



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Registered Post**

**John Vaughan  
c/o Michael Begley  
Clonlara  
Co. Clare  
V94 V6D9**

**8th June 2023**

**Section 5 referral Reference R23-32 – John Vaughan**

Is the construction of an agricultural shed at Leitrim, Kilmore, Co. Clare development and if so is it exempted development?

A Chara,

I refer to your application received on 12th May 2023 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

**Josephine Connors  
Staff Officer  
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



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

**Reference No.: R23-32**



Comhairle Contae an Chláir  
Clare County Council

**Section 5 referral Reference R23-32**

**Is the construction of an agricultural shed at Leitrim, Kilmore, Co. Clare development and if so is it exempted development?**

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

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

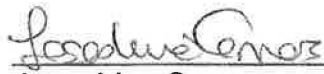
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Classes 6, 7, 8 and 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;
- (d) The works as indicated in submitted documents from the referrer.

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

- (a) The development of an agricultural shed at Leitrim, Kilmore, Co. Clare constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended;
- (b) The said works constitute "development" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended;
- (c) The said development of an agricultural shed at Leitrim, Kilmore, Co. Clare is not exempted development having regard to the meanings of descriptions of the Classes of Development provided for in Schedule 2, Part 3 of the Planning and Development Regulations, 2001 (as amended)

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

The proposed development consisting of the construction of an agricultural shed at Leitrim, Kilmore, Co. Clare constitutes development which is not exempted development as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.



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

**8th June 2023**

**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:** 81880

**Reference Number:** R23-32

**Date Referral Received:** 12th May 2023

**Name of Applicant:** John Vaughan

**Location of works in question:** Leitrim, Kilmore, Co. Clare

**Section 5 referral Reference R23-32 – John Vaughan**

Is the construction of an agricultural shed at Leitrim, Kilmore, Co. Clare 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 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Classes 6, 7, 8 and 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;
- (d) The works as indicated in submitted documents from the referrer.

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

- (a) The development of an agricultural shed at Leitrim, Kilmore, Co. Clare constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended;
- (b) The said works constitute "development" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended;
- (c) The said development of an agricultural shed at Leitrim, Kilmore, Co. Clare is not exempted development having regard to the meanings of descriptions of the Classes of Development provided for in Schedule 2, Part 3 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 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 construction of an agricultural shed at Leitrim, Kilmore, Co. Clare is **considered development** which is **not exempted development**.

**Signed:**

  
\_\_\_\_\_  
**GARETH RUANE**  
**SENIOR EXECUTIVE PLANNER**

**Date:**

**8th June 2023**

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

**FILE REF:** R23-32  
**APPLICANT(S):** John Vaughan  
**REFERENCE:** Whether the construction of an agricultural shed is or is not development and is or is not exempted development.  
**LOCATION:** Leitrim, Kilmore, Co. Clare  
**DUE DATE:** 08/06/2023

**Site Location**

The proposal site is located in a rural area approximately 3km west of Bridgetown. The site comprises a two-storey dwelling house close to the roadside to the rear of which is the agricultural yard in which the proposed shed will be located. The yard is primarily equestrian in nature, with stables, sand arena, hay shed etc present on site.

**Recent Planning History**

P04/2262 – John Vaughan granted permission to construct extension to existing dwelling house, comprising of utility room and toilet. Also permission to construct three stables, tack room and store, all to be constructed at the rear of residence

P11/681 – John Vaughan for development on property which consists of the demolition of existing outhouses and haybarn and construction of: 1. Extension to existing building to consist of carport and 4 no stables, 2. Construction of standalone machinery storage shed, 3. All associated site works.

(development not carried out)

**Background to Referral**

This Referral under Section 5(1) of the Planning and Development Act 2000 (as amended) has been made by John Vaughan. He states that she is the owner of the site.

The applicant is seeking a Section 5 Declaration as to whether the construction of an agricultural shed at Leitrim, Kilmore, Co. Clare is or is not development and is or is not exempted development.

**Statutory Provisions**

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

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

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

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

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

Planning & Development Regulations, 2001, as amended

Article 6 refers to Exempted Development and states that subject to Article 9, development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1.

The applicant has stated that the slatted shed will be used to house animals. Her stock currently out-winter on the land.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 6

Works consisting of the provision of any store, barn, shed, glass house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 7

Works consisting of the provision of a roofed structure for the housing of pigs, mink or poultry, having a gross floor space not exceeding 75 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 8

Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 9

Works consisting of the provision of any store, barn, shed, glasshouse or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.

Under Article 9 (1) of the same Regulations, *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*
- (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,*
- (iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*
- (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,*
- (vii) 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 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,*
- (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,*

*(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.*

## Assessment

### Basis of Referral

The applicant is seeking a Section 5 Declaration as to whether the construction of an agricultural shed at Leitrim, Kilmore, Co Clare is or is not development and is or is not exempted development.

### Particulars of Proposal

The particulars of the proposal and site are set out below:

- |                             |                                                                                |
|-----------------------------|--------------------------------------------------------------------------------|
| • Height                    | Lean-to roof. Maximum height 3.6m                                              |
| • Proposed Floor Area       | 51.24m <sup>2</sup> (measured off drawings – no floor area stated by referrer) |
| • Distance from public road | Greater than 10 metres                                                         |
| • Distance from dwellings   | Less than 100m (approx. 42m to nearest 3 <sup>rd</sup> party dwelling)         |

The referral relates to an agricultural shed which, as stated in the referral documents, will be used as a dry bedding / manure storage shed. Based on the available information, the proposed shed will essentially be a type of roofed dungstед. The proposed development was assessed in the context of the classes of *rural* exemptions available under Schedule 1, Part 3 of the Planning and Development Regulations.

- Classes 6 and 7 refer to the provision of roofed structures for the housing of specified animals. The development as proposed will be ancillary to existing agricultural buildings in the yard and will not, in itself, be used for the housing of animals. The proposal development is not therefore considered exempt in the context of these classes.
- Class 8 refers to the provision of structures such as roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards and milking parlours. The proposed shed does not fall within any of the named categories. The exemption also includes *any other structure of a similar character or description*.

The named structures primarily relate to the feeding or milking of animals in an agricultural setting. I do not consider the proposed shed to be of a similar character to the named structures. I also note the limitations of the class require *inter alia* that effluent storage facilities adequate to serve the structure are required. This limitation implies that a structure constructed under the Class 8 exemption may

require effluent storage facilities rather than being such a storage facility themselves. Based on these considerations, I do not consider the proposed development to be exempt in the context of the Class 8.

- Class 9 refers to works consisting of the provision of any store, barn, shed, glasshouse or other structure, not being of a type specified in class 6, 7 or 8. The limitations of the exemption state *no such structure shall be used for any purpose other than the purpose of agricultural or forestry but excluding the housing of animals or the storing of effluent*. The proposed shed will be use for the storage of manure and therefore is not considered exempt under the provisions of Class 9.

Having regard to the foregoing, the construction of an agricultural shed does not come within the meaning of descriptions for any of the Classes of Development provided for in Schedule 2, Part 3 of the Planning and Development Regulations

The construction of an agricultural shed is development which is not exempted development.

### Recommendation

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

Whether the construction an agricultural shed at Leitrim, Kilmore, Co. Clare is or is not development and is or is not exempted development.

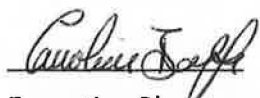
**The Planning Authority in considering this referral had regard to:**

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Classes 6, 7, 8 and 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;
- (d) The works as indicated in submitted documents from the referrer.


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

- (a) the development of an agricultural shed at Leitrim, Kilmore, Co. Clare constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended;
- (b) The said works constitute "development" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended;
- (c) The said development of an agricultural shed at Leitrim, Kilmore, Co. Clare is not exempted development having regard to the meanings of descriptions of the Classes of Development provided for in Schedule 2, Part 3 of the Planning and Development Regulations, 2001 (as amended)

Now therefore Clare County Council (Planning Authority), hereby decides that the construction of an agricultural shed at Leitrim, Kilmore, Co Clare is development and is not exempted development.

  
Executive Planner

Date: 02/06/2023

  
Senior Executive Planner

Date: 02/06/22



## Appropriate Assessment & Determination

### STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	R23-32
(b) Brief description of the project or plan:	The construction of an agricultural shed at Leitrim, Broadford
(c) Brief description of site characteristics:	Existing agricultural yard with associated residence. Yard primarily consists of stables, sand arena and hay shed.
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(e) Response to consultation:	N/A

### STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

Having regard to the nature and scale of the proposed development, the likely zone of impact is no greater than 3km.

European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Glenomra Wood SAC	<u>Annex I habitats:</u> • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]	0.16km	No pathways identified	No

<sup>1</sup> Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

<sup>2</sup> If the site or part thereof is within the European site or adjacent to the European site, state here.

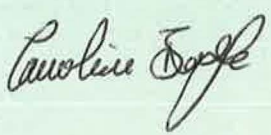
## Step 4. Screening Determination Statement

### The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

Having regard to the nature and scale of the proposed development, the characteristics of both the proposal site and the European, and the Annex 1 habitat for which the European site is designated, the proposed development does not have the potential to negatively impact upon same.

### Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) <b>Significant effects</b> are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 02/06/2023	
Signature and Date of the Decision Maker:		







COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

John Vaughan  
c/o Michael Begley  
Clonlara  
Co. Clare  
V94 V6D9

12/05/2023

**Section 5 referral Reference R23-32 – John Vaughan**

Is the construction of an agricultural shed at Leitrim, Kilmore, Co. Clare development and if so is it exempted development?

A Chara,

I refer to your application received on 12th May 2023 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

**Brian Fahy**  
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

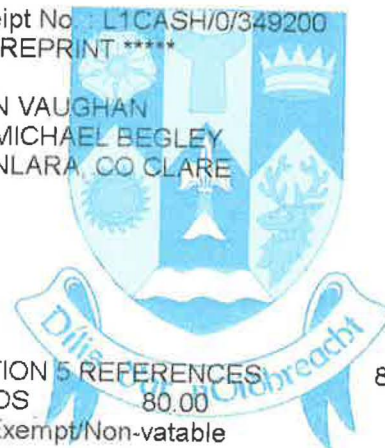


Clare County Council  
Aras Contae an Chlair  
New Road  
Ennis  
Co Clare

12/05/2023 13:49:33

Receipt No: L1CASH/0/349200  
\*\*\*\*\* REPRINT \*\*\*\*\*

JOHN VAUGHAN  
C/O MICHAEL BEGLEY  
CLONLARA, CO CLARE



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

Total : 80.00 EUR

Tendered :  
CREDIT CARDS 80.00

Change : 0.00

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	John Vaughan Leitrim Kilmore Co. Clare  <div style="text-align: right;"><b>Eircode: V94 V6D9</b></div>
(b) Telephone No.:	
(c) Email Address:	
(d) Agent's Name and address:	Michael Begley  Clonlara,  Co. Clare  <div style="text-align: right;"><b>EIRCODE: V94 P7N8</b></div>

## 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?*

**Is the construction of an agricultural storage shed at Leitrim, Kilmore, Co Clare, development and if so is it exempted development?**

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

Construction of a Dry Bedding/Manure Storage Shed in order to comply with Department of Agriculture Farm Management Regulations. Animal Bedding/Manure must be kept dry at all times to eliminate the risk of seepage/run off.

The bedding material used is "saw dust", which is much drier and more absorbent than straw or rush.

- (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 Location Map – Scale 1:2,500

Site Location Map – Scale 1:10,560

Plans of proposed shed – Scale 1:100

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	Leitrim, Kilmore, 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):	Owner  
(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)?:	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>	Yes P11-681 (Development not carried out)
(h) Date on which 'works' in question were completed/are likely to take place:	July October 2023

SIGNED: Michael Begley

DATE: 12/05/2023



### **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:.....	



# Site Location Map



Tailte  
Éireann

**CENTRE  
COORDINATES:**  
ITM 561454,668296

**PUBLISHED:** 04/05/2023  
**ORDER NO.:** 50332705\_1

**MAP SERIES:** 6 Inch Raster  
**MAP SHEETS:** CE044  
6 Inch Raster CE053  
6 Inch Raster LK001

**COMPILED AND PUBLISHED BY:**  
National Mapping Division of  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

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Clonlara,  
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**OUTPUT SCALE: 1:10,560**

0 110 220 330 440 Metres  
0 200 400 600 800 1,000 Feet



# Planning Pack Map



**Tailte  
Éireann**

**CENTRE  
COORDINATES:**  
ITM 561454.668296

**PUBLISHED:** 04/05/2023  
**ORDER NO.:** 50332705\_1

**MAP SERIES:** 1:5,000  
1:2,500  
**MAP SHEETS:** 4504  
4504-A

**COMPILED AND PUBLISHED BY:**  
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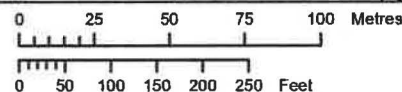
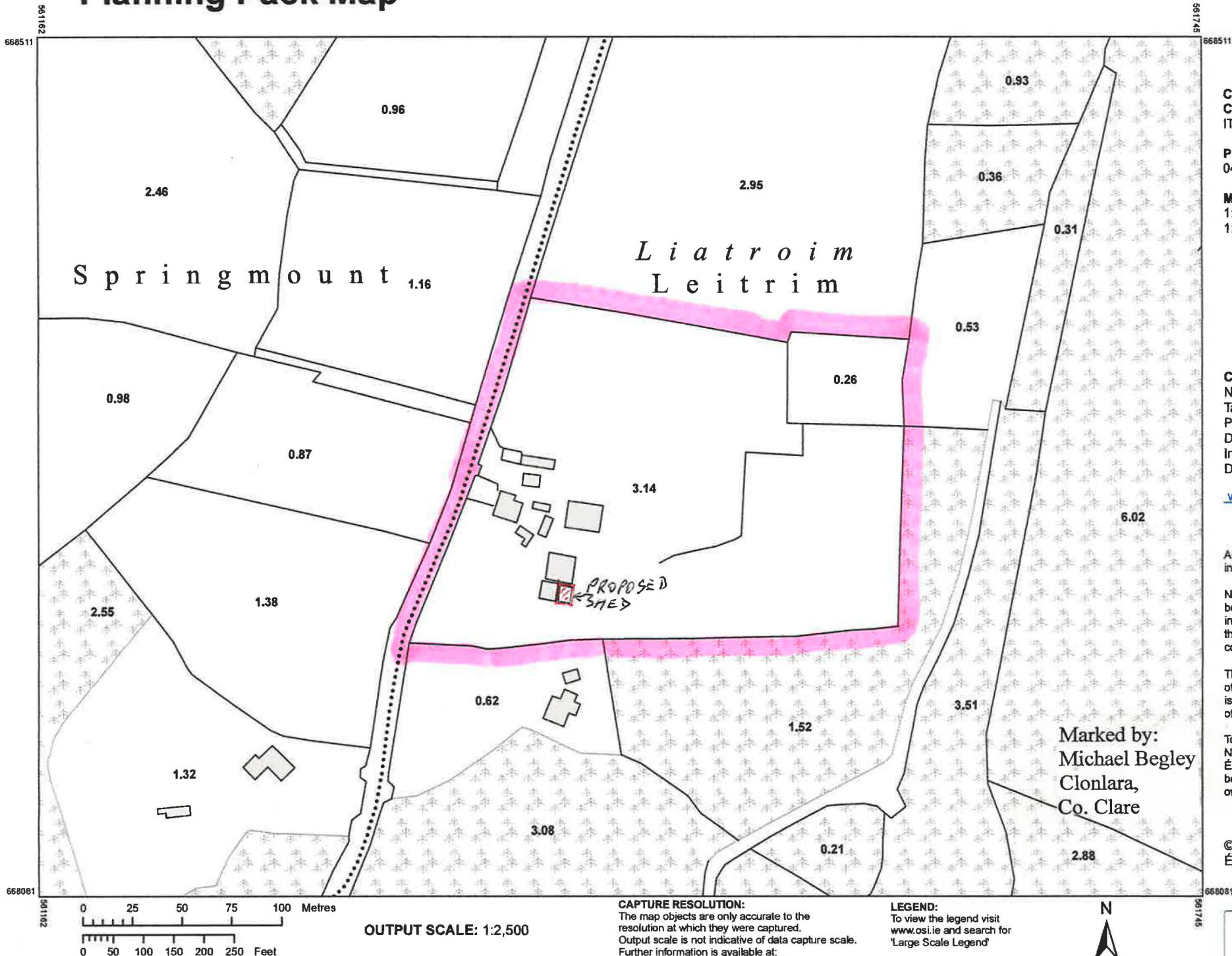
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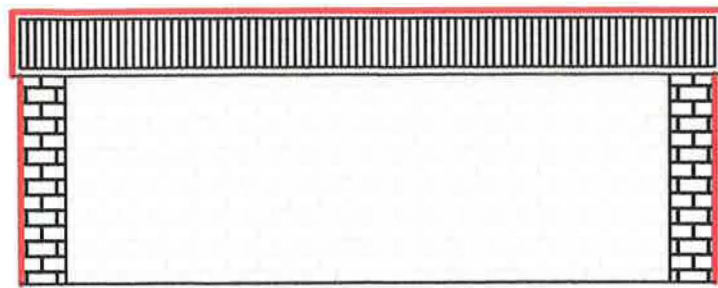
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To view the legend visit  
[www.osi.ie](http://www.osi.ie) and search for  
'Large Scale Legend'



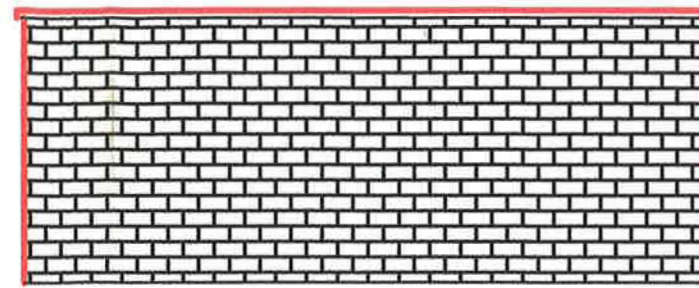
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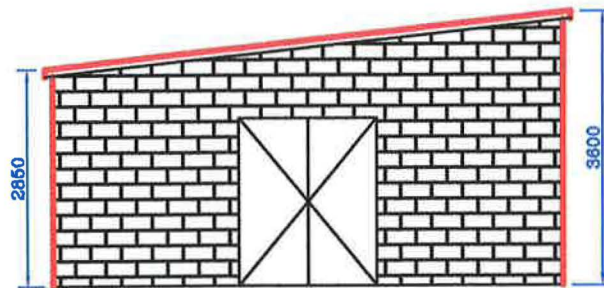
**OUTPUT SCALE: 1:2,500**



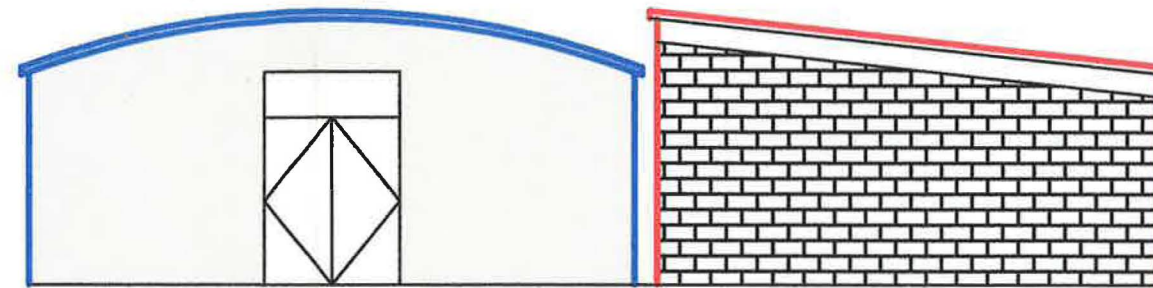
Front (East) Elevation – Scale 1:100



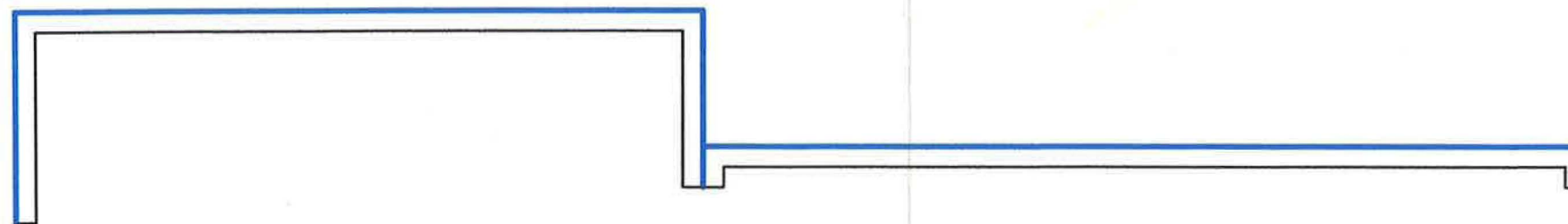
Rear (West) Elevation – Scale 1:100



Side (North) Elevation

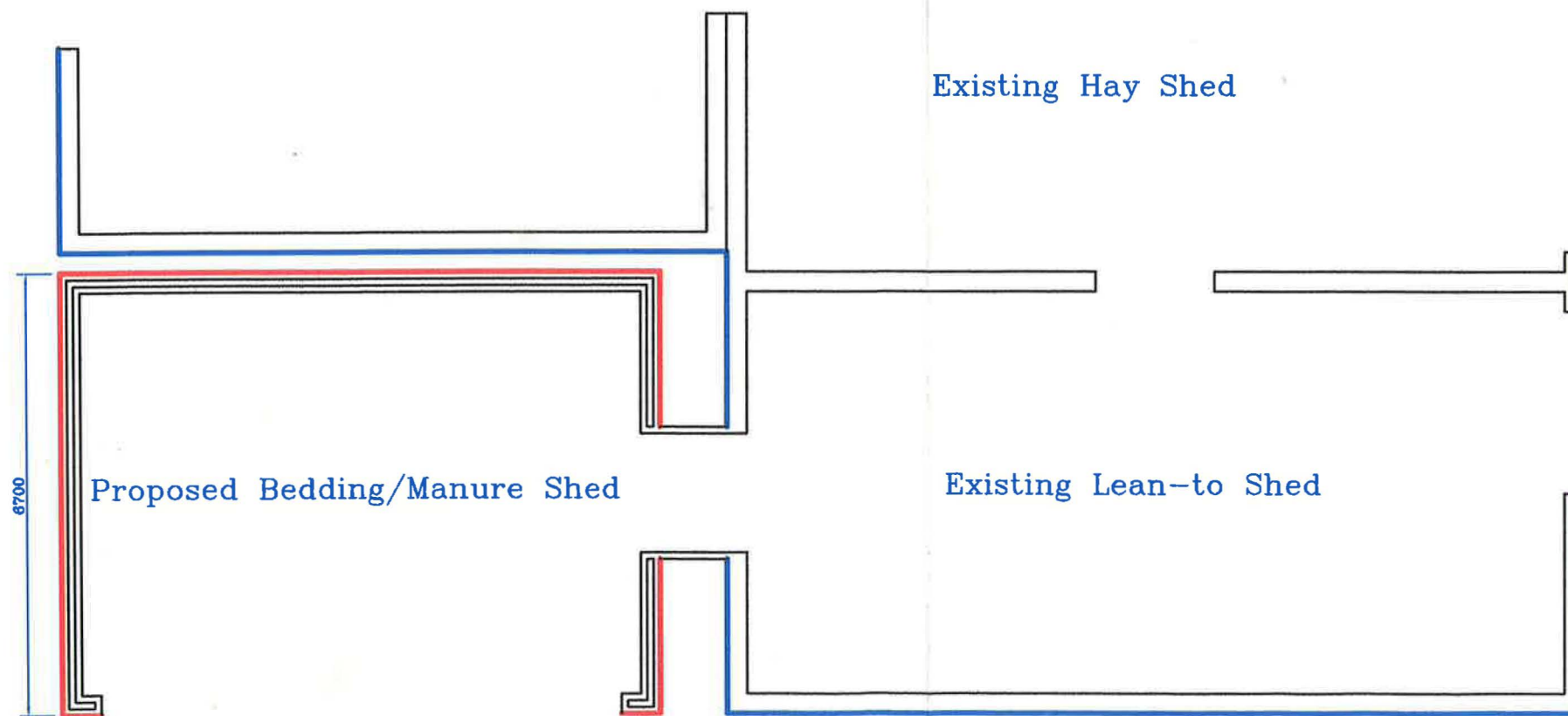


Existing Shed  
Side (South) Elevation – Scale 1:100



Existing Barn Shed

Existing Hay Shed



Proposed Bedding/Manure Shed

Existing Lean-to Shed

Floor Plan – Scale 1:100



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Project:  
Proposed Shed  
At: Leitrim, Kilmore,  
Co. Clare  
Client: John Vaughan

Title: Elevations  
Scale: As Shown  
Drawn by: MB  
Date: May 2023

Note: Drawings for Planning  
Purposes only