



**Planning Section,**  
Limerick City + County Council,  
County Hall,  
Dooradoyle,  
Limerick  
**30/3/2025**

**Re: Proposed Section 5 Exempted Development proposal at Monteloup, North Circular Road Limerick for Lisa Cogan**

Dear Sirs,

I refer to the above property and on behalf of my client hereby apply for a Section 5 exemption as outlined below and detailed on the attached drawing presentation.

**Former Dwelling Layout:**

By way of detailed background the applicant purchased the property in 2018.

The original layout of the house at its time of purchase is shown on Drawing 202 and annotated as 'Former Ground Floor' which comprised an 18.75m<sup>2</sup> garage at the side of the dwelling house.

In 2019/2020 the applicant carried out works to convert the existing 18.75m<sup>2</sup> garage as part of the dwelling house and whilst a Section 5 exemption was not applied for, the applicant will have relied on Class 1 namely **'the conversion for use as part of the house, of any garage, store, shed or other such similar structure attached to the rear or to the side of the house'**

We are satisfied that all conditions and limitations attaching to Class 1 exemption were complied with for this earlier work.

**Current/Subject Proposal:**

The subject proposal relates to a Section 5 exemption declaration for the construction of a rear extension area of the dwelling and the construction of a new store at the side of the dwelling.

We wish to outline how we consider both developments to be viewed as exempted development as follows:

**Rear Extension: (to be assessed under Class 1)**

The proposed new rear extended area is outlined in RED on Drawing 203.

The proposed new rear extension measures 26.74m<sup>2</sup>

The proposed new rear extension is positioned behind the original/existing dwelling, notwithstanding the fact that '**behind the dwelling**' may now also be deemed to include the frontage width owing to the preceding garage conversion to use as part of the dwelling, but we are not relying on such an interpretation.

The proposed extension in red will require modifications to the previous garage conversion and in such circumstances we note that the area of the proposed rear extension at 26.74m<sup>2</sup> and the remaining previous garage conversion part of the dwelling at 13.21m<sup>2</sup> and both areas combined give rise to a combined floor area of 39.95m<sup>2</sup>.

In other words the area of such previous converted area and new proposed areas do not exceed 40m<sup>2</sup>

We have examined the conditions and limitations of Class 1 and summarise compliance as follows:

- The combined extended area is less than 40m<sup>2</sup> overall
- There is no **first** floor extension proposed
- The roof of the extension does not exceed the eaves level of the roof of the dwelling house.
- The remaining private amenity garden space at the rear of the house is **241.57m<sup>2</sup>** versus the limitation on Class 1 which not to reduce below 25m<sup>2</sup>
- Any ground floor windows on the side walls of the proposed extension are in excess of 1m from the plot boundary they face. To the south the rear bay window is **2.42m** from the south boundary and the north bay window is **3.77m** from the north boundary and for the record the rear/west bay window is **18.7m** from the western boundary.
- The roof of the extension shall not be used as a balcony.

We therefore propose that the new extended area outlined in red complies with Class 1 of Part 1 of the Second Schedule of the Planning & Development Regulations 2021 - 2024

#### Proposed Store:

The applicant proposed to build a new Store at the side of the existing dwelling.

The store is shown coloured in Green on the Drawing 203.

The floor area of the store is 6.24m<sup>2</sup>

We propose that the proposed store be deemed exempted development under Class 3 as follows:

- The proposed Store is located behind the front wall of the house.
- The area of the proposed structure is 6.24m<sup>2</sup>. There are no other such similar structures on the site and therefore the 6.24m<sup>2</sup> is under a permissible/combined area of 25m<sup>2</sup>
- The position of the proposed Store does not reduce the available private amenity garden space which has been determined as being 241.57m<sup>2</sup>
- The roof finishes shall match those of the former garage including its height and design. It is noted that the original garage structure is now part of the dwelling per the 2019 works Class 1 conversion works.

- The height of the flat roof design does not exceed 3m in height, namely 2.92m

We therefore propose that the new extended area outlined in red complies with Class 3 of Part 1 of the Second Schedule of the Planning & Development Regulations 2021 - 2024

**Conclusion:**

We therefore seek a declaration of exempted development as follows:

- That the proposed extension to the rear (in Red) accords with Class 1 and is exempted development.
- The Store at the side (in Green) accords with Class 3 and is exempted development.

We look forward to your detailed assessment of same,

Yours sincerely,



**Seamus McElligott**



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: LISA COGAN

Applicant's Address: MONTÉLOUP.

NORTH CIRCULAR ROAD

LIMERICK

Telephone No.



Name of Agent (if any): SEANUS MCELLIGOTT

Address: LOMBARDSTOWN,

CAHERCONLISH

CO. LIMERICK

Telephone No. 087 8200454

Address for Correspondence:

SEANUS MCELLIGOTT

LOMBARDSTOWN, CAHERCONLISH.

CO. LIMERICK

Location of Proposed development (Please include EIRCODE):

V94PX 4T, MONTELOUP, NORTH CIRCULAR  
ROAD LIMERICK

Description of Proposed development:

TO CONSTRUCT A  $26.74 \text{ m}^2$  REAR HOUSE  
EXTENSION IN (RED) AND TO CONSTRUCT  
A STORE AT THE SIDE OF THE EXISTING  
HOUSE WITH AREA OF  $6.24 \text{ m}^2$

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

CLASS 1 - REAR EXTENSION, CLASS 3 - STORE AT SIDE.

Is this a Protected Structure or within the curtilage of a Protected Structure.

~~YES~~/NO

Applicant's interest in site: OWNER

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

LOCATION MAP, SITE PLAN, FULL SET OF GA  
DRAWINGS OF EXISTING DWELLING, AND  
PROPOSED ARCHIT. DRAWINGS

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

If Yes please provide floor areas of all existing structures:

PREVIOUS CONVERSION OF GARAGE IN 2019  
OF  $18.75 \text{ m}^2$

Signature of Applicant (or Agent) S.M.C.E.

**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.
- (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.

\*\*\*\*\*

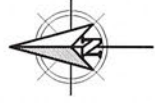
Application to be forwarded to:

**Planning Department,  
Limerick City & County Council,  
Dooradoyle,  
Limerick,  
V94 XF67**

**Enquiries:  
Telephone: 061-556556  
E-Mail: [planning@limerick.ie](mailto:planning@limerick.ie)**

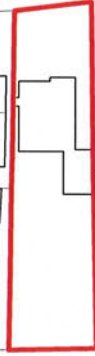
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SITE LOCATION MAP

O.S REF. 4742/4681 (1:1000)





SITE AREA - 0.120 ACRES/0.048Ha

O.S. REFERENCE - 4742/4681

**SMCE**

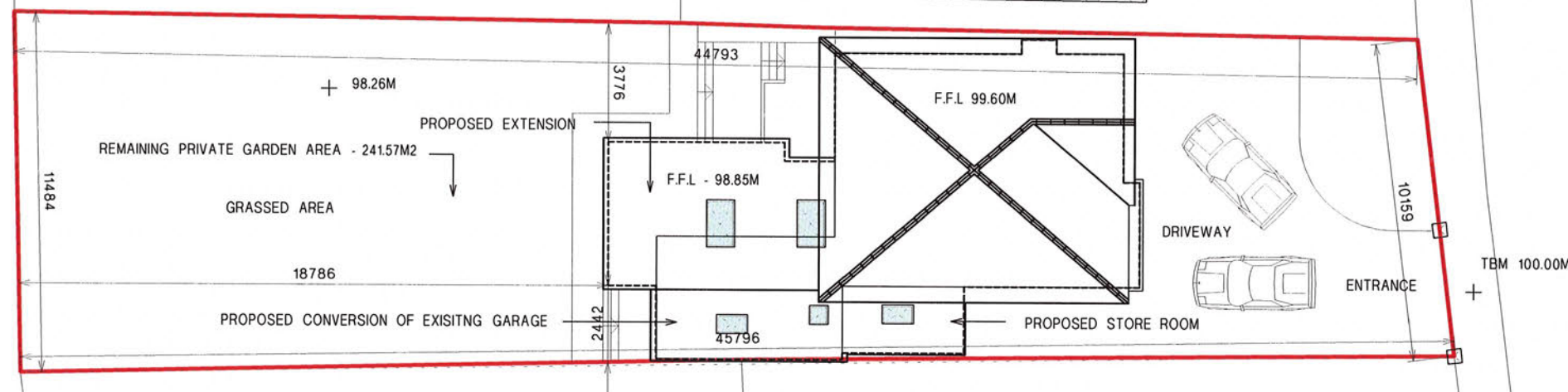
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**A3**

SITE LAYOUT PLAN 1:200

# SECTION 5 EXEMPTED DEV. PROPOSAL

**CLIENT:**

LISA COGAN

**PROJECT:**

SECTION 5 EXEMPTED DEVELOPMENT PROPOSAL

**DEVELOPMENT ADDRESS:**

MONTELOUP, NORTH CIRCULAR ROAD, LIMERICK, V94PX4T

**TITLE:**

SITE LAYOUT PLAN

**DATE:**

MARCH 2025

**DRAWING No.**

Dwg. 2024.74.201

**SCALES:**

1:200/A3

**REVISIONS:**

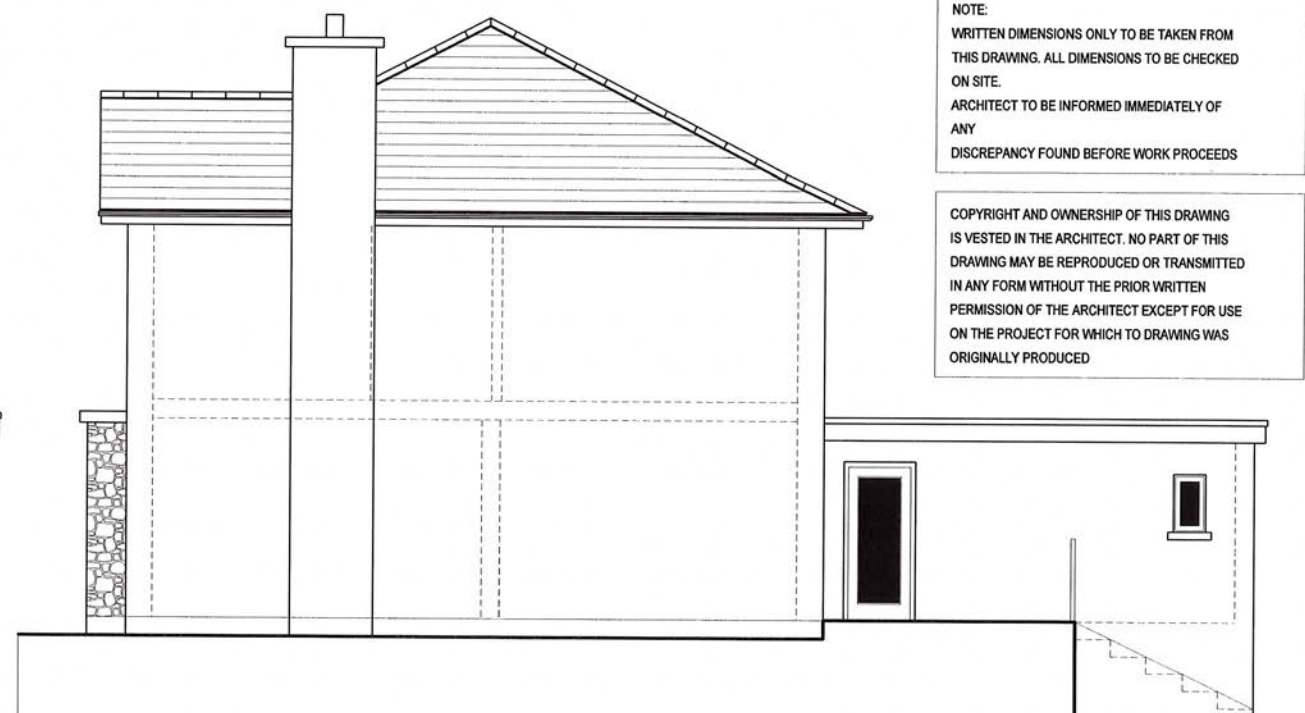
SEAMUS McELLIGOTT  
PLANNING DESIGN CONSULTANCY  
5 HIGH STREET, CAHERCONLISH  
CO. LIMERICK  
TEL: (081) 351028 FAX: (081) 352088 MOBILE: (087) 8200454



EXISTING FRONT ELEVATION 1:100



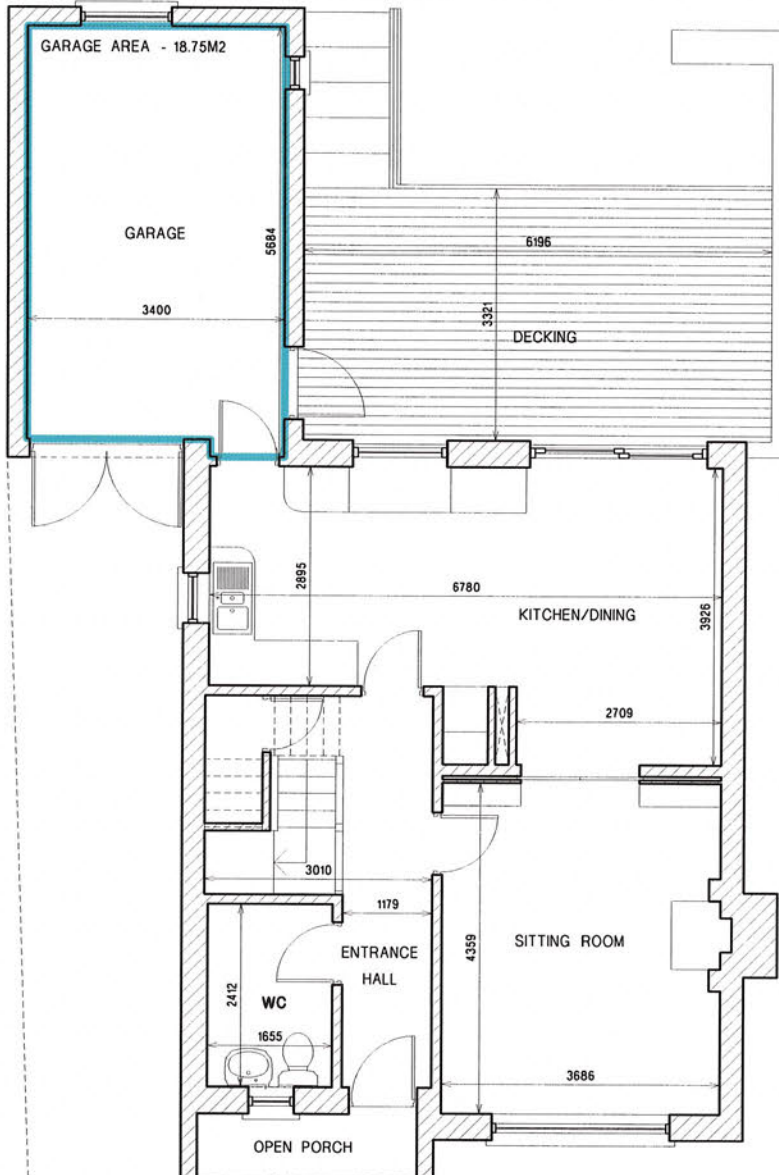
EXISTING BACK ELEVATION 1:100



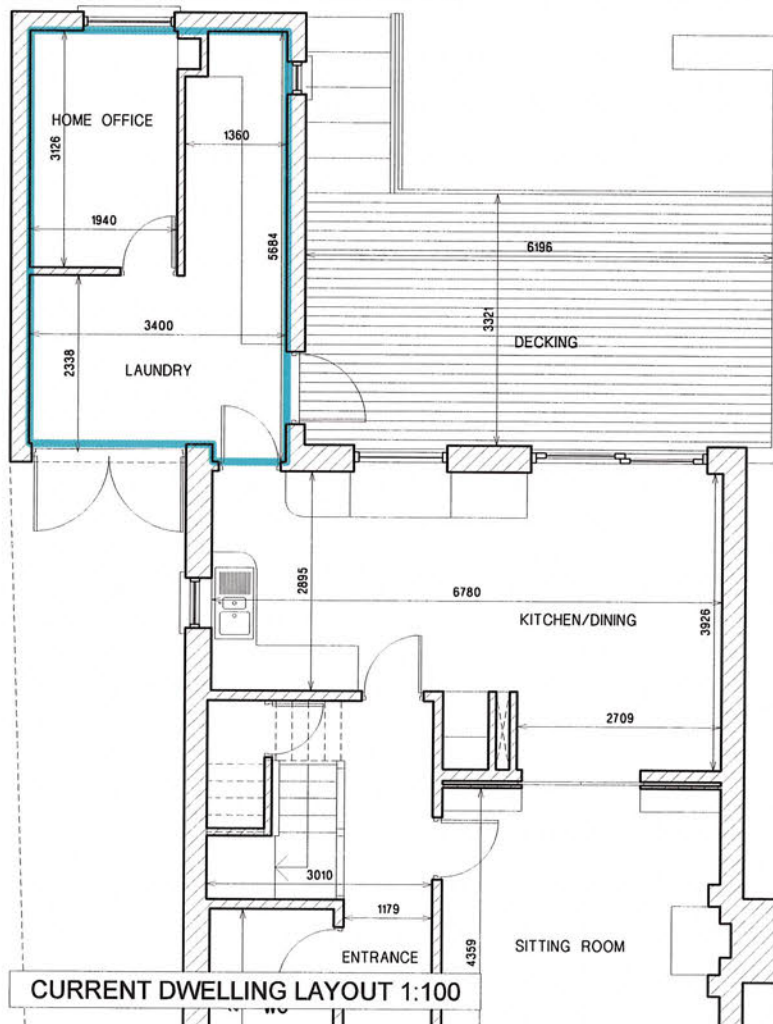
EXISTING RIGHT SIDE ELEVATION 1:100

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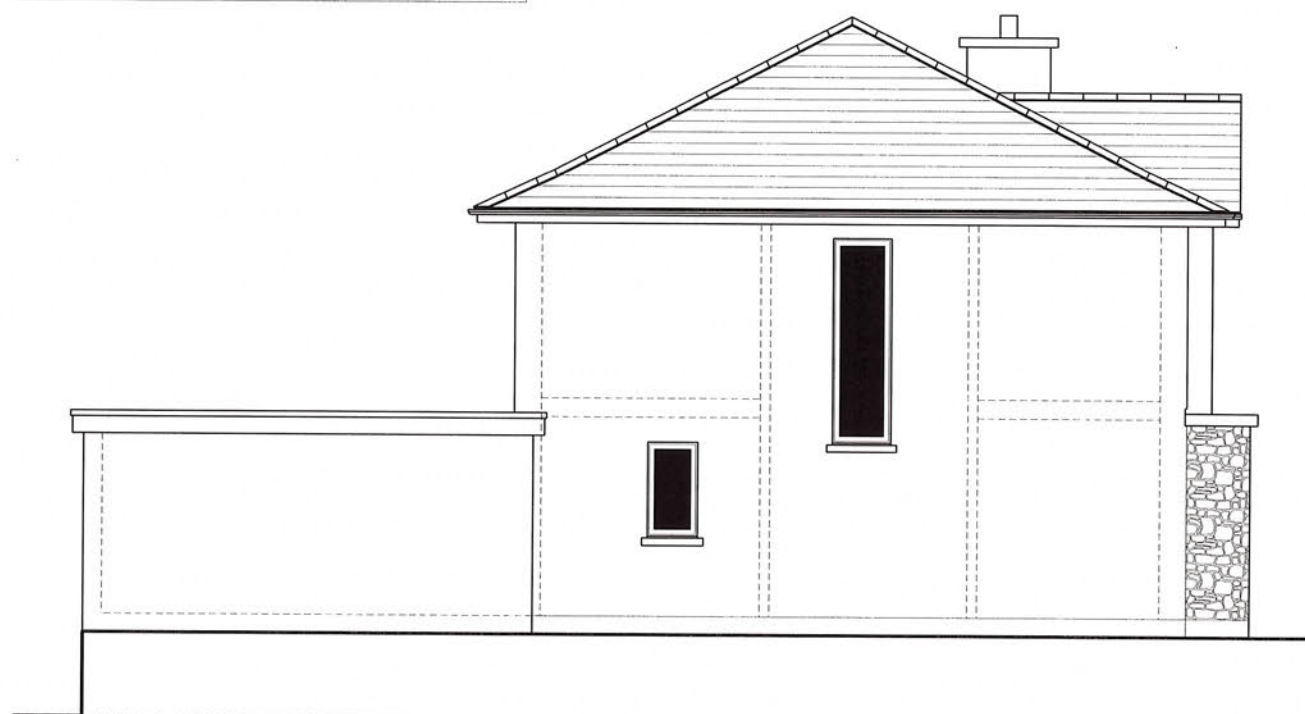
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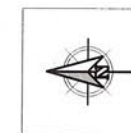
FORMER GROUND FLOOR PLAN 1:100



CURRENT DWELLING LAYOUT 1:100



EXISTING LEFT SIDE ELEVATION 1:100



# SECTION 5 PROPOSAL

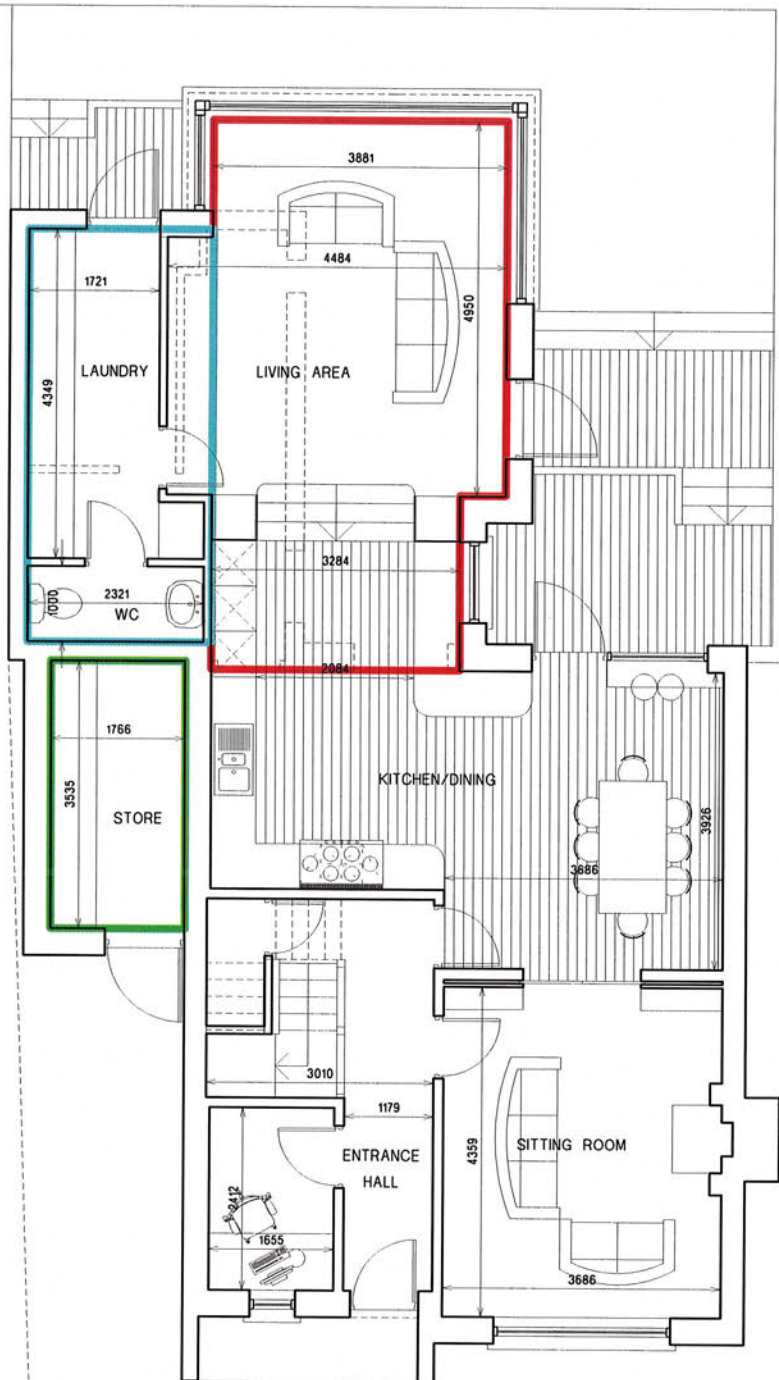
CLIENT: LISA COGAN	
PROJECT: SECTION 5 EXEMPTED DEVELOPMENT PROPOSAL	
DEVELOPMENT ADDRESS: MONTELOUP, NORTH CIRCULAR ROAD, LIMERICK, V94PX4T	
TITLE: EXISTING DWELLING	
DATE: MARCH 2025	DRAWING No. Dwg. 2024.74.202
SCALES: 1:100/A3	REVISIONS:
SEAMUS McELLIGOTT PLANNING DESIGN CONSULTANCY <small>TEL: (001) 351028 FAX: (001) 352888 MOBILE: (087) 8200454</small>	

A3

AREA IN BLUE - 13.21M2

AREA IN RED - 26.74M2

AREA IN GREEN - 6.24M2



PROPOSED GROUND FLOOR PLAN 1:100

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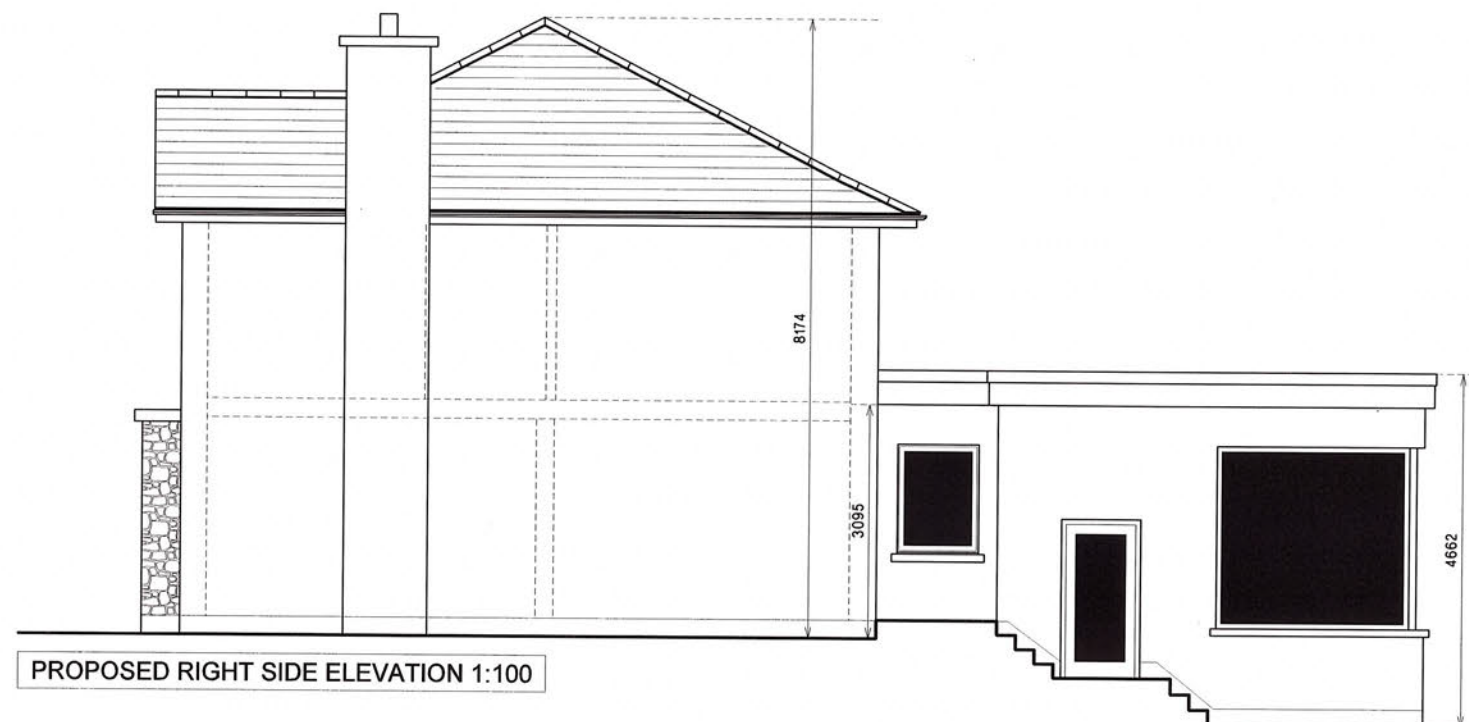
ALL FINISHES TO MATCH THE EXISTING DWELLING



PROPOSED FRONT ELEVATION 1:100



PROPOSED BACK ELEVATION 1:100



PROPOSED RIGHT SIDE ELEVATION 1:100



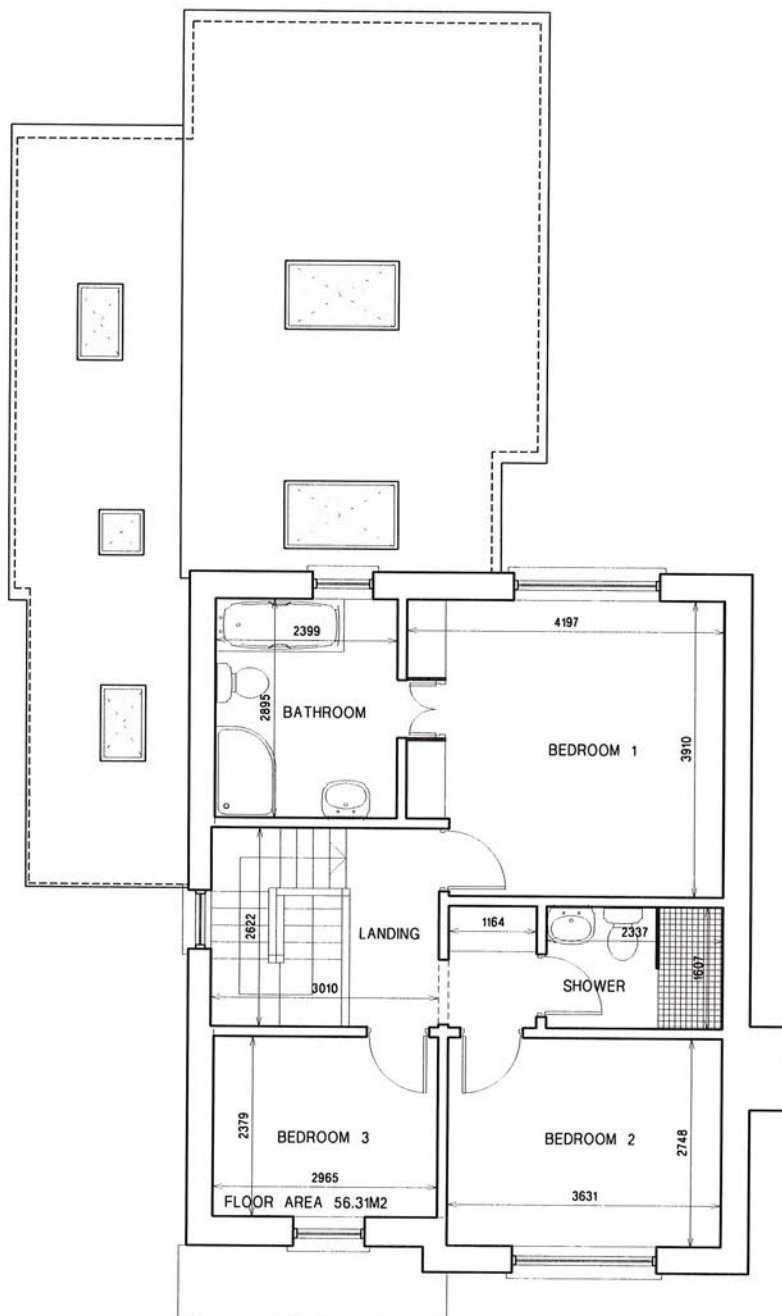
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CLIENT: LISA COGAN	
PROJECT: SECTION 5 EXEMPTED DEVELOPMENT PROPOSAL	
DEVELOPMENT ADDRESS: MONTELOUP, NORTH CIRCULAR ROAD, LIMERICK, V94PX4T	
TITLE: PROPOSED EXEMPTED DEVELOPMENT PROPOSAL	
DATE: MARCH 2025	DRAWING No. Dwg. 2024.74.203
SCALES: 1:100/A3	REVISIONS:
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# SECTION 5 EXEMPTED DEV. PROPOSAL



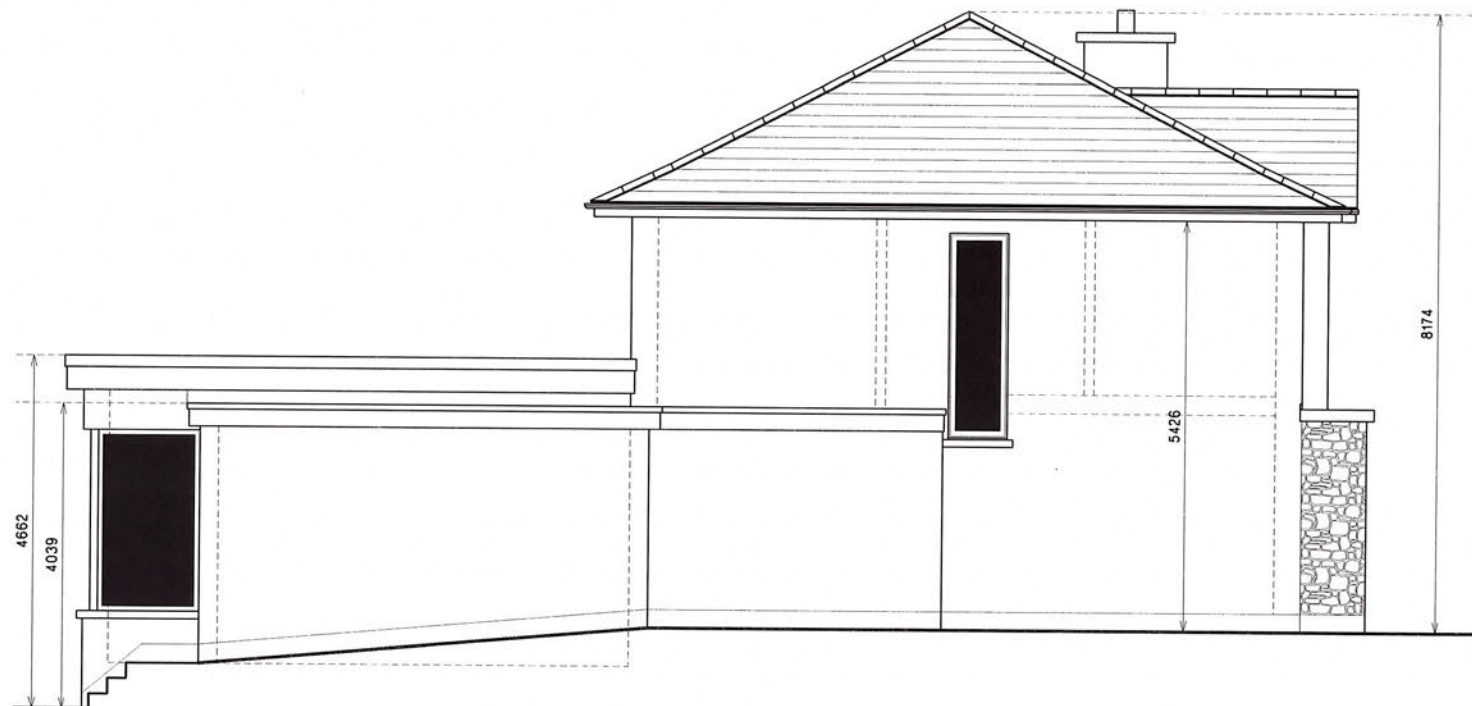
PROPOSED FIRST FLOOR PLAN 1:100



PROPOSED FRONT ELEVATION 1:100



PROPOSED BACK ELEVATION 1:100



PROPOSED LEFT SIDE ELEVATION 1:100

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# SECTION 5 EXEMPTED DEV. PROPOSAL

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(087) 8200454

CLIENT: LISA COGAN	
PROJECT: SECTION 5 EXEMPTED DEVELOPMENT PROPOSAL	
DEVELOPMENT ADDRESS: MONTELOUP, NORTH CIRCULAR ROAD, LIMERICK, V94PX4T	
TITLE: PROPOSED EXEMPTED DEVELOPMENT PROPOSAL	
DATE: MARCH 2025	DRAWING No. Dwg. 2024.74.204
SCALES: 1:100 / A3	REVISIONS:
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LIMERICK CITY & COUNTY COUNCIL  
CIVIC OFFICES  
MERCHANTS QUAY  
LIMERICK

20/02/2025 12:23:03

Receipt No./  
Uimhir Admhála : RC6/0/2078433

Lisa Cogan  
Monteloup  
North Circular Road  
Limerick  
V94PX4T

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :  
Credit / Debit Card 80.00  
VISA  
\*2879\*  
±±±±

Change/Sóinseáil : 0.00

Issued By/  
Eisithe ag : Sarah Scales  
From/Ó : REVENUE CASH OFFICE 6 - MERCHANTS QUAY  
Vat reg No./Cláruimhir CBL: 3267368TH

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

**Reference no.** EC-062-25

**Name and Address of Applicant:** Lisa Cogan  
Monteloup,  
North Circular Road,  
Limerick  
V94 PX4T

**Agent:** Seamus McElligot,  
Lombardstown,  
Caherconlish,  
Co. Limerick

**Location:** Monteloup,  
North Circular Road,  
Limerick  
V94 PX4T

**Description of Site and Surroundings:**

The site is a two storey detached dwelling situated in an existing residential area on the North Circular Road. The building is not a protected structure or situated in an ACA.

**Zoning:**

The site is zoned existing residential under the Limerick Development Plan.

**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:

- Construction of a 26.74<sup>2</sup> rear house extension and to construct a store at the side of the existing house with area of 6.24m<sup>2</sup>

This Section 5 declaration includes the following:

- Application Form
- Site location map
- Elevations
- Floor plans

**Planning History:**

PI. Ref 07770343: Conditional Permission granted to Michael & Lorraine Gavin for Demolition of a house and the construction of a new house on site

**Enforcement History**

None

**An Bord Pleanála Case Studies**

**RL06D.RL3552** - Whether the conversion of an existing garage into a study, replacing existing garage door with new window is or is not development or is or is not exempted development.

The Bord concluded that (i) the conversion of an existing garage into a study is development and is exempted development and (ii) the replacing of the existing garage door with new window at No. 4 Brookfield Mews, Brookfield Terrace, Blackrock, RL06D.RL3552 Inspector's Report Page 16 of 16 Co. Dublin is development and is not exempted development.

**PL06S.RL2958** The Board concluded that a previous conversion of an integral garage into additional habitable accommodation is not a material change of use and is therefore, not development within the meaning of Section 3 of the Planning and Development Act, 2000.

### **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 construction of a 26.74<sup>2</sup> rear house extension and to construct a store at the side of the existing house with area of 6.24m<sup>2</sup> constitutes ‘works’ and ‘development’.

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

The proposed development will be assessed under Class 1 and Class 3 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 extension is to the rear and the proposed store is within the curtilage.

#### **Class 1**

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house is considered Exempted Development, subject to the following Conditions and Limitations:

*1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.*

The house has not been extended previously however the applicant carried out works in 2019/2022 to convert the existing 18.75m<sup>2</sup> garage to be used as part of the dwelling house. The proposed single story extension is to measure 26.74sqm. The proposed single storey extension in combination with the conversion of the garage measures 39.95sqm and therefore complies.

*(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.*

N/A. The house is a detached dwelling. No development proposed above ground.

*(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

The house is a detached dwelling. No development proposed above ground.

*2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.*

The house has not been extended previously however the applicant carried out works in 2019/2022 to convert the existing 18.75m<sup>2</sup> garage to be used as part of the dwelling house. The proposed single story extension is to measure 26.74sqm. The proposed single storey extension in combination with the conversion of the garage measures 39.95sqm and therefore complies.

*(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.*

N/A no works proposed above ground floor.

*(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.*

N/A no works proposed above ground floor.

*3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.*

N/A no works proposed above ground floor.

*4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.*

The rear wall does not include a gable. Height of extension would not exceed the height of the rear wall of the house.

*(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.*

N/A

*(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.*

Height would not exceed height of eaves or parapet or height of highest part of the roof of the dwelling.

*5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

The proposed extension would not reduce the area of private open space to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

No windows are proposed less than 1 metre from the boundary.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

N/A no above ground floor extension

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

N/A

7. The roof of any extension shall not be used as a balcony or roof garden.

The submitted plans do not show a balcony or roof garden.

### **Class 3**

*The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure.*

1. *No such structure shall be constructed, erected or placed forward of the front wall of a house.*

The proposed store will not be placed forward the front wall of a house.

2. *The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres.*

The total area of such structures constructed within the curtilage of the house shall not exceed 25 sqm.

3. *The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount 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 metres.*

The proposed development would not reduce the amount of private open space to less than 25sqm.

4. *The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.*

The external finishes of the proposed store shall conform with those of the house.

5. *The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.*

The height of the proposed store (2.922m) would not 3 metres.

6. *The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.*

The proposed store shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.

#### **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 required in this instance.

#### **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 proposal as detailed on the application and plans submitted is considered to be within the scope of Class 1 and Class 3 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 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (d) The plans & particulars submitted with the application received on the 31<sup>st</sup> of March 2025.

It is therefore considered that the said works are development and exempted development under Class 1 of the Planning and Development Regulations 2001 (as amended) and Class 3 of the Planning and Development Regulations 2001 (as amended).

*Ella O'Brien*

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Ella O'Brien

Executive Planner

Date 07/04/2025

Agreed

*B. Henn*

Barry Henn, S.E.P

Date: 10/04/2025

## Appendix 1 – AA Screening

### AA PN01 Screening Form

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
<b>(a) File Reference No:</b>	EC/062/25
<b>(b) Brief description of the project or plan:</b>	Construction of a 26.74 <sup>2</sup> rear house extension and to construct a store at the side of the existing house with area of 6.24m <sup>2</sup>
<b>(c) Brief description of site characteristics:</b>	The site is a detached two storey dwelling located in an urban area
<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>	306m	None	N
004077-River Shannon and River Fergus Estuaries SPA	<a href="https://www.npws.ie/protected-sites/sac/004077">https://www.npws.ie/protected-sites/sac/004077</a>	327m	None	N

<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> </ul>	None. Works are minimal in nature and there is no hydrological connection or direct encroachment due to separation distance.



<ul style="list-style-type: none"> <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>	
<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 in nature and there is no hydrological connection or direct encroachment on the SAC and SPA due to separation distance.
<b>In-combination/Other</b>	N/A

**(b) Describe any likely changes to the European site:**

<p>Examples of the type of changes to give consideration to include:</p> <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. The application site is not located adjacent to or within an EU site identified above. Therefore, there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.
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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		
<b>The assessment of significance of effects:</b> 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 submitted, 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,</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,</li> </ul> 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.		
<b>Conclusion:</b> An appropriate assessment is not required.		
	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:	<div style="text-align: center;">   <hr/> Ella O'Brien  07/04/2025 </div>	
Signature and Date of the Decision Maker:	<div style="text-align: center;">   <hr/> Barry Henn, Senior Executive Planner  10/04/2025 </div>	

## Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC/062/25
Development Summary:	A section 5 application requesting a declaration on whether the construction of a 26.74 <sup>2</sup> rear house extension and to construct a store at the side of the existing house with area of 6.24m <sup>2</sup> is or is not exempted development.
Was a Screening Determination carried out under Section 176A-C?	<div style="text-align: center;"> <input type="checkbox"/>            Yes. no further action required         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> X            No. Proceed to <b>Part A</b> </div>
<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"/> X 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 checked="" type="checkbox"/> X 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 <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>

<b>Signature and Date of Recommending Officer:</b>	 <hr/> Ella O'Brien, Executive Planner 07/04/2025
<b>Signature and Date of the Decision Maker:</b>	 Barry Henn, SEP. 10/04/2025

## Site Inspection Photographs









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

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

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

## PLANNING & PLACE-MAKING

### REG POST:

**Lisa Cogan**  
**c/o Seamus McElligot,**  
**Lombardstown,**  
**Caherconlish,**  
**Co. Limerick**

**EC/062/25**

11 April 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**

Tuair an Daill, Luimneach  
Dooradoyle, Limerick

customerservices@limerick.ie  
www.limerick.ie  
@LimerickCouncil  
061 - 556 000

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

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

**No. AOO/DC/2025/356**

**File Ref No. EC/062/25**

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

**RE:** **The construction of a 26.74<sup>2</sup> rear house extension and to construct a store at the side of the existing house with area of 6.24m<sup>2</sup> at Monteloup, North Circular Road, Limerick. V94 PX4T**

**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 Ella O'Brien, Executive Planner dated 07/04/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Lisa Cogan, c/o Seamus McElligot, Lombardstown, Caherconlish, Co. Limerick to state that the works as described above is

**Development and is Exempt Development.** *vl*

Signed

*B. Henn*

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

*14/04/2025*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/356 dated *14/04/2025*, 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**

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Bothar Thuar an Daill  
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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/062/25**

**Name and Address of Applicant:** Lisa Cogan, Monteloup, North Circular Road, Limerick, V94 PX4T

**Agent:** Seamus McElligot, Lombardstown, Caherconlish, Co. Limerick

**Whether** the construction of a 26.74<sup>2</sup> rear house extension and to construct a store at the side of the existing house with area of 6.24m<sup>2</sup> at Monteloup, North Circular Road, Limerick V94 PX4T 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 31<sup>th</sup> of March 2025.

**AND WHEREAS** the Planning Authority has concluded that the the construction of a 26.74<sup>2</sup> rear house extension and to construct a store at the side of the existing house with area of 6.24m<sup>2</sup> at Monteloup, North Circular Road, Limerick V94 PX4T **DOES** come within the scope of exempted development as defined by Class 1 of the Planning and Development Regulations 2001 (as amended) and Class 3 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 Exempt Development.**

Signed on behalf of the said Council

Date:

11/04/2025

**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.