



Comhairle Contae an Chabháin  
Cavan County Council

Ref. No. 299

An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

<b>AN BORD PLEANÁLA</b> 29 <sup>th</sup> June 2022	
LDG-	<u>054954-22</u>
ABP-	_____
01 JUL 2022 o.k	
Fee: € <u>110-</u>	Type: <u>Cheque</u>
Time: _____	By: <u>post</u>

**Re: Declaration under Section 5 of the Planning and Development Act 2000,  
as amended.**

Cavan County Council  
Courthouse  
Farnham Street  
Cavan H12 R6V2

Dear Sirs,

T: 049 437 8300

E: info@cavancoco.ie

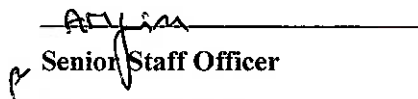
Comhairle Contae an Chabháin  
E: eolas@cavancoco.ie

W: www.cavancoco.ie

I enclose herewith a copy of the Section V application received from Niall O'Reilly *seeking whether the repair of machinery within an existing building in Omard, Kilnaleck, Co. Cavan is development or exempted development, which we refer to you for decision in accordance with Section 5(4) of the Planning and Development Act 2000, as amended.*

Applicable referral fee of €110 is enclosed.

Yours sincerely,

  
Senior Staff Officer  
Planning Section





CAVAN COUNTY COUNCIL

**From** Gary Farrelly  
Assistant Planner

**To** Fiona McIntyre  
Senior Staff Officer

**Date** 29<sup>th</sup> June 2022

**Subject: Referral of Section 5 Declaration Ref. No. 299 to An Bord Pleanala**

The Applicant has submitted a Section 5 declaration (received on 14<sup>th</sup> June 2022) seeking whether the repair of machinery within an existing building in Omard, Kilnaleck, is development or exempted development. It is noted that the most recent permission for the subject building relates to the building being used as a mushroom casing plant (Ref. 98/483) which was granted on 16/10/1998. The key question with this declaration is whether the use of the building as a mushroom casing plant and use for the repair of machinery fall under the same use class. It is recommended that this is referred to An Bord Pleanala for a determination in this regard.

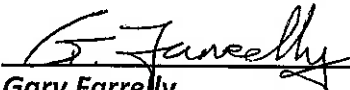
It is noted that Section 5(4) of the Planning and Development Act 2000, as amended, allows for the following:

*"a planning authority may, on payment to the Board of such fee as may be prescribed, refer any question as to what, in any particular case, is or is not development or is or is not exempted development to be decided by the Board."*

**Conclusion**

It is recommended that this declaration is referred to An Bord Pleanala under Section 5(4) of the Planning and Development Act 2000, as amended.

**PLANNER SIGNATURE**

  
Gary Farrelly

Assistant Planner

**DATE**

29-6-22

<b>AN BORD PLEANÁLA</b>	
LDG-	_____
ABP-	_____
01 JUL 2022	
Fee: €	_____ Type: _____
Time:	_____ By: _____

16<sup>th</sup> June 2022

Niall O'Reilly  
Aughalooora  
Kilnaleck  
Co Cavan

No. 299

**Re: Declaration under Section V of the Planning and Development Act, 2000 (as amended)**

A Chara,

I wish to acknowledge receipt of your correspondence in the Planning Office on 14<sup>th</sup> June 2022 in relation to Section V of the Planning and Development Act 2000 (as amended). The Planning Authority wish to advise that the matter is being dealt with and we shall be in further contact with you in due course.

Please find attached receipt No. 33413558 in the sum of €80.

Le meas,

\_\_\_\_\_  
Senior Staff Officer

<b>AN BORD PLEANÁLA</b>	
LDG- _____	
ABP- _____	
Fee: € _____	Type: _____
Time: _____	By: _____
01 JUL 2022	



Cavan County Council

APPLICATION FOR DECLARATION UNDER SECTION V of the  
PLANNING AND DEVELOPMENT ACT 2000 (as amended)

Name of Applicant NIALL O'REILLY

Address of Applicant AUGHALORA  
KILNALECK

Phone Number [REDACTED]

Name of Agent N/A

Address of Agent N/A

Location of proposed Development: A82 X K 76

Is this a Protected Structure or within the curtilage of a Protected Structure?

- Yes
- No

7. Description of Proposed Development NO CHANGES

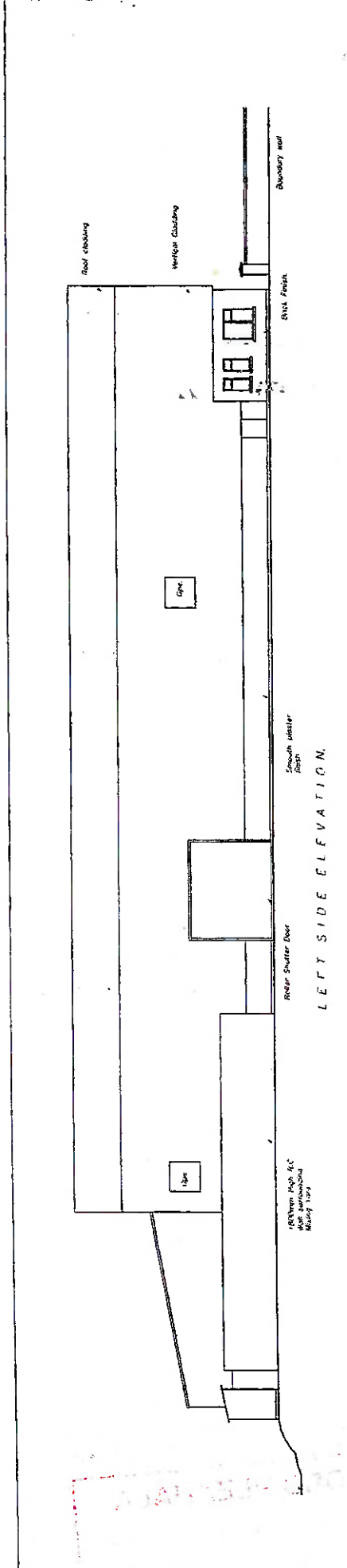
8. Applicant's interest in site: REPAIR OF MACHINERY

Signed: [Signature]

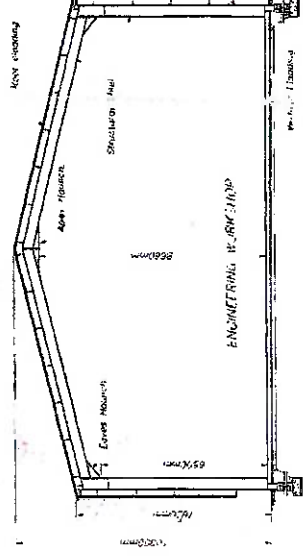
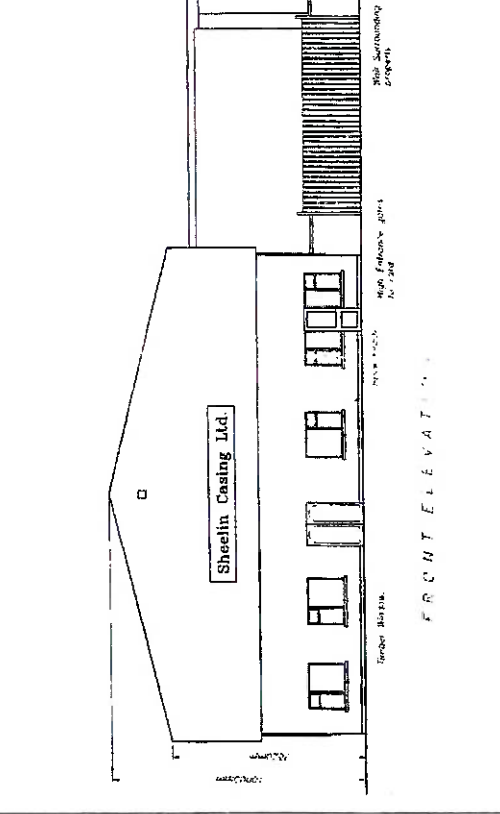
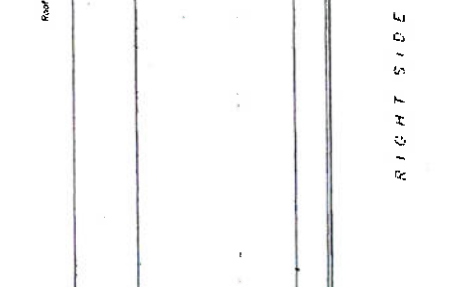
Date: 13/6/22

**AN BORD PLEANÁLA.**  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_  
01 JUL 2022  
Fee: € \_\_\_\_\_ Type: \_\_\_\_\_  
Time: \_\_\_\_\_ By: \_\_\_\_\_





**AN BORD PLEANÁLA**  
 LDG- 313970  
 ABP- \_\_\_\_\_  
 Fee: € \_\_\_\_\_ Type: \_\_\_\_\_  
 Time: \_\_\_\_\_  
 01 JUL 2022  
 By: \_\_\_\_\_



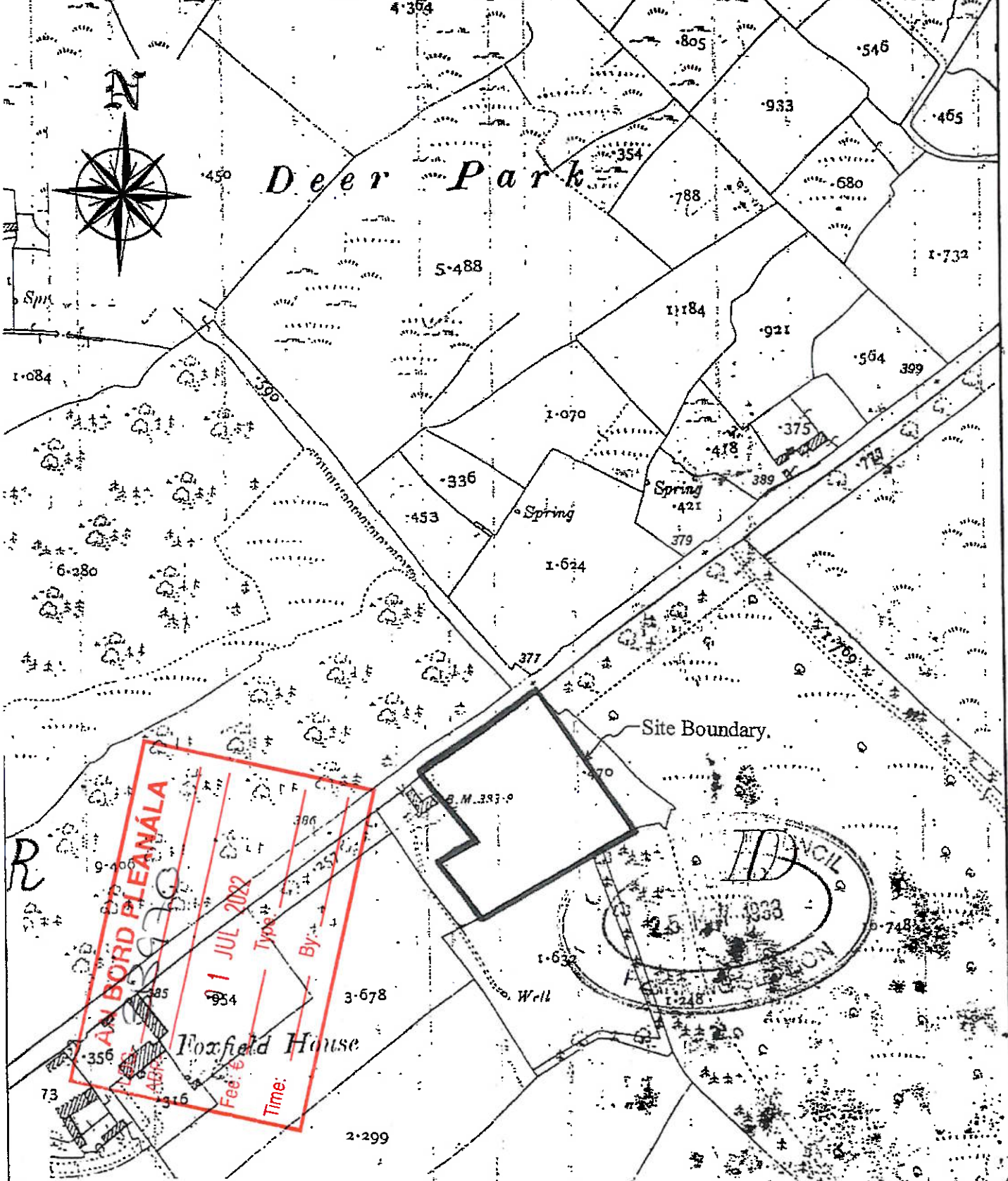
Persons: \_\_\_\_\_  
 SHEELIN CASTING LTD  
 207a Main Street, Craugh, Co. Galway Telephone: 01477 84774  
 Job Title: \_\_\_\_\_  
 Howan VanErterson for James McLoughlin of James Pridal  
 as General Manager, Co. Galway for Sheelin Casting Ltd.  
 Job Title: \_\_\_\_\_  
 Section: S. Sheelin  
 Scale: 1:100  
 Date: \_\_\_\_\_  
 Drawing no: X/L/101/177/C/1  
 23 MAY 2022  
 2022/05/23  
 2022/05/23





Mixing Yard Extension to Existing Mushroom Casing Plant  
at Omand, Kilnaleck, Co. Cavan for Sheelin casing Ltd.

Extract from Ordnance Survey Sheet No. 3718.



Site Location Map.

Scale: 1 : 2500.

**PETER MCGRATH ASSOCIATES**

95/96 Main Street, Cavan, Co. Cavan. Telephone: 0438 81179

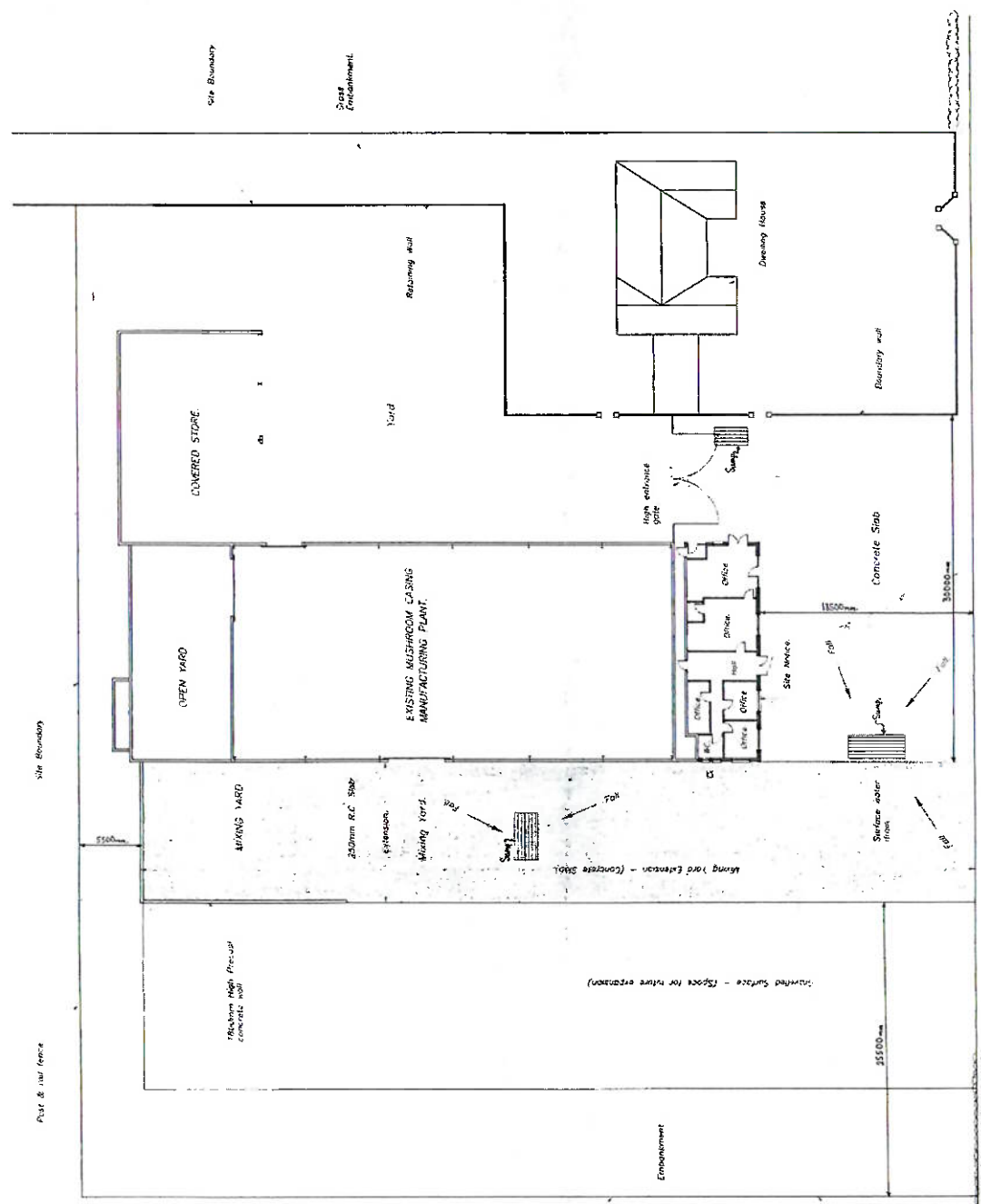


Revisions:

**RELIANCE ASSAULT**  
 12, The Pines Street, Co. Wick, Ireland. 0353 11 778

Job No: **312970**  
 More Yard Extension to Existing Mushroom Casings Manufacturing Plant  
 at Owenduff, Co. Cavan for Slough, Co. Wick Ltd.

Dwg. Title:	Site Plan		
Scale:	1:200	Date:	15-9-1999
Drawing no.:	5C/1611/PP/O2.		



For info to 2000mm wide  
 Mushing Yard

Surface work to be done to French  
 drain in existing area.

S I T E P L A N

**AN BORD PLEANÁLA**

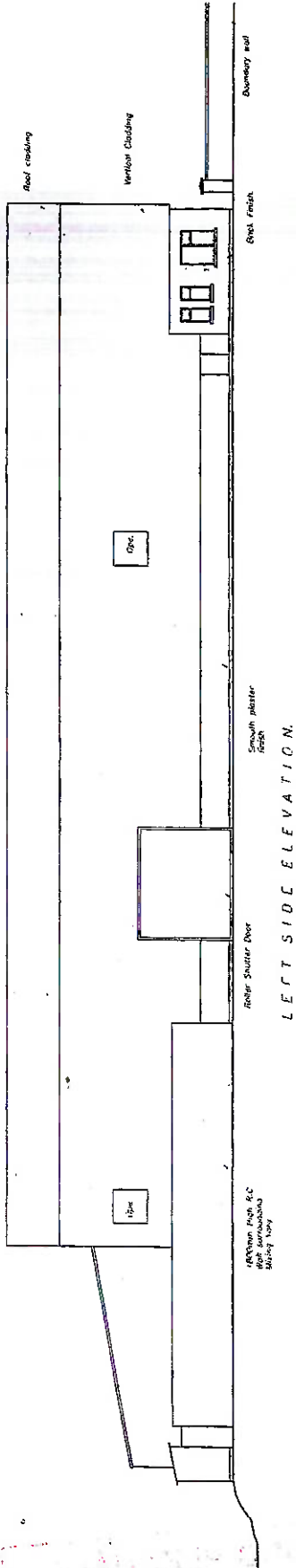
LDG- 312970

ABP- \_\_\_\_\_

01 JUL 2022

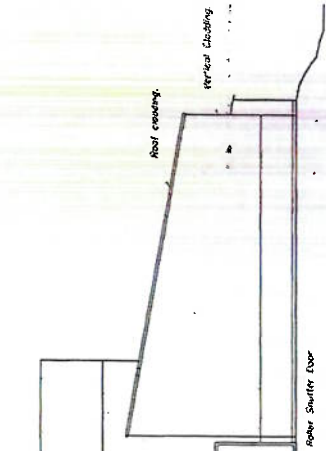
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Time: \_\_\_\_\_ By: \_\_\_\_\_

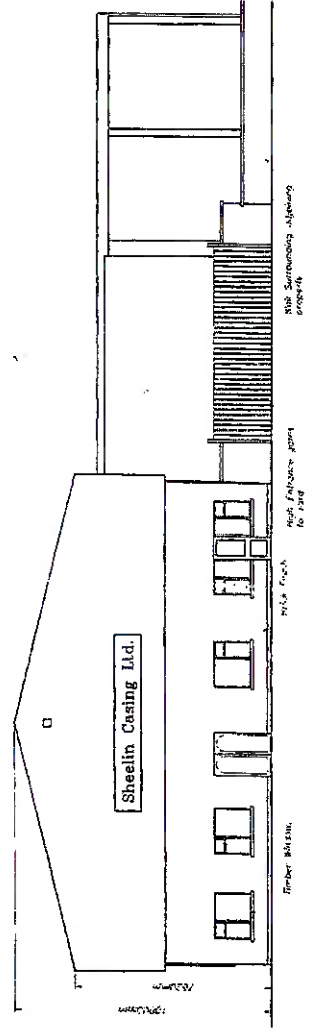


LEFT SIDE ELEVATION.

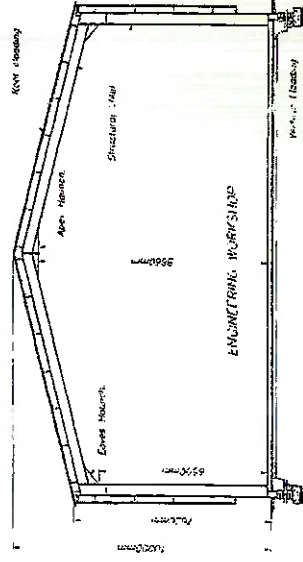
**AN BORD PLEANÁLA**  
 LDG- 313970  
 ABP-  
 Fee: € 01 JUL 2022  
 Type:  
 Time:



RIGHT SIDE ELEVATION



FRONT ELEVATION



SECTION A - 4.

**RELIANT CONTRACTORS**  
 20th Floor, 200, Colson, City Centre, Telephone 01 454 1174

Job Title: **Minor Work to Existing Sheelin Casing Ltd at Church, Malpas, Co. Carlow for Sheelin Casing Ltd.**

By: **John & Elizabeth**

Scale: **1:100**

Drawing No: **52/10/1/17/01**

Date: **23 JUL 2022**

