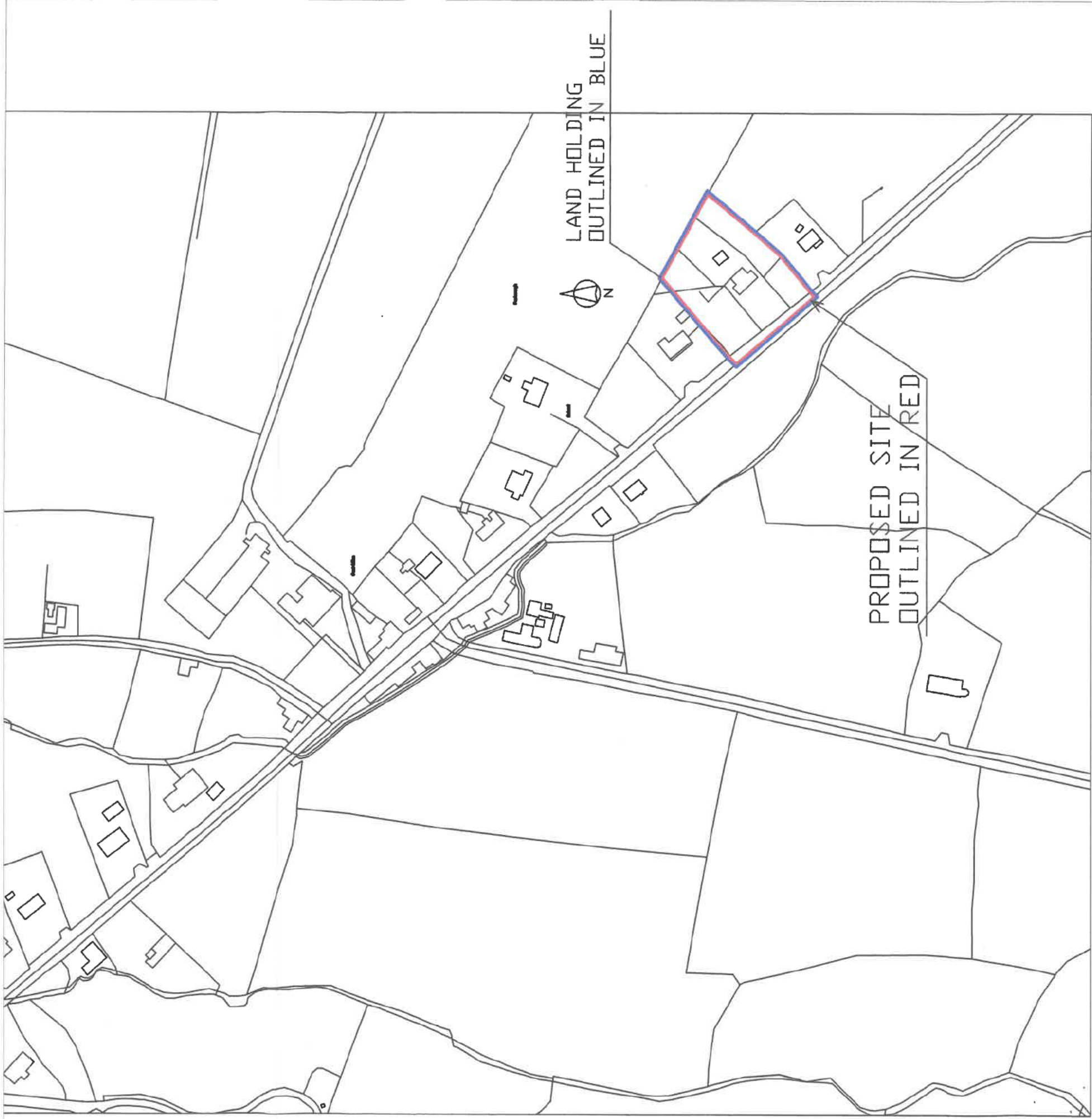
A	ISSUE	DATE	NO	DRN	CHK	NOTES	FIRE certificate Application
Project FECHANAGH CASTLEMAHON RESOURCE CENTRE AT FECHANAGH, CO LIMERICK							
Title SITE LOCATION & LAND HOLDING							
Date Drafted 18th March 2022							
Scale 1:2500 on A3							
Client FECHANAGH CASTLEMAHON RESOURCE CENTRE FECHANAGH CO LIMERICK							
Prepared By Kevin Donohue, FECHANAGH CASTLEMAHON RESOURCE CENTER							
Drawing No. FORC FC 22P001						ISSUE	A

ORDNANCE SURVEY IRELAND  
LICENSE NO. 50060079

Clip Extent / Area of Interest (AOI):	License / Copyright:
LLX, ULY= 531288.6456,622782.2392 LRX, URY= 536482.6456,622782.2392 ULX, ULY= 531288.6456,629792.2392 URX, URY= 536482.6456,629792.2392	Ordnance Survey Ireland 'Terms of Use' apply. Please visit 'www.osi.ie/about/terms-conditions'. © Ordnance Survey Ireland, 2019
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X,Y = 533885.6456,626287.2392	The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.
Data Extraction Date:	Ordnance Survey maps never show legal property boundaries, nor do they show ownership of physical features.
30-Apr-2019	
Product Version:	
1.3	

PROPOSED SITE LOCATION MAP

SCALE 1:2500



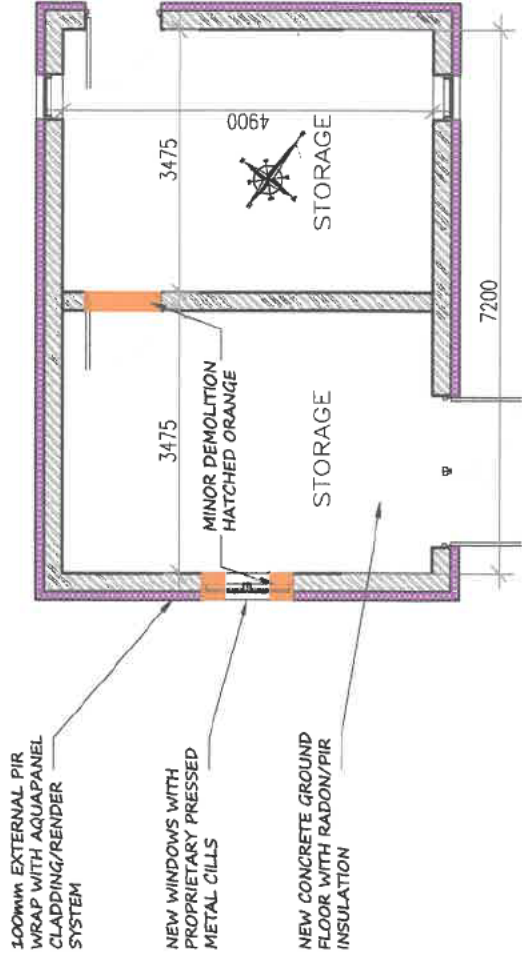




NOTE:  
THE DRAWINGS ARE NOTED WITH AN OUTLINE SPECIFICATION ONLY, FULL  
SPECIFICATIONS ARE TO BE PROVIDED BY THE CONTRACTOR AND THE  
ENGINEER WILL BE RESPONSIBLE FOR THE DESIGN OF THE BUILDING  
DETERMINING THE BUILDING CONDITIONS. THEREFORE, THERE IS NO  
WARRANTY OR LIABILITY FOR THE DESIGN OF THE BUILDING OR THE  
MATERIALS AND METHODS OF CONSTRUCTION TO COMPLY WITH THE SPEC  
SPECIFICATION.  
ALL MEASUREMENTS TO BE CHECKED ON SITE

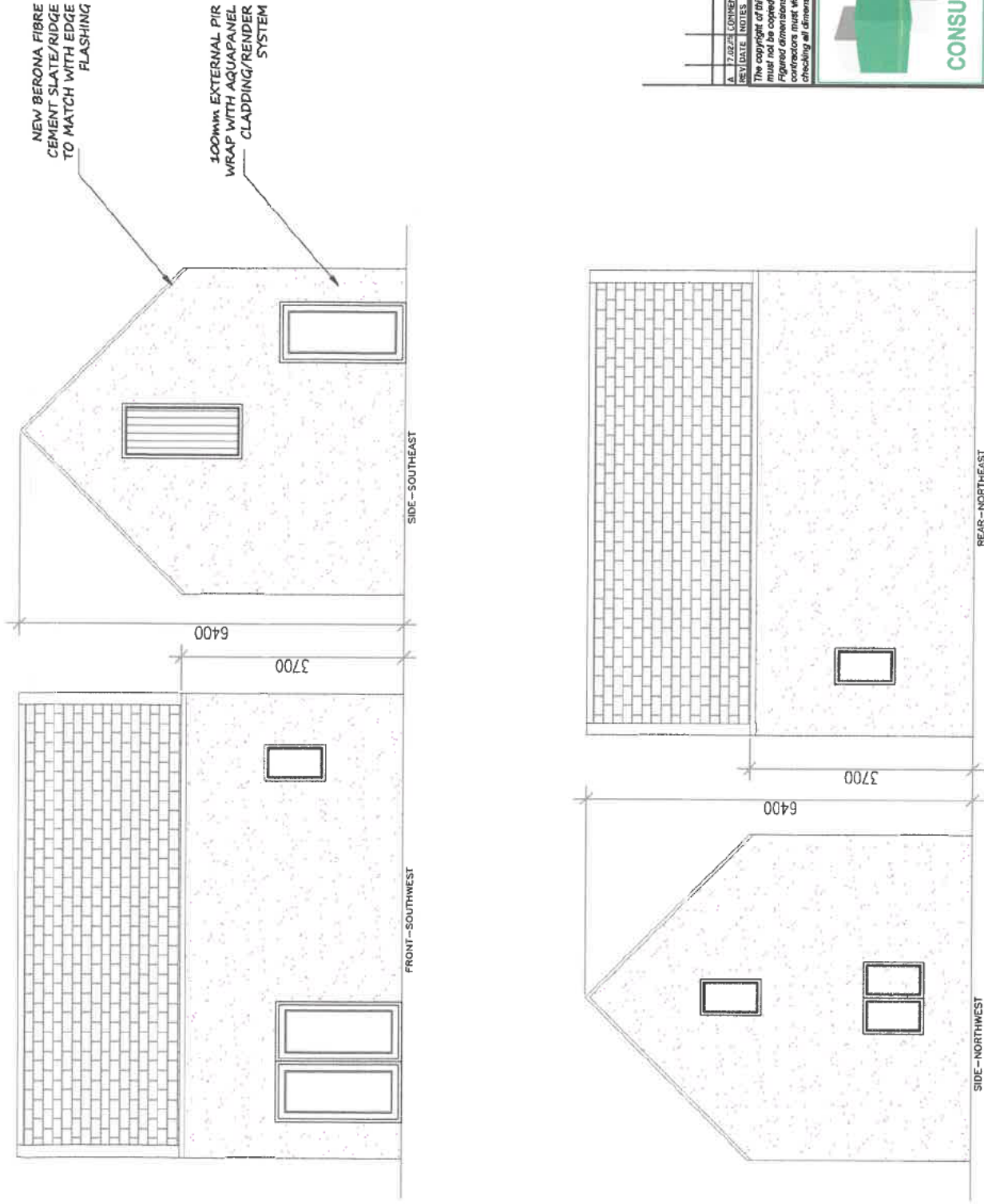
## GROUND FLOOR PLAN

1:100 (A3)



## ELEVATIONS

1:100 (A3)



REV	DATE	COMMENTS	BY	CHK
A	17/02/24	COMMENTS	HB	✓

The copyright of this drawing is vested in the Engineers and it must not be copied or reproduced without their written consent. Figured dimensions only should be taken from this drawing. All contractors must visit the site and be responsible for taking and checking all dimensions that relate to this work.





LIMERICK CITY & COUNTY COUNCIL  
CASH OFFICE  
CIVIC OFFICES  
DOORADOYLE  
CO LIMERICK

27/02/2025 12:39:19

Receipt No./  
Uimhir Admhála : LA25/0/25174917

Feohanagh Castlemahon Resource Centre Cl  
Feohanagh,  
Co. Limerick

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :  
Cheque 80.00  
PTSB  
000009

Change/Sóinseáil : 0.00

Issued By/  
Eisithe ag : Ailish McDermott  
From/Ó : CASH OFFICE HQ  
Vat reg No./Cláruimhir CBL: 3267368TH

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

**Reference no.** EC-032-25

**Name and Address of Applicant:** Feohanagh Castlemahon Resource Centre  
Feohanagh  
Co. Limerick

**Agent:** Mike Boyce  
Appletown  
Feohanagh  
Co. Limerick

**Location:** Feohanagh Castlemahon Resource Centre  
Feohanagh  
Co. Limerick

**Description of Site and Surroundings:**

The site is the existing detached two storey Feohanagh Castlemahon Resource Centre and rear shed located at Feohanagh, Co. Limerick. The site is accessed off a regional road (R522).

**Zoning:**

N/A

**Proposal:**

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

- Refurbishment of existing stone shed to rear of the community centre building for use as storage associated with the community centre use.

This Section 5 declaration includes the following:

- Application Form
- Site location
- Existing floor plans
- Proposed Elevations
- Proposed Floor plans

**Planning History:**

21/802 – Permission granted for change of use from existing dwelling house to community resource centre for Feohanagh Castlemahon Community. The proposed works consisted of construction of new car parking area and circulation road with entrance/exit to the public road R522 and associated drainage, kerbing and surfacing, set back front boundary, construction of ground floor disabled toilet and change of levels at front and rear access doors to create level access, upgrade of the existing house including demolition of 1 internal wall, construction and installation of new sewage treatment unit and percolation area and all associated works.

**Enforcement History**

N/A

**Assessment**

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

### **Is the proposal development?**

**Section 2(1)** in this Act, except where otherwise requires –

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

‘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 refurbishment of a stone shed to rear of existing community centre constitutes ‘works’ and ‘development’.

### **Is the proposal exempted development?**

The proposed shed refurbishment will be assessed under Section 4 (1) (h) of the Planning and Development Act 2000 (as amended) which is as follows:

#### **Section 4 (1) (h) of the Planning and Development Act 2000 (as amended)**

Exempted development – *“development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do 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”.*

The proposed development involves the refurbishment of an existing stone shed to provide two storage areas associated with the main use on site as a community centre. The building will be finished in external PIR wrap with Aquapanel Cladding/Render system. New windows and doors are proposed and a new concrete internal floor with radon/PIR insulation and a new internal connecting door between the storage spaces. Following a site inspection on the 11<sup>th</sup> March 2025 (site inspection photographs appended to this report), it was noted that the community centre on site is finished in a green coloured render facing the public road.

In conclusion, the proposed works do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure, the main structure on site – the community centre - or of neighbouring structures.

### **Article 9 Restrictions**

The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended).

### **Appropriate Assessment**

An AA Screening examination was carried out by Limerick City & County Council (see appendix 1). Overall it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA as there are no source-pathway-receptors and the site does not directly encroach on any Natura 2000 European Sites. Therefore, an Appropriate Assessment is not necessary (See appendix 1 for AA Screening Form).

### **Environmental Impact Assessment**

An EIA Screening examination was carried out by Limerick City and County Council (see Appendix 2). Based on a preliminary examination of the proposal there is no real likelihood of significant effects on the environment and EIA is not required.

**Conclusion/Recommendation**

The proposed development detailed on the application and plans submitted is considered to be within the scope of Section 4 (1) (h) of the Planning and Development Act 2000 (as amended).

**Regard has been had to –**

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Section 4 (1) (h) of the Planning and Development Act 2000 (as amended)
- (c) The plans & particulars submitted with the application received on 28<sup>th</sup> of Feb 2025.

It is therefore considered that the said works are development and exempted development under Section 4 (1) (h) of the Planning and Development Act 2000 (as amended).

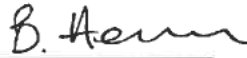


Jennifer Mc Nulty

Executive Planner

Date: 18/03/25

Agreed



Barry Henn, SEP

Date:

24/03/2025



**AA PN01 Screening Form**



<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
<b>(a) File Reference No:</b>	EC-032-25
<b>(b) Brief description of the project or plan:</b>	This is an application requesting a Section 5 Declaration on whether the refurbishment of a shed for storage purposes associated with a community centre is or is not exempted development.
<b>(c) Brief description of site characteristics:</b>	There is an existing two storey community centre and rear shed on site.
<b>(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	N/A
<b>(e) Response to consultation:</b>	N/A

<b>STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.</b>				
<b>European Site (code)</b>	<b>List of Qualifying Interest/Special Conservation Interest <sup>1</sup></b>	<b>Distance from proposed development <sup>2</sup> (km)</b>	<b>Connections (Source-Pathway-Receptors)</b>	<b>Considered further in screening Y/N</b>
002165	Lower River Shannon SAC <a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	Circa 23km	None	None
004077	River Shannon and River Fergus Estuaries SPA <a href="https://www.npws.ie/protected-sites/spa/004077">https://www.npws.ie/protected-sites/spa/004077</a>	Circa 24km	None	None
002170	Blackwater River SAC <a href="https://www.npws.ie/protected-sites/sac/002170">https://www.npws.ie/protected-sites/sac/002170</a>	Circa 20km	None	None
004161	Stack's to Mullaghareirk Mountains, West Limerick Hills & Mount Eagle SPA <a href="https://www.npws.ie/protected-sites/spa/004161">https://www.npws.ie/protected-sites/spa/004161</a>	Circa 6.1km	None	None
002351	Moanveanlagh Bog SAC <a href="https://www.npws.ie/protected-sites/sac/002351">https://www.npws.ie/protected-sites/sac/002351</a>	Circa 8km	None	None


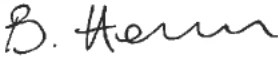
<b>STEP 3: Assessment of Likely Significant Effects</b>	
<b>(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:</b>	
<b>Impacts:</b>	<b>Possible Significance of Impacts: (duration/Magnitude etc)</b>
<b>Construction phase e.g</b> <ul style="list-style-type: none"> <li>- Vegetation clearance</li> <li>- Demolition</li> <li>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>- Dust, noise, vibration</li> <li>- Lighting disturbance</li> <li>- Impact on groundwater/dewatering</li> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>	None. Works are minimal and will involve temporary construction works, therefore, no likely significant impact on the conservation objectives of the above named sites.
<b>Operation phase e.g.</b> <ul style="list-style-type: none"> <li>- Direct emission to air and water</li> <li>- Surface water runoff containing contaminant or sediment</li> <li>- Lighting disturbance</li> <li>- Noise/vibration</li> <li>- Changes to water/groundwater due to drainage or abstraction</li> <li>- Presence of people, vehicles and activities</li> <li>- Physical presence of structures (e.g collision risk)</li> <li>- Potential for accidents or incidents</li> </ul>	None works are minimal and will involve temporary construction works, therefore, no likely significant impact on the conservation objectives of the above named sites.
<b>In-combination/Other</b>	N/A given the level of development in the area

<b>(b) Describe any likely changes to the European site:</b>	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> <li>- Reduction or fragmentation of habitat area</li> <li>- Disturbance to QI species</li> <li>- Habitat or species fragmentation</li> <li>- Reduction or fragmentation in species density</li> <li>- Changes in key indicators of conservation status value (water or air quality etc)</li> <li>- Changes to areas of sensitivity or threats to QI</li> <li>- Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	None. Works are minimal and will involve temporary construction works, therefore, no likely significant impact on the conservation objectives of the above named sites.

<b>(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

STEP 4: Screening Determination Statement		
<b>The assessment of significance of effects:</b> On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to: <ul style="list-style-type: none"> <li>the nature and scale of the proposed development on fully serviced lands,</li> <li>the intervening land uses and distance from European sites,</li> <li>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. An appropriate assessment is not, therefore, required.</li> </ul>		
<b>Conclusion: AA Screening is not required.</b>		
	Tick as appropriate:	Recommendation:
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) <b>Significant effects</b> are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 Jennifer Mc Nulty, Executive Planner 18/03/25	
Signature and Date of the Decision Maker:	 Barry Henn, Senior Executive Planner 24/03/25	

## APPENDIX 2 EIA SCREENING

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-032-25
Development Summary:	Shed Refurbishment
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes. no further action required <input checked="" type="checkbox"/> No. Proceed to <b>Part A</b>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes. specify class: [insert here] _	<b>EIA is mandatory</b> No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> does it meet/exceed the thresholds? (Tick as appropriate)	
<input type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2	<b>No Screening required</b>
<input checked="" type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here] _	<b>EIA is mandatory</b> No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : [insert here] _	Proceed to <b>Part C</b>
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>
Signature and Date of Recommending Officer:	 <b>Jennifer Mc Nulty, Executive Planner</b> <b>18/03/25</b>
Signature and Date of the Decision Maker:	

	<b>Barry Henn, Senior Executive Planner</b> <b>24/03/25</b>
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## PLANNING & PLACE-MAKING

### REG POST:

**Feohanagh Castlemahon Resource Centre**  
**c/o Mike Boyce**  
**Appletown**  
**Feohanagh**  
**Co. Limerick**

**EC/032/25**

25<sup>th</sup> March 2025

**Re: Declaration under Section 5**

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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/2025/289**

**File Ref No. EC/032/25**

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

**RE:** **The refurbishment of existing stone shed to rear of the community centre building for use as storage associated with the community centre use at Feohanagh Castlemahon Resource Centre, Feohanagh, Co. Limerick**

**ORDER:** Whereas by Director General's Order No. DG/2024/123 dated 27<sup>th</sup> November 2024, 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 Jennifer McNulty, Executive Planner dated 18/03/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Feohanagh Castlemahon Resource Centre c/o Mike Boyce, Appletown, Feohanagh, Co. Limerick to state that the works as described above is

**Development and is Exempt Development.** *VC*

Signed

*B. Henn*

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

*25/03/2025*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/289 dated *25/03/25*, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

*B. Henn*

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING





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

Pleanáil, agus Cruthú Áite  
Comhairle Cathrach agus Contae Luimnigh  
Bothar Thuar an Daill  
Tuar an Daill, Luimneach  
V94 WV78

Planning and Place-Making  
Limerick City and County Council  
Dooradoyle Road  
Dooradoyle, Limerick  
V94 WV78

## **SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**DECLARATION NO.**

**EC/032/25**

**Name and Address of Applicant:** Feohanagh Castlemahon Resource Centre, Feohanagh, Co. Limerick

**Agent:** Mike Boyce, Appletown, Feohanagh, Co. Limerick

**Whether** the refurbishment of existing stone shed to rear of the community centre building for use as storage associated with the community centre use at Feohanagh Castlemahon Resource Centre, Feohanagh, 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 28<sup>th</sup> of February 2025.

**AND WHEREAS** the Planning Authority has concluded that the refurbishment of existing stone shed to rear of the community centre building for use as storage associated with the community centre use at Feohanagh Castlemahon Resource Centre, Feohanagh, Co. Limerick **DOES** come within the scope of exempted development under Section 4(1)(h) and 4(1)(j) of the Planning and Development Act 2000 (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 Exempt Development.**

Signed on behalf of the said Council

*Karen Carlan*

Date:

*25/03/2025*

**NOTE:** A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.