



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: MARY MOORE

Applicant's Address: "SPITALLAND"

OLD COCK ROAD.

LIMERICK.

Telephone No. [REDACTED]

Name of Agent (if any): GILLEECE M^c DONWELL O'SHAUGHNESSY LTD

Address: UNIT 15, LIMERICK BUSINESS COMPLEX.

KEATING RD. RAHEEN BUSINESS PARK.

LIMERICK.

Telephone No. 061-500050

Address for Correspondence:

**GILLEECE McDONNELL
O'SHAUGHNESSY LTD
CHARTERED SURVEYORS**

&

DESIGN/PLANNING CONSULTANTS

Unit 15, Limerick Business Complex, Keating Road
Raheen Business Park, Limerick

Tel: 061-500050 Email: info@gmcdos.ie

Location of Proposed development (Please include EIRCODE):

"SPHALLAND" OLD COLK ROAD.

LIMERICK V94.KR00.

Description of Proposed development:

EXTENSION TO REAR OF EXISTING DWELLING, AND RENOVATIONS
TO EXISTING DWELLING

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

CLASS I - 1.1.

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

Applicant's interest in site: FULL OWNER

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

O.S MAP:-

DWG NO: 26-00801 - SITE LAYOUT PLAN.

DWG NO: 26-00802 - PLAN, ELEVATIONS & SECTIONS

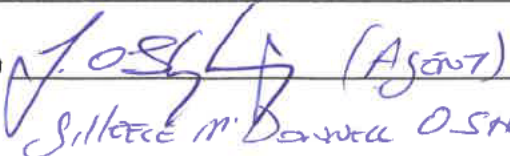
DWG NO: 26-00803 EXISTING DWELLING SURVEY.

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

If Yes please provide floor areas of all existing structures:

SMALL ANNEX TO REAR TO BE DEMOLISHED - AREA: 7.45 SQ.M.

Signature of Applicant (or Agent)

 (AGENT)
Joseph M. Donnell O'SHAUGHNESSY LTD

NOTES: Application must be accompanied by:

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

Application to be forwarded to:

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

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



LIMERICK CITY & COUNTY COUNCIL
CASH OFFICE
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05/03/2026 09:40:32

Receipt No / Uimhir LA25/25196556
Admhála:

Customer Address / Seoladh an
Chustaiméara:

MARY MOORE
SPITALLAND
OLD DOCK ROAD
LIMERICK

Account / Cuntas: PL041
PL041 80.00 EUR
EXEMPTION CERTIFICATES

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
Vat reg No. / Clárúimh 3267368TH
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Land Registry Compliant Map



Tailte
Éireann



**CENTRE
COORDINATES:**
ITM 559067,655945

PUBLISHED: 03/03/2026
ORDER NO.: 50521631_1

MAP SERIES: 1:1,000
MAP SHEETS: 4743-09, 4743-10

COMPILED AND PUBLISHED BY:
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Dublin 8,
Ireland.
D08F6E4

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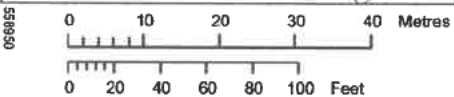
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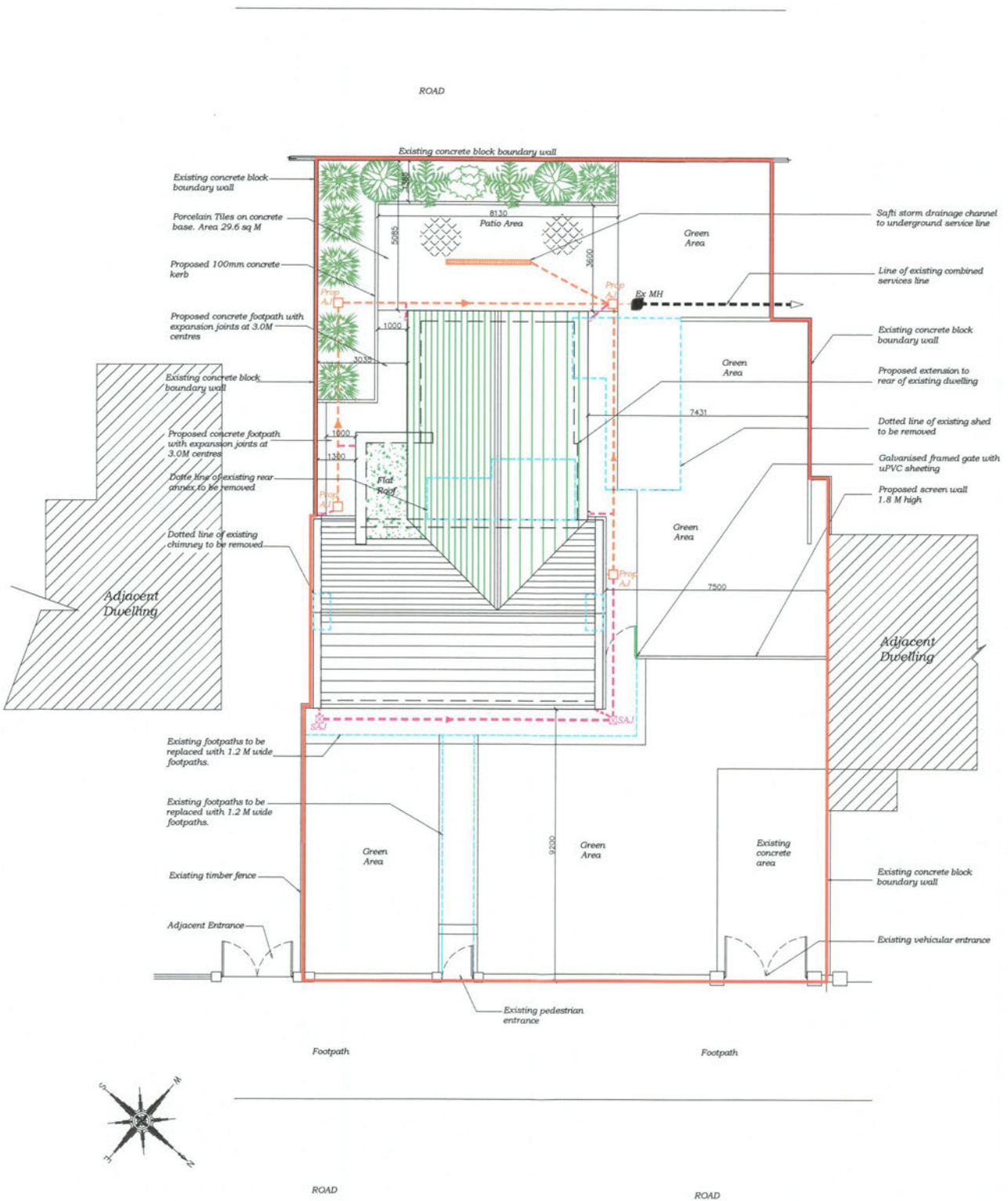


OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
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LEGEND:
To view the legend visit
www.tailte.ie and search for
'Large Scale Legend'





Site Layout Plan:
Scale: 1:100
Site Area: 0.047 Ha

| | |
|--|---------------------------------|
| | Proposed Extensions |
| | Existing Dwelling |
| | Existing Areas to be Removed |
| | Proposed Storm connection |
| | Proposed Foul connection |
| | Existing combined services line |

1. The Contractor to check and verify all building and site dimensions levels, and cover levels at construction points, before work starts
2. The drawings must be read with and checked against any structural or other specialist drawings provided.
3. All details or dimensions relating to Subcontractors or Suppliers, work must be checked and agreed between the General Contractors and the Subcontractors or Suppliers.
4. The contractor to comply in all aspects with the current Building Regulation, whether or not specifically stated on drawings.
5. The drawing and the building works depicted, are the copyright of the Architects, and may not be reproduced except by written permission.

GILLECE McDONNELL O'SHAUGHNESSY G:M:D:S
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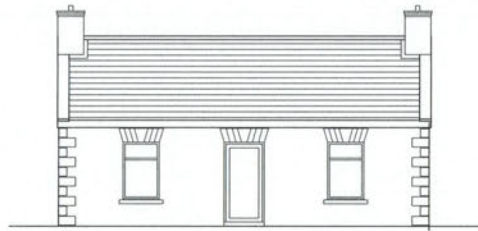
CHARTERED SURVEYORS & DESIGN/PLANNING CONSULTANTS

Job: PROPOSED EXTENSION & RENOVATIONS
 "SPTALLAND", OLD CORK ROAD, LMK
 Client: MARY MOORE
 Desp: PLAN, ELEVATIONS & SECTIONS

Date: MARCH 2026 Drawn by: J.O.S. Scale (s): 1:250

Job no: 26.008
 Sheet: 01 Rev: .

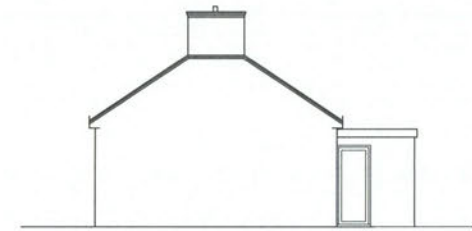




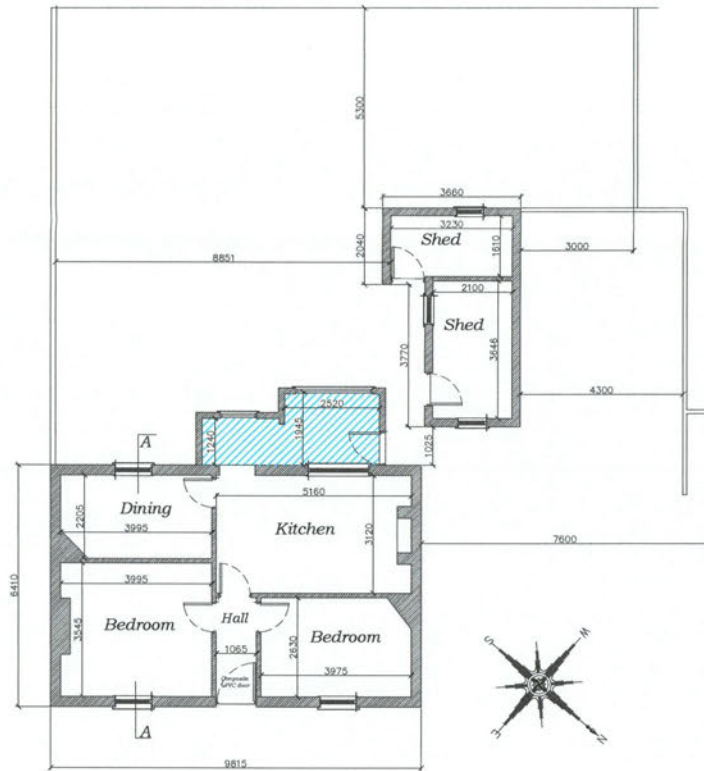
Front Elevation
Scale: 1:100



Rear Elevation
Scale: 1:100

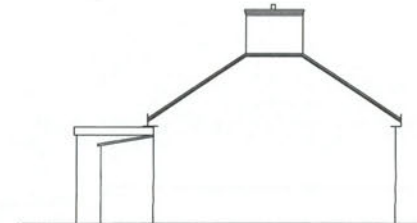


Side Elevation
Scale: 1:100

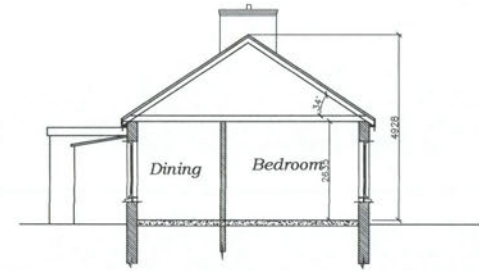


Floor Plan
Scale: 1:100
Existing Dwelling - Floor Area: 61.52 sq M.
Existing Sheds - Floor Area 13.10 sq M - To Be Demolished
To be revised and incorporated within proposal extension - Existing Extension - 7.45 sq M

2. The drawings must be read with and checked against any structural or other specialist drawings provided.
3. All details or dimensions relating to Subcontractors or Suppliers, work must be checked and agreed between the General Contractors and the Subcontractors or Suppliers.
4. The contractor is to comply in all aspects with the current Building Regulation, whether or not specifically stated on drawings.
5. The drawing and the building works depicted, are the copyright of the Architects, and may not be reproduced except by written permission.



Side Elevation
Scale: 1:100



Section A-A
Scale: 1:100

REVISION A - 02.04.2026
Proposed Parapet wall to flat roof extension which extended above original dwelling fascia line has been removed.

**GILLECE
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**CHARTERED
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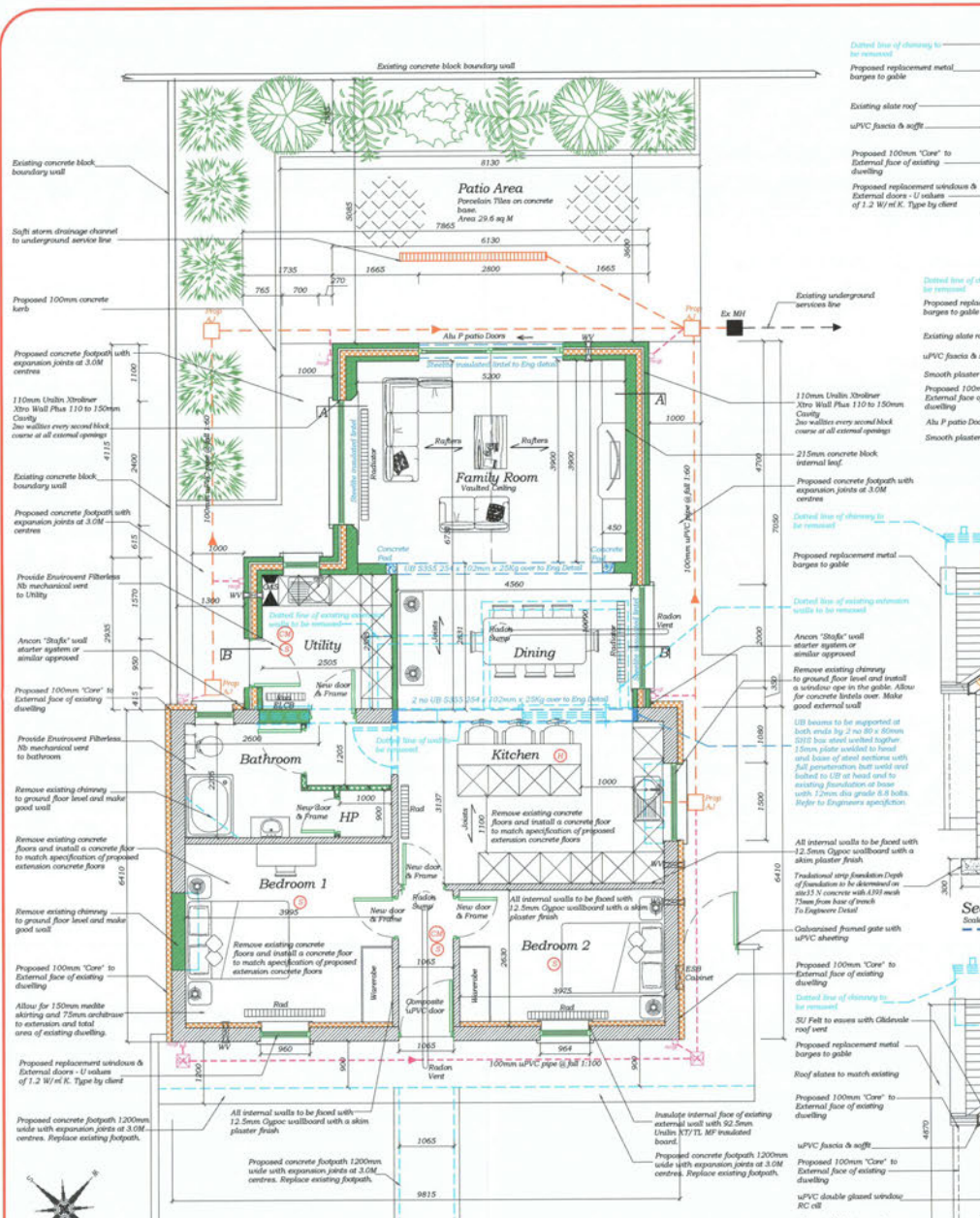
Job: PROPOSED EXTENSION & RENOVATIONS
"SPITALLAND", OLD CORK ROAD, LMK
Client: MARY MOORE
Desp: EXISTING DWELLING SURVEY

Job no: **26.008**

Date: MARCH 2026
Drawn by: J.O.S.
Scale (s): 1:100

Sheet: **03**
Rev: **A**





Ground Floor Plan:
 Scale: 1:50
 Extension Area: 32.45 sq M
 Existing Extension Area: 7.45 sq M
 Total Extension Area: 39.9 sq M

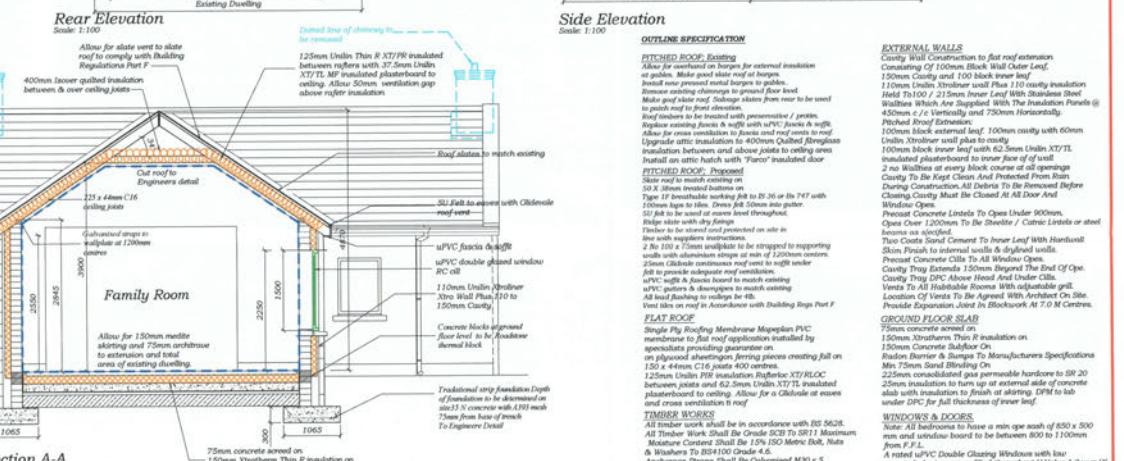
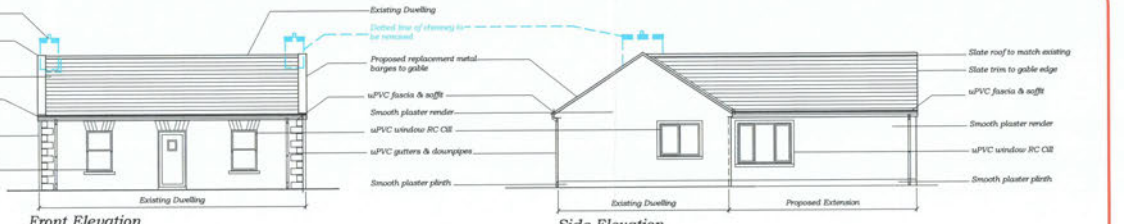
NEW BUILDINGS - TSD Part 1, 2019

| | |
|---|------|
| U-Value Windows, Doors & rooflights should have maximum U-value of 1.2 W/m ² K and maximum opening area of 20% of floor area. However areas used for trade vents may be varied. The U-Value indicates the effect of unheated solids or other spaces. | 0.16 |
| Minimum U-Values In Part 1 of The Building Regulations 2019 - New build | |
| Insulation At Ceiling | 0.16 |
| Insulation On Slope Ceiling | 0.25 |
| Flat Roof | 0.25 |
| External Walls | 0.18 |
| Ground Floors: Underfloor Heating | 0.15 |
| Other Exposed Floors | 0.18 |
| External Doors, Windows & Rooflights | 1.20 |

EXISTING BUILDINGS - TSD Part 1, 2019

| | |
|--|------|
| Minimum U-Values In Part 1 of The Building Regulations 2019 Existing Buildings | |
| Insulation At Ceiling | 0.16 |
| Insulation On Slope Ceiling | 0.25 |
| Flat Roof | 0.25 |
| External Walls | 0.18 |
| Ground Floors: Underfloor Heating | 0.15 |
| Other Exposed Floors | 0.18 |
| External Doors, Windows & Rooflights | 1.20 |

Note: Ventilation - Natural
 In accordance with the Building Regulations TSD Part 1 it will need to be installed 6000 sq mts in all habitable rooms. Staged ventilation to be one twentieth of the floor area of the room. All windows need to be fitted with trade vents throughout Under the regulations both window & wall vents are required should the proposed dwelling intended air tightness be better four air changes per hour.



OUTLINE SPECIFICATION

FITCHED ROOF: Existing
 Allow for overhead on barge for external insulation at gable. Make good slate roof as before. Install new pressed metal barge in gable. Remove existing chimney to ground floor level. Make good slate roof. Change slates from rear to be used to match roof to front elevation.

FITCHED ROOF: Proposed
 Slate roof to match existing. During Construction, All Debris To Be Removed Before Closing. Guttering Must Be Closed At All Door And Window Openings.

INTERNAL WALLS
 100mm blackwood with 3 coats of plaster finish. 100 x 75mm insulated stud partitions, and panel. Side plates and nogging fixed with 12.5mm plasterboard and plaster skim finish. 100mm insulator insulation to studs. Insulation joint hangers to be used throughout.

VENTILATION
 Kitchen cooker hood to be operated intermittently with a 30 litre per second extract.

GILLFLEC McDONNELL O'SHAUGHNESSY
 CHARTERED SURVEYORS
 CLIENT: MARY MOORE
 DESIGN: PLANNING, EXTENSIONS & SECTIONS
 DATE: MARCH 2025
 DRAWN BY: J.O.S.
 SCALE: 1:50/100

Job: PROPOSED EXTENSION & RENOVATIONS 'SITELANDY', OLD COOK ROAD, LMR
 Client: MARY MOORE
 Design: PLANNING, EXTENSIONS & SECTIONS
 Date: MARCH 2025
 Drawn by: J.O.S.
 Scale: 1:50/100

Rev: 02
 Sheet: 02
 Date: 25.08

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

| | |
|------------------------------|--|
| File Reference number | EC-039-26 |
| Applicant(s) | Mary Moore |
| Location | Spitalland Old Cork Road Limerick |

Description of Site and Surroundings:

The site is located to the east of Limerick City Centre, along the L-11512 Kilmallock Road near Mount St. Lawrence Cemetery. The application relates Spitalland, a detached one storey dwellinghouse with a gable roof and an existing rear extension and outbuilding.

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 proposing the demolition of the existing 7.45m² rear extension element and 13.1m² outbuilding
- The applicants are also proposing the construction of a new 39.91m² rear extension in situ of the demolished extension, which will have a gable roof and a side flat roof element, the extension will include a dining, family and utility room

This Section 5 declaration includes the following:

- Application form
- Site location
- Elevations
- Floor plans

Planning History:

Subject site:

None found.

Adjacent:

01/770275 – Conditional Permission - Construct a utility and toilet extension to side of dwelling. Convert attic area to study with 3 no. velux windows at rear.

05/770511 – Conditional Permission - Retention permission for attic conversion to study with 2 velux windows to rear and sunroom extension to rear at ground floor.

09/770091 – Conditional Permission – Extension to dwelling at rear and construct a new roof to create a dormer style dwelling providing two no. bedrooms and a bathroom in the roof, and erection of a 2m high wall within the site to provide a secure area.

26/60099 – Conditional Permission – Retention of (1) vehicular entrance (2) front porch (3) pitched roof over side and rear ground floor extensions and (4) first floor bedroom extension.

Enforcement History:

N/A.

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 and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

‘**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 –

(b) in relation to a protected structure or proposed protected structure, includes—

(i) the interior of the structure,

(ii) the land lying within the curtilage of the structure,

(iii) any other structures lying within that curtilage and their interiors, and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

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 concerns the demolition of the existing 7.45m² rear extension element and 13.1m² outbuilding, alongside the construction of a new 39.91m² rear extension in situ of the demolished extension, which will have a gable roof and a side flat roof

element, the extension will include a dining, family and utility room, constituting 'works' and 'development'.

Is the proposal exempted development?

To assess whether the proposed development is exempted development, the proposed rear extension will be assessed against Class 1 of Part 1 of Schedule 2 of Planning and Development Regulations 2001 (as amended), the demolition elements which form part of the habitable house required to facilitate the construction of the rear extension will be assessed under Class 50(b) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) while the demolition of the outbuilding will be assessed under Class 50 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). Both development classes are subject to the following conditions and limitations set out in Column 2 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 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 existing rear element has been characterised as an extension in this report due to its appearance on the submitted drawings; however, it is noted the applicants do not refer to the rear element proposed to be demolished as an extension. If this rear element is an existing extension, then its 7.45m² floor area would take the total proposed and existing extended floor area (regardless of whether this structure will be demolished) above the 40m² limit. Further information is needed to clarify the status of this rear element proposed to be demolished as either part of the original dwelling or an existing extension, to ensure compliance with this condition.

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

No above ground level extension proposed.

(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.

No above ground level extension proposed; 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 existing rear element has been characterised as an extension in this report due to its appearance on the submitted drawings; however, it is noted the applicants do not refer to the rear element proposed to be demolished as an extension. If this rear element is an existing extension, then its 7.45m² floor area would take the total proposed and existing extended floor area (regardless of whether this structure will be demolished) above the 40m² limit. Further information is needed to clarify the status of this rear element proposed to be demolished as either part of the original dwelling or an existing extension, to ensure compliance with this condition.

(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.

No above ground level extension proposed. 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.

No above ground level extension proposed. 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.

No above ground level extension proposed. 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. The proposed walls of the gable roof element of the proposed rear extension does not exceed the height of the rear wall of the house. However, the proposed flat roof element does appear to exceed the height of the rear wall of the house. This height of the flat roof element will need to be clarified by a request for further information.

(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 highest part of the roof of the proposed extension 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 proposed 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.

No above ground level extension proposed. 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.

No above ground level extension proposed; 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 proposed extension does not mention or show any intended use of the roof of the extension as a balcony or roof garden.

Class 50(b)

The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act is considered Exempted Development, subject to the following Conditions and Limitations:

- 1. No such building or buildings shall abut on another building in separate ownership.*

The rear element does not abut another building in separate ownership.

- 2. The cumulative floor area of any such building, or buildings, shall not exceed: (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and (b) in all other cases, 100 square metres.*

The existing rear element has been characterised as an extension in this report due to its appearance on the submitted drawings; however, it is noted the applicants do

not refer to the rear element proposed to be demolished as an extension. If this rear element is an existing extension, then its 7.45m² floor area would take the total proposed and existing extended floor area (regardless of whether this structure will be demolished) above the 40m² limit. Further information is needed to clarify the status of this rear element proposed to be demolished as either part of the original dwelling or an existing extension, to ensure compliance with this condition.

3. *No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act*

The proposed demolition will not facilitate development of classes prescribed for the purposes of section 176 of the Act.

Class 50

(a) The demolition of a building, or buildings, within the curtilage of—
(i) a house,
(ii) an industrial building,
(iii) a business premises, or
(iv) a farmyard complex.

2. *No such building or buildings shall abut on another building in separate ownership.*

The outbuilding does not abut another building in separate ownership.

3. *The cumulative floor area of any such building, or buildings, shall not exceed: (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and (b) in all other cases, 100 square metres.*

The outbuilding has a floor area of 13.1m².

4. *No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act*

The proposed demolition will not facilitate development of classes prescribed for the purposes of section 176 of the Act.

Article 9 Restrictions

The proposed development is not restricted by any of the restrictions of 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/Recommendation

It is recommended that Further Information be requested as follows:

The development proposal, comprising the demolition of the existing 7.45m² rear extension element and 13.1m² outbuilding, alongside the construction of a new 39.91m² rear extension in situ of the demolished extension, is considered development. However, the status of the rear element proposed to be demolished needs to be clarified regarding whether it is part of the original dwelling or an existing extension, and if it is the latter then the proposed rear extension's floor area needs to be adjusted accordingly. The height of the flat roof element of the proposed extension also needs to be clarified regarding its relationship with the wall height of the existing dwelling.

To allow the Planning Authority to determine whether the development is exempted development, the applicant and/or authorised agent is requested to submit:

1. As the cumulative floor area of previous extensions is relevant to compliance with Condition 1(a) and 2(a) of Class 1 of Part 1 of Schedule 2, please submit documentary evidence confirming the construction date and planning status of this 7.45 m² rear element. Such evidence may include (but is not limited to):
 - a. Historical architectural drawings or original house plans
 - b. Old aerial or satellite imagery
 - c. Property deeds, sales brochures or other documentation showing the original footprint
 - d. A report from a suitably qualified professional confirming whether the structure was part of the original dwelling
 - e. Should the 7.45 m² rear element be confirmed as a previous extension, the cumulative floor area of the proposed extension must be readjusted in accordance with Class 1. In that event, please submit an updated cumulative extension floor area schedule, demonstrating compliance with the 40 m² limit.
2. The application proposes a rear extension containing a gable roof and a flat-roof side element. Condition 4(a) of Class 1 requires that, where the rear wall of the house does not contain a gable, the height of the walls of any such extension must not



exceed the height of the rear wall of the existing house. Please therefore submit clarified elevation drawings or a dimensioned section clearly indicating:

- a. The height of the flat-roof portion of the proposed extension
- b. The height of the existing rear wall of the dwelling
- c. A clear comparison demonstrating compliance with Class 1 height restrictions

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, 50 & 50(b) 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 the 5th of March 2026.

Until such revised particulars are received, the Planning Authority cannot determine whether the works fall within the exempted-development provisions of Class 1 and Class 50(b) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

| | | |
|---------------------------------|---|-------------------------|
| Graduate Planner | Isaac Cunningham | Date: 27/03/2026 |
| Signature: |  | |
| Senior Executive Planner | Gráinne O’Keeffe | Date:27/03/2026 |
| Signature |  | |

Appendix 1: AA PN01 Screening Form

| STEP 1: Description of the project/proposal and local site characteristics: | |
|--|--|
| (e) File Reference No: | EC-039-26 |
| (e) Brief description of the project or plan: | The development proposal, comprising the demolition of the existing 7.45m ² rear extension element and 13.1m ² outbuilding, alongside the construction of a new 39.91m ² rear extension in situ of the demolished extension |
| (e) Brief description of site characteristics: | The site is located to the east of Limerick City Centre, along the L-11512 Kilmallock Road near Mount St. Lawrence Cemetery. The application relates Spitalland, a detached one storey dwellinghouse with a gable roof and an existing rear extension and outbuilding. |

| | |
|---|-----|
| (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 |
|--|---|---|---|--|
| Lower River Shannon SAC | https://www.npws.ie/protected-sites/sac/00216 | 2.09 | None | N |
| River Shannon and River Fergus Estuaries SPA | https://www.npws.ie/protected-sites/spa/004077 | 2.16 | None | N |

STEP 3: Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:



| Impacts: | Possible Significance of Impacts: (duration/Magnitude etc) |
|--|---|
| Construction phase e.g. <ul style="list-style-type: none"> - Vegetation clearance - Demolition - Surface water runoff from soil excavation/infill/landscaping (including borrow pits) - Dust, noise, vibration - Lighting disturbance - Impact on groundwater/dewatering - Storage of excavated/construction materials - Access to site - Pests | None. No direct encroachment or hydrological connection |
| Operation phase e.g. <ul style="list-style-type: none"> - Direct emission to air and water - Surface water runoff containing contaminant or sediment - Lighting disturbance - Noise/vibration - Changes to water/groundwater due to drainage or abstraction - Presence of people, vehicles and activities - Physical presence of structures (e.g collision risk) - Potential for accidents or incidents | None. No direct encroachment or hydrological connection |

| | |
|----------------------|------|
| In-combination/Other | N/A. |
|----------------------|------|

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

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

| 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. | | |
| Given the sites size, no hydrological connection to any SAC/SPA, no encroachment on any SAC/SPA and the limited scale of the development proposed, an AA is not required. | | |
| Conclusion: AA is not required. | | |
| | Tick as appropriate: | Recommendation: |
| i. It is clear that there is no likelihood of significant effects on a European Site | <input checked="" type="checkbox"/> | The proposal can be screened out: Appropriate Assessment not required. |
| ii. It is uncertain whether the proposal will have a significant effect on a European Site | <input type="checkbox"/> | <input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS |

| | | |
|---|--|---|
| | | <input type="checkbox"/> Refuse planning permission |
| iii. Significant effects are likely | <input type="checkbox"/> | <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission |
| Signature and Date of Recommending Officer: |  Isaac Cunningham, Graduate Planner _____ 27/03/2026 | |
| Signature and Date of the Decision Maker: |  _____ 27/03/2026 | |

Appendix 2: EIA Screening

| Establishing if the proposal is a 'sub-threshold development': | |
|---|---|
| Planning Register Reference: | EC-039-26 |
| Development Summary: | The development proposal, comprising the demolition of the existing 7.45m ² rear extension element and 13.1m ² outbuilding, alongside the construction of a new 39.91m ² rear extension in situ of the demolished extension. |
| Was a Screening Determination carried out under Section 176A-C? | <p>Yes. no further action required</p> <p>No. Proceed to Part A</p> |
| A. Schedule 5 Part I - Does the development comprise a project listed in Schedule 5. Part 1. of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate) | |

G. Madle.

27/03/2026



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**Limerick City
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PLANNING, HERITAGE & RYDER CUP

REG POST:

EC/039/26

30 March 2026

**Mary Moore,
c/o Gilleece McDonnell O'Shaughnessy Ltd,
Chartered Surveyors & Design/Planning Consultants,
Unit 15 Limerick Business Complex,
Keating Road Raheen Business Park
Limerick.**

RE: Declaration under Section 5

Dear Sir/Madam,

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

The development proposal, comprising the demolition of the existing 7.45m² rear extension element and 13.1m² outbuilding, alongside the construction of a new 39.91m² rear extension in situ of the demolished extension, is considered development. However, the status of the rear element proposed to be demolished needs to be clarified regarding whether it is part of the original dwelling or an existing extension, and if it is the latter then the proposed rear extension's floor area needs to be adjusted accordingly. The height of the flat roof element of the proposed extension also needs to be clarified regarding its relationship with the wall height of the existing dwelling.

To allow the Planning Authority to determine whether the development is exempted development, the applicant and/or authorised agent is requested to submit:

1. As the cumulative floor area of previous extensions is relevant to compliance with Condition 1(a) and 2(a) of Class 1 of Part 1 of Schedule 2, please submit documentary evidence confirming the construction date and planning status of this 7.45 m² rear element. Such evidence may include (but is not limited to):
 - a. Historical architectural drawings or original house plans
 - b. Old aerial or satellite imagery
 - c. Property deeds, sales brochures or other documentation showing the original footprint

- d. A report from a suitably qualified professional confirming whether the structure was part of the original dwelling
 - e. Should the 7.45 m² rear element be confirmed as a previous extension, the cumulative floor area of the proposed extension must be readjusted in accordance with Class 1. In that event, please submit an updated cumulative extension floor area schedule, demonstrating compliance with the 40 m² limit.
2. The application proposes a rear extension containing a gable roof and a flat-roof side element. Condition 4(a) of Class 1 requires that, where the rear wall of the house does not contain a gable, the height of the walls of any such extension must not exceed the height of the rear wall of the existing house. Please therefore submit clarified elevation drawings or a dimensioned section clearly indicating:
- a. The height of the flat-roof portion of the proposed extension
 - b. The height of the existing rear wall of the dwelling
 - c. A clear comparison demonstrating compliance with Class 1 height restrictions

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, 50 & 50(b) 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 the 5th of March 2026.

Until such revised particulars are received, the Planning Authority cannot determine whether the works fall within the exempted-development provisions of Class 1 and Class 50(b) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

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

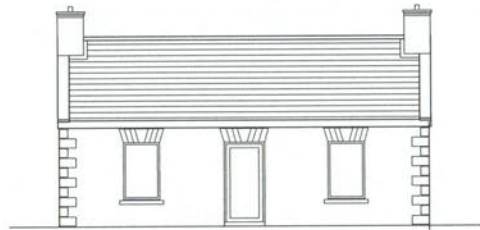
I hereby give you notice that the statutory period of three weeks during which the Planning Authority is required to give a decision will date from the receipt of a satisfactory response to the notice seeking further information.

Please quote your planning reference number on all correspondence EC/039/26.

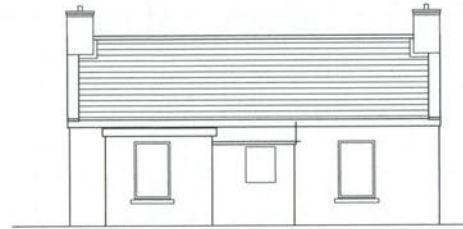
Yours sincerely,



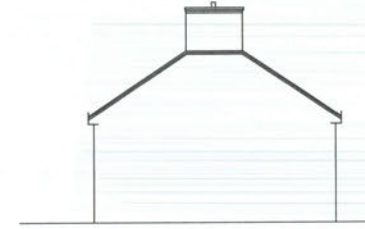
**(for) Senior Planner,
Development Management**



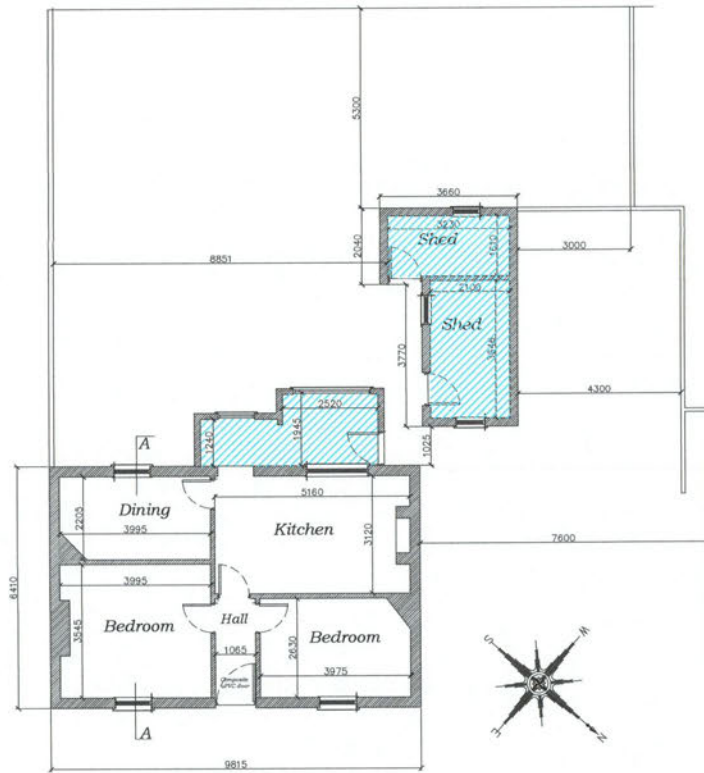
Front Elevation
Scale: 1:100



Rear Elevation
Scale: 1:100



Side Elevation
Scale: 1:100



Floor Plan
Scale: 1:100

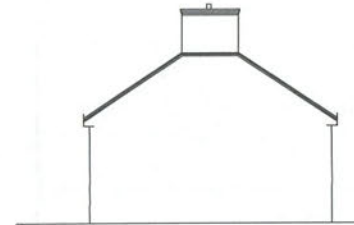
Existing Dwelling - Floor Area: 61.52 sq M.

Existing Sheds - Floor Area 13.10 sq M

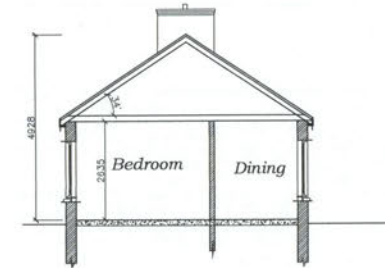
To Be

To be demolished:
- House - 7.45 sq M
- Sheds - 13.1 sq M

2. The drawings must be read with and checked against any structural or other specialist drawings provided.
3. All details or dimensions relating to Subcontractors or Suppliers, work must be checked and agreed between the General Contractors and the Subcontractor or Suppliers.
4. The contractor is to comply in all aspects with the current Building Regulation, whether or not specifically stated on drawings.
5. The drawings and the building works depicted, are the copyright of the Architects, and may not be reproduced except by written permission.



Side Elevation
Scale: 1:100



**GILLEECE
McDONNELL
O'SHAUGHNESSY**
G:M:D&S
Unit 15 Limerick Business Complex,
Keating Rd, Raheen Business Park,
Limerick

**CHARTERED
SURVEYORS
&
DESIGN/
PLANNING
CONSULTANTS**
Tel: 061-300030
Email: info@gmde.ie

Job: PROPOSED EXTENSION & RENOVATIONS
"SPITALLAND", OLD CORK ROAD, LMK
Client: MARY MOORE
Desp: EXISTING DWELLING SURVEY

Job no: **26.008**

Date: MARCH 2026 | Drawn by: J.O.S. | Scale (s): 1:100

Sheet: **03** | Rev: .



GILLEECE McDONNELL O'SHAUGHNESSY LTD

UNIT 15, LIMERICK BUSINESS COMPLEX, KEATING ROAD, Telephone: (061) 500050
RAHEEN BUSINESS PARK, LIMERICK.
Post Code: V94F68A E-Mail: info@gmcdos.ie VAT Registration No: IE 6375106N



G:M:D:S

CHARTERED
SURVEYORS
&
DESIGN / PLANNING
CONSULTANTS

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

Date: 07.04.2026
Re: **Section V Application Ref No: EC/039/26**
Extension to rear of existing dwelling.
Applicants: Mary Moore.

Dear Sir/ Madam

We refer to the above application and your FI request dated 30th March 2026

We outline the following to address your requests:

- To clarify the extension area:
The 7.45 sq M annex structure to the rear of the existing dwelling outlined on Dwg No: 25.080.03A is an existing extension to the property. It is a single concrete block structure constructed circa 1980's and due to its area and location was exempt from planning legislation pertinent at the period of construction. As this extension is substandard we therefore proposes to incorporate this extension of 7.45 sq M within the proposed extension, revising the wall configuration and adding a further extension of 32.45 sq M. The total extension areas to the property will be a cumulative area of 39.9 sq M on completion.

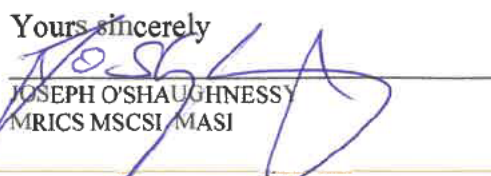
Note: The existing rear extension of 7.45 sq M is not linked to the existing shed structure of 13.1 sq M.

- To comply with the requirement under Class 1 Condition 4 (a) we have revised the drawing to reduce the height of the flat roof extension to the level of the wall of the existing structure and have reduced the floor to ceiling height in the proposed utility area to achieve this outcome. The existing dwelling eaves height is 2.610 M from ground level and our proposed flat roof extension with correspond with this eaves height

We attach the following drawings which have being revised in incorporate the above.

- Dwg No: 25. 080.01A Site layout Plan
- Dwg No: 25..080.02A Plans Elevations & Section.
- Dwg No: 25. 080.03A Existing dwelling survey drawings

Yours sincerely


JOSEPH O'SHAUGHNESSY
MRICS MSCSI MASI



Report on application under Section 5 of the Planning and Development Act 2000 (as amended) – Following Receipt of Further Information

| | |
|------------------------------|--|
| File Reference number | EC-039-26 |
| Applicant | Mary Moore |
| Location | Spitalland Old Cork Road Limerick |

Previous Assessment:

The initial application, related to a detached one storey dwellinghouse with a gable roof and an existing rear extension and outbuilding, located to the east of Limerick City Centre, along the L-11512 Kilmallock Road near Mount St. Lawrence Cemetery, concerned the proposed demolition of the existing 13.1m² outbuilding and the existing 7.45m² rear extension element to facilitate the construction of a new 39.91m² rear extension in situ of the demolished extension, which is proposed to have a gable roof and a side flat roof element. The extension is intended to contain a dining, family and utility room. The applicant was requested to provide further information on the following:

1. Confirmation of the status of the existing rear extension element as part of the original dwelling or as an existing extension, to allow the Planning Authority to accurately determine the cumulative floor area of previous extensions to ascertain compliance with Condition 1(a) and 2(a) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
2. Clarification of the relationship between the rear wall of the house and the proposed rear extension flat roof element to assess compliance with Condition 4(a) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Submitted Documents:

1. The submitted cover letter and revised drawings confirm that the rear element is an existing extension and in compliance with Condition 1(a) and 2(a) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) this rear element has been considered within the aggregate 39.91m² floor area of existing and proposed extensions. The existing extension is proposed to be integrated with the new extension, comprising of the refurbishment of the existing extension and the revision of internal wall layouts.
2. The submitted cover letter and revised drawings clearly demonstrate that the flat roof element of the proposed rear extension will not exceed the height of the rear wall of the original dwelling, in compliance with Condition 4(a) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

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 development proposal, comprising the demolition of the existing 13.1m² outbuilding, alongside the refurbishment of the existing 7.45m² rear extension and construction of an 32.45m² extension attached to the existing rear element, constitutes 'works' and 'development', within the meaning given by the Planning and Development Act 2000 (as amended).

Is the proposal exempted development?

Following the receipt of further information, the status of the existing 7.45 m² rear element has been confirmed as an existing extension. It is noted that the initial application proposed the demolition of this rear extension and the construction of a new 39.91 m² extension in its place. The further information submitted has revised this approach, confirming that the existing 7.45 m² rear extension will be retained and integrated with a new 32.45 m² rear extension, resulting in a combined rear extension of 39.91 m² for the purposes of Conditions 1(a) and 2(a) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

The existing rear element will be incorporated into the proposed extension through internal refurbishment and revision of the internal wall layout. Subsequently, the proposal does not require assessment under Class 50(b), as demolition relates solely to the outbuilding within the curtilage of the house. As previously assessed, the demolition of the existing outbuilding falls within the conditions and limitations of Class 50(a) of Part 1 of Schedule 2 of the Regulations.

It is also noted that the internal refurbishment and other minor internal alterations shown on the submitted plans fall within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Finally, the further information confirms that the proposed flat-roof element of the rear extension does not exceed the height of the rear wall of the original dwelling, and compliance with Condition 4(a) of Class 1 of Part 1 of Schedule 2 of the Regulations is therefore satisfied.

Article 9 Restriction

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

An AA Screening examination was carried out by Limerick City & County Council (see appendix 1 in previous report). Overall, it is considered that the development as proposed

should not exercise a significant effect on the conservation status of any SAC or SPA as there are no source-pathway-receptors and the site does not directly encroach on any Natura 2000 European Sites. Therefore, an Appropriate Assessment is not necessary (See appendix 1 for AA Screening Form).

Environmental Impact Assessment

An EIA Screening examination was carried out by Limerick City and County Council (see Appendix 2 in previous report). Based on a preliminary examination of the proposal there is no real likelihood of significant effects on the environment and EIA is not required.



Conclusion/Recommendation

It is satisfied that the development proposal, comprising the demolition of an outbuilding within the curtilage of a house, the integration of an existing 7.45 m² rear extension with a proposed 32.45 m² rear extension, and all associated internal refurbishment and minor alterations to the existing structure, complies with the conditions and limitations of the relevant exempted development provisions.

Regard has been had to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended);
- (b) Article 6 and Article 9, and Classes 1, 50(a) and 50(b) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- (c) The plans and particulars submitted with the application received on the 5th of March 2026 and the 7th of April 2026.

It is therefore considered that the said works constitute development and exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended), and under Classes 1 and 50(a) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

| | | |
|---------------------------------|---|-------------------------|
| Graduate Planner | Isaac Cunningham | Date: 14/04/2026 |
| Signature: |  | |
| Senior Executive Planner | Gráinne O’Keeffe | Date: 15/04/2026 |
| Signature |  | |



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t: +353 (0) 61 556 000

PLANNING, HERITAGE AND RYDER CUP

REG POST:

Mary Moore
c/o Gilleece McDonnell O'Shaughnessy Ltd,
Chartered Surveyors & Design/Planning Consultants,
Unit 15 Limerick Business Complex,
Keating Road Raheen Business Park
Limerick.

EC/039/26

17 April 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**

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2026/441

File Ref No. EC/039/26

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

RE: **A demolition of existing rear extension & construction of a new rear extension, which will have a gable roof and a side flat roof element at Spitaland, Old Cork Road, Limerick**

ORDER: Whereas by Director General's Order No. DG/2026/031 dated 18th March 2026, 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.

ge 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 14/04/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Mary Moore, c/o Gilleece McDonnell O'Shaughnessy Ltd, Chartered Surveyors & Design/Planning Consultants, Unit 15 Limerick Business Complex, Keating Road Raheen Business Park, Limerick to state that the works as described above is

Development and is Exempt Development.

Signed



SENIOR EXECUTIVE PLANNER, PLANNING, HERITAGE & RYDER CUP

Date

17/4/26



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SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/039/26

Name and Address of Applicant: Mary Moore, Spitalland, Old Cork Road, Limerick

Agent: Gilleece McDonnell O'Shaughnessy Ltd, Chartered Surveyors & Design/Planning Consultants, Unit 15 Limerick Business Complex, Keating Road Raheen Business Park, Limerick

Whether the demolition of existing rear extension & construction of a new rear extension, which will have a gable roof and a side flat roof element at Spitalland, Old Cork Road, Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 5th day of March 2026 and the 7th day of April 2026.

AND WHEREAS the Planning Authority has concluded that the demolition of existing rear extension & construction of a new rear extension, which will have a gable roof and a side flat roof element at Spitalland, Old Cork Road, Limerick **DOES** come within the scope of exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended), and under Classes 1 and 50(a) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). See Report attached.

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

Signed on behalf of the said Council

Date:

17/04/2026

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.