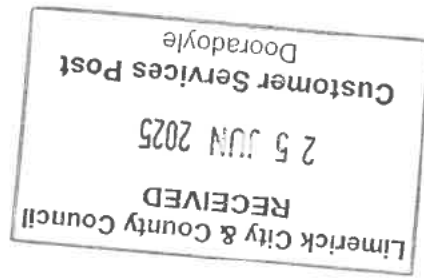


16<sup>th</sup> June 2025  
Planning Department,  
Limerick City & County Council,  
Dooradoyle,  
Limerick,  
V94 XF67



Dear Sir/Madam

**RE: CHANGE OF USE - SECTION 5 APPLICATION FOR A DECLARATION OF EXEMPTED DEVELOPMENT UNDER SCHEDULE 2, PART 1, CLASS 14 (f) OF THE PLANNING AND DEVELOPMENT REGULATION 2001.**

On behalf of Harmony Residential Care Ltd., we hereby formally apply for a declaration of Exempt Development under Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulation 2001 at 7 Hawthorns, Briarsfield, Castletroy, Co. Limerick V95 E86H regarding the Change of Use from residential to provide a residential care facility for persons with an intellectual or physical disability or mental illness and person providing care for such persons.

In support of our application, we enclose the following documents:

1. Completed application form (2 copies).
2. OSI Maps (2 copies)
3. A cheque for €80.00 being the appropriate application fee.
4. A drawing register, enclosing 2 no. copies of the following:
  - Drawing No. 001 – Site Location Map
  - Drawing No. 002 – Site layout Plan
  - Drawing No. 003 – Floor Plans & Section
  - Drawing No. 004 – Elevations

We trust that the above and enclosed are satisfactory, however, should you have any queries or require any further information, please do not hesitate to contact me.

Yours Sincerely,



**Niall Hegarty**  
Building Surveyor  
BLDG Chartered Surveyors





Limerick City and County Council

Planning Department

Section 5 Application



**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: Harmony Residential Care

Applicant's Address: Preston House, Main Street,

Abbeyleix,

Co. Laois

Telephone No. [REDACTED]

Name of Agent (if any): Niall Hegarty - BLDG Chartered Surveyors

Address: Unit 4, 84 Strand Street,

Skerries,

Co. Dublin

Telephone No. 087 161 8417

Address for Correspondence:

Unit 4, 84 Strand Street, Skerries, Co. Dublin

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

7 Hawthorns, Briarfield,

Castletroy,

Co. Limerick V94 E86H

Description of Proposed development:

Please see additional sheets provided with this application.

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

Schedule 2, Part 1, Class 14(f) of the Planning and Development Regulation 2001

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:

001 - Site Location Map, Scale 1:1000

002 - Site Layout Plan, Scale 1:500

003 - Existing Layouts - Floor Plans, Elevations & Sections, Scale 1:100

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

If Yes please provide floor areas of all existing structures:

N/A

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**

**Enquiries:  
Telephone: 061-556556  
E-Mail: [planning@limerick.ie](mailto:planning@limerick.ie)**

\*\*\*\*\*





Supporting Document – Section 5 Application

**RE: CHANGE OF USE - SECTION 5 APPLICATION FOR A DECLARATION OF EXEMPTED DEVELOPMENT UNDER SCHEDULE 2, PART 1, CLASS 14 (f) OF THE PLANNING AND DEVELOPMENT REGULATION 2001.**

**Address:** 7 Hawthorns, Briarsfield, Castletroy, Co. Limerick V95 E86H

***Description of Proposed Development:***

The proposed is an application for a declaration of exempted development under Schedule 2, Part 1, Class 14(f) of the Planning and Development Regulation 2001, Regarding the change of use from a home to a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.

In line with Schedule 2, Part 1, Class 14(f) of the Planning and Development Regulation 2001, the number of residents will not exceed 6, and the number of careers will not exceed 2.

Proposed Works - Fire remediation works including compartmentation of the escape routes and first-floor landing accounting for new fire doors where required. No other major works are required.

# Planning Pack Map



**Taite**  
**Eireann**

**CENTRE**  
**COORDINATES:**  
ITM 562506.657150

**PUBLISHED:**  
18/06/2025

**ORDER NO.:**  
50473557\_1

**MAP SERIES:**  
1:1,000  
1:2,500  
1:1,000  
1:2,500

**MAP SHEETS:**  
4683-23  
4683-24  
4744-03  
4744-04

**COMPILED AND PUBLISHED BY:**

Taite Eireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
DOBFE4

[www.taite.ie](http://www.taite.ie)

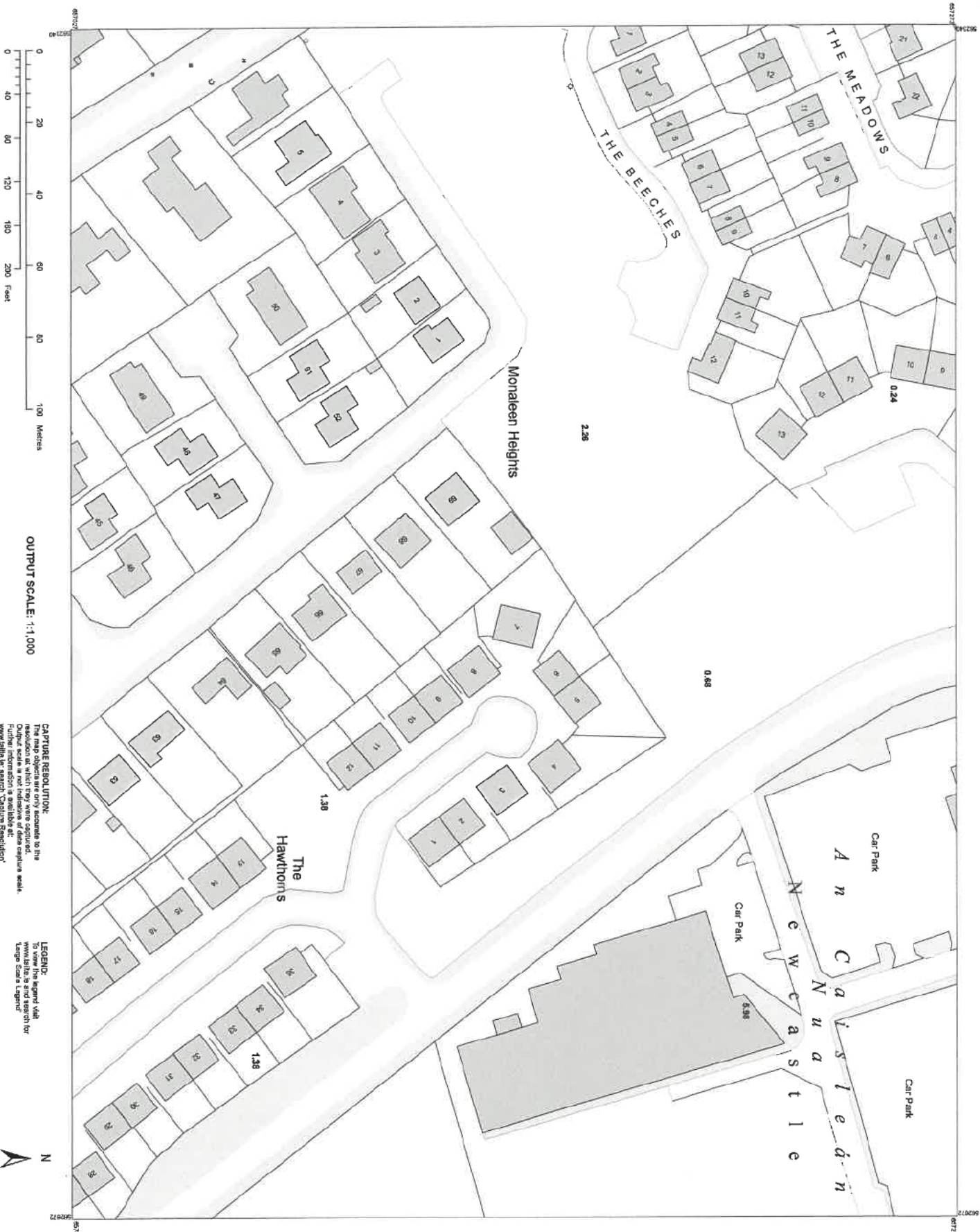
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This topographic map  
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nor does it show  
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resolution at which they were captured.  
Output scale is not indicative of data capture scale.  
Further information is available at:  
[www.taite.ie](http://www.taite.ie), search 'Capture Resolution'

**LEGEND:**  
To view the legend with  
interactive search for  
large scale legend

# Site Location Map



**Tailte  
Éireann**

**CENTRE  
COORDINATES:**  
ITM 562500,657150

**PUBLISHED:**  
18/09/2025

**ORDER NO.:**  
50479557\_1

**MAP SERIES:**  
6 inch Raster  
6 inch Raster  
6 inch Raster

**MAP SHEETS:**  
CE003+063A  
LK005  
LK006

## COMPILED AND PUBLISHED BY:

Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08P0E4

[www.tailte.ie](http://www.tailte.ie)

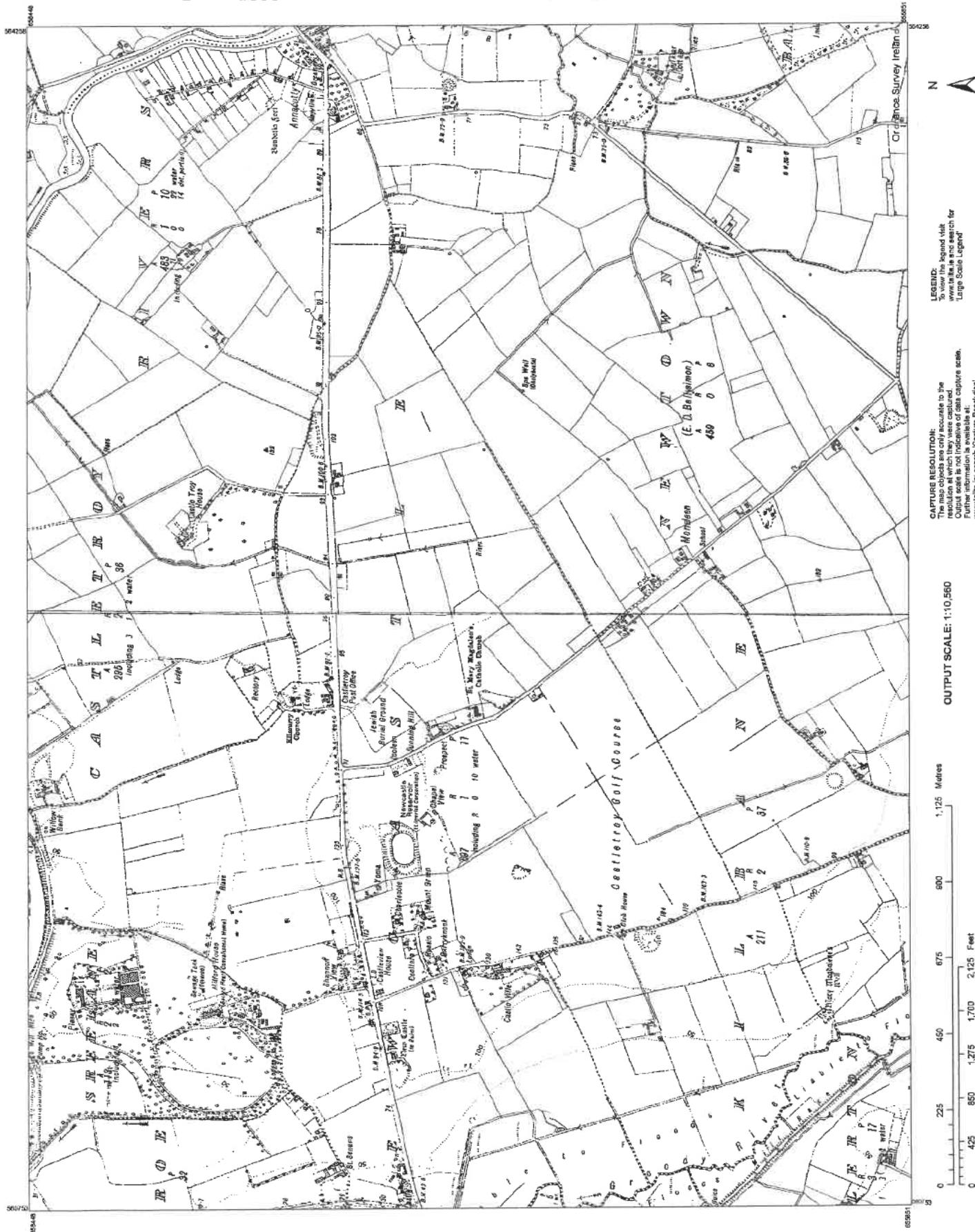
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of a road, track or footpath  
is not evidence of the existence  
of a right of way.

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does not show  
legal property boundaries,  
nor does it show  
ownership of physical features.

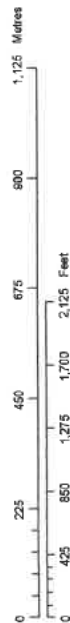
©Tailte Éireann, 2025.  
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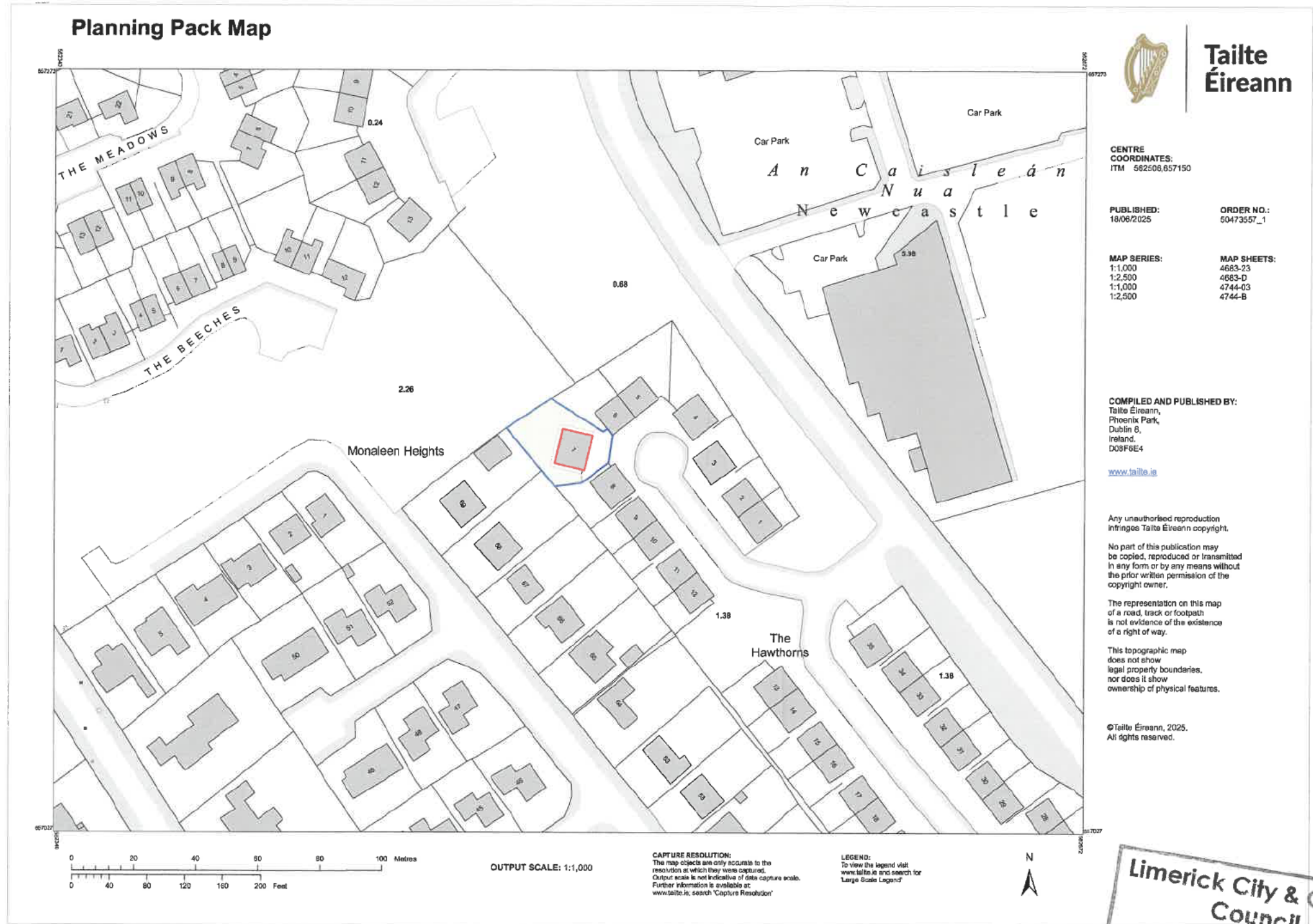
**LEGEND:**  
The legend is located at the  
bottom right of the map and search for  
'Large Scale Legend'

**CAPTURE RESOLUTION:**  
The map is accurate to the  
resolution at which they were captured.  
Output scale is not indicative of data capture scale.  
Further information is available at:  
[www.tailte.ie](http://www.tailte.ie), search 'Capture Resolution'

**OUTPUT SCALE:** 1:10,560







Site Location Map - Existing Layout  
Scale 1:1000

**Notes:**

Figured dimensions only to be taken from this drawing.  
Do not scale.  
All dimensions to be checked on site.

**N**

**Key**

— AREA OF PLANNING APPLICATION

— OVERALL LAND HOLDING

REV	DESCRIPTION	BY	DATE
1	Application for Exempted Dev.	NH	13.06.25

**BLDG**  
CHARTERED SURVEYORS

Unit 4  
84 Strand Street  
Skerries, Co. Dublin

T: +353 (87) 949 0839  
W: +353 (86) 044 4049  
[www.bldg.ie](http://www.bldg.ie)

**CLIENT:**  
Harmony Residential Care,  
Preston House, Main Street,  
Abbeyleix, Co. Laois R32KP78

**OTHER CONSULTANTS:**  
N/A

**SITE:**  
7 Hawthorns, Briarfield,  
Castletroy, Co. Limerick

**TITLE:**  
Site Location Map

SCALE AT A2:	DATE:	DRAWN:	CHECKED:
As Shown	13.06.2025	PL	NH
PROJECT NO:	DRAWING NO:	REVISION:	
#	001		1

Limerick City & County  
Council  
26 JUN 2025  
Planning





**Notes:**

Figured dimensions only to be taken from this drawing.  
Do not scale.  
All dimensions to be checked on site.

**Key**

— AREA OF PLANNING APPLICATION  
— OVERALL LAND HOLDING

**Limerick City & County Council**  
26 JUN 2025  
Planning

REV	DESCRIPTION	BY	DATE
1	Application for Exempted Dev.	NH	13.06.25

**BLDG**  
CHARTERED SURVEYORS

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T: +353 (87) 949 0839  
+353 (86) 044 4049  
W: www.bldg.ie

**CLIENT:**  
Harmony Residential Care,  
Preston House, Main Street,  
Abbeyleigh, Co. Laois R32KP78

**OTHER CONSULTANTS:**  
N/A

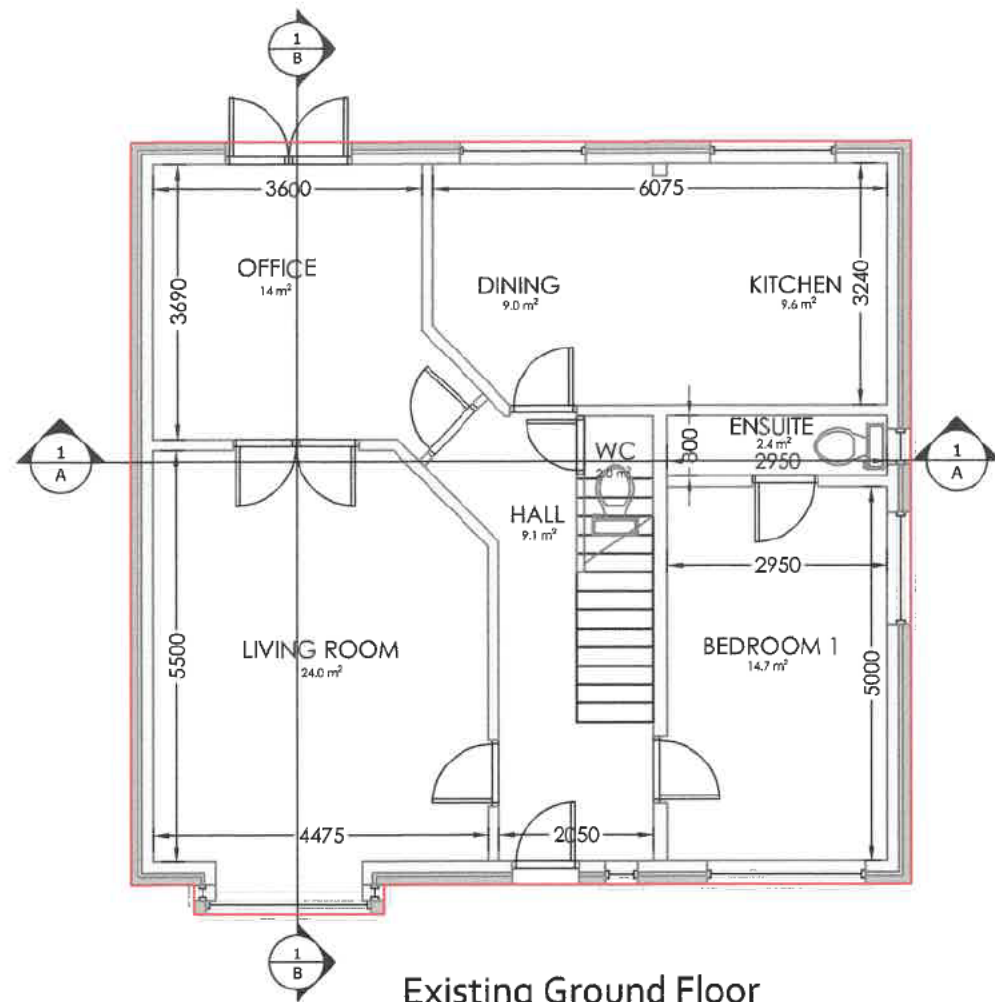
**SITE:**  
7 Hawthorns, Briarfield,  
Castletroy, Co. Limerick

**TITLE:**  
Site Layout Plan

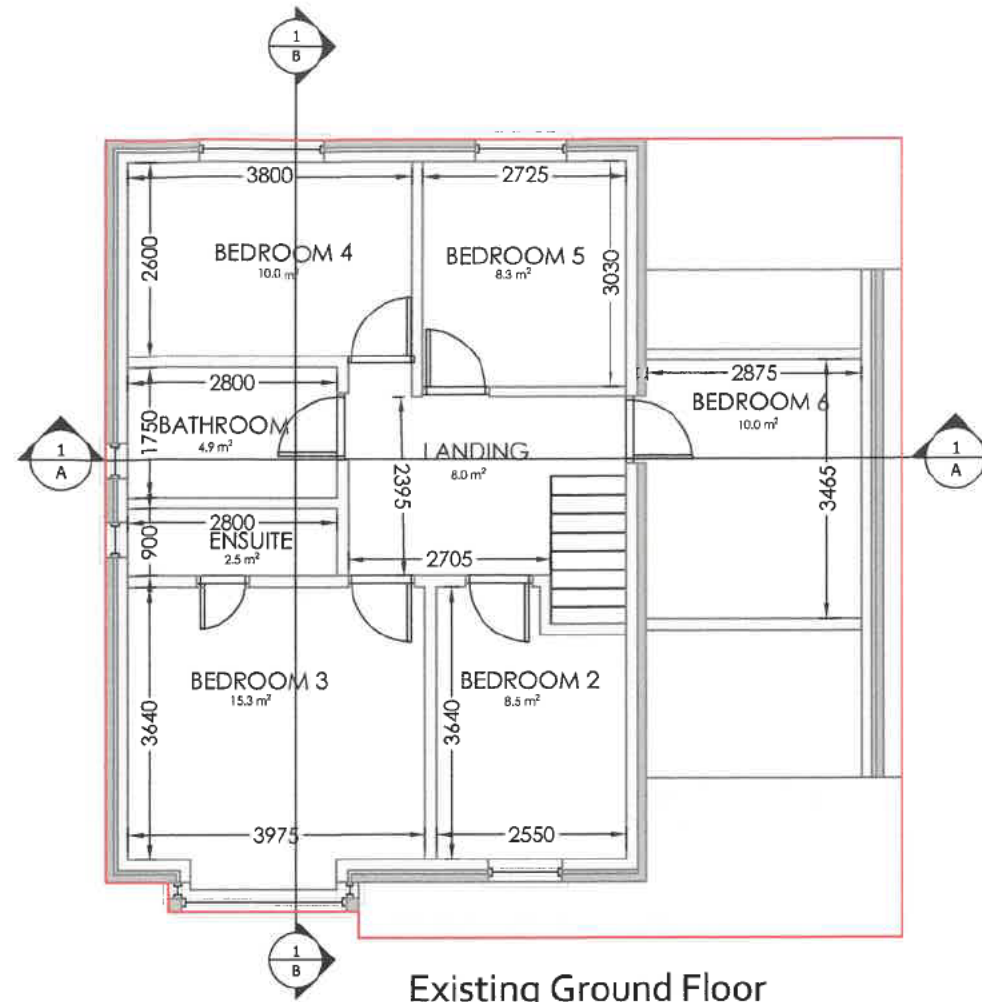
SCALE AT A2:	DATE:	DRAWN:	CHECKED:
As Shown	13.06.2025	PL	NH
PROJECT NO:	DRAWING NO:	REVISION:	
#	002		1

Site Layout Plan - Existing Layout  
Scale 1:500





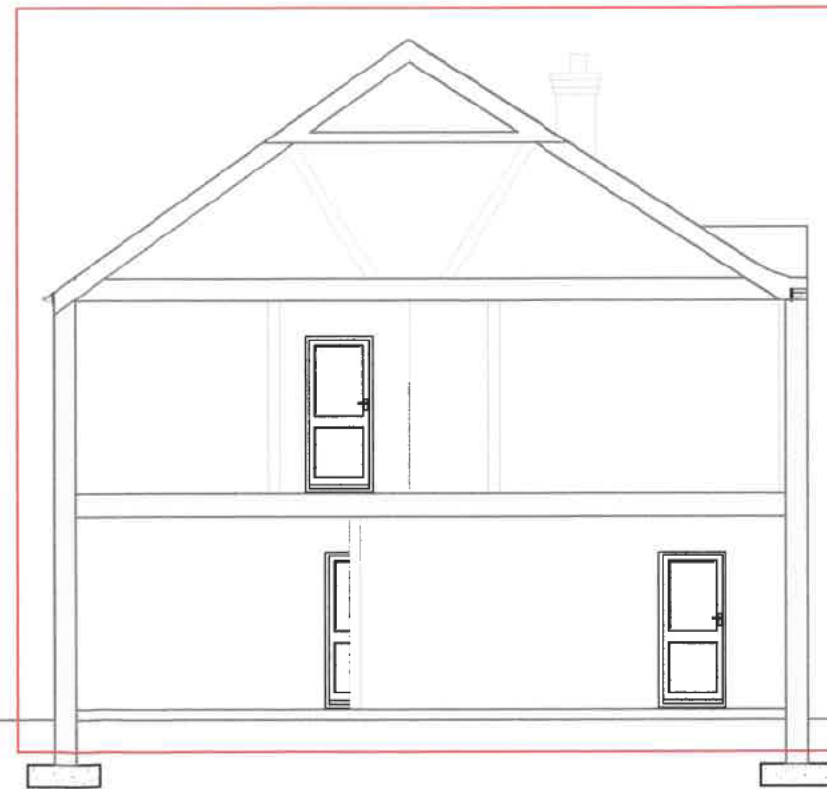
Existing Ground Floor  
Scale 1:100



Existing Ground Floor  
Scale 1:100



Section A-A  
Scale 1:100

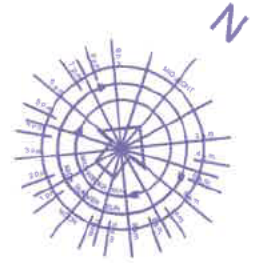


Section B-B  
Scale 1:100

1:1 0 20mm 40mm 60mm 80mm 100mm

#### Notes:

Figured dimensions only to be taken from this drawing.  
Do not scale.  
All dimensions to be checked on site.



#### Key

— AREA OF PLANNING APPLICATION

Limerick City & County  
Council  
26 JUN 2025  
Planning

REV	DESCRIPTION	BY	DATE
1	Application For Exempted Dev	NH	13/06/25



Unit 4  
84, Strand Street  
Skerries, Co. Dublin  
T: +353 (87) 949 0839  
+353 (86) 044 4049  
W: www.bldg.ie

CLIENT:  
Harmony Residential Care,  
Preston House, Main Street,  
Abbeyleix, Co. Laois

OTHER CONSULTANTS:

SITE:  
7 Hawthorn, Briarfield,  
Castletroy, Co. Limerick.

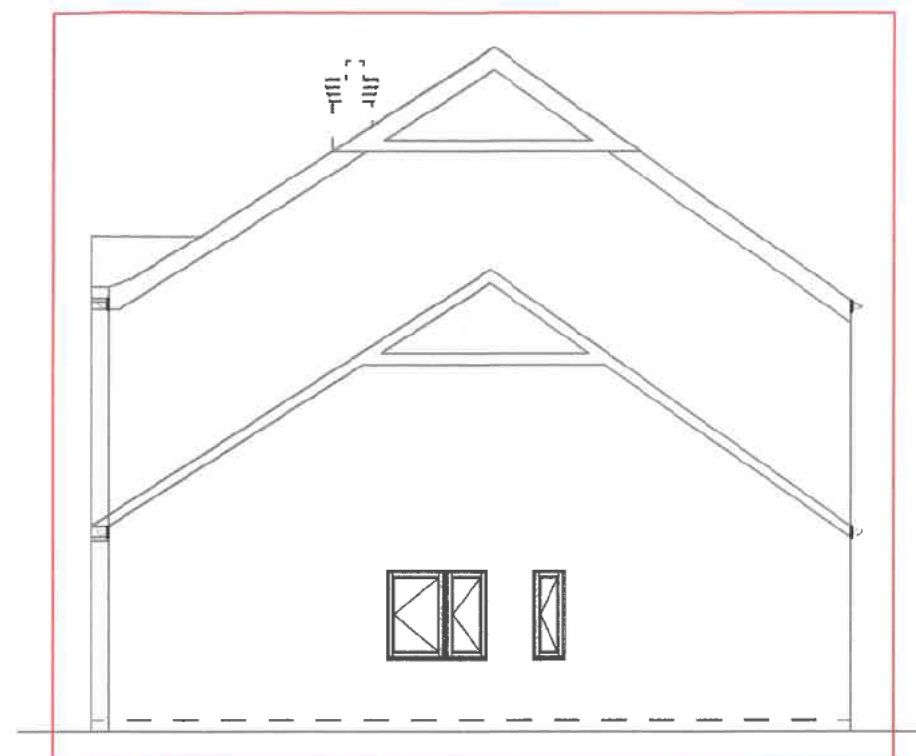
TITLE:  
Existing Layout, Floor Plan,  
& Sections.

SCALE AT A3: As Shown	DATE: 13/06/25	DRAWN: PL	CHECKED: NH
PROJECT NO: 2025-108-8	DRAWING NO: 001	REVISION: 1	

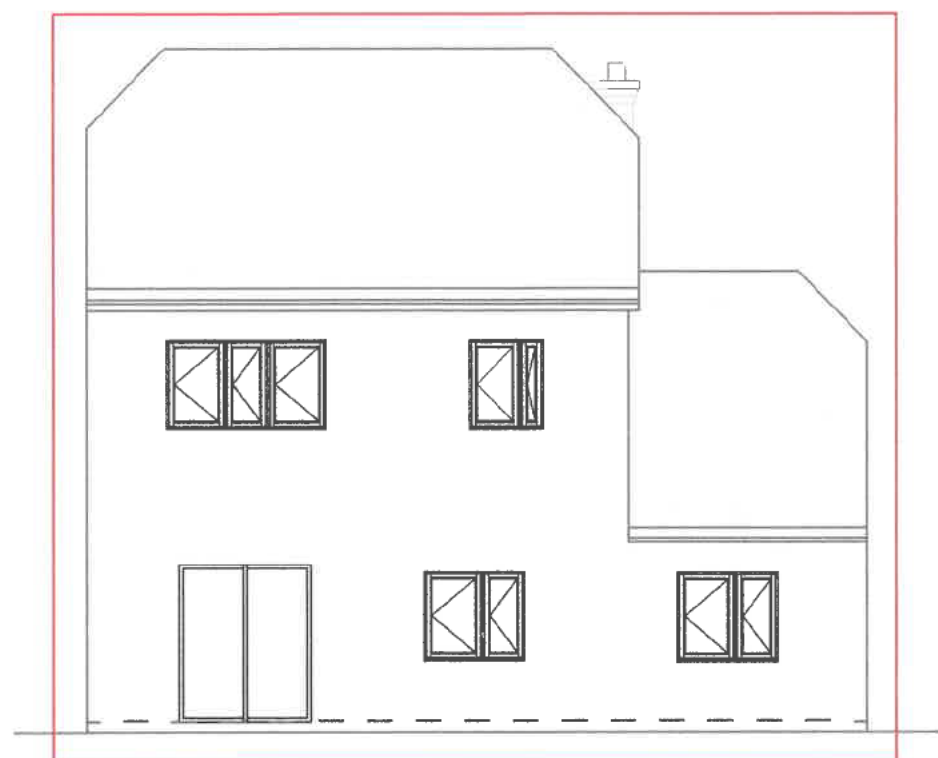




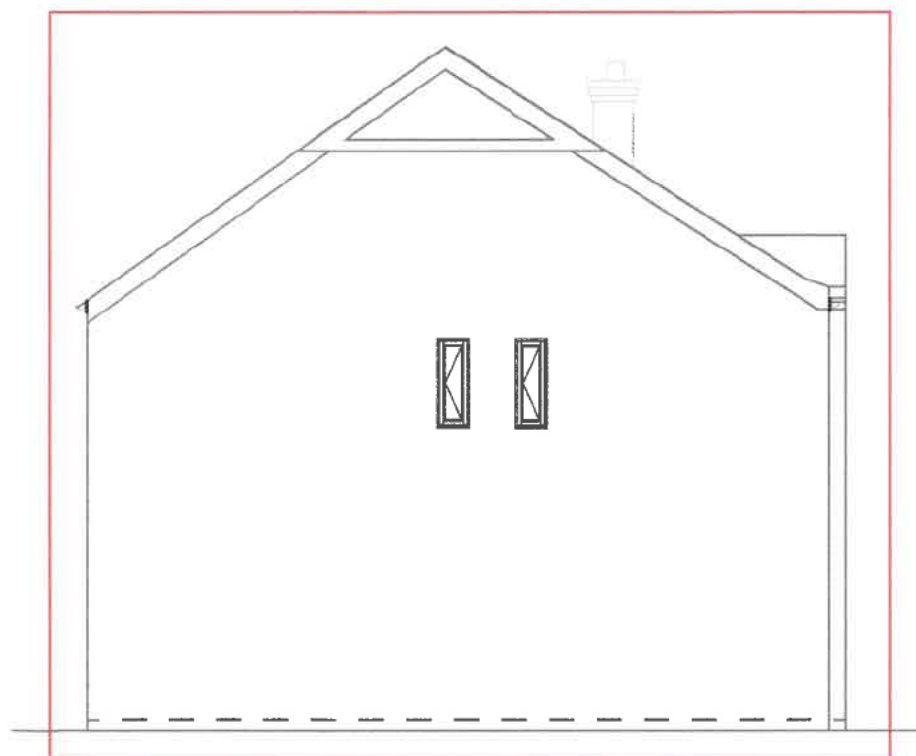
Front Elevation East  
Scale 1:100



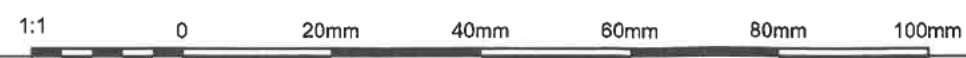
Side Elevation North  
Scale 1:100



Rear Elevation West  
Scale 1:100



Rear Elevation South  
Scale 1:100



**Notes:**

Figured dimensions only to be taken from this drawing.  
Do not scale.  
All dimensions to be checked on site.

**Key**

— AREA OF PLANNING APPLICATION

Limerick City & County  
Council  
26 JUN 2025  
Planning

REV	DESCRIPTION	BY	DATE
1	Application For Exempted Dev	NH	13/06/25



Unit 4  
84 Strand Street  
Skerries, Co. Dublin  
T: +353 (87) 949 0839  
W: +353 (86) 044 4049  
www.bldg.ie

**CLIENT:**  
Harmony Residential Care,  
Preston House, Main Street,  
Abbeyleix, Co.Laois

**OTHER CONSULTANTS:**

**SITE:**  
7 Hawthorn, Briarfield,  
Castletroy, Co.Limerick.

**TITLE:**  
Existing Elevations

SCALE AT A3: As Shown	DATE: 13/06/25	DRAWN: PL	CHECKED: NH
PROJECT NO: 2025-108-8	DRAWING NO: 001	REVISION: 1	



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

25/06/2025 14:19:01

Receipt No /  
Uimhir Admhála : LA25/0/25178658  
\*\*\*\*\* REPRINT \*\*\*\*\*

BLDG Chartered Surveyors  
Unit 4, 84 Strand Street  
Skerries  
Co Dublin  
Re: Harmony Residential Care

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe	80.00
Cheque	
A.I.B.	
500106	

Change/Sóinseail : 0.00

Issued By/  
Eisithe ag : Carmel Ryan  
From/Ó : CASH OFFICE HQ  
Vat reg No./Clárúimhir CBL: 3267368TH



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

**Reference no.** EC/136/25

**Name and Address of Applicant:** Harmony Residential Care,  
Preston House, Main Street, Abbeyleix,  
Co. Laois

**Agent:** Niall Hegarty, BLDG Chartered Surveyors,  
Unit 4, 84 Strand Street, Skerries,  
Co. Dublin

**Location:** 7 Hawthorns, Briarfield, Castletroy, Co Limerick,  
V94 E86H

**Description of Site and Surroundings:**

The subject property is located in the residential estate of The Hawthorns, located off Kilmurray Road (L1121) in Castletroy. There is an existing detached dormer dwelling on the site located at the corner end of a row of houses.

**Zoning:**  
Existing Residential

**Proposal:**

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

- *Whether the change of use from a residential dwelling to a dwelling to accommodate persons with an intellectual or physical disability or mental illness and persons providing care for such persons, including fire remediation works, namely; compartmentation of the escape routes and first-floor landing accounting for new fire doors where required, at 7 Hawthorns, Briarfield, Castletroy, Co Limerick, V94 E86H, is or is not development and is or is not exempted development.*

This Section 5 declaration includes the following:

- Section 5 Declaration Application Form
- Supporting Cover Letter
- Site Layout Map
- Site Location Map
- Existing floor plans, sections and elevations
- Details on the proposed occupancy

**Planning History:**  
No recent planning history on site.

**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 the change of use from a residential dwelling to a dwelling to accommodate persons with an intellectual or physical disability or mental illness and persons providing care for such persons, including fire remediation works, namely; compartmentation of the escape routes and first-floor landing accounting for new fire doors where required constitutes a material change of use of the property thus it is considered ‘development’.

#### Is the proposal exempted development?

The question of whether the proposal is exempted development will be assessed against Class 14(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

**CLASS 14(f)** provides an exemption for the following: *Development consisting of a change of use from use as a house to use as residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.*

*The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.*

As part of the application, it is stated that the property will not be occupied by more than 6 residents, and the number of carers will not exceed 2. Having regard to the same, it is my opinion that the proposal complies with the limitations set out under Class 14(f).

#### **4(1)(h) of the Planning and Development Act 2000 (as amended)**

**4(1)(h)** Exempted development – *‘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 proposed alterations to the dwelling includes the compartmentation of the escape routes and first-floor landing accounting for new fire doors where required. This amendment will 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. This is 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 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 & County Council (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.

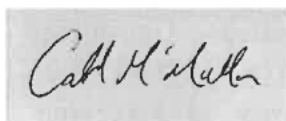
### **Conclusion/Recommendation**

The information detailed on the application and plans submitted is considered to be within the scope of Class 14(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2000 (as amended).

Regard has been had to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 14 (f) 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 26<sup>th</sup> June 2025.

It is therefore considered that the said works are development and exempted development under Class 14(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).



Cathal McMullan  
Assistant Planner

Date: 16/07/2025

Agreed by: 

Barry Henn  
Senior Executive Planner

Date: 21/07/2025

**Appendix 1: AA PN01 Screening Form**

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
<b>(a) File Reference No:</b>	EC/136/25
<b>(b) Brief description of the project or plan:</b>	A section 5 application requesting a declaration on whether the change of use from a residential dwelling to a dwelling to accommodate persons with an intellectual or physical disability or mental illness and persons providing care for such persons, including fire remediation works, namely; compartmentation of the escape routes and first-floor landing accounting for new fire doors where required, at 7 Hawthorns, Briarfield, Castletroy, Co Limerick, V94 E86H, is or is not development and is or is not exempted development.
<b>(c) Brief description of site characteristics:</b>	The subject property is located in the residential estate of The Hawthorns. There is an existing detached dormer dwelling on the site located at the corner end of a row of houses.
<b>(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	N/A
<b>(e) Response to consultation:</b>	N/A

<b>STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.</b>				
<b>European Site (code)</b>	<b>List of Qualifying Interest/Special Conservation Interest <sup>1</sup></b>	<b>Distance from proposed development <sup>2</sup> (km)</b>	<b>Connections (Source-Pathway-Receptors)</b>	<b>Considered further in screening Y/N</b>
002165-Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	1.4km	None	N
004077-River Shannon and River Fergus	<a href="https://www.npws.ie/protected-sites/sac/004077">https://www.npws.ie/protected-sites/sac/004077</a>	5.4km	None	N

Estuaries SPA				
------------------	--	--	--	--

<b>STEP 3: Assessment of Likely Significant Effects</b>	
<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> <ul style="list-style-type: none"> <li>- Vegetation clearance</li> <li>- Demolition</li> <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>	None. No works are proposed, change of use only.
<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. No works are proposed, change of use only.
<b>In-combination/Other</b>	None. No works are proposed, change of use only.

<b>(b) Describe any likely changes to the European site:</b>	
<b>Examples of the type of changes to give consideration to include:</b> <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> </ul>	None. No works are proposed, change of use only.

<ul style="list-style-type: none"> <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>	
---	--

**(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

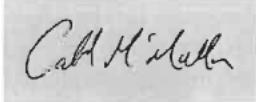

On the basis of the information submitted, which is considered adequate to undertake a screening determination and having regard to:

- 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.

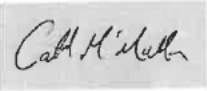

	Tick as appropriate:	Recommendation:
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is <b>uncertain</b> whether the proposal will have a significant 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>	Cathal McMullan  _____ 16/07/2025	
<b>Signature and Date of the Decision Maker:</b>	 Barry Henn, SEP 21/07/2025	

## Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC/136/25
Development Summary:	A section 5 application requesting a declaration on whether the change of use from a residential dwelling to a dwelling to accommodate persons with an intellectual or physical disability or mental illness and persons providing care for such persons, including fire remediation works, namely; compartmentation of the escape routes and first-floor landing accounting for new fire doors where required, at 7 Hawthorns, Briarfield, Castletroy, Co Limerick, V94 E86H, is or is not development and is or is not exempted development.
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes. no further action required <input checked="" type="checkbox"/> No. Proceed to <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 checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<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 checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2	<b>No Screening required</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>EIA is mandatory</b> No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : [insert here]	Proceed to <b>Part C</b>
<b>c. If Yes</b> , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>



<b>Signature and Date of Recommending Officer:</b>	Cathal McMullan, Assistant Planner  16/07/2025
<b>Signature and Date of the Decision Maker:</b>	 Barry Henn, SEP 21/07/2025



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:

**Harmony Residential Care,  
c/o Niall Hegarty,  
BLDG Chartered Surveyors,  
Unit 4,  
84 Strand Street,  
Skerries,  
Co. Dublin**

**EC/136/25**

**22 July 2025**

**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,

**(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/2025/754**

**File Ref No. EC/136/25**

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

**RE:** A change of use at 7 Hawthorns, Briarfield, Castletroy, Co Limerick.

**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 Cathal McMullan, Assistant Planner dated 16/07/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Harmony Residential Care, c/o Niall Hegarty, BLDG Chartered Surveyors, Unit 4, 84 Strand Street, Skerries, Co. Dublin to state that the works as described above is

**Development and is Exempt Development.** *pl*

Signed

*B. Henn*

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

*22/07/2025*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/754 dated *22/07/25*, 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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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/136/25**

**Name and Address of Applicant:** Harmony Residential Care, Preston House, Main Street, Abbeyleix,  
Co. Laois

**Agent:** Niall Hegarty, BLDG Chartered Surveyors, Unit 4, 84 Strand Street,  
Skerries, Co. Dublin

**Whether** the change of use at 7 Hawthorns, Briarfield, Castletroy, 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 26<sup>th</sup> of June 2025.

**AND WHEREAS** the Planning Authority has concluded that the change of use at 7 Hawthorns, Briarfield, Castletroy, Co Limerick **DOES** come within the scope of exempted development under Class 14(f) 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

Date:

**NOTE:** A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.