

COMHAIRLE CLARE CONTAE AN CHLÁIR COUNTY COUNCIL

Registered Post

Met Eireann C/o Sinead Duffy, Observations Division, Glasnevin Hill, Dublin 9

19/7/2021

Section 5 referral Reference R21-36 - Met Eireann

Whether the replacement of the radar dome and the replacement of the exterior cladding 2 doors/windows of the small radar building on which it is located development at Met Eireann, Radar Building Terminal, Shannon Airport, Shannon, Co Clare is or is not development and is or is not exempted development.

A Chara,

I refer to your application received on 22nd June, 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

Anne O'Gorman

Staff Officer

Planning Department

Economic Development Directorate

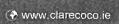
An Roinn Pleanála An Stiúrthóireacht Forbairt Gheilleagrach

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.: R21-36



Section 5 referral Reference R21-36

Whether the replacement of the radar dome and the replacement of the exterior cladding 2 doors/windows of the small radar building on which it is located development at Met Eireann, Radar Building Terminal, Shannon Airport, Shannon, Co Clare is or is not development and is or is not exempted development.

AND WHEREAS, Met Eireann 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 –

Sections 2, 3, and 4 of the Planning and Development Act, 2000, as amended,(b)The works as indicated in submitted documents from the referrer, in particular the elevation drawing received by the Planning Authority on 19-07-21.

And whereas Clare County Council has concluded:

Having regard to Section 3(1) of the Planning and Development Act 2001 (as amended) the stated works are considered to be development and having regard to Section 4(1)(h) of the Planning and Development Act, 2000 (as amended) the stated works are considered to be exempted development

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 replacement of the radar dome and the replacement of the exterior cladding 2 doors/windows of the small radar building on which it is located development at Met Eireann, Radar Building Terminal, Shannon Airport, Shannon, Co. Clare **constitutes development** which is **exempted development** as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.

Staff Officer

Planning Department Economic Development Directorate

19/7/2021

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:

78045A

Reference Number:

R21-36

Date Referral Received:

22nd June, 2021

Name of Applicant:

Met Eireann

Location of works in question:

Shannon Airport, Shannon, Co Clare

Section 5 referral Reference R21-36 - Met Eireann

Whether the replacement of the radar dome and the replacement of the exterior cladding 2 doors/windows of the small radar building on which it is located development at Met Eireann, Radar Building Terminal, Shannon Airport, Shannon, 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)The works as indicated in submitted documents from the referrer, in particular the elevation drawing received by the Planning Authority on 19-07-21.

AND WHEREAS Clare County Council has concluded:

Having regard to Section 3(1) of the Planning and Development Act 2001 (as amended) the stated works are considered to be development and having regard to Section 4(1)(h) of the Planning and Development Act, 2000 (as amended) the stated works are considered to be exempted development

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 Radar Building Terminal, Shannon Airport, Shannon Co. Clare is considered development which is exempted development

Signed:

GARRETH RUANE SENIOR EXECUTIVE PLANNER

Date:

19/7/2021

CLARE COUNTY COUNCIL SECTION 5 DECLARATION OF EXEMPTION APPLICATION

FILE REF:

R21/36

APPLICANT(S):

Met Eireann

REFERENCE:

Whether the replacement of the Radar Dome and the replacement of the exterior cladding and doors/windows of the small radar building on which

it is located is development and if so, is it exempted development.

LOCATION:

Met Eireann Radar Building Terminal, Shannon Airport, Shannon County

Clare.

DUE DATE:

20th July 2021.

Site Location

This site is located within the settlement of Shannon and is within the grounds of Shannon Airport. The radar dome itself and the small radar building on which it is located is on top of a Terminal Building at the airport and is close to the arrival's terminal at the airport. The radar dome is white in colour and has a diameter of 6.7m. The smaller building on which the radar is located is a low-level single storey building with external cladding. Photographs of the radon and associated building have been submitted with this Section V Referral.



Figure 1: Radon at Shannon Airport- photo taken from Met Eireann Stock Photos.

Met Éireann, Ireland's National Meteorological Service, is a line division of the Department of Housing, Local Government and Heritage and is the leading provider of weather information and related services in the State.

Planning History

At this site;

19-845

Applicant Name:

Tetra Ireland Communications Limited

Development to RETAIN development consisting of: the RETENTION of 3no. 3.1m high radio aerials attached **Description:** on existing support poles on the roof top (these extend to a total height of 22.7m AGL) for use

by the Emergency Services (Garda, Ambulance, Fire Brigade) together with 1no. GPS timing

antenna and associated equipment, for the National Digital Radio Service

Address:

Development Shannon Airport Terminal, Ballyhennessy, Shannon, Co. Clare

Permission was granted subject to conditions.

15-450

Applicant Name:

Shannon Airport Authority

Development for the refurbishment and localised reconfiguration of the existing Arrivals/Immigration Hall, Description: Transit Lounge and Block A, Departure Gates areas within the Shannon Airport Terminal Building. All works are to take place 'Airside' (past security checks) and comprise of the following : 1) Arrivals/Immigration Hall: The relocation of the existing 'European Arrivals Door', localised replacement of the existing cladding and curtain walling facade at ground and first floor levels and associated reconfiguration and refurbishment of the internal office and arrivals, immigration and baggage hall areas; 2) Transit Lounge: The reconfiguration and refurbishment of the existing internal public areas resulting in the generation of 46m2 of new airside retail space; 3) Block 'A' Departure gates 1-5: The localised replacement of the existing cladding and curtain walling facade at ground and first floor levels as well as the refurbishment of the internal public waiting and toilet areas, including all ancillary site and service works

Development Shannon Airport, Shannon, Co. Clare Address:

Permission was granted subject to conditions.

07-1370

Applicant Name:

Dublin Airport Authority

Description:

Development to construct a new two storey extension to the terminal building, to carry out alterations to the main terminal building and to construct new arrivals corridor, stairwells, passenger lifts

and associated site works

Address:

Development Shannon Airport, Rineanna South, Ballyhenessy, Co. Clare

Permission was granted subject to conditions.

09-841

Applicant Name

Tetra Ireland Communication Ltd

Development for the installation of 3 no 3.1m antenna and 1 no GPS (Global Positioning System) antenna **Description:** and cabinet to the roof top for use by the emergency services (Garda, ambulance and fire brigade) together with associated equipment for a new national digital radio service.

Development Airport Terminal, Shannon, Co Clare

Address:

Permission was granted subject to conditions.

01-2326

Applicant Name:

Aer Rianta Cpt.

Development Description:

to construct a new Airside Operations "watch" Room on roof at East end of existing

pier, and for ancillary access alterations

Development Ad-

Rineanna South,, Co. Clare.

dress:

Permission was granted subject to conditions.

94-1050

Applicant Name:

Engineering Department Aer Rianta

Applicant Address:

Shannon Airport

eMail Address:

Phone/Fax Number:

Ph:,Fax:

Proposed Development

Development Descrip-

tion:

Permission to alter & extend operations offices at Rineanna South, Shannon Air-

port.

Development Address:

Rineanna South, Shannon Airport

Architect Name:

Location Key:

RINEANNA SOUTH NEWMARKET-ON-FERGUS

Background to Referral

This Referral under Section 5(3)(a) of the Planning and Development Act 2000 (as amended) has been made by Met Eireann.

The applicants are seeking a Section 5 Declaration as to:

Whether the replacement of the Radar Dome and the replacement of the exterior cladding and doors/windows of the small radar building on which it is located is development and if so, is it exempted development.

The referrer provides additional details, as follows.

- The Weather radar at Shannon Airport is nearing end of life and needs to be replaced.
- The radar is a key meteorological observation tool for the Irish Public as it is the first to detect weather from the south- west and west of the Country.
- The current radome (Radar dome) is located on the roof of the radar building on the terminal building and is 6.7m in diameter and is coloured white. The new radome will be 6.5m in diameter, will be white and will also have approved warning lights.
- As part of the replacement works, Met Eireann will refurbish or replace the cladding, windows and doors of the Radar building.
- An asbestos survey of the radar building and radome has been carried out and no asbestos has been found.
- Photographs of the Radom and the Radar building have been submitted.

On 19th July 2021 the Referrer emailed additional information to Clare County Council in relation to this referral, as follows.

- Elevation drawings of the radar room and radome have been submitted.
- The radome is to be replaced with a new radome of very similar character and colour, but slightly smaller (current redone is 6.7m in diameter, new radome will be 6.5m in diameter).
- The cladding to be replaced with cladding similar to the existing.
- The doors and windows to be replaced with newer versions.

The elevation drawing as submitted clearly shows the works as proposed.

Statutory Provisions

(1) Planning and Development Act, 2000 (as amended)

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.

The work as proposed in this case are considered to be development.

Consideration has also been had to the following Sections of the Planning and Development Act 2000 (as amended)

- Section 2; Interpretation
- Section 3 'Development'.
- Section 4- 'Exempted development'. In particular consideration has been given to Section 4 (h), which provides for the following form of exempted development:

"Development consisting of the carrying out of works for the maintenance, improvement of other alteration of any structure, being works which affect only the interior of the structure or 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"

Section 5; 'Declaration and Referral on development and exempted development'

(2) Planning and Development Regulations 2001 (as amended)

In consideration of this referral, consideration has been had to the following;

- Part 2, Article 6 'Exempted Development' of the Planning and Development Regulations 2001 (as amended).
- Part 2, Article 9 'Restrictions on Exemptions'
- Part 9 'Provisions with respect to certain development by or on behalf of state authorities', Article 86- Specified development for the purposes of Section 181(1) (a) of the Planning and Development Act 2000 (as amended).

The forms of exempted development provision as set out in Schedules 1 and 2 of the Planning and Development Regulations 2001 (as amended) have been considered.

There is no class of exempted development as set out under the Planning and Development Regulations 2001 (as amended) under which the stated development could be considered to be exempted development.

Assessment

Basis of Referral

The applicant is seeking a Section 5 Declaration as to.

Whether the replacement of the Radome and the replacement of the exterior cladding and doors/windows of the small radar building on which it is located is development and if so, is it exempted development.

Assessment.

Particular consideration has been given to Section 4 (1) (h) of the Planning and Development Act 2000 (as amended) which is as follows.

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

As per the details submitted on the cover letter with this Section V Referral, it is stated that the weather radar at Shannon Airport is nearing end of life and needs to be replaced. The current radar dome, located on the roof of the terminal building, is 6.7m in diameter, and is white in color. The new radome will be 6.5m in diameter and white in color and will also have approved warning lights. It is also stated that as part of the refurbishment works, Met Eireann will refurbish or replace the cladding windows and doors of the radar building.

From the details as submitted, In particular the elevation drawing as received on 19-07-21, it is my view that the works as proposed to the subject structure consist of works for the maintenance and improvement of the structure and which would 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.

Conclusion

Having regard to the above, I consider that the stated works benefit from exempted development status under Section 4(1)(h) of the Planning and Development Act, 2000 (as amended).

Recommendation

The following questions have been referred to the Planning Authority:

Whether the replacement of the Radar Dome and the replacement of the exterior cladding and doors/windows of the small radar building on which it is located is development and if so, is it exempted development.

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) The works as indicated in submitted documents from the referrer, in particular the elevation drawing received by the Planning Authority on 19-07-21.
- (c) The forms of exempted development as set out in Schedule 1 and Schedule 2, of the Planning and Development Regulations 2001 (as amended)
- (d) The restrictions on Exempted Development as set out in Article 9 of the Planning and Development Regulations 2001 (as amended).

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

The proposed works, to consist of; The replacement of the Radar Dome and the at Shannon Airport, and eplacement of the exterior cladding and doors/windows of the small radar building on which it is located is development and is exempted development.

Having regard to Section 3(1) of the Planning and Development Act 2001 (as amended) the stated works are considered to be development and having regard to Section 4(1)(h) of the Planning and Development Act, 2000 (as amended) the stated works are exempted development.

Annemarie Hennelly

Executive Planner

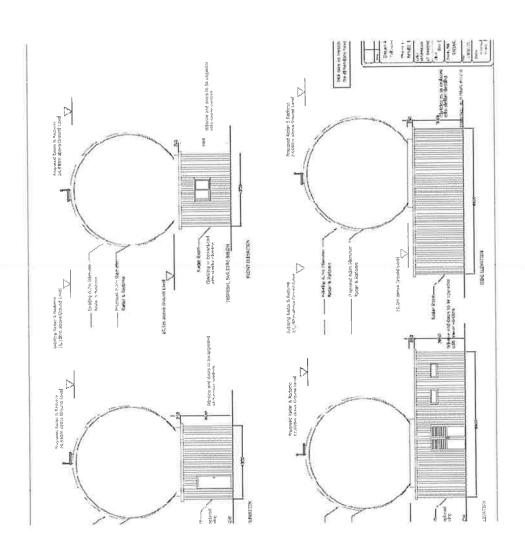
Date: 19-07-21

Garreth Ruane

A/Senior Executive Planner

Date:

Appendix 1: Elevation Drawing received from Met Eireann on 19th July 2021.





COMHAIRLE CLARE CONTAE AN CHLÁIR COUNTY COUNCIL

Met Eireann C/o Sinead Duffy, Observations Division, Glasnevin Hill, Dublin 9

11th May 2021

Section 5 referral Reference R21-36 – Met Eireann

Whether the replacement of the radar dome and the replacement of the exterior cladding 2 doors/windows of the small radar building on which it is located development at Met Eireann, Radar Building Terminal, Shannon Airport, Shannon, Co Clare is or is not development and is or is not exempted development.

A Chara,

I refer to your application received on 22nd June, 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

Siobhan Mungovan 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.	1. CORRESPONDENCE DETAILS.				
	Name and Address of person seeking the declaration	MET ÉIREANN GLASNEUIN HILL DUBLIN 9, DO9 Y921			
(b)	Telephone No.:	01-8065574 / 01-8064200 (Direct Dial) (Main reception)			
(c) 1	Email Address:	Sinead. duffy @ met.ie			
(d) A	Agent's Name and address:	SINEAD DUFFY DESERVATIONS DIVISION MET ÉIREANN GLASNEUIN HILL DUBLIN 9, DO9 4921			

DETAILS REGARDING DECLARATION BEING SOUGHT PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT (a) 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? The replacement of the radione and the replacement the exterior cladding & doors/windows is located development development? (b) Provide a full description of the question/matter/subject which arises wherein a declaration of the question is sought. THE WEATHER RADAR AT SHANNON AIRPORT IS NEARING END OF LIFE AND NEEDS TO BE REPLACED. THE CURRENT RADAR WAS INSTALLED IN 1996 AND HAD A MID-LIFE UPGRADE ID YEARS AGO. THE RADAR IS A KEY METEDROLOGICAL OBSERVATIONAL TOOL FOR THE IRISH PUBLIC AS IT IS THE FIRST TO DETECT WEATHER FROM THE SOUTH WEST WEST OF THE COUNTRY. THE CURRENT RADOME (RADAR DUME), LOCATED ON THE ROOF OF THE RADAR BUILDING ON THE TERMINAL BULDING, IS 6.7m IN DIAMETER AND IS GLOWED WHITE. THE NEW RADDINE WILL BE 65M IN DIAMETER, WHITE AND WILL ALSO HAVE APPROVED WARNING LIGHTS. AS PART OF THE REPLACEMENT WORKS, MET EIREANN WILL OR REPLACE THE CLADNING, WINDOWS AND DODRS OF THE

RADAR BUILDING.

NOTE: AN ASBESTOS SURVEY OF THE RADAR BUILDING AND RADOME

HAS BEEN COMPLETED AND NO ASBESTOS HAS BEEN FOUND.

- (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)
 - · OSI MAP OF SHANNON AIRPORT TERMINAL BUILDING (SCALE 1:2500)
 - · OSI MAP OF SHANNON AIRPORT (SCALE 1:10,560)
 - · LETTER FROM SAA CONFIRMING THEY HAVE NO OBJECTION TO THE RADAR REPLACEMENT
 - PHOTOS (x2) OF THE WEATHER RADAR FROM
 - a) the car park
 - b) the weather observer's office on the roof of the ferminal.

2

	3. DETAILS RE: PROPERTY/SITE/BUILDING	G FOR WHICH DECLARATION IS SOUGHT	
(a)	Postal Address of the Property/Site/Building for which the declaration sought:	MET ÉIREANN RADAR BULDING TERMINAL, SHANNON AIRPORT, GO. CLARE, VI4 EEOG	
(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):	MET EIREANIN HAVE HAD OFFICES & WEATHER MONITORING EQUIPMENT SINCE 1944 (THE ENTI HISTORY OF THE AIRPORT)	
(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:	DWWER OF THE PROPERTY IS: SHANNON AIRPORT AUTHORITY PLC & SHANNON	
	Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.	AIRPORT, CO. CLARE, VI4 EEO6	
(e)	Development Act 2000 (as amended)?: YES. SAA IS AWARE OF THE CURRENT RECONDENT RECONDENT ANAMAGED OF SAA HAS SUFLETTER STATING THEY HAVE NO DESECTIONS REQUEST (ATTACHED TO APPLICATION).		
(f)	Are you aware of any enforcement proceedings connected to this site? If so please supply details:	NO	
(g)	Were there previous planning application/s on this site? If so please supply details:	NO	
(h)	Date on which 'works' in question were completed/are likely to take place:	WORKS ARE LIKELY TO TAKE PLACE IN NOVEMBER 2021.	

SIGNED: Sireard Day (on behalf of Met Errean)

DATE: 18th June 2021

3

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:			

1 = WEATHER RADAR LOCATION

Site Location Map

GREEN ARROW MARKS LOCATION OF WEATHER RADAR



Figure 1. Met Éireann weather radar (highlighted in orange box) on the roof of the Shannon Airport terminal building.



Figure 2. Met Éireann weather radar as viewed from weather observation office on the terminal building.

T: +353 (0) 61 712 000

E: comments@shannonairport.ie

www.shannonairport.ie



10th June 2021

Ms. Sinead Duffy Radar Meteorologist, Observations Divisions Met Eireann, Glasnevin Hill Dublin 9

Dear Sinead

Re: Replacement of Radar Dome - Shannon Airport

Please take this letter as confirmation that Shannon Airport Authority DAC, the landlord, has no objection to Met Eireann's application for a Declaration under section 5 of the Planning and Development Act 2000. SAA fully support the replacement of the Radar Dome. us for our records.

Yours sincerely

Deirdre Whitney

Commercial Property Manager

CONTAE

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

22/06/2021 113133 Receipt No.: L1CASH/0/318155 MET EIREANN C/OSINEAD DUFFY OBSEERVATION DIVISION GLASNEVIN HILL DUBLIN 9 D09 Y921 P21-36 SECTION 5 REFERENCES Oichteads

Total:

80.00 EUR

Tendered BANK DRAFT 80.00

Change:

VAT Exempt/Non-vatable