

Morgan McDonogh  
Architectural & Planning Consultants

Via email

Planning and Development  
Limerick City and County Council  
County Buildings  
Dooradoyle  
Limerick

30th June 2025

Re : Section 5 Application : No.7 Lincoln Terrace, New Street, Limerick for  
Michael Martin and Ann Sophie Wasmer



A Chara,

We wish to submit a Section 5 application for proposed works to No.7 Lincoln Terrace. The proposed works are as follows :

Installation of new fence to Western boundary of rear garden  
Replacement of Front door

In support of the above, we enclose the following :

Application fee of E80

Completed Section 5 application form

Osi map

scale : 1 : 1000 @ A4

Site Plan

scale : 1 : 500 @ A3

Rear Garden plan and Fence elevation

scale : 1 : 100 @ A3

Fence Details

scale : 1 : 20 @ A3

Front door detail

scale : 1 : 20 @ A3

Design Statement

If you have any queries, please do not hesitate to contact me.

Yours sincerely

Morgan McDonogh

Enclosure



Comhairle Cathrach  
Is Contae Luimneach  
Limerick City  
& County Council

ATLANTIC FOUL  
**LIMERICK**  
EUROPEAN EMBRACE

## **Limerick City and County Council**

### **Planning Department**

#### **Section 5 Application**

#### **DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: Michael Martin and Ann Sophie Wasmer

Applicant's Address: No. 7 Lincln Terrace, New Street, Limerick

\_\_\_\_\_  
\_\_\_\_\_

Telephone No. [REDACTED]

Name of Agent (if any): Morgan McDonogh

Address: The Bog Road

Kildimo

Co. Limerick

Telephone No. 087 7502950

Address for Correspondence:

Morgan McDonogh

The Bog Road, Kildimo, Co. Limerick

\_\_\_\_\_  
\_\_\_\_\_

Location of Proposed development (Please include EIRCODE):

No.7 Lincoln Terrace, New Street, Limerick

Description of Proposed development:

Proposed Boundary Fence to Rear Garden of No. 7 Lincoln Terrace

Replacement of Front door

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

S.I. No. 236/1964

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

YES/NO      NO

Applicant's interest in site: Owners

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

Site Location Map

Site Plan

Rear garden plan and elevation

Fence details

Cover letter in support of application

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

If Yes please provide floor areas of all existing structures:

NOT APPLICABLE

Signature of Applicant (or Agent) \_\_\_\_\_ Morgan McDonogh

**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)**

\*\*\*\*\*

1. *Cladocera*  
2. *Brachionus*  
3. *Chydorus*  
4. *Thalestris*  
5. *Monopeltis*

Dense Geometries 1:20

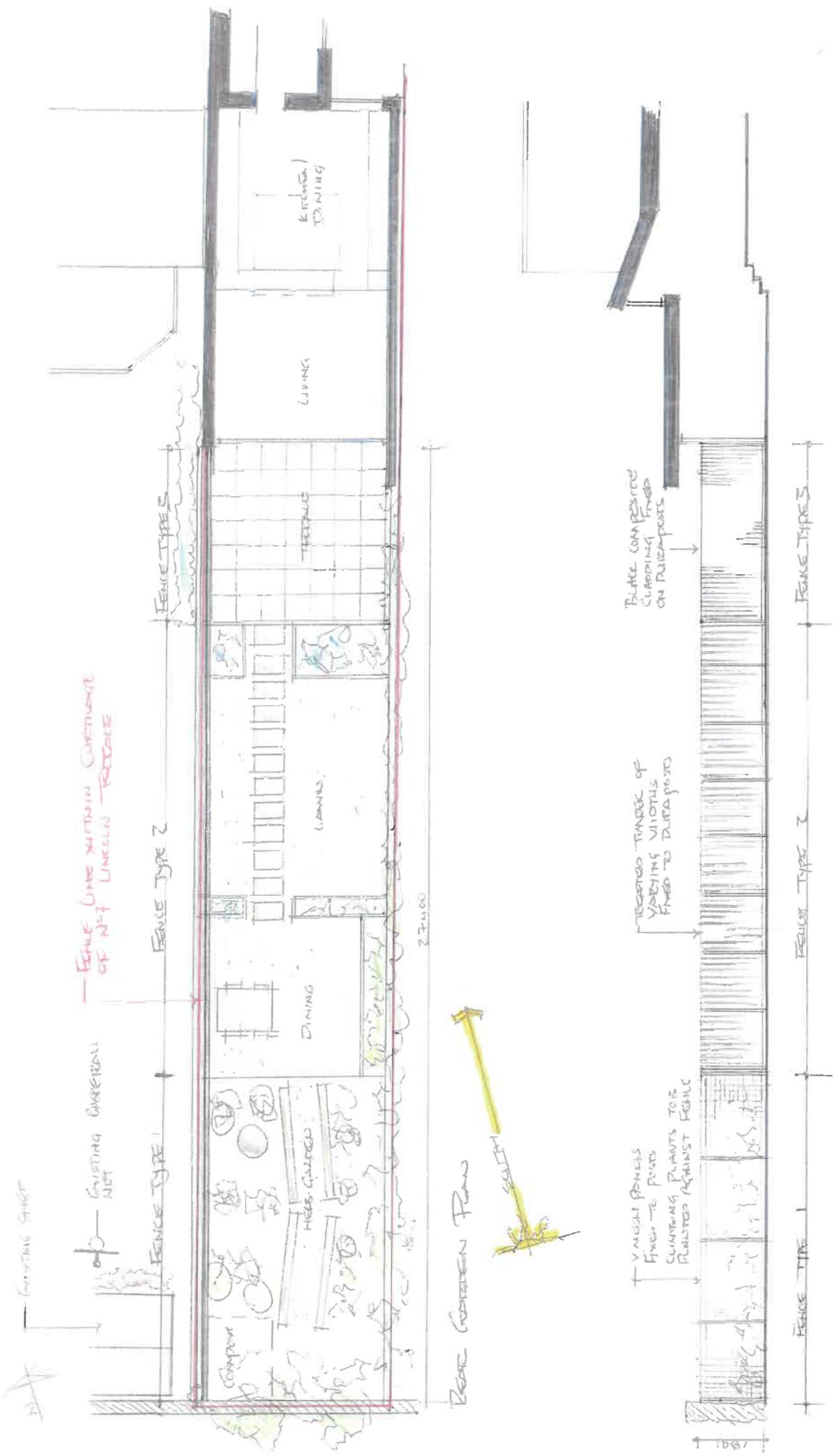
卷之二十一

3025 East 1st Street

Diagram illustrating the structure of a bridge deck, showing a cross-section with a central pier labeled 'Pier'. The bridge deck is labeled 'Bridge Deck'. The entire structure is labeled 'Bridge'. The diagram is annotated with the following text:

- Vertical text on the left: 'Erecting Nodules'
- Vertical text on the right: 'Running Track'
- Text at the bottom: 'New Pier Block'

Dear Section 1:67



Built composite  
 cladding panels  
 on steel supports

Reclaimed timber of  
 varying widths  
 fixed to Dura posts

Vertical panels  
 fixed to posts  
 cladding plants to  
 plants against fence

Fence Type 1  
 Fence Type 2  
 Fence Type 3

Fence Extension

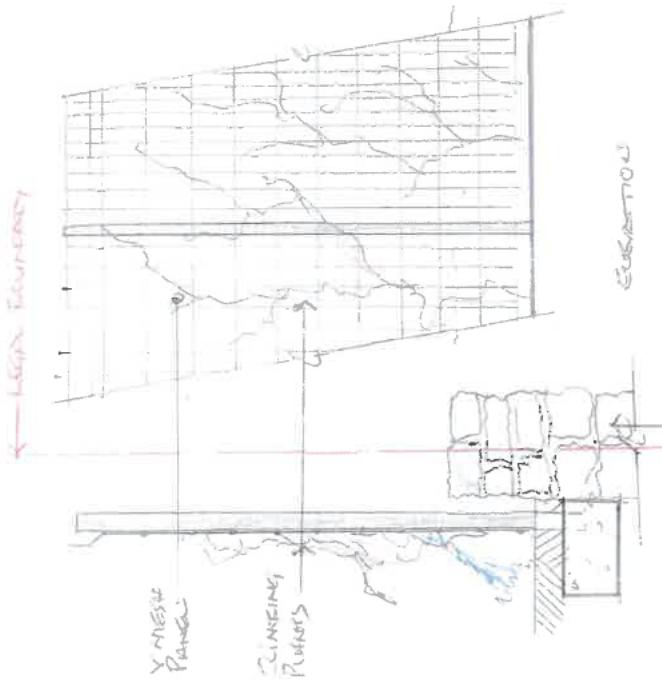
Drawing: Lincoln  
 The Big En  
 Building Co  
 Lincach

Proposed Boundary Fence to  
 Back Garden of  
 107 Lincoln Terrace, Five  
 Mile Creek, Marketing and Supply Wharf  
 Scale 1:100 & As  
 Date 29/01/2014

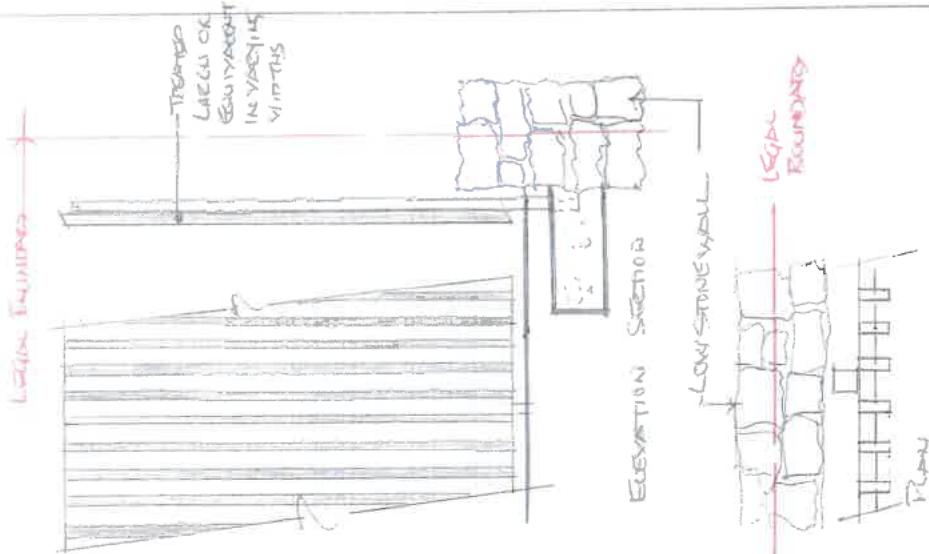
# Planning Pack Map



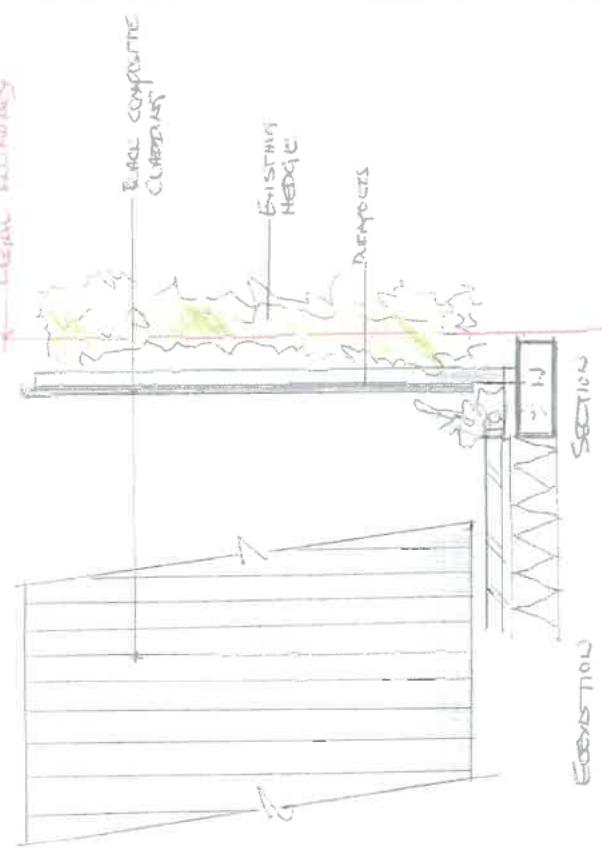
Fence Type 1



### Feature type



Fence-type

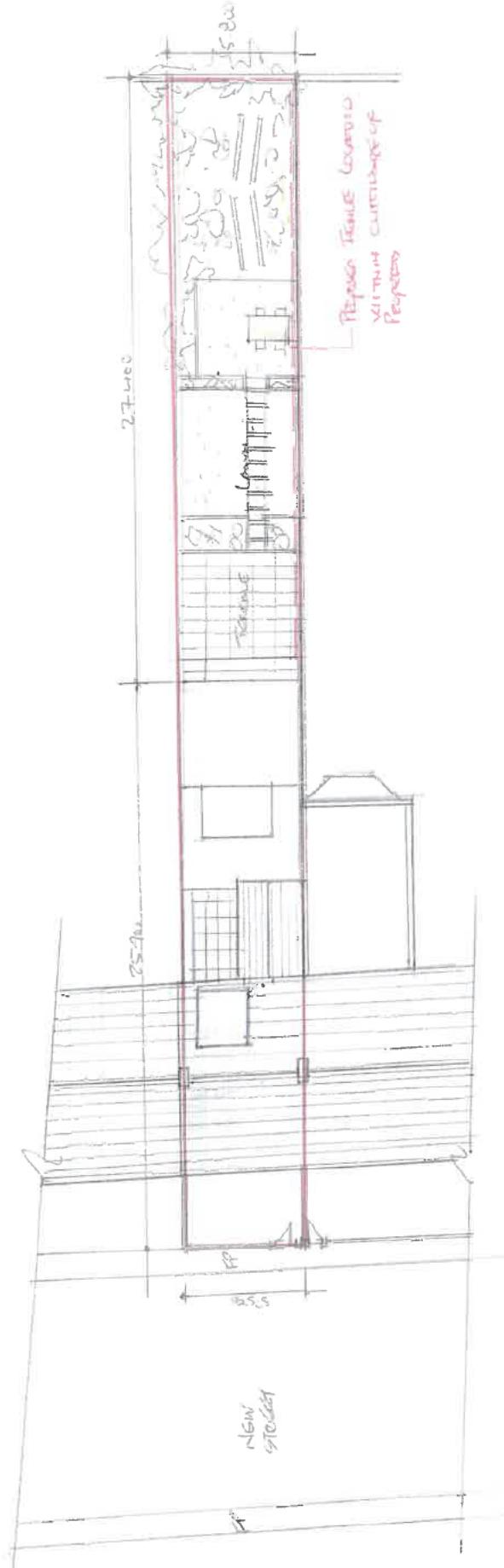


A hand-drawn cross-section diagram of a retaining wall. The wall is built of large, rectangular blocks. A vertical line on the left is labeled 'LOW STATE' and 'VALVE'. A horizontal line at the top is labeled 'GROUTING HEADER'. A horizontal line near the top of the wall is labeled 'COPING'. A horizontal line near the base of the wall is labeled 'TIE BACK COMPOSITE CLADDING'. A vertical line on the right is labeled 'RHS'. A small rectangular opening in the wall is labeled 'VENT'.

NOTE: Proposed features to be  
instrumented within the  
current place of INF Lincoln TIC

Dr. W. MORSE, M.D.,  
The Bay B. Hospital  
C. L. H. C. H.

Repaired boundary fence to  
near garden of Mr. Lincoln  
house for  
Nicholas Masterson & Ann Springer Waskett  
Score 1. 20 & All  
Time 28.06-28.07



Site Area

0.07 ha

Proposed Boundary Fence to  
Back Garden at Lot Lincoln  
REDDIS FER  
MICHAEL ANDREA & SOPHIE WALKER  
SOLING 1.500 CZK  
TENTS 20.00 CZK

From: Andrea Michaela Walker  
C/o Back Garden, Klimkovice  
Czech Republic

## DESIGN STATEMENT

Address : No.7 Lincoln Terrace, New Street, Limerick for  
Client : Michael Martin and Ann Sophie Wasmer

### **Assessment of Design options**

No. 7 Lincoln Terrace is located on New Street Limerick. It is located with an Architectural Conservation Area (ACA 2 & 3)



The ACA is a place, area, group of structures or townscape, taking account of building lines and heights, that is of special architectural, historical, archaeological, artistic, cultural, scientific, social and/or technical interest, or areas that contribute to the appreciation of a protected structure and whose character is an objective of a development plan to preserve.

The existing terraced dwelling consisted of a two storey dwelling house with converted attic space. An existing two storey extension existed to the rear of the property which was constructed circa 1975.

The ground floor consisted of an entrance hallway with stairwell, front living room, and rear dining room. The rear extension which was at a lower level contained a wc and kitchen.

### Brief Historical History of Structures

The historical map study dated 3<sup>rd</sup> November 2022, prepared by DR. Judith Hill, Architectural Historian, which suggests that No. 7 Lincoln terrace was constructed c. 1837. This information is based from discussions with local including occupants in No. 5 Lincoln Terrace who are deeply interested in the history of New Street ( formerly Hore street ) and from the Valuations office, Dublin. No. 7 Lincoln Terrace fronts directly onto New street with long South

### Proposed Fence to the Rear Garden

The rear gardens to Lincoln Terrace are long linear spaces.

Michael and Sophie wish to erect a fence along the Western boundary of their garden. There is a dual purpose to the fence requirement. Initially they seek privacy in the garden but also to contain balls which are continually entering their garden from the neighbours property.

Due to the length of the garden, a single style fence it is proposed to break up the length of the fence with three different fence types. The existing boundary consists of a low stone rubble wall within intermittent sections of old hedging and wire. Michael and Sophie install a temporary wicker fence at the fence type 3 location for privacy in the short term.

With all of the three fence types, it is proposed to install them inside the stone wall, therefore avoiding any infringement on the property boundary line with the neighbours. It should be noted that the property line is located on the centre line of the stone wall.

Fence type 1 is located at the end of the garden adjacent to the neighbour's shed and basketball hoop. This will be a 1800mm high v mesh fence onto which growing climbing plants will be planted. The fence will provide anchors for the plants to grow up the fence.

Fence type 2 is located to the central area of the garden. It is proposed to use 1800mm high larch or equivalent in different section sizes to create a more contemporary rhythm to this section of the boundary.

Fence type 3 is located at the terrace and is intended to provide privacy with a contemporary style to match the extension to the dwelling using 1800mm high composite sheeting in grey..



Existing boundary at fence type 1 location



Proposed fence type 1



Existing boundary at fence type 2 location



Proposed fence type 2



Existing temporary fence at fence type 3 location



Proposed fence type 3

### Front Door Replacement

The existing timber front door is not original and has been replaced in the past.

( Date Unknown ). The door is in disrepair and unsealed causing drafts and discomfort in the house. The existing design of the door is not original with the original frame and fanlight adjusted / replaced in the past. It is proposed to replace the door with a door which is consistent with the doors to No.'s 8 & 9 Lincoln Terrace.



Existing Front door



Door to No.9

Existing Garden images



View of garden from fence type 1 location ( end of garden )



Location of fence type 1



Location of fence type 2

End



Location of fence type 3

**Morgan McDonogh**  
Architectural & Planning Consultants

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

**Reference no.** EC/137/25

**Name and Address of Applicant:** Michael Martin & Ann Sophie Wasmer  
No.7 Lincoln Terrace, New Street, Limerick

**Agent:** Morgan McDonogh  
The Bog road, Kildimo, Limerick

**Location:** **7 Lincoln Terrace, New Street, Limerick**

**Description of Site and Surroundings:**

The property in question is a two-storey, mid-terrace, red brick dwelling, the terrace is known as Lincoln Terrace on New Street. The site is located within an Architectural Conservation Area (ACA) as identified in the Limerick Development Plan 2022 – 2028, specifically – ACA 2 – South Circular Road & New Street.

**Zoning:**

Existing Residential (Limerick Development Plan 2022 - 2028)

**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:

Item 1 - Proposed boundary fence to rear garden

Item 2 - Replacement of front door

This Section 5 declaration includes the following:

- Site location map
- Site layout plan
- Rear garden plan and elevation
- Fence details
- Cover letter
- Door plan, section and elevation drawing
- Design Statement

**Planning History:**

24/238 – Retention permission granted to Michael Martin & Sophie Wasmer for a single storey extension to rear of existing dwelling and dormer window to rear roof of existing dwelling and associated site works. Lincoln Terrace, New Street, Limerick is included in the Architectural Conservation Area.

22/1233 – Retention permission withdrawn for single storey extension to rear of existing dwelling and dormer window to rear roof of existing dwelling and associated site works. Lincoln Terrace, New Street, Limerick is included in the Architectural Conservation Area

211836 – Retention permission withdrawn for a single storey extension to rear of existing dwelling and dormer window to rear roof of existing dwelling and associated site works

**Enforcement History:**

DC-368-21 – Warning Letter Served – Unauthorised development in an ACA

**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 –

‘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.

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

**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 new fence to western boundary and the replacement of front door are considered works and development.

**Is the proposal exempted development?**

The proposal will be assessed against Class 5, of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and Section 4(1)(h) of the planning and development act, 2000, as amended.

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

Yes, the development is to both the western boundary to the rear of the house and also the front door of the dwelling – both of which are within the curtilage.

Item 1 - Proposed boundary fence to rear garden

***Class 1***

*The construction, erection or alteration, within or bounding the curtilage of a house, of a gate, gateway, railing or wooden fence or a wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete is considered Exempted Development, subject to the following Conditions and Limitations:*

- 1. The height of any such structure shall not exceed 2 metres or, in the case of a wall or fence within or bounding any garden or other space in front of a house, 1.2 metres.*

The fences are proposed on the western boundary to the rear of the dwelling and as such shall not exceed 2 metres. All three fence types are proposed to be 1800mm high and are deemed in accordance with this condition/limitation.

- 2. Every wall other than a dry or natural stone wall bounding any garden or other space shall be capped and the face of any wall of concrete or concrete block (other than blocks with decorative finish) which will be visible from any road, path or public area, including public open space, shall be rendered or plastered.*

The fence types are proposed to be located at the rear of the property and will not be visible from any road, path or public area.

- 3. No such structure shall be a metal palisade or other security fence.*

It is considered that proposed fence type 1 is not in accordance with this condition/limitation. The submitted cover letter shows metal mesh fencing which does not comply with this condition/limitation which states that no such structure shall be a metal palisade or other security fence.

Item 2 - Replacement of front door

Section 4. – (1) of the Planning and Development Act 2000 (as amended).

The following shall be exempted developments for the purposes of this Act -

*(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;*

It is considered that the proposed door is in keeping with the area, provided that it is timber and matched to the adjoining No.8 (as per design statement). The Architectural Conservation Officer within Limerick City and County Council has agreed that the replacement of the front door will not detract from or alter the character of the A.C.A.

#### **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.

### **Recommendation**

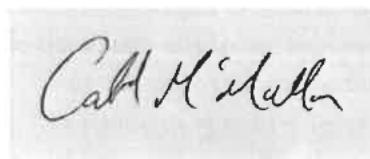
The proposal for the erection of a boundary fence to the western boundary at the rear of the existing dwelling of No.7 Lincoln Terrace as detailed on the application is not considered to be within the scope of Class 5 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

However, the replacement of the front door at this location is considered to be exempted development as per Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Regard has been had to –

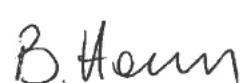
- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 5 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) Section 4(1)(h) of the Planning and Development Act 2000 (as amended).
- (d) The plans & particulars submitted with the application received on 30<sup>th</sup> June 2025.

It is therefore considered that the said works are **development and not exempted development** under Class 5 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).



**Cathal McMullan, Assistant Planner**

**Date: 18/07/2025**



**Barry Henn, SEP**

**Date: 22/07/2025**

**Appendix 1: AA PN01 Screening Form**

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

|   |   |
|---|---|
| a. File Reference No:   | EC/137/25   |
| b. Brief description of the project or plan:                            | <p>A section 5 application requesting a declaration on whether the following works are or are not development or are or not exempted development:</p> <p>Item 1 - Proposed boundary fence to rear garden<br/> Item 2 - Replacement of front door</p> <p>At 7 Lincoln Terrace, New Street, Limerick, is or is not development and is or is not exempted development.</p> |
| c. Brief description of site characteristics:                           | The subject property is located in the residential area of Lincoln Terrace. There is an existing dwelling on the site.  |
| d. Relevant prescribed bodies consulted:<br>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 <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> | 950m   | 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> | 950m   | None                                   | N                                   |

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

1. 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"> <li>Vegetation clearance</li> <li>Demolition</li> </ul> | None. Works are minor in nature.                           |

|  |                                  |
|--|----------------------------------|
| <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 minor in nature. |
| <b>In-combination/Other</b>  | None. Works are minor in nature. |

|   |                                  |
|---|----------------------------------|
| <b>b. Describe any likely changes to the European site:</b>   |                                  |
| Examples of the type of changes to give consideration to include: <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. Works are minor in nature. |

|  |
|--|
| <b>c. (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)</b> |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |

#### **STEP 4: Screening Determination Statement**

##### **The assessment of significance of effects:**

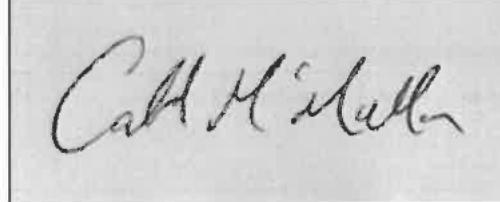
Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives

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.

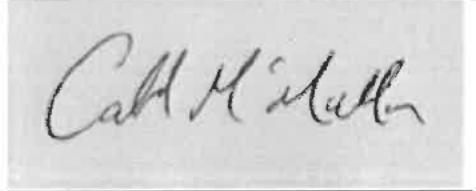
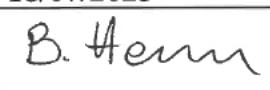
**Conclusion:** An appropriate assessment is not required.

|   | Tick as appropriate:  | Recommendation:   |
|---|---|---|
| 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:<br>Appropriate Assessment not required.   |
| 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<br><input type="checkbox"/> Request NIS<br><input type="checkbox"/> Refuse planning permission |
| <b>Significant effects are likely</b>   | <input type="checkbox"/>  | <input type="checkbox"/> Request NIS<br><input type="checkbox"/> Refuse planning permission   |
| <b>Signature and Date of Recommending Officer:</b>  | Cathal McMullan<br><br>18/07/2025 |   |
| <b>Signature and Date of the Decision Maker:</b>  | <br>Barry Henn, SEP<br>22/07/2025  |   |

## Appendix 2 – EIA screening examination

### FORM 1

| Establishing if the proposal is a ‘ <i>sub-threshold development</i> ’:   |   |
|---|---|
| Planning Register Reference:  | EC/137/25   |
| Development Summary:  | <p>A section 5 application requesting a declaration on whether the following works are or are not development or are or not exempted development:</p> <p>Item 1 - Proposed boundary fence to rear garden<br/>         Item 2 - Replacement of front door</p> <p>At 7 Lincoln Terrace, New Street, Limerick, is or is not development and is or is not exempted development.</p> |
| Was a Screening Determination carried out under Section 176A-C?   | <input type="checkbox"/> Yes, no further actions required<br><input checked="" type="checkbox"/> No, proceed to Part A  |
| <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)?<br>(Tick as appropriate)   |   |
| <input type="checkbox"/> Yes specify class here:  | <b>EIA is mandatory</b><br><br><input type="checkbox"/> 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?<br>(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):<br><br>[specify class & threshold here]   | <b>EIA is mandatory</b><br><br><input type="checkbox"/> No Screening required   |
| <input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> :<br><br>[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>   |
| Signature and Date of Recommending Officer:   |   |
| <b>Cathal McMullan</b>  |   |

|   |   |
|---|---|
|   | <br><b>18/07/2025</b> |
| Signature and Date of the Decision Maker: | <br><b>22/07/2025</b> |



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:

**Michael Martin & Ann Sophie Wasmer,**  
**c/o Morgan McDonogh**  
**The Bog Road,**  
**Kildimo,**  
**Limerick**

**EC/137/25**

**23 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,

*Karen Conlon*  
**(for) Senior Planner,**  
**Development Management**

Tuar an Daill, Luimneach  
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**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

**SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**No. AOO/DC/2025/757**

**File Ref No. EC/137/25**

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

**RE:** **A proposed boundary & replacement of front door at 7 Lincoln Terrace, New Street, 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 18/07/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Michael Martin & Ann Sophie Wasmer, c/o Morgan McDonogh The Bog Road, Kildimo, Limerick to state that the works as described above is

**Development and is NOT Exempt Development - Proposed Boundary**

**Development and is Exempt Development - Replacement of Front Door**

Signed

*B. Henn*

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

*23/07/2025*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/757 dated *23/07/2025*, 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/137/25**

**Name and Address of Applicant:** Michael Martin & Ann Sophie Wasmer, No.7 Lincoln Terrace, New Street, Limerick

**Agent:** Morgan McDonogh, The Bog road, Kildimo, Limerick

**Whether** the proposed boundary & replacement of front door at 7 Lincoln Terrace, New Street, 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 30<sup>th</sup> of June 2025.

**AND WHEREAS** the Planning Authority has concluded that the proposed boundary at 7 Lincoln Terrace, New Street, Limerick **DOES NOT** come within the scope of exempted development under Class 5 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). The Planning Authority has concluded that the replacement of front door at 7 Lincoln Terrace, New Street, 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 NOT Exempt Development - Proposed Boundary**
- **Development and is Exempt Development - Replacement of Front Door**

Signed on behalf of the said Council

*Karen Conlon*

Date: 23/07/2025

**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.