



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Limerick City & County
Council

26 JAN 2026

Planning

Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

Colin & Claire Anderson

Applicant's Address:

11, Doonbeirne Green,

Ballingarry,

Co. Limerick.

Eircode: V94 R5CW

Telephone No.

Name of Agent (if any):

John Ryan

Address:

36, Russell Court,

Ballykeeffe,

Limerick.

Telephone No.

087 2941638

Address for Correspondence:

11, Doonbeirne Green,

Ballingarry,

Co. Limerick.

Eircode: V94 R5CW

Location of Proposed development (Please include Eircode):

**11, Doonbeirne Green,
Ballingarry,
Co. Limerick.
Eircode: V94 R5CW**

Description of Proposed development:

Exemption sought for the following cumulative development:

**Metal shed 2.85m x 2.8m erected in 2008
Conservatory 3.7m x 3.65m constructed in 2009
Argos metal shed 2.25m x 1.8m erected in 2009
Roofed clothes drying area at side of house 9.1m x 1.9m completed 2018
Polytunnel 4m x 3m erected in 2020
Gazebo 3.5 x 3m built in 2021
Hobby shed 5m x 5m erected in 2023**

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

Planning & Development Regulations 2001 as amended. Section 5

Is this a Protected Structure or within the curtilage of a Protected Structure.
YES/NO **No**

Applicant's interest in site: **Owners**

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

- **Drg. No. 1.26.A Authorised OS Location Map to scale of 1: 10,560**
- **Drg. No. 1.26.B Authorised OS Place Map to scale of 1:2500.**
- **Drg. No. 1.26.D Site Plan to scale of 1:200 showing site and all structures.**
- **Drg. No. 1.26.E Floor Plans and elevations of main house, conservatory & roofed drying area at the side of the house to scale of 1:100.**
- **Drg. No. 1.26.F Plans & elevations of all free-standing structures in rear garden.**
- **Drg. No. 1.26.G Drone Photograph of all structures in rear garden.**
- **Cover letter dated 22 January 2026**
- **Receipt for fee of €80.**

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



LIMERICK CITY & COUNTY COUNCIL
CASH OFFICE
CIVIC OFFICES
DOORADOYLE
CO LIMERICK
26/01/2026 15:34:03

Receipt No / Uimhir L425/25195267
Admhála:

Customer Address / Seoladh an
Chustaiméara:
COLIN & CLAIRE ANDERSON
11 DOONBEIRNE GREEN
BALLINGARRY
CO LIMERICK
V84 R5CW

Account / Cuntas: PL041
PL041 80.00 EUR
11 DOONBEIRNE GREENBALLINGARRY

| | |
|------------------------|---------------------|
| Paid With / Ioctha Le: | Credit / Debit Card |
| Total / Iomlán: | 80.00 EUR |
| Tax (VAT): | 0.00 EUR |
| Tendered / Tairgthe: | 80.00 EUR |

From / Ó: CASH OFFICE
HQ

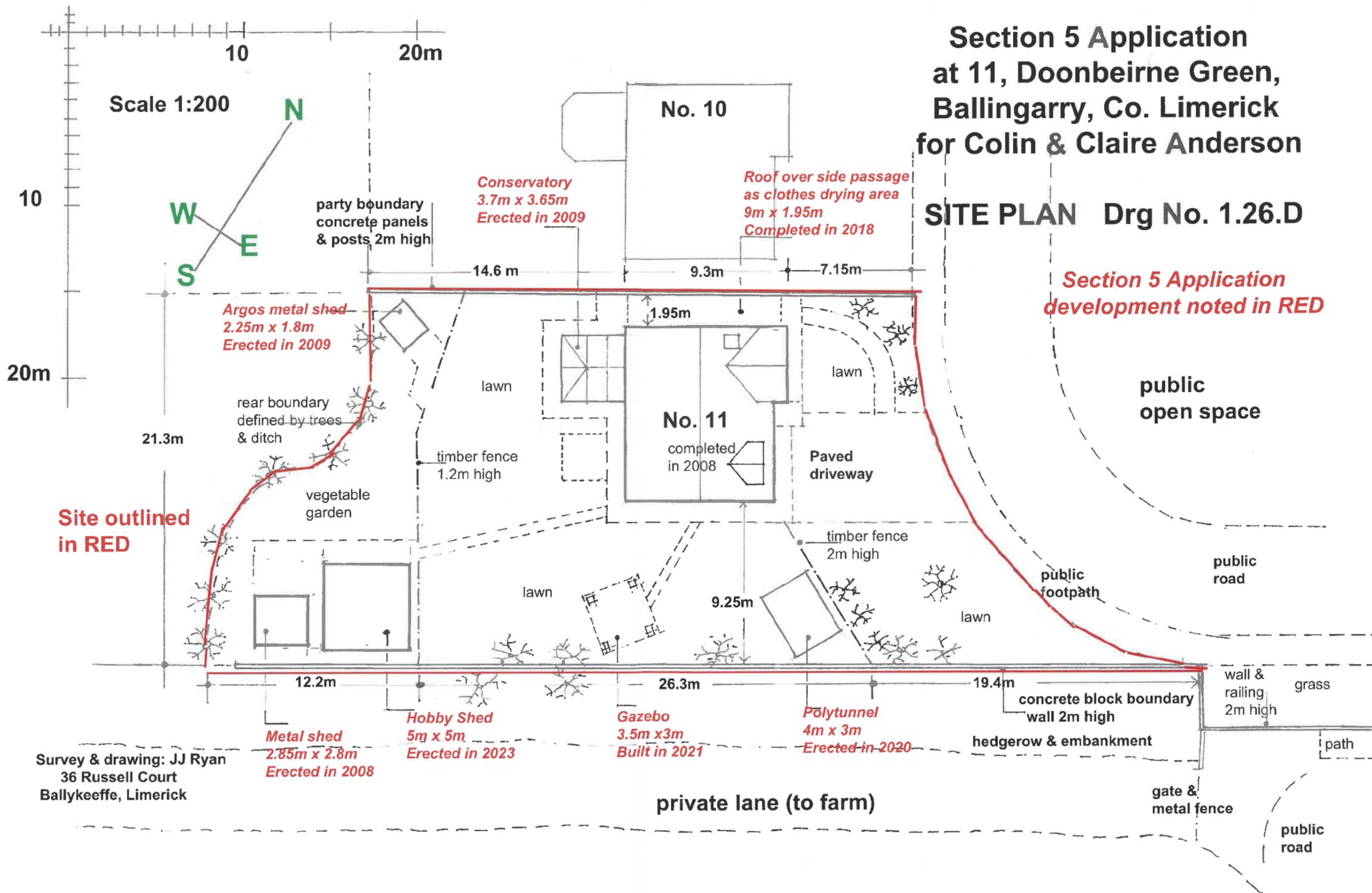
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**Section 5 Application
at 11, Doonbeirne Green,
Ballingarry, Co. Limerick
for Colin & Claire Anderson**

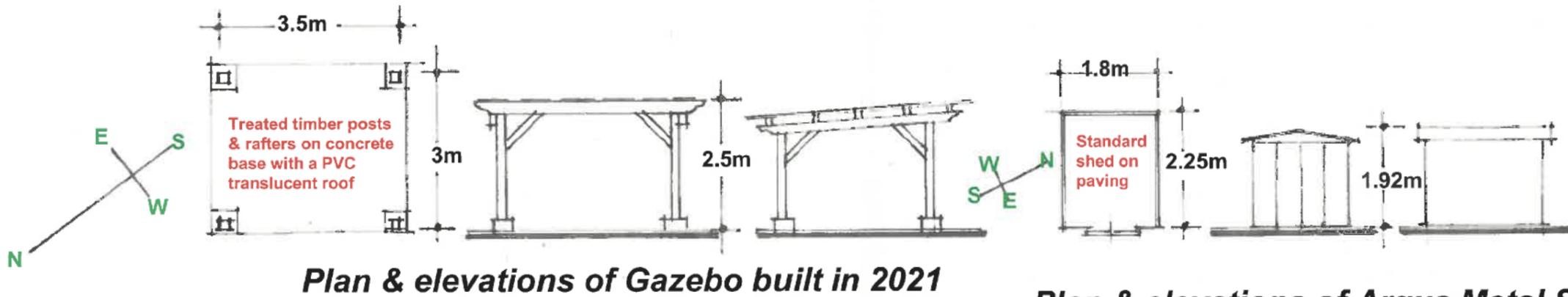
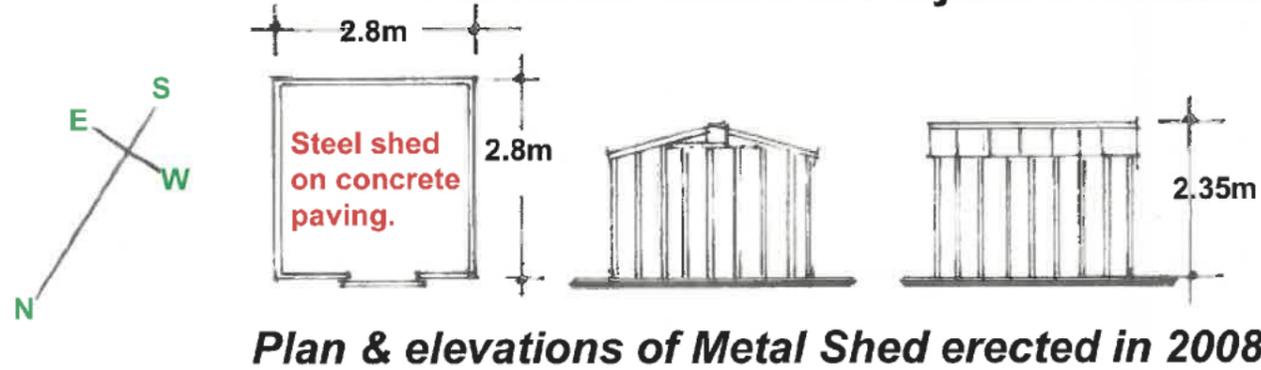
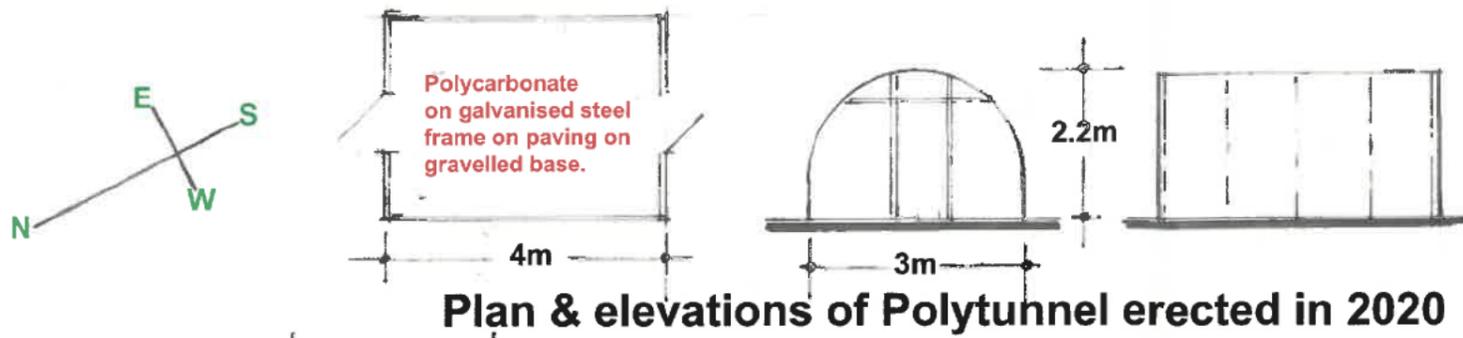
SITE PLAN Drg No. 1.26.D



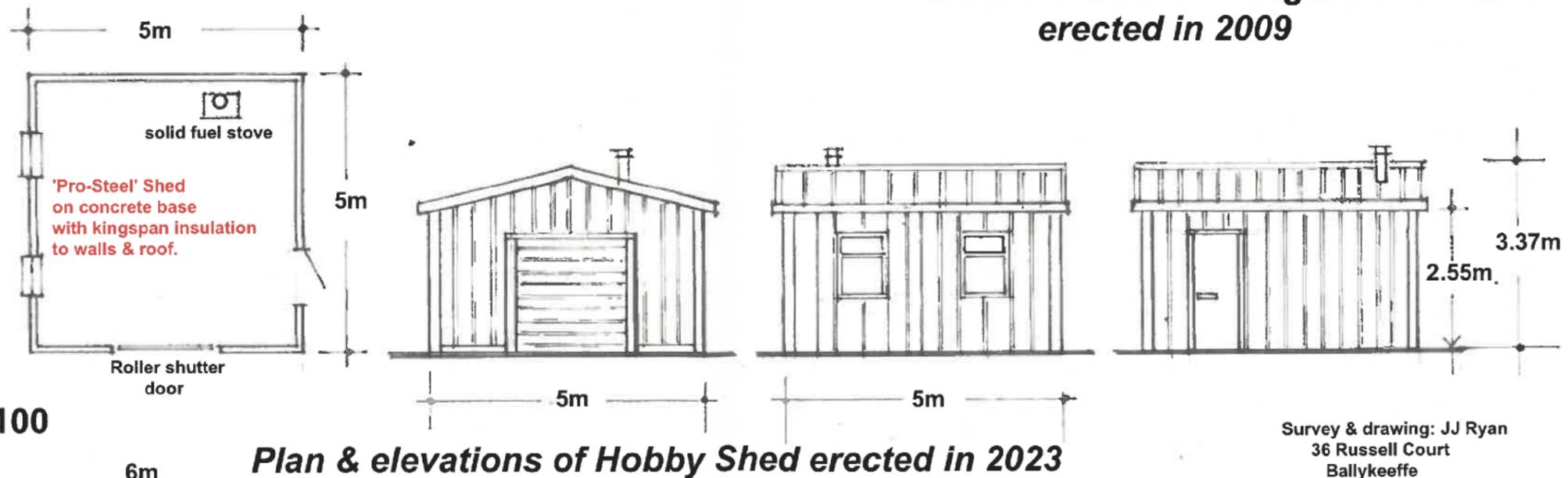
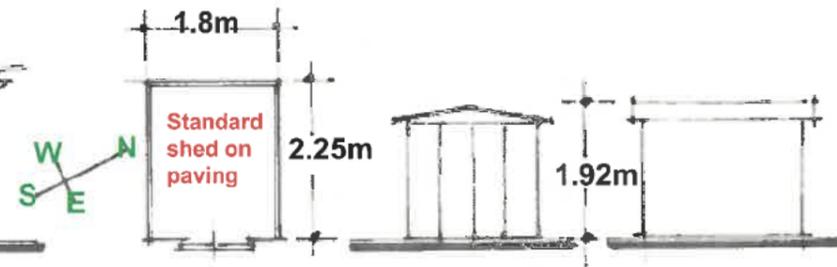
Survey & drawing: JJ Ryan
36 Russell Court
Ballykeeffe, Limerick

private lane (to farm)

*Section 5 Application
development noted in RED*



Plan & elevations of Argus Metal Shed erected in 2009



Scale 1:100



Survey & drawing: JJ Ryan
36 Russell Court
Ballykeeffe
Limerick

Section 5 Application
at 11, Doonbeirne Green
Ballingarry, Co Limerick
for Colin & Claire Anderson

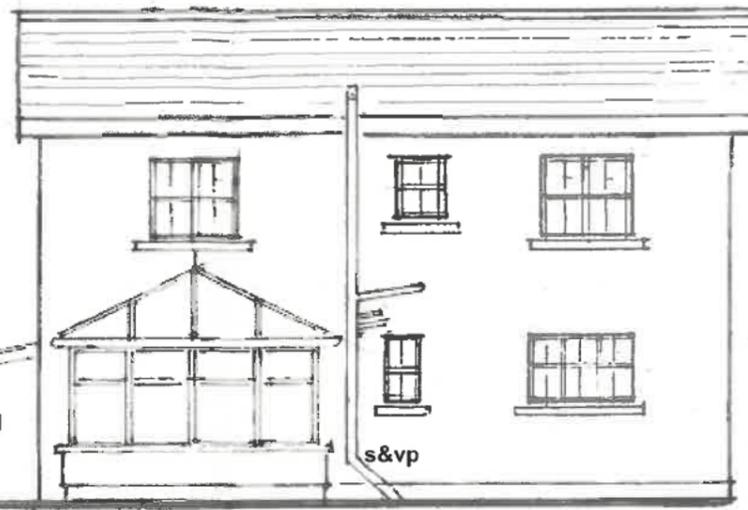
PLANS & ELEVATIONS OF
ALL FREE-STANDING
STRUCTURES
Drg. NO. 1.26.F



NE Elevation

Box profile metal roof on 100 x 35 at 600 crs. along side passage of house. Area used for drying clothes and drainage is natural.

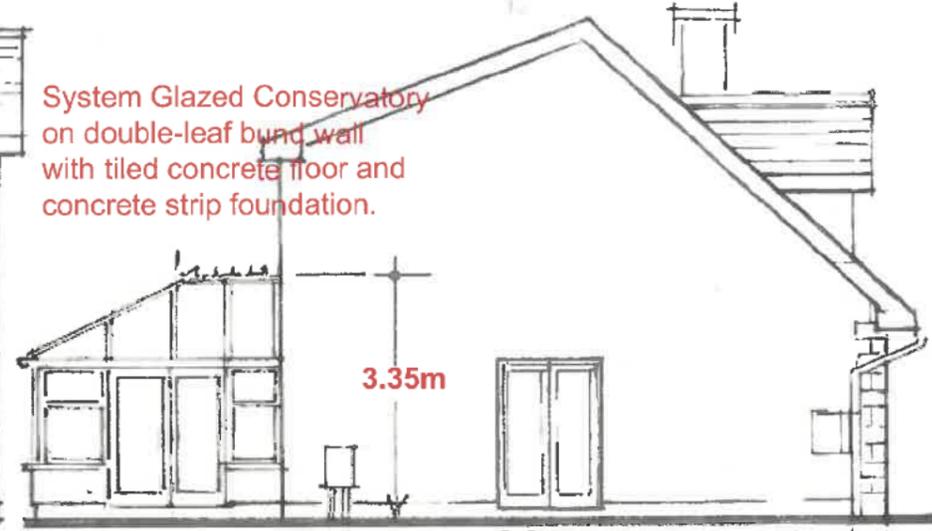
2.3m



SW Elevation

party wall 2m high

3.7m

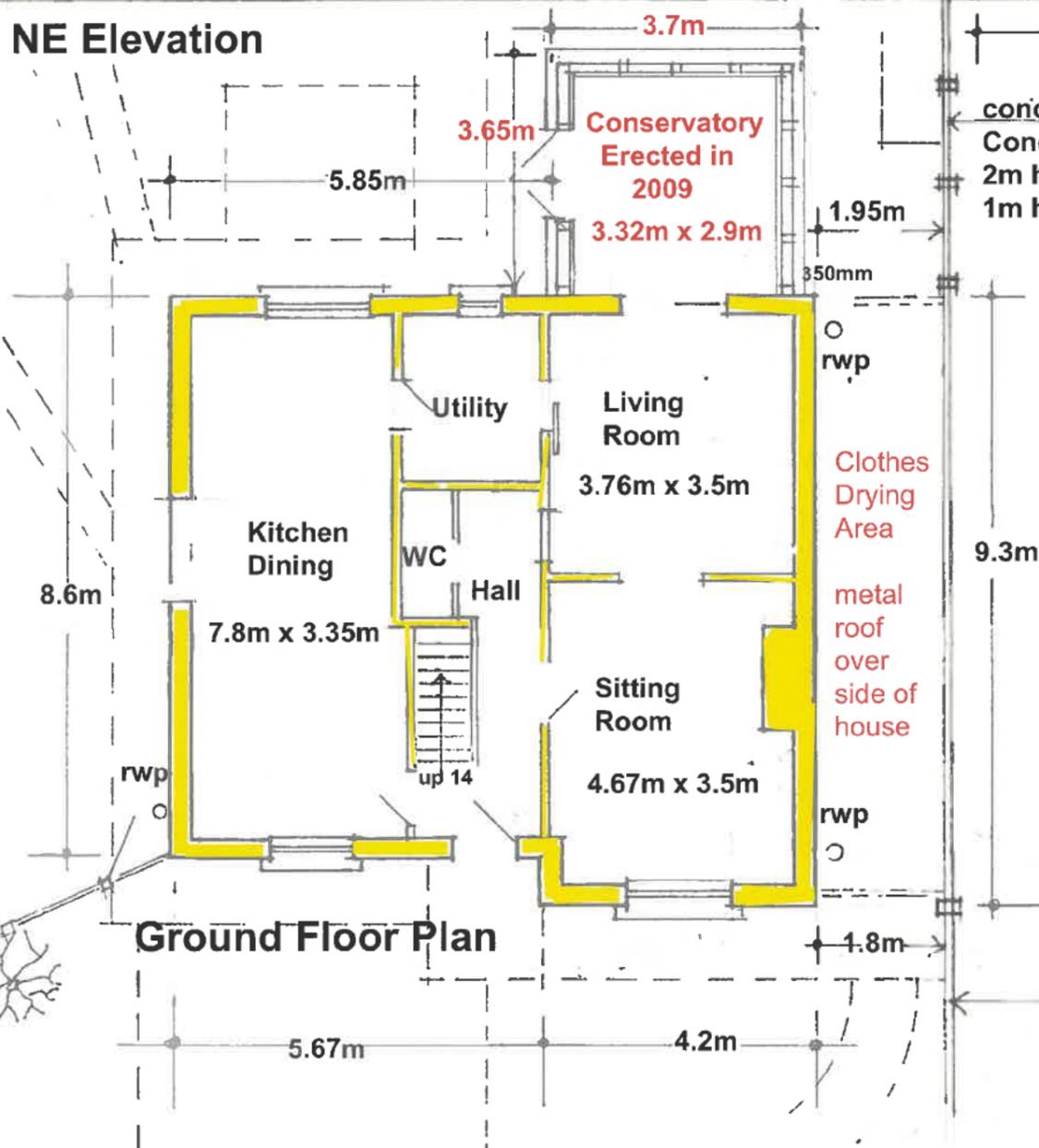


SE Elevation

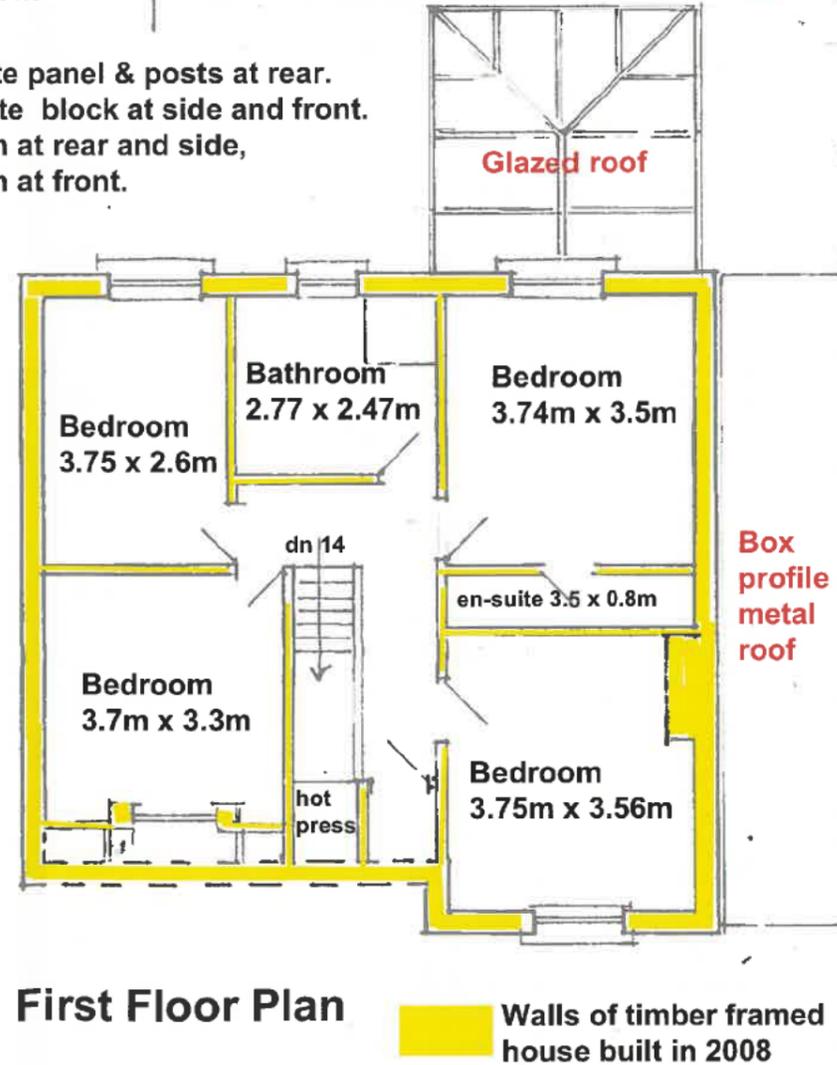
System Glazed Conservatory on double-leaf bund wall with tiled concrete floor and concrete strip foundation.

3.35m

8.6m



Ground Floor Plan



First Floor Plan

Scale 1:100

6m

6m

Section 5 Application at 11, Doonbeirne Green Ballingarry, Co. Limerick for Colin & Claire Anderson

PLANS & ELEVATIONS OF MAIN HOUSE & ATTACHED DEVELOPMENT

Drg. No. 1.26.E

Walls of timber framed house built in 2008



CENTRE COORDINATES:
ITM 540895,636141

PUBLISHED: 09/12/2025
ORDER NO.: 50507376_1

MAP SERIES: 1:2,500
1:2,500
MAP SHEETS: 5104-C
5165-A

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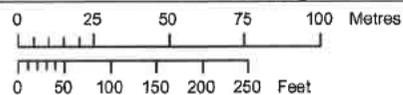
Dún Beirn
Doonbeirne

Ballingarry
Baile an
Gharraí

Site outlined
in RED

**Section 5 Application
11, Doonbeirne Green
Ballingarry Co. Limerick
for Colin & Claire Anderson**

Drng. No. 1.26.B



OUTPUT SCALE: 1:2,500

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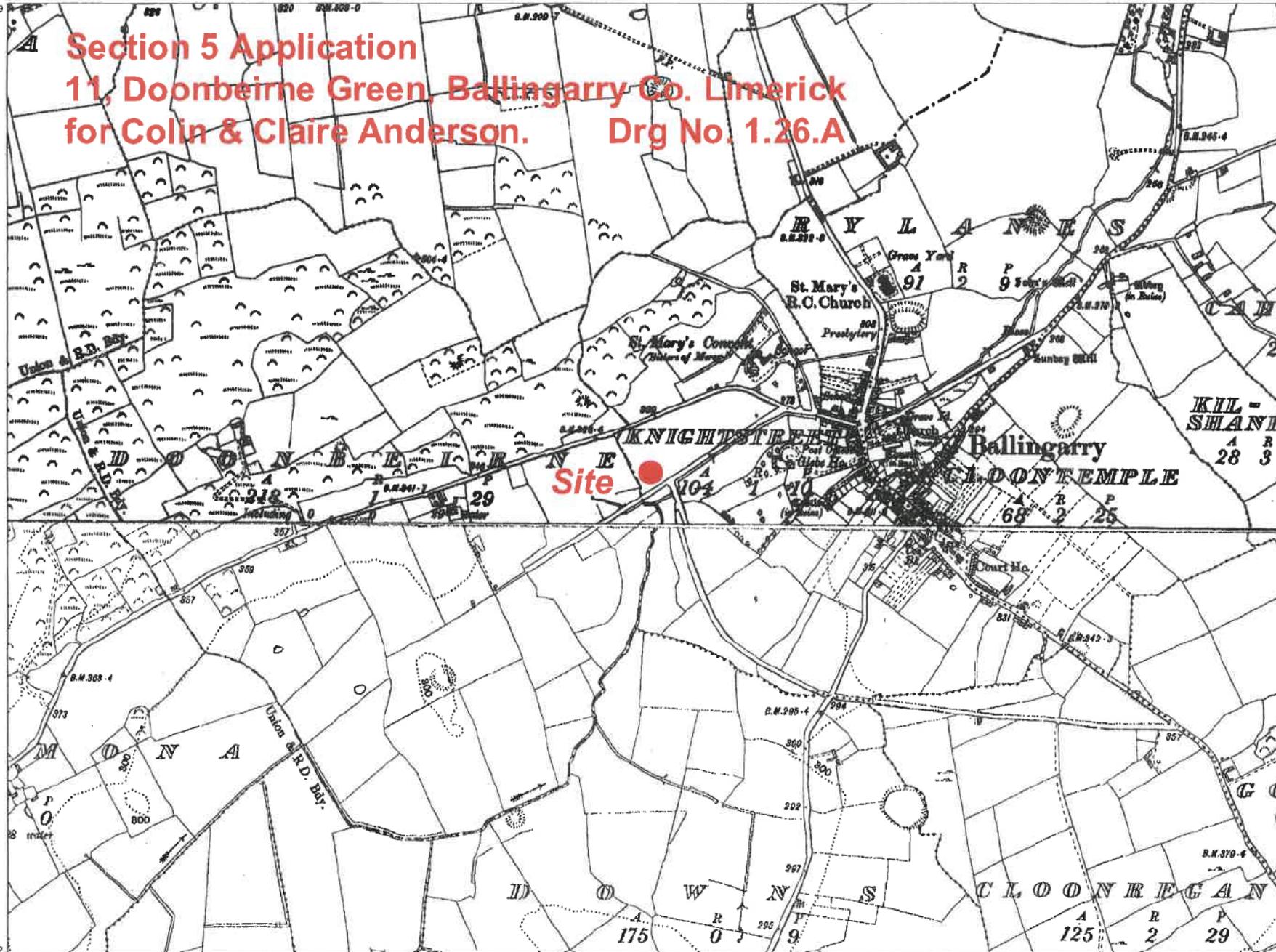
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Site Location Map



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**Section 5 Application
11, Doonbeirne Green, Ballygarry Co. Limerick
for Colin & Claire Anderson. Drg No. 1.26.A**



**CENTRE
COORDINATES:**
ITM 540895,636141

PUBLISHED: 09/12/2025
ORDER NO.: 50507376_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: LK029
6 Inch Raster LK037

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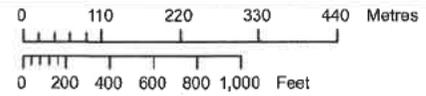
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'Large Scale Legend'





Main house completed in 2008

Polytunnel 4m x 3m erected in 2020

Roofed clothes drying area 9.2m x 2m completed in 2018

Gazebo 3.5m x 3m built in 2021

Conservatory 3.7m x 3.65m constructed in 2009

Man Shed / Hobby Shed 5m x 5m erected in 2023

Argos metal shed 2.25m x 1.8m erected in 2009

Metal Shed 2.85m x 2.8m erected in 2008

Section 5 Application
Declaration of development & exempted
development at 11, Doonbeirne Green, Ballingarry,
Co. Limerick,
for Colin & Claire Anderson.
DRONE PICTURE OF REAR GARDEN
DATE JAN 2026 DRG. NO. 1.26.G

11 Doonbeirne Green

Planning Department

Ballingarry,

Limerick City & County Council

Co. Limerick.
Eircode: V94 R5CW
22 Jan 2026

**RE: Section 5 Application
Declaration of development & exempted development
at 11, Doonbeirne Green, Ballingarry, Co. Limerick,
for Colin & Claire Anderson.**

Dear Sir / Madam,

In support of our application for exempt development, the completed Section 5 Application Form and all the required maps, drawings and details are attached.

The purpose of this cover letter is to emphasise the gradual development of small structures and facilities in our rear garden. Each structure was erected in accordance with exempt development guidelines however it has been intimated that the cumulative or aggregate of development could be questionable. As this is the implied situation, then only the Planning Dept can settle the matter.

The Site Plan (Drg. No. 1.26.D) and a drone photograph (Drg. No. 1.26.G) have been expressly prepared to demonstrate the gradual development of small structures and garden facilities since the house was completed and occupied by us in 2008.

Main house completed in 2008

Metal shed 2.85m x 2.8m erected in 2008

Conservatory 3.7m x 3.65m constructed in 2009

Argos metal shed 2.25m x 1.8m erected in 2009

Roofed clothes drying area at side of house 9.1m x 1.9m completed in 2018

Polytunnel 4m x 3m erected in 2020

Gazebo 3.5 x 3m built in 2021

Hobby shed 5m x 5m erected in 2023

The overall site area is 851 square metres with a rear garden of 523 square metres and a front garden of 223 square metres. It is our position that the large rear garden can accommodate all the structures without adversely affecting the amenity of the garden space.

We wish to ensure that any outstanding planning matters are settled and will resolve this in any way you consider necessary.

Yours sincerely



Colin Anderson

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

| | |
|------------------------------|--|
| File Reference number | EC-012-26 |
| Applicants | Colin Anderson & Claire Anderson |
| Location | 11 Doonbeirne Green Ballingarry Co. Limerick V94 R5CW |

Description of Site and Surroundings:

The site features an existing detached two-storey dwelling, located in the Agricultural Lowlands Landscape Character Area, within the rural village of Ballingarry. The original house was constructed as part of a 22 no. dwellinghouse cul-de-sac development in Doonbeirne Green. The site in question also contains development additional to the original dwelling house, including a polytunnel, three shed structures, a gazebo, conservatory extension, and a lean-to/monopitch roof above the north side passage of the dwelling used as a clothes drying area.

Zoning:

Ballingarry is a Level 4 Village under the Settlement Hierarchy of the Limerick Development Plan 2022-2028, and the Ballingarry zoning map highlights the site as Existing Residential. In relation to the site, the objective of this zoning designation seeks to protect and improve existing residential amenity in the area.

Proposal:

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

- The applicants are seeking a deceleration of exemption for cumulative development, additional to the original dwelling, which has taken place since 2009 through to 2023. These developments include:
 1. Metal Shed (7.98m²) – erected in 2008
 2. Conservatory (13.505m²) – constructed in 2009
 3. 'Argos' Metal Shed (4.05m²) – erected in 2009
 4. Roofed Drying Area (17.29m²) – erected in 2018
 5. Polytunnel (12m²) – completed in 2020
 6. Gazebo (10.5m²) – erected in 2021
 7. Hobby Shed (25m²) – erected in 2023

This Section 5 declaration includes the following:

- Application form
- Site location
- Elevations
- Floor plans

Planning History:

Subject site:

00/2192 – Conditional Permission – Construction of 22 No. dwellinghouses.

Adjacent:

07/3238 – Conditional Permission – Alteration to existing dwelling house to include, change of elevation and insertion of window to existing dwelling.

Enforcement History:

No enforcement history found for the site.

Relevant An Coimisiún Pleanála referrals:

No relevant An Coimisiún Pleanála referrals found for the site.

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 proposal, comprising the historic construction of separate structures within the site boundary, and extensions to the rear and side of the existing dwelling, between 2009 and 2023, constitutes ‘works’ and ‘development’.

Is the proposal exempted development?

To assess whether development on site between 2009 to 2023 is exempted development, the additional structures produced in this period of development will be grouped into their associated development classes found in Column 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) will be used to assess the conservatory and lean-to/monopitch roof extensions, whilst **Class 3** of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) will be applied to the remaining outbuilding structures. Importantly, the conditions and limitations of these exempted development classes, found in Column 2 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), shall consider the structures concurrently as they exist at the time of this application/report, rather than relative to the time of their construction, erection, or completion.

Is the development within the curtilage of a house?

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

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.

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

The combined floor area of the conservatory and lean-to/monopitch roof structure is 30.795m².

(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.

The house is detached; the question does not apply to the proposal.

(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.

There is no above ground level extension, the question does not apply.

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 combined floor area of the conservatory and lean-to/monopitch roof structure is 30.795m².

(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.

The house is detached. The question does not apply.

(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.

There is no above ground level extension, the question does not apply.

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

There is no above ground level extension, the question does not apply.

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.

The rear wall does not include a gable, but the height of the extension walls does 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.

The rear wall of the house does not include a gable. The question does not apply.

(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.

The height of the extensions does not exceed the height of the 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.

The rear conservatory extension and lean-to/monopitch roof extension does 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.

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

No proposed windows at ground level are less than 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.

There is no above ground level extension, the question does not apply.

(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.

There is no above ground level extension, the question does not apply.

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

The application and submitted drawings for the conservatory and lean-to roof extension does not mention or show any intended use as a balcony or roof garden.

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.

Sections of the polytunnel structure have been placed forward of the front wall of the house.

2. The total area of such structures 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 25 square metres.

The total area of the remaining structures, not including the conservatory or lean-to roof extension, is 59.53m², exceeding 25 square metres.

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 25 square metres.

The structures do 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.

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.*

None of the structures have a tiled or slated roof.

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

The height of the 'Pro-Steel' hobby shed does not have a tiled or slated pitched roof and exceeds 3 metres.

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.*

It is not believed that any of the Class 3 structures are 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.

Article 9 Restrictions

The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended).

Appropriate Assessment

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.

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.

Conclusion

The conservatory and lean-to extension Class 1 exempted development conditions and limitations have been satisfied and can be considered exempted development. The Class 3 developments, however, breach the conditions and limitations of that development class, as set out in Column 2 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

The three breaches of these conditions and limitations include:

1. The polytunnel being placed forward of the front wall of the house.
2. The total floor area of the Class 3 structures exceeding 25 square metres.
3. The height of the 'Pro-Steel' hobby shed exceeding 3 metres.

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6, 9, Class 1 & 3 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 26/01/2026.

It is therefore considered that the historic works constitute development, and while the Class 1 conservatory and lean-to development can be considered exempted development, the sum of the remaining Class 3 developments are not exempted development under the conditions and limitations of Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Recommendation

The Conservatory and the leanto/monopitch roofed drying area are development and are exempted development under Class 1 of Part 1 of Schedule 2.

The two metal sheds, hobby shed, polytunnel and gazebo are development and are not exempted development under Class 3 of Part 1 of Schedule 2.

Pursuant to the above report, the applicants are advised to apply for retention permission for the Class 3 structures identified in this report.

| | | |
|---------------------------------|---|-------------------------|
| Graduate Planner | Isaac Cunningham | Date: 28/01/2026 |
| Signature: |  | |
| Senior Executive Planner | Gráinne O'Keeffe | Date: 19/02/2026 |
| Signature |  | |

Appendix 1: AA PN01 Screening Form

| STEP 1: Description of the project/proposal and local site characteristics: | |
|---|--|
| (e) File Reference No: | EC-012-26 |
| (e) Brief description of the project or plan: | The applicants are seeking a deceleration of exemption for the cumulative development, additional to the original dwelling, which has taken place since 2009 through to 2023. |
| (e) Brief description of site characteristics: | The site features an existing two-storey detached dwelling, located in the Agricultural Lowlands Landscape Character Area, within the rural village of Ballingarry. The original dwelling was constructed as part of a 22 no. dwelling cul-de-sac development in Doonbeirne Green. |
| (e) 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 |
| Curraghchase Woods SAC | https://www.npws.ie/protected-sites/sac/000174 | 10.43 | None | N |
| Lower River Shannon SAC | https://www.npws.ie/protected-sites/sac/002165 | 11.97 | None | N |
| Tory Hill SAC | https://www.npws.ie/protected-sites/sac/000439 | 13.49 | None | N |
| Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA | https://www.npws.ie/protected-sites/spa/004161 | 14.97 | 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 | No possible significant impacts from the construction phase are expected due to the limited scale and extensive distance of the |

| | |
|---|--|
| <ul style="list-style-type: none"> - 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 | <p>proposed works from the identified European sites.</p> |
| <p>Operation phase e.g.</p> <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 | <p>No possible significant impacts from the operation phase are expected due to the limited scale and extensive distance of the proposed works from the identified European sites.</p> |
| <p>In-combination/Other</p> | <p>In-combination, the construction phase and operation phase pose minimal possible significant impact on the interests of the European sites identified.</p> |

| | |
|--|---|
| <p>(a) Describe any likely changes to the European site:</p> | |
| <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 | <p>There are no likely changes expected due to the limited scale and extensive distance of the proposed works from the identified European sites.</p> |

| |
|--|
| <p>(a) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)</p> |
| |

| | |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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:

IC

Isaac Cunningham, Graduate Planner

28/01/2026

| | |
|--|------------|
| Signature and Date of the Decision Maker: | _____ |
| | 19/02/2026 |

Appendix 2: EIA Screening

| Establishing if the proposal is a ' <i>sub-threshold development</i> ': | |
|---|---|
| Planning Register Reference: | EC-012-26 |
| Development Summary: | The applicants are seeking a deceleration of exemption for the cumulative development, additional to the original dwelling, which has taken place since 2009 through to 2023. |
| Was a Screening Determination carried out under Section 176A-C? | <p style="text-align: center;">Yes. no further action required</p> <p style="text-align: center;">No. Proceed to Part A</p> |
| 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) | |
| 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 checked="" type="checkbox"/> 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 |
| Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _ | Proceed to Part C |



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:

**Colin & Claire Anderson,
11 Doonbeirne Green,
Ballingarry,
Co. Limerick.
V94 R5CW**

EC/012/26

20 February 2026

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

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061 - 556 000

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2026/177

File Ref No. EC/012/26

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

RE: **A metal shed, conservatory, argos metal shed, roofed drying area, polytunnell, gazebo & hobby shed at 11 Doonbeirne Green, Ballingarry, Co. Limerick.**

ORDER: Whereas by Director General's Order No. DG/2025/199 dated 24th November 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.

or Now therefore pursuant to the delegation of the functions aforesaid, I, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Isaac Cunningham, Graduate Planner dated 28/01/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Colin Anderson & Claire Anderson, 11 Doonbeirne Green, Ballingarry, Co. Limerick to state that the works as described above is

Development and is Exempt Development - Conservatory and the leanto/monopitch roofed drying area

Development and is NOT Exempt Development - Two metal sheds, hobby shed, polytunnel and gazebo

Signed

G O'Keeffe

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

20/2/2026

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2026/177 dated 20/2/2026, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

G O'Keeffe



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

Pleanáil, agus Cruthú Áite
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Bothar Thuar an Daill
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Planning and Place-Making
Limerick City and County Council
Dooradoyle Road
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V94 WV78

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/012/26

Name and Address of Applicant: Colin Anderson & Claire Anderson, 11 Doonbeirne Green, Ballingarry, Co. Limerick.

Agent: John Ryan, 36 Russell Court, Ballykeeffe, Limerick.

Whether the metal shed, conservatory, argos metal shed, roofed drying area, polytunnell, gazebo & hobby shed at 11 Doonbeirne Green, Ballingarry, 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 26th day of January 2026.

AND WHEREAS the Planning Authority has concluded that the conservatory and the leanto/monopitch roofed drying area area at 11 Doonbeirne Green, Ballingarry, Co. Limerick **DOES** come within the scope of exempted development under Class 1 of Part 1 of Schedule 2. (as amended). See Report attached.

AND WHEREAS the Planning Authority has concluded that the two metal sheds, hobby shed, polytunnel and gazebo at 11 Doonbeirne Green, Ballingarry, Co. Limerick **DOES NOT** come within the scope of exempted development under Class 3 of Part 1 of Schedule 2. (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 - Conservatory and the leanto/monopitch roofed drying area

Development and is NOT Exempt Development - Two metal sheds, hobby shed, polytunnel and gazebo

Signed on behalf of the said Council

Date:

20/2/2026

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.