

**Limerick City and County Council**

**Planning Department**

**Section 5 Application**

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: Joe Barry

Applicant's Address: c/o Adam Kearney

Millside, Mill Road,

Corbally, Limerick

Telephone No.

Name of Agent (if any): Adam Kearney

Address: Millside, Mill Road,

Corbally, Limerick,

V94 46X5

Telephone No. 086 6887402

Address for Correspondence:

As Per Agent

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

20 Cambridge Close,

College Court,

Castletroy, Limerick, V94 4K13

Description of Proposed development:

Construction of Single Storey Domestic Extension to the Rear

Less than 40m<sup>2</sup>

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

Schedule 2, Part 1, Class 1 - Developmenet within the curtilage of a house

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:

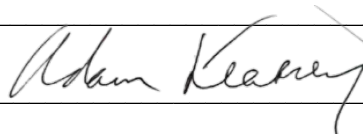
Floor Plan, Elevations, Location Map, Site Layout

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

If Yes please provide floor areas of all existing structures:

NA

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)**

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# Place Map

CYAL50419675

©Tailte Éireann – Surveying.



Tailte  
Éireann

CENTRE  
COORDINATES:  
ITM 560839,657989

PUBLISHED: ORDER NO.:

MAP SERIES: 1:1,000  
1:2,500  
MAP SHEETS: 4743-17  
4743-C

MR JOE BARRY  
APPLICATION FOR SECTION 5  
DECLARATION AT  
20 CAMBRIDGE CLOSE,  
COLLEGE COURT, CASTLETROY,  
LIMERICK - V94 4K13

COMPILED AND PUBLISHED BY:  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

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

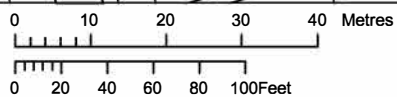
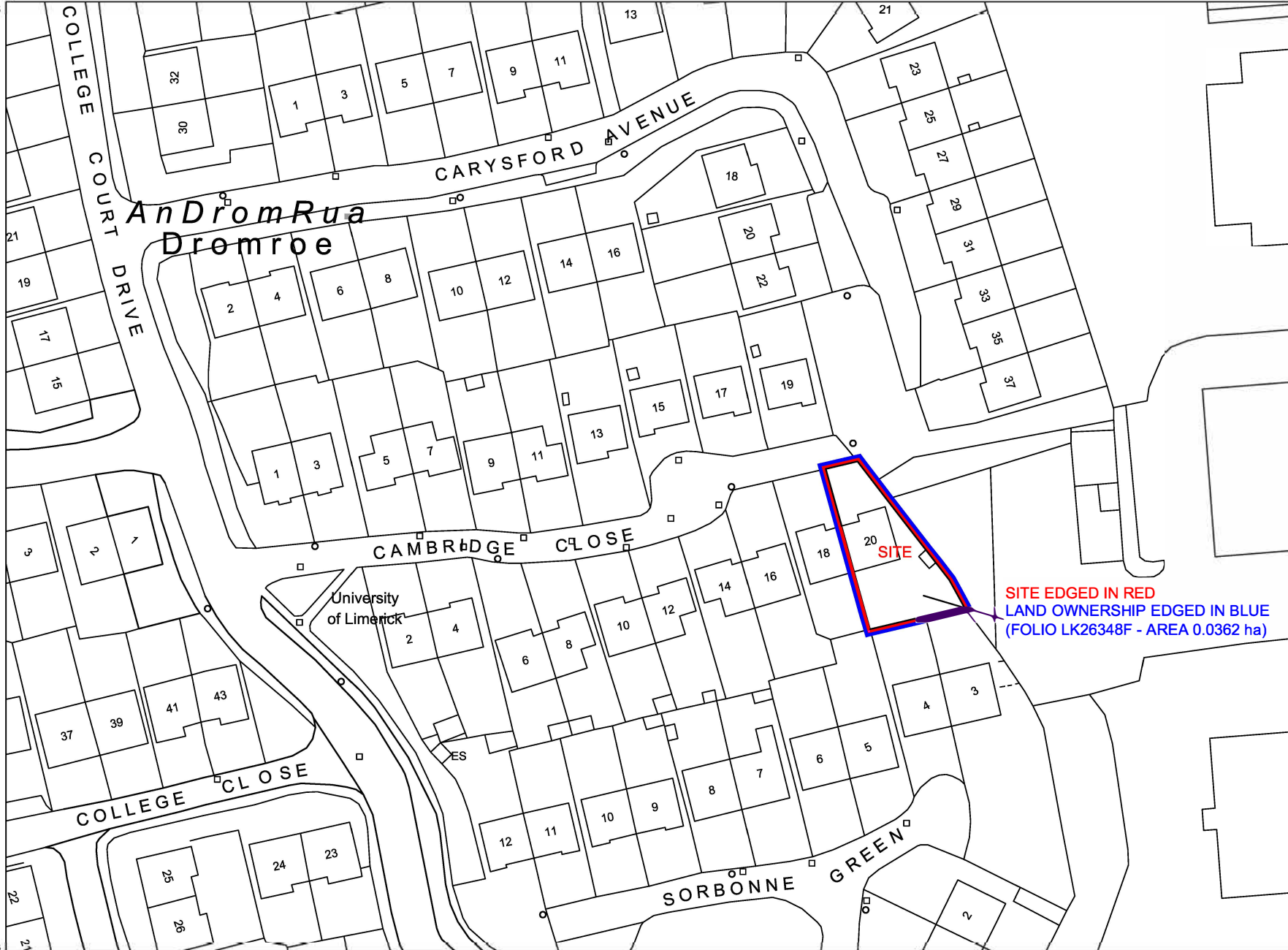
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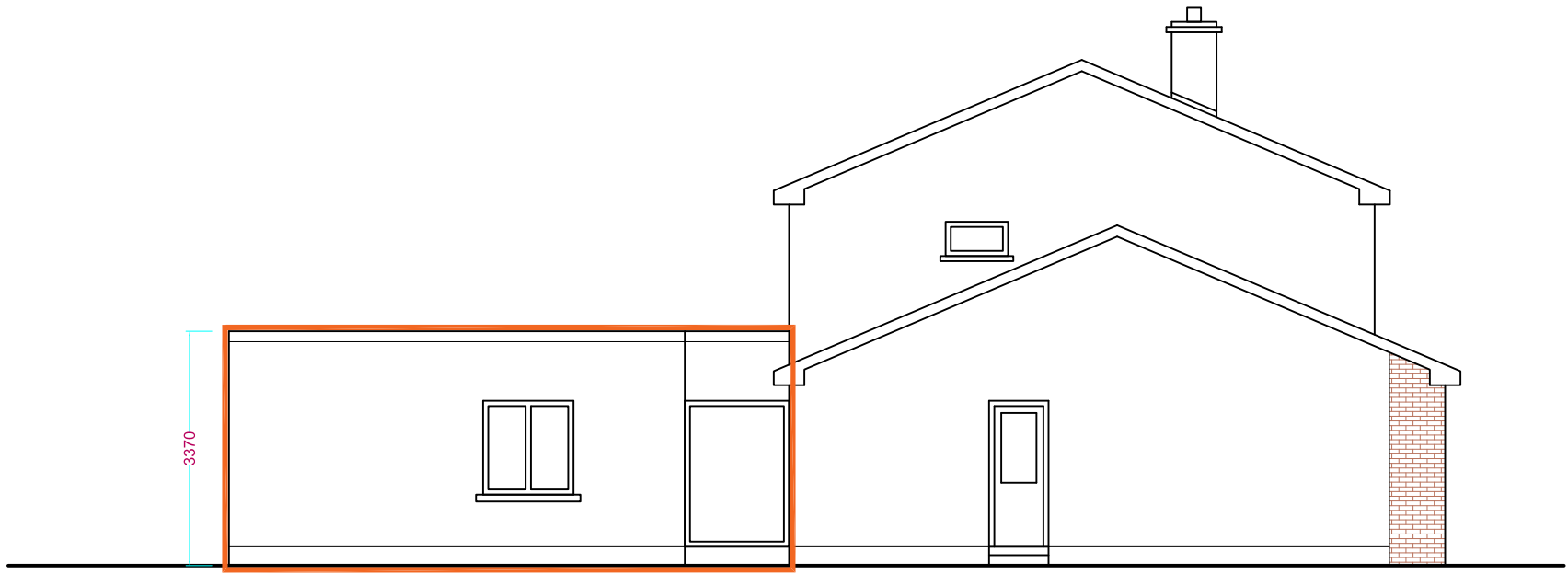
OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:  
The map objects are only 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'

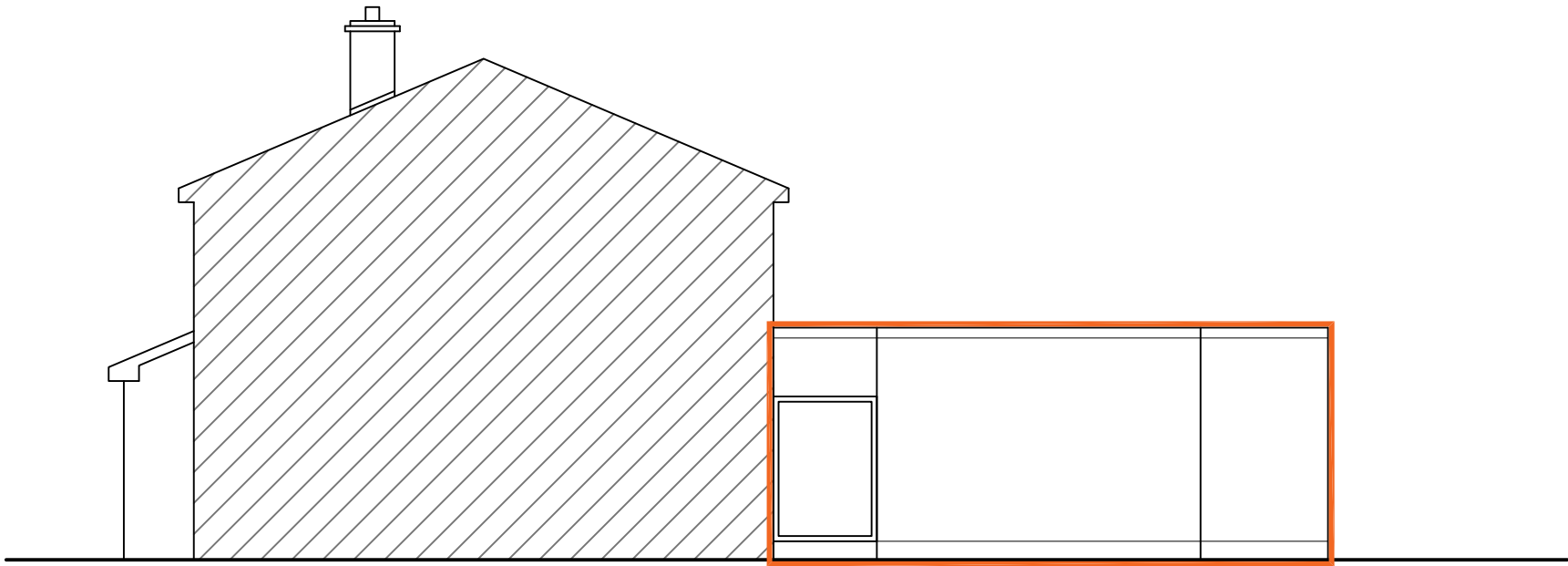
LEGEND:  
To view the legend visit  
[www.tailte.ie](http://www.tailte.ie) and search for  
'Large Scale Legend'







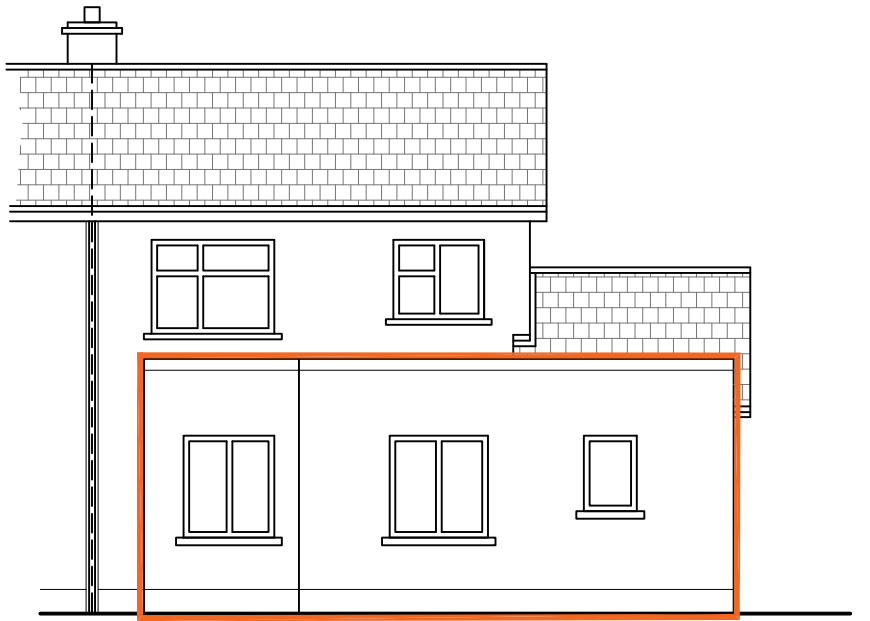
SIDE ELEVATION EAST  
SCALE 1:100



SIDE ELEVATION WEST  
SCALE 1:100



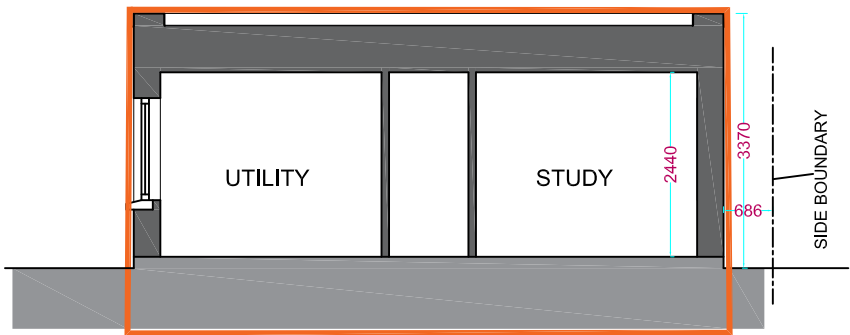
FRONT ELEVATION NORTH (NO CHANGE)  
SCALE 1:100



REAR ELEVATION SOUTH  
SCALE 1:100

LEGEND

PROPOSED EXTENSION OUTLINED IN ORANGE



TYPICAL SECTION  
SCALE 1:100

<b>Brehony Sustainable Design</b> TEL (089) 9562084 email - pat.brehony@yahoo.com	
CLIENT MR JOE BARRY	
PROJECT Section 5 Declaration Application for Single Storey Extension to Rear of Existing 2 Storey Semi-detached Dwellinghouse	
TITLE PROPOSED SECTION & ELEVATIONS	SCALE 1:100 DATE July '25 Drg. No. JB 1002



LIMERICK CITY & COUNTY COUNCIL  
CIVIC OFFICES  
MERCHANTS QUAY  
LIMERICK

24/07/2025 09:30:47

Receipt No./  
Uimhir Admhála : RC6/0/2080136

Adam Kearney  
Millside  
Mill Road  
Corbally  
V9446X5  
Ref: Joe Barry  
Section 5 Fee

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :  
Credit / Debit Card 80.00  
VISA

\*\*\*

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Change/Sóinseáil : 0.00

Issued By/  
Eisithe ag : Con J Murphy  
From/Ó : REVENUE CASH OFFICE 6 - MERCHANTS QUAY  
Vat reg No./Cláruimhir CBL: 3267368TH

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

**Reference no.**

EC-156-25

**Name and Address of Applicant:**

Joe Barry  
c/o agent

**Agent:**

Adam Kearney  
Millside, Mill Road,  
Corbally, V94 46X5

**Location:**

20 Cambridge Close  
College Court  
Castletroy V944K13  
Co. Limerick

**Description of Site and Surroundings:**

The site is an existing dwelling located within College Court, an established housing estate which is in proximity to University of Limerick.

**Zoning:**

The site is zoned 'Existing Residential' in the Limerick Development Plan 2022 – 2028.

*Objective:* To provide for residential development, protect and improve existing residential amenity.

*Purpose:* This zone is intended primarily for established housing areas. Existing residential amenity will be protected while allowing appropriate infill development. The quality of the zone will be enhanced with associated open space, community uses and where an acceptable standard of amenity can be maintained, a limited range of other uses that support the overall residential function of the area, such as schools, crèches, doctor's surgeries, playing fields etc.

**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:

- Construction of single storey domestic extension to the rear, less than 40sqm.

This Section 5 declaration includes the following:

- Application Form
- Tailte Eireann Place Map
- Floor Plan and Site Layout Plan
- Proposed Section and Elevation Drawings
- Proposed Elevations
- Proposed Floor plans

**Planning History:**

N/A

**Enforcement History**

N/A



### **Assessment**

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

#### **Is the proposal development?**

**Section 2(1)** in this Act, except where otherwise requires –

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

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

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

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

The proposed development on site, comprising the installation of external wall insulation 110mm thick on the front elevation of a two storey terraced dwelling constitutes ‘works’ and ‘development’.

#### **Is the proposal exempted development?**

The proposed construction of single storey domestic extension to the rear, less than 40sqm. Class 1 of Schedule 2, Part 1 of the Planning and Development Act 2000 (as amended) which is as follows:

#### **Class 1, Schedule 2, Part 1 – Development within the curtilage of a house**

##### **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.**

**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 dwelling has not been previously extended.

**(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.**

NA, The proposed extension is single storey.

**(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 proposed extension is single storey.

- 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.**

NA, The dwelling has not been previously extended.

**(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.**

NA, The dwelling has not been previously extended.

**(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.**

NA, The dwelling has not been previously extended.

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

NA, The proposed extension is single storey.

**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.**

The rear wall of the house does not include a gable and the proposed extension does not exceed height of rear wall.

**(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.**

NA, The rear wall of the house does not include a gable.

**(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.**

Extension is single storey and does not exceed the height of the existing double storey 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.**

Remaining private open space to the rear is approximately 110sqm.

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

All proposed windows are at least 1m from the boundary they face.

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

NA, The proposed extension is single storey.

**(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.**

NA, The proposed extension is single storey.

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

No indication of this in application form.

#### **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 necessary (See appendix 1 for AA Screening Form).

#### **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.

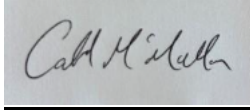
#### **Conclusion/Recommendation**

The proposed development detailed on the application and plans submitted is considered to be within the scope of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 1 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 24<sup>th</sup> July 2025.

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



Cathal McMullan  
Assistant Planner  
Date: 14/08/2025

Agreed



Jennifer Collins  
A/Senior Executive Planner  
Date: 14/08/2025

---

**AA PN01 Screening Form**

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
<b>File Reference No:</b>	EC-156-25
<b>Brief description of the project or plan:</b>	This is an application requesting a Section 5 Declaration on whether a single storey extension is exempted development
<b>Brief description of site characteristics:</b>	There is an existing dwelling on site.
<b>Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	N/A
<b>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>	800m	None	None
004077	River Shannon and River Fergus Estuaries SPA <a href="https://www.npws.ie/protected-sites/spa/004077">https://www.npws.ie/protected-sites/spa/004077</a>	Circa 4.2km	None	None

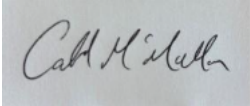

<b>STEP 3: Assessment of Likely Significant Effects</b>	
<b>Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:</b>	
<b>Impacts:</b>	<b>Possible Significance of Impacts: (duration/Magnitude etc)</b>
<b>Construction phase e.g</b> 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. No direct encroachment or hydrological connection.

<b>Operation phase e.g.</b> Direct emission to air and water Surface water runoff containing contaminant or sediment Lighting disturbance Noise/vibration Changes to water/groundwater due to drainage or abstraction Presence of people, vehicles and activities Physical presence of structures (e.g collision risk) Potential for accidents or incidents	None. No direct encroachment or hydrological connection.
<b>In-combination/Other</b>	None. No direct encroachment or hydrological connection.

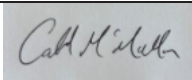

<b>Describe any likely changes to the European site:</b>	
Examples of the type of changes to give consideration to include: Reduction or fragmentation of habitat area Disturbance to QI species Habitat or species fragmentation Reduction or fragmentation in species density Changes in key indicators of conservation status value (water or air quality etc) Changes to areas of sensitivity or threats to QI Interference with the key relationships that define the structure or ecological function of the site	None. No direct encroachment or hydrological connection.

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

<b>STEP 4: Screening Determination Statement</b>
<p><b>The assessment of significance of effects:</b>  On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:</p> <ul style="list-style-type: none"> <li>the nature and scale of the proposed development on fully serviced lands,</li> <li>the intervening land uses and distance from European sites,</li> <li>the lack of direct connections with regard to the Source-Pathway-Receptor model,</li> </ul> <p>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. An appropriate assessment is not, therefore, required.</p>
<p><b>Conclusion:</b> AA Screening is not required.</p>

	Tick as appropriate:	Recommendation:
It is clear that there <b>is no likelihood</b> of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: 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 <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<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, Assistant Planner 14/08/2025	
<b>Signature and Date of the Decision Maker:</b>	 Jennifer Collins, A/Senior Executive Planner 11/08/2025	

## APPENDIX 2 EIA SCREENING

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-156-25
Development Summary:	Extension of dwelling
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  <input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Screening Determination required</b>   <b>Preliminary Examination required</b>
Signature and Date of Recommending Officer:	 Cathal McMullan, Assistant Planner 14/08/2025
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 14/08/2025





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

Pleanáil, agus Cruthú Áite  
Comhairle Cathrach agus Contae Luimnigh  
Bothar Thuar an Dail  
Tuar an Dail, Luimneach  
V94 WV78

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

## PLANNING & PLACE-MAKING

### REG POST:

**Joe Barry,  
c/o Adam Kearney  
Millside,  
Mill Road,  
Corbally,  
Limerick.**

**EC/156/25**

**18 August 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 Dail, Luimneach  
Dooradoyle, Limerick

customerservices@limerick.ie  
www.limerick.ie  
@LimerickCouncil  
061 - 556 000

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

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

**No. AOO/DC/2025/877**

**File Ref No. EC/156/25**

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

**RE:** **A single storey extension at 20 Cambridge Close, College Court, Castletroy, Co. Limerick.**

**ORDER:** Whereas by Director General's Order No. DG/2024/122 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 Jennifer Collins, A/Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Jennifer Collins, A/Senior Executive Planner, having considered the report and recommendation of Cathal McMullan, Assistant Planner dated 14/08/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Joe Barry, c/o Adam Kearney, Millside, Mill Road, Corbally, Limerick to state that the works as described above is

**Development and is Exempt Development.** *KE*

Signed




A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

18/08/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/877 dated 18/08/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:



A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

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

**DECLARATION NO.**

**EC/156/25**

**Name and Address of Applicant:** Joe Barry, c/o Adam Kearney, Millside, Mill Road, Corbally, Limerick

**Agent:** Adam Kearney, Millside, Mill Road, Corbally, Limerick

**Whether** the single storey extension at 20 Cambridge Close, College Court, 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 24<sup>th</sup> of July 2025.

**AND WHEREAS** the Planning Authority has concluded that the single storey extension at 20 Cambridge Close, College Court, Castletroy, Co. Limerick **DOES** come within the scope of exempted development under Class 1 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:

18/08/2025

**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.