



LIMERICK CITY & COUNTY COUNCIL

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: IRISH LIFE ASSURANCE PLC

Applicant's Address: IRISH LIFE CENTRE

LOWER ABBEY STREET

DUBLIN 1

Name of Agent (if any): JOHN SHEEHAN, SHEEHAN PLANNING

Address: 44 BALNAGOWAN, PALMERSTON PARK,

RATHMINES, DUBLIN 6, D06 DC98

Telephone No. 087 900 6525

Address for Correspondence:

AGENTS ADDRESS PLEASE

Location of Proposed development:

UNIT 2, LIMERICK ONE SHOPPING PARK,  
CHILDERS ROAD, LIMERICK

Description of Proposed development:

SUBDIVISION OF UNIT 2 INTO 2 UNITS AND DOORS AND  
GLAZING (DEVELOPMENT OF NEW DOORS + GLAZING)

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

YES/NO NO

Applicant's interest in site: OWNER

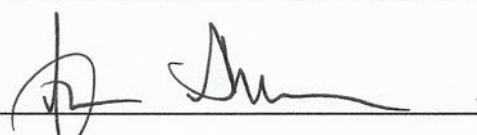
List of plans, drawings, etc. submitted with this application:

COVER LETTER, LETTER FROM BANNON'S, TRANSPORT STATEMENT  
NOTE FROM TRANSPORT INSIGHTS, SITE LOCATION MAP, SITE LAYOUT PLAN,  
FLOOR PLAN, SECTION, ELEVATION

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

If Yes please provide floor areas of all existing structures:

UNIT 2 IS A C. 1842 sq.m RETAIL UNIT

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.

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Application to be forwarded to:

Limerick City & County Council,  
Planning and Environmental Services,  
City & County Council Offices,  
Dooradoyle Road,  
Limerick.

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**OFFICE USE ONLY**

Ref. No. \_\_\_\_\_ Date Received \_\_\_\_\_

Fee Received \_\_\_\_\_ Date Due \_\_\_\_\_

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# Sheehan Planning

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44 Balnagowan, Palmerston Park, Dartry, Dublin 6

| 087 900 6525 | john@sheehanplanning.ie |

Limerick City & County Council,  
Planning and Environmental Services,  
City & County Council Offices,  
Dooradoyle Road,  
Limerick

Wednesday, 9<sup>th</sup> July 2025 [by email]

Dear Sir/Madam,

**RE: APPLICATION FOR SECTION 5 DECLARATION — UNIT NO. 2, LIMERICK ONE, CHILDERS ROAD**

## **1.0 INTRODUCTION**

Irish Life Assurance plc<sup>1</sup> have retained Sheehan Planning<sup>2</sup> to submit this section 5 application to the Council seeking clarity on whether:

The subdivision of Unit no. 2 into two units and development of a new doors and glazing are exempted development.

We consider that the proposed works come within the scope of Section 4 (1)(h) of the Planning and Development Act, 2000. However, for completeness, Irish Life has instructed us to request a declaration from Limerick City and County Council to this effect.

Payment of €80 representing the fee for processing this application is enclosed.

Documentation/Expert Reports prepared by Bannon Property Consultants and Chartered Valuation Surveyors<sup>3</sup> and Transport Insights Transport Planning Consultants<sup>4</sup> in support of this Application are also submitted in support of this application (in addition to drawings prepared by Oppermann Architects).

## **2.0 STATUTORY PROVISIONS**

The key relevant statutory provisions relating to the proposed development are set out below.

### **2.1 Planning and Development Act**

Section 2 (1) of the *Planning and Development Act, 2000 (as amended)* states that:

*“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application*

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<sup>1</sup> Irish Life Assurance PLC, Irish Life Centre, Lower Abbey Street, Dublin 1.

<sup>2</sup> 44 Balnagowan, Palmerston Park, Dartry, Dublin 6, D06 DC98.

<sup>3</sup> Hambleden House, 19/26 Pembroke Street Lower, Dublin 2.

<sup>4</sup> Suite 30, 21 Baggot Street Lower, Dublin 2, D02 X658.



*or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.”*

*“use”, in relation to land, does not include the use of the land by the carrying out of any works thereof”*

*“exempted development” has the meaning specified in section 4”*

Section 3(1) of the *Planning and Development Act 2000 (as amended)* provides that ‘development’ means:

*“... except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change of use of any structures or other land.*

Section 4 (1)(h) of the *Planning and Development Act, 2000 (as amended)* states that:

*“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 of or neighbouring structures”*

## **2.3 DISCUSSION**

### **2.3.1 Subdivision of Unit is Exempted Development under Section 4(1)(h)**

In our opinion, the subdivision of Unit No. 2, which will involve the construction of an internal wall(s) within the structure, comes within the scope of Section 4 (1)(h) and is exempted development for the following reasons:

- a) The construction of an internal wall(s) is an improvement or alteration to a permitted structure and is therefore exempted development; and
- b) No change of use is proposed or material intensification of use will arise; the structure is located within a large established retail centre (the Limerick One Shopping Park) which is home to a wide range and size of retail units. In the circumstances it is considered that the subdivision would not give rise to increased traffic movements or any other activity that would have material consequences and therefore, would not constitute a material change of use.

We also note that the Board has previously concluded that the subdivision of retail and/or office units was exempted development in several Section 5 referrals including in ABP Refs. RL2308; RL3420; RL3582 and, concluded that the subdivision of Unit 12 at Limerick One was exempted development (RL. RL91.309107).

In respect of Unit no. 2 we note that: the Board/Commission has previously granted planning permission for the subdivision of Unit 2 into Unit 2A and 2B together with the removal of a mezzanine (the subdivision has not been undertaken although the mezzanine has been removed) under Ref. 306623; and Limerick City and County Council determined that the subdivision of permitted Unit 2A into two smaller units was exempted development (Ref EC30/23).

### 2.3.2 New Entrance Door/Glazing comes within the Scope of Section 4 (1)(h)

It is respectfully considered that the development of any additional entrance and glazing also come within the scope of section 4(1)(h) being alteration/improvement of the structure which are consistent with the character of the structure and will not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure of neighbouring structures (which also have several entrances and similar glazing). In this regard we draw the Council's attention to the Supreme Court's Decision in *Cairnduff v O'Connell* (as summarised at para 37 of the more recent High Court judgment in *McCabe v CIE* [2006] IEHC 356):

*"35. In my judgment the renewal or reconstruction of a part or of parts of the bridge would be covered by the provisions of s. 4(1)(h) of the Act of 2000, provided that the extent of that renewal or reconstruction was not such as to amount to the total or substantial replacement or rebuilding of the original structure. The question is one of fact and degree whether in the instant case the original railway under-bridge has been so changed by the works that one could not reasonably conclude that it remains the same bridge even though with some alternations, improvements or indications of maintenance work*

*37...Cairnduff v. O'Connell [1986] I.R. 73, where Finlay C.J., (Walsh and Griffin J.J. concurring), held, with reference to s. 4(1)(g) of the Local Government (Planning and Development) Act, 1963, (which also employed the phrase, "which do not materially affect the external appearance of the structure so as to render such appearance inconsistent the character of the structure"), that the insertion of a window in a side wall of a three storey terrace house, the replacement of a window by a door and, the construction of a balcony and staircase for the purpose of converting it into a residence with two flats, had not so materially affected the external appearance of the structure, as to render it inconsistent with the character of the house itself or of adjoining houses. In the course of his judgment, Finlay C.J., (at page 77) held as follows:-*

*"Secondly, I am satisfied that the character of the structure provided for in the sub-section must relate, having regard to the provisions of the Act in general, to the shape, colour, design, ornamental features and lay-out of the structure concerned. I do not consider that the character of the structure within the meaning of this sub-section will depend on its particular use at any time...."*

*38. I accept as correct the argument of Ms. Butler that the mere fact that a pre-development structure and the post-development structure is used for the same purpose, as a railway under-bridge, does not mean that the character of the structure has not been materially affected. The Court was also referred to a number of other cases such as: Westport Urban District Council v. Golden [2002] 1 I.L.R.M. 439, (High Court); Boroughs Day v. Bristol City Council, (January 18th 1996, - Q.B.D.); Dublin Corporation v. Bentham [1993] 2 I.R. 58 (High Court); Esat Digifone Limited v. South Dublin County Council [2002] 3 I.R. 585, (High Court). However, these cases do not appear to me to expound any new principles with regard to the interpretation of s.*

4(1)(h) of Act of 2000, or its predecessor s. 4(1)(g) of the Act of 1963, relevant to this particular issue, or to vary in any way the principles as stated by Finlay C.J.

39. I find that prior to the carrying out of the works by the Respondent this particular bridge presented as a simple, plain and very common type of minor railway under-bridge erected in hundreds from 1839 onwards throughout the island of Ireland. It was a narrow single span structure carrying main line double railway tracks over a minor regional road. It consisted of a brick built barrel vault springing from abutments of five courses of rusticated ashlar limestone blocks. At each end of the vault it had a semicircular voussoir arch of similarly dressed limestone blocks and spandrels of horizontally laid courses of similarly dressed limestone blocks surmounted by a plain concrete parapet. It had heavy steeply angled masonry wing walls or buttresses up to crown top level on either side of the arch. There was no evidence offered at the hearing of this application before the Court that it possessed any features of particular interest from an engineering, architectural, artistic or historical view point. I find that in every respect it conformed to the standard of architectural character stated by Sganzin (Boston Translation from original French, 1827) and cited by O'Keeffe and Simington in "Irish Stone Bridges — History and Heritage" (Irish Academic Press, 1991) pages 198 – 199 as follows:-

"Bridges should correspond with the locality — simple and plain upon roads: bold, rich and varied in cities."

40. Following the works carried out by the Respondent I find that the overall dimensions of the bridge remain the same. So also, I find, does its essential and immediate visual impact as a minor masonry railway under-bridge on a minor road leading through a railway embankment. Substantial sections of the original limestone abutments remain as do the masonry wing walls or buttresses. The limestone voussoir arches and spandrels have been replaced by a horizontal lintel of pre-cast pre-stressed grey coloured concrete supported by vertical bed stones in similar material resting upon the original limestone abutments, but entirely faced with reconstituted stone blocks. The original horizontally laid rusticated ashlar limestone and concrete block parapet has been replaced by a similarly laid parapet of reconstituted stone blocks. I find that the visible replacement stone work was designed to blend, and does effectively blend the new single span flat deck of pre-cast pre-stressed concrete with the existing stone structure. I find that the new concrete deck is not of such a thickness, colour or design as to contrast discordantly with the overall darker coloured masonry of the bridge. I find that the post-development visible surface treatment of the bridge is such, that in form, proportion, harmony with its environment, gradation, rhythm of composition, details, colour and reaction to light and shade, it retains its original character [see Steinman and Watson, "Bridges and their Builders" (Dover Publications Incorporated, New York 1957) page 393]"

We would also draw the Council's attention to the Board decision in ABP-303117-18 wherein the Board determined that the proposed installation of additional windows in rear façade of a house did 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 and was development that was exempted development. By analogy and also with further reference to the decision in Limerick City and County Council Ref. EC30/23 we consider that the installation of additional doors and glazing is exempted development as: 1: neighbouring structures have similar size doors and glazing; 2. The structure will remain in retail use and

retain its 'retail' character (which is consistent with the use of neighbouring units in the retail park); and 3. the development will not result in any change in the overall dimensions of the structure.

The attached expert reports (by Transport Insights, and Bannons) confirm that the development will not give rise to increased traffic generation or to increased commercial activity and accordingly, an intensification of use does not arise.

Particulars of any new signage is unknown at present as no new tenants have been identified. If permission is required for any new signage this could be dealt with by way of an ordinary planning application.

### 2.3.3 No Change of Use Proposed

No change of use from the permitted use of Unit 2 is proposed. The permitted use is retail comparison use (per Limerick Ref. 03/770181). After subdivision, the proposed use will continue to be a retail comparison use. The Unit is vacant at present and the subdivision of the Unit will assist in securing tenants.

In addition, expert reports have been provided by Bannon and Transport Insights showing that no material intensification of use or traffic impacts will arise. Indeed it is likely that the net retail floorspace will be reduced.

In relation to the planning history of Unit 2, An Bord Pleanála (in relation to the previous application for the subdivision of Unit 2, the removal of a mezzanine, and development of signage) expressly amended a planning condition that had been attached by the Council under Ref 19/922 (ABP ref 306623) changing the use of Unit 2 to Retail Warehouse use and replaced it with the following condition:

*"2. The two separate units to which this permission relates, and which are proposed as a consequence of the subdivision of the subject premises (Unit 2), shall be used solely for the retail purposes as consented to Unit 2 in permission granted under planning register reference number 0/3/770181"*

The Board's order explaining the reasons and considerations for the amendment of the condition stated:

*"Having regard to the description of the proposed development, which is for subdivision of the existing Unit 2 and associated physical works and which does not entail a change of use, it is considered appropriate that Condition Number 2 references the relevant use permission applicable to the subject premises."*

In a similar Section 5 Referral at Limerick One (Limerick Ref. EC56/20 – ABP Ref. 309107) the Board overturned a finding of the Council that the subdivision was not exempted development determining instead that the subdivision of Unit 12 into three units was exempted development. The Board's Inspector also stated that Irish Life had made a compelling case that the development was exempted development:

*"8.2.4 I consider that the first party has made a compelling case. As regards traffic generation the aforementioned Industry Standard TRICS database relies on three key*

*variables (development type, site location and floor area) which would not be altered in scenario 1 or 2. Furthermore I note that by reference to Table 16.1 General Parking Standards Limerick City Development Plan 2010-2016 as extended the calculation of parking requirement relates to floor area and would not increase. I note the specific circumstances of the current appeal case where the existing unit is occupied by the Arcadia Group selling four unique brands namely Wallis, Burton, Evans and Dorothy Perkins. I note that no details are provided in terms of the intended future occupancy of the potential two or three units arising from the subdivision. It is my considered view that the subdivision of an existing unit into a possible two or three units in this case will not in itself lead to additional traffic or pressure on car parking spaces. I am of the view that while the creation of an additional one or two shops will potentially lead to additional or altered pattern of deliveries this is not likely to be material. Given that the subdivision of the single retail unit into two or three units will not result in an increase of floor area (net retail floor will be likely to decrease) I conclude that the proposal will not result in an intensity of development that would have material planning impacts."*

It is respectfully considered that the case in this application is equally compelling; the Board has previously amended a condition so as to confirm the retail comparison use of Unit 2; granted permission for, inter alia, its subdivision into two units (Unit 2A and 2B) signage and removal of a mezzanine; and held that the subdivision of Unit 12 into three units would not result in an intensity of development that would have material impacts.

Therefore, for the reasons outlined above we submit that the proposed development is clearly exempted development.

### 3.0 CONCLUSION

For the reasons outlined above we respectfully consider that the proposed development (both scenarios) is exempted development. We respectfully invite the Council to agree with our assessment.

Please do not hesitate to contact us if you require any further information.

Yours faithfully,



John Sheehan  
Sheehan Planning  
Encl.



# Proposed Subdivision of Unit No. 2, Limerick One Shopping Park – Transport Statement Note

<b>Contract Number</b>	C512.9
<b>Topic</b>	Transport Statement (TS) Note for Proposed Subdivision of Unit No. 2, Limerick One Shopping Park, Childers Road, Limerick
<b>Version Number</b>	v1.2
<b>Status</b>	Final
<b>Author(s)</b>	Cillian O'Reilly
<b>Reviewer</b>	Ciaran McKeon
<b>Date</b>	07 July 2025

## 1. Introduction

### 1.1. Overview

Transport Insights has been commissioned by Irish Life Assurance PLC to prepare a Transport Statement (TS) Note in relation to the proposed subdivision of Unit No. 2, Limerick One Shopping Park into 2 no. smaller units. It is intended to submit a Section 5 Exempted Development Declaration Request to Limerick City and County Council (LCCC) for the proposed subdivision of the unit. This TS Note will form part of that submission and sets out the transport characteristics of the proposed subdivision of Unit No. 2.

### 1.2. Development Overview

The proposed development, subdividing Unit 2 into two separate units, is similar to that granted planning permission by LCCC in 2020 (LCCC Reg. Ref. 19/992, see Section 1.3 of this Note). The planning permission for same is due to expire in November 2025, hence Irish Life Assurance PLC now intends to submit an Exempted Development Declaration Request to LCCC for the Unit 2 subdivision. A declaration request cover letter, site location plan/ map, floor plans/ elevations etc. outline the proposal, such as:

- Subdivision of Unit No. 2 into two separate units with own door front and rear accesses;
- Unit 2A would have a gross floor area of 1,097 sqm; and
- Unit 2B would have a gross floor area of 735 sqm.

The combined GFA, 1,832 sqm, of the proposed subdivided units is ca. 498 sqm GFA less than the original Unit No. 2 (at 2,230 sqm GFA including mezzanine floor/ 1,843 sqm excluding mezzanine floor). As part of the subdivision proposal, no alterations to the existing site accesses or car park layout are proposed.

### 1.3. Recent Planning History

#### Unit 2A-1 & 2A-2 Section 5 Exempt Development Declaration

An Exempted Development Declaration Request was lodged with LCCC in 2023 in relation to the subdivision of Unit 2A into two units (2A-1 & 2A-2). The request was considered by LCCC and a Declaration issued in 2023.

#### Proposed KFC Drive-Thru Lane and New Drive-Thru Café/ Restaurant Unit

A planning application for proposed development within Limerick One Shopping Park (LCCC Reg. Ref. 21/1501) was submitted to LCCC in October 2021. In summary, the application was for modifications to the existing KFC restaurant in the southern portion of the site to enable the addition of a drive-thru lane and a new drive-thru café/ restaurant located in a portion of the northern car park along with associated works. Transport Insights provided transport planning support, including a Traffic and Transport Assessment Report in relation to this application. A split decision on the application was issued by LCCC in March 2022, and following a first-party appeal to An Bord Pleanála, permission was granted for the KFC drive-thru, works on which are anticipated to commence within 12-18 months.

#### Unit No. 2 Mezzanine Floor Removal & Subdivision

A planning application (LCCC Reg. Ref. 19/992) to remove the existing mezzanine floor in Unit No. 2 and subdivide the unit into two units, No. 2A and 2B, was submitted to LCCC in October 2019. The total GFA of the proposed two units is 1,832 sqm with Unit No. 2A accounting for 1,097 sqm and Unit 2B accounting for 735 sqm. Overall, the proposed development would result in a reduction of ca. 498 sqm GFA from the original Unit No. 2, predominantly due to the removal of the mezzanine floor within that unit. The application was granted permission by LCCC in January 2020 and following a first-party appeal to An Bord Pleanála (in relation to a condition attached by LCCC's grant of permission) the grant of permission was upheld by the board in August 2020.

This application has not been fully implemented to date<sup>1</sup> as a commercial partner has yet to be secured to justify same. It is noted that this permission is due to expire in November 2025 hence

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<sup>1</sup> Removal of the mezzanine floor, with a GFA of 487 sqm are noted to have been completed.

Irish Life Assurance PLC is now submitting a Section 5 Exempted Development Declaration Request to LCCC.

#### 1.4. National Best Practice – Traffic and Transport Assessment Guidelines

Transport Infrastructure Ireland's (TII's) *Traffic and Transport Assessment (TTA) Guidelines* (May 2014) provide guidelines in relation to the requirement for and best practice in relation to the completion of a Transport Assessment.

Section 2.1 of the *TTA Guidelines* sets out thresholds for the production of a Traffic and Transport Assessment, with thresholds directly related to the floor area (in sqm) of new development. Such thresholds reflect the direct relationship between the intensity of trip making and parking demand, and the scale of development. In the case of retail, both Tables 2.1 and Tables 2.2 (more onerous thresholds relating to developments where national roads are affected), has determined such a requirement for new/ expanded developments exceeding 1,000 sqm GFA. Notwithstanding the existing Unit No. 2 exceeding 1,000 sqm GFA, its proposed subdivision will not result in an increase in its floor area, and therefore trip making and parking demand. As such, in accordance with national best practice, and reflecting its negligible (at most) impacts, it does not necessitate completion of a Traffic and Transport Assessment. Instead, a TS Note is considered suitable in view of the traffic and transport characteristics of the proposed subdivision of Unit No. 2.

#### 1.5. Note Structure

The remainder of this TS is structured as follows:

- Section 2 – development site overview;
- Section 3 – proposed development's traffic characteristics; and
- Section 4 – summary and conclusion.

## 2. Development Site Overview

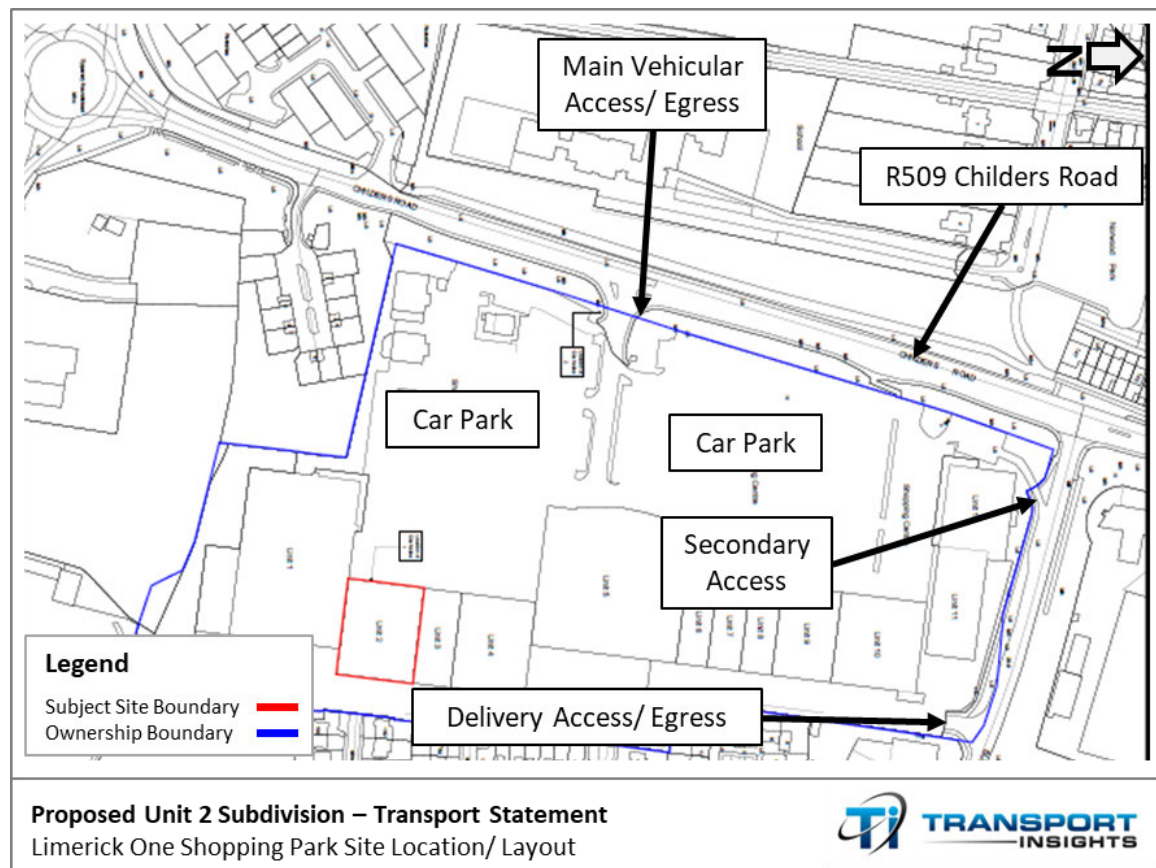
### 2.1. Introduction

This section of the TS Note provides an overview of the existing Limerick One Shopping Park, including retail offer, access arrangements and car parking facilities. The contents have been informed by work previously undertaken by Transport Insight for Irish Life Assurance PLC at the Shopping Park including a site visit (February 2025) and work in relation to previous planning applications which was supported by traffic and parking surveys undertaken on 10 and 11 January 2020.

## 2.2. Limerick One Shopping Park

Limerick One Shopping Park is located at Childers Road, Limerick. The Shopping Park hosts a range of retail types including clothing, homeware, lifestyle, groceries, fast food and café units. The Shopping Park has a total area of ca. 6.9 ha. and has a development GFA of in excess of 30,000 sqm. Currently 11 no. (out of 13 no.) retail units and 3 no. food and beverage units are occupied. Car parking within the Shopping Park is provided in the form of ca. 1,173 no. on-site car parking spaces. The overall layout of the Shopping Park, and location of Unit No. 2 which is the subject of this TS is illustrated in the following Figure 2.1.

**Figure 2.1 Limerick One Shopping Park Site Location/ Layout**



As can be seen from the preceding Figure 2.1, vehicular access/ egress to the Shopping Park is via R509 (Childers Road), which adjoins its western boundary. This junction, photographed in Figure 2.2 (overleaf), is signal-controlled, and accommodates access and egress to and from both the north and south along Childers Road. Vehicles can also access the Shopping Park via a left-in access-only junction on Bloodmill Road, which adjoins its northern boundary. Servicing/ delivery access to the rear of the Shopping Park is also accommodated from Bloodmill Road.

**Figure 2.2 Main Limerick One/ Childers Road Junction**

### **2.3. Limerick One Shopping Park – Car Parking Occupancy Characteristics**

Although not deemed to be of relevance to the current proposed subdivision of Unit No. 2 for the reasons set out in the subsequent Section 3 of this TS Note, survey data from previous planning applications is available and is included to provide context in relation to car park occupancy levels within the Shopping Park.

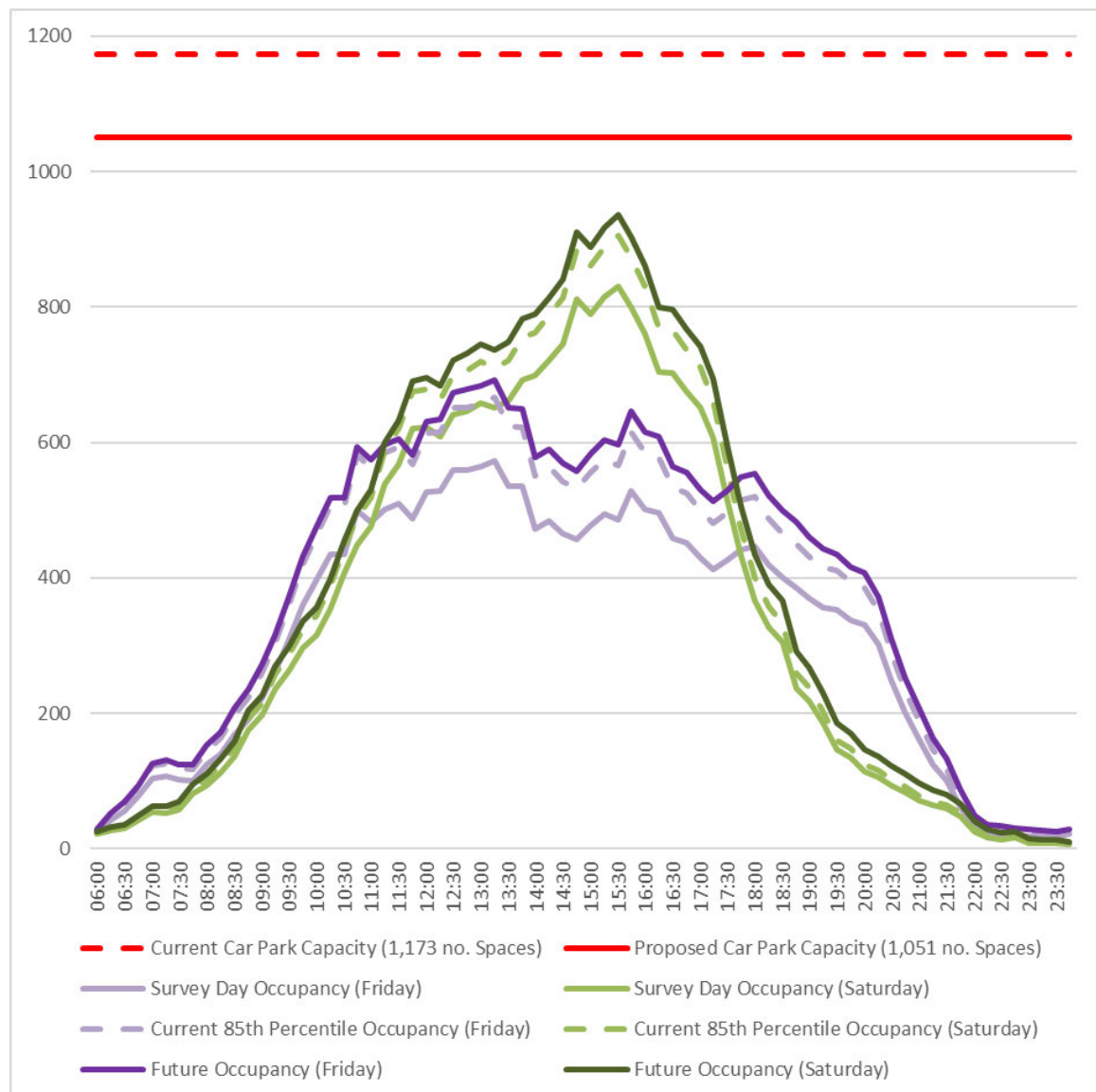
A parking accumulation analysis was undertaken in relation to the previous planning applications, providing a clear understanding of parking usage at the Shopping Park. The parking accumulation profile was based on a 48-hour survey of access/ egress vehicle movements combined with an occupancy count within the Shopping Park's car parks completed in advance of the survey commencing on Friday 10 January 2020. In addition, 85<sup>th</sup> and 95<sup>th</sup> percentile car parking accumulations have also been produced based on the footfall data provided to Transport Insights – such scenarios were developed to reflect seasonal variations in retail activity, with such activity typically lower in January. It is noted that at the time the surveys were undertaken in 2020 it coincided with full occupancy of the retail park, predated the impacts of Covid-19 restrictions on retail activities and the provided footfall data covered a period of a year. Considering the level of



data available, historical coverage and underlying activity at the Shopping Park at the time of the survey, the survey data is considered robust and likely representative of activity in 2025.

As noted in Section 1.3, planning permission was granted in 2022 for the proposed addition of a drive-thru lane to the existing KFC restaurant. To date this development has not been implemented. The parking accumulation profile presented in the following Figure 2.3 has taken account of the potential additional parking demand and loss of on-site car parking capacity associated with the original development proposal<sup>2</sup>.

**Figure 2.3 Current and Potential Future Car Park Accumulation Profiles**



<sup>2</sup> Analysis takes into consideration original/ larger proposed development, i.e. the proposed addition of a drive-thru lane to the existing KFC restaurant and a new drive-thru café/ restaurant/ unit, which would have resulted in the loss of a total of 122 no. car parking spaces. A split decision was issued with the proposed drive-thru lane to the existing KFC restaurant granted permission.

As can be seen in preceding Figure 2.3, the Shopping Park car park is not predicted to reach or exceed car parking capacity in either the current (i.e. occupation of Unit No's 2A & 2B) or potential future (i.e. new drive-thru development) scenarios. Furthermore, on-site observations in February 2025 also noted significant available car parking spaces within the site.

### 3. Proposed Development's Traffic Characteristics

#### 3.1. Introduction

This section of the TS Note provides an overview of the proposed development and its traffic generation and parking demand characteristics by comparison to the existing Unit No. 2.

#### 3.2. Proposed Development Overview

The proposal to which this TS Note relates is the subdivision of the existing Unit No. 2 into 2 no. smaller retail units. The overall floor area would be 1,832 sqm, ca. 498 sqm. less than the original Unit 2, and ca. 11 sqm less than the current Unit No. 2 (1,843 sqm following removal of the mezzanine floor).

The proposed subdivision of Unit No. 2 would be achieved by constructing internal walls within the existing unit, and the installation of new doors.

#### 3.3. Traffic and Parking Demand Characteristics

##### Traffic Impact

The industry standard Trip Rate Information Computer System (TRICS) has been referred to as the basis for determining the potential traffic impact of the proposed development. Traffic generation characteristics of a proposed development depend on the following three attributes:

- Development type/ land use: In this instance, the existing retail Unit No. 2 would be subdivided into two smaller retail units, and as such the development's traffic generation characteristics are independent of this variable.
- Site location: The subdivided unit's location remains unchanged, and as such the development's traffic generation characteristics are also independent of this variable.
- Floor area: Based on a particular type of development at a specified location, its traffic generation characteristics are a function of its floor area, i.e. x trips to, and y trips from development per 100 sqm GFA. As the floor area of the subdivided Unit No. 2 will be broadly the same as the current unit (1,832 sqm proposed vs. 1,843 sqm existing), its traffic generation characteristics will therefore be unchanged. It is also noted, as per Section 1.4 of this TS Note, that the thresholds necessitating the completion of a Traffic and Transport

Assessment relate to development floor area (with the proposed development being sub-threshold).

In accordance with best practice, it is apparent that development type, site location and floor area determine a development's traffic generation characteristics. It is specifically noted that the subdivision of a larger unit into smaller units is not a determining factor in relation to a development's traffic generation potential.

For the above reasons, it is not envisaged that the subdivision of Unit No. 2 into 2 no. smaller units will give rise to any traffic impact on the surrounding road network.

### Parking Impact

As per the traffic impact heading above, a development's parking demand characteristics are a function of its type, location and floor area. This is supported by the *Limerick City & County Development Plan 2022-2028*, with the following variables (Table DM 9(a): Car and Bicycle Parking Standards Limerick City and Suburbs (in Limerick), Mungret and Annocotty) determining a development's parking requirements:

- Land use: Standards are provided for 4 no. main types of retail land uses, namely convenience, comparison, bank/ financial services and retail warehouse.
- Location: Standards are provided for three zones – zone 1, zone 2 and zone 3.
- Floor area: For a specific land use classification and development location, parking standards are determined based on the development's floor area.

In accordance with best practice and the *Limerick City & County Development Plan 2022-2028*, it is apparent that development type, site location and floor area determine a development's parking requirements, and that **the subdivision of a larger unit into smaller units is not a determining factor in relation to a development's parking needs.**

## 4. Summary and Conclusion

### 4.1. Summary

Transport Insights has been commissioned by Irish Life Assurance PLC to prepare a TS Note in relation to the proposed subdivision of Unit No. 2, Limerick One Shopping Park into 2 no. smaller units through a Section 5 Exempted Development Declaration Request.

Based on evidence within this Note, it has been demonstrated that a development's traffic generation characteristics and parking requirements are a function of the land use (i.e. type of

development), site location and scale (sqm of floor area), and that **it is independent of the potential subdivision of a unit.**

It has been further demonstrated, via on-site observations, survey data collection and related analysis that the car park has spare car parking capacity (including allowing for potential additional demand related to granted developments within the Shopping Park).

## **4.2. Conclusion**

For the reasons set out in this Note, it has been demonstrated that the proposed subdivision of Unit No. 2 into 2 no. smaller units would not give rise to increased traffic generation or parking demand. As such, neither factor represents potential grounds for the proposed subdivision of the unit not representing an exempted development under Section 4 (1) (h) of the Planning and Development Act, 2000 (as amended).

**Property Consultants**

Hambleton House  
19/26 Pembroke Street Lower  
Dublin 2 D02 WV96

**T:** +353 1 6477900 **W:** [www.bannon.ie](http://www.bannon.ie)

Dooradoyle  
Dooradoyle  
Limerick V94 WV78

**RE:** Unit 2, Limerick Shopping Park  
**Applicant:** Irish Life Assurance  
**Agent:** Sheehan Planning, 4000

whom it may concern,


has been instructed by the applicant to apply for a planning permission for the use of Unit 2, Limerick One Shopping Park with a view to the use of the unit for the purpose of use.

of the subject unit is to be used for the purpose of use and would not be used for the purpose of use and would not be used for the purpose of use and would not be used for the purpose of use.

previous configuration contains one of the following areas:

- Customer Payment Zone
- Customer Facilities Area
- Customer Lock Room
- Customer Management Area

make independent provision for the above areas for the purpose of use. This, in addition to the provision for the above areas, will lead to a reduction in the provision for the above areas and consequently a reduction in the provision for the above areas.

  
Cillian O'Reilly



---

POS CASH OFFICE 09/07 12

-€ 80.00

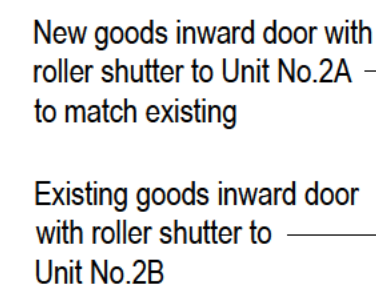
POS APPLE.COM/BI 09/07 0

-€ 0.99

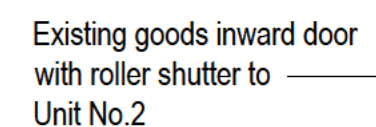
DD Security and Risk Com

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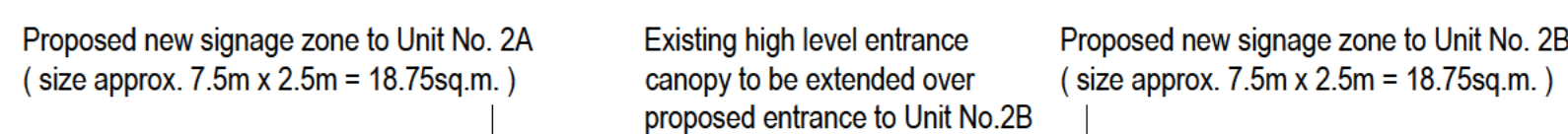
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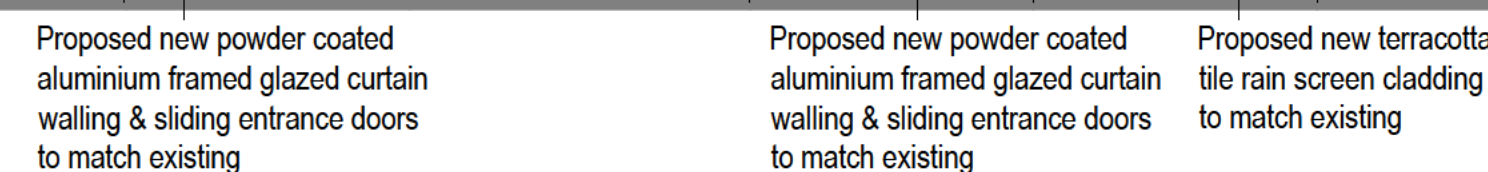
4 Proposed East Elevation - Units No.2A, No.2B, No.3 & No.4  
P-1202 SCALE 1:200/A1



3 Existing East Elevation - Units No.2, No.3 & No.4  
P-1202 SCALE 1:200/A1


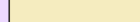
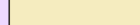


2 Proposed West Elevation - Units No.2A, No.2B, No.3 & No.4  
P-1202 SCALE 1:200/A1



1 Existing West Elevation - Units No.2, No.3 & No.4  
P-1202 SCALE 1:200/A1

LEGEND :

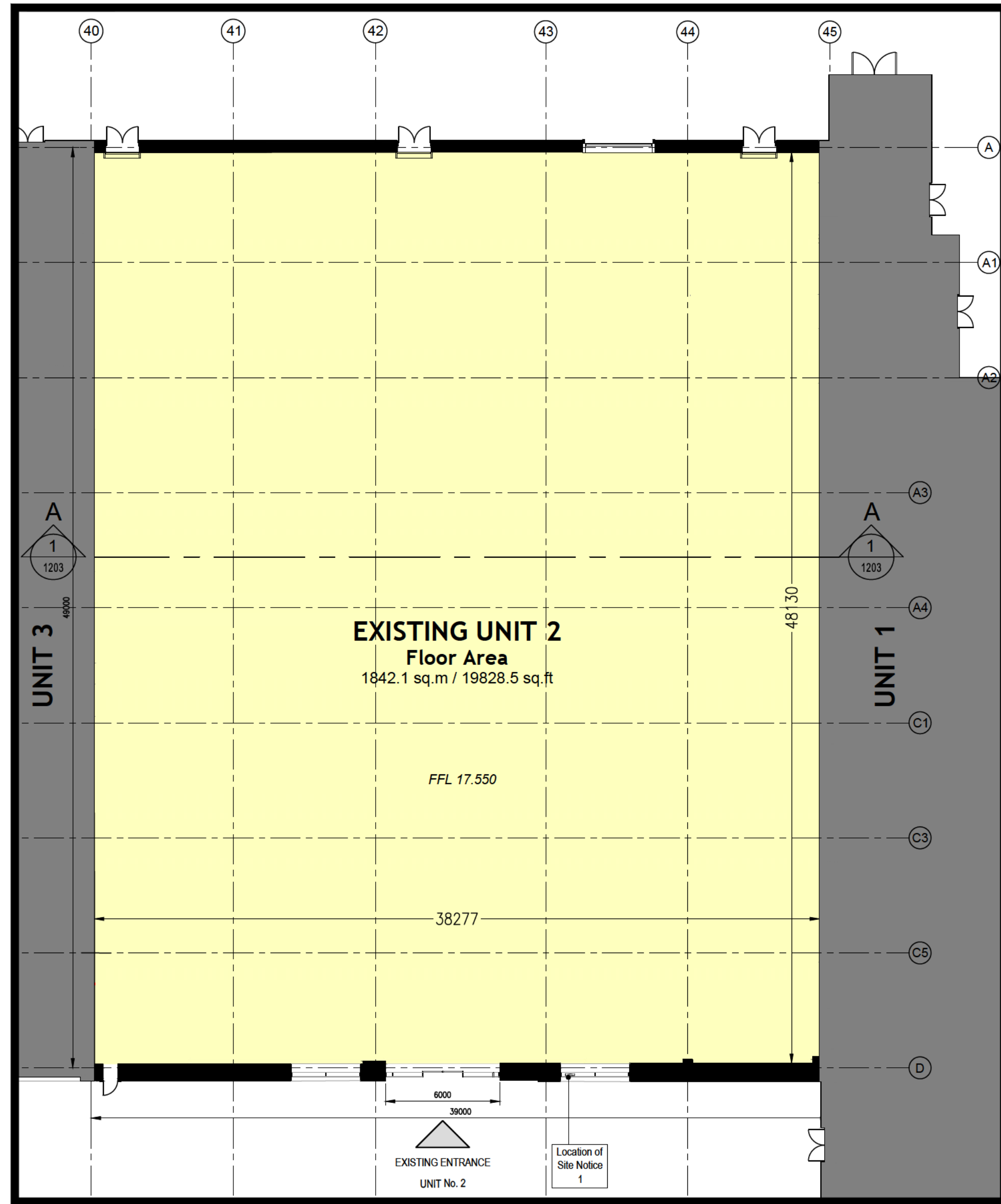
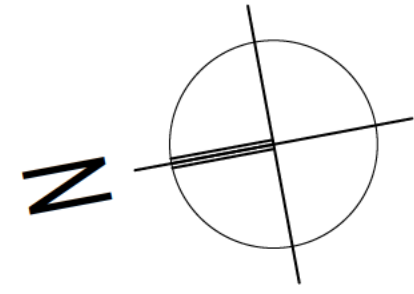
	Extent of existing Unit No.2
	Extent of proposed new Unit No.2A
	Extent of proposed new Unit No.2B

## SECTION 5

NOTES:

REVISION	DATE	REVISED BY	DESCRIPTION	REVISION	DATE	REVISED BY	DESCRIPTION

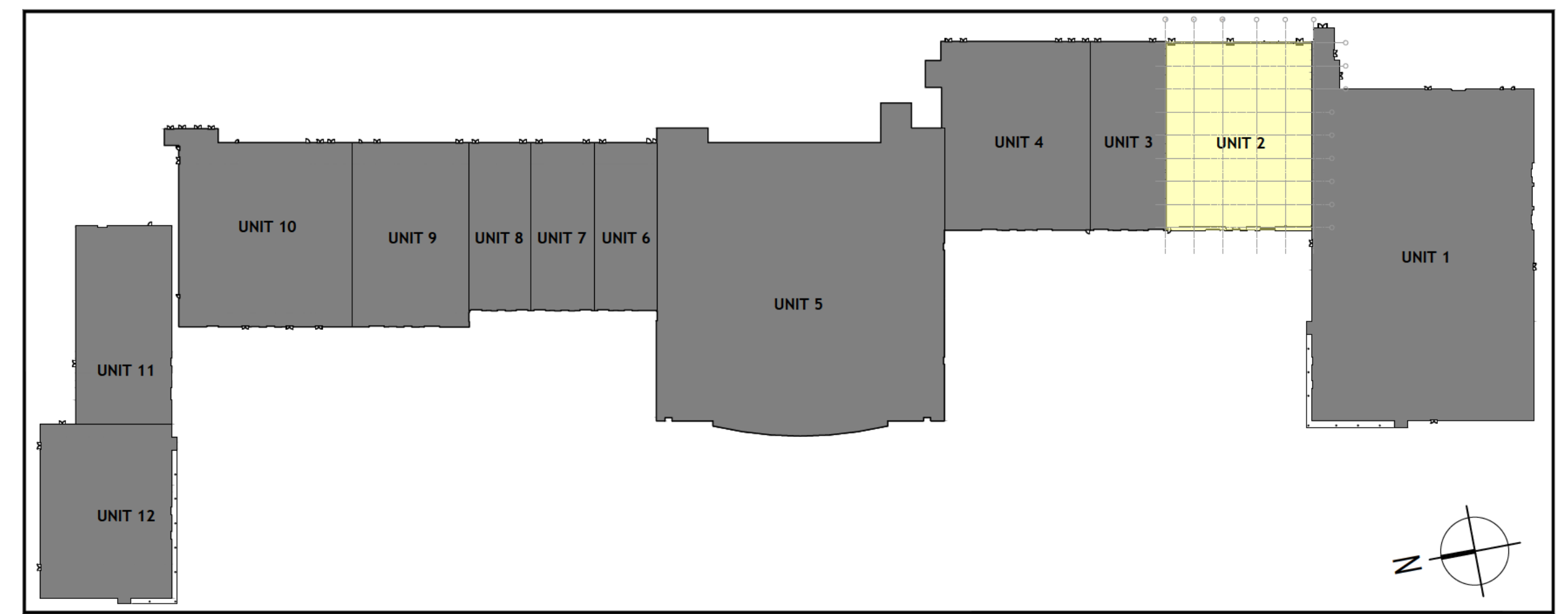
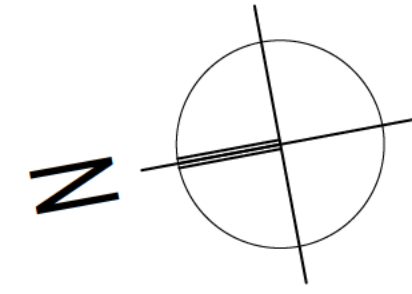
<div style="text-align: center;">    <b>ARCHITECTS &amp; INTERIOR DESIGNERS</b>   <i>associates</i> </div>							
<div style="text-align: center;"> <i>Unit D1, The Millhouse, The Steelworks, Foley Street, Dublin 1. Tel: (01) 8897800 Fax: (01) 8897989 E-Mail: <a href="mailto:architecture@oppermann.ie">architecture@oppermann.ie</a></i> </div>							
CLIENT	IRISH LIFE						DRAWN BY 
PROJECT	UNIT No.2 SPLIT – LIMERICK ONE SHOPPING PARK, CHILDEERS ROAD, LIMERICK						CHECKED BY
DRAWING	EXISTING & PROPOSED EAST & WEST ELEVATIONS						
PHASE	DRAWING NO. 19-103 - R - 1202	REVISION	SCALE 1:200/A1	DATE 03.06.2025	STATUS PLANNING	OAD REF.	PLOT DATE
<small>Copyright (C) 2002 Oppermann Associates All Rights Reserved. Plotted drawings only to be taken from this drawing. All dependencies to be checked on site. Architects to be informed immediately of any discrepancies before work proceeds.</small>							



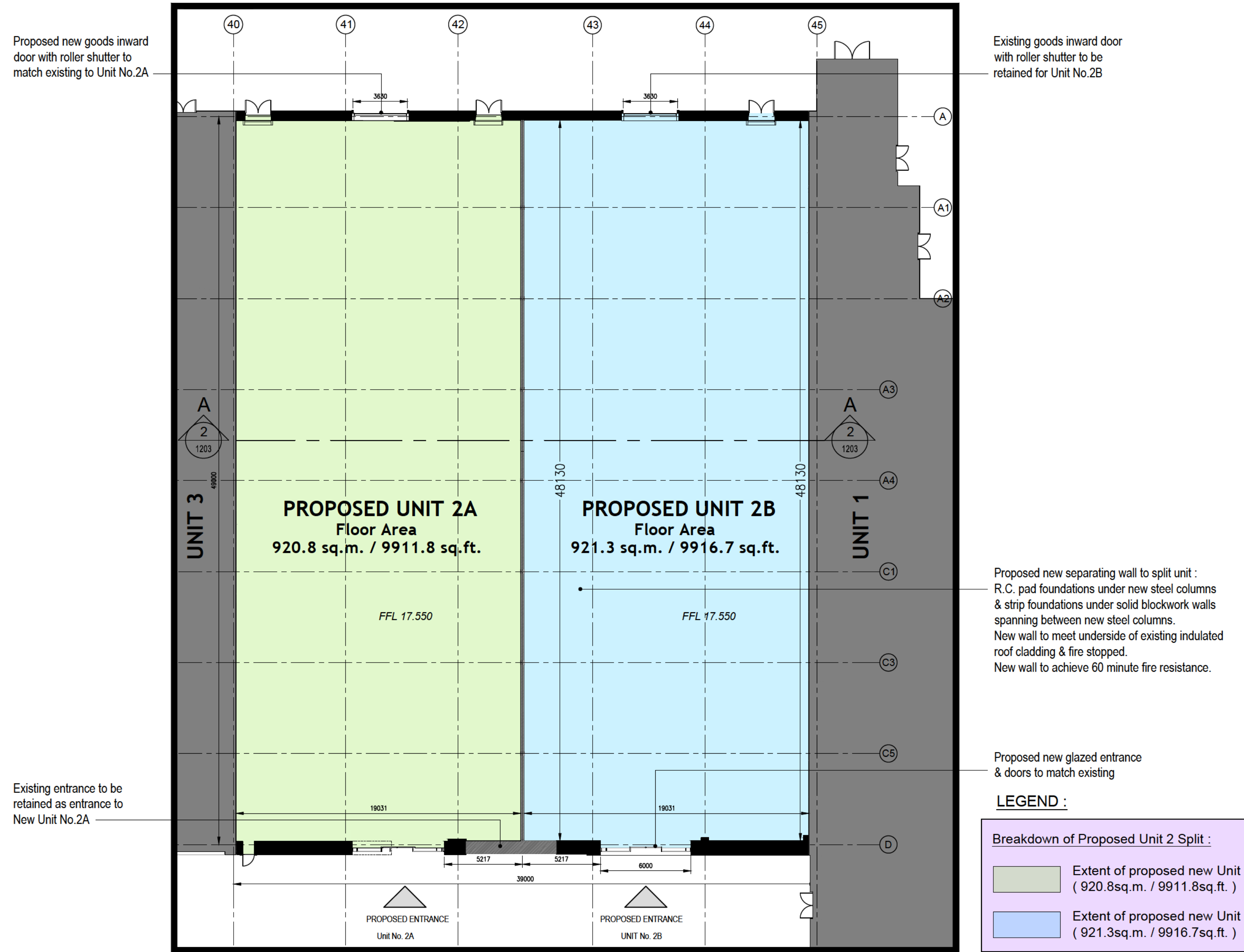
2 Existing Floor Plan - Unit No. 2  
P-1201 SCALE 1:200/A1

LEGEND :

- Extent of existing Unit No.2  
Floor Area: 18421.1 sq.m. / 19828.5 sq.ft





1 Overall Existing Scheme - Unit No.1 to Unit No.12  
P-1201 NOT TO SCALE - ( Reference Only )



**3 Proposed Split - Floor Plan - Unit No. 2A & Unit No. 2B**  
**P-1201 SCALE 1:200/A1**

LEGEND :

### Breakdown of Proposed Unit 2 Split :

-  Extent of proposed new Unit No.2A  
( 920.8sq.m. / 9911.8sq.ft. )
-  Extent of proposed new Unit No.2B  
( 921.3sq.m. / 9916.7sq.ft. )

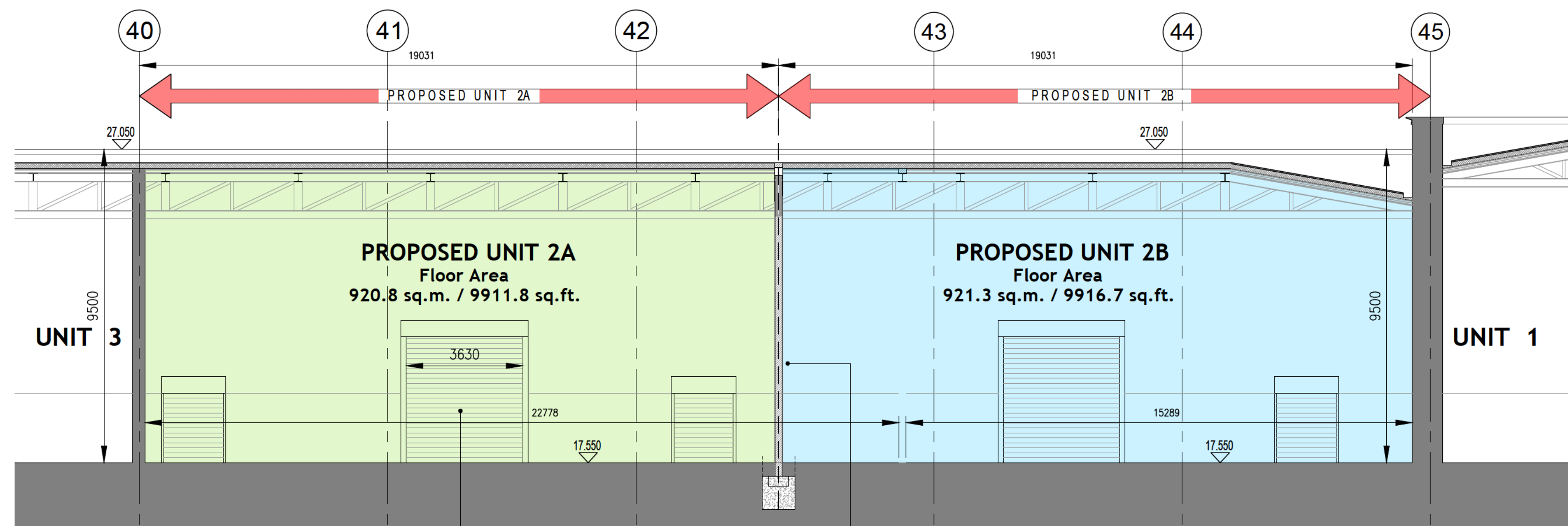
## SECTION 5

NOTES:

REVISION	DATE	REVISED BY	DESCRIPTION	REVISION	DATE	REVISED BY	DESCRIPTION

<div>oppermann</div> <div>ARCHITECTS &amp; INTERIOR DESIGNERS      associates</div> <div>Unit D1, The Millhouse, The Steelworks, Foley Street, Dublin 1. Tel: (01) 8899800 Fax: (01) 8899899 E-Mail <a href="mailto:architecture@oppermann.ie">architecture@oppermann.ie</a></div>							
CUSTOMER	IRISH LIFE						<div>DRAWN BY</div> <div></div> <div>CHECKED BY</div> <div></div> <div>PLOT DATE:</div>
PROJECT	UNIT No.2 SPLIT – LIMERICK ONE SHOPPING PARK, CHILDERS ROAD, LIMERICK						
DRAWING	EXISTING & PROPOSED FLOOR PLAN						
PHASE	DRAWING NO. 10-103 - P - 1201	REVISION	SCALE 1:200/AM1	DATE 03.06.2025	STATUS PLANNING	CAD REF.	EXCUT BY: 
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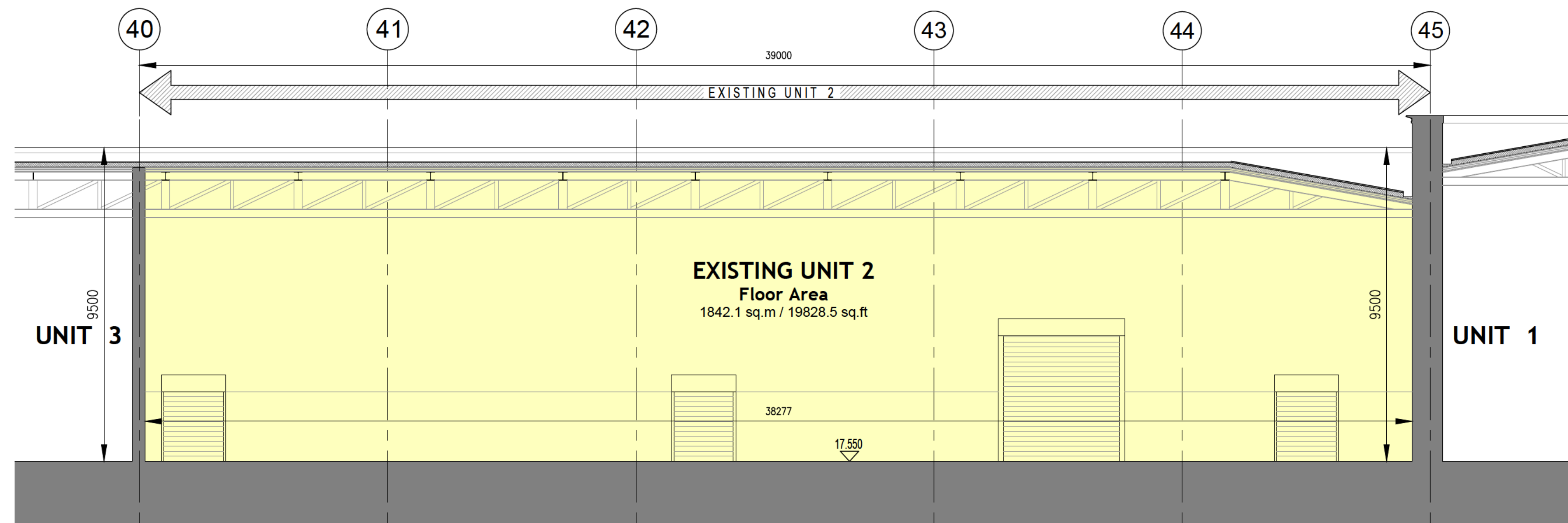
2 Proposed Section - AA  
P-1203 SCALE 1:100/A1

New goods inward door with roller shutter to Unit No.2A to match existing

Proposed new separating wall to split unit :  
R.C. pad foundations under new steel columns  
& strip foundations under solid blockwork walls  
spanning between new steel columns.  
New wall to meet underside of existing insulated  
roof cladding & fire stopped.  
New wall to achieve 60 minute fire resistance.

LEGEND :

-  Extent of proposed new Unit No.2A  
( 920.8sq.m. / 9911.8sq.ft. )
-  Extent of proposed new Unit No.2B  
( 921.3sq.m. / 9916.7sq.ft. )



1 Existing Section - AA  
P-1203 SCALE 1:100/A1

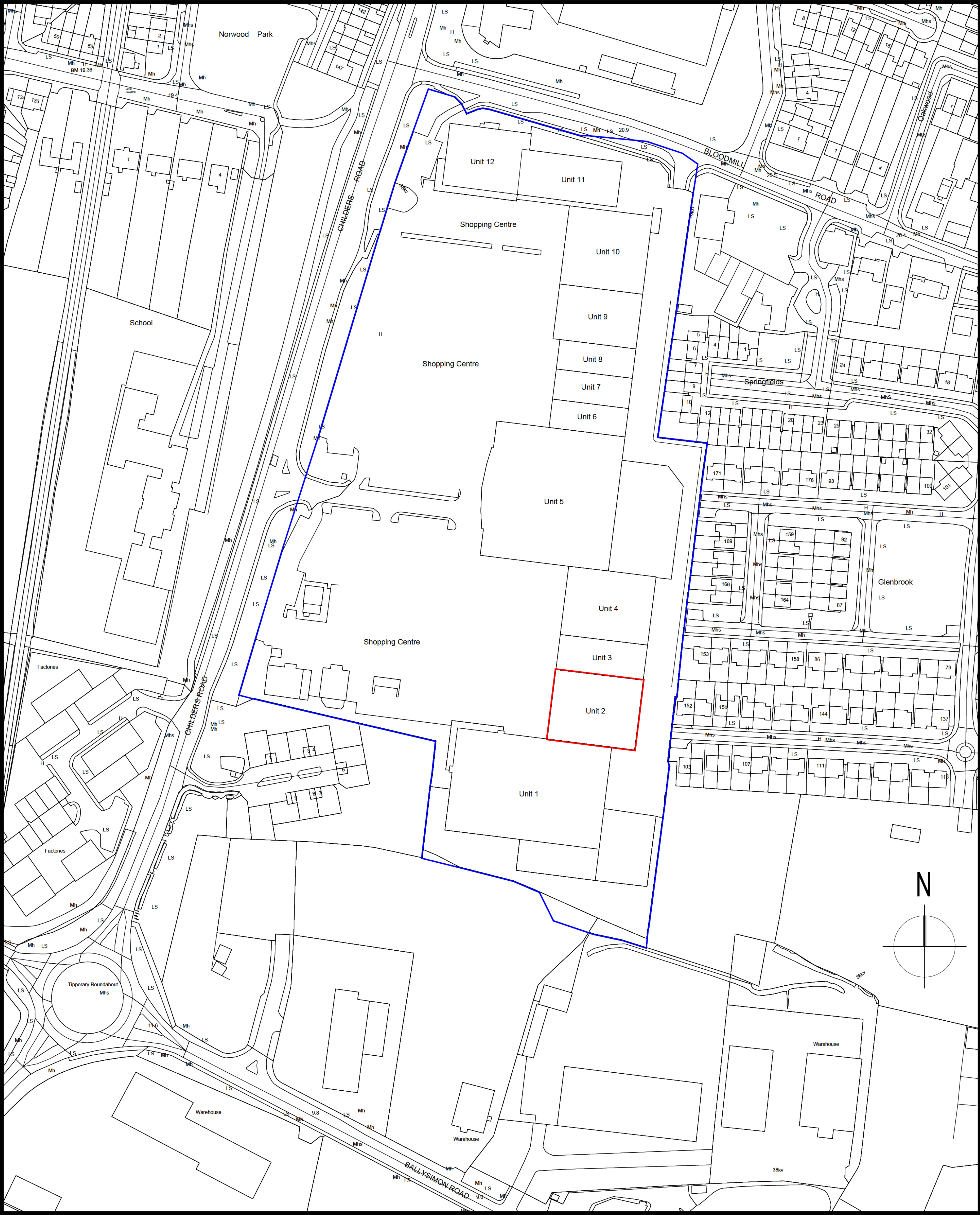
LEGEND :

## SECTION 5

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1 Site Location Map  
P-1204 SCALE 1:1000

LEGEND :

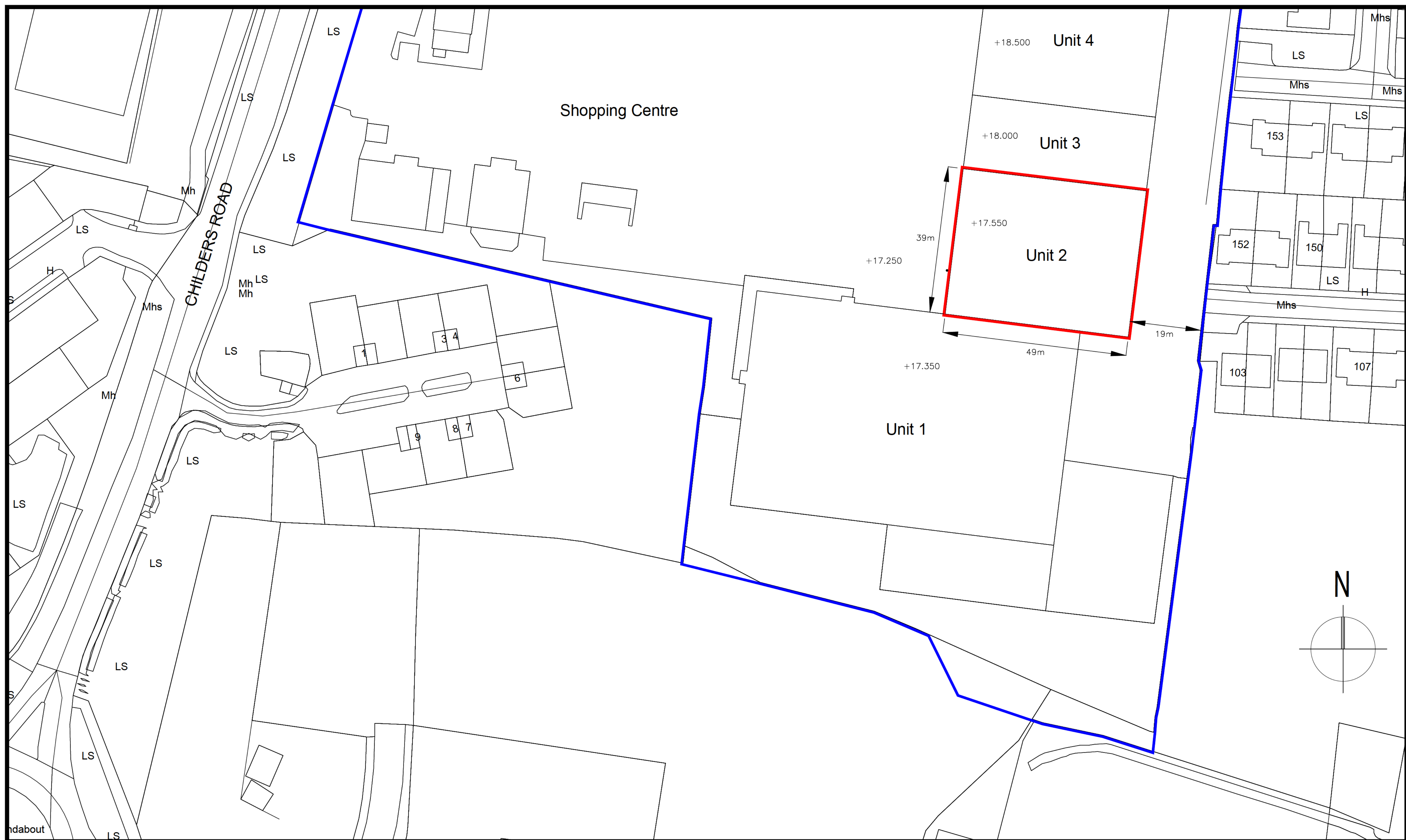
Extent of full site within client ownership = 80697 sq.m. / 8.06 h.a.

OPPERMANN ASSOCIATES  
UNIT D1,  
THE MILLHOUSE,  
THE STEELWORKS,  
FOLEY STREET,  
DUBLIN 1  
ORDNANCE  
SURVEY LICENCE  
NUMBER  
AR0070119

Ordnance Survey Map Reference  
1:1000 / 4743-05 & 4743-10  
1:2500 / 4744-A

SECTION 5



1 Site Plan  
P-1205 SCALE 1:500

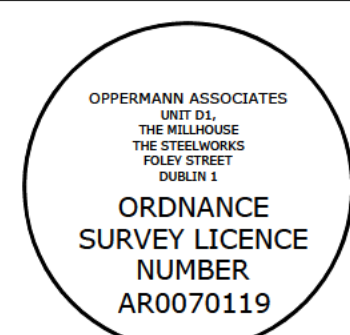
Ordnance Survey Map Reference 1:1000 / 4743-05 & 4743-10 1:2500 / 4744-A
--

**LEGEND :**

- Extent of site ( Unit No.2 ) = 1843 sq.m. / 0.18 h.a.
- Extent of full site within client ownership = 80697 sq.m. / 8.06 h.a.

## SECTION 5

NOTES:

[illegible]

<div style="text-align: center;">    <b>ARCHITECTS &amp; INTERIOR DESIGNERS</b>    <b>associates</b> </div>							
Unit D1, The Millhouse, The Steelworks, Foley Street, Dublin 1. Tel: 01 8899800 Fax: 01 8899899 E-Mail <a href="mailto:architecture@oppermann.ie">architecture@oppermann.ie</a>							
CIENT	IRISH LIFE						DRAWN BY 
PROJECT	UNIT NO.2 SPLIT – LIMERICK ONE SHOPPING PARK, CHILDERS ROAD, LIMERICK						CHECKED BY
DRAWING	SITE PLAN						
PHASE	DRAWING NO. 19-103 - P - 1205	REVISION	SCALE 1:500/A1	DATE 24.09.2019	STATUS PLANNING	CAD REF.	PLOT DATE:
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**Report on application under Section 5 of the Planning and Development Act 2000 (as amended)**

**Reference no.**

EC-175-25

**Name and Address of Applicant:**

Irish Life Assurance PLC,  
Irish Life Centre,  
Lower Abbey Street,  
Dublin 1

**Agent:**

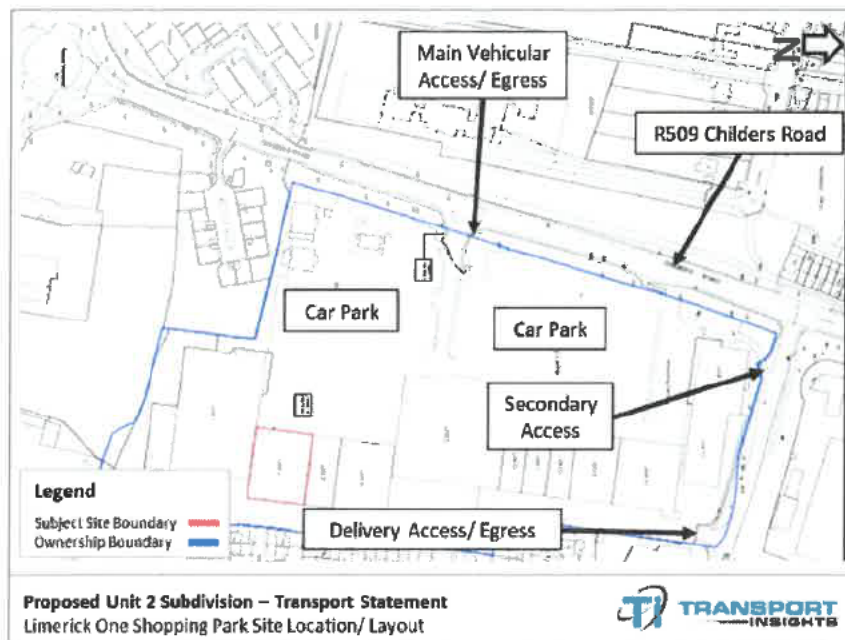
John Sheehan,  
Sheehan Planning,  
44 Balnagowan, Palmerston Park,  
Dublin 6

**Location:**

Unit 2, Limerick One Shopping Park,  
Childers Road,  
Co. Limerick

**Description of Site and Surroundings:**

The site is an existing commercial unit within an established shopping park on the Childers Road, Limerick. The shopping park has a range of retail types within its units, including clothing, homeware, lifestyle, groceries etc. There are over 1,000 car parking spaces available within the retail park and the subject unit is 1,842 sqm.



**Zoning:**

Zoned – Retail Warehousing within the 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:

- Subdivision of Unit 2 into 2 units and doors and glazing

This Section 5 declaration includes the following:

- Application Form
- Cover letter
- Transport Statement
- Site location map
- Site Layout Plan
- Proposed and existing floor plans and elevations

**Planning History:**

Multiple permissions within the retail park, permissions of relevance

EC-030-23 Subdivision of Unit 2A is development and is exempted development – Section 5 Declaration obtained - 06/06/2023.

19/992 – Permission granted to Irish Life Assurance PLC for the removal of mezzanine floor level and subdivision of Unit 2 into 2 units.

**Enforcement History**

N/A

**Relevant An Bord Pleanála referrals**

An Coimisiún Pleanála - Case reference: RL91.309107

Planning Authority Case Reference: EC56/20

**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 subdivision of a commercial unit and the development of a new entrance door and glazing constitutes ‘works’ and ‘development’.

**Is the proposal exempted development?**

Having established that the proposal constitutes “development” within the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended), the next step is to assess whether the proposed works fall within the scope of exempted development under Section 4(1)(h) of the Act.

Section 4(1)(h) provides that:



"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" shall be exempted development.

#### ***Subdivision of Unit No. 2***

The proposed subdivision of Unit No. 2 into two smaller retail units involves the construction of internal partition walls. These works are considered to be alterations to the interior of the structure and do not involve any material change of use. The applicant has confirmed that the use will remain as retail comparison, consistent with the existing permission (Ref. 03/770181), and that no intensification of use will arise. Supporting reports from Bannon Property Consultants and Transport Insights confirm that the subdivision will not result in increased traffic generation or commercial activity, having read these reports I agree with the conclusions of same.

This assessment is consistent with the Board's decision in ABP-309107-21, which considered the subdivision of Unit 12 within the same retail park. The Board concluded that the subdivision of a retail unit into two or three smaller units, involving internal works and additional doors, did not constitute a material change of use and was exempted development under Section 4(1)(h). The Board accepted that:

- The works affected only the interior or did not materially affect the external appearance.
- The subdivision would not result in increased traffic movements or commercial activity.
- The net retail floor area would likely decrease, reducing the intensity of use.

In light of this precedent and the supporting documentation, the internal subdivision of Unit No. 2 is considered to fall within the scope of Section 4(1)(h) and is therefore exempted development.

#### ***New Entrance Door and Glazing***

The proposal also includes the installation of a new entrance door and associated glazing. These works are external in nature; however, they are considered to be minor alterations that do not materially affect the external appearance of the structure so as to render it inconsistent with the character of the structure or neighbouring units. The surrounding retail units within Limerick One Shopping Park feature similar glazing and entrances, and the proposed works are consistent with the established architectural character of the area.

The Board's Inspector in ABP-309107-21 specifically noted that the addition of new doors, where consistent with existing fenestration and design, did not materially affect the external appearance and therefore fell within the scope of Section 4(1)(h). The proposed door and glazing in this case similarly reflect the existing design and materials and do not alter the overall dimensions or visual impact of the structure.

Having regard to the nature, scale, and context of the proposed works, the planning history of the site, and the precedent set by ABP-309107-21, it is considered that the proposed subdivision of the unit and the installation of a new entrance door and glazing fall within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended), and therefore constitute exempted development.

#### ***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

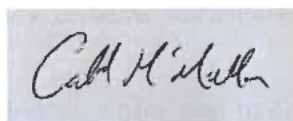
Having regard to:

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended),
- The nature and scope of the proposed works, including the subdivision of Unit 2 and the installation of a new entrance door and glazing,
- The documentation submitted with the application,
- The planning history of the site, including previous permissions and declarations,
- The precedent set by An Bord Pleanála in ABP-309107-21 (Unit 12, Limerick One), which confirmed that similar works within the same retail park constituted exempted development under Section 4(1)(h),

It is considered that the proposed works:

- Constitute "development" within the meaning of Section 3(1) of the Act,
- Fall within the scope of exempted development under Section 4(1)(h), being works that affect only the interior of the structure or do not materially affect the external appearance so as to render it inconsistent with the character of the structure or neighbouring structures,
- Do not result in a material change of use or intensification of use,
- Are not restricted by Article 9 of the Planning and Development Regulations 2001 (as amended).

Accordingly, it is recommended that the Planning Authority issue a Section 5 Declaration stating that the proposed subdivision of Unit 2 and the associated external alterations (new entrance door and glazing) are **development** and **exempted development** under Section 4(1)(h) of the Planning and Development Act 2000 (as amended).



Cathal McMullan  
Assistant Planner

Date 08/09/2025



Barry Henn  
A/Senior Planner

Date: 16/09/2025

## Appendix 1- AA Screening examination

### AA PN01 Screening Form

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
a. File Reference No:	EC-175-25
b. Brief description of the project or plan:	This is an application requesting a Section 5 Declaration on whether the subdivision of a retail unit and development of entrance door and glazing is or is not exempted development.
c. Brief description of site characteristics:	The site is existing retail unit in a retail park.
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 <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   National Parks & Wildlife Service (npws.ie)	1502m	No	N
004077	River Shannon and River Fergus Estuaries SPA   National Parks & Wildlife Service	2746m	No	N

<sup>1</sup> Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

<sup>2</sup> if the site or part thereof is within the European site or adjacent to the European site, state here

<b>STEP 3: Assessment of Likely Significant Effects</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:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
<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> </ul>	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named sites.

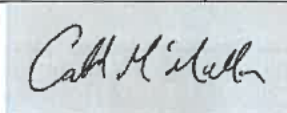
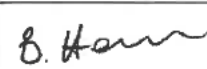


<ul style="list-style-type: none"> <li>• <b>Pests</b></li> </ul>	
<b>Operation phase e.g.</b> <ul style="list-style-type: none"> <li>• <b>Direct emission to air and water</b></li> <li>• <b>Surface water runoff containing contaminant or sediment</b></li> <li>• <b>Lighting disturbance</b></li> <li>• <b>Noise/vibration</b></li> <li>• <b>Changes to water/groundwater due to drainage or abstraction</b></li> <li>• <b>Presence of people, vehicles and activities</b></li> <li>• <b>Physical presence of structures (e.g collision risk)</b></li> <li>• <b>Potential for accidents or incidents</b></li> </ul>	None, works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named sites.
<b>In-combination/Other</b>	N/A given the level of development

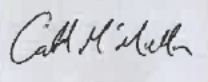
<b>b. Describe any likely changes to the European site:</b>	
<b>Examples of the type of changes to give consideration to include:</b> <ul style="list-style-type: none"> <li>• <b>Reduction or fragmentation of habitat area</b></li> <li>• <b>Disturbance to QI species</b></li> <li>• <b>Habitat or species fragmentation</b></li> <li>• <b>Reduction or fragmentation in species density</b></li> <li>• <b>Changes in key indicators of conservation status value (water or air quality etc)</b></li> <li>• <b>Changes to areas of sensitivity or threats to QI</b></li> <li>• <b>Interference with the key relationships that define the structure or ecological function of the site</b></li> </ul>	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named sites.

<b>c. (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>
<b>The assessment of significance of effects:</b> <b>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</b>
<p>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,</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>

<b>Conclusion: AA Screening is not required.</b>		
	<b>Tick as appropriate:</b>	<b>Recommendation:</b>
<b>i. It is clear that there is no likelihood of significant effects on a European Site</b>	<input checked="" type="checkbox"/>	<b>The proposal can be screened out: Appropriate Assessment not required.</b>
<b>ii. It is uncertain whether the proposal will have a significant effect on a European Site</b>	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>iii. Significant effects are likely</b>	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	 <b>Cathal McMullan</b> <b>Assistant Planner</b> <b>08/09/2025</b>	
<b>Signature and Date of the Decision Maker:</b>	 <b>16/09/2025</b>	

## Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-175-25
Development Summary:	Sub division of retail unit
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, has Schedule 7A information/screening report been submitted?</b>	
<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:	 <b>Cathal McMullan</b> <b>Assistant Planner</b> <b>08/09/2025</b>

**Signature and Date of the Decision  
Maker:**

*B. Hawn*

**16/09/2025**



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:

**Irish Life Assurance PLC**  
c/o John Sheehan,  
Sheehan Planning,  
44 Balnagowan,  
Palmerston Park,  
Rathmines,  
Dublin 6

**EC/175/25**

18<sup>th</sup> September 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.

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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/ 1026

**File Ref No. EC/175/25**

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

**RE:** The subdivision of Unit 2 into 2 units and doors and glazing at Unit 2, Limerick One Shopping Park, Childers Road, Co. Limerick

**ORDER:** Whereas by Director General's Order No. DG/2024/129 dated 15<sup>th</sup> September 2025, 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 08/09/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Irish Life Assurance PLC c/o John Sheehan, Sheehan Planning, 44 Balnagowan, Palmerston Park, Rathmines, Dublin 6 to state that the works as described above is

**Development and is Exempt Development.**

Signed

B. Henn

— A/SENIOR PLANNER, PLANNING & PLACE-MAKING

Date

22/09/2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/ 1026 dated 22/09/2025 pursuant to Section 151(7) of the Local Government Act 2001

Signed:

B. Henn

A/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 Dail  
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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/175/25**

**Name and Address of Applicant:** Irish Life Assurance PLC, Irish Life Centre, Lower Abbey Street,  
Dublin 1

**Agent:** John Sheehan, Sheehan Planning, 44 Balnagowan, Palmerston Park,  
Rathmines, Dublin 6

**Whether** the subdivision of Unit 2 into 2 units and doors and glazing at Unit 2, Limerick One Shopping Park, Childers Road, 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 25<sup>th</sup> of August 2025.

**AND WHEREAS** the Planning Authority has concluded that the subdivision of Unit 2 into 2 units and doors and glazing at Unit 2, Limerick One Shopping Park, Childers Road, Co. Limerick **DOES** come within the scope of exempted development as defined under Section 4(1)(h) and 4(1)(j) of the Planning and Development Act 2000 (as amended). See Report attached.

**NOW THEREFORE** the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is Exempt Development.**

Signed on behalf of the said Council

Date:

19/09/2025

**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.