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COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Registered Post

**Kilrush Maritime Ltd.
Kilrush Marina,
Kilrush,
Co. Clare.**

11th May, 2021

Section 5 referral Reference R21-22 – Kilrush Maritime Ltd.

Whether the proposed project which involves installing a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare, is or is not development and is or is not exempted development.

A Chara,

I refer to your application received on the 21st April, 2021 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 www.pleanala.ie

Mise, le meas

**Josephine Connors
Staff Officer
Planning Department
Economic Development Directorate**

**An Roinn Pleanála
An Stiúirthóireacht 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.: R21-22



**Comhairle Contae an Chláir
Clare County Council**

Section 5 referral Reference R21-22

Whether the proposed project which involves installing a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare, is or is not development and is or is not exempted development.

AND WHEREAS, Kilrush Maritime Ltd. 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 –

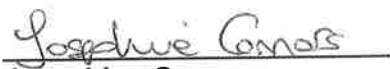
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Article 6 of the Planning and Development Regulations 2001, as amended
- (c) The works as indicated in submitted documents from the referrer.

And whereas Clare County Council has concluded:

- (a) The installation of a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare, 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 development is exempted development by virtue of Section 4 (1) (h) of the Planning and Development Act 2000, 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 installation of a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare constitutes development which is exempted development as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.



Josephine Connors
Staff Officer
Planning Department
Economic Development Directorate

11th May, 2021

CLARE COUNTY COUNCIL

SECTION 5 OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED

DECLARATION ON DEVELOPMENT AND/OR EXEMPTED DEVELOPMENT

Chief Executive's Order No:

77601.

Reference Number:

R21-22

Date Referral Received:

21st April 2021

Name of Applicant:

Kilrush Maritime Ltd.

Location of works in question:

Kilrush Marina, Kilrush, Co. Clare

Section 5 referral Reference R21-22 – Kilrush Maritime Ltd.

Whether the proposed project which involves installing a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare, is or is not development and is or is not exempted development.

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) Article 6 of the Planning and Development Regulations 2001, as amended
- (c) The works as indicated in submitted documents from the referrer.

AND WHEREAS Clare County Council has concluded:

- (a) The installation of a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare, 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 development is exempted development by virtue of Section 4 (1) (h) of the Planning and Development Act 2000, as amended.

ORDER:

Whereas by Chief Executive's Order No. HR 152 dated 9th April 2021, Pat Dowling, Chief Executive for Clare County Council, did, pursuant to the powers conferred on him by Section 154 of the Local Government Act 2001, delegate to Garreth Ruane, Senior Executive Planner, the powers, functions and duties as set out herein,

NOW THEREFORE pursuant to the delegation of the said powers, functions and duties and under Section 5(2)(a) of the Planning & Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the referral described above, I, Garreth Ruane, Senior Executive Planner, hereby declare that the installation of a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare is considered development which is exempted development

Signed:



GARRETH RUANE
SENIOR EXECUTIVE PLANNER *Se*

Date:

11th May 2021

**CLARE COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION
PLANNERS REPORT**

FILE REF:	R21-22
APPLICANT(S):	Kilrush Maritime Ltd
REFERENCE:	Whether the proposed project which involves installing a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare, is or is not development and is or is not exempted development.
LOCATION:	Kilrush Boatyard, Kilrush Marina, Cappagh Road, Kilrush, Co. Clare.
DUE DATE:	18 th May 2021.

Site Location

The subject site is located at Cappagh Road, Kilrush. It consists of a boatyard (with associated structures), adjoining the Kilrush Creek body of water. It is located west of the R473 (Cappagh Road).

The subject site is within the settlement boundary of Kilrush and is zoned Mixed Use in the Kilrush Settlement Plan (Clare County Development Plan 2017 -2023, Volume 3D West Clare Municipal District).

The Kilrush Settlement Plan designates the site as an Opportunity Site (OP13) with the following text included in the plan:

OP13: Existing Boatyard, Kilrush Marina.

"The existing boatyard is one of the current uses within the marina, located on the opposite side to the berthing area and marina visitor centre. It is a large site situated between the former Harbour Restaurant (OP6) and Enterprise House. The development of this site must be part of the overall integrated development of the marina. Applications for development proposals shall be accompanied by a Flood Risk Assessment (FRA) and a screening for appropriate assessment as a minimum and where necessary a Natura Impact Statement (NIS) should the Council deem it necessary.

Planning History

P17/176: Permission granted to extend the existing travel hoist lift bay by 1.2 metres to facilitate the installation of a larger boat lift.

P14/351 (ABP Ref No. PL03.244297): Permission granted for: Provision of a new marina pavilion building (height 5.75m) ; Provision of new visitor/tours Landing pontoon at marina centre; Provision of a dinghy park area and slipway at marina centre; Provision of additional vehicle access point to marina centre; Provision of a new 40 berth marina pontoon with associated marina walkway and infrastructure; Provision of new fixed and floating breakwaters; Provision of landing pontoons inside lock gate; Provision of boat wash bay within existing boatyard; Upgrade of existing site services at the marina centre and boatyard to compliment proposed developments; Additional car parking and

landscaping improvement; Provision of 6 camper vans parking bays; landscaping improvements at existing site entrance, including removal of the adjacent front boundary wall. Land reclamation of the north western marina basin to provide boat storage area; Maintenance dredging works. NIS has been submitted as part of this application.

On-site history:

- | | |
|------------------|--|
| P13 31004 | Application by L & M Keating for permission to upgrade and expansion works at Kilrush Marina and Boatyard comprising; New Marina Pavillion building (height 5.75 m); new dinghy area and slipway; new visitor landing pontoon at Marina Centre; new vehicle access point to Marina Centre; additional marina leg providing 40 new berths; new fixed breakwater; new floating breakwater; new landing pontoon inside lock gate; boat wash facility within existing boatyard; car parking and landscaping improvements including removal of existing front boundary wall; land reclamation of section of the north-western portion of the impounded marina basin. (refer also Section 1 of Appendix A for further details). Further information was requested, and subsequently clarification on the further information response. The clarification requested was not responded to within the required timeframe and the application was deemed to be withdrawn. |
| 960/89 | Application by SFADCO to establish a Marina complex. Planning permission granted subject to 23 no. conditions. |
| 1002/90 | Application by Shannon Maritime Developments Ltd for permission to construct 80 housing units, a marina centre incorporating a bar and restaurant and associated site development works. Planning permission granted subject to 41 no. conditions |
| 1003/90 | Application by Shannon Maritime Developments Ltd for permission to erect an enclosed building for boat repairs, building and maintenance. Planning permission granted subject to 5 no. conditions. |

Enforcement History

None

Referral History

None

Pre-planning

None

Background to Referral

This Referral under Section 5(1) of the Planning and Development Act 2000 (as amended) has been made by Kilrush Maritime Ltd. It is stated in the Request for Declaration form that the applicant company is a leasee of the land from the landowner.

The description of the proposal is set out in the application form. A layout plan and elevation drawings of the proposed structures (trolley, rails, winch and winch foundation) have been submitted.

Statutory Provisions

Planning and Development Act, 2000 (as amended)

In order to assess this proposal, regard has to be had to the *Planning and Development Act 2000, as amended*.

S.3.(1) In this Act, "development" means, except where the context otherwise requires, 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.

'Works' are defined in Section 2 of the *Planning and Development Act 2000, as amended* as follows:

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 4(1) of the *Planning and Development Act 2000, as amended* states the following shall be exempted development

- (h) *development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which materially affect only the interior of the 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 or of neighbouring structures.*

Planning & Development Regulations, 2001, as amended

Article 6 refers to Exempted Development and states that subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development 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.

Assessment

Basis of Referral

The applicant is seeking a Section 5 Declaration to establish:

"Whether the proposed project which involves installing a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare, is or is not development and is or is not exempted development."

Assessment

In order to assess this proposal, regard has to be had to the *Planning and Development Act 2000*, as amended.

'Works' are defined in Section 2 of the *Planning and Development Act 2000*, as amended as follows:

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

The proposal involves works, namely the installation of metal rails on the existing slipway which will accommodate a trolley, and the construction of a winch at the top of the slipway, which will pull the trolley to the top of the slipway. I consider that the proposal represents 'Works' within the meaning of the Act.

Section 3 (1) of the Act states:

"development" means, except where the context otherwise requires, 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.

I do not consider that the works represent a change of use because the works will relate to the existing permitted slipway. I consider that the works represent development because the works will be carried out "on, in, over or under land".

The Ministerial Regulations which identify development that can be classed as Exempted Development are contained within the *Planning & Development Regulations, 2001, as amended*. The classes of development referred to in the Schedules to the Regulations, specifically column 1 of Part 1 of Schedule 2, do not include works of the type that are described in the submitted material.

Regard has also been had to Section 4 (1) (h) of the *Planning and Development Act 2000*, as amended, which states that the following shall be exempted development:

"development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which materially affect only the interior of the 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 or of neighbouring structures".

The works described in the submitted drawings are works for the improvement of the structure (the slipway) that do not materially affect the external appearance of the structures so as to render their appearance inconsistent with the character of the structures themselves or of neighbouring structures.

Conclusions:

The Planning Authority in considering this referral had regard to:

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Article 6 of the Planning and Development Regulations 2001, as amended
- (c) The works as indicated in submitted documents from the referrer.

And whereas Clare County Council (Planning Authority) has concluded:

- (a) The installation of a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare, 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 development is exempted development by virtue of Section 4 (1) (h) of the Planning and Development Act 2000, as amended.

Now therefore Clare County Council (Planning Authority), hereby decides that the installation of a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare is development and is exempted development.



Assistant Planner

Date: 6th May 2021



Garreth Ruane

Senior Executive Planner

Date: 10/05/21

Habitats Directive Project Screening Assessment

1. Table 1 to be filled in for all development applications.
2. Where proposed development is within a Natura 2000 site, go directly to table 3.
3. For all other development proposals, fill in table 2, and if required, table 3.
4. A Habitats Directive Screening Statement should be sought for all developments regardless of location which require an EIS

Table 1: Project Details


Development Consent Type	<i>Declaration of Exempt Development.</i>
Development Location	Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare
Planning File Ref	R21/22
Installation of a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare.	
	

Table 2: Identification of Natura 2000 sites which may be impacted by the proposed development.

1	Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species.	<i>Is the development in the catchment of or immediately downstream of a watercourse that has been designated as a Natura 2000 site?</i>	Yes
2	Impacts on terrestrial habitats and species.	<i>Is the development within 1km of a Natura 2000 site with terrestrial based habitats or species?</i>	Yes
3	Impacts on designated marine habitats and species.	<i>Is the development located within marine or intertidal areas and within 5 k) of a Natura 2000 site whose qualifying habitats or species include the following:</i>	Yes

		<i>Mudflats, sandflats, salt marsh, shingle, reefs, sea cliffs</i> Relevant sites are:	
4	Impacts on birds in SPAs	<i>Is the development within 1km of a Special Protection Area</i> Relevant sites are:	Yes
5	Indirect effects	<i>Is the development, in combination with other existing or proposed developments likely to impact on an adjacent Natura 2000 site?</i> <i>Is any emission from the development (including noise) likely to impact on an adjacent habitat or species?</i>	No

Conclusion:

If the answer to all of the above is no, significant impacts on Natura 2000 sites are unlikely. No further assessment is required, go directly to the conclusion statement. If the answer is "unknown" or "yes" proceed to Table 3 and refer to the relevant sections of Table 3.

Table 3: Identification of potential impacts.

1	Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species. <i>Please answer the following if the answer to question 1 in table 2 was "yes" or "unknown".</i> <i>Does the development involve any of the following:</i>	
1.1	Removal of or interference with habitat within a European site. This may include any element of a project liable to interfere with breeding, nesting or roosting sites of birds, bats, water based species	No
1.2	Discharges either directly (via pipe from the development) or indirectly (via sewer) to surfacewater or groundwater What is the likely volume of the discharge?	No
1.3	Abstraction from surfacewater or groundwater in or adjacent to a European site, where hydrology is a critical element in the protection of habitat and species at the site? What is the likely volume of the abstraction?	No
1.4	Is removal of topsoil proposed within 500m of watercourses? What transportation requirements are provided? Does the removal involve reduction in area, population density or fragmentation of area of any habitat or species?	No
1.5	Infilling or raising of ground levels within 500m of watercourses? What transportation requirements are provided? Does the infilling or raising involve interference with area,	No

	population density or fragmentation of area of any habitat or species?	
1.6	Construction of drainage ditches - (scale?) Where the run off is directed to? Is the drainage run off directed to a European site where species are identified and whose conservation status may be impacted by this drainage?	No
1.7	Installation of waste water treatment systems; percolation areas; septic tanks within 500m of watercourses?	No
1.8	Construction within a floodplain or within an area liable to flood (See www.floodmaps.ie , internal flood risk maps, County Development Plan SFRA and www.cframs.ie)	No
1.9	Crossing or culverting of rivers or streams, installation of weirs, temporary watercourse crossings or any interference with a watercourse.	No
1.10	Storage of chemicals or hydrocarbons (including oils and fuels) within 500m of a watercourse	No
1.11	Development within catchment of a European site of a scale or type which involves the production of an EIS	No
1.12	Consideration of effects in combination with existing development?	No

2	Impacts on terrestrial habitats and species. <i>Please answer the following if the answer to question 2 in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
2a	Removal of or interference with habitat within the European site. This includes reduction in habitat area or fragmentation of habitat. Is the timing of this interference liable to impact on the nesting or breeding period of any protected species?	No
2b	Construction of roads or other infrastructure on peat habitats within 1km of bog, marsh, fen or heath habitat within a European site	No
2c	Is the development liable to impact on water quality in the European site, or liable to give rise to any change in a key indicator of water quality, including salinity. If yes, is the site designated for any bird species or other plant species whose feeding ground or life cycle may be affected by changes in water quality?	No
2d	Development within 1km of terrestrial European site of a scale or type which involves the production of an EIS.	No
3	Impacts on designated marine habitats and species. <i>Please answer the following if the answer to question 3 in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
3a	Removal of or interference with habitat within the European site. This includes timing of the project if there is potential to interfere with nesting or breeding periods, either directly or indirectly (e.g. by noise emission) or any aspect of the life cycle of a protected species. This	No

	also includes potential fragmentation, size reduction of habitat, or reduction in species density.	
3b	Coastal protection works on intertidal or marine habitats within 5km of a European site supporting coastal or marine habitats or species. This includes any works which may give rise to potential changes in hydrology or salinity of these areas.	No
3c	Development of piers, slipways, marinas, pontoons or any other infrastructure within 5km of a European site that was designated because it supports marine habitats and/or species.	No
3d	Dredging within 5km of a European site supporting coastal or marine habitats or species.	No
3e	Removal of topsoil or infilling within 100m of marine habitats within the designated site.	No
3f	Land based development within 1km of a European site of a scale or type which involves the production of an EIS.	No
3g	Marine or intertidal based development within 5km of a European site of a scale or type which involves the production of an EIS.	No

4	Impacts on birds in SPAs <i>Please answer the following if the answer to question 4 in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
4a	Removal of or interference with habitats within an SPA. This includes consideration of indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds	No
4b	Erection of wind turbines within 1km of an SPA.	No
4c	All construction works within 100m of intertidal areas – Coastal SPAs, including indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds.	No
4d	Infilling of coastal habitats within 500m of SPA, including indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds.	No
4e	Discharges to coastal SPA, including any element of a discharge liable to give rise to disturbance of this habitat, either by direct, indirect, or in combination effects.	No
4f	Development of cycleways or walking routes within 100m of intertidal areas. This includes consideration of indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds.	No
4g	Development within 1km of SPA of a scale or type which involves the production of an EIS. This includes consideration of indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds	No

Habitats Directive Article 6 Appropriate Assessment - Screening Conclusion Statement

Development Type	<i>Declaration of Exempt Development.</i>
Location	Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare.

Natura 2000 sites within impact zone	800m from Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA.
File Ref	R21/22
Documentation reviewed for making of this statement.	
Clare County Development Plan 2017 – 2023, as varied. NPWS mapping; Particulars submitted.	
Description of the project	
Description of the project: Installation of a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Boatyard, Kilrush Marina, Kilrush, Co. Clare.	
Description of the Natura 2000 site(s)	
As per above.	
Is the project directly connected with or necessary to the management of the site?	
No	
Are there other projects or plans that together with the project or plan being assessed could affect the site?	
No	
Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.	
No impacts likely.	
Are identified effects considered to be significant?	
No.	
If the answer to the above is no, explain how these impacts will be avoided.	
No impacts likely.	
Conclusion of assessment	
No impacts likely.	
Completed By	Tadhg MacNamara, Assistant Planner
Date	6 th May 2021











COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Kilrush Maritime Ltd
Kilrush Marina,
Kilrush,
Co. Clare

21st April 2021

Section 5 referral Reference R21-22 – Kilrush Maritime Ltd

Whether the proposed project which involves installing a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water at Kilrush Marina, Kilrush Co. Clare is considered development and if so, is it exempted development.

A Chara,

I refer to your application received on 21st April 2021 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

Please note that the Planning Authority is considering the matter and a reply will issue to you in due course.

Mise, le meas

Mark Kerin
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



P07

**CLARE COUNTY COUNCIL
COMHAIRLE CONTAE AN CHLÁIR**

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

Telephone No. (065) 6821616
Fax No. (065) 6892071
Email: planoff@clarecoco.ie
Website: www.clarecoco.ie



**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

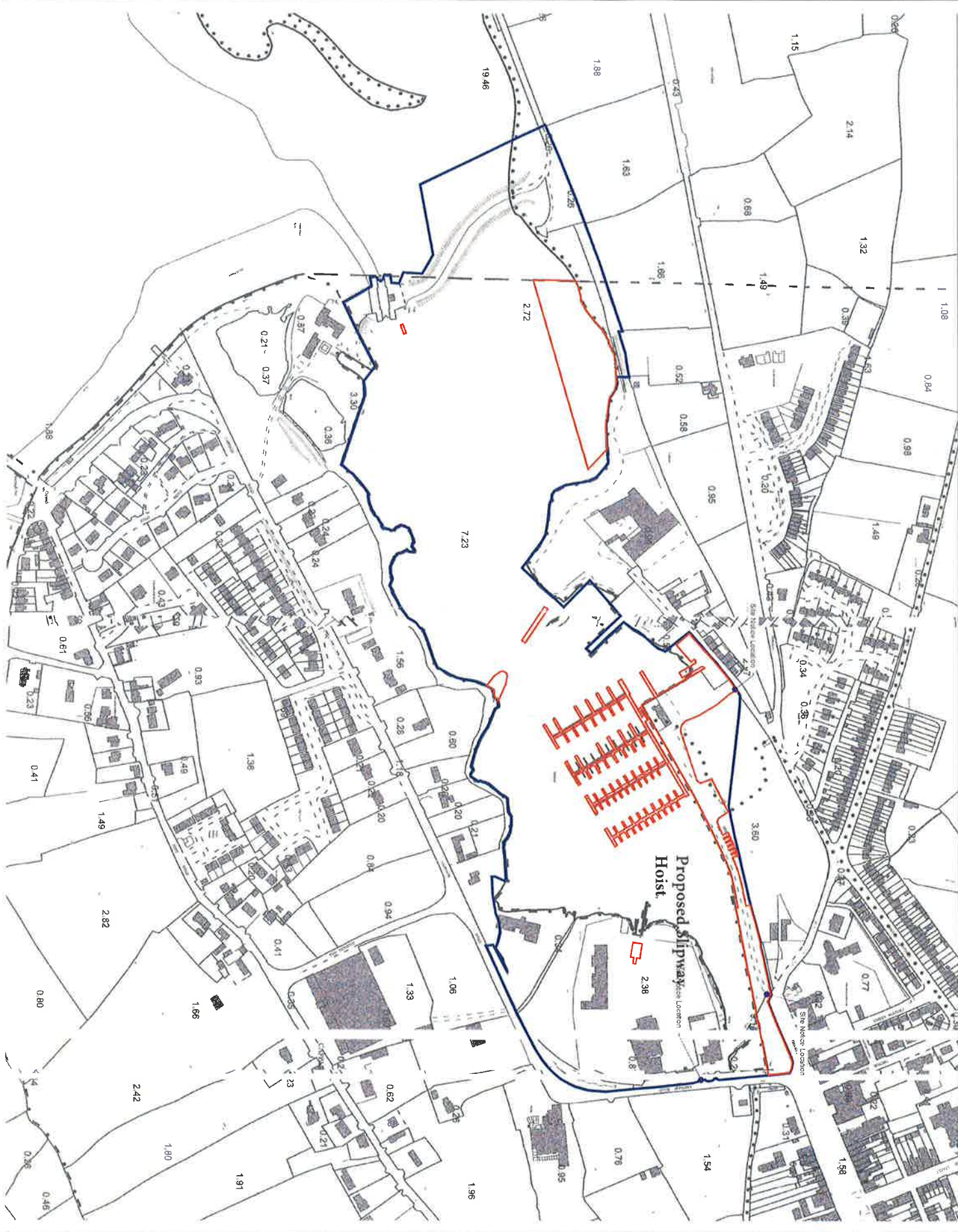
1. CORRESPONDENCE DETAILS.	
(a) Name and Address of person seeking the declaration	<p>KILRUSH MARITIME LTD</p> <p>KILRUSH MARINA</p> <p>KILRUSH</p> <p>Co. CLARE</p>
(b) Telephone No.:	065 9052072
(c) Email Address:	<p>info@kilrushmarina.ie</p> <p>louise.keating@kilrushmarina.ie</p>
(d) Agent's Name and address:	<p>AS ABOVE</p>

is sought.

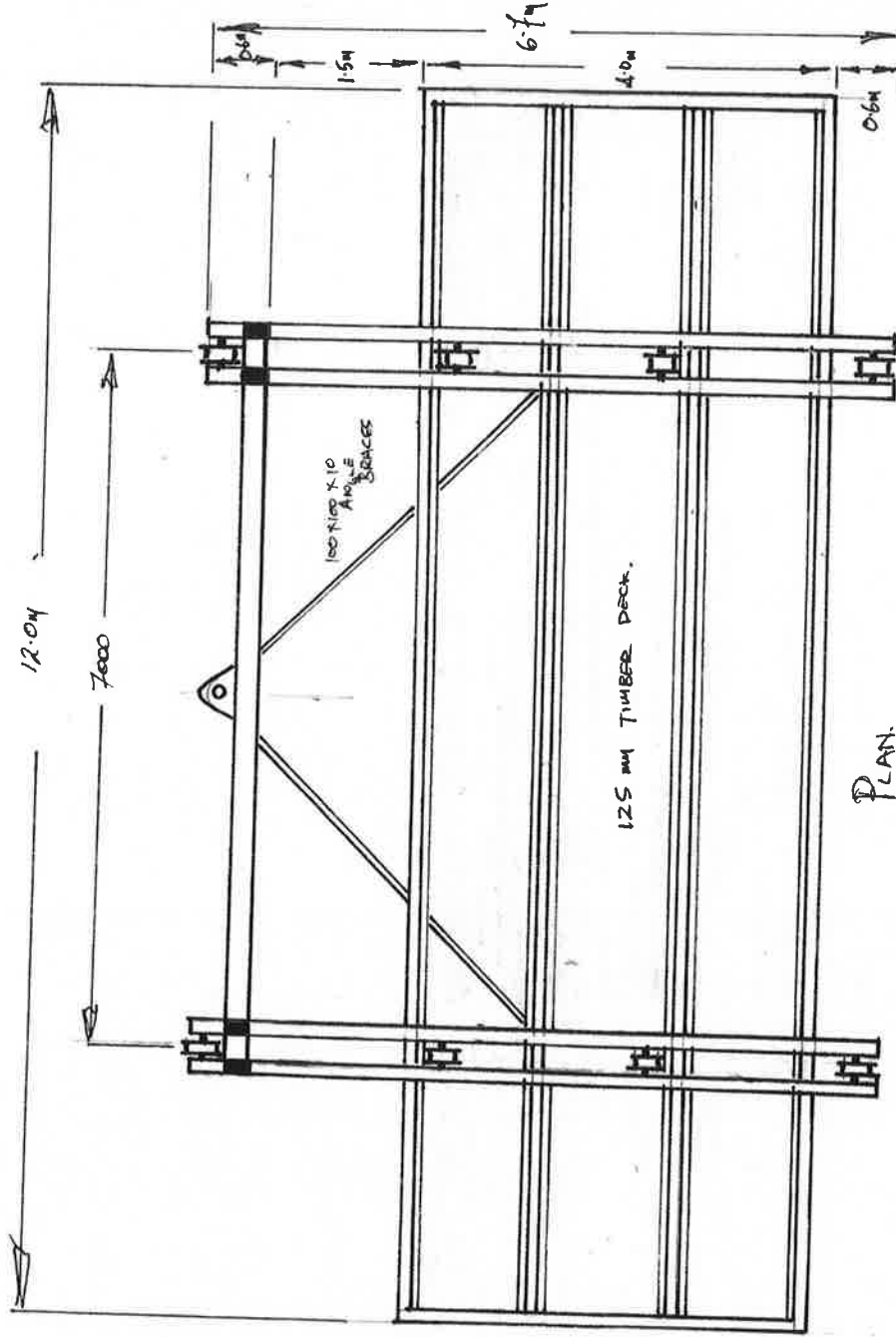
2. DETAILS REGARDING DECLARATION BEING SOUGHT
<p>(a) PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT <i>Note: only works listed and described under this section will be assessed.</i></p> <p><i>The proposed project involves installing a trolley running on rails on an existing slipway for the purpose of lifting vessels out of the water. The slipway was constructed in the 1990s when the Boatyard was developed with the future intention of providing such a trolley. The construction works would involve (1) bolting rails to the surface of this slipway and (2) providing a foundation for a winch to pull the trolley by strengthening a section of the existing concrete yard.</i></p>
<p>(b) Provide a full description of the question/matter/subject which arises wherein a declaration of the question</p> <p><i>Kilrush Maritime Ltd are in the process of applying for LEADER funding and such a declaration of exemption from planning is a prerequisite condition of this application</i></p>
<p>(c) List of plans, drawings etc. submitted with this request for a declaration: <i>(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)</i></p> <p>_____ Enclosed:</p> <p>Site Location Map, _Google Location Map, Sketches ST01, ST02, and ST03</p>

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	<u>Kilrush Marina</u> <u>Kilrush</u> <u>Co Clare</u>
(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?	<u>N/A</u>
(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	<u>LEASEE</u>
(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>	<u>SHANNON DEV PROPERTIES</u> <u>SHANNON</u> <u>Co CLARE</u>
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	<u>Yes -></u>
(f) Are you aware of any enforcement proceedings connected to this site? If so please supply details:	<u>N/A</u>
(g) Were there previous planning application/s on this site? If so please supply details:	
(h) Date on which 'works' in question were completed/are likely to take place:	<u>Summer 2021</u>

SIGNED: Breda WajidDATE: 20/4/2021







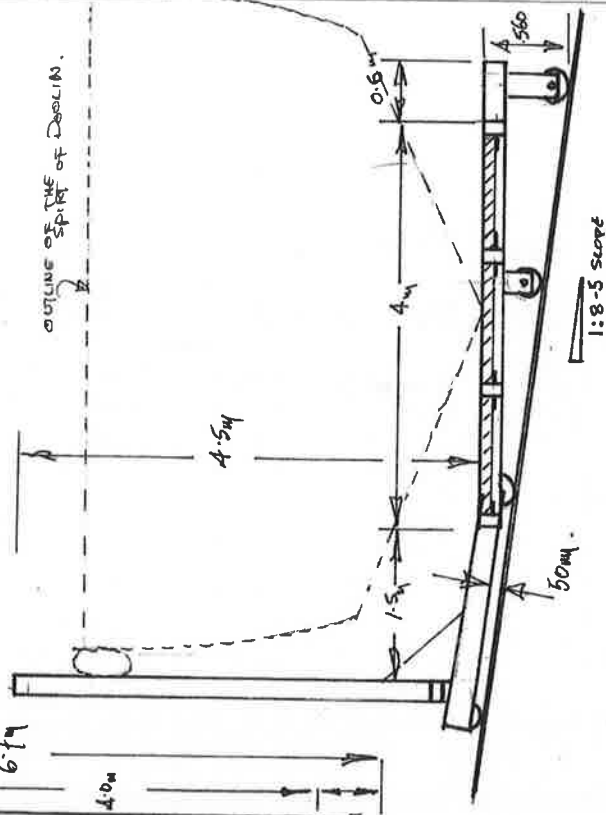
PLAN.

SLIPWAY TROLLEY

ALL STEEL 250x150x10mm RHS S460ML
UNO

MARINE PAINT FINISH

ALL BOX-SECTIONS TO BE CLOSED.

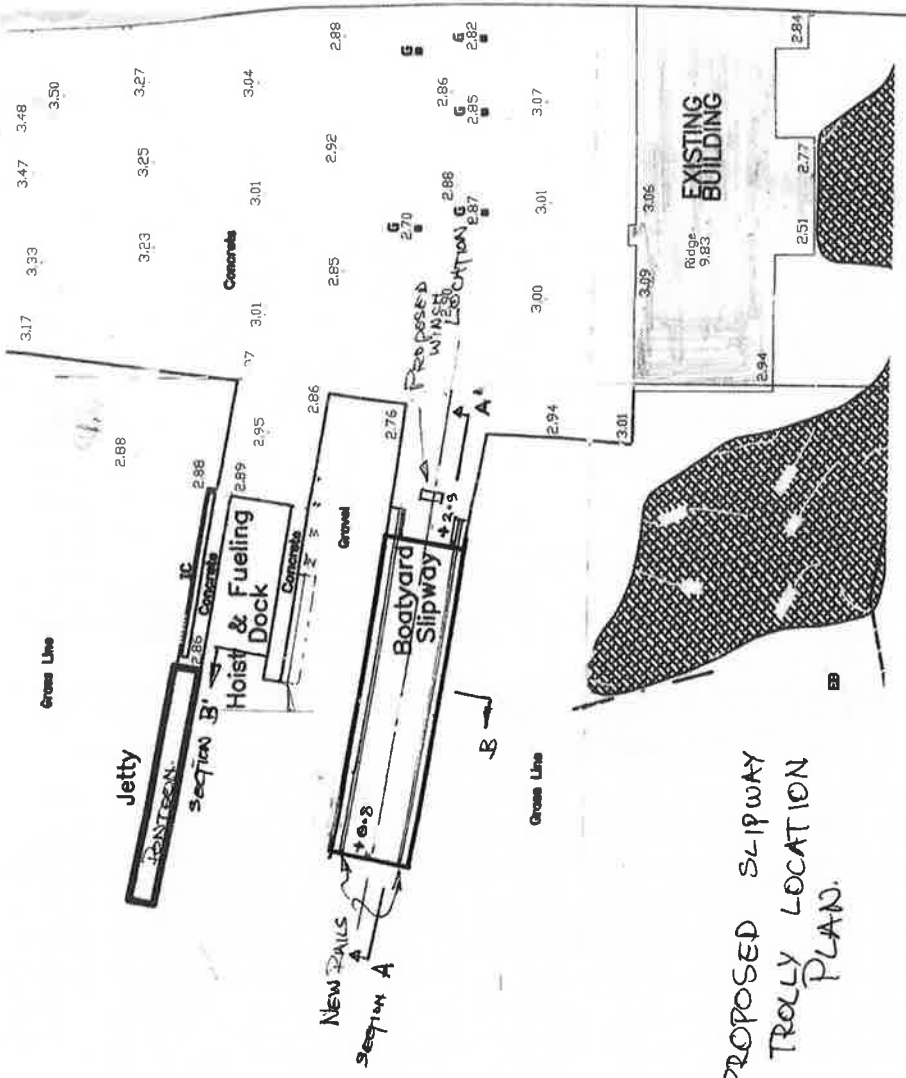


1:8.5 SCALE

ELEVATION

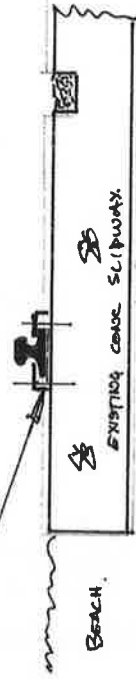
KILROSH BOATYARD DRAWING

16 JAN '21



PROPOSED SLIPWAY
TROLLEY LOCATION
PLAN.

BRIDGE AND RAIL CLIPPED
AT
900mm c/c 20mm BOTS
CHEMICALLY BONDED



PROPOSED RAIL BRIDGE AND
OR EQUIVALENT.
RAIL GAUGE 704

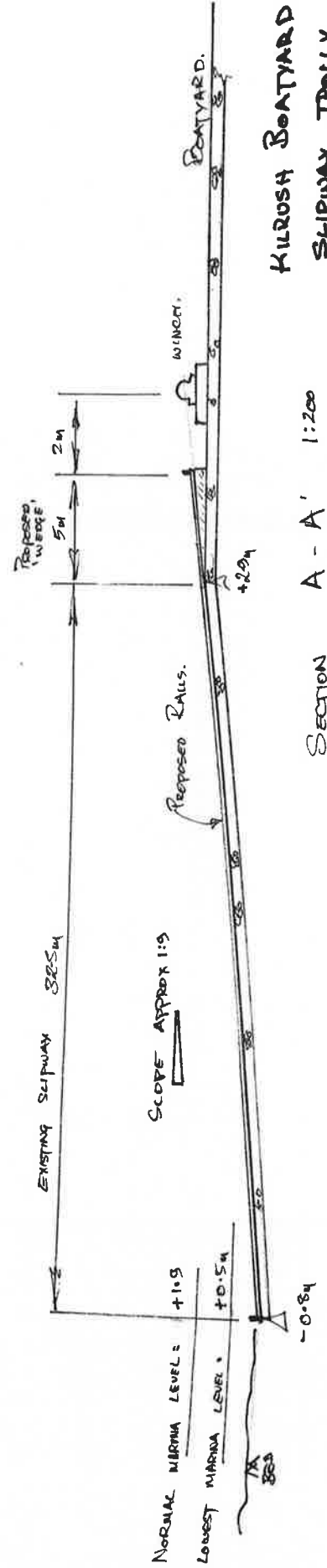
PROPOSED RET W/P
HEIGHT VARIES 1.84 TO
OVER BEACH

EXISTING BEACH

EXISTING CONC SLIPWAY

EXISTING CO
TRAVEL HOIST DE

SECTION - B-B'



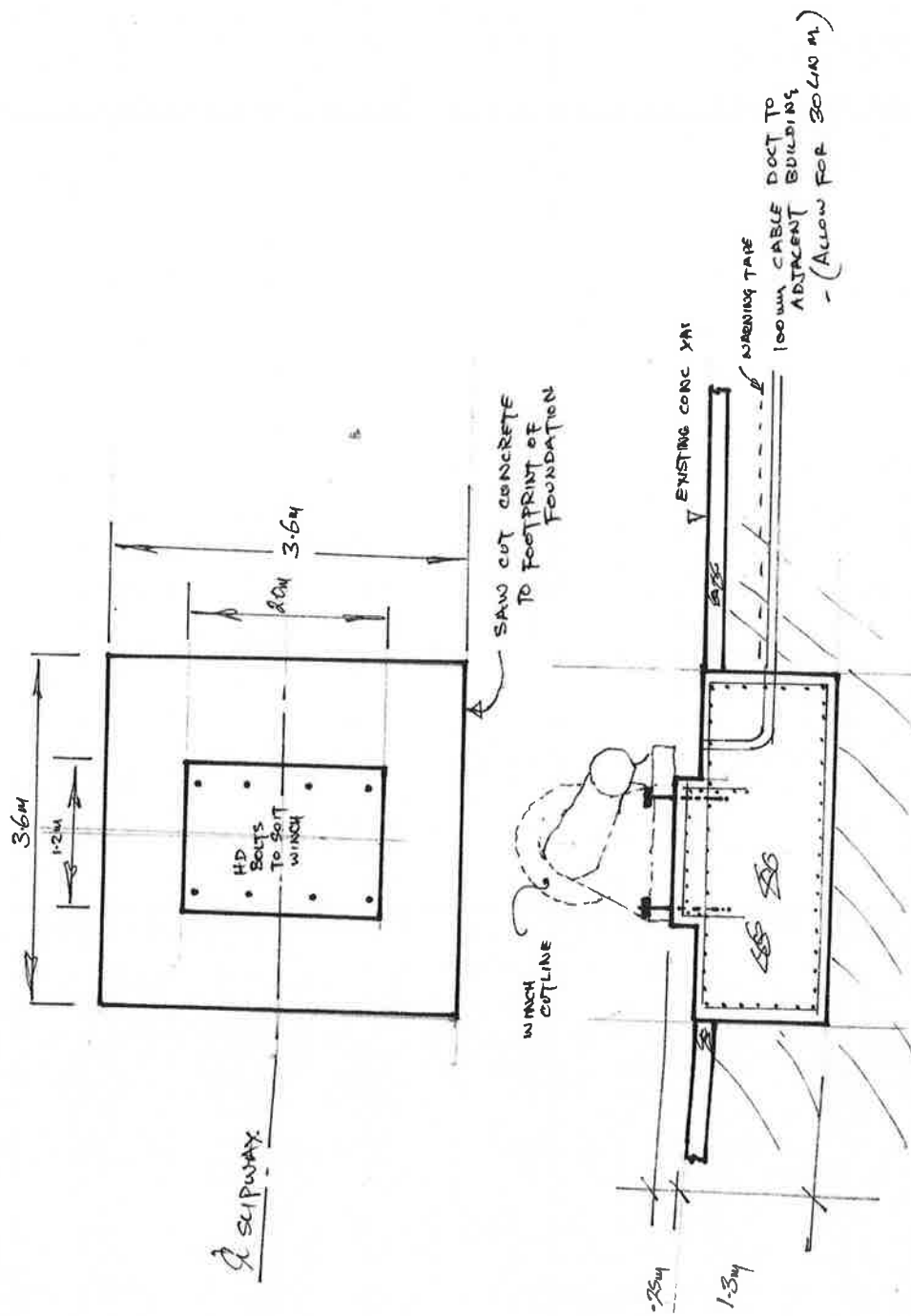
KILROSH BOATYARD
SLIPWAY TROLLEY

SECTION A-A' 1:200

SECTION

DEWG S

1/2 5/1/21



WINCH FOUNDATION.

KILRUSH BOATHYARD DRUG ST03
SCIP WAY TROLLEY DETAILS.
16/6/21.

Clare County Council
Aras Contae an Chlair
New Road
Ennis
Co Clare

21/04/2021 14:44:21

Receipt No. : LICASH/0315460
REPRINT

KILRUSH MARITIME LTD.,
KILRUSH MARINA,
KILRUSH, CO. CLARE
R21/22

SECTION 5 REFERENCES 80.00
GOODS 80.00
VAT Exempt/Non-vatable

Total : 80.00 EUR

Tendered :
CHEQUES 80.00

Change : 0.00

Issued By : LICASH - Noelette Barry



CO. HAIRLE
CONTAE
AN CHLÁIR