Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Seamus Madden

Applicant's Address: Limerick Blow Moulding,
School Road,
Parteen, Co Clare V94FK00

Telephone No. [redacted]

Name of Agent (if any): Gabor Molnar

Address: Gabor Molnar Engineering Design
Gray Office Park, Headford Rd Galway
H91 C9XH

Telephone No. 086/372-3057

Address for Correspondence:

Gabor Molnar Engineering Design

Gray Office Park, Headford Rd Galway H91 C9XH

E. gabor@gabormolnarengineering.com

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

5 – 6 Henry St Limerick

Description of Proposed development:

Conversion of a ground floor retail space to a studio apartment and addition of roof light to existing flat roof with a rear aspect only.

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

Planning And Development Regulations 2001 *Article 6(a) Exemption Change of use from Commercial to Residential*

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

Applicant's interest in site: Freehold (owner).

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

OS Map
Basement Plan & Site Layout Plan
Ground Floor Plan
~~Upper Floor Plans~~
Elevations
~~Sections~~
Daylight Analysis Report
~~Compliance Report To Apt Design Guidelines 2022~~

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
(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

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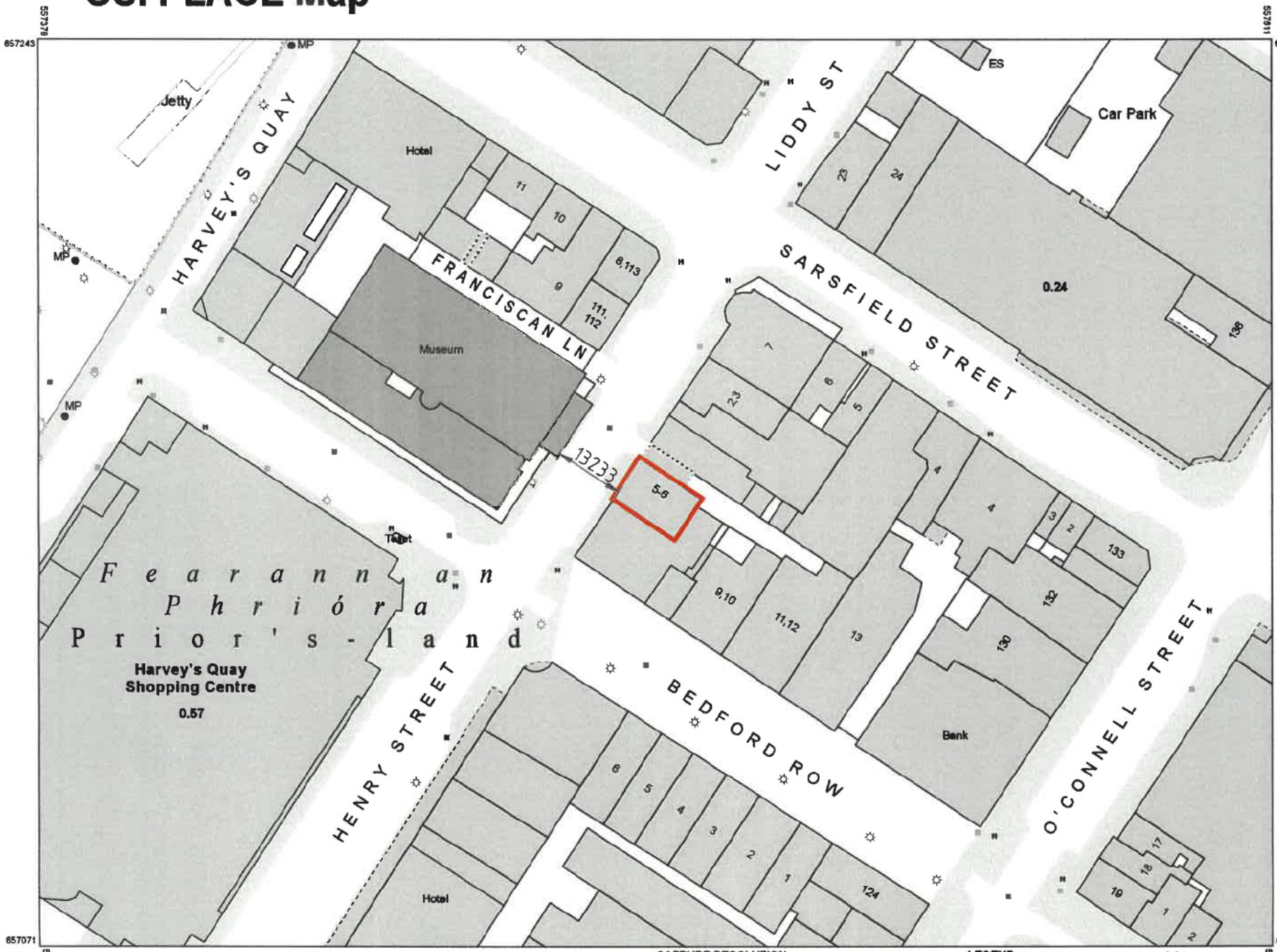
OSi PLACE Map



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ITM 557495,657157

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MAP SERIES:	MAP SHEETS:
1:1,000	4682-22
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LEGEND:
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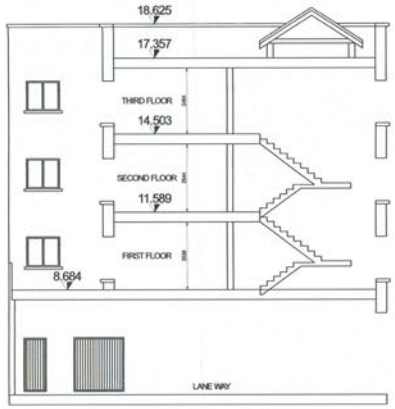
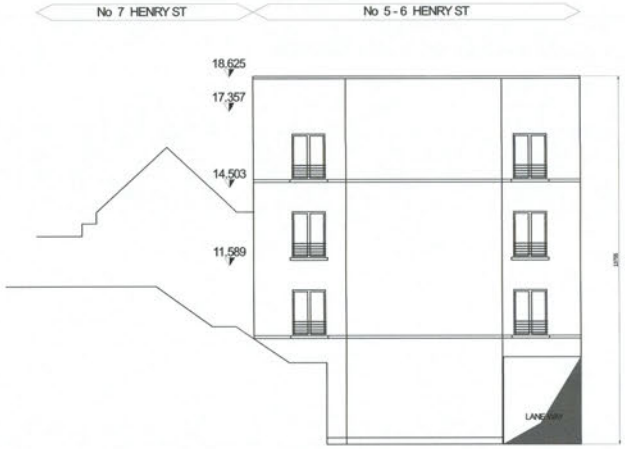
A1
1:100

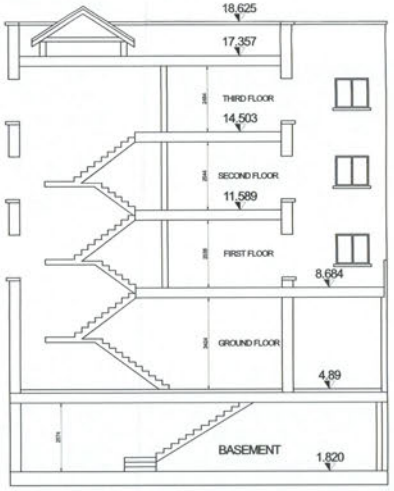
FRONT ELEVATION (WEST)
SECTION 5 APPLICATION OUTLINED IN RED



SECTION C-C
NO CHANGES PROPOSED



REAR ELEVATION (EAST)
NO CHANGES PROPOSED



SECTION B-B
NO CHANGES PROPOSED

PREPARED BY:	GABOR MOLNAR ENGINEERING DESIGN - GRAY OFFICE PARK, GALWAY		
CLIENT:	SEAMUS MADDEN		
ADDRESS:	5-6 HENRY ST, LIMERICK		
PROJECT:	CONVERSION OF GROUND FLOOR RETAIL SPACE TO STUDIO APT.		
DRAWING:	SECTIONS AND ELEVATIONS	DRAWING REF:	ENG_01
DRAWN BY:	GM	CHECKED BY:	TK
DATE:	08/04/2025	REV.	0
STATUS:	SECTION 5 APPLICATION		

Compliance Report

Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities - Prepared by the Department of Housing, Local Government and Heritage (gov.ie/housing) December 2022

A. Description

Conversion of a ground floor retail space to a studio type apartment (60 m2).

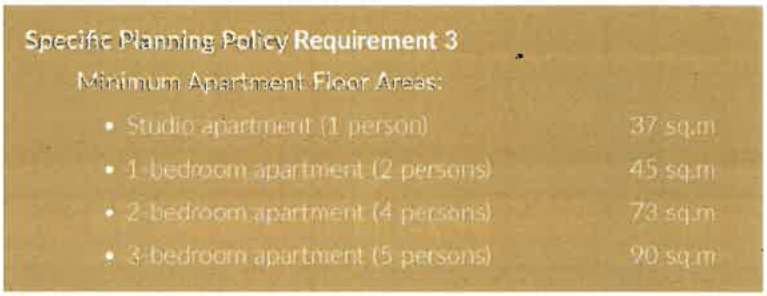
B. Section 2: Location

Not applicable. This is an existing building.

C. Section 3: Apartment Design Standards

1. Apartment Floor Area

Requirement:



Provided floor area: 60 m2 > 37 m2 >>>> OK

2. Dual Aspect Ratios

Not applicable. This is an existing building.

3. Floor to Ceiling Height

Requirement:

From a planning and amenity perspective, applicants and their designers may consider the potential for increasing the minimum apartment floorto-ceiling height to 2.7 metres where height restrictions would not otherwise necessitate a reduction in the number of floors. In relation to ground floors, it is a policy requirement that ground level apartment floor to ceiling heights shall be a minimum of 2.7m and applicants and their designers should consider 3.0 metres on the ground floor of multi-storey buildings.

Provided ceiling height: 2.85M > 2.7 m >>>> OK

4. Lift and Stair Cores

Not applicable as it is a ground floor unit.

5. Internal Storage

Requirement:

Minimum storage space requirements

Studio	3 sq m
One bedroom	3 sq m
Two bedrooms (3 person)	5 sq m
Two bedrooms (4 person)	6 sq m
Three or more bedrooms	9 sq m

Provided storage space: 3.67 m2 > 3.0 m2 >>>> OK

6. Private Amenity Space

No private amenity space available in this development. The unit for conversion is an existing ground floor retail unit which has no private amenity space. It is notable that the 6 No apartments overhead have no private amenity space either.

Dispensation may be applied based on Section 3.39 that the development site is under 0.25 ha:

Private amenity space standards for apartments are set out in Appendix 1. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, private amenity space requirements may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

7. Security Considerations

Requirements:

3.41 Where ground floor apartments are to be located adjoining the back of a public footpath or some other public area, consideration should be given to the provision of a 'privacy strip' of approximately 1.5m in depth. This should be influenced by the design, scale and orientation of the building and on the nature of the street or public area and if provided, subject to appropriate landscape design and boundary treatment.

Provided prvacy strip: 0.58 m > 1.5 m >>>> Security strip not available to full depth.

8. Communal Facilities in Apartments

Requirements:

Access and Services

4.1 Apartment schemes should be designed so that they are easy for people to use and to reflect the fact that all people experience changes in their abilities as they progress through the different stages of life. It is important for designers to take all of the users of buildings into account in order to avoid the creation of a built environment that excludes certain groups from participating in normal everyday activities. Part M of the Building Regulations sets out standards to ensure that buildings are accessible and usable by everyone, including children, people with disabilities and older people.

4.2 Within apartment buildings, hallways and shared circulation areas should be appropriate in scale and should not be unduly narrow. They should be well lit, with some natural light, where possible and adequate ventilation. Movement about the apartment building should be easily understandable by all users by keeping internal corridors short with good visibility along their length.

4.3 Service ducts serving two or more apartments should as far as practicable be accessible from common circulation areas to facilitate easy maintenance. Running services overhead, particularly above the ceiling of a different unit, should be avoided.

4.4 To prevent demands for the installation of numerous individual satellite dishes on visible parts of the facades or roof of apartment buildings, provision should be made at design stage for locating communal or individual dishes on less visible parts of the building, such as at roof level.

The conversion to a studio complies with the Access and Services requirements above. Internal circulation is unimpeded and Part M compliant.

9. Communal Facilities

Requirements:

4.5 Communal rooms may be provided in apartment schemes, particularly in some larger developments. For example, communal laundry facilities and for drying clothes may be provided in well-ventilated areas. Other communal facilities may include community or meeting rooms or a management/maintenance office on-site. The provision of facilities within an apartment development could also extend to childcare or gym uses that may be open to non-residents.

4.6 Communal or other facilities within apartment schemes should be subject to negotiation and agreement with the developer as part of the planning process. They should not generally be imposed as requirements by the planning authority in the absence of proposals from and/or the agreement of an applicant. The provision of such facilities is likely to have significant implications for management and maintenance costs for future residents.

4.7 Notwithstanding the *Planning Guidelines for Childcare Facilities* (2001), in respect of which a review is to be progressed, and which recommend the provision of one child-care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision of any such facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.

This is a small scale development and communal facilities such as creche, shared laundry room etc are not applicable.

10. Refuse Storage

Requirements:

4.8 Provision shall be made for the storage and collection of waste materials in apartment schemes. Refuse facilities shall be accessible to each apartment stair/lift core and designed with regard to the projected level of waste generation and types and quantities of receptacles required. Within apartments, there should be adequate provision for the temporary storage of segregated materials prior to deposition in communal waste storage and in-sink macerators are discouraged as they place a burden on drainage systems.

4.9 The following general design considerations should be taken into account in the provision of refuse storage facilities:

- Sufficient communal storage area to satisfy the three-bin system for the collection of mixed dry recyclables, organic waste and residual waste;
- In larger apartment schemes, consideration should also be given to the provision of separate collection facilities for other recyclables such as glass and plastics;
- Waste storage areas must be adequately ventilated so as to minimise odours and potential nuisance from vermin/flies and taking account the avoidance of nuisance for habitable rooms nearby;
- Provision in the layout for sufficient access for waste collectors, proximity of, or ease of access to, waste storage areas from individual apartments, including access by disabled people;
- Waste storage areas should not present any safety risks to users and should be well-lit;
- Waste storage areas should not be on the public street, and should not be visible to or accessible by the general public. Appropriate visual screening should be provided, particularly in the vicinity of apartment buildings;
- Waste storage areas in basement car parks should be avoided where possible, but where provided, must ensure adequate manoeuvring space for collection vehicles;
- The capacity for washing down waste storage areas, with wastewater discharging to the sewer.

The existing dedicated bin storage room is adequate to cater for the refuse from the converted studio.

11. Communal Amenity Space

Requirements:

4.10 The provision and proper future maintenance of well-designed communal amenity space will contribute to meeting the amenity needs of residents. In particular, accessible, secure and usable outdoor space is a high priority for families with young children and for less mobile older people. The minimum required areas for public communal amenity space are set out in Appendix 1. While private and communal amenity space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a 'privacy strip' between the two.

4.11 Communal amenity space may be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year. Roof gardens may also be provided but must be accessible to residents, subject to requirements such as safe access by children. These facilities offer a satisfactory alternative where climatic and safety factors are fully considered, but children's play is not passively supervised as with courtyards. Regard must also be had to the future maintenance of communal amenity areas in order to ensure that this is commensurate with the scale of the development and does not become a burden on residents.

4.12 For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

No communal amenity space available in this development. The unit for conversion is an existing ground floor retail unit which has no access to a communal amenity space. It is notable that the 6 No apartments overhead have no communal amenity space either. Dispensation may be applied based on Section 4.12 that the development site is under 0.25 ha:

4.12 For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

12. Children's Play

Requirements:

4.13 The recreational needs of children must be considered as part of communal amenity space within apartment schemes. Experience in Ireland and elsewhere has shown that children will play everywhere. Therefore, as far as possible, their safety needs to be taken into consideration and protected throughout the entire site, particularly in terms of safe access to larger communal play spaces. Children's play needs around the apartment building should be catered for:

- within the private open space associated with individual apartments (see chapter 3);
- within small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms; and
- within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.

4.14 The perimeter block with a central communal open space is particularly appropriate for children's play, especially if access from the street is controlled. The landscape design and orientation of play areas can contribute significantly to their amenity value. However, the noise from courtyard play areas can diminish residential amenity, particularly in smaller schemes, and designers must find solutions which balance all the factors involved.

This is a small scale development and communal facilities such as a communal play ground is not available. Reference is made above under 4.13 that private amenity space can be used (see under 3.39), however, this apartment doe not have the benefit of same.

13. Bicycle Parking and Storage

Requirements:

4.15 An important context for these guidelines is a likely significant population increase in our cities and urban areas. These guidelines aim to secure wider Government policy to achieve more sustainable urban development that will enable more households to live closer to their places of work without the need for long commuter journeys and disruption of personal and family time. Enabling citizens to more easily get around our cities and urban areas is a fundamental planning concern and maximising accessibility of apartment residents to public transport and other sustainable transport modes is a central theme of these guidelines.

4.16 Cycling provides a flexible, efficient and attractive transport option for urban living and these guidelines require that this transport mode is fully integrated into the design and operation of all new apartment development schemes. In particular, planning authorities must ensure that new development proposals in central urban and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors.

4.17 The accessibility to, and secure storage of, bicycles is a key concern for apartment residents and apartment proposals must respond accordingly to the requirements below in their design and provision of cycle storage facilities. Requirements of these guidelines include:

- *Location* – cycle storage facilities should be directly accessible from the public road or from a shared private area that gives direct access to the public road avoiding unnecessarily long access routes with poor passive security or, slopes that can become hazardous in winter weather.
- *Quantity* – a general minimum standard of 1 cycle storage space per bedroom shall be applied. For studio units, at least 1 cycle storage space shall be provided. Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc.

This is a small scale development and communal facilities such as shared bicycle storage space is not available.

14. Car Parking

Requirements:

4.20 The quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria.

1. Central and/or Accessible Urban Locations

4.21 In larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity.

4.22 These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services.

This development is located in Limerick City centre where city centre (access to public transport) is defined under 4.22 above.

D. Appendix 1

1. Apartment Floor Area, Room Sizes, Storage

Required Minimum Floor Areas and Standards

Minimum overall apartment floor areas

Studio	37 sq m *(n/a)**
One bedroom	45 sq m *(38 sq m)**
Two bedrooms (3 person)**	63 sq m *(n/a)**
Two bedrooms (4 person)	73 sq m *(55 sq m)**
Three bedrooms	90 sq m *(70 sq m)**

OK

* Figures in brackets refer to 1995 guidelines

**Permissible in limited circumstances

Minimum aggregate floor areas for living/dining/kitchen rooms, and minimum widths for the main living/dining rooms

Apartment type ***	Width of living/ dining room	Aggregate floor area of living / dining / kitchen area*
Studio	4m**	30 sq m**
One bedroom	3.3 m	23 sq m
Two bedrooms (3 person)	3.6m	28 sq m
Two bedrooms (4 person)	3.6 m	30 sq m
Three bedrooms	3.8 m	34 sq m

OK

* Note: An enclosed (separate) kitchen should have a minimum floor area of 6.5 sq. metres

** Note: Combined living/dining/bedspace, also includes circulation

*** Note: Variation of up to 5% can be applied to room areas and widths subject to overall compliance with required minimum overall apartment floor areas.

Minimum bedroom floor areas/widths***

Type	Minimum width	Minimum floor area
Studio	4m**	30 sq m**
Single bedroom	2.1 m	7.1 sq m
Double bedroom	2.8 m	11.4 sq m
Twin bedroom	2.8 m	13 sq m

OK

* Note: Minimum floor areas exclude built-in storage presses that are contributing to storage space requirements

** Note: Combined living/dining/bedspace

END

5-6 Henry St Limerick

Daylight Calculation Report

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Galway
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TABLE OF CONTENTS

PROJECT	**5-6 Henry St Limerick**
PROJECT ARCHITECTS	**...** **...** **...** **T: ...** **F: ...** **W: ...**
PROJECT ENGINEERS	**...** **...** **...** **T. ...** **E. ...**
MAIN CONTRACTOR	**...** **...** **...** **T: ...** **F: ...** **W: ...**
DOCUMENT TITLE	**Daylight Calculation Report**
RESPONSIBLE PARTIES & STAKEHOLDERS	**PROJECT CLIENT** **CLIENT'S PROJECT ARCHITECTS** **CLIENT'S PROJECT ENGINEERS** **MAIN CONTRACTOR** **THIS OFFICE IS ADVISOR TO PROJECT CLIENT.** The above parties should all read and check this design document before proceeding. Please advise before proceeding with construction if there are any errors in the above.

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The conclusions and recommendations in this report are based on the assumption that all relevant information has been supplied by those bodies from whom it was requested. Where any data supplied by the Client or from other project sources have been used, it has been assumed that the information is correct and no responsibility can be accepted by Gabor Molnar Engineering Design for inaccuracies in the data supplied by any other project party. No part of this report may be copied or duplicated without the express permission of Gabor Molnar Engineering Design and the party for whom it was prepared.

Where field investigations and site inspections have been carried out, these have been restricted to a level of detail required to achieve the stated objectives of the work. This work has been undertaken in accordance with the quality management system of Gabor Molnar Engineering Design. The specialised analysis and testing methods described in this report may not covered be by specific UKAS accreditation. All opinions and interpretations expressed herein are outside the scope of UKAS accreditation. Samples (if any) that are retained for quality management purposes or that were provided by manufacturers as representative material samples are retained for ONE month from the issue of the final report. Should you wish us to retain the samples for a longer period, or should you wish to collect the samples, please advise us at your earliest convenience.

DOCUMENT CONTROL		
	PRINCIPAL AUTHOR:	G. MOLNAR
	CHECKED BY:	T. KILGARRIFF
	STATUS:	APPROVAL
	REVISION:	0
	ISSUE DATE:	06/04/2025
	REVISION NOTES:	

CERTIFICATION BY THIS OFFICE

Design certificate on Engineers Ireland approved form for the stated design purpose.

ISSUE DATE

on FINAL issue of this Document.

THIS DESIGN IS BASED ON AND TO BE READ IN CONJUNCTION WITH THE FOLLOWING INFORMATION

AS-BUILT AND PROPOSED LAYOUT

ENG_01 Revo Issue 07_04_2024.pdf

PROJECT ARCHITECT'S DRG'S

DESIGN STANDARDS

BR 209 (2011) – Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice (Second Edition)

BS 8206-2:2008 – Lighting for Buildings, Part 2: Code of Practice for Daylighting

IS EN 17037:2018 – Daylight in Buildings

Beyond guidance given in the Limerick Development Plan, direction and information on daylight and sunlight is given within the Urban Development and Building Height Guidelines for Planning Authorities (2018)vand the Sustainable Urban Housing: Design Standa for New Apartments (December 2020)10. Both documents refer to BR 209 and BS 8206-2. Neither document refers to IS EN 17037 or EN 17037.

MATERIAL STANDARDS FOR DAYLIGHT MODELLING

Exterior ground: asphalt

Reflectance:	0.200
Roughness:	0.000
Specularity:	0.000

Internal floor: tiles

Reflectance:	0.617
Roughness:	0.040
Specularity:	0.110

Internal ceiling: white paint (matt)

Reflectance:	0.840
Roughness:	0.030
Specularity:	0.000

Internal walls: white paint (matt)

Reflectance:	0.840
Roughness:	0.030
Specularity:	0.000

Facade product: vertically glazed element

Glass transmittance: 0.080

External frame: dark wood grain		**Internal lining: white, smooth**	
Reflectance:	0.664	Reflectance:	0.840
Roughness:	0.020	Roughness:	0.030
Specularity:	0.050	Specularity:	0.000

Roof product: horizontally glazed element in flat roof

Glass transmittance: 0.081

External frame: white smooth		**Internal lining: white, smooth**	
Reflectance:	0.920	Reflectance:	0.840
Roughness:	0.010	Roughness:	0.030
Specularity:	0.100	Specularity:	0.000

STANDARDS BACKGROUND

Daylighting is a key element of sustainable building design. It is vital that workplaces and homes have good levels of daylight. Daylight calculation methods are important to enable the designer to predict the lighting environment in buildings, the resulting energy consumption for lighting, and its input into the overall thermal performance of the building.

In 2019, British Standard BS 8206-2: Lighting for buildings — Code of practice for daylighting was replaced by BS EN 17037: Daylight in buildings. The latter standard has more complex methodologies for calculating daylight provision in buildings. It makes use of climate-based daylight modelling which gives a much more sophisticated, and potentially more accurate, method to predict daylight provision and lighting use. However, the standard does not fully explain how to carry out these calculations.

A CIBSE-funded research project was carried out to investigate the daylight provision calculation methods in BS EN 17037 in order to provide detailed guidance for daylighting practitioners on applying the daylight assessment methods in BS EN 17037. In this calculations, we follow the recommendations in the CIBSE report.

Further guidance is also available in Dublin City Development Plan 2022-2027 Appendix 16 - Sunlight and Daylight.

CALCULATIONS TO EN 17037

For daylight provision in buildings, BS EN 17037 provides two methodologies:
— the illuminance method is based on target illuminances from daylight to be achieved over specified fractions of the reference plane for at least half of the daylight hours in a typical year.
— the daylight factor method is based on calculating the daylight factors achieved over specified fractions of the reference plane.

Illuminance method (climate-based daylight modelling: CBDM)

This method involves using climatic data for the location of the site (via the use of an appropriate, typical or average year, weather file within the software) to calculate the illuminance from daylight at each point on an assessment grid on the reference plane at an at least hourly interval for a typical year.
A typical CBDM methodology might involve the following process (Ticleanu et al., 2015):

(1) Obtain basic climate data from a weather file, usually direct and diffuse irradiance.
(2) Convert the irradiance data to external illuminances using a luminous efficacy model (Littlefair, 1985).
(3) Generate a sky luminance distribution using a sky model, usually the Perez all-weather model (Perez et al., 1993).
(4) Use the sky luminance distribution to calculate internal illuminances. To avoid a full lighting simulation for each hour of the year, the daylight coefficient approach (Tregenza et al., 1983; Littlefair, 1992) can be used. A lighting simulation is carried out for each patch of the sky. To find the internal illuminance for a given sky luminance distribution, multiply the daylight coefficient for each patch of sky by its luminance and angular size, and then sum all these values. Prediction of sunlight illuminance may be carried out with a modified approach based on the daylight coefficients.

BS EN 17037 recommends that a target illuminance (ET) should be achieved across at least half of the reference plane in a daylit space for at least half of the daylight hours. Another target illuminance (ETM) should also be achieved across 95% of the reference plane for at least half of the daylight hours; this is the minimum target illuminance to be achieved towards the back of the room. Table 2.1 gives these target illuminances for side lit rooms. Different targets, given in Table A2 of BS EN 17037, apply in spaces with horizontal roof lights.

Table 2.1 Target illuminances from daylight over at least half of the daylight hours

Level of recommendation	Target illuminance	
	E_T (lx) for half of assessment grid	Target illuminance E_{TM} (lx) for 95% of assessment grid
Minimum	300	100
Medium	500	300
High	750	500

Daylight factor method

This method involves the computation of the daylight factor at each calculation point on an assessment grid. The daylight factor is the illuminance at a point on the reference plane in a space, divided by the illuminance on an unobstructed horizontal surface outdoors. The CIE standard overcast sky is used, and the ratio is usually expressed as a percentage.

Since the calculation uses an overcast sky model, the daylight factor is independent of orientation and location. In order to account for different climatic conditions at different locations, BS EN 17037 gives equivalent daylight factor targets (D) for each capital city in Europe. For spaces with side windows, equivalent daylight factor targets to achieve a target illuminance over at least half of the daylight hours in a year are based on the formula:

$$D = \frac{\text{Target illuminance}}{\text{Median external diffuse horizontal illuminance}} \times 100\ (\%)$$

where the median external diffuse horizontal illuminance ($E_{v,d,med}$) is the illuminance from the sky on an unobstructed horizontal surface achieved for half of the yearly daylight hours at a particular location.

Table 2.2 gives the daylight factor targets for side lit rooms in London. The National Annex to BS EN 17037 gives values for other UK locations. Different targets apply in spaces with horizontal rooflights.

The recommendations for side lit rooms are met if both target daylight factors (i.e. the median daylight factor over 50% of the reference plane, and the minimum daylight factor over 95% of the reference plane) are achieved. The daylight factor method is less computationally intensive than the illuminance method, but usually a detailed simulation model is still used.

The method implicitly assumes that assessment under standard overcast sky conditions is appropriate. Under non-overcast skies the daylight factor is not a constant, but depends on sky conditions. Measured illuminance ratios often vary by a factor of two or three (Tregenza, 1980). Even under cloudy conditions, the daylight factor tends to underestimate actual illuminance ratios in side lit rooms (Littlefair 1993).

The daylight factor is therefore a poor metric to use in parts of the world where overcast skies are rare (Bissell 2014). Also, the daylight factor does not take into account the full contribution of innovative daylighting systems (Littlefair 1996) which are designed to control and use sunlight as an effective working illuminant, such as light shelves, light pipes, reflective blinds and louvres or prismatic glazing.

Overall, the illuminance based recommendations in BS EN 17037 should be easier to comply with than the daylight factor based recommendations, at least in side lit rooms facing south, east or west. This needs to be checked. There may be some situations, for example in north facing rooms, where the daylight factor based recommendations are easier to achieve.

Level of recommendation	Target daylight factor *D* for half of assessment grid	Target daylight factor *D* for 95% of assessment grid
Minimum	2.1%	0.7%
Medium	3.5%	2.1%
High	5.3%	3.5%

DAYLIGHT REQUIREMENTS

Appendix 16 of the guidance given in the Dublin City Development Plan 2022 – 2028, direction and information on daylight and sunlight is given within the Urban Development and Building Height Guidelines for Planning Authorities (2018) and the Sustainable Urban Housing: Design Standards for New Apartments (December 2020)10. Both documents refer to BR 209 and BS 8206-2. Neither document refers to BS EN 17037 orEN 17037.

At present, there is some ambiguity in what may be considered the appropriate standard to apply for daylight and sunlight assessments. There is a period of transition at present, during which BS 8206-2 has been superseded, but the relevant guidance within BR 209 has not yet been updated. Thus, both BS 8206-2 and BS EN 17037 have relevance. As such, both for clarity and as an interim measure during this transition period, the planning authority will look to receive relevant metrics from BR 209, BS 8206-2 and BS EN 17037.

Table 2 of Appendix 16 contains the following requirements:

Table 2: Internal Daylight Levels

Room Type	BS 8206 Average Daylight Factor	BS EN 17037 Target Illuminance
Bedroom	1.0 %	100 lux
Living Room	1.5 %	150 lux
Kitchen	2.0 %	200 lux
Kitchen, Living & Dining	2.0 %	200 lux

INSPECTION RESULTS

The development was inspected for establishing the reflectance levels of the wall, ceiling, floor and external ground. No inspection of the proposed roof light. This Document contains design intent.

1.0 ANALYSIS NOTES

1.1 The main purpose of this document:

1.11 To check that the Client's proposed natural lights (doors, windows, roof lights etc.) meets the daylight
1.12 requirements within the allowed limits and highlight where supplementary lighting is required.

1.13 To examine and model the behaviour of the natural light (illuminance, day light factor for typical times of
1.14 the year and annual average).

1.2 The Client provided the following information:

1.21 General arrangements drawings.

1.22 Access to the building to verify wall, floor, ceiling ,external ground, overhangs, obstruction angle values.

1.3 The Client stated

1.31 that the proposed roof light will be installed before occupation and subject to Section 5 or planning
1.32 approval from Limerick Corporation;

1.33 that Cient is the wner of the entire building (ground floor unit, all upstairs units) and therefore is in
1.34 position to carry out the proposed roof light installation as the owner of the flat roof;

1.35 that the products used will meet the requirements of the standards as set out in this document.

1.36

1.4 The following design assumptions were made by this office

1.41 All material components/parts are compliant with relevant standards as listed.

1.42 All information contained in the Documents supplied by the Client are true and correct.

1.7 Calculation notes

1.71 IS EN 17037 method of modelling the illuminance method is used based on target illuminances to be
1.72 achieved over specified fractions of the reference plane for half of the daylight hours in a typical year.

1.73 IS EN 17037 method of modelling the daylight factor is based on calculating the daylight factors
1.74 achieved over specified fractions of the reference plane.

1.75 External ground, wall, ceiling, internal floor etc. reflectance values shall be as per EN 17037 or as built
1.76 and inspected values.

1.77 The climate file used is the nearest location (Shannon) by Met Eireann and published on
1.78 https://climate.onebuilding.org/WMO_Region_6_Europe/IRL_Ireland/index.html,

1.79 Only a recognised and validated software e.g. VELUX Daylight Visualizer, Radiance or similar software
1.8 tool is used for the analysis.

1.81 The software settings should match or exceed the recommended values in
1.82 CIBSE_Daylight_calculation_methods_2023_pdf.

1.9 Model notes

1.91 The analytical model is built within 10 mm of proposed dimensions.

1.92 Connection reactions to permanent works such as primary frame/wall or concrete support element are
1.93 provided for permanent works/civil designer.

1.94 The load paths on the members are indicated and the graphical diagrams included where appropriate.

1.95 The predicted deflection is calculated and the graphical diagrams included where appropriate.

2.0 LOCATION

2.1 Location of the development

Ref.

Address or coordinates

Address

5-6 Henry St, Limerick

Coordinates

52.66388138031712, -8.628383724914157

Aerial view

3D aerial view (Bing.com/maps) looking from East to West

Street view

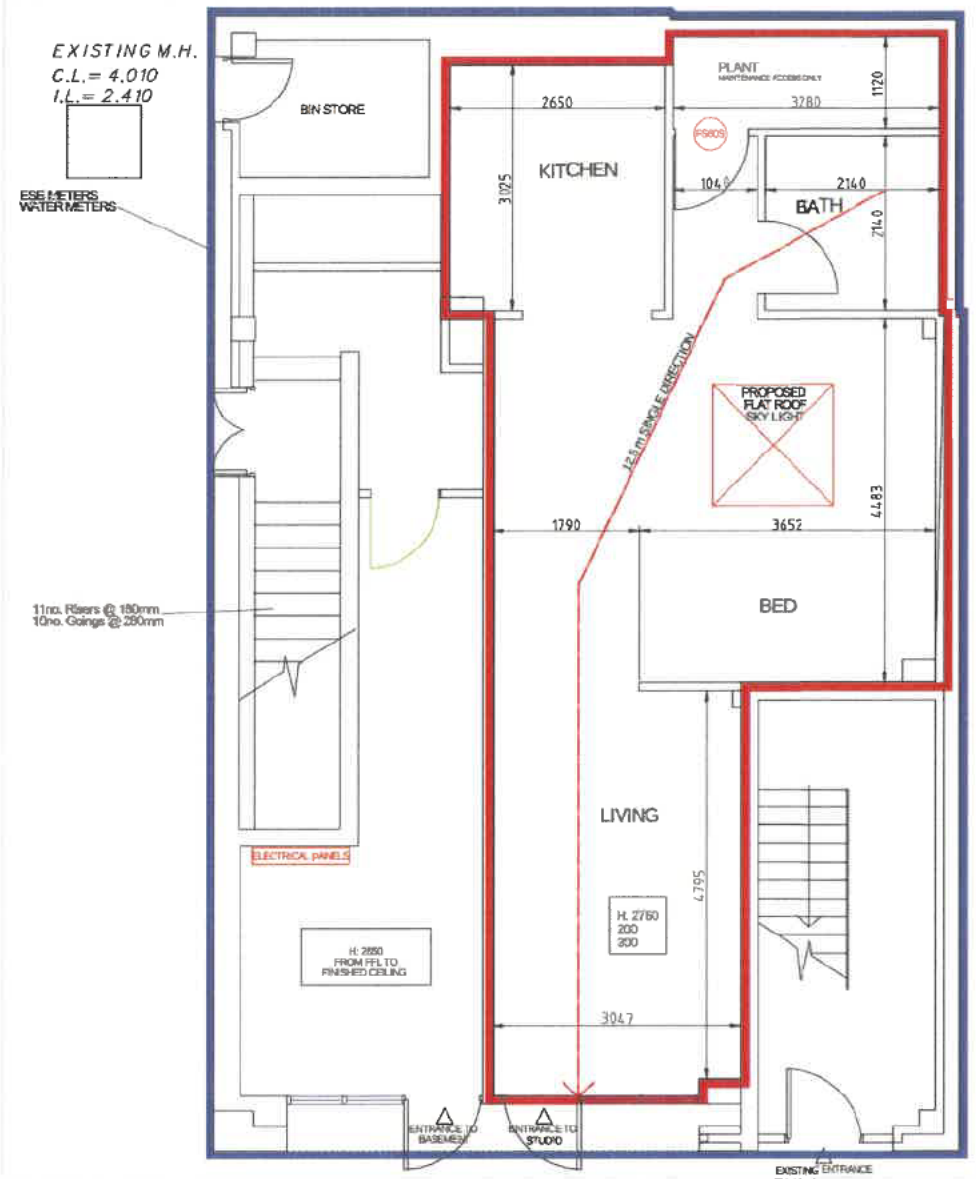
Street view (Google.com/maps) looking from West to East

3.0 FLOOR PLANS

3.1 Dimensional model

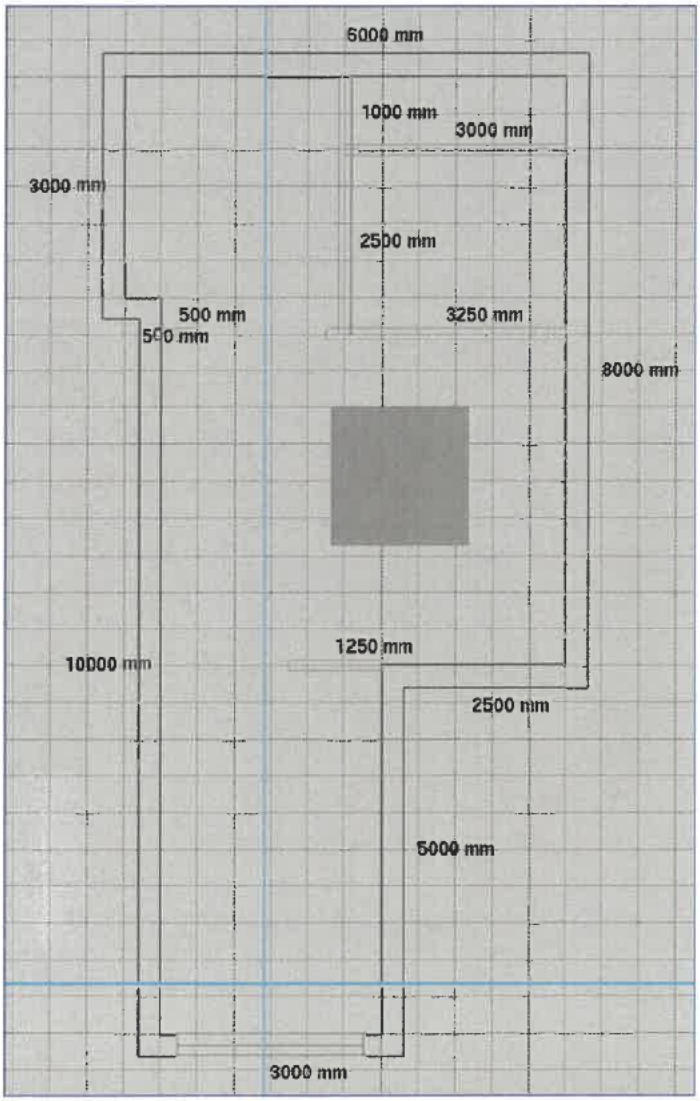
Ref.

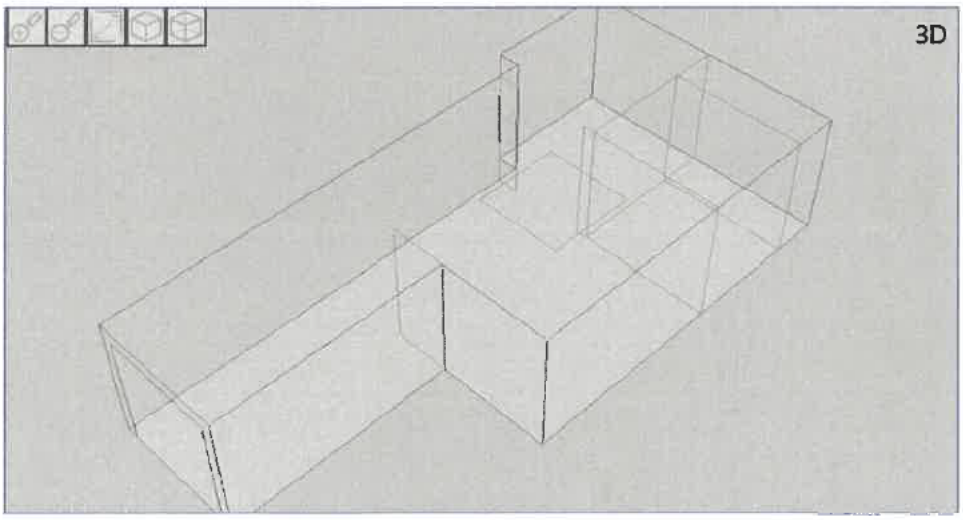
Dimensional model



Ref.

3D model for daylight analysis





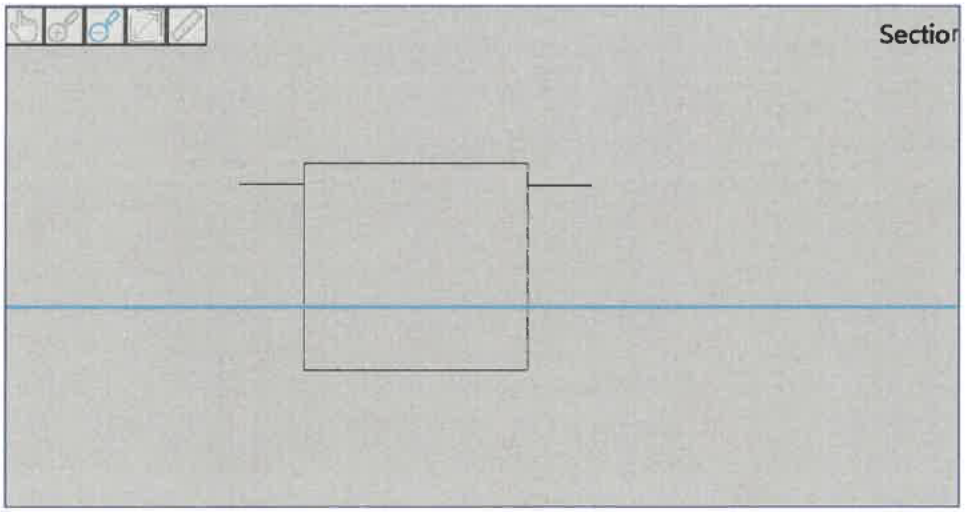
4.0 WORKING PLANE

4.1 Working plane settings

Ref.

EN 17037

The height of the working plane is set to 0.85 m height (the level where the daylight assessment is carried out).



The grid size is set to a min. of 0.5 m x 0.5 m as per requirements in CIBSE modelling guidelines.

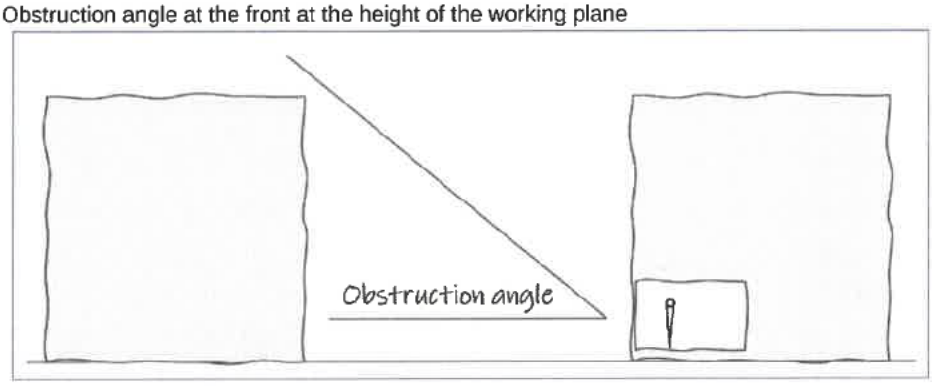
5.0 EXTERNAL OBSTRUCTIONS

5.1 Obstruction angles and overhangs

Ref.

App. 16 of DCC Guidance

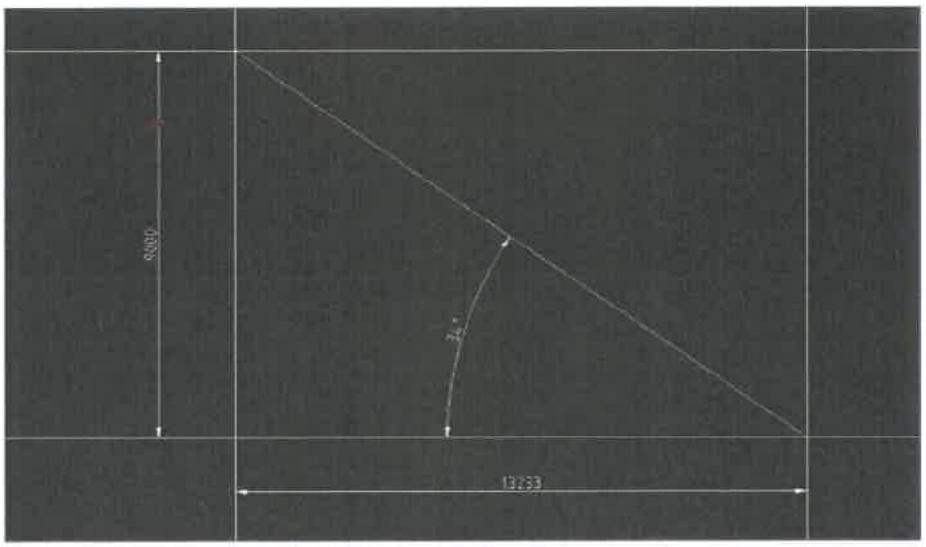
Obstruction angle at the front at the height of the working plane



Distance of nearest obstruction

OS Map

Obstruction angle



Ref.

Site measurement	Overhang: measured at 0.58 m

6.0 ILLUMINANCE METHOD

Ref.

Settings overview based on location, orientation and weather file:

Location

lat 52.4 N, long 8.4 W

Time

March at 12:00

Orientation

146 CW

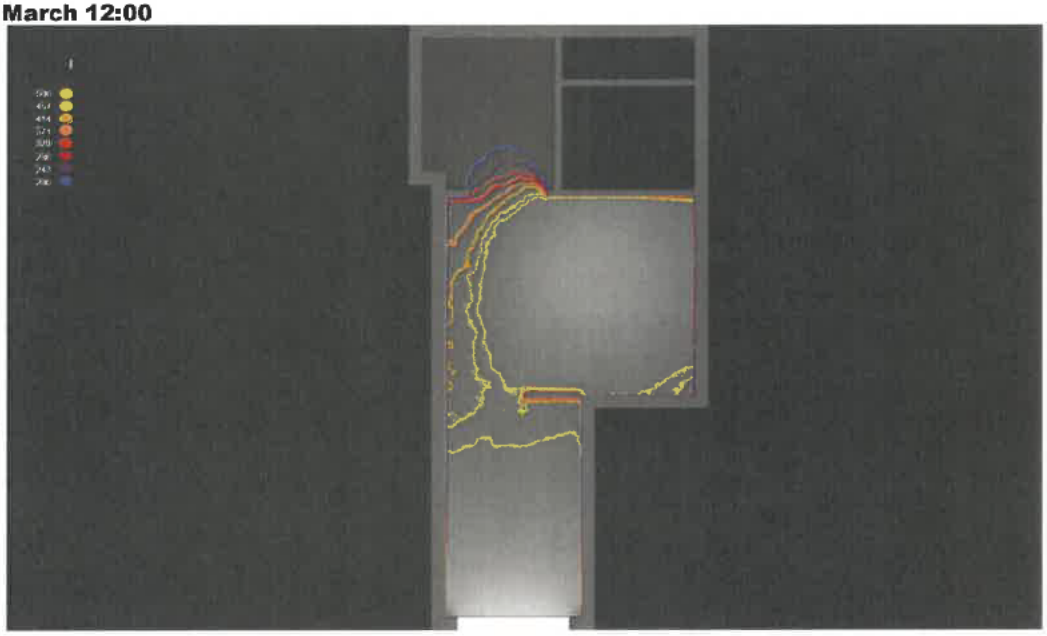
Sky condition

Overcast (1)

Ext. illuminance

12,062.6 lux

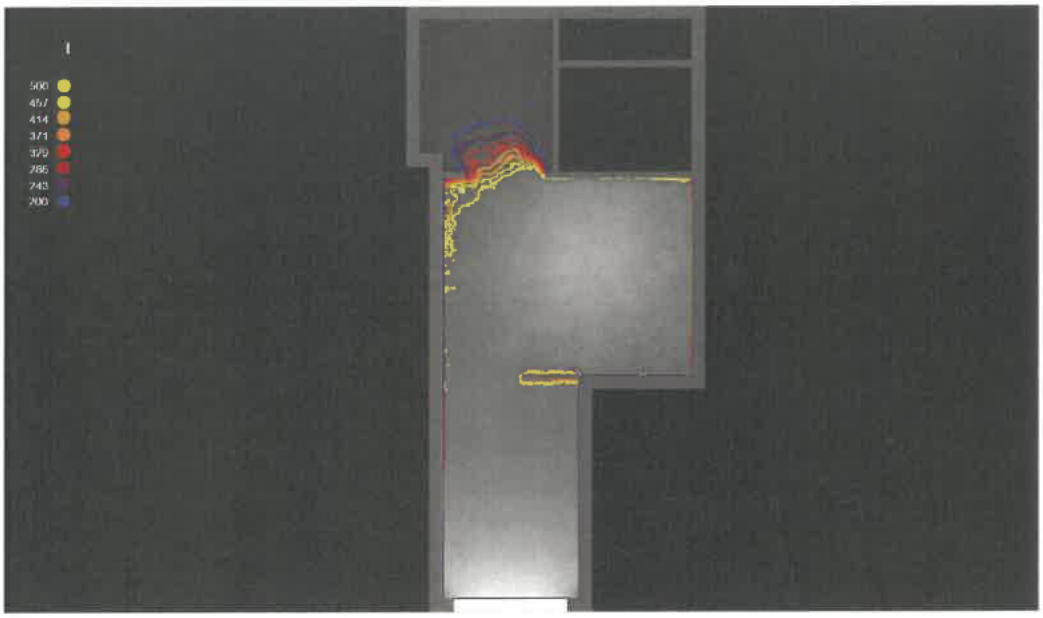
March 12:00



Kitchen		
Achieved illuminance at min. 50% of the floor area	<	50 Lux
Required	>	200 Lux
Supplementary lighting required		Y
Living		
Achieved illuminance at min. 50% of the floor area	>	257 Lux
Required	>	150 Lux
Supplementary lighting required		N
Bedroom		
Achieved illuminance at min. 50% of the floor area	>	500 Lux
Required	>	100 Lux
Supplementary lighting required		N

Ref.

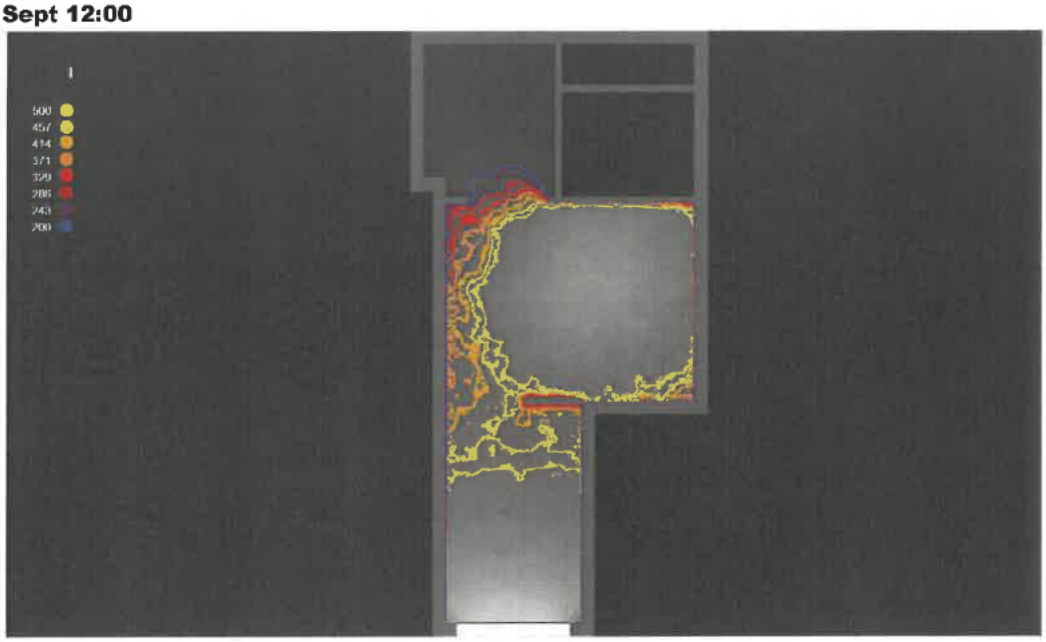
June 12:00



Kitchen		
Achieved illuminance at min. 50% of the floor area	<	70 Lux
Required	>	200 Lux
Supplementary lighting required		Y
Living		
Achieved illuminance at min. 50% of the floor area	>	300 Lux
Required	>	150 Lux
Supplementary lighting required		N
Bedroom		
Achieved illuminance at min. 50% of the floor area	>	500 Lux
Required	>	100 Lux
Supplementary lighting required		N

Ref.

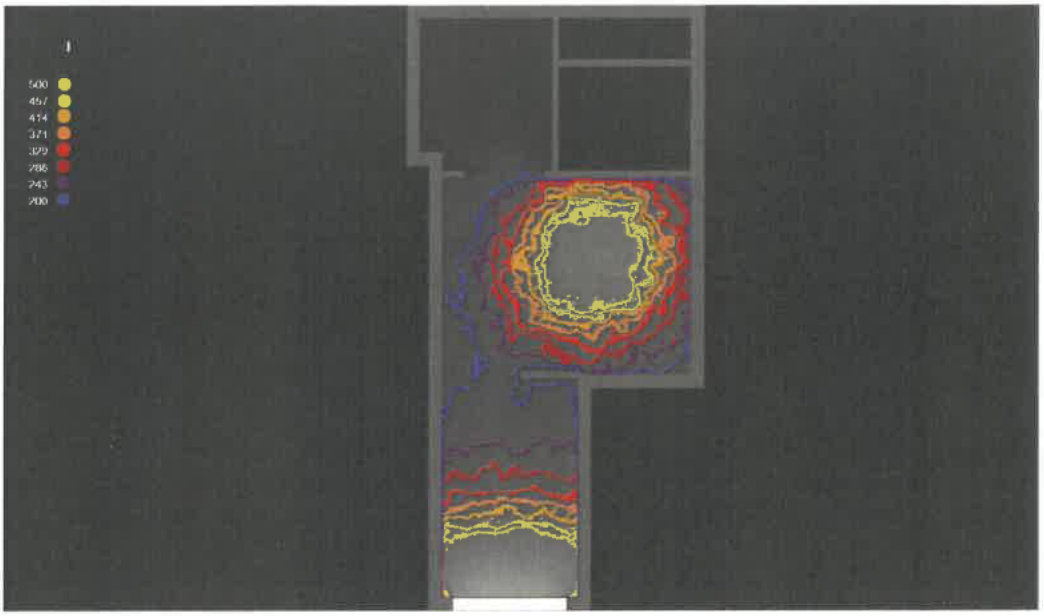
Sept 12:00



Kitchen		
Achieved illuminance at min. 50% of the floor area	<	60 Lux
Required	>	200 Lux
Supplementary lighting required		Y
Living		
Achieved illuminance at min. 50% of the floor area	>	250 Lux
Required	>	150 Lux
Supplementary lighting required		N
Bedroom		
Achieved illuminance at min. 50% of the floor area	>	500 Lux
Required	>	100 Lux
Supplementary lighting required		N

Ref.

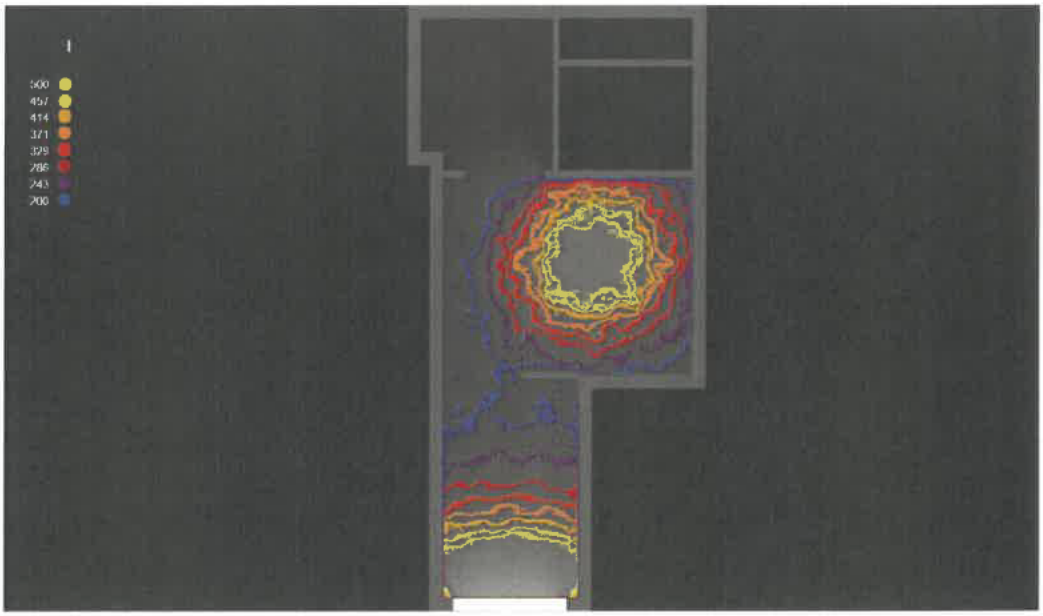
Nov 12:00



Kitchen		
Achieved illuminance at min. 50% of the floor area	<	20 Lux
Required	>	200 Lux
Supplementary lighting required		Y
Living		
Achieved illuminance at min. 50% of the floor area	>	243 Lux
Required	>	150 Lux
Supplementary lighting required		N
Bedroom		
Achieved illuminance at min. 50% of the floor area	>	286 Lux
Required	>	100 Lux
Supplementary lighting required		N

Ref.

Jan 12:00



Kitchen		
Achieved illuminance at min. 50% of the floor area	<	1 Lux
Required	>	200 Lux
Supplementary lighting required		Y
Living		
Achieved illuminance at min. 50% of the floor area	>	200 Lux
Required	>	150 Lux
Supplementary lighting required		N
Bedroom		
Achieved illuminance at min. 50% of the floor area	>	243 Lux
Required	>	100 Lux
Supplementary lighting required		N

7.0 DAYLIGHT FACTOR

7.1 Daylight factor method

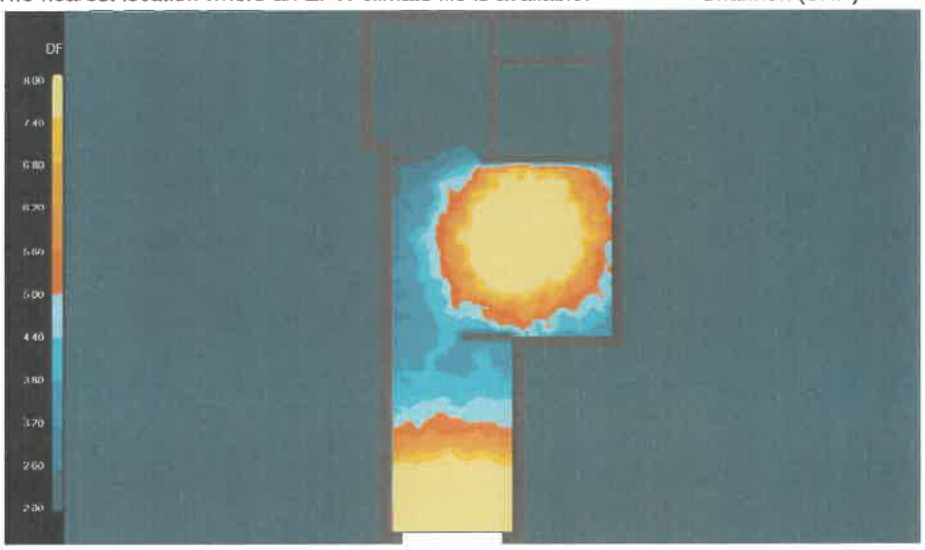
Ref.

The annual daylight factor (DF) is calculated as a daylight availability metric that expresses as a percentage the amount of daylight available inside a room (on a work plane) compared to the amount of unobstructed daylight available outside under overcast sky conditions (Hopkins,1963).

The light reaches an internal point as a combination (sum) of the following three paths:
- Direct light from a patch of sky visible at the point considered, known as the sky component (SC),
- Light reflected from an exterior surface and then reaching the point considered, known as the externally reflected component (ERC),
- Light entering through the window but reaching the point only after reflection from an internal surface, known as the internally reflected component (IRC).

Climate-based daylight factor is used in the modelling which is the amount of daylight in a building's interior an which depends on the availability of natural light outside at that location, as well as the properties of the building spaces and its surroundings. The evaluation of daylight performance should, therefore, take account of the availability of daylight on site in addition to the properties of the space (CIE, 1970). Using recorded climatic data (outdoor diffuse illuminance), we can determine what DF levels will be needed to reach the target illuminance level over a given period of the year.

The nearest location where an EPW climate file is available: Shannon (SNN)



Kitchen

Average annual DF modelled	0 %
Average annual DF required	2 %
Supplementary lighting required	Y

Living

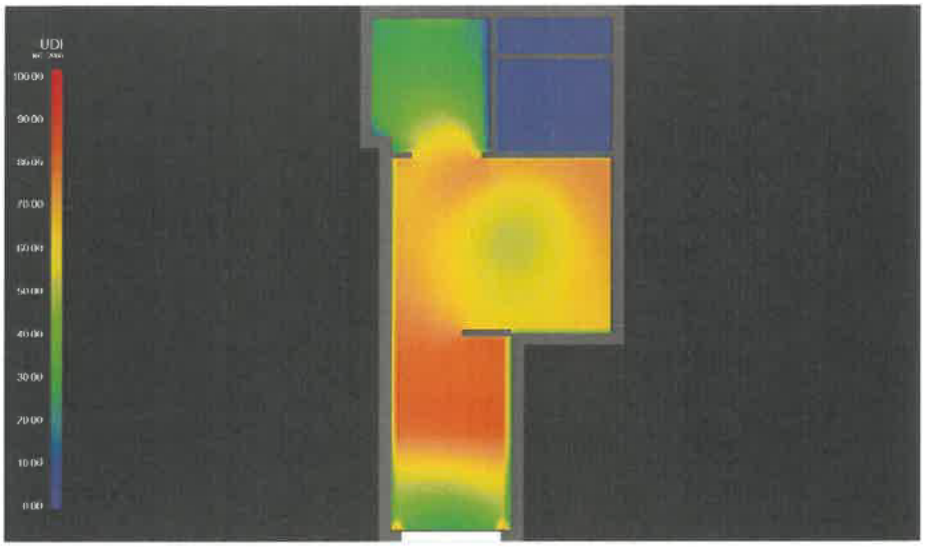
Average annual DF modelled	3.2 %
Average annual DF required	2 %
Supplementary lighting required	N

Bed

Average annual DF modelled	5.6 %
Average annual DF required	1 %
Supplementary lighting required	N

Ref.

The useful annual daylight factor (DF) is calculated as a daylight availability metric that expresses as a percentage the amount of daylight available inside a room (on a work plane) 50% of the day time hours between 8:30 and 18:30.



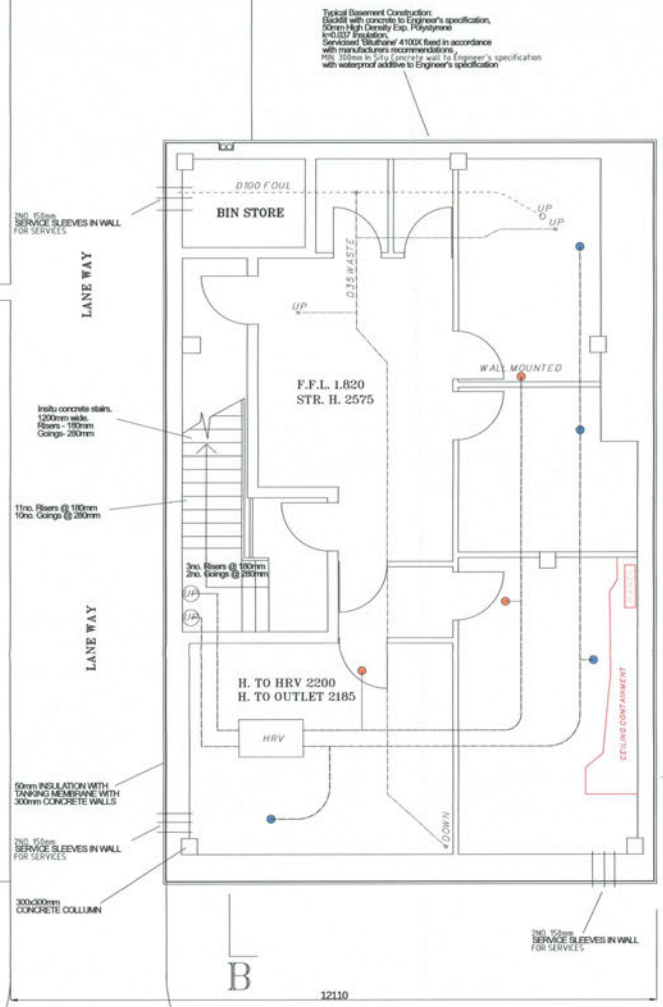
8.0 CONCLUSIONS

8.1 Conclusions

Ref.

The living (entrance) area and the bedroom of the modelled building interior is sufficiently lit by daylight both by illuminance and day light factor calculations to EN 17037; however, the galley type kitchen is not sufficiently lit and requires supplementary lighting to achieve 200 Lux light levels. The galley kitchen has no flat roof above it and it is physically not possible to bring natural light directly from the outside to this area and therefore adequate supplementary lights are required. The bathroom and storage room have no requirements for natural light.

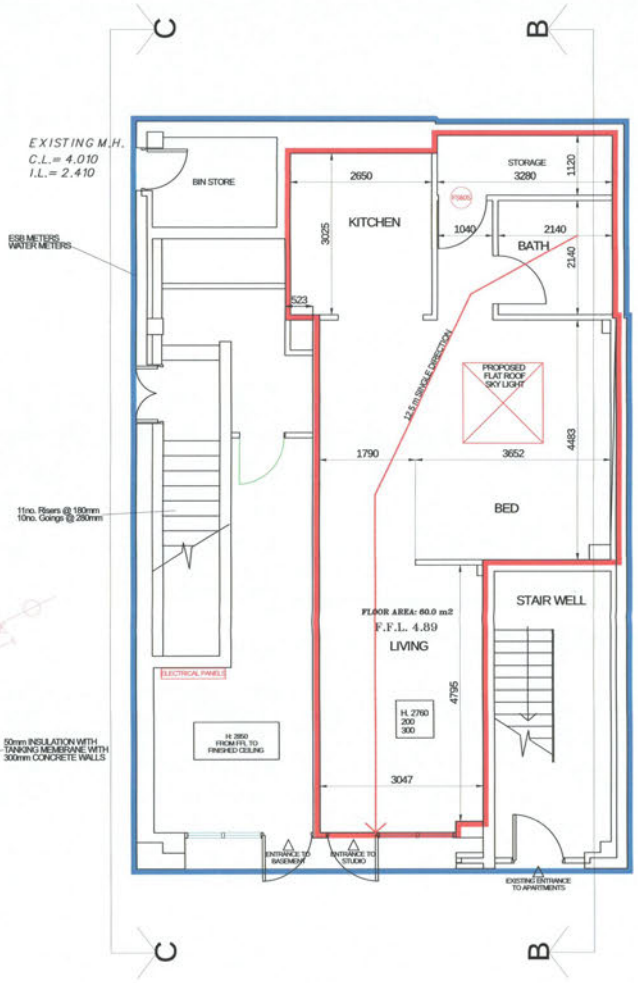
A1
1:50



5–6 HENRY STREET

BASEMENT PLAN & SITE LAYOUT

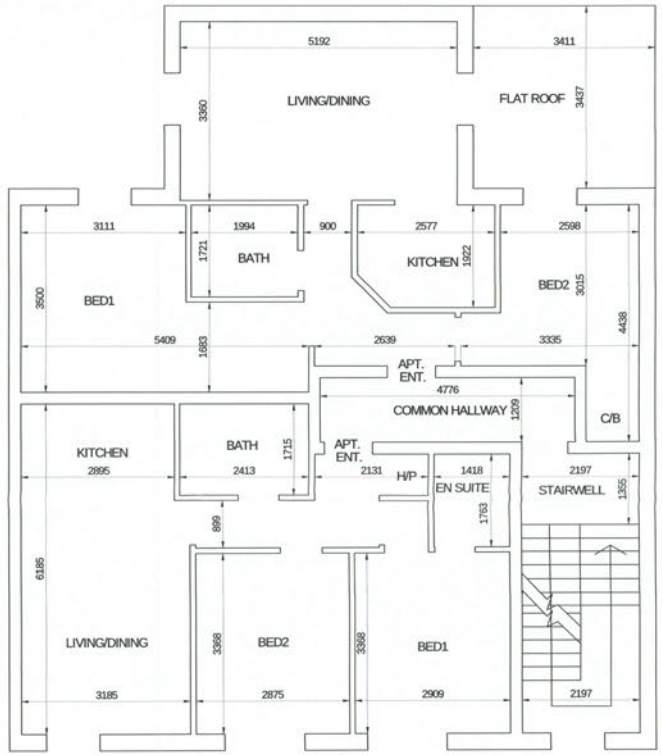
NO CHANGES PROPOSED



5–6 HENRY STREET

GROUND FLOOR PLAN

SECTION 5 APPLICATION OUTLINED IN RED



5–6 HENRY STREET

FLR 1, 2 & 3

NO CHANGES PROPOSED

PREPARED BY:	GABOR MOLNAR ENGINEERING DESIGN - GRAY OFFICE PARK, GALWAY		
CLIENT:	SEAMUS MADDEN		
ADDRESS:	5-6 HENRY ST, LIMERICK		
PROJECT:	CONVERSION OF GROUND FLOOR RETAIL SPACE TO STUDIO APT.		
DRAWING:	FLOOR PLANS	DRAWING REF:	ENG_01
DRAWN BY:	GM	CHECKED BY:	TK
DATE:	08/04/2025	REV.	0
STATUS:	SECTION 5 APPLICATION		

COMHAIRLE
CATHRACH & CONTAE
Luimnigh
Limerick
CITY & COUNTY
COUNCIL

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

14/04/2025 15:44:29

Receipt No /
Uimhir Admhála : LA25/0/25176374

GABOUR MOLNAR ENGINEERING DESIGN
GRAY OFFICE PARK
HEADFORD RD
GALWAY
RE: SEAMUS MADDEN
LIMERICK BLOW MOULDING

EXEMPTION CERTIFICATES		80.00
GOODS	80.00	
VAT Exempt/Non-vatable		

Total/Iomlán 80.00 EUR

Tendered/Tairgthe :
Postal Order 80.00

Change/Sóinseáil 0.00

Issued By/
Eisithe ag : Lisa Flynn
From/Ó : CASH OFFICE HQ
Vat reg No./Cláruimhir CBL: 3267368TH

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

Reference no. EC-084-25

Name and Address of Applicant:
Seamus Madden
Limerick Blow Moulding
School Road
Parteen
Co. Clare
V94 FK00

Agent:
Gabor Molnar
Gabor Molnar Engineering Design
Gray Office Park
Headford Road
Galway
H91 C9XH

Location:
5-6 Henry Street
Limerick City Centre

Description of Site and Surroundings:
The site is occupied by a four storey terraced building at 5-6 Henry Street in Limerick City Centre.

Zoning:
City 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:

- Conversion of aground floor retail space to a studio apartment and addition of a roof light to existing flay roof with a rear aspect only

This Section 5 declaration includes the following:

- Application Form
- Site Location Map
- Compliance with the Design Standards for New Apartment Guidelines Report
- Floor Plans
- Daylight Calculation Report

Planning History:

00/770372: Caroline O'Dwyer granted conditional permission for change of use of first and 2nd floor from residential to office use

Article 10(6)(a)- 06/24: Seamus Madden applied for an article 10(6)(a) for change of use of an existing retail premises to 1 no. studio apartment. The proposal was deemed non-compliant as the application form was not accompanied by the required information including details of the residential unit being developed shown on plans and elevations that would include room layout, storage and windows.

Enforcement History
DC-391-24: Warning letter served on Seamus Madden for unauthorised development at 5-6 Henry Street.

Assessment
Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 2(1) in this Act, except where otherwise requires –

'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

'structure' as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

Section 3(1) defines '**development**' as 'the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land'.

The proposed development on site, comprising the change of use from of retail space to studio apartment and addition of roof light is considered development
Is the proposal exempted development?

The applicant has stated on their application form that the exemption is claimed under Article 10(6) of the Planning and Development Regulations 2001 (as amended).

The change of use from retail space to a studio apartment will be assessed under Article 10(6)(a) of the Planning and Development Regulations 2001 (as amended).

Assessment

10(6)(c)
(i) The structure was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,

(ii) the structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3, 6 or 12

The applicant has not provided any evidence to demonstrate that the structure was in use in any of the above classes. However, it would appear that the premises was in use as an opticians at one point but it is not clear when this was.

(iii) the structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development
The applicant has not provided any information on vacancy.

(d)(i) The development is commenced and completed during the relevant period

The applicant has not provided any information on when the development would be completed.

(ii) Subject to sub-paragraph
(iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall –
(I) primarily affect the interior of the structure,

The proposal would involve internal works

(II) retain 50 per cent or more of the existing external fabric of the building, and

It is unclear what changes are proposed and whether this would account for 50% of the external fabric.

(III) not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.

It is unclear what changes are proposed as only proposed elevations have been submitted.

(iii) Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.

It is unclear what changes are proposed as only proposed elevations have been submitted.

(iv) No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.

N/A

(v) No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.

One unit proposed.

(vi) Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" issued under section 28 of the Act or any subsequent updated or replacement guidelines.

The size of the apartment meets the standards as set out in the Design Standards for new Apartments in terms of floor area, storage area.

(vii) Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.

Drawings submitted indicate that the apartment will only receive natural light from the front window/door. There are no windows to the rear of the apartment. A new skylight is being proposed above the bedroom but it is not clear how this is achievable when there is an apartment overhead. The applicant has submitted a daylight calculation report carried out by Gabor Molnar Engineering which did not include for the proposed roof light. It notes that the kitchen area to the rear will require supplementary lighting all year round to achieve 200 Lux light levels.

(viii) No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.

Not a protected structure.

(ix) No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

N/A.

(x) No development shall relate to any structure in any of the following areas:

(I) an area to which a special amenity area order relates;

N/A

(II) an area of special planning control;

N/A

(III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.

N/A

(xi) No development shall relate to matters in respect of which any of the restrictions set out in sub-paragraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply.

N/A
Screening reports attached as appendices to this report.

(xii) No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.

N/A

Conclusion

The Article 10 6 (a) exemption relates to existing buildings that have a current commercial use and which fall under Class 1, 2, 3, 6 and 12 of Part 4 of Schedule 2 of the Regulations. No documentation has been submitted confirming the previous use of the existing building or that it has been vacant for a period of 2 years.

Furthermore, the apartment would not receive adequate natural light and the proposal for a skylight is questionable given that there is an apartment directly overhead at first floor.

It is therefore considered that the proposed works as detailed on the application and plans submitted on the 15th April 2025 are 'development' but does not come within the scope of Article 10(6) (a) of the Planning and Development Regulations 2001 (as amended) and is therefore not considered exempted development under Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended).

Áine Leland
Executive Planner
Date 29/04/2025

Agreed
Barry Henn, S.E.P
Date: 12/05/2025

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/084/25
b. Brief description of the project or plan:	This is an application requesting a Section 5 Declaration on whether the change of use of a retail unit to a studio apartment falls within the scope of Article 10(6)(a)
c. Brief description of site characteristics:	The site is located within Limerick City Centre
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**
Lower River Shannon SAC 002165	Lower River Shannon SAC | National Parks & Wildlife Service (npws.ie)	100m	None	N
River Shannon & River Fergus Estuaries SPA 004077	River Shannon and River Fergus Estuaries SPA | National Parks & Wildlife Service (npws.ie)	500m	None	N

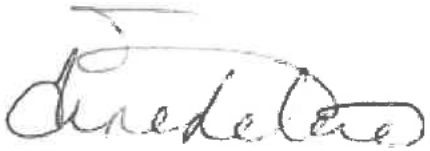
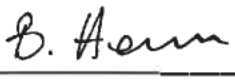
STEP 3: Assessment of Likely Significant Effects	
a. Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	**Possible Significance of Impacts: (duration/Magnitude etc)**
Construction phase e.g • **Vegetation clearance** • **Demolition** • **Surface water runoff from soil excavation/infill/landscaping (including borrow pits)** • **Dust, noise, vibration** • **Lighting disturbance** • **Impact on groundwater/dewatering**	None. No direct encroachment or hydrological connection.

• **Storage of excavated/construction materials** • **Access to site** • **Pests**	
Operation phase e.g. • **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. No direct encroachment or hydrological connection.
In-combination/Other	N/A given the level of development

b. Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: • **Reduction or fragmentation of habitat area** • **Disturbance to QI species** • **Habitat or species fragmentation** • **Reduction or fragmentation in species density** • **Changes in key indicators of conservation status value (water or air quality etc)** • **Changes to areas of sensitivity or threats to QI** • **Interference with the key relationships that define the structure or ecological function of the site**	None. No direct encroachment or hydrological connection.

c. (Are '*mitigation*' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?
☐ **Yes** ☒ **No**

STEP 4: Screening Determination Statement
The assessment of significance of effects: **Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives**
On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to: • the nature and scale of the existing 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 development as constructed and the roof light to be constructed, 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	☒	**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	☐	☐ **Request further information to complete screening** ☐ **Request NIS** ☐ **Refuse planning permission**
iii. Significant effects are likely	☐	☐ **Request NIS** ☐ **Refuse planning permission**
Signature and Date of Recommending Officer:	 **Áine Leland** **Executive Planner** **29/04/2025**	
Signature and Date of the Decision Maker:	 **Barry Henn, Senior Executive Planner** **12/05/2025**	

Appendix 2 – EIA Screening

Establishing if the proposal is a *'sub-threshold development'*:	
Planning Register Reference:	EC-084-25
Development Summary:	Whether the change of use from retai to studio apartment falls within the scope of an Article 10(6)(a).
Was a Screening Determination carried out under Section 176A-C?	☐ Yes. no further action required ☒ 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)	
☐ Yes. specify class: [insert here]_____ _	**EIA is mandatory** No Screening required
☒ 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)	
☒ No. the development is not a project listed in Schedule 5, Part 2	**No Screening required**
☐ 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
☐ 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?	
☐ Yes, Schedule 7A information/screening report has been submitted by the applicant ☐ No, Schedule 7A information/screening report has not been submitted by the applicant	**Screening Determination required** **Preliminary Examination required**

Signature and Date of Recommending Officer:	Áine Leland, Executive Planner 29/04/2025

Signature and Date of the Decision Maker:	B. Henn Barry Henn, SEP 12/05/2025

Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

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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:

Seamus Madden,
c/o Gabor Molnar,
Gabor Molnar Engineering Design,
Gray Office Park,
Headford Road,
Galway.
H91 C9XH

EC/084/25 12 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 Carlos

(for) Senior Planner,
Development Management

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2025/468

File Ref No. EC/084/25

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

RE: **The conversion of a ground floor retail space to a studio apartment and addition of a roof light to existing flay roof with a rear aspect only at 5-6 Henry Street, Limerick City Centre, Limerick.**

ORDER: Whereas by Director General's Order No. DG/2024/123 dated 27th November 2024, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Barry Henn, Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Barry Henn, Senior Executive Planner, having considered the report and recommendation of Aine Leland, Executive Planner dated 29/04/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Seamus Madden c/o Gabor Molnar, Gabor Molnar Engineering Design, Gray Office Park, Headford Road, Galway, H91 C9XH to state that the works as described above is

Development and is NOT Exempt Development.

Signed B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date 12/05/2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/468 dated 12/05/2025, pursuant to Section 151(7) of the Local Government Act 2001

Signed: B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

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SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO. **EC/084/25**

Name and Address of Applicant: Seamus Madden, 5-6 Henry Street, Limerick City Centre.

Agent: Gabor Molnar, Gabor Molnar Engineering Design, Gray Office Park Headford Road, Galway. H91 C9XH

Whether the conversion of aground floor retail space to a studio apartment and addition of a roof light to existing flay roof with a rear aspect only at 5-6 Henry Street, Limerick City Centre 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 15th of April 2025.

AND WHEREAS the Planning Authority has concluded that the conversion of aground floor retail space to a studio apartment and addition of a roof light to existing flay roof with a rear aspect only at 5-6 Henry Street, Limerick City Centre **DOES NOT** come within the scope of exempted development under Article 10(6) (a) of the Planning and Development Regulations 2001 (as amended), Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended). See Report attached.

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

Signed on behalf of the said Council Karen Conlon

Date: 12/05/2025

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.