

Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Michael O Riordan / Miguel O Riordan

Applicant's Address: Deerpark Pallasgreen

Co Limerick

V94 792D

Telephone No.



Name of Agent (if any):

Address:

Telephone No.

Address for Correspondence:

Deerpark, Pallasgreen

Co Limerick

V94 792D



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

Dromkeen South, Dromkeen
Co. Limerick
V94 TF2V

Description of Proposed development:

Connection between existing house
and Garage and also for use as
Mud Room

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

Under Square Footage for planning permission

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

YES ☒ NO

Applicant's interest in site: _____

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

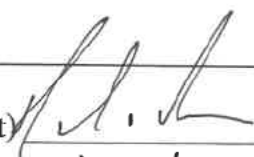
Site location Map, site layout plan
Plan and elevation of existing structure
and proposed.

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

If Yes please provide floor areas of all existing structures:

Existing Main Dwelling 79.12 m²
Existing Garage 25 m²

Signature of Applicant (or Agent)


Míghal O'Riordan



Folio Number	K92721
Title Level	Freehold
Plan Number	6
Property Number	1
Area of selected plans	0.14 hectares
Number of Plans on this folio	1
Address	Dromkeen South, Dromkeen, Co. Limerick, V94 TE2V

¹Taite Éireann Registration Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).



Folio Number	LK9272
Title Level	Freehold
Plan Number	6
Property Number	1
Area of selected plans	0.14 ha
Number of Plans on this folio:	1
Address	Dromkeen Dromkeen YG4 TEL

*Taitte Éireann Registration Board
Area are not conclusive See
Registration of Title Act 2006
of the Land Registration Board





**Tailte
Éireann**
Clárúcháin Luacháil,
Suirbhéireacht
Registration, Valuation,
Surveying

Official Tailte Éireann Registration Map

This map should be read in conjunction with the folio.

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

For details of the terms of use and limitations of scale, accuracy and other conditions relating to TÉ Registration maps, see www.tailte.ie.

This map incorporates TÉ Surveying map data under a licence from TÉ. Copyright © Tailte Éireann and Government of Ireland.

(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

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

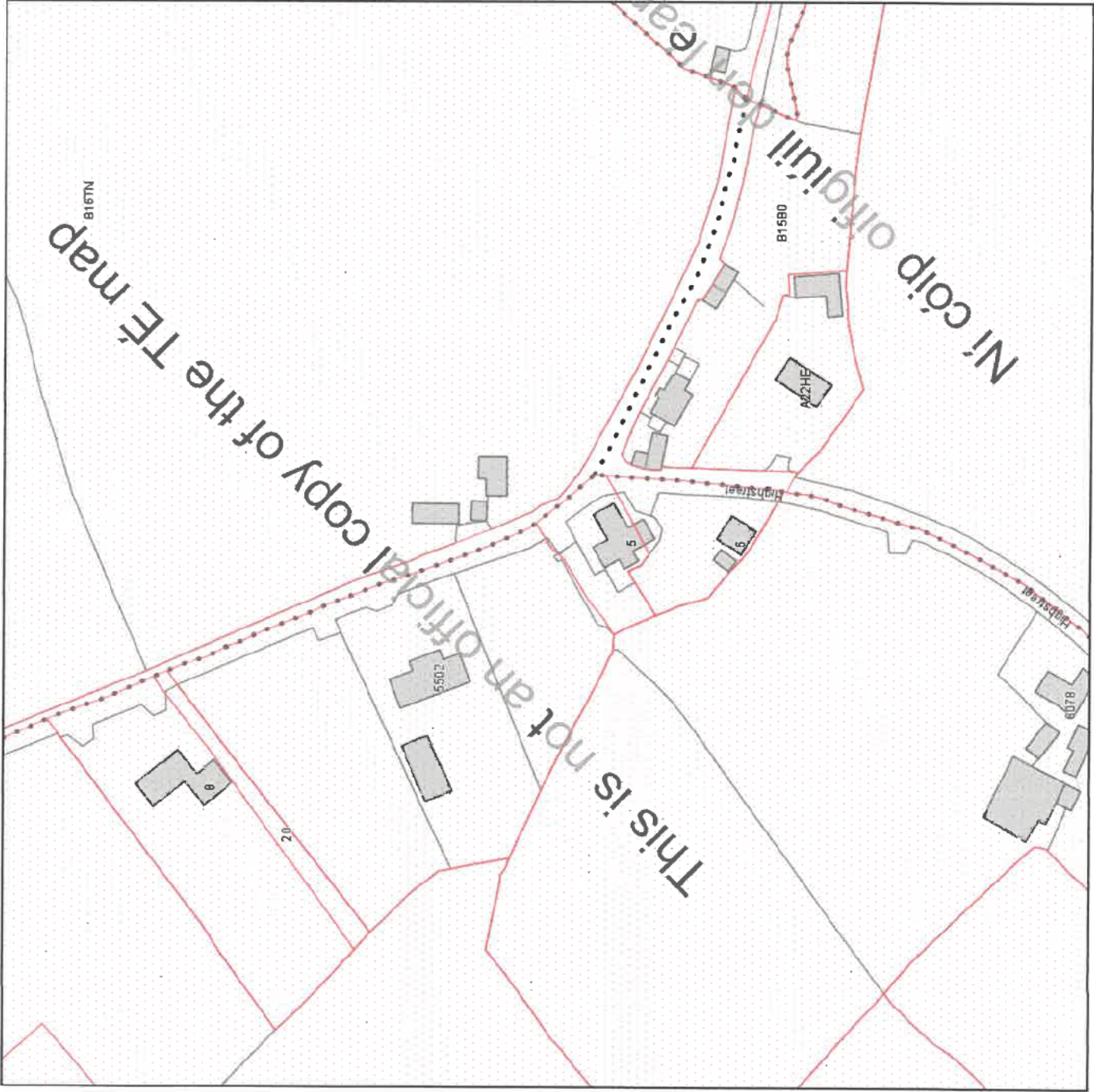
Burdens (may not all be represented on map)

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

A full list of burdens and their symbology can be found at: www.landdirect.ie

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

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



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**

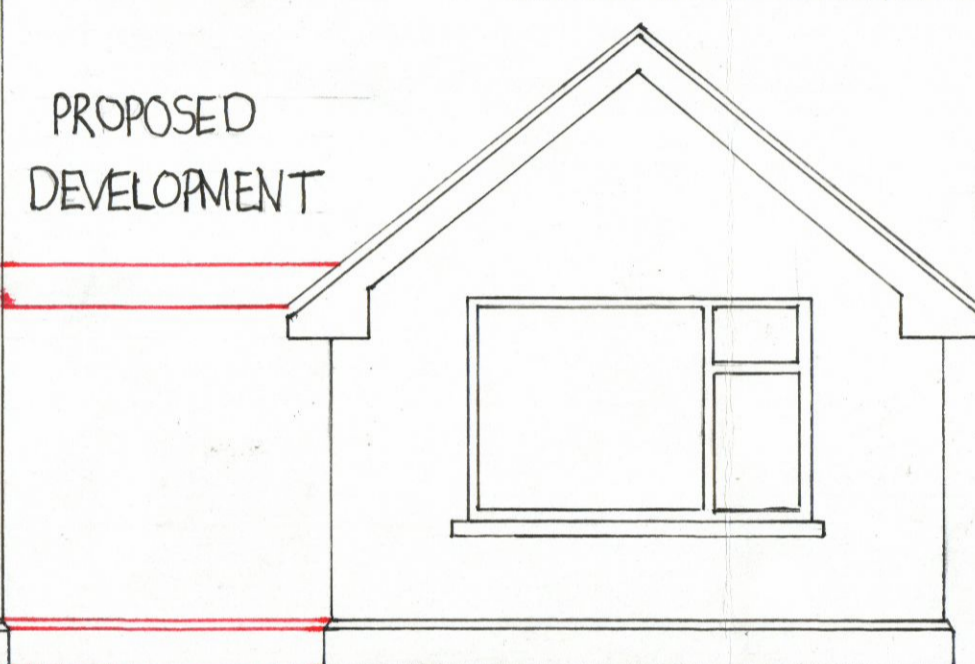
**Enquiries:
Telephone: 061-556556
E-Mail: planning@limerick.ie**

EXISTING STRUCTURE



EXISTING STRUCTURE

PROPOSED DEVELOPMENT



3.80 METRES

MUD ROOM

UTILITY ROOM

6.3 metres

HOME OFFICE

2.24 METRES

4.1 metres

9.2 metres

8.6 metres

DROMKEEN SOUTH
DROMKEEN
CO. LIMERICK
V94 TE2V

COMHAIRLE
CATHRACH & CONTAE
Luimnigh
Limerick
CITY & COUNTY
COUNCIL

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

10/07/2025 15:53.40

Receipt No./
Uimhir Admhála : LA25/0/25179100
***** REPRINT *****

MICHAEL O'RIORDAN & MIGUEL O'RIORDAN
DEERPARK
PALLASGREEN
CO LIMERICK V94 792D

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :
Credit/Crédít : 80.00
VISA
*****4749

**Limerick City & County
Council**

10 JUL 2025

Change/Sóinseáil : 0.00

Planning

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-146-25
Name and Address of Applicant:	Michael O Riordan Deerpark, Pallasgreen, Co. Limerick, V94 792D
Agent:	N/A
Location:	Dromkeen South, Dromkeen, Co. Limerick V94 TE2V

Description of Site and Surroundings:

The site consists of a detached property situated in the townland of Dromkeen South which is located approx. 6.5km southeast of Caherconlish village. The property is situated in an area of predominantly agricultural holdings with one off housing and situated adjacent to Saint Bridget's Church.

Zoning:

N/A

Proposal:

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- Single storey extension connecting the existing property with detached garage for use as a mudroom.

This Section 5 declaration includes the following:

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

Planning History:

None

Enforcement History

None

Assessment

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 2(1) in this Act, except where otherwise requires – ‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

‘**structure**’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

Section 3(1) defines ‘**development**’ as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’.

The proposed development on site, comprising the construction of single storey extension connecting the existing property with detached garage for use as a mudroom constitutes ‘works’ and ‘development’.

Is the proposal exempted development?

The existing dwelling is located perpendicular to the public road with access to the adjacent to Drumkeen Catholic Church, The side gable elevation faces the public road and while I note this, I am satisfied that the front elevation of the dwelling is the elevation facing an existing tarmac area on the site, the entrance and Church (image below).

Below: Googlemap image May 2009 – Dwelling and adjacent Church



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

Is the development within the curtilage of a house?

Yes, the extension is within the curtilage of the existing dwelling.

Class 1

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

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

The house has not been extended previously.

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

The house is a detached property.

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

NA, the house is detached; however, the proposed extension is at ground floor level.

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

The house has not been extended previously.

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

N/A. the house is detached.

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

N/A. the house is detached; however, it has not been extended previously and no works are proposed above ground floor level.

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

N/A. No works proposed above ground floor level.

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

NA, the rear wall includes a gable.

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

The rear wall of the dwelling includes a gable and the height of the proposed extension does not exceed the height of the side walls of the dwelling.

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

The height of the proposed extension roof would not exceed the height of eaves or parapet or height of highest part of the roof of the dwelling.

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

The site is a large rural site and the proposed extension would not reduce the area of private open space to less than 25 square metres.

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

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

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

N/A. No above ground floor extension.

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

N/A

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

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

The proposal complies with the conditions or limitations set out in Column 2, however having regard to the description under Class 1, which relates the extensions to the rear of an existing dwelling or the conversion of an attached garage, and having regard to the 'front elevation' of the dwelling, I consider the current proposal does not comply with same as it essentially relates to an extension to the side of the existing dwelling. In addition, as the existing garage is not itself attached, it also does not come within the scope of Class 1.

Therefore, the current proposal to construct a single storey extension connecting the existing property with detached garage for use as a mudroom is not exempted development under Class 1 and will require full planning permission.

Article 9 Restrictions

'The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended)'.

Appropriate Assessment

An AA Screening examination was carried out by Limerick City & County Council (see appendix 1). Overall it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA as there are no source-pathway-receptors and the site does not directly encroach on any Natura 2000 European Sites. Therefore, an Appropriate Assessment is not required in this instance.

Environmental Impact Assessment

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

Conclusion/Recommendation

The proposed single storey extension and all associated site works as detailed in the application and plans submitted is not considered to be within the scope of Part 1, Class 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) Part 1, Class 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- c) The plans & particulars submitted with the application received on 10th July 2025.

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



John Wallace
A/Executive Planner

Date: 07/08/2025

Agreed 

Jennifer Collins
A/Senior Executive Planner

Date: 07/08/2025

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

(a) File Reference No:	EC-146-25
(b) Brief description of the project or plan:	The proposed works comprise the construction of a single storey extension to the side to connect the dwelling and garage
(c) Brief description of site characteristics:	The dwelling is a one off rural property
(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	c01.72km	None	N
004165	Slievefelim to Silvermines Mountains SPA https://www.npws.ie/protected-sites/spa/004165	c10.73km	None	N
001430	Glen Bog SAC https://www.npws.ie/protected-sites/sac/001430	c11.01km	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 - Lighting disturbance - Impact on groundwater/dewatering - Storage of excavated/construction materials - Access to site - Pests 	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the construction objectives of the site.
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:	
Examples of the type of changes to give consideration to include: <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) 	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"> - Changes to areas of sensitivity or threats to QI - Interference with the key relationships that define the structure or ecological function of the site 	
--	--

(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:

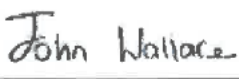

An appropriate assessment is not required.

	Tick as appropriate:	Recommendation:
(i) It is clear that there is 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:	<div style="text-align: center;">  <hr style="width: 100px; margin: 0 auto;"/> John Wallace, A/Executive Planner 07/08/2025 </div>	
Signature and Date of the Decision Maker:	<div style="text-align: center;">  <hr style="width: 100px; margin: 0 auto;"/> Jennifer Collins, A/Senior Executive Planner 07/08/2025 </div>	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC-146-25	
Development Summary:	The proposed development on site, comprising the construction of an extension to the property side	
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:	 John Wallace, A/Executive Planner 07/08/2025
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 07/08/2025



Cornhairle Cathrach
& Contae Luimnigh
Limerick City
& County Council

Pleanáil, agus Cruthú Áite
Cornhairle Cathrach agus Contae Luimnigh
Bothar Thuar an Daili
Tuar an Daili, Luimneach
V94 WV78

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

PLANNING & PLACE-MAKING

REG POST:

Michael O Riordan / Miguel O Riordan,
Deerpark,
Pallasgreen,
Co. Limerick,
V94 792D

EC/146/25

07 August 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 Daili, 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/2025/836

File Ref No. EC/146/25

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

RE: **A single storey extension & garage at Dromkeen South, Dromkeen, Co. Limerick.**

ORDER: Whereas by Director General's Order No. DG/2024/124 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 Nuala O'Connell, Senior Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Nuala O'Connell, Senior Planner, having considered the report and recommendation of John Wallace, A/Executive Planner dated 07/08/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Michael O Riordan / Miguel O Riordan, Deerpark, Pallasgreen, Co. Limerick to state that the works as described above is

Development and is NOT Exempt Development. *le*

Signed

M O'Connell

SENIOR PLANNER, PLANNING & PLACE-MAKING

Date

7th Aug 2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/836 dated *7th Aug 2025*, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

M O'Connell

SENIOR 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
Tuair 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/146/25

Name and Address of Applicant: Michael O Riordan / Miguel O Riordan, Deerpark, Pallasgreen,
Co. Limerick

Agent: N/A

Whether the single storey extension & garage at Dromkeen South, Dromkeen, 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 10th of July 2025.

AND WHEREAS the Planning Authority has concluded that single storey extension & garage at Dromkeen South, Dromkeen, Co. Limerick **DOES NOT** come within the scope of exempted development under Part 1, Class 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 NOT Exempt Development.**

Signed on behalf of the said Council

Karen Carlan

Date:

07/08/2025

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.