



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Registered Post**

Irish Rail  
c/o Colin Grimes  
Design & Construction,  
New Works Building,  
Iarnrod Éireann,  
Inchicore Works,  
Inchicore Parade,  
Dublin 8.  
D08 K6Y3

*RL5232 2923 71E.*

13th September, 2021

**Section 5 referral Reference R21-53 – Irish Rail**

**Whether the construction work proposed at Platform 2 at Ennis Railway Station, Ennis Co. Clare is considered development and if so, is it exempted development.**

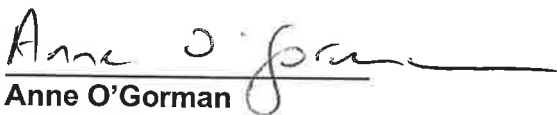
A Chara,

I refer to your application received on 17th August 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](http://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.: R21-53**



Comhairle Contae an Chláir  
Clare County Council

**Section 5 referral Reference R21-53**

**Whether the construction work proposed at Platform 2 at Ennis Railway Station, Ennis Co. Clare is considered development and if so, is it exempted development.**

**AND WHEREAS**, Irish Rail 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, 4 and 57 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended
- (c) Class 23 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- (d) Section 38 of the Transport (Railway) Infrastructure Act 2001
- (e) The works as indicated in submitted documents from the referrer.

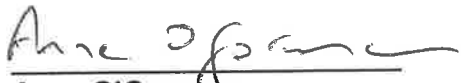
**And whereas Clare County Council has concluded:**

- (a) the construction works as proposed on Platform 2 of Ennis Railway Station 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 consisting specifically of:
  - Replacement of the existing platform No. 2 to the easterly side of the railway station with a new platform
  - Removal of the temporary footbridge
  - Construction of a new section of existing stone wall to facilitate the works
  - Provision of underground services, shelter, signage and lighting

at Platform 2, Ennis Railway Station, Ennis, County Clare is exempted development having regard to Section 4(1)(h) of the Planning and Development Act 2000, as amended and Class 23 of Schedule 2, Part 1 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 construction works as proposed on Platform 2 of Ennis Railway Station, Ennis, County Clare constitutes development which is exempted development as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.



Anne O'Gorman  
Staff Officer  
Planning Department  
Economic Development Directorate

13th September, 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:

78380.

Reference Number:

R21-53

Date Referral Received:

17/8/2021

Name of Applicant:

Irish Rail

Location of works in question:

Platform 2 at Ennis Station, Station Road  
Ennis Co Clare V95WY02.

**Section 5 referral Reference R21-53 – Irish Rail**

**Whether the construction work proposed at Platform 2 at Ennis Railway Station, Ennis Co. Clare is considered development and if so, is it exempted development.**

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

- (a) Sections 2, 3, 4 and 57 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended
- (c) Class 23 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- (d) Section 38 of the Transport (Railway) Infrastructure Act 2001
- (e) The works as indicated in submitted documents from the referrer.

**AND WHEREAS Clare County Council has concluded:**

- (a) the construction works as proposed on Platform 2 of Ennis Railway Station 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 consisting specifically of:
  - Replacement of the existing platform No. 2 to the easterly side of the railway station with a new platform
  - Removal of the temporary footbridge
  - Construction of a new section of existing stone wall to facilitate the works
  - Provision of underground services, shelter, signage and lighting

at Platform 2, Ennis Railway Station, Ennis, County Clare is exempted development having regard to Section 4(1)(h) of the Planning and Development Act 2000, as amended and Class 23 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

**ORDER:** Whereas by Chief Executive's Order No. HR 152 dated 9<sup>th</sup> 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 construction works as proposed on Platform 2 of Ennis Railway Station, Ennis, County Clare is development and is exempted development.

**Signed:**

  
\_\_\_\_\_  
**GARRETH RUANE**  
**SENIOR EXECUTIVE PLANNER** A-16

**Date:**

**13th September, 2021**

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

<b>FILE REF:</b>	R21 53
<b>APPLICANT(S):</b>	Irish Rail
<b>REFERENCE:</b>	Whether the construction works at Platform No. 2 at , Ennis Railway Station, Ennis Co. Clare is development and if so is it exempted development.
<b>LOCATION:</b>	Ennis Railway Station, Ennis Co. Clare.
<b>DUE DATE:</b>	14 <sup>th</sup> Sept 2021

**Site Location**


The works as proposed by Irish Rail are located on the easterly side of the main station building of Ennis Railway Station.

**Site context**





The Ennis Bus and Railway Station complex contains the following Protected Structures:

<b>RPS No.:</b> 790 <b>NIAH No.:</b> 20001255 <b>Structure:</b> Sculpture <b>Date:</b> 1970-1980 <b>In use as:</b> Sculpture <b>Additional Use:</b> N/A <b>Historical Use:</b> Sculpture <b>Rating:</b> Local	<b>Name:</b> Bronze Sculpture <b>Area:</b> Ennis <b>Townland:</b> Clonoad More <b>Summary description:</b> Small three-faced bronze unsigned sculpture, c.1975, set on ashlar plinth, inspired by Percy French, 19 <sup>th</sup> century song writer. Located at entrance to Ennis Railway Station. <b>Categories of special interest:</b> Material, Detail, Design	<b>NGR:</b> 134250 ; 176998 <b>Map:</b> Volume 2 <b>Map reference:</b> I7	
<b>RPS No.:</b> 791 <b>NIAH No.:</b> 20001257 <b>Structure:</b> Footbridge <b>Date:</b> 1860-1870 <b>In use as:</b> Footbridge <b>Additional Use:</b> N/A <b>Historical Use:</b> Footbridge <b>Rating:</b> Local	<b>Name:</b> Iron Footbridge <b>Area:</b> Ennis <b>Townland:</b> Clonoad More <b>Summary description:</b> Iron footbridge over double railway, supported on cast-iron columns having foliate capitals and open cast-iron steps, c.1865 located at Ennis Railway and Bus Station. <b>Categories of special interest:</b> Detail, Design	<b>NGR:</b> 134330 ; 176890 <b>Map:</b> Volume 2 <b>Map reference:</b> I7	
<b>RPS No.:</b> 792 <b>NIAH No.:</b> 20001258 <b>Structure:</b> Warehouse <b>Date:</b> 1860-1870 <b>In use as:</b> Warehouse <b>Additional Use:</b> N/A <b>Historical Use:</b> Warehouse and Engine Shed <b>Rating:</b> Local	<b>Name:</b> Stone Warehouse <b>Area:</b> Ennis <b>Townland:</b> Clonoad More <b>Summary description:</b> Six-bay single-storey ashlar stone warehouse, c.1865, with extension to north, c.1930, and attached office building c.1950 located at Ennis Railway and Bus Station. <b>Categories of special interest:</b> Group, Materials, Technical	<b>NGR:</b> 134340 ; 176905 <b>Map:</b> Volume 2 <b>Map reference:</b> I7	
<b>RPS No.:</b> 793 <b>NIAH No.:</b> 20001259 <b>Structure:</b> Water Column <b>Date:</b> 1871 <b>In use as:</b> Water column <b>Additional Use:</b> N/A <b>Historical Use:</b> Water supply to steam locomotives <b>Rating:</b> Local	<b>Name:</b> Cast-Iron Water Column <b>Area:</b> Ennis <b>Townland:</b> Clonoad More <b>Summary description:</b> Cast-iron water column, erected 1871 located at Ennis Railway and Bus Station. <b>Categories of special interest:</b> Historical, Technical, Detail/Design	<b>NGR:</b> 134318 ; 176921 <b>Map:</b> Volume 2 <b>Map reference:</b> I7	
<b>RPS No.:</b> 794 <b>NIAH No.:</b> 20001260 <b>Structure:</b> Railway Station <b>Date:</b> 1860-1870 <b>In use as:</b> Railway Station <b>Additional Use:</b> N/A <b>Historical Use:</b> Railway Station <b>Rating:</b> Local	<b>Name:</b> Railway Station <b>Area:</b> Ennis <b>Townland:</b> Clonoad More <b>Summary description:</b> Single-storey railway station, c.1860, with station masters two-storey house attached to south end and storeroom, c.1890, placed at junction of station and house, located at Ennis Railway and Bus Station. <b>Categories of special interest:</b> Architectural, Historical, Group	<b>NGR:</b> 134328 ; 176853 <b>Map:</b> Volume 2 <b>Map reference:</b> I7	

### **Planning History**

- P19 188      Application by Iarnród Éireann for planning permission which consisted of the removal of an existing temporary steel footbridge, modifications to the existing platforms and fences, a new accessible passenger footbridge with 2 no. stairs and no. lifts between the existing platforms. Permission granted subject to 4 no. conditions.
- P18 579      Application by Iarnród Éireann for planning permission for development at Ennis Railway Station which will consist of the removal of an existing temporary steel footbridge, modifications to the existing platforms and fences, a new accessible passenger footbridge, with 2 no. stairs and 2 no. lifts, between the existing platforms. Ennis Railway Station is a Protected Structure. Application withdrawn.
- P03 21123      Application by Iarnród Éireann for planning permission for change of use from bicycle shop, canteen and station master's house to a coffee shop and ancillary facilities. The change of use will entail internal and external changes to the existing buildings, which are protected structures. Permission granted subject to 7 no. conditions.

### **Background to Referral**

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

The applicant is seeking a Section 5 Declaration as to whether the construction work proposed at Platform 2, Ennis Railway Station is development and if so is it exempted development.

The proposed works are as follows:

- Replacement of the existing platform No. 2 to the easterly side of the railway station with a new platform
- Removal of the temporary footbridge
- Construction of a new section of existing stone wall to facilitate the works
- Provision of underground services, shelter, signage and lighting

Due to the requirement to provide accessible and safe platforms for public users of the railway, it is proposed in this phase of works to remove the existing East Platform, part of which is built of limestone, and part more recent materials (blockwork, concrete) and replace it with a new platform structure which has a crawl space under the walkway for safety, and a platform which allows level entry to trains for wheelchair users.

This will necessitate removal of a portion of high stone wall from the goods yard to gain construction access and it is proposed to reinstate this wall after construction is complete.

Associated works will include removal of a temporary footbridge, lighting, signage and services to allow this platform to be fully operational allowing the second phase of works to upgrade the west side of the railway as a separate development without any stoppage of service to the public.



## **Statutory Provisions**

### **Relevant Statutory Legislation**

#### **Transport (Railway) Infrastructure Act 2001**

Section 38 Each of the following shall be exempted development for the purposes of the Act of 2000

- a) development consisting of the carrying out of railway works, including the use of the railway works or any part thereof for the purposes of the operation of a railway, authorised by the Minister and specified in a railway order or of any incidental or temporary works connected with such development
- b) development consisting of the carrying out of railway works for the maintenance, improvement or repair of a railway that has been built pursuant to a railway order

Section 2 of the aforementioned Act clarifies “Act of 2000” means Planning and Development Act, 2000

#### **Planning and Development Act 2000, as amended**

- Section 2(1) interpretation of “works” and “structure”.
- Section 3(1) meaning of “development”.
- Section 2 of the Planning and Development 2000, as amended also defines the terms used within the Act and the following terms are relevant for the purposes of this referral.

A structure - means any building structure, excavation or other thing constructed or made on, in or under any land or any part of a structure so defined.

Works - include any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

- Section 3 (1) of the Act defines development except where the context otherwise requires the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land.
- Section 4 sets out development which is deemed to be exempted development.
- Section 4(1)(h) states the following:

The following shall be exempted developments for the purposes of this Act—

development consisting of the carrying out of works for the maintenance, improvement or 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 set out consideration in relation to a declaration and referral on development and exempted development.

Section 5 (6) - (a) The Board shall keep a record of any decision made by it on a referral under this section and the main reasons and considerations on which its decision is based and shall make it available for purchase and inspection.

(c) The Board shall, from time to time and at least once a year, forward to each planning authority a copy of the record referred to in *paragraph (a)*.

Section 5 (7) - A planning authority, before making a declaration under this section, shall consider the record forwarded to it in accordance with *subsection (6)(c)*.

Section 57 (1) Notwithstanding *section 4 (1)(h)*, the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—

(a) the structure, or

(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

#### **Planning and Development Regulations 2001, as amended**

##### **Article 6 Relates to Exempted Development.**

###### **Article 6 (1)**

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.

##### **Article 9(1) Relates to restrictions on exemptions.**

Article 9 (1) concerns development to which Article 6 relates and shall not be exempted development for the purposes of the Act.

(a) If the carrying out of such development would inter alia,

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of development plan or local area plan for the area in which the development is proposed or, pending the variation of a

development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(ix) Consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) Obstruct any public right of way,

#### Part 1, Schedule 2 relates to Exempted Development – General:

Class 23 of Part 1 of the Regulations include –

The carrying out by any railway undertaking of development required in connection with the movement of traffic by rail in, on, over or under the operational land of the undertaking, **except—**

- (a) the construction or erection of any railway station or bridge, or of any residential structure, office or structure to be used for manufacturing or repairing work, which is not situated wholly within the interior of a railway station, or
- (b) the reconstruction or alteration of any of the aforementioned structures so as materially to affect the design or external appearance thereof

#### *Conditions and Limitations*

Any car park provided or constructed shall incorporate parking space for not more than 60 cars.

## Assessment

### Is it development?

Works are defined in the Act as *“any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal”*.

The construction of works to Platform 2 within Ennis Railway Station comes within the scope of works as defined in the Act. As such it can be reasonably and logically concluded that the erection of an extension constitutes “development” under the meaning of development as stipulated in the Act, as development is defined as, inter alia, “the carrying out of any works on, in, over or under land”.

### Is / is not exempted development?

A question now arises as to whether or not development constitutes exempted under the broader provisions of Section 4 of the Planning and Development Act 2000, namely Section 4 (1)(h).

Section 4 (1) (h) relates to development consisting of the carrying out of works for the maintenance, improvement or 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;

Having regard to the nature of the proposed development, I consider that same would fall under the scope of Section 4(1)(h) of the Planning and Development Act 2000, as amended. In this regard I have also had regard to the report received from the Conservation Officer, Siobhan Mulcahy (report commissioned by the Planning Authority and received on 2<sup>nd</sup> Sept. 2021). The report makes the following observations:

- It is considered that this replacement platform is essential, and does not interfere with any of the protected structures on the site.
- It is proposed to reinstate the stone wall which is being removed for access, and this is acceptable provided that (as proposed) the wall is carefully recorded prior to its removal and that reinstatement is consistent with the layout, style and materials used in the original structure.
- It is noted in the application that the historic iron footbridge forming part of the historic structures and located at the end of the station building will remain in place.
- It is proposed to provide essential signage and a shelter area for passengers which will allow this platform to be functional during future works on the complex. These do not adversely affect any of the protected structures on the site

The next question arises as to whether the proposed works may be considered under Section 57 of the Planning and Development Act 2000, as amended.

Having regard to the points as outlined above, contained in the report received from the commissioned Conservation Officer in relation to the subject Section 5 declaration application, it is considered that the

works as outlined in the application will not materially affect the character of the structure or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

The next question arises as to whether or not the works undertaken could be considered exempted development under the provisions of Article 6 of the Planning and Development Regulations 2001 as amended.

Article 6(1) states that inter alia, 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.

Note: I have outlined the wording of the regulations in *italics*, with my response in **bold**.

In this regard, the subject development is being considered under Part 1, Schedule 2, Class 23 which relates to the following Exempted Development – *the carrying out by any railway undertaking of development required in connection with the movement of traffic by rail in, on, over or under the operational land of the undertaking,*

**The proposed works are being carried out by a railway undertaking and are in connection with the movement of traffic by rail on operational land by Irish Rail.**

*except—*

- a) the construction or erection of any railway station or bridge, or of any residential structure, office or structure to be used for manufacturing or repairing work, which is not situated wholly within the interior of a railway station, or*

**The proposed development is not in relation to the construction of a railway station or bridge, residential structure, office or structure to be used for manufacturing or repairing work**

- b) the reconstruction or alteration of any of the aforementioned structures so as materially to affect the design or external appearance thereof*

**As noted above the proposed development is not in relation to any of the above**

Any car park provided or constructed shall incorporate parking space for not more than 60 cars

**The proposed development is not in relation to a car park**

Article 9 of the Planning and Development Regulations 2001, as amended, outlines the following restrictions on exempted development:

*Development to which article 6 relates shall not be exempted development for the purposes of the Act -*

- (a) If the carrying out of such development would –*

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act – **the development does not contravene any condition.**

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width – **Not applicable**

(iii) endanger public safety by reason of traffic hazard or obstruction of road users – **Not applicable**

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which 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, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan - **Not applicable**

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies - **Not applicable**

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan - **Not applicable**

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan - **Not applicable**

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended - **Not applicable**

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site - **Not applicable – refer to AA screening below**

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000. - **Not applicable**

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use - **Not applicable**

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan - **Not applicable**

Under Section 7 of the Planning and Development Act 2000, as amended, the Planning Authority is required to consider any relevant decision as made by An Bord Pleanála. I have searched and examined the Board's database of referrals and note there are a number of referrals relating to works within the grounds of railway stations. However none are directly comparable to the subject application.

In consideration of the aforementioned Section 5 declaration I have also had regard to Section 38 of the Transport (Railway) Infrastructure Act 2001, which appear to provide a blanket exemption of proposed works development consisting of the carrying out of railway works, including the use of the railway works or any part thereof for the purposes of the operation of a railway, authorised by the Minister and specified in a railway order or of any incidental or temporary works connected with such development or development consisting of the carrying out of railway works for the maintenance, improvement or repair of a railway that has been built pursuant to a railway order.

#### **Environmental Impact Assessment**

In assessing this application I have had regard to the provisions of EU Directive 2014/52/EU (which amends EU Directive 2011/92/EU), and which has been transposed into Irish legislation by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (SI No. 296 of 2018). The subject development does not fall within the mandatory requirements for EIA as set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. I therefore consider that the proposal constitutes a sub-threshold development and note the requirements of Article 103 (1)(a) and (b) of the Planning and Development Regulations 2001, as amended. As such having regard to the nature and scale of the proposed development and the nature of the receiving environment I consider that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

#### **Appropriate Assessment**

The proposed development is located within the ground of Ennis Railway station.

Having regard to:

- the small scale nature of the development,
- the location of the development in an existing developed area,
- the absence of a pathway to the European site,



it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### **Conclusion**

The proposed works are considered to constitute 'development' which is 'exempted development'.

### **Recommendation**

**The following questions have been referred to the Planning Authority:**

Whether the construction works proposed at Platform 2 of Ennis Railway Station is development and if so, it is exempted development.

**The Planning Authority in considering this referral had regard to:**

- (a) Sections 2, 3, 4 and 57 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended
- (c) Class 23 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- (d) Section 38 of the Transport (Railway) Infrastructure Act 2001
- (e) The works as indicated in submitted documents from the referrer.

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

- (a) the construction works as proposed on Platform 2 of Ennis Railway Station 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 consisting specifically of:
  - Replacement of the existing platform No. 2 to the easterly side of the railway station with a new platform
  - Removal of the temporary footbridge
  - Construction of a new section of existing stone wall to facilitate the works
  - Provision of underground services, shelter, signage and lighting

at Platform 2, Ennis Railway Station, Ennis, County Clare is exempted development having regard to Section 4(1)(h) of the Planning and Development Act 2000, as amended and Class 23 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

Now therefore Clare County Council (Planning Authority), hereby decides that the construction works as proposed on Platform 2 of Ennis Railway Station, Ennis, County Clare is development and is exempted development.



Fiona Barry

Executive Planner

Date: 10.09.2021



Garreth Ruane

Senior Executive Planner

Date:



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Irish Rail**  
**C/o Colin Grimes Design & Construction,**  
**New works building,**  
**iarnrod Eireann Core work,**  
**Inchicore Parade,**  
**Dublin 8**

**23/8/2021**

**Section 5 referral Reference R21-53 – Irish Rail**  
**C/o Colin Grimes Design & Construction,**  
**New works building,**  
**iarnrod Eireann Core work,**  
**Inchicore Parade,**  
**Dublin 8**

**Whether the construction work proposed at Platform 2 at Ennis Station Co Clare is considered development and if so, is it exempted development.**

A Chara,

I refer to your application received on 17/8/2021 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



R22 - R21-53

An Foirgneamh Innealtoireachta & Oibreacha Nua Inse Chór, Baile Átha Cliath 8  
Engineering and New Works, Inchicore, Dublin 8  
T 01 703 4203 E shane.prendergast@irishrail.ie W www.irishrail.ie



Planning Department  
Clare County Council,  
Áras Contae an Chláir  
New Road  
Ennis  
Co. Clare  
V95 DXP2

17th August 2021

Our Ref: Accessibility Program Ennis

**RE: Application for a declaration in accordance with Section 5 of the Planning and Development Act 2000-2002 – Ennis Station, Station Road, Ennis, Co. Clare**

To Whom it May Concern,

Please find accompanying this e mail, Documents and Drawings for proposed development at Ennis Station, Station Road, Ennis, Co. Clare

Enclosed:  
Section 5 Application Form  
Summary Conservation Report  
6 No. Planning Drawings: P01 – P06

Please note payment of the application fee can be made by card over the phone - please contact Paul McInerney, Assistant Project Manager, Design & Construction, New Works, Iarnród Éireann Infrastructure, Engineering & New Works Building, CIÉ Works, Inchicore, D08K6Y3

Phone 01 703 4387  
Mobile 087 1250813  
E Mail Paul.McInerney@irishrail.ie

I trust the above is in order but please let me know should you have any queries.

Yours Faithfully

**Shane Prendergast, MRIA**

Iarnród Éireann Structural & Architectural Design Section  
E mail: Shane.Prendergast@irishrail.ie  
Phone: 01 703 4203

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](mailto:planoff@clarecoco.ie)  
Website: [www.clarecoco.ie](http://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	Irish Rail (Colin Grimes) Design & Construction, New Works Building, Iarnrod Eireann, Inchicore Works, Inchicore Parade, Dublin 8. D08 K6Y3
(b) Telephone No.:	01 703 4232
(c) Email Address:	<a href="mailto:Colin.Grimes@irishrail.ie">Colin.Grimes@irishrail.ie</a>
(d) Agent's Name and address:	Shane Prendergast Structural & Architectural Design Section, New Works Building, Iarnrod Eireann, Inchicore Works, Inchicore Parade, Dublin 8. D08 K6Y3

<b>2. DETAILS REGARDING DECLARATION BEING SOUGHT</b>	
<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><u>Sample Question:</u> <i>Is the construction of a shed at 1 Main St., Ennis development and if so is it exempted development?</i></p> <p>Is the construction work proposed at Platform 2, Ennis Station  development and if so is it exempted development?</p>	
<p>(b) Provide a full description of the question/matter/subject which arises wherein a declaration of the question is sought.</p> <p>The works to which the proposed construction relates are as follows:</p> <p>Replacement of the existing Platform #2 to the easterly side of the railway  station with a new platform, removal of the temporary footbridge,  reconstruction of a section of existing stone wall to facilitate the works as  well as provision of new underground services, shelter, signage and lighting all  associated with the proposed new platform construction</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>	
P01 OS Map	P04 Details #1
P02 Existing Conditions	P05 Details #2
P03 Proposed Conditions	P06 Details #3

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	Iarnrod Eireann, Ennis Station, Station Road, Ennis, Co. Clare. V95 WY02
(b) Do the works in question affect a Protected Structure or are within the curtilage of a Protected Structure? If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 (as amended) been requested or issued for the property by the Planning Authority?	Yes No Declaration under Section 57 of the Planning & Development Act has been requested or issued
(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	Owner - Freehold
(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>	N/A
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	N/A
(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:	Yes Ref no. 0321123 & 19188
(h) Date on which 'works' in question were completed/are likely to take place:	Estimated Commencement - Oct. 2021

SIGNED: Glen Prendergast

DATE: 17th August, 2021



### GUIDANCE NOTES

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

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

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

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

### FOR OFFICE USE ONLY

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

**Ennis Railway Station – Accessibility Programme 2021,  
Ennis Railway Station,  
Station Road,  
Ennis,  
Co. Clare.  
V95 WY02**

**CONSERVATION IMPACT ASSESSMENT – SUMMARY REPORT**



**Contents:**

- 1. Introduction & Context**
- 2. Executive Summary**
- 3. Research Methodology**
- 4. Designations**
- 5. Historical Overview**
- 6. Existing Conditions & Description of Proposal**
- 7. Condition & Impact Assessment**

**Author: Shane Prendergast, MRIA**

Our ref: Accessibility Programme 2021;  
Date: 17<sup>th</sup> August 2021

## Assessment of the Impact of the proposed development at Ennis Railway Station, Ennis on the Curtilage of the Protected Structures listed in the Record of Protected Structures which forms part of the Clare County Development Plan, 2017 - 2023

### 1. Introduction & Context:

This summary report relates to proposed development at Ennis Railway Station, Station Road, Ennis, County Clare and is brought into being as part of an ongoing programme of proposed works by Irish Rail to improve accessibility across the railway network in Ireland which in this instance necessitates an application for permission in accordance with the Planning and Development Act 2000-2002 and subsequent amendments, to be submitted to the planning authority for the proposed development. It was agreed at a meeting on May 20<sup>th</sup>, 2021 between Liam Boyce - Irish Rail Structural & Architectural Design Section, Fiona Barry – Clare County Council and Siobhan Mulcahy – Conservation Architect for Clare County Council that a 'Section 5' declaration would be sought for the works described below which form part of a larger proposed program at Ennis and for which a further declaration or planning permission will be sought at a later stage.

This report is prepared by Shane Prendergast, MRIAI – Architect Accredited at Conservation Grade III, Iarnrod Éireann, Engineering & New Works, Inchicore, Dublin 8.

### 2. Executive Summary:

The current works proposed by Irish Rail relate to the easterly side of the main station buildings complex where it is proposed to provide a new platform and associated signage, services and lighting in order to improve safe access to the station and trains. Assessment of the impact of the proposed intervention is made in relation to the building and its context within the site.

### 3. Research:

The assessment of the proposed development is written with reference to the following:  
Drawings and documents – prepared by Iarnrod Éireann Architects & Infrastructure Sections  
Site Visits & Photographic surveys undertaken by Iarnrod Éireann Architects & Infrastructure Sections  
Historical Documents/ References including maps, drawings, photographs & written articles  
National & International guidance on works and working with Protected Structures.

### 4. Designations:

Five structures within the area of the station are given individual designations in the current Clare County Development Plan – Record of Protected Structures (RPS). The National Inventory of Architectural Heritage (NIAH) lists six separate elements of interest in its survey, each of which are noted as having a local rating value. See below:


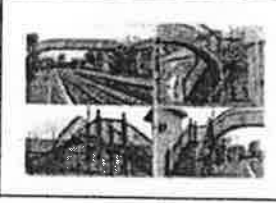
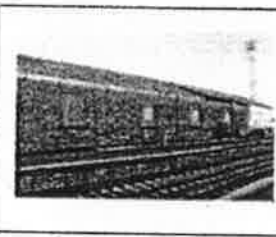


RPS NUMBER	NIAH REF. NUMBER.	STRUCTURE
790	20000 1255	Bronze Sculpture
N/A	20000 1256	Canopy Roof on Salvaged Cast Iron Columns
791	20000 1257	Iron Footbridge
792	20000 1258	Stone Warehouse
793	20000 1259	Cast Iron Water Column
794	20000 1260	Railway Station

No.	Ref.	Building Name	Address	Zone	RPS	Structure	Description
1	101	101/102	101/102	Zone 1	101/102	101/102	101/102
2	103	103/104	103/104	Zone 2	103/104	103/104	103/104
3	105	105/106	105/106	Zone 3	105/106	105/106	105/106
4	107	107/108	107/108	Zone 4	107/108	107/108	107/108
5	109	109/110	109/110	Zone 5	109/110	109/110	109/110
6	111	111/112	111/112	Zone 6	111/112	111/112	111/112
7	113	113/114	113/114	Zone 7	113/114	113/114	113/114
8	115	115/116	115/116	Zone 8	115/116	115/116	115/116
9	117	117/118	117/118	Zone 9	117/118	117/118	117/118
10	119	119/120	119/120	Zone 10	119/120	119/120	119/120
11	121	121/122	121/122	Zone 11	121/122	121/122	121/122
12	123	123/124	123/124	Zone 12	123/124	123/124	123/124
13	125	125/126	125/126	Zone 13	125/126	125/126	125/126
14	127	127/128	127/128	Zone 14	127/128	127/128	127/128
15	129	129/130	129/130	Zone 15	129/130	129/130	129/130
16	131	131/132	131/132	Zone 16	131/132	131/132	131/132
17	133	133/134	133/134	Zone 17	133/134	133/134	133/134
18	135	135/136	135/136	Zone 18	135/136	135/136	135/136
19	137	137/138	137/138	Zone 19	137/138	137/138	137/138
20	139	139/140	139/140	Zone 20	139/140	139/140	139/140
21	141	141/142	141/142	Zone 21	141/142	141/142	141/142
22	143	143/144	143/144	Zone 22	143/144	143/144	143/144
23	145	145/146	145/146	Zone 23	145/146	145/146	145/146
24	147	147/148	147/148	Zone 24	147/148	147/148	147/148
25	149	149/150	149/150	Zone 25	149/150	149/150	149/150
26	151	151/152	151/152	Zone 26	151/152	151/152	151/152
27	153	153/154	153/154	Zone 27	153/154	153/154	153/154
28	155	155/156	155/156	Zone 28	155/156	155/156	155/156
29	157	157/158	157/158	Zone 29	157/158	157/158	157/158
30	159	159/160	159/160	Zone 30	159/160	159/160	159/160
31	161	161/162	161/162	Zone 31	161/162	161/162	161/162
32	163	163/164	163/164	Zone 32	163/164	163/164	163/164
33	165	165/166	165/166	Zone 33	165/166	165/166	165/166
34	167	167/168	167/168	Zone 34	167/168	167/168	167/168
35	169	169/170	169/170	Zone 35	169/170	169/170	169/170
36	171	171/172	171/172	Zone 36	171/172	171/172	171/172
37	173	173/174	173/174	Zone 37	173/174	173/174	173/174
38	175	175/176	175/176	Zone 38	175/176	175/176	175/176
39	177	177/178	177/178	Zone 39	177/178	177/178	177/178
40	179	179/180	179/180	Zone 40	179/180	179/180	179/180
41	181	181/182	181/182	Zone 41	181/182	181/182	181/182
42	183	183/184	183/184	Zone 42	183/184	183/184	183/184
43	185	185/186	185/186	Zone 43	185/186	185/186	185/186
44	187	187/188	187/188	Zone 44	187/188	187/188	187/188
45	189	189/190	189/190	Zone 45	189/190	189/190	189/190
46	191	191/192	191/192	Zone 46	191/192	191/192	191/192
47	193	193/194	193/194	Zone 47	193/194	193/194	193/194
48	195	195/196	195/196	Zone 48	195/196	195/196	195/196
49	197	197/198	197/198	Zone 49	197/198	197/198	197/198
50	199	199/200	199/200	Zone 50	199/200	199/200	199/200
51	201	201/202	201/202	Zone 51	201/202	201/202	201/202
52	203	203/204	203/204	Zone 52	203/204	203/204	203/204
53	205	205/206	205/206	Zone 53	205/206	205/206	205/206
54	207	207/208	207/208	Zone 54	207/208	207/208	207/208
55	209	209/210	209/210	Zone 55	209/210	209/210	209/210
56	211	211/212	211/212	Zone 56	211/212	211/212	211/212
57	213	213/214	213/214	Zone 57	213/214	213/214	213/214
58	215	215/216	215/216	Zone 58	215/216	215/216	215/216
59	217	217/218	217/218	Zone 59	217/218	217/218	217/218
60	219	219/220	219/220	Zone 60	219/220	219/220	219/220
61	221	221/222	221/222	Zone 61	221/222	221/222	221/222
62	223	223/224	223/224	Zone 62	223/224	223/224	223/224
63	225	225/226	225/226	Zone 63	225/226	225/226	225/226
64	227	227/228	227/228	Zone 64	227/228	227/228	227/228
65	229	229/230	229/230	Zone 65	229/230	229/230	229/230
66	231	231/232	231/232	Zone 66	231/232	231/232	231/232
67	233	233/234	233/234	Zone 67	233/234	233/234	233/234
68	235	235/236	235/236	Zone 68	235/236	235/236	235/236
69	237	237/238	237/238	Zone 69	237/238	237/238	237/238
70	239	239/240	239/240	Zone 70	239/240	239/240	239/240
71	241	241/242	241/242	Zone 71	241/242	241/242	241/242
72	243	243/244	243/244	Zone 72	243/244	243/244	243/244
73	245	245/246	245/246	Zone 73	245/246	245/246	245/246
74	247	247/248	247/248	Zone 74	247/248	247/248	247/248
75	249	249/250	249/250	Zone 75	249/250	249/250	249/250
76	251	251/252	251/252	Zone 76	251/252	251/252	251/252
77	253	253/254	253/254	Zone 77	253/254	253/254	253/254
78	255	255/256	255/256	Zone 78	255/256	255/256	255/256
79	257	257/258	257/258	Zone 79	257/258	257/258	257/258
80	259	259/260	259/260	Zone 80	259/260	259/260	259/260
81	261	261/262	261/262	Zone 81	261/262	261/262	261/262
82	263	263/264	263/264	Zone 82	263/264	263/264	263/264
83	265	265/266	265/266	Zone 83	265/266	265/266	265/266
84	267	267/268	267/268	Zone 84	267/268	267/268	267/268
85	269	269/270	269/270	Zone 85	269/270	269/270	269/270
86	271	271/272	271/272	Zone 86	271/272	271/272	271/272
87	273	273/274	273/274	Zone 87	273/274	273/274	273/274
88	275	275/276	275/276	Zone 88	275/276	275/276	275/276
89	277	277/278	277/278	Zone 89	277/278	277/278	277/278
90	279	279/280	279/280	Zone 90	279/280	279/280	279/280
91	281	281/282	281/282	Zone 91	281/282	281/282	281/282
92	283	283/284	283/284	Zone 92	283/284	283/284	283/284
93	285	285/286	285/286	Zone 93	285/286	285/286	285/286
94	287	287/288	287/288	Zone 94	287/288	287/288	287/288
95	289	289/290	289/290	Zone 95	289/290	289/290	289/290
96	291	291/292	291/292	Zone 96	291/292	291/292	291/292
97	293	293/294	293/294	Zone 97	293/294	293/294	293/294
98	295	295/296	295/296	Zone 98	295/296	295/296	295/296
99	297	297/298	297/298	Zone 99	297/298	297/298	297/298
100	299	299/300	299/300	Zone 100	299/300	299/300	299/300

Extract from the National Inventory of Architectural Heritage (Part 2 of 2)

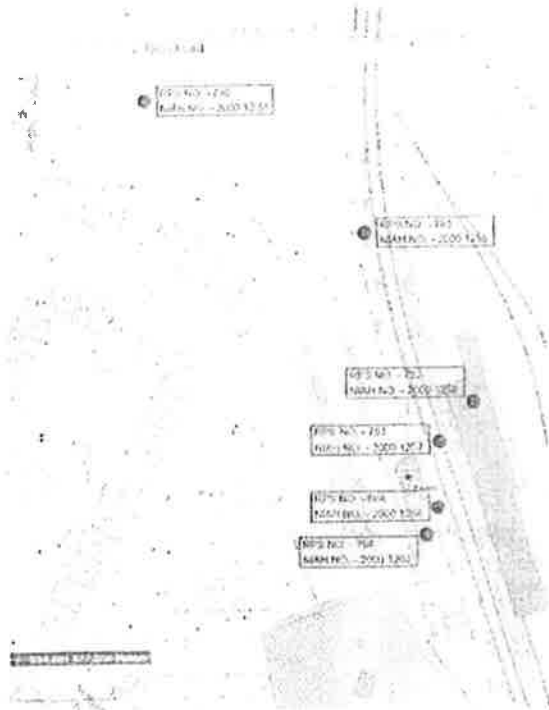
RPS No.	Structure	Address	Area	Date	NGR	Summary description
4320-8	790	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	791	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	792	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	793	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	794	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	795	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	796	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	797	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	798	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.
4320-8	799	Ennis Railway Station	Ennis	1860-1870	B	Single-storey railway station, c.1860, with extension to north, c.1930, and attached office building, c.1950.

Extract from the National Inventory of Architectural Heritage (Part 2 of 2)

<p>RPS No.: 790  NIAH No.: 20001255  Structure: Sculpture  Date: 1970-1980  In use as: Sculpture  Additional Use: N/A  Historical Use:  Sculpture  Rating: Local</p>	<p>Name: Bronze Sculpture  Area: Ennis  Townland: Clonroad More  Summary description: Small three-faced bronze unsigned sculpture, c.1975, set on ashlar plinth, inspired by Percy French, 19<sup>th</sup> century song writer. Located at entrance to Ennis Railway Station.  Categories of special interest: Material, Detail, Design</p>	<p>NGR: 134250 ; 176998  Map: Volume 2  Map reference: 17</p> 
<p>RPS No.: 791  NIAH No.: 20001257  Structure: Footbridge  Date: 1860-1870  In use as: Footbridge  Additional Use: N/A  Historical Use:  Footbridge  Rating: Local</p>	<p>Name: Iron Footbridge  Area: Ennis  Townland: Clonroad More  Summary description: Iron footbridge over double railway, supported on cast-iron columns having foliate capitals and open cast-iron steps, c.1865 located at Ennis Railway and Bus Station.  Categories of special interest: Detail, Design</p>	<p>NGR: 134330 ; 176890  Map: Volume 2  Map reference: 17</p> 
<p>RPS No.: 792  NIAH No.: 20001258  Structure: Warehouse  Date: 1860-1870  In use as: Warehouse  Additional Use: N/A  Historical Use:  Warehouse and Engine Shed  Rating: Local</p>	<p>Name: Stone Warehouse  Area: Ennis  Townland: Clonroad More  Summary description: Six-bay single-storey ashlar stone warehouse, c.1865, with extension to north, c.1930, and attached office building c.1950 located at Ennis Railway and Bus Station.  Categories of special interest: Group, Materials, Technical</p>	<p>NGR: 134340 ; 176905  Map: Volume 2  Map reference: 17</p> 
<p>RPS No.: 793  NIAH No.: 20001259  Structure: Water Column  Date: 1871  In use as: Water column  Additional Use: N/A  Historical Use: Water supply to steam locomotives  Rating: Local</p>	<p>Name: Cast-Iron Water Column  Area: Ennis  Townland: Clonroad More  Summary description: Cast-iron water column, erected 1871 located at Ennis Railway and Bus Station.  Categories of special interest: Historical, Technical, Detail, Design</p>	<p>NGR: 134318 ; 176921  Map: Volume 2  Map reference: 17</p> 
<p>RPS No.: 794  NIAH No.: 20001260  Structure: Railway Station  Date: 1860-1870  In use as: Railway Station  Additional Use: N/A  Historical Use:  Railway Station  Rating: Local</p>	<p>Name: Railway Station  Area: Ennis  Townland: Clonroad More  Summary description: Single-storey railway station, c.1860, with station masters two-storey house attached to south end and storeroom, c.1890, placed at junction of station and house, located at Ennis Railway and Bus Station.  Categories of special interest: Architectural, Historical, Group</p>	<p>NGR: 134328 ; 176853  Map: Volume 2  Map reference: 17</p> 

Extract from the Clare County Development Plan – RPS

#### 4. Designations (Continued):



Site Location Map – Not to Scale, from [www.myplan.ie](http://www.myplan.ie)

#### 5. Historical Overview:

A brief summary of the history of the railway station at Carlow is provided at [www.eiretrains.com](http://www.eiretrains.com) –

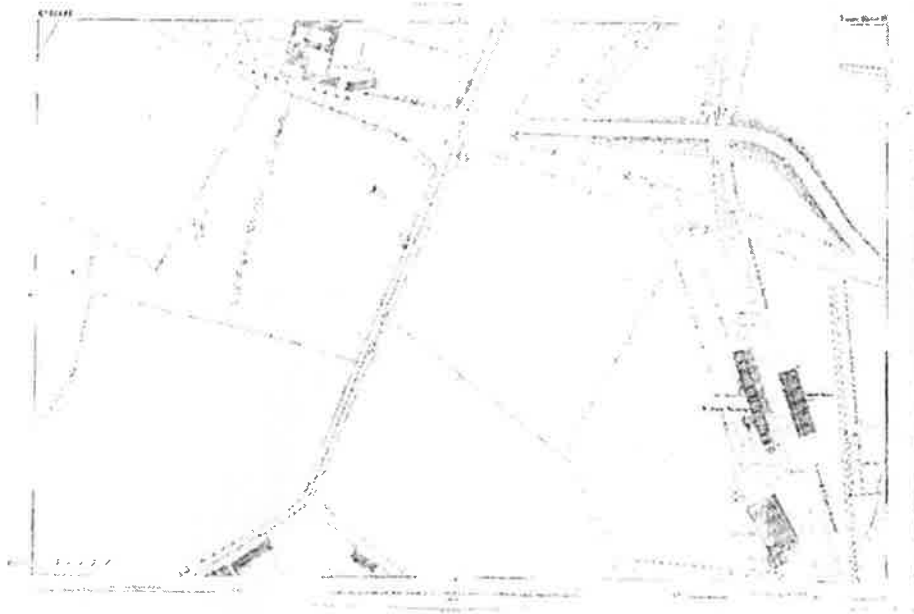
Ennis in Co. Clare, on the Great Southern & Western Railway's Limerick to Athenry and Claremorris line, was once also the junction for the 1887/92 built narrow gauge West Clare Railway, which ran from Ennis to Kilkee and Kilrush on the Shannon Estuary. Despite modernisation, the West Clare line was closed in February 1961 by CIE, and was the last surviving narrow gauge line in the country. The line through Ennis had originally opened in 1859 and was first worked by the Waterford Limerick & Western Railway. Ennis Station itself lost its passenger services from Limerick to Claremorris in 1976, but a Limerick passenger service was re-instated in 1994. The line north of Ennis to Athenry and Claremorris remained in use for freight traffic until the late 1990s, the same time Ennis itself lost its Limerick freight liner train. However passenger services north of Ennis to Athenry were restored in March 2010. A new structure containing stairs, lifts and bridge connecting platforms 1 & 2 became operational in May 2021.

Below – Historical o.s maps show the development of the station complex area from before the construction of the railway to the present day.

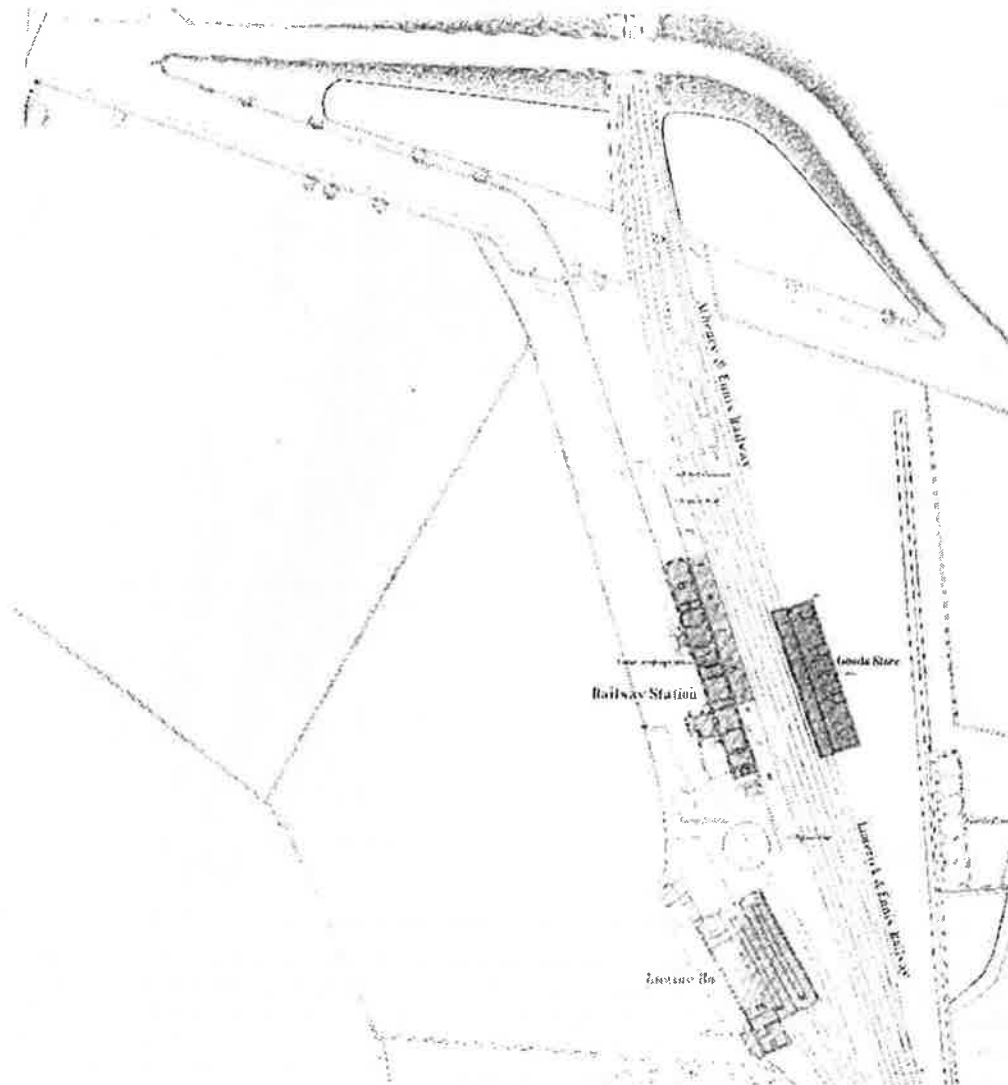


Ordnance Survey Historical 6 inch Map (dated 1837 – 1842) not to scale. OS Licence User ID: EN 0039721

## 5. Historical Overview (Continued):

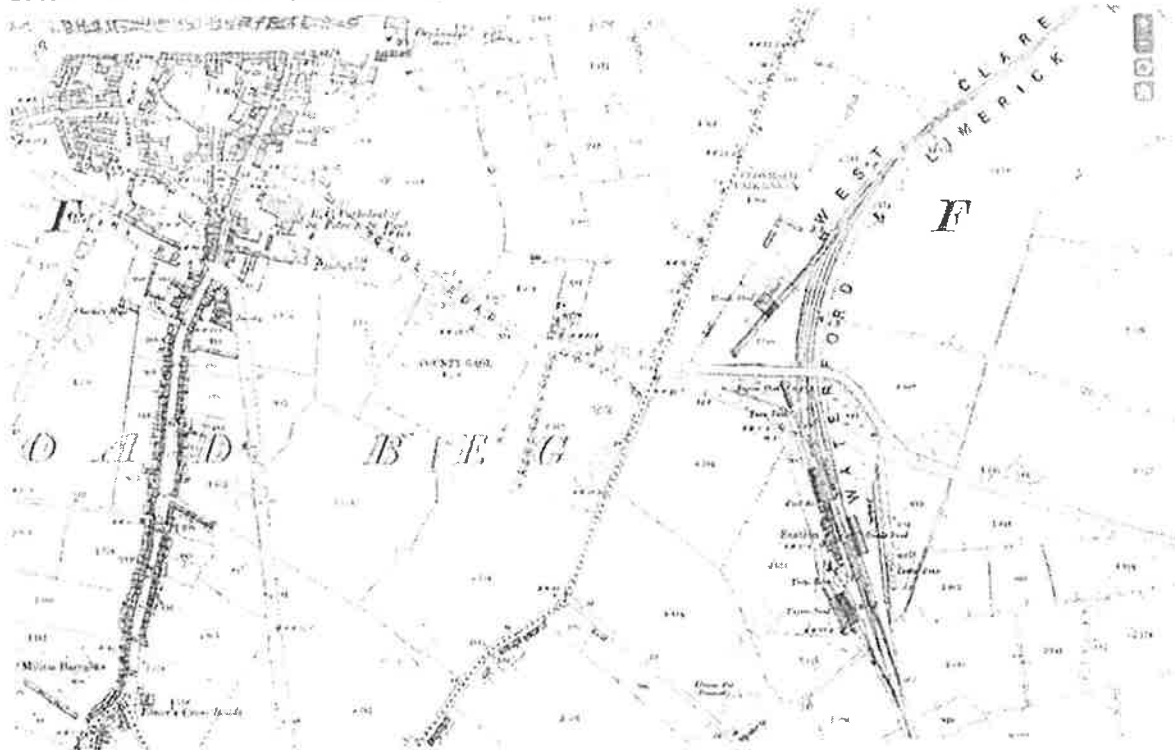


UCD Ordnance Survey Historical Map Collection – dated 1878, Context

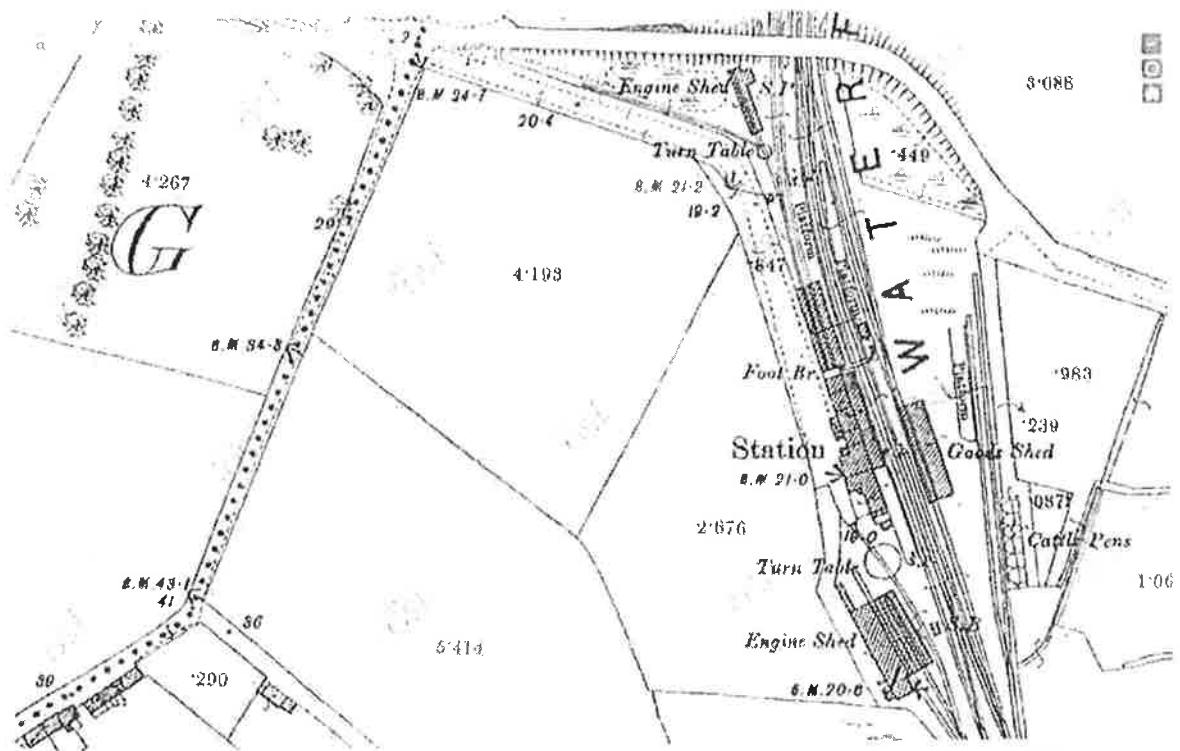


UCD Ordnance Survey Historical Map Collection – dated 1878, Detail

## 5. Historical Overview (Continued):



Ordnance Survey Historical 25 inch Map (dated 1907) not to scale. OS Licence User ID: EN 0039721



Detail from Ordnance Survey Historical 25 inch Map (dated 1907) not to scale. OS Licence User ID: EN 0039721

The historical Ordnance survey map from c. 1907 allows for comparison with the current layout of the station complex and shows that overall the site layout retains much of its overall form from the last century of its existence. Notable changes however include the development of buildings adjacent to the goods shed to the easterly side of the railway, along with the removal cattle pens (date unknown), three engine sheds as well as a number of railway sidings, and the provision of a new car park and bus station facility on the westerly side.



## 5. Historical Overview (Continued): Planning History

Reference No.		Date of Lodgement	
0321123		15/08/2003	
0321123	APPLICATION FINALISED	14/12/2003 02/12/2003	CONDITIONAL 15/08/2003 18/08/2003
		Ennis Railway Station, Outh Road, Clonsilla, Ennis	for change of use from bicycle shop, canteen and station master's house to a coffee shop and ancillary works
		Clare County Council	
19188		15/03/2019	
19188	APPLICATION FINALISED	09/05/2018 07/05/2019	CONDITIONAL 15/03/2019 18/03/2019
		Station Rd Ennis Co. Clare	for development of Ennis Railway Station which will consist of the removal of an existing temporary...
		Clare County Council	

Extracts from planning search for Ennis Station – [www.eplanning.ie/Ennis](http://www.eplanning.ie/Ennis)

## 6. Existing Conditions & Description of Proposal

A number of buildings and structures of historical interest survive and are in varying states of use throughout the station complex. The former goods store/ stone warehouse, main station building and old iron footbridge are located around the area of the proposed development. The works proposed by Irish Rail relate to the existing platform to the easterly side of the railway at the old iron footbridge and beside the former goods store, where it is proposed to provide a new train platform and other ancillary works to replace the existing in order to facilitate safe access to the station and trains.

The drawings accompanying this report show the proposal consisting of a new platform along with underground services, signage lighting and street furniture. A section of stone wall will be removed and reinstated as part of the works also. The existing grey 'temporary' footbridge is to be removed while the historic iron footbridge will remain in place.

### Photographic Record – General

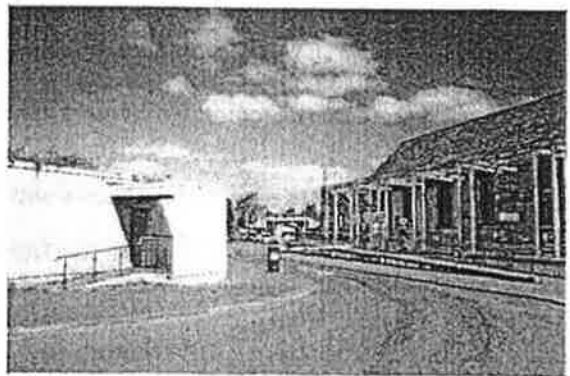
(Refer to Drawing P02 for more detailed information relating to the area of proposed works)



Site Plan – View Location



View #1



View #2

## 6. Existing Conditions & Description of Proposal (Continued):

### Photographic Record



View #3



View #4

## 7 Condition & Impact Assessment

### Proposed Development, Impact & Assessment:

The reasoning upon which the proposed development is based is in order to ensure Iarnród Éireann can further progress with the fulfilment of its obligations (and indeed its highest aspirations) in accordance with various statutory regulations and government policy and forms part of a larger programme of works currently being progressed by the CIE companies throughout Ireland supported by the NTA (National Transport Authority). The current platform #2 is graded towards the railway which is unsafe for passengers using wheelchairs or other mobility equipment in that there is a risk of their falling onto the railway tracks. The new platform will reduce the risk of such an occurrence by grading the surface away from the railway.

#### *Disability Act 2005*

*The Disability Act 2005 aims to advance the participation of people with disabilities in everyday life by, for example, improving access to buildings, services and information. Attention is drawn to the obligation on Public bodies (such as Government Departments, Local Authorities, Health Service Executive, Semi-state Bodies, etc) to make their public buildings comply with Part M 2000, by 2015. It also requires that these public buildings be brought into compliance with amendments to Part M not later than 10 years after the commencement of the amendment. For the purposes of this part of the Disability Act "public building" means a building, or that part of a building, to which members of the public generally have access and which is occupied, managed or controlled by a public body.*

The current Clare County Development plan including the Ennis Municipal District Written Statement & Settlement Plan lists a number of objectives which may be considered relevant to the proposed development most notably,

CDP5.6 Development Plan Objective: Accessibility, which states:

It is an objective of Clare County Council:

**a**

**To promote social inclusion by promoting and supporting the principles of universal design to create products, services and environments that meet all people's needs in terms of access, understanding and use, across all sectors, including transport, built and natural environments, heritage and tourism;**

**b**

**To take all required steps to ensure compliance with the Disability Act (2005).**

Further CDP8.14 Development Plan Objective: Rail Network states:

It is an objective of the Development Plan:

**a**

**To support and facilitate the improvement and expansion of rail infrastructure and services and the opening/reinstating of railway stations on the Western Railway Corridor within County Clare and in particular Crusheen;**

## 7 Condition & Impact Assessment (Continued)

CDP15.3 Development Plan Objective:

Industrial Heritage It is an objective of the Development Plan:

To protect and preserve buildings and features of industrial heritage such as mills, bridges, lighthouses, harbours, etc. Proposals for refurbishment works to, or redevelopment/ conversion of, these sites will be subject to a full architectural and archaeological assessment.

From all of the above it can be seen that there is substantial broad support on a legislative and policy level for the proposed development, however in assessing the Impact of the proposed development on the protected station structures and their curtilage, consideration must also be given to the following:

### Location of the Proposed Development:

The RIAI Guidelines for the Conservation of Buildings offers the following guidance: *'The most effective means of providing vertical circulation between floors in a building is by means of passenger lifts. Their location, whether inside or outside the building, will need to be handled sensitively. Inserting a lift shaft within a historic interior can involve considerable disruption of fabric. It should therefore be located away from sensitive areas of the interior, within areas already altered or where new alteration will be minimised....'*

*'.....Reversibility of all interventions should be the aspiration, but this is not always possible and it is important to properly define the term 'reversible' in the particular context of the building in question'*

It can be seen from the accompanying drawings and photographs in this report that the proposed development will be constructed in such a manner as to protect the existing buildings of historical interest and as such will not have a physical impact on the principal structures of historic building fabric forming part of the station buildings complex. While the proposed development could not be described as reversible in the spirit of that which is understood by the RIAI Guidelines the removal of the proposed intervention could be carried out if desired at any point in the future without impacting the physical fabric of the historic buildings on site, just as it is to be constructed.

It should also be noted that the existing historic iron footbridge forming part of the original complex of historic structures located towards the southerly end of the station building will remain in place.

### Scale, Composition & Materials:

It can also be seen from the accompanying drawings and photographs in this report, that while the proposed development will be visible within the station building complex, namely those showing the main elevations of the goods store building at the platform at the easterly side of the station - that the scale, location, massing and materials of the new platform is such that is similar to the existing, and therefore may be considered as an intervention which is sympathetic to its surroundings and which will result in an ensemble of historic and contemporary railway structures reflecting the continuous development of the railway station.

In this regard the RIAI Guidelines states:

*'The need to extend a building can also be described as an intervention. Most historic buildings are an amalgam of differing periods and styles, which represent the manifestations of the building at various times in the past and, within reason, this process should be encouraged to continue. The replication of a historic style may be appropriate in some limited cases, provided it is of high quality. The use of high quality contemporary design of sympathetic form and scale to retain the qualities and composition of an Architectural Conservation Area is a valid and, in some cases, desirable philosophy.....'*

It is for all the above mentioned reasons that the proposal can be seen as an appropriate response to the context in which it being made, sympathetic to its historical setting which is in keeping with the principles of good building conservation practice and should therefore be permitted to proceed.

#### **Other Cited References:**

In assessing the impact of the proposed development as appropriate to the protected structure, reference is made to the guidance and charters below:

*Architectural Heritage Protection Guideline for Planning Authorities, 2011*  
*Guidance on Part IV of the Planning and Development Act 2000*

*6.8.8 On the whole, the best way to prolong the life of a protected structure is to keep it in active use, ideally in its original use.*

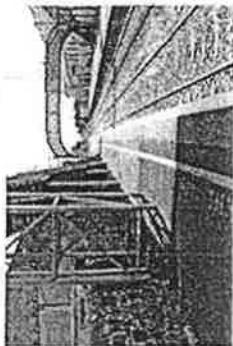
#### *The Burra Charter*

*The Burra Charter advocates a cautionary approach to changing a place, doing as much work as is necessary to repair and secure and to make it function, but as little as possible — so the history of the place can continue to be recognised in its physical material (fabric).*









# Work to Historic Stone Surfaces

Ennis Station and its curtilage is a protected structure with large areas of historic stone work generally. A section of the boundary wall between the Platform 2 and the goods yard is to be removed and rebuilt to facilitate access to the proposed works during construction.

All work to the area of historic stone work identified in drawings should be carried out by a suitably qualified/experienced specialist, the details of whom are to be provided to the architect for approval.

## Method Statement

The contractor is to provide a method statement for work to areas of historic stone work, (prepared by or in conjunction with the stonework specialist) to the architect for approval.

The method statement should provide information on and take into account the following:

The method statement should be written with reference to the Department of the Arts, Heritage and the Gaeltacht Advice Series - Conservation Guides to Repair(s) as well as BS 7513

The suitability of the specialist will be based on experience of previous similar types of work, examples & references for which should be detailed

An individual outline of each proposed work methods in the area indicated on the drawings is to be provided and will include details of:

recording/ survey of the existing section of wall

proposals for temporary storage and preservation of existing stone during the works

reuse of existing stone and replacement where necessary

materials/ products and quantities to be used

testing of existing materials for matching in and reproduction

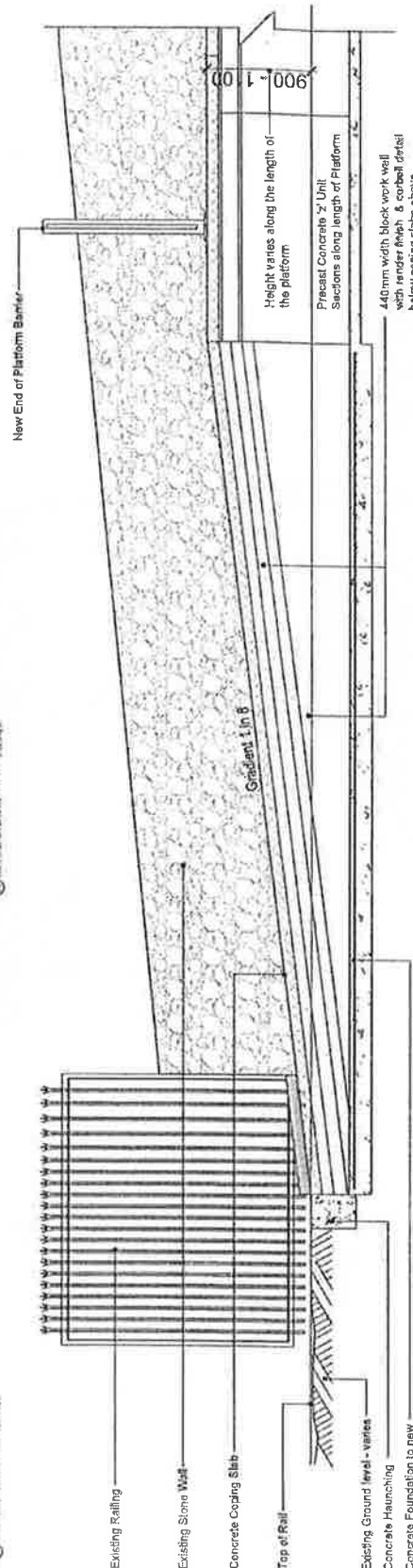
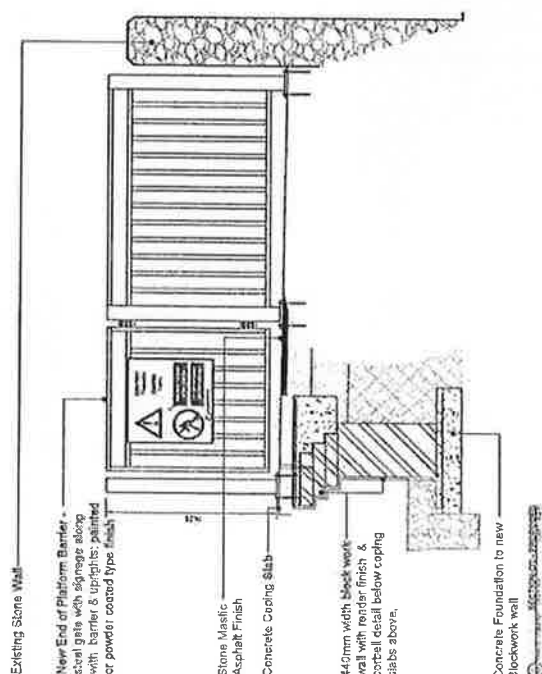
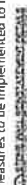
tooling methods and equipment

proposals for storage of new materials as required

measures to be used for cleaning, replacement of materials,

re installation and repairs.

Risks to health and safety of construction workers and members of the public along with mitigating measures to be implemented to reduce risk.



## General Information:

A record of the existing section of wall is to be taken and stones labelled as necessary for use in reinstated area of wall.

Carefully remove any vegetation and treat with biocide

Remove signage from walls.

Arrange access and protection of works as required

Replace missing stones with similar to match existing (to be accepted by the architect) and build up reinstated wall to an even level, with capping detail to match existing. Pattern of new stone work to tie in with existing.

Sample areas of work to each area should be located within as discreet areas as possible, be of a minimum area of 1.0 sq. m. for pointing, cleaning or replacement of stone.

Progress work in small areas at any one time to aid in ensuring the integrity of each adjoining element is maintained

Hand tooling of all elements is to be undertaken in so far as is possible - use of power tools is to be approved by the architect

Lime based mortars and renders from roundtower (tel. 021 477 6577) or similar approved should be used.

Roundtower NHL 2 or similar to be used for external rendering

Roundtower NHL 2 or 3.5 or similar to be used for pointing as agreed.

All work involving lime based renders to conform to roundtower specifications or similar

Field/ sieve testing of existing mortar and plasters is to be carried out to test for sand types, the results of which are to be given to the architect

Pointing - adjoining areas

Raking out of existing joints is to be undertaken in a careful manner to ensure the integrity of the element. A min. of 25mm depth raking should be carried out where possible. Joints are to be cleaned out and flushed with water and damped down prior to application of new mortar. Joint finishes are to match the existing, subject to approval of sample areas by the architect.

Protect all new pointing and plaster from frost, rapid drying and direct rain for a minimum of 7 days after application of mortar/ plaster

## SECTION 5 PLANNING ISSUE

NO.	REVISION	DATE	BY	CHECKED	APPROVED
1	ISSUED FOR TENDER	10/08/2021	ENNIS	ENNIS	ENNIS
2	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS
3	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS
4	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS
5	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS
6	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS
7	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS
8	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS
9	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS
10	REVISION	10/08/2021	ENNIS	ENNIS	ENNIS

ENNIS - LOOP LINE PLATFORM 2 WORKS

P - OS DETAILS #2

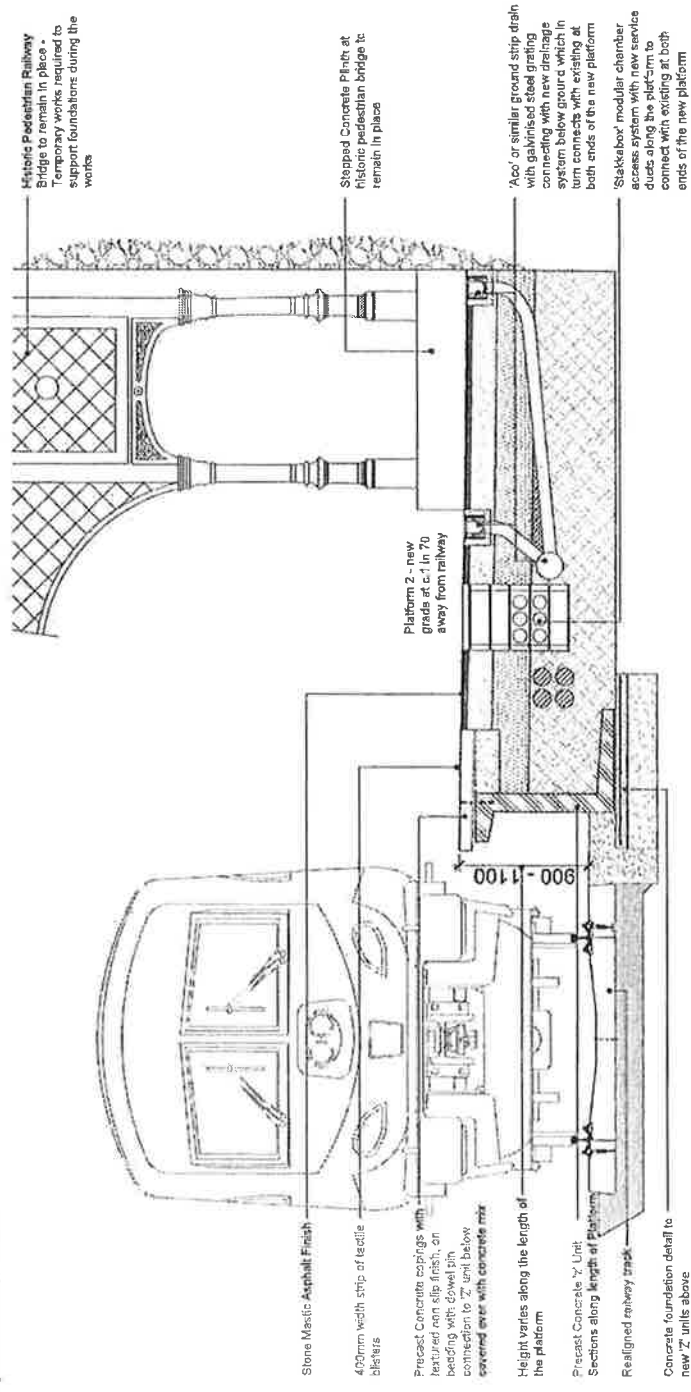
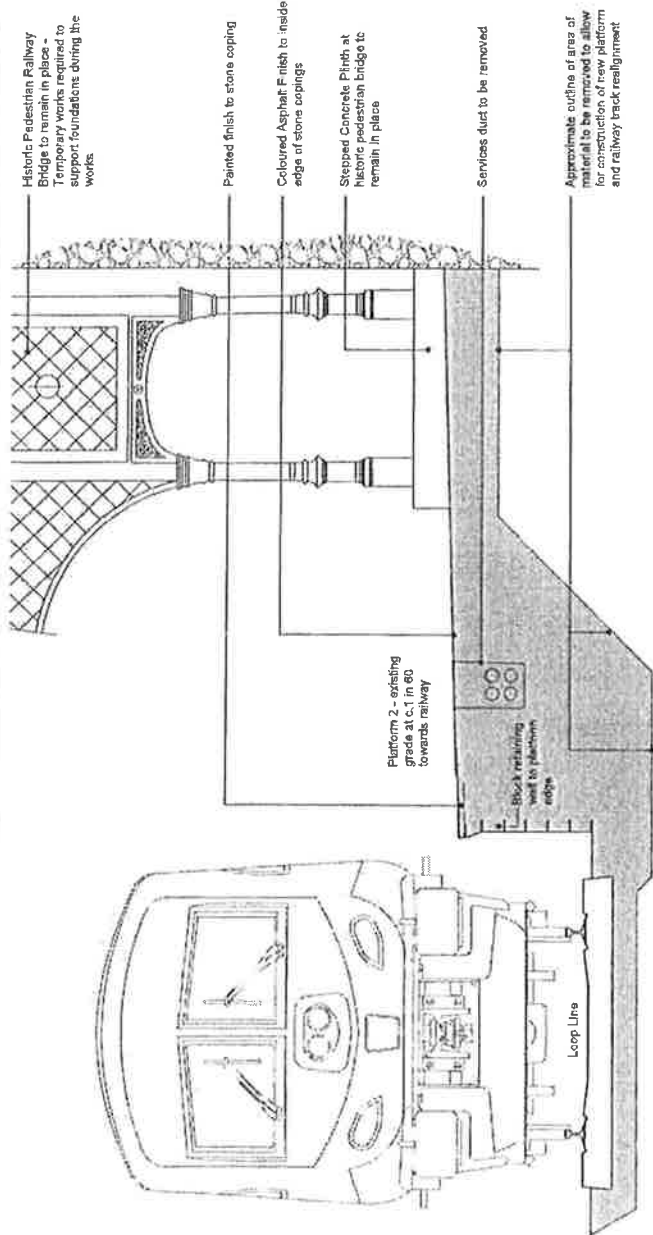
NEW WORKS

DIVISION

ENNIS

ENNIS





SECTION 5: PLANNING ISSUE

Project Name	ENNIS - LOOP LINE PLATFORM 2 WORKS
Client	ENNIS
Contract Ref	ENNIS-LLP-2023-01
Revision	01
Author	J. Smith
Check	M. Jones
Issue Date	15/05/2023
Issue By	J. Smith
Issue For	NEW WORKS DIVISION
Project Location	ENNIS - LOOP LINE PLATFORM 2 WORKS
Project Status	04 DETAILS #1

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1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840.



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

23/08/2021 10:47:40

Receipt No. : L1CASH/0/321053

REPRINT

IRISH RAIL  
C/O COLIN GRIMES DESIGN &  
CONSTRUCTION  
NEW WORKS BUILDING  
IARNROD EIREANN INCHICORE WORKS  
INCHICORE PARADE DUBLIN 8

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

Total : 80.00 EUR

Tendered :  
CREDIT CARDS 80.00

Change : 0.00

Issued By : L1CASH - Ann Carey