



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Registered Post

**James Walsh
c/o Niall Geoghegan
Ballybeg
Ennis
Co. Clare**

13th June 2023

Section 5 referral Reference R23-34 – James Walsh

Is the construction of a slatted unit for housing of cattle at Knocktemple, Kilnamona, Co. Clare development and if so is it exempted development?

A Chara,

I refer to your application received on 18th 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

Mise, le meas

**Anne O'Gorman
Staff Officer
Planning Department
Economic Development Directorate**

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

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



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:

81903

Reference Number:

R23-34

Date Referral Received:

18th May 2023

Name of Applicant:

James Walsh

Location of works in question:

Knocktemple, Kilnamona, Ennis, Co. Clare

Section 5 referral Reference R23-34 – James Walsh

Is the construction of a slatted unit for housing of cattle at Knocktemple, Kilnamona, 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) Section 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) Class 6 of Part 3, (Exempted Development- Rural), of the Planning and Development Regulations 2001 as amended.

AND WHEREAS Clare County Council has concluded:

- (a) The provision of an agricultural shed with slurry tank constitutes both "works" and "development", as per Sections 2 & 3 of the Planning and Development Act 2000 as amended.
- (b) The works fall within the scope of Class 6, Part 3, Schedule 2 of the Planning and Development Regulations 2001 as amended and are within the conditions and limitations as set out therein.

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 construction of a slatted unit at Knocktemple, Kilnamona, Co. Clare is considered development which is exempted development.

Signed:



GARETH RUANE
SENIOR EXECUTIVE PLANNER 

Date:

13th June 2023

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

Reference No.: R23-34



Comhairle Contae an Chláir
Clare County Council

Section 5 referral Reference R23-34

Is the construction of a slatted unit for housing of cattle at Knocktemple, Kilnamona, Co. Clare development and if so is it exempted development?

AND WHEREAS, James Walsh 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 –

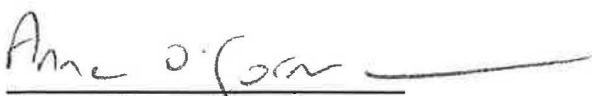
- (a) Section 2, 3, and 4 of the Planning and Development Act, 2000 as amended.
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001 as amended.
- (c) Class 6 of Part 3, (Exempted Development- Rural), of the Planning and Development Regulations 2001 as amended.

And whereas Clare County Council has concluded:

- (a) The provision of an agricultural shed with slurry tank constitutes both "works" and "development", as per Sections 2 & 3 of the Planning and Development Act 2000 as amended.
- (b) The works fall within the scope of Class 6, Part 3, Schedule 2 of the Planning and Development Regulations 2001 as amended and are within the conditions and limitations as set out therein.

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 a slatted unit at Knocktemple, Kilnamona, Co. Clare **constitutes development** which is **exempted development** as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.


Anne O'Gorman
Staff Officer
Planning Department

Economic Development Directorate

13th June 2023

CLARE COUNTY COUNCIL

SECTION 5 REFERRAL

Reference No:	R23 34
Applicant:	James Walsh
Location:	Knocktemple, Kilnamona, Ennis, Co. Clare
Proposal:	Whether the construction of an agricultural slatted unit is/is not exempted development.
Due Date:	14 TH June 2023

This proposal is a request for a declaration under Section 5 of the Planning and Development Act, 2000 as amended to determine whether or not the following constitutes exempted development.

- Whether the construction of a slatted unit at Knocktemple, Kilnamona is/is not exempted development.

Site location

The site is located off a local road in an agricultural field to the west of an established farm yard and the applicants dwelling. The yard contains a loose house, cattle crush and various other domestic storage buildings. Access to the subject site is via an existing avenue which serves the applicant's dwelling and yard.

Planning History

None on site

Legal Context

Section 2 of the Planning & Development Act, 2000, as amended, defines '**works**' as including '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 of a structure'.

Section 3(1) of the Act defines "**development**" except where the context otherwise requires as:

"The carrying out of any works on, over or under land or the making of any material change in the use of any structures or other land.

Section 4.—(1) The following shall be exempted developments for the purposes of this Act—

(a) development consisting of the use of any land for the purpose of agriculture and development consisting of the use for that purpose of any building occupied together with land so used;

Planning and Development Regulations 2001, as amended

Article (6)(1) of the Planning and Development Regulations 2001, as amended, states that subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 2.

(3) Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), 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

Article 9(1) of the Planning & Development Regulations, 2001 as amended, provides a number of scenarios whereby development to which article 6 relates shall not be exempted development for the purposes of the Act.

Article 9(1) states that: 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:

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4m in width

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(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,

(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.

Schedule 2 – Part 3 Exempted Development – Rural – Classes 6 – 10 describes classes of agricultural structures which are exempted development, provided that such development complies with the conditions and limitations expressed at Column 2 for each class.

Class 6

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200sq.m(whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

Conditions and Limitations

1. No such structure shall be used for any purpose other than the purpose of agriculture.
2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.
4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.
5. No such structure within 100 metres of any public road shall exceed 8 metres in height.
6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Assessment

Is or is not development

Having regard to Section 2(1) and Section 3(1) of the Planning and Development Act 2000, I consider that the proposed construction of a of a slatted unit constitutes works on land and would constitute development within the meaning of the Act.

Is or is not exempted development

The proposed slatted shed comes within Class 6 insofar as it is a roofed structure for the purposes of housing of cattle not exceeding 200 square metres and ancillary provision for effluent storage.

Restrictions on exempted development

In considering the relevant conditions and limitations associated with Class 6 of Part 3 Schedule 2 I note the following:

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200sq.m(whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

Conditions and Limitations

1. No such structure shall be used for any purpose other than the purpose of agriculture.
 - a. Structure to be used for agricultural purposes
2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.
 - The agricultural shed measures 145.54sq.m, there are no other such structure within the subject agricultural field. The other existing structures are located approx.. 59.3m to the east of the location of the proposed shed. The loose house within that yard measures 51.5 sqm. Therefore the aggregate total does not exceed 300 sqm.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.
 - Slurry tank is proposed. From a review of the documents submitted with the Section 5 referral, it would appear that effluent storage requirements will be in line with the Dept. Of Agriculture requirements.
4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.
 - In excess of 140m from the road.
5. No such structure within 100 metres of any public road shall exceed 8 metres in height.
 - The shed is approx 6.7m in height at its highest point. However in any event it is greater than 100m from the public road.
6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.
 - The proposed shed is not within 100m of any dwelling. The closest dwelling is approx. 115 m to the northeast of the location of the proposed shed.
7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
 - Painted steel cladding proposed.

I have also examined the restrictions on exempted development as per the provisions of Article 9 of the Planning and Development Regulations, as amended, and I do not consider them applicable in this instance.

Considerations

As per the definitions laid out above the proposed shed involves works and is development. Schedule 2, Part 3, Exempted Development- Rural, Class 6 of the Planning and Development Regulations 2001 as amended provides an agricultural exemption applicable in this instance.

Environmental Impact Assessment

I do not consider that the proposed development falls within the mandatory requirements for an EIA as stated in EU Directive 85/337/EEC (as amended by Directive 97/11/EC, 2003/31/EC and 2009/31/EC). The proposed development is also not considered to fall within the sub-threshold criteria having regard to the third schedule to the European Communities Environmental Impact Assessment (Amendment) Regulations 1999 and in Schedule 7 of the Planning and Development Regulations 2001, as amended.

Appropriate Assessment

Having regard to the nature and scale of the proposed development and the absence of proximity or connectivity to a European Site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site. An appropriate assessment screening report and determination is attached to this report. The restrictions on exempted development, as per Article 9 (1) (viiB) do not therefore apply in this instance.

Conclusion

It is considered that the proposed agricultural structure is within the remit of Class 6 and that the conditions and limitations of Class 6 have been met.

Recommendation:

Having regard to the foregoing, I recommend that it be decided that the works constitute development which is exempted development.

The following question was asked in the submitted Section 5 referral:

- Whether the construction of a slatted unit **at Knocktemple, Kilnamona** is/is not exempted development.

AND WHEREAS Clare County Council, in considering this application, had regard particularly to –

- (a) Section 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) Class 6 of Part 3, (Exempted Development- Rural), of the Planning and Development Regulations 2001 as amended.

AND WHEREAS Clare County Council has concluded that –

- (a) The provision of an agricultural shed with slurry tank constitutes both “works” and “development”, as per Sections 2 & 3 of the Planning and Development Act 2000 as amended and
- (b) The works fall within the scope of Class 6, Part 3, Schedule 2 of the Planning and Development Regulations 2001 as amended, and are within the conditions and limitations as set out therein.

NOW THEREFORE Clare County Council, in exercise of the powers conferred on it by section 5(2) (a) of the 2000 Act as amended, hereby decides that the construction of a slatted unit **at Knocktemple, Kilnamona, Co. Clare** constitutes development which is exempted development.



Fiona Barry
Executive Planner

Date: 12.06.2023



Garreth Ruane
Senior Executive Planner

Date: 13/06/23

Clare County Council
Screening for Appropriate Assessment & Determination

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

Table 1: Project Details

Planning File Reference	R23 34
Applicant Name	James Walsh
Development Location	Knocktemple, Kilnamona
Application accompanied by an EIS	No
Application accompanied by an NIS	No

Description of the project (To include a site location map): Whether the construction of an agricultural slatted unit at Knocktemple, Kilnamona is/is not exempted development.

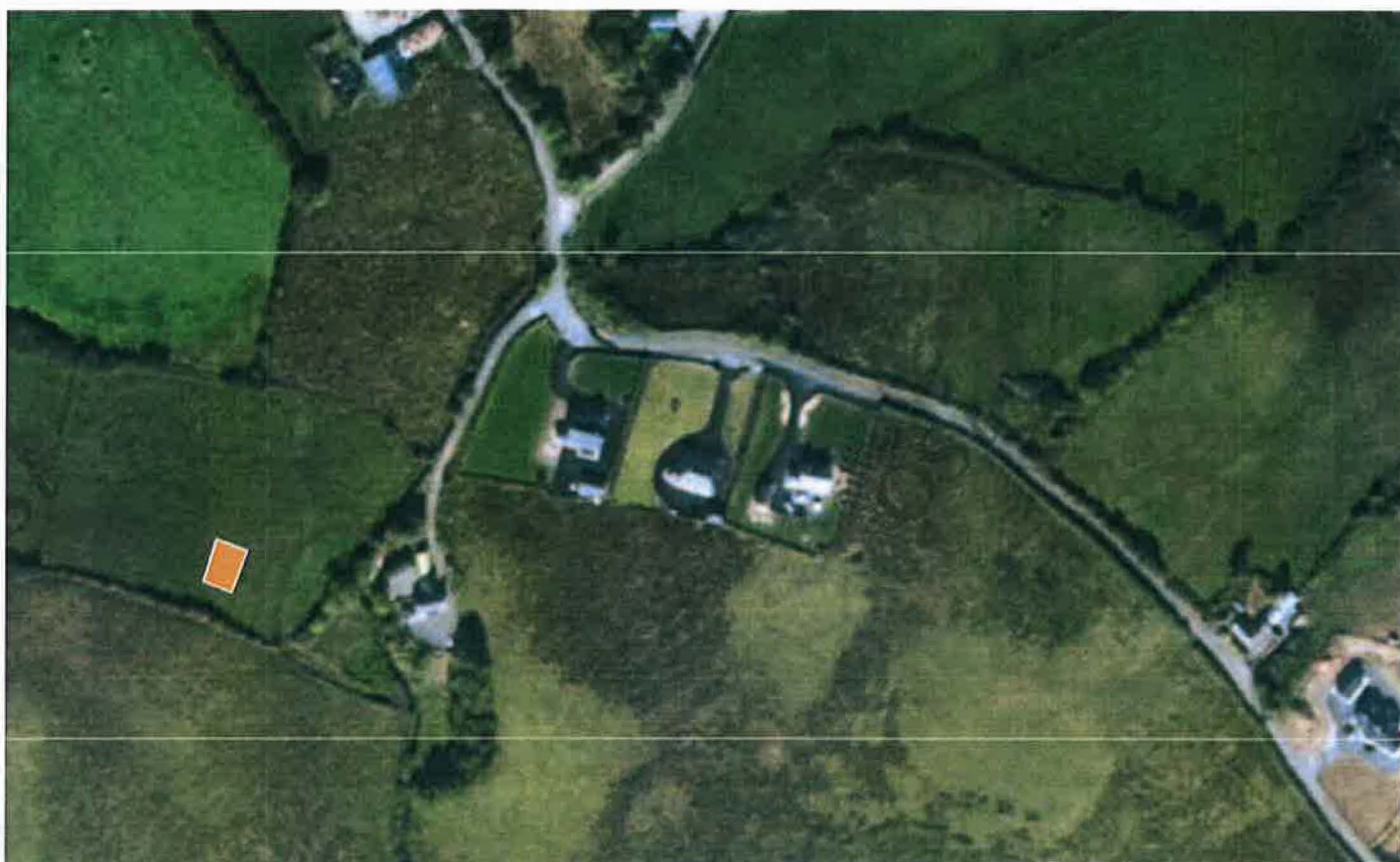


Table 2: Identification of European sites which may be impacted by the proposed development.

This section identifies the European Sites within the likely zone of impact of the plan or project. For plans an initial 15km zone of influence (NPWS-DAHG)¹ is recommended. For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects. Qualifying Interests/Special conservation Interests for each site and the distance relevant to the proposal are listed (Table 2 (a)).

Table 2 (a): European Sites within 15km of Applicant Site

European Sites ²	Qualifying Interests (QIs)/Special Conservation Interests (SCIs) and conservation objectives (either generic or detailed) (available on www.npws.ie/protectedsites) or through Intranet.	Distance to Applicant Site (km)
Toonagh Estate SAC 002247	Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]	3.96

1	Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species.	Is the development in the catchment of or immediately upstream of a watercourse that has been designated as a European site?	No
2	Impacts on terrestrial habitats & species.	Is the development within 1km of a European site with terrestrial based habitats or species?	No
3	Impacts on designated marine habitats & species.	Is the development located within marine or intertidal areas and within 5 km of a European site whose qualifying habitats or species include the following: Mudflats, sandflats, saltmarsh, shingle, reefs, sea cliffs	No
4	Impacts on birds in SPAs	Is the development within 1km of a Special Protection Area	No
5	Indirect effects	Is the development, in combination with other existing or proposed developments likely to impact on an adjacent European site? Is any emission from the development (including noise) likely to impact on an adjacent habitat or species?	No

Conclusion:


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

¹ European Sites that are more than 15km from the proposal may have to be considered. For example in the case of sites with water dependent habitats or species and where a proposal could affect water quality or quantity it may be necessary to consider the full extent of the upstream and/or downstream catchment.

² European Site details are available on <http://webgis.npws.ie/npwsviewer/> or maybe obtained from internal mapping systems.

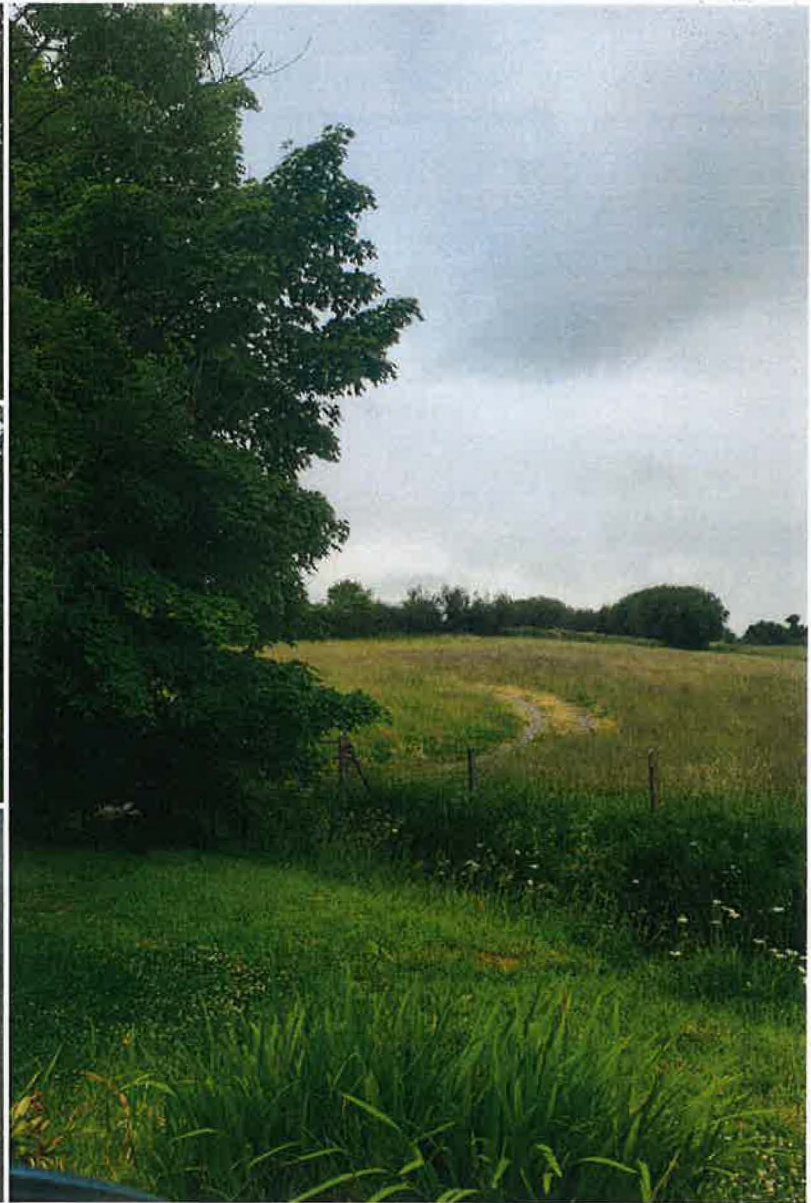
Appropriate Assessment Screening Determination	
Planning File Reference	R23 34
Proposed Development	Whether the construction of an agricultural slatted unit at Knocktemple, Kilnamona is/is not exempted development.
Development Location	at Knocktemple, Kilnamona
European sites within impact zone	Toonagh Estate SAC
Description of the project: Whether the construction of an agricultural slatted unit at Knocktemple, Kilnamona is/is not exempted development.	
Qualifying Interests (QIs)/Special Conservation Interests (SCIs) of European site As per above	
Describe how the project or plan (alone or in combination) is likely to affect the European site(s). No impacts envisaged due to the distance of the proposed development from the European site, and the lack of connectivity to same.	
If there are potential negative impacts, explain whether you consider if these are likely to be significant, and if not, why not? N/A	
Documentation reviewed for making this statement	
<ul style="list-style-type: none"> - County Development Plan (including Flood Maps, SEA & AA) - NPWS website - Documents received as part of the planning application - EPA Code of Practice 	
Conclusion of assessment (a, b, c or d)	
(a) The proposed development is directly connected with or necessary to the nature conservation management of a European Site(s)³	
(b) There is no potential for significant effects to European Sites³	✓

³ Appropriate Assessment is not required and therefore Planning permission may be granted at this stage subject to all other planning considerations. However, no material changes may be made to the proposed development after this conclusion has been reached as this would invalidate the findings of the screening exercise.

(c) The potential for significant effects to European Site(s) cannot be ruled out⁴	
(d) Significant effects to European sites are certain or likely or where potential for significant effects to European sites remains following receipt of Further Information requested under S177U of the Planning and Development (Amendment) Act 2010⁵	
Completed By	 Fiona Barry, Executive Planner
Date	12.06.2023

⁴ In accordance with S177U of the Planning and Development (Amendment) Act 2010, the applicant should be requested to submit an 'Appropriate Assessment Screening Matrix' completed by a suitably qualified ecologist, by way of Further Information. Following receipt of this information a new Appropriate Screening Report should be completed. The requested 'Appropriate Assessment Screening Matrix' should be in accordance with the template outlined in Annex 2, Figure 1 of the EU (2001) guidance document 'Assessment of plans and projects significantly affecting European Sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. This guidance document is available from http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf Alternatively, where other planning concerns arise the proposal could be refused planning permission.

⁵ The proposed development must either by refused planning permission or alternatively an 'Appropriate Assessment' (AA) should be carried out by the Planning Authority. In order to facilitate the preparation of an AA the applicant should be requested to submit a Natura Impact Statement (NIS) in accordance with S177 (T) of the Planning and Development (Amendment) Act 2010. However, in the case of an application to retain unauthorised development of land and where the authority decides that an 'appropriate assessment' should have been carried out prior to the commencement of development, the application is required to be invalidated by the Planning Authority as per S34 (12) of the Planning and Development (Amendment) Act 2010 and accordingly an NIS should not be requested in such instances.







COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

James Walsh
c/o Niall Geoghegan
Ballybeg
Ennis
Co. Clare

19/05/2023

Section 5 referral Reference R23-34 – James Walsh

Is the construction of a slatted unit for housing of cattle at Knocktemple, Kilnamona, Co. Clare development and if so is it exempted development?

A Chara,

I refer to your application received on 18th 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

18/05/2023 15:11:19

Receipt No L1CASH/0/349437
***** REPRINT *****

JAMES WALSH
C/O NIALL GEOGHEGAN
BALLYBEG
ENNIS
CO. CLARE
R23-34



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

Total : 80.00 EUR

Tendered :
Cash 100.00

Change 20.00

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
Website: www.clarecoco.ie



Comhairle Contae an Chláir
Clare County Council

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.

<p>(a) Name and Address of person seeking the declaration</p>	<p>James Walsh</p> <p>Knockatemple, Kilnamona, Co. Clare</p>
<p>(b) Telephone No.:</p>	
<p>(c) Email Address:</p>	<p>None</p>
<p>(d) Agent's Name and address:</p>	<p>Niall Geoghegan</p> <p>Ballybeg, Ennis, Co Clare</p>

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 a slatted unit for housing of cattle at knockatemple, Kilnamona, 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.

The applicant is looking to build a small slatted unit 145.54 sq. meters for the housing of cattle for the winter period. The applicant has a loose house (51.5 sq. meters) which is straw bedded for the winter as it is but it doesnot have a slatted tank underneath for the collection of slurry.

The applicant is looking to build this slatted unit 111 meters away from the nearest neighboring dwelling

Total animal housing with what the applicant has along with what the applicant would like to build is

less than 300 sq. meters. please see that attached land maps showing where the slurry will be spread

- (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)

(1) Drawings of slatted unit scale 1:200 / 1:100 (2) Site Layout showing distance from neighbouring dwelling

(3) Site Map S=scale 1:2500 (4) Land Map scale 1:10560

Please find attached 2 copies of the above

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	Knockatemple, Kiilnamona, 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):	Applicant is the land 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>	Applicant is the landowner _____ _____ _____
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	Applicant is the landowner
(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>	No.
(h) Date on which 'works' in question were completed/are likely to take place:	August 2023

SIGNED: DATE: 17/5/23

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

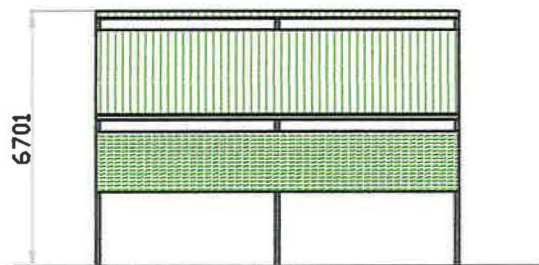
- (i) The request for a declaration under Section 5 must be accompanied by 2 copies of site location map based on the Ordnance Survey map for the area of a scale not less than 1:1000 in urban areas and 1:2500 in rural areas and should clearly identify the site in question.
- (ii) The request for a declaration 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

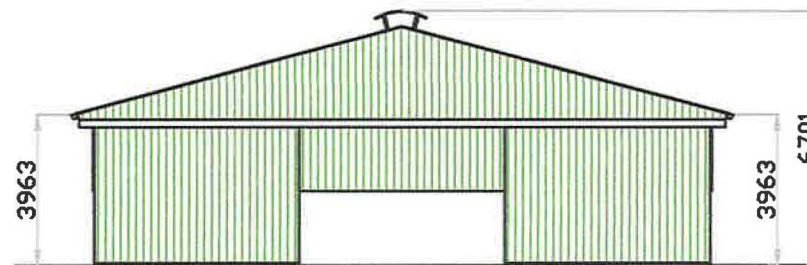
- (v) Notwithstanding the completion of the above form, the Planning Authority may require the submission of further information with regard to the request in order to enable the Authority to issue a declaration on the question.
- (vi) The Planning Authority may also request other persons to submit information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

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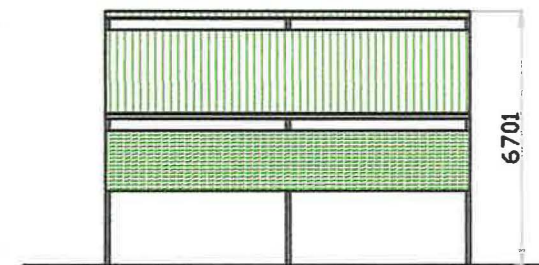
Date Received:	Fee Paid:
Date Acknowledged:	Reference No.:
Date Declaration made:	CEO No.:
Decision:	



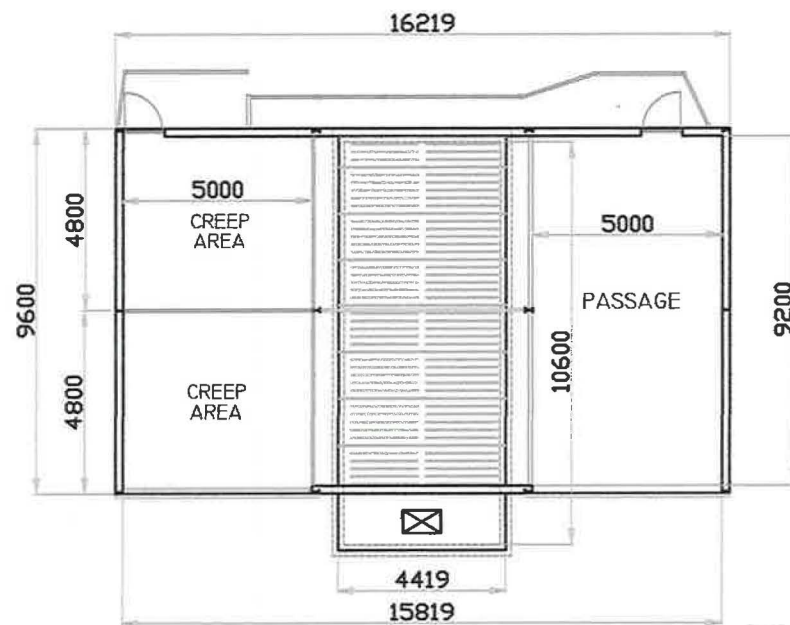
SOUTHERN ELEVATION



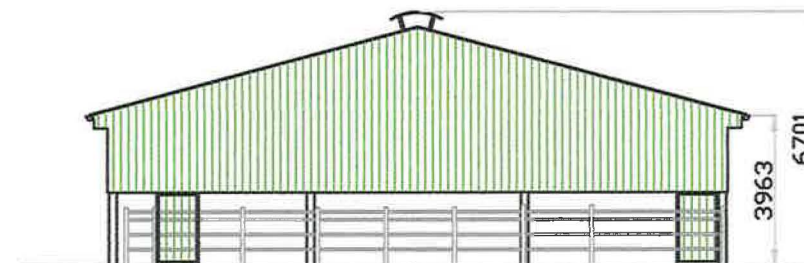
EASTERN ELEVATION



NORTHERN ELEVATION



PLAN



WESTERN ELEVATION

JAMES WALSH

PROPOSED NEW CONSTRUCTION
OF A SLATTED UNIT
& ASSOCIATED SITE WORKS.

AT KNOCKATTEMPE,
KILNAMONA,
Co. CLARE.

SCALE: 1 : 200
DATE: MAY 2023

ALL DIMENSIONS IN MILLIMETERS
UNLESS OTHERWISE STATED

DRG'S PREP. BY : NIAL GEOGHEGAN
ADDRESS: BALLYBEG, ENNIS.
MOBILE : 087 2061697

ROOF

"TEGRAL AGRIBUILD 2000" STEEL CLADDING OR
FIBRE-CEMENT CLADDING ON 150MM x 75MM TREATED TIMBER
PURLINES WITH D.P.C. STRIP
COVERING ON DIPPED STEEL STANCHIONS TO COMPLY
WITH DEPT OF AGRICULTURE SPECIFICATION S.123, S.101 & 102

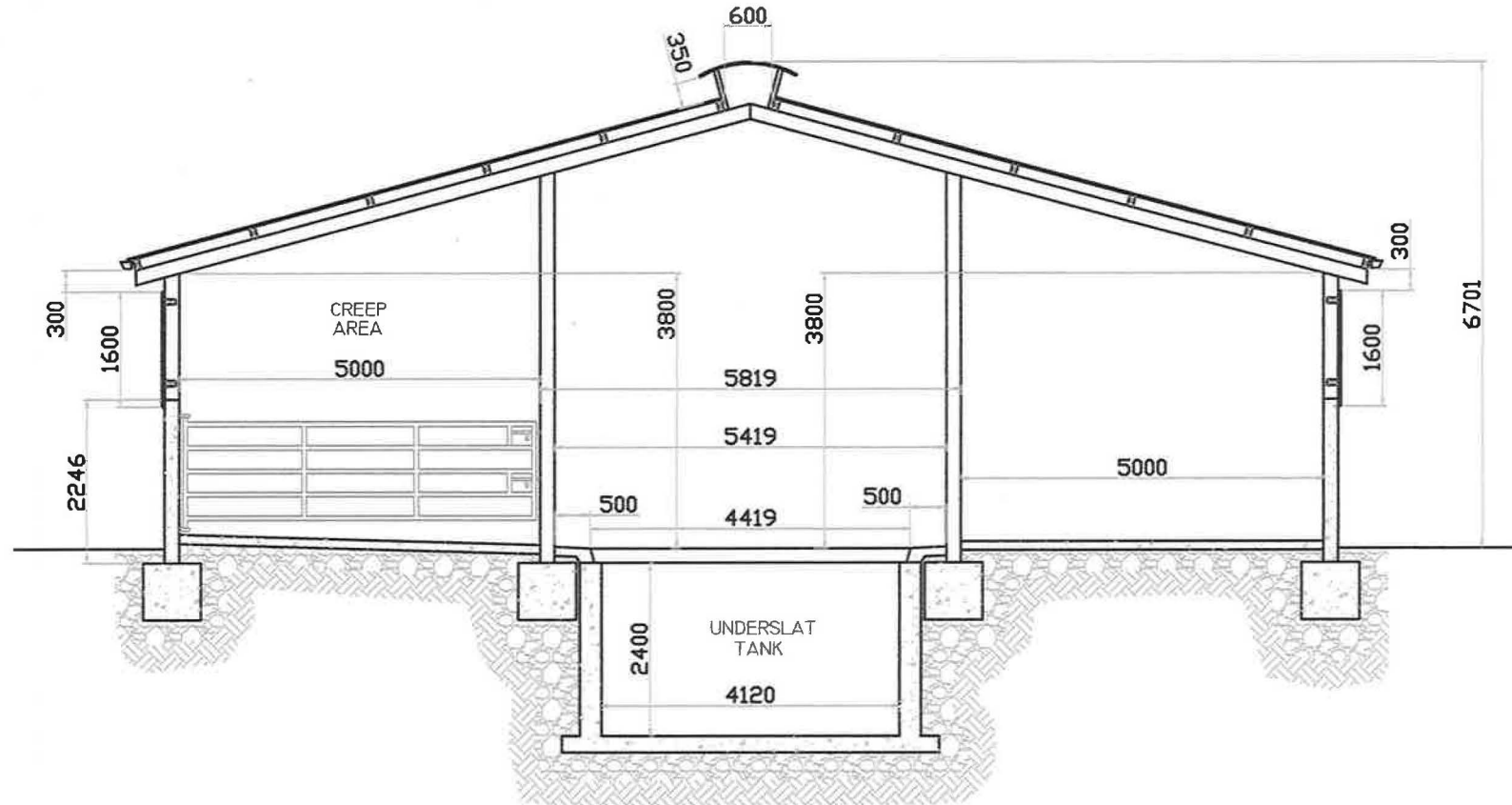
WALLS

TO CONSIST OF EITHER 225MM CONC BLOCK WALL CONSTRUCTION
PLASTERED BOTH INTERNALLY & EXTERNALLY OR OF 225MM
SHUTTERED SOLID CONC WALL WITH 28 DAY CRUSHING
STRENGTH OF 37 N/MM² TO COMPLY WITH DEPT OF AGRICULTURE
S.101, S.102 & S.123

FLOOR

125MM CONC SLAB WITH 28 DAY CRUSHING STRENGTH OF 37 N/MM²
ON 50MM SAND/DUST BLINDING ON 150MM HARDCORE.
TO COMPLY WITH DEPT OF AGRICULTURE S.101, S.123

FOUNDATIONS TO DEPARTMENT SPEC. S.101 & S.123
TO ENGINEERS DETAIL.



SECTION

JAMES WALSH

PROPOSED NEW CONSTRUCTION
OF A SLATTED UNIT
& ASSOCIATED SITE WORKS.

AT KNOCKATTEMPEL,
KILNAMONA,
Co. CLARE.

SCALE: 1 : 100
DATE: MAY 2023

ALL DIMENSIONS IN MILLIMETERS
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DRG'S PREP. BY : NIALL GEORGHEGAN
ADDRESS: BALLYBEG, ENNIS.
MOBILE : 087 2061697

Site Location Map

JAMES WALSH SLATTED UNIT IN RED
LAND HOLDING IN BLUE SPREADLANDS IN GREEN



Tailte
Éireann

**CENTRE
COORDINATES:**
ITM 526911,680432

PUBLISHED: 01/05/2023
ORDER NO.: 50332042_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: CE033

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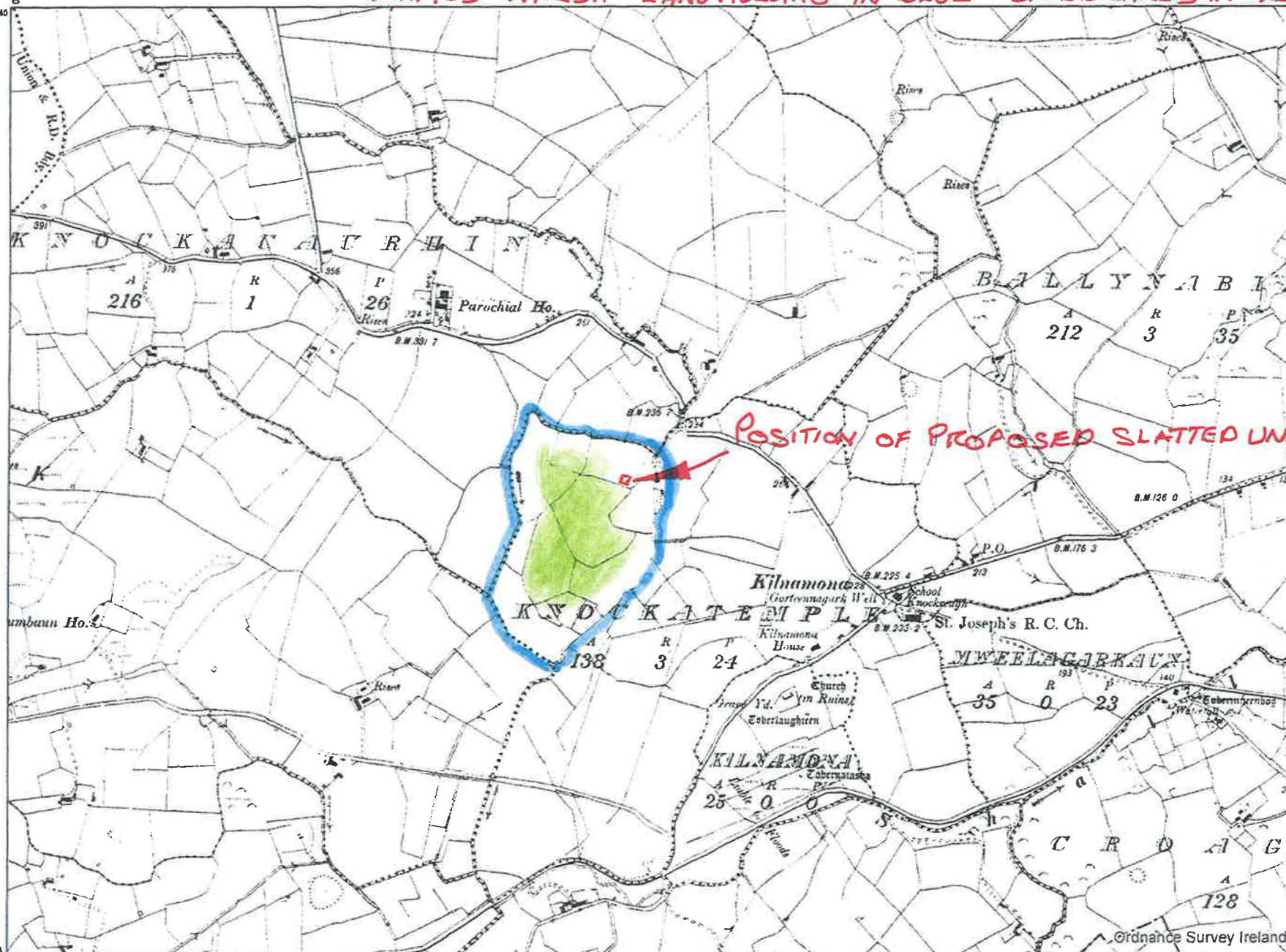
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0 110 220 330 440 Metres
0 200 400 600 800 1,000 Feet

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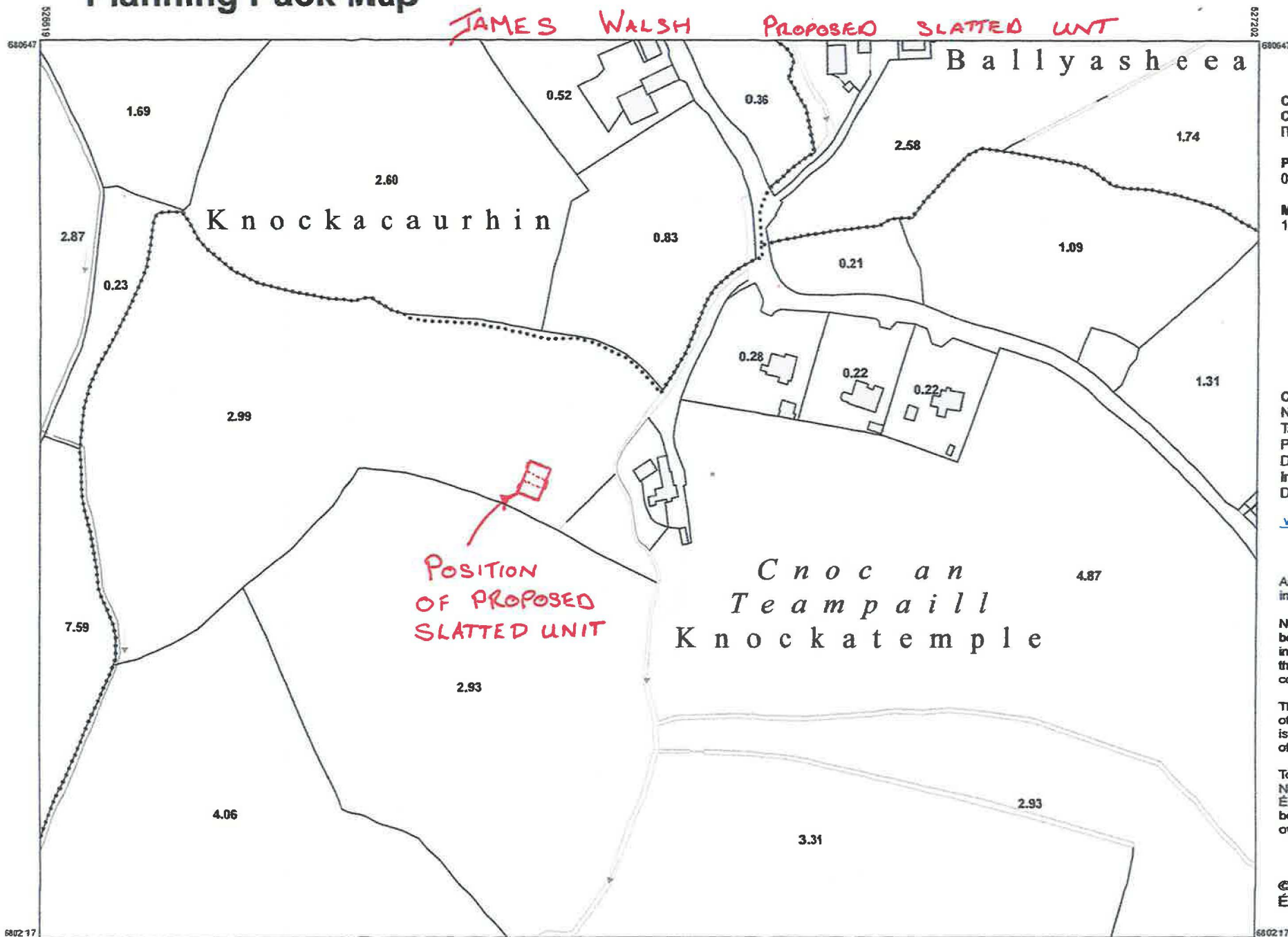
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Planning Pack Map



Tailte
Éireann

JAMES WALSH PROPOSED SLATTED UNIT



**CENTRE
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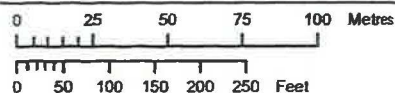
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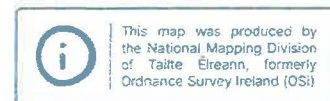
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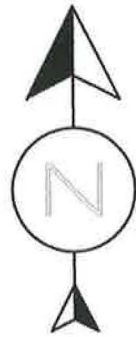


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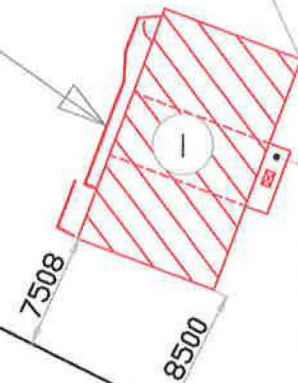
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LEGEND:
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www.osi.ie and search for
'Large Scale Legend'





PROPOSED
SLATTED UNIT
IN RED



111402

2953

2

3

5

4

6

8

7

NEIGHBOURING
DWELLING

NEIGHBOURING
STORE

MAP REFERENCE
4262-B

ITM COORDINATES
526911, 680432

FARM BUILDING SCHEDULE:

- 1 = PROPOSED SLATTED UNIT 15.82x9.2 = AREA 145.54 SQ. METERS (SHOWN IN RED)
- 2 = UNDERSLAT TANKS FOR (No.1) 4.12x2.4x10.6 = VOLUME 104.81 CUBIC METERS (SHOWN IN RED)
- 3 = LOOSE HOUSE 9.2x5.6 = AREA 51.5 SQ. METERS
- 4 = ANIMAL HANDLING YARD WITH CATTLE CRUSH 18.7VARIES x 6.0VARIES = AREA 126.8 SQ. METERS
- 5 = DOMESTIC STORAGE
- 6 = DOMESTIC STORAGE
- 7 = DOMESTIC STORAGE
- 8 = APPLICANTS DWELLING

JAMES WALSH

PROPOSED NEW CONSTRUCTION OF A SLATTED UNIT,
& ASSOCIATED SITE WORKS.

AT KNOCKATEMPLE, KILNAMONA,
CO. CLARE.

SCALE: 1 : 500

DATE: MAY 2023

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