



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

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

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

PLANNING & PLACE-MAKING

07/03/25

Ciara Murphy Wright
Deer Park
Castlequarter
Cratloe
Co. Clare

RE: Declaration under Section 5 – EC-041-25

Dear Sir/Madam,

I refer to the above Section 5 Application received by the Planning Department on the 5th March 2025. Please be advised this is an incomplete application as all the documents below have not been submitted:

(a) Site layout plan – What was submitted is not sufficient.

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.

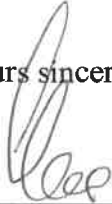
Should you wish to submit a new application, please note that the fee paid in respect of this application will be re-assigned to your new application.



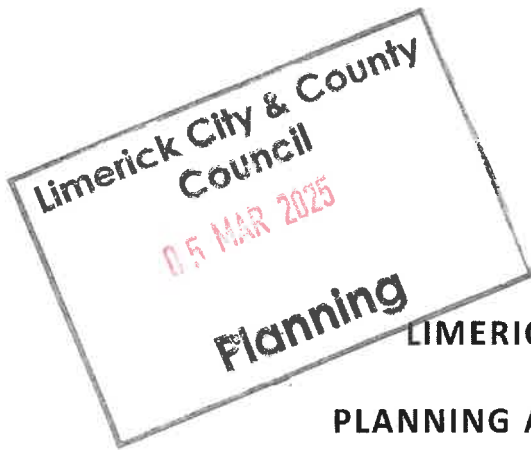
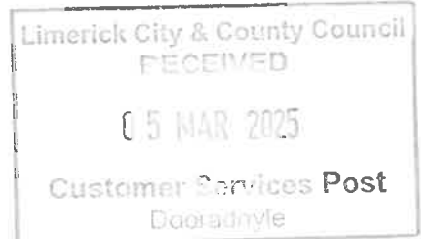
Furthermore, if you do NOT intend submitting a new application a refund will be provided via bank account of the name on the receipt. The following information, in the name of the person on the receipt, should be sent to enforcements@limerick.ie in order to process the refund:

- 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 AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENTApplicant's Name: CIARA MURPHY-WRIGHTApplicant's Address: 4 CASTLECOURTLIMERICKJ94X53 ✓

Telephone No. _____

Name of Agent (if any): DR DEREK WRIGHTAddress: DEER PARKCRATLOECo. CLARETelephone No. 086 8155660

Address for Correspondence:

DEER PARK, CRATLOE, Co CLAREV95 WC27

Location of Proposed development (Please include Eircode):

4 CASTLE COURT

LIMERICK

V94 X53 V



Description of Proposed development:

WIDEN CONCRETE DRIVE AT FRONT

OF HOUSE. IT WILL BE LESS THAN 50%
OF FRONT GARDEN. COUNCIL HAVE PUT DOWN

YELLOW LINES, SO THERE IS LITTLE STREET PARKING

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

SECTION 6

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:

LAND REGISTRY MAP

SKETCH OF PROPOSED CHANGE TO DRIVE
SITE PLAN WITH DIMENSIONS

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**



OFFICE USE ONLY

Ref. No. _____

Date Received _____

Fee Received _____

Date Due _____



LIMERICK CITY & COUNTY COUNCIL
CIVIC OFFICES
MERCHANTS QUAY
LIMERICK

16/02/2025 13:55:32

Receipt No./
Jimhir Admhála : RC6/0/2078252

Dr. Derek Wright
Deer Park
Castlequater
Stratloe
Co. Clare
95Wc2y

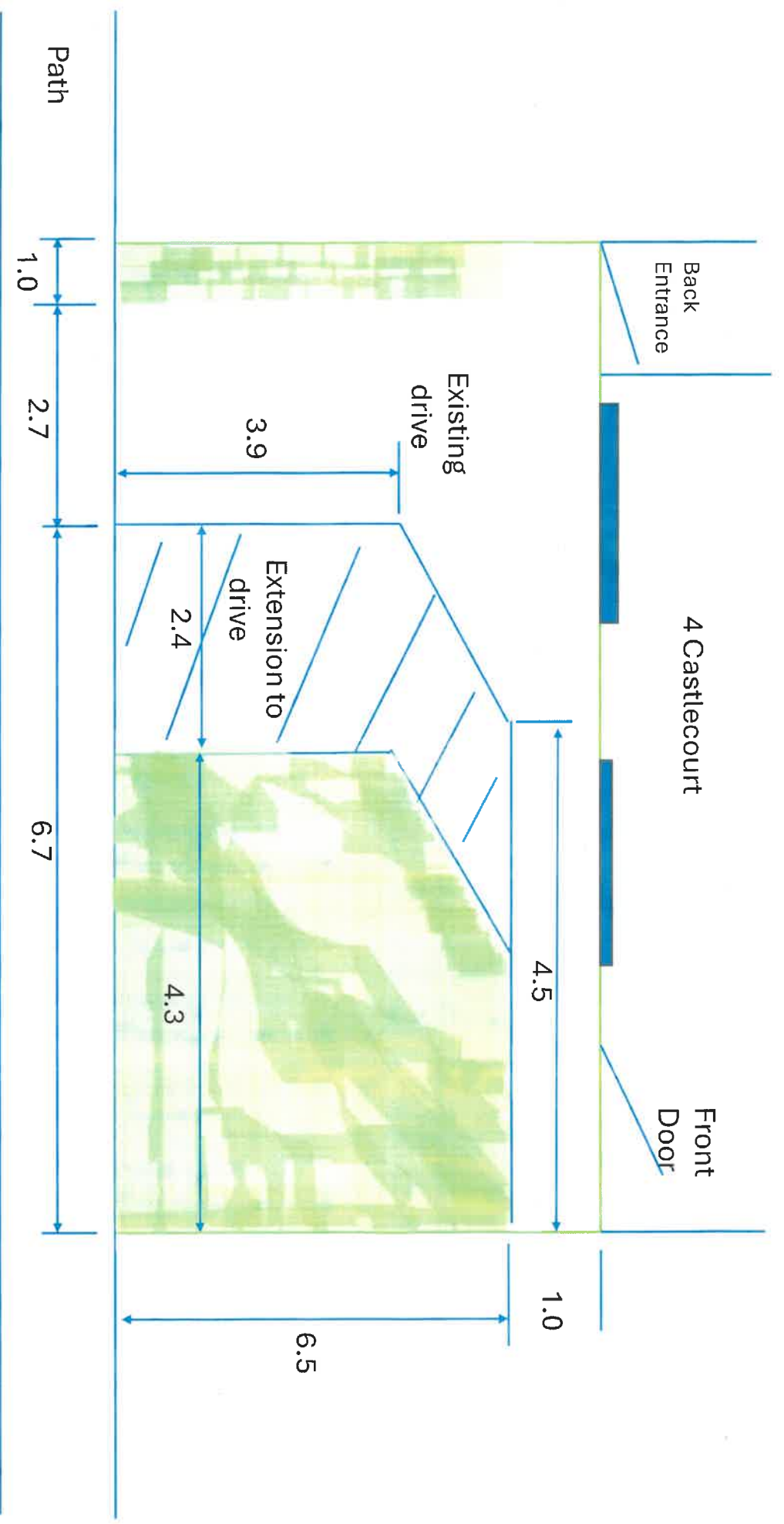
EXEMPTION CERTIFICATES	80.00
GOODS	80.00
/AT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :
Credit / Debit Card 80.00
/ISA
3633*

Change/Sóinseáil : 0.00

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



Road

Land Registry Compliant Map



National Mapping Agency

CENTRE COORDINATES:
ITM 666617.665740

PUBLISHED: 16/12/2021 **ORDER NO.:** 60240107_3

MAP SERIES: 1:1,000 **MAP SHEETS:** 4743-11

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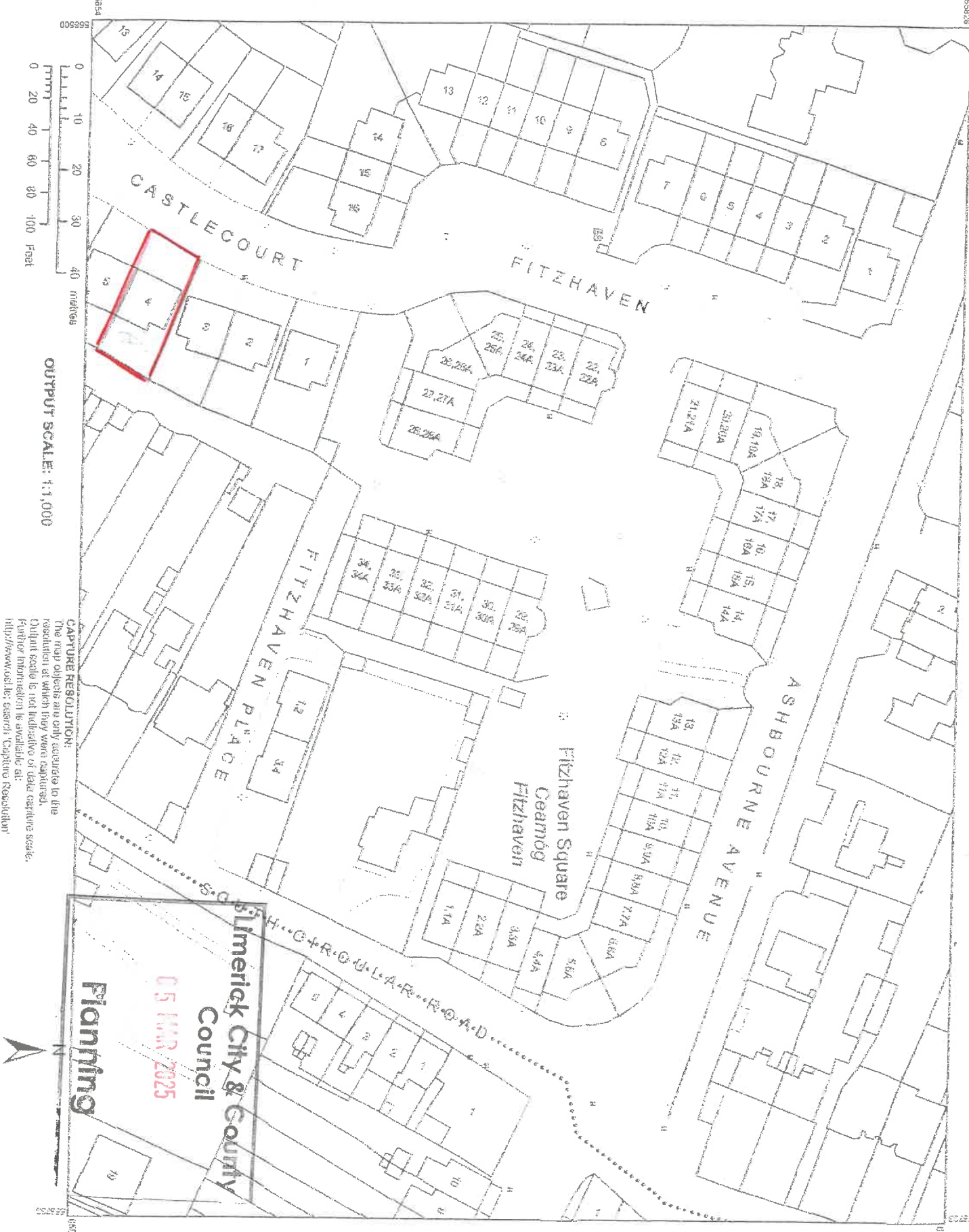
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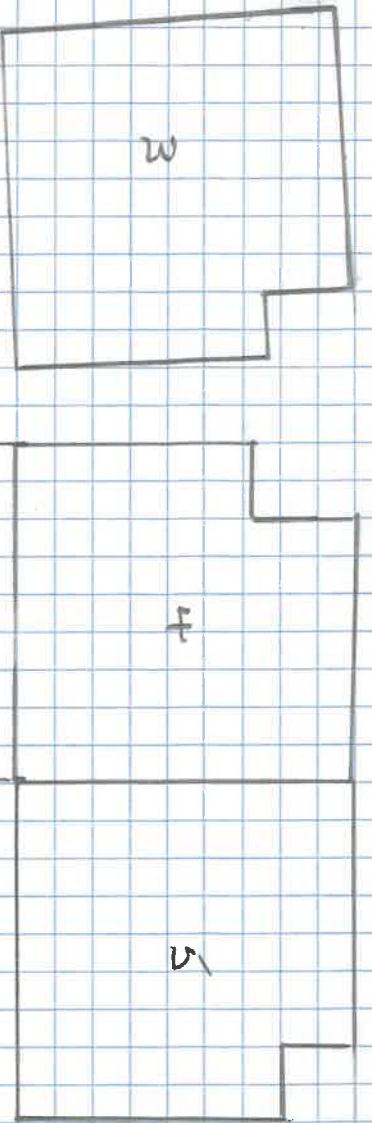


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Milmerick City & County Council

Planning

05 MAR 2025



CASINOCOURT

4 CASINOCOURT

30x15
10m x 2.4m

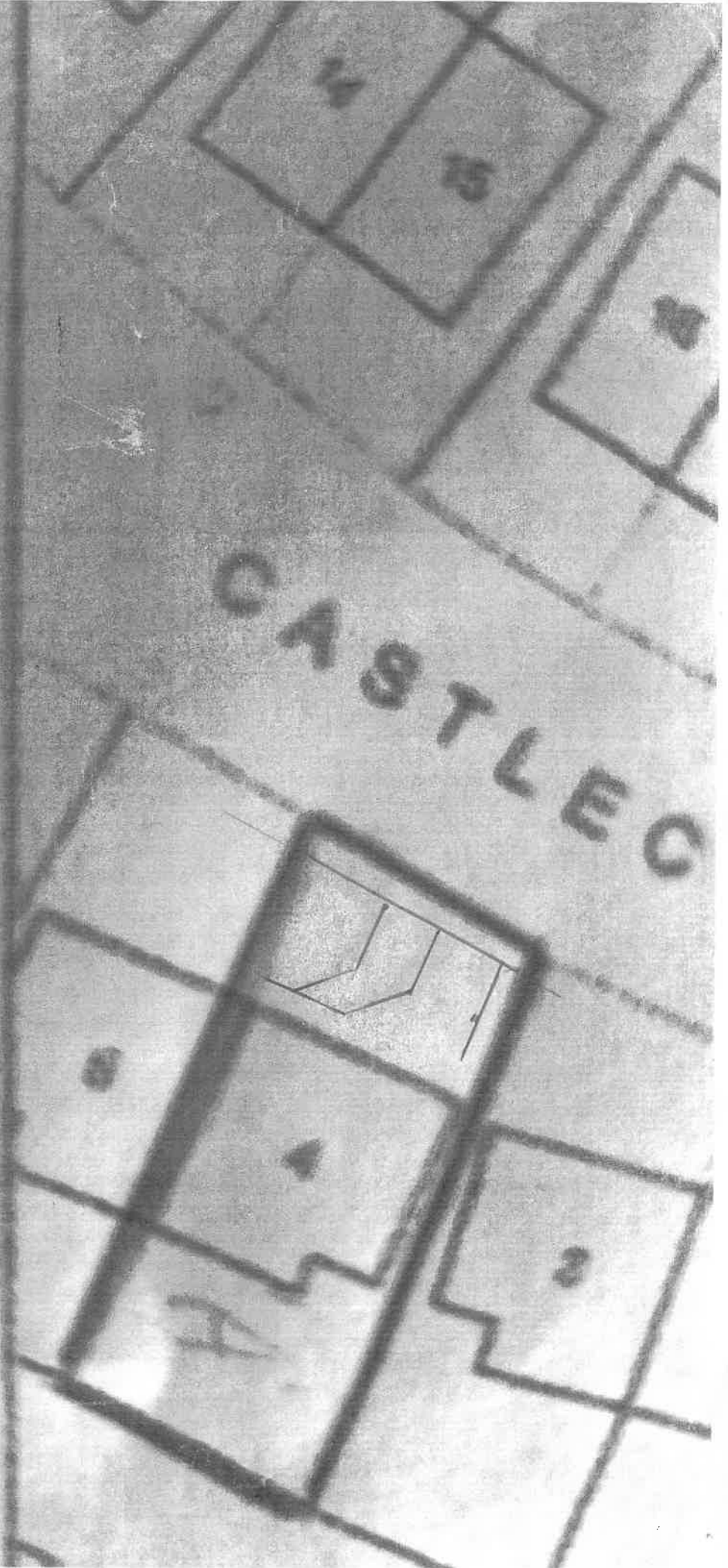
16-04-25

0 10 20 30 40 50 60 70 80 90 100

OUT

30 meters

CASTLE C



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

Reference no. EC-092-25

Name and Address of Applicant: Ciara Murphy Wright
Deer Park
Cratloe
Co, Clare

Agent: Dr. Derek Wright
Deer Park
Cratloe
Co, Clare
V95 WC2Y

Location: 4 Castlecourt
Limerick
V94 X53V

Description of Site and Surroundings:

The site is occupied by an existing two storey semi-detached dwelling within the established housing estate of Castlecourt, South Circular Road, Liemrick.

Zoning:

Existing Residential

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:

- Widening of existing vehicular entrance

This Section 5 declaration includes the following:

- Application Form
- Site Location Map
- Proposed Layout

Planning History:

None

Enforcement History

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 the widening of the existing vehicular entrance constitutes 'works' and 'development'.

Is the proposal exempted development?

The proposal for the widening of a vehicular entrance to the front of an existing dwelling will be assessed under Class 6 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Class 6

The provision of a hard surface in the area of the garden forward of the front building line of the house, or in the area of the garden to the side of the side building line of the house, for purposes incidental to the enjoyment of the house as such is considered Exempted Development, subject to the following Conditions and Limitations:

Provided that the area of the hard surface is less than 20sqm or less than 50% of the area of the garden forward of the front building line of the house, or 50% of the area of the garden to the side of the side building line of the house, as the case may be, whichever is the smaller

Or

If the area of the hard surface is 25sqm or greater or comprises more than 50% of the area of the garden forward of the front building line of the house, or 50% of the area of the garden to the side of the side building line of the house, as the case may be, it shall be constructed using permeable materials or otherwise allow for rainwater to soak into the ground.

The applicant states that the proposed driveway will be less than 50% of the front garden however the drawings submitted does not indicate the floor area of the existing driveway, the proposed driveway or the amount of remaining garden as a result of the development. If the area of hard surface is 25sqm or greater or comprises more than 50% of the front garden area then same would need to be constructed using permeable materials. Given the lack of detail submitted I am unable to assess the application appropriately.

Article 9 Restrictions

'The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended)'.

Appropriate Assessment

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

Environmental Impact Assessment

Based on a preliminary examination of the proposal there is no real likelihood of significant effects on the environment and EIA is not required.

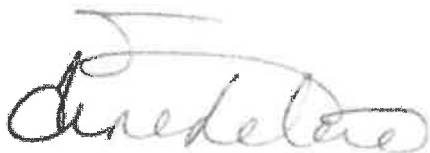
Conclusion/Recommendation

The widening of an existing vehicular entrance as detailed on the application and plans submitted is not considered to be within the scope of Class 6 of Part 1 of Schedule 2 of the Planning and Development Regulations 2000 (as amended).


Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 6 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 23rd April 2025.

It is therefore considered that the application as submitted is lacking the required level of information in order for an appropriate assessment to be carried out. I therefore consider that said works are development and not exempted development under Class 6 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)



Áine Leland
Executive Planner
Date 22/04/2025

Agreed 
Barry Henn, S.E.P
Date: 30/04/2025

STEP 1: Description of the project/proposal and local site characteristics:	
a. File Reference No:	EC/092/25
b. Brief description of the project or plan:	This is an application requesting a Section 5 Declaration on whether the widening of an existing entrance is or is not exempted development.
c. Brief description of site characteristics:	The site is located within an existing established housing estate
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
None with a pathway-receptor source				



STEP 3: Assessment of Likely Significant Effects	
a. Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g. <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.
Operation phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction 	None works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.

<ul style="list-style-type: none"> • Presence of people, vehicles and activities • Physical presence of structures (e.g collision risk) • Potential for accidents or incidents 	
In-combination/Other	N/A given the level of development

b. Describe any likely changes to the European site:	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site 	<p>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>



c. (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

STEP 4: Screening Determination Statement		
<p>The assessment of significance of effects: Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives</p>		
<p>On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:</p> <ul style="list-style-type: none"> • 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, <p>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.</p>		
<p>Conclusion: AA [REDACTED] is not required.</p>		
	Tick as appropriate:	Recommendation:
i. It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.

ii. It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
iii. Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 <hr/> Áine Leland Executive Planner 29/04/2025	
Signature and Date of the Decision Maker:	 <hr/> Barry Henn, Senior Executive Planner 29/04/2025	

Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':

Planning Register Reference:	EC-092-25	
Development Summary:	Whether the widening of a vehicular entrance is not exempted development.	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes. no further action required <input checked="" type="checkbox"/> No. Proceed to Part A	
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here]_____		EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No		Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)		
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2		No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): __[specify class & threshold here]__		EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here]_____		Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant <input type="checkbox"/> 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:	 Aine Leland, Executive Planner 29/04/2025	
Signature and Date of the Decision Maker:	 Barty Henn, SEP	

	29/04/2025
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& Contae **Luimnigh**
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V94 WV78

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

PLANNING & PLACE-MAKING

REG POST:

**Ciara Murphy Wright,
c/o Dr. Derek Wright
Deer Park
Cratloe
Co, Clare
V95 WC2Y**

EC/092/25

09 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,

**(for) Senior Planner,
Development Management**

Tuar an Daill, Luimneach
Dooradoyle, Limerick

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

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2025/465

File Ref No. EC/092/25

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

RE: **The widening of existing vehicular entrance at 4 Castlecourt, Limerick V94 X53V**

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 22/04/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Ciara Murphy Wright c/o Dr. Derek Wright, Deer Park, Cratloe, Co, Clare, V95 WC2Y to state that the works as described above is

Development and is NOT Exempt Development. *KL*

Signed

B. Henn
SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

09/05/2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/465 dated 09/05/2025, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

B. Henn
SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/092/25

Name and Address of Applicant: Ciara Murphy Wright, 4 Castlecourt, Limerick, V94 X53V

Agent: Dr. Derek Wright, Deer Park, Cratloe, Co, Clare, V95 WC2Y

Whether the widening of existing vehicular entrance at 4 Castlecourt, Limerick, V94 X53V 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 23rd of April 2025.

AND WHEREAS the Planning Authority has concluded that the widening of existing vehicular entrance at 4 Castlecourt, Limerick, V94 X53V **DOES NOT** come within the scope of exempted development under Class 6 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:



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.