



LIMERICK CITY & COUNTY COUNCIL
PLANNING AND ENVIRONMENTAL SERVICES
SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Geraldine O Donoghue

Applicant's Address: Kilfrush
Knocklong
Co. Limerick

Telephone No. [REDACTED]

Name of Agent (if any): NIA

Address: [REDACTED]
[REDACTED]
[REDACTED]

Telephone No. [REDACTED]

Address for Correspondence:

NIA
[REDACTED]
[REDACTED]
[REDACTED]

Location of Proposed development:

Hospital Community Hall
Hospital Co. Limerick
135 X 281

Description of Proposed development:

Removal of existing asbestos roof
& replacement with cladded roof.
Change existing windows from aluminium to PVC triple glaze

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

Applicant's interest in site: _____

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

N/A

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

If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent) Sealde John P



Tailte
Éireann

Clárúchán, Luacháil,
Suirbhéireacht
Registration, Valuation,
Surveying

Official Tailte Éireann Registration Map

This map should be read in conjunction with the folio.

Talte Éireann (TÉ) Registration mapping is based on TÉ Surveying mapping. Where TÉ Registration maps are printed at a scale that is larger than the TÉ Surveying scale, accuracy is limited to that of the TÉ Surveying

This map incorporates TÉ Surveying map data under a licence from TÉ.
Copyright © Táití Eireann and Government of Ireland.

(centre-line of parcel(s) edged)

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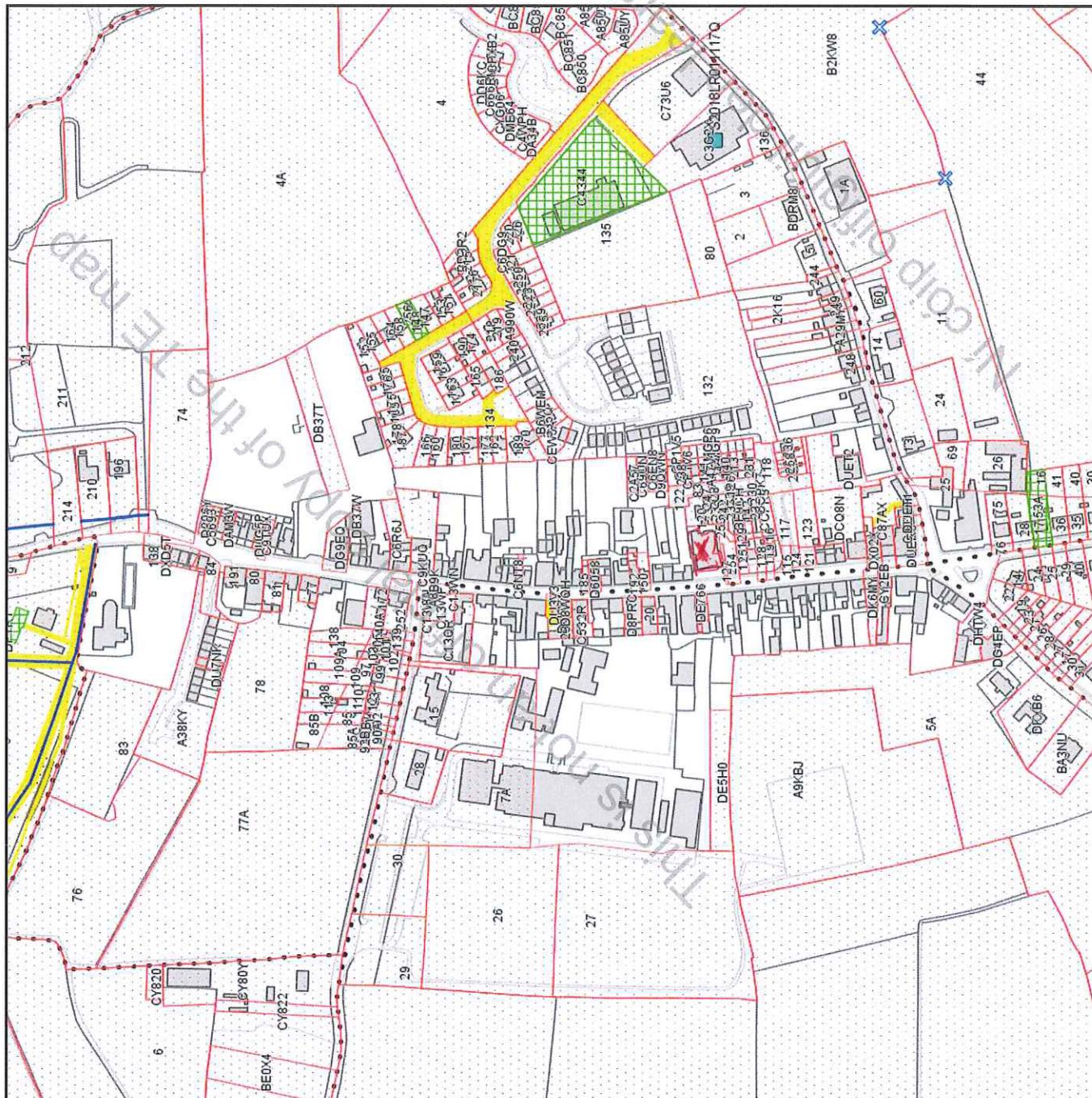
graph TD
    Freehold[Freehold] --- Leasehold[Leasehold]
    Leasehold --- SubLeasehold[SubLeasehold]
    SubLeasehold --- SRegister["'S' Register"]
  
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Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Seak Pit

A full list of burdens and their symbology can be found in the Environmental Impact Statement

Taillte Éireann Registration operates a non-conclusive boundary system. The TE Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TE Registration map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As Inserted by Section 62 of the Registration of Deed and Title Act 2006



XY	570808, 635863
Scale	1 : 1000
Townland	Barrysfarm
Barony	Smallcounty
County	Limerick

Page: 1

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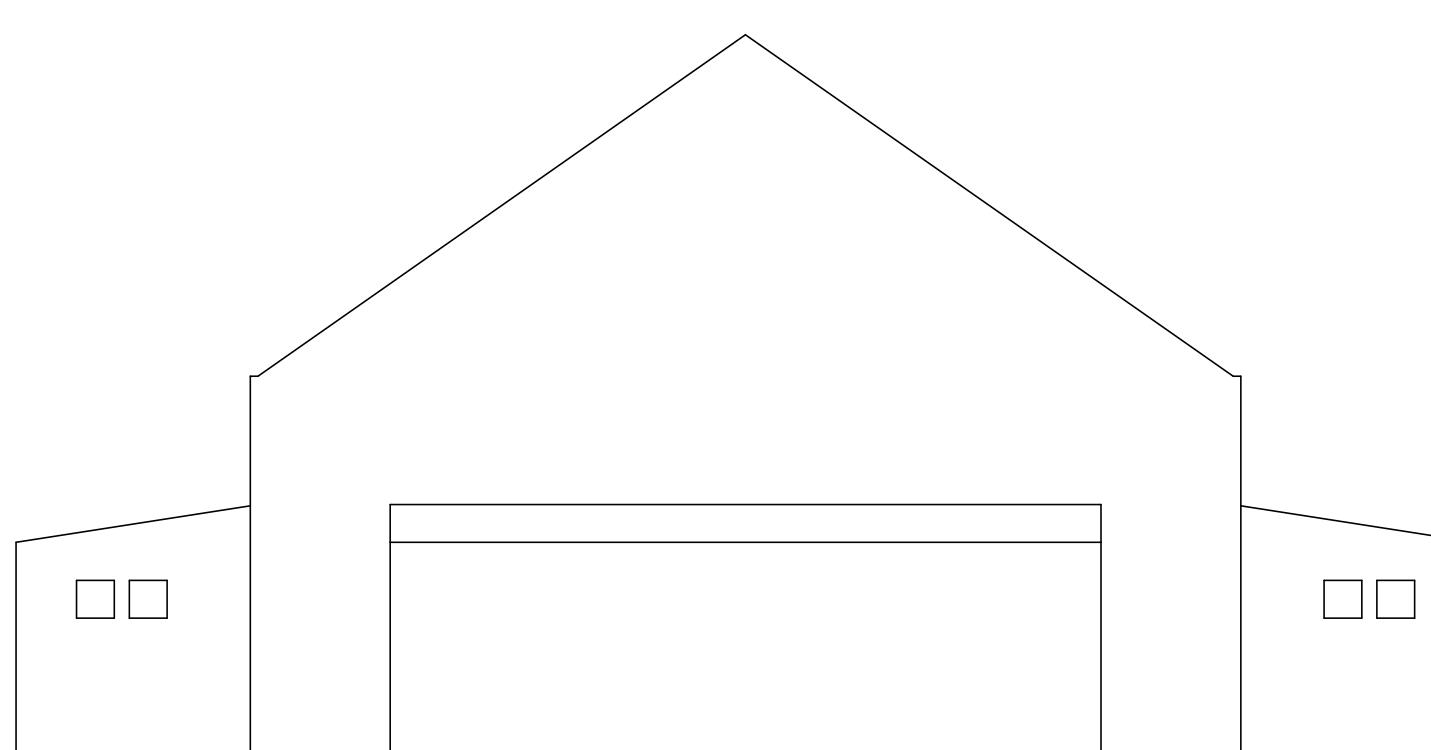
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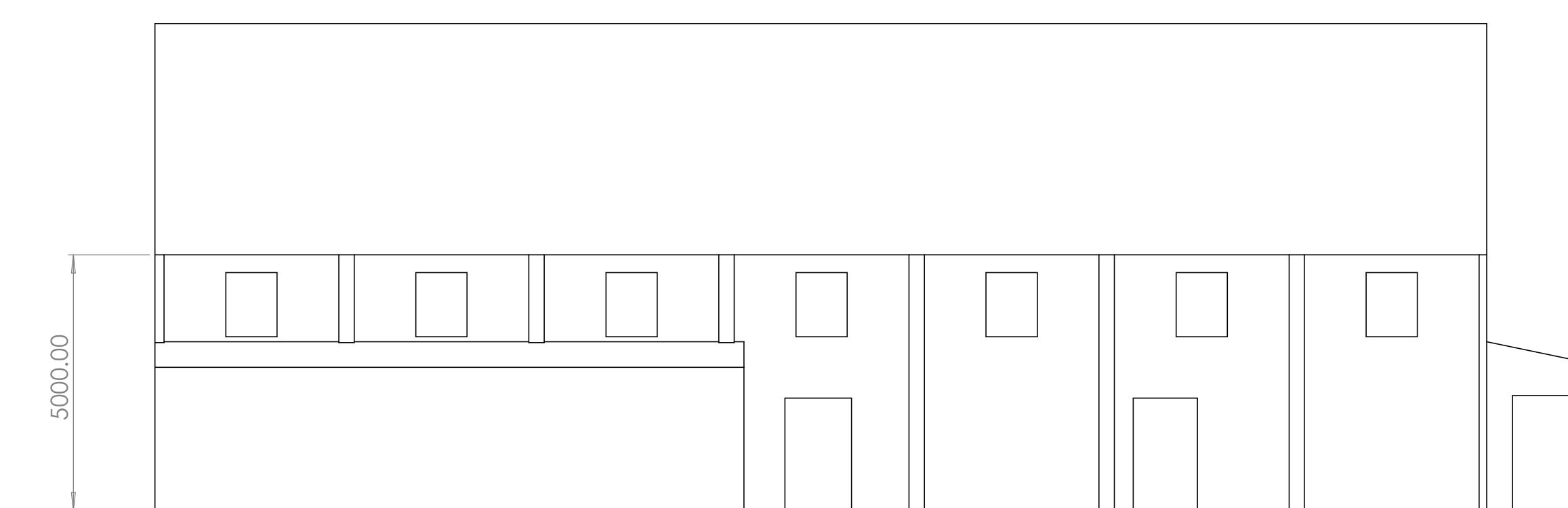
A

REMOVE EXISTING ASBESTOS ROOF BY SPECIALISED CONTRACTOR. REPLACE WITH INSULATED CLADDED ROOF IN GUN METAL GREY
ASBESTOS SURVEY TO BE CARRIED OUT PRIOR TO ALL WORKS.

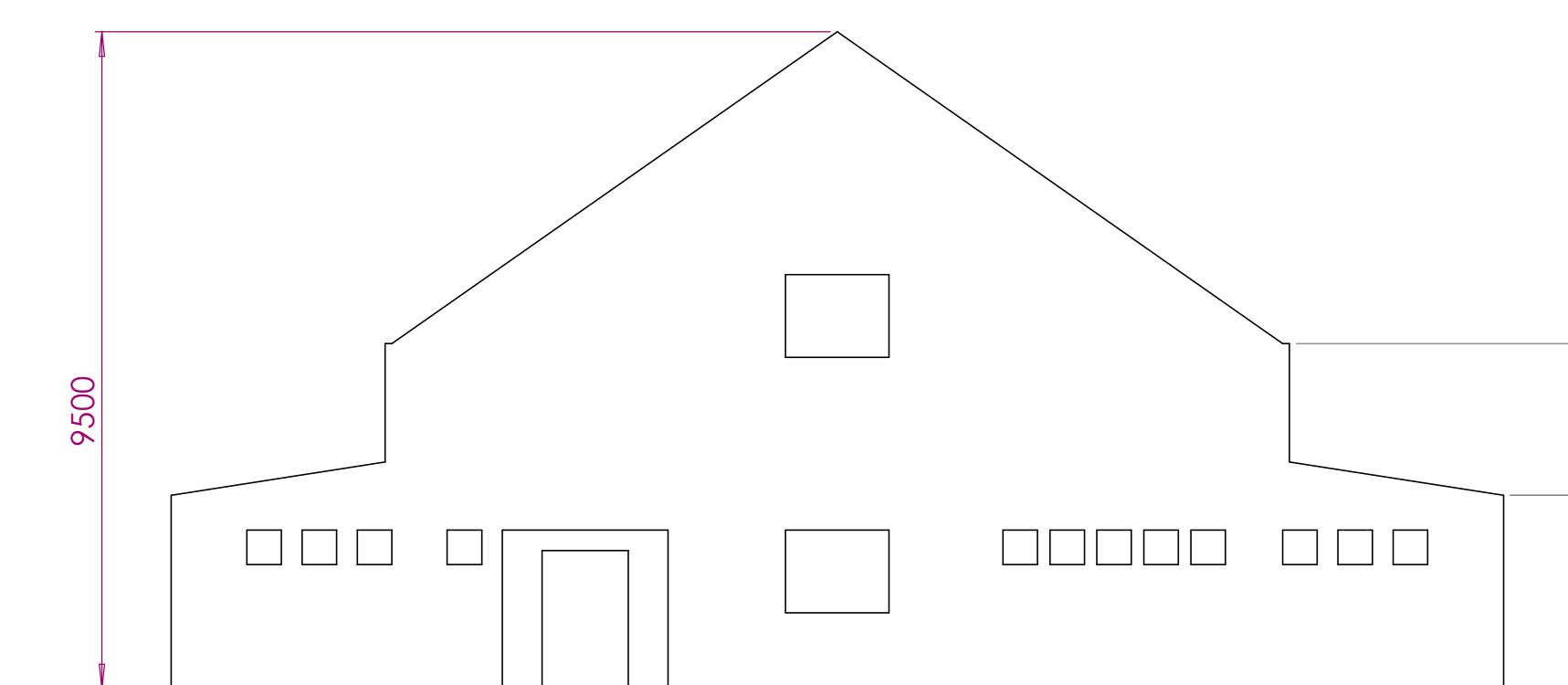
REPLACE EXISTING WINDOWS WITH DOUBLE GLAZED UPVC WINDOWS (SIMILAR TO EXISTING)



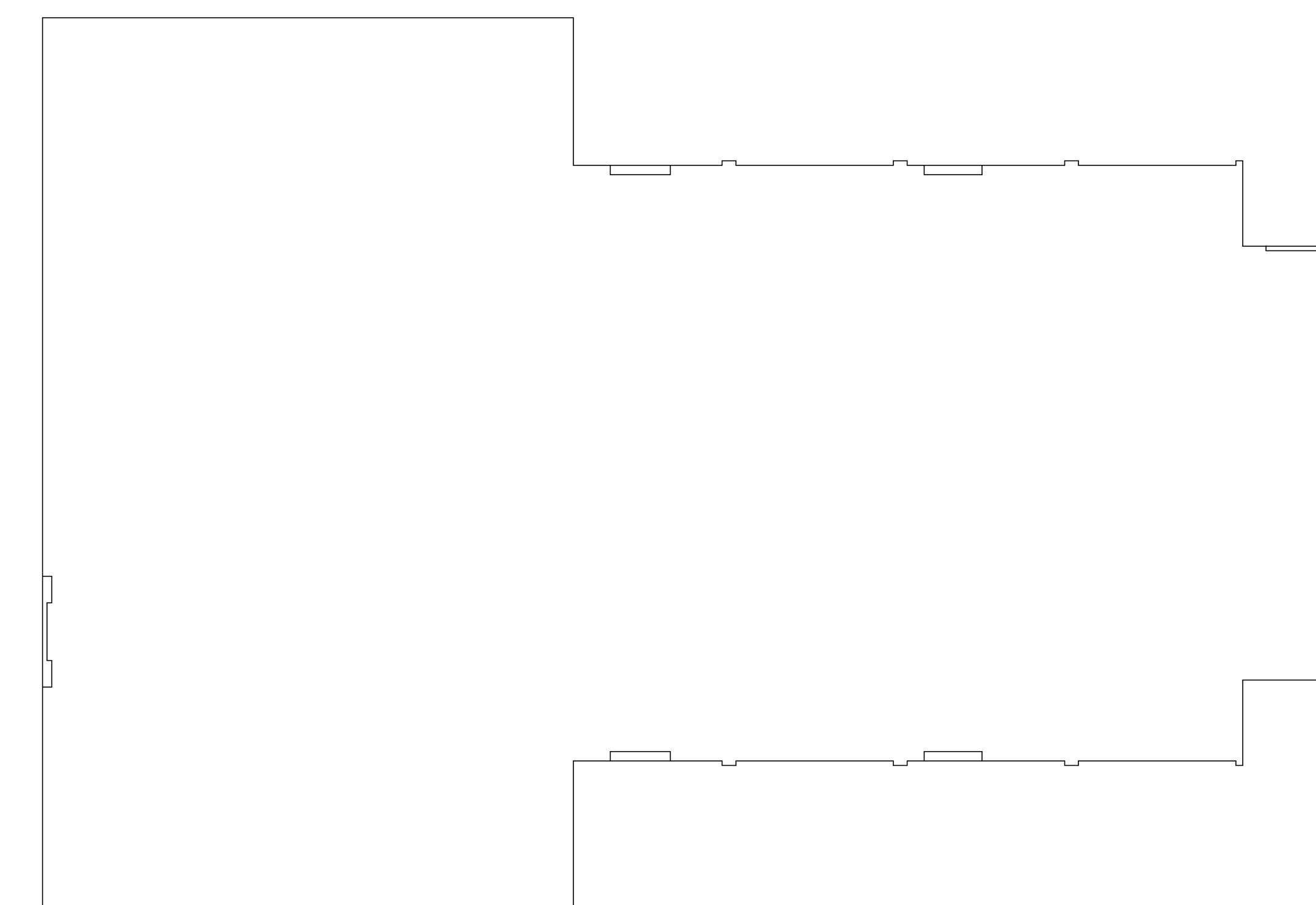
BACK



SIDE



FRONT



PLAN

SCALE 1:100

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W E

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UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS SURFACE FINISH: TOLERANCES: LINEAR: ANGULAR:			FINISH:	DEBUR AND BREAK SHARP EDGES	DO NOT SCALE DRAWING	REVISION
NAME	SIGNATURE	DATE	TITLE:			
DRAWN			DWG NO.			
CHKD			SCALE:1:200			
APPROV'D			SHEET 1 OF 1			
MFG			WEIGHT:			
QA			MATERIAL:			

HOSPITAL COMMUNITY HALL A1



17:28



17:29

HOSPITAL COMMUNITY HALL



DIGITAL
SURVEILLANCE
CAMERAS
IN OPERATION
24 HOURS

LITTER
BRUSCAR

17:28

HOSPITAL COMMUNITY HALL



DIGITAL
SURVEILLANCE
CAMERAS
IN OPERATION
24 HOURS

LITTER
BRUSCAR



17:28



17:29

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

09/04/2025 09:11:26

Receipt No./
Uimhir Admhála : LA25/0/25176186

HOSPITAL COMMUNITY COUNCIL
C/O GERALDINE O'DONOGHUE
KILFRUSH
KNOCKLONG
CO LIMERICK

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :
Credit / Debit Card 80.00
VISA
*****8219

Change/Sóinseáil : 0.00

Issued By/
Eisithe, ag : John Harold

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

Reference no. EC-078-25

Name and Address of Applicant: Hospital Community Hall,
Hospital,
Co. Limerick
V35X2P1

Agent: N/A

Location: Hospital,
Co. Limerick
V35X2P1

Description of Site and Surroundings:

There is a tow storey building with flat roof elements at either side which is in use as the community centre. The site is zoned Village Centre and is within Hospital Architectural Conservation Area. The site is accessed off the R513.

Zoning:

Zoned Village Centre.

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:

- Removal of asbestos roof and replacement with a cladded roof
- Change windows from aluminium to PVC triple glazed

This Section 5 declaration includes the following:

- Application Form
- Site location
- Elevations
- Floor plans
- Photographs of the community centre
- Site location map

Planning History:

None.

Enforcement History

N/A

Relevant An Bord Pleanála referrals

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 removal of asbestos roof and replacement with a cladded roof and to change windows from aluminium to PVC triple glazed. constitutes 'works' and is 'development'.

Is the proposal exempted development?

The proposal is for the removal of asbestos roof and replacement with a cladded roof and to change windows from aluminium to PVC triple glazed. Following a site inspection on the 10th April 2025 it was noted that the community centre may be currently in use as a childcare facility. It is disclosed in the application form that the existing roof contains asbestos, no details are provided on how this material is to be appropriately managed or disposed of. There is no mechanism in a Section 5 declaration to stipulate that a Refurbishment Demolition Asbestos Survey is undertaken and that material would be disposed of in accordance with relevant legislation.

The drawings submitted on file do not provide any insight into the nature of the roof proposed, the texture of same is not shown while a line of text only is provided in relation to the colour. Replacing the roof with a new material that is a different colour and texture does not fall within any class of exempted development as contained in the Planning and Development Regulations 2001 (as amended) and would require planning permission.

This site is within Hospital ACA and the community hall is a building of scale compare to the lower terraces of houses in the area. In the absence of appropriate detail, it cannot be concluded if this development would impact the character of the ACA. No details are shown in the drawings regarding the replacement of the windows.

Article 9 Restrictions

The proposed development could be restricted by the following restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended). Sufficient drawings are not provided to demonstrate otherwise.

(xii) 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

Appropriate Assessment

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

Environmental Impact Assessment

An EIA Screening examination has been undertaken (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 for the removal of asbestos roof and replacement with a cladded roof and to change windows from aluminium to PVC triple glazed does not fall within any class of exempted development as contained in the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 9 of the Planning and Development Regulations 2001 (as amended).
- (c) The plans & particulars submitted with the application received on the 9th April 2025.

It is therefore considered that the said works are development and are not exempted development under the Planning and Development Regulations 2001 (as amended).

John Wallace

John Wallace
A/Executive Planner

Date 17/04/2025

Jennifer Collins
Agreed

Jennifer Collins
A/Senior Executive Planner

Date: 23/04/2025

**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/078/25
b. Brief description of the project or plan:	<p>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:</p> <p>The proposal for the removal of asbestos roof and replacement with a cladded roof and to change windows from aluminium to PVC triple glazed</p>
c. Brief description of site characteristics:	<p>There is a two storey building with flat roof elements at either side which is in use as the community centre. The site is zoned Village Centre and is within Hospital Architectural Conservation Area. The site is accessed off the R513.</p>
d. Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
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
001430 Glen Bog SAC	https://www.npws.ie/protected-sites/sac/001430	5.2km	None	No
002137 Lower River Suir SAC	Lower River Suir SAC National Parks & Wildlife Service (npws.ie)	16.8km	None	No
Galtee Mountains SAC	Galtee Mountains SAC National Parks & Wildlife Service (npws.ie)	17.8km	None	No
002257 Moanour Mountain SAC	Moanour Mountain SAC National Parks & Wildlife Service (npws.ie)	12.9km	None	No
002165 Lower River	Lower River Shannon SAC National Parks & Wildlife Service (npws.ie)	12.5km	None	No

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

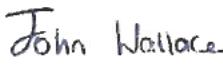
² if the site or part thereof is within the European site or adjacent to the European site, state here

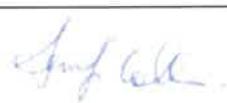
STEP 3: Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g. <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	None. No direct encroachment or hydrological connection. Works would to be replace roof of an existing building
Operation phase e.g. <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	None, surface water would be collected on site and directed to sewer
In-combination/Other	N/A given the level of development in the area.

(b) Describe any likely changes to the European site: Examples of the type of changes to give consideration to include: <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	None. No direct encroachment or hydrological connection.
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<ul style="list-style-type: none"> - 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 	
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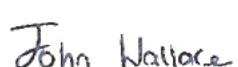
(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

STEP 4: Screening Determination Statement		
<p>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</p> <p>No effects have been identified on any designated sites</p>		
<p>Conclusion: Given the sites size, no hydrological connection to any SAC/SPA, the site does not encroach on any SAC/SPA and the scale of the development, An AA Screening is not required.</p>		
	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:	 John Wallace, A/Executive Planner 17/04/25	
Signature and Date of the Decision Maker:		

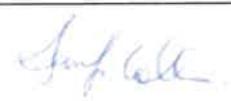


Jennifer Collins, A/Senior Executive Planner
23/04/2025

Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC-078-25	
Development Summary:	The proposal for the removal of asbestos roof and replacement with a cladded roof and to change windows from aluminium to PVC triple glazed	
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		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): [specify class & threshold here]		EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is sub-threshold: [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		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:		 <hr/> John Wallace A/Executive Planner 17/04/2025

Signature and Date of the Decision Maker:



**Jennifer Collins, A/Senior Executive
Planner 23/04/2025**

Appendix 3 – Site Inspection Photographs







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

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

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

PLANNING & PLACE-MAKING

REG POST:

**Geraldine O'Donoghue,
Kilfrush
Knocklong,
Co. Limerick.**

EC/078/25

24 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**

Tuar 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/2025/405

File Ref No. EC/078/25

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

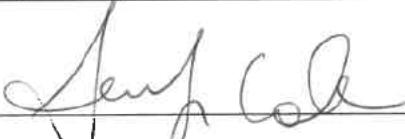
RE: **The removal of asbestos roof and replacement with a cladded roof and change windows from aluminium to PVC triple glazed at Hospital Community Hall, Hospital, Co. Limerick V35X2P1**

ORDER: Whereas by Director General's Order No. DG/2024/122 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 Jennifer Collins, A/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, Jennifer Collins, A/Senior Executive Planner, having considered the report and recommendation of John Wallace, A/Executive Planner dated 17/04/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Geraldine O'Donoghue, Kilfrush, Knocklong, Co. Limerick to state that the works as described above is

Development and is NOT Exempt Development. *kl*

Signed



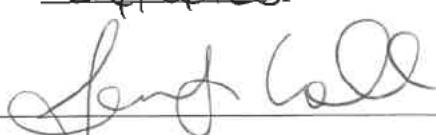
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

24/04/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/405 dated 24/04/25 pursuant to Section 151(7) of the Local Government Act 2001

Signed:



A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/078/25

Name and Address of Applicant: Geraldine O'Donoghue, Kilfrush, Knocklong, Co. Limerick.

Agent: N/A

Whether the removal of asbestos roof and replacement with a cladded roof and change windows from aluminium to PVC triple glazed at Hospital Community Hall, Hospital, Co. Limerick V35X2P1 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 9th of April 2025.

AND WHEREAS the Planning Authority has concluded that the removal of asbestos roof and replacement with a cladded roof and change windows from aluminium to PVC triple glazed at Hospital Community Hall, Hospital, Co. Limerick V35X2P1 **DOES NOT** come within the scope of exempted development as defined under 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 Corcoran

Date: 26/04/2025

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.