



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

**PLANNING & DEVELOPMENT ACT (EXEMPTED DEVELOPMENT)
REGULATIONS 2022**
**NOTIFICATION OF CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL
UNDER ARTICLE 10(6)**

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 notifying the Planning Authority of a change of use from Commercial to Residential under Article 10(6) of the Planning & Development Regulations 2001 to 2021.

1. APPLICANT'S DETAILS

<i>Applicant:</i>		
<i>Company Details (where relevant):</i>	<i>Registration No.</i>	<i>Directors Names</i>
<i>Address</i>		
<i>Telephone No.</i>		
<i>E-mail</i>		

2. AGENT'S DETAILS

<i>Agent</i>	
<i>Address</i>	
<i>Telephone No.</i>	
<i>E-mail</i>	
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant []	Agent []

3. DETAILS OF PROPOSED DEVELOPMENT SITE

Site Address : (including townland)					
Eircode					
Site Size (Hectares):					
Existing Use and Area (per floor):					
Proposed Use and Area (per floor):					
Total Number of Residential Unit(s):					
Total Residential Floorspace (m2):					
Details¹	Size of Unit (m²)	No. of bedrooms	Storage Area (m²)	Natural Light ²	Open space
Unit No. 1					
Unit No. 2					
Unit No. 3					
Unit No. 4					
Unit No. 5					
Unit No. 6					
Unit No. 7					
Unit No. 8					
Unit No. 9 ³					
Total					

4. DETAILS OF LAND INTERESTS

Applicant(s) legal interest in site of proposed development:	
Proposed date of commencement of works: ⁴	
Period of time structure has been vacant:	

¹ Floor areas must comply with current Design Standards for New Apartments.

² Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.

³ Provision of 9 units is the maximum allowable under Article 10(6)

⁴ Minimum of 2 weeks' notice is required to be furnished to the Planning Authority prior to commencement of works

5. **DECLARATION**

I/We confirm the following to be true in the provision of this Notification to the Planning Authority;

Qualifying Details	Please tick
The change of use, and any related works, will occur between 8 February 2018 and 31 December 2025.	
The structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018.	
The structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3, 6 or 12,	
The structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development.	
Works shall affect only the interior of the structure and shall not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures	
Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.	
No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.	
No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.	
Dwelling floor areas and storage areas shall comply with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities” issued under Section 28 of the Act or any subsequent updated or replacement guidelines.	

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<p>No development shall consist of or comprise the carrying out of works to a protected structure save where the planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element referred to in Section 58(1)(b) of the Act, of the structure.</p>	
<p>No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.</p>	
<p>No development shall relate to any structure in any of the following areas:</p> <ul style="list-style-type: none"> (I) an area to which a special amenity area order relates; (II) an area of special planning control; (III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply. 	
<p>No development shall relate to matters in respect of which any of the restrictions set out in subparagraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply</p>	
<p>No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice — Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.</p>	

I hereby certify that the information given in this form is correct:

Signature of Applicant(s)/Agent: _____ Date: _____

GUIDANCE NOTES

The following are non-statutory advice notes prepared by Clare County Council for the purpose of advising people what information is required for notifying the Planning Authority of a change of use from Commercial to Residential under Article 10(6) of the Planning & Development Regulations 2001 to 2021.

- (i) The Notification Form, under Article 10(6), must also be accompanied by:
 - (a) 2 Copies of location map, scale not less than 1:1000 in built up areas and 1:2500 in all other areas (which shall be marked thereon), clearly outlining in red the land to which the application relates and the boundaries thereof.
 - (b) 2 Copies of Floor Plans & Elevations of the proposed development.
 - (c) Evidence of a minimum of 2 years preceding proposed date of commencement that structure has been vacant

- (ii) The Notification form should be sent to the following address:

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

- (iii) Notwithstanding the completion of the above form, the Planning Authority may require the submission of further information with regard to this notification in order to enable the Authority to ensure it adheres to Article 10(6) of the Planning & Development Regulations 2001 to 2021.