



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Registered Post**

Oisín Liston  
Cherry House  
Woodcock Hill  
Meelick  
Co. Clare  
V94 X3XD

**27th October 2023**

**Section 5 referral Reference R23-77 – Oisín Liston**

Is the construction of a farm roadway development and if so is it exempted development?

A Chara,

I refer to your application received on 3rd October 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

Anne O'Gorman  
Staff Officer  
Planning Department  
Economic Development Directorate

**An Roinn Pleanála**  
**An Stiúarthóireacht 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:

82630

Reference Number:

R23-77

Date Referral Received:

3rd October 2023

Name of Applicant:

Oisín Liston

Location of works in question:

Ballyvoughallan, Cratloe, Co. Clare

**Section 5 referral Reference R23-77 – Oisín Liston**

Is the construction of a farm roadway 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) Schedule 2, Article 6, Part 1-4 of the Planning and Development Regulations 2001 (as amended)
- (c) Schedule 2, Article 6, Part 1, Class 13 of the Planning and Development Regulations 2001 (as amended)
- (d) Article 9(1) 'Restrictions on Exempted Development' of the Planning and Development Regulations 2001 (as amended)
- (e) The details and particulars as received by the Planning Authority on the 03 October 2023.

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

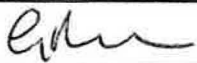
- (a) The proposed construction of a farm roadway constitutes both works and development.
- (b) There are no exemptions that can be availed of under the Planning Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended) which would render the proposed development of a farm roadway to be exempted development.

**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 a farm roadway to access farmland at Ballyvoughallan, Cratloe, Co. Clare is considered development which is not exempted development.

Signed:



GARETH RUANE  
SENIOR EXECUTIVE PLANNER

Date:

27th October 2023

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

**Reference No.: R23-77**



**Comhairle Contae an Chláir  
Clare County Council**

**Section 5 referral Reference R23-77**

**Is the construction of a farm roadway development and if so is it exempted development?**

**AND WHEREAS, Oisín Liston** 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) Schedule 2, Article 6, Part 1-4 of the Planning and Development Regulations 2001 (as amended)
- (c) Schedule 2, Article 6, Part 1, Class 13 of the Planning and Development Regulations 2001 (as amended)
- (d) Article 9(1) 'Restrictions on Exempted Development' of the Planning and Development Regulations 2001 (as amended)
- (e) The details and particulars as received by the Planning Authority on the 03 October 2023.

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

- (a) The proposed construction of a farm roadway constitutes both works and development.
- (b) There are no exemptions that can be availed of under the Planning Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended) which would render the proposed development of a farm roadway to be exempted development.

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

The proposed development consisting of the construction of a farm roadway to access farmland at Ballyvoughallan, Cratloe, Co. Clare **constitutes development** which 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

27th October 2023

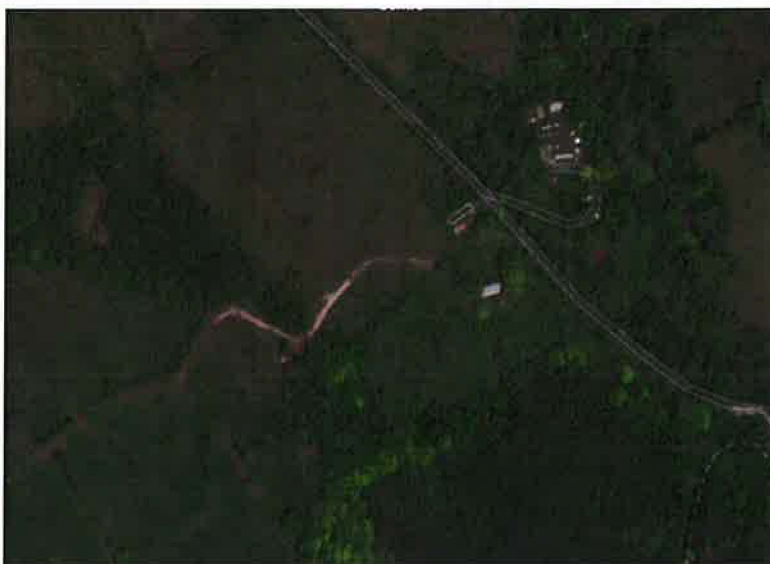
**CLARE COUNTY COUNCIL**

**SECTION 5 REFERRAL**

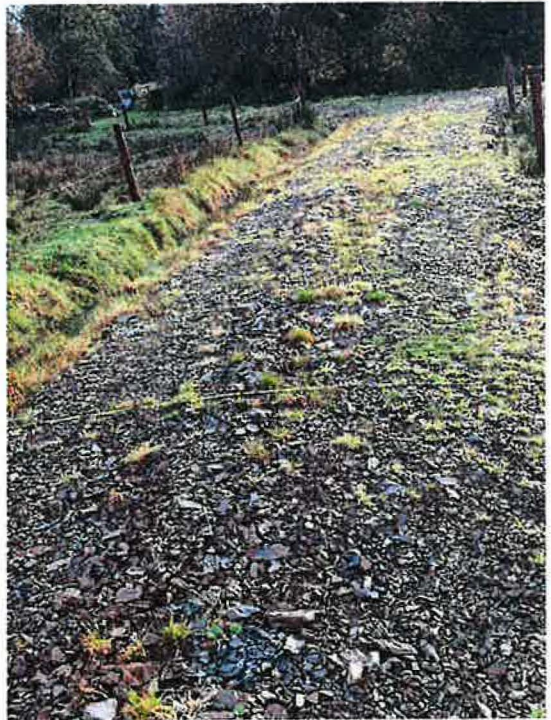
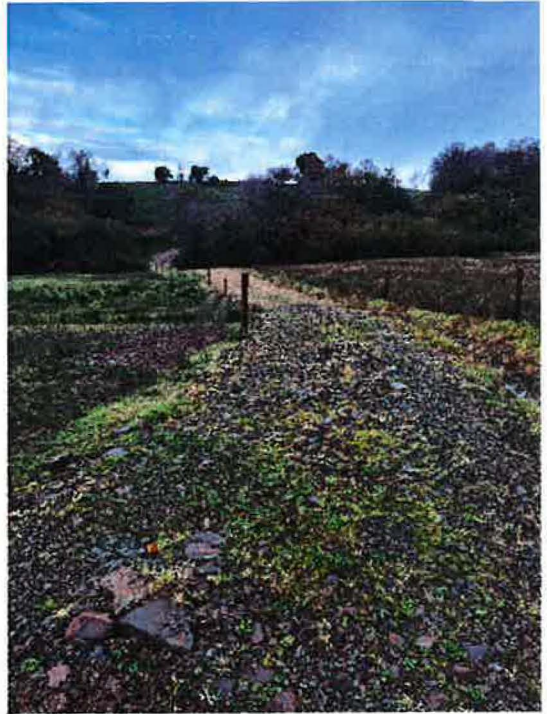
<b>Reference No:</b>	R23 77
<b>Applicant:</b>	Oisin Liston
<b>Location:</b>	Ballyvoughallan, Cratloe County Clare.
<b>Proposal:</b>	Is the construction of a farm Road Way Development and if so, is it exempted development.
<b>Due Date:</b>	30 <sup>th</sup> October 2023

**Introduction and site location**

This proposal is a request for a declaration under Section 5 of the Planning and Development Act, 2000 (as amended) to determine whether the construction of a farm roadway constitutes development and if so, is it exempted development. The subject lands are located in a rural area to the north east of Cratloe and are accessed via a local road, the L-7110. There are large areas of planted forestry at this location. The area where it is proposed to construct a new road is not planted for forestry and is agricultural land. There is an existing agricultural access gate into the lands to which this referral relates.



**Figure 1; Aerial view of subject lands, taken from Bing maps**



Views of existing roadway at this site.

The proposal in this regard is to construct a farm roadway through the refers lands to access farmlands. The proposed roadway is to be constructed of local shale and will be accessible from the local road, the L -7110. The L-7110 is a narrow local road and two cars cannot pass on this road unless one car pulls in off the roadway and cars can only pass at certain points. Having consulted with the Road Design Office of Clare County Council, I am satisfied that L -7110 has a road width of less than 4m, its width is 3.5m.

### **Planning History**

Adjacent to the proposed location of a new access road;

- **23-60204**

Oisín and Kate Liston

Permission was sought for the construction of single storey sunroom and boiler room extensions to existing dwelling house, a raised external deck, change of use of existing out buildings to residential use and all ancillary site services at Cherry House, Woodcock Hill, Meelick, Co. Clare. Permission was granted subject to conditions.

- **17-117**

This is on lands across the local road from the subject lands  
Dolores Dineen and Marie Field.

Permission was sought for the retention of ( 1) a dwelling house, domestic garage, entrance and all ancillary site works, (2) four agricultural buildings and all ancillary works.

Permission was granted subject to conditions.

### **UD 15/042**

This was an unauthorized development file on the lands across the local road from the subject lands. A warning notice was issued as regards the operation of an airsoft adventure center. The file was closed in July 2017 when the owner of the land advised that the structures were removed from the site.



### 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.

Schedule 2, Article 6, Part 1 of the Planning and Development Regulations 2001 (as amended) sets out the following classes of exempted development which require consideration:

Column 1 Description of Development	Column 2 Conditions & Limitations
<b>Class 13</b> <b>The repair or improvement of any private street, road, or way, being works carried out on land within the boundary of the street, road or way and the construction of any private footpath or paving</b>	<b>The width of any such private footpath or paving shall not exceed 3 meters.</b>

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.*

There is no exempt development provision in either the Planning and Development Act 2000 ( as amended) or in the Planning and development Regulations 2001 ( as amended) for the construction of a new private access way.

**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.*

The stated development is development and is works.

Regard has also been had to the Exempted development provisions as set out under Section 4 of the Planning and Development Act 2000 ( as amended) as follows;

Exempted development. **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;
- (b) development by the council of a county in its functional area, exclusive of any borough or urban district;
- (c) development by the corporation of a county or other borough in that borough;
- (d) development by the council of an urban district in that district;
- (e) development consisting of the carrying out by the corporation of a county or other borough or the council of a county or an urban district of any works required for the construction of a new road or the maintenance or improvement of a road;

- (f) development carried out on behalf of, or jointly or in partnership with, a local authority that is a planning authority, pursuant to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity;
- (g) development consisting of the carrying out by any local authority or statutory undertaker of any works for the purpose of inspecting, repairing, renewing, altering or removing any sewers, mains, pipes, cables, overhead wires, or other apparatus, including the excavation of any street or other land for that purpose;
- (h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;
- (i) development consisting of the thinning, felling and replanting of trees, forests and woodlands, the construction, maintenance and improvement of non-public roads serving forests and woodlands and works ancillary to that development, not including the replacement of broadleaf high forest by conifer species;
- (j) development consisting of the use of any structure or other land within the curtilage of a house for any purpose incidental to the enjoyment of the house as such;
- (k) development consisting of the use of land for the purposes of a casual trading area (within the meaning of the [Casual Trading Act, 1995](#));
- (l) development consisting of the carrying out of any of the works referred to in the [Land Reclamation Act, 1949](#), not being works comprised in the fencing or enclosure of land which has been open to or used by the public within the ten years preceding the date on which the works are commenced.

There is no form of exempt development under the Planning and Development Act 2000 (as amended) that would allow for the stated development to be considered to be exempted development.



### **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 minor 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.

### **Assessment**

This Section V referral is a request for a declaration under Section 5 of the Planning and Development Act, 2000 (as amended) to determine whether the construction of a farm roadway constitutes development and if so, is it exempted development.

It is noted from my inspection of this site that there is an existing access laneway/ access way on this site, however the question posed to the Planning Authority by this referral does not relate to the repair or improvement of any existing accessway, it only relates to the construction of a farm roadway.

Article 9 of the Planning and Development Regulations 2001 ( as amended) sets out restrictions on exempted developments. Schedule 2, Article 6, Part 1 of the Planning and Development Regulations 2001 (as amended) sets out the classes of exempted development:

**There is no class of exempted development that would allow for the construction of a new access road without planning permission.**

There is an existing access lane way on this site as can be seen from the photos taken on an inspection of the site on 26-10-23. The referral question relates to a new road and not the to improve an existing road or way. This existing access way is poorly defined and does not appear to have the benefit of planning permission.

On Inspection of this site, I measured different parts of the road way. The surface of the road way is not the same/ is not uniform for the length of the roadway and different areas of the road way have different surface treatment and have different carriageway widths. From my measurements of the road. I found that some parts of the road was approx. 3m in width, however other sections were more than 3m in width.

The following class of exempted development applies in cases of repairs to an existing Road or way.

Column 1 Description of Development	Column 2 Conditions & Limitations
<b>Class 13</b> <b>The repair or improvement of any private street, road, or way, being works carried out on land within the boundary of the street, road or way and the construction of any private footpath or paving</b>	<b>The width of any such private footpath or paving shall not exceed 3 meters.</b>

In the Referral details submitted, no reference is made it any new access gateway or otherwise. Similarly, this referral does not make any reference to the repair or improvement of any existing private street, road, or way.

The question that has been asked of the Planning Authority is:

***“ Is the construction of a farm road way to access farmland exempted development”.***

It is my view that the Planning Authority in consideration of this Section V referral, should answer the exact question as has been posed to the Authority and it is not appropriate that the Planning Authority consider or formulate a new question to form the basis of this Referral.

#### **Conclusion:**

There is no class of exempted development in either the Planning and Development Act 2000( as amended) or in the Planning and Development Regulations 2001 ( as amended) that would allow for the construction of a new access road without planning permission. Accordingly, the stated works are development and are not exempted development.

**Recommendation:**

**Whereas a question has arisen as to whether** the construction of a farm roadway constitutes development and if so, is it exempted development.

**And Whereas** Clare County Council (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) Schedule 2, Article 6, Part 1-4 of the Planning and Development Regulations 2001 (as amended)
- (c) Schedule 2, Article 6, Part 1, Class 13 of the Planning and Development Regulations 2001 (as amended)
- (d) Article 9(1) 'Restrictions on Exempted Development' of the Planning and Development Regulations 2001 (as amended)
- (e) The details and particulars as received by the Planning Authority on the 03 October 2023.

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

- (a) The proposed construction of a farm roadway constitutes both works and development.
- (b) There are no exemptions that can be availed of under the Planning Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended) which would render the proposed development of a farm roadway to be exempted development,

**Now therefore** Clare County Council, in exercise of the powers conferred on it by section 5(2) of the Planning & Development Act, 2000, as amended, hereby decides that the construction of a farm roadway to access farmland constitutes development which is **not exempted development**.

Annemarie McCarthy  
Executive Planner  
26-10-23

A. McCarthy 26-10-23  
exec planner

Q. Hume  
SEP  
26/10/23.



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

Oisín Liston  
Cherry House  
Woodcock Hill  
Meelick  
Co. Clare  
V94 X3XD

03/10/2023

**Section 5 referral Reference R23-77 – Oisín Liston**

Is the construction of a farm roadway development and if so is it exempted development?

A Chara,

I refer to your application received on 3rd October 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 Stiúirtheoireacht 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 Chláir  
New Road  
Ennis  
Co Clare

03/10/2023 14:46:27

Receipt No. : L1CASH/0/355271  
\*\*\*\*\* REPRINT \*\*\*\*\*

OISIN LISTON  
CHERRY HOUSE  
WOODCOCK HILL  
MEELICK  
CO. CLARE  
V94 X3XD  
R23-77

COMHAIRLE  
CONTAE  
AN CHLÁIR

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)



Comhairle Contae an Chláir  
Clare County Council

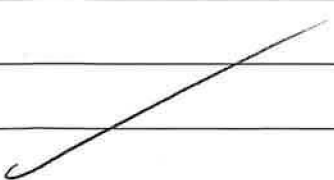
93 OCT 2023

R23-77

**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	Oisín Liston Cherry House Woodcock Hill Meelick Co Clare, V94 X3XD
(b) Telephone No.:	
(c) Email Address:	
(d) Agent's Name and address:	<div style="text-align: center;">  </div>

Please call  
to make payment

## 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 construction of farm roadway to access  
 farmland exempted development.

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

Construction of farm roadway to access internal  
 farmland

Single track constructed of local  
 shale.

- (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)*

Map showing route of proposed farm roadway  
 to allow access to all fields within farm

**3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT**

(a) Postal Address of the Property/Site/Building for which the declaration sought:	Cherry House Woodcock Hill Meelick 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)?:	no
(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:	December 2023

SIGNED: Orin Lisk

DATE: 2/10/23



### **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:

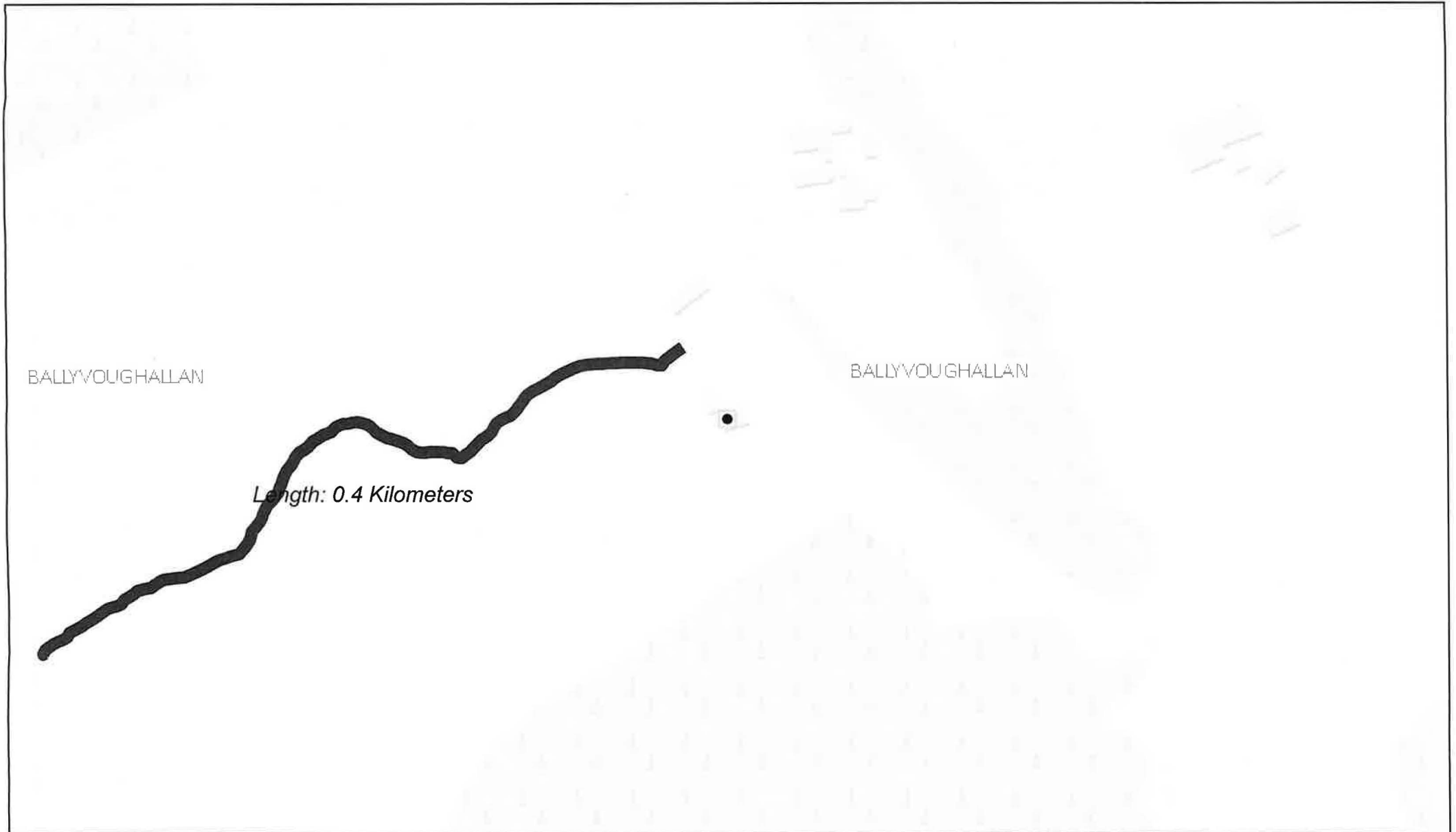
Planning Department,  
Economic Development Directorate,  
Clare County Council  
Aras Contae an Chlair,  
New Road,  
Ennis,  
Co. Clare  
V95DXP2

- (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

### **FOR OFFICE USE ONLY**

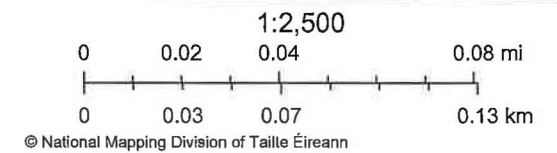
Date Received: .....	Fee Paid: .....
Date Acknowledged: .....	Reference No.: .....
Date Declaration made: .....	CEO No.: .....
Decision:.....	

# GeoHive Map



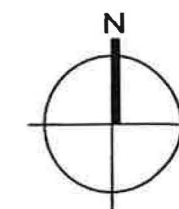
10/2/2023, 11:42:50 AM

 Override 1



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- A. THIS DRAWING IS FOR PLANNING PURPOSES ONLY.
- B. ALL DIMENSIONS ARE IN MILLIMETRES AND LEVELS METRES.
- C. ALL DIMENSIONS ARE TO FACE OF BLOCK OR BRICK OR STUD TYPICALLY UNLESS NOTED OTHERWISE.
- D. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT BUILDING REGULATIONS



## NOTES:

SITE BOUNDARY OUTLINED THUS

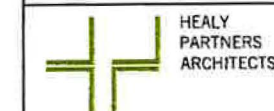
TOTAL SITE AREA .238 Hect (.587 Acres)

REVISION	DATE	DETAILS	ORIGIN

## DRAWING STATUS

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KATE &amp; OISIN LISTON

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HOUSE IN CRATLOEDRAWING TITLE  
SITE LOCATION MAP

DESIGN	CHECK	PASS	REVISION
DH	AH	AH	
DATE	SCALE		
MAY 2023	1:2500		
PROJECT NUMBER	DRAWING NUMBER		
22-110	201		

## Planning Pack Map

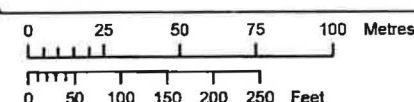
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COORDINATES:  
ITM 551006,662082

PUBLISHED: 25/05/2023 ORDER NO.: 50336893\_1

MAP SERIES: 1:5,000 1:2,500 MAP SHEETS: 4620 4620-B

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## SITE LOCATION MAP

SCALE 1:1000

201

RECEIVED: 09/06/2023

Baile Uí  
Mhothlacháin  
Ballyvoughallan  
3.43

SITE

0.24

p23-60204

An Chreatalach  
Mhaol  
Cratloe moyleCnoc na gCreabhach  
Woodcockhill