



LIMERICK CITY & COUNTY COUNCIL

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Ide O'Brien

Applicant's Address: 4 Mount Vincent Terrace, O'Connell Avenue, Limerick

Name of Agent (if any): Michael O'Connor, praxis architecture

Address: 64 O'Connell St., Limerick. V94 886V

Telephone No. 087-2672064/ 061-314848

Address for Correspondence:

64 O'Connell St., Limerick. V94 886V

Location of Proposed development:

4 Mount Vincent Terrace, O'Connell Avenue, Limerick

Description of Proposed development:

The construction of a garden room / storage room and associated site works.

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:

praxis architecture Drawings :

25.05-400D Site Location Map

25.05-401D Site Layout Plan

25.05-402D General Arrangement Drawings

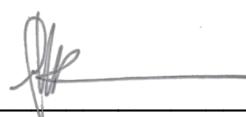
25.05-403D Contiguous Elevation

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

If Yes please provide floor areas of all existing structures:

20 Sq.m. rear extension to dwelling

Signature of Applicant (or Agent) _____



Michael O'Connor
on behalf of Ide O'Brien

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:

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 _____

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CASH OFFICE
CIVIC OFFICES
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05/11/2025 14:49:57

Receipt No.: LA25/25193296

Customer Address:

IDE O'BRIEN
C/O PRAXIS ARCHITECTURE
64 O'CONNELL STREET
LIMERICK
RE: 4 MOUNT VINCENT TERRACE

Code	Ref	Amount	VAT
PL041	section 5	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: CASH OFFICE HQ

VAT Reg No: 3267368TH

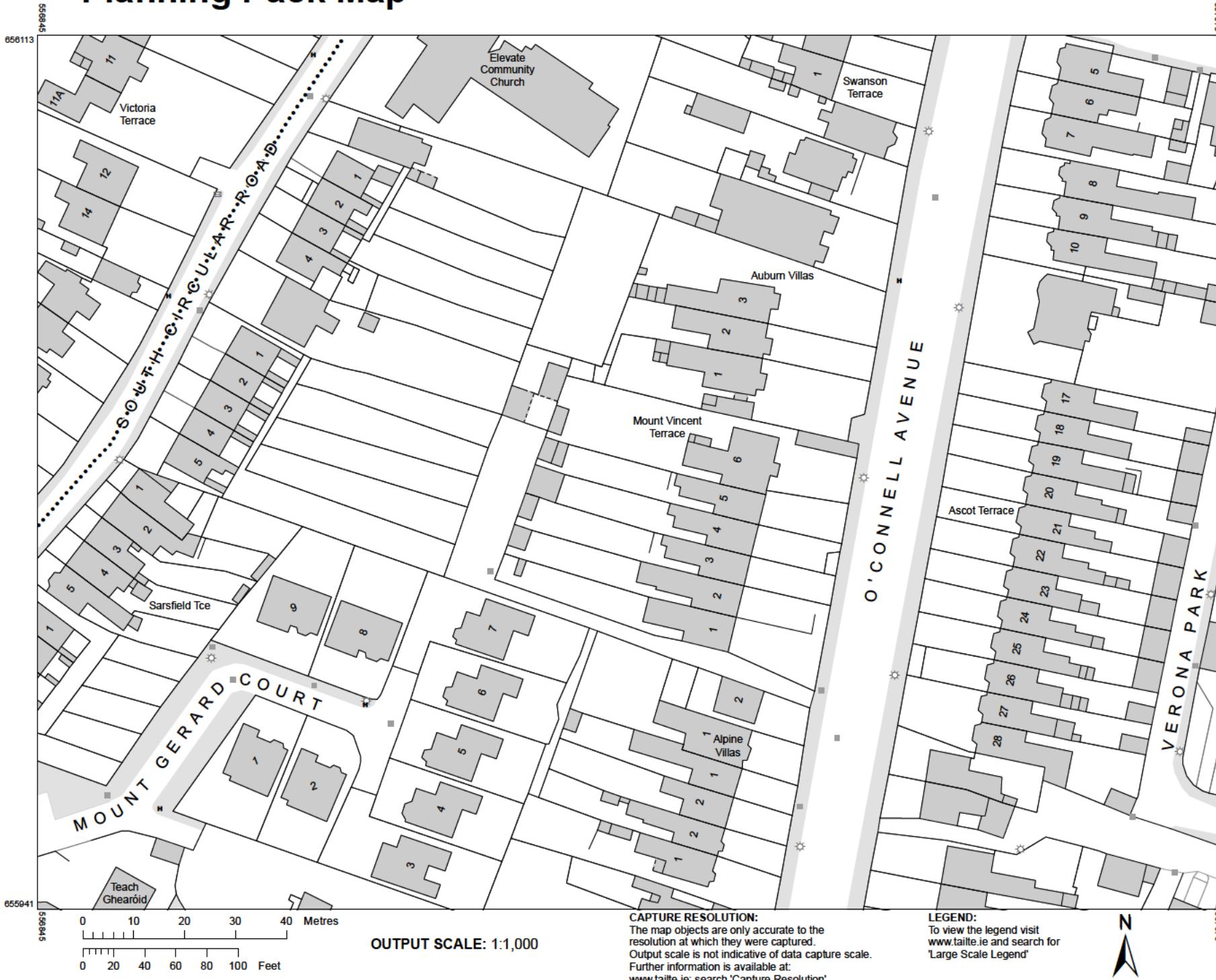
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Planning Pack Map



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'Large Scale Legend'

OUTPUT SCALE: 1:1,000

0 20 40 60 80 100 Metres

0 20 40 60 80 100 Feet

CENTRE COORDINATES:
ITM 556962,656027

PUBLISHED: ORDER NO.:
26/03/2025 50456916_1

MAP SERIES: MAP SHEETS:
1:1,000 4743-07

COMPILED AND PUBLISHED BY:
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Dublin 8,
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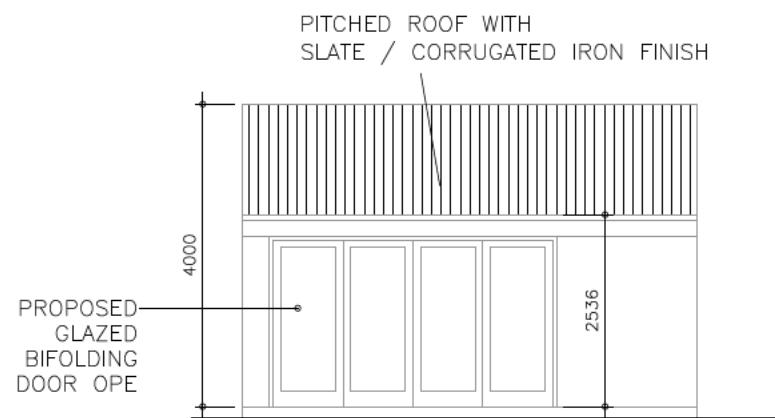
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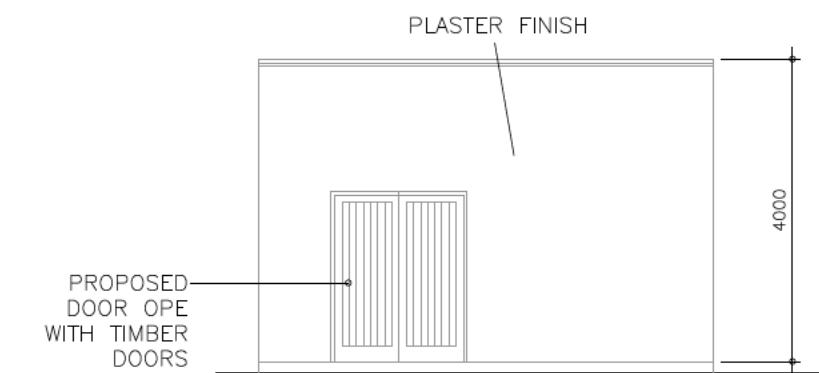
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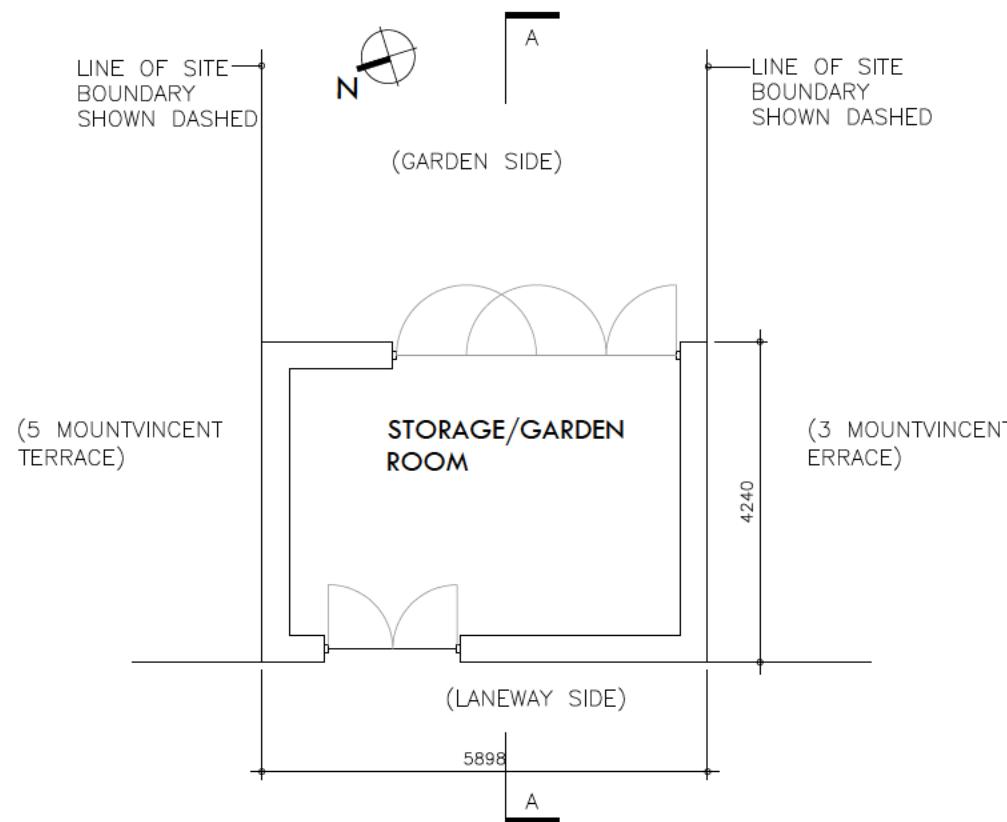
REF	REVISIONS	DATE	TITLE	CLIENT	DRAWING TITLE
			PROPOSED STORAGE/GARDEN ROOM BUILDING AT THE REAR OF NO. 4 MOUNTVINCENT VIEW, O'CONNELL AVENUE, LIMERICK	IDE O'BRIEN	SITE LAYOUT
JK	MOC	1:250@A3 AUG. 25	DRAWN CHECKED SCALE DATE STATUS DRAWING NO.	DECLARATION APPLICATION	25.05-401D1



PROPOSED GARDEN ELEVATION



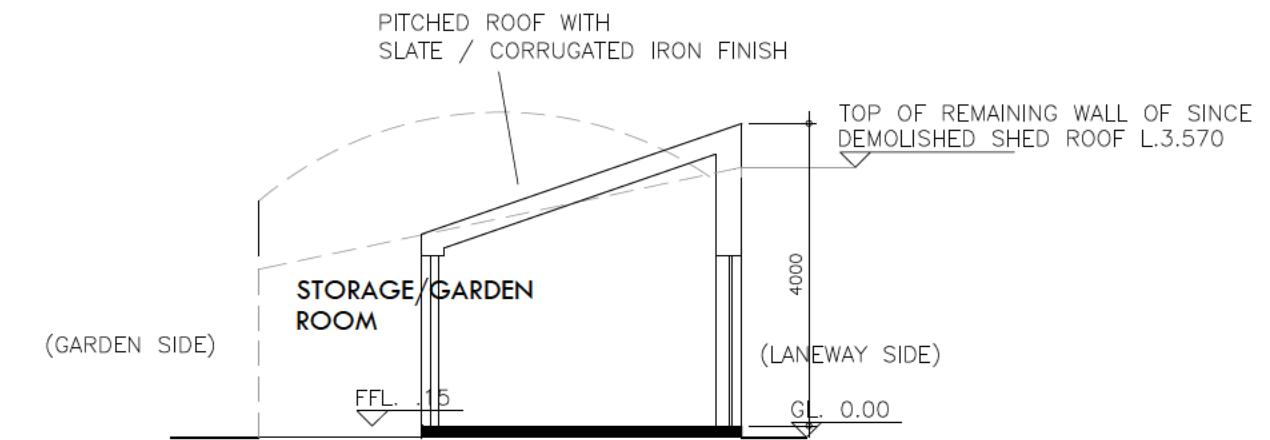
PROPOSED LANE ELEVATION



PROPOSED GROUND FLOOR PLAN

SCALE: 1:100@A3

GROSS FOOTPRINT PROPOSED FLOOR PLAN: 25.00M SQ



PROPOSED SECTION A-A

SCALE: 1:100@A3

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REF	REVISIONS	DATE	TITLE	CLIENT	DRAWING TITLE
			PROPOSED STORAGE/GARDEN ROOM BUILDING AT THE REAR OF NO. 4 MOUNTVINCENT VIEW, O'CONNELL AVENUE, LIMERICK	IDE O'BRIEN	
					GENERAL ARRANGEMENT DRAWING
JK	MOG	1:100@A3 AUG. 25	DRAWN CHECKED SCALE DATE STATUS DRAWING NO.	DECLARATION APPLICATION	25.05-402D1



PROPOSED CONTIGUOUS ELEVATION
SCALE: 1:100@A1

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SPECIFICATION AND DRAWINGS.
ALL DIMENSIONS TO BE CHECKED ON SITE.

REF	REVISIONS	DATE	TITLE	CLIENT	DRAWING TITLE
			PROPOSED STORAGE/GARDEN ROOM BUILDING AT THE REAR OF NO. 4		
			MOUNTVINCENT VIEW, O'CONNELL AVENUE, LIMERICK		
			IDE O'BRIEN		
			CONTIGUOUS ELEVATION		
				DRAWN JK	CHECKED MOC
				SCALE 1:100@A3	DATE AUG. 25
				STATUS DECLARATION APPLICATION	DRAWING NO. 25.05-403D1

25.05 Proposed garden room / storage building at 4 Mount Vincent Terrace, O'Connell Avenue, Limerick.

ARCHITECT'S DESCRIPTION / CONSERVATION STATEMENT



View of the former shed location

The proposed development is to construct a single storey building at the rear of 4 Mount Vincent Terrace for ancillary uses to the existing dwelling such as storage and a garden room.

The existing dwelling is a 2 storey terraced family house on O'Connell Avenue in Limerick City. The proposed building replaces an existing single storey shed, which has been recently demolished, to the rear of the property addressing the rear lane.

The proposed building is to provide storage for the house, that was previously provided by the former shed. at Ground Floor level along with the potential of a garden room / games room for the children.

The proposed building is on the footprint of the existing shed to the lane and encompasses 25 sq.m. including external walls.

CONSERVATION STATEMENT

The dwelling at 4 Mount Vincent Terrace is located in the Limerick City & County Development Plan 2022 – 2028 - Architectural Conservation Area - ACA 3 – O'Connell Avenue.

As outlined in our application, the proposed development involves a modest storage building to the rear lane replacing an existing shed which was demolished in the recent past. The dwelling itself and its curtilage is situated within a sensitive architectural and historical context. Our intention throughout the design process has been to respect the established character of the ACA while improving the functionality and livability of the dwelling.

The rear elevation of the storage building addresses a rear laneway shared with the adjoining properties. The proposed shed elevation is similar to the shed that was demolished with double timber doors within a plastered wall which is in keeping with the other storage buildings along this lane which are a mix of plaster and stone walls.



4 MOUNT VINCENT TERRACE

PHOTOGRAPHIC RECORD



Aerial view of existing adjoining sheds and shed that was demolished.



View from lane of existing adjoining sheds



View from lane of existing adjoining sheds and site of former shed.

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

Reference no. EC-233-25

Name and Address of Applicant:
Ide O'Brien
4 Mount Vincent Terrace
O'Connell Avenue
Limerick City

Agent:
Michael O'Connor
Praxis Architecture
64 O'Connell Street
Limerick

Location:
4 Mount Vincent Terrace
O'Connell Avenue
Limerick City

Description of Site and Surroundings:

The subject site is located at 4 Mount Vincent Terrace on O'Connell Avenue within Limerick City. The dwelling is a two storey terraced dwelling within the South Circular Road, New Street and O'Connell Avenue Architectural Conservation Area.

Zoning:

Existing Residential

Proposal:

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- Construction of a garden room/storage room within the rear garden of the dwelling

This Section 5 declaration includes the following:

- Cover letter
- Site location map
- Site layout plan
- General arrangement drawings
- Contiguous elevation

Planning History:

EC:183-25: Works deemed development and not exempted development

25/60293: Permission refused for the construction of a 2 storey storage/garden room at the rear of the existing garden with garden/storage at ground floor and an en-suite bedroom/storage at first floor.

Enforcement History

None

An Bord Pleanála Case files

None

Assessment

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

Is the proposal development?

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

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

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

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

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

The proposed development on site, comprising the construction of a single storey monopitched roof structure containing a garden room/storage within the rear garden of the subject site is considered to constitutes ‘works’ and ‘development’.

Is the proposal exempted development?

The proposal will be assessed against Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended and Section 4(1)(h) and 4(1)(j) of the Planning and Development Act, 2000, as amended.

Is the development within the curtilage of a house?

Yes, the development as proposed is within the curtilage of the house.

Class 3

The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure.

1. *No such structure shall be constructed, erected or placed forward of the front wall of a house.*

The structure is to the rear of the dwelling and not forward of the front wall of the house. The proposed development therefore complies with condition/limitation 1.

2. *The total area of such structure constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25sqm.*

The drawings as submitted indicate a total floor area of 25sqm. The proposed development therefore complies with condition/limitation 2.

3. *The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25sqm.*

The site has the benefit of a large rear garden and the garage/garden room will not reduce the amount of open space to less than 25sqm. The proposed development therefore complies with condition/limitation 3.

4. *The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house*

The structure has a plaster finish to external walls and a glazed bifolding door on the northeast elevation. The roof is slate/corrugated iron finish.

5. *The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4m or in any other case 3m.*

The monopitched roof has a maximum height of 4m therefore compliant with condition/limitation 5.

6. *The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses or for any other purpose other than a purpose incidental to the enjoyment of the house as such.*

The proposed room is indicated as being for storage and a garden room. No bathroom is included within same. It is considered that the proposal is compliant with Limitation 6 of Class 3.

Article 9 Restrictions

Development to which article 9 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would '*further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area*'.

The Conservation Team notes that as the proposed shed is within the original footprint of the former shed, the proposed design will not materially alter the character of the ACA and therefore have no concerns.

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 required in this instance.

Environmental Impact Assessment

An EIA Screening examination was carried out by Limerick City & County Council (see appendix 2). Overall, it is considered that there is no real likelihood of significant effects on the environment. Therefore, an Environmental Impact Assessment is not required.

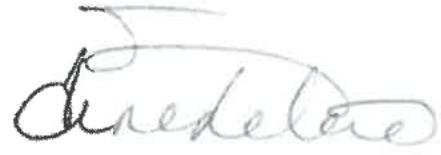
Conclusion/Recommendation

The construction of a garden/store room to the rear of the property as detailed on the application and plans submitted is development and exempted development.

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) The plans & particulars submitted with the application received on 11th November 2025.
- (c) Article 9 Restrictions
- (d) Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

It is therefore considered that the said works are development and exempted development under Class 3 of Part 1 of Schedule 2 and Article 9(1)(xii) of the Planning and Development Regulations 2001 (as amended)



Áine Leland
Executive Planner

Date: 04/12/2025



Gráinne O'Keeffe

Date: 04/12/2025

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(a) File Reference No:	EC-233-25
(b) Brief description of the project or plan:	Section 5 Declaration on whether the construction of a stand alone storage/garden room is or is not exempted development.
(c) Brief description of site characteristics:	The subject site is located at No. 4 Mount Vincent Terrace, O'Connell Avenue
(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 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	885m	None	N
004077 - River Shannon and River Fergus Estuaries SPA	https://www.npws.ie/protected-sites/sac/004077	790m	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:

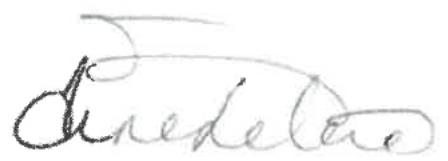
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g <ul style="list-style-type: none"> - Vegetation clearance - Demolition - Surface water runoff from soil excavation/infill/landscaping (including borrow pits) - Dust, noise, vibration - Lighting disturbance - Impact on groundwater/dewatering 	None. No direct encroachment or hydrological connection.

Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':

Planning Register Reference:	EC/233/25	
Development Summary:	Section 5 Declaration on whether the construction of a stand alone garden/storage room 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"/>	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
		No Screening required
<input checked="" type="checkbox"/> 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
		No Screening required
<input type="checkbox"/>	Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _____	Proceed to Part C
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:



Áine Leland, Executive Planner

04/12/2025

Signature and Date of the Decision Maker:



Gráinne O'Keeffe, Senior Executive Planner

04/12/2025



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:

**Ide O'Brien,
c/o Michael O'Connor,
Praxis Architecture,
64 O'Connell Street,
Limerick.**

EC/233/25

04 December 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/2025/1368

File Ref No. EC/233/25

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

RE: **A construction of a garden room/storage room at 4 Mount Vincent Terrace, O'Connell Avenue, Limerick City**

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 Áine Leland, Executive Planner dated 04/12/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Ide O'Brien, c/o Michael O'Connor, Praxis Architecture, 64 O'Connell Street, 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/2025/1368 dated 4/12/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:



SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/233/25

Name and Address of Applicant: Ide O'Brien, 4 Mount Vincent Terrace, O'Connell Avenue, Limerick City

Agent: Michael O'Connor, Praxis Architecture, 64 O'Connell Street, Limerick

Whether the construction of a garden room/storage room at 4 Mount Vincent Terrace, O'Connell Avenue, Limerick City 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 11th of November 2025.

AND WHEREAS the Planning Authority has concluded that construction of a garden room/storage room at 4 Mount Vincent Terrace, O'Connell Avenue, Limerick City **DOES** come within the scope of exempted development under Class 3 of Part 1 of Schedule 2 and Article 9(1)(xii) 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: 4/12/2025

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.