

Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: CROOM FAMILY RESERVE CENTRE

Applicant's Address: CROOM MILLS
CHURCH ROAD, CROOM
CO. LIMERICK V35E306

Telephone No.



Name of Agent (if any): GIBBONS BEAY (MANAGER)

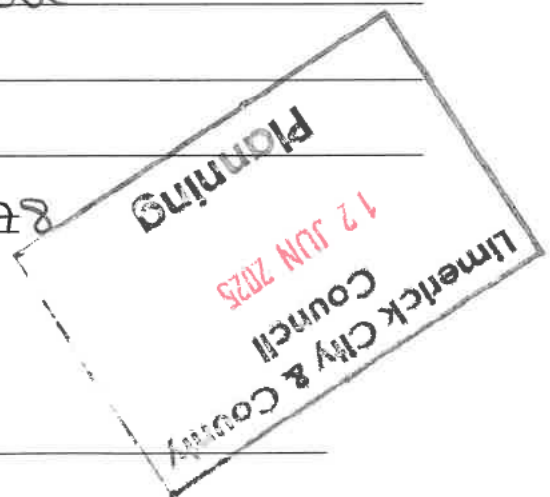
Address: AS ABOVE

Telephone No.

061 602878

Address for Correspondence:

As above



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

4th floor room of Croom Mills, Church
Road, Croom, Co. Limerick, V35E306

Description of Proposed development:

Replacement of carpet flooring with
vinyl tile (see quotation for works
attached with specifics). Also attached
photo of current flooring

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: tenant

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

N/A
Quotation for works attached.

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

If Yes please provide floor areas of all existing structures:

Not relevant to this exemption

Signature of Applicant (or Agent)

Eithlin Bray

NOTES: Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

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

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

LIMERICK CITY & COUNTY COUNCIL
CIVIC OFFICES
MERCHANTS QUAY
LIMERICK

11/06/2025 11:39:30

Receipt No./
Uimhir Admhála : RC6/0/2079679

Eilbhís Bray
Croom Mills
Church Road
Croom
Co. Limerick

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :
Credit / Debit Card 80.00
VISA
4790

Change/Sóinseáil : 0.00

Issued By/
Eisithe ag : Niamh Hynes
From/Ó : REVENUE CASH OFFICE 6 - MERCHANTS QUAY
Vat rec No./Clárúimhir CBL: 3267368TH



Limerick City & County
Council
12 JUN 2025
Planning



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

Reference no.	EC-126-25
Name and Address of Applicant:	Croom Resource Centre CLG Croom Mills, Church Road, Croom, Co. Limerick
Agent:	N/A
Location:	Fourth Floor, Croom Mills, Croom, Co. Limerick

Description of Site and Surroundings:

The subject site comprises a detached five storey former mill building of large scale located c. 150m west of Croom Town Centre fronting the River Maigue. The property is a 'Protected Structure' RPS1138 in the Limerick Development Plan 2022 – 2028, Volume 3C, Record of Protected Structures Adare-Rathkeale Municipal District and located within the Croom Architectural Conservation Area as outlined in the Croom Local Area Plan 2020 – 2026.

Zoning:

The site is Zoned *Town Centre* as set out in the Croom Local Area Development Plan 2020 - 2026.

Objective: The purpose of this zoning is to protect and enhance the character of Croom's Town Centre and to provide for and improve retailing, residential, commercial, office, cultural and other uses appropriate to the centre, while guiding development of an expanded consolidated town centre area.

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 replacement of carpet flooring with vinyl tile covering within a Protected Structure.

The following have been submitted with the Section 5 application form:

- Site location map
- Photographs

Planning History:

- 87/27980 - Conversion of Croom Mill to dwellinghouse, provision of swimming pool and site works. Granted conditionally.
- 87/27900 - Erection of finger post sign on N20. Granted unconditionally.

- 90/826 - Change of usage from a mill store to restaurant, museum/art gallery. Granted conditionally.
- 94/245 - Erection of extension. Granted conditionally.
- 95/380 - The sting (phase 1) granary premises. Phase 2(a) single storey extension to the existing basement level restaurant/craft shop area. See Arch Lever/Mic. Granted conditionally.
- 98/528 - Construction of shop, toilets, bureau de change & reception area at upper ground floor and extra car parking. Granted conditionally.
- 01/563 - Change of use of part of protected structure from shop/heritage centre/restaurant to shop/heritage centre/restaurant/licensed premises. Granted conditionally.
- 02/1765 - Change of use of part of the ground floor of the protected structure known as Croom Mills from shop/licensed premises to bar/shop/licensed premises. Granted conditionally.
- 05/2423 - Change of use of five storey stone granary building from heritage centre/bar/shop/restaurant/licensed premises to offices/commercial and consequent alterations including provisions of lift and toilet facilities. Also construction of extension to existing lower ground floor restaurant/licensed premises and associated modifications. This is a protected structure. Granted conditionally.
- 08/2122 - Works to the existing protected structure known as Croom Mills [RPS M30M(21) for (a) change of use of existing two storey building complex from shop/restaurant/licensed premises to office/commercial and (b) associated alterations to circulation and toilet layouts. Granted conditionally.

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, comprises the removal of carpet flooring and installation of vinyl tile covering within a ‘Protected Structure’ and, having regard to the above, therefore constitutes ‘works’ and ‘development’.

Is the proposal exempted development?

The proposal is for the removal and replacement of floor covering in a 'Protected Structure'. The proposal for the works 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 works proposed will only affect the interior of the structure. As the structure is a Protected Structure, the proposal was referred to the Council Conservation Section for comment. The A/Architectural Conservation Officer in a response dated 16/06/2025 noted *the works include removing the current modern floor finish and applying a new floor finish. These works are minor and do not require planning permission.* The floor is a modern floor and therefore the proposed works will not impact the conservation elements of the Protected Structure. In addition, the works are considered minor in nature and are works which would affect only the interior of the structure. Having regard to the above, I consider the proposal is exempted development 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). It is considered that the development as proposed should not be likely to exercise a significant effect on the conservation status of any SAC or SPA as there are no pathway-source-receptors and the site does not directly encroach on any Natura 2000 European Sites. Therefore an Appropriate Assessment is not necessary.

Environmental Impact Assessment

The proposed development is for the replacement of carpet flooring with vinyl tile covering within a protected structure and is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001(as amended). A screening determination is not required in this instance.

Conclusion/Recommendation

The works detailed on the application and drawings submitted are considered to come 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 12th June 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 O'Brien A/Planner
Date: 23/06/2025



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-126-25
(b) Brief description of the project or plan:	The proposed works comprise the removal of existing carpet floor covering and installation of vinyl tile covering.
(c) Brief description of site characteristics:	The subject site comprises a detached five storey former mill building of large scale located approx. 150m west of Croom town centre.
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(e) Response to consultation:	N/A

STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
000439- Tory Hill SAC	https://www.npws.ie/protected-sites/sac/000439	Approx. 2.01km	None	N
002165- Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Approx. 7.01km	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 - Surface water runoff from soil excavation/infill/landscaping (including borrow pits) - Dust, noise, vibration 	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the construction objectives of the site.

<ul style="list-style-type: none"> - Lighting disturbance - Impact on groundwater/dewatering - Storage of excavated/construction materials - Access to site - Pests 	
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. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the construction objectives of the site.
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 	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the construction objectives of the site.

(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
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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 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 23/06/2025	
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 25/06/2025	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC-126-25	
Development Summary:	The proposal outlines the replacement of carpet flooring with vinyl tile covering within a protected structure.	
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	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:	 <hr/> Eithne O'Brien, Assistant Planner 23/06/2025
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 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

REG POST:

Eibhlis Bray
Croom Resource Centre CLG
Croom Mills,
Church Road,
Croom,
Co. Limerick

EC/126/25

08 July 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 Dail, 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/2025/704

File Ref No. EC/126/25

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

RE: **A replacement of carpet flooring with vinyl tile at Fourth Floor, Croom Mills, Croom, Co. Limerick**

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

Now therefore pursuant to the delegation of the functions aforesaid, I, Barry Henn, Senior Executive Planner, having considered the report and recommendation of Eithne O'Brien, Assistant Planner dated 23/06/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Eibhlis Bray, Croom Resource Centre CLG, Croom Mills, Church Road, Croom, Co. Limerick to state that the works as described above is

Development and is Exempt Development.

Signed

B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

08/07/2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/704 dated 08/07/2025, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

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Tuar an Dail, Luimneach
V94 WV78

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

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/126/25

Name and Address of Applicant: Croom Resource Centre CLG, Croom Mills, Church Road, Croom, Co. Limerick

Agent: N/A

Whether the replacement of carpet flooring with vinyl tile at Fourth Floor, Croom Mills, Croom, 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 12st of June 2025.

AND WHEREAS the Planning Authority has concluded that the replacement of carpet flooring with vinyl tile at Fourth Floor, Croom Mills, Croom, Co. Limerick **DOES** come within the scope of exempted development 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

Date:

8/4/25

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.