



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Registered Post**

**Patrick Hartigan  
C/o Deirdre Foran  
Lisdoonvarna  
Co. Clare**

**28th June 2024**

**Section 5 referral Reference R24-46 – Patrick Hartigan**

Is the extension to the rear of the existing building at Doonagore development and if so is it exempted development?

A Chara,

I refer to your application received on 4th June 2024 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 Stiúirthóireacht 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: 83790  
Reference Number: R24-46  
Date Referral Received: 4th June 2024  
Name of Applicant: Patrick Hartigan  
Location of works in question: Doonagore Doolin County Clare

**Section 5 referral Reference R24-46 – Patrick Hartigan**

Is the extension to the rear of the existing building at Doonagore 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) Planning and Development Regulations 2001 (as amended)
- (c) The details received by the Planning Authority and in particular the planning history on site.
- (d) The last use of the building as an office.

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

The extent of works proposed regarding the extension to an office building does not fall within the scope of Section 4 (1) (h) of the Planning and Development Act 2000 as amended because this section does not include for extensions.

There are no provisions for exemptions for extensions to offices within the scope of 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 extension to the rear of the existing building (office) at Doonagore, Doolin Co. Clare is **development** which is **not considered to be exempted development**.

Signed:

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



Date:

28th June 2024

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

**Reference No.: R24-46**



**Comhairle Contae an Chláir  
Clare County Council**

**Section 5 referral Reference R24-46**

**Is the extension to the rear of the existing building at Doonagore development and if so is it exempted development?**

**AND WHEREAS, Patrick Hartigan** 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) Planning and Development Regulations 2001 (as amended)
- (c) The details received by the Planning Authority and in particular the planning history on site.
- (d) The last use of the building as an office.

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

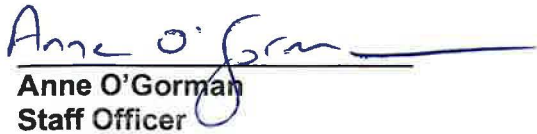
The extent of works proposed regarding the extension to an office building does not fall within the scope of Section 4 (1) (h) of the Planning and Development Act 2000 as amended because this section does not include for extensions.

There are no provisions for exemptions for extensions to offices within the scope of 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 extension to the rear of the existing building (office) at Doonagore , Doolin Co. Clare is **development** which is **not considered to be 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**

**28th June 2024**

**SECTION 5 DECLARATION OF EXEMPTION APPLICATION  
PLANNERS REPORT**

**FILE REF:** 24/ 46  
**APPLICANT(S):** Patrick Hartigan  
**REFERENCE:** Whether an extension to the rear of an existing building is or is not development and is or is not exempted development.  
**LOCATION:** Doonagore, Doolin County Clare  
**DUE DATE:** 1<sup>st</sup> July 24

**Site Location**

The building is located at Doonagore. The 'L' shaped site comprises small paddock area to the north surrounded by a low dry stone wall and the side garden to the west which is bound by a ravine which flows under the gated entrance to the site. It is occupied by a vacant building which was the subject of planning history detailed below.

There is no septic tank or percolation area serving the building and the owner informed me on inspection that the building is connected to the septic tank serving the main dwelling.

It appeared from inspection that the building was fitted out for office use ( see photos) and this use became established on foot of pl.96/ 8.

**Recent Planning History on site.**

**22/ 1003**

Maghnus Hartigan- Permission granted for change of use of the existing office to domestic use & extend the building, install a waste water treatment system & all other associated site & ancillary works.

The agent has advised in relation to this application that the project is cost prohibitive and it is now proposed to extend the building to the rear to provide 2 bedrooms and use the existing building as a kitchen / living space. The extension will have an internal area of 31.4sq.m.

96/ 8 Patrick Hartigan. Planning permission was granted to construct a septic tank and to change use of the outbuilding to office.

Condition 1 stated

*'The structure shall be used for offices purposes only , as set out under the letter received on the 5<sup>th</sup> march 1996 ad shall remain in that usage only so long as the dwelling house and office are occupied by the same people'.*

Condition 2 stated:

*'The proposed office shall not be used for any purpose other than those outlined in letter of the 5<sup>th</sup> March 1996 and shall not be disposed of or sublet separately from the remainder of the site'.*

In this regard clarification regarding the nature of office use was raised in a request for additional information and the applicant advised the Planning Authority on the 5<sup>th</sup> March 1996 that the office was used for teleworking (telecommunications intensive business) and that activities would include marketing via telephone, fax and internet as well as translating software programming, scientific, engineering and technical consultancy. It was advised that the use was incidental to the dwelling house as the office was to be occupied solely by the occupants of the existing house. It was advised that clients would be unlikely to visit.

Having regard to the foregoing description it is considered that the office use granted permission was incidental to the main dwelling and was essentially used for working from home purposes and did not fall within the scope of Class 2 use for the provision of offices where the services are provided principally to visiting members of the public but did fall within the definition of class 3.

In the interest of clarity the definition of class 2 and 3 are as follows:

Planning and Development Regulations part 4 Article 10 Exempted Development 0 Classes of use refers .

*Class 2*

*Use for the provision of-*

- (a) Financial services.*
- (b) Professional services ( other than health or medical)*
- (c) Any other services ( including use a betting office,*

*Where the services are provided principally to visiting members of the public.*

*Class 3*

*Use as an office , other than a use to which class 2 of this part of the Schedule applies.*

**Background to Referral**

The applicant is seeking a Section 5 Declaration as to whether the extension to the rear of an existing building is or is not development and is or is not exempted development..

This query under section 5 is also accompanying by a Notification under Article 10 ( c ) reference 24/ 15 a separate report for which has been prepared.

## 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*.

#### *Section 2(1) – Interpretation*

*In this Act, except where the context otherwise requires –*

*“structure” as any building, structure, excavation or other thing constructed or made on, in or under any land, or part of a structure so defined, and where the context so admits, includes the land on, in or under which the structure is situate*

*“use”, in relation to land, does not include the use of the land by the carrying out of any works thereon.*

Section 2 (1) ‘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.*

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.

#### *Exempted Development*

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

(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;*

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.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 1, Class 1 (extension) and Class 7 (Porch)

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,*

*(iv) 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**

The agent has advised the following in the documents submitted:

### **Particulars of the Development**

- The building was last used as an office ( class 3 )
- The proposed works do not fall within the scope of Section 4 because this section does not expressly include for extensions.
- The works, being an extension to an office do not fall within the scope of ‘Development within the curtilage of a dwellinghouse, Class 1 Schedule 2 Article 6 part 1, because this relates to extension to a house and the subject building is not a house.
- There are no exemptions for extensions to offices ( class 3) set out in Schedule 2 Article 6 , Part 1 of the Planning and Development Regulations 2001.
- The installation of a wwts and percolation / or upgrade an existing system does not fall within the scope of this query and would require the benefit of planning permission.

- The change of use from office to dwelling does not fall within the scope of this query.

### **Conclusion**

With reference to the above assessment, the proposed development cannot be considered exempted development for the purposes of Section 5.

### **Recommendation**

WHEREAS a question has arisen as to whether an extension to the rear of an existing building at Doonagore Doolin is or is not exempted development and is exempted development

### **AND WHEREAS Clare County Council in considering this referral, had regard particularly to -**

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Planning and Development Regulations 2001 (as amended)
- (c) the details received by the Planning Authority and in particular the planning history on site
- (d) The last use of the building as an office .

### **AND WHEREAS Clare County Council has concluded that –**

The extent of works proposed regarding the extension to an office building does not fall within the scope of Section 4 (1) (h) of the Planning and Development Act <sup>2000</sup> as amended, because this section does not include for extensions.

There are no provisions for exemptions for extensions to offices within the scope of Planning and Development Regulations 2001, as amended.

**NOW THEREFORE** Clare County Council, in exercise of the powers conferred on it by section 5(2) (a) of the 2000 Act, hereby decides:

The extension to the rear of the existing building ( office) at Doonagore , Doolin Co. Clare is development which is not considered to be exempted development.

  
**Ellen Carey**  
**Executive Planner**  
Date: 21/06/24.

  
**Garreth Ruane**  
**Senior Executive Planner**  
Date: 27/06/24.

## Appropriate Assessment & Determination

STEP 1. Description of the project/proposal and local site characteristics:	
(a) File Reference No:	R24/ 47
(b) Brief description of the project or plan:	Extension to an existing building
(c) Brief description of site characteristics:	Unoccupied building
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
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
Blackhead Poulsallagh Complex SAC	Reefs [1170] Perennial vegetation of stony banks [1220] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Water courses of plain to montane levels with the Ranunculus fluitans and Callitriche-Batrachion vegetation [3260] Alpine and Boreal heaths [4060] Juniperus communis formations on heaths or	1.97km	None	No



	calcareous grasslands [5130] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510] Petrifying springs with tufa formation (Cratoneurion) [7220] Limestone pavements [8240] Submerged or partially submerged sea caves [8330] Petalophyllum ralfsii (Petalwort) [1395]			
Cliffs of Moher	Fulmar (Fulmarus glacialis) [A009] Kittiwake (Rissa tridactyla) [A188] Guillemot (Uria aalge) [A199] Razorbill (Alca torda) [A200] Puffin (Fraterecula arctica) [A204] Chough (Pyrrhocorax pyrrhocorax) [A346]	0.42km	None	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 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation

objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> <li>• Vegetation clearance</li> <li>• Demolition</li> <li>• Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>• Dust, noise, vibration</li> <li>• Lighting disturbance</li> <li>• Impact on groundwater/dewatering</li> <li>• Storage of excavated/construction materials</li> <li>• Access to site</li> <li>• Pests</li> </ul>	<ul style="list-style-type: none"> <li>• Surface water runoff from soil excavation</li> <li>• Dust, noise, vibration</li> <li>•</li> </ul>
Operational phase e.g. <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	
In-combination/Other	None

(b) Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	None



(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes  No

#### 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.

**The proposed renovation may require upgrading of an existing septic tank and percolation area which requires the benefit of planning permission. The provision of such a system falls outside the scope of this query.**

**Having regard to the separation distance of the site to the nearest European sites and in the absence of direct or indirect hydrological pathways linking the subject site to European sites it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.**

**Conclusion: The proposed development is not likely to have significant effects on European site(s) in view of its conservation objectives.**

	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

Refuse planning permission

Signature and Date of  
Recommending Officer:

Ellen Carey.  
**Name: Ellen Carey E.P.**

21/ 06/ 24

Signature and Date of the  
Decision Maker:



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Patrick Hartigan**  
C/o Deirdre Foran  
Lisdoonvarna  
Co. Clare

**05/06/2024**

**Section 5 referral Reference R24-46 – Patrick Hartigan**

Is the extension to the rear of the existing building at Doonagore development and if so is it exempted development?

A Chara,

I refer to your application received on 4th June 2024 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 Stiúrtóireacht Forbairt Gheilleagrach**

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

**Planning Department**  
**Economic Development Directorate**

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



P07

**CLARE COUNTY COUNCIL  
COMHAIRLE CONTAE AN CHLÁIR**

Planning Department,  
Economic Development Directorate,  
Clare County Council,  
New Road, Ennis,  
Co. Clare.  
V95DXP2

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Email: [planoff@clarecoco.ie](mailto:planoff@clarecoco.ie)  
Website: [www.clarecoco.ie](http://www.clarecoco.ie)



R24-46

**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*

<b>1. CORRESPONDENCE DETAILS.</b>	
(a) Name and Address of person seeking the declaration	<p>PATRICK HARTIGAN</p> <hr/> <p>DOONAGORE</p> <hr/> <p>DOOLIN</p> <hr/> <p>CO CLARE</p> <hr/>
(b) Telephone No.:	
(c) Email Address:	
(d) Agent's Name and address:	<p>DEIRDRE FORAN</p> <hr/> <p>LISDOONVARNA</p> <hr/> <p>CO CLARE</p> <hr/>

**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 EXTENSION TO THE REAR OF THE EXISTING BUILDING AT  
DOONAGORE 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.

AN EXTENSION ONTO THE BUILDING ADJACENT TO THE MAIN DWELLING ON SITE

(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)*

BUILDING DRAWINGS; SITE LOCATION MAP; LANDHOLDINGS MAP; SITE LAYOUT  
PLAN



3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	DOONAGORE DOOLIN, 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):	HARTIGANS OWN THE LANDS WITHIN FOLIO FILE PLANS & TOTAL= 3.22HA
(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>	
(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>	NO
(h) Date on which 'works' in question were completed/are likely to take place:	JULY 2024

SIGNED: Dundie Foran  
AGENT

DATE: 31-05-2024

**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:	.....		

Planning Secretary  
Clare County Council  
New Road  
Ennis



31-05-2024

Reference: Patrick HArtigan, Doonagore, Doolin.

Dear Secretary,

I enclose the following applications on behalf of Patrick Hartigan, Doonagore:

1. Notification of change of use from Commercial to Residential under Article 10(6)

The subject building was previously used as an office, permission for which was granted under reference P96/8

2. Request for Declaration on Development and Exempted Development (Section 5 of the Planning & Development Act 2000 (as amended))

Planning was granted to extend and renovate the Office building under reference P22/1003 but increased costs associated with construction proved prohibitive for the development. It is now proposed to extend the building to the rear to provide two bedrooms, using the existing building as a kitchen/living area, wet room and entrance hall. The extension will have an internal area of 31.4 sqm.

Please consider these two applications in conjunction with each other. The owner intends to apply for the vacant homes grant scheme to assist in funding the proposed works.

Thankyou.

A handwritten signature in cursive script that reads "Deirdre Foran".

Deirdre Foran B.Eng.



**The Property  
Registration Authority  
An tÚdarás  
Clárúcháin Maoine**



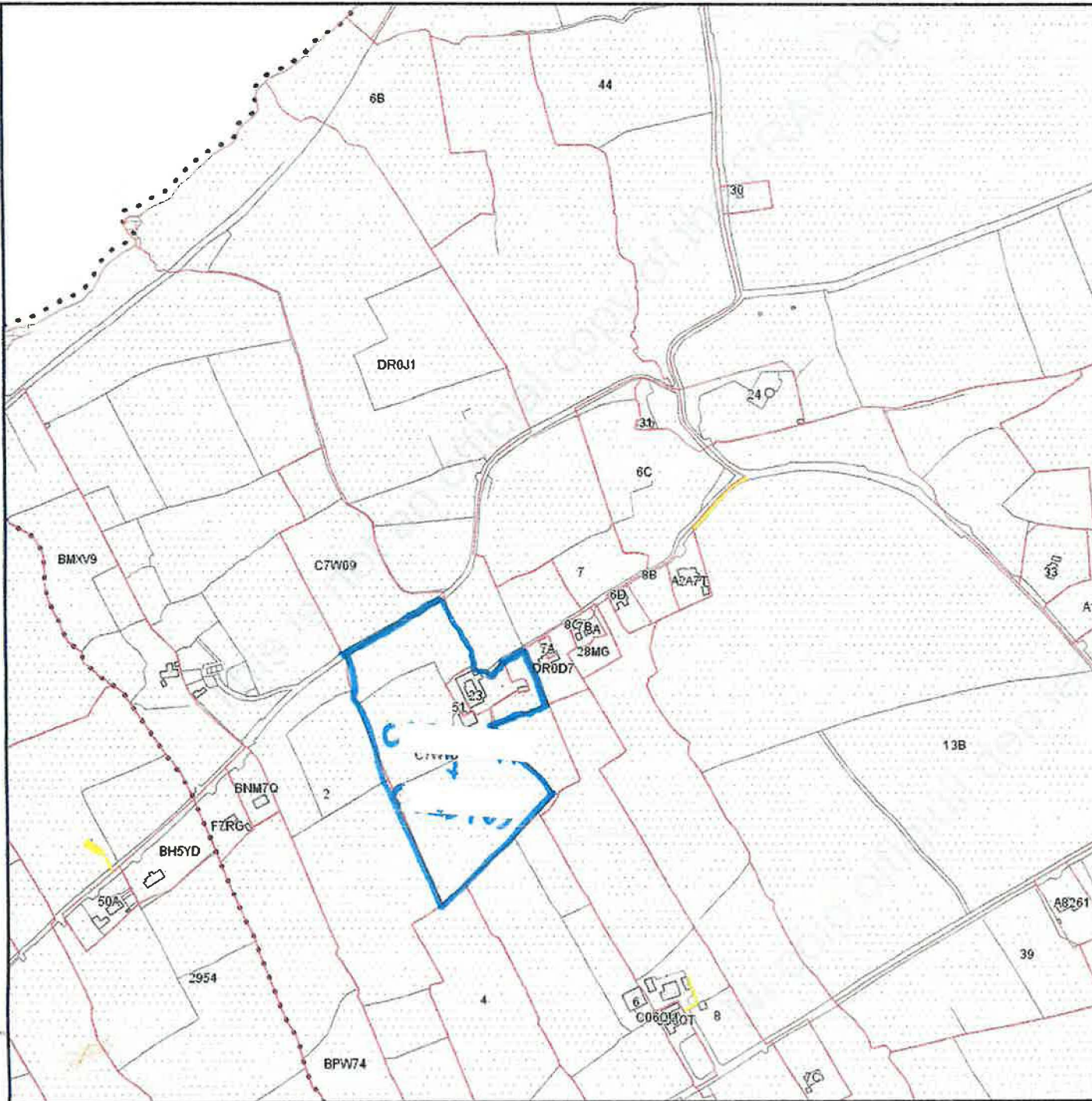
Official Property Registration Map

This map should be read in conjunction with the folio.

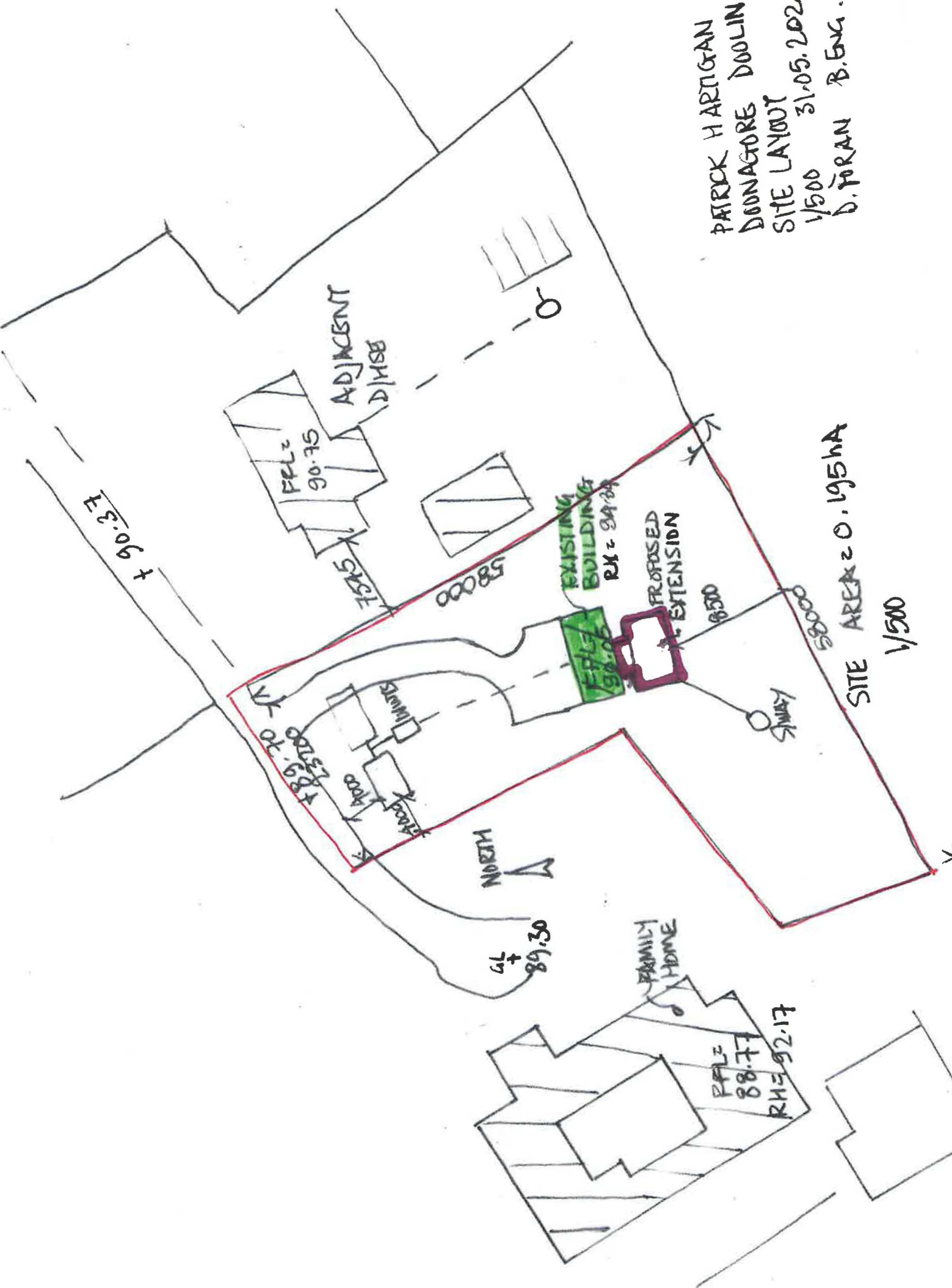
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PATRICK HARTIGAN  
DOONAGORE DOOLIN  
SITE LAYOUT  
1/500 31.05.2024  
D. FORAN B.ENG.



SITE AREA  $\approx$  0.195ha

1/500



# Land Registry Compliant Map

**CENTRE COORDINATES:**  
ITM 506635,695415

**PUBLISHED:** 14/10/2022  
**ORDER NO.:** 50297034\_1

**MAP SERIES:** 1:5,000  
**MAP SHEETS:** 3964

PATRICK HARTIGAN  
DOONAGORE DUBLIN  
K100 31.05.2024  
DORAN B. ENG.

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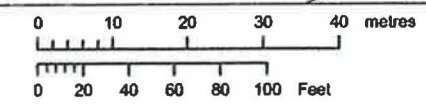
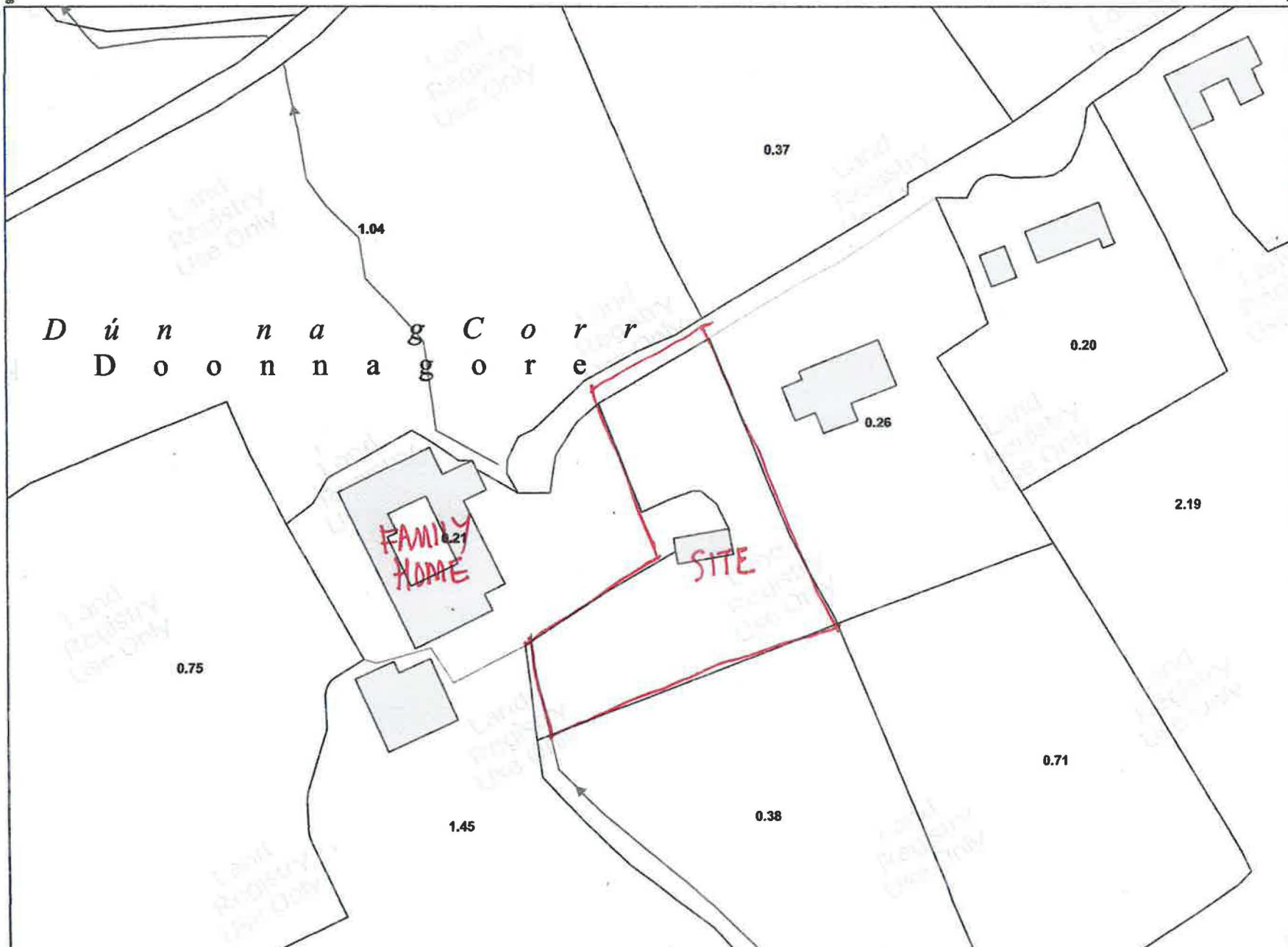
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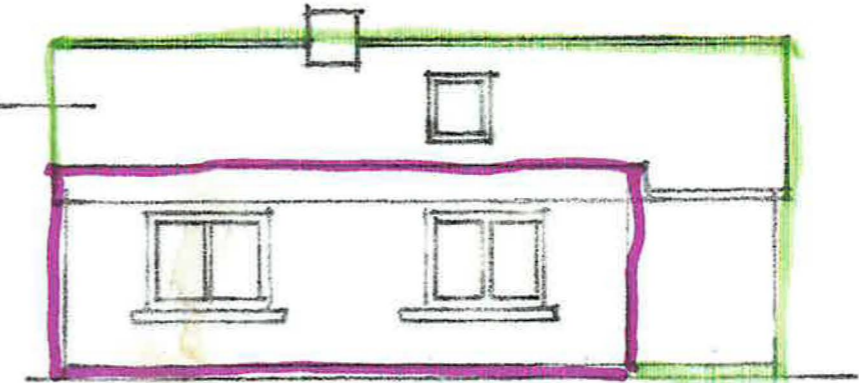
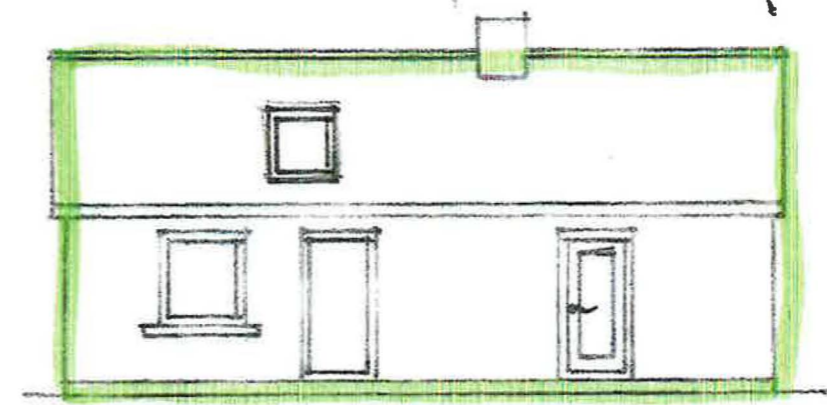
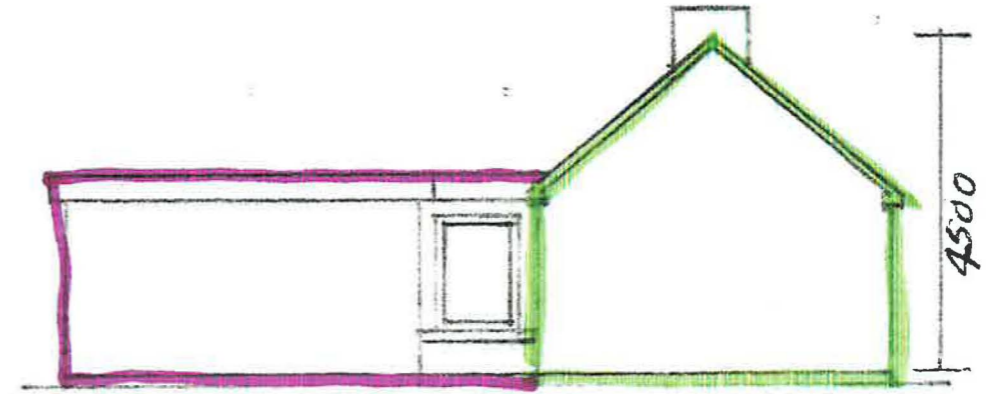
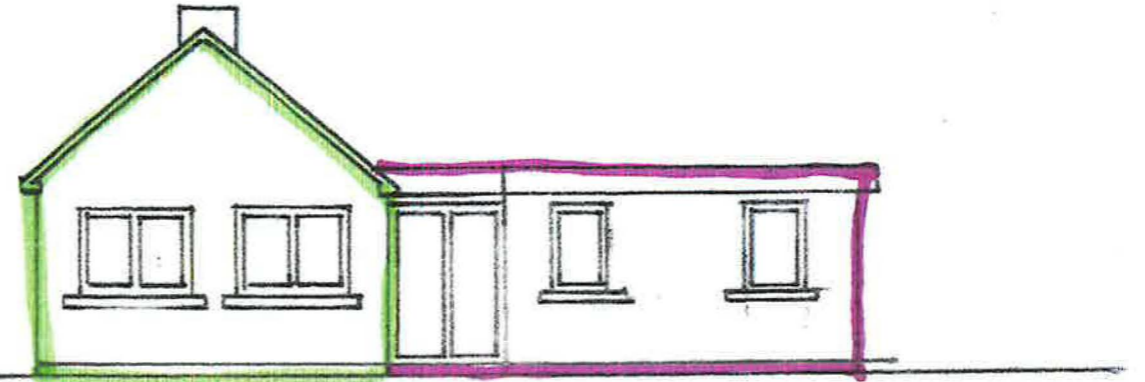
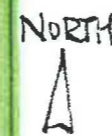
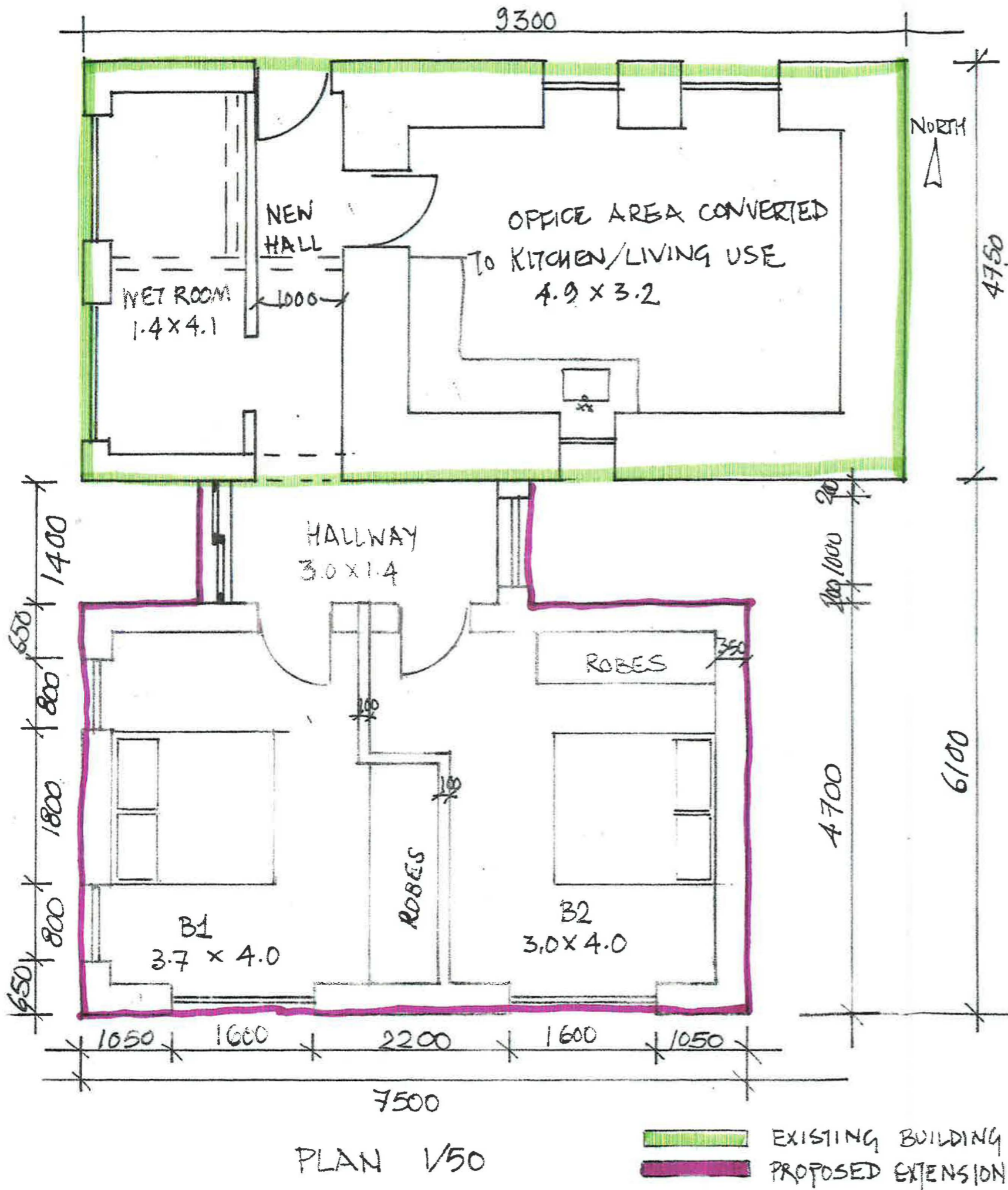


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VIEWS 1/100

PATRICK HARTIGAN  
 DOONAGORE  
 DOOLIN  
 PLAN VIEWS  
 1/50 & 1/100  
 31.05.2024  
 D. FORAN B.ENG.