



LIMERICK CITY & COUNTY COUNCIL

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: William Haire

Applicant's Address: 29 Ashleigh Woods

Monaleen, Castletroy

Co. Limerick

Telephone [REDACTED] _____

Name of Agent (if any): _____

Address: _____

Telephone No. _____

Address for Correspondence:

Location of Proposed development:

St. Jude's, ElPark Demense, Clarina, Co. Limerick, V94 D9K4

Description of Proposed development:

The proposed works are solely intended to facilitate the repair, conservation.

and structural stabilisation of the existing building, as outlined in the accompanying

report. Namley, the repair of deteriorated sections of the roof structure, replacement of defective structural timber and stabilise unsafe chimney masonry.

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:

Existing / Demolition Plan – CLARINA-KJA-AR-DR-1110

Existing / Demolition Elevations & Sections – CLARINA-KJA-AR-DR-2001

Section_5_Structural_Repair_Stabilisation_Report_St_Judes

251284-PUNCH-XX-XX-RP001-R0 Clarina Report 2026-02-12 nad Appendix B

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

If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent)



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.

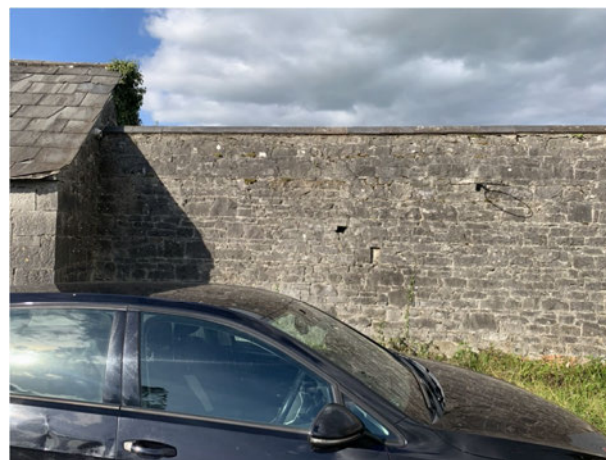
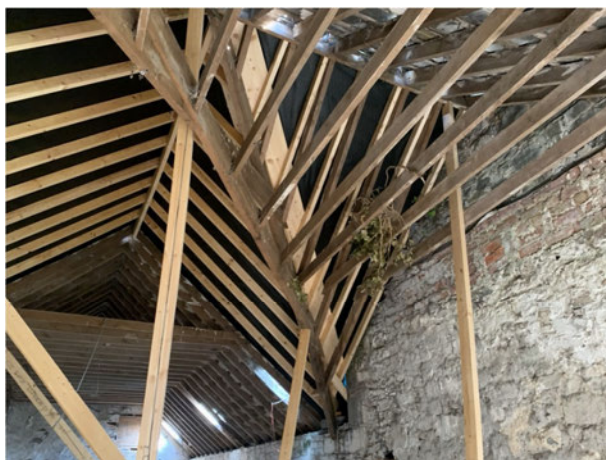
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Ref. No. _____

Date Received _____

Fee Received _____

Date Due _____

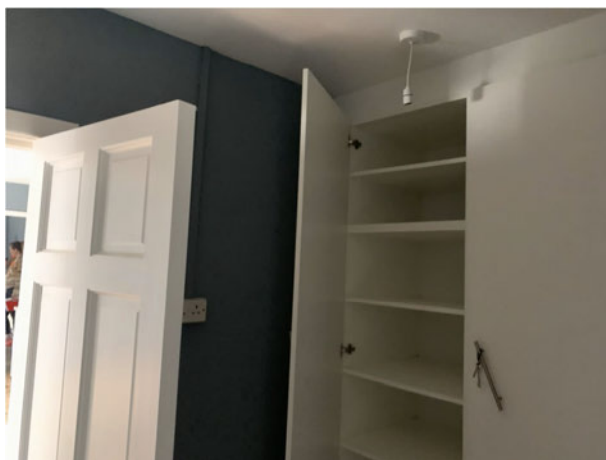
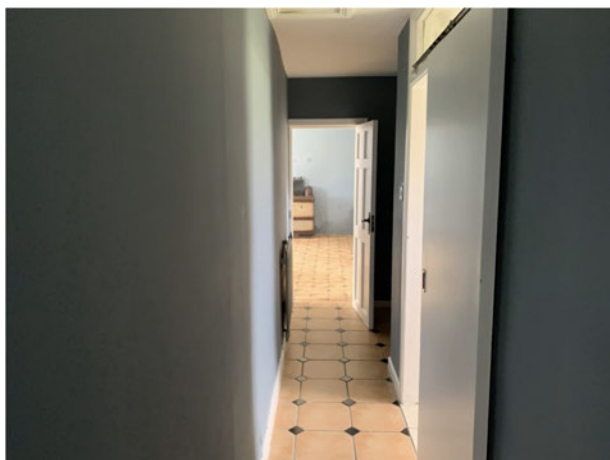
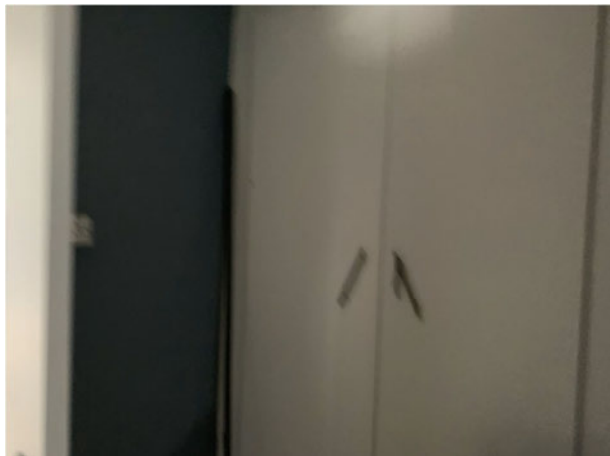


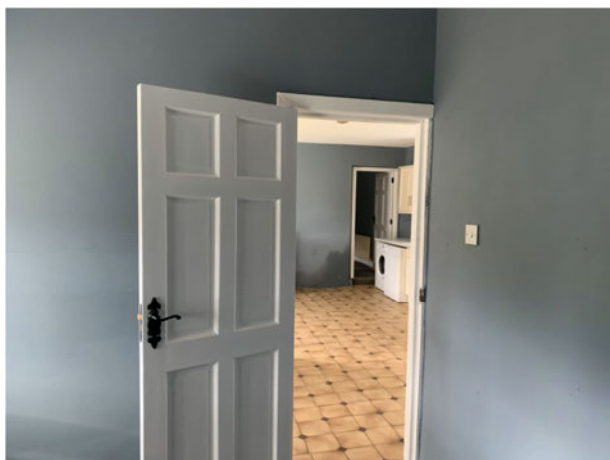






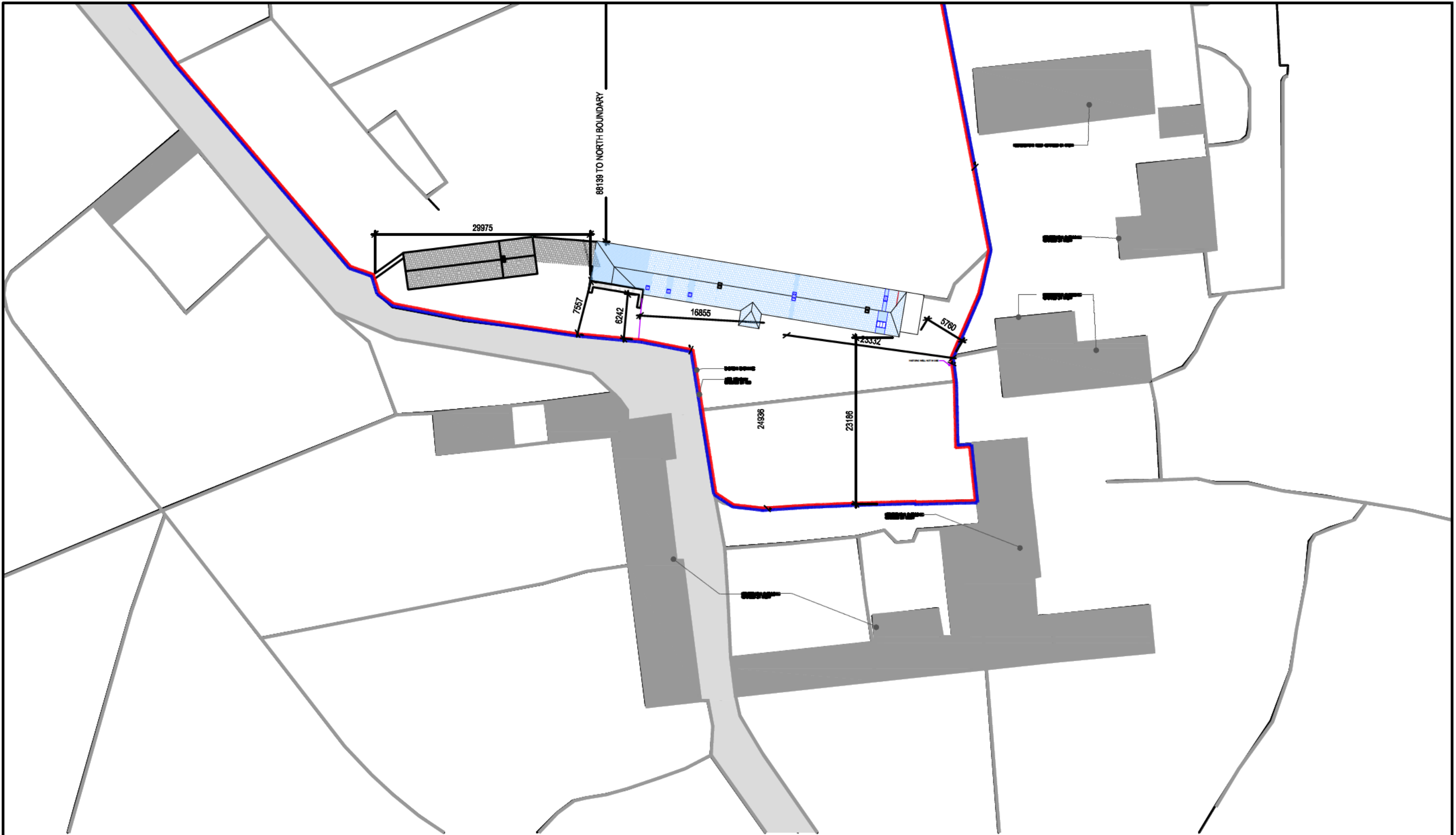








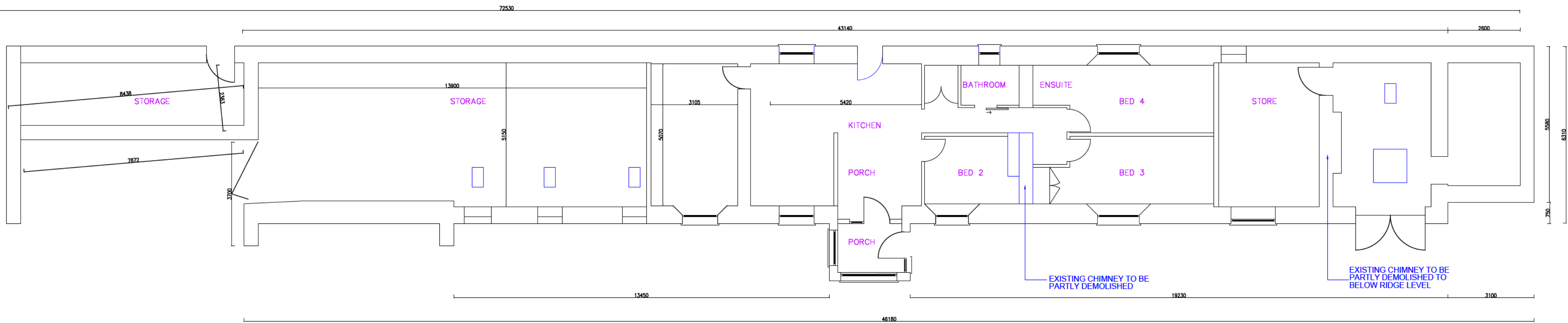




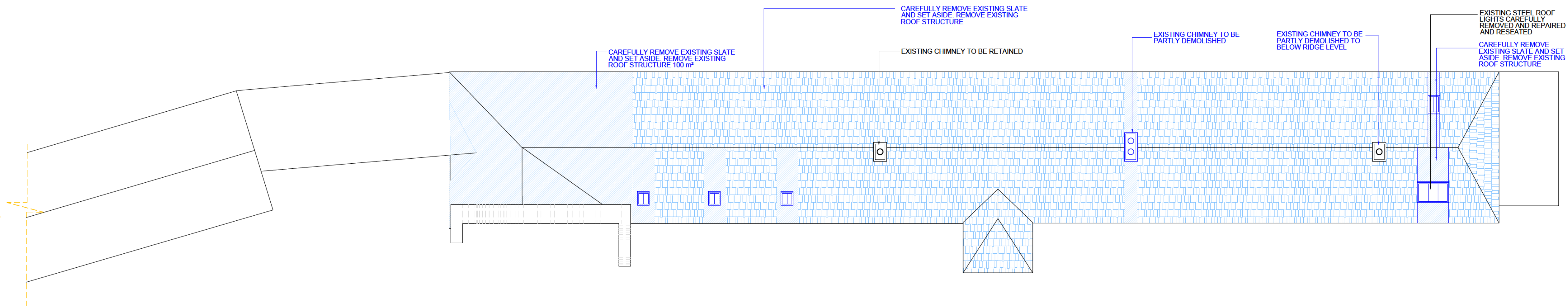
Site layout plan
Scale: 1:500

NOTES / LEGEND		REVISION	DATE	DESCRIPTION	BY
GENERAL NOTES: - DO NOT SCALE. USE PROVIDED DIMENSIONS ONLY. - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS. - ALL DIMENSIONS TO BE CHECKED ON SITE. - IN THE EVENT OF ANY DISCREPANCIES BETWEEN DRAWINGS THE CONTRACTOR IS TO DEFEND THE ARCHITECT UNCONDITIONALLY.	 Site Boundary Extent of Landownership Boundary SITE AREA: 1.15 HA 0 1:500 25m				

45 O'CONNOR STREET, PHILADELPHIA, VICTORIA 3181			
PROJECT: ST. JUDES, ELM PARK, CLARINA, LIMERICK V94D9K4			
DRAWING TITLE: SITE LAYOUT PLAN	DATE: JULY 2026	DRAWN BY: WH	CHECK BY: William Haire
SECTION 5	SCALE: A3 1:500	CHECK BY: WH	DRAWING NUMBER: CLARINA-KJA-AR-DR-1001
			REVISION: P01



01 DEMOLITION PLAN
SCALE 1:100



02 DEMOLITION ROOF PLAN
SCALE 1:100

NOTES / LEGEND

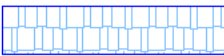
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© KEVIN JACKSON ARCHITECTS



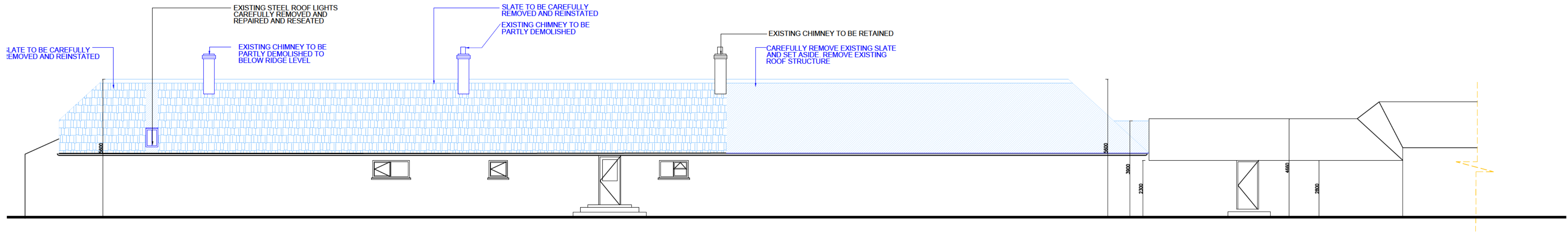
AREA OF ROOF TO BE STRIPPED, DEFECTIVE
RAFTERS REPLACED AND ROOF FULLY
RE-SLATED.



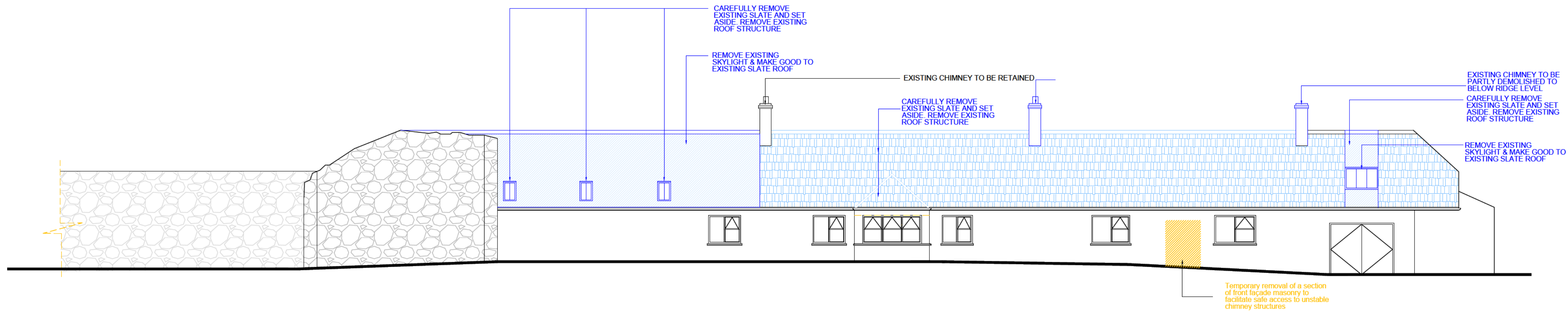
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RE-SLATED.

REVISION	DATE	DESCRIPTION	BY

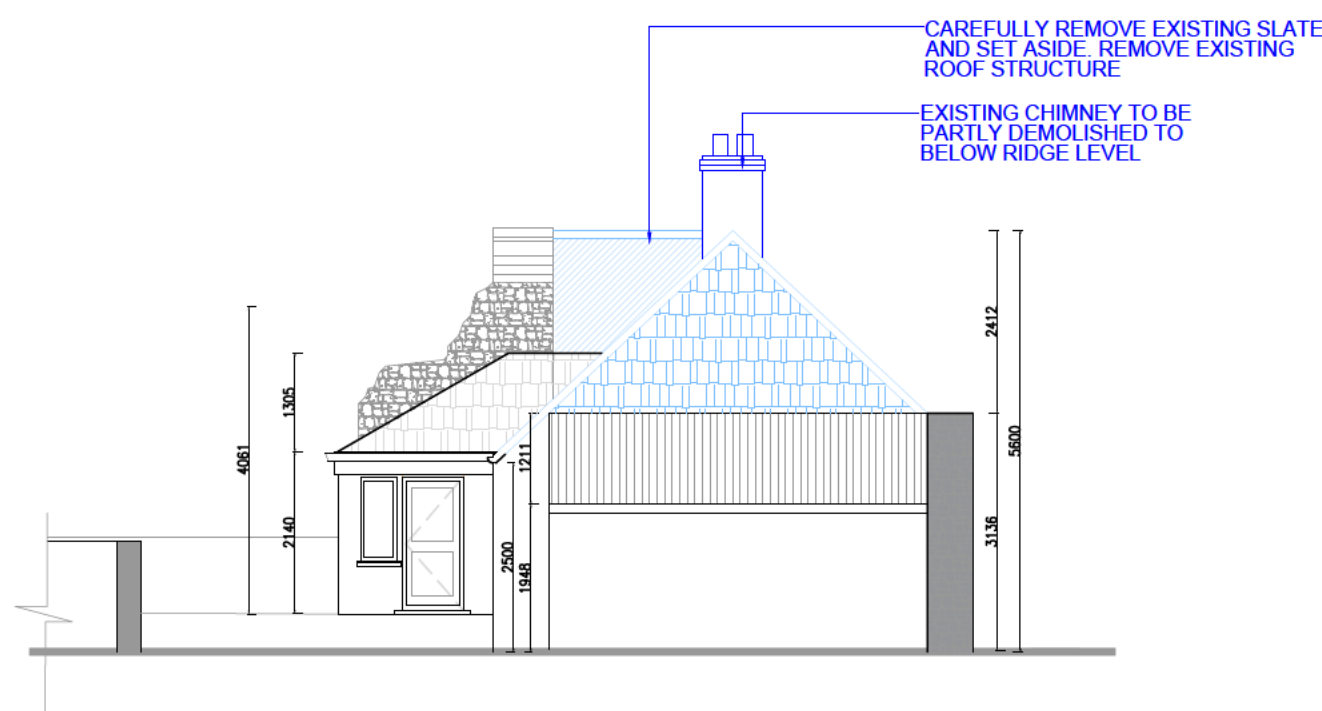
Kevin Jackson Architects			
45 O'CONNELL STREET	LIMERICK	IRELAND	V94 XE18
PROJECT St.Judes Elm Park Clarina Limerick V94D9K4			
DRAWN BY EXISTING / DEMOLITION PLAN	DATE MAR 2026	DRAWN BY WH	CHECKED BY WILLIAM HAIRE
SHEET SECTION 5	SCALE & A1 1:100 @ A1	CHECKED BY WH	DRAWING NUMBER CLARINA-KJA-AR-DR-1110
P01			



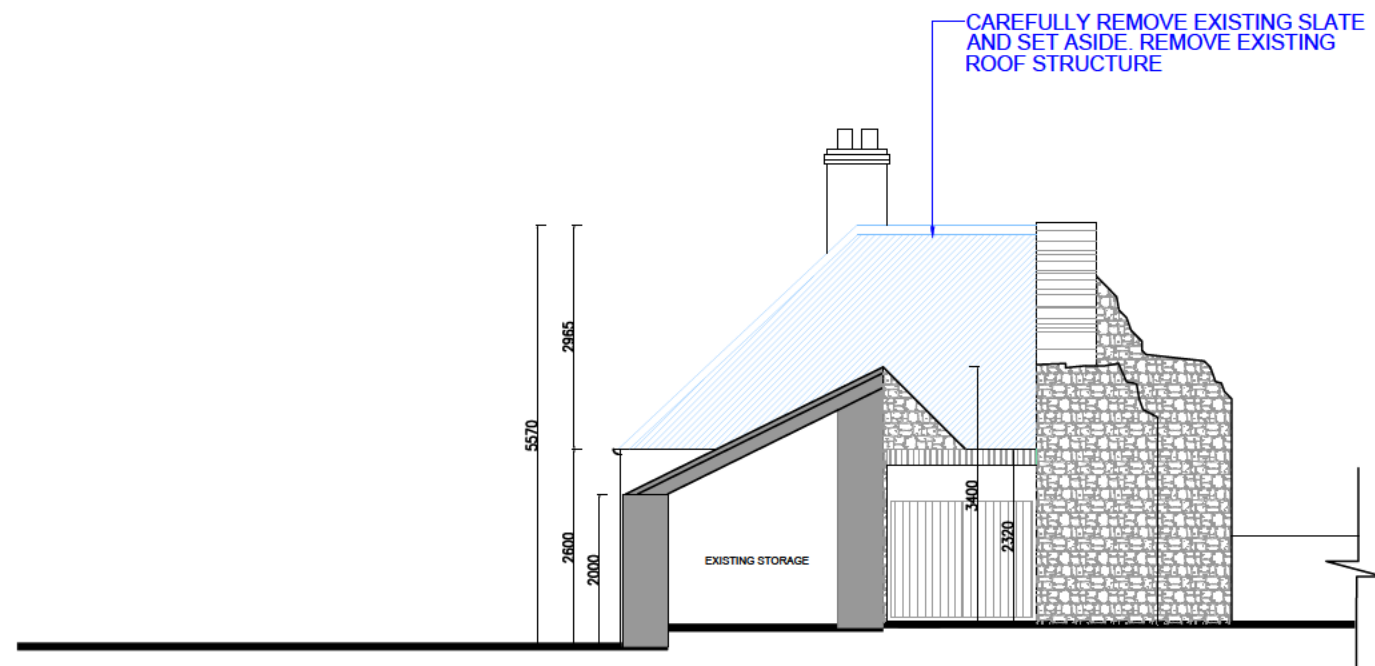
01 DEMO NORTH ELEVATION
SCALE 1:100



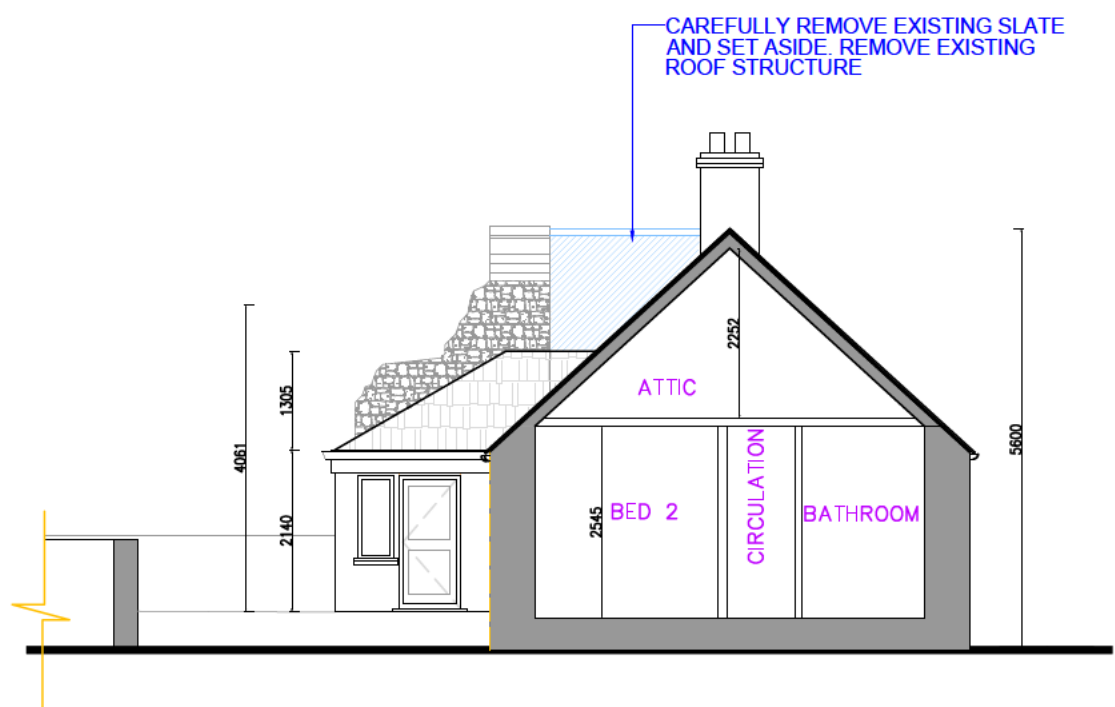
02 DEMO SOUTH ELEVATION
SCALE 1:100



03 DEMO WEST SECTIONAL ELEVATION
SCALE 1:100



04 DEMO EAST ELEVATION
SCALE 1:100



04 SECTION A/A
SCALE 1:100

NOTES / LEGEND

GENERAL NOTES:

- DO NOT SCALE. USE FIGURED DIMENSIONS ONLY.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS.
- ALL DIMENSIONS TO BE CHECKED ON SITE.
- IN THE EVENT OF ANY DISCREPANCIES BETWEEN DRAWINGS THE CONTRACTOR IS TO INFORM THE ARCHITECT IMMEDIATELY.

KEVIN JACKSON ARCHITECTS



AREA OF ROOF TO BE STRIPPED, DEFECTIVE RAFTERS REPLACED AND ROOF FULLY RE-SLATED.



AREA OF ROOF TO BE STRIPPED, ROOF FULLY RE-SLATED.

REVISION	DATE	DESCRIPTION	BY

Kevin Jackson Architects			
45 O'CONNELL STREET LIMERICK IRELAND V94 XE18 www.kja.ie info@kja.ie +353 61 51 31 71			
PROJECT St.Judes Elm Park Clarina Limerick V94D9K4			
DRAWING TITLE DEMOLITION ELEVATIONS	DATE MAR 2026	DRAWN BY BB	CLIENT WILLIAM HAIRE
STATUS SECTION 5	SCALE & AT 1:100 @ A1	CHECK BY WH	DRAWING NUMBER CLARINA-KJA-AR-DR-2001
			REVISION P01

STRUCTURAL REPAIR, STABILISATION AND CONSERVATION REPORT

In Support of a Section 5 Declaration

St. Jude's, Elm Park, Clarina, Co. Limerick, V94 D9K4

1.0 Introduction

This report has been prepared in support of an application under Section 5 of the Planning and Development Act 2000 (as amended), seeking a declaration that the proposed works constitute exempted development.

The report accompanies the following drawings:

- Existing / Demolition Plan – CLARINA-KJA-AR-DR-1110
- Existing / Demolition Elevations & Sections – CLARINA-KJA-AR-DR-2001
- Site layout plan- CLARINA-KJA-AR-DR-1001

Together with the Structural Report prepared by PUNCH Consulting Engineers dated 12 February 2026. The proposed works comprise essential structural repair, stabilisation and conservation measures required to preserve the existing dwelling and ensure its continued safe use.

2.0 Existing Building

St. Jude's is an existing historic single-storey dwelling comprising three interconnected building elements beneath one continuous roof structure. The building is of traditional masonry construction with a natural slate roof supported on a traditional timber cut roof.

Due to the age of the building, localised deterioration has occurred within sections of the roof structure and certain chimney stacks. While the majority of the building remains structurally sound, a number of elements now require repair and stabilisation to prevent further deterioration and ensure the long-term preservation of the building.

The accompanying Structural Report identifies that portions of the roof structure require permanent structural repair and confirms that the roof should be re-slatted following completion of these works. Temporary timber propping is currently supporting part of the existing roof pending permanent repair, rendering this section of the house unsafe. Additionally, the central chimney lintel rests on a small section of masonry, rendering it unsafe.



Existing Chimney requiring demolition / Stabilisation works

3.0 Purpose of the Proposed Works

The proposed works are solely intended to facilitate the repair, conservation and structural stabilisation of the existing building.

Objectives:

- Repair deteriorated sections of the roof structure.
- Replace defective structural timber where necessary.
- Stabilise unsafe chimney masonry.
- Preserve the existing historic building fabric.
- Prevent further deterioration.
- Ensure public safety.
- Secure the long-term structural integrity of the dwelling.

No extension, enlargement or redevelopment of the existing building forms part of these works.

4.0 Scope of Repair and Stabilisation Works

The accompanying drawings identify only those areas where temporary dismantling is necessary to facilitate structural repair works.

The proposed works comprise:

- Careful removal of existing natural slates from identified roof areas.
- Storage and retention of reusable natural slates for reinstatement.
- Careful dismantling of deteriorated roof timbers where structural repair is required.
- Replacement of defective rafters on a like-for-like basis where necessary.
- Reinstatement of the roof using salvaged natural slates supplemented by matching replacement slates where required.
- Careful removal, repair and reinstatement of existing steel rooflights.
- Making good around existing rooflight openings.
- Reduction of unstable chimney stacks to below ridge level where structurally necessary.
- Retention of all structurally sound chimney stacks.
- Temporary removal of a limited section of front façade masonry solely to facilitate safe access for chimney stabilisation works, with full reinstatement following completion.



Existing roof requiring propping



Existing roof require propping

5.0 Structural Justification

The proposed works are supported by the Structural Report prepared by PUNCH Consulting Engineers.

Permanent structural intervention is required to sections of the roof structure, particularly within Building 2, where temporary timber supports are currently in place; because the entire roof is connected in a contiguous manner, failure of these temporarily propped, at-risk areas could compromise the integrity of the roof as a whole, making their repair a matter of pressing importance. The report accordingly recommends that the roof be fully re-slatted following completion of the structural repairs, with further inspection of the roof timbers to be undertaken once the existing roof covering has been carefully removed.

The reduction of selected chimney stacks is required to remove unstable masonry and eliminate a potential safety hazard while retaining those chimney structures that remain structurally sound.

The proposed works therefore represent the minimum level of intervention necessary to safeguard the existing building.

6.0 Conservation Approach

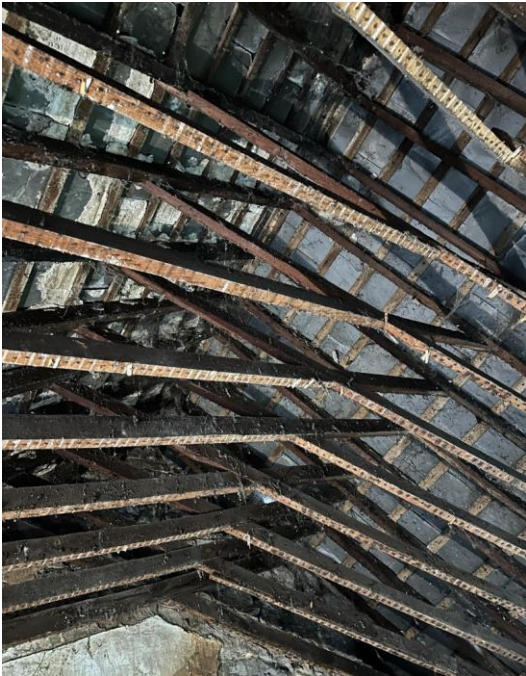
The repair strategy follows established conservation principles by retaining as much of the original building fabric as reasonably practicable.

Existing natural slates will be carefully removed, stored and reinstated wherever suitable.

Only those structural timber members identified as defective will be replaced on a like-for-like basis.

The roof form, ridge height, pitch, external appearance and traditional character of the building will remain unchanged following completion of the works.

The proposed reduction of selected chimney stacks represents the minimum intervention necessary to ensure structural safety and prevent further deterioration of the existing masonry.



Roof requiring new breathable membrane new re-slating and new batons.



Section of the existing roof requiring new rafters and re-slating

7.0 Planning Assessment

The proposed works comprise repair, maintenance, conservation and structural stabilisation of an existing dwelling.

The works:

- Do not increase the floor area.
- Do not alter the footprint of the building.
- Do not alter the ridge height or roof profile.
- Do not introduce additional accommodation.
- Do not materially alter the external character or appearance of the dwelling.

The works are undertaken solely to preserve the existing structure, remove unsafe elements and facilitate essential structural repairs.

8.0 Conclusion

The proposed works represent essential structural repair, conservation and stabilisation measures required to preserve the existing dwelling and ensure its continued safe occupation.

The works are limited to:

- Careful dismantling of selected roof coverings.
- Replacement of defective structural timber.
- Reinstatement of the natural slate roof.
- Repair and reinstatement of existing rooflights.
- Reduction of unstable chimney stacks to a safe level.
- Associated temporary works required to safely undertake these repairs.

The proposals preserve the existing building, maintain its traditional appearance and involve only the minimum intervention necessary to address structural defects identified by the appointed Structural Engineer.

Accordingly, the proposed works are considered to constitute repair, maintenance and structural stabilisation works to an existing building and are submitted in support of the accompanying application for a Section 5 Declaration.

**Saint Jude's, Elmpark, Clarina, Co.
Limerick, V94D9K4**

Structural Report

12th February 2026



Document Control

Document Number: 251284-PUNCH-XX-XX-RP001-R0

Revision	Description	Date	Prepared	Checked	Approved
R0	Initial Report	10/11/2025	K. Mullery	K. Mullery	K. Mullery
R1					

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1 Introduction

1.1 The Property

PUNCH Consulting Engineers were appointed by Mr William Haire to carry out a structural inspection of a bungalow located at Saint Jude's, Elmpark, Clarina, Co. Limerick, V94D9K4.

A structural inspection of the property was carried out by Kevin Mullery, Chartered Engineer, on the 25th September 2025.

The purpose of this report is to summarise the structural condition of the property and comment on matters arising from the inspection. The nature of the inspection was visual, walk through. No opening up was carried out. This is a Type 1 inspection.

The report does not address mechanical and electrical issues, nor does it address legal issues, though some of these issues may be highlighted for further examination.

1.2 Location

The building is located to the south west of Clarina Village Co Limerick.

Locations are here: [V94 D9K4 - Google Maps](#)

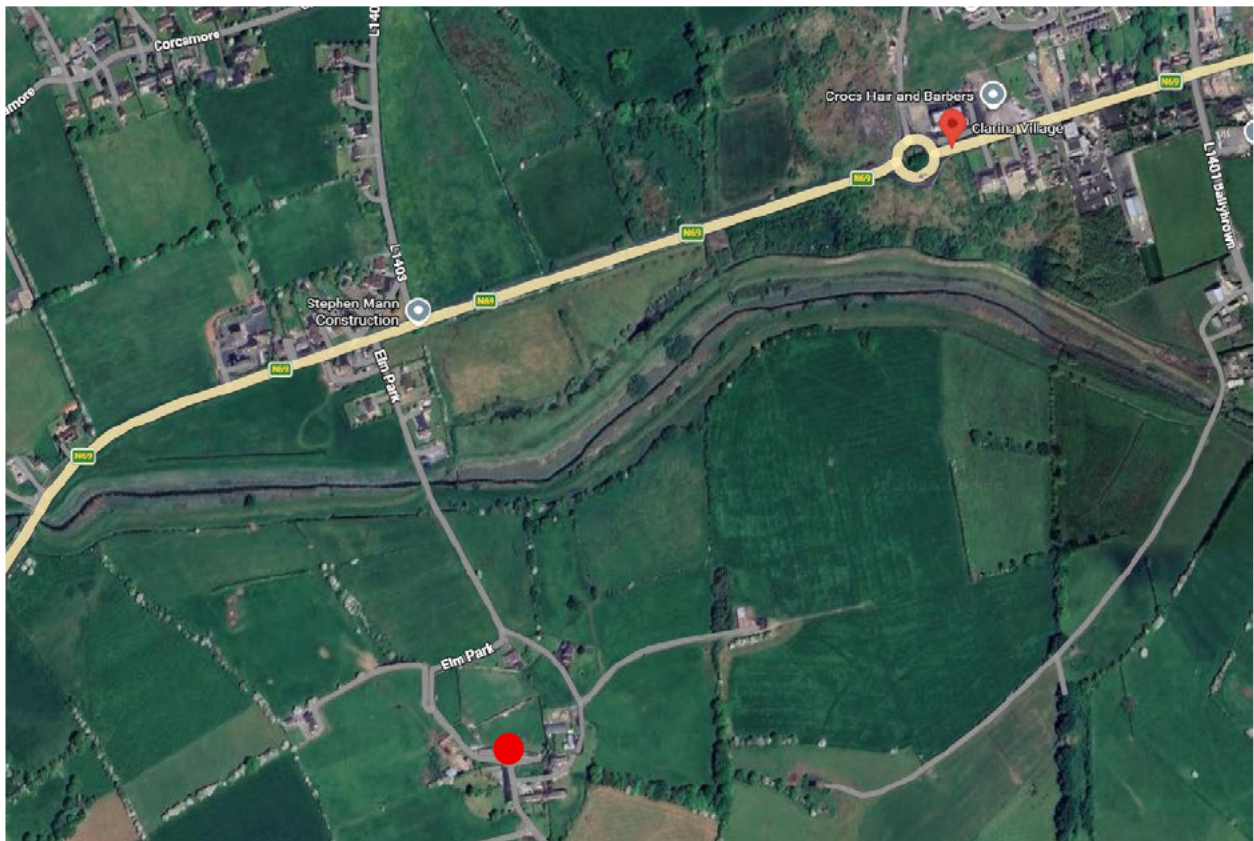


Figure 1-1: Site Location



Figure 1-2: Site Location (Large Site)

The bungalow is located in the southern part of a large site. The majority of the green area to the north of the building in Fig 1-2 above appears to be part of the site.

2 Building Description

2.1 Introduction

The property is a detached, single storey bungalow private dwelling, however it is broken up into three distinct structures.

Building 1: The central main living accommodation is generally in good structural condition.

Building 2: This is vacant, with work required to roof structure but which offers conversion opportunities.

Building 3: This appears to be a store room, requires cosmetic work, but is generally in good structural condition.



Figure 2-1: Three Building Elements

2.2 Living Accommodation - Building 1



Figure 2-2: Front Entrance

The central living accommodation is accessed from the front through a side door in the entrance porch with direct access to the kitchen / dining room with access to the living room to the left and hallway to bedrooms to the right.

Roof

The bungalow is a long narrow building with the roof structure spanning from front to rear walls.

We understand there are plans to re-slate the existing roof at which point a more thorough inspection of the existing timber structure should be undertaken.

The roof space was not accessible on the day of inspection, however the condition of the building is dry with the roof in generally good structural condition.

Walls

There are no major structural cracks present in the visible structure. There are minor cosmetic cracks visible however these are of no concern.

The walls are plastered but appear to be a solid wall construction of varying thicknesses and masonry elements - a mix of stone and brick. The walls are solid and in good structural condition.

No dampness was visible at high level.

Ground Floor

The ground floor slab of the house is concrete.

There is evidence of rising damp between the kitchen and living room wall to the left of the entrance. This should be investigated further with a programme of repair identified and undertaken. It is isolated to one area based on the visual inspection.

Windows

Windows on each side of the property were examined. No defects were witnessed.

Services

Services were not inspected or tested.

2.3 Building 2 - Vacant Shed

This is a vacant building, with strong structurally sound walls, however repairs are required to roof structure, but the building offers opportunities to convert into additional living accommodation.



Figure 2-3: Building 2 Solid Walls

Roof

This is a long narrow building with the roof structure spanning from front to rear walls.

The timber cut roof requires structural work to convert the building into a liveable space. There are a number of temporary timber props on the western end which will need to be addressed before the space is usable.

The roof needs to be re-slatted once structural works are completed.



Figure 2-4: Building 2 Roof

Walls

There are no major structural cracks present in the visible structure. There are minor cosmetic cracks visible however these are of no concern.

The walls are predominantly stone but contain a mix of stone and brick.

The walls are solid and in good structural condition and form a good basis to augment the structure of the roof in a future conversion.

Ground Floor

The ground floor is stone.

Services

The building is not serviced.

2.4 Building 3 - Vacant Extension

This is vacant building, with strong structurally sound walls, however repairs are required to the head of the entrance door and other masonry repairs, plastering and painting are required generally.



Figure 2-5: Building 3 Internal Finishes in need of repair

Roof

The building is an extension of the bungalow and is a long narrow building with the roof structure spanning from front to rear walls. As above, we understand there are plans to re-slate the existing roof at which point a more thorough inspection of the existing timber structure should be undertaken.

The roof space was not accessible on the day of inspection, however the condition of the building is dry with the roof in generally good structural condition. Rooflights are in need of some repair and further inspection of the roof is recommended.

Walls

There are no major structural cracks present apart from the head of the entrance door.



Figure 2-6: Building 3 Repair of Door Head Required

There are minor cosmetic cracks visible however these are of no concern.

The walls are plastered but appear to be a solid wall construction of varying thicknesses and masonry elements - a mix of stone and brick. The walls are solid and in good structural condition.

No dampness was visible, though there is evidence of isolated historic dampness in one room.

Ground Floor

The ground floor slab of the building is concrete.

Services

Services were not inspected or tested.

2.5 Large Site - Sheds & External Walls

This is a very large site with a number of sheds, outhouses and free standing walls.

The walls appear structurally stable, however a full structural survey is recommended for a site this large. The timing of the survey is not critical at this time.



Figure 2-6: External Walls

3 Conclusion

The property appears to be structurally sound and in good structural condition.

The roof in Building 2 requires further structural work, but offers good opportunity for conversion.

A property this old requires ongoing maintenance which is normal and not a major concern.

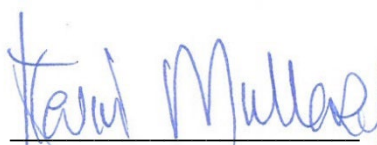
The inspection was walk-through and no opening up was done.

4 Scope

We have not inspected woodwork or other parts of the structure which are covered, unexposed or inaccessible and we are therefore unable to report that any such part of the property is free from defect.

5 Scope of Inspection RA 9101

This report is provided in accordance with the standard EI/ACEI Conditions of Engagement Agreement RA 9101 (copy of which will be made available if requested).

A handwritten signature in blue ink, reading "Kevin Mullery".

Kevin Mullery
Chartered Engineer | BE CEng MIEI
Director | PUNCH Consulting Engineers

Appendix A - Disclaimer

1. This report is based on a visual inspection only. All visible elements of the property were inspected from ground level only. No measurements were carried out.
2. No form of opening up works and/or uncovering or exposing of any surfaces was undertaken and therefore, we are unable to report that such parts are free from defect.
3. No testing of drains was carried out.
4. This report and its contents were prepared and are intended solely for use by the named client and should not be used or relied upon wholly or partly by any third party without the prior written consent and approval of the report writer.
5. The report is solely based on the condition of the property at the time of the inspection and therefore, no liability is accepted for any deterioration or otherwise, of the property thereafter.
6. The condition of the electrics, heating and plumbing and other non-structural items are outside the scope of this report and any reference made to them is by way of observation and good practice.
7. This report does not address asbestos or other deleterious materials deemed to be hazardous / prohibited & their presence or otherwise cannot be confirmed. Similarly, the blockwork, concrete or sub-floor hardcore were not tested for the presence of Mica or Pyrite and their presence or otherwise cannot be confirmed.
8. The report does not address any items whatsoever with regard to planning permission, compliance with Building Regulations, site boundary conditions, legal maps and/or rights of way and therefore, is deemed to be outside the scope of this report.
9. The report does not address any past or future implications to the property with regard to flood risk due to rainfall events or the proximity of the property to natural features and therefore, is deemed to be outside this scope. Where a flood record is included it is based on information provided by the OPW on floodmaps.ie. This record may not be exhaustive and is not a Flood Risk Assessment. It is included for information only. If a Flood Risk Assessment is required it should be carried out by a suitably qualified person.

Appendix B

(Images)



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

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

File Reference number	EC-118-26
Applicant	William Haire
Location	St. Jude's, Elm Park, Clarina, Co. Limerick, V94 D9K4

1.0 Description of Site and Surroundings:

The site comprises a historic single-storey dwelling comprising three interconnected building elements beneath a continuous roof structure, located within the townland of Elmpark Demesne. A number of ancillary sheds, outbuildings and freestanding walls are also located on the site. The building is of traditional masonry construction with a natural slate roof supported on a traditional timber cut roof. The site is accessible off the N69, approximately 1km from Clarina Village. The dwelling is not a Protected Structure nor is it on the Record of Protected Structures for County Limerick.

2.0 Proposal:

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

The proposed works are solely intended to facilitate the repair, conservation and structural stabilisation of the existing building as outlined in the accompanying report, namely, comprising the removal of portions of the existing slate roof, the repair of deteriorated sections of the roof structure, replacement of defective structural timber, stabilisation of unsafe chimney masonry and the reduction of unstable chimney stacks below ridge level of the slated roof.

It is considered that the proposal should be assessed under the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) to determine whether it qualifies as exempted development.

This Section 5 declaration includes the following:

- Structural Report
- Site location
- Elevations
- Floor plans

- Demolition Plans
- Copy (Revolut) Transfer of Application Fee

3.0 Planning History:

Subject site:

26/60474 - Further Information - a single-storey extension (c. 72m²) to an existing outbuilding within the curtilage of the dwelling to provide habitable accommodation as part of the main dwelling; demolition of existing porch and construction of a new porch; partial demolition and alteration of the existing roof structure, including replacement of part of the existing slate roof with a metal roof finish; reopening of existing opes; installation of rooflights; and all associated site work.

Adjacent:

25/60512 - Conditional Permission - the construction of an agricultural livestock shed with slatted tank and all ancillary works.

20/236 - Conditional Permission - the construction of an agricultural livestock unit, retention permission for and existing haybarn and all associated site works.

11/ 297 – The refurbishment and extension of dwelling house with the installation of a septic tank and Bord na Móna puraflo system.

10/1165 - Withdrawn - The refurbishment and extension of dwelling house with the installation of a septic tank and Bord na Mona puraflo system.

3.1 Enforcement History

N/A

4.0 Relevant An Coimisiún Pleanála referrals

N/A

5.0 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).

5.1 Is the proposal development?

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

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

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

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

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

The proposed works on site, comprising the removal of portions of the existing slate roof, repair of deteriorated sections of the roof structure, replacement of defective structural timber, stabilisation of unsafe chimney masonry and the reduction of unstable chimney stacks below ridge level of the slated roof, constitutes ‘works’ and ‘development’.

5.2 Is the proposal exempted development?

It is considered that the proposed works comprise repair, maintenance and structural stabilisation works to the existing dwelling and are covered by Section 4(1)(h) of the Planning and Development Act 2000 (as amended), being works for the maintenance, improvement or other alteration of a structure 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.

The scope of works comprises the removal of portions of the existing slate roof, repair of deteriorated sections of the roof structure, replacement of defective structural timber, stabilisation of unsafe chimney masonry and the reduction of unstable chimney stacks below ridge level. The proposed works are limited to the repair and stabilisation of the existing building and do not involve any increase in floor area, alteration to footprint, alteration to ridge height, or introduction of additional accommodation. Accordingly, the proposed works are considered to fall within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended)

The proposed works include the partial removal of existing chimney stacks below ridge level. It is noted that Class 2A of the Planning and Development (Exempted Development (Act of 2000)) (No. 6) Regulations 2026 provides an exemption for the removal of a chimney from a house, subject to specified conditions.

1. No chimney shall be removed where it forms part of a joint chimney stack with a separate dwelling house.
2. Roof finishes shall be the same as the existing roof.
3. This exemption is subject to compliance with Section 22 (protection of nests of wild birds) and Section 23 (breeding or resting places of protected wild animals including bats) of the Wildlife Act 1976, as amended.

In this regard, the proposed chimney works are considered consistent with scope of the provisions set out⁶ under Class 2A.

6.0 Article 9 Restrictions

The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended). The subject dwelling is not a Protected Structure, is not included on the Record of Protected Structures for County Limerick, is not located within an Architectural Conservation Area and is not identified as a Recorded Monument or archaeological monument.

Please fill in table below and insert in report is any of the Article 9 restrictions apply:

Article 9(1) 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—	N/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,	N/A
(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,	N/A
(iii) endanger public safety by reason of traffic hazard or obstruction of road users,	N/A
(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,	N/A
(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or,	N/A

pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,	
(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,	N/A
(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,	N/A
(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,	N/A
(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance	N/A

with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,	
(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,	N/A
(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.	N/A
(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,	N/A
(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,	N/A
(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,	N/A
(xi) obstruct any public right of way,	N/A

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area,	N/A
(b) in an area to which a special amenity area order relates, if such development would be development:—	N/A
(i) of class 1, 3, 11, 16, 21, 22, 27, 28, 29, 31, (other than paragraph (a) thereof), 33 (c) (including the laying out and use of land for golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), 39, 44 or 50(a) specified in column 1 of Part 1 of Schedule 2, or	N/A
(ii) consisting of the use of a structure or other land for the exhibition of advertisements of class 1, 4, 6, 11, 16 or 17 specified in column 1 of Part 2 of the said Schedule or the erection of an advertisement structure for the exhibition of any advertisement of any of the said classes, or	N/A
(iii) of class 3, 5, 6, 7, 8, 9, 10, 11, 12 or 13 specified in column 1 of Part 3 of the said Schedule, or	N/A
(iv) of any class of Parts 1, 2 or 3 of Schedule 2 not referred to in subparagraphs (i), (ii) and (iii) where it is stated in the order made under section 202 of the Act that such development shall be prevented or limited,	N/A
(c) if it is development to which Part 10 applies, unless the development is required by or under any statutory provision (other than the Act or these Regulations) to comply with procedures for the purpose of giving effect to the Council Directive,	N/A

(d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.	N/A
Article 9(2) Sub-article (1)(a)(vi) shall not apply where the development consists of the construction by any electricity undertaking of an overhead line or cable not exceeding 100 metres in length for the purpose of conducting electricity from a distribution or transmission line to any premises.	N/A
Article 9 (3) For the avoidance of doubt, sub-article (1)(a)(vii) shall not apply to any operation or activity in respect of which a Minister of the Government has granted consent or approval in accordance with the requirements of regulation 31 of the Habitats Regulations 1997, and where regulation 31(5) does not apply.	N/A

7.0 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.

8.0 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.

9.0 Conclusion

Having regard to: (a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended);

- (b) the plans and particulars submitted with the application; and
- (c) the Structural Report prepared by PUNCH Consulting Engineers,

it is considered that the proposed works comprising the removal of portions of the existing slate roof, repair of deteriorated sections of the roof structure, replacement of defective

structural timber, stabilisation of unsafe chimney masonry and reduction of unstable chimney stacks below ridge level constitute development under Sections 2 and 3 of the Planning and Development Act 2000 (as amended).

It is also noted that Class 2A of the Planning and Development (Exempted Development (Act of 2000)) (No. 6) Regulations 2026 provides an exemption for the removal of a chimney from a house, subject to the following conditions

1. No chimney shall be removed where it forms part of a joint chimney stack with a separate dwelling house.
2. Roof finishes shall be the same as the existing roof.
3. This exemption is subject to compliance with Section 22 (protection of nests of wild birds) and Section 23 (breeding or resting places of protected wild animals including bats) of the Wildlife Act 1976, as amended.

In this regard, the proposed works, including the partial removal of chimney stacks below ridge level is considered within the scope of development considered under Class 2A.

It is therefore considered that the proposed works comprise repair, maintenance and structural stabilisation works to an existing dwelling and fall under the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended). Accordingly, the proposed works constitute development and exempted development.

Student Planner;	Úna Walsh	Date: 05/08/2026
Signature:		
Senior Executive Planner	Gráinne O'Keeffe	Date:05/08/2026
Signature		

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-118-26
(e) Brief description of the project or plan:	The proposed works are solely intended to facilitate the repair, conservation and structural stabilisation of the existing building as outlined in the accompanying report, namely, comprising the removal of portions of the existing slate roof, the repair of deteriorated sections of the roof structure, replacement of defective structural timber, stabilisation of unsafe chimney masonry and the reduction of unstable chimney stacks below ridge level of the slated roof.
(e) Brief description of site characteristics:	The site comprises a historic single-storey dwelling comprising three interconnected building elements beneath a continuous roof structure, located within the townland of Elmpark Demesne. A number of ancillary sheds, outbuildings and freestanding walls are also located on the site. The building is of traditional masonry construction with a natural slate roof supported on a traditional timber cut roof. The site is accessible off the N69, approximately 1km from Clarina Village. The dwelling is not a Protected Structure nor is it on the Record of Protected Structures for County Limerick.
(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
002165-Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Approx. 1.6km	None	N
004077-River Shannon and River Fergus Estuaries SPA	https://www.npws.ie/protected-sites/sac/004077	Approx. 1.9km	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. - 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. - 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
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(a) Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: - 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 ' <i>mitigation</i> ' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)	
☐ Yes	☒ No

STEP 4: Screening Determination Statement		
The assessment of significance of effects: Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives		
On the basis of the information submitted, which is considered adequate to undertake a screening determination and having regard to: • the nature and scale of the proposed development, • the intervening land uses and distance from European sites, • the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.		
Conclusion: An appropriate assessment is not required.		
	Tick as appropriate:	Recommendation:

(iii) It is clear that there is no likelihood of significant effects on a European Site	☒	The proposal can be screened out: Appropriate Assessment not required.
(iii) It is uncertain whether the proposal will have a significant effect on a European Site	☐	☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission
(iii) Significant effects are likely	☐	☐ Request NIS ☐ Refuse planning permission
Signature and Date of Recommending Officer:	 05/08/2026	
Signature and Date of the Decision Maker:	 05/08/2026	

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:	 05/08/2025
Signature and Date of the Decision Maker:	 05/08/2026

Appendix 3: Site visit XX/XX/2025

----> insert site visit photos here

- 1.
- 2.



Comhairle Cathrach
& Contae **Luimnigh**

**Limerick City
& County Council**

An Roinn Pleanála
Comhairle Cathrach agus Contae Luimnigh
Bóthar Thuar an Daill
Thuar an Daill
Luimneach
V94 WV78

Planning Department
Limerick City & County Council
Dooradoyle Road
Dooradoyle
Limerick
V94 WV78

t: 061 556 000

REG POST:

EC/118/26

05/08/2026

**William Haire
29 Ashleigh Woods
Monaleen
Castletroy
Co. Limerick**

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.

Please quote your planning reference number on all correspondence EC/118/26.

Yours sincerely,

**(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/ 979

File Ref No. EC/118/26

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

RE: **The repair, conservation and structural stabilisation of the existing building as outlined in the accompanying report, namely, comprising the removal of portions of the existing slate roof, the repair of deteriorated sections of the roof structure, replacement of defective structural timber, stabilisation of unsafe chimney masonry and the reduction of unstable chimney stacks below ridge level of the slated roof at St. Jude's, Elm Park, Clarina, Co. Limerick, V94 D9K4**

ORDER: Whereas by Director General's Order No. DG/2026/058 dated 25th of May, 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.

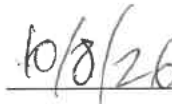
 Now therefore pursuant to the delegation of the functions aforesaid, I, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Una Walsh, Student Planner dated 05/08/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to William Haire, 29 Ashleigh Woods, Monaleen, Castletroy, Co. Limerick to state that the works as described above is **Development and is Exempt Development.**

Signed



SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date





Comhairle Cathrach
& Contae Luimnigh
**Limerick City
& County Council**

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Bóthar Thuar an Daill
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t: 061 556 000

PLANNING & DEVELOPMENT ACTS 2000 (as amended)

PLANNING & DEVELOPMENT REGULATIONS, 2001 (as amended)

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/118/26

Name and Address of Applicant: William Haire, 29 Ashleigh Woods, Monaleen, Castletroy, Co. Limerick

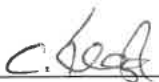
Agent: N/A

Whether the repair, conservation and structural stabilisation of the existing building as outlined in the accompanying report, namely, comprising the removal of portions of the existing slate roof, the repair of deteriorated sections of the roof structure, replacement of defective structural timber, stabilisation of unsafe chimney masonry and the reduction of unstable chimney stacks below ridge level of the slated roof at St. Jude's, Elm Park, Clarina, Co. Limerick, V94 D9K4 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 9th July 2026.

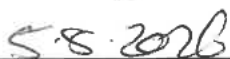
AND WHEREAS the Planning Authority has concluded that the repair, conservation and structural stabilisation of the existing building as outlined in the accompanying report, namely, comprising the removal of portions of the existing slate roof, the repair of deteriorated sections of the roof structure, replacement of defective structural timber, stabilisation of unsafe chimney masonry and the reduction of unstable chimney stacks below ridge level of the slated roof at St. Jude's, Elm Park, Clarina, Co. Limerick, V94 D9K4 **DOES** come within the scope of exempted development as defined under the scope of 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 Exempt Development**.

Signed on behalf of the said Council



Date:



NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.