



Limerick City and County Council

Planning Department

Section 5 Application



DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

TOM TREACY

Applicant's Address:

CAHERELLY, GRANGE,
KILMALLOCK,

Co. LIMERICK V35 HW24.

Telephone No.



Name of Agent (if any):

AS ABOVE.

Address:

Telephone No.

Address for Correspondence:

10 ORLAGH LAWN, KNOCKLYON,
DUBLIN 16, D16 N8P3.

Location of Proposed development (Please include EIRCODE):

CAHERNELLY, GRANGE
KILMALLOCK, Co. LIMERICK,
V35 HW24.

Description of Proposed development:

COMPLETE RECONSTRUCTION OF THE
EXISTING FRONT HOUSE AREA. THE
PROPOSED NEW BUILD SHALL BE A
REPLICA OF THE EXISTING STRUCTURE.

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

Is this a Protected Structure or within the curtilage of a Protected Structure.

~~YES~~/NO No.

Applicant's interest in site: OWNER.

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

3 No. drawings, OS Map,
LAND Registry data,
6 No. SITE photographs,
Application Form & COVERING LETTER.

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

If Yes please provide floor areas of all existing structures:

THE REAR OF THE HOUSE WAS
RECONSTRUCTED - 15.374 sq. m.
THE SHED WAS RECONSTRUCTED -
13.152 sq. m.

Signature of Applicant (or Agent)

JAM L. MAY.

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**

Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67.
09/03/2026.

Ref: Section 5 Application – Caherelly, Grange, Kilmallock, Co. Limerick, V35 HW24.

Dear Sirs,

Find attached Section 5 Application for exemption from Planning for the complete reconstruction of the front house area (as indicated in red on the enclosed 3 No. drawings) at Caherelly, Grange, Kilmallock, Co. Limerick, V35 HW24.

The dimensions of the front house area are 8.10m x 5.40m, giving an overall footprint area of 43.74sq meters.

The proposed new build shall be a replica of the existing structure, in full compliance with The Building Regulations, incorporating existing window & door locations, front entrance porch, slated roof & plastered walls as per the rear area of the house & the shed.

The house is detached, has not been extended previously & no works are proposed above ground floor.

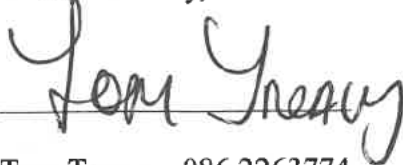
The rear area of the house was completely reconstructed during 2024. Floor area was & is 45.374sq meters. See enclosed photograph of the original house rear area, which was constructed pre 1st October 1964.

The shed at the rear of the house was completely reconstructed during 2023. Floor area is 13.152sq meters. See enclosed photograph of the original shed which was dated c.1900.

The overall site area is 0.933 acres (0.377 hectare)

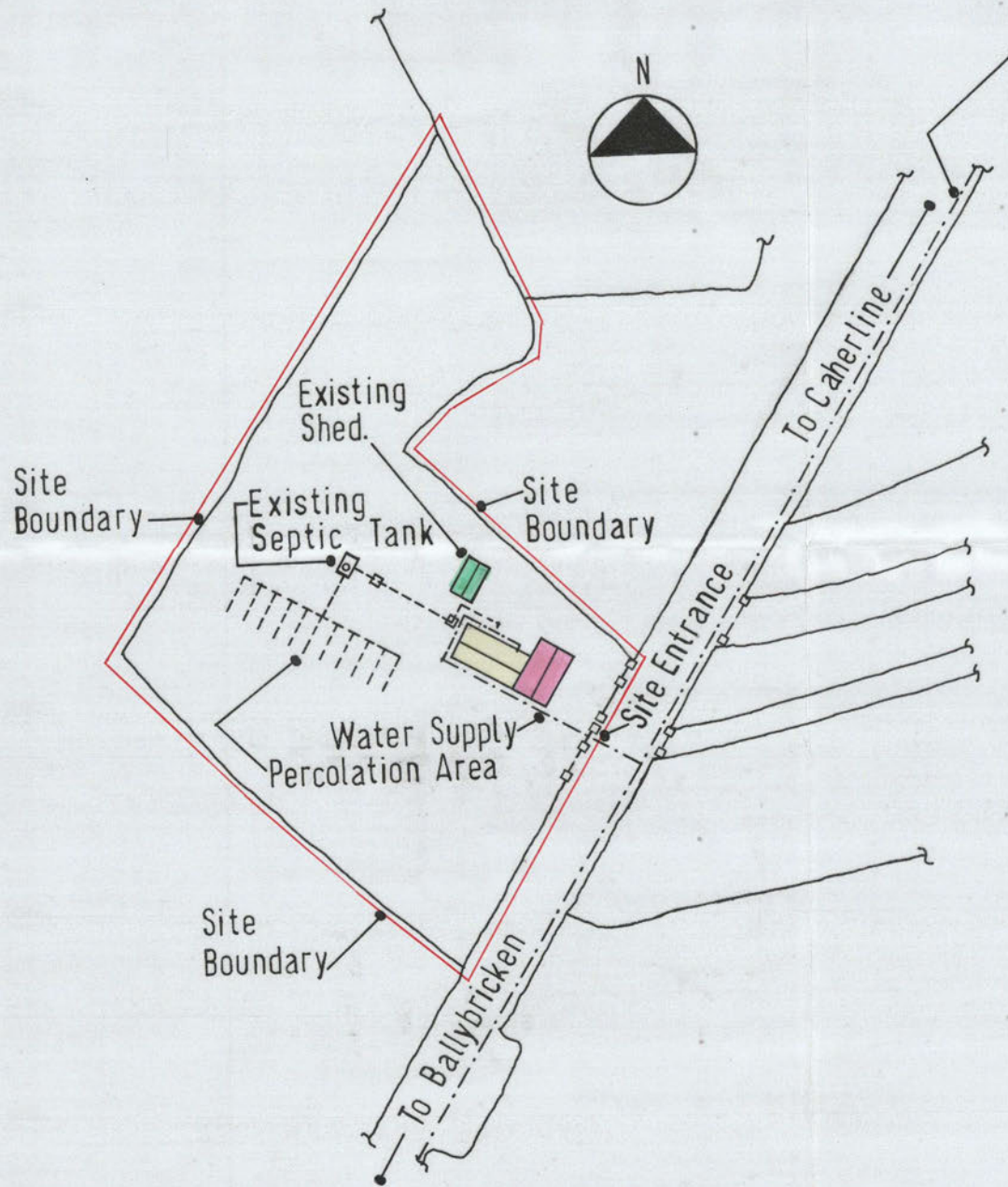
I trust you find all in order.

Yours sincerely,



Tom Treacy - 086.2263774.





Existing Water Main
Caherline Newtown Water Scheme.

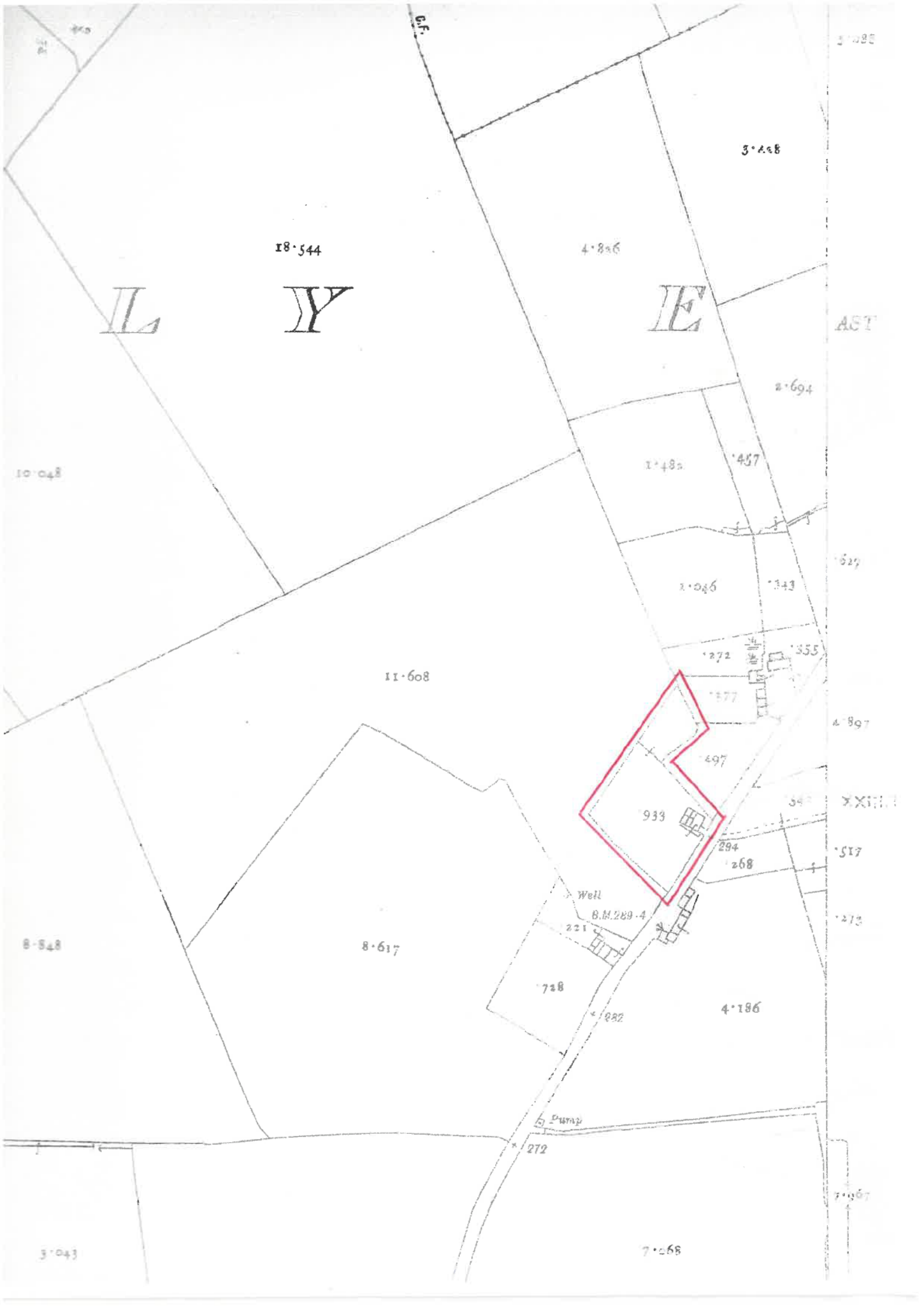
Overall Floor Areas:
 Front House Area 43.74sq.m.
 Rear House Area 45.374sq.m.
 Shed 13.152sq.m.

- Existing Front House Area.
8.10m W x 5.40m D x 5.60m H.
- Existing Rear House Area.
4.63m W x 9.80m D x 4.20m H.
- Existing Shed.
3.20m W x 4.11m D x 3.90m H.

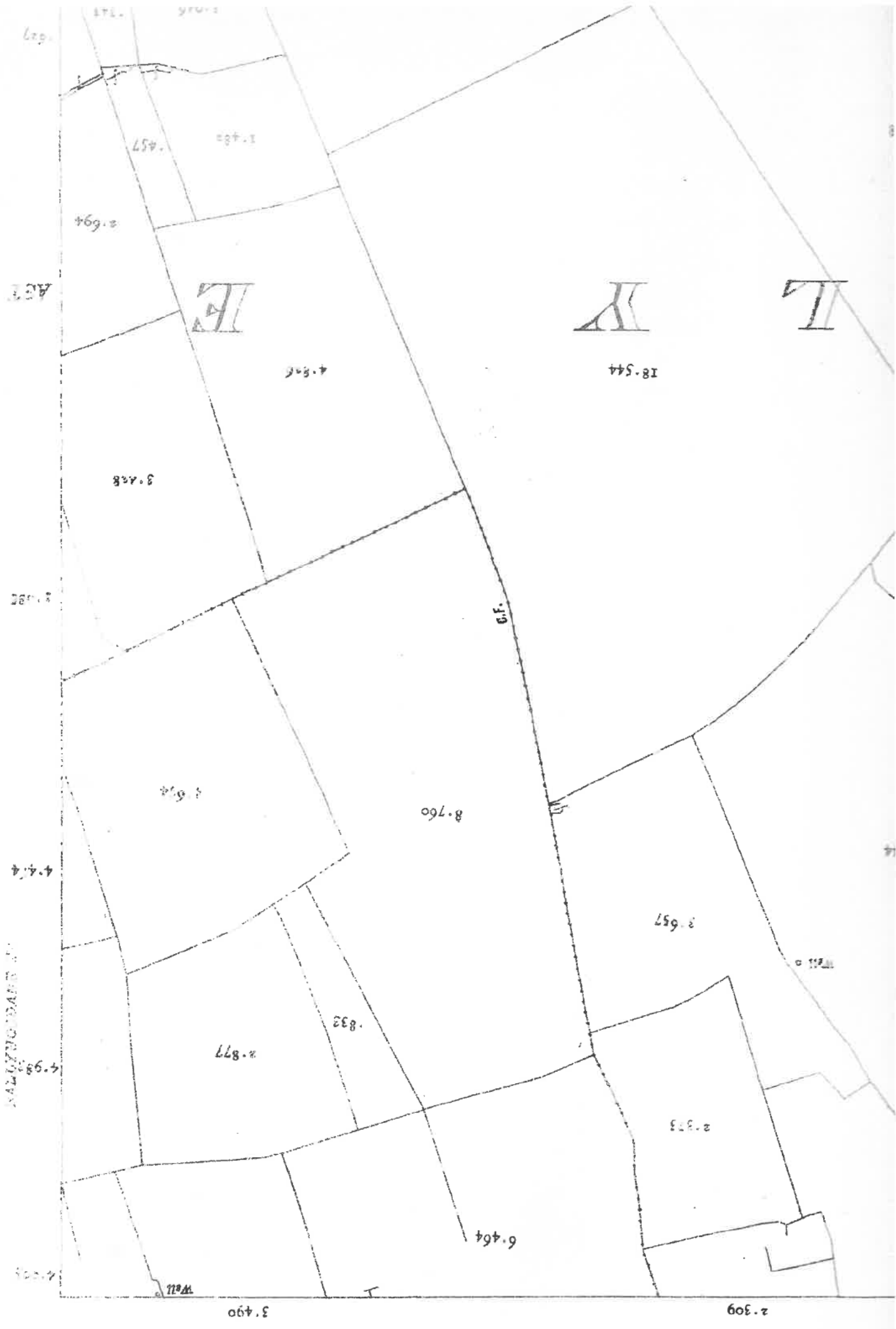
LCCC PLANNING DEPARTMENT
 SECTION 5 APPLICATION.
 SITE LAYOUT
 SCALE 1:500

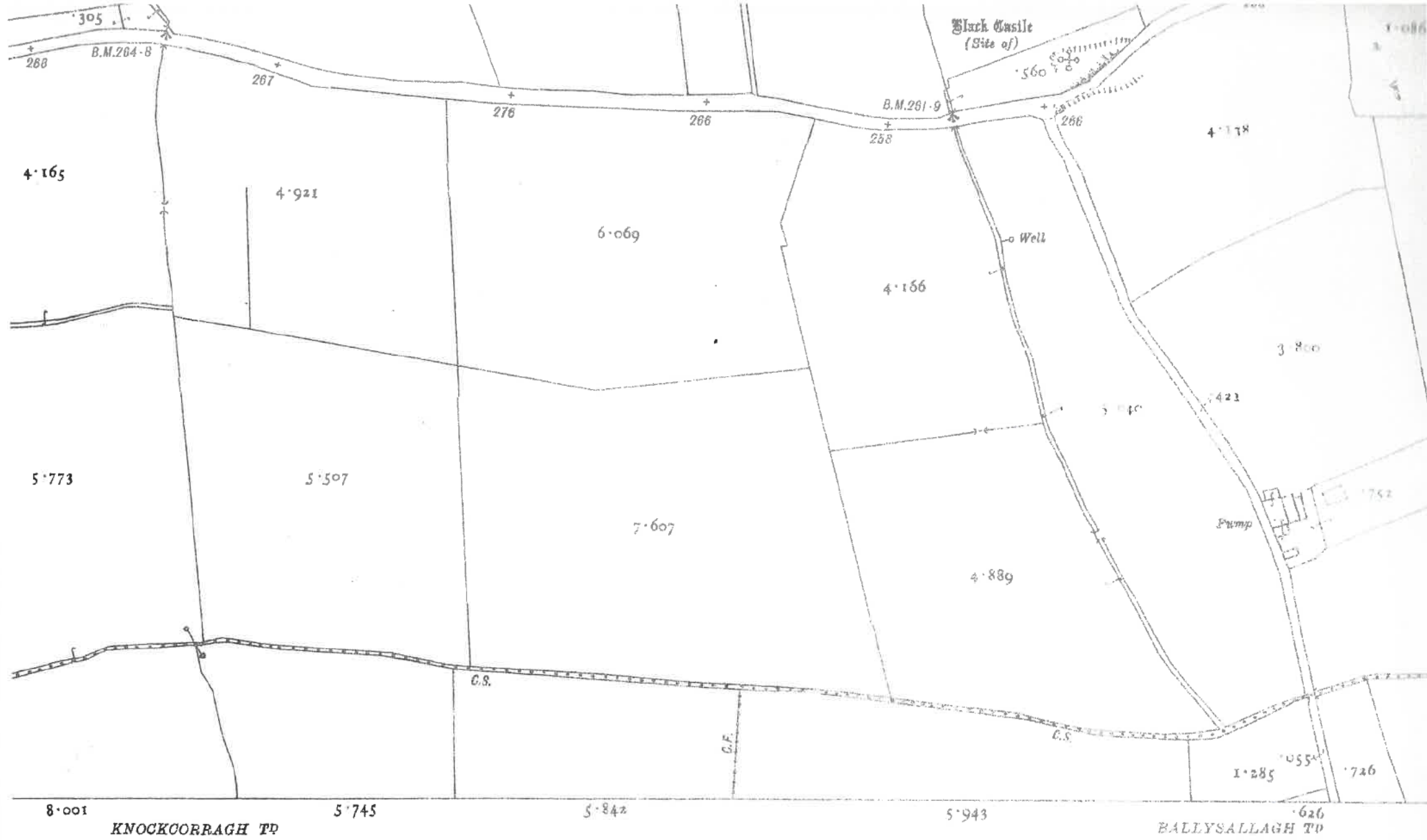
CAHERELLY, GRANGE, KILMALLOCK,
 CO. LIMERICK, V35 HW24.

FEBRUARY 2026. DWG. NO. 01.



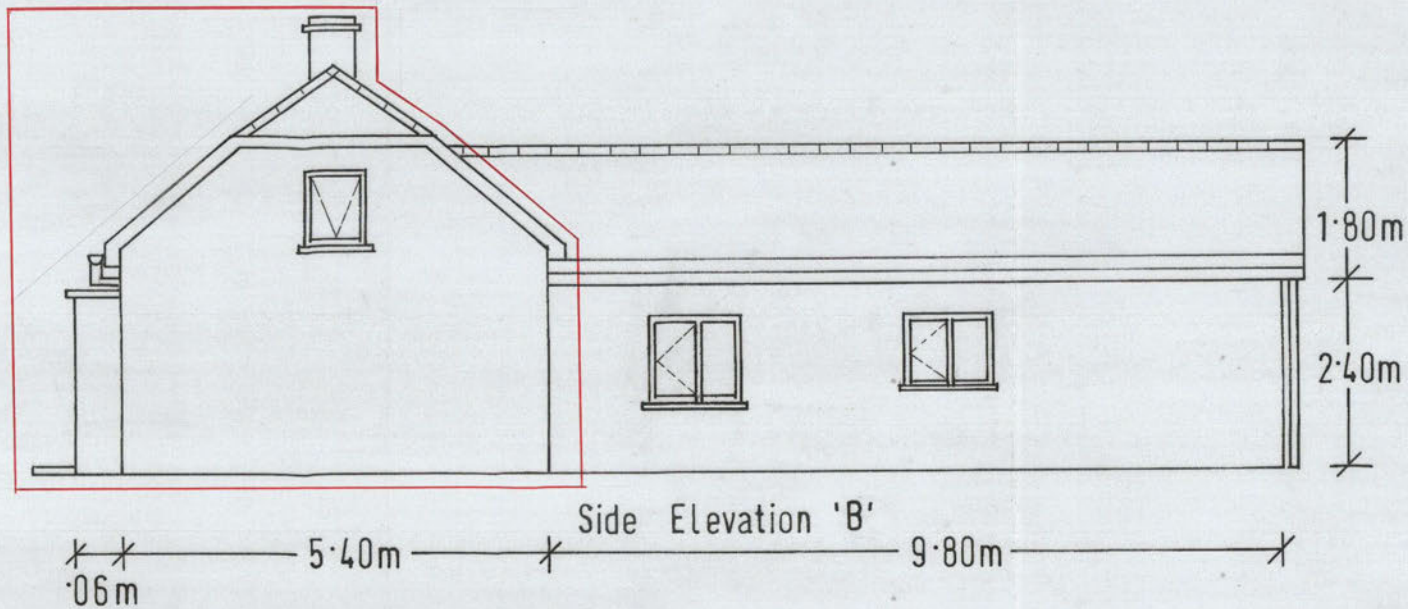
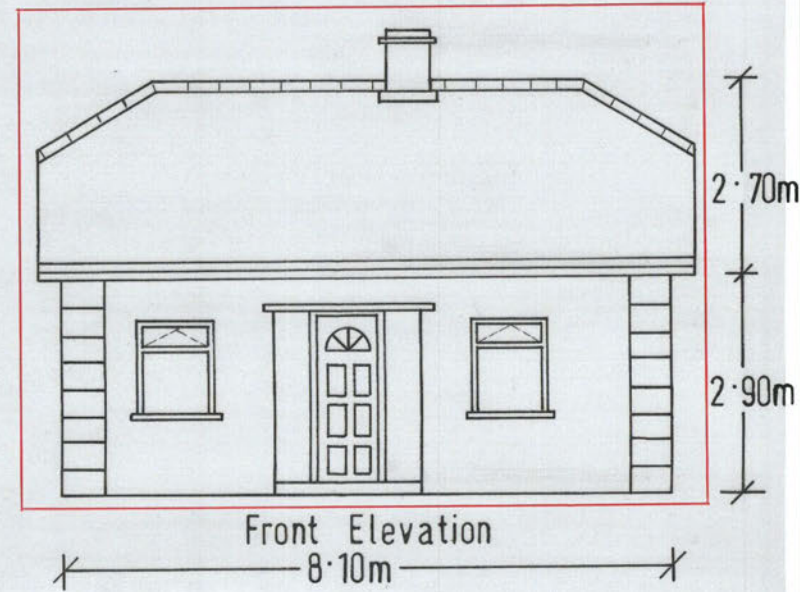
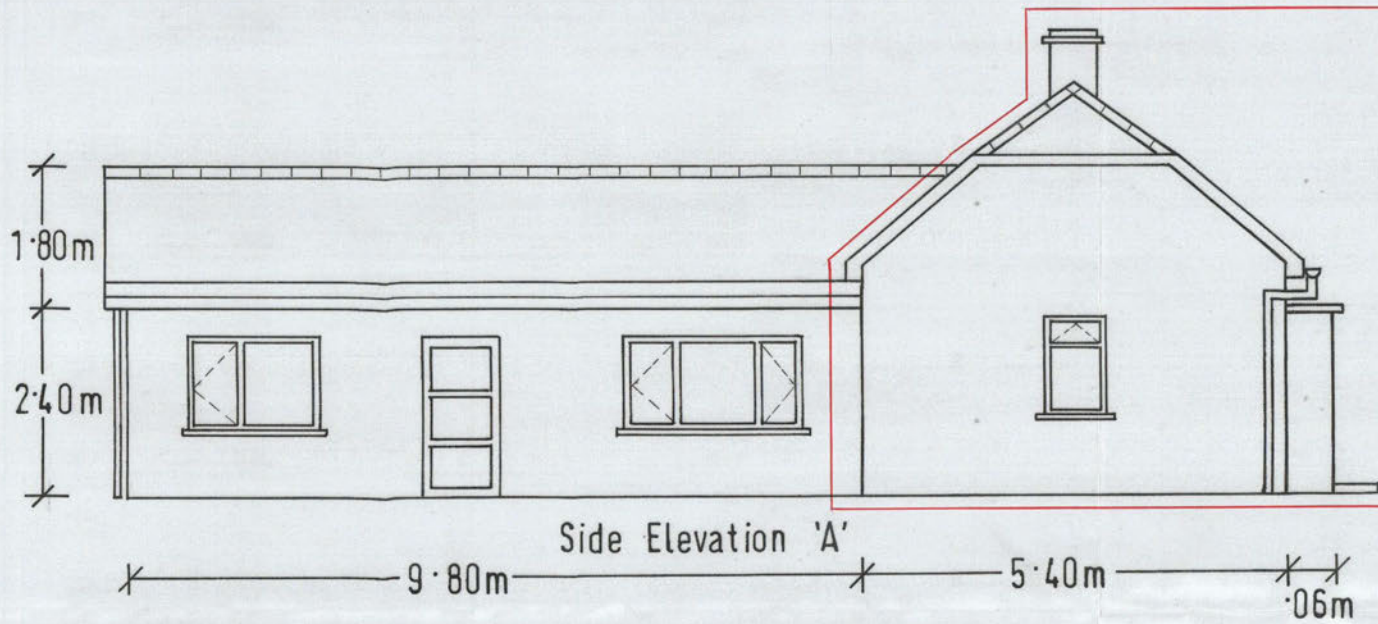
LIMERICK (GLANWILLIAM) SHEET XXIII. 10.



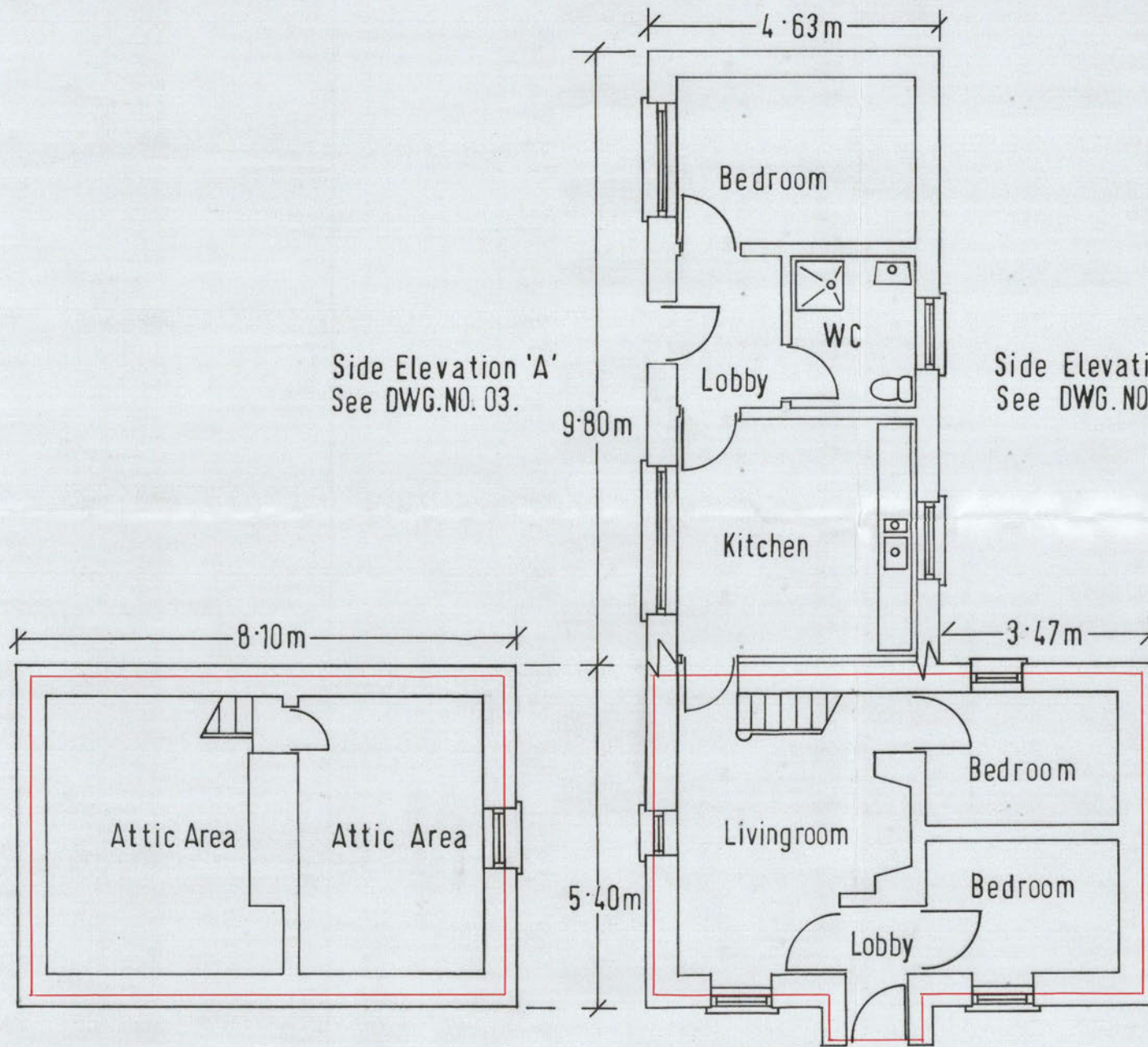


Scale ~~was~~ being 25.344 Inches to a Statute Mile or 208.33 Feet to One Inch.





LCCC PLANNING DEPARTMENT
 SECTION 5 APPLICATION
 ELEVATION LAYOUTS
 SCALE 1:50
 CAHERELLY, GRANGE, KILMALLOCK,
 CO. LIMERICK, V35 HW24.
 FEBRUARY 2026. DWG. NO.03.



NOTE:
All proposed construction works shall be in compliance with The Building Regulations, Technical Guidance Documents A to M inclusive.

LCCC PLANNING DEPARTMENT
SECTION 5 APPLICATION
FLOOR PLAN LAYOUTS
SCALE 1:50
CAHERELLY, GRANGE, KILMALLOCK,
CO. LIMERICK, V35 HW24.
FEBRUARY 2026. DWG. NO. 02.

Land Registry

County Limerick

Folio 19052

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

For parts transferred see Part 1(B)

No.	Description	Official Notes
1	The property shown coloured RED as Plan(s) 19 on the Registry Map, situate in the Townland of CAHERELLY EAST, in the Barony of CLANWILLIAM, in the Electoral Division of CAHERELLY.	From Folio LK13146

Land Cert Issued: No

Page 1 of 4

Collection No.:

Land Registry

County Limerick

Folio 19052

Part 1(B) - Property
Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares):	Plan:	Folio No:

Land Registry

County Limerick

Folio 19052

Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965		
1	16 JUN 1981 P2956/81	MARY TREACY of CAHERELLY, GRANGE, COUNTY LIMERICK is full owner. Cancelled	D2011LR067519W 02-JUN-2011
2	02-JUN-2011 D2011LR067519W	THOMAS TREACY of 10 Orlagh Lawn, Knocklyon, Dublin 16 is full owner.	

Land Registry

County Limerick

Folio 19052

Part 3 - Burdens and Notices of Burdens

No.	Particulars



Original Rear Of House Area, Reconstructed 2024.



Original Shed (At Rear Of House) Reconstructed 2023.



Rear Elevation



Side Elevation 'B'



Side Elevation 'A'



Front Elevation

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

File Reference number	EC-041-26
Applicant(s)	Tom Treacy
Location	Caherrelly Grange Kilmallock Co. Limerick V35 HW24

Description of Site and Surroundings:

The site is located in the rural townland of Caherrelly East. The application relates to an existing dwelling house with a 43.74m² front element with an upper floor level attic area and a single storey 45.374m² rear element, alongside a rear 13.152m² outbuilding. The submitted cover letter notes that the outbuilding was “reconstructed” in 2023 and the rear element was also “reconstructed” in 2024.

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:

1. The full reconstruction of the front element of an existing house (floor area 43.74m²), which will comprise a complete replica of the original structure

Having regard to the level of works already carried out on the site as stated in the submitted cover letter, the following will also be considered:

2. The reconstruction of an existing rear element (floor area 45.374m²), carried out in 2024.
3. The reconstruction of an existing outbuilding (floor area 13.152m²), carried out in 2023.

This Section 5 declaration includes the following:

- Application form
- Cover Letter
- Site location
- Elevations
- Floor plans

Planning History:

Subject site:

None found.

Adjacent:

01/423 – Conditional Permission - Construction of dormer dwelling, entrance, septic tank & percolation area.

06/3637 – Conditional Permission - Construction of an extension to rear of existing dwelling and associated site works.

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 1. The full reconstruction of the front element of an existing house (floor area 43.74m²), which will comprise a complete replica of the original structure, 2. The reconstruction of an existing rear element (floor area 45.374m²),

carried out in 2024, and 3. the reconstruction of an existing outbuilding (floor area 13.152m²), carried out in 2023, which constitute ‘works’ and ‘development’.

Is the proposal exempted development?

The full reconstruction of the front element of an existing house (floor area 43.74m²), which will comprise a complete replica of the original structure and the reconstruction of an existing rear element (floor area 45.374m²), carried out in 2024.

Under Section 4 (1)(h) of the Planning and Development Act 2000 (as amended), development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, shall be considered exempted development. The proposed reconstruction of the front element of the existing dwelling is considered to be material as it would essentially replace the existing dwelling in its totality and therefore falls outside this scope of Section 4 (1)(h) and cannot be considered exempted development. On the basis that the demolition and new build of the existing structure, even if it is to be constructed as a complete replica, extends beyond the meaning of maintenance, improvement or alteration stipulated in Section 4 (1)(h). Under Section 2 of the Planning and Development Act 2000 (as amended):

“alteration” includes—

- (a) plastering or painting or the removal of plaster or stucco, or
- (b) the replacement of a door, window or roof,

that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;

In addition, the reconstruction of the rear element of the dwelling which occurred in 2024 is also considered to fall outside the scope of Section 4 (1)(h) for the reasons outlined above and is therefore considered to be unauthorised development.

Any demolition works that have been carried out to facilitate the reconstruction of the rear element of the dwelling and any proposed demolition works to facilitate the reconstruction of the remaining front element of the dwelling cannot be assessed under Class 50(b) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) either, as the demolition is not for the purposes of facilitating an extension to the house under Class 1 of Part of Schedule 2 of the Planning and Development Regulations 2001 (as amended), the floor area proposed to be demolished and reconstructed exceeds the 40m² limit stipulated by Class 50(b) for this type of development.

The reconstruction of an existing outbuilding (floor area 13.152m²), carried out in 2023

In terms of the reconstruction of an existing outbuilding (floor area 13.152m²), I consider this can be assessed under Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, which provides for works consisting of the construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure, subject to the following conditions:

Class 3 - *The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure.*

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

The reconstructed outbuilding is located at the rear and side of the existing dwelling.

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

It is stated that the original shed was of a similar size c.13m², the reconstructed outbuilding is also 13.152m², taken together, this is more than 26m² which exceeds the permitted limit. Therefore, this condition and limitation is not satisfied.

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

It is stated in the submitted cover letter that the overall site area is 0.933acres, having regard to this and the submitted site layout I am satisfied the private open space to the rear of the dwelling exceeds 25m².

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

From submitted photographs, it appears that the roof of the reconstructed outbuilding is clad in slate. Therefore, this condition is satisfied.

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

No plans or elevations to show the height of the structure have been submitted. However, it would appear to be below 4m in height.

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

The submitted cover letter states that the reconstructed structure is in use as a shed. No change of use of same has been identified in the submitted documentation.

Having regard to the above, it is considered that the reconstruction of an existing outbuilding (floor area 13.152m²), does not fall within the scope of Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and is therefore unauthorised development.

Article 9 Restrictions

In relation to the reconstruction of an existing rear element (floor area 45.374m²), carried out in 2024, this is not considered to be exempted development for the reasons set out above, and is therefore unauthorised development. In addition, for the reasons set out above, the reconstruction of an existing outbuilding (floor area 13.152m²) is also considered to be unauthorised development.

Therefore the proposed development is restricted by Section (1)(a)(viii) of Article 9 of the Planning and Development Regulations 2001 (as amended), which states that development to which article 6 relates shall not be exempted development for the purposes of the Act— (a) if the carrying out of such development would— (viii) 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

Development carried out on the site to date, namely the reconstruction of an existing outbuilding (floor area 13.152m²), carried out in 2023 and the reconstruction of an existing rear element (floor area 45.374m²), carried out in 2024, have been assessed under Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended and Section 4(1)(h) of the Planning and Development Act 2000, as amended, respectively, and do not come within the scope of same. This development is therefore considered to be unauthorised development.

In relation to the development proposal comprising the reconstruction of the 43.74m² front house element as a complete replica of the original structure, this is considered to be development and works and is considered to fall outside the limited scope of works permitted under Section 4(1)(h) of the Planning and Development Act 2000, as amended. The proposed development is further restricted by Article 9 (1)(a)(viii) which states that development to which article 6 relates shall not be exempted development if the carrying out of such development would consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure.


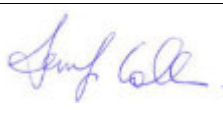
Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6, 9 & Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- (c) The plans & particulars submitted with the application received on the 10th of March 2026.

It is therefore considered that said works, comprising the reconstruction of an existing outbuilding (floor area 13.152m²), carried out in 2023, is development and is not exempted development under Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

It is also considered that said works, comprising the reconstruction of an existing rear element (floor area 45.374m²), carried out in 2024, is development and is not exempted development under Section 4(1)(h) of the Planning and Development Act 2000, as amended.

Having regard to the above, it is further considered that said works, comprising the reconstruction of the front house element (floor area 43.74m²) as a complete replica of the original structure, is development and is not exempted development under Section 4(1)(h) of the Planning and Development Act 2000, as amended.

Graduate Planner	Isaac Cunningham	Date:
Signature:		27/03/2026
Executive Planner	Jennifer Collins	Date:
Signature		01/04/2026

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-041-26
(e) Brief description of the project or plan:	The development proposal, comprising the reconstruction of the 43.74m ² front house element as a complete replica of the original structure.
(e) Brief description of site characteristics:	The site is located in the rural townland of Caherelly East. The application relates to an existing dwelling house with a 43.74m ² front element with an upper floor level attic area and a single storey 45.374m ² rear element, alongside a rear 13.152m ² outbuilding. This outbuilding was “reconstructed” in 2023, similarly the rear element was also “reconstructed” in 2024.
(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
Glen Bog SAC	https://www.npws.ie/protected-sites/sac/001430	6.355	None	N
Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/00216	7.443	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 	None. No direct encroachment or hydrological connection

<ul style="list-style-type: none"> - Access to site - Pests 	
Operation phase e.g. <ul style="list-style-type: none"> - Direct emission to air and water - Surface water runoff containing contaminant or sediment - Lighting disturbance - Noise/vibration - Changes to water/groundwater due to drainage or abstraction - Presence of people, vehicles and activities - Physical presence of structures (e.g collision risk) - Potential for accidents or incidents 	None. 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:	 Jennifer Collins, Executive Planner 01/04/2026	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-041-26
Development Summary:	The development proposal, comprising the reconstruction of the 43.74m ² front house element as a complete replica of the original structure.
Was a Screening Determination carried out under Section 176A-C?	<p style="text-align: right;">Yes. no further action required</p> <p><input checked="" type="checkbox"/> No Proceed to Part A</p>
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
Yes. specify class: [insert here] _	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _[specify class & threshold here]_	EIA is mandatory No Screening required
Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _	Proceed to Part C
c. If Yes , has Schedule 7A information/screening report been submitted?	
Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Signature and Date of Recommending Officer:	 Isaac Cunningham, Graduate Planner 27/03/2026
Signature and Date of the Decision Maker:	 Jennifer Collins, Executive Planner 01/04/2026



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Pleanáil, Oidhreacht agus Corn Ryder
Comhairle Cathrach agus Contae Luimnigh
Bóthar Thuar an Daill
Tuar an Daill
Luimneach. V94 WV78

Planning, Heritage and Ryder Cup
Limerick City and County Council
Dooradoyle Road
Dooradoyle
Limerick. V94 WV78

t: +353 (0) 61 556 000

PLANNING, HERITAGE AND RYDER CUP

REG POST:

**Tom Treacy,
Orlagh Lawn,
Knocklyon,
Dublin 16,
D16 N8P3**

EC/041/26

02 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/2026/363

File Ref No. EC/041/26

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

RE: **A full reconstruction of the front element of an existing house, which will comprise a complete replica of the original structure and reconstruction of an existing rear element and outbuilding at Caherrelly, Grange, Kilmallock, Co. Limerick.**

ORDER: Whereas by Director General's Order No. DG/2026/032 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 Jennifer Collins, 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 Nuala O'Connell, Senior Planner having considered the report and recommendation of Isaac Cunningham, Graduate Planner, dated 27/03/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Tom Treacy, Orlagh Lawn, Knocklyon, Dublin 1 to state that the works as described above is

Development and is NOT Exempt Development.

Signed

N O'Connell

SENIOR PLANNER, PLANNING, HERITAGE & RYDER CUP

Date

2/4/26



Comhairle Cathrach
& Contae Luimnigh
Limerick City
& County Council

Pleanáil, Oidhreacht agus Corn Ryder
Comhairle Cathrach agus Contae Luimnigh
Bóthar Thuar an Daill
Tuar an Daill
Luimneach. V94 WV78

Planning, Heritage and Ryder Cup
Limerick City and County Council
Dooradoyle Road
Dooradoyle
Limerick. V94 WV78

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SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/041/26

Name and Address of Applicant: Tom Treacy, Caherrelly, Grange, Kilmallock, Co. Limerick

Agent: N/A

Whether the full reconstruction of the front element of an existing house, which will comprise a complete replica of the original structure and reconstruction of an existing rear element and outbuilding at Caherrelly, Grange, Kilmallock, 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 24th day of February 2026.

AND WHEREAS the Planning Authority has concluded that the full reconstruction of the front element of an existing house, which will comprise a complete replica of the original structure and reconstruction of an existing rear element and outbuilding at Caherrelly, Grange, Kilmallock, Co. Limerick **DOES NOT** come within the scope of exempted development under Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended & Section 4(1)(h) of the Planning and Development Act 2000, as amended & Section 4(1)(h) of the Planning and Development Act 2000, as amended. See Report attached.

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is NOT Exempt Development.**

Signed on behalf of the said Council

Date:

2/04/2026

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.