

**LIMERICK CITY & COUNTY COUNCIL****PLANNING AND ENVIRONMENTAL SERVICES****SECTION 5 APPLICATION****DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: Paul Slattery
Applicant's Address: Ardnataggle, O'Brien's Bridge
Co. Clare, V94X33D

Telephone No. [REDACTED]

Name of Agent (if any): _____

Address: _____

Telephone No. _____

Address for Correspondence:

Ardnataggle, O'Brien's Bridge,
Co. Clare, V94X33D

Location of Proposed development:

Montpelier Community Center
Montpelier, O'Brien's Bridge,
Co. Limerick.

Description of Proposed development:

Community Center -
Break though wall to connect OLD
school area to the Sports hall. Re-develop
stairs to improve accessibility, to latest building regs.

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

Applicant's interest in site: No

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

Architect Drawings, highlighted
in pink the area we are proposing
changes to.

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

If Yes please provide floor areas of all existing structures:

Yes, the rear WC, Canteen & Store
were added in the early 2000's floor
area is 4105 x 10005 m for this section.
All floor areas are included in the drawing

Signature of Applicant (or Agent) Paul Slattery

A4

MONTPELIER
O'BRIENS BRIDGE, KILLALOE
X 586064 Y 682003
OSI MAP SERIES
OSI ORDER No. V_5000000_1
SITE AREA: 0.144 Hec.

Existing site entrance

SITE NOTICE

+ 32.6

Site Location Map

A site plan showing the location of the 'Existing c centre'. The plan features a grid of buildings, some of which are shaded grey. A red line outlines a specific area in the center. A north arrow is located in the bottom right corner of the red-outlined area. The text 'Existing c centre' is positioned in the top right corner, and '+32.6' is located to the right of the red-outlined area.

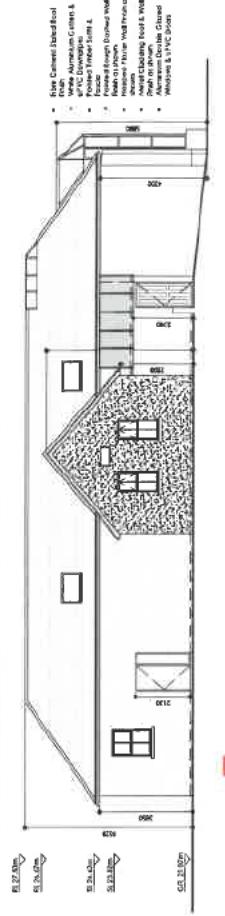
SCALE 1:2500 Metres

SCALE 1:2500 Metres

Project:	Community Centre		
Address:	Montpelier, O' Bileens Bridge, Killaloe.		
Drawing:			
Architect:	Abney House, Summerhill, Naas, County Kildare		
Surveyor:	Member of the Royal Institute of Architects of Ireland		
Scale:	1:2500		
Date:	12/07/2012		

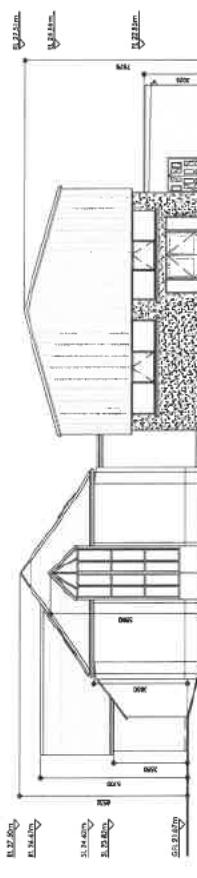
Checked By:	MS
Date:	June 2028
Specs:	1:2.9g w/ A4
Reason:	REV Q1
DIAGNO. NO.	PL-01
PROJECT NO.	2284

2284



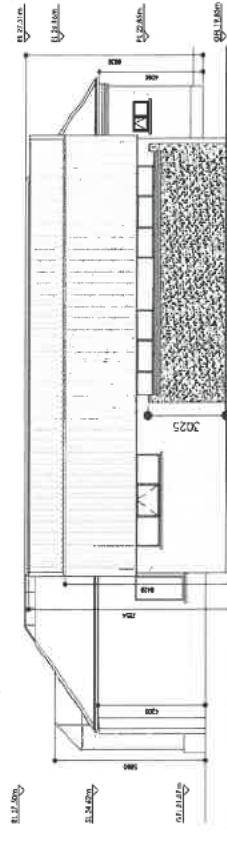
Existing Southwest Elevation

Scale 1:100



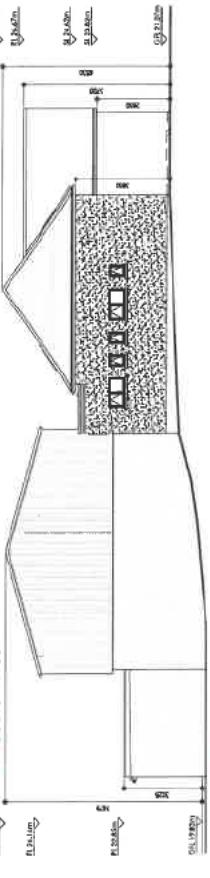
Existing South East Elevation

Scale 1:100



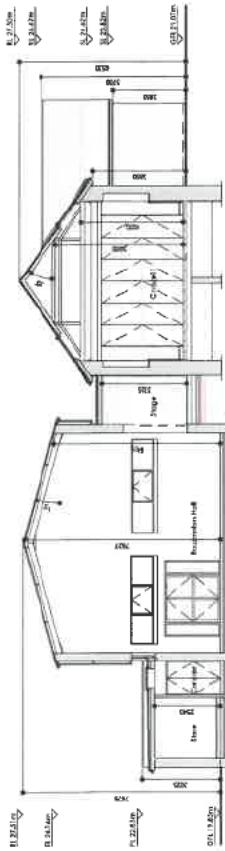
Existing North East Elevation

Scale 1:100



Existing Northwest Elevation

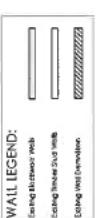
Scale 1:100



Existing Ground Floor Plan

Scale 1:100

Floor Area 367.67 sq.m



Existing Section A-A

Scale 1:100

Project:		Community Centre	Existing Community Centre Drawings.
Address:		Monpeller, O'Briens Bridge, Killaloe.	Existing Community Centre Drawings.
Drawing:		Existing Community Centre Drawings.	Existing Community Centre Drawings.
Drawn By:	PL-03	PL-03	PL-03
Checked By:	PL-03	PL-03	PL-03
Date:	June 2023	June 2023	June 2023
Scale:	1:100	1:100	1:100
Revised:	Rev 01	Rev 01	Rev 01
Comments:	None	None	None
File No:	PL-03	PL-03	PL-03
Page No:	1	1	1

Transactions	
Logon	
<input type="button" value="Reprint"/>	<input type="button" value="Cancel Receipt"/>
<input type="button" value="Close Receipt"/>	
LIMERICK CITY & COUNTY COUNCIL CASH OFFICE CIVIC OFFICES DOORADOYLE CO LIMERICK	
24/03/2025 14:14:08	
Receipt No : Uimhí Adhmaid : LA25/025175680	
PAUL SLATTERY ARDNAGGLE OBRIENS BRIDGE CO CLARE	
EXEMPTION CERTIFICATES GOODS 80.00 VAT Exempt/Non-variable	80.00
Total/Iomlán :	80.00 EUR
Tendered/Tairgthe Credit / Debit Card VISA *****4831 ****	80.00
Change/Súinseáil	0.00
Issued By/ Eisithe ag - Georgina McCarthy From/O CASH OFFICE HQ Vat reg No./Cláirúimhír CBL: 3267368TH	

Scanlan, Margaret Anne

From: Paul Slattery [REDACTED]
Sent: Monday 24 March 2025 18:26
To: Scanlan, Margaret Anne; Pond, Joe
Subject: Re: [EXTERNAL]Time critical - Section 5 Planning Exemption
Attachments: Receipt for Exemption Cert

Caution: This is an external email and may have a suspicious subject or attached content.
Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

Hi Margaret-Anne,

I spoke with Georgina today and paid the €80, see the attached email and receipt.

Thank you!
Best regards,
Paul [REDACTED]

From: Scanlan, Margaret Anne <margaretanne.scanlan@limerick.ie>
Sent: 21 March 2025 16:54
To: [REDACTED]
Subject: FW: [EXTERNAL]Time critical - Section 5 Planning Exemption

Please be advised a Section 5 exemption cert requires a payment of €80.

This can be done over the phone 061557296, Or by EFT

By Phone, Quote payment **code PL041** and Reference : Applicants Name & First line of Address

All correspondence should be marked for the attention of Development Management.

Please revert with confirmation of payment.

Please be advised the statutory period of four weeks during which the Planning Authority is required to give a decision will date from the receipt of completed application and payment.

Regards,
Margaret-Anne

Planning Development
Limerick City and County Council
Dooradoyle | Limerick V94 WV78
061 556556 | planning@limerick.ie

From: [REDACTED]
Sent: Thursday, March 20, 2025 1:35 PM
To: enforcements <enforcements@limerick.ie>; Pond, Joe <joe.pond@limerick.ie>
Subject: [EXTERNAL]Time critical - Section 5 Planning Exemption

You don't often get email from [REDACTED] [Learn why this is important](#)

Caution: This is an external email and may have a suspicious subject or attached content. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

Hi,

I'm chairperson on the CLG managing the Montpelier community centre. We're applying for Leader funding to connect two parts of the building and make safe an existing staircase. These works will require some internal changes but none to the outside of the building, nor will it affect the nature of activities at the site.

Please find attached:

Section 5 planning exemption form
Architect drawings of the building
Site location map
Site Layout Plan

We are under considerable time pressure, could you possibly conclude before the 20th of April to enable us to submit to Leader before the end of April?

Best regards,
Paul Slattery
[REDACTED]

[Limerick City & County Council Disclaimer](#)



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

ATLANTIC EDGE
LIMERICK
EUROPEAN EMBRACE

 Chambers
Ireland
Local Government
AWARDS 2023

COUNCIL OF THE YEAR

From: McCarthy, Georgina <georgina.mccarthy@limerick.ie>
Sent: Monday 24 March 2025 14:23
To: [REDACTED]
Subject: Receipt for Exemption Cert
Attachments: SnipImage.JPG

Dear Sir,

Please find attached receipt of your payment for an exemption cert.

Regards
Georgina McC
Cash Office

Limerick City and County Council stands united against aggression, violence and misconduct towards our dedicated staff. We value collaboration and open dialogue, fostering an environment where everyone feels safe and respected. Together, we uphold a culture of dignity and professionalism, ensuring that our employees can serve you with enthusiasm.

Limerick City & County Council Disclaimer



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

ATLANTIC EDGE
LIMERICK
EUROPEAN EMBRACE

Chambers
Ireland
Local Government
AWARDS 2023
COUNCIL OF THE YEAR

Scanlan, Margaret Anne

From: Scanlan, Margaret Anne
Sent: Tuesday 25 March 2025 16:08
To: Scanlan, Margaret Anne
Subject: FW: [EXTERNAL]Time critical - Section 5 Planning Exemption
Attachments: Section 5 - Montpelier Hall.pdf; Montpelier CS Survey_V01-PL-03 Existing Community Centre Drawings.pdf; Montpelier CS Survey_V01-PL-01-Site Location Map.pdf; Montpelier CS Survey_V01-PL-02 Site & Landsc Layout.pdf

From: enforcements <enforcements@limerick.ie>
Sent: Friday 21 March 2025 11:58
To: Scanlan, Margaret Anne <margaretanne.scanlan@limerick.ie>; Conlon, Karen <karen.conlon@limerick.ie>
Cc: Kenny, Susan <susan.kenny@limerick.ie>; Cahill, Joe <joe.cahill@limerick.ie>
Subject: FW: [EXTERNAL]Time critical - Section 5 Planning Exemption

Can this be prioritised? Needed for grant in the next few weeks – they've been in contact with Joe .

Regards, Helen

From: enforcements <enforcements@limerick.ie>
Sent: Thursday, March 20, 2025 4:44 PM
To: Kenny, Susan <susan.kenny@limerick.ie>
Subject: FW: [EXTERNAL]Time critical - Section 5 Planning Exemption

Helen Keane,
Enforcement/ Taking-in-Charge,
Planning, Environment and Place-Making,
Limerick City & County Council,
Dooradoyle,
Limerick.
V94 WV78.

Tel: 353 61 556 390

From: Paul Slattery [REDACTED]
Sent: Thursday, March 20, 2025 1:35 PM
To: enforcements <enforcements@limerick.ie>; Pond, Joe <joe.pond@limerick.ie>
Subject: [EXTERNAL]Time critical - Section 5 Planning Exemption

You don't often get email from [REDACTED] [Learn why this is important](#)

Caution: This is an external email and may have a suspicious subject or attached content.
Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

Hi,

I'm chairperson on the CLG managing the Montpelier community centre. We're applying for Leader funding to connect two parts of the building and make safe an existing staircase. These works will require some internal changes but none to the outside of the building, nor will it affect the nature of activities at the site.

Please find attached:

Section 5 planning exemption form
Architect drawings of the building
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Site Layout Plan

We are under considerable time pressure, could you possibly conclude before the 20th of April to enable us to submit to Leader before the end of April?

Best regards,
Paul Slattery

[REDACTED]

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

Reference no. EC-050/25

Name and Address of Applicant: Paul Slattery,
Ardnataggle.,
O'BriensBridge,
Co Clare,
V94 X33D

Agent: N/A

Location: Montpelier Community Centre,
Montpelier
O'BriensBridge,
Co Clare,

Description of Site and Surroundings:

The site is located in the village of Montpelier. The former school building is in use as a community centre and an oratory. There is a sports hall constructed contiguous to the rear of the school building.

Zoning:

Montpelier is identified as a level 5 settlement in the Limerick Development Plan 2022-2028. The site does not have a specific land use zoning.

Proposal:

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

- Break through wall to connect old school area to the sports hall. Redevelop stairs to improve accessibility to latest building regulations

This Section 5 declaration includes the following:

- Application Form
- Site location Map
- Site & Landscaping Layout Plan
- Elevation and Floor Plan Drawings

Planning History:

23/60708: Retention permission granted for a new boat storage container and planning permission for works to include new decorative cladding at the front and sides of the container

01/254 Permission granted for construction of single storey extension to side of community hall. Conditional permission.

Enforcement History

DC-234-23 Unauthorised development - 40ft container. Case closed.

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 applicant has stated that the description of the proposed development would be to break through a wall to connect the old school area to the sports hall and to redevelop a stairs to improve accessibility. These are considered works and therefore are considered development.

Is the proposal exempted development?

The building is an established community centre within Montpelier. It is not considered that there would be any material change of use as the existing community centre use would be maintained. The works proposed would all be interior works and therefore can be assessed against section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Section 4(1)(h) states the following:

'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'.

It is considered that the works proposed would only affect the interior of the structure and therefore the works proposed can be considered as exempted development under section 4(1)(h) of the Planning and Development Act 2000 (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

It is considered that the works proposed would only affect the interior of the structure and therefore the works proposed can be considered as exempted development under 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)
- (c) 4(1)(h) of the Planning and Development Act 2000 (as amended)
- (d) The plans & particulars submitted with the application received on 24th March 2025

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

Mary O Malley

Mary OMalley
Executive Planner
Date15/04/2024

Agreed

B. Henn

Barry Henn, S.E.P

Date: 17/04/2025

Appendix 1- AA Screening examination

AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(a) File Reference No:	EC/050/25
(b) Brief description of the project or plan:	Internal alterations comprising -Break through wall to connect old school area to the sports hall. Redevelop stairs to improve accessibility to latest building regulations
(c) Brief description of site characteristics:	Existing community centre site in village
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) 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
002165	Lower River Shannon SAC	200m	None	No
004165	Slieve Felim to Silvermines Mountains SPA	8km(East)	None	No

¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

² if the site or part thereof is within the European site or adjacent to the European site, state here

STEP 3: Assessment of Likely Significant Effects	
(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:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)

<p>Construction phase e.g.</p> <ul style="list-style-type: none"> - 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 	<p>None. No direct encroachment or hydrological connection. Works are internal to existing building.</p>
<p>Operation phase e.g.</p> <ul style="list-style-type: none"> - 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 	<p>None. No direct encroachment or hydrological connection.</p>
<p>In-combination/Other</p>	<p>None, given the level of development in the area. Site is within a village setting in an existing building.</p>
<p>(b) Describe any likely changes to the European site:</p> <p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> - Reduction or fragmentation of habitat area - Disturbance to QI species - Habitat or species fragmentation - Reduction or fragmentation in species density - 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 	
<p>(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</p>	
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

STEP 4: Screening Determination Statement

The assessment of significance of effects:

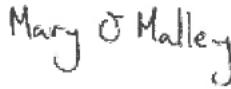
Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives

Conclusion:

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 development,
- the intervening urban 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 site or any other European site, in view of the said site conservation objectives. An appropriate assessment is not, therefore, 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:	 <hr/> Mary O Malley Executive Planner	
	15/04/2025	
Signature and Date of the Decision Maker:	 Barry Henn, SEP 17/04/2025	

Appendix 2 - EIA Screening examination

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC/050/25
Development Summary:	Internal alterations within community centre building comprising -Break through wall to connect old school area to the sports hall. Redevelop stairs to improve accessibility to latest building regulations
Was a Screening Determination carried out under Section 176A-C?	<p>Yes, no further actions required</p> <p>X No, proceed to Part A</p>
<p>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)?</p> <p>(Tick as appropriate)</p>	
Yes specify class here:	<p>EIA is mandatory</p> <p>No Screening required</p>
X No	Proceed to Part B
<p>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?</p> <p>(Tick as appropriate)</p>	
X - No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): <p>[specify class & threshold here]</p>	<p>EIA is mandatory</p> <p>No Screening required</p>
Yes the project is of a type listed but is sub-threshold :	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	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Signature and Date of Recommending Officer:	Mary O'Malley _____ Mary O'Malley, EP 15/04/2025
Signature and Date of the Decision Maker:	B. Henn _____ Barry Henn, SEP 17/04/2025



PLANNING & PLACE-MAKING

REG POST:

**Paul Slattery,
Ardnataggle.,
O'Brien's Bridge,
Co Clare,
V94 X33D**

EC/050/25

17th April 2025

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/2025/379

File Ref No. EC/050/25

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

RE: **To break through a wall to connect old school area to the sports hall and redevelop stairs to improve accessibility to latest building regulations at Montpelier Community Centre, Montpelier, O'Brien's Bridge, Co Clare**

ORDER: Whereas by Director General's Order No. DG/2024/123 dated 27th 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 Mary O'Malley, Executive Planner dated 15/04/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Paul Slattery, Ardnataggle, O'Brien's Bridge, Co Clare, V94 X33D to state that the works as described above is

Development and is Exempt Development. *BC*

Signed

B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

17 | 04 | 2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/379 dated 17 | 04 | 2025, 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/050/25

Name and Address of Applicant: Paul Slattery, Ardnataggle, O'Brien's Bridge, Co Clare, V94 X33D

Agent: N/A

Whether breaking through a wall to connect old school area to the sports hall and redevelop stairs to improve accessibility to latest building regulations at Montpelier Community Centre, Montpelier, O'Brien's Bridge, Co Clare 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 24th of March 2025

AND WHEREAS the Planning Authority has concluded that the breaking through a wall to connect old school area to the sports hall and redevelop stairs to improve accessibility to latest building regulations at Montpelier Community Centre, Montpelier, O'Brien's Bridge, Co Clare **DOES** come within the scope of exempted development under Class 4(1)(h) 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

Date: 17/04/2025

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.