



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Christopher Davidson

Applicant's Address: Amiganbeg, Croagh, Co. Limerick V94NCP4

Telephone No.



Name of Agent (if any): _____

Address: _____

Telephone No. _____

Address for Correspondence:

Amiganbeg, Croagh, Co. Limerick V94NCP4

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

No. 9 Church View (formerly PATRICK P. GEANEY SOLICITOR)

Main Street, Adare, Co. Limerick

V94 T9D9

Description of Proposed development:

Solar panel installation to roof

Solar PV panels 1720 x 1134 x 30mm each (approx - depending on manufacturer)

2 rows of 10 east elevation, 2 rows of 10 west elevation

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

S.I. No. 493/2022 - Planning And Development Act 2000 (Exempted Development) (No. 3) Regulations 2022

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:

Site Location Map

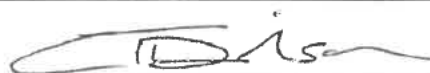
Drawing 7 - Site Layout Plan

Drawing 1 to 6, 8 & 9 - Dimensioned Plans and Elevations of the Structure

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)



06 June 2025

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. N/A

Application to be forwarded to:

**Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67**

**Enquiries:
Telephone: 061-556556
E-Mail: planning@limerick.ie**

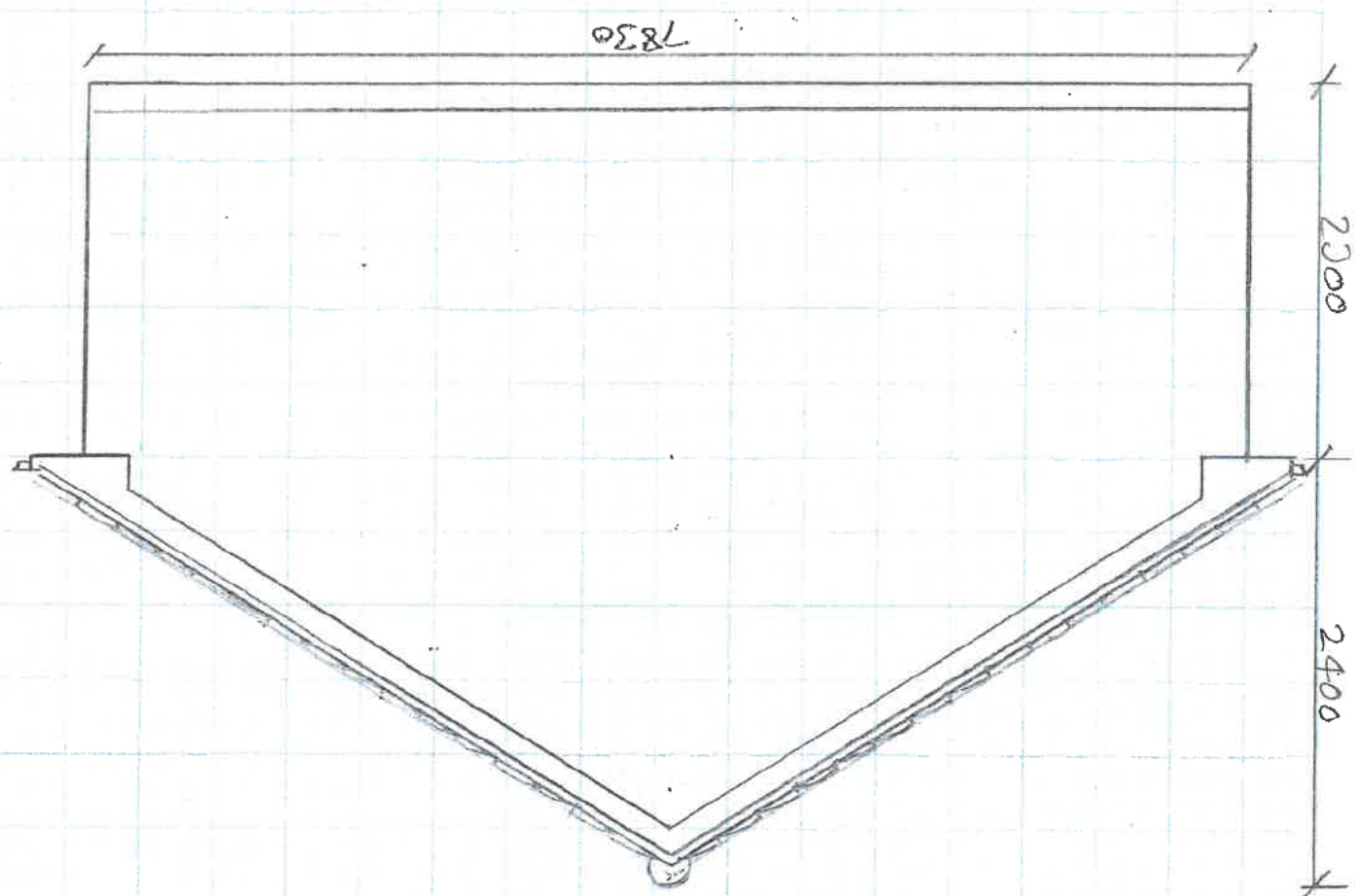
JUNE 2025

DWG No. 1

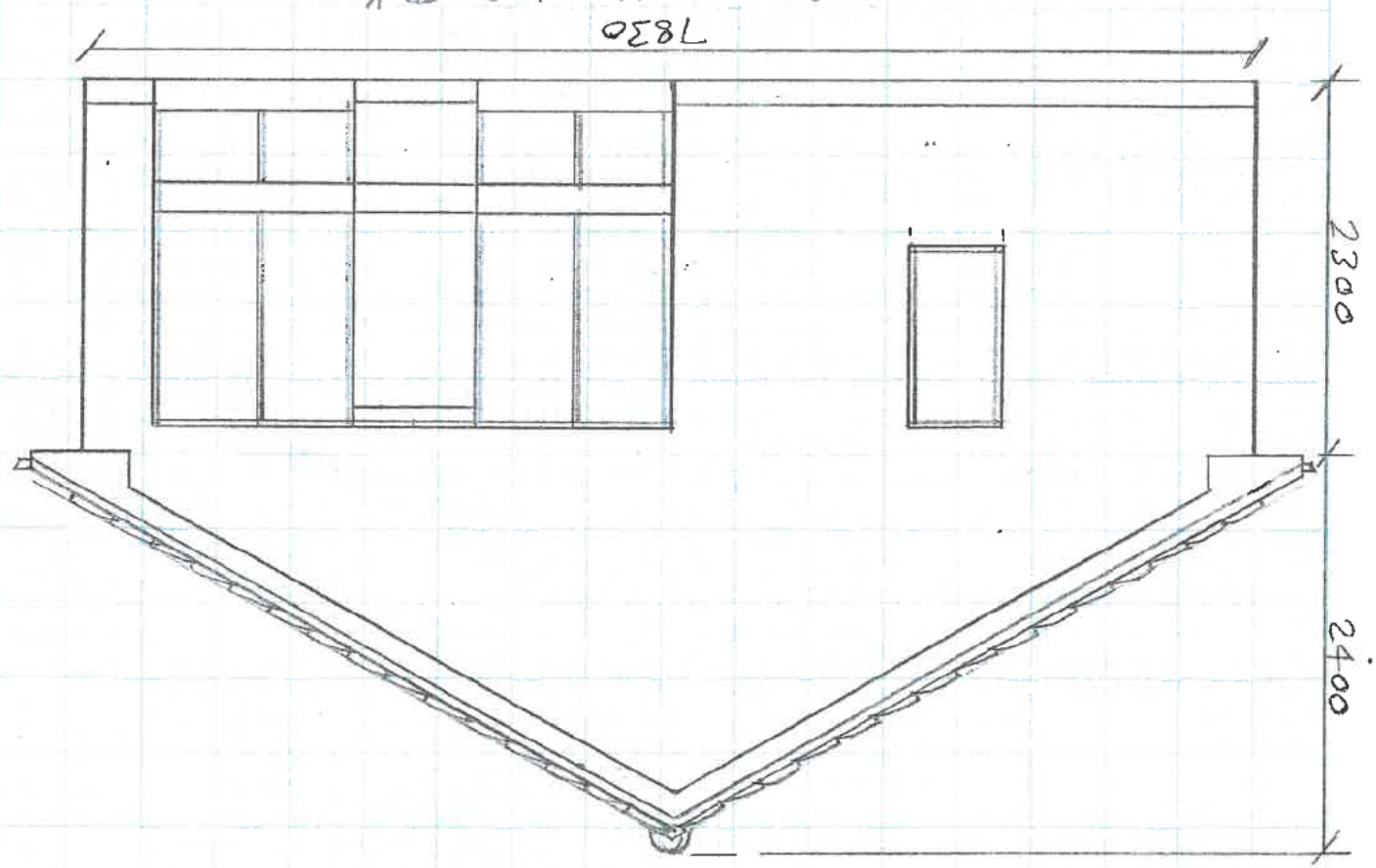
DIMS mm

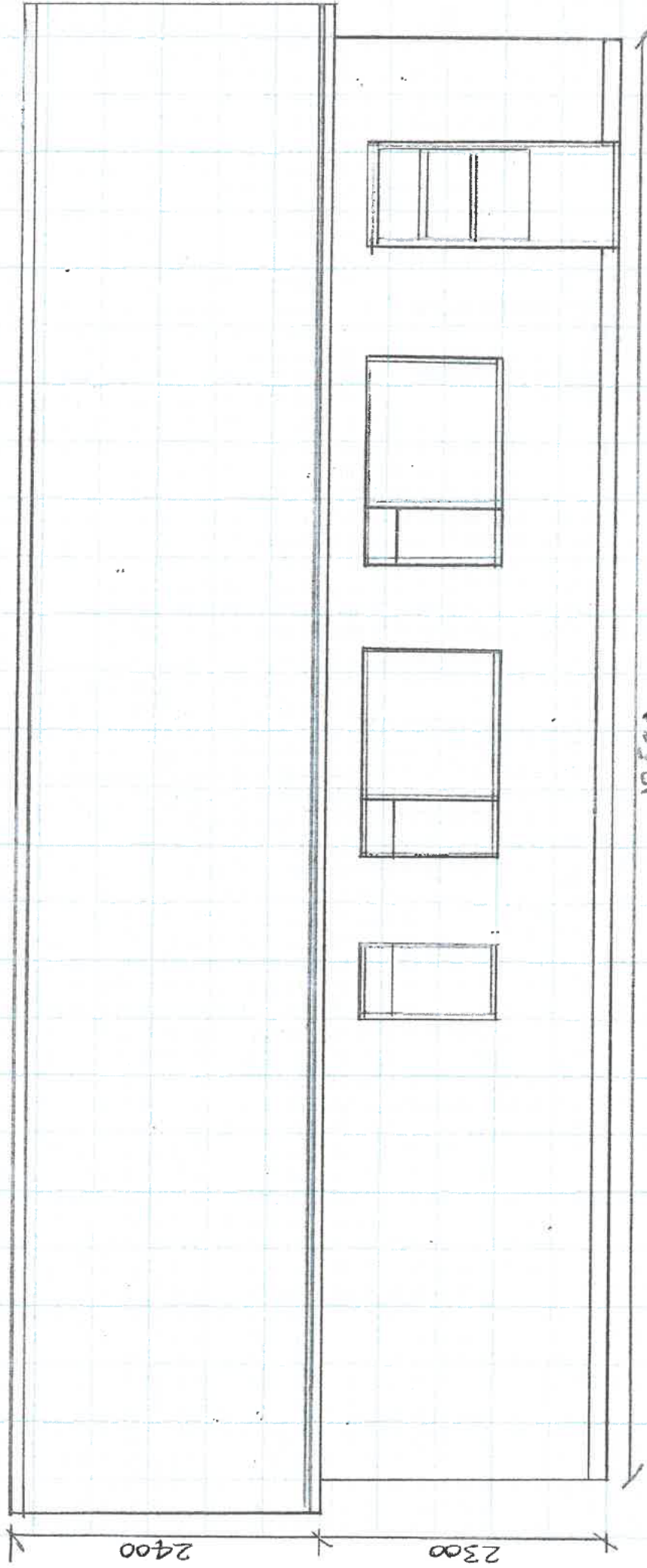
No. 9 Church Villa, Main St. North V94 T909

SOUTH ELEVATION EXISTING



NORTH ELEVATION EXISTING



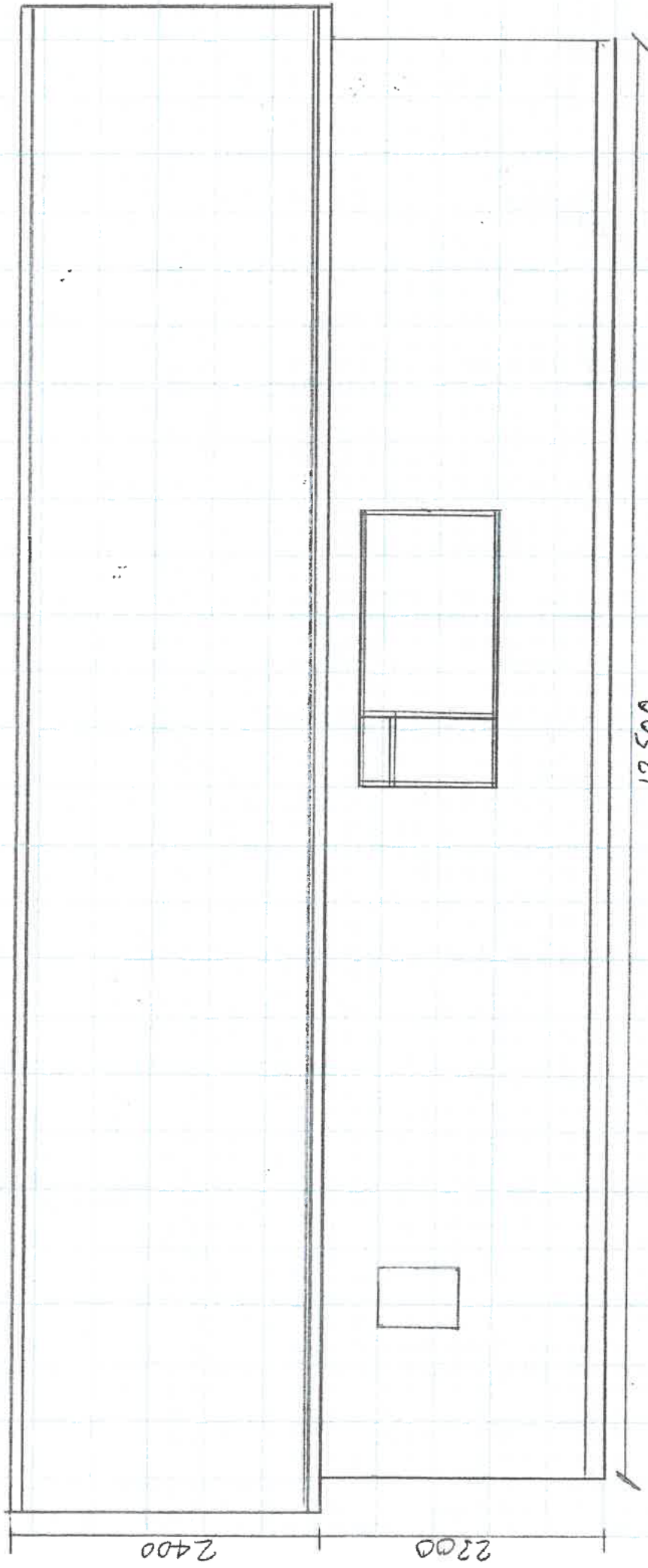


EAST ELEVATION
EXISTING.

No. 9 CHURCH VILLAGE, WIND ST. ADME V914 T909

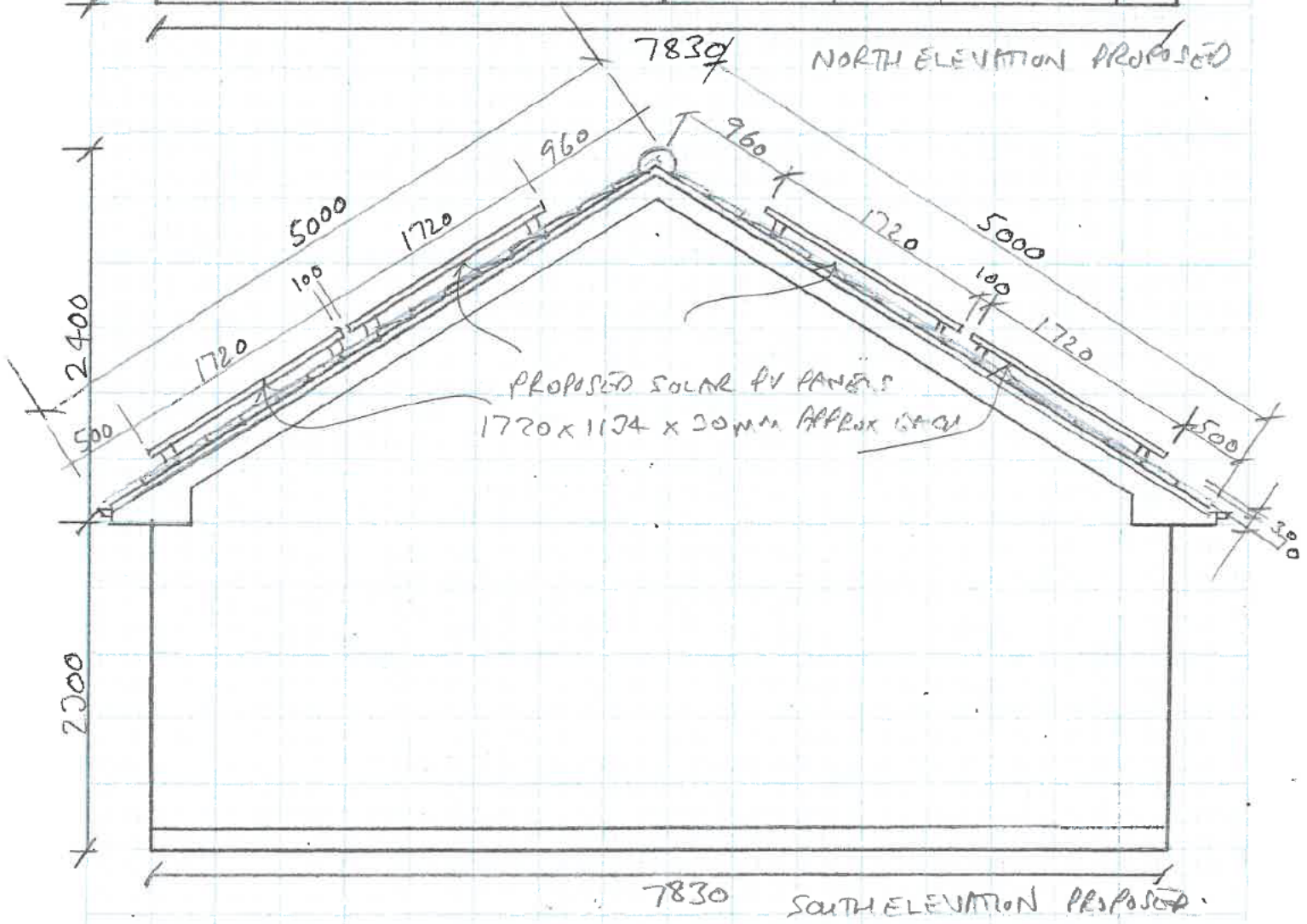
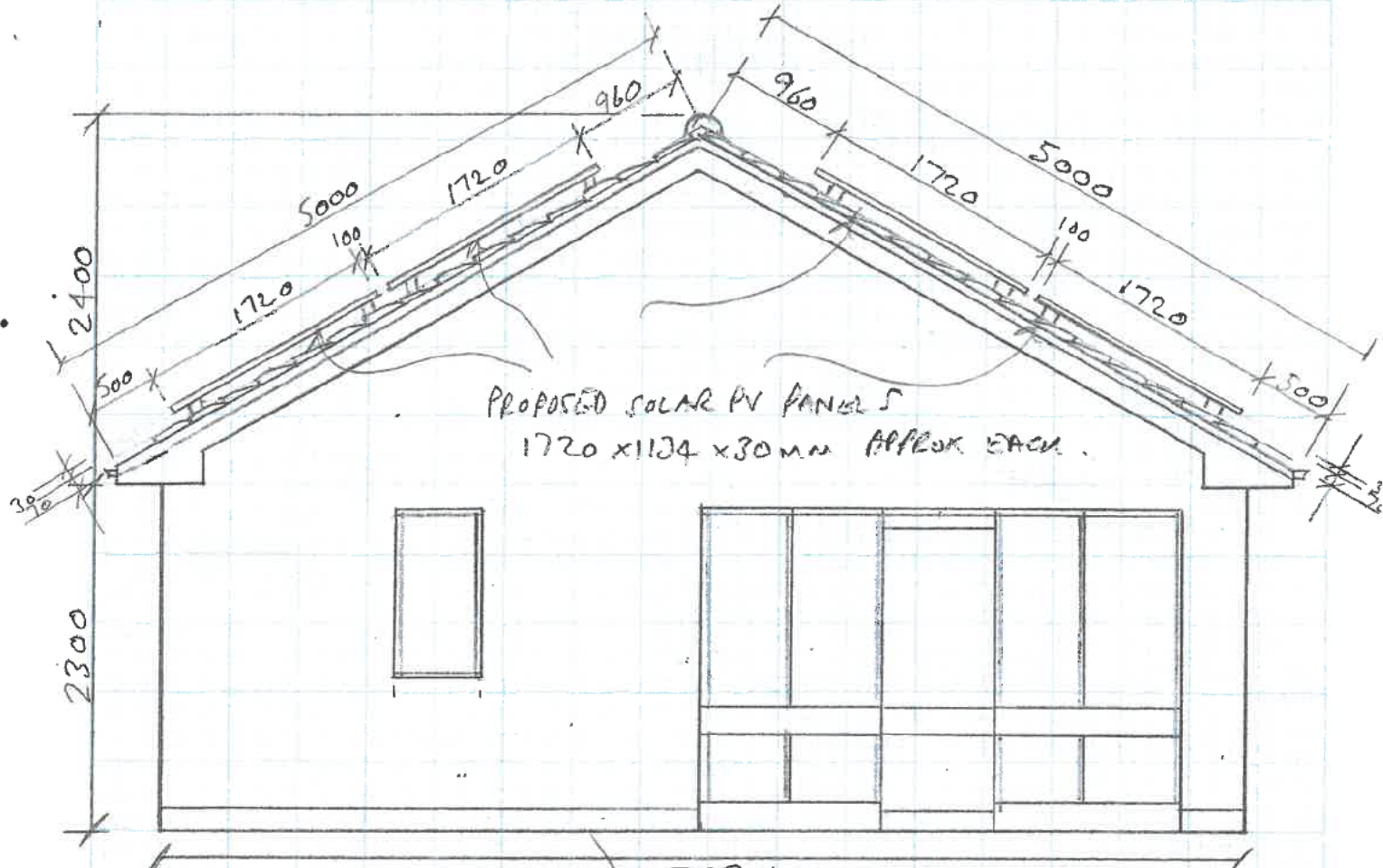
JUNE 2025

DIMS MM
DRG No. 2

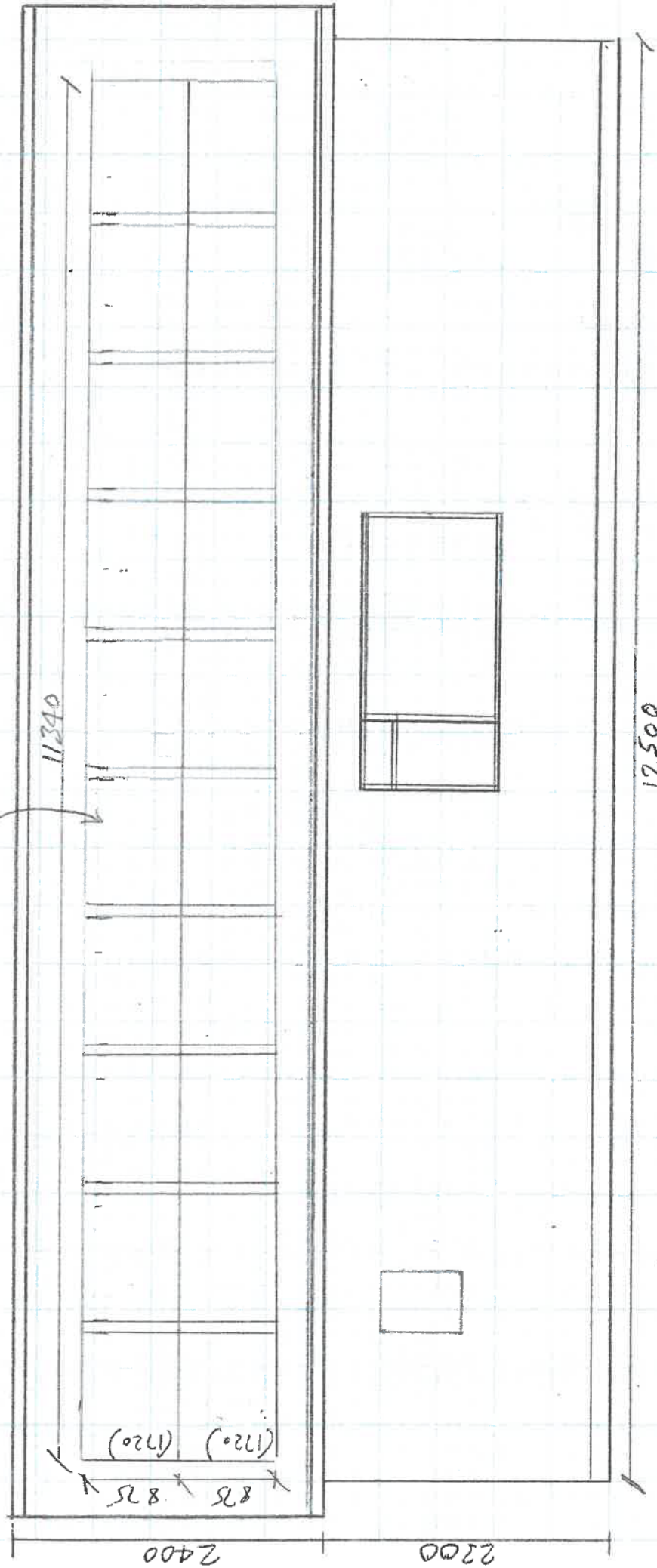


WEST ELEVATION
EXISTING.

No. 9 CHARLTON VILLAS, MAIN ST., ADAMS V94 T9D9
JUNE 2025.
DIMS mm
DEC No. 2



PROPOSED SOLAR PV PANELS
 1720 X 1134 X 20 MM APPROX EACH
 (20 NO. WEST ELEVATION).

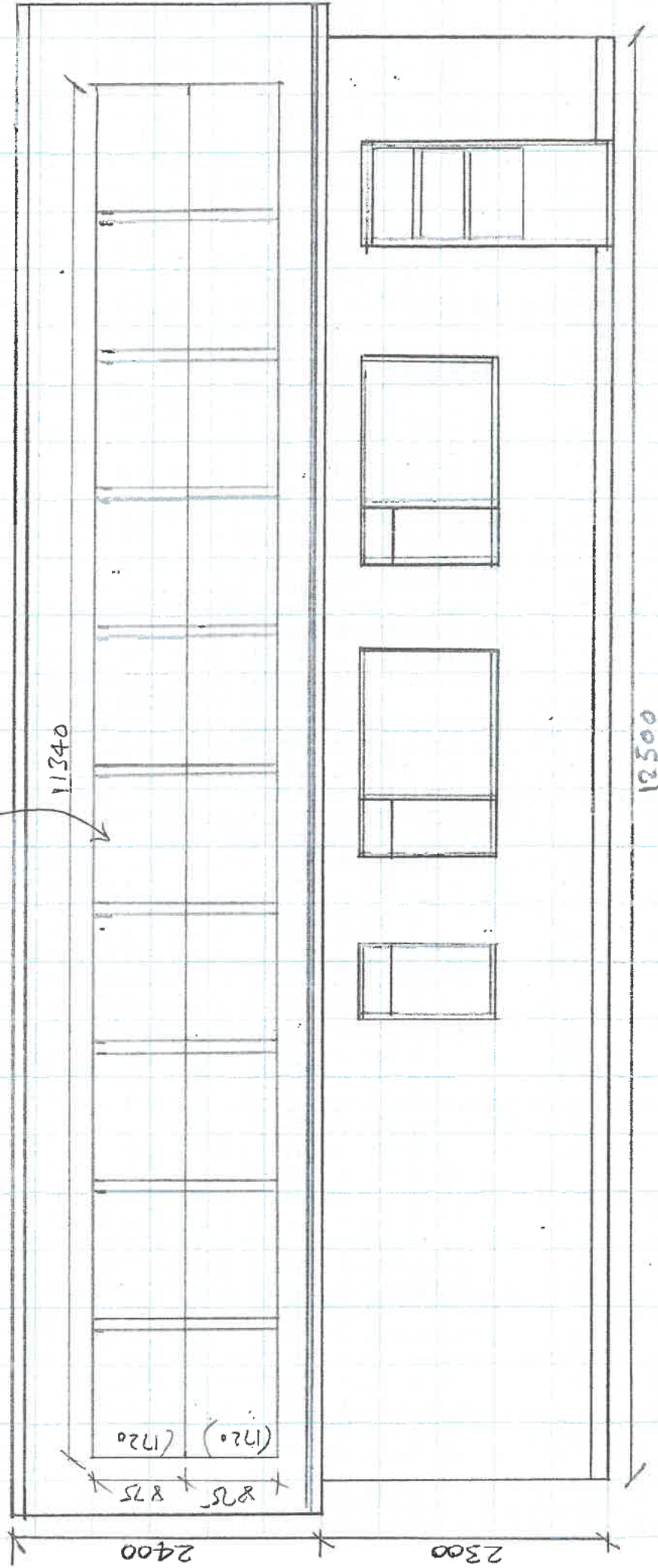


WEST ELEVATION PROPOSED.

No. 9 Church View, Main St. Area: V44 T9 D9
 JUNE 2025

DIMS MM
 Dwg No. 5

PROPOSED SOLAR PV PANELS
 1720 x 1134 x 30 mm APPROX EACH
 (20 No. EAST ORIENTATION)



EAST ORIENTATION PROPOSED.

No. 9 CHURCH VILLAGE, 191 ST, APOKIS 191 7709

JUNE 2025.

DIMS mm
 DRCN-0.6

No. 9 CHURCHVIEW, MAIN ST. ADJACENT
V94 T9D9
SITE LAYOUT PLAN
1:100



SITE ENTRANCE

GRASS

HERDGE BL

THE MAC

HERDGE BL

CONCRETE PATH

EXISTING BUILDING

GRASS

No. 9 CHURCH VIEWS, MAIN ST. ADJACENT 194-1909.

JUNE 2025.

12500

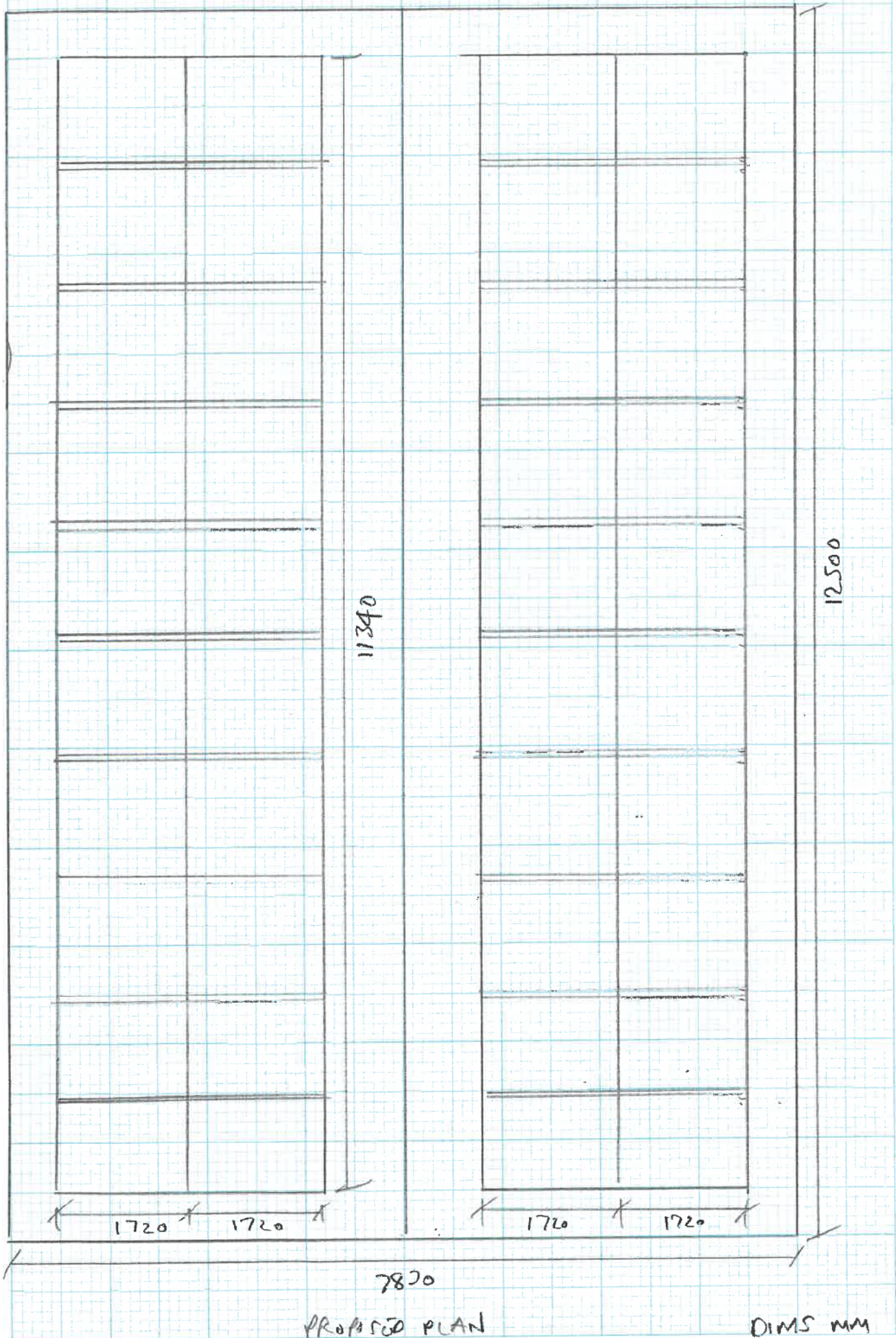
7830

EXISTING PLAN.

DIMENSION
DRA No. 8

No 9 CHURCH VILL, MAIN ST. ADDRESS V94 T909.

June 2025





NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION



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

09/08/2025 15:14:41

Receipt No /
Uimhir Admhála : LA25/0/25178156
*****REPRIM*****

CHRISTOPHER DAVIDSON
AMIGANBEG
CROAGH
CO LIMERICK V94 NCP4

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :
Credit / Debit Card 80.00
VISA
*****5829

Change/Sóinseáil 0 00

Issued By/
Eisithe ag : John Harold
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-125-25

Name and Address of Applicant: Christopher Davidson
Amiganbeg,
Croagh,
Co. Limerick
V94 NCP4

Agent: N/A

Location: No.9 Church View,
Main Street,
Adare,
Co. Limerick
V94 T9D9

Description of Site and Surroundings:

The subject site comprises a detached commercial premises located off a private roadway south of Main Street Adare N21, approx. 250m east of Adare Village centre. The surrounding area is a mixture of residential and commercial properties. The site is located within the *Adare Village ACA* within the Adare Local Area Plan 2024 - 2030.

Zoning:

The site is Zoned *Village Centre* as set out in the Adare Local Area Development Plan 2024 - 2030.

Objective: To protect, consolidate and facilitate the development of Adare's commercial, retail, educational, leisure, residential, social and community uses and facilities.

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:

- The proposal outlines the installation of solar panels on the property roof.

The following documentation was submitted with the Section 5 application:

- Site location map
- Site layout plan
- Elevation drawings
- Floor plans
- Elevation images

Planning History:

Art6(a) 53/24 – Proposal to change of use of former office to residential comes within the scope of Article 10(a)(a) – Issue date 19/12/2024

88/28360 - Erection of graphic studio, entrance, boundary fence, parking area and associated works.

Enforcement History

N/A

Relevant An Bord Pleanála referrals

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 installation of solar panels constitutes work and is Development.

Is the proposal exempted development?

The proposal is for the erection of solar panels on the roof of the community building. The proposal for the erection of solar panels will be assessed under Class 2(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

The placing or erection on a roof of a house, or within the curtilage of a house, or on a roof of any ancillary buildings within the curtilage of a house (this class does not include apartments) of a solar photo-voltaic and/or a solar thermal collector installation.

- 1) *The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 50cm in the case of a flat roof or 15cm in any other case.*

Finished solar PV panel elevations noted as 3 cm above the roof plane on drawings received.

- 2) *The solar photo-voltaic or solar thermal collector panels shall be a minimum of 50cm from the edge of a roof on which it is mounted.*

Separation distance of 50cm minimim indicated on drawings.

- 3) *Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the house.*

N/A. The proposal outlines the installation of solar panels on the property roof.

- 4) *The total aperture area of any free standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free standing panels shall not exceed 25 square metres.*

N/A. The proposal outlines the installation of solar panels on the property roof.

- 5) *The placing or erection of any free standing solar photo-voltaic or solar thermal collector installation shall not reduce the remaining area of private open space, reserved exclusively for the use of the occupants of the house, to the rear or to the side of the house to less than 25 square metres.*

N/A. The proposal outlines the installation of solar panels on the property roof.

- 6) *The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.*

N/A. The proposal outlines the installation of solar panels on the property roof.

- 7) *The placing or erection of a solar photo voltaic or solar thermal collector installation on any wall shall not be exempted development.*

N/A. The proposal outlines the installation of solar panels on the property roof.

- 8) *The placing or erection of any free standing solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.*

The subject property is located within Adare Manor Demesne ACA as set out in the Adare Local Area Plan 2024-2030. However, the property itself is not of architectural merit and is located to the rear of the existing dwellings away from public view. Therefore, the proposed works would not materially affect the character of the area as indicated.

- 9) *Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.*

Noted, the subject site is not within a solar safeguarding zone.

The proposal is not subject to any conditions or limitations as 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 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.

Conclusion/Recommendation

The works as detailed on the submitted application and associated drawings are considered to come within the scope of Class 2(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended).
- (b) Class 2(c) 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 9th June 2025.

It is therefore considered that the said works are development and exempted development under Class 2(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).



Eithne O'Brien, Assistant Planner
Date: 18/06/2025



Agreed Jennifer Collins, A/Senior Executive Planner
Date: 25/06/2025

Appendix 1: AA PN01 Screening Form**STEP 1: Description of the project/proposal and local site characteristics:**

(a) File Reference No:	EC-125-25
(b) Brief description of the project or plan:	The proposed works comprise the installation of Solar PV panels to the pitched roof plane of a commercial building.
(c) Brief description of site characteristics:	The building is situated on a private roadway off main street Adare, Co. Limerick. The site is located within the Adare Manor Demesne ACA under the Adare Local area Plan 2024-2030.
(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
002165- Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Approx. 473m	None	N
004077-River Shannon and River Fergus Estuaries SPA	https://www.npws.ie/protected-sites/sac/004077	Approx. 6.33km	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 <ul style="list-style-type: none"> - Vegetation clearance - Demolition 	None. No direct encroachment or hydrological connection. Works proposed are minimal and will involve temporary construction works; therefore, no likely significant impact on the

<ul style="list-style-type: none"> - 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 	conservation objectives of the above mentioned European sites.
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. No direct encroachment or hydrological connection. Operation phase will not impact on the conservation objectives of the above mentioned European sites.
In-combination/Other	N/A given the extent of works proposed.



(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 	None. No direct encroachment or hydrological connection. Works proposed are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above mentioned European sites.

(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
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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 No effects identified.		
Conclusion: Given the site size, the scale of works proposed, the lack of a hydrological connection or direct encroachment on an SAC/SPA, an appropriate assessment is not therefore 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 18/06/2025	
Signature and Date of the Decision Maker:	 _____ Jennifer Collins, A/Senior Executive Planner 25/06/2025	

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC-125-25	
Development Summary:	The proposed works comprise the installation of Solar PV panels to the pitched roof plane of a commercial building.	
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:	 <hr/> Eithne O'Brien, Assistant Planner 18/06/2025
Signature and Date of the Decision Maker:	 <hr/> Jennifer Collins, A/Senior Executive Planner 25/06/2025



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

Pleanáil, agus Cruthú Áite
Comhairle Cathrach agus Contae Luimnigh
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:

Christopher Davidson
Amiganbeg,
Croagh,
Co. Limerick
V94 NCP4

EC/125/25

26 June 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](https://twitter.com/LimerickCouncil)
 061 - 556 000

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2025/666

File Ref No. EC/125/25

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

RE: **An installation of solar panels at No.9 Church View, Main Street, Adare, Co. Limerick**

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 18/06/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Christopher Davidson, Amiganbeg, Croagh, Co. Limerick to state that the works as described above is

Development and is Exempt Development. *KC*

Signed



A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

28/6/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/666 dated 28/6/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:


A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

Pleanáil, agus Cruthú Áite
Comhairle Cathrach agus Contae Luimnigh
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

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/125/25

Name and Address of Applicant: Christopher Davidson, Amiganbeg, Croagh, Co. Limerick

Agent: N/A

Whether the installation of solar panels at No.9 Church View, Main Street, Adare, Co. Limerick 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 9st of June 2025.

AND WHEREAS the Planning Authority has concluded that installation of solar panels at No.9 Church View, Main Street, Adare, Co. Limerick **DOES** come within the scope of exempted development under Class 2(c) 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 Exempt Development.**

Signed on behalf of the said Council

Karen Coulson

Date:

26/06/2025

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.