



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

**Limerick City and County Council**

**Planning Department**

**Section 5 Application**

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name:

Sean Duggan

Applicant's Address:

92 SHANNONVALE

AD CRATLOE ROAD

LIMERICK

Telephone No.

[REDACTED]

Name of Agent (if any):

[REDACTED]

Address:

[REDACTED]

Telephone No.

[REDACTED]

Address for Correspondence:

[REDACTED]

Location of Proposed development (Please include Eircode):

92 Shannonvale  
Old Cratloe road  
Limerick V94 K0R 7

Description of Proposed development:

Extension to rear of house leaving  
80.5 sqm's of Back garden remaining

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

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

Applicant's interest in site:

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

drawings emailed

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**

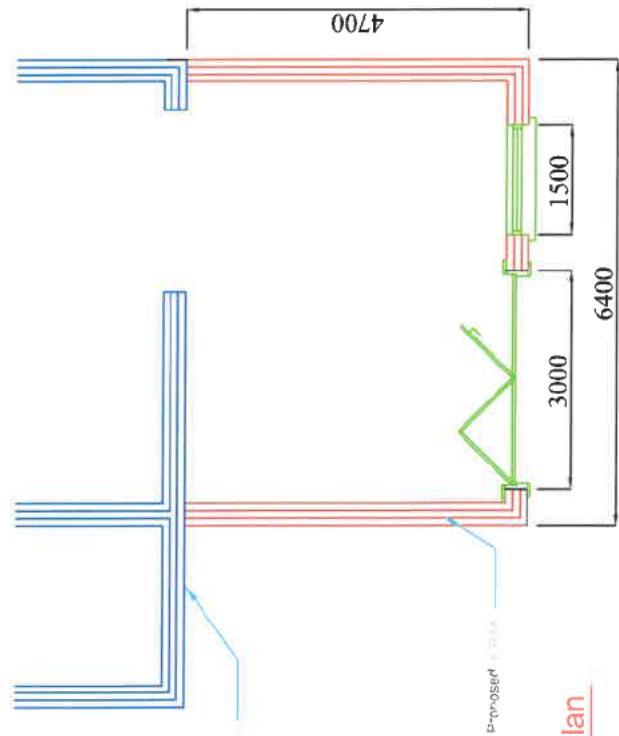
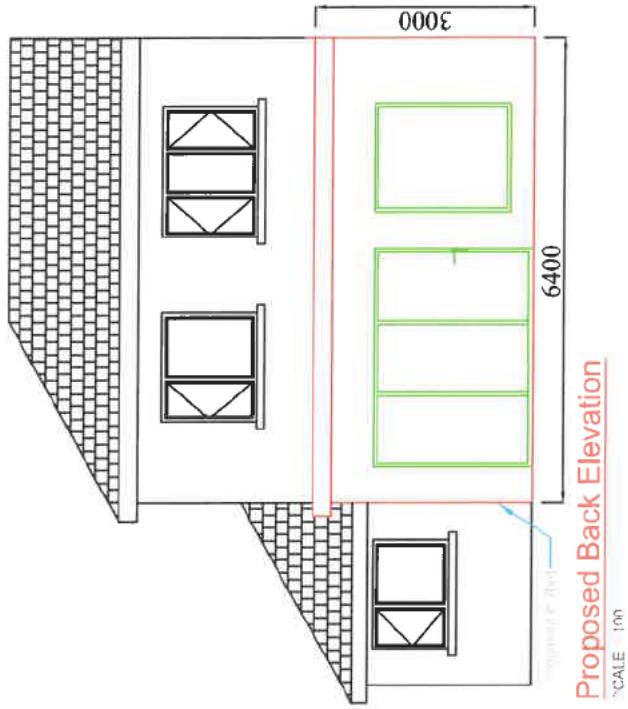
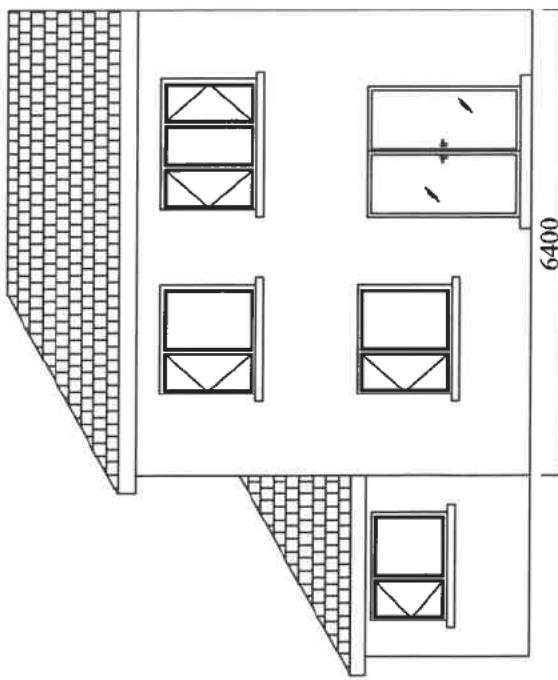
Ref. No. \_\_\_\_\_

**Date Received**

### Fee Received

Date Due

\*\*\*\*\*



Project Name and Address	No 1.	
Client:	Sean Duggan	
Address:	92 Shanavale Old Cratloe Road Limerick	
Title:	PROPOSED EXTENSION	
Cad Ref:	Cad Ref: C6TB1	Sheet:
Date:	15/01/2025	Floor Area:
Scale:	1:100	30 m <sup>2</sup>
Drawn By:	Keith Tuohy	



Tailte  
Éireann

Clárúchán, Luacháil,  
Suirbhéireacht  
Registration, Valuation,  
Surveying

Official Taitte Éireann Registration Map

This map should be read in conjunction with the folio.

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

For details of the terms of use and limitations of scale, accuracy and other conditions relating to TÉ Registration maps, see [www.talite.ie](http://www.talite.ie).

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Copyright © Tallte Éireann and Government of Ireland.

(centre-line of parcel(s) edged)

- 62 -

### Subleasehold

'S' Register

(see Section 8(b)(1) of Registration of Title  
Act 1964 and Rule 224 & 225 Land  
Registration Rules 1972 - 2010).

**Burdens** (may not all be represented on map)

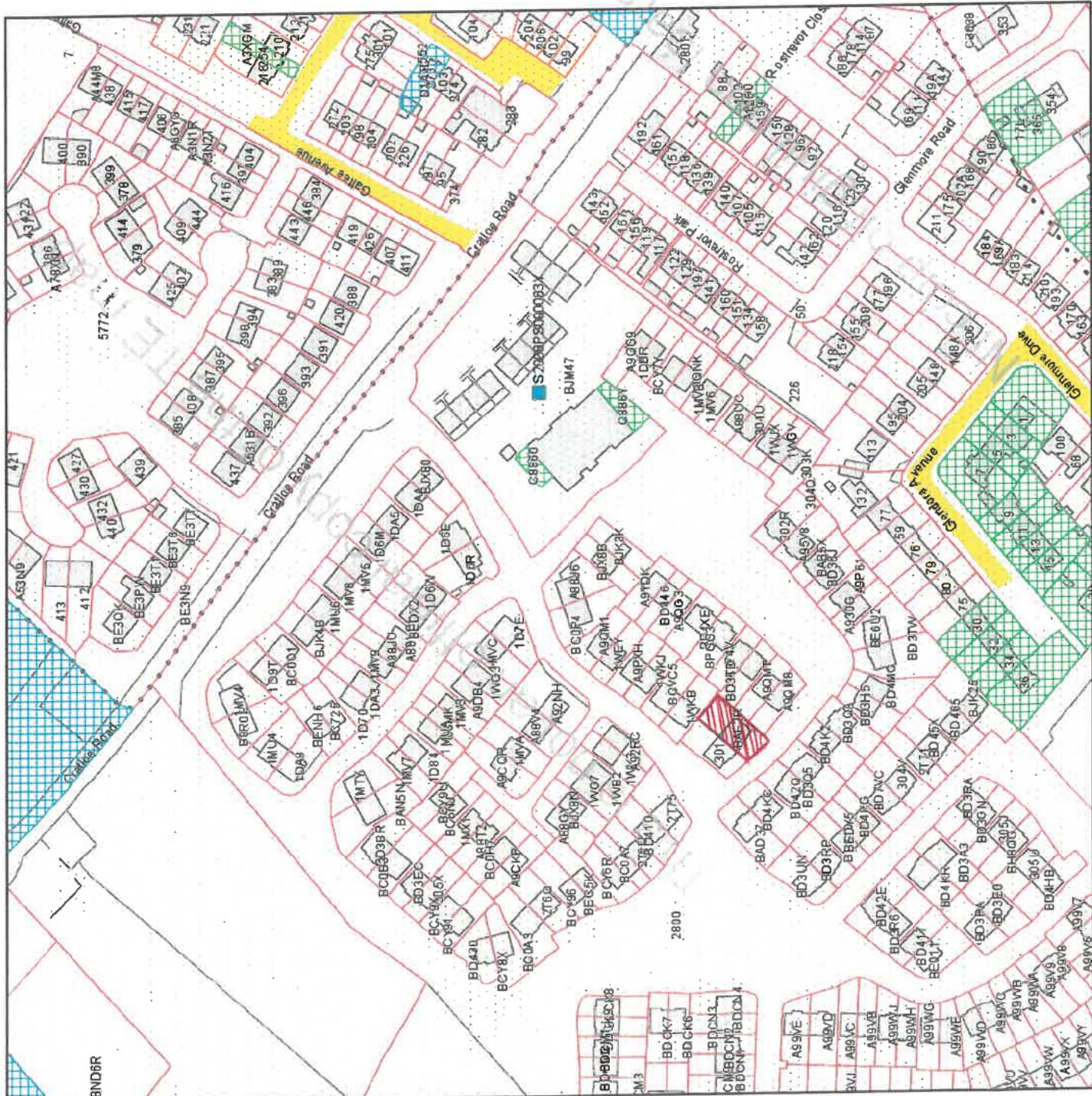
- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit



A full list of burdens and their symbology can be found at [www.landinfo.net](http://www.landinfo.net)

Taite Éireann Registration operates a non-conclusive boundary system. The TÉ Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TÉ Registration map is conclusive as to the boundaries or extent.

(see Section 85 of the Registration of Title Act, 1964). As Inserted by Section 62 of the Registration of Deed and Title Act 2006.





LIMERICK CITY & COUNTY COUNCIL  
CIVIC OFFICES  
MERCHANTS QUAY  
LIMERICK

25/06/2024 11:43:07

Receipt No./  
Uimhir Admhála RC6/0/2075573

Sean & Debbie O'Connor Duggan  
92 Shannonvale  
Old Cork Rd  
Limerick

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán 80.00 EUR

Tendered/Tairgthe :  
Credit / Debit Card 80.00  
V SA  
xxxx  
xxxx

Change/Sóinseáil 0.00

Issued By/  
Eisithe ag : rc  
From/Ó : REVENUE CASH OFFICE 6 - MER  
Vat reg No./Cláruimhir CBL: 3267368TH

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

**Reference no.** EC-108-25

**Name and Address of Applicant:** Sean Duggan  
92 Shannonvale,  
Old Cratloe Road,  
Limerick  
V94 KDR7

**Agent:** N/A

**Location:** 92 Shannonvale,  
Old Cratloe Road,  
Limerick  
V94 KDR7

**Description of Site and Surroundings:**

The site is a semi-detached property situated in the existing residential estate of Shannonvale accessed from the Old Cratloe Road. The building is not a protected structure or situated in an ACA.

**Zoning:**

The site is zoned existing residential under the Limerick Development Plan.

**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:

- Single storey extension to rear of house

This Section 5 declaration includes the following:

- Application Form
- Site location map
- Elevations
- Floor plans

**Planning History:**

None

**Enforcement History**

None

**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 proposed disabled bathroom and bedroom to rear of existing dwelling including disabled ramp access and ancillary site works constitutes 'works' and 'development'.

**Is the proposal exempted development?**

The proposed single storey rear extension will be assessed under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

***Is the development within the curtilage of a house?***

Yes, the extension is to the rear of the house and within the curtilage.

**Class 1**

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house is considered Exempted Development, subject to the following Conditions and Limitations:

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

The house has not been extended previously. The single story extension measures 30.08sqm.

*(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.*

The house is a semi-detached dwelling. No development proposed above ground.

*(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

N/A house is not detached

*2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.*

The house has not been extended previously.

*(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.*

N/A no works proposed above ground floor.

*(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.*

N/A no works proposed above ground floor.

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

N/A no works proposed above ground floor.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

Rear wall does not include a gable. Height of extension would not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

N/A

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

Height would not exceed height of eaves or parapet or height of highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

The proposed extension would not reduce the area of private open space to less than 25 square metres.

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

No windows are proposed less than 1 metre from the boundary.

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

N/A no above ground floor extension

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

N/A

7. The roof of any extension shall not be used as a balcony or roof garden.

The submitted plans do not show a balcony or roof garden.

The proposal is not subject to any conditions or limitations set out in Column 2.

### **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 required in this instance.

### **Environmental Impact Assessment**

An EIA Screening examination was carried out by Limerick City and County Council (see Appendix 2). Based on a preliminary examination of the proposal there is no real likelihood of significant effects on the environment and EIA is not required.

### **Conclusion/Recommendation**

The proposal as detailed on the application and plans submitted is considered to be within the scope of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2000.

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) The plans & particulars submitted with the application received on the 6<sup>th</sup> of May 2025.

It is therefore considered that the said works are development and exempted development under Class 1 of the Planning and Development Regulations 2001 (as amended).



Ella O'Brien

Executive Planner

Date 14/05/2025

  
Agreed

Barry Henn, S.E.P

Date: 14 | 05 | 2025

<ul style="list-style-type: none"> <li>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>- Dust, noise, vibration</li> <li>- Lighting disturbance</li> <li>- Impact on groundwater/dewatering</li> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>	
<b>Operation phase e.g.</b> <ul style="list-style-type: none"> <li>- Direct emission to air and water</li> <li>- Surface water runoff containing contaminant or sediment</li> <li>- Lighting disturbance</li> <li>- Noise/vibration</li> <li>- Changes to water/groundwater due to drainage or abstraction</li> <li>- Presence of people, vehicles and activities</li> <li>- Physical presence of structures (e.g collision risk)</li> <li>- Potential for accidents or incidents</li> </ul>	None. Works are minimal in nature and there is no hydrological connection or direct encroachment on the SAC and SPA due to separation distance.
<b>In-combination/Other</b>	Works proposed will primarily affect internal structure therefore no likely significant in-combination effects are identified.

<b>(b) Describe any likely changes to the European site:</b> <p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>- Reduction or fragmentation of habitat area</li> <li>- Disturbance to QI species</li> <li>- Habitat or species fragmentation</li> <li>- Reduction or fragmentation in species density</li> <li>- Changes in key indicators of conservation status value (water or air quality etc)</li> <li>- Changes to areas of sensitivity or threats to QI</li> <li>- Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	
	None. The application site is not located adjacent to or within an EU site identified above. Therefore, there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.

<b>(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>
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**Appendix 1 – AA Screening**

**AA PN01 Screening Form**

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

<b>(a) File Reference No:</b>	EC/108/25
<b>(b) Brief description of the project or plan:</b>	Proposed single storey rear extension
<b>(c) Brief description of site characteristics:</b>	The site is a semi-detached two storey dwelling located in an urban area
<b>(d) Relevant prescribed bodies consulted:</b> e.g. DHLGH (NPWS), EPA, OPW	N/A
<b>(e) Response to consultation:</b>	N/A

**STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.**

European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165-Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	1.6km	None	N
004077-River Shannon and River Fergus Estuaries SPA	<a href="https://www.npws.ie/protected-sites/sac/004077">https://www.npws.ie/protected-sites/sac/004077</a>	1.6km	None	N

**STEP 3: Assessment of Likely Significant Effects**

<b>(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:</b>	
<b>Impacts:</b>	<b>Possible Significance of Impacts: (duration/Magnitude etc)</b>
<b>Construction phase e.g</b> - Vegetation clearance - Demolition	None. Works are minimal in nature and there is no hydrological connection or direct encroachment due to separation distance.

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 and having regard to:

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

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

**Conclusion:** An appropriate assessment is not required.

	Tick as appropriate:	Recommendation:
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is <b>uncertain</b> 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) <b>Significant effects</b> are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	 Ella O'Brien 14/05/2025	
<b>Signature and Date of the Decision Maker:</b>	 Barry Henn, Senior Executive Planner 14/05/2025	

## Appendix 2 – EIA Screening

<b>Establishing if the proposal is a 'sub-threshold development':</b>		
Planning Register Reference:	EC/108/25	
Development Summary:	A section 5 application requesting a declaration on whether a single storey extension is or is not exempted development.	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> <input checked="" type="checkbox"/> Yes. no further action required  <input type="checkbox"/> <input checked="" type="checkbox"/> X No. Proceed to <b>Part A</b>	
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here]_		<b>EIA is mandatory</b> No Screening required
<input type="checkbox"/>		<b>Proceed to Part B</b>
<input checked="" type="checkbox"/> X No		
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> does it meet/exceed the thresholds? (Tick as appropriate)		
<input type="checkbox"/>		<b>No Screening required</b>
<input checked="" type="checkbox"/> X No. the development is not a project listed in Schedule 5, Part 2		
<input type="checkbox"/>		<b>EIA is mandatory</b> No Screening required
<input type="checkbox"/>		<b>Proceed to Part C</b>
<input type="checkbox"/>		Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here]
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/>		<b>Screening Determination required</b>
<input type="checkbox"/>		Yes, Schedule 7A information/screening report has been submitted by the applicant
<input type="checkbox"/>		<b>Preliminary Examination required</b>
<input type="checkbox"/>		No, Schedule 7A information/screening report has not been submitted by the applicant

<b>Signature and Date of Recommending Officer:</b>	
--	--

	<p><i>Ella O'Brien</i></p> <p>Ella O'Brien, Executive Planner 14/05/2025</p>
<b>Signature and Date of the Decision Maker:</b>	<p><i>B. Henn</i></p> <p>Barry Henn, SEP 19/05/2025</p>

**Site Inspection Photographs 13.05.25**







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

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

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

## PLANNING & PLACE-MAKING

### REG POST:

**Sean Duggan  
92 Shannonvale,  
Old Cratloe Road,  
Limerick  
V94 KDR7**

**EC/108/25**

**27 May 2025**

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### Re: Declaration under Section 5

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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 Conlon**  
(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/2025/546**

**File Ref No. EC/108/25**

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

**RE:** **A single storey extension to rear of house at 92 Shannonvale, Old Cratloe Road, Limerick. V94 KDR7**

**ORDER:** Whereas by Director General's Order No. DG/2024/123 dated 27<sup>th</sup> November 2024, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto 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 Ella O'Brien, Executive Planner dated 14/05/2024, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Sean Duggan, 92 Shannonvale, Old Cratloe Road, Limerick V94 KDR7 to state that the works as described above is

**Development and is Exempt Development.** *(Handwritten mark)*

Signed

*B. Henn*

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

*27/05/2025*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/546 dated *27/05/2025*, 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/108/25**

**Name and Address of Applicant:** Sean Duggan, 92 Shannonvale, Old Cratloe Road, Limerick V94 KDR7

**Agent:** N/A

**Whether** the single storey extension to rear of house at 92 Shannonvale, Old Cratloe Road, Limerick V94 KDR7 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 6<sup>th</sup> of May 2025.

**AND WHEREAS** the Planning Authority has concluded that the single storey extension to rear of house at 92 Shannonvale, Old Cratloe Road, Limerick V94 KDR7 **DOES** come within the scope of exempted development under Class 1 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 Exempt Development**.

Signed on behalf of the said Council

Date: 27/05/2025

**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.