



Limerick City & County Council
10 OCT 2025

LIMERICK CITY & COUNTY COUNCIL

Planning

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Mrs Anne Sheehan

Applicant's Address: 90 Hilltop,
St Patricks Road,
Limerick. V94 TFK2.

Telephone No. [REDACTED]

Name of Agent (if any): n/a.

Address:
[REDACTED]
[REDACTED]
[REDACTED]

Telephone No. [REDACTED]

Address for Correspondence:
90 Hilltop, St Patricks Road, Limerick.
[REDACTED]
[REDACTED]

Location of Proposed development:

90 Hilltop.

St Patricks Lane

Limerick. V94 TFK2

Description of Proposed development:

Proposed Single Storey Extension to Part of
Existing Dwelling Incorporating a Bedroom and
A Disabled Bathroom.

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 location Map

Draw No: 5172-01 Site Layout Plan A4 Scale 1:200.

Draw No: 5172-02 Plan, Elevation & Section A1 Scale 1-50/100.

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

If Yes please provide floor areas of all existing structures:

Ground Stns to Part of Property

Area: 20.86 sq m.

Height 3.1 m.

Exempt Development

Signature of Applicant (or Agent)

Anne Sheehan 3/10/2025

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. ✓/h

Application to be forwarded to:

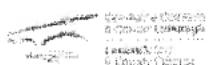
Limerick City & County Council,
Planning and Environmental Services,
City & County Council Offices,
Dooradoyle Road,
Limerick.

OFFICE USE ONLY

Ref. No. _____ Date Received _____

Fee Received _____ Date Due _____

1



LIMERICK CITY & COUNTY COUNCIL

CASH OFFICE

CIVIC OFFICES

DOORADOYLE

CO LIMERICK

10/10/2025 09:31:06

Receipt No.: LA25/25182155

Customer Address:

MRS ANNE SHEEHAN

80 HILLTOP

ST PATRICKS ROAD

LIMERICK

Code	Ref	Amount	VAT
PL041	EXEMPTION CERTIFICATE	80.00 EUR	0.00 EUR
	S		

Paid with: CASH

Subtotal: 80.00 EUR

Tax (VAT): 0.00 EUR

Total: 80.00 EUR

Tendered: 80.00 EUR

From: CASH OFFICE HQ

VAT Reg No: 3267368TH

Please retain this receipt for your records

Please do not reply to this email

Limerick City & County Council,
Planning Department,
Dooradoyle Road,
Limerick.

Bart & Elizabeth Walsh
91 Hilltop,
St Patricks Road,
Limerick.

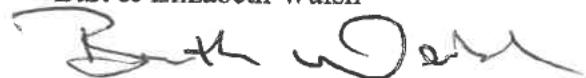
Date: 03.10.2025

Re: Proposed flat roof single storey extension to the rear of No 90 Hilltop,
St Patricks Road, Limerick

Dear Sir/ Madam,

We Bart & Elizabeth O Connor the owner of No 91 Hilltop, St Patricks Road have reviewed the drawing for the proposed extension at No 90 Hilltop for my neighbour Anne Sheehan and have no objection to this extension.

Yours sincerely

Elizabeth Walsh
Bart & Elizabeth Walsh


Land Registry Compliant Map

Tailte
Éireann

559396

656843

1.83

0.57

CENTRE
COORDINATES:
TM 559453,656757

PUBLISHED: ORDER NO.:
03/10/2025 50494382_1

MAP SERIES: MAP SHEETS:
1:1,000 4743-05

COMPILED AND PUBLISHED BY:

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Phoenix Park,
Dublin 8,
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D08F6E4

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656871
559396
0 10 20 30 40 50 60 70 80 90 100 Feet

OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.

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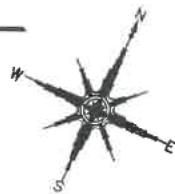
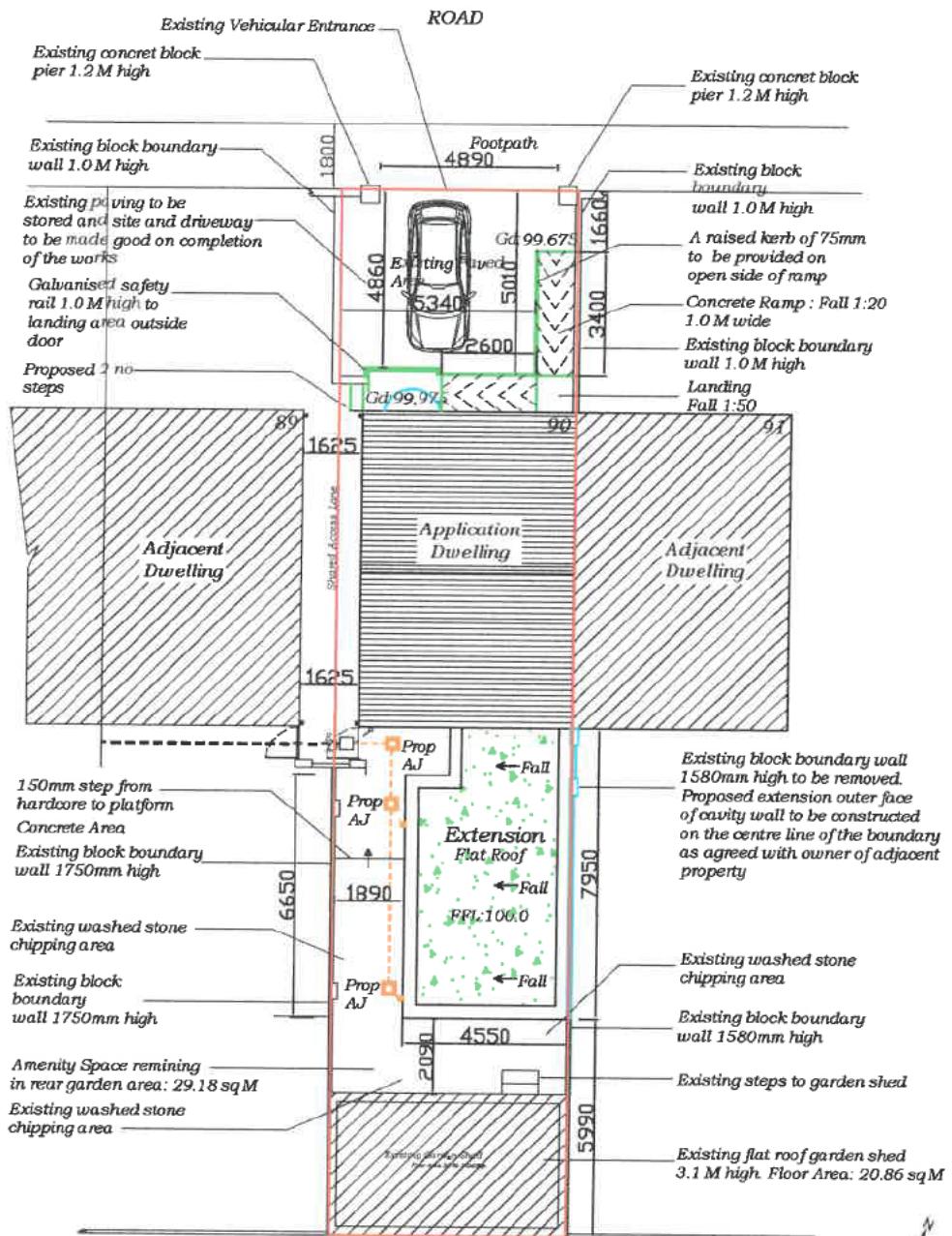
LEGEND:
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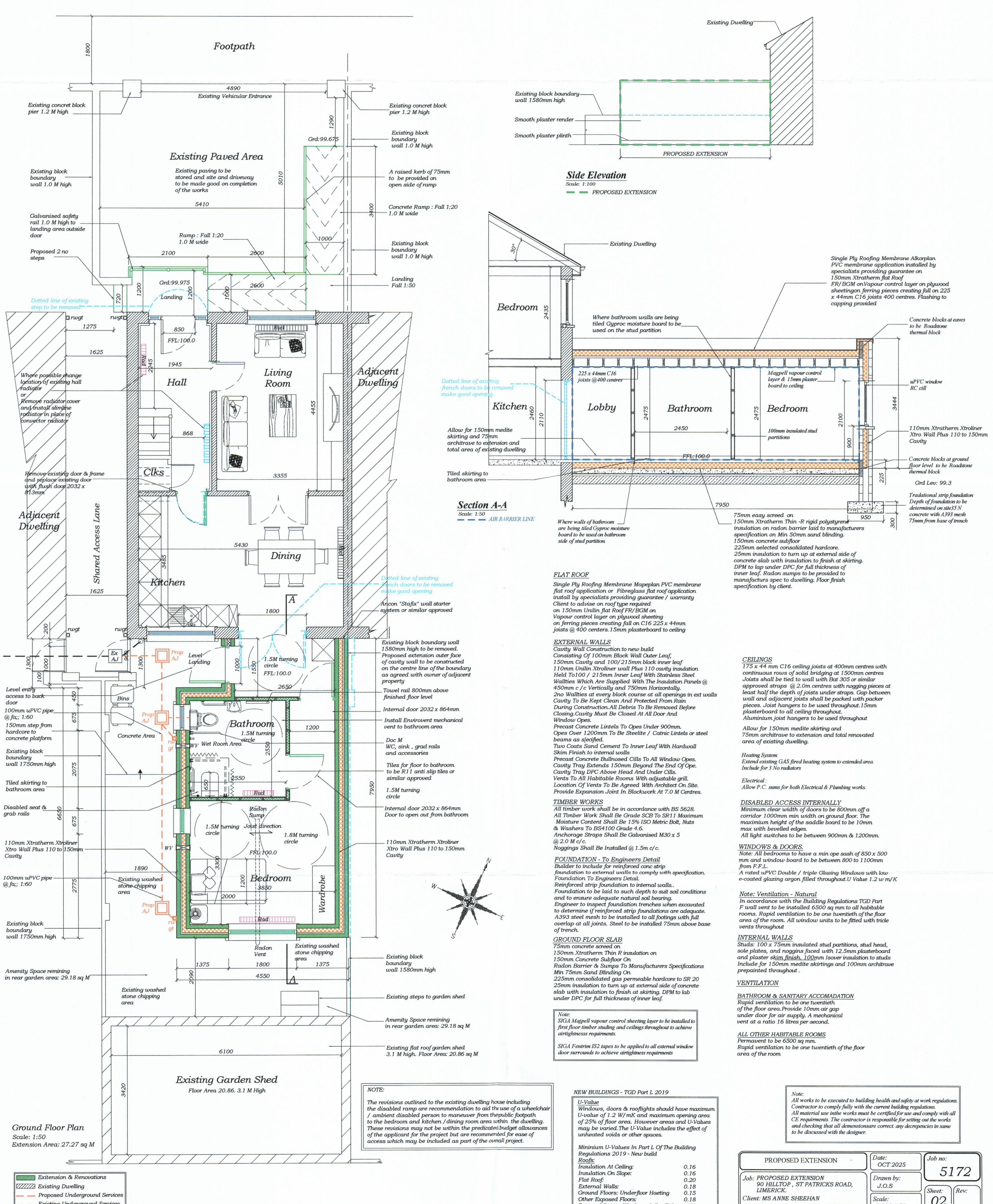
656871
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Tailte
Éireann



PROPOSED EXTENSION		Date: OCT 2025	Job no: 5172
Job: PROPOSED EXTENSION 90 HILLTOP, ST PATRICKS ROAD, LIMERICK.		Drawn by: J.O.S	Sheet: 01
Client: MS ANNE SHEEHAN Desp: SITE LAYOUT PLAN		Scale: 1:200	Rev:





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.209-25
Applicant	Mrs. Anne Sheehan
Location	90 Hilltop, St. Patricks Road, Limerick V94 TFK2

1.0 Description of Site and Surroundings:

The application site is a two storey semi-detached dwellinghouse located in an established residential estate called Hilltop accessed from St. Patricks Road.

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:

- Proposed single storey extension to rear of existing dwelling incorporating a bedroom and disabled bathroom.

This Section 5 declaration includes the following:

- Application Form
- Site location map
- Site layout plan
- Plans
- Elevations
- Sections

3.0 Planning History:

None

3.1 Enforcement History

None

4.0 Relevant An Bord Pleanála referrals

N/A

5.0 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 single storey extension to rear of existing dwelling incorporating a bedroom and disabled bathroom constitutes ‘works’ and ‘development’.

5.2 Is the proposal exempted development?

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

Is the development within the curtilage of a house?

Yes, the extension is to the rear of the house and within the curtilage.

Class 1

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

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

The house has not been extended previously. There is an existing garden shed situated to the rear of the garden measuring 20.86sqm and 3.1m in height however this is exempted development. The proposal complies.

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

No development proposed above ground.

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

N/A house is not detached

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

The house has not been extended previously.

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

N/A no works proposed above ground floor.

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

N/A no works proposed above ground floor.

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

N/A no works proposed above ground floor.

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

Rear wall does not include a gable. Height of extension would not exceed the height of the rear wall of the house.

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

N/A

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

Height would not exceed height of eaves or parapet or height of highest part of the roof of the dwelling.

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

It is stated that more than 25sqm of private open space would remain - 29.18sqm of private amenity space would remain.

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

There is no window at ground level situated within 1 metre from the boundary it faces.

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

N/A no above ground floor extension

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

N/A

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

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

6.0 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).

7.0 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.

8.0 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.

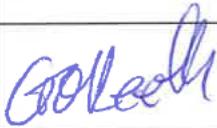
9.0 Recommendation/Conclusion

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

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) The plans & particulars submitted with the application received on 10th of October 2025.

It is therefore considered that the said works are development and exempted development under Class 1 of the Planning and Development Regulations 2001 (as amended) and the Planning and Development Act 2000 (as amended).

Executive Planner	Ella O'Brien	Date: 30/10/2025
Signature:		
Senior Executive Planner	Grainne O'Keeffe	
Signature		30/10/25

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(a) File Reference No:	EC.209.25
(b) Brief description of the project or plan:	A section 5 application requesting a declaration on whether a single storey rear extension is or is not exempted development.
(c) Brief description of site characteristics:	Existing Two Storey semi-detached dwelling situated in existing residential estate.
(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/Specia l 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	Approx. 1.3km	None	N
004077-River Shannon and River Fergus Estuaries SPA	https://www.npws.ie/protected-sites/sac/004077	Approx. 2.3km	None	N

STEP 3: Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g - Vegetation clearance - Demolition - Surface water runoff from soil excavation/infill/landscaping (including borrow pits) - Dust, noise, vibration - Lighting disturbance - Impact on groundwater/dewatering	None. Works are minimal in nature and there is no hydrological connection or direct encroachment on the SAC and SPA due to separation distance.

<ul style="list-style-type: none"> - 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. Works are minimal in nature and there is no hydrological connection or direct encroachment on the SAC and SPA due to separation distance.
In-combination/Other	N/A

(b) Describe any likely changes to the European site:

Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> - Reduction or fragmentation of habitat area - Disturbance to QI species - Habitat or species fragmentation - Reduction or fragmentation in species density - Changes in key indicators of conservation status value (water or air quality etc) - 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. Works are minimal in nature and there is no hydrological connection or direct encroachment on the SAC and SPA due to separation distance.
---	---

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

Yes No

STEP 4: Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives

On the basis of the information submitted, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

Conclusion: An appropriate assessment is not required.

	Tick as appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 <hr/> Ella O'Brien, Executive Planner 30/10/2025	
Signature and Date of the Decision Maker:	<hr/> Grainne O'Keeffe, Senior Executive Planner 30/10/2025	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC.209.25	
Development Summary:	A section 5 application requesting a declaration on whether a single storey rear extension to the existing dwelling is or is not exempted development.	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes. no further action required <input checked="" type="checkbox"/> X No. Proceed to Part A	
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here] _		EIA is mandatory
<input type="checkbox"/> No		No Screening required
<input checked="" type="checkbox"/> X No		Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)		
<input type="checkbox"/> X No. the development is not a project listed in Schedule 5, Part 2		No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here] _		EIA is mandatory
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _		No Screening required
c. If Yes , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant		Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant		Preliminary Examination required

Signature and Date of Recommending Officer:	 _____ Ella O'Brien, Executive Planner 30/10/2025
Signature and Date of the Decision Maker:	 _____ Grainne O'Keeffe, Senior Executive Planner 30/10/2025

Appendix 3: Site visit 30/10/2025









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

Pleanáil, agus Cruthú Áite
Comhairle Cathrach agus Contae Luimnígh
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:

**Mrs. Anne Sheehan,
90 Hilltop,
St. Patricks Road,
Limerick.**

EC/209/25

05 November 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/2025/1221

File Ref No. EC/209/25

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

RE: A single storey extension at 90 Hilltop, St. Patricks Road, Limerick

ORDER: Whereas by Director General's Order No. DG/2024/141 dated 07th October 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 Grainne O'Keeffe, 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, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Ella O'Brien, Executive Planner dated 30/10/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Mrs. Anne Sheehan, 90 Hilltop, St. Patricks Road, Limerick to state that the works as described above is

Development and is Exempt Development.

Signed

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/1221 dated 5/11/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



Comhairle Cathrach
& Contae Luimnígh

Limerick City
& County Council

Pleanáil, agus Cruthú Aite
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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/209/25

Name and Address of Applicant: Mrs. Anne Sheehan, 90 Hilltop, St. Patricks Road, Limerick

Agent: N/A

Whether the single storey extension at 90 Hilltop, St. Patricks Road, Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 10th of October 2025.

AND WHEREAS the Planning Authority has concluded that the single storey extension at 90 Hilltop, St. Patricks Road, Limerick DOES come within the scope of exempted development under Class 1 of the Planning and Development Regulations 2001 (as amended) and 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: 5.11.2025

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.