



Comhairle Cathrach
& Contae Luimnigh
Limerick City
& County Council



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

JOHN LYNEH

Applicant's Address:

142 ARRAVIEW

NEWCASTLE WEST

Co. LIMERICK

Telephone No.

Name of Agent (if any):

Address:

NA

Telephone No.

Address for Correspondence:

John Lyne & Company Solicitors
Bridge, Malet, Newcastle,
Co. Limerick.

Location of Proposed development (Please include EIRCODE):

BROAD STREET

NEWCASTLE

C. L. MERRICK V42 8W32

Description of Proposed development:

Internal Renovation of
first and second floor to
premises

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

Applicant's interest in site:

Owner

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

see floor and plan
plans attached.

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

If Yes please provide floor areas of all existing structures:

N/A

Signature of Applicant (or Agent)

John Lumb 16/7/26

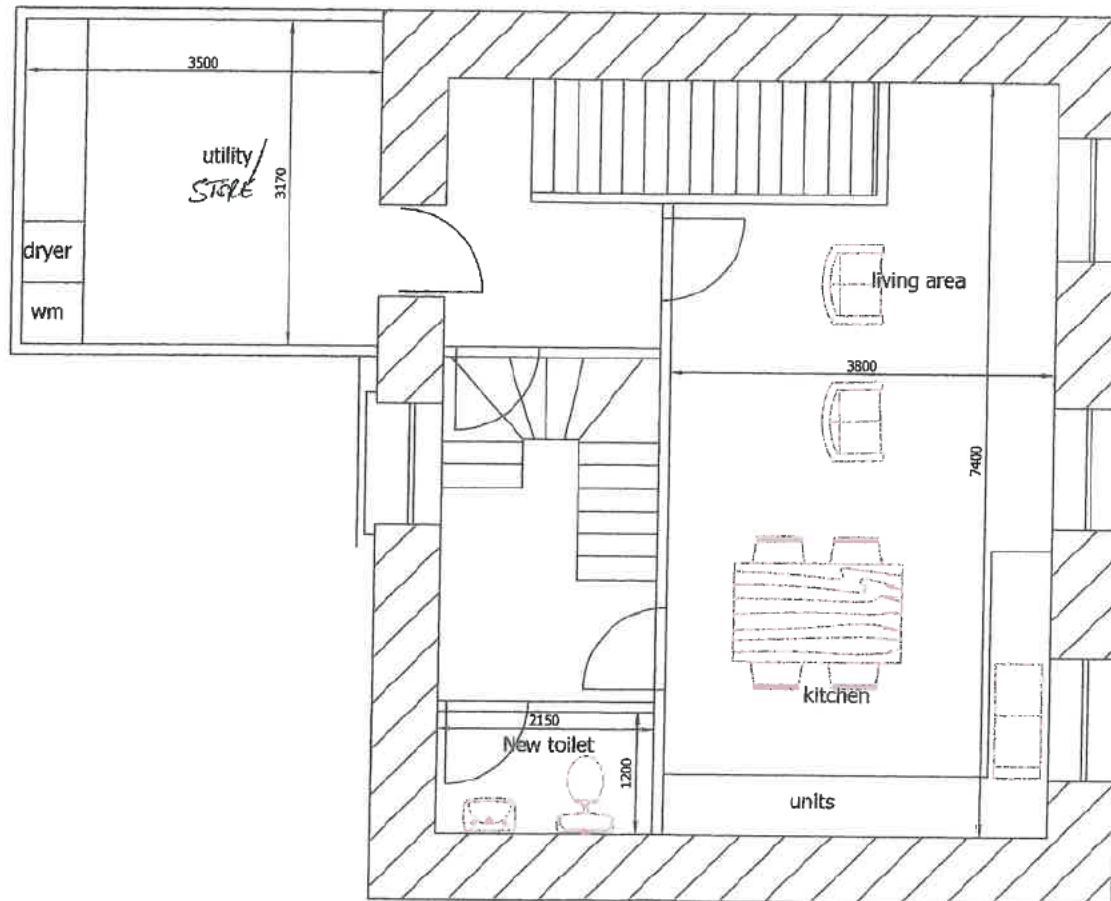
NOTES: Application must be accompanied by:

- (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**



1st floor plan

General Notes

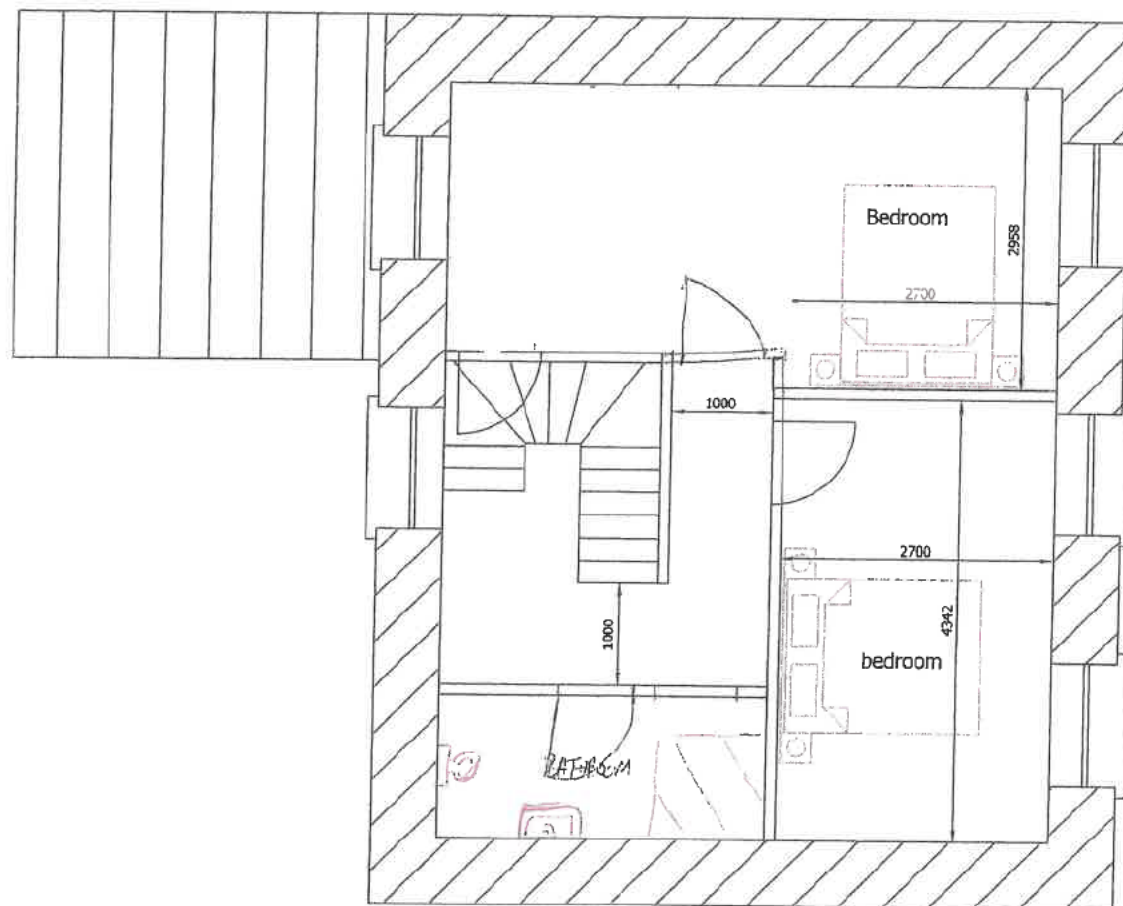
No.	Revision/Issue	Date
PAUL O'BOWD & ASSOCIATES CONSULTING ENGINEERS 1. Mark your work with your logo OLD MILL LANE CHARLES ST LONDON, E.C. 4A 3DF TEL: 020 7460 22126		

Project Name and Address

JONIN 1 VICT
BRIDGE ST
NEWCASTLE, N.S.W.
PROPOSED
APARTMENT

GROUND FLOOR PLAN

Project CAD.	Sheet
Date 1/1/00	Drawn by PO' B
Scale 1/50	Check by GM



2nd floor plan

General Notes		
No.	Revision/Issue	Date
PAUL O'DOWD & ASSOCIATES CONSULTING ENGINEERS E-Mail: paulodowd@iadt.ie OLD MILL LANE CHARLES ST LONDONDERRY TEL: 02872 21156		
Project Name and Address AVEN LYNCH BRIDGE ST NEWCASTLE PROPOSED APARTMENT 1st FLOOR PLAN		
Project O.D.		Sheet
Date 12/07/11		Drawn by P.O. D.
Scale 1/50		Check by GM

John Lynch

From: [REDACTED]
Sent: 16 July 2026 14:56
To: John Lynch: conservation
Cc: [REDACTED]
Subject: RE: [EXTERNAL]FW: Vacant Above The Shop Grant Application CC-841-26

Afternoon John,

In principle, the schedule of works appears to not have a negative impact on the Architectural Conservation Area, however I would suggest you apply for a Section 5 Declaration to ensure that it is exempted development.

<https://www.limerick.ie/council/services/planning-and-placemaking/planning-exemptions/exempt-development>

Nancy O'Neill | Assistant Architectural Conservation Officer
Planning, Heritage & Ryder Cup
Limerick City & County Council
Merchants Quay Limerick | V94 EH90
Tel: 061557722
<http://www.limerick.ie> | @LimerickCouncil | #LimerickEdgeEmbrace

From: [REDACTED]
Sent: Thursday 16 July 2026 13:02
To: [REDACTED]
Subject: [EXTERNAL]FW: Vacant Above The Shop Grant Application CC-841-26

You don't often get email from john@johnlynch.ie. [Learn why this is important](#)

Caution: This is an external email and may have a suspicious subject or attached content. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

Dear Sirs

I have applied for the vacant property refurbishment grant for my premises at Bridge Street, Newcastle West. I have received the below a number of weeks ago and am waiting for my builder to provide the necessary breakdown.

I have attached a copy of my folio and the floor plans. The eircdie is V42DW32 and the proposed works are internal only and there will be no work carried out to the exterior of the building.

I would be grateful if you would review and issue your approval of the work.

Regards

John Lynch

John Lynch & Company
Solicitors
Bridge Street
Newcastle West
Co. Limerick
Ireland
V42 DW32

DX 87004 Newcastle West

Tel: +353 69 79972
Fax: +353 69 79975
Mob: +353 87 1250836

JOHN LYNCH & COMPANY
SOLICITORS

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If I have sent this email out of normal working hours that is because it was convenient for me to do so, please do not feel any need to respond out of your normal working hours. Thank you.

From: [REDACTED]
Sent: 04 June 2026 15:50
To: [REDACTED]
Subject: FW: Vacant Above The Shop Grant Application CC-841-26

Good afternoon John,

I wish to acknowledge receipt of your Vacant Above The Shop Grant application, ref CC-841-26

I have reviewed your documents and in order to process your application, the following items require your attention:

Quotation(s) in respect of the works proposed: **In order for the area inspector to make their assessment, a breakdown of the costs as per the works categories eligible for grant funding is required (see attached) for the Tom McGrath quote submitted**

- Formal quotation(s) from builder /contractor / supplier to applicant with a detailed breakdown of the costs for each works /service / materials element for the subject property.

Archaeological Conservation Area

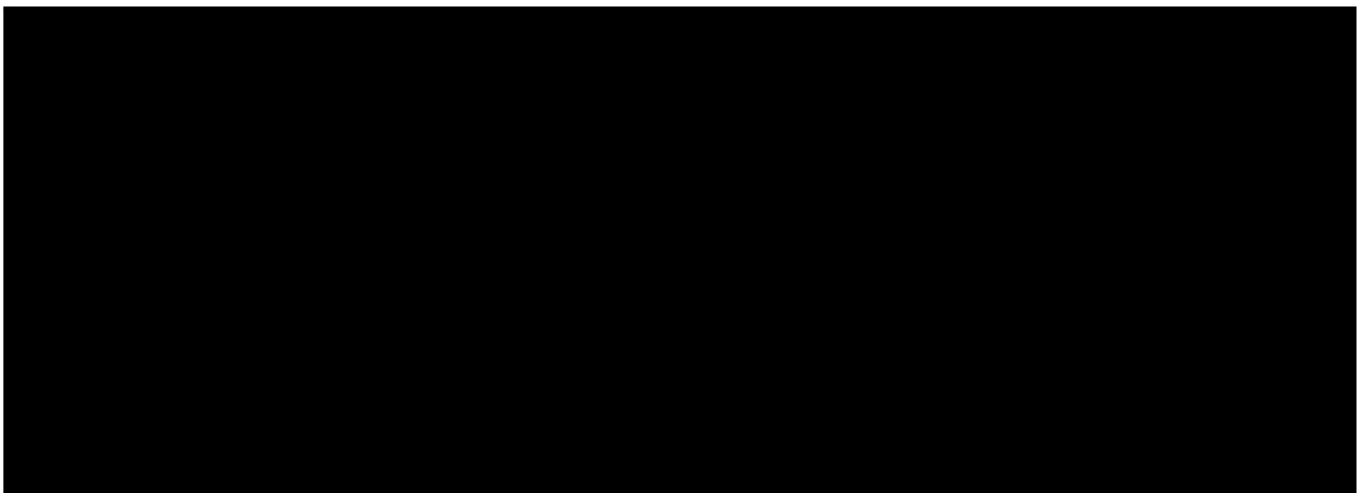
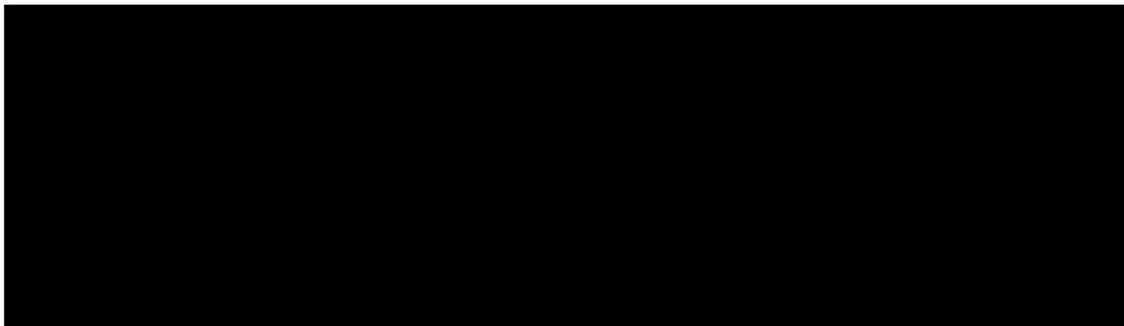
- We have noted that the property is in an Archaeological Conservation Area and as such you will need to engage with our Conservation Team with your scope of works to ensure they are in compliance with an ACA.
- Please contact the team on conservation@limerick.ie or phone 061-556000.

Any works forming part of a Vacant Property Refurbishment Grant application should not commence until a full application has been processed, a formal site inspection has been completed by the Council, and, a formal Letter of Approval is issued.

Once the above is received your application will be reviewed and further information may be requested.

In the meantime, please do let us know if you have any queries or if we can be of any further assistance.

Kind regards,
Mary



JOHN LYNCH & COMPANY

SOLICITORS

Limerick City & County Council
Planning Department
County Buildings
Dooradoyle
Limerick
V94 XF67
E-Mail: planning@limerick.ie
& Post



Bridge Street
Newcastle West
Co. Limerick
V42 DW32
T: 069 79972 069 79973
M: 087 1250836 F: 069 79975
DX 87004 Newcastle West

Your Ref:

Date: 17th July 2026

Re: Section 5 Application.

Dear Sirs,

I confirm that I am the registered owner of the premises at Bridge Street, Newcastle West, Co. Limerick, as comprised in Folio LK70174F. The Eircode is V42 DW32. The first and second floors of the building have not been occupied for many many years, and I confirm that I have applied for the Vacant Above the Shop Grant Application and on foot of said application, I was advised to apply to your department for a Section 5 Exemption as the building is listed in an Archaeological Conservation Area. You will note that I sent an e-mail to your offices on the 16th of July and on the basis of the reply received, I am now sending in the formal application. You will note there are absolutely no works whatsoever to be done to the exterior of the building. It is simply a modernisation of the inside of the first and second floor of the building. In that regard, I have **attached** the following: -

1. Section 5 Application Form
2. Copy E-Mail dated the 16th of July 2026
3. Copy Internal Floor Plans of existing structure
4. Copy Folio LK70174F
5. Office Cheque in the sum of €80.00

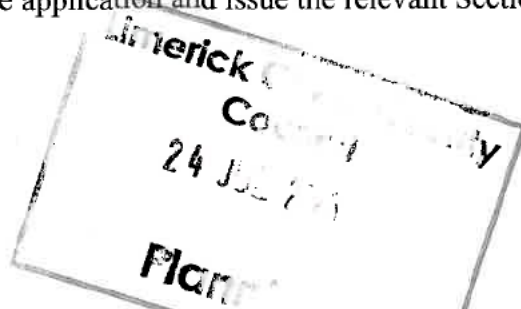


I would be grateful if you would review the application and issue the relevant Section 5 Exemption Declaration.

Yours faithfully


John Lynch
john@johnlynch.ie
Enc.

John Lynch B.C.L., Solicitor, Grad. Dip. Bus. Admin., Dip. Property Tax, Dip. Employment Law
VAT NO: IE 6753075L



LAW SOCIETY
OF IRELAND
PRACTISING
SOLICITORS



The Property Registration Authority
An tÚdarás Clárúcháin Maoine

Land Registry Sealed and Certified Copy Folio (& Filed Plan)

JAMES RIORDAN & PARTNERS, SOLICITORS
DX 2082
CORK

This page forms part of the official document. Do not detach.

Folio Number: LK70174F
Application Number: D2017LR122252M
Your Reference: BA3481/2654

This document comprises an office copy of the Land Registry record for the above mentioned folio/filed plan as of the date appearing.

Details of **dealings pending** (if any) on the enclosed folio/filed plan are listed in the **Schedule** below.

An officer duly authorised by the Property Registration Authority.

Schedule

Notes:

1. Filed plans should be read in conjunction with the Register. The description of the land in the Register or on the filed plan is not conclusive as to the boundaries or extent of the land (see Section 85 of the Registration of Title Act 1964, as substituted by Section 62 of the Registration of Deeds and Title Act, 2006).
2. Filed plans greater than A3 in size may be provided as separate A3 tiles with an overlap and print gutter. When aligning the tiled sheets, customers are advised to use the underlying topographical detail.
3. On receipt of this record, please check to verify that all the details contained therein are correct. If this is not the case, please return the document to the Property Registration Authority immediately.

Land Registry

County Limerick

Folio 70174F

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 24-OCT-2017 JOHN LYNCH of 142 Arraview, Newcastle West, Limerick is full
D2017LR122252M owner.

Land Registry

County Limerick

Folio 70174F

Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	24-OCT-2017 Charge for present and future advances repayable with interest. D2017LR122252M THE GOVERNOR AND COMPANY OF THE BANK OF IRELAND is owner of this charge.

The Property Registration Authority An tÚdarás Clárúcháin Maoin



Official Property Registration Map

This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale accuracy is limited to that of the original OSI Map Scale.

For details of the terms of use, and limitations as to scale, accuracy and other conditions relating to Land Registry Maps, see www.pra.ie.

This map incorporates Ordnance Survey Ireland (OSI) mapping data under a licence from OSI. Copyright © OSI and Government of Ireland.

- (centre-line of portal(s) edged)
- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(ii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

Soak Pit

A full list of burdens and their symbology can be found at: www.landified.ie

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent.

(see Section 85 of the Registration of Title Act, 1964) As Inserted by Section 62 of the Registration of Deed and Title Act 2006.



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

File Reference number	EC-129-26
Applicant(s)	John Lynch
Location	Bridge Street, Newcastle West, Co. Limerick V42 DW32

Description of Site and Surroundings:

The site is located in Newcastle West, Co. Limerick, comprising an existing three-storey mid-terrace dwelling, fronting onto Bridge Street, the R521 regional road. The surrounding area is characterised by a mix of residential and commercial uses. Notably, the site is located within the Newcastle West Architectural Conservation Area (ACA 11) identified within the Limerick Development Plan 2022-2028.

Proposal:

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

- The applicant is proposing internal renovations of the first and second floor of the premises.

This Section 5 declaration includes the following:

- Application form
- Cover Letter
- Emails
- Land Registry Folio
- Site Location Map
- Floor Plans

Planning History:

Subject site:

16/1169 Conditional Permission - the change of use of the ground floor of the premises known as Moran's Clothes shop to a solicitors office

06/3099 Conditional Permission - construction of extension to single storey building of existing shop to two storey building and to change front facade of shop from wood finish to marble, and to fit boxframe sliding sash wood windows to front upper floors. This is a protected structure

98/574 Conditional Permission - Extension to existing shop and retention of extension & front elevation to shop

Adjacent:
None

Enforcement History:

N/A

Relevant An Coimisiún Pleanála referrals:

N/A

Assessment:

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

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

‘**works**’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal 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, internal renovations of the first and second floor of the premises, **constituting ‘works’ and ‘development’**.

Is the proposal exempted development?

In this instance, the development proposal relates to internal refurbishment of the premises to provide a 2 bedroom apartment, with no exterior works proposed. As previously mentioned, the site falls within the Newcastle West Architectural Conservation Area (ACA). The buildings are characterized by classical proportions of windows and doors, natural slate roofs, and un-rendered walls constructed of rubble, with openings framed with cut stone or brick. The applicant has contacted the Conservation Team in Limerick City and County Council and they have stated that the proposed works would not appear to have a negative

impact on the Architectural Conservation Area. The building is also not listed as one of the 14 structures identified by the NIAH nor is it a protected structure. It is also noted that the building is in the Newcastle West Zone of Archaeological Notification (ZAN) but there appears to be no arising issues.

Having established that the proposal for the refurbishment of the interiors of the structure constitutes "development" within the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended), the next step is to assess whether the proposed works fall within the scope of exempted development under Section 4(1)(h) of the Act. Section 4(1)(h) provides that the following shall be exempted development for the purposes of the Act:

“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;”

In relation to the proposals to refurbish the first and second floors of the structure, no details of the proposed works have been submitted. From a review of planning history on the site, under planning permission 06/3099 it is noted that all floors of the existing structure, including the first and second floors, are identified as being in use as part of an existing shop. The upper floors are not in residential use. In a more recent planning application on the site, 16/1169, permission was granted for the change of use of the ground floor from a shop to solicitors' office, however no change of use was sought or granted for the upper floors. The established use of the upper two floors continues to be as a shop. Therefore, the use of the upper floors for residential use would be unauthorised. In this regard, as the refurbishment works would facilitate an unauthorised use and therefore cannot be considered to be exempted development.

Article 9 Restrictions

Planning and Development Regulations 2001 – 2025 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, 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 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	N/A

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,	
(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,	Yes, the proposed refurbishment would facilitate the use of the upper floors for residential, which would be an unauthorised use having regard to the use identified, as a shop, under 06/3099
(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	N/A

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,	
(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

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

The proposed internal renovations of the first and second floor of the premises constitute "development" within the meaning of Sections 2 and 3 of the Planning and Development Act 2000 (as amended). From a review of the planning history on the site, under planning permission 06/3099 the existing structure, including the first and second floors, are identified as being in use as part of an existing shop. In a more recent planning application on the site, 16/1169, permission was granted for the change of use of the ground floor from a shop to solicitors' office, however no change of use was sought or granted for the upper floors. The established use of the upper two floors continues to be as a shop. Therefore, the use of the upper floors for residential use would be unauthorised. In this regard, as the refurbishment works would facilitate an unauthorised use they do not comply with Article 9 viii) of the Planning and Development Regulations 2001, as amended, which does not permit development *which consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use*. Having regard to Article 9 viii) Restrictions of Exemption, it is considered that the proposed refurbishment of the first and second floors would facilitate an unauthorised residential use on this site, and would therefore not be Exempted Development.

Regard has been had to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended);
- (b) Article 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- (c) The plans and particulars submitted with the application received on the 24th of July 2026

It is therefore considered that the said works constitute development but not Exempted Development under Article 9 viii) of the Planning and Development Regulations 2001, as amended.

Student Planner	Conor Deering	Date:
Signature:		18/07/2026

Executive Planner	Jennifer Collins	Date:
Signature		18/08/2026

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-129-26
(e) Brief description of the project or plan:	proposing internal renovations of the first and second floor of the premises
(e) Brief description of site characteristics:	The site is located in Newcastle West, Co. Limerick, comprising an existing three-storey mid-terrace dwelling, fronting onto Bridge Street, the R521 regional road. The surrounding area is characterised by a mix of residential and commercial uses. Notably, the site is located within the Newcastle West Architectural Conservation Area (ACA 11) identified within the Limerick Development Plan 2022-2028.
(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
004161 Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA	https://www.npws.ie/protected-sites/spa/004161	4.4 km	N/A	N
002165 Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	8.2 km	N/A	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	None. No direct encroachment or hydrological connection.

- 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	
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.

(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.		
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	☒	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	☐	☐ 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:	 Conor Deering, 18/08/2026	
Signature and Date of the Decision Maker:	 Jennifer Collins, Executive Planner 18/08/2026	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-126-26
Development Summary:	proposing internal renovations of the first and second floor of the premises
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
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:	 18/08/2026	
Signature and Date of the Decision Maker:	 Jennifer Collins, Executive Planner 18/08/2026	



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

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

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

t: 061 556 000

DEVELOPMENT MANAGEMENT, PLANNING

REG POST:

John Lynch
c/o John Lynch & Company Solicitors
Bridge Street,
Newcastle West,
Co. Limerick.

EC/129/26

20 August 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/2026/1051

File Ref No. EC/129/26

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

RE: **Internal renovations of the first and second floor at Bridge Street, Newcastle West, 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 Nuala O'Connell, Senior 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 Conor Deering, Student Planner dated 18/07/2026 and Jennifer Collins, Executive Planner dated 18/08/2026 hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to John Lynch c/o John Lynch & Company Solicitors, Bridge Street, Newcastle West, Co. Limerick to state that the works as described above is

Development and is NOT Exempt Development.

Signed



SENIOR PLANNER, DEVELOPMENT MANAGEMENT, PLANNING

Date





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SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/129/26

Name and Address of Applicant: John Lynch, 142 Arraview, Newcastle West, Co. Limerick

Agent: N/A

Whether the internal renovations of the first and second floor at Bridge Street, Newcastle West, 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 July 2026.

AND WHEREAS the Planning Authority has concluded that the internal renovations of the first and second floor at Bridge Street, Newcastle West, Co. Limerick **DOES NOT** come within the scope of exempted development under Article 9 viii) of the Planning and Development Regulations 2001, as amended. See Report attached.

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

Signed on behalf of the said Council

Date:

20.8.2026

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.