



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Registered Post

**Irish Aerial Creation Centre
Unit 2 Burlington Business Park
Gilloogue
Co. Clare
V94 EYK6**

RL 5660 3360 91E

29th March, 2022

Section 5 referral Reference R22-17 – Irish Aerial Creation Centre

Is the making of a material alteration to the internal area of the warehouse space at Unit 2, Burlington Business Park, Gillogue, Co. Clare (with the construction of a three-storey office and studio) considered to be development and if so, is it exempted development?

A Chara,

I refer to your application received on 2nd March 2022 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

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

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

Mise, le meas


Anne O'Gorman
Staff Officer
Planning Department
Economic Development Directorate

An Roinn Pleanála
An Stiúrtóireacht Forbairt Gheilleagrach
Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

Planning Department
Economic Development Directorate
Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



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

Reference No.: R22-17



Comhairle Contae an Chláir
Clare County Council

Section 5 referral Reference R22-17

Is the making of a material alteration to the internal area of the warehouse space at Unit 2, Burlington Business Park, Gillogue, Co. Clare (with the construction of a three-storey office and studio) considered to be development and if so, is it exempted development?

AND WHEREAS, Irish Aerial Creation Centre has requested a declaration from Clare County Council on the said question.

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- b) Articles 6, 9 and 10 of the Planning and Development Regulations 2001, as amended
- c) Schedule 2 Part 4 of the Planning and Development Regulations 2001, as amended.
- d) The works as indicated in submitted documents from the referrer including the nature and fit out of the office and studio spaces.
- e) The planning history and permitted use of the site and building.

And whereas Clare County Council has concluded:

- a) The material alteration to the internal area of the warehouse space at Unit 2 Burlington Business Park, Gillogue, Co. Clare constitutes "*works*" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended
- b) The said works constitute "*development*" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended.
- c) The said works result in a material change in use of the building from industrial to indoor sports/recreation and raises issues that are material in relation to the proper planning and sustainable development of the area in respect of unit subdivision, intensification of use of the site and traffic implications.
- d) There are no exemptions provided in the Planning Acts and Regulations, by which such a material change of use would constitute, 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 making of a material alteration to the internal area of the warehouse space with the construction of a three storey office and studio at Unit 2 Burlington Business Park, Gillogue, Co. Clare is development and is not 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

29th March, 2022

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:

79509

Reference Number:

R22-17

Date Referral Received:

2nd March 2022

Name of Applicant:

Irish Aerial Creation Centre

Location of works in question:

Unit 2, Burlington Business Park, Gillogue,
Co. Clare

Section 5 referral Reference R22-17 – Irish Aerial Creation Centre

Is the making of a material alteration to the internal area of the warehouse space at Unit 2, Burlington Business Park, Gillogue, Co. Clare (with the construction of a three-storey office and studio) considered to be 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 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations 2001, as amended
- (c) Schedule 2 Part 4 of the Planning and Development Regulations 2001, as amended.
- (d) The works as indicated in submitted documents from the referrer including the nature and fit out of the office and studio spaces.
- (e) The planning history and permitted use of the site and building.

AND WHEREAS Clare County Council has concluded:

- a) The material alteration to the internal area of the warehouse space at Unit 2 Burlington Business Park, Gillogue, Co. Clare constitutes "*works*" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended
- b) The said works constitute "*development*" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended.
- c) The said works result in a material change in use of the building from industrial to indoor sports/recreation and raises issues that are material in relation to the proper planning and sustainable development of the area in respect of unit subdivision, intensification of use of the site and traffic implications.
- d) There are no exemptions provided in the Planning Acts and Regulations, by which such a material change of use would constitute, 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 Gareth 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, Gareth Ruane, Senior Executive Planner, hereby declare that the making of a material alteration to the internal area of the warehouse space with the construction of a three storey office and studio at Unit 2 Burlington Business Park, Gillogue, Co. Clare is development and is not exempted development.

Signed:



GARETH RUANE
SENIOR EXECUTIVE PLANNER

Date:

29th March, 2022



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

FILE REF:	R22-17
APPLICANT(S):	Irish Aerial Creation Centre
REFERENCE:	Whether the making of a material alternation to the internal area of the warehouse space with the construction of a three storey office and studio is considered development or if it is exempt development
LOCATION:	Unit 2 Burlington Business Park Gillogue, Co. Clare
DUE DATE:	30 ³¹ March 2022

Site Location

The site is located in the former Burlington facility at Gillogue approximately 5km to the north east of Limerick City and approximately 1km to the east of the settlement boundary of Athlunkard. The subject site occupies Unit 2 of the overall 29,000sqm facility on the north west side of the building.

Planning Policy

The site is zoned 'Enterprise' under the Clare County Development Plan 2017-2023, as varied.

The CDP details specific objective for this site referred to as *Burlington Lands*.

The former Burlington Plant in Gillogue, which comprise approximately 29,000m2 of floorspace, has significant potential for redevelopment and to contribute to economic growth in the South Clare area. The buildings have the potential for a wide variety of uses including light industry and enterprise uses, with possible linkages to adjoining land uses in the University. The site also has potential for indoor recreational uses. The site is currently accessed by the R463 which is a Strategic Regional Route. Access will be greatly enhanced by the construction of the proposed Limerick Northern Distributor Road.

There is a number of settlement ponds to the south of the site associated with the former industrial uses in the area. The Council will work with the relevant stakeholders to ensure the on-going maintenance and eventual decommissioning and remediation of these settlement ponds during the lifetime of this Plan.

CDP 6.8 Development Plan Objective: Burlington

It is an objective of Clare County Council:

- a. To support the redevelopment and reuse of the former Burlington site and encourage appropriate new development in accordance with the zoning on the site;*
- b. To facilitate the development of a pedestrian link from the Burlington site to the University of Limerick;*
- c. To ensure that all works on the site are in compliance with Objective CDP2.1 of this Plan.*

Onsite Planning History

17-355 - Skycourt Kidstown Ltd – Deemed Withdrawn - to RETAIN the change of use of two existing interlinked light industrial units to an indoor recreation facility and all ancillary works and for PERMISSION for the provision of signage to the front elevation of these interlinked units at the former "Burlington Facility".

17-342 - Zinc Properties Ltd – Withdrawn - for the change of use of two interlinked existing light industrial units to an indoor gymnasium and fitness centre; RETENTION permission is also sought for the change of use of an existing outdoor wall structure from light industrial storage area to use as an outdoor recreation and exercise area ancillary to the gymnasium. RETENTION permission is also sought for a storage container, portacabin, erection of net fencing and perimeter fencing to the outdoor exercise area, 2no. astro turf pitches and all ancillary lighting, landscaping and works at the former Burlington Facility.

17-341 - Skycourt Kidstown Limited- Withdrawn - for the change of use of an existing external hardstand area to an outdoor recreation games area. Retention permission is also sought for the erection of fencing around the perimeter of this outdoor recreation games area; the provision of associated and ancillary gantry structure; the provision of signage and all ancillary works at the former Burlington Facility lands

17/331 - PERMISSION for the Change of use of an existing light industrial unit to an indoor recreation facility including the provision of an indoor climbing wall; permission is also sought for a mezzanine area within the building and all ancillary works at the former "Burlington Facility" -- Granted 27/6/2017

16/13 - RETENTION permission is sought for the change of use of an existing light industrial unit to an indoor sport and recreation area and ancillary uses within the former "Burlington facility" - Granted

15516-for RETENTION permission for the change of use of an existing Light Industrial Unit to an indoor recreation area(Children's Play Area) and ancillary uses within the former Burlington facility. Granted

14/616 for RETENTION permission for the change of use of an existing Light Industrial unit to an indoor Children's Play Area and ancillary uses within the former "Burlington facility"- refused

12/98 -- Zinc Properties were granted permission for a three year temporary permission to construct a 60 space pay car park, entry/exit controls and all associated site works.

08/1996 – Application by Richard O'Connell for retention of a Dry Batch Concrete Plant and ancillary facilities within the Burlington Facility. This was refused on grounds of impact on the amenities of the area and its remote location.

08/1638 – Application by Richard O'Connell for retention of a Dry Batch Concrete Plant and ancillary facilities within the Burlington Facility. This was withdrawn.

07/1078 – Application by Hutchison 3G Ireland Limited to construct a 30 metre monopole with antennas and point-to-point dishes attached together with cabinets, associated equipment and fencing, for a new 3G Broadband network. Granted subject to 9 no. conditions.

00/1750 – Fitzgerald Packaging Company were refused permission for the following: (a) the subdivision of the existing Burlington building, car parks, loading areas and offices and (b) the re-use of the sub-divided portion of the above for the production, assembly, labelling, printing and storage of cardboard products. An Board Pleanala overturned the decision of Clare County Council upon appeal PL03.123333 refers.

98/1345 – Shannon Development Company were granted permission to install a packaged type effluent treatment plant and the disposal of treated effluent to a percolation area to the south of the existing building within the site boundary at Gilloge.

P.8/8265 – Permission granted in 1974 for the construction of a dyeing and finishing plant.

Enforcement History:

Background to Referral

This Referral under Section 5(3)(a) of the Planning and Development Act 2000 (as amended) has been made by Irish Aerial Creation Centre. The owner of the site is Zinc Properties Ltd, which have provided consent for the proposed development, which has been attached to the Section 5 referral. The applicant is seeking a Section 5 Declaration as to whether the making of a material alternation to the internal area of the warehouse space with the construction of a three storey office and studio is considered to be development or if it is exempted development.

Details Received

- Site location map
- Section 5 Declaration application form
- Tender documents detailing the proposed works.

Statutory Provisions

Planning and Development Act, 2000 (as amended)

Section 2

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

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

Section 3

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

S.3.(1) In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(1)(H)

Section 4 (1)(H) states that the following shall be exempted development for the purpose of the Act.- *'development consisting for the carrying out of works for maintenance, improvement or other alterations 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 neighbouring structures'*.

Planning & Development Regulations, 2001, as amended

Part 2 Exempted Development

Article 6 (1) states

'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 -Restrictions on Exemptions states

'Under Article 9 (1) of the same Regulations, development to which Article 10 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*
- ii. *consist of or compromise 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,*
- iii. *endanger public safety by reason of traffic hazard or obstruction of road users,*
- 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,*
- 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,*
- 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. (a)
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,
- vii. (b)
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,
- vii. (c)
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,
 - xii. further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area 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 and the development would materially affect the character of the area'.

Article 10 Change of use

Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

- (a) *involve the carrying out of any works other than works which are exempted development,*
 - (b) *contravene a condition attached to a permission under the Act,*
 - (c) *be inconsistent with any use specified or included in such a permission, or*
 - (d) *be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.*
- (2)
- (a) *A use which is ordinarily incidental to any use specified in Part 4 of Schedule 2 is not excluded from that use as an incident thereto merely by reason of its being specified in the said Part of the said Schedule as a separate use.*
 - (b) *Nothing in any class in Part 4 of the Schedule 2 shall include any use—*
 - (i) *as an amusement arcade,*
 - (ii) *as a motor service station,*
 - (iii) *for the sale or leasing, or display for sale or leasing, of motor vehicles,*

- (iv) *for a taxi or hackney business or for the hire of motor vehicles,*
 - (v) *as a scrap yard, or a yard for the breaking of motor vehicles,*
 - (vi) *for the storage or distribution of minerals,*
 - (vii) *as a supermarket, the total net retail sales space of which exceeds 3,500 square metres in the greater Dublin Area and 3,000 square metres in the remainder of the State,*
 - (vii) *as a retail warehouse, the total gross retail sales space of which exceeds 6,000 square metres (including any ancillary garden centre), or*
 - (viii) *as a shop, associated with a petrol station, the total net retail sales space of which exceeds 100 square metres.*
- (3) *Development consisting of the provision within a building occupied by, or under the control of, a State authority of a shop or restaurant for visiting members of the public shall be exempted development for the purposes of the Act.*
 - (4) *Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.*
 - (5) *Development consisting of the use of a house for child minding shall be exempted development for the purposes of the Act.*

Assessment

Basis of Referral

The applicant is seeking a Section 5 Declaration as to whether the making of a material alteration to the internal area of the warehouse space with the construction of a three storey office and studio is considered to be development or if it is exempted development.

Particulars of the Development

Change of use from the permitted industrial use to indoor Sports/recreational use including the removal of existing offices and internal block walls, and the provision of office and studio spaces including showers and changing facilities, toilets, storage, costume room, dance studios with a folding partition, canteen and mediation space.

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.

Planning Exemption Assessment

Primary legislation

The planning permission that pertains to the portion of the overall facility to which this application relates is P8/8265 – permission *for the construction of a dyeing and finishing plant*. This is considered to be an industrial use.

The larger facility has a number of operators, and an extensive planning history. As per the planning history outlined earlier, planning permission has been granted for a number of developments (including applications for change of use) within the overall facility, however the portion of the building to which this Section 5 Declaration relates has not had any planning permissions approved since the original grant of planning permission (P8/8265 - permission *for the construction of a dyeing and finishing plant*. This is considered to be an industrial use). Therefore the proposal site is subject to the permissions and associated conditions of planning reference P8/8265.

The development permitted as per P8/8262 was for Industrial use, and condition 6.1 of the grant of permission included the following '*Applicants shall process at Gilloge textile fabrics only*'.

The proposed use is Indoor Sport/Recreation. Therefore the proposal would constitute a change in use from Industrial to Indoor Sport/Recreation.

Having regard the details submitted, it is considered that the proposal constitutes 'works'. The proposed works are internal to the building and wouldn't affect the external appearance of same. The question then arises as to whether the works would constitute 'development'. Given the nature of the works involved, the permitted industrial use of the site, then it is clear that the works constitute 'development' as per the Act.

The question then arises as to whether this is exempted development or not. In this regard I note that the existing use as permitted is for industrial – the proposal would involve changes to the internal layout of the building, the incorporation of various rooms and studios. Whilst the works are internal it is considered therefore that same would not *materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures* as per Section 4 (1) (h) of the Act.

However given the permitted and proposed uses, the nature of the development, it is considered that the proposal would result in a material change in use of the building from industrial to indoor sports/recreation and raises issues that are material in relation to the proper planning and sustainable development of the area in respect of unit subdivision, intensification of use of the site and traffic implications.

There are no exemptions provided in the Planning Acts and Regulations, by which such a material change of use would constitute, exempted development

Conclusions

The following question has been referred to the Planning Authority:

Whether the making of a material alteration to the internal area of the warehouse space with the construction of a three storey office and studio is considered to be development or if it is 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) Articles 6, 9 and 10 of the Planning and Development Regulations 2001, as amended
- (c) Schedule 2 Part 4 of the Planning and Development Regulations 2001, as amended.
- (d) The works as indicated in submitted documents from the referrer including the nature and fit out of the office and studio spaces.
- (e) The planning history and permitted use of the site and building.


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

- a) The material alteration to the internal area of the warehouse space at Unit 2 Burlington Business Park, Gillogue, Co. Clare constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended
- b) The said works constitute "development" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended.
- c) The said works result in a material change in use of the building from industrial to indoor sports/recreation and raises issues that are material in relation to the proper planning and sustainable development of the area in respect of unit subdivision, intensification of use of the site and traffic implications.

- d) There are no exemptions provided in the Planning Acts and Regulations, by which such a material change of use would constitute, exempted development.

Now therefore Clare County Council (Planning Authority), hereby decides that the making of a material alteration to the internal area of the warehouse space with the construction of a three storey office and studio at Unit 2 Burlington Business Park, Gillogue, Co. Clare is development and is not exempted development.


Name: **Grainne McCormack**
Assistant Planner


Garreth Ruane
Senior Executive Planner
29/03/2022



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Irish Aerial Creation Centre
Unit 2 Burlington Business Park
Gilloogue
Co. Clare
V94 EYK6**

03/03/2022

Section 5 referral Reference R22-17 – Irish Aerial Creation Centre

Is the making of a material alteration to the internal area of the warehouse space at Unit 2, Burlington Business Park, Gillogue, Co. Clare (with the construction of a three-storey office and studio) considered to be development and if so, is it exempted development?

A Chara,

I refer to your application received on 2nd March 2022 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

Tadhg Holmes

**Tadhg Holmes
Planning Department
Economic Development Directorate**

**An Roinn Pleanála
An Stiúthóireacht 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

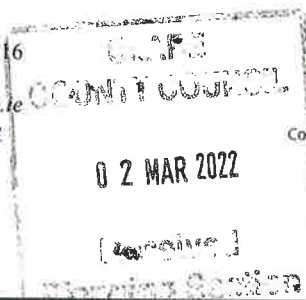


P07

**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: planofft@clarecoco.ie
Website: www.clarecoco.ie



**REQUEST FOR A DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
(Section 5 of the Planning & Development Act 2000 (as amended))**

FEE: €80

This following form is a non-statutory form which has been prepared by Clare County Council for the purpose of obtaining the necessary information required for a declaration to be made under Section 5 by the Planning Authority

1. CORRESPONDENCE DETAILS.	
(a) Name and Address of person seeking the declaration	Irish Aerial Creation Centre Unit 2, Burlington Business Park, Gillogue, Co. Clare Eircode: V94 EYK6
(b) Telephone No.:	
(c) Email Address:	brian@iacc.ie
(d) Agent's Name and address:	N/A EIRCODE:

2. DETAILS REGARDING DECLARATION BEING SOUGHT

- (a) PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT
Note: only works listed and described under this section will be assessed.

Sample Question: Is the construction of a shed at 1 Main St., Ennis development and if so is it exempted development?

We are making a material alteration the the internal area of the warehouse space with the construction of a three story office and studio as per attached. Does this require planning?

- (b) Provide a full description of the question/matter/subject which arises wherein a declaration of the question is sought.

We have received a grant of funding from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media and are required to provide proof that planning is not a requirement. As the proposed development is an internal fitout

we wish the Council to provide a decision on the requirement for planning by way of response.

The proposed development is 12 meters by 12 meters and to roof level of 9 meters in height within the existing

building structure. The structure will comprise of offices toilets shower locker and changing and store room on the ground floor constructed of cement block with a cement floor on first floor level which will comprise of a dance

studio to roof height of 6 meters and a canteen. with the top floor comprising of an office, meditation room and multipurpose room.

A copy of the specification is attached which will be a design and build tender.

- (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)

Site MAp of Burlington

Area Map of Burlington

Building layout identifying the unit in question, Unit 2. Proposed drawings in the Client Specification document

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	Unit 2 Burlington Business Park, Gillogue Co Clare
(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):	Irish Aerial Creation Centre Leaseholder
(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>	Zinc Properties Limited Four Elms Drombanna Limerick
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	Yes
(f) Are you aware of any enforcement proceedings connected to this site? <i>If so please supply details:</i>	NO
(g) Were there previous planning application/s on this site? <i>If so please supply details:</i>	Not for this unit but in the overall site yes, 17342 in 2017
(h) Date on which 'works' in question were completed/are likely to take place:	Expected commencement July 2022

SIGNED: _____



DATE: 25/02/2022

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:	

Invitation to Tender

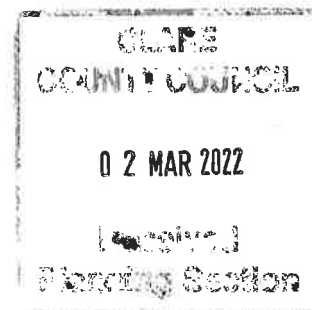


**Irish Aerial
Creation Centre**
National Home for Aerial Arts

for

**Design, Insulation and
Construction Works**

at the Irish Aerial Creation Centre



Irish Aerial Creation Centre,
Burlington Business Park,
Gillogue,
Limerick
V94EYK6

This proposed tender is for the insulation, removal of the internal structure, design and building of offices and studio as per specification in the feasibility study recommended proposal.

1. Background and Context

Through renovation, refurbishment, insulation improvements, installation of new rigging equipment, new storage, separating the 2 studios, adding additional facilities for staff and public into the existing warehouse space, the project will revitalize and transform this building into a spectacularly unique, world-class centre for aerial arts, becoming The National Home for Aerial Arts: The Irish Aerial Creation Centre (IACC) and their resident company, Fidget Feet Aerial Dance Company.

The current warehouse space is in Burlington leisure and business park since 2015, the building has been used by Fidget Feet, University of Limerick students, professional artists nationally and internationally, community groups, local children and adults, hosting 3 Creative Europe projects and a range of public sharings and creative projects. Currently leased to Irish Aerial Creation Centre on rolling annual lease since 2015, the building is a strategic infrastructural asset alongside the University of Limerick and only 20mins from Limerick City centre. Clare County Council also have strategic plans for the future development of this area.

The Irish Aerial Creation Centre, now 6 years old, is a strategic catalyst project which arose from Limerick City of Culture. Opened in February 2015, in an industrial unit, the IACC rapidly became a strategic cultural asset for the city and county. Fidget Feet and IACC are now firmly established and embedded as changemakers in Limerick's vibrant artistic landscape.

Modelled on Cirque du Soleil's IHQ Creation Studio in Montreal, the IACC is a creation centre for professional artists to train and develop aerial work, and hosts Fidget Feet Aerial Dance Company as core residents.

Under the stewardship of internationally respected Fidget Feet Aerial Dance Company, the IACC enjoyed immediate success in developing a number of ongoing partnerships and collaborations with Limerick City and County Council, the University of Limerick's Irish World Academy of Music & Dance and the wider Limerick community.

As well as classes and workshops for the public, IACC teachers facilitate the University of Limerick's taught modules in aerial dance and the IACC is currently working with UL to develop Ireland's first MA in Aerial.

The IACC and Fidget Feet partner with other international aerial creation centres, circus companies and companies around the world; connecting Ireland to this extraordinary international community of aerial artists.

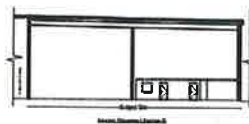
IACC has also been funded by Creative Ireland since 2018 and now are the lead partners in a three year plan, to create a collaborative film mixing classical music, hip hop dancing and aerial dance in 2020, an outdoor youth performance piece for 2021 as part of Culture night, to create a Limerick live youth collaborative performance for the stage and to run a five day youth collaborative gathering at IACC in 2022. Called *Limerick's Future Creators*

In 2017, IACC partnered with the South Hill Hub Youth Group and Living Out Loud Youth group in Moyross to engage disadvantaged and marginalised young people with aerial arts to increase access to diverse publics as well as offering specially adapted classes to children and adults with learning or physical disabilities.

This project specification is aimed at providing top quality studio and rehearsal spaces experience for all aerialists. We aim to provide office accommodation, showers and changing facilities, toilets, storage, costume room, dance studios with a folding partition, canteen, and meditation space.

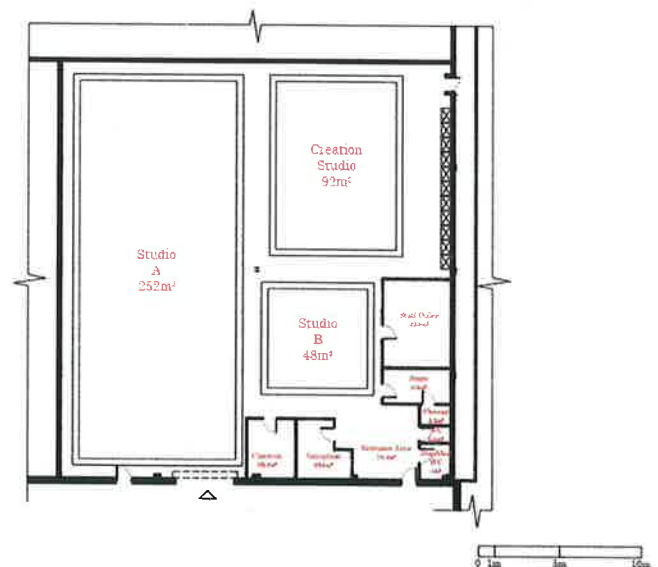
Tender specifications

SITE & EXISTING UNIT



Studio A	252m ²
Studio B	48m ²
Creation Studio	92m ²
Multi-purpose Room	23m ²
IACC Office	10m ²
Kitchen & Dining	10m ²
Costume Room w/ Shower	11m ²

2 no. WC's



The existing unit will have all services and fittings removed prior to demolition with the exception of the two WC's which will remain intact, The Electricity Circuit Boards and meter, CCTV, control station, Fire Alarm control panel, and all services on the external walls.

The storage racks in the creation studio will be removed in advance of your arrival.

All of our fixtures, fittings and equipment will be removed prior to commencement of the works.

Tender: Design, Insulation and Construction works to deliver offices, studio's and staff facilities.

The Irish Aerial Creation Centre Board (thereafter 'The Board') is seeking tenders from suitably qualified and experienced building contractors for the Design, insulation and construction works specified. It includes, but is not limited to, removal of existing walls and second fix and fittings, constructing brick walls on ground floor with concrete floor overhead, timber partition and floor construction on upper levels, insulating the whole building and the roof, cladding some of the walls, partitions, mechanical, electrical works (including removal of sockets and fittings in the existing offices and canteen), painting, etc.

Space Dimensions

You will see the building map in the sub folder 'Lease Consents' which includes dimensions.

Length 25.49m Roller door area to rear

Width 24.18m

Height 9m

Demolition

You will undertake to remove all existing offices and internal block walls. All material is to be removed offsite and disposed of in line with waste disposal regulations. Areas to be demolished include the canteen, reception, store and staff office. The internal block wall along the external wall to the front and side wall of the existing canteen, office, reception, shower, storage and multipurpose rooms be retained. The two toilets and shower room are to be retained.

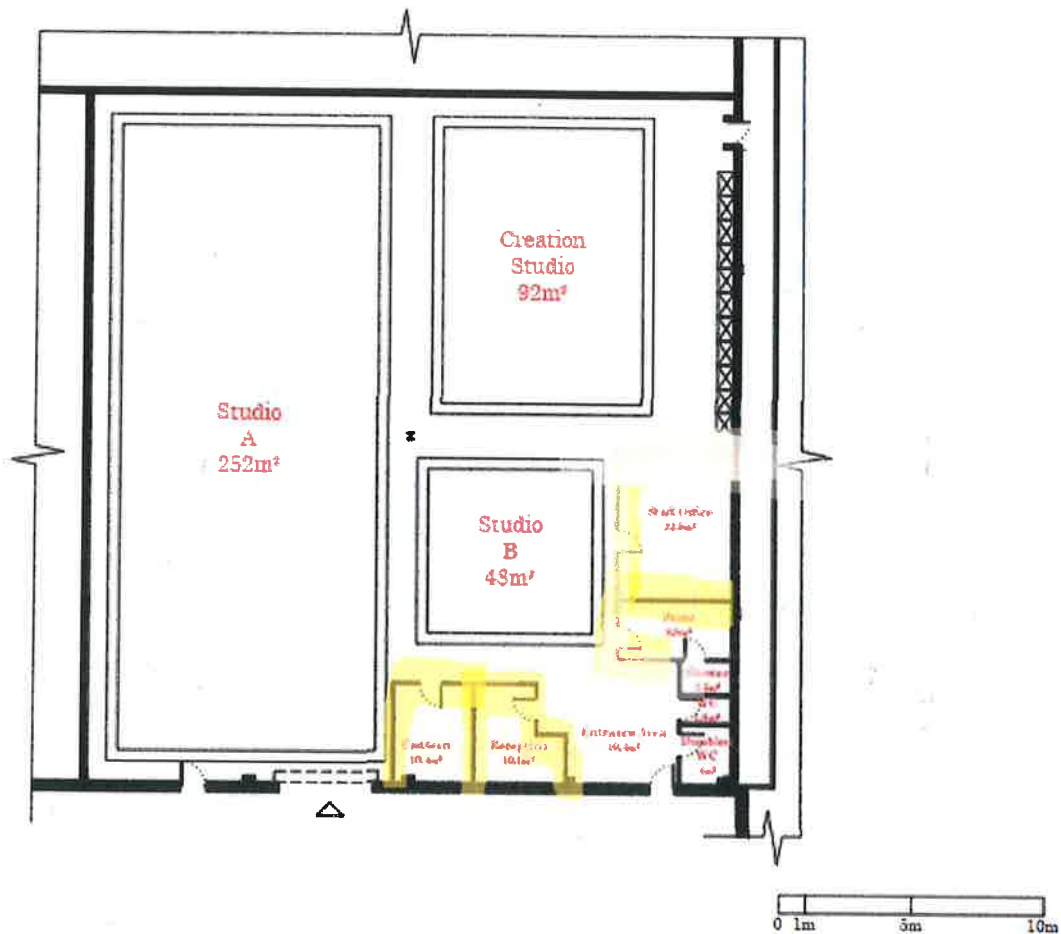
Efforts are to be made to remove and recycle as much of the second fix as possible including the heaters, water heater, water tanks, fire emergency, alarm, CCTV and kitchen equipment. A 40 ft container will be provided for the purpose of storage.

Decommission alarm system and prepare for reinstallation with removal of hardware.

Decommission CCTV system and prepare for reinstallation with removal of hardware.

Decommission Fire safety system and prepare for reinstallation with removal of hardware. Control panel is not to be removed.

Decommission electrical and remove any hardware which can be reused and prepare for storage and reinstallation. Fuse boards not to be removed.



(shade in areas for demolition)

Fixtures and fittings to be removed from all areas except the WCs and shower room and stored ready for reinstallation.

Decommission gas heaters and pipework with removal as far as the outer wall and prepare pipework for the reinstallation. Mark Eire are the installer and maintain this equipment call (026) 45334. Remove and store heaters and controls for storage.

Decommission plumbing and cut off water supply. Remove water heater for kitchen and all hot water circuit's, water tank over toilets, shower unit and kitchen sink. Disconnect water to enable removal and installation of new pipework.

1.1. Description

The proposal is to implement the design and create spaces as shown in the recommended proposal. A set of detailed builders drawings which show what is required to be delivered and constructed with specified client requirements and finishes.

1.2. Insulate and build

It is envisaged that the project will be delivered by you as follows:

Following the builders drawings and finishes as per our specification. These are to include mechanical, electrical and fire protection to specification. You are to utilise as much of the current fittings and second fix as possible.

Insulate the whole building roof and walls as specified and clad walls where specified, remove existing offices and canteen and build to specification a three storey building within the existing warehouse.

2. Details of Works to be Provided

The attached drawings and specifications shows the site layout, insulation and building required. The contractor will deliver works throughout the site as detailed below. Drawings have been developed for the implementation of the project as shown. Insulation of the walls and roof and the development of the building within the space as drawn in the recommended proposal in the feasibility.

3. Project Management

3.1. Phasing

It is envisaged that the project will be delivered as follows:

a) Design

You are asked to develop builders drawings from the CAD space drawings to be provided to the selected contractor and design team. Mechanical and Electrical will be developed from this specification.

b) Insulation

It includes insulation of all walls which are three internal brick walls and one exterior wall in concrete block. Steel cladded roof to be sprayed to specification. The walls in Studio A to be cladded in wood on the party wall and the rear wall, as specified in finishes below.

c) Construction works

The builders drawings you develop and specifications provided are for the construction of a three story building on one quadrant of the warehouse.

It will commence with the removal of the majority of the existing structure while retaining as much of the fittings and second fix as possible.

3.2. Key Milestones

Key project milestones

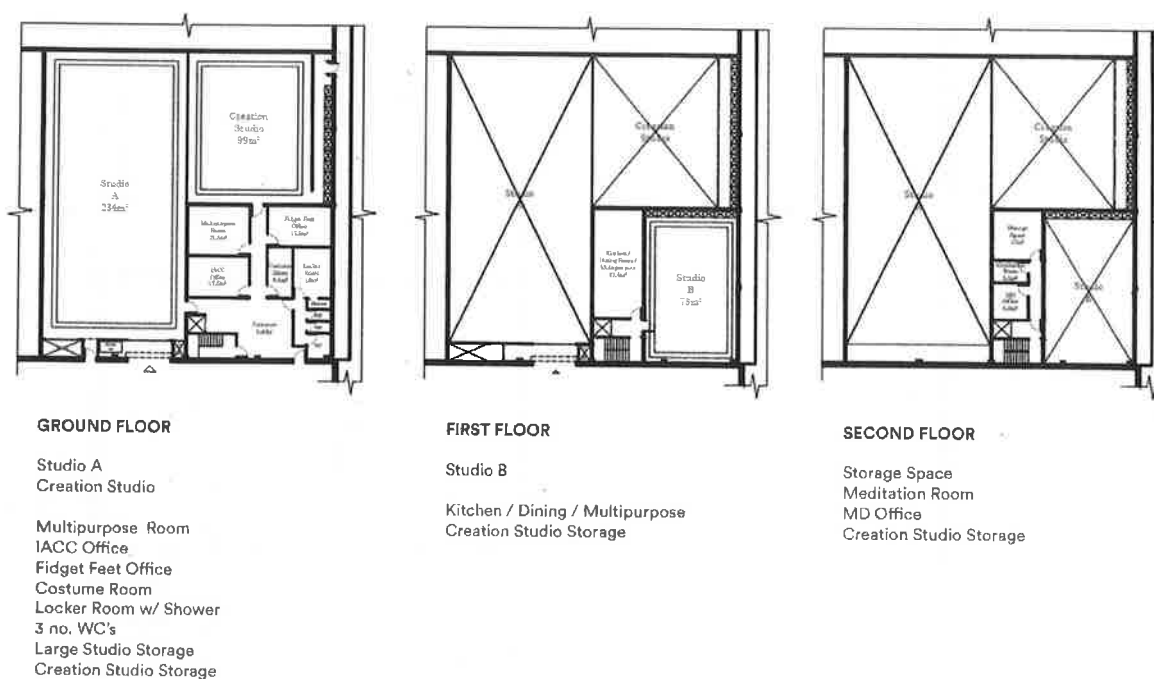
As we have to work within the close of school term we are specifying to work between May and July. This is a major condition of tender and is not negotiable.

Project Start Date, 6th May 2022

Project Completion Date 29th July 2022 for the creation studio and studio A

Project Completion Date 31 October 2022 for the building development and studio B.

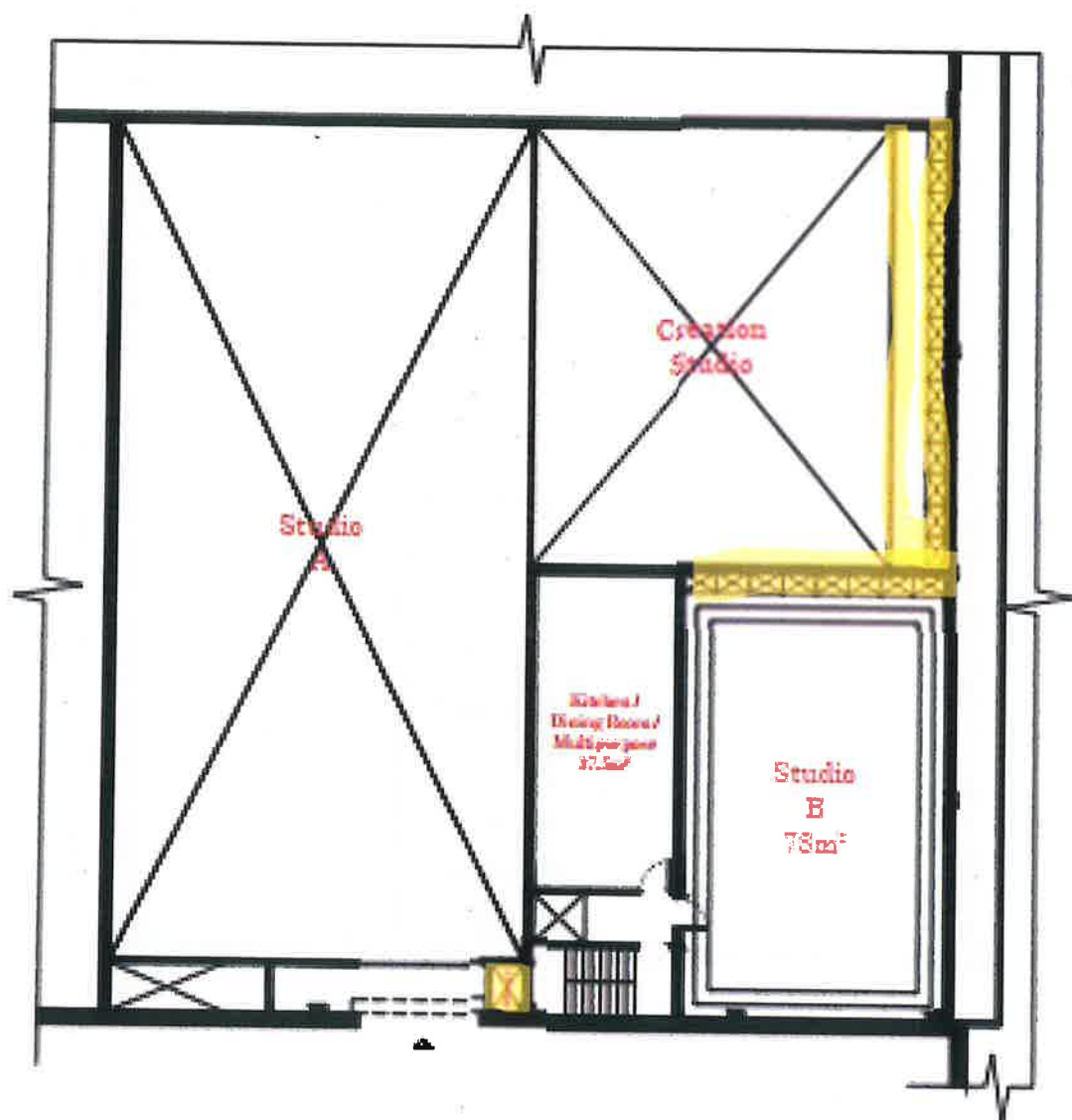
RECOMMENDED PROPOSAL



Floor plan of the first floor of the building. The plan shows a large Studio A (284m²) on the left, a Creation Studio (99m²) on the top right, and a Reception Lobby at the bottom center. Other rooms include a Multipurpose Room (21.2m²), a Budget First Office (17.2m²), a Small Office (17.2m²), a Kitchen (6.2m²), a Ladies Room (12m²), and a Shower. A staircase is located near the Reception Lobby. The plan also shows a yellow highlighted area along the right wall and a yellow highlighted area along the bottom wall.

See new drawing for improved layout for shower room and wc's.

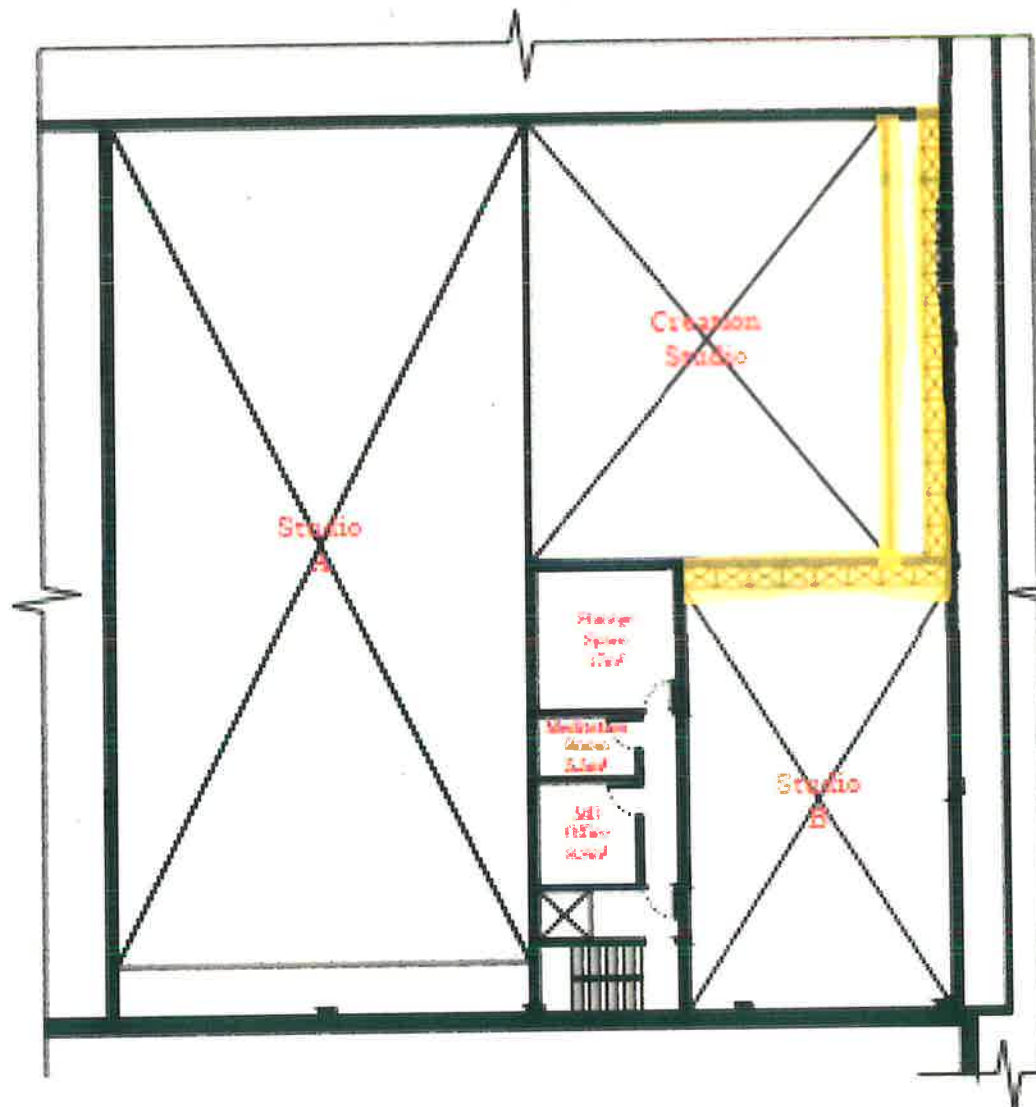
Items in yellow no longer required



FIRST FLOOR



Items in yellow no longer required



SECOND FLOOR

Items in yellow no longer required.

Insulation

The tender requires insulation of the roof and all walls internally, with some of the insulation protected with timber cladding.

Roof Insulation

Sprayed to underside of the roof sealing with intumescent paint of lining with boards.

Wall Insulation

63mm Comp board lining or suitable alternative option.

Cladding

Cladding Studio A walls

In Studio A as part on the insulation process the block walls will be lined with plywood/mdf over the insulation. In the areas in Yellow above Panel 1 will have a 2.5 meter wood cladding, an 8 meter wood clad will be erected on panel 2 and panel 3 & 4 will be 6 meters. In the area in RED the cladding is only required to a height of 2.5 meters. The outer wall of the office building with studio A will be of double layer fireproof slab joint filled with rockwool in the cavity. The ground floor will have a brick wall outer. Cladding will be required at the roller shutter door up to the PVC skirt to a height of 2 meters between the roller door and the wall marked in blue above. The installation of insulation up to the roller door roller on the sides and brushes at the top.



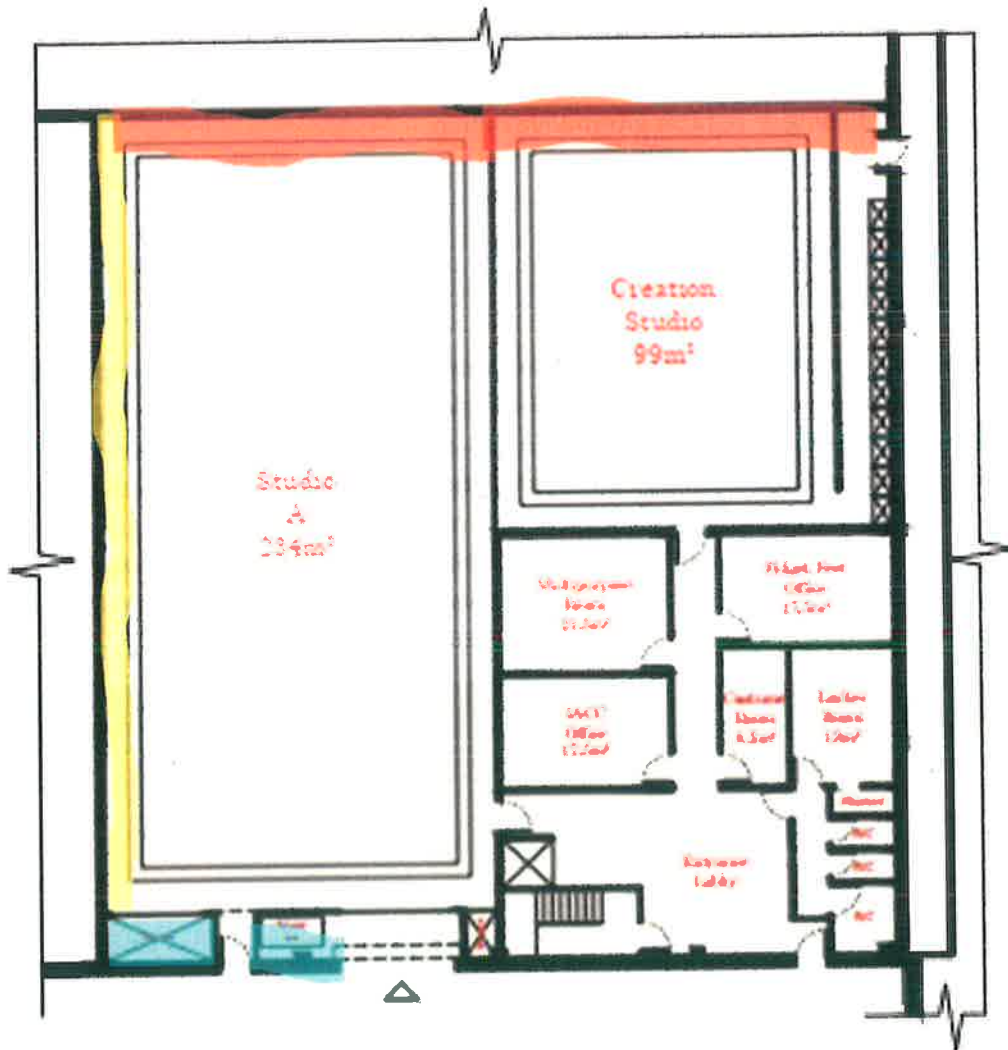
The Creation Studio Cladding

Following insulation the lower 2.5 meters of the stone walls will have a slab or wood over the insulation joint filled.

The outer wall of the offices will have slab and rockwool in the cavity on the first and second floors.

The ground floor of the offices will have a brick wall.

RECOMMENDED PROPOSAL

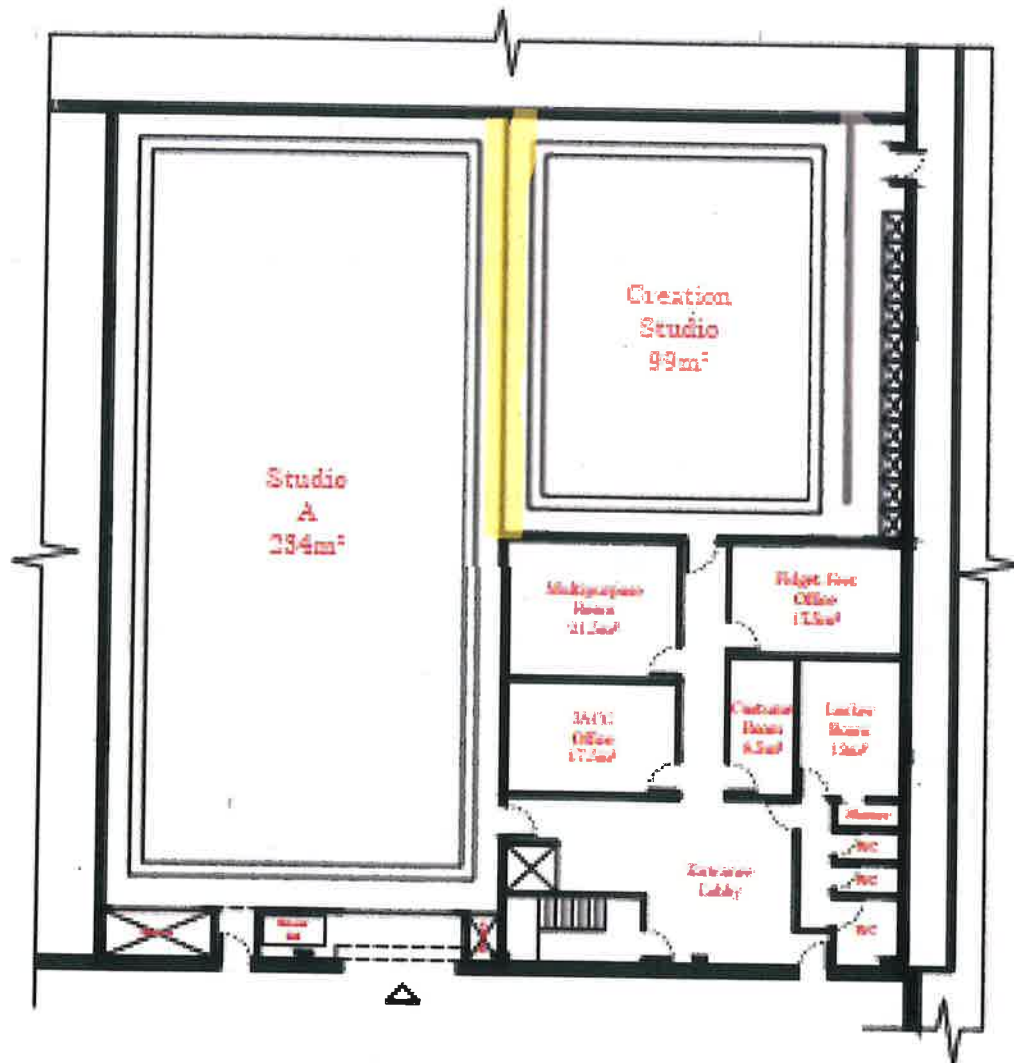


GROUND FLOOR

The partition between the Creation Studio and Studio A

The installation of a folding partition door from the centre RSJ to the rear wall RSJ, as shown in yellow below. Two steel RSJs with floor plates to be installed welded to the existing steel to a height of 8 meters. Engineering to calculate the gauge of steel required and in addition the RSJ beam to support the door that goes on top. The installation of a folding sound resistant door that folds away to the rear wall.

RECOMMENDED PROPOSAL



GROUND FLOOR

The office and studio building

The building of a three floored building indoors with offices, multipurpose room, costume room, locker room, 3 no. WCs shower and store on the ground floor, a kitchen dining and multipurpose room on the first floor with studio B. We are going to allow for the lift shaft without fitting the lift at this stage, while at the same time satisfying the Disability Certification with the part M stairs design. The top floor, second floor will contain a storage space, meditation room and MD office.

Drawings are indicated in the feasibility and revised drawings in CAD will be provided to show what is required in terms of space and layout.

Electrical Installation

We wish to reach a good standard with as low an energy requirement as we can within the budget.

The full installation will be certified and completed to working order for safe use by staff and the public.

The minimum requirements are listed below in each space.

Ground Floor

Studio A

All existing installation to remain but adjusted to be fitted outside any cladding.

4 no double sockets adjacent to RSJ in centre of building

Creation Studio

4 no double sockets adjacent to RSJ in centre of building

Existing 2 no blue 32A 3pin and 1 no blue 16a and 1 no red sockets 16a 4 pin to be rewired from sub board to wall under sub board adjacent or incorporated in the new sub board in the creation studio. This is currently fed by a 16 square carrying 3 phase from the main board labelled as CB3 and CB4.

Reception and hall

2 no Emergency lights

2 no emergency exit light

2 no smoke alarm

2 no light switch or movement sensor

2 no double sockets

2 no strip lights led

Stairwell

3 no Emergency lights

3 no emergency exit lights

3 no smoke alarm

3 no light switch timed or movement sensor

Multipurpose Room

8 double sockets with a minimum of three on each of two walls including Usb

2 no fluorescent lights or similar LED

Emergency light

Emergency exit light

Smoke alarm

1 light switch

1 x install existing Sunhouse wall heater with isolation switch

IACC Office

8 double sockets with a minimum of three on each of two walls including Usb

2 no fluorescent lights or similar LED

Emergency light

Emergency exit light

Smoke alarm

1 light switch

1 x install existing Sunhouse wall heater with isolation switch

Fidget Feet Office

8 double sockets with a minimum of three on each of two walls including Usb

2 no fluorescent lights or similar LED

Emergency light

Emergency exit light

Smoke alarm

1 light switch

1 x install existing Sunhouse wall heater with isolation switch

Costume Room

1 double sockets inside door beside light switch

Socket for commercial washing and dryer

1 no fluorescent lights or similar LED

Emergency light

Smoke alarm

1 light switch

Locker Room w/Shower

2 no fluorescent lights or similar LED

Emergency light

Emergency exit light

Smoke alarm

Extractor

1 light switch

3 no. WCs

With two already fitted only the newly constructed WC will need installation

1 no 2D light or similar LED

Emergency exit light

Smoke alarm

Extractor

1 light switch

First Floor

Hall

1 no Emergency lights

1 no emergency exit light

1 no smoke alarm

1 no light switch or movement sensor

1 no light led

Studio B

4 double sockets with a minimum of three on each of two walls including Usb

Add 1 no flood lights or similar LED and move one on rsj where the partition will meet into the creation studio on an adjacent rsj

Emergency light

Emergency exit light

Smoke alarm

1 light switch

Kitchen/Dining/Multipurpose

6 double sockets on work top area

1 no double socket under counter for fridge and dishwasher

1 no double for 2 no fridges on side wall

2 no fluorescent lights or similar LED

Emergency light

Emergency exit light

Smoke alarm

Extractor

1 no light switch

1 x cooker switch

1 x hot water switch

1 x immersion/hot water heater

1 x install existing Sunhouse wall heater with isolation switch

Second Floor

Hall

2 no Emergency lights

2 no emergency exit light

1 no smoke alarm

1 no light switch or movement sensor

2 no double sockets

2 no strip light led

Storage space

2 double sockets

2 no fluorescent lights or similar LED

Emergency light

Emergency exit light

Smoke alarm

1 no light switch

Meditation Room

2 double sockets one on each of two walls

1 no fluorescent lights or similar LED

Emergency light

Emergency exit light

Smoke alarm

1 no light switch

MD Office

3 double sockets with a minimum of one on each of two walls

1 no fluorescent lights or similar LED

Emergency light

Emergency exit light

Smoke alarm

1 no light switch

Plumbing Installation

Ground Floor

3 no. WCs

Two are fitted already

New WC to include toilet bowl with cold water feed and waste outlet

Sink with waste and hot and cold water

First Floor

Kitchen/Dining/Multipurpose

Sink with hot and cold water and waste outlet

Cold water feed for dishwasher and waste outlet

Costume room ground floor

Cold water feed for washing machine and waste outlet

Fire protection installation

Ground Floor

Studio A

Reinstall 2 no emergency lighting twin spot

Creation Studio

Install completed

Reinstall 2 no emergency lighting twin spot

Reception and hall

2 no Emergency lights

2 no smoke alarm

Stairwell

3 no Emergency lights

Multipurpose Room

Smoke alarm

IACC Office

Smoke alarm

Fidget Feet Office

Smoke Alarm

Costume Room

Smoke Alarm

Locker Room w/Shower

Smoke Alarm

3 no. WCs

Smoke Alarm in 1 no WC

First Floor

Studio B

Smoke Alarm

Kitchen/Dining/Multipurpose

Smoke Alarm

Second Floor

Storage space

Smoke Alarm

Meditation Room

Smoke Alarm

MD Office

Smoke Alarm

Gas Heating Installation

Reinstall the two MarkEire GS60 units with associated pipework over the roller door

Fans in the roof 1 x fan in Studio A and 1 in Creation Studio, optional extra if within budget.

Alarm System installation

The alarm system is set up for the two doors and roller door at present and this will remain the same with no change required.

CCTV

Camera 1

To be removed and placed in the hall at the bottom of the stair

Camera 2

Outdoor remains untouched

Camera 3

Reception camera to be reinstalled in Reception inside front door

Finishes

Ground Floor

Studio A

Sealer on Plywood

Creation Studio

Maple (dance)sprung floor full space

Off white emulsion on plasterboard with sealer

Multipurpose Room

Veneer timber floor on underlay

White mid sheen emulsion on walls

White gloss on skirting

Doors and architraves blue gloss finish

Ceiling white matt emulsion

Halls and stairs

Doors and architraves blue gloss finish

White mid sheen emulsion on walls

White gloss on skirting

Non slip tile R9 minimum on floor of halls in anthracite or dark grey colour

Timber Stairs with a linoleum finish in royal blue

Ceiling white matt emulsion

IACC Office

Veneer timber floor on underlay

White mid sheen emulsion on walls

White gloss on skirting

Doors and architraves blue gloss finish

Ceiling white matt emulsion

Fidget Feet Office

Veneer timber floor on underlay

White mid sheen emulsion on walls

White gloss on skirting

Doors and architraves blue gloss finish

Ceiling white matt emulsion

Costume Room

Treated concrete floor

Skirting unfinished

No painting needed

Doors and architraves blue gloss finish

Ceiling white matt emulsion

Locker Room w/Shower

Shower tiled in white or cream tile to be retained.

Floor tiled with non-slip tile R9 minimum and a tile skirting throughout in anthracite or dark grey

Wall painted ivory with a bathroom emulsion

Existing door and architrave red to be retained in shower area

Doors and architraves red gloss finish

Ceiling white bathroom emulsion

Mirror in locker room

3 no. WCs

Non slip tile on floor and on skirting with minimum R9 rating in grey or anthracite colour

Walls painted white bathroom emulsion

Ceiling white matt emulsion

Doors and architraves red gloss finish

Sink back splash a two tile in white the width of the sink

Mirror over sink

First Floor

Studio B

Maple (dance)sprung floor full space

Fireproof plaster board joint filled

All white mid sheen emulsion paint

Doors and architraves blue gloss finish

Kitchen/Dining/Multipurpose

Non slip tile on floor and on skirting with minimum R9 rating in grey or anthracite colour

Wall painted ivory with a bathroom emulsion

Doors and architraves blue gloss finish

Ceiling white bathroom emulsion

Halls and stairs

Doors and architraves blue gloss finish

White mid sheen emulsion on walls

White gloss on skirting

Non slip tile on floor and on skirting with minimum R9 rating in fake timber colour

Timber Stairs with a linoleum finish in royal blue

Ceiling white matt emulsion

Second Floor

Storage space

Veneer timber floor on underlay

White mid sheen emulsion on walls

White gloss on skirting

Doors and architraves red gloss finish

Ceiling white matt emulsion

Meditation Room

Deel timber floor finish with commercial carpet

White mid sheen emulsion on walls

White gloss on skirting

Doors and architraves red gloss finish

Ceiling white matt emulsion

Storage space

Veneer timber floor on underlay

White mid sheen emulsion on walls

White gloss on skirting

Doors and architraves red gloss finish

Ceiling white matt emulsion

MD Office

Veneer timber floor on underlay

White mid sheen emulsion on walls

White gloss on skirting

Doors and architraves red gloss finish

Ceiling white matt emulsion

Halls and stairs

Doors and architraves blue gloss finish

White mid sheen emulsion on walls

White gloss on skirting

Timber veneer floor

Timber Stairs with a linoleum finish in royal blue

Ceiling white matt emulsion

Fittings

1 no WC

Toilet roller holder to match existing

Paper napkin holder to match existing

1 x mirror

Locker room w/shower

1 no mirror dimension

2 no locker room benches with coat hook

Certification

Fire Certification

This will be required by the design team and builder to deliver the project to relevant specification and provide the Fire Certification upon completion. The existing fire certification is enclosed in the sub folder 'Burlington Fire Cert'.

Disability Certification

This will be required by the design team and builder to deliver the project to relevant specification and provide the Disability Certification upon completion. There is not a budget for a lift at this time so we would prefer to have the relevant stairs design part m to ensure disability certification is achieved.

A ramp at the front door may be a requirement.

Department Comments:

1. In relation to the disability certification, I note that on Page 25 of the Client Specifications attached, it sets out that *'This will be required by the design team and builder to deliver the project to relevant specification and provide the Disability Certification upon completion'*. I must also remind you that one of the conditions in the SLA is as follows: *'Confirmation is required that the project promoter is in full compliance with all health and safety regulations and has appropriate fire certification in place'*. The Disability Certification will be a matter for the IACC to ensure that they are satisfied that it is in order.

You state that 'Disability certification is being considered for a building of this size when the correct stairs specification is installed with shallow steps and bigger landings which satisfies regulations according to the advices we have received. This is called a Part M stairs. Predominantly this will satisfy pregnant users and older persons. Access by the public upstairs is only required to first floor level for the small studio. In this regard we have not had any requirements from wheelchair users to date while everything currently is at ground floor level. We can provide any requirements for disabled users who cannot avail of the stairs in the ground floor studios. We have not had enquiries for same to date due to the

nature of the activity, aerial dancing, we teach. To fit within current funding limits, we will have to leave the third floor unfinished to create a budget for the lift and as this will not be a public space this will not be an issue for us to deliver our services and we could wait for a further funding line to complete this in another phase.'.

Perhaps the IACC should seek advice from a Health & Safety Officer that what you have set out above is sufficient for disability access for now and as you state seek to install the lift when you can.

ZINC PROPERTIES LIMITED

Eastway Business Park
Ballysimon
Limerick

Date : 29 October 2021

TO : Irish Aerial Creation Centre CLG
Burlington Business Park,
Gillogue,
Limerick

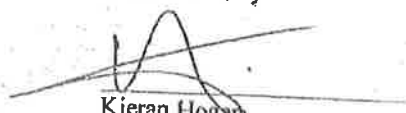
re : lease of unit 2, Burlington Business Park, Gillogue, Limerick

Dear Sirs

We refer to the lease entered into by you with us dated on even date herewith and hereby confirm our consent to:

- i) You charging your interest in the Lease in favour of the Minister for Arts, Culture and Heritage; and
- ii) You undertaking the following additions and/or alterations to the Demised Premises in accordance with the terms of the Lease:
 - a. Insulation of all walls and roof.
 - b. Installation of a folding partition door for one quarter of the space including supporting steel.
 - c. The demolition of the existing offices and canteen and replacement in the full quarter of that space of a three story office and studio facility
 - d. Installation of pallet racking.
 - e. Provision of showers and changing rooms with the replacement of the existing toilets and reconnection to the sewer on-site.

Yours faithfully


Kieran Hogan
Director
Zinc Properties Limited



CLARE
COUNTY COUNCIL

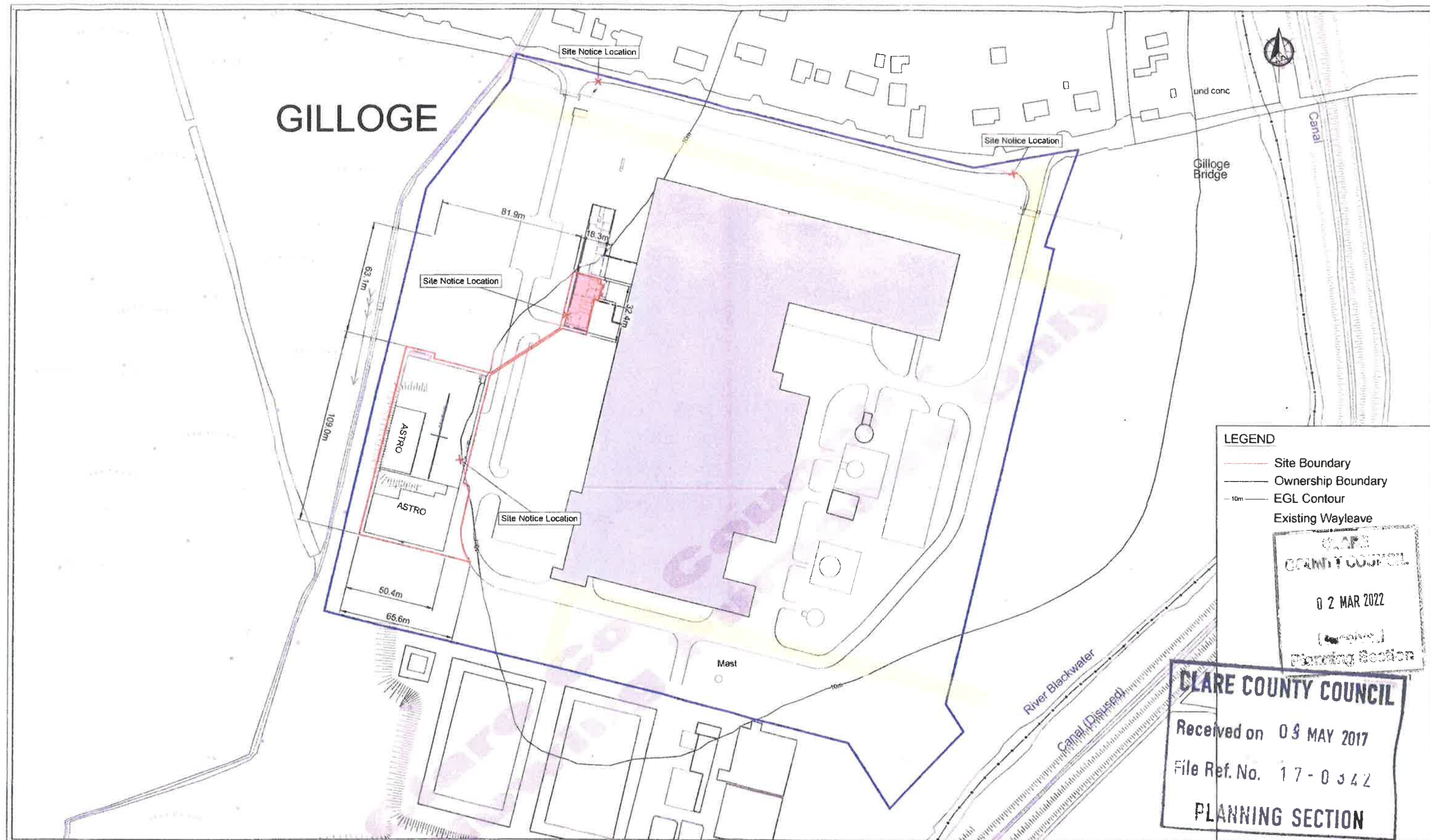
02 MAR 2022

Planning Section



Burlington Enterprise Center
Area being Leased Outlined in Red
SITE LAYOUT PLAN
SCALE 1:1000

GILLOGE



LEGEND

- Site Boundary
- Ownership Boundary
- EGL Contour
- Existing Wayleave

CLARE COUNTY COUNCIL
02 MAR 2022
Planning Section

CLARE COUNTY COUNCIL
Received on 03 MAY 2017
File Ref. No. 17-0342
PLANNING SECTION

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OSI 4683-A

SITE LAYOUT PLAN
Scale 1:1000

Rev.	Description	App By	Date
A	ISSUE FOR PLANNING RETENTION	JH	28.04.17



CONSULTANTS IN ENGINEERING & ENVIRONMENTAL SCIENCES

Core House,
Pouladuff Rd,
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Dublin 11, Ireland

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CODE	STATUS	SUITABILITY DESCRIPTION	PURPOSE OF ISSUE
	DRAFT		Planning Permission

PROJECT
RETENTION OF CHANGE OF USE OF UNIT
AND OUTDOOR EXERCISE AREA

SHEET
1:1,000 SITE LAYOUT PLAN

CLIENT
ZINC PROPERTIES

Date	28.04.17	Project number	P0988	Scale (@ A1-)	1:1000
Drawn by	SK	Drawing Number	P0988-0000-0003	Rev	A
Checked by	SMcC				

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01/04/2017 P0988-0000-0003

04 May 2017

CLARE COUNTY COUNCIL
AN CHLÁIR
Aras Contae an Chlair
New Road
Ennis
Co Clare

03/03/2022 10:42:59

Receipt No. : L1CASH/0/329283
REPRINT

IRISH AERIAL CREATION CENTRE
UNIT 2 BURLINGTON BUSINESS PARK
GILLOGUE
CO. CLARE
R22-17



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

Total : 80.00 EUR

Tendered :
CREDIT CARDS 80.00

Change : -0.00

Issued By : L1CASH - Patricia Quinlivan
From : MAIN CASH OFFICE LODGEMENT AREA
Vat reg No. 0033043E