



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Registered Post

**Ennistymon Community School
Lahinch Road
Ennistymon
Co. Clare
V95 YP46**

30th July 2025

Section 5 referral Reference R25-44 – Ennistymon Community School

Is the development of an all-weather pitch development and if so, is it exempted development?

A Chara,

I refer to your application received on 30th May 2025 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 Coimisiún Pleanála of the required fee, refer a declaration for review by An Coimisiún 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 Stiúthóireacht Forbairt Gheilleagrach
Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

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



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:

86034

Reference Number:

R25-44

Date Referral Received:

30th May 2025

Date Further Information Received:

11th July 2025

Name of Applicant:

Ennistymon Community School

Location of works in question:

**Ennistymon Community School,
Ennistymon, Co. Clare**

Section 5 referral Reference R25-44 – Ennistymon Community School

Is the development of an all-weather pitch 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, and 3 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 33 'Development for Amenity and Recreational Purposes' of Part 1 of Schedule 2, Article 6 of the Planning and Development Regulations 2001, as amended,
- (d) The limited nature and extent of works as indicated in submitted documents from the referrer.

AND WHEREAS Clare County Council has concluded:

- (a) The development of an all weather pitch constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended.
- (b) The said works constitute "development" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended
- (c) The said development of an all weather pitch is development which is exempted development having regard to the extent of works involved, its siting on an existing play area and the provisions of Classes 33 Schedule 2 of Part 1, Planning and Development Regulations 2001 as amended,

ORDER:

Whereas by Chief Executive's Order No. HR 343 dated 19th May 2025, Gordon Daly, 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 Garreth 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, Garreth Ruane, Senior Executive Planner, hereby declare that the development of an all weather pitch at Ennistymon Community School, Ennistymon, Co. Clare is considered development which is exempted development.

Signed:


GARRETH RUANE
SENIOR EXECUTIVE PLANNER



Date:

30th July 2025

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

Reference No.: R25-44



Section 5 referral Reference R25-44

Is the development of an all-weather pitch development and if so, is it exempted development?

AND WHEREAS, Ennistymon Community School 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 –

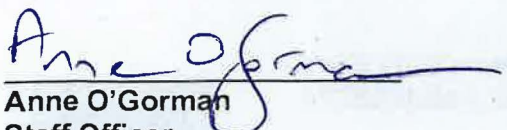
- (a) Sections 2, and 3 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (c) Class 33 'Development for Amenity and Recreational Purposes' of Part 1 of Schedule 2, Article 6 of the Planning and Development Regulations 2001, as amended,
- (d) The limited nature and extent of works as indicated in submitted documents from the referrer.

And whereas Clare County Council has concluded:

- (a) The development of an all weather pitch constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended.
- (b) The said works constitute "development" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended,
- (c) The said development of an all weather pitch is development which is exempted development having regard to the extent of works involved, its siting on an existing play area and the provisions of Classes 33 Schedule 2 of Part 1, 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 development of an all weather pitch at Ennistymon Community School, Ennistymon, 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

30th July 2025

COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION
PLANNERS REPORT (no. 2)

FILE REF:	R25-44
APPLICANT(S):	Ennistymon Community School
RE:	Whether the development of an all-weather pitch is development and if so is it exempted development .
LOCATION:	Ennistymon County Clare
DUE DATE:	30th July 25

Further information was requested as follows:

1 (a) Please arrange to submit scaled drawings of the proposed development (site layout plan scale 1: 500 and , other drawings scale 1 : 100, cross sections etc) and the description of the full nature and extent of the works proposed, extent of a drainage works, provision of a sub-base, provision of a levelling layer etc and clarify if any associated works such as fencing and lighting are proposed. If so, please provide details of such fencing and lighting.

(b) It is not clear from the details received how the all-weather pitch is to be drained. i.e. attenuated on site or drained to outfall to the Inagh River estuary SAC . Please indicate details of surface water drainage for the pitch.

Summary of Applicant's Reply.

The over all school property is outlined in blue and the Muga area in red.

The Muga will replace the existing grassed play area. No other development is proposed i.e. lighting or fencing .

The surface water from the Muga will drain into the ground. The existing stone sub base layer in place will allow for the natural drainage of surface water on the synthetic pitch and the combined with the drainage under the pitch area as connected to the stone filled soak aways, there will be adequate drainage of the proposed Muga. The proposed works as described to be under taken 'to replace the existing grass pitch with an artificial grass pitch would constitute exempted development under Class 33 (c) Part 1 of Schedule 2 of the Planning and Development Act 2000 as amended.

Assessment

Basis of Referral

The applicant is seeking a Section 5 Declaration as to whether the provision of the development of an all weather pitch is development and is or is not exempted development.

Similar proposals were deemed not exempted development under R 22/ 26 (in the grounds of Miltown Malbay school) . An Bord Pleanala decision under RL 3803 is also noted.

Planning and Development Regulations 2001 (as amended)

Class 33 Development for Amenity and Recreational purposes:

Development for the laying out and use of land for

- (a) As a park , private open space, or ornamental garden
- (b) As a road side shrine (subject to limitations)
- (c) Or athletic or sports (other than golf or pitch and putt, or sports involving the use of motor vehicles, aircraft, or fire arms) where no charge is made for admission of the public to the land.

There are no conditions or limitations attaching to item C.

Article 9 of the Planning and Development Regulations 2001, as amended

Article 9 of the Planning and Development Regulations 2001, as amended outlines restrictions on exempted development, and these are assessed below:

- (i) *contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.*

N/A It is noted that ball courts were proposed under 17/ 603 but there is no condition preventing the provision of all weather pitches.

- (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,*

N/A

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

N/A

- (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.*

No adverse impacts envisaged.

- (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,*

This is not applicable in this instance.

- (vi) *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,*

This is not applicable in this instance.

- (vii)
- a. *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,*

This is not applicable in this instance.

- b. *comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,*

Having regard to the nature and scale of the proposed development, and the potential connectivity to the Inagh River Estuary SAC European Site, Appropriate Assessment issues were not previously screened out. Having regard to the further information received, I am satisfied that surface water from the MUGA will not be directed to the SAC and as such will be drained on site. No impact on the SAC is envisaged.

- c. *consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."*

No adverse impacts envisaged.

- (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,*

This is not applicable in this instance.

- (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,*

This is not applicable in this instance.

- (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,*

This is not applicable in this instance.

- (xi) *obstruct any public right of way,*

This is not applicable in this instance.

- (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.

This is not applicable in this instance.

Conclusion

The provision of an astro turf / all weather pitches are generally not considered to come within the term 'The laying out and use of land... for athletics or sports' because the works that would be associated with constructing an astro-pitch would generally include drainage works, provision of a sub-base, provision of a levelling layer and may also include fencing and lighting which would be outside of the scope of the description of merely 'laying out'. However in this instance the location of the pitch is on a grassed area of the site. Drainage of surface water is to ground by existing stone sub base layer and soakaways. There is no hydrological connection to the Inagh River estuary SAC. In addition the applicant has clarified that no associated development, i.e. lighting or fencing is proposed.

Recommendation

I recommend that the following is issued to the applicant by the Planning Authority in this instance:

The Planning Authority in considering this referral had regard to:

- (a) Sections 2, and 3 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 33 'Development for Amenity and Recreational Purposes' of Part 1 of Schedule 2, Article 6 of the Planning and Development Regulations 2001, as amended,
- (d)The limited nature and extent of works as indicated in submitted documents from the referrer.

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

- (a) the development of an all weather pitch constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended.
- (b) the said works constitute "development" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended.

- (c) the said development of an all weather pitch is development which is exempted development having regard to the extent of works involved, its siting on an existing play area and the provisions of Classes 33 Schedule 2 of Part 1, Planning and Development Regulations 2001 as amended,

Now therefore Clare County Council (Planning Authority), hereby decides that development of an all weather pitch at Ennistymon Community School is development and is exempted development.

Signed Ellen Coey .

E.P.

Date 28-07-25 .

Signed GN .

S.E.P.

Date 30/07/25 .

REVISED Appropriate Assessment & Determination on foot of receipt of further information.

STEP 1. Description of the project/proposal and local site characteristics:	
(a) File Reference No:	R25- 44
(b) Brief description of the project or plan:	Development of an all weather pitch in school grounds
(c) Brief description of site characteristics:	Grass
(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 Interest¹	Distance from proposed development² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Inagh River estuary SAC	Annex I Habitats • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] • Mediterranean salt meadows Juncetalia	230m to the north as the crow flies	None	No

	maritime) [1410] • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] • *Fixed coastal dunes along the shoreline with herbaceous vegetation (grey dunes) [2130]			

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

² 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. • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration	Surface water runoff from soil excavation

<ul style="list-style-type: none"> • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	<ul style="list-style-type: none"> • Surface water runoff containing contaminant or sediment
In-combination/Other	Unknown

(b) Describe any likely changes to the European site:

<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI 	<ul style="list-style-type: none"> • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI
---	--

- Interference with the key relationships that define the structure or ecological function of the site

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

☐ Yes ☐ No

Unknown

Step 4. Screening Determination Statement

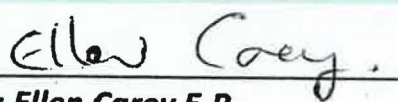
The assessment of significance of effects:

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

Having regard to the further information received, surface water arising is proposed to be drained to the ground on site and none is permitted flow towards the Inagh River estuary. As such it is considered that the proposed development will not be likely to have significant effects on European site(s) in view of its conservation objectives.

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 no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain 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) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	28 th July 25	<div> Name: Ellen Carey E.P.</div>
Signature and Date of the Decision Maker:		



McKenna Consulting Engineers

Civil & Structural

Clare County Council,
Planning Dept,
New Road,
Ennis,
Co. Clare.

CLARE
COUNTY COUNCIL

11 JUL 2025

Received
Planning Section

8th of July 2025

Via email: planoff@clarecoco.ie

Our Ref: 25227 – 7.1

Re: Section 5 Reference R25-44 Ennistymon Community School

**Proposed Muga at Ennistymon Community School;
Works to include, upgrade of existing playing area to provide new
MUGA Playing Pitch with associated ancillary drainage works**

Attn of Planning Department,

Please see enclosed the following details in response to further information requested.

1. Site Location Map, showing School location and proposed Muga Area. Overall School property is outlined in blue with proposed Muga location outlined in red.
2. The Site Layout Plan at scale 1:500 shows the location of the proposed Multi Use Games Area. The proposed Muga will replace the current / existing grass playing area.
3. The proposed development is for a Multi Use Games Area to replace the existing grass playing surface. The Section 5 Application is for the MUGA playing surface only. There are no other development works proposed under the Section 5 Application.
4. The surface water from the proposed Muga will effectively drain into the ground. The natural build up of the stone sub-base to the play area will allow for natural drainage of surface water on the synthetic pitch and combined with the drainage under the pitch area as connected to stone filled soakaway's there will be adequate drainage of the proposed play area.
5. The proposed works as described to be undertaken, "to replace the existing grass pitch with an artificial grass pitch" would constitute exempted development under Class 33(c) of Part 1 of Schedule 2 of the Planning and Development Act 2000, as amended.

tel: 086 8657569 | web: www.mckennaconsultingengineers.com

Company Directors: T McKenna B.Sc.Dip.Proj.Mgmt.C.Eng.M.I.E.I. C McKenna B.A.D.L.B

Consultant: J.B. McKenna MBA C.Eng. Building IDIPCE AMICE M.I.E.I.



Please let us know if you require any further information in relation to this Section 5 Application.

Yours Sincerely,

John Shannon

**On Behalf of
McKenna Consulting Engineers**



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Ennistymon Community School
Lahinch Road
Ennistymon
Co. Clare
V95 YP46

23/06/2025

Section 5 referral Reference R25-44 – Ennistymon Community School

Is the development of an all-weather pitch development and if so, is it exempted development?

A Chara,

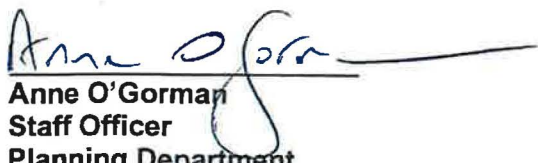
I refer to your application received on 30th May 2025 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

I wish to advise that in accordance with Section 5 (2) (b) of the Planning & Development Act, 2000, as amended, the following further information is required:

1 (a) Please arrange to submit scaled drawings of the proposed development (site layout plan scale 1: 500 and , other drawings scale 1 : 100, cross sections etc) and the description of the full nature and extent of the works proposed, extent of a drainage works, provision of a sub-base, provision of a levelling layer etc and clarify if any associated works such as fencing and lighting are proposed. If so, please provide details of such fencing and lighting.

(b) It is not clear from the details received how the all-weather pitch is to be drained. i.e. attenuated on site or drained to outfall to the Inagh River estuary SAC. Please indicate details of surface water drainage for the pitch.

Mise, le meas



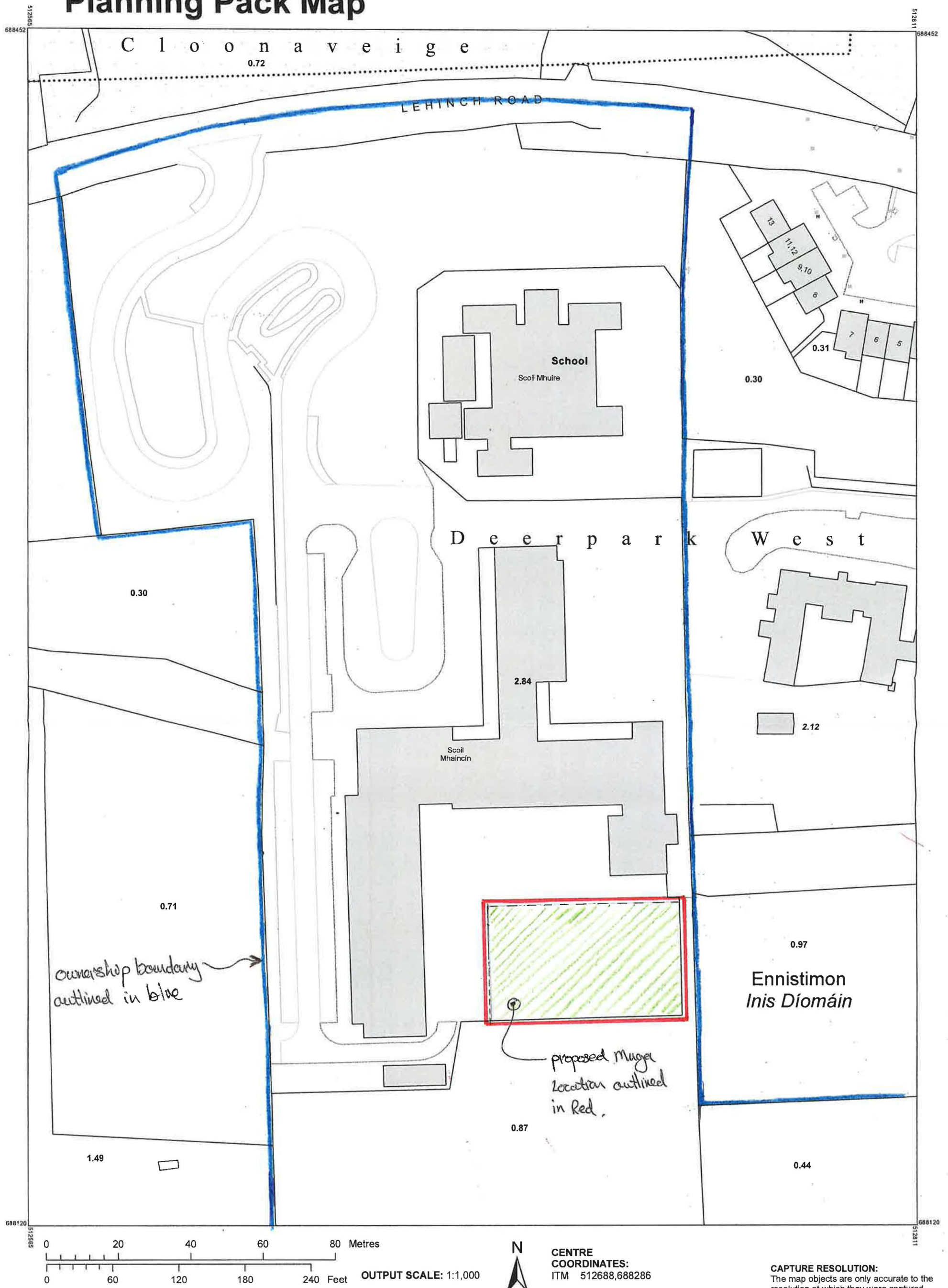
Anne O'Gorman
Staff Officer
Planning Department
Economic Development Directorate

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



Planning Pack Map



COMPILED AND PUBLISHED BY:

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D08F6E4

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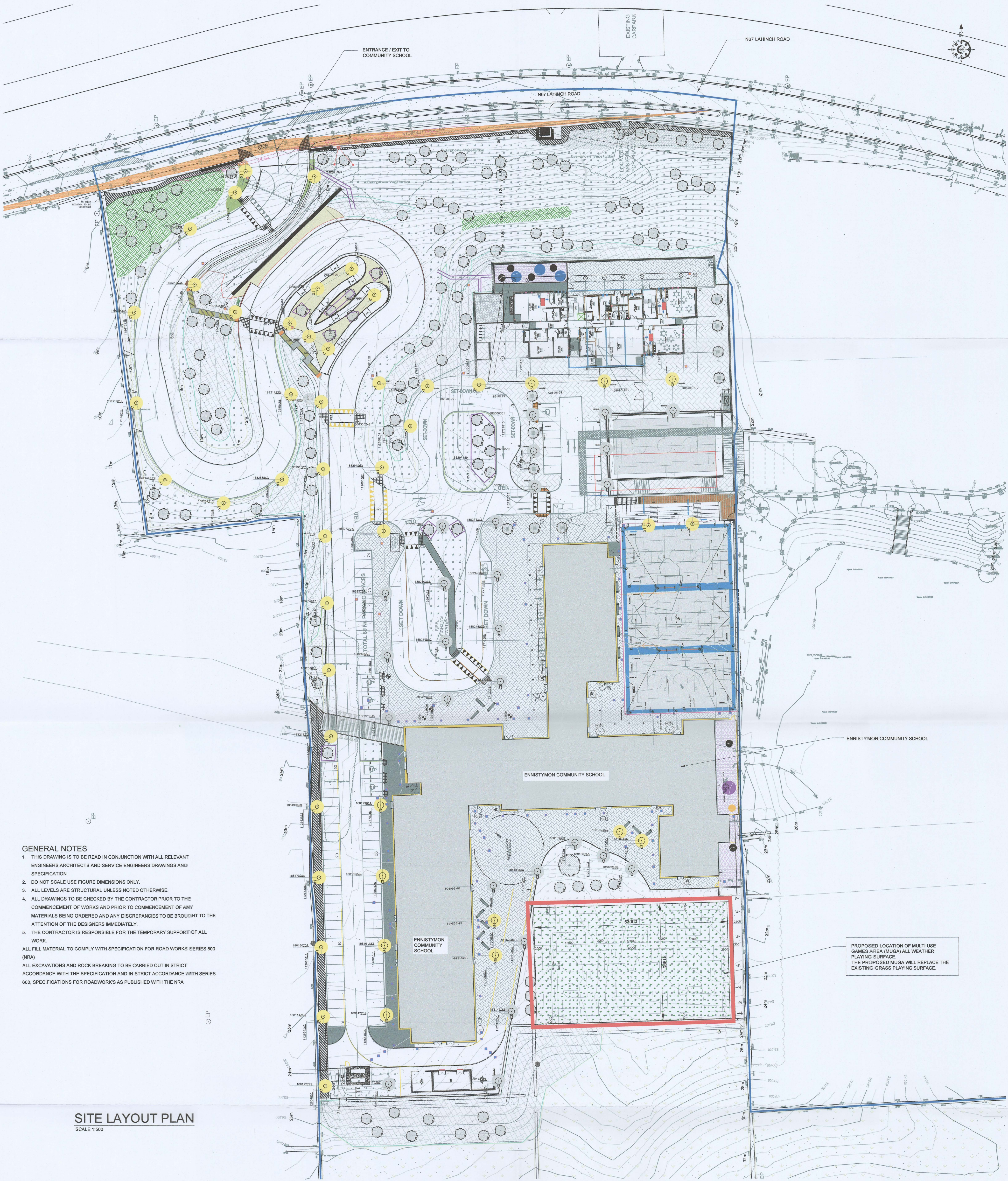
The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

This topographic map
does not show
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**Tailte
Éireann**



- GENERAL NOTES**
1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEERS, ARCHITECTS AND SERVICE ENGINEERS DRAWINGS AND SPECIFICATION.
 2. DO NOT SCALE USE FIGURE DIMENSIONS ONLY.
 3. ALL LEVELS ARE STRUCTURAL UNLESS NOTED OTHERWISE.
 4. ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORKS AND PRIOR TO COMMENCEMENT OF ANY MATERIALS BEING ORDERED AND ANY DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE DESIGNERS IMMEDIATELY.
 5. THE CONTRACTOR IS RESPONSIBLE FOR THE TEMPORARY SUPPORT OF ALL WORK.
- ALL FILL MATERIAL TO COMPLY WITH SPECIFICATION FOR ROAD WORKS SERIES 800 (NRA)
- ALL EXCAVATIONS AND ROCK BREAKING TO BE CARRIED OUT IN STRICT ACCORDANCE WITH THE SPECIFICATION AND IN STRICT ACCORDANCE WITH SERIES 800, SPECIFICATIONS FOR ROADWORKS AS PUBLISHED WITH THE NRA

SITE LAYOUT PLAN

SCALE 1:500

24mm MONOFILAMENT 3G FIFA CERTIFIED SYNTHETIC GRASS USING APPROPRIATE SYSTEM FOR ACCURACY IN INFILL OF SAND TO ENSURE CONSISTENT LEVELS. SUPPLY AND LAY SUITABLE GRADE KILN DRIED SILICA SAND USING INFILL MACHINE ON SBR RUBBER CRUMB SYSTEM ON APPROVED SHOCK PAD SYSTEM.

SOLID FORMATION LEVEL TO BE ACHIEVED WITH 140mm OF 50mm CLEAN CRUSHED STONE, LEVELLED, ROLLED AND COMPACTED, ON 80mm 36mm DOWN STONE, ON 4-6mm GRIT, LEVELLED, ROLLED AND COMPACTED WITH GEO-TEXTILE LAYER LAID OVER TRACK / MUGA AREA.

TYPICAL CROSS FALL ON MUGA OF 1%

AREA OF FILL UNDER PITCH. BUILD UP TO CONSIST OF MIN. 225MM CLEAN 504 STONE, COMPACTED IN MAX 225mm LAYERS ON TERRAZZO GEOTEXTILE LAYER

PERIMETER DRAINAGE AROUND MUGA PITCH TO BE 150mm Ø HEAVY DUTY PERFORATED CORRUGATED BY JFC OR SEA

TYPICAL SECTION THRU PROPOSED MUGA

SCALE 1:100

Section 5
ISSUE - 08.07.25

PL-	SECTION 5 RESPONSE ISSUE	08/07/25	JS
REV.	DESCRIPTION	DATE	BY

CLIENT	Ennistymon Community School
JOB	Section 5 Application Proposed MUGA/PLAYING AREA
TITLE	Site Layout Plan

McKenna Consulting Engineers
Civil & Structural
Bank Place, Miltown Malbay, Co. Clare.
Email - info@mckennaconsultingengineers.com
Tel. - 065 7085651 / 086 865 7569

SCALES	1:500	DRG. No.	
DATE	08/07/25		
DRAWN	JS		25264/CE/001
CHECKED	TMcK		
APPROVED	TMcK		



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(b) It is not clear from the details received how the all-weather pitch is to be drained. i.e. attenuated on site or drained to outfall to the Inagh River estuary SAC. Please indicate details of surface water drainage for the pitch.

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Anne O'Gorman
Staff Officer
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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



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

FILE REF:	R25-44
APPLICANT(S):	Ennistymon Community School
RE:	Whether the development of an all-weather pitch is development and if so is it exempted development .
LOCATION:	Ennistymon County Clare
DUE DATE:	25th June 25

Recent Planning History on Site

07/ 369

Ennistymon primary school

Permission granted for the installation of 4 no. prefabricated temporary structures to provide additional classroom, and ancillary accommodation, and the installation of tarmacadam to form an additional play area

17/603

The Dept of Education and Skills. Permission granted_or development at this subject site (site area 4.9 hectares). The development will consist of: (a) The Demolition of the existing single storey Scoil Mhuire Post Primary School Buildings (1694m²) and the existing two storey Scoil Mhainchín Primary School Buildings (878m²); (b) Construction of new 3-storey Post Primary School with connected Sports Hall (8678m²), 2-storey Primary School (1341m²), new internal road with set-down areas for buses and cars, ESB substation, switch room, ancillary store rooms, boiler house, car parking (96 Nr spaces), ball courts, landscaping and associated site works; (c) New site entrance from Lahinch Road (N67) and new boundary treatment; (d) New vehicular traffic lane and associated road works at the junction of proposed site entrance and Lahinch Road (N67), Ennistymon, Co. Clare. The total development area is circa 10,224 m²

History on the site of the primary school

95/1138

Scoil Mhuire. Permission granted for the Construct two classroom extension and ancillary amenities and services.

07/1239

The Board of Management of Scoil Mhuire Convent of Mercy
Permission granted for the installation of a temporary prefabricated classroom with associated site works

13/602

Scoil Mhuire Convent of Mercy
Retention granted for the RETENTION and continued use of the temporary prefabricated classroom with associated site works installed under planning permission P07-1239

Background to Referral

The applicant is seeking a Section 5 Declaration as to whether the development of an all weather pitch is development or is not development and is or is not exempted development.

The applicant has submitted:

- An application form
- A site location map scale 1 : 100 with the location of the proposed astro pitch outlined in red and the site of the primary school outlined in red and a larger school complex outlined in blue.
- There are no details of the proposed works.
- No cross section drawings, no details of fencing and or lighting and no details of surface water management proposals .
- There is no description of the extent of the works proposed and no description of the ground where it is proposed to locate the facility i.e. is it grassed, concrete etc.

Statutory Provisions

Planning and Development Act, 2000 (as amended)

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

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

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

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the

application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Planning & Development Regulations, 2001, as amended

Article 6 refers to Exempted Development and states that subject to Article 9, development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Class 33.

Development for amenity or recreational purposes.

Development for the laying out and use of land for :

- (a) As a park , private open space, or ornamental garden
- (b) As a road side shrine (subject to limitations)
- (c) Or athletic or sports (other than golf or pitch and putt, or sports involving the use of motor vehicles, aircraft, or fire arms) where no charge is made for admission of the public to the land.

There are no conditions or limitations attaching to item C.

Exempted development within the curtilage of a school

CLASS 40

Works incidental to the use or maintenance of any burial ground, churchyard, monument, fairgreen, market, schoolgrounds or showground except—

- (a) the erection or construction of any wall, fence or gate bounding or abutting on a public road,
- (b) the erection or construction of any building, other than a stall or store which is wholly enclosed within a market building, or
- (c) the reconstruction or alteration of any building, other than a stall or store which is wholly enclosed within a market building.

Other developments considered exempted development in the curtilage of school grounds relates to renewable energy etc.

Under Article 9 (1) of the same Regulations, development to which Article 6 relates shall not be exempted development for the purposes of the Act:

(a) if the carrying out of such development would –

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act

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

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

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,

(vii) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

Assessment

Basis of Referral

The applicant is seeking a Section 5 Declaration as to whether the provision of the development of an all weather pitch is development and is or is not exempted development.

Similar proposals were deemed not exempted development under R 22/ 26 (in the grounds of Miltown Malbay school) . An Bord Pleanala decision under RL 3803 is also noted.

Planning and Development Regulations 2001 (as amended)

Class 33 Development for Amenity and Recreational purposes:

Development for the laying out and use of land for

- (a) As a park , private open space, or ornamental garden
- (b) As a road side shrine (subject to limitations)

(c) Or athletic or sports (other than golf or pitch and putt, or sports involving the use of motor vehicles, aircraft, or fire arms) where no charge is made for admission of the public to the land.

There are no conditions or limitations attaching to item C.

Article 9 of the Planning and Development Regulations 2001, as amended

Article 9 of the Planning and Development Regulations 2001, as amended outlines restrictions on exempted development, and these are assessed below:

- (i) *contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.*

N/A It is noted that ball courts were proposed under 17/603 but there is no condition preventing the provision of all weather pitches.

- (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,*

N/A

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

N/A

- (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.*

No adverse impacts envisaged.

- (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,*

This is not applicable in this instance.

- (vi) *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,

This is not applicable in this instance.

(vii)

- a. *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,*

This is not applicable in this instance.

- b. *comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,*

Having regard to the nature and scale of the proposed development, and the potential connectivity to the Inagh River Estuary SAC European Site, Appropriate Assessment issues may arise. It is considered that the proposed development may 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. In this regard I note that there were no conditions regarding management of surface water specified under pl17/ 603. I note that proposals for surface water management were described as follows:

The surface water management plan ‘includes a large surface water attenuation storage area to the east of the proposed access that discharges to an existing surface water outfall to the northern side of the Lahinch Road (and ultimately into the Cullenagh River)’ which flows in the Inagh River estuary SAC .

It is not clear if it is intended that the surface water coming from the all weather pitch will be drained to a separate on site soak away or will be connected to the drain system which outfalls to the Inagh River estuary SAC.

- c. *consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.”*

No adverse impacts envisaged.

- (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,*

This is not applicable in this instance.

- (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,*

This is not applicable in this instance.

- (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,*

This is not applicable in this instance.

- (xi) *obstruct any public right of way,*

This is not applicable in this instance.

- (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.*

This is not applicable in this instance.

The provision of an astro turf / all weather pitches are generally not considered to come within the term 'The laying out and use of land... for athletics or sports' because the works that would be associated with constructing an astro-pitch on a green field site would include drainage works, provision of a sub-base, provision of a levelling layer etc and would be outside of the scope of the description of merely 'laying out'. In this instance the location of the pitch is on a grassed area of the site. It is not clear if drainage works are already in place under the grass for the facility or whether new excavation works will be required. The laying of the all weather surface is not considered maintenance of the school grounds. In addition is not clear if fencing and or lighting are proposed which may be development in their own right. The development of an all weather pitch area is therefore considered to be development and not to be exempted development for the purposes of these Regulations.

Conclusion

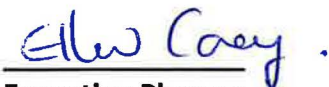
Having regard to the provisions of class 33 and class 40, the location of the site in close proximity to the Inagh River estuary SAC, the lack of clarity regarding proposal for surface water management, the extent and nature of the works required to construct an all weather pitch fall outside the scope of 'laying out' of land for sports. Further information will be requested

Recommendation

I recommend requesting further information as follows:

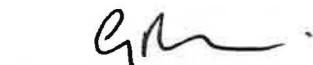
1 (a) Please arrange to submit scaled drawings of the proposed development (site layout plan scale 1: 500 and , other drawings scale 1 : 100, cross sections etc) and the description of the full nature and extent of the works proposed, extent of a drainage works, provision of a sub-base, provision of a levelling layer etc and clarify if any associated works such as fencing and lighting are proposed. If so, please provide details of such fencing and lighting.

(b) It is not clear from the details received how the all-weather pitch is to be drained. i.e. attenuated on site or drained to outfall to the Inagh River estuary SAC . Please indicate details of surface water drainage for the pitch.



Executive Planner

Date: 23rd June 25.



Senior Executive Planner

Date: 23/06/25.

Appropriate Assessment & Determination

STEP 1. Description of the project/proposal and local site characteristics:	
(a) File Reference No:	R25- 44
(b) Brief description of the project or plan:	Development of an all weather pitch in school grounds
(c) Brief description of site characteristics:	Grass
(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 ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Inagh River estuary SAC	Annex I Habitats • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] • Mediterranean salt meadows Juncetalia	230m to the north as the crow flies	None	No

	maritime) [1410] • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] • *Fixed coastal dunes along the shoreline with herbaceous vegetation (grey dunes) [2130]			

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

² 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"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration 	Surface water runoff from soil excavation

<ul style="list-style-type: none"> • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	<ul style="list-style-type: none"> • Surface water runoff containing contaminant or sediment
In-combination/Other	Unknown

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

- Interference with the key relationships that define the structure or ecological function of the site

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

☐ Yes ☐ No

Unknown

Step 4. Screening Determination Statement

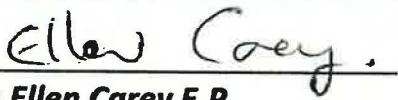
The assessment of significance of effects:

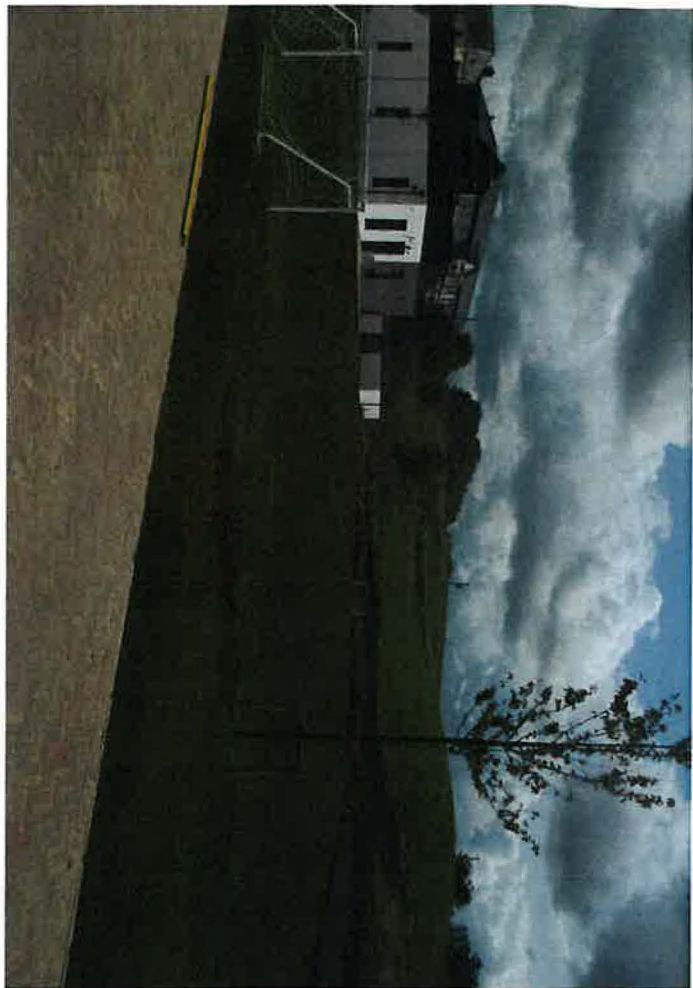
Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

Nature of works are not clear and in the absence of detail including proposals for surface water management the Planning Authority cannot conclude that the proposed development will not be likely to have significant effects on European site(s) in view of its conservation objectives.

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 no likelihood of significant effects on a European site.	<input type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input checked="" type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS

		<input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	23 rd June 25	<div> Name: Ellen Carey E.P.</div>
Signature and Date of the Decision Maker:		







COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Ennistymon Community School
Lahinch Road
Ennistymon
Co. Clare
V95 YP46

30/05/2025

Section 5 referral Reference R25-44 – Ennistymon Community School

Is the development of an all-weather pitch development and if so, is it exempted development?

A Chara,

I refer to your application received on 30th May 2025 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 Stiúirtheacht 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

COMHAIRLE
CONTAE
AN CHLAIR

30/05/2025 09:55:15

Receipt No. : L1CASH/0/379562
***** REPRINT *****

ENNISTYMON COMMUNITY SCHOOL
LAHINCH ROAD
ENNISTYMON
CO CLARE
V95 YP46REF R25-44

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

Total : 80.00 EUR

Tendered :
CHEQUES 80.00

Change : 0.00

Issued By : L1CASH - Rachael Barrett
From : MAIN CASH OFFICE LODGEMENT AF
Vat reg No. 0033043E

COMHAIRLE
CONTAE
AN CHLAIR

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



R 25-44

**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	ENNISTYMON COMMUNITY SCHOOL Lahinch Rd Lahinch Rd
(b) Telephone No.:	-
(c) Email Address:	
(d) Agent's Name and address:	N/A

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 development of All weather pitch except from planning permission?

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

All weather HUGA Pitch.

- (c) List of plans, drawings etc. submitted with this request for a declaration:

(Note: Please provide a site location map to a scale of not less than 1:2500 based on Ordnance Survey map for the areas, to identify the lands in question)

Site location ordnance survey map x 2

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

(a) Postal Address of the Property/Site/Building for which the declaration sought:	Lahinch Road Ennistymon Clare V95 YP46
(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):	No
(d) If the person in (c) above is not the owner and/or occupier, state the name and address of the owner of the property in question: <i>Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.</i>	N/A
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	Yes
(f) Are you aware of any enforcement proceedings connected to this site? <i>If so please supply details:</i>	No
(g) Were there previous planning application/s on this site? <i>If so please supply details:</i>	No
(h) Date on which 'works' in question were completed/are likely to take place:	N/A

SIGNED:



DATE: 28/5/2025.

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:			



ORDNANCE SURVEY IRELAND
LICENCE NO. AR 0114216
THIS IS A COMPUTER GENERATED MAP
ITM CENTRE POINT COORDINATES
XY = 512700, 688300

— PROPOSED POST PRIMARY
SCHOOL SITE BOUNDARY
— PROPOSED PRIMARY SCHOOL
SITE BOUNDARY



STAGE 2B — PLANNING

DESIGNED BY HEALY PARTNERS ARCHITECTS LTD
SCALE 1:1000 (AS SHOWN)



THE HILL, KILPATRICK, CO. DUBLIN
TEL: 01 454 4444
WWW.HEALYPARTNERSARCHITECTS.COM

DEPT. OF EDUCATION & SKILLS

HEALY PART
ENNISTYMON PRIMARY
SCHOOL

VOLUME A.3.1
SITE LOCATION MAP

MR	DMC	DMC
JAN '16	1:1000	

16-007 200

PROPOSED — SITE LOCATION MAP
1:1000





ORDNANCE SURVEY IRELAND
LICENCE NO. AR 0114216
THIS IS A COMPUTER GENERATED MAP
ITM CENTRE POINT COORDINATES
XY = 512700, 688300

— PROPOSED POST PRIMARY
SCHOOL SITE BOUNDARY
— PROPOSED PRIMARY SCHOOL
SITE BOUNDARY

REVISION DATE DETAILS DRAWN

STAGE 2B – PLANNING

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DO NOT SCALE FROM DRAWING



CLIENT
DEPT. OF EDUCATION & SKILLS

PROJECT TITLE
ENNISTYMON PRIMARY
SCHOOL

DRAWING TITLE
VOLUME A.3.1
SITE LOCATION MAP

DESIGN	CHK	PASS	REVISION
MR	DMC	DMC	
DATE	SCALE		
JAN '16	1:1000		
PROJECT NUMBER	DRAWING NUMBER		
16-007	200		

PROPOSED – SITE LOCATION PLAN
1:1000

