

NEW APPLICATION
EC/090/26.

F7

Limerick City & County
Council

20 JUL 2026

Planning

LIMERICK CITY & COUNTY COUNCIL

COMHAIRLE
CATHRACH & CONTAE
Luimnigh
Limerick
CITY & COUNTY
COUNCIL

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

STEPHEN + MARIE WATSON

Applicant's Address:

BALLYROE LOWER

KILFINANE COUNTY LIMERICK

V 35 XW 65

Telephone No.

Name of Agent (if any):

Address:

Telephone No. _____

Address for Correspondence:

SAME AS ABOVE

Location of Proposed development:

CHAPEL ST KILFINANE

COUNTY LIMERICK

V35K 152

Description of Proposed development:

REMOVAL OF A SHED WHOSE ROOF HAS
COLLAPSED. REMOVAL OF AN INTERNAL
RETAINING WALL THAT HAS COLLAPSED.

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:

2x LAND REGISTRY COMPLIANT MAPS

2x SITE LAYOUT MAPS

2x SURVEYS OF DWELLING HOUSE

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.

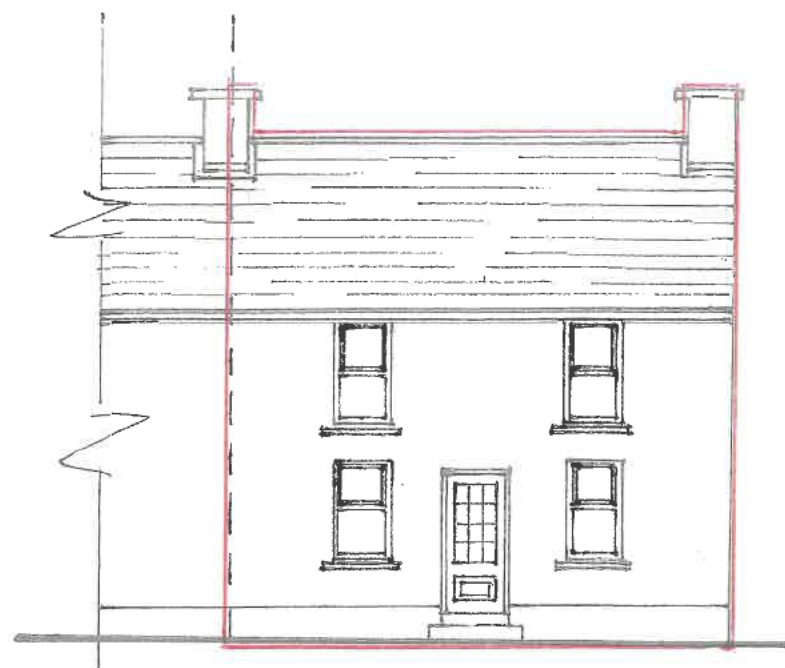
Application to be forwarded to:

Limerick City & County Council,
Planning and Environmental Services,
City & County Council Offices,
Dooradoyle Road,
Limerick.

OFFICE USE ONLY

Ref. No. _____ Date Received _____

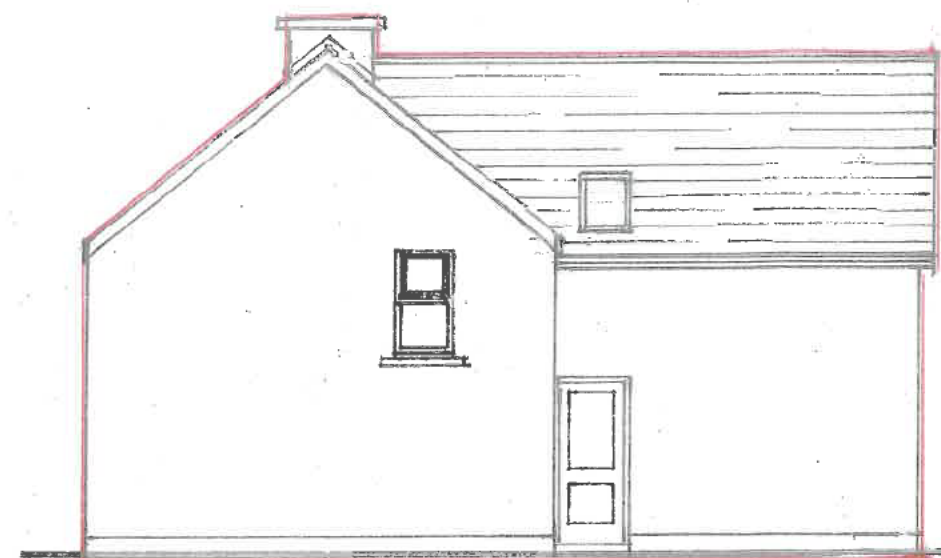
Fee Received _____ Date Due _____



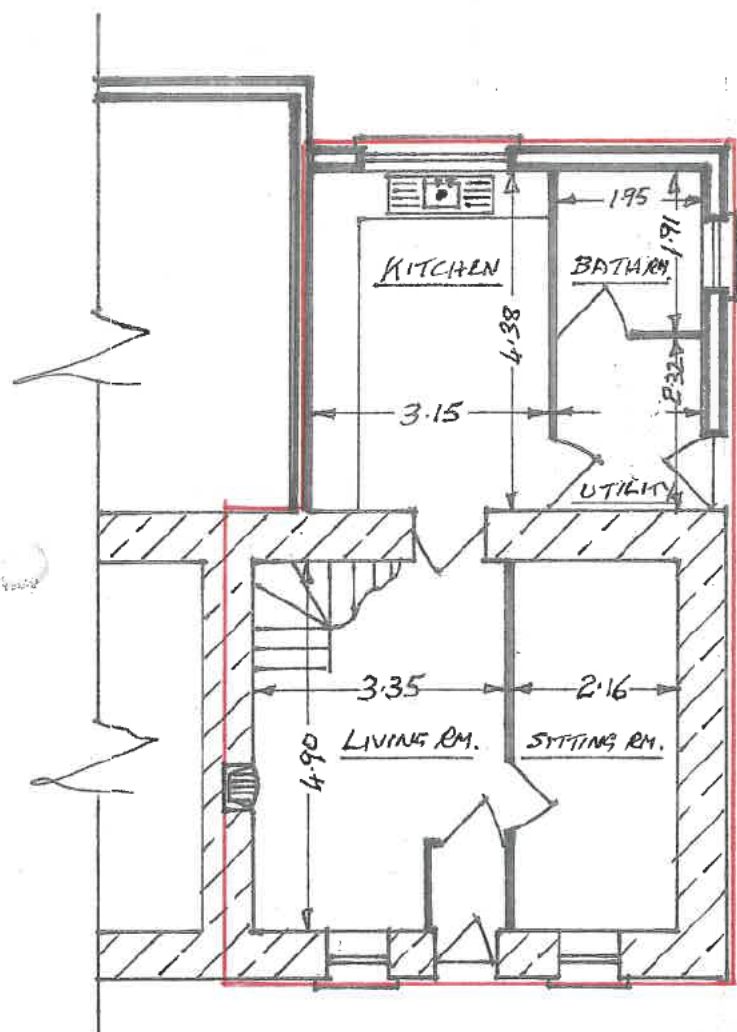
FRONT ELEVATION



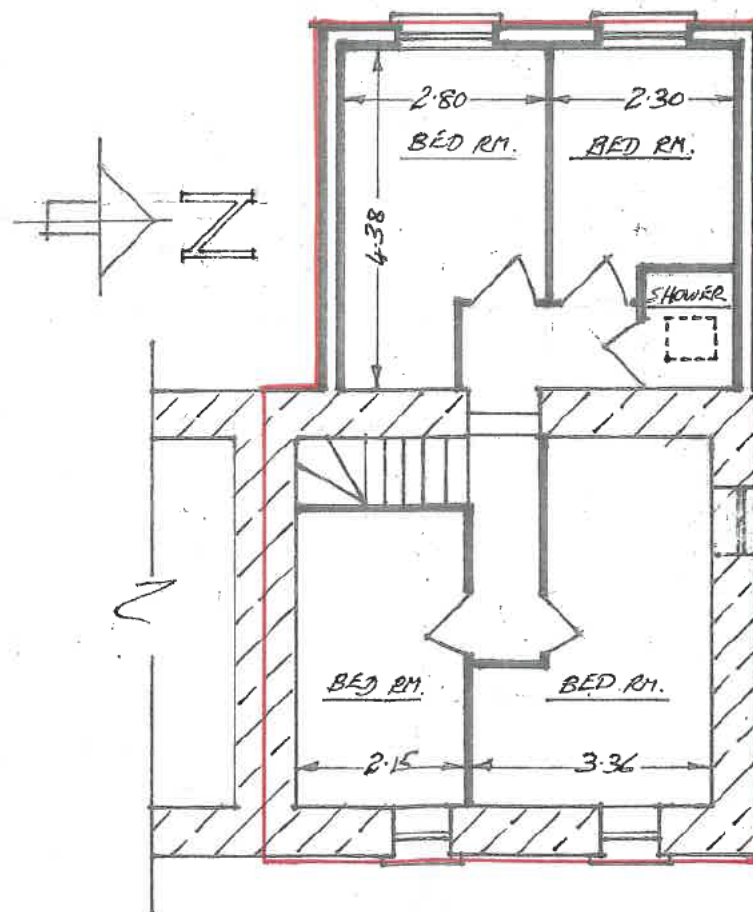
BACK ELEVATION



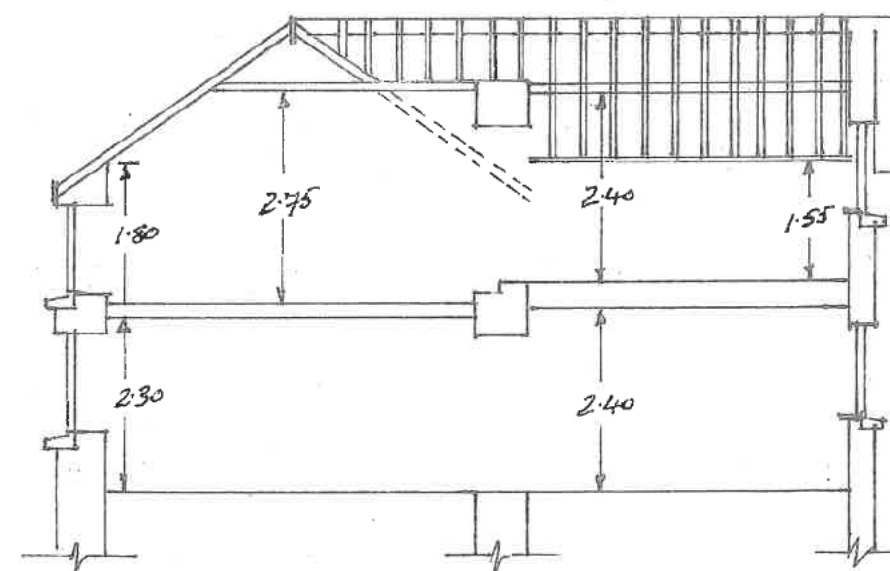
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECTION

SURVEY OF DWELLING HOUSE
FOR: MR. S. WATSON
AT: CHURCH ROAD
KILFINANE
CO. LIMERICK

SCALE 1:100 DATE 15/7/16

DRAWN BY: B.O. SHAUGHNESSY
KILFINANE, CO. LMK. 087/6812638

Land Registry Compliant Map

Tailte Éireann

CENTRE
COORDINATES:
ITM 567884,623245

PUBLISHED: 04/12/2025 ORDER NO.: 50508439_1

MAP SERIES: 1:2,500 5416-B
1:2,500 5417-A

COMPILED AND PUBLISHED BY:
Tailte Éireann,
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Dublin 8,
Ireland.
D08F6E4

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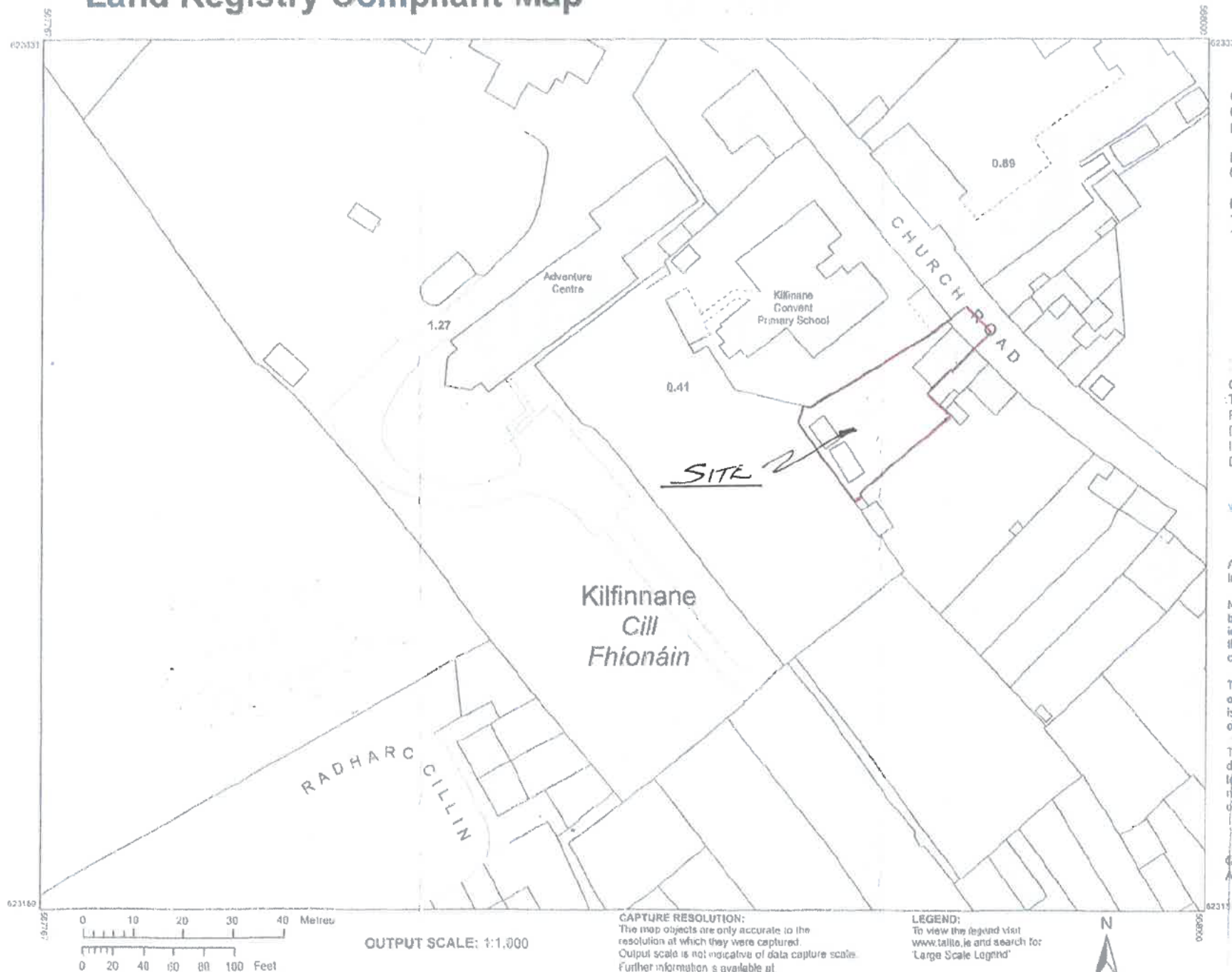
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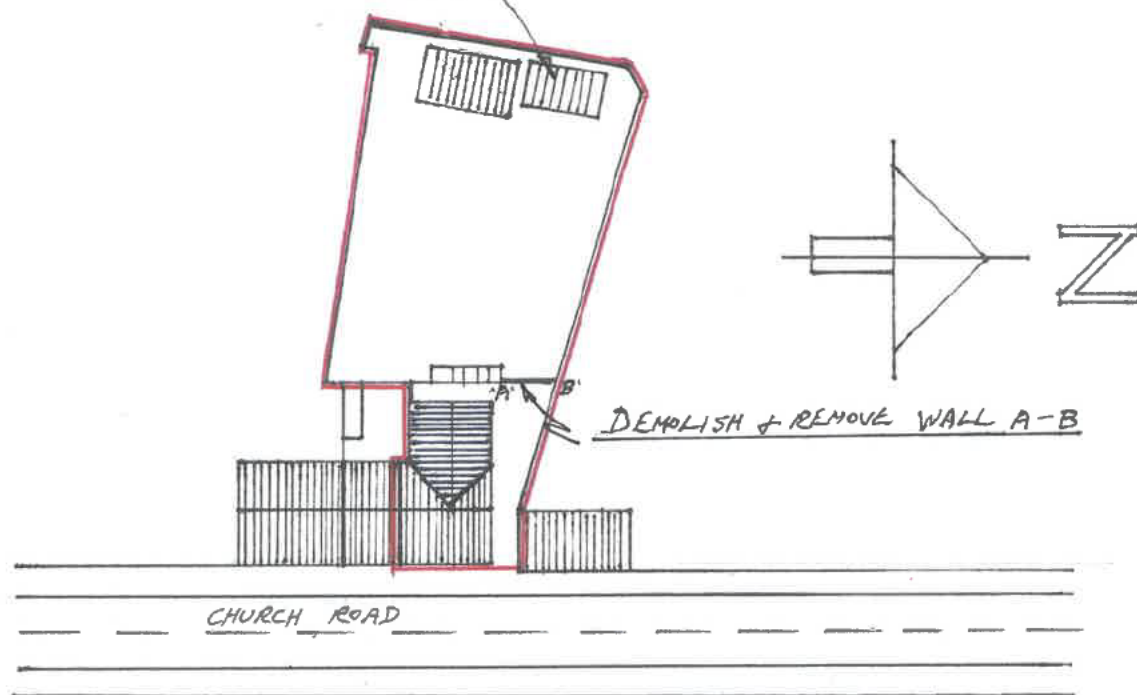
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is not evidence of the existence
of a right of way.

This topographic map
does not show
legal property boundaries,
nor does it show
ownership of physical features.

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EXISTING SHED IN RUINS TO
BE REMOVED



SITE LAYOUT

SCALE 1:500

SITE SURVEY

FOR: MR. S. WATSON

AT: CHURCH ROAD

KILFINANE

CO. LIMERICK

SCALE 1:500

DATE 16/7/26

TO WHOM IT MAY CONCERN,

I have applied for a vacant property grant. Application No CC=834-26 and have been informed the house falls in an Archeological area. Therefore have been told to fill out a section 5 application by the conservation team.

A coal shed in the back right hand corner of site has collapsed and needs removing as does an internal retaining wall which has also collapsed.

The shed is approximately 10FT by 20 FT and wall is 18 FT Long. I have enclosed the section 5 application. No other changes will be made to the remaining buildings.

Thanks
Stephen Watson.

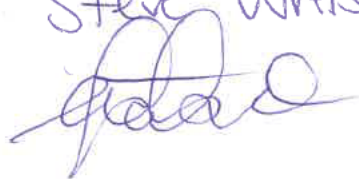


SECTION 5 Request

As Requested enclosed is photographs
of coal shed being removed.
It has become quite overgrown so
hopefully these will suffice.

Thanks

Steve Watson



EC / 126/26









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-126-26
Applicant	Stephen & Marie Watson
Location	Chapel Street, Kilfinane, Co. Limerick, V35K152

1.0 Description of Site and Surroundings:

The site consists of a two-storey semi-detached house in Kilfinane Town. It is accessible off Chapel Street. The site is located within ACA 18 – Kilfinane.

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 application refers to the removal of a shed, the roof of which has collapsed and the removal of an internal retaining wall that has collapsed. No internal works have been proposed as part of this application.

It is considered that the proposal should be assessed having regard to Sections 2, 3, 4 and 5 of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended), including the Planning and Development (Exempted Development) Regulations 2025, to determine whether the proposed works constitute development and, if so, whether they constitute exempted development.

This Section 5 declaration includes the following:

- Application Form
- Site location map
- Land Registry Map
- Proposed elevations and floor plans
- Receipt of Application Fee
- Letter from applicant
- Survey of dwelling house

3.0 Planning History:

Subject site:

N/A

Adjacent:

97/1574 - Conditional Permission - Construction of two-storey house, entrance & ancillary site works

06/139 - Conditional Permission - Construction of two storey extension

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 development on site, comprising the removal of a collapsed shed and the removal of a collapsed internal retaining wall, constitutes ‘works’ and ‘development’.

5.2 Is the proposal exempted development?

The proposal comprises the removal of a shed, the roof of which has collapsed, together with the removal of an internal retaining wall which has also collapsed. The works are located within the curtilage of an existing dwellinghouse.

Consideration has been given to whether the proposed works fall within the scope of exempted development under the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended), including the provisions relating to demolition works. Having regard to the nature and limited extent of the proposed works, the condition of the structures and the location of the works within the curtilage of the dwellinghouse, the proposal may be regarded as exempted development, subject to compliance with the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). However, further information is required in order to complete the assessment.

The application was referred to the Architectural Conservation Officer for comment in view of the site's location within ACA 18 - Kilfinane. The Conservation Officer advised that the proposed demolition of the coal shed would not materially affect the character of the ACA. However, it was recommended that photographic records of the coal shed be submitted prior to demolition.

6.0 Article 9 Restrictions

The site is located within ACA 18 – Kilfinane. The proposed works comprise the removal of a collapsed shed and collapsed internal retaining wall. Having regard to the condition, scale and location of the structures, it is not considered that the proposed works would materially affect the character of the Architectural Conservation Area. Accordingly, the proposal is not restricted by Article 9(1)(a)(xii) of the Planning and Development Regulations 2001 (as amended).

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—	
(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, 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
(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	N/A

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,	
(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 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,	N/A
(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	N/A

have a significant effect on the integrity of a European site,	
(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,	The site is located within ACA 18 – Kilfinane. The proposed works comprise the removal of a collapsed

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,	shed and collapsed internal retaining wall to the rear of the property. Having regard to the condition, scale and location of the structures, it is not considered that the proposed works would materially affect the character of the Architectural Conservation Area. Therefore Article 9(1)(a)(xii) does not apply.
(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	N/A

provision (other than the Act or these Regulations) to comply with procedures for the purpose of giving effect to the Council Directive,	
(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

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.

Recommendation

Having regard to the location of the site within an Architectural Conservation Area (ACA 18 – Kilfinane) is considered that additional information is required to facilitate a full assessment of the proposed demolition works.

It is recommended that further information be requested as follows:

1. Submit photographs of the coal shed proposed for demolition. These photos should clearly show the extent, condition and appearance of the structure proposed for removal.

Student Planner	Úna Walsh	Date: 18/08/2026
Signature:		
Senior Executive Planner	Grainne O’Keeffe	Date:18/08/2026
Signature		

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
File Reference No:	EC-126-26

Brief description of the project or plan:	The proposed works comprise the removal of a collapsed shed and collapsed internal retaining wall. Having regard to the condition, scale and location of the structures, it is not considered that the proposed works would materially affect the character of the Architectural Conservation Area.
Brief description of site characteristics:	The site consists of a two-storey semi-detached house in Kilfinane Town. It is accessible off Chapel Street. The site is located within ACA 18 – Kilfinane.
Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
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
002036-Ballyhoura Mountains SAC	https://www.npws.ie/protected-sites/sac/002036	Approx. 5.4km	None	N

STEP 3: Assessment of Likely Significant Effects

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

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

(Are ‘mitigation’ 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:
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.
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
Significant effects are likely	☐	☐ Request NIS ☐ Refuse planning permission
Signature and Date of Recommending Officer:	 18/08/2026	
Signature and Date of the Decision Maker:	 18/08/2026	

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-126-26
Development Summary:	The proposed works comprise the removal of a collapsed shed and collapsed internal retaining wall. Having regard to the condition, scale and location of the structures, it is not considered that the proposed works would materially affect the character of the Architectural Conservation Area.
Was a Screening Determination carried out under Section 176A-C?	Yes. no further action required No. Proceed to Part A
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
☐ 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)	
☐ No. the development is not a project listed in Schedule 5, Part 2	No Screening required
☐ Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _[specify class & threshold here]_	EIA is mandatory No Screening required
Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _	Proceed to Part C



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

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

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

t: 061 556 000

DEVELOPMENT MANAGEMENT, PLANNING

REG POST:

EC/126/26

19 August 2026

**Stephen & Marie Watson,
Ballyroe Lower,
Kilfinane,
Co. Limerick.
V35XW65**

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:

1. Submit photographs of the coal shed proposed for demolition. These photos should clearly show the extent, condition and appearance of the structure proposed for removal.

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/126/26.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'C. Keefe', is written over a horizontal line.

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

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

File Reference number	EC-126-26
Applicant	Stephen & Marie Watson
Location	Chapel Street, Kilfinane, Co. Limerick, V35K152

Previous Assessment:

The initial application relates to the removal of a shed, the roof of which has collapsed and the removal of an internal retaining wall that has collapsed and the removal of an internal retaining wall that has collapsed. No internal works have been proposed as part of this application. The site is located within ACA 18 – Kilfinane. To determine whether the proposed works would fall within the scope of exempted development under the Planning and Development Act 2000 (as amended) or materially affect the character of the Architectural Conservation Area, subject to the meaning of Article 9 (Article 9(1)(a)(xii) of the Planning and Development Regulations 2001 (as amended), further information was required.

In this regard, where such intensification would give rise to a material change of use, the proposal would constitute development and would fall to be assessed having regard to the provisions relating to exempted development, including Article 9 of the Planning and Development Regulations 2001 (as amended).

Accordingly, the applicant was requested to provide the following further information:

1. Submit photographs of the coal shed proposed for demolition. These photos should clearly show the extent, condition and appearance of the structure proposed for removal.

Submitted Documents:

1. The applicant has submitted photographs of the coal shed proposed for demolition showing the extent, condition of appearance of the structure proposed for removal. The location of the structure is identifiable from the site layout plan and maps submitted with the original application. Having regard to the submitted photographs and the observations of the Architectural Conservation Officer, it is considered that the proposed demolition of the coal shed would not materially affect the character of ACA 18 – Kilfinane.

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 identified, the proposed removal of a collapsed coal shed and the removal of a collapsed internal retaining wall constitute "works" within the meaning of Section 2(1) of the Planning and Development Act 2000 (as amended) and therefore constitute development within the meaning of Section 3(1) of the Act.

Article 9 Restriction

The site is located within ACA 18 – Kilfinane. Having regard to the condition, scale and location of the structures proposed for removal, it is not considered that the proposed works would materially affect the character of the Architectural Conservation Area. Accordingly, Article 9(1)(a)(xii) of the Planning and Development Regulations 2001 (as amended) does not apply.

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 proposal 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

The proposal, comprising the removal of a collapsed coal shed and the removal of a collapsed internal retaining wall constitutes development within the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended). Having regard to the nature and limited extent of the proposed works, the condition of the structures concerned, the information submitted by the applicant and the observations of the Architectural Conservation Officer, it is considered that the proposed works would not materially affect the character of ACA 18 - Kilfinane and are not restricted by Article 9 of the Planning and Development Regulations 2001 (as amended). Accordingly, the proposal is considered to constitute exempted development.

It is therefore considered that the said works constitute development under Section 3(1) of the Planning and Development Act 2000 (as amended) and exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended) and Article 6 of the Planning and Development Regulations 2001 (as amended).

Graduate Planner	Una Walsh	Date: 01/09/2026
Signature:		
Senior Executive Planner	Barry Henn	Date: 11/09/2026
Signature		

DEVELOPMENT MANAGEMENT, PLANNING

REG POST:

**Stephen & Marie Watson,
Ballyroe Lower,
Kilfinane,
Co. Limerick.
V35XW65**

EC/126/26

15 September 2026

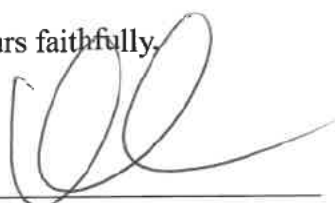
Re: Declaration under Section 5

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/2026/1163

File Ref No. EC/126/26

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

RE: **Removal of the collapsed coal shed and the removal of the collapsed internal retaining wall at Chapel St, Kilfinane, Co. Limerick**

ORDER: Whereas by Director General's Order No. DG/2026/056 dated 25th 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 Barry Henn, 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, Barry Henn, Senior Executive Planner, having considered the report and recommendation of Una Walsh, Graduate Planner dated 01/09/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Stephen & Marie Watson, Ballyroe Lower, Kilfinane, Co. Limerick to state that the works as described above is

Development and is Exempt Development.

Signed



SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date

15 / 09 / 2026



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

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

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Limerick City & County Council
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V94 WV78

t: 061 556 000

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/126/26

Name and Address of Applicant: Stephen & Marie Watson, Ballyroe Lower, Kilfinane, County Limerick

Agent: N/A

Whether the removal of the collapsed coal shed and the removal of the collapsed internal retaining wall at Chapel St, Kilfinane, 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 20th day of July 2026 and further information received on the 26th day of August 2026.

AND WHEREAS the Planning Authority has concluded that the removal of the collapsed coal shed and the removal of the collapsed internal retaining wall at Chapel St, Kilfinane, Co. Limerick **DOES** come within the scope of exempted development under Section 3(1) of the Planning and Development Act 2000 (as amended) and exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended) and Article 6 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 Exempted Development.**

Signed on behalf of the said Council

Date:

15/09/2026

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.