



Comhairle Cathrach  
& Contae **Luimnigh**

**Limerick City**  
& County Council

Pleanáil, agus Cruthú Áite  
Comhairle Cathrach agus Contae Luimnigh  
Bothar Thuair 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

25/09/24

**Tony & Mary Reale**  
Main Street  
Hospital  
Co. Limerick  
V35 HW02



**RE: Declaration under Section 5**

Dear Sir/Madam,

I refer to the above Section 5 Application received by the planning department on the 6<sup>th</sup> September 2024. Please be advised this is an incomplete application as all the documents below have not been submitted:

- (a) Site Location map
- (b) Site Layout plan
- (c) Dimensioned plans and elevations of existing structure.

Drawings must be of an adequate standard to enable the Planning Authority to assess any application lodged; you may wish to engage the services of a suitably qualified agent in this regard.

Should you wish to submit a new application, please note that the fee paid in respect of this application will be re-assigned to your new application.

Furthermore, if you do NOT intend submitting a new application a refund will be provided via bank account of the name on the receipt. The following information, in the name of the person on the receipt, should be sent to [enforcements@limerick.ie](mailto:enforcements@limerick.ie) in order to process the refund:

- bank statement header (showing IBIC, IBAN & Name) and
- VAT/Tax Reference Number/PPS

Yours sincerely,



---

Helen Keane,  
Staff Officer,  
Planning & Place-Making

F7



Limerick City & County Council

20 SEP 2024

Planning

LIMERICK CITY & COUNTY COUNCIL

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: TONY REALE / MARY REALE  
Applicant's Address: MAIN ST  
HOSPITAL, CO LIMERICK  
V 35 HW 02

Telephone: [REDACTED]  
Name of Agent (if any): [REDACTED]

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

Telephone No. \_\_\_\_\_

Address for Correspondence:  
MAIN ST, HOSPITAL  
CO LIMERICK  
V 35 HW 02

Location of Proposed development:

MAIN STREET  
HOSPITAL, G LIMERICK  
V 35 HW 02

Description of Proposed development:

Extension

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  
DESCRIPTION OF PROPOSED EXTENSION  
INCLUDING DETAILED DRAWINGS

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

If Yes please provide floor areas of all existing structures:

YES AS DESCRIBED AS EXISTING IN THE  
DETAILED DRAWINGS SUPPLIED, TOTAL FLOOR  
AREA INCLUDING PROPOSED EXTENSION IS 40 SQ.M.

Signature of Applicant (or Agent) Mary Reale *Mary Reale*

**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 \_\_\_\_\_

\*\*\*\*\*



LIMERICK CITY & COUNTY COUNCIL  
CASH OFFICE  
CIVIC OFFICES  
DOORADOYLE  
CO LIMERICK

20/09/2024 12:39:33

Receipt No./  
Uimhir Admhála : LA25/0/25170922  
\*\*\*\*\* REPRINT \*\*\*\*\*

TONY & MARY REALE  
MAIN ST  
HOSPITAL  
CO LIMERICK V35 HW02

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/lomlán : 80.00 EUR

Tendered/Tairgthe :  
Credit / Debit Card 80.00  
VISA  
\*\*\*\*\*8809  
\*\*\*\*

Change/Soirseáil : 0.00

Issued By/  
Eisithe ag : John Harold  
From/Ó : CASH OFFICE HQ  
Vat reg No./Cláruimhir CBL: 3267368TH

Surveyed 1985  
Revised 2016  
Levelled 1979

# Rural PLACE Map



170001

138861

OSI CENTRE PT. COORDS

570577,635782

DESCRIPTION

MAP SHEETS

1:2500  
5172-B

**Limerick City & County Council**

**05 JAN 2026**

**Planning**

*SITE* →



Produced by  
National Map Services,  
Unit 7, South Ring Business Park,  
Kilmea Road,  
Co. Cork  
On behalf of Ordnance  
Survey Ireland,  
Phoenix Park, Dublin 8.

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in aon bhíodh ná ar aon  
bhíodh gan cead i scríobhán  
nó in áiríocht  
an chéile.

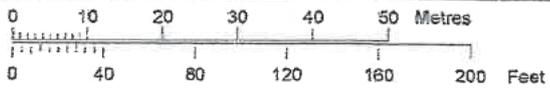
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138503  
170530

Scale: 1:1,000  
Scale: 1:1,000

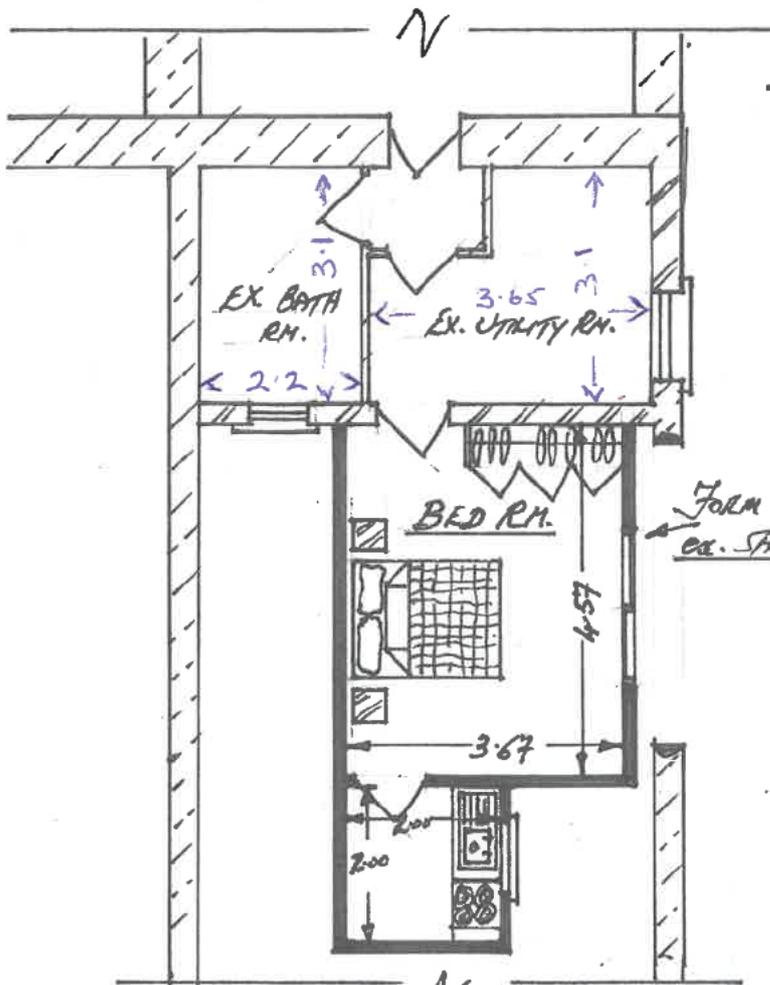


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Plot Date 20-DEC-2017

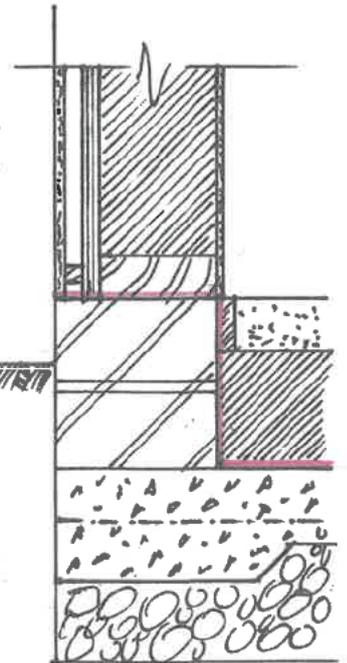
138803

170701



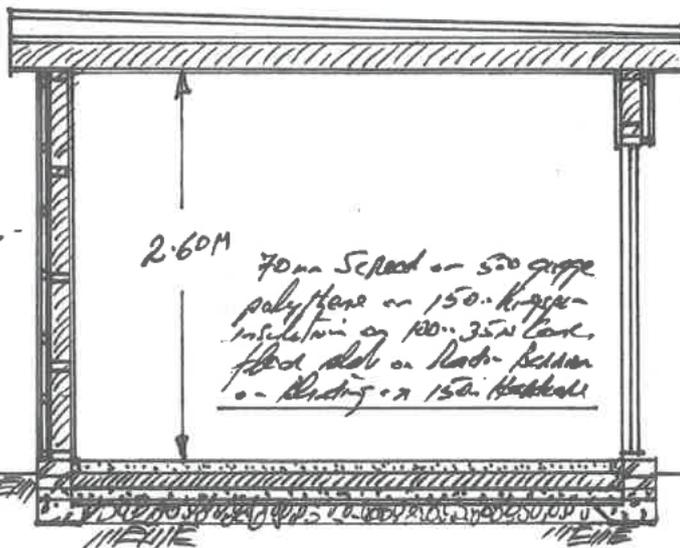


PLAN  
SCALE 1:100

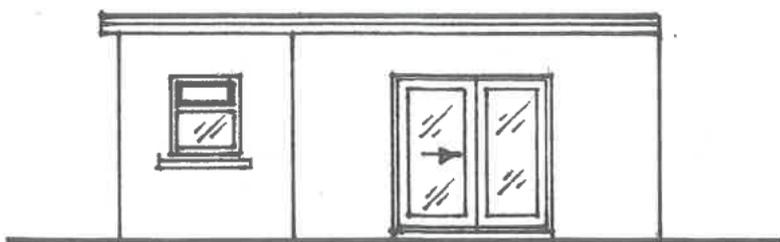


DETAIL  
SCALE 1:10

Render on external board  
on 50x37 treated battens  
on felt on 18 ply on  
150x50 studs @ 400-cs with  
150 kg/m<sup>2</sup> insulation between  
studs & 12.5 plaster & skim  
internally



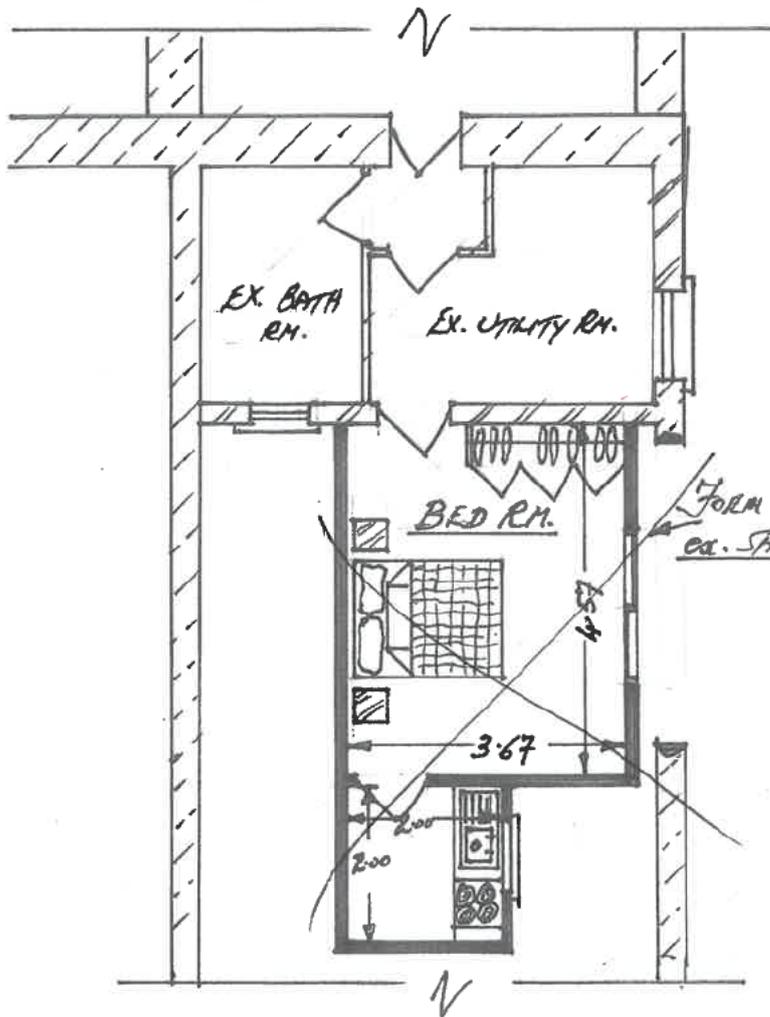
SECTION  
SCALE 1:50



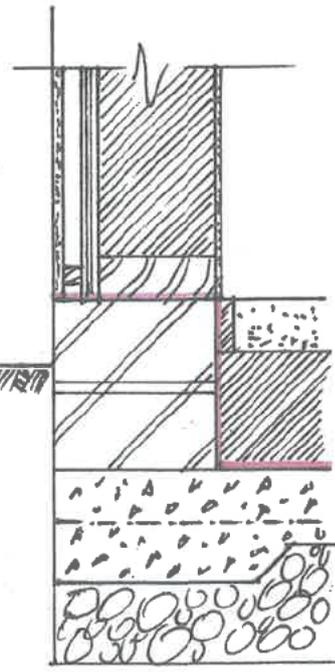
ELEVATION  
SCALE 1:100

PROPOSED EXTENSION  
FOR: MR. T. REAL  
AT: MAINST.  
HOSPITAL

SCALE: AS SHOWN DATE 4/8/24

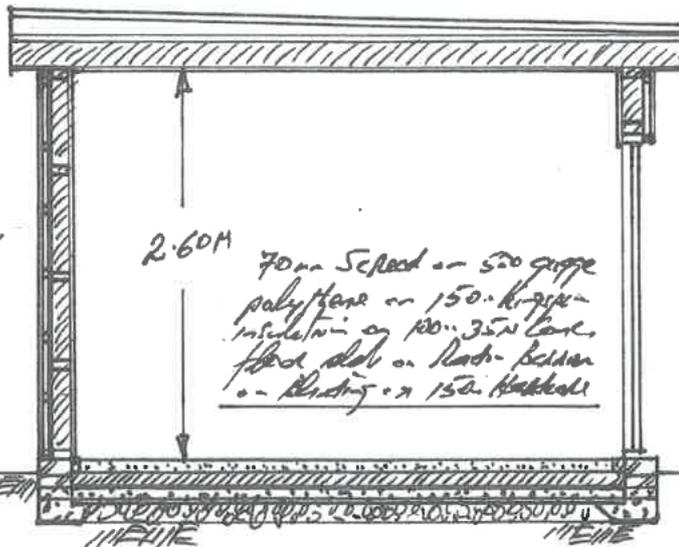


PLAN  
SCALE 1:100

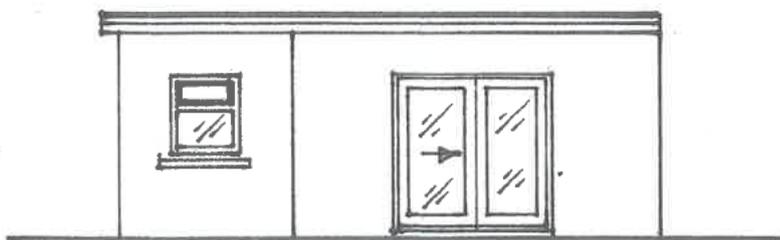


DETAIL  
SCALE 1:10

Render on exterior based on 50x37. treated board on felt or 18-ply on 150x50 studs @ 400-cs with 150. ki-75pc insulation between studs & 12-ply plaster & skim internally



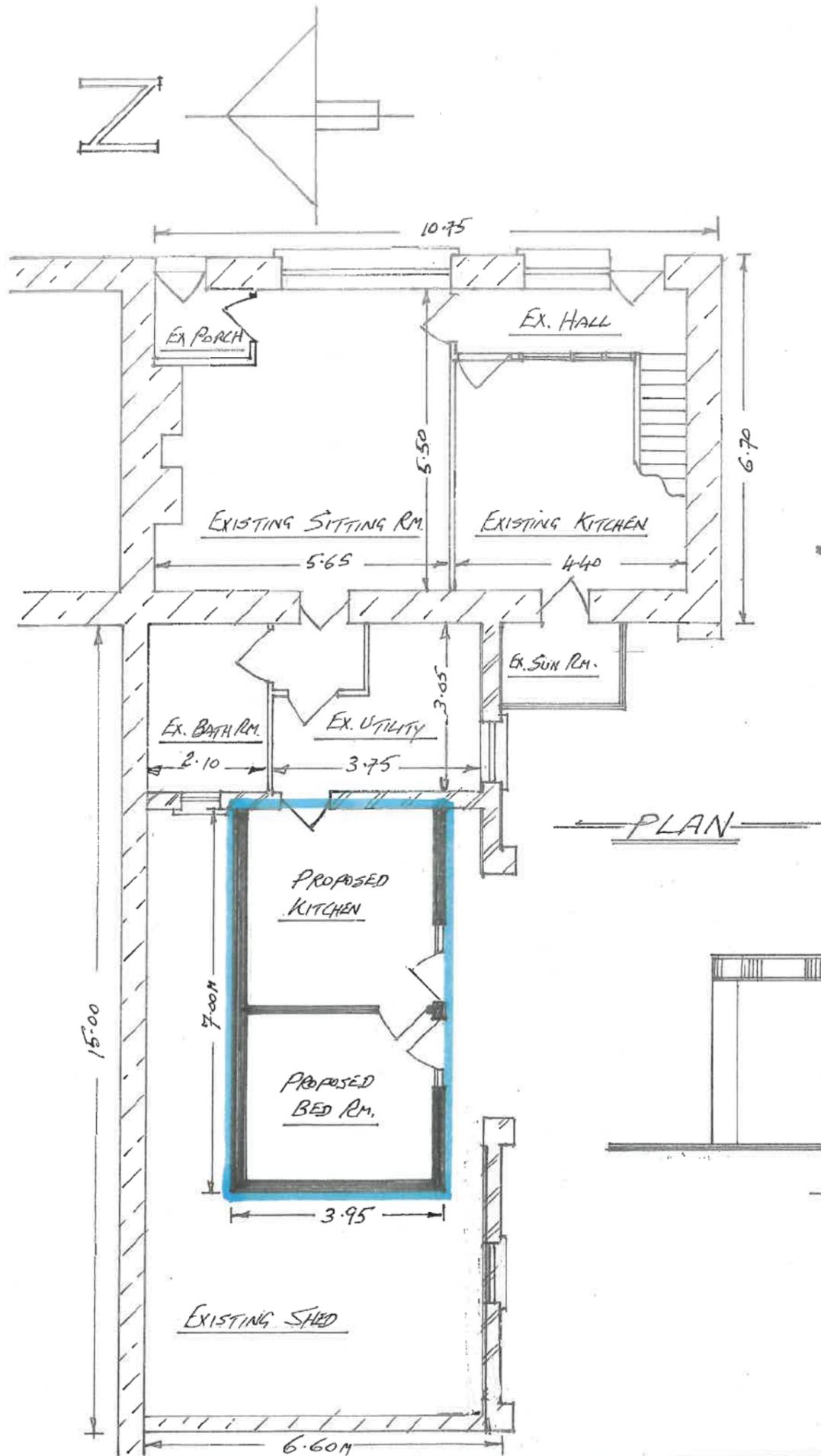
SECTION  
SCALE 1:50



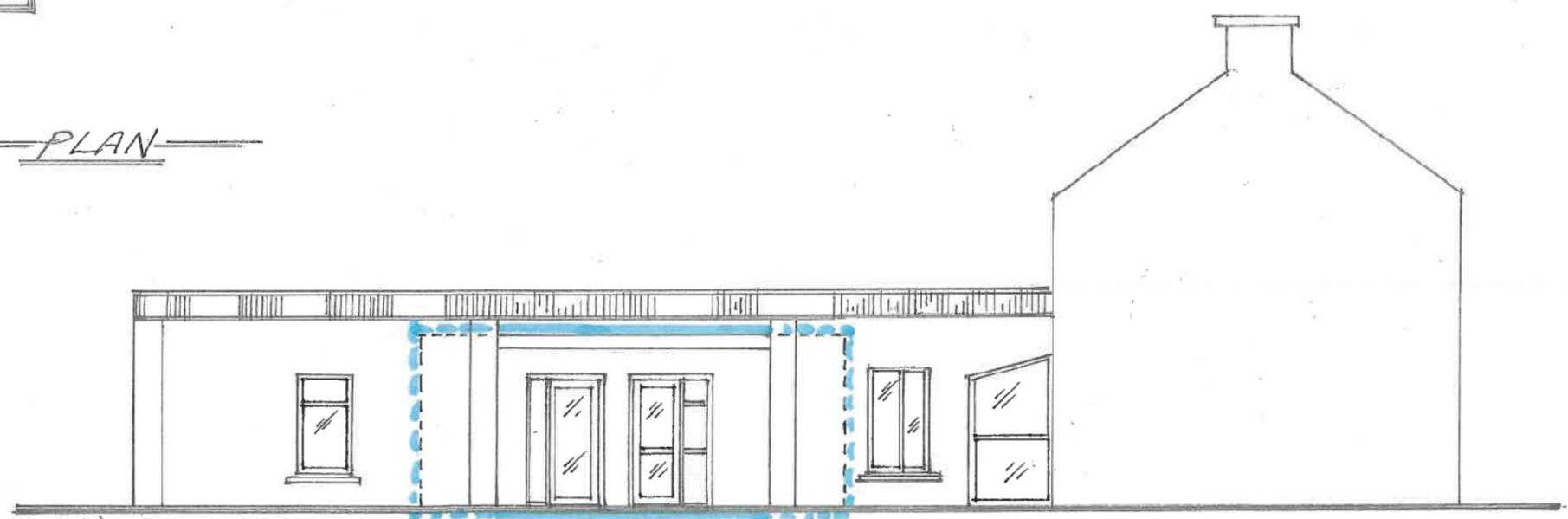
ELEVATION  
SCALE 1:100

PROPOSED EXTENSION  
FOR: MR. T. REAL  
AT: MAIN ST.  
HOSPITAL

SCALE: AS SHOWN DATE 4/8/24



FRONT ELEVATION



SIDE ELEVATION

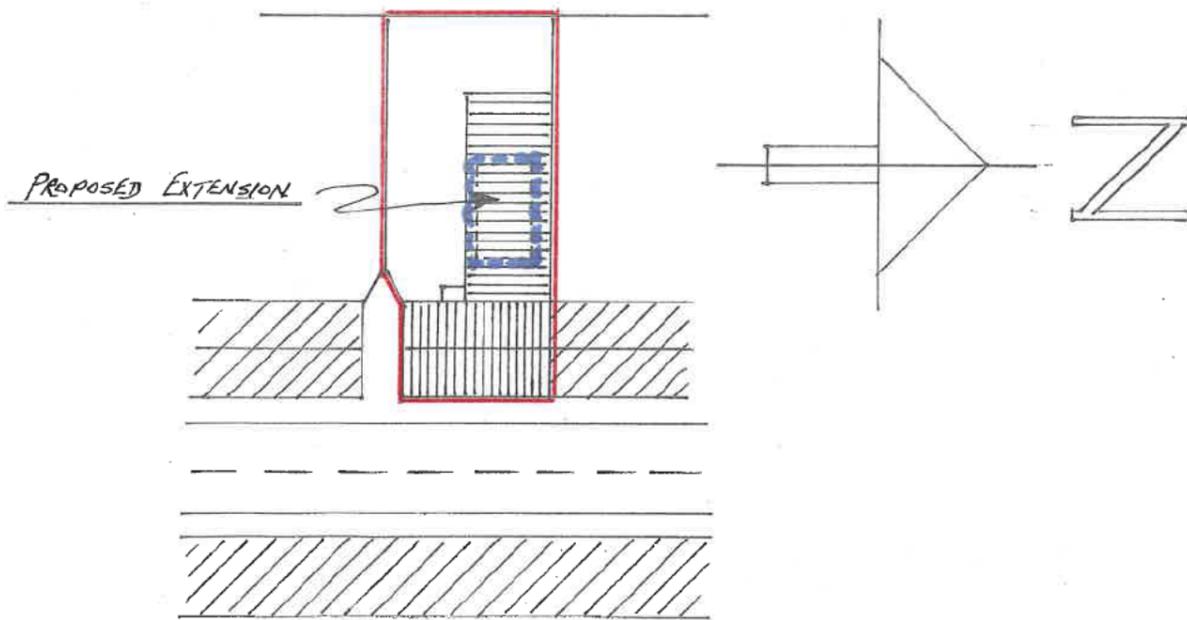
PLAN

PROPOSED EXTENSION  
 FOR: MR. T. REALE  
 AT: MAIN ST.  
 HOSPITAL  
 SCALE 1:100 | DATE 18/12/25  
 DRAWN BY: B.O' SHAGNESSY 087/0812638



REAR ELEVATION

SCALE 1:100



SITE LAYOUT

SCALE 1:500

PROPOSED EXTENSION  
FOR: MR. T. REALE  
AT: MAIN ST.  
HOSPITAL  
CO. LIMERICK

SCALE: AS SHOWN | DATE 18/12/25  
DRAWN BY: B.O'SHAUGHNESSY 0876812628

UCN 100824  
File Ref HGD KIL 480

Extension for : Mr. T. Reale / MARY REALE  
At : Hospital,  
Co. Limerick

Specification  
5/9/24

Floor

Break up and remove concrete floor and excavate to a depth of 450mm and remove off site. Lay 70mm screed on 500 gauge polythene on 150mm thick Kingspan insulation on Radon barrier and dress radon over 215mm blockwork. 100mm thick 35N concrete floor slab thickened to 150mm at perimeter under stud walls. Lay A142 mesh in floor slab on blinding on minimum of 150mm thick hardcore. 215mm solid block 225mm high around perimeter under studwork Lay DPC 215mm wide on blockwork

Walls.

150 x 50mm stud walls at 400mm centres with 150mm Kingspan insulation fitted between studs. Sand and cement smooth plaster finish externally on external cement board on 50 x 37mm treated battens at 400mm centres on felt on 18mm ply. Hardwall plaster on 12mm foilbacked plaster slab internally. Fit hit and miss vent to external stud wall.

Roof

225 x 44mm grade 16 deal joist at 400mm centres with 150mm Kingspan insulation fitted between the joists. Ex 100 x 44mm furring pieces and 18mm WBP ply on roof deck. Lay Paralon pvc roofing membrane with heat welded joints on underlay on vapour barrier. PVC fascia and soffit on 18mm ply and include for continuous fascia vent. PVC gutter and downpipe.

Windows and Doors

PVC triple glazed patio door size 2.00 x 2.10m. PVC triple glazed window size 0.80 x 1.05m. Deal panel internal door size 0.90 x 2.10m. Deal skirting and architrave.

Electrical

Provide the PC Sum of € 1,000.00 for Electrical installation

Plumbing & Heating

Provide and fit double radiator suitable sized and connect to existing oil heating. Fit and plumb single bowl stainless steel sink plumbed to existing hot and cold supplies in adjoining bathroom



Comhairle Cathrach  
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Limerick City  
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Pleanáil, agus Cruthú Áite  
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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:**

**Tony & Mary Reale,  
Main Street,  
Hospital,  
Co. Limerick.  
V35 HW02**

**30 January 2026**

**RE: Declaration under Section 5 – EC-001-26**

---

Dear Sir/Madam,

I refer to the above Section 5 Application you are hereby requested to submit the following further information:

1. The applicant shall submit a revised ground floor plan and site layout clearly detailing the floor area of the existing extension.
2. The applicant shall submit a written statement confirming the intended use of the proposed extension.
3. The applicant shall confirm the planning status of the shed structure including a written statement detailing the planning history of the shed structure (if available) and confirmation of the date of construction completion of the shed structure.

The applicant is advised to contact the Planning Authority in advance of submitting a response to the above.

Your application will not be further processed until confirmation of the above is received. A complete response should be submitted.

I hereby give you notice that the statutory period of three weeks during which the Planning Authority is required to give a decision will date from the receipt of a satisfactory response to the notice seeking further information.

**Please quote your planning reference number on all correspondence EC/001/26.**

Yours sincerely,

A handwritten signature in black ink, appearing to read 'H. O' or similar, positioned above a horizontal line.

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

Tuas an Daill, Luimneach  
Doonadoyle, Limerick

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

<b>File Reference number</b>	<b>EC-001-26</b>
<b>Applicant</b>	<b>Tony Reale and Mary Reale</b>
<b>Location</b>	<b>Main Street Hospital Co. Limerick V35 HW02</b>

### **Description of Site and Surroundings:**

The site is located along Lower Main Street, the Strategic Regional Road R-513, in the village of Hospital. There is a semi-detached two-storey dwelling with a gable roof, an existing sunroom and single-storey shed structure to the rear of the property.

### **Zoning:**

Situated in a rural area under Strong Urban Influence within the Agricultural Lowlands Landscape Character Area. In terms of settlement hierarchy, Hospital is a level 4 Large Village. The site is in the Village Centre Settlement Zone of Hospital, covered by an Architectural Conservation Area (ACA). The ACA ensures development does not negatively impact Hospital's heritage as a medieval settlement and encourages development which complements surviving architectural styles, namely the prevalence of 19th century terrace housing located along Main Street.

### **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 applicant is proposing the construction of an extension with a floor area of 27.65 square metres
- The proposed extension is planned to be nested within an existing one-storey shed structure
- The applicant has stated the proposed development is additional to an existing extension/structure which has been erected at this location previously, and that the total extended floor area, including the proposed extension, is under 40m<sup>2</sup>

Having consideration to the submitted documentation, I note additional development may be proposed. I consider the proposal also relates to a possible material change of use which will be discussed below.

This Section 5 declaration includes the following:

- Application form
- Site location
- Elevations
- Floor plans

### **Planning History:**

#### *Subject site*

No recent planning history on site.

#### *Adjacent:*

**22/1081 – Conditional Permission** – The change of use of an existing retail premises and maisonette to an audiology clinic and apartment, alterations to the existing internal layout, alterations to the facades and ancillary works to a Protected Structure (RPS 1279).

**21/1007 - Conditional Permission** – The subdivision of the existing retail premises to facilitate change of use to a maisonette and a physiotherapy clinic, alterations to the internal layout, the partial removal, reinstatement and repair of the existing shopfront, alterations to the facades and ancillary works to a Protected Structure (RPS 1279).

**07/2483 – Conditional Permission** – Change of use from former public house to Chinese restaurant/take away, construct new shop front & signage, demolish existing stairs at rear to first floor & construct new stairs, construct new single storey extension to rear, construct new ventilation extractor and all associated site works.

### **Enforcement History:**

No enforcement history on site.

### **Relevant An Coimisiún Pleanála referrals:**

N/A.

### **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 construction of an extension within an existing shed structure, constitutes 'works' and 'development'.**

### **Is the proposal exempted development?**

The proposal relating to the construction of an additional extension, will be assessed against **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.*

N/A, the house has been extended previously.

*(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.*

N/A, no extension is proposed above ground level.

*(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, the house is semi-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 submitted application form mentions an existing extension; however, it is unclear from the drawings what constitutes the existing extension. Whilst the proposed additional extension has a total floor area of 27.65 square metres, the existing shed structure with the bathroom and utility room contained therein, alongside the floor area of the sunroom, if constructed after 1st October 1964, may also be included in the total floor area of the existing extension. Further information (F11), regarding what is and what is not an existing extension to the original structure, is needed to ascertain compliance with this condition and limitation.

*(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 extension is proposed above ground level.

*(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. The house is semi-detached, and no works are proposed above the 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 level.

*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.*

Height of the extension walls 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.*

Height of the extension walls would not exceed the height of the side walls of the house.

*(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 of the extension would not exceed the 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.*

The site layout drawing shows over 25 square metres of private open space has been retained.

*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 windows are proposed less than 1 metre from the boundary.

*(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 extension is proposed above the ground floor.

*(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, no extension is proposed above the ground floor.

*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.

**Further information (FI1) - the following information should be provided before an assessment of the development proposal against Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) can be concluded:**

- A revised ground floor plan and site layout clearly detailing the floor area of the existing extension

#### **Material Change of Use:**

According to the submitted drawings, the proposed extension features independent access, a secondary kitchen, bedroom and direct connection to an existing bathroom and utility room, raising concerns of possible dwelling subdivision and a material change of use.

- In the instance that the proposed extension is for the purposes of providing integrated ancillary accommodation, the use as two or more dwellings of any house previously used as a single dwelling constitutes a material change of use as stated by Section 3(3) of the Planning and Development Act 2000 (as amended)
- The subdivision of a residential dwelling is not included in Class 14 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), which covers exempted development involving a change of use.

- Furthermore, the definition of a 'house' provided by Article 5 of the Planning and Development Regulations 2001 (as amended), explicitly does not consider a building designed for use or used as 2 or more dwellings as a 'house'
- If the proposal involves the subdivision of the existing dwelling, Class 1 conditions and limitations in Column 2 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), which refer to a 'house', cannot be applied to determine if the development is exempted development

**Further information (FI2) - the following information should be provided before an assessment of the development proposal against Class 14 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) can be concluded:**

- A written statement confirming the intended use of the proposed extension

**Shed Structure Planning History:**

- Pursuant to the request for **FI1**, no recent planning history can be found for the shed structure referred to in the submitted drawings.
- From both the submitted drawings and satellite imagery, the existing shed structure appears to extend from the original dwelling to cover the existing bathroom, utility room as well as beyond the floor area of the proposed extension
- The total floor area provided by this structure, exceeds the 40m<sup>2</sup> limit stipulated by Class 1 exempted development conditions and limitations
- If this structure is an extension of the original house, constructed after 1 October 1964, without planning permission, this would be deemed an unauthorised structure
- If the structure does have planning permission or if the shed structure can be demonstrated as part of the original dwelling:
  - The proposed extension could be considered exempt as a development which only affects the interior of the structure, as stated by Section 4(1)(h) of the Planning and Development Act 2000 (as amended), However, with regards to **FI2**, a material change of use through dwelling sub-division would disqualify this exemption

**Further information (FI3) - the following information should be provided before an assessment of the development proposal against Section 4(1)(h) of the Planning and Development Act 2000 (as amended) can be concluded:**

- Details of the planning status of the shed structure including a written statement detailing the planning history (if available) of the shed structure and confirmation of the date of construction completion of the shed structure.
  - **FI1** will also be used to confirm whether the shed structure is part of, or an extension to, the original dwelling

- **F12** will be used to determine whether there is a material change of use which restricts the application of Section 4(1)(h) of the Planning and Development Act 2000 (as amended)

### **Article 9 Restrictions**

In reference to **F12**, if the proposed development will result in a material change of use and/or if the shed structure is an extension to the original dwelling without planning permission, this would be considered an unauthorised use and/or an unauthorised structure.

In this case, the development would be restricted by Article 9 (1)(a)(viii) of the Planning and Development Regulations 2001 (as amended), as development to which article 6 relates shall not be exempted development for the purposes of which consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

### **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/Recommendation**

Further information, as follows, is needed to determine if the proposed development is or is not exempted development:

1. The applicant shall submit a revised ground floor plan and site layout clearly detailing the floor area of the existing extension.
2. The applicant shall submit a written statement confirming the intended use of the proposed extension.
3. The applicant shall confirm the planning status of the shed structure including a written statement detailing the planning history of the shed structure (if available) and confirmation of the date of construction completion of the shed structure.

The applicant is advised to contact the Planning Authority in advance of submitting a response to the above.

<b>Graduate Planner</b>	<b>Isaac Cunningham</b>	<b>Date:</b>
<b>Signature:</b>		19/01/2026
<b>A/Senior Executive Planner</b>	<b>Jennifer Collins</b>	<b>Date:</b>
<b>Signature</b>		29/01/2026

### Appendix 1: AA PN01 Screening Form

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
(e) File Reference No:	EC-001-26
(e) Brief description of the project or plan:	Construction of a rear extension within an existing shed structure.
(e) Brief description of site characteristics:	There is a semi-detached two-storey dwelling with a gable roof, an existing sunroom, and single-storey shed structure to the rear of the property. The site is located on Lower Main Street, the Strategic Regional Road R-513, in the village of Hospital.
(e) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(e) Response to consultation:	N/A

<b>STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.</b>				
European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
Glen Bog SAC	<a href="https://www.npws.ie/protected-sites/sac/001430">https://www.npws.ie/protected-sites/sac/001430</a>	5.25	None	N
Moanour Mountain SAC	<a href="https://www.npws.ie/protected-sites/sac/002257">https://www.npws.ie/protected-sites/sac/002257</a>	13.03	None	N

<b>STEP 3: Assessment of Likely Significant Effects</b>	
<b>(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:</b>	
<b>Impacts:</b>	<b>Possible Significance of Impacts: (duration/Magnitude etc)</b>
<b>Construction phase e.g</b> <ul style="list-style-type: none"> <li>- Vegetation clearance</li> <li>- Demolition</li> <li>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>- Dust, noise, vibration</li> <li>- Lighting disturbance</li> <li>- Impact on groundwater/dewatering</li> <li>- Storage of excavated/construction materials</li> </ul>	None, due to the extensive distance from the European Sites.

<ul style="list-style-type: none"> <li>- Access to site</li> <li>- Pests</li> </ul>	
<b>Operation phase e.g.</b> <ul style="list-style-type: none"> <li>- Direct emission to air and water</li> <li>- Surface water runoff containing contaminant or sediment</li> <li>- Lighting disturbance</li> <li>- Noise/vibration</li> <li>- Changes to water/groundwater due to drainage or abstraction</li> <li>- Presence of people, vehicles and activities</li> <li>- Physical presence of structures (e.g collision risk)</li> <li>- Potential for accidents or incidents</li> </ul>	None, due to the extensive distance from the European Sites.
<b>In-combination/Other</b>	N/A.

<b>(a) Describe any likely changes to the European site:</b>	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>- Reduction or fragmentation of habitat area</li> <li>- Disturbance to QI species</li> <li>- Habitat or species fragmentation</li> <li>- Reduction or fragmentation in species density</li> <li>- Changes in key indicators of conservation status value (water or air quality etc)</li> <li>- Changes to areas of sensitivity or threats to QI</li> <li>- Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	No likely changes.

<b>(a) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)</b>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>STEP 4: Screening Determination Statement</b>
<b>The assessment of significance of effects:</b> 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: <ul style="list-style-type: none"> <li>• the nature and scale of the proposed development,</li> </ul>

- 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 <b>no likelihood</b> of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
ii. It is <b>uncertain</b> 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. <b>Significant effects</b> are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	 <hr/> Isaac Cunningham Graduate Planner 19/01/2026	
<b>Signature and Date of the Decision Maker:</b>	 <hr/> Jennifer Collins, A/Senior Executive Planner 09/01/2026	

## Appendix 2: EIA Screening

Establishing if the proposal is a ' <i>sub-threshold development</i> ':	
Planning Register Reference:	EC-001-26
Development Summary:	Construction of a rear extension within an existing shed structure.
Was a Screening Determination carried out under Section 176A-C?	<p>Yes. no further action required</p> <p>No. Proceed to <b>Part A</b></p>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes. specify class: [insert here] _	<p><b>EIA is mandatory</b></p> <p>No Screening required</p>
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> 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	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here]	<p><b>EIA is mandatory</b></p> <p>No Screening required</p>
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : [insert here] _	Proceed to <b>Part C</b>
<b>c. If Yes</b> , has Schedule 7A information/screening report been submitted?	
<p>Yes, Schedule 7A information/screening report has been submitted by the applicant</p> <p>No, Schedule 7A information/screening report has not been submitted by the applicant</p>	<p><b>Screening Determination required</b></p> <p><b>Preliminary Examination required</b></p>

<b>Signature and Date of Recommending Officer:</b>	 _____ Isaac Cunningham Graduate Planner 19/01/2026
<b>Signature and Date of the Decision Maker:</b>	 _____ Jennifer Collins, A/Senior Executive Planner 09/01/2026

**Appendix 3: Site visit 08/01/2026**



NOTIFICATION OF A DECISION TO GRANT A PERMISSION/~~AN APPROVAL~~  
(SUBJECT TO CONDITIONS) UNDER SECTION 26 OF THE ACT OF 1963.

19620

Council of the County of Limerick

12,700

Reference Number in Planning Register

18/11/1976, 24/11/1976 and 14/2/1977

Application Received

Mr. Anthony Reale,  
11, St. Joseph's Rce.,  
Hospital,  
Co. Limerick.

Reference no.  
EC/001/26

In pursuance of the powers conferred upon it by the above mentioned Acts, the Limerick County Council has by order dated 7th April, 1977. decided to grant a Permission/~~an Approval~~ for the development of land, namely :-  
erection of workshop at Main St., Hospital.

SUBJECT TO the conditions set out in Column 1 of the Schedule hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the Schedule.

If there is no appeal against the said decision, a grant of permission/~~approval~~ in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to the Minister for Local Government. (See footnote).

It should be noted that until a grant of permission/~~approval~~ has been issued the development in question is NOT AUTHORISED.

SIGNED ON BEHALF OF THE SAID COUNCIL

G. P. Robinson  
COUNTY SECRETARY.

DATE:

7th April, 1977.

Schedule

Column 1 - Conditions

Column 2 - Reasons for Conditions

That developer provide that stair shaft leading to the first floor shall be separated from the shop by a concrete wall of not less than 4½" thickness.

1. To reduce fire hazard.

That developer shall provide that the door between the shop and the workshop has a fire resistance of 30 minutes duration and is fitted with a self-closing device.

2. To reduce fire hazard.

That developer provide that the rear windows at first floor level have glazing that affords a fire resistance of 30 minutes duration.

3. To reduce fire hazard.

That developer provide that the completed project shall permit of compliance with Sections 45/48 of the Factories Act, 1955.

4. In the interests of safety.

That developer provide that oxy-acetylene cylinders, if being used, are stored and/or fitted in a racked position, secured and manifolded in a location that is free from any ignitable material.

5. To reduce fire hazard.

NOTE: Any appeal against a decision of a planning authority under Section 26 of the Act of 1963 may be made to the Minister for Local Government. The applicant for permission may appeal within one month beginning on the day of receipt by him of the decision. Any other person may



Planning and Place Making  
Limerick County Council  
Ref EC/001/26

Mary & Tony Reale at above address  
Wish to inform Limerick County Council  
that due to age related infirmity  
and disability we have had to  
arrange downstairs living accommodation  
to accommodate our needs.

Mary Reale  
Tony Reale

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

<b>File Reference number</b>	<b>EC-001-26</b>
<b>Applicant</b>	<b>Tony Reale and Mary Reale</b>
<b>Location</b>	<b>Main Street Hospital Co. Limerick V35 HW02</b>

**Previous Assessment:**

This application relates to the proposed construction a rear extension to an existing extension nested within an existing single-storey shed structure. Previous assessment concluded that the Planning Authority was not in a position to determine whether the proposal is or is not exempted development. This was due to uncertainty regarding the total floor area of existing extensions, the planning status of the rear shed structure, and the intended use of the proposed extension. The applicant was requested to provide further information on the following:

1. The applicant shall submit a revised ground floor plan and site layout clearly detailing the floor area of any existing extensions.
2. The applicant shall submit a written statement confirming the intended use of the proposed extension.
3. The applicant shall confirm the planning status of the shed structure including a written statement detailing the planning history of the shed structure (if available) and confirmation of the date of construction completion of the shed structure.

**Submitted Documents:**

1. The applicants have provided additional ground floor layout plans detailing the floor area of the existing bathroom, utility and adjoining vestibule, as well as the proposed kitchen and bedroom.
2. The applicants have provided a written statement, explaining that the proposed use of the extension is to provide a downstairs living arrangement able accommodate the applicant's additional needs due to 'age related infirmity and disability'.
3. The applicants have provided a copy of the notification of decision to grant permission for the retention of the rear shed/workshop structure, dated 7<sup>th</sup> April, 1977.

## **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?**

As previously assessed, it is determined that: the proposed development on site, comprising the construction of an extension within an existing shed structure, constitutes 'works' and 'development', within the meaning given by the Planning and Development Act 2000 (as amended).

### **Is the proposal exempted development?**

1. Following the receipt of further information, the applicants have provided total floor areas for the existing ground-floor rear bathroom, utility and adjoining vestibule. It is assumed these floor areas comprise the existing extended floor area, totalling 17m<sup>2</sup>, while the floor area for the proposed extension is shown as totalling 22.8m<sup>2</sup>. According to the further information submitted, the total proposed and existing extended floor area equates to 39.8m<sup>2</sup>.

The submitted further information presents the total proposed and existing extended floor area as under 40m<sup>2</sup>, satisfying condition 2(a) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

2. The applicants' written statement regarding the intended ancillary use of the proposed extension has been noted. However, the purpose stated by an applicant is not determinative in assessing whether works constitute a material change of use. The proposed layout combines existing and proposed floor areas in such a way that, together with an independent side-garden access, the extension appears will function as a self-contained residential unit separate to the existing main dwelling, which contains a separate kitchen and sitting room. The use of the extension as a self-contained living unit would be a material change of use from a single dwelling to 2 no. dwellings units and would not be Exempted Development having regard to the following:
  - a. Section 3(3) of the Planning and Development Act 2000 (as amended) provides that the use of a house as two or more dwellings constitutes a material change of use.
  - b. Subdivision of a dwelling is not listed as exempted development under Class 14 of Part 1 of Schedule 2, or under Part 4 of Schedule 2, of which Article 10 applies.
  - c. Article 5 of the Planning and Development Regulations 2001 (as amended) defines a 'house' as a building or part of a building used as a single dwelling; a structure designed for use as two or more dwellings does not fall within this definition.

- d. Where a proposal involves the creation or potential creation of a second dwelling unit, the exemption criteria under Class 1 of Part 1 of Schedule 2 cannot apply, as these provisions relate only to extensions of a single house.
3. The applicants have provided a copy of the notification of decision to grant permission for the retention of the rear shed/workshop structure, dated 7th April 1977 under planning reference no. 12,700.

### **Article 9 Restrictions**

Article 9 of the Planning and Development Regulations 2001 (as amended) outlines restrictions on exempted development, including:

In relation to the existing shed structure permitted under planning reference no. 12,700, the proposed extension is to be located within this structure which would materially change the permitted use and part of the floor area of the existing shed structure which would be contrary to the permitted development. In this regard, I consider the proposed extension would be restricted by Article 9 (1)(a)(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

In reference to the material change of use, this cannot be considered as Exempted Development and would therefore be an unauthorised use and/or an unauthorised structure. In this case, the development would be restricted by Article 9 (1)(a)(viii) of the Planning and Development Regulations 2001 (as amended), as development to which article 6 relates shall not be exempted development for the purposes of which consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

### **Recommendation**

This application relates to the proposed construction of a rear extension attached to an existing extension and nested within an existing one-storey shed structure, itself attached to the main dwelling house. From submitted further information, the proposed structure and part of the existing dwelling is proposed to be used as a self-contained residential unit. The use as a self-contained living unit would be a material change of use of the existing dwelling from a single residence to 2 no. residential units and would not be Exempted Development having regard to Section 3(3) of the Planning and Development Act 2000 (as amended) which provides that the use of a house as two or more dwellings constitutes a material change of use and given that the subdivision of a dwelling is not included as exempted development under Class 14 of Part 1 of Schedule 2, or under Part 4 of Schedule 2, of which Article 10 applies. In addition, having regard to Article 5 of the Planning and Development Regulations 2001 (as amended) which defines a 'house' as a building or part of a building used as a single dwelling and therefore as the proposal involves the creation or potential creation of a second dwelling unit, the exemption criteria under Class 1 of Part 1 of Schedule 2 cannot apply, as this provision relates only to the extension of a single dwelling for use as a single dwelling.

In addition, having regard to the location of the proposed extension within an existing shed/workshop permitted under planning reference no. 12,700 and the proposed material change of use from 1 no. residential unit to 2 no. residential units - which cannot be authorised under the above exempted development classes - the proposed development is

restricted by Article 9 restrictions set out in the Planning and Development Regulations 2001 (as amended), namely, Article 9 (1)(a)(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act and Article 9 (1)(a)(viii) development to which article 6 relates shall not be exempted development for the purposes of which consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Articles 5, 6, 9, 10, Classes 1 & 14 of Part 1 of Schedule 2 & Part 4 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) The plans & particulars submitted with the application received on 06/01/2026 and 25/02/2026.

It is therefore considered that the said works are development but are not exempted development under Class 1 & 14 of Part 1 of Schedule 2 & Part 4 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

<b>Graduate Planner</b>	<b>Isaac Cunningham</b>	<b>Date:</b>
<b>Signature:</b>		11/03/2026
<b>A/Senior Executive Planner</b>	<b>Jennifer Collins</b>	<b>Date:</b>
<b>Signature</b>		12/03/2026

**Advice Note**

The applicant is advised that whilst the development proposal is not considered to be exempted development, the provision of an independent living unit associated with an existing dwelling may be acceptable in principle provided it complies with the requirements of Objective HO O11 Subdivision of Dwelling to Accommodate Dependent Relative as set out in the Limerick Development Plan 2022-2028. In this regard, the applicant is advised that full planning permission would be required and that a pre-planning meeting should be sought with the Planning Authority in advance of any planning application being submitted.



Cómhairle 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:

**Tony & Mary Reale,  
Main Street,  
Hospital,  
Co. Limerick.  
V35 HW02**

**EC/001/26**

13 March 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

[customerservices@limerick.ie](mailto:customerservices@limerick.ie)  
[www.limerick.ie](http://www.limerick.ie)  
[@LimerickCouncil](https://twitter.com/LimerickCouncil)  
061 - 556 060

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

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

**No. AOO/DC/2026/277**

**File Ref No. EC/001/26**

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

**RE:** An extension at Main Street, Hospital, Co. Limerick.

**ORDER:** Whereas by Director General's Order No. DG/2025/200 dated 24<sup>th</sup> 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 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 Isaac Cunningham, Graduate Planner dated 11/03/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Tony & Mary Reale, Main Street, Hospital, Co. Limerick to state that the works as described above is

**Development and is NOT Exempt Development.**

Signed

  
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

13/03/26

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2026/277 dated 13/3/26, 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 Daill  
Tuar an Daill, 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/001/26**

**Name and Address of Applicant:** Tony & Mary Reale, Main Street, Hospital, Co. Limerick

**Agent:** N/A

**Whether** the extension at Main Street, Hospital, 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 1<sup>st</sup> day of January 2026 and further information received 25<sup>th</sup> day of February 2026.

**AND WHEREAS** the Planning Authority has concluded that the renovation of the extension at Main Street, Hospital, Co. Limerick **DOES NOT** come within the scope of exempted development under Class 1 & 14 of Part 1 of Schedule 2 & Part 4 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 NOT Exempt Development.**

Signed on behalf of the said Council

Date:

13/03/2026

**NOTE 1:** The applicant is advised that whilst the development proposal is not considered to be exempted development, the provision of an independent living unit associated with an existing dwelling may be acceptable in principle provided it complies with the requirements of Objective HO O11 Subdivision of Dwelling to Accommodate Dependent Relative as set out in the Limerick Development Plan 2022-2028. In this regard, the applicant is advised that full planning permission would be required and that a pre-planning meeting should be sought with the Planning Authority in advance of any planning application being submitted.

**NOTE 2:** 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