

P07

**CLARE COUNTY COUNCIL
COMHAIRLE CONTAE AN CHLÁIR**

Planning Department,
Economic Development Directorate,
Clare County Council,
New Road, Ennis,
Co. Clare.
V95DXP2

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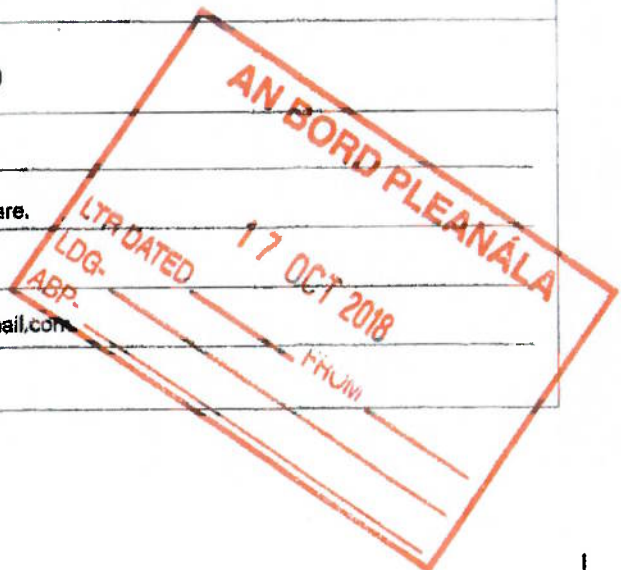
**REQUEST FOR A DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
(Section 5 of the Planning & Development Act 2000 (as amended))**

FEE: €80

This following form is a non-statutory form which has been prepared by Clare County Council for the purpose of obtaining the necessary information required for a declaration to be made under Section 5 by the Planning Authority

1. CORRESPONDENCE DETAILS.

(a) Name and Address of person seeking the declaration	Mr. Donie Lyne. Queens Hotel, Abbey St., Ennis.
(b) Telephone No.:	[REDACTED]
(c) Email Address:	[REDACTED]
(d) Agent's Name and address:	Leahy Planning Ltd, Clifden, Corrofin, Co. Clare. Tel-087 795 8180 E mail- maleahym1@gmail.com



2. DETAILS REGARDING DECLARATION BEING SOUGHT

- (a) PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT
Note: only works listed and described under this section will be assessed.

Sample Question: Is the construction of a shed at 1 Main St., Ennis development and if so is it exempted development?

Is the change of use from use as a hotel reception area to use as a cafeteria at the Queens Hotel, Abbey St., Ennis, development and if so is it exempted development ?

- (b) Provide a full description of the question/matter/subject which arises wherein a declaration of the question is sought.

The Queens Hotel has recently reorganised its internal arrangement whereby, inter alia, the area used as hotel reception on the ground floor has been adjusted to provide for seated cafeteria type use. The reception desk has been relocated to the first floor within the hotel premises and is accessible from the cafeteria area. It should be borne in mind that the reception area when located on the ground floor did accommodate seating and was also frequently used for the service of food, light snacks et cetera. As in any hotel premises there are a variety of locations in which meals of a variety of types are served. The use of the area formerly used for reception purposes as an area for serving cafeteria type meals does not have any impact on likely footfall, extent of deliveries or delivery times. Any increase in footfall which may arise would be as a result of more successful management of the premises rather than any change of use. While the term "change of use" is used above, it does not appear that a "material change of use" has taken place.

We seek a declaration on this matter from the planning authority including reasons for the planning authority's decision.

- (c) List of plans, drawings etc. submitted with this request for a declaration:

(Note: Please provide a site location map to a scale of not less than 1:2500 based on Ordnance Survey map for the areas, to identify the lands in question)

OS map, Drawing LD 18 02 being existing layout, Drawing LD 18 03 being layout of reception area prior to recent changes.

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	The Queens Hotel Abbey St. Ennis.
(b) Do the works in question affect a Protected Structure or are within the curtilage of a Protected Structure? If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 (as amended) been requested or issued for the property by the Planning Authority?	Yes. A section 57 declaration has been sought.
(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	Employee of company which owns the premises.
(d) If the person in (c) above is not the owner and/or occupier, state the name and address of the owner of the property in question: <i>Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.</i>	Abbey River Investments Ltd. Queens Hotel, Abbey St. Ennis.
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	Yes
(f) Are you aware of any enforcement proceedings connected to this site? If so please supply details:	There are no enforcement proceedings. Warning letter UD 18-039 has issued.
(g) Were there previous planning application/s on this site? If so please supply details:	None relating to the reception area.
(h) Date on which 'works' in question were completed/are likely to take place:	Change of use completed.

SIGNED: _____

DATE: _____

GUIDANCE NOTES

This following are non-statutory advice notes prepared by Clare County Council for the purpose of advising people what information is required for a decision to be made under Section 5 by the Planning Authority

- (i) The request for a declaration under Section 5 must be accompanied by 2 copies of site location map based on the Ordnance Survey map for the area of a scale not less than 1:1000 in urban areas and 1:2500 in rural areas and should clearly identify the site in question.
- (ii) The request for a declaration under Section 5 must be accompanied by the required fee of €80.00.
- (iii) If submitting any additional plans/reports etc. as part of the request for a declaration, please submit 2 copies.
- (iv) The request for a declaration should be sent to the following address:

Planning Department,
Economic Development Directorate,
Clare County Council
Aras Contae an Chlair,
New Road,
Ennis,
Co. Clare
V95DXP2

- (v) Notwithstanding the completion of the above form, the Planning Authority may require the submission of further information with regard to the request in order to enable the Authority to issue a declaration on the question.
- (vi) The Planning Authority may also request other persons to submit information on the question which has arisen and on which the declaration is sought

FOR OFFICE USE ONLY

Date Received:	Fee Paid:
Date Acknowledged:	Reference No.:
Date Declaration made:	CEO No.:
Decision:	

