



Limerick City & County Council	RECEIVED
Customer Services Post	Dooradye
27 JAN 2025	

Limerick City and County Council	Planning
Limerick City & County Council	Planning
28 JAN 2025	

### DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

John Doe

Applicant's Address:

5 Elm View

Buyer

10, Limerick, V350X68

Telephone No.

[REDACTED]

Name of Agent (if any):

No 1A

Address:

[REDACTED]

Telephone No.

[REDACTED]

Address for Correspondence:

Customer Services

Limerick City Council

Co. Limerick

V35 0X68

Location of Proposed development (Please include Eircode):

5 Park View

Ruane

Lo. Lincoln, C35 0X68

Description of Proposed development:

Energy efficient renovation to adjacent home  
/ See upgrade + insulate new window  
door + small extension, new  
central energy efficient heating system

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

The extension is less than 40%

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:

floor drawings enclosed and  
attached.

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) \_\_\_\_\_

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

- (a) Fee of €80 *enclose a plan*
- (b) Site location map *in hand*
- (c) Site layout plan *in hand*
- (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,  
Dorad Doyle,  
Limerick,  
V94 XF67**

\*\*\*\*\*

**OFFICE USE ONLY**

Ref. No. \_\_\_\_\_

Date Received \_\_\_\_\_

Fee Received \_\_\_\_\_

Date Due \_\_\_\_\_

\*\*\*\*\*

**Limerick City & County  
Council**

**28 JAN 2025**

**Planning**

## PLANNING & PLACE-MAKING

**29/01/25**

**Jacinta Deady**  
Cullamus  
Kilmallock  
Co. Limerick  
V35 DR98

---

**RE: Declaration under Section 5 – EC-006-25**

---

Dear Sir/Madam,

I refer to the above Section 5 Application and the drawing received by the Planning Department on the 28<sup>th</sup> January 2025. Please be advised this is an incomplete application as all the documents below have not been submitted:

- (a) Site layout plan
- (b) Dimensioned plans and elevations of the structure and any existing structures.

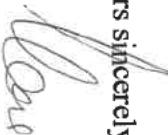
Drawings must be of an adequate standard to enable the Planning Authority to assess any application lodged, you may wish to engage the services of a suitably qualified agent in this regard.

Should you wish to submit a new application, please note that the fee paid in respect of this application will be re-assigned to your new application.

Furthermore, if you do NOT intend submitting a new application a refund will be provided via bank account of the name on the receipt. The following information, in the name of the person on the receipt, should be sent to [enforcements@limerick.ie](mailto:enforcements@limerick.ie) in order to process the refund:

- bank statement header (showing IBIC, IBAN & Name) and
- VAT/Tax Reference Number/PPS

Yours sincerely,



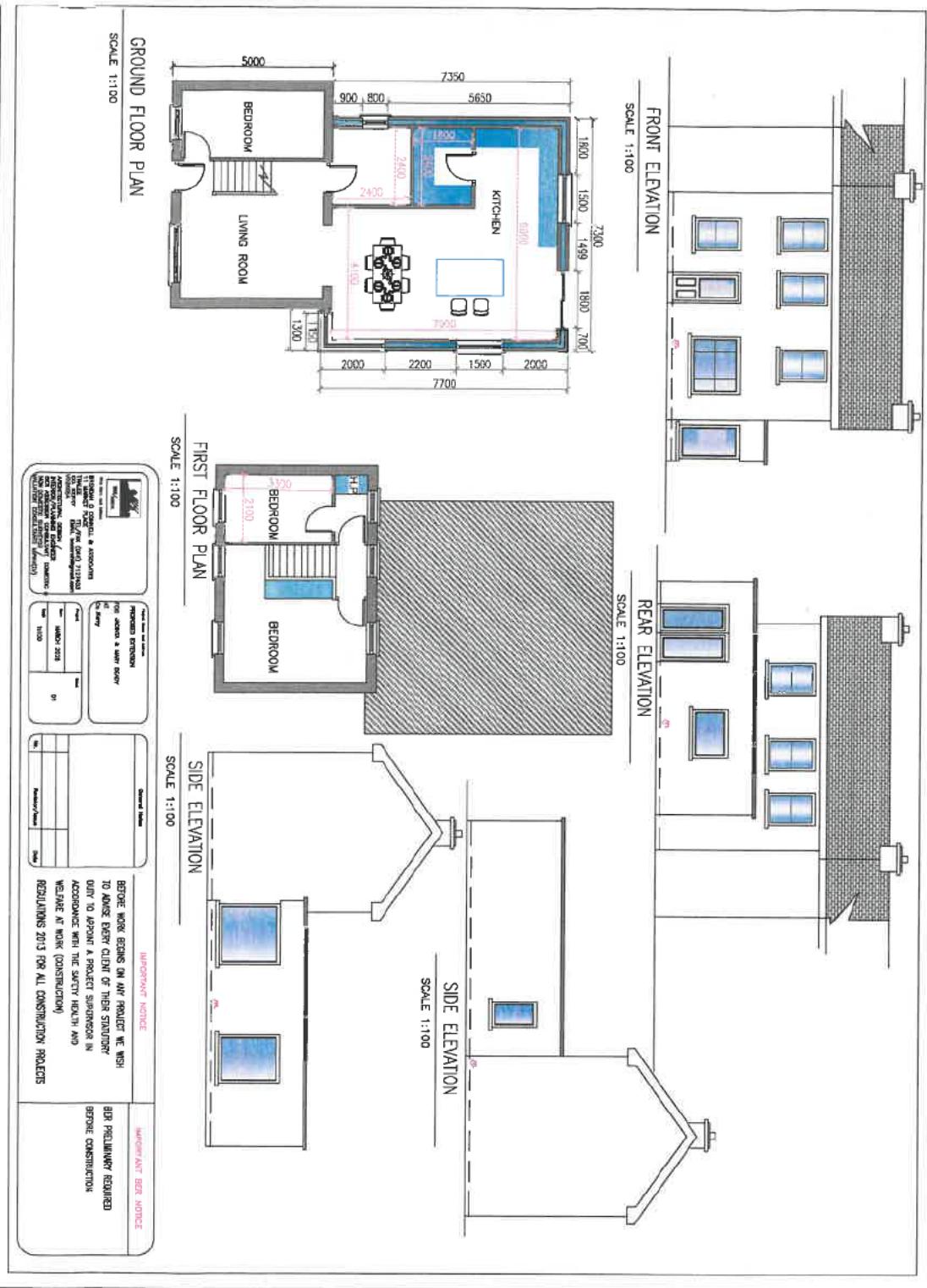
---

Helen Keane,  
Staff Officer,  
Planning & Place-Making

Limerick City & County Council  
Planning

14/07/2013

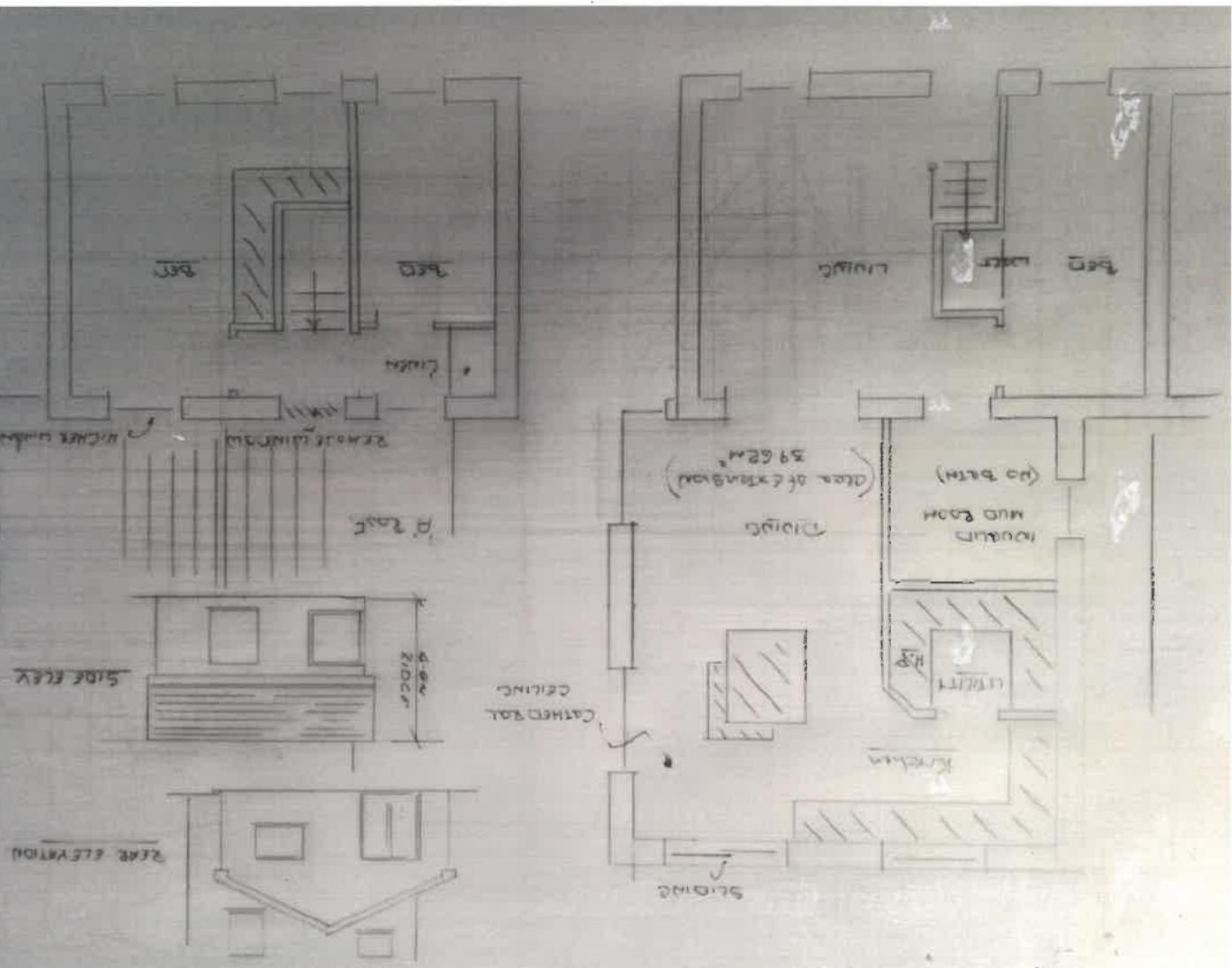
Planning

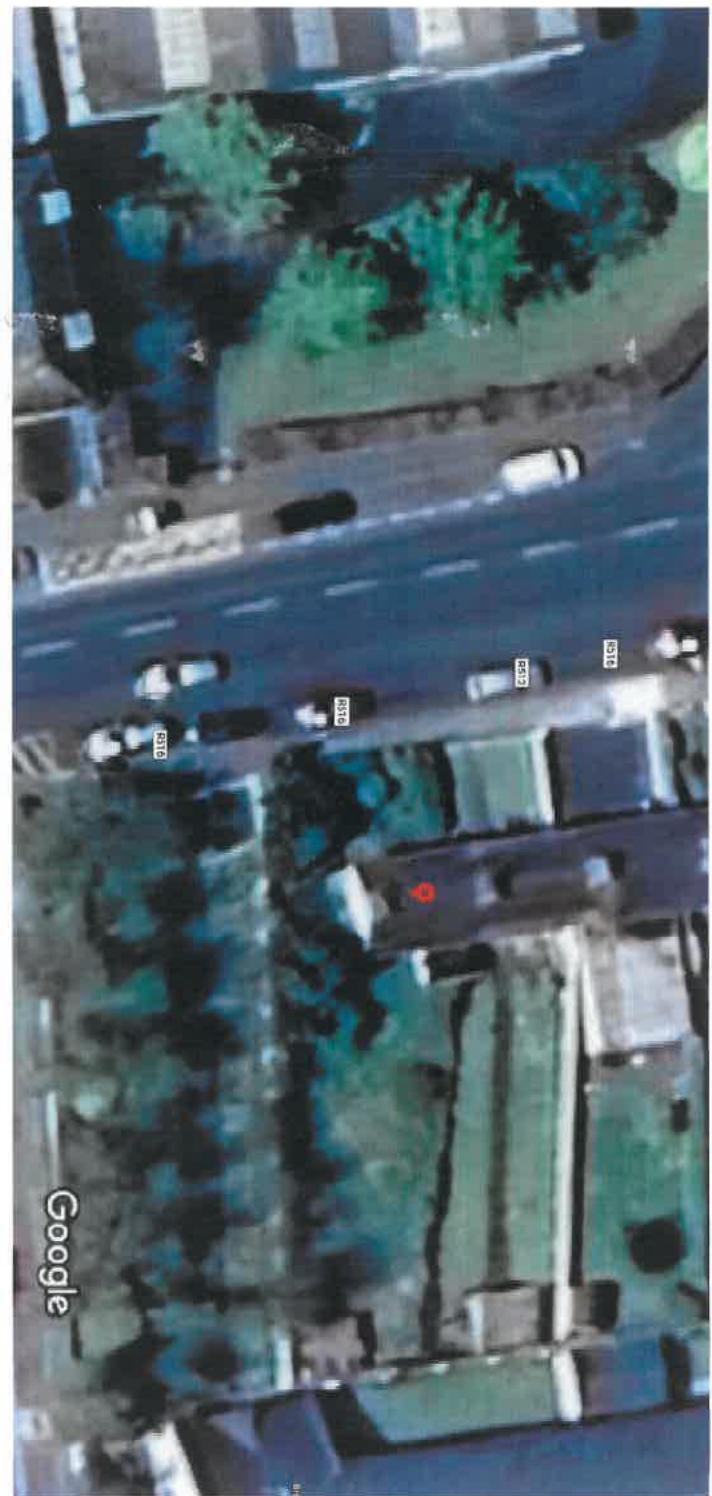


# Planning

28 JAN 2025

Limerick City & County  
Council





Map data ©2025, Map data ©2025 5m

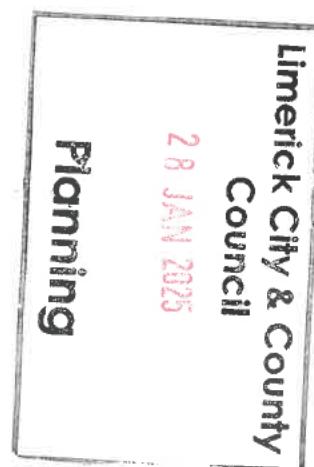


52°28'38.2"N 8°32'51.0"W

52.477286, -8.547509

[Directions](#) [Save](#) [Nearby](#) [Send to phone](#) [Share](#)

FFG2+WX9 Bruff, County Limerick



Planning



# **BRENDAN O' CONNELL & ASSOCIATES.**

ARCHITECTURAL DESIGN / INTERIOR / PLANNING ENGINEER,  
ENERGY CONSULTANTS, DOMESTIC & NON DOMESTIC,  
SURVEYORS / VALUATION CONSULTANTS.MPAV (CV) MMCEPI.

OFFICES

**11 MARKET PLACE, (OLD PROSPECT HSE) TRALEE, CO. KERRY. V92 KX54.**  
**(066) 7127403 / 087 2638526.** Email : [bocarch@gmail.com](mailto:bocarch@gmail.com)

Client: Jacinta Deady

Address of Property: 5 Paark View,

Bruff.  
Co. Limerick

Part: Structural Survey

## **Other Services Available:**

Design, Domestic / Commercial  
Private Dwellings, Warehouses etc.  
Pre-Planning Meetings

Structural & Valuation Reports  
MIPAV (CV) Member.  
Thermal Imaging Report  
Drone Photographic Surveys

B.E.R's Domestic / Commercial  
Green Design / Energy Consultants

Site Surveys, Levels / Inspections  
Overseeing / Project Management  
Folio / O.S Maps for Legal Purposes

We can guarantee quick and efficient service anywhere in Ireland

We provide a wide range of services, and our clients' interests are always protected as we are covered by Professional Indemnity Insurance and we are confident in dealing with any financial institution.

***Established 1988***

*Professional Indemnity Insurance*

*BOC Arch. Director B.O'Connell B. Arch. Dip. Eng.*

*Vat No. 52508975*

*CRO 1351*

# BRENDAN O' CONNELL & ASSOCIATES.

ARCHITECTURAL DESIGN / INTERIOR / PLANNING ENGINEER,  
ENERGY CONSULTANTS, DOMESTIC & NON DOMESTIC,  
SURVEYORS / VALUATION CONSULTANTS.MIPAV (CV) MMCEPI.

OFFICES

**11 MARKET PLACE, (OLD PROSPECT HSE) TRALEE, CO. KERRY. V92 KX54.**  
**(066) 7127403 / 087 2638526.** Email : [bocarch@gmail.com](mailto:bocarch@gmail.com)

Client: Jacinta Deady

Address of property: 5 Park View.

Bruff.  
Co. Limerick

Part: Structural Survey

Date: 10<sup>th</sup>. February 2024

Email: [j\\_deady@hotmail.com](mailto:j_deady@hotmail.com)

## 1. Information and scope of inspection

This section tells you about the type, accommodation, neighbourhood, age and construction of the property. It also tells you about the extent of the inspection and highlights anything that the surveyor could not inspect.

All references to visual inspection refer to an inspection from within the property without moving any obstructions and externally from ground level within the site and adjoining public areas. Any reference to left or right in a description of the exterior of the property refer to the view of someone standing facing that part of the property from the outside.

The inspection is carried out without causing damage to the building or its contents and without endangering the occupiers or the surveyor. Heavy furniture, stored items and insulation are not moved. Unless identified in the report the surveyor will assume that no harmful or hazardous materials or techniques have been used in the construction. The presence or possible consequences of any site contamination will not be researched.

## *Established 1988*

*Professional Indemnity Insurance*  
BOC Arch. Director B.O'Connell B. Arch. Dip. Eng.  
Vat No. 5250897S  
Cra 135130

### Any additional limits to inspection

The property was occupied and access was limited by furniture and contents.

## Planning

The presence of floor coverings throughout prevented a full inspection. Floor coverings were not lifted.

An inspection for Japanese Knotweed was not carried out. This is a plant which is subject to control regulation, is considered to be invasive and one which can render a property unsuitable for some mortgage lenders. It is therefore assumed that there is no Japanese Knotweed within the boundaries of the property or its neighbouring property. Identification of Japanese Knotweed is best undertaken by a specialist contractor.

Where walls are lined internally with tiling, plasterboard or timber the structure behind cannot be seen or tested. Consequently the condition of such hidden areas cannot be confirmed an inspection is recommended to be made before your Legal commitment to purchase.

Only a limited view of upper elements was available from the ground.

Design:  
Two Storey Type Dwelling.



Type:  
End Terrace Dwelling

Aspect:  
West Facing

Site:  
Good sized site.



Note:- Scaled Folio Map provided. Landdirect.ie. LK23718

We Certify that the Folio Map corresponds to the Boundaries on the Ground.



LK23718.pdf

Note:-Site is in regards to private dwelling.

Weather:  
Bright / Overcast

Car Space:  
Front only. On Street.

Rear Access:  
None.

Distance / Location  
Approx.0.1 miles from centre of Town Centre.

Situation:

Urban site with plenty of potential, close to Town,  
Very private location.

Road Access:

Public Access as it is situated on the road.

(Main road)

Age:

80 years Approx

Note: Complete. Requires Renovation.

Construction:

Block outer wall with Block inner and cavity between.

Services:

Mains water Supply

Mains Electric:

On site

Sewer:

Mains sewer.

Site:

Good sized site with plenty of potential with lawns at front and rear. Overgrown and needs Clearing away.

Site Boundary:

Boundaries will have to be defined as overgrown. Walls behind and will possibly have to be repaired or replaced.



29 JAN 2025

Planning

Limerick City & County Council

## Outside Dwelling:

### Main Walls:

(Inspected only from ground level, and the foundations have not been exposed for examination.

Mention will be made on any indications of settlement, heave, or structure movement. In case of timber framed or system built houses it may be not possible to confirm the construction detail.)

The main walls of the building are in the region of 300mm thick and are most likely Constructed of one leave of concrete block work outer with an cavity and single Block inner. Timber stud inner walls.

There are no serious cracks to the external walls of the house though there was crazing to the external render at a number of locations.

However, these cracks are not structural but will have to be addressed in case they do become structural.

We did note the presence of an area of render which was cracked and which gave off a hollow sound when tapped.



Plinth all around house in bad condition.

Footpaths all around dwelling in bad condition.

Movement evident and some cracks showing.

Footpaths will have to be power hosed and treated. If not replaced.

Holes on walls will have to be sanded and painted over in places  
Cracks showing and will have to be grouted out and repainted.



Gable onto slate roofs needs sealing to stop any dampness.  
Cracks should be grouted out and re plastered all around

As stated would suggest painting and decorating in part all of external plaster work.  
Power hose and seal all walls and repair before painting.  
Plaster will have to be repaired or replaced in places. Dash finish.

These works are highly recommended.

#### External Joinery including Window and Door frames:

(These have been examined as far as possible.)

The windows are of White pvc and are double glazed and appear to be in a bad condition.  
We did not determine the extent to which the windows are draught proof and offers no  
opinion in relation to same.

**This can be carried out by this office if required. Thermal Imaging, Not Required.**

Some windows are sticking and will have to be maintained.  
In our opinion this should be looked at.



Locking mechanism and hinges should be oiled and treated.  
Also some seals need replacing.

Would recommend replacing with Triple Glazed units for better Heat retention and security.

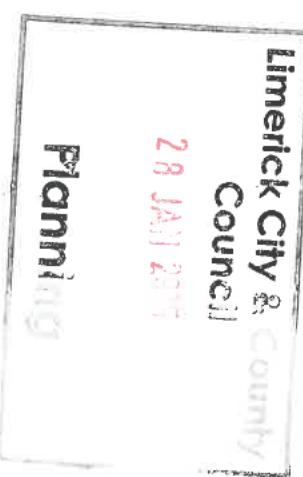


Would also replace Front Door to five point locking system for better security and heat retention.

The fascia is of pvc and is in fair condition.

The soffits are of pvc and are in fair condition.

The bargeboards are constructed from concrete and generally appear to be in fair condition.



Chimney needs to be checked and lead flashing checked for weeping.

In our opinion, the chimney will have to be checked more closely.

### **Exterior Decorations and Paintwork**

(The general condition only has been noted.)

The exterior is finished with a type of dash rendering. Needs repair.

28 JAN 2017

Generally, where checked, the render appeared to be in fair condition, though ~~damaged~~ above, there are shrinkage cracks visible on the surface of the gable and whilst generally the render is well adhered to the stone work, we did note one location where there was a poor bond between the render and the underlying block work.

The cills at the front and rear are of reconstituted stone and some of the joints are in fair condition and require some rescaling.

The fair quality of these joints does not appear to have caused any problems.

The building is painted on the exterior. But will need repainting. Badly Finished.

**Note:** The front extended window cill, will have to be rescaled and painted as cracks are showing.

Would also recommend sealing all windows and doors externally to prevent any dampness and to prevent any heat loss. If repairing only.

At the rear of the structure we did note that a crack was showing between the existing Dwellings. This is a settlement crack not a structural crack.  
This area needs to be grouted out and rescaled.

Also noted, was water seepage onto the footpath from the valleys above.

This will have to be rectified immediately

#### Roofs:

Exterior. (Roof slopes or flat areas, which cannot be seen have been specifically excluded although attention has been drawn to their presence)

The main roof is a pitched roof with projecting gables over the first floor level windows.

Roof spaces. (Internal roof voids have only been inspected where there are access hatches which are reasonably accessible. If this is not possible the surveyor has indicated.

The existing roof will have to be cleaned down and sealed where required. Possible some slate missing due to age and storm damage. The rafters will also have to be checked more closely for damage due to age and dampness.  
If damaged they will have to be replaced or treated with PROTIM.



Chimney needs to be checked and lead flashing checked for weeping.  
In our opinion, the chimney will have to be checked more closely.  
Would possible remove and repair roof.

#### Gutters, Downpipes:

Gullies where visible (Unless it was raining at the time of inspection, it might not be possible to state whether or not the rainwater fittings are watertight or properly aligned)

- The gutters serving the building are of upvc.
- The gutters are generally in a reasonably fair condition.
- The downpipes are of upvc.
- The downpipes are generally in a reasonably fair condition.

We did note that all of the downpipes had no **swan necks** where they meet the gully traps.  
The backs of the gully traps should be sealed.



#### Interior of Dwelling:

Internally:

Ceilings, Walls and Partitions.

These have been inspected from floor level.  
At ground floor level the ceilings are of plasterboard and are finished with a smooth gypsum plaster and are generally in bad condition.



There are cracks on the ceiling at ground floor and first floor level due to dampness and rain water from Roof. The Ceilings are damaged and marked with damp spots and will have to be replaced.

When this is being done Roof timbers and slate can be checked more closely.

But in my opinion water is entering the Dwelling in several places.



At first floor level the ceilings are of plasterboard and are finished with a smooth gypsum plaster and are generally in bad condition. and will have to be replaced.

There are serious cracks and dampness in the first floor level.

The internal walls at ground floor level are most likely of block work and are finished with smooth plaster and generally are in bad condition. Hard walled slabs removed and will have to be chipped back and replastered and hard walled.

**Note:-** Cracks are evident over doors and these will have to be grouted out and repaired.



The internal walls at first floor level are also finished with gypsum plaster and are in a fair condition generally.



The interior of the Dwelling will have to be renovated.  
All rooms are in need of renovation.



Rear Toilet area will have to be removed as unsightly.



#### Fireplaces, Flues and Chimney Breasts:

(Normally flues to open fireplaces should be cleaned prior to occupation.



(It is not possible to determine the condition of flues or flue liners.  
No assumption can be made to the condition of same at this time)

Would recommend removing fire place.



#### Floors:

(The surface of all floors not covered with coverings has been inspected as far as possible.  
Fixed floor boards have not been lifted.  
Where possible we will identify the nature of the finish beneath.  
The surface areas of the solid floor construction as for timber floors.)  
The ground floors are generally of concrete and appear to be in fair condition, as  
no cracks were evident.  
We did not determine the thickness of the floor.

The floors at first floor level are of timber floor boards throughout.  
Most probably on timber floor joists and appear to be in fair condition.

Would recommend replacing concrete floors as no insulation or dpc evident.  
Would possibly have severe rising damp.

#### Internal Decorations:

(General comment only, it should be noted that walls would be marked by pictures and  
furniture)

The walls and ceilings were painted throughout and are in good condition.

#### Woodworm, Dry rot and other Timber Defects:

(Defects revealed by the examination of the structure, but excluding those areas of the  
building which were covered, unexposed or not readily accessible.)

All exposed timbers will have to be repaired where required or treated as stated..

#### Thermal Insulation:

(An overall comment only is made in connection with visible areas, but it may not be  
possible to verify the information given on the condition of the material, we did determine the  
thickness of the insulation in the walls or beneath the ground floors)

This office can carry out a Thermal Heat Loss Inspection, through windows, doors and  
walls if required.

### Services:

(These have only been inspected visually and tests have not been applied. Standards and accuracy of insulation can only be made by a test from an appropriate specialist. We can advise with same if required.)

## Internal Joinery:



(Including staircases, doors and built in units, general comment only.)



All internal joinery will have to be replaced.



## **Electricity:**

No check has been carried out on the wires or appliances.

We recommend a qualified electrician be employed to ensure that the structure meets with current E.T.C.I standards.

All new Electrics required throughout.



## **Water, Plumbing and Sanitary Fittings:**

No inspections or tests were carried out but would recommend plumber be employed to inspect same.

New Bathroom required.

## **Hot Water and Central Heating:**

(Other than balanced flue outlets, internal heating appliances normally require a flue liner, but a visual inspection does not always reveal that one has been fitted.)

No inspections or tests were carried out but would recommend plumber be employed to inspect same.

New Air to Water System when renovations complete.

## **Under Ground Drainage:**

### **Foul:**

We lifted the AJ's and noted that the drain pipes were pvc.

We did not check the gradient but noted there were no blockages.

We were unable to determine the exit point from the site.

In order to establish the condition and location of the sewers a CCTV survey should be carried out.



New connection to main sewer required.

**Surface Water:**

There are several gully traps around the dwelling.

In order to establish the condition and location of the drains a CCTV survey should be carried out.

Gullies required during renovation to take always lodgement of rainwater.

**General:**

**Garages and Out Buildings:**

Comments are restricted to important defects only.

**The Site:**

(General reference is made and only significant defects and boundary walls, fences, paths, retaining walls and drives are reported. Reference to flooding, tree roots, and other potential hazards are applicable. This is on a visual bases only.)

The site in our opinion is large in size.  
i.e. boundary details as discussed above.

**Building Regulations, Roads, Statutory and Environmental Matters:**

(This inspection did not include an examination of the Planning Permission with regards to this dwelling or site works.)

**This can be carried out by this office if required. Not Required. Built prior to Building regs of 1992 and Planning 1964.**

Generally it is our opinion, based on the superficial inspection, which did not include opening up, and noting the exceptions below, that the building was constructed in substantial compliance with the Building Regulations of that time.

**Radon Gas:**

No checks were carried out with regard to Radon Gas and we recommend that such checks should be carried out.

Consideration should be given to the installation of radon Gas detectors immediately.

In the event of radon gas levels in excess of the recommended minimum being detected, works should be carried out to ensure that the radon gas does not enter the building.

We did note the presence of a radon gas extraction point on the exterior of the dwelling.

This is normally used in the event of extraction being required to reduce radon gas levels.

*Limerick City & County Council*  
*28 JAN 2011*  
*Flag*

Set out below is a summary of the condition of the property which is provided for reference only. You should refer to the previous comments for detailed information.

<b>Structural Movement</b>	<b>1</b>
<b>Dampness, rot and infestation</b>	<b>3</b>
<b>Roofing including roof space</b>	<b>3</b>
<b>Rainwater fittings</b>	<b>3</b>
<b>Main Walls</b>	<b>2</b>
<b>Windows, external doors and joinery</b>	<b>3</b>
<b>External decoration</b>	<b>3</b>
<b>Outside areas and boundaries</b>	<b>2</b>
<b>Ceilings</b>	<b>3</b>
<b>Internal walls</b>	<b>2</b>
<b>Floors including sub-floors</b>	<b>3</b>
<b>Internal joinery and kitchen fittings</b>	<b>3</b>
<b>Chimney breasts and fireplaces</b>	<b>3</b>
<b>Internal decorations</b>	<b>3</b>

**Category 3**

Urgent repairs or replacement are needed now.

Failure to seal with them may cause problems to other parts of the property or cause a safety hazard.

Estimates for repairs or replacement are needed now.

**Category 2**

Repairs or replacement requiring future attention, but estimates are still advised.

**Category 1**

No immediate action or repair needed.

### **Remember**

The cost of repairs may influence the amount someone is prepared to pay for the property. We recommend that relevant estimates and reports are obtained in your own name.

### **Warning**

If left unattended, even for a relatively short period, category 2 repairs can rapidly develop into more serious Category 3 repairs. The existence of Category 2 or Category 3 repairs may have an adverse effect on marketability, value and the sale price ultimately achieved for the property. This is particularly true during slow market conditions where the effect can be considerable.

### **Matters for a solicitor or licensed conveyance.**

The tenure is understood to be outright ownership. The management and service charge details have not been inspected and it is assumed it does not contain onerous provisions which adversely affect the valuation.

The legal advisor should check existence and details of acceptable management arrangements service charges and block insurance.

In line with normal practice, it is specifically assumed that the property and its value are affected by any matters which would or should be revealed to a competent Completing Solicitor by a local search and replies to the usual enquiries, or by any statutory notices and planning proposal.

Any adverse easements, servitudes or way leaves affecting the Property. There are no obvious indications but this needs to be clarified.

## **THE REPORT**

Throughout the report, the following repair categories will be used to give and overall opinion of the state of repair and condition of the property:

Categories 1,2 and 3.

## **WARNING**

If left unattended, even for a relatively short period, Category 2 repairs can rapidly develop into more serious category 3 repairs. The existence of Category 2 or Category 3 repairs may have an adverse effect on marketability, value and the sale price ultimately achieved for the property. This is particularly true during slow market conditions when effect can be considerable.

Parts of the property which cannot be accessed or seen will not be reported upon and this will be stated. If the Surveyor suspects that a defect may exist within and exposed area and which could have a material effect upon the value, he may recommend further investigation by specialist contractors.

## SERVICES

Surveyors are not equipped or qualified to test the services and therefore no comment can be interpreted as implying that the design, installation and function of the services are in accordance/compliance with regulations, safety and efficiency expectations. However, comment is made where there is a cause to suspect significant defects or shortcomings with the installations. No tests are made of any services or appliances.

## ACCESSIBILITY

A section is included to help identify the basic information interested parties need to know to decide whether to view a property.

### Conclusion:

- Good sized site and dwelling
- Plenty of potential throughout.
- Good location and close to all amenities.

Extensive renovation required.

This Dwelling is Uninhabitable.

### PLEASE NOTE:

- ♦ The inspection was a walk-through survey, visually inspecting various aspects of the construction and, therefore, could take no account of work that was covered up.
- ♦ There could be defects in the property which are not reported on but which a more thorough opening up, destructive, exploratory examination of the fabric of the structure would reveal.
- ♦ No destructive opening up or exploratory work was carried out during the course of the inspection.
- ♦ The inspection did not enable any conclusions to be reached regarding the presence or absence of wood infestation in parts of the structure which were covered in, unexposed or inaccessible.
- ♦ As the inspection was of a superficial nature only, it could only take cognisance of all readily apparent defects and wants of reparation.

- ◆ The services including plumbing, drainage, heating and electrical have not been tested and accordingly this report does not warrant that these services in the property are free from defect.
- ◆ The report does not guarantee the performance standards of structural elements or service installations into the future.

Signed.



Brendan O'Connell & Associates.

B.arch. Dip.eng.

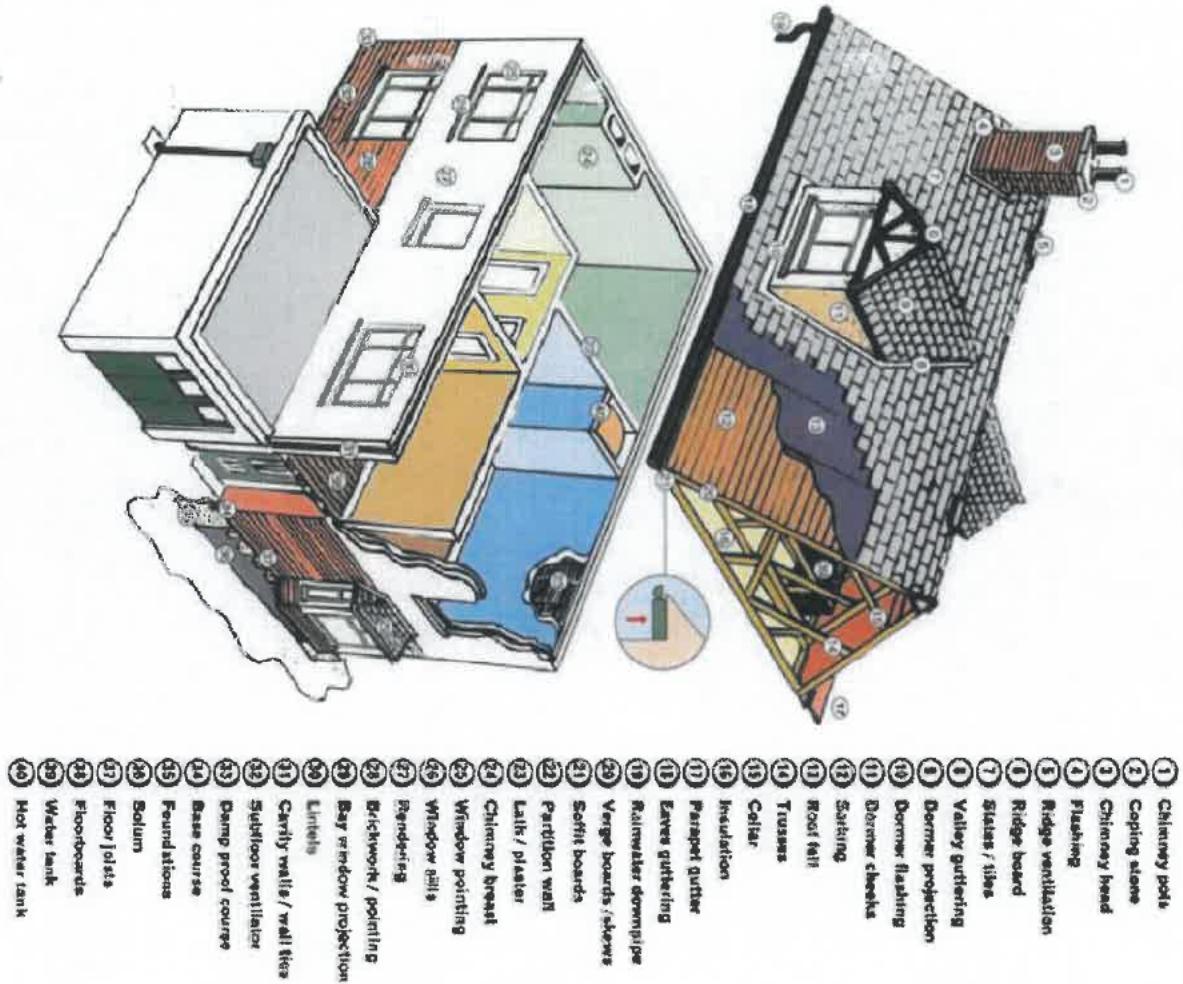
MIPAV.CV MMCEPI.



P.I.Cover. 23-24.pdf

## Single Survey

### Sectional Diagram showing elements of a typical house



Reference may be made in this report to some or all of the above component parts of the property. This diagram may assist you in locating and understanding these items.



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

27/01/2025 11:15:00

Receipt No. /  
Uimhír Admhála : LA25/0/25174032

JACINTA DEADY  
5 PARK VIEW  
BRUFF  
CO LIMERICK  
RE: SECTION 5

EXEMPTION CERTIFICATES  
GOODS 80.00  
VAT Exempt/Non-vatable

Total/Iomlán 80.00 EUR

Tendered/Taingthe  
Postal Order 80.00

Change/Sóinseáil 0.00

Issued By/  
Eisithe ag : Georgina McCarthy  
From/O : CASH OFFICE HQ  
Vat reg No./Cláraimhír CBL: 3267368TH

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

<b>Reference no.</b>	EC-083-25
<b>Name and Address of Applicant:</b>	Jacinta Ready, 5 Park View, Bruff, Co. Limerick V35DX68.
<b>Agent:</b>	N/A
<b>Location:</b>	5 Park View, Bruff, Co. Limerick V35DX68.
<b>Description of Site and Surroundings:</b>	<p>There is a two story, semi-detached dwelling on site and the site is zoned Existing Residential in the Limerick Development Plan 2022-2028. The site is within Bruff Architectural Conservation Area.</p>
<b>Zoning:</b>	Existing Residential.
<b>Proposal:</b>	<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> <ul style="list-style-type: none"><li>• Development of a small extension</li></ul>
<b>This Section 5 declaration includes the following:</b>	<ul style="list-style-type: none"><li>• Application Form</li><li>• Proposed Elevations</li><li>• Proposed Floor plans</li><li>• Report on condition of the dwelling</li><li>• Land registry details</li></ul>
<b>Planning History:</b>	None.
<b>Enforcement History</b>	N/A
<b>Relevant An Bord Pleanála referrals</b>	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 a single story extension to rear of existing dwelling constitutes ‘works’ and ‘development’.

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

The proposal is for the construction of a rear extension, the area of which is noted as being less than 40 m<sup>2</sup> on the application form, however from the drawings it appears to be over 40m<sup>2</sup> i.e. internal floor area is 6.7m (rear wall) x 7.05m (shortest side wall) = 47.2m<sup>2</sup>. Following a site inspection on the 30<sup>th</sup> April 2025 it was noted that this is a two story end of terrace dwelling. The proposal for the construction of an extension to the rear of dwelling will be assessed under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

#### **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:

The extension is partially to the side of the house, it is therefore not compliant.

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

The area of the rear extension proposed appears to be over 40m<sup>2</sup>, it is therefore not compliant.

(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.*

Ground floor extension proposed.

(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.

Ground floor extension proposed.

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.

There is an extension to the rear, this combined with current proposal is over 40m<sup>2</sup>. It would appear that part of the proposed extension will replace the existing extension.

(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.

(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.

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

N/A, the proposed extension is a ground floor extension.

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 and the height of the walls of the proposed extension do not exceed the height of the rear wall.

(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 of eaves is not exceeded.

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 construction of the rear extension would not reduce the area of private open space to less than 25sqm.

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

Cannot be determined, a site layout is not submitted.

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

Single story extension proposed.

*(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, a single story extension proposed.

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.

Based on the foregoing, the proposal does not come within Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) for the following reasons:

- The extension proposed is over 40m<sup>2</sup>
- The proposed extension is partially to the side of the house

#### **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 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 extension detailed on the application and plans submitted is considered not to be within the scope of Class 1 of Part 1 of Schedule 2 of 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) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) The plans & particulars submitted with the application received on the 14<sup>th</sup> April 2025.

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

  
John Wallace

Agreed



John Wallace  
A/Executive Planner

Date 06/05/2025

Jennifer Collins  
A/Senior Executive Planner

Date: 07/05/2025

Appendix 1- AA Screening examination

AA PN01 Screening Form

**STEP 1: Description of the project/proposal and local site characteristics:**

<b>a. File Reference No:</b>	EC/083/25
<b>b. Brief description of the project or plan:</b>	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: <ul style="list-style-type: none"> <li>• Development of a small extension</li> </ul>
<b>c. Brief description of site characteristics:</b>	There is a two story, semi-detached dwelling on site and the site is zoned Residential in the Limerick Development Plan 2022-2028. The site is within Bruff Architectural Conservation Area.
<b>d. Relevant prescribed bodies consulted:</b> e.g. DHLGH (NPWS), EPA, OPW	N/A
<b>e. Response to consultation:</b>	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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165 Lower River Shannon SAC	<a href="https://www.npws.ie/protection-sites/sac/002165">https://www.npws.ie/protection-sites/sac/002165</a>	15.9km	None	No
001430 Glen Bog SAC	<a href="https://www.npws.ie/protection-sites/sac/001430">https://www.npws.ie/protection-sites/sac/001430</a>	2.8km	None	No
00439 Tory Hill SAC	<a href="https://www.npws.ie/protection-sites/sac/000439">https://www.npws.ie/protection-sites/sac/000439</a>	11.1km	None	No

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

<sup>2</sup>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"> <li>• Vegetation clearance</li> <li>• Demolition</li> </ul>	None. Works are minimal and will involve temporary construction works; therefore, no likely significant

<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>	<p><b>Operation phase e.g.</b></p> <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>	<p>None works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.</p>
In-combination/Other		N/A given the level of development in the area
<p><b>b. Describe any likely changes to the European site:</b></p> <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>	<p>None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.</p>	
<p><b>c. (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)</b></p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
<p><b>STEP 4: Screening Determination Statement</b></p> <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>		

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

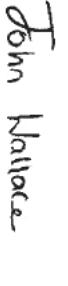
- the nature and scale of the proposed development on fully serviced lands,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.

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

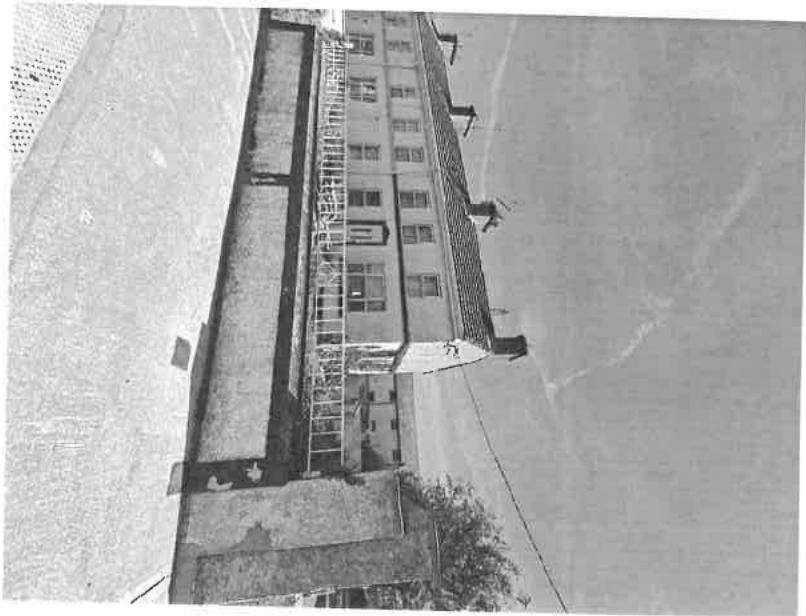
	Tick as appropriate:	Recommendation:
i. It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
ii. It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
iii. Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 John Wallace A/Executive Planner 06/05/2025	
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 07/05/2025	

**Appendix 2 – EIA Screening - Establishing if Proposal is Sub-threshold**

<b>Establishing if the proposal is a 'sub-threshold development':</b>	
Planning Register Reference:	EC-083-25
Development Summary:	Extension
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes. no further action required <input checked="" type="checkbox"/> No. Proceed to <b>Part A</b>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes. specify class: [insert here] – – –	<b>EIA is mandatory</b> <input type="checkbox"/> No Screening required <input type="checkbox"/> 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) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here]	<b>EIA is mandatory</b> <input type="checkbox"/> No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but is sub-threshold</b> : [insert here] – – –	<input type="checkbox"/> 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>	 John Wallace A/Executive Planner 06/05/2025

Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 07/05/2025
---	--

**Appendix 3 – Site Inspection Photographs**







Comhairle Cathrach  
& Contae Luimnígh  
Limerick City  
& County Council

Pleanáil agus Cruthú Aite  
Comhairle Cathrach agus Contae Luimnígh  
Bothar Thuar an Daill  
Tuar an Daill, Luimneach  
V94 WV78  
Planning and Place-Making  
Limerick City and County Council  
Dooradoyle, Limerick  
V94 WV78

## PLANNING & PLACE-MAKING

### REG POST:

Jacinta Deady,  
Cullamus,  
Kilmallock,  
Co.Limerick,  
V35 PR98

EC/083/25

08 May 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,

*Karen O'Brien*  
(for) Senior Planner,  
Development Management

Tuar an Daill, Luimneach  
Dooradoyle, Limerick

customer.services@limerick.ie  
@LimerickCCouncil  
061 - 555 000

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

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

No. AOO/DC/2025/462

File Ref No. EC/083/25

**SUBJECT:**

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

**RE:**

**The development of a small extension at 5 Park View, Bruff,  
Co. Limerick, V35DX68.**

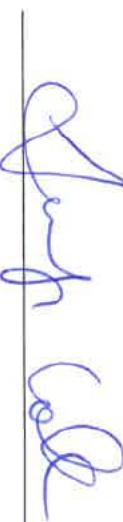
**ORDER:**

Whereas by Director General's Order No. DG/2024/122 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 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 06/05/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Jacinta Deady, Cullamus, Kilmallock, Co.Limerick, V35 PR98 to state that the works as described above is

**Development and is NOT Exempt Development.** *PL*

Signed



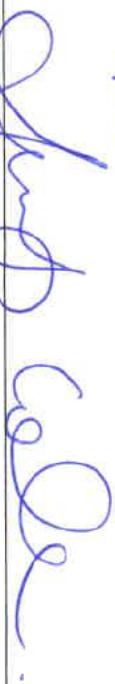
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

*8/5/25*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/462 dated 8/5/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:



A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



Comhairle Cathrach  
& Contae Luimních  
Limerick City  
& County Council

Fleannáil agus Cruthú Áite  
Bothar Thuar an Dail  
Tuar an Dail, Luimneach  
V94 WV78

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

## SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

### DECLARATION NO.

EC/083/25

**Name and Address of Applicant:** Jacinta Deady, 5 Park View, Bruff, Co. Limerick V35DX68.

**Agent:**

N/A

**Whether** the development of a small extension at 5 Park View, Bruff, Co. Limerick V35DX68 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 14<sup>th</sup> of April 2025.

**AND WHEREAS** the Planning Authority has concluded that the development of a small extension at 5 Park View, Bruff, Co. Limerick V35DX68 **DOES NOT** come within the scope of exempted development under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). See Report attached.

**NOW THEREFORE** the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is NOT Exempt Development**.

Signed on behalf of the said Council

Date:

08/05/2025

**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.