



## **Limerick City and County Council**

## Planning Department

## Section 5 Application

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: JACINTA RAND  
Applicant's Address: 5 Park View  
Brune  
10. Lincoln D35 DX68

Name of Agent (if any): N/A

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Telephone No.**

**Address for Correspondence:**

JACINTA BETH

CULLAMUS KILMARLOCH CO. LIMERICK

U35 DR98

Location of Proposed development (Please include EIRCODE):

S Park View Braff

V3S 0X6P

Description of Proposed development:

semi detached bungalow

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

Section 5.

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:

Site plan ref -

Site location map, site layout plan,  
Dimensions plans + elevations of structure

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

If Yes please provide floor areas of all existing structures:

3m x 6m

Signature of Applicant (or Agent)





## **Limerick City and County Council**

## Planning Department

## Section 5 Application

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

Applicant's Name: JACINTA RODG

Applicant's Address: 5 Park View  
Brune  
Co. Lincoln D35 DX68

Name of Agent (if any): N/A

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone No. *(Indicate the telephone number of the location where the subject is located)*

#### Address for Correspondence

JACINTA BETTER

CULLAMUS KILMARROCK CO. LIMERICK  
U35 DR98

Location of Proposed development (Please include EIRCODE):

S Park New Bruff

V35DX 6P

Description of Proposed development:

semi detached house

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

Section 3

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:

site loc plan, site layout plan

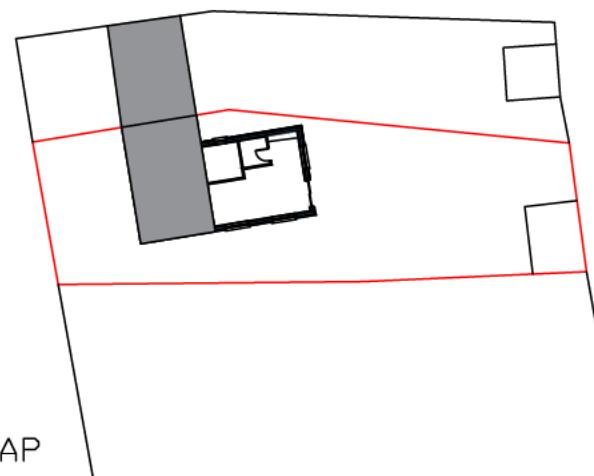
Dimensions plan + elevations of structure

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

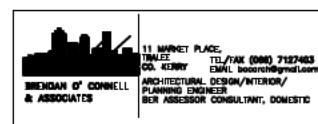
If Yes please provide floor areas of all existing structures:

small bungalow

Signature of Applicant (or Agent) [Signature]

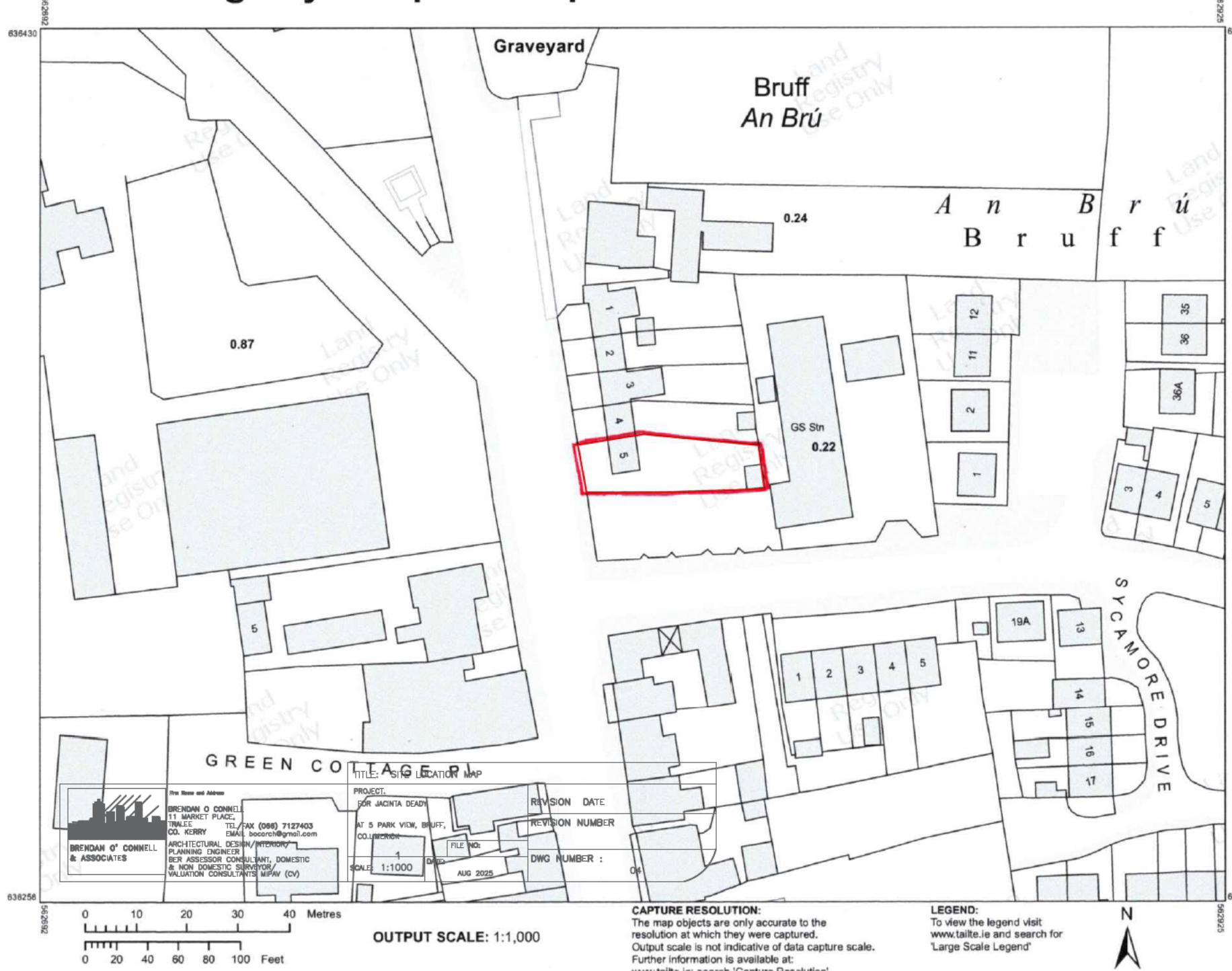


AYOUT MAP



TITLE: SITE LAYOUT MAP	
For Jackie Deasy At 5 Park View, Brff, Co.Ulster	REVISION DATE
McEnery O'Connell & Associates 11 MARKET PLACE CO. ARMAGH, TD/FAX (068) 7127463 ARCHITECTURAL DESIGN/INTERIOR/ PLANNING ENGINEER BER ASSESSOR CONSULTANT, DOMESTIC	REVISION NUMBER
FILE NO:	DWG NUMBER :
SCALE: 1:500	DATE:

## Land Registry Compliant Map



Tailte  
Éireann

CENTRE  
COORDINATES:  
ITM 562809,636344

PUBLISHED: ORDER NO.:  
19/08/2025 50485253\_3

MAP SERIES: MAP SHEETS:  
1:2,500 5109-D

COMPILED AND PUBLISHED BY:  
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Dublin 8,  
Ireland.  
D08F6E4

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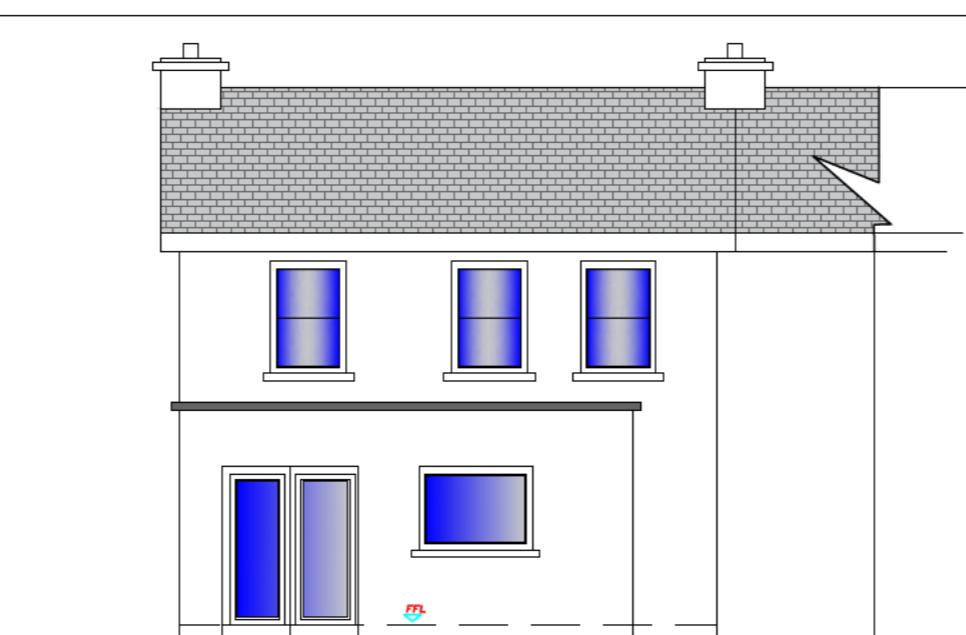
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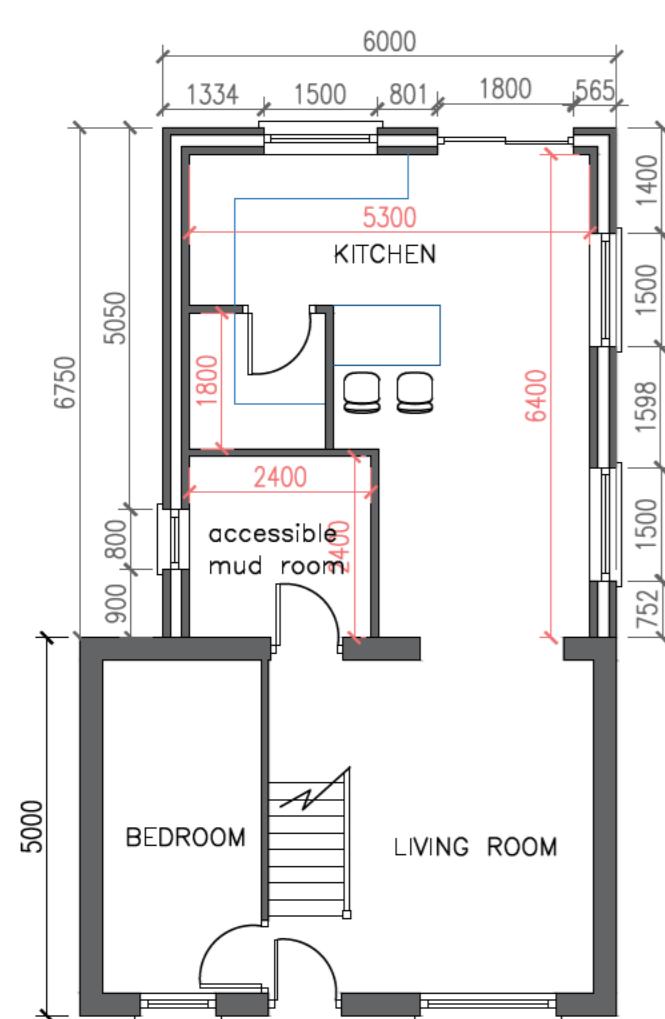
FRONT ELEVATION

SCALE 1:100



REAR ELEVATION

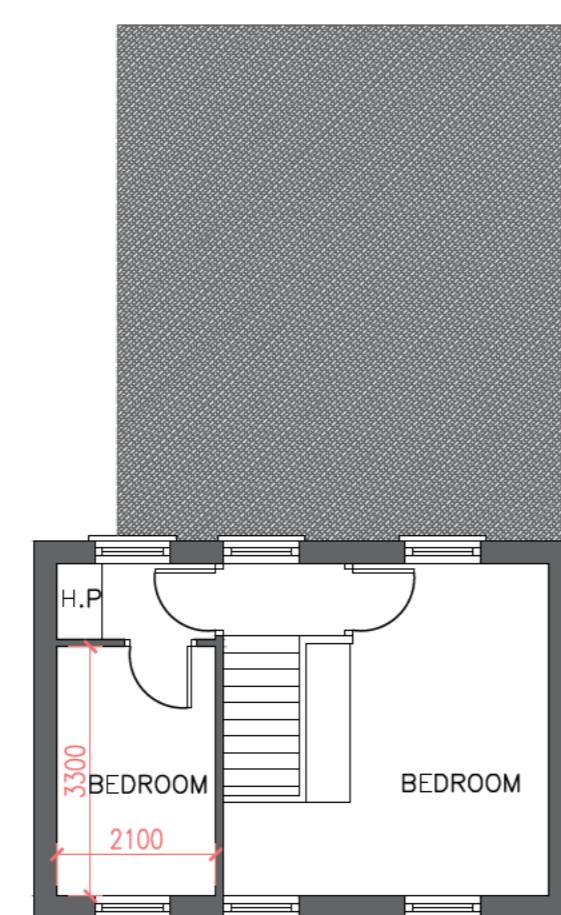
SCALE 1:100



GROUND FLOOR PLAN

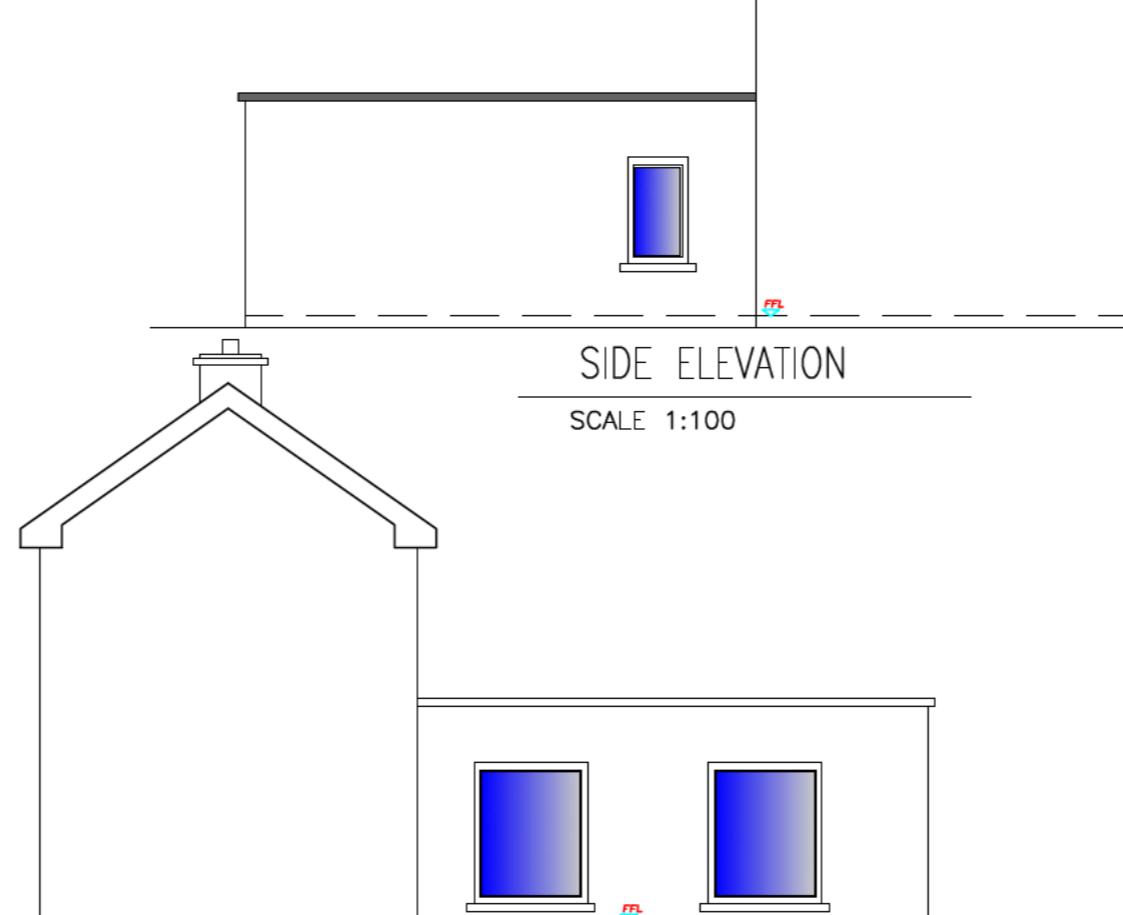
SCALE 1:100

FLOOR AREA OF EXTENSION = 33.92m<sup>2</sup>



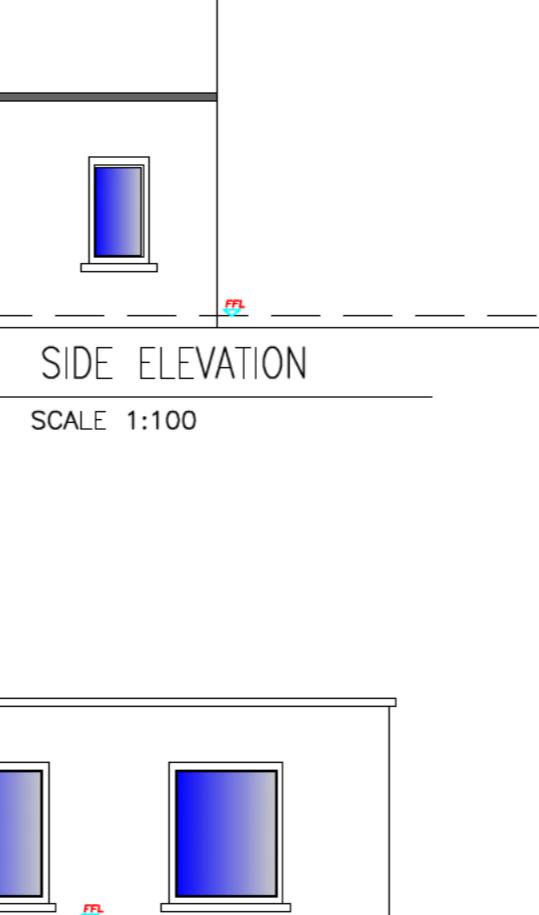
FIRST FLOOR PLAN

SCALE 1:100



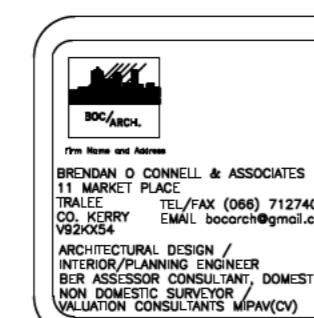
SIDE ELEVATION

SCALE 1:100



SIDE ELEVATION

SCALE 1:100



Project Name and Address  
PROPOSED EXTENSION  
FOR JACINTA & MARY DEADY  
AT  
Co.Kerry  
TEL/FAX (066) 7127403  
EMAIL: [boocarch@gmail.com](mailto:boocarch@gmail.com)

General Notes  
01  
Project  
Date MARCH 2025  
Scale 1:100  
No. Revision/Issue Date

IMPORTANT NOTICE  
BEFORE WORK BEGINS ON ANY PROJECT WE WISH  
TO ADVISE EVERY CLIENT OF THEIR STATUTORY  
DUTY TO APPOINT A PROJECT SUPERVISOR IN  
ACCORDANCE WITH THE SAFETY, HEALTH AND  
WELFARE AT WORK (CONSTRUCTION)  
REGULATIONS 2013 FOR ALL CONSTRUCTION PROJECTS

IMPORTANT BER NOTICE  
BER PRELIMINARY REQUIRED  
BEFORE CONSTRUCTION



Comhairle Cathrach  
& Contae Luimnígh

Limerick City  
& County Council

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

File Reference number	EC-193-25
Applicant	Jacinta Deady
Location	5 Park View, Bruff, V35DX68

5

**1.0 Description of Site and Surroundings:**

Semi-detached dwelling within Bruff, fronting onto the R516, the subject site is the end of a row of terraced dwellings.

**2.0 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:

- Under the heading description of proposed development the applicant has responded 'semi-detached house'. From further inspection of the submitted documents it is understood that the application is for a single storey rear extension to the semi-detached dwelling.
- Rear extensions are to be assessed under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

This Section 5 declaration includes the following:

- Site location
- Site layout plan
- Elevations
- Floor plans

**3.0 Planning History:**

None

**3.1 Enforcement History**

N/A

**4.0 Assessment**

Following a review of the application, specifically the application form and the submitted drawings, I find them to be unacceptable in their current form.

The applicant has indicated that a previous extension was carried out to accommodate a "small bathroom." However, this extension is not reflected on the submitted drawings, and there is no indication of its floor area or precise location within the existing structure. This omission presents two key issues:

1. Assessment of Proposed Extension

Without clarity on the extent of previous development, it is not possible to accurately assess the proposed extension against the limitations set out under Class 1(a) of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), which states:

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

In the absence of verified information on the existing bathroom extension, I cannot determine whether the proposed works comply with this limitation, the proposed gross floor area is 33.92sqm.

2. Potential Unauthorised Development

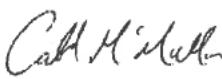
All rooms within the existing structure have been labelled on the submitted drawings. Given that the bathroom extension is not shown, it must be presumed—at this stage—that it is located within the area now proposed for extension. If this is the case, the proposed development will involve the extension of a potential unauthorised structure, which is not exempted development.

**Under Article 9(1)(a)(viii) of the Planning and Development Regulations 2001:**  
*Development to which article 6 relates shall not be exempted development for the purposes of the Act if it would consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.*

In light of the above, the application cannot be properly assessed until the applicant provides accurate and complete drawings that clearly identify all existing structures, including the previously extended bathroom, along with its floor area and location. This information is essential to determine compliance with exempted development provisions and to ensure the integrity of the planning process.

#### 5.0 Conclusion/Recommendation

In conclusion, I consider that the said works are development and are not exempted development under the provisions Class 1(a) of Schedule 2, Part 1 and Article 9 (1)(a)(viii) of the Planning and Development Regulations, 2001 (as amended).

Assistant Planner	Cathal McMullan	Date: 10/10/2025
Signature:		
A/Senior Planner	Barry Henn	Date: 10/10/2025

## Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(a) File Reference No:	EC-193-25
(b) Brief description of the project or plan:	Rear extension to existing dwelling
(c) Brief description of site characteristics:	Semi-detached dwelling within Bruff
(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/Species Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
001430	Glen Bog SAC	2,990m	None	N
000439	Tory Hill SAC	11,425m	None	N

STEP 3: Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
<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	None. No direct encroachment or hydrological connection.

<b>Signature:</b>	<i>B. Haun</i>	
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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:

**Jacinta Deady,**  
Cullamus,  
Kilmallock,  
Co. Limerick,  
V35PR98

**EC/193/25**

13 October 2025

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### Re: Declaration under Section 5

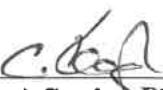
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Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,

  
(for) Senior Planner,  
Development Management

Tuar an Daill, Luimneach  
Dooradoyle, Limerick

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

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

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

**No. AOO/DC/2025/1130**

**File Ref No. EC/193/25**

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

**RE:** A semi-detached house at 5 Park View, Bruff, 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, A/Senior Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Barry Henn, A/Senior Planner, having considered the report and recommendation of Cathal McMullan, Assistant Planner dated 10/10/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Jacinta Deady, Cullamus, Kilmallock, Co. Limerick to state that the works as described above is

**Development and is NOT Exempt Development.**

Signed

*B. Henn*

A/SENIOR PLANNER, PLANNING & PLACE-MAKING

Date

*13/10/2025*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/1130 dated 13/10/2025, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

*B. Henn*

A/SENIOR PLANNER, PLANNING & PLACE-MAKING



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

**DECLARATION NO.**

**EC/193/25**

**Name and Address of Applicant:** Jacinta Deady, 5 Park View, Bruff, Co. Limerick

**Agent:** N/A

**Whether** the semi-detached house at 5 Park View, Bruff, 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 16th of September 2025.

**AND WHEREAS** the Planning Authority has concluded that the semi-detached house at 5 Park View, Bruff, Co Limerick **DOES NOT** come within the scope of exempted development under the provisions Class 1(a) of Schedule 2, Part 1 and Article 9 (1)(a)(viii) of the Planning and Development Regulations, 2001 (as amended). See Report attached.

**NOW THEREFORE** the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is NOT Exempt Development**.

Signed on behalf of the said Council

Date: 13.10.2028

**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.