

Limerick City and County Council

Planning Department

Section 5 Application

**Limerick City & County
Council**

- 1 OCT 2025

Planning

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: NUA Healthcare Services,

Applicant's Address: NUA Healthcare Services,

Building & Planning Department,

The Atrium, Johns Lane, Naas, Co. Kildare, W91 WC78

Telephone No.



Name of Agent (if any): Magda Mickiewicz

Address: NUA Healthcare Services,

Building & Planning Department,

The Atrium, Johns Lane, Naas, Co. Kildare, W91 WC78

Telephone No. +353 86 0123968

Address for Correspondence:

NUA Healthcare Services,

Building & Planning Department,

The Atrium, Johns Lane, Naas, Co. Kildare, W91 WC78

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

Lower Road, Mountcollins, Abbeyfeale, Co. Limerick, V94 F8D4

Description of Proposed development:

Conversion of dwelling to a community dwelling

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

Schedule 2, Part 1 of Article 6 Class 14(f)

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:

OSI Map: Sheet No: 5464-D Scale: 1:2500

OSI Map: Sheet No: 5465-C Scale: 1:2500

152-NUA-ZZ-00-P-A-01-Site Plan.

151-NUA-ZZ-00-P-A-02-Elevations & Sections

152-NUA-ZZ-00-P-A-03- Floor Plans

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

If Yes please provide floor areas of all existing structures:

Ground Floor Area: 240m²

Garage Floor Area: 98.0m²

Extension Area: 35m²

Signature of Applicant (or Agent)

Nynmcmcmcz

NOTES: Application must be accompanied by:

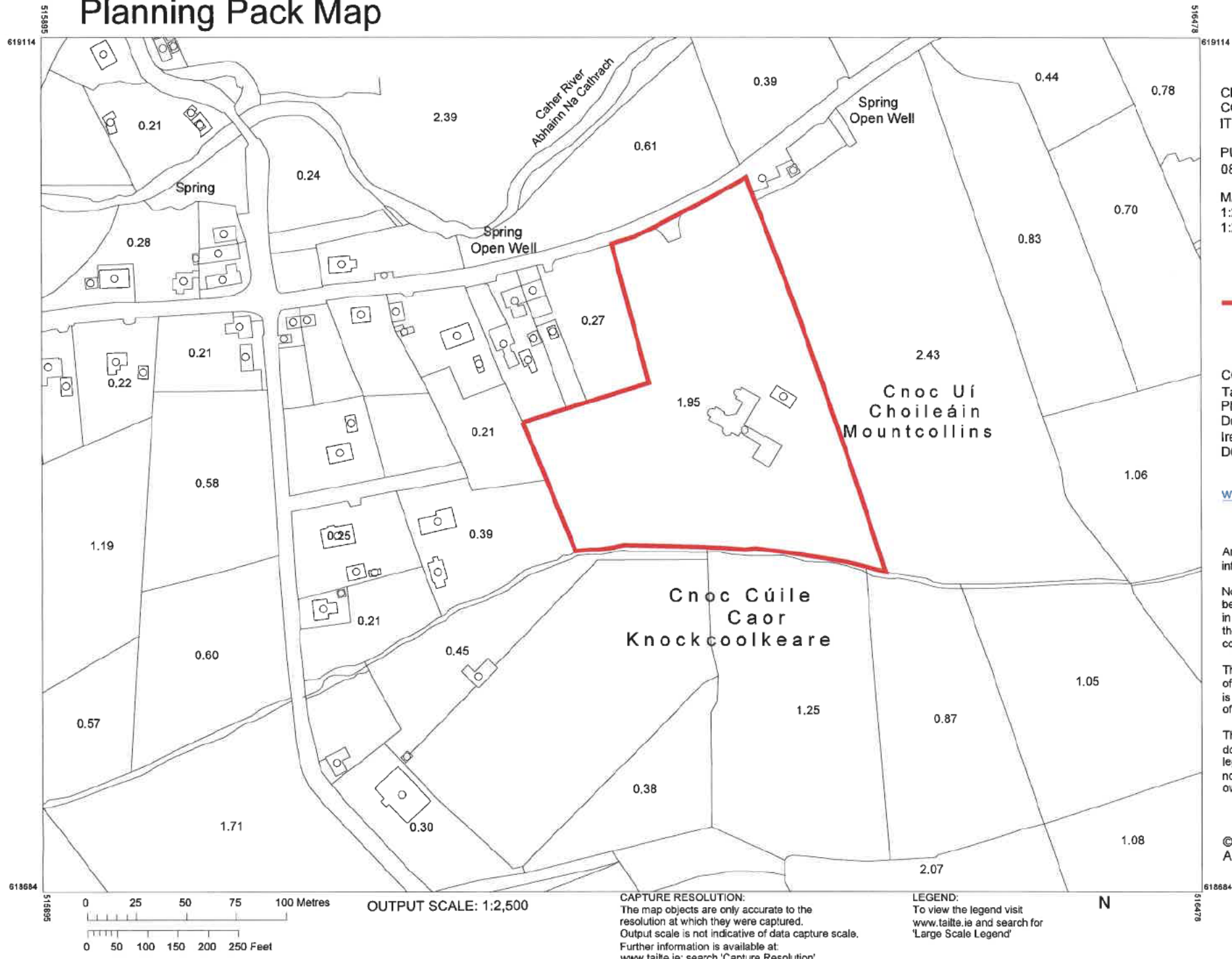
- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

**Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67**

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

Planning Pack Map



CENTRE COORDINATES:
ITM 516187,618899

PUBLISHED: 08/09/2025
ORDER NO.: 50489108_1

MAP SERIES: 1:2,500
MAP SHEETS: 5464-D, 5465-C

— SITE BOUNDARY

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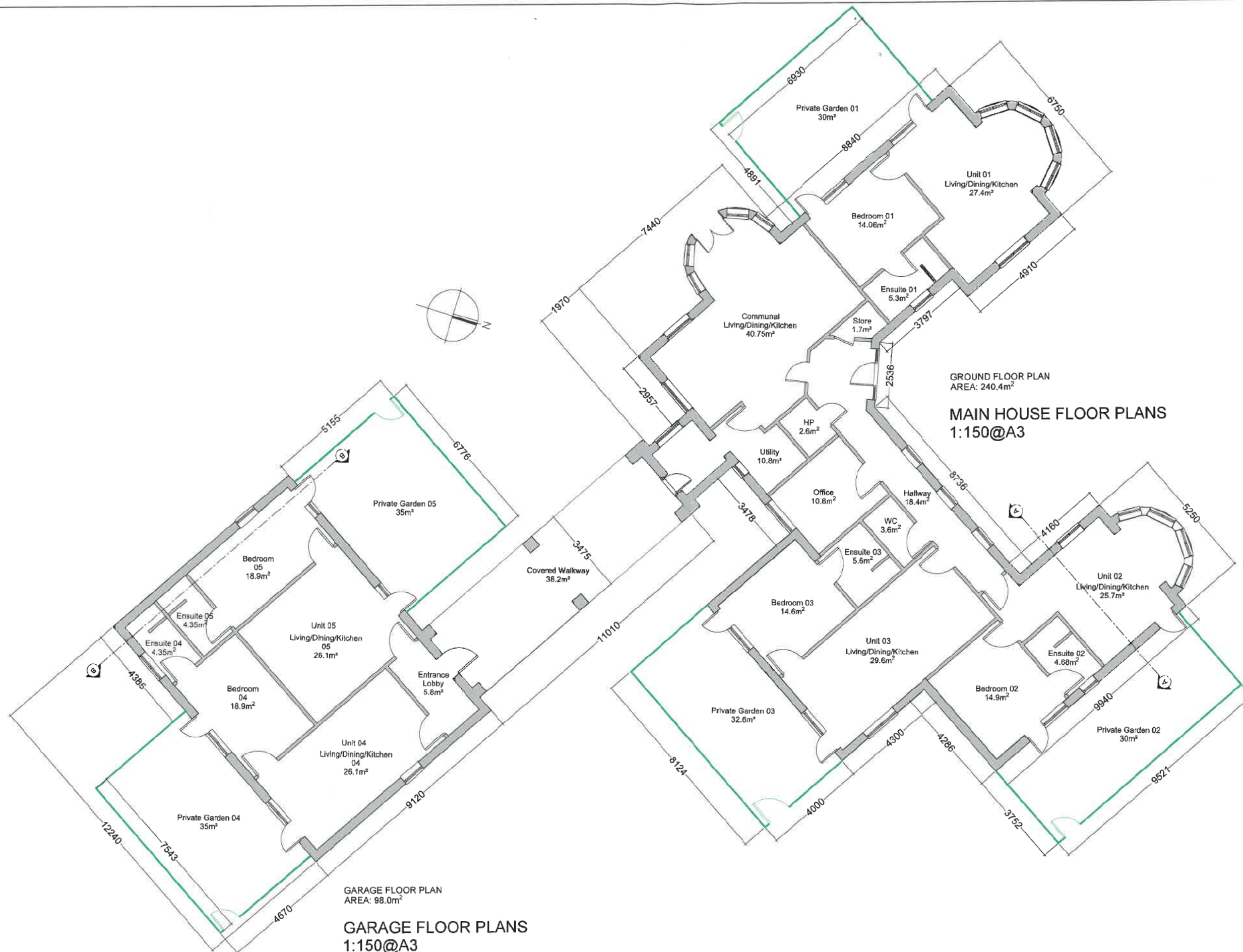
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GROUND FLOOR PLAN
AREA: 240.4m²

MAIN HOUSE FLOOR PLANS 1:150@A3

GARAGE FLOOR PLAN
AREA: 98.0m²

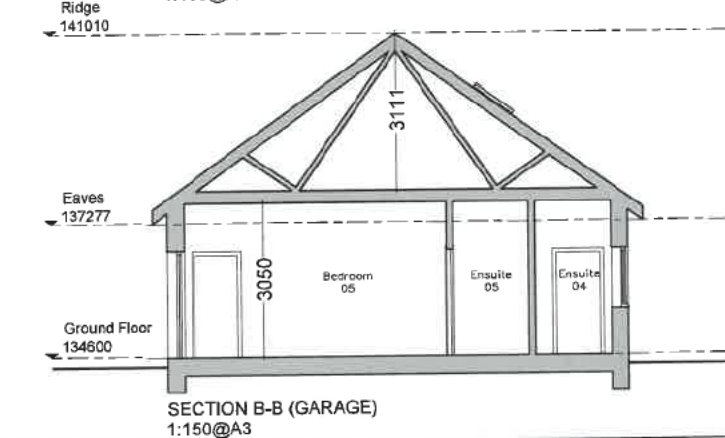
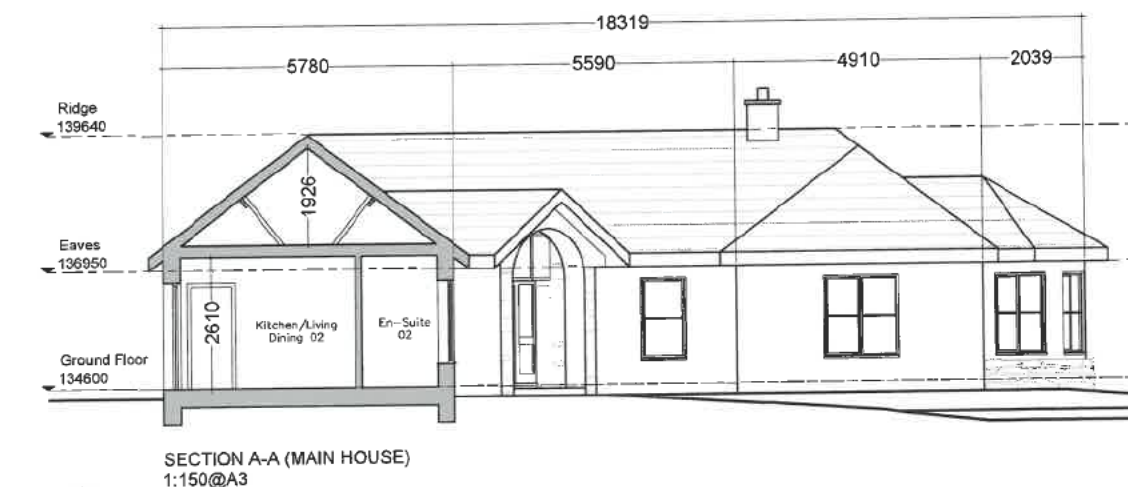
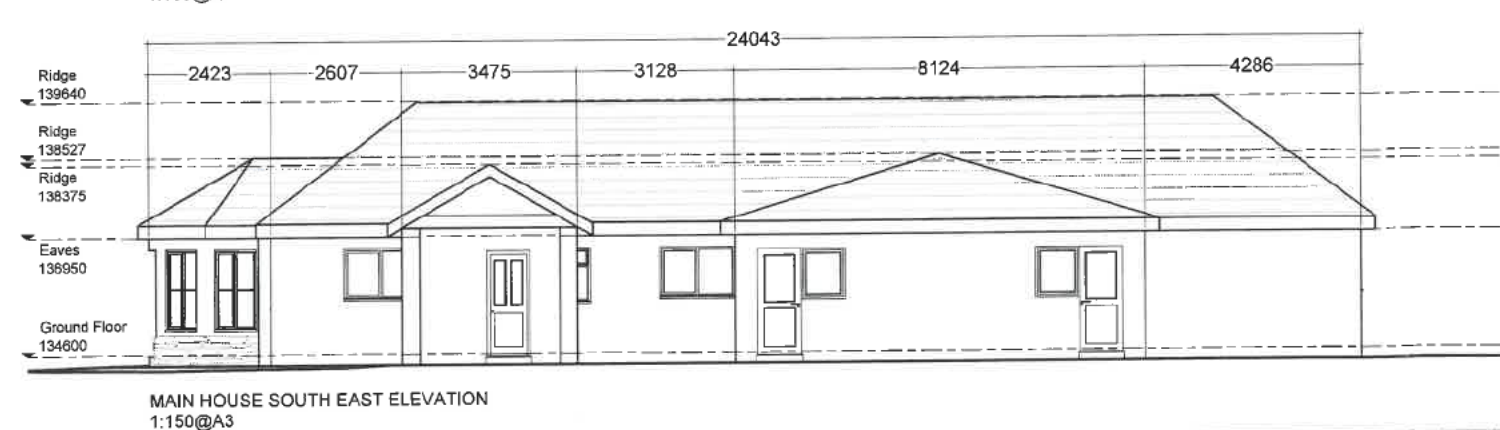
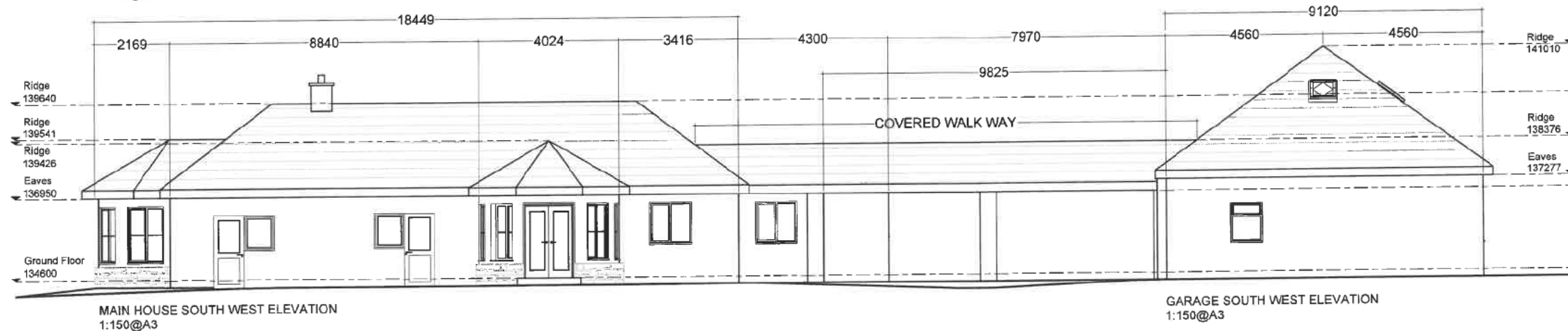
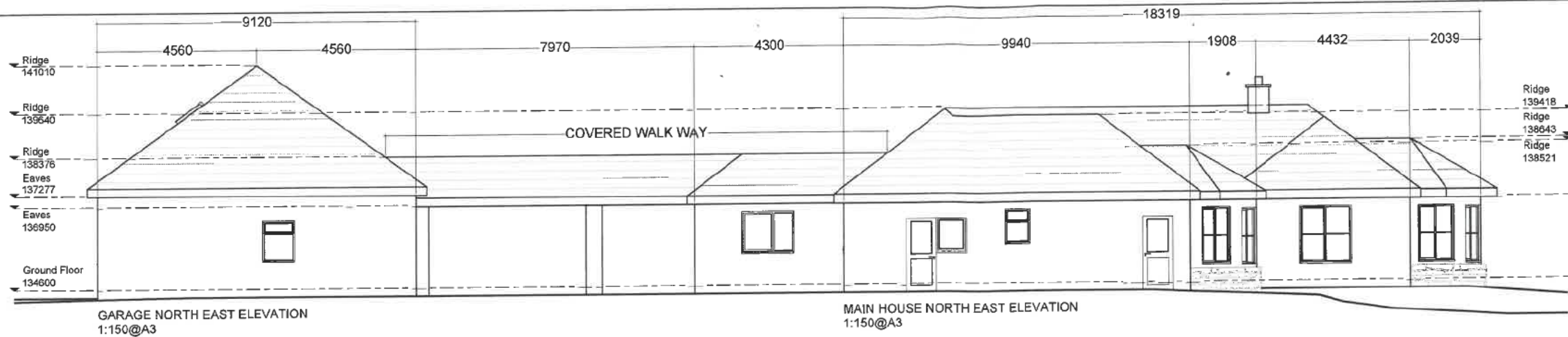
GARAGE FLOOR PLANS 1:150@A3

Check all dimensions on site.
Do not rely on scaled dimensions.
This drawing must be read in
conjunction with all relevant
contract documents.

This drawing is the property of
Nua Healthcare Services. The
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reproduced or otherwise used
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Healthcare Services.

Rev	Date	Description	Drwn	Chkd	Rev	Date	Description	Drwn	Chkd
P01	15.09.25	MAIN HOUSE & GARAGE FLOOR PLANS	GH	SL					

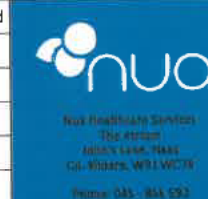




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Rev	Date	Description	Drwn	Chkd	Rev	Date	Description	Drwn	Chkd
P01	15.09.25	ELEVATIONS & SECTIONS	GH	SL					



Project:	LOWER ROAD, MOUNTCOLLINS, ABBEEFEALE, CO. LIMERICK, V94 F8D4	Sheet:	A3
Drawing:	ELEVATIONS & SECTIONS	Scale:	1:150
Stage:	SECTION 5	Revision:	P01
Drawing No:	152-NUA-ZZ-00-P-A-02	Date:	15/09/2025



Check all dimensions on site.
Do not rely on scaled dimensions.
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Healthcare Services.

Rev	Date	Description	Drwn	Chkd	Rev	Date	Description	Drwn	Chkd
P01	15.09.25	SITE PLAN	GH	SL					



Project:	LOWER ROAD, MOUNTCOLLINS, ABBEYFEALE, CO. LIMERICK, V94 F8D4	Sheet:	A3
Drawing:	SITE PLAN	Scale:	1:750
Stage:	SECTION 5	Revision:	P01
Drawing No:	152-NUA-ZZ-00-P-A-01	Date:	15/09/2025



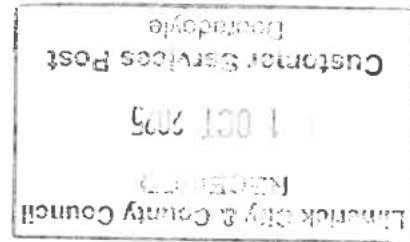
The Atrium, Johns Lane
Naas, Co. Kildare

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F. 045 879 860

E. info@nuahealthcare.ie
www.nuahealthcare.ie

**Limerick City & County council
Planning Department
Dooradoyle
Limerick
V94 XF67**



30th September 2025

Ref: Declaration under Section 5-EC-197-25

Dear Sir/Madam,

Please find attached all documentation and the payment receipt for the Section 5 application at:

Lower Road, Mountcollins, Abbeyfeale, Co. Limerick, V94 F8D4.

Should you require any further information or clarification, please do not hesitate to contact me.

Thank you for your attention to this matter.

Yours faithfully,

Magda Mickiewicz
Nua Healthcare Services





Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67

29th September 2025

Re: Section 5 Declaration on Exempted Development

Dear Sir/Madame

We, Nua Healthcare Services, of The Atrium, John's Lane, Naas, Co. Kildare are applying for a Section 5 declaration in respect of an existing dwelling at, **Lower Road, Mountcollins, Abbeyfeale, Co. Limerick, V94 F8D4.**

In support of our application please find enclosed the following:

2 copies of the following:

Completed Application Form

Ordnance survey Map Sheet No: 5464-D Scale 1:2500
Map Sheet No: 5465-C Scale 1:2500

Scaled drawings of development

- 152-NUA-ZZ-00-P-A-01 Site Plan
- 152-NUA-ZZ-00-P-A-02 Elevations & Section
- 152-NUA-ZZ-00-P-A-03 Floor Plans



Application Fee of €80: we contact you to arrange payment of the application fee by credit card.

The application is to seek a declaration as to whether: -

the change of use from a dwelling to a community residence for persons with intellectual or physical disabilities or mental illness and persons providing care to such persons is development which is exempted development.

SITE LOCATION AND DESCRIPTION

The subject site is located in **Lower Road, Mountcollins, Abbeyfeale, Co. Limerick, V94 F8D4.** The Property is located in a rural setting in the Limerick countryside, comprised of a single-storey, detached residence with a two large external garages, approx. 13km from Abbeyfeale. The grounds are landscaped with local and indigenous trees to all boundaries except where an entrance was formed to access the site. Access to the property is from the adjoining rural road. The house is solid masonry construction and is structurally sound. The exterior walls are finished in painted nap plaster. PVC framed double-glazed windows set on concrete sills complete the exterior. The main roof is hipped, clad in fibre cement slates with angular ridge tiles affixed with nails and has

lead-lined valleys at intersections, PVC fascia and soffit and includes one rendered roof stack. The existing dwelling is to provide residential care services for people, both male and female, with intellectual disabilities, mental health issues and other disabilities. The house will function as close as possible to a traditional family home.

The building will accommodate up to a maximum of 5 resident service users in the 5no. bedrooms a large kitchen/ dining area and communal living area.

Typically, a care home of this size will be staffed by approximately two to four full-time-day-care staff who typically work 12-14 hour shifts in addition to a team leader who manages the house Monday to Friday 9-5. Note that only a maximum of 2 staff members will stay in the house overnight. The carers are not permanent residents but will work on a shift basis during the day and at night.

Aerial view of site



NUA HEALTHCARE SERVICES

Nua Healthcare Services was founded in 2004 to support clients with a range of Intellectual Disabilities and Mental Health presentations including challenging behaviours. Since then, the company provides community outreach, day services and residential care for persons with Intellectual Disabilities, Autism, Brain Acquired Injuries and Mental Health difficulties. The social model of care is delivered in normal community settings and not in hospital or high-density units and is in line with national Standards for Residential Services for Children and Adults with Disabilities 2013.

As with all competent organisations, Nua Healthcare Services operates a care model through a strong frontline staff team, robust management and supervision system. From humble beginnings, the company now operates services nationally in partnership with the HSE and employ in excess of 2500 locally based staff caring for circa 400 clients.

Uniquely, more than 80% of Nua Healthcare Services frontline staff are degree qualified and the remaining 20% are working towards same. The clinical team comprises of respected Neuro and Forensic Psychiatrists, Psychologists, Psychotherapists, Behavioural Specialists, Occupational Therapists and are further complimented by nursing staff and a varied panel of other clinical professionals. The senior management team comprises of experienced management professionals who are responsible for the overall quality and governance of our services.

Nua Healthcare Services is widely acknowledged within the healthcare sector as the expert / leading provider of residential care programs for individuals with autism, intellectual disabilities and behavioural difficulties in the Island of Ireland. Residential care for persons with intellectual disabilities, Autism and Brain Injuries is a highly regulated space in Ireland. Every residential care home is required to be registered with HIQA and is inspected regularly against the National Standards for Residential Services for Children and Adults with Disabilities 2013. These standards cover a vast array of areas including, risk management, good governance and suitability of facilities / environment. The state has shut a significant number of facilities that are considered institutional and moved all individuals into settings similar to those provided by Nua Healthcare Services. Nua Healthcare Services is registered for Intellectual Disability services with HIQA.

Nua Healthcare is a private entity and service provider to the Health Service Executive, TUSLA, Individuals and their families. The model of services provided by Nua Healthcare is not determined by buildings or locations. While day services are provided at a variety of locations, Nua Healthcare subscribes to the concept of 'services without walls'. This concept does not restrict service provision to any one location but rather, it allows for the provision of supports in settings which best meet the identified needs of the service user in the most natural environment possible.

The referral process for Residential Care clients is as follows:

1. Initial contact is made by an individual, a family member, HSE Representative or Clinician
2. A formal referral is then made by the HSE / Clinician
3. Nua Healthcare Services conducts a provisional assessment to assess suitability for residential assessment
4. If suitable, a proposal is submitted to stakeholders for provision of 12 week Residential Assessment
5. If the above proposal is accepted, the appropriate documentation is signed with the individual, their family member and the HSE and a discharge date is set 12 weeks from the point of admission

There is c.10,000 individuals in Ireland with intellectual disabilities that are in need of a normal community residential care placement. Individuals with intellectual disabilities and autism are typically more vulnerable and therefore, open to manipulation by unsavoury individuals in the general population. A common reason for referral to our residential services is that of an existing family arrangement that has broken down. This can be due to behavioural difficulties in the home or changing health needs of the individual or parents.

In this context, Nua Healthcare Services seek out normal environments in excess of 2000 sq. ft. and within reasonable distance of local amenities, from a town or village. The following criterion is considered in determining suitable locations:

- Homely
- Secure / Private
- 4 to 6 Bedrooms
- Multiple living / common areas / social spaces
- 1 – 2 Acre sites
- Low arousal environment

Individuals with learning disabilities and / or autism cannot always live completely independently and so, where they cannot, suitable environments are required to be provided by trusted organisations such as Nua Healthcare Services.

PLANNING HISTORY

The following planning permission applies to the property:

Planning Ref. No.: 00/948

Planning Ref. No.: 05/3446

LEGISLATIVE PROVISION

Planning and Development Act 2000, as amended

Section 3 - Development

In the Act, "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 in the use of any structures or other land

Section 4(1) (Exempted Development)

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

- (h) *Development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of the neighbouring structures.*

The works to the house, including changes to the internal layout and changes to the rear elevation are, in our opinion, within the definition of the above provisions and therefore exempted development.

Planning and Development Regulations 2000, as amended

Article 6 - Exempted Development

Subject to Article 9, development of a class specified in Column 1, part 1 of Schedule 2 shall be exempted development for the purposes of the Act provided that such development complies with the conditions and limitations specified in Column 2 of the said Part 1 opposite the mention of that Class in the said Column 1.

In relation to the restrictions on exemption as set out in Article 9 of the Planning and Development Regulations 2001, as amended, it can be concluded that:

- The proposed change of use does not contravene a condition attached to any previous permission pertaining to the property;
- No works to the access to the public road are proposed;
- The change of use will not endanger public safety by reason of traffic hazard;
- The front of the building will not be brought forward;
- There are no works proposed under the public road;
- The proposed change of use would not interfere with a landscape of view of special character, as the dwelling is existing and is not located in an area which attracts a High Value Landscape designation;
- The proposed change of use would not involve any works to a feature of archaeological, geological, or historical, scientific or ecological interest;
- The dwelling the subject of this referral is not unauthorised;
- The dwelling is not restricted by an objective for the continuance of an existing use; The proposed change of use does not involve the fencing or enclosure on the boundaries of any land habitually open or used by the public;
- The proposed change of use does not obstruct any public right of way;
- The dwelling is not located in an ACA and no works to the exterior are proposed; and
- No special amenity orders apply to the existing site.
- The dwelling is compliant with the planning permission granted in terms of layout, siting and overall heights
- The dwelling is compliant with the planning permission granted in terms of layout, siting and overall heights

Section b of this Article refers to areas where a special amenity order applies.

Article 10 relates to changes of use. Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2 shall be exempted development for the purposes of the Act, providing that the development if carried out would not

- a) Involve the carrying out of any works other than the works which are exempted development,
- b) Contravene a condition attached to a permission under the Act,
- c) Be inconsistent with any use specified or included in such permission,
- d) Be a development where the existing use is an unauthorised use save where such a change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

Schedule 2, Part 1 of Article 6 contains the following specific class of development under Class 14(f): -

Development consisting of changes of use from a house to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.

The conditions and limitations in respect of this exemption include the following:

The number of persons with intellectual or physical disability or mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

The change of use of the house is, in our opinion, within the definition of the above provisions and therefore exempted development

PLANNING PRECEDENCE

- Limerick County Council has determined that the use of a house as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons at Monaleen, Castletroy, Co. Limerick (Ref: EC95/23), Rooskagh, Carrigkerry, Athea, Co. Limerick (Ref: EC43/21 & Glenview House, Anglesboro, Kilmallock, Co. Limerick (Ref: EC15/21)
- Offaly County council has determined that the use of a house as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons at Brookhaven, Birr (Ref: DEC 2019) - is development and is exempted development and also planning permission was granted in Mulberry Lodge, Tullamore for construction of a one-bedroom, single storey modular dwelling for use of persons with intellectual or physical disability or mental illness (Ref: PL2 21/668) and also at Barrowbank, Shanderry, Portarlinton for change of use and alterations of the detached garage to a residential unit for one no. resident for people with intellectual disabilities (Ref: 16/321)
- Kildare County Council has determined that the use of a house as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons at Alberg House, Kinsfurze Ave., Naas (Ref: ED/00531), The Meadows, Oldgrange, Athy (ED/00553), The Willows, Clonegath Monasterevin (ED00521), Hillview, Lackagh Beag, Monasterevin (ED/00562), Feighcullen, Rathangan (ED/00541) is development and is exempted development
- Tipperary County Council has determined that the use of a house as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons at Mountainview, Coumroe (Ref: S5/19/135).
- An Bord Pleanála Reference Number; PL25.RL3406 in respect of whether the use of a house as a residence for persons with an intellectual or physical disability is or is not development or is or not exempted development at Gainevale House, Multyfarnham, Co. Westmeath, determined that:
 - a) The use of a house as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons comes within the scope of the change of use provided for under Class 14(f) of Part 1 of Schedule 2 to those Regulations, being a material change of use, which, therefore constitutes development, and
 - b) Having regard to the number of persons with an intellectual or physical disability or a mental illness that would be living in this residence, and in particular to the number of resident carers, this development complies with the Conditions and Limitations set out for that class of development, in the circumstances of this case.

And therefore, that the said use of a house as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons at Gainevale House, Multyfarnham, Co. Westmeath is development and is exempted development.

- Cork County Council has determined that the change of use of a house and ancillary garage to a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons at Curraghroe Co. Cork, reference D/212/17, is development and is exempted development.

CONCLUSION

In conclusion and having regard to the above, we submit that the use of this house as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons comes within the scope of the change of use provided for under Class 14(f) of Part 1 of Schedule 2 of those Regulations, being a material change of use. This therefore constitutes development and, having regard to the number of persons with an intellectual or physical disability or a mental illness that would be living in this residence and to the number of resident carers, this development complies with the Conditions and Limitations set out for that class of development.

We therefore would ask that you consider our application carefully and, if you agree with our conclusions, confirm that the development is exempted development.

Yours faithfully



Magda Mickiewicz
Nua Healthcare Services



**LIMERICK CITY & COUNTY COUNCIL
CIVIC OFFICES
MERCHANTS QUAY
LIMERICK**

30/09/2025 14:00:45

Receipt No.: RC6/2091296

Customer Address:

Sharon Liu

EC 19725

Code	Ref	Amount	VAT
PL041	Sharon LiuEC 19725	80.00 EUR	0.00 EUR

Paid with: Credit / Debit Card

Subtotal: 80.00 EUR

Tax (VAT): 0.00 EUR

Total: 80.00 EUR

Tendered: 80.00 EUR

From: REVENUE CASH OFFICE 6 -

MERCHANTS QUAY

VAT Reg No: 3267368TH

Please retain this receipt for your records

Please do not reply to this email



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

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

File Reference Number	EC-202-25
Applicant	Nua Healthcare Services
Location	Lower Road, Mountcollins, Abbeyfeale, Co. Limerick, V94F8D4

1. Description of Site and Surroundings:

The site is located on Lower Road, north-east of Mountcollins Village accessing onto a local road L1323. The building on site is a large detached dwelling with existing vehicular access on a large landscaped site bounded by agricultural fields and existing dwellings to the north-west corner of the site.

2. 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:

The change of use of a dwelling to a community dwelling residence for persons with intellectual or physical disabilities or mental illness and persons providing care to such persons is development which is exempted development - 373m² floor area.

This Section 5 declaration includes the following:

- Section 5 Declaration
- Cover letter
- Site location map
- Floor plans
- Photographs of development to be accessed

3. Planning History:

05/3446 – Permission granted to Martin Murphy to erect a garage for storage of a camper van.

00/948– Permission granted to Martin Murphy to construct a bungalow, including a domestic garage, covered link/access way from house to garage, access roadway/entrance, and installation of a septic tank and percolation area.

4. Enforcement History

None

5. Relevant An Bord Pleanála referrals

PL25.RL3406

6. 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).

5.1 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 change of use of an existing dwelling to a community dwelling residence constitutes ‘works’ and ‘development’.

5.2 Is the proposal exempted development?

Proposal to change the use of a dwelling to a community dwelling residence for persons with intellectual or physical disabilities or mental illness and persons providing care to such persons is development which is exempted development and will be assessed under Classe 14 of Part 1 of schedule 2 of the Planning and Development Regulations 2001 (as amended).

Class 14

Change of Use

(f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.

Conditions & Limitations:

The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

The cover letter submitted on file outlines the following: The existing dwelling is to provide residential care services for people, both male and female, with intellectual disabilities, mental health issues and other disabilities. The house will function as close as possible to a traditional family home. The building will accommodate up to a maximum of 5 resident service users in the 5no. bedrooms a large kitchen/ dining area and communal living area.

A care home of this size will be staffed by approximately two to four full-time-day-care staff who typically work 12-14 hour shifts in addition to a team leader who manages the house Monday to Friday 9am-5pm. A maximum of 2 staff members will stay in the house overnight.

The carers are not permanent residents but will work on a shift basis during the day and at night.

6. Article 9 Restrictions

No encroachments.

7. Appropriate Assessment

Having regard to the nature and scale of the proposed development and the absence of proximity or connectivity to a Natura 2000 European Site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site. An appropriate assessment screening report and determination is attached to this report.

8. Environmental Impact Assessment

Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations it has been concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

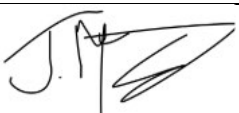
9. Conclusion/Recommendation

Having considered the number of individuals with intellectual or physical disabilities or mental health conditions who will reside in the home, along with the required resident carers, the proposed change of use, from a private dwelling to a community residence for persons with such needs and their carers, with a floor area of 373m² as detailed in the submitted plans, is deemed to comply with the relevant Conditions and Limitations under Class 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 14 (f) of Part 1 of schedule of the Planning and Development Regulations 2001 (as amended)
- (c) The plans and particulars submitted with the application received on 1st day of October 2025.

It is therefore considered that the said works are development and are exempted development under Class 14 (f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Executive Planner	Jennifer Mc Nulty	Date:
		15/10/2025
Acting Senior Executive Planner	Jennifer Collins	Date: 24/10/2025

APPENDIX 1

AA SCREENING EXAMINATION

AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
File Reference No:	EC-202-25
Brief description of the project or plan:	Dwelling Change of Use
Brief description of site characteristics:	Rural site
Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
e. Response to consultation:	N/A

STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165	Lower River Shannon SAC https://www.npws.ie/protected-sites/sac/002165	Circa 55m	None	None
004077	River Shannon and River Fergus Estuaries SPA https://www.npws.ie/protected-sites/spa/004077	Circa 30km	None	None
004161	Stack's to Mullaghareirk Mountains, West Limerick Hills & Mount Eagle SPA https://www.npws.ie/protected-sites/spa/004161	Circa 1m	None	None

STEP 3: Assessment of Likely Significant Effects	
a. Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g <ul style="list-style-type: none"> Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance 	None. A dwelling exists on site. Works are minimal and will involve a dwelling refurbishment.

<ul style="list-style-type: none"> • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	
Operation phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g collision risk) • Potential for accidents or incidents 	None.
In-combination/Other	N/A given the level of development in the area

b. Describe any likely changes to the European site:	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc) • 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. A dwelling exists on site. Works are minimal and will involve a dwelling refurbishment.

c. (Are ‘mitigation’ measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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STEP 4: Screening Determination Statement


The assessment of significance of effects:
 On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development on fully serviced lands,
- the intervening land uses and distance from European sites,

the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.

Conclusion: This development is for the change of use of a dwelling on a rural site. Given that the site does not encroach on any SAC/SPA and the scale of the development, an AA is not required.

	Tick as appropriate:	Recommendation:
i.It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
ii.It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
iii. Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission

Signature and Date of Recommending Officer:	 Jennifer Mc Nulty, Executive Planner 15/10/25
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Signature and Date of the Decision Maker:	Jennifer Collins, Acting Senior Executive Planner 24/10/25
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APPENDIX 2 SITE INSPECTION

Carried out 06/10/215







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:

**Magda Mickiewicz,
Nua Healthcare Services,
Building & Planning Department,
The Atrium,
Johns Lane,
Naas,
Co. Kildare.
W91 WC78**

EC/202/25

24 October 2025

Re: Declaration under Section 5

Dear Sir/Madam,

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

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

Yours faithfully,

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

Tuar an 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/2025/1195

File Ref No. EC/202/25

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

RE: **A change of use of a dwelling at Lower Road, Mountcollins, Abbeyfeale, Co. Limerick.**

ORDER: Whereas by Director General's Order No. DG/2024/122 dated 27th November 2024, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto 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 Jennifer Mc Nulty, Executive Planner dated 15/10/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Magda Mickiewicz, NUA Healthcare Services, Building & Planning Department, The Atrium, Johns Lane, Naas, Co. Kildare to state that the works as described above is

 **Development and is Exempt Development.**

Signed


A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

24/10/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/1195 dated 24/10/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:


A/SENIOR EXECUTIVE 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
Tuar an Dail, Luimneach
V94 WV78

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

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/202/25

Name and Address of Applicant: Nua Healthcare Services, Building & Planning Department, The Atrium,
Johns Lane, Naas, Co. Kildare

Agent: Magda Mickiewicz, NUA Healthcare Services, Building & Planning
Department, The Atrium, Johns Lane, Naas, Co. Kildare

Whether the change of use of a dwelling at Lower Road, Mountcollins, Abbeyfeale, 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 17th of July 2025 and further information on the 01st of October 2025.

AND WHEREAS the Planning Authority has concluded that change of use of a dwelling at Lower Road, Mountcollins, Abbeyfeale, Co. Limerick **DOES** come within the scope of exempted development under Class 14 (f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). See Report attached.

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

Signed on behalf of the said Council

Date:

24/10/2025

NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Coimisiún Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.