LIAM MADDEN

EU REGISTERED ARCHITECT NETHERLANDS REG. NO. 1.180615,001

UK REGISTERED ARCHITECT REG. NO. 0461 101

ENVIRONMENTAL SCIENTIST PLANNING CONSULTAAN BORD PLEANÁLA LDG-059695-

LEGAL ADVISOR S.I. 8/2017 SCH. 5

29 Nov. 2022

P.A. ref:

**DUBLIN 1** D01 V902

> R22-67 Clare County Council.

John Joe Fitzpatrick, Main St., Broadford, Co., Clare

Dear Sir/Madam,

An Bord Pleanala,

64 Marlborough Street,

this is a referral by my client, John Joe Etzpatrick, Main St., Broadford, Co. Clare made under Section 5 of the Planning and Development Act 2000, as amended. Attached is the Referral fee €220-00.

A section 5 request was made by my client to Clare County Council in the following matters:

WHEREAS a question has arisen as to whether the following are or are not exempted development:

- cleaning down and painting the front (east) wall and side (south) wall wall of the a.
- the replacing of the front windows to match the existing, and glazing same, b.
- the repair of the roof using stone slates on the front (south-east) elevation, c.
- the erection of internal walls and doors and internal floor in the original house area. d.
- the fitting of a replacement/relocated internal stairs within the area of the original e. house,
- the erection of a boiler house, f.
- the erection of internal walls and doors within the boiler house (in f. above), g.
- the erection of a concrete path to the rear and side of the boilerhouse. h.
- installation of 12 sq.m. of solar panels,

is/are exempted development.

Clare County Council made a declaration dated 9 Nov. 2022.

Attached is a copy of that declaration. The questions were all determined to be exempted development except for items f., g. and i. Above which are highlighted in **bold print** above.

L. MADDEN B. ARCH. NUI, M. APPL.ENVIR. SC,, CERT. ARCH. PROF., DIP. MICRO-PROC. TECH. 2 THE GATE LODGE, WINDSOR CLOSE, 81 LOWER WINDSOR AVENUE, BELFAST BT9 7DX POSTBUS 41882, 1009 DB AMSTERDAM, NEDERLAND RESIDENCE: VITRUVIUS HIBERNICUS, CONVENT ROAD, LONGFORD N39 EE72 Tel./Fax 043-33 41151 Accordingly the only questions which are referred to An Bord for review are:

- the erection of a boiler house, f.
- the erection of internal walls and doors within the boiler house (in f. above),
- installation of 12 sq.m. of solar panels.

that is, whether the above are or are not exempted development.

The supporting arguments in this referral are precisely the same arguments presented in the request to Clare County Council. These arguments are attached.

My client looks forward to a favourable declaration from An Bord Pleanala

Yours faithfully,

Convent Road, LONGFORD WW Mall

N39 EE72

L. MADDEN B. ARCH, NUI, M. APPL, ENVIR. SC., CERT, ARCH, PROF., DIP. MICRO-PROC. TECH. 2 THE GATE LODGE, WINDSOR CLOSE, 81 LOWER WINDSOR AVENUE, BELFAST BT9 7DX POSTBUS 41882, 1009 DB AMSTERDAM, NEDERLAND RESIDENCE: VITRUVIUS HIBERNICUS, CONVENT ROAD, LONGFORD N39 EE72 Tel./Fax 043-33 41151



# COMHAIRLE CLARE CONTAE AN CHLÁIR COUNTY COUNCIL

# Registered Post

John Joe Fitzpatrick c/o Liam Madden Convent Road Longford N39 EE72

9th November 2022

# Section 5 referral Reference R22-67 — John Joe Fitzpatrick

Are the following works; A. cleaning down and painting the front (east) wall and side (south) wall of the house. B. the replacing of the front windows to match the existing, and glazing same, C. the repair of the roof using stone slates on the front (south-east) elevation, D. the erection of internal walls and doors and internal floor in the original house area, E. the fitting of a replacement / relocated internal stairs within the area of the original house, F. the erection of a boiler house, G. the erection of internal walls and doors within the boiler house (in f. above, H. the erection of a concrete path to the rear and side of the boiler house, I. the installation of 12 sq.m of solar panels considered development and if so, are they considered to be exempted development?

#### A Chara,

I refer to your application received on 14th October 2022 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

The Planning Authority has considered the matter and I attach herewith the Council's findings in this matter.

Where a declaration is issued by the Planning Authority, any person issued with a declaration, may on payment to an Bord Pleanála of the required fee, refer a declaration for review by An Bord Pleanála within 4 weeks of the date of the issuing of the declaration. Details on making such appeal are available on the Board's website at <a href="https://www.pleanala.ie">www.pleanala.ie</a>

Mise, le meas

Anne O'Gorman Staff Officer

**Planning Department** 

**Economic Development Directorate** 

An Roinn Pleanála An Stiúrthóireacht Forbairt Gheilleagrach

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

Planning Department
Economic Development Directorate

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2











# DECLARATION ISSUED UNDER SECTION 5 OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)

Reference No.: R22-67



# Section 5 referral Reference R22-67

Are the following works; A. cleaning down and painting the front (east) wall and side (south) wall of the house. B. the replacing of the front windows to match the existing, and glazing same, C. the repair of the roof using stone slates on the front (south-east) elevation, D. the erection of internal walls and doors and internal floor in the original house area, E. the fitting of a replacement / relocated internal stairs within the area of the original house, F. the erection of a boiler house, G. the erection of internal walls and doors within the boiler house ( in f. above, H. the erection of a concrete path to the rear and side of the boiler house, I. the installation of 12 sq.m of solar panels considered development and if so, are they considered to be exempted development?

AND WHEREAS, John Joe Fitzpatrick has requested a declaration from Clare County Council on the said question.

AND WHEREAS Clare County Council, in considering this referral, had regard in particular to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, (as amended)
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, (as amended)
- (c) Classes 1, 2, 12, 13, 41 (b) of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended)
- (d) The works as indicated in submitted documents from the referrer.
- (e) The inspection of the site and building by the Planning Authority and the nature of the works as carried out to date

# And whereas Clare County Council has concluded:

- (a) Cleaning down and painting the front (east) wall and side (south) wall of the house, replacing of the front windows to match the existing and glazing of same, the repair of the roof using stone slates on the front (southeast) elevation, the erection of internal walls and doors and internal floor in the original house area, the fitting of a replacement / relocated stairs within the area of the original house, the erection of a boiler house, the erection of internal walls and doors within the boiler house, the erection of a concrete path to the rear and side of the boiler house and the installation of 12m² of solar panels constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended;
- (b) The said works constitute "development" which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended;

- (c) The said cleaning down and painting the front (east) wall and side (south) wall of the house is exempted development having regard to Schedule 2, Part 1, Class 12 of the Planning and Development Regulations 2001 (as amended)
- (d) The said (i) replacement of the front windows to match the existing and glazing same, (ii) repair of the roof using stone slates on the front (southeast) elevation, (iii) erection of internal walls and doors and internal floor in the original house area and (iv) fitting of a replacement / relocated stairs within the area of the original house is exempted development having regard to Section 4(1)(h) of the Planning and Development Act, 2000 (as amended)
- (e) The said erection of a concrete path to the rear and side of the stated boiler house is exempted development having regard to Schedule 2, Part 1, Class 13 of the Planning and Development Regulations 2001 (as amended)
- (f) The said erection of a stated boiler house is not exempted development having regard to Schedule 2, Part 1 Class 2 of the Planning and Development Regulations 2001 (as amended), as based on inspection of the property the Planning Authority does not consider it meets the criteria as set out in Class 2 as it provides for a number of rooms, including some with ensuites, and is not therefore considered to be part of a heating system of a house.
- (g) The said (i) erection of internal walls and doors within the stated boiler house and (ii) installation of 12m<sup>2</sup> of solar panels is not exempted development having regard to Article 9(viii) of the Planning and Development Regulations 2001 (as amended).

**THEREFORE**: The Planning Authority in exercise of the powers conferred on it by Section 5 of the Planning and Development Act, 2000 (as amended), hereby decides that:

The proposed development consisting of the following works; A. cleaning down and painting the front (east) wall and side (south) wall of the house. B. the replacing of the front windows to match the existing, and glazing same, C. the repair of the roof using stone slates on the front (south-east) elevation, D. the erection of internal walls and doors and internal floor in the original house area, E. the fitting of a replacement / relocated internal stairs within the area of the original house, F. the erection of a boiler house, G. the erection of internal walls and doors within the boiler house ( in f. above, H. the erection of a concrete path to the rear and side of the boiler house, I. the installation of 12 sq.m of solar panels at Main Street, Broadford, Co. Clare are defined within the Planning & Development Acts, 2000 (as amended) and associated regulations as follows:

- Cleaning down and painting the front (east) wall and side (south) wall of the house
- · Replacing the front windows to match the existing and glazing of same
- The repair of the roof using stone slates on the front (southeast) elevation
- The erection of internal walls and doors and internal floor in the original house area
- The fitting of a replacement / relocated stairs within the area of the original house
- The erection of a concrete path to the rear and side of the stated boiler house

## is development and is exempted development.

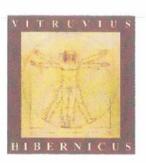
- The erection of a structure described as a boiler house
- · The erection of internal walls and doors within said structure, and
- the installation of 12m<sup>2</sup> of solar panels

is development which is not exempted development.

Anne O'Gorman Staff Officer Planning Department Economic Development Directorate

9th November 2022

LIAM MADDEN
EU REGISTERED ARCHITECT NETHERLANDS REG, NO. 1.180615.001
UK REGISTERED ARCHITECT REG. NO. 0461701
ENVIRONMENTAL SCIENTIST PLANNING CONSULTANT
LEGAL ADVISOR S.I. 8/2017 SCH. 5



12 Oct. 2022

Ms. Aideen Nagle, Staff Officer, Planning Department, Áras Contae an Chláir, New Road, ENNIS, Co. Clare. V95 DXP2

your ref:

UD22-030

Main Street, Broadford, Co. Clare.

my ref:

T 2030

John Joe Fitzpatrick.Ms. Aideen Nagle,

Dear Ms. Nagle,

attached is the completed Section 5 Request form with €80-00 fee.

Also attached are 2 no. Copies of various plans, drawings, maps and photos which locate and describe the existing house at Main St., Broadford, Co. Clare.

I address below some of simpler background matters in your correspondence with my client and me.

#### 1. BACKGROUND

- (i) The existing house and lands were purchased by John Joe Fitzpatrick in May 2022.

  The previous owner, Mr. Gerard Bond, had been served with a Notice of intent under the Derelict Sites Act to the effect that the premises would be entered onto the Derelict Sites Register unless certain works were undertaken and completed.
- (ii) John Joe Fitzpatrick gave, through his Solicitor, a written confirmation that he was the new purchaser of the premises and lands.
  Further, he gave the undertaking through his Solicitor that the required works and measures would be carried out and completed within a timeframe agreed with your Council's Officer, Ms. Carmel Greene. Indeed Ms. Greene congratulated John Joe Fitzpatrick on his ahead-of-time completion of the works.
- (iii) At the time of Notice the premises was in an advanced state of delapidation.

L. MADDEN B. ARCH. NUI, M.APPLENVIR. SC., CERT. ARCH. PROF., DIP. MICRO-PROC. TECH.

2 THE GATE LODGE, WINDSOR CLOSE, 81 LOWER WINDSOR AVENUE, BELFAST BT9 7DX
POSTEUS 41882, 1009 DB AMSTERDAM, NEDERLAND

RESIDENCE: VITRUVIUS HIBERNICUS, CONVENT ROAD, LONGFORD N39 EE72 Tel./Fax 043-33 41151

#### 4. LEGISLATION

The relevant legislative framework is the Planning and Development Act 2000, as amended, and the Regulations made thereunder, as amended.

It is acknowledged that 'works', as defined, have been carried out and therefore 'development', as defined, has taken place. This acknowledgement simplies the matter before the P.A.

# 5. SECTION 5 REQUEST

WHEREAS a question has arisen as to whether the following are or are not exempted development:

- a. cleaning down and painting the front (east) wall and side (south) wall wall of the house,
- b. the replacing of the front windows to match the existing, and glazing same,
- c. the repair of the roof using stone slates on the front (south-east) elevation,
- d. the erection of internal walls and doors and internal floor in the original housen area,
- e. the fitting of a replacement/relocated internal stairs within the area of the original house,
- f. the erection of a boiler house,
- g. the erection of internal walls and doors within the boiler house (in f. above),
- h. the erection of a concrete path to the rear and side of the boilerhouse,
- i. installation of 12 sq.m. of solar panels, is/are exempted development.

# 6. SUPPORTING ARGUMENTS

I say and argue as follows.

- a. Cleaning down and painting the front and side wall is exempted under Schedule 2 Part 1 Sundry Works Class 12
  "The painting of any external part of any building or other structure".

  There is one Condition/Limitation which does not apply to this premises.

  It is inconceivable that this would be anything other than exempted as the P.A. has offered to grant-aid the works.

  This does not fall foul of any of the provisions of Article 9 of the Planning and Development Regulations, as amended, which would otherwise de-exempt what would ordinarily be exempted.
- b. The replacing of front windows was executed at the behest of the P.A. It is inconceivable that this would be anything other than exempted as the P.A. has offered to grant-aid the works.

  This is exempted under Section 4.-(1)(h) of the Act being:

  "works for the maintenance, improvement or other alteration of any structure ... [and]

  ... which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure of of neighbouring structures".

This is, in addition or in the alternative, exempted under Class 41(b), mentioned above.

L. MADDEN B. ARCH. NUI, M. APPL.ENVIR. SC., CERT. ARCH. PROF., DIP. MICRO-PROC. TECH.

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POSTBUS 41882, 1009 DB AMSTERDAM, NEDERLAND

RESIDENCE: VITRUVIUS HIBERNICUS, CONVENT ROAD, LONGFORD N39 EE72 Tel./Fax 043-33 41151

# 2. DERELICT SITES – works and measures

- (i) Works carried out in foot of notice/requirements of an enactment other than the Planning and Development Act(s), as amended, are Exempted Development under the Planning and Development 2000 Act.

  Indeed it would have been an offence and counter-productive not to have complied wth the provisions of the Derelict Site Act.

  My client is not, however, relying soley on the Derelict Sites Act as evidence of exemption under the Planning and Development Act 2000, as amended, and the Regulations made thereunder.
- (ii) The measures to be carried out under the Derelict Sites Act are within the procurement of your own Council. It is not necessary or appropriate to recite to you your own information.

The measures and works sought were, as interpretated, generally:

- (1) replacing rotten windows,
- (2) repair cracked/broken/missing/slipped stone roof slates
- (3) clean down and paint the premises.

I mention in passing that your Council offered to grant-aid certain of the above.

(iii) The works are measures set out in the Derelict Sites Notice are exempted under Schedule 1 Part 1 Class 41(b) **Miscellaneous**:

"Works consisting of or incidental to -

(b) the removal of any structure or object or the carrying out of any works required by a planning authority under the provisions of the Act or any other enactment."

There are no Conditions/Limitations attaching to Class 41(b). This works and measures do not fall foul of any of the provisions of Article 9 of the Planning and Development Regulations, as amended, which would otherwise de-exempt what would ordinarily be exempted.

(iv) Those parts of the required works and measures carried out and which affect only the interior of the structure are, of course, also Exempted Development under Section 4.-(1)(h) of the Act, as amended.

There are no Conditions and/or Limitations affecting this exemption.

The relevant works are identified on the attached drawing(s).

### 3. ORIGINAL 'FOOTPRINT' of existing house.

The extent of the original house is shown on the attached mapping.

The then return (i.e. the rear section) of the house is also identified on the attached drawing(s). The area of the return is incorporated into and enclosed by further development works. You will also note the existence of a former independent shed/store to the rear of the site along the northern boundary which may be the subject of reinstatement at a later date.

L. MADDEN B. ARCH. NUL, M. APPL.ENVIR. SC., CERT. ARCH. PROF., DIP. MICRO-PROC. TECH.

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RESIDENCE: VITRUVIUS HIBERNICUS, CONVENT ROAD, LONGFORD N39 EE72 Tel./Fax 043-33 41151

- c. The repair of the roof on the front (east) elevation involved the removal and salvaging of the existing stone slates, storing same for re-use, replacing rotten timbers/battens/felt/flashings and re-slating in the salvaged stone slates.

  This is exempted under Section 4.-(1)(h) of the Act being repair:

  "works for the maintenance, improvement or other alteration of any structure.. [and].. which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure of of neighbouring structures".

  This is, in addition or in the alternative, exempted under Class 41(b), mentioned above.
- d. The erection of internal walls and doors and internal floor within the area of the original house are exempted under Section 4.-(1)(h) of the Act being:

  "works for the maintenance, improvement or other alteration of any structure which affect only the interior of the structure ...."
- e. The fitting of a replacement internal stairs within the area of the original house is exempted under Section 4.-(1)(h) of the Act being:

  "works for the maintenance, improvement or other alteration of any structure which affect only the interior of the structure ...."
- f. The erection of a boiler house is exempted under Schedule 2 Part 1 Class 2 (a) being:

  "The provision as part of a heating system of a house, of a chimney or flue, boiler house or fuel storage tank or structure.

Class 2(a) has one Condition/Limitation:
"The capacity of an oil storage tank shall not exceed 3500 litres."
There is no Condition/Limitation restricting the area, height, location or appearance.

This work is incomkplete and does not fall foul of any of the provisions of Article 9 of the Planning and Development Regulations, as amended, which would otherwise de-exempt what would ordinarily be exempted.

g. The erection of internal walls and doors within a boiler house are exempted under Section 4.-(1)(h) of the Act being "works for the maintenance, improvement or other alteration of any structure which affect only the interior of the structure .... "

(The relevant part is in bold.)
The important word is "or". That is, the internal walls and doors do not have to be works for maintenance, improvement.

In this case the walls and doors constitute alterations to any structure which affect only the interior of the structure.

There are no Conditions/Limitations attaching to Section 4.-(1)(h) of the Act.

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RESIDENCE: VITRUVIUS HIBERNICUS, CONVENT ROAD, LONGFORD N39 EE72 Tel./Fax 043-33 41151

h. The erection of a concrete path round the rear and side of the boiler house is exempted under Schedule 2 Part 1 Class 13:

"The repair or improvement of any private street, road or way, being works which are carried out within the boundary of the street, road or way, and the construction of any private footpath or paving."

(The relevant part is in bold.)

The is one Condition/Limitation:

"The width of any private footpath or paving shall not exceed 3 metres."
The concrete path does not exceed 3 metres: it not yet built.

This does not fall foul of any of the provisions of Article 9 of the Planning and Development Regulations, as amended, which would otherwise de-exempt what would ordinarily be exempted.

The path is exempted under Class 6 also and complies with the Conditions/Limitations.

(i) The installation or erection of 12 sq.m. of solar panels is exempted under Schedule 2 Part 1 Class 2 (c):

The installation or erection of a solar panel on, or within the curtilage of a house, or any buildings within the curtilage of a house.

There are 7 no. attached Condtions/Limitations. No.s 5, 6 and 7 refer to free-standing solar arrays and do not apply to this situation as the panels are to be mounted on the roof. The solar panels comply with Conditions/Limitations 1, 2, 3 and 4.

This does not fall foul of any of the provisions of Article 9 of the Planning and Development Regulations, as amended, which would otherwise de-exempt what would ordinarily be exempted.

It is noteworthy that the making of a new Statutory Instrument is imminent which, by the time this Request has been dealt with, will be in place. The new S.I. is to amend Class 2(c) to the effect that there will be no limit on the area of the solar array. My client intends to avail of the new S.I.

The purpose of this Section 5 Request is to regularise the structure which is on site, well advanced, but not completed. It is possible that my client will seek to change the use of part of the new works to the rear to residential use. However, that is not part of this request.

Whether the possible change of use constitutes 'development' as defined is a question for another day. Whether any putative change of use is a material change of use, and is or is not exempted development is also a matter for another day.

If such a possible change of use is a material change of use and if it is not exempted development, then that change may require permission, that is of course, if it is to be carried out. However, that is for another day: first things first, the structure should be regularised.

I look forward to your declarations.

Yours faithfully,

Liam Madden, Convent Road, LONGFORD. N39 EE72

ENCLOSURES - 2 no. Copies of:-

OS PRA Folio ownership print OS PRA site location map Site Layout 1:500 Ground Floor Plan 1:100 First Floor Plan 1:100 Elevations, Section. 1:100

External photo (from rear lands)
External photo (from side passage)
Street View May 2022
Google Street View May 2009
Google Street View June 2022
Google Street View May 2009
Google Street View June 2022
Interior View – work in progress Oct. 2022: Ground Floor facing Main St.
Interior View – work in progress Oct. 2022: Ground floor relocated stairs.

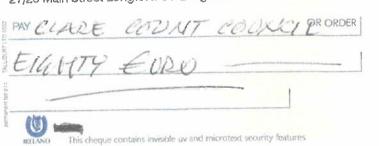


27/28 Main Street Longford Co Longford

P07

COMHA

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



MR LIAM MADDEN





# 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	JOHN JOE FITZPATRICK  MAIN STREET  BROAD FORD, Co. CLARE			
(b)	Telephone No.:	) ALL COMMUNICATIONS			
(c)	Email Address:	_ ] THROUGH AGENT.			
(d)	Agent's Name and address:	LAM MADDEH  CONVENT ROAD  LONGFORD X39 EE72  043-33-41151  VITRUVIUS. HIBERNICUS @ hotmail-con			

2.	DETAILS REGARDING DECLARATION BEING SOUGHT
	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?
	SEE ATTACHED COVER LETTER+BUESTIONS
	2 SUPPORTING ARGUMENTS
	wide a full description of the question/matter/subject which arises wherein a declaration of the question ought.  SEE ATTACKED COVER LETTER
***************************************	WITH QUESTIONS & SUPPORTUNG
	ARAUMENTS
(No	of plans, drawings etc. submitted with this request for a declaration: te: Please provide a site location map to a scale of not less than 1:2500 based on Ordnance Survey of for the areas, to identify the lands in question)
(AV)	BELLISTRY PRA COUNTERSHIP) LAXID REGISTRY SITE
	ATTON, SOTE LAYOUT 1/500, PLANS & SECTION
	SEVATIONS & PHOTOSCAPHS

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT					
(a)	Postal Address of the Property/Site/Building for which the declaration sought:	MAIN ST. BROADFORD CO. CLADE			
(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?	No.			
(c)	Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	NEW DUNSER - PRA REGISTRATION PERISING			
(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:	N/A			
	Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.				
(e)	Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	NA			
(f)	Are you aware of any enforcement proceedings connected to this site? If so please supply details:	240			
(g)	Were there previous planning application/s on this site? If so please supply details:	140			
(h)	Date on which 'works' in question were completed/are likely to take place:	ON-GOING: SEE ATTACHEED			

SIGNED: Law Raadley

DATE: 12/10/22

## **GUIDANCE NOTES**

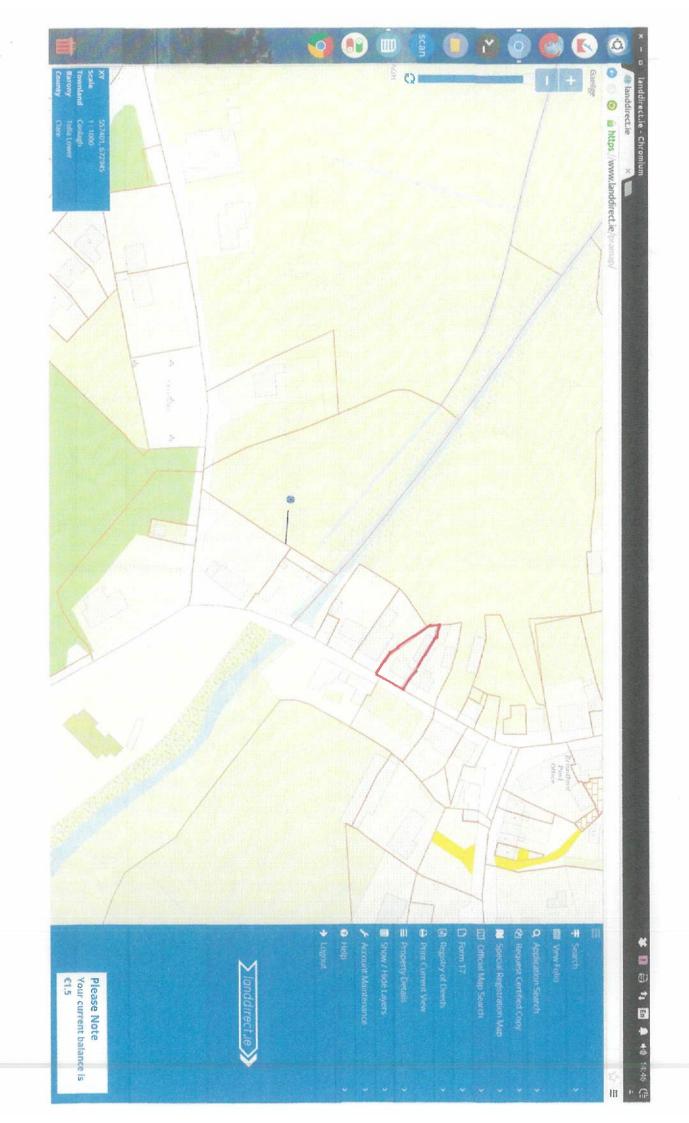
This following are non-statutory advice notes prepared by Clare County Council for the purpose of advising people what information is required for a decision to be made under Section 5 by the Planning Authority

- (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:

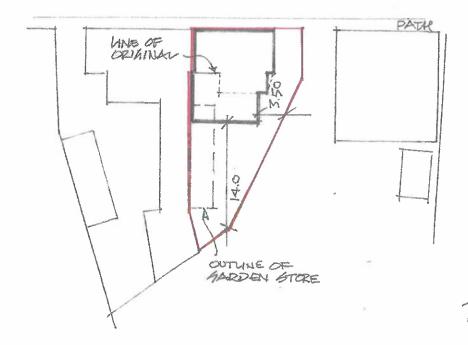
Planning Department,
Economic Development Directorate,
Clare County Countil
Aras Contae an Chlair,
New Road,
Ennis,
Co. Clare
V95DXP2

- (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:	*************************						



PUBLIC ROXID



6ITE LAYOUT 1:500

