



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: _____

Applicant's Address: _____

Telephone No.



Name of Agent (if any): _____

Address: _____

Telephone No. _____

Address for Correspondence:

Location of Proposed development (Please include **EIRCODE**):

Description of Proposed development:

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: _____

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

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:

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

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

Planning Pack Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 512844,647207

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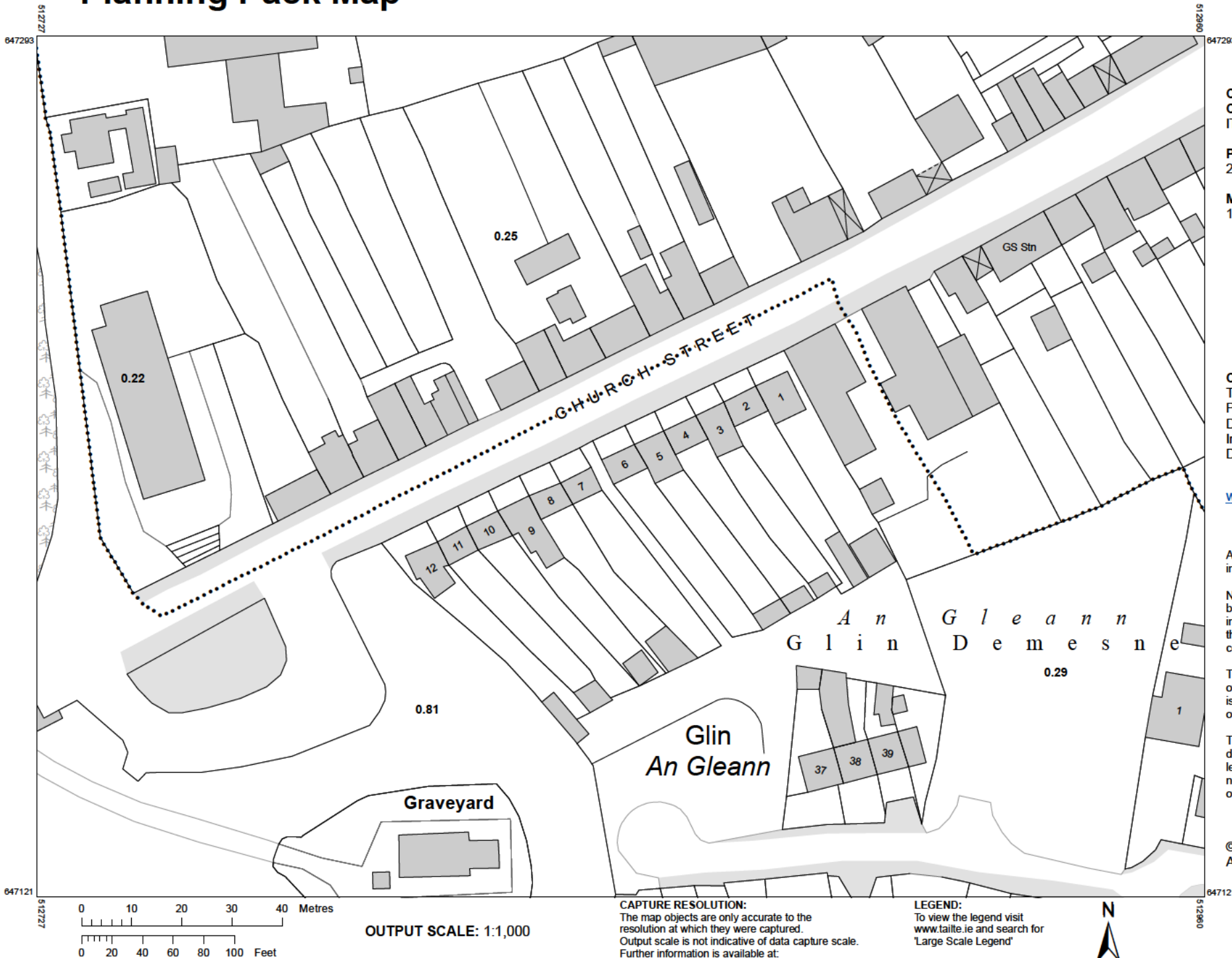
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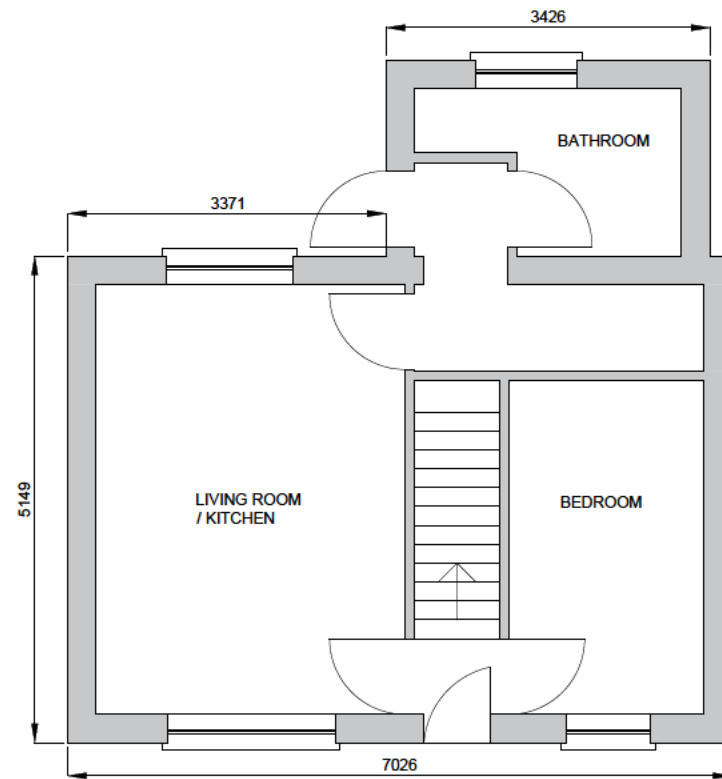
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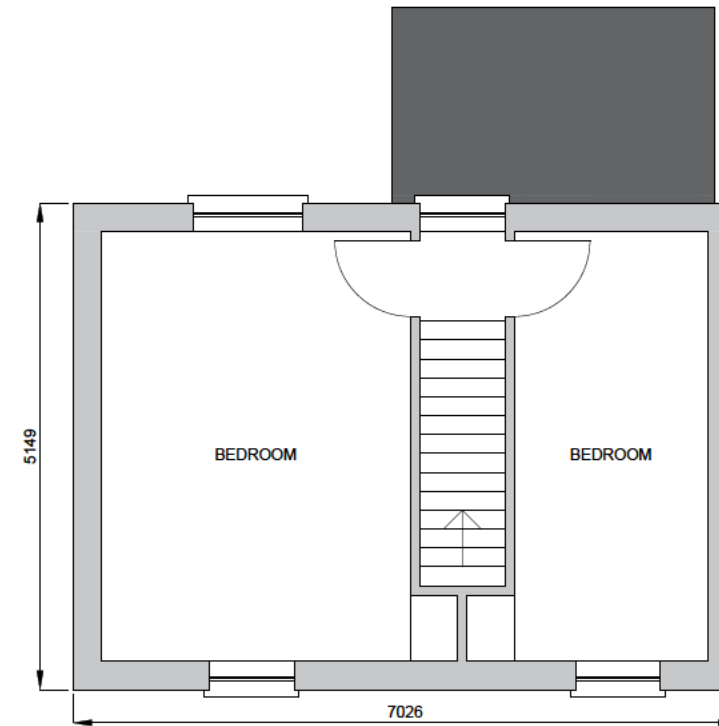
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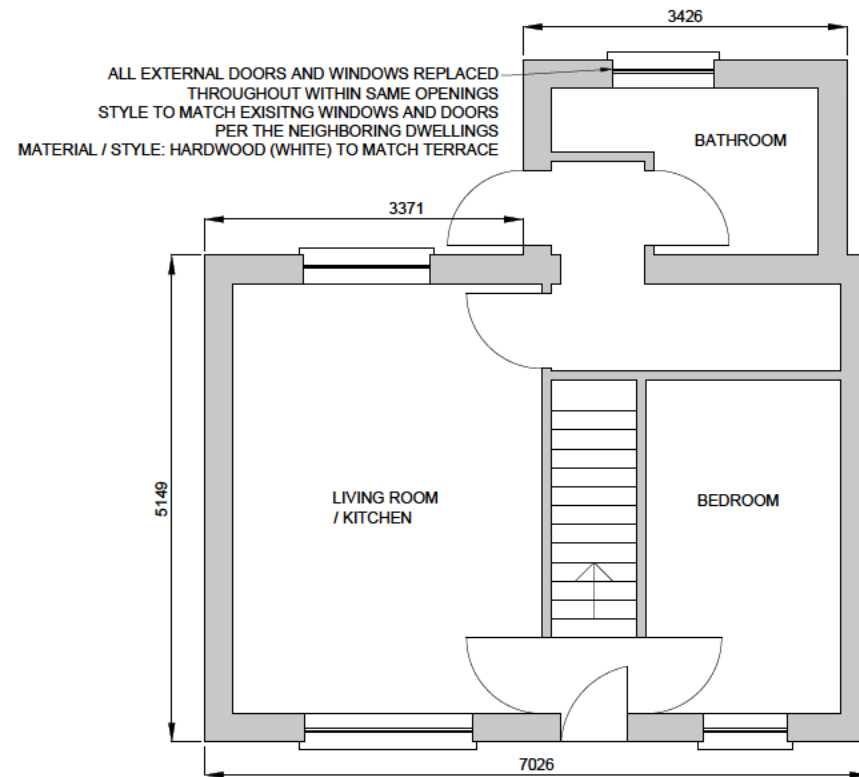




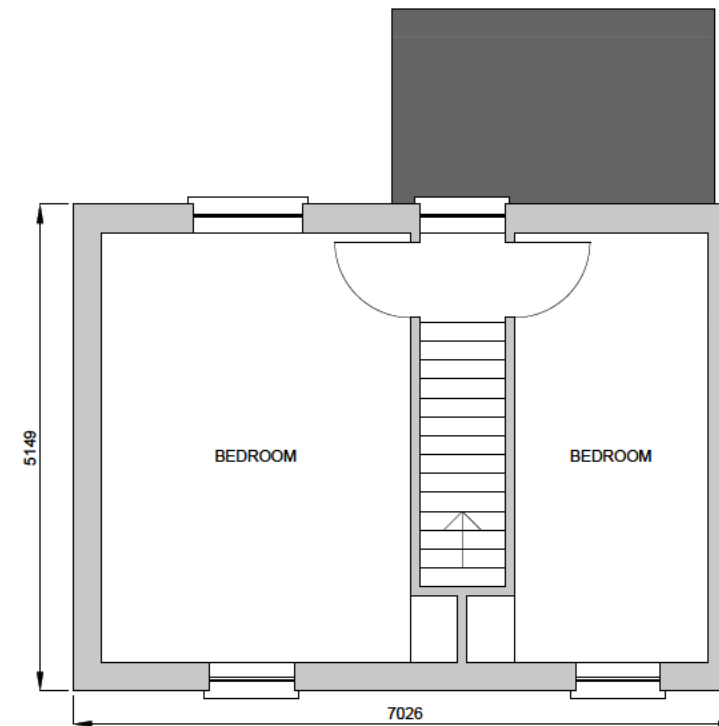
EXISTING GROUND FLOOR PLAN



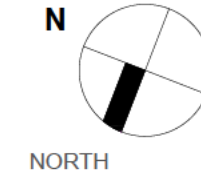
EXISTING FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



NOTES:
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ALL MEASUREMENTS IN MILLIMETRE (MM).

00	28/05/28	FOR PLANNING
REV	DATE	NOTES

Drawing Title :
EXISTING & PROPOSED PLANS

Scale : 1:80 @ A3

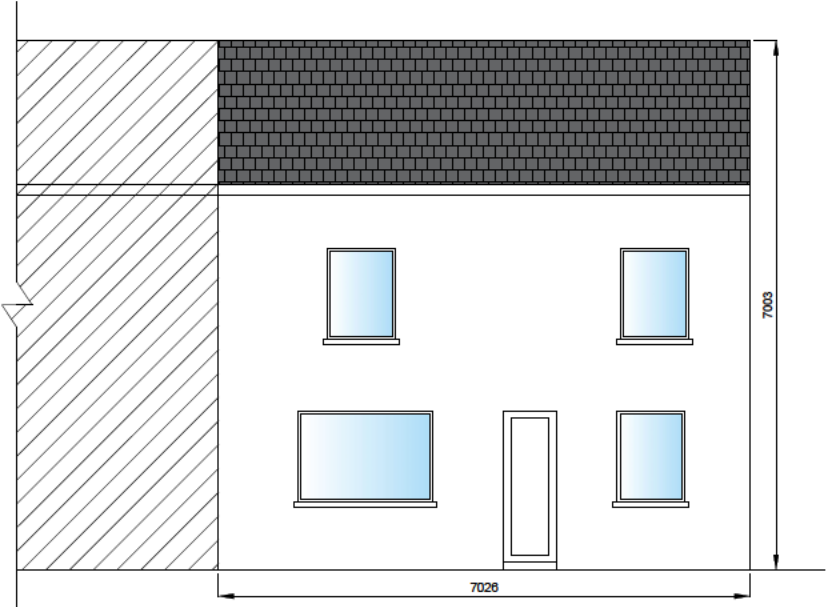
Revision : 00

Project: Glin, Co. Limerick
Drawn By: James O Connor, BSc (Hons), MSc
Drawing No: PP-001.0
Check By: JOC
Client : Anne White

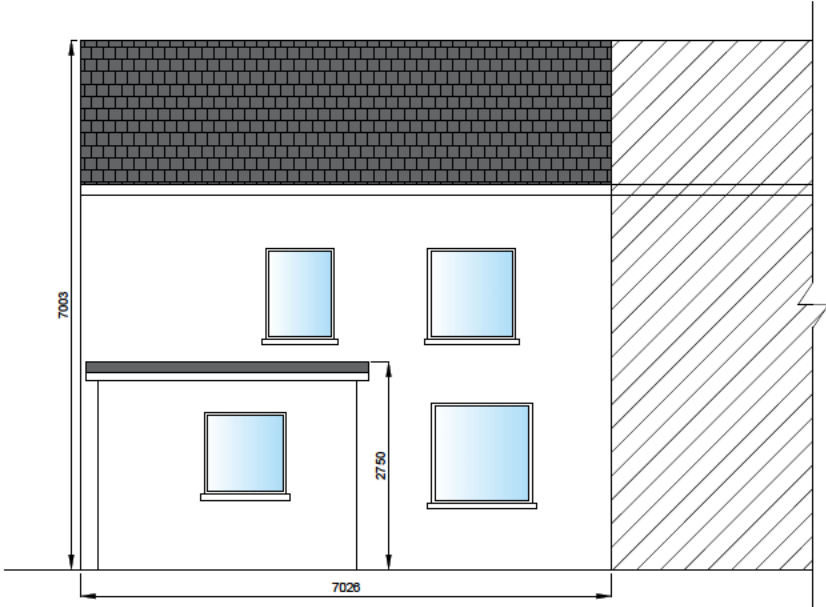
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Website: www.oconprojects.com
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Email: james@oconprojects.com

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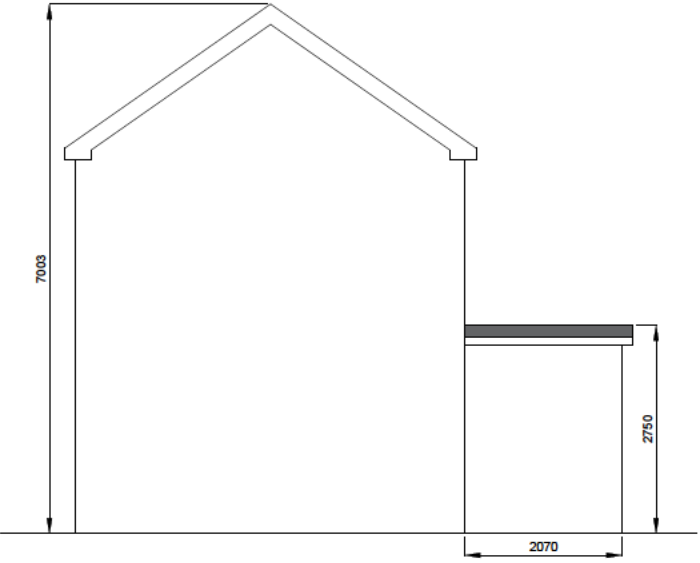
ALL MEASUREMENTS IN MILLIMETRE (MM).



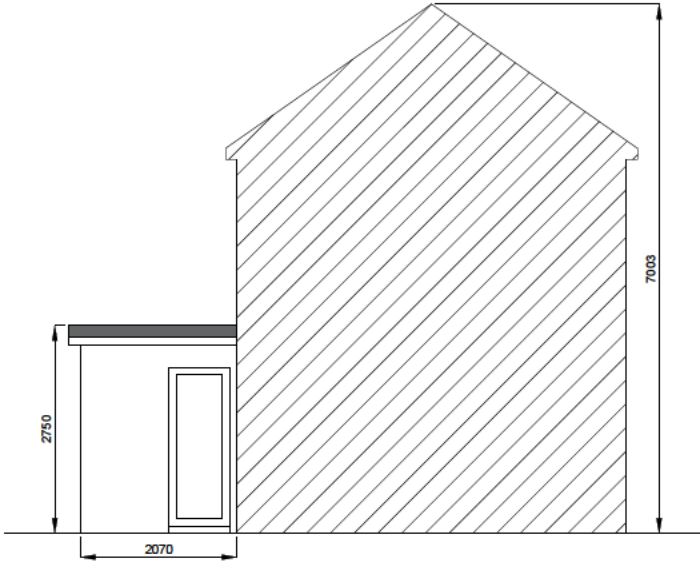
EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION



EXISTING SIDE ELEVATION

00	28/05/28	FOR PLANNING
REV	DATE	NOTES

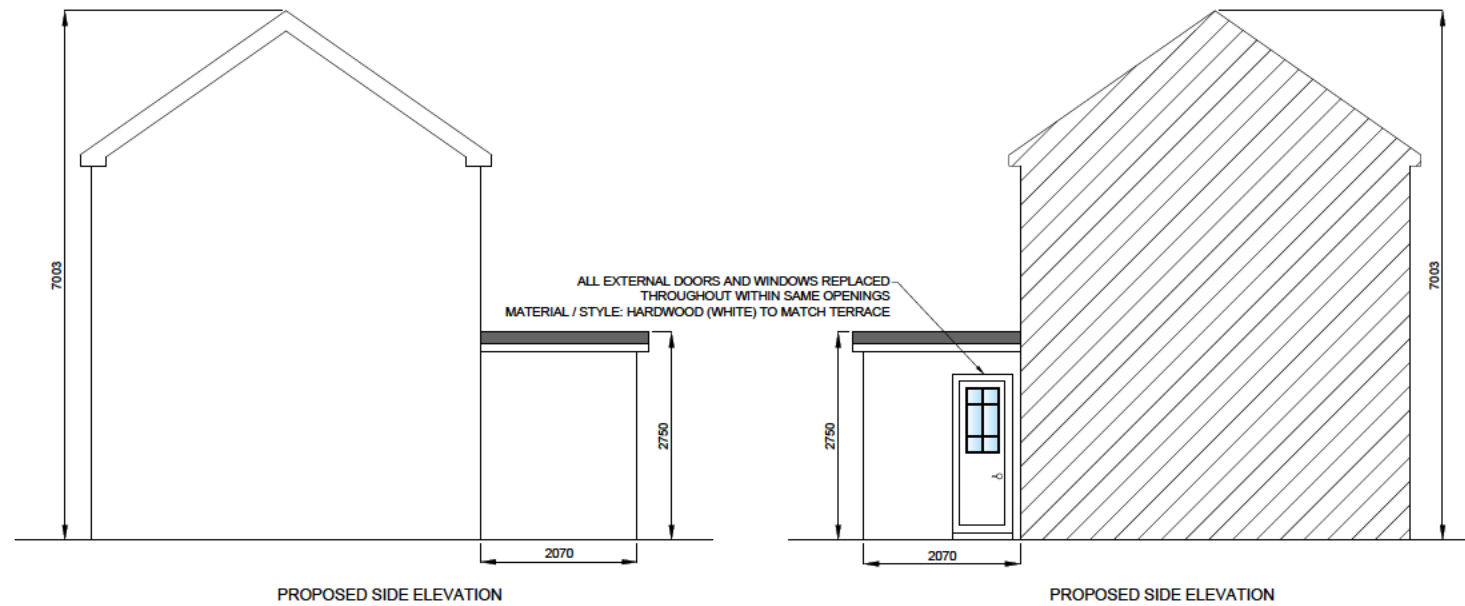
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EXISTING ELEVATIONS	
Scale :	1:100 @ A3
Revision :	00
Project: Glin, Co. Limerick	
Drawn By: James O Connor, BSc (Hons), MSc	
Drawing No: PP-001.1	
Check By: JOC	
Client : Anne White	

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Website: www.oconprojects.com

Phone: 087 926 0741

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NEIGHBORING PROPERTIES

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ALL MEASUREMENTS IN MILLIMETRE (MM).

00	30/07/28	FOR PLANNING
REV	DATE	NOTES

Drawing Title :
PROPOSED ELEVATIONS

Scale : 1:100 @ A3

Revision : 00

Project: Glin, Co. Limerick
Drawn By: James O Connor, BSc (Hons), MSc
Drawing No: PP-002.0
Check By: JOC
Client : Anne White

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Website: www.oconprojects.com
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DEVELOPMENT MANAGEMENT, PLANNING

REG POST:

Anne White
c/o James O Connor,
Tullahinnell South,
Ballylongford,
Co. Kerry.

EC/139/26

25 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/2026/1070

File Ref No. EC/139/26

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

RE: **Replace all external windows and doors within existing openings at 6 Church Street, Glin, 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 Isaac Cunningham, Graduate Planner dated 24/08/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Anne White, c/o James O Connor, Tullahinnell South, Ballylongford, Co. Kerry to state that the works as described above is

Development and is Exempt Development.

Signed

B. Henn

SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date

25/08/2026



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

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

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

t: 061 556 000

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/139/26

Name and Address of Applicant: Anne White, 55 Woodview Place, Tarbert, Co, Kerry.

Agent: James O Connor, Tullahinnell South, Ballylongford, Co. Kerry

Whether the replacement of all external windows and doors within existing openings at 6 Church Street, Glin, 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 30th day of July 2026.

AND WHEREAS the Planning Authority has concluded that the replacement of all external windows and doors within existing openings at 6 Church Street, Glin, Co. Limerick **DOES** come within the scope of exempted development under 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 Exempted Development.**

Signed on behalf of the said Council C. O'Connell

Date: 25.8.2026

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.

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

File Reference number	EC-139-26
Applicant(s)	Anne White
Location	6 Church Street, Glin, Co. Limerick V94 YFN7

Description of Site and Surroundings:

Existing end of terraced two storey dwelling along Church Street in the village of Glin.

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:

Replace all external windows and doors within existing openings to match neighbouring properties. Material / Style – Hardwood (white to match terrace houses).

This Section 5 declaration includes the following:

- Application Form
- Site location
- Elevations
- Floor plan

Planning History:

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, replacing all external windows and doors within existing openings to match neighbouring properties, **constituting ‘works’ and ‘development’**.

Is the proposal exempted development?

The proposal to replace all external windows and doors within existing openings to match neighbouring properties will be assessed under Section 4(1)(h) of the Planning and Development Act, 2000. (as amended)

Development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

The proposed works are in Glin ACA. The applicant has proposed to replace existing windows with a hardwood material which would match the surviving historic windows within the terrace. This is sufficient to say that the proposed windows 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 this case, particular regard has been had to the surviving historic windows on the street, which provides an appropriate reference for the established character, proportions, detailing and external finish of the windows.

Article 9 Restrictions

N/A. The proposal does not comprise development to which Article 6 of the Planning and Development Regulations 2001 (as amended) relates. Therefore, restrictions under Article 9 of the regulations do not apply.

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 proposal, to replace all external windows and doors within existing openings to match neighbouring properties can be considered development. It can also be considered to come within the scope of exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended) for the reasons outlined above.

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 30th of July 2026

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

Graduate Planner	Isaac Cunningham	Date: 24/08/2026
Signature:		
Senior Executive Planner	Barry Henn	Date: 25/08/2026
Signature		

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-139-26
(e) Brief description of the project or plan:	Replace all external windows and doors within existing openings to match neighbouring properties.
(e) Brief description of site characteristics:	Existing end of terraced two storey dwelling along Church Street in the village of Glin
(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	3.1	N	N
002165	Lower River Shannon SAC	0.275	N	N
004077	River Shannon and River Fergus Estuaries SPA	0.330	N	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	None. No direct encroachment or hydrological connection.

- 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 '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.
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:	 _____ 24/08/2026	
Signature and Date of the Decision Maker:	 _____ 25/08/2026	

Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC-139-26	
Development Summary:	Replace all external windows and doors within existing openings to match neighbouring properties.	
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:  24/08/2026	
Signature and Date of the Decision Maker:  25/08/2026	