

## Cover Letter

David Magee

Mayfair

O Connell Ave

Limerick

**Planning Office**

Limerick City Council

Date: 3<sup>rd</sup> March, 2025

Reference: Section 5 application

Dear Sir/Madam

In reference to your letter on the 20<sup>th</sup> of November.

Please find

- Section 5 Application.
- Method Statement.
- Site location Map.
- Site layout
- Dimensioned plans and elevations of the structure and any existing structure.
- Payment reference is "Section 5 EC-144-24 Magee"

The method statement will show the proposal will minimise disturbance to the exist fabric and structure with no internal cabling or equipment located in the roof sections

The plan is to utilise the existing hot water tank and associated plumbing to minimise disturbance of the fabric of the house through a reduced footprint of panels across two sections. The SIG Energy Hybrid Inverter & Batteries will be installed externally at ground level to the rear of the building. As a result of this, the internal structures of the roof will not be disturbed. All cabling will run following existing pipe works. The ground level structure is not visible to passing traffic.

Due to the proposed installation of the Solar PV panels on the rear roof and return section of the building, the panels will not be visible from O'Connell Ave due to the rear roof orientation, mid terrace location and surrounding building roofs.

The installation will follow the code of practice as defined by the Sustainable Energy Authority of Ireland for the installation of Solar PV.

Regards

David Magee





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

**Limerick City and County Council**

**Planning Department**

**Section 5 Application**

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: David Magee

Applicant's Address: Mayfair

O'Connell Ave

Limerick V94 EC9E

Telephone No. [REDACTED]

Name of Agent (if any): \_\_\_\_\_ NA \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_ NA \_\_\_\_\_

Address for Correspondence:

As Above \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Location of Proposed development (Please include Eircode):**

Mayfair

O' Connell Ave

Limerick

V94 EC9E

**Description of Proposed development:**

Whether the installation of Solar PV panels on the rear roof and return of Mayfair O' Connell Ave is considered exempted development. The Proposal should not materially affect the character of the structure.

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

Planning and Development Act 2000 (Exempted Development) (No. 3) Regulations 2022 and the supporting Planning and Development (Solar Safeguarding Zone) Regulations 2022.

Is this a Protected Structure or within the curtilage of a Protected Structure?  
**YES/NO RPS 4065**

**Applicant's interest in site:** Owner

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

1. Cover Letter
2. Land Registry Map
3. Method Statement
4. Dimensioned plans, site layout and elevations of the structure and any existing structure

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

If Yes please provide floor areas of all existing structures:

NA

Signature of Applicant (or Agent) \_\_\_\_\_

**NOTES:** Application must be accompanied by:

(a) Fee of €80

Bank  
=

Payment Reference



- (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.

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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 \_\_\_\_\_

\*\*\*\*\*

Mayfair, O'Connell Avenue, Limerick - Application for Section 5  
Method Statement

1. The justification for works, method statement and materials.

With the increase focus on reduction of our carbon emissions and footprint, the installation of Solar PV panels on our home will contribute to the overall renewable energy production targets for the country as a whole while, reducing our dependence on energy requirements from the national grid.

Included in the attached are all the data sheets on materials and methods used to connect and install the Solar PV panels, equipment used, the roof fixings and the long-term warranties that accompany them.

2. The location of associated equipment such as pipe routes and/or hot water tank should be considered carefully and included as part of the application, clearly indicating any impacts on surviving historic fabric and the visual impact from O'Connell Avenue

As the installation is proposed for the rear pitch of the roof's that face away from O'Connell Avenue, they will not be visible from street level due to the roof's orientation, mid terrace location and the surrounding buildings roofs. The plan is to utilise the existing hot water tank and associated plumbing to minimise disturbance of the fabric of the house. The SIG Energy Hybrid Inverter & Batteries will be installed externally at ground level to the rear of the building. As a result of this, the internal structures of the roof will not be disturbed. All cabling will run following existing pipe works. The ground level structure is not visible to passing traffic.

The SIG Energy equipment have built in fire suppression systems for additional security and safety. The TongWei Solar PV panels are a Tier One, Grade A panel and have the highest safety rating possible.

3. The location of solar batteries should be carefully considered due to the potential increased fire risk associated with them. Consideration of alarm systems that could be put in place to indicate a potential issue.

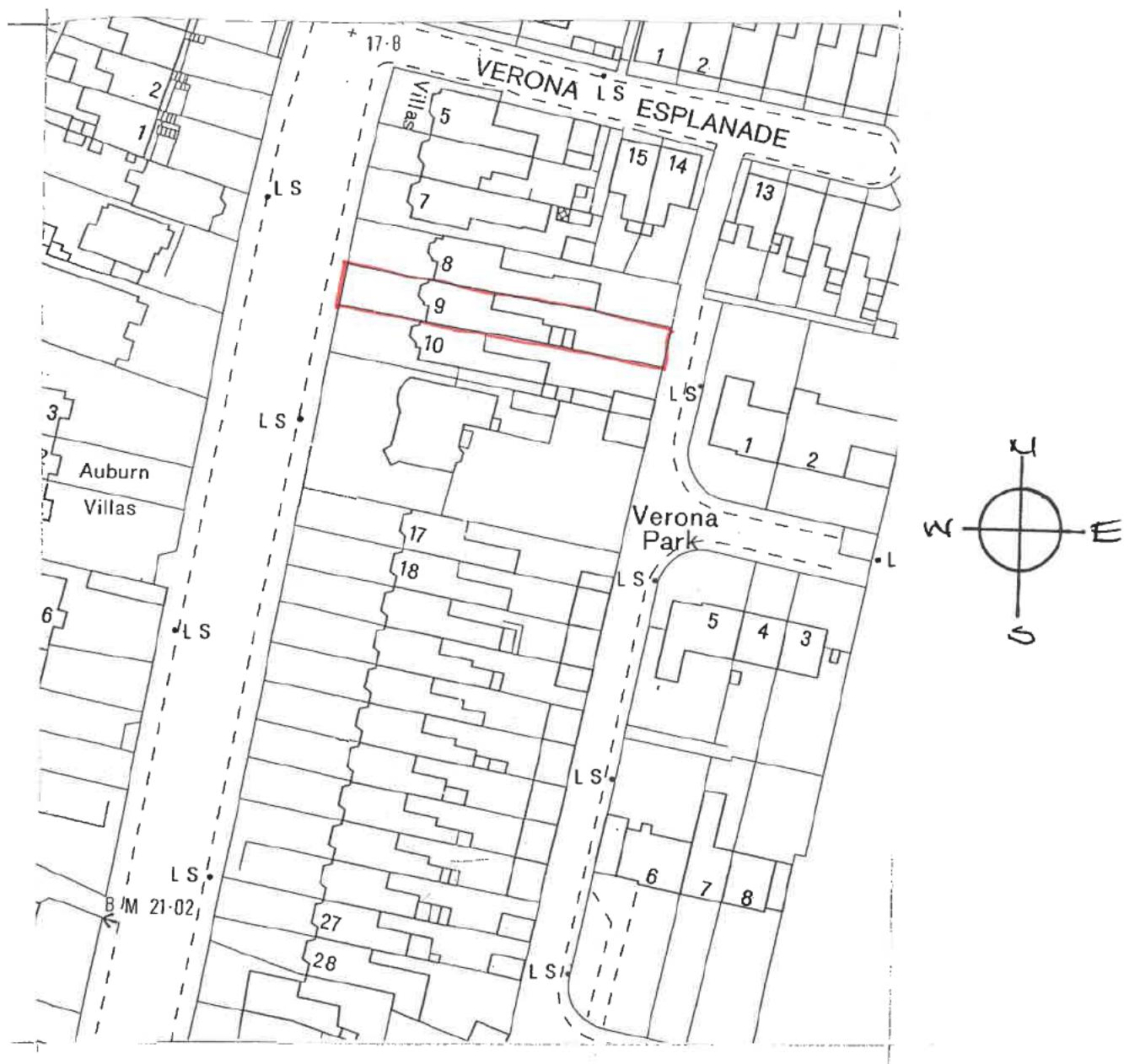
**SIG Energy Battery will be installed externally at ground floor level and has built in fire suppression system as part of its safety features.**

4. The method statement should include as much detail as possible including accurate details of where the solar installations are to be located, together with details of likely impacts of the works to historic fabric, and other details such as openings, maintenance hatches, fixing of panels and how service routes will be accommodated through the roof structure.

The installation will be installed externally and not require any additional service routes or access to the roof. The slates corresponding to the frame needed to be installed to attach the Solar PV panels will be attached to the existing rafters. Slates will be removed at these attachment locations, the legs of the frame attached to the beams with rubber seals placed around the frame legs. The existing slates will be reused with small section of the slate removed to allow for a water tight fitting against the rubber seal when replaced on the roof. The Solar PV panels once installed do not require maintenance. It should be noted that the proposed installation company are a triple ISO awarded organisation and all their work is carried out by their own employees to the highest standard. Their Solar PV Installation teams include highly qualified Roofers and Electricians along with Engineers for install planning and system commissioning.

5. Where roof timbers and/or floor joists need to be strengthened for structural reasons, details of those works should also be submitted.

It is not envisaged that the joists will need to be strengthened as the fixing holdings disperse weight across the installation rather than have excess weight on one point.



**NOTE:**

1. All dimensions to be checked on site prior to work beginning.
2. Only written dimensions to be used.
3. Do not scale.
4. Any discrepancies to be reported immediately.

JOB: D. KAGEE. MAYFAIR  
O'CONNELL AVE.,

TITLE: SITE LOCATION  
MAP

DOM O'RIORDAN  
ARCHITECTURAL SERVICES  
26, ASCOT TERRACE,  
O'CONNELL AVENUE,  
LIMERICK

086-3196717

JOB: 4801

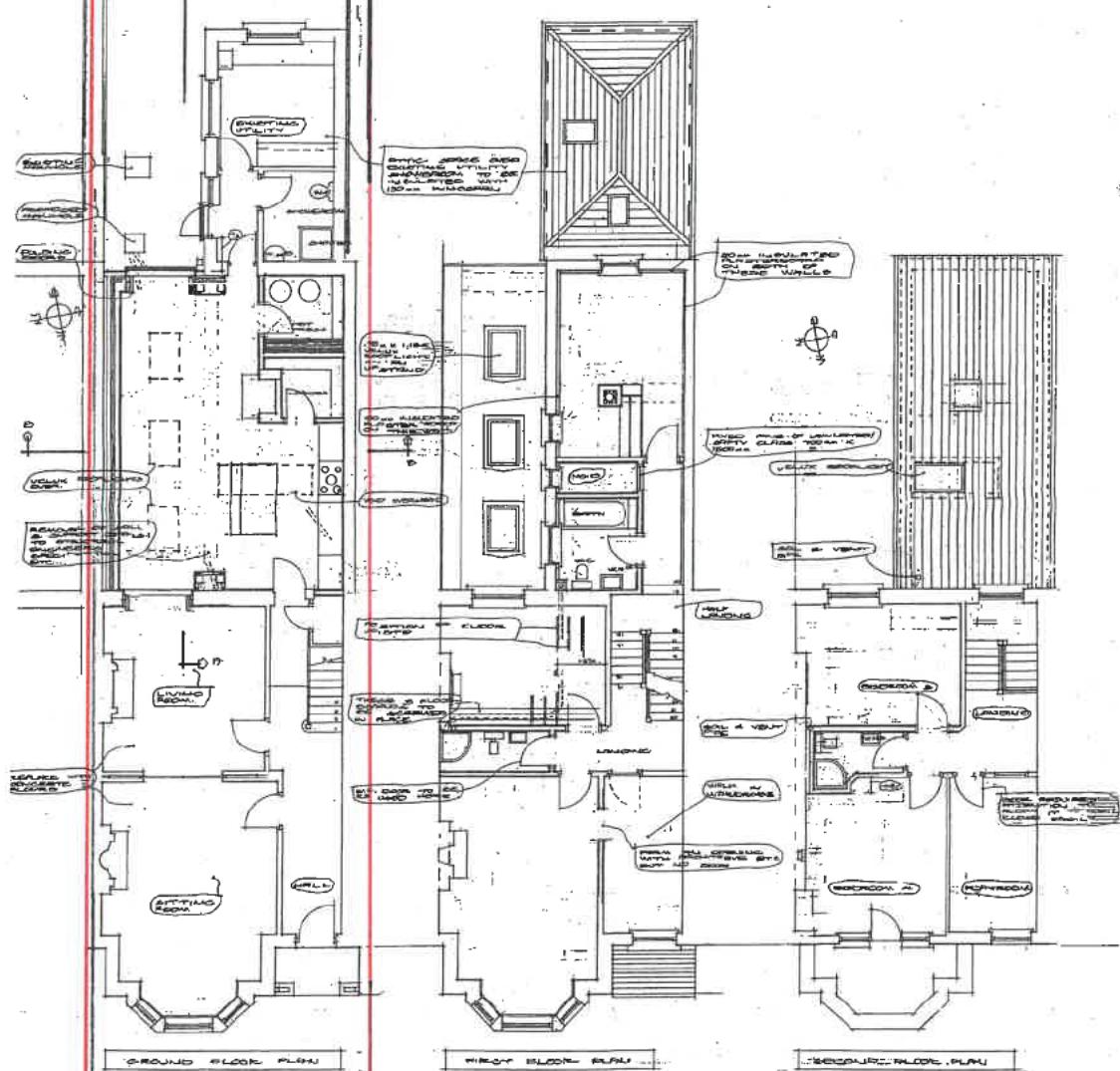
DRG. NO.: 05

DATE: FEB '25

SCALE: 1 : 1000

6:18M

1. All dimensions to be checked on site prior to work beginning.
2. Only written dimensions to be used.
3. Do not scale.
4. Any discrepancies to be reported immediately.



JOB: 4801

DRG. NO.: 01

DATE: FEB '25

SCALE: 1: 200

JOB: D. MACGEE MAYFAIR  
O'CONNELL AVENUE,  
TITLE: GROUND FLOOR /  
SITE LAYOUT &  
DOM O'RIORDAN FIRST & SECOND  
ARCHITECTURAL SERVICES FLOOR PLANS  
26, ASCOT TERRACE,  
O'CONNELL AVENUE,  
LIMERICK

086-3196717

1. All dimensions to be checked on site prior to work beginning.
2. Only written dimensions to be used.
3. Do not scale.
4. Any discrepancies to be reported immediately.

JOB: O'MAGEE MAYFAIR  
O'CONNELL AVENUE

TITLE: FRONT ELEVATION

DOM O'RIORDAN  
ARCHITECTURAL SERVICES  
26, ASCOT TERRACE,  
O'CONNELL AVENUE,  
LIMERICK

086-3196717

JOB: 4801

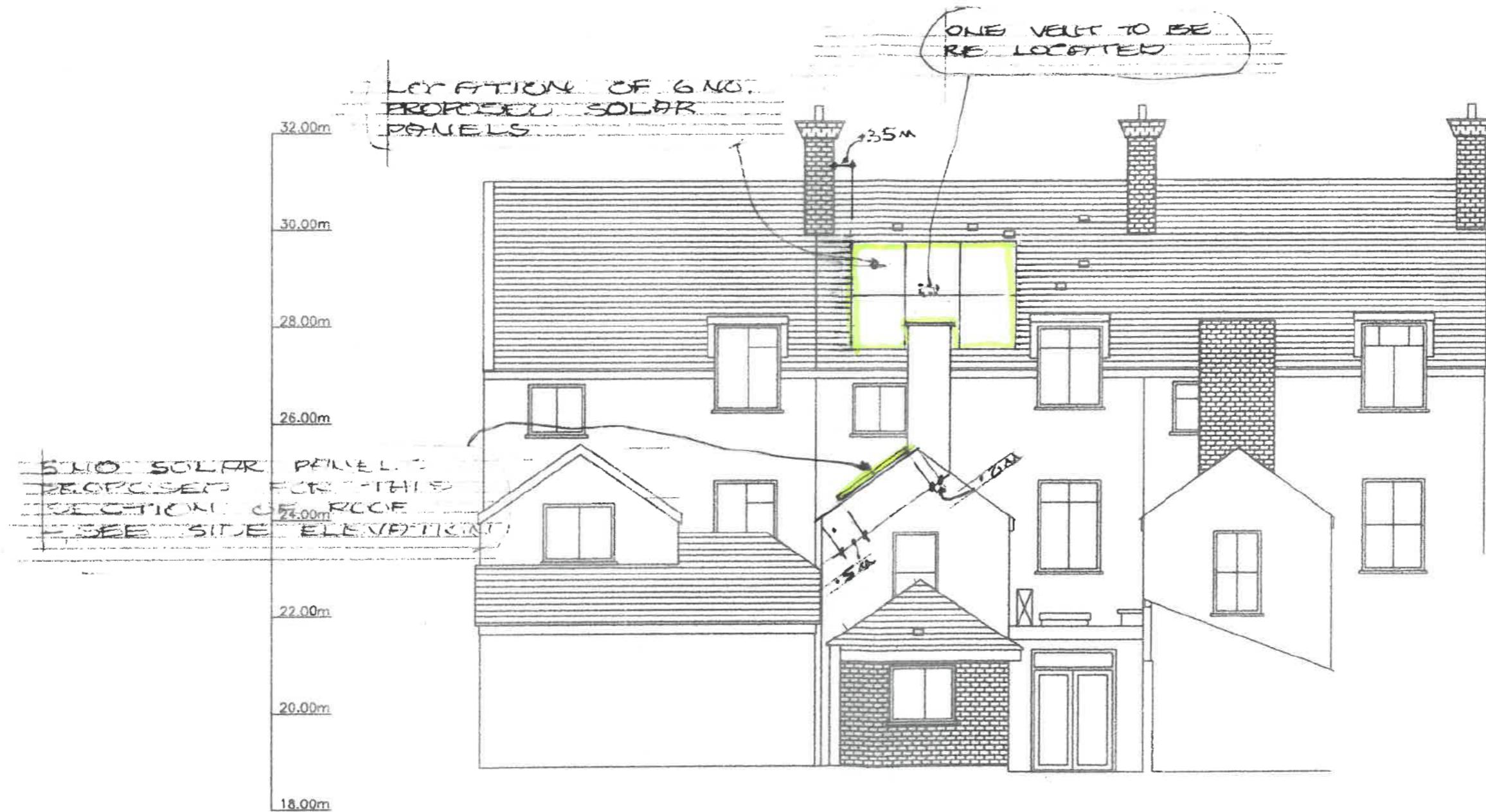
DRG. NO.: 02.

DATE: FEB '25

SCALE: 1:100



FRONT CONTINUOUS ELEVATION



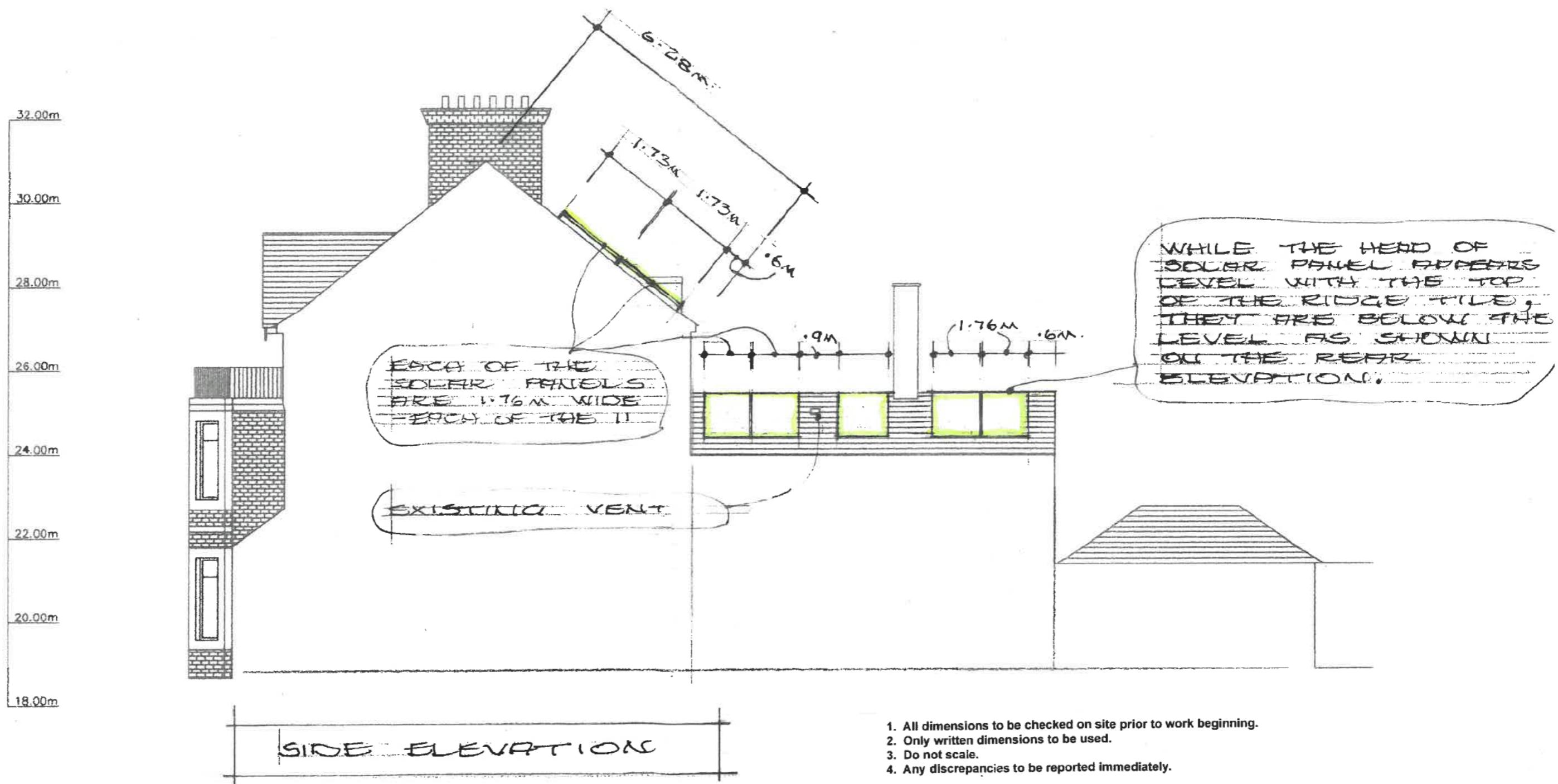
REAR ELEVATION

1. All dimensions to be checked on site prior to work beginning.
2. Only written dimensions to be used.
3. Do not scale.
4. Any discrepancies to be reported immediately.

JOB: D. MACGEE MAYFAIR  
O'CONNELL AVE,  
TITLE: REAR ELEVATION  
DOM O'RIORDAN  
ARCHITECTURAL SERVICES  
26, ASCOT TERRACE,  
O'CONNELL AVENUE,  
LIMERICK

086-3196717

JOB: 4801  
DRG. NO.: 03  
DATE: FEB 2025  
SCALE: 1: 100



JOB: D. MAGEE, MAYFAIR,  
 O'CONNELL AVE.,  
 TITLE: SIDE ELEVATION  
 DOM O'RIORDAN  
 ARCHITECTURAL SERVICES  
 26, ASCOT TERRACE,  
 O'CONNELL AVENUE,  
 LIMERICK  
 086-3196717

JOB: 4801  
 DRG. NO.: 04  
 DATE: FEB 2015  
 SCALE: 1:100



BANK IMPORT LODGEMENT AREA

08/11/2024

Receipt No./  
Uimhir Admhála : BANK/5542/67470529  
\*\*\*\*\* REPRINT \*\*\*\*\*

SECTION 5 EC-144-24 MAGEEDDAVID MAGE

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :  
Cash 80.00

Change/Sóinseáil : 0.00

Issued By/  
Eisithe ag : Antoinette Donnellan  
From/Ó : BANK IMPORT LODGEMENT AREA  
Vat reg No./Cláruimhir CBL: 3267368TH

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

**Reference no.** EC-036-25

**Name and Address of Applicant:** David Magee  
Mayfair  
O'Connell Avenue  
Limerick  
V94 EC9E

**Agent:** None

**Location:** Mayfair  
O'Connell Avenue  
Limerick  
V94 EC9E

**Description of Site and Surroundings:**

The site is occupied by a mid terrace three storey dwelling, Mayfair, which is a protected structure (RPS 4065) and within an Architectural Conservation Area (ACA 3: O'Connell Avenue).

**Zoning:**

The site is zoned *existing residential* as set out in the Limerick Development Plan 2022-2028

**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:

- Installation of solar PV panels on the rear roof and return of the existing dwelling.

This Section 5 declaration includes the following:

- Application Form
- Cover Letter
- Method statement
- Site location map
- Site layout drawing
- Dimensioned floor plans

**Planning History:**

EC.144.24 – Section 5 application submitted for the installation of solar PV panels at the rear of Mayfair O'Connell Avenue. Wasn't validated due to lack of payment received.

**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 installation of solar PV panels on an existing building constitutes 'works' and 'development'.

Is the proposal exempted development?

The proposal for the installation of Solar PV Panels on an existing dwelling will be assessed under Class 2 (c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

*Is the development within the curtilage of a house?*

Yes, the solar panels are within the curtilage of a house.

**Class 2 (c)**

The placing or erection on a roof of a house, or within the curtilage of a house, or on a roof of any ancillary buildings within the curtilage of a house (this class does not include apartments) of a solar photo-voltaic and/or a solar thermal collector installation.

The proposal includes for the installation of 11 no. PV panels (1.76m x 1.73m) to be placed on the rear roof plane and rear return of the existing dwelling house.

*1. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 50cm in the case of a flat roof or 15cm in any other case.*

It is not clear from the drawings or method statement submitted what the distance is between the plane of the roof and the solar panels

*2. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 50cm from the edge of a roof on which it is mounted.*

The proposed distance between the solar panels and the roof edge on the return is 20cm. The distance between the solar panels and the edge of the rear roof is above the required 50cm.

*3. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the house.*

No panels to be placed/erected forward of the front wall of the house.

*4. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 25 square metres.*

The total aperture area of the solar panels to the rear roof is 18sqm while the total aperture area of the solar panels on the return roof is 15sqm.

*5. The placing or erection of any free-standing solar photo-voltaic or solar thermal collector installation shall not reduce the remaining area of private open space, reserved exclusively for the use of the occupants of the house, to the rear or to the side of the house to less than 25 square meters.*

Solar panels proposed to be erected on roof place and therefore will not affect private open space.

*6. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.*

The height of proposed solar panels will not exceed 2.5 metres.

*7. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.*

Panels proposed to be erected on roof plane.

*8. The placing or erection of any free-standing solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.*

Dwelling house is located within an Architectural Conservation Area. Per discussions with LCCC Conservation Officer the installation of solar panels to the rear and return would materially affect the character of the protected structure.

*9. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.*

It is noted that the property is located within the University Hospital Solar Safeguarding zone. The applicant is advised that if the proposed PV panels cause hazardous glint and/or glare the panels shall either be removed or covered until such a time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of Limerick City and County Council.

Based on the information provided, I am not satisfied the construction of 11 no. PV solar panels on the roof plane to be exempted development under Class 2(c) of Part 1 of Schedule 2 of Exempted Development, Planning & Development Regulations 2001 (as amended).

## **Article 9 Restrictions**

### **Article 9 (1) - xii**

Development to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would '*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*'.

As per discussions with LCCC's Conservation Officer the proposed solar panels are considered to affect the exterior of a protected structure which is within an ACA therefore, the proposed development is considered restricted by xii of 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**

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 installation of 11 no. solar panels to the rear roof and return of the existing dwelling detailed on the application and plans submitted is not considered to be within the scope of Class 2(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2000 (as amended).

Regard has been had to –

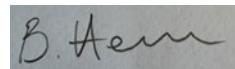
- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 2(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) Article 9 Restrictions (1)(xii)
- (d) The plans & particulars submitted with the application received on 5<sup>th</sup> March 2025

It is therefore considered that the said works are development and not exempted development under Class 2(c) of Part 1 of Schedule 2 and Article 9 (1)(xii) of the Planning and Development Regulations 2001 (as amended)



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Áine Leland  
Executive Planner  
Date 24/03/2025



Agreed \_\_\_\_\_  
Barry Henn, S.E.P  
Date: 26/03/2025

**Appendix 1- AA Screening examination**  
**AA PN01 Screening Form**

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
<b>a. File Reference No:</b>	EC/036/25
<b>b. Brief description of the project or plan:</b>	This is an application requesting a Section 5 Declaration on whether 11 no. solar panels to the rear roof and return of an existing dwelling is exempted development
<b>c. Brief description of site characteristics:</b>	The site is located within the urban environment and within an ACA. The house is designated as a protected structure
<b>d. Relevant prescribed bodies consulted:</b> e.g. DHLGH (NPWS), EPA, OPW	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>
None with a pathway-receptor source				

<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 site.
<b>Operation phase e.g.</b> <ul style="list-style-type: none"><li>• Direct emission to air and water</li></ul>	None works are minimal and will involve temporary construction works; therefore, no likely

<ul style="list-style-type: none"> <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>	significant impact on the conservation objectives of the above named site.
In-combination/Other	N/A given the level of development

**b. Describe any likely changes to the European site:**

<b>Examples of the type of changes to give consideration to include:</b> <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 site.
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**c. (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:**

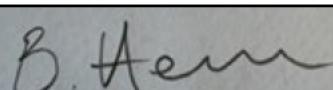
**Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives**

**On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:**

- the nature and scale of the proposed development on fully serviced lands,
- 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. An appropriate assessment is not, therefore, required.**

**Conclusion: AA Screening is not required.**

	Tick as appropriate:	Recommendation:
i. It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
ii. It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
iii. Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 Áine Leland Executive Planner 24/03/2025	
Signature and Date of the Decision Maker:	 Barry Henn, Senior Executive Planner 26/03/2025	

#### Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-036-25
Development Summary:	Whether the installation of 11 no. solar panels to the rear roof and return are exempted development
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 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)

<input type="checkbox"/>	Yes, specify class: [insert here] _____	EIA is mandatory  No Screening required
<input checked="" type="checkbox"/>	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)

<input checked="" type="checkbox"/>	No, the development is not a project listed in Schedule 5, Part 2	<b>No Screening required</b>
<input type="checkbox"/>	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
<input type="checkbox"/>	Yes the project is of a type listed but is <i>sub-threshold</i> :  [insert here] _____	Proceed to Part C

**C. If Yes, has Schedule 7A information/screening report been submitted?**

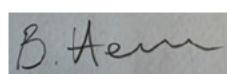
<input type="checkbox"/>	Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>
<input type="checkbox"/>	No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>

**Signature and Date of Recommending Officer:**



Aine Leland, Executive Planner  
24/03/2025

**Signature and Date of the Decision Maker:**



Barry Henn, SEP  
26/03/2025



## PLANNING & PLACE-MAKING

### REG POST:

**David Magee**  
**Mayfair**  
**O'Connell Avenue**  
**Limerick**  
**V94 EC9E**

**EC/036/25**

**27<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,

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

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

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

**No. AOO/DC/2025/300**

**File Ref No. EC/036/25**

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

**RE:** **The installation of solar PV panels on the rear roof and return of the existing dwelling at Mayfair, O'Connell Avenue, Limerick, V94 EC9E**

**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 Aine Leland, Executive Planner dated 24/03/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to David Magee, Mayfair, O'Connell Avenue, Limerick, V94 EC9E to state that the works as described above is *✓*

**Development and is NOT Exempt Development.**

Signed

*B. Henn*

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

*27/03/2025*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/300 dated 27/3/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

*B. Henn*

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



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

**DECLARATION NO.**

**EC/036/25**

**Name and Address of Applicant:** David Magee, Mayfair, O'Connell Avenue, Limerick, V94 EC9E

**Agent:** N/A

**Whether** the installation of solar PV panels on the rear roof and return of the existing dwelling at Mayfair, O'Connell Avenue, Limerick, V94 EC9E 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 4<sup>th</sup> of March 2025.

**AND WHEREAS** the Planning Authority has concluded that the installation of solar PV panels on the rear roof and return of the existing dwelling at Mayfair, O'Connell Avenue, Limerick, V94 EC9E **DOES NOT** come within the scope of exempted development under Class 2(c) of Part 1 of Schedule 2 and Article 9 (1)(xii) 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 NOT Exempt Development**.

Signed on behalf of the said Council

*Karen Conlon*

Date: 27/03/2025

**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.