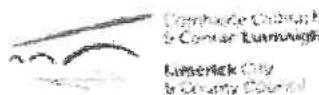


EC-090-25
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097



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

Scouting Ireland Limerick Scout County

Applicant's Address:

Curraghchase Scout Centre

Ballinamona, Askeaton,

County Limerick V94 HK59

Telephone No.

[REDACTED]

Name of Agent (if any):

Philip Kelly

Address:

Limerick Scout County Commissioner

61 Spring Grove, Mill Road

Corbally Limerick V94 FR1 W

Telephone No.

085 8765301

Address for Correspondence:

61 Spring Grove

Mill Road, Corbally, Limerick

V94 FR1 W

Location of Proposed development (Please include EIRCODE):

Curraghchase, Ballinamona, Co.

Askeaton, Co. Limerick V94 HK59

Description of Proposed development:

Interior refurbishment of house
for continued use as start centre

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

Section 5

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

YES NO

Applicant's interest in site: Leaseholder

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

Building pre-dates planning laws 1964

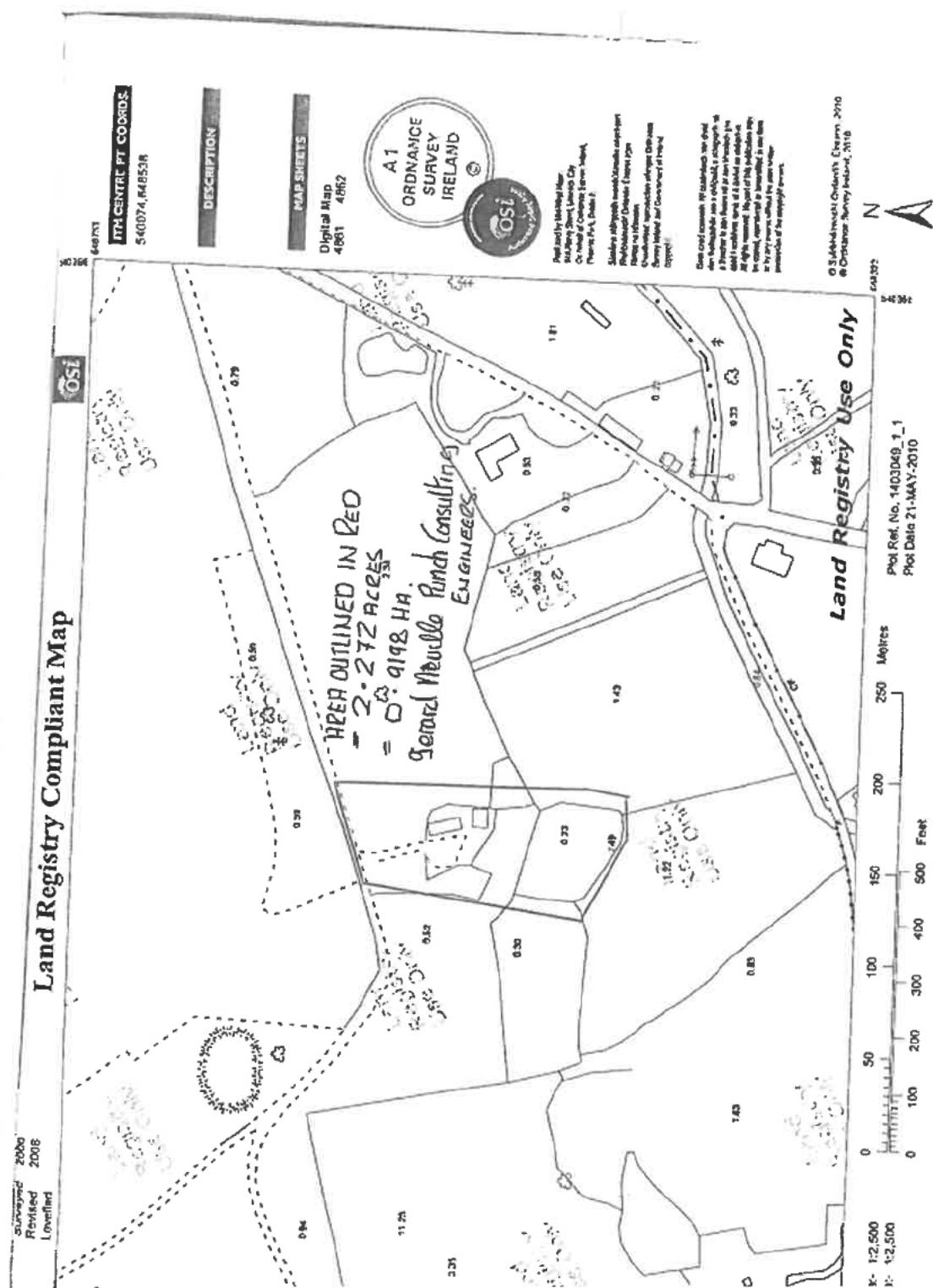
House known to be occupied since 1940

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

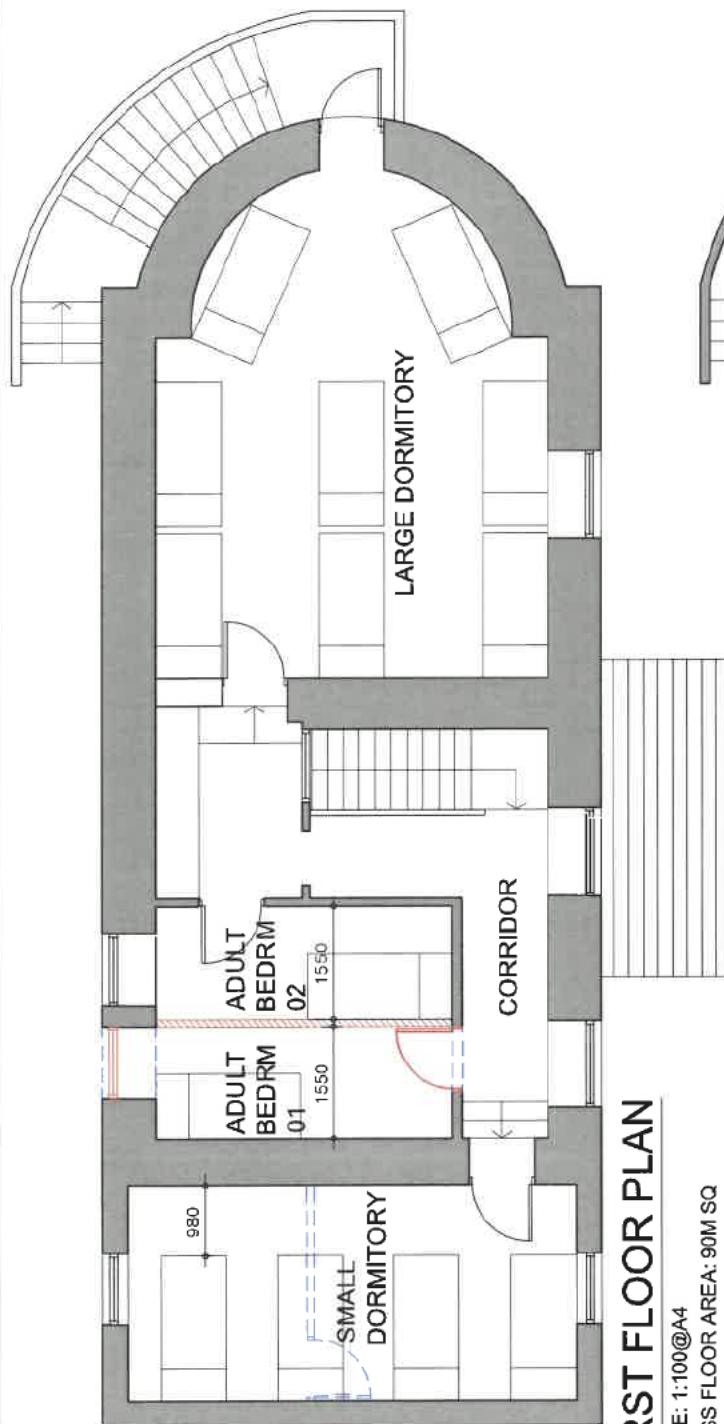
If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent)

Philip Doherty 24/4/25

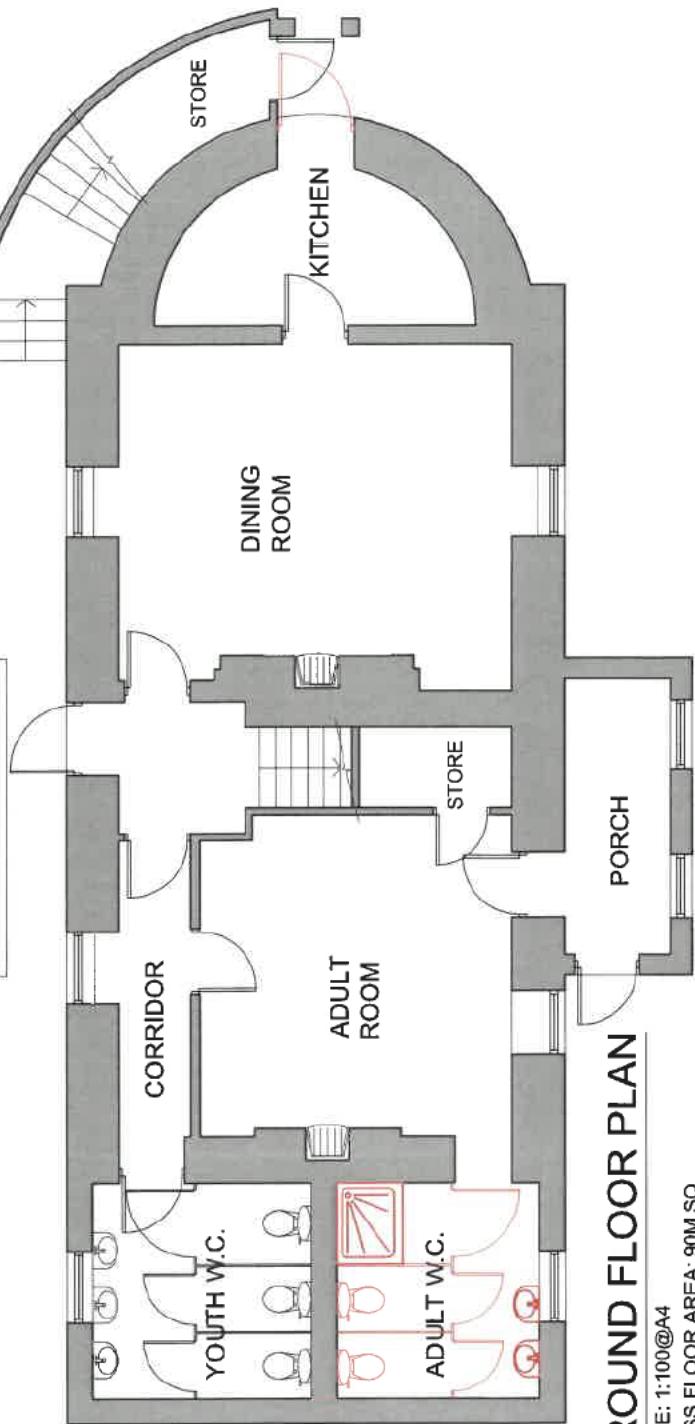


LEGEND	SYMBOL	DESCRIPTION
	—	LINE OF EXISTING
	—	LINE OF PROPOSED
	■	EXISTING WALL
	▨	PROPOSED WALL
	---	EXISTING TO BE DEMOLISHED/REMOVED



FIRST FLOOR PLAN

SCALE: 1:100@A4
GROSS FLOOR AREA: 90M SQ



GROUND FLOOR PLAN

SCALE: 1:100@A4
GROSS FLOOR AREA: 90M SQ



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LIMERICK CITY & COUNTY COUNCIL

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Recast No /
Umhr Admksa U425/025176393

LIMERICK SCOUT COUNT
CO 61 SPRING GROVE
MUL ROAD
CORBALLY
CO LIMERICK
RE EC09025

EXEMPTION CERTIFICATE
GOODS 80.00
VAT Exemption available

Total amount: 8000 EUR

Tendered Magazine
Credit / Debit Card
VISA

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Change/Concern 0.00

Subject: **Patricia O'Neill**
Eastgate Office
From: Q-CASH OFFICE HQ
Vat reg No: 07310001999 CBL 3267563TH

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

28/04/2025 11:14:47

Receipt No./
Uimhir Admhála : LA25/0/25176893

LIMERICK SCOUT COUNTY
C/O 61 SPRING GROVE
MILL ROAD
CORBALLY
CO LIMERICK
RE: EC09025

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :
Credit / Debit Card 80.00
VISA
*****3400

Change/Sóinseáil : 0.00

Issued By/
Eisithe ag : Patricia O'Neill
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/097/25

Name and Address of Applicant: Scouting Ireland Limerick Scout County, Curraghchase Scout Centre, Ballinamona, Askeaton, Co. Limerick, V94HK59

Agent: Philip Kelly, Limerick Scout Commission, 61 Spring Grove, Mill Road, Corbally, Limerick, V94 FR1W

Location: Curraghchase Scout Centre, Ballinamona, Askeaton, Co. Limerick, V94HK59

Description of site and surroundings:

The subject site is located in the south western end of Curraghchase park. Adjacent to the L6016 Road. There is an existing single-storey structure onsite which is used by Scouting Ireland.

Zoning:

N/A

Proposal

The question being put before the planning authority is as follows:

- *Whether internal refurbishments of the house for its continued use as a scout centre including internal re-wiring, upgrades to the existing kitchen, replacement of internal flooring is or is not development and is or is not exempted development.*

This Section 5 declaration includes the following:

- Section 5 Declaration Application Form
- Site Location Map

Planning History:

The application states that the existing property was built –re-1964.

00/324 – Incomplete application - Curraghchase Scout Centre - demolition of existing outhouse and erection of kitchen, toilet, laundry and storeroom

Enforcement History

No Planning Enforcement on site.

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 internal refurbishments of the house for its continued use as a scout centre constitutes ‘works’ and ‘development’.

Is the proposal exempted development?

The proposal is for internal refurbishments to an existing structure will be assessed under Section 4(1)(h) of the Planning and Development Act, 2000, as amended.

Section 4(1)(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

The internal refurbishment works include electrical re-wiring, upgrades to the existing kitchen and replacement of internal flooring. These are considered works required for the maintenance and improvement of the existing structure on site and are works which affect only the interior of the structure. As such, it is my consideration that the works as proposed are considered exempt under Section 4(1)(h) of the Planning and Development Act, 2000, as amended.

Article 9 Restrictions

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

Appropriate Assessment

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

Environmental Impact Assessment

An EIA Screening examination has been undertaken (see Appendix 2). Overall, it is considered that there is no real likelihood of significant effects on the environment. Therefore, an Environmental Impact Assessment is not required.

Recommendation

The proposal as detailed on the application and plans submitted is considered to be within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Section 4(1)(h) of the Planning and Development Act 2000 (as amended)
- (c) The plans & particulars submitted with the application received on the 28th April 2025.

It is therefore considered that the said works are development and exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Eithne

Eithne O'Brien
Assistant Planner

Date: 29/4/2025

Jennifer

Agreed by: Jennifer

Jennifer Collins
A/Senior Executive Planner

Date: 29/4/2025

Appendix 1: AA PN01 Screening Form

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

(a) File Reference No:	EC/097/25
(b) Brief description of the project or plan:	Internal refurbishment works to an existing structure.
(c) Brief description of site characteristics:	The subject site is located in the south western end of Curraghchase park adjacent to the L6016 Road. There is an existing single-storey structure onsite which is used by Scouting Ireland.
(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 Interest¹	Distance from proposed development² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
000174 – Curraghchase Woods SAC	https://www.npws.ie/protected-sites/sac/000174	138m	None. Internal works only to an existing structure.	N
002279 – Askeaton Fen Complex	https://www.npws.ie/protected-sites/sac/002279	1.2km	None. No direct encroachment or hydrological connection.	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)
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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. Internal works only to an existing structure. No direct encroachment or hydrological connection.
Operation phase e.g. <ul style="list-style-type: none"> - Direct emission to air and water - Surface water runoff containing contaminant or sediment - Lighting disturbance - Noise/vibration - Changes to water/groundwater due to drainage or abstraction - Presence of people, vehicles and activities - Physical presence of structures (e.g. collision risk) - Potential for accidents or incidents 	None. Internal works only to an existing structure. No direct encroachment or hydrological connection.
In-combination/Other	N/A given the level of development proposed, c. 11.4sqm extension.

(b) Describe any likely changes to the European site: Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> - Reduction or fragmentation of habitat area - Disturbance to QI species - Habitat or species fragmentation - Reduction or fragmentation in species density - 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. Internal works proposed to an existing structure, therefore, there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.
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(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

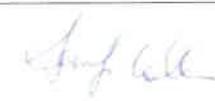
STEP 4: Screening Determination Statement

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 submitted, which is considered adequate to undertake a screening determination it is concluded that the proposed development, individually or in-combination with other plans or projects, would have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

Conclusion: An appropriate assessment is not required.

	Tick as appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 Eithne O'Brien, Assistant Planner 29/04/25	
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 29/04/25	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC/097/25	
Development Summary:	The subject site is located in the south western end of Curraghchase park adjacent to the L6016 Road. There is an two-storey structure onsite which is used by Scouting Ireland.	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes. no further action required <input checked="" type="checkbox"/> No. Proceed to Part A	
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here] _		EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No		Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)		
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2		No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here]		EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is sub-threshold: [insert here]		Proceed to Part C
c. If Yes, has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant		Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant		Preliminary Examination required

Signature and Date of Recommending Officer:	 Eithne O'Brien, Assistant Planner 29/04/25
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Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 29/04/25
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Appendix 3: Site Inspection Photos









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

Pleanáil, agus Cruthú Aite
Comhairle Cathrach agus Contae Luimníogh
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:

**Scouting Ireland Limerick Scout County,
c/o Philip Kelly,
Limerick Scout Commission,
61 Spring Grove,
Mill Road,
Corbally,
Limerick,
V94 FR1W**

EC/097/25

30 April 2025

Re: Declaration under Section 5

Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,

M. O'Brien

**(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/2025/423

File Ref No. EC/097/25

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

RE: Whether internal refurbishments of the house for its continued use as a scout centre including internal re-wiring, upgrades to the existing kitchen, replacement of internal flooring at Curraghchase Scout Centre, Ballinamona, Askeaton, Co. Limerick, V94HK59

ORDER: Whereas by Director General's Order No. DG/2024/122 dated 27th November 2024, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Jennifer Collins, A/Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Jennifer Collins, A/Senior Executive Planner, having considered the report and recommendation of Eithne O'Brien, Assistant 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 Scouting Ireland Limerick Scout County at c/o Philip Kelly, Limerick Scout Commission, 61 Spring Grove, Mill Road, Corbally, Limerick, V94 FR1W to state that the works as described above is

Development and is Exempt Development.



Signed

A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

30/04/2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/423 dated 30/04/2025, pursuant to Section 151(7) of the Local Government Act 2001



SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/097/25

Name and Address of Applicant: Scouting Ireland Limerick Scout County, Curraghchase Scout Centre, Ballinamona, Askeaton, Co. Limerick, V94HK59

Agent: Philip Kelly, Limerick Scout Commission, 61 Spring Grove, Mill Road, Corbally, Limerick, V94 FR1W

Whether internal refurbishments of the house for its continued use as a scout centre including internal re-wiring, upgrades to the existing kitchen, replacement of internal flooring at Curraghchase Scout Centre, Ballinamona, Askeaton, Co. Limerick, V94HK59 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 28th of April 2025.

AND WHEREAS the Planning Authority has concluded that the internal refurbishments of the house for its continued use as a scout centre including internal re-wiring, upgrades to the existing kitchen, replacement of internal flooring at Curraghchase Scout Centre, Ballinamona, Askeaton, Co. Limerick, V94HK59 **DOES** come within the scope of exempted development as defined under Section 4(1)(h) 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 Exempt Development.**

Signed on behalf of the said Council M. O'Brien

Date: 30.4.25

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.