

**Limerick City and County Council**

**Planning Department**

**Section 5 Application**

**DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name:

Monica Burke

Applicant's Address:

13 THE Paddocks  
BRIARFIELD, CASTLETROY  
LIMERICK.

Telephone No.



Name of Agent (if any):

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No.

\_\_\_\_\_

Address for Correspondence:

13, THE Paddocks, BRIARFIELD,  
CASTLETROY, LIMERICK.

\_\_\_\_\_



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

'TARA' Lower Main Street, Hospital  
Colinerrick.  
V35WF83.

Description of Proposed development:

Extension to existing kitchen/diner  
to back of property + wet room bathroom

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

Class 1, Part 1, of Schedule 2 of Planning and Development  
Regulations 2001  
Is this a Protected Structure or within the curtilage of a Protected Structure. S.I. No 600/2001  
YES/NO

Applicant's interest in site: Vacant Property Renovation to live in  
personally.

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) Monica Burke

**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](mailto:planning@limerick.ie)**

\*\*\*\*\*

# Land Registry Compliant Map



Tailte  
Éireann

CENTRE  
COORDINATES:  
ITM 570557,636076

PUBLISHED: 24/10/2024  
ORDER NO.: 50430254\_3

MAP SERIES: 1:2,500  
MAP SHEETS: 5111-D  
1:2,500 5172-B

COMPILED AND PUBLISHED BY:  
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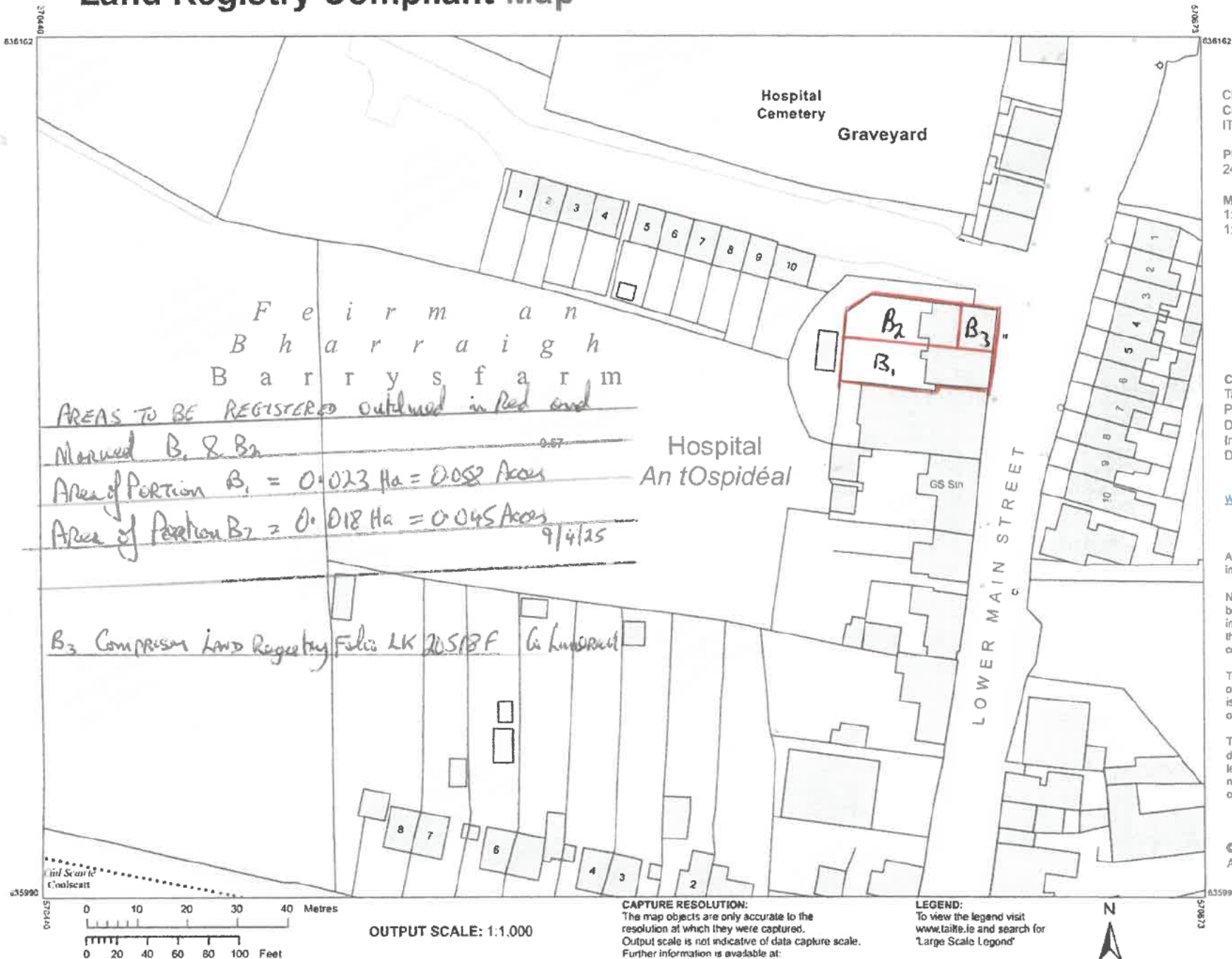
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This topographic map  
does not show  
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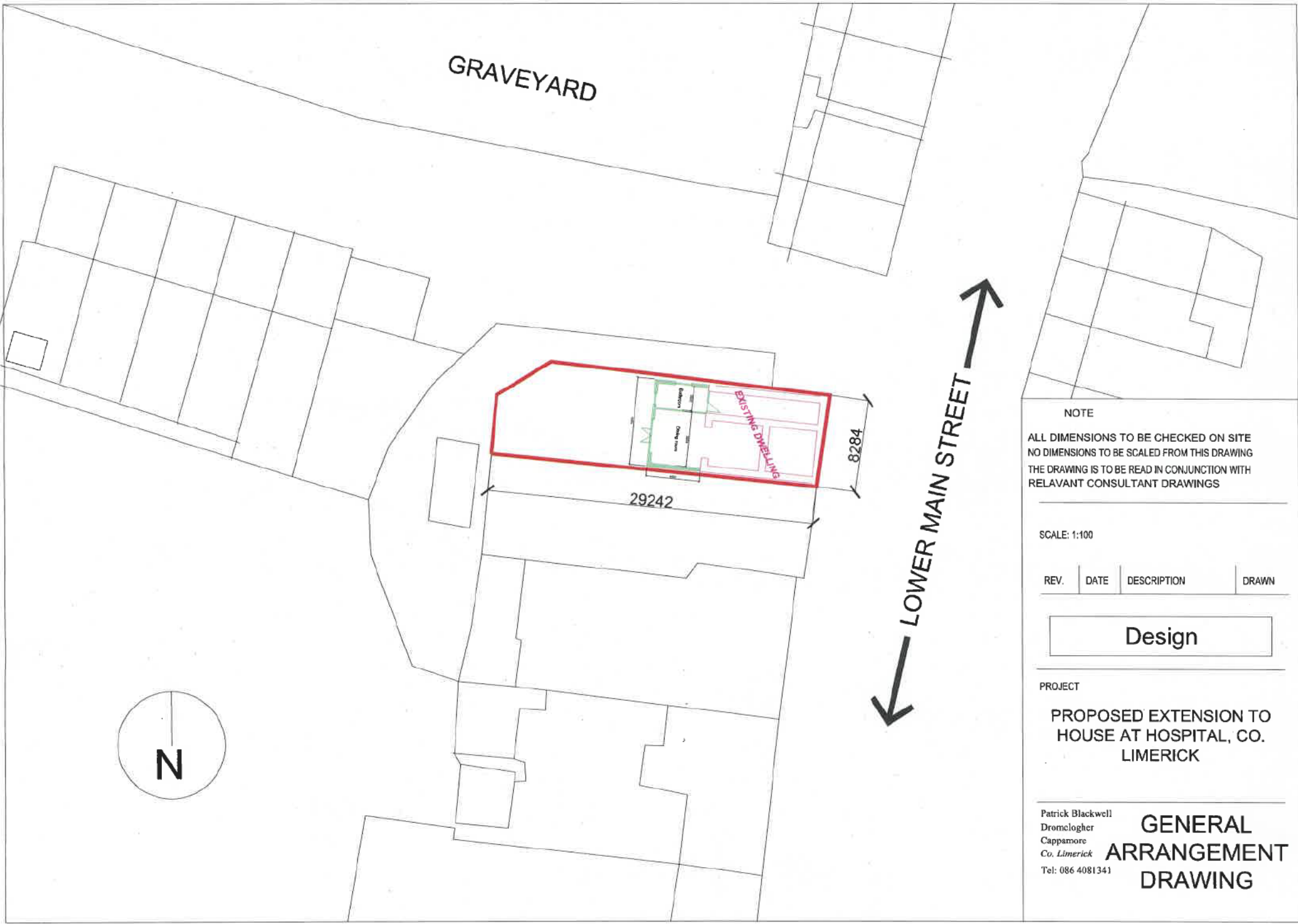
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OUTPUT SCALE: 1:1,000

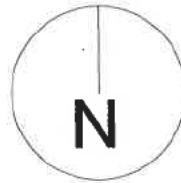
**CAPTURE RESOLUTION:**  
The map objects are only accurate to the  
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Output scale is not indicative of data capture scale.  
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To view the legend visit  
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'Large Scale Legend'



GRAVEYARD

← LOWER MAIN STREET →



NOTE

ALL DIMENSIONS TO BE CHECKED ON SITE  
NO DIMENSIONS TO BE SCALED FROM THIS DRAWING  
THE DRAWING IS TO BE READ IN CONJUNCTION WITH  
RELEVANT CONSULTANT DRAWINGS

SCALE: 1:100

| REV. | DATE | DESCRIPTION | DRAWN |
|------|------|-------------|-------|
|------|------|-------------|-------|

Design

PROJECT

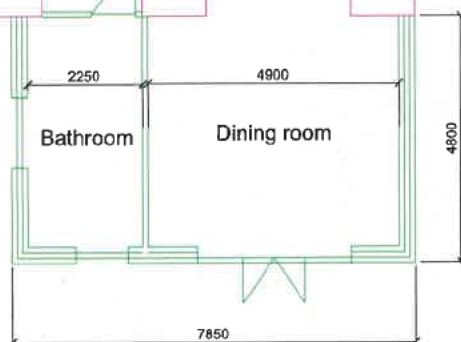
PROPOSED EXTENSION TO  
HOUSE AT HOSPITAL, CO.  
LIMERICK

Patrick Blackwell  
Dromclogher  
Cappamore  
Co. Limerick  
Tel: 086 4081341

**GENERAL  
ARRANGEMENT  
DRAWING**

← LOWER MAIN STREET →

EXISTING DWELLING



REAR ELEVATION

#### NOTE

ALL DIMENSIONS TO BE CHECKED ON SITE  
NO DIMENSIONS TO BE SCALED FROM THIS DRAWING  
THE DRAWING IS TO BE READ IN CONJUNCTION WITH  
RELEVANT CONSULTANT DRAWINGS

SCALE: 1:50

| REV. | DATE | DESCRIPTION | DRAWN |
|------|------|-------------|-------|
|------|------|-------------|-------|

Design

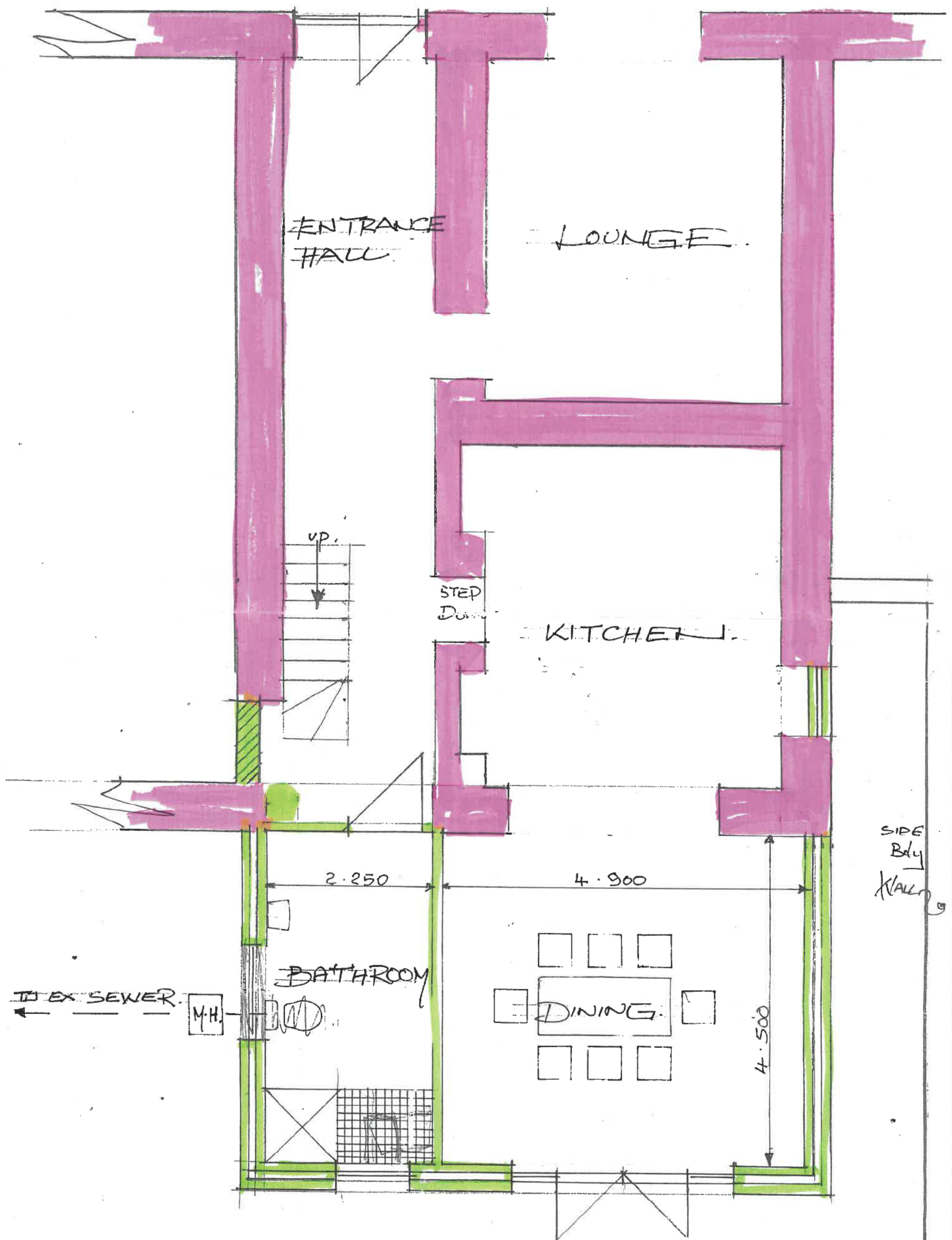
#### PROJECT

PROPOSED EXTENSION TO  
HOUSE AT HOSPITAL, CO.  
LIMERICK

Patrick Blackwell  
Dromclogher  
Cappamore  
Co. Limerick  
Tel: 086 4081341

**GENERAL  
ARRANGEMENT  
DRAWING**

PUBLIC FOOTPATH



GROUND FLOOR PLAN

SCALE 1:50.

FLOOR AREA OF EXTENSION = 32.625 S.M.

EXISTING

PROPOSED

|                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <div> Comhairle Cathrach<br/>&amp; Contae <b>Luimnigh</b> </div> <hr/> <div> <b>Limerick City</b><br/>&amp; County Council </div> |
| <p align="center"><b><u>Report on application under Section 5 of the Planning and Development Act 2000 (as amended)</u></b></p>                                                                                     |

|                              |                                                            |
|------------------------------|------------------------------------------------------------|
| <b>File Reference number</b> | EC – 164 – 26                                              |
| <b>Applicant</b>             | Monica Burke                                               |
| <b>Location</b>              | “Tara” Lower Main Street, Hospital, Co. Limerick, V35 WF83 |

### **1.0 Description of Site and Surroundings:**

The site comprises an existing building located on Lower Main Street, Hospital, Co. Limerick, in a row of terraced buildings. The building is situated within the established settlement of Hospital and fronts onto the public road. The property is located in ACA 17 Hospital. The site is in the Existing Residential Settlement Zone of Hospital. It is accessible via regional road R513. The rear of the building contains a private rear garden area within which the proposed extension is to be constructed. The application site is approximately 0.041 hectares.

### **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:

An extension to existing kitchen / dining room to the back of the property including a wet room bathroom

This Section 5 declaration includes the following:

- Application Form
- Site location map
- Site layout plan
- Existing and proposed floor plans and elevations

### **3.0 Planning History:**

*Subject:*

87/ 27810 – Conditional Permission - Change of use from office hairdressing salon at

*Adjacent:*

99/2026 – Unconditional Permission – Extension to existing shop

16/1019 - Conditional Permission - provision of new shop front & associated signage, demolition of 35m sq. of stores & construction of 97m sq extension to rear of existing shop unit new connection to local authority foul & surface water sewers and all ancillary works. The proposed development is within the curtilage of a protected structure.

### **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 construction of a single-storey extension to the rear of the existing building, including a dining room and bathroom, constitutes ‘works’ and ‘development’.

#### **5.2 Is the proposal exempted development?**

The proposed extension is located to the rear of the existing building. However, whether Class 1 applies is dependent upon the development being carried out within the curtilage of a house. Planning history on file includes planning reference 87/27810 which relates to use as a hairdressing salon. No evidence has been submitted regarding planning permission for a change of use of the subject property to residential use. The information submitted does not establish the current authorised use of the building and accordingly, the proposed development cannot avail of the exemption provided under Class 1, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) as it has not been demonstrated that the subject building constitutes a house for the purposes of Class 1.

## **6.0 Article 9 Restrictions**

The subject site is located within the Hospital Architectural Conservation Area and the applicability of Article 9 restrictions must therefore be considered.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <b>Article 9(1)</b><br><b>Development to which article 6 relates shall not be exempted development for the purposes of the Act—</b><br><br><b>(a) if the carrying out of such development would—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |     |
| (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,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |     |
| (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 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | N/A |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| development would require an appropriate assessment because it would be likely to 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, 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                                                                  | The subject property is located in ACA 17 Hospital. Insufficient information has been submitted to enable an assessment as to whether the proposed works would materially affect the character of the ACA for the purposes of Article 9(1)(a)(xii). |

|                                                                                                                                                                                                                                                                                                              |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| development would materially affect the character of the area,                                                                                                                                                                                                                                               |     |
| <b>(b) in an area to which a special amenity area order relates, if such development would be development:—</b>                                                                                                                                                                                              | 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                                                                                                                                                                                                   |     |
| (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)<br>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 |
| <b>Article 9 (3)</b><br>For the avoidance of doubt, sub-article (1)(a)(vii) shall not apply to any operation                                                                                                                                                                                                 | N/A |

|                                                                                                                                                                                                                                |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 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. |  |
|                                                                                                                                                                                                                                |  |

## **7.0 Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the absence of proximity or connectivity to a Natura 2000 European Site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site. An appropriate assessment screening report and determination is attached to this report.

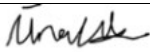
## **8.0 Environmental Impact Assessment**

Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations it has been concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

## **9.0 Recommendation**

Having regard to the information submitted, it has not been demonstrated that the subject building constitutes a house for the purposes of Class 1, Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended). Accordingly, the proposed development does not fall within the scope of Class 1 and cannot avail of the exemption provided under Article 6 of the Planning and Development Regulations 2001 (as amended).

Furthermore, the subject site is located within ACA 17 Hospital and insufficient information has been submitted to assess the potential impact of the proposed works on the character of the Architectural Conservation Area for the purposes of Article 9(1)(a)(xii). Therefore, it is considered that the proposed development constitutes development and is not exempted development under Section 4 of the Planning and Development Act 2000 (as amended) and Article 6 of the Planning and Development Regulations 2001 (as amended).

|                                 |                                                                                     |                         |
|---------------------------------|-------------------------------------------------------------------------------------|-------------------------|
| <b>Student Planner</b>          | <b>Una Walsh</b>                                                                    | <b>Date: 21/09/2026</b> |
| <b>Signature:</b>               |  |                         |
| <b>Senior Executive Planner</b> | <b>Barry Henn</b>                                                                   | <b>Date: 22/09/2026</b> |
| <b>Signature</b>                |  |                         |

## Appendix 1: AA PN01 Screening Form

| STEP 1: Description of the project/proposal and local site characteristics: |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) File Reference No:                                                      | EC-164-26                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| (b) Brief description of the project or plan:                               | An extension to existing kitchen / dining room to the back of the property including a wet room bathroom                                                                                                                                                                                                                                                                                                                                                    |
| (c) Brief description of site characteristics:                              | The site comprises an existing building located on Lower Main Street, Hospital, Co. Limerick, in a row of terraced buildings. The property is situated within the established settlement of Hospital and fronts onto the public road. It is accessible via regional road R513. The rear of the property contains a private rear garden area within which the proposed extension is to be constructed. The application site is approximately 0.041 hectares. |
| (d) Relevant prescribed bodies consulted:<br>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 <sup>1</sup>                                      | Distance from proposed development <sup>2</sup> (km) | Connections (Source-Pathway-Receptors) | Considered further in screening Y/N |
| 001430 – Glen Bog SAC                                                                                                                                                        | <a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a> | Approx. 5.1km                                        | None                                   | N                                   |

| STEP 3: Assessment of Likely Significant Effects                                                                                                                                                                      |                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| (a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings: |                                                            |
| Impacts:                                                                                                                                                                                                              | Possible Significance of Impacts: (duration/Magnitude etc) |
| Construction phase e.g. <ul style="list-style-type: none"> <li>- Vegetation clearance</li> <li>- Demolition</li> </ul>                                                                                                | None. No direct encroachment or hydrological connection.   |

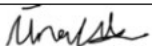
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| <ul style="list-style-type: none"> <li>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>- Dust, noise, vibration</li> <li>- Lighting disturbance</li> <li>- Impact on groundwater/dewatering</li> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>                                                                                                                                     |                                                          |
| <b>Operation phase e.g.</b> <ul style="list-style-type: none"> <li>- Direct emission to air and water</li> <li>- Surface water runoff containing contaminant or sediment</li> <li>- Lighting disturbance</li> <li>- Noise/vibration</li> <li>- Changes to water/groundwater due to drainage or abstraction</li> <li>- Presence of people, vehicles and activities</li> <li>- Physical presence of structures (e.g collision risk)</li> <li>- Potential for accidents or incidents</li> </ul> | None. No direct encroachment or hydrological connection. |
| <b>In-combination/Other</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                                      |

**(b) Describe any likely changes to the European site:**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| <p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>- Reduction or fragmentation of habitat area</li> <li>- Disturbance to QI species</li> <li>- Habitat or species fragmentation</li> <li>- Reduction or fragmentation in species density</li> <li>- Changes in key indicators of conservation status value (water or air quality etc)</li> <li>- Changes to areas of sensitivity or threats to QI</li> <li>- Interference with the key relationships that define the structure or ecological function of the site</li> </ul> | None. No direct encroachment or hydrological connection. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|

**(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)**

|                                                                                   |
|-----------------------------------------------------------------------------------|
| <input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> |
|-----------------------------------------------------------------------------------|

| STEP 4: Screening Determination Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                            |                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>The assessment of significance of effects:</b><br>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: <ul style="list-style-type: none"> <li>the nature and scale of the proposed development,</li> <li>the intervening land uses and distance from European sites,</li> <li>the lack of direct connections with regard to the Source-Pathway-Receptor model,</li> </ul> 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. |                                                                                                            |                                                                                                                                                                                   |
| <b>Conclusion:</b> An appropriate assessment is not required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                            |                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Tick as appropriate:                                                                                       | Recommendation:                                                                                                                                                                   |
| (i) It is clear that there is <b>no likelihood</b> of significant effects on a European Site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/>                                                                        | The proposal can be screened out: Appropriate Assessment not required.                                                                                                            |
| (ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European Site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>                                                                                   | <input type="checkbox"/> Request further information to complete screening<br><br><input type="checkbox"/> Request NIS<br><br><input type="checkbox"/> Refuse planning permission |
| (iii) <b>Significant effects</b> are likely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>                                                                                   | <input type="checkbox"/> Request NIS<br><br><input type="checkbox"/> Refuse planning permission                                                                                   |
| Signature and Date of Recommending Officer:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <br>_____<br>21/09/2026 |                                                                                                                                                                                   |
| Signature and Date of the Decision Maker:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <br>_____<br>22/09/2026 |                                                                                                                                                                                   |

## Appendix 2: EIA Screening

| Establishing if the proposal is a 'sub-threshold development':                                                                                                                                                                  |                                                                                                                                                                    |                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Planning Register Reference:                                                                                                                                                                                                    | EC – 164 – 26                                                                                                                                                      |                                                      |
| Development Summary:                                                                                                                                                                                                            | An extension to existing kitchen / dining room to the back of the property including a wet room bathroom                                                           |                                                      |
| Was a Screening Determination carried out under Section 176A-C?                                                                                                                                                                 | <input type="checkbox"/> Yes. no further action required<br><input type="checkbox"/> No. Proceed to <b>Part A</b>                                                  |                                                      |
| <b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, Part 1. of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)                                        |                                                                                                                                                                    |                                                      |
| <input checked="" type="checkbox"/> X                                                                                                                                                                                           | Yes. specify class: [insert here] _                                                                                                                                | <b>EIA is mandatory</b><br><br>No Screening required |
| <input type="checkbox"/>                                                                                                                                                                                                        | No                                                                                                                                                                 | Proceed to <b>Part B</b>                             |
| <b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate) |                                                                                                                                                                    |                                                      |
| <input checked="" type="checkbox"/> X                                                                                                                                                                                           | No. the development is not a project listed in Schedule 5, Part 2                                                                                                  | <b>No Screening required</b>                         |
| <input type="checkbox"/>                                                                                                                                                                                                        | Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold):<br>_[specify class & threshold here]_ | <b>EIA is mandatory</b><br><br>No Screening required |
| <input type="checkbox"/>                                                                                                                                                                                                        | Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> :<br>[insert here] _                                                                        | Proceed to <b>Part C</b>                             |
| <b>c. If Yes, has Schedule 7A information/screening report been submitted?</b>                                                                                                                                                  |                                                                                                                                                                    |                                                      |
| <input type="checkbox"/>                                                                                                                                                                                                        | Yes, Schedule 7A information/screening report has been submitted by the applicant                                                                                  | <b>Screening Determination required</b>              |
| <input type="checkbox"/>                                                                                                                                                                                                        | No, Schedule 7A information/screening report has not been submitted by the applicant                                                                               | <b>Preliminary Examination required</b>              |

|                                                |                                                                                                       |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| Signature and Date of<br>Recommending Officer: | <br><hr/> 21/09/2026 |
| Signature and Date of the<br>Decision Maker:   | <br><hr/> 22/09/2026 |

## DEVELOPMENT MANAGEMENT, PLANNING

### REG POST:

**Monica Burke**  
**13 The Paddocks,**  
**Briarfield,**  
**Castletroy,**  
**Limerick.**

**EC/164/26**

24 September 2026

**Re: Declaration under Section 5**

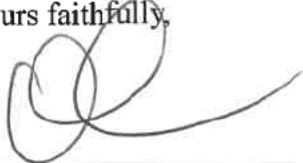
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Dear Sir/Madam,

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/2026/1187**

**File Ref No. EC/164/26**

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

**RE:** Extension to existing kitchen / dining room to the back of the property including a wet room bathroom at “Tara” Lower Main Street, Hospital, Co. Limerick.

**ORDER:** Whereas by Director General’s Order No. DG/2026/056 dated 25<sup>th</sup> 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, Student Planner dated 21/09/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Monica Burke, 13 The Paddocks, Briarfield, Castletroy, Limerick to state that the works as described above is

**Development and is NOT Exempt Development.**

Signed



SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,  
PLANNING

Date

24 / 09 / 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

## **SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**DECLARATION NO.**

**EC/164/26**

**Name and Address of Applicant:** Monica Burke, 13 The Paddocks, Briarfield, Castletroy, Limerick

**Agent:** N/A

**Whether** the extension to existing kitchen / dining room to the back of the property including a wet room bathroom at “Tara” Lower Main Street, Hospital, 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 01<sup>st</sup> day of September 2026.

**AND WHEREAS** the Planning Authority has concluded that the extension to existing kitchen / dining room to the back of the property including a wet room bathroom at “Tara” Lower Main Street, Hospital, Co. Limerick **DOES NOT** come within the scope of exempted development under Section 4 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 NOT Exempted Development.**

Signed on behalf of the said Council

Date:

24/09/2026

**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.