



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Registered Post

**Declan Keena
6 School Lane
Mountshannon
Co. Clare
V94 A36E**

20th October 2025

Section 5 referral Reference R25-85 – Declan Keena

Is the construction of a hay shed at School Lane, Mountshannon, Co. Clare development and if so, is it exempted development?

A Chara,

I refer to your application received on 13th October 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, Placemaking & Economic Development**

**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:

86469

Reference Number:

R25-85

Date Referral Received:

13th October 2025

Name of Applicant:

Declan Keena

Location of works in question:

School Lane, Mountshannon, Co. Clare

Section 5 referral Reference R25-85 – Declan Keena

Is the construction of a hay shed at School Lane, Mountshannon, Co. Clare development and if so, is it exempted development?

AND WHEREAS Clare County Council, in considering this referral, had regard in particular to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;
- (d) The works as indicated in submitted documents from the referrer.

AND WHEREAS Clare County Council has concluded:

- (a) The development of a hay shed School Lane, Mountshannon, Co. Clare 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 a hay shed at School Lane, Mountshannon, Co. Clare is not exempted development having regard to Limitation 5 of the exemption provided for in Schedule 2, Part 3, Class 9 of the of the Planning and Development Regulations, 2001 (as amended). The proposed shed will be situated within 100m of a house in third party ownership, and within 100m of a church.

ORDER: Whereas by Chief Executive's Order No. CE / 25/18 dated 7th October 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 construction of a hay shed at School Lane, Mountshannon, Co. Clare is considered development which is not exempted development.

Signed:



GARRETH RUANE
SENIOR EXECUTIVE PLANNER 

Date:

20th October 2025

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

Reference No.: R25-85



Comhairle Contae an Chláir
Clare County Council

Section 5 referral Reference R25-85

Is the construction of a hay shed at School Lane, Mountshannon, Co. Clare development and if so, is it exempted development?

AND WHEREAS, Declan Keena 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 –

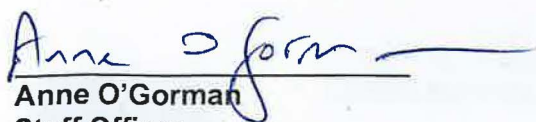
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;
- (d) The works as indicated in submitted documents from the referrer.

And whereas Clare County Council has concluded:

- (a) The development of a hay shed School Lane, Mountshannon, Co. Clare 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 a hay shed at School Lane, Mountshannon, Co. Clare is not exempted development having regard to Limitation 5 of the exemption provided for in Schedule 2, Part 3, Class 9 of the of the Planning and Development Regulations, 2001 (as amended). The proposed shed will be situated within 100m of a house in third party ownership, and within 100m of a church.

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

The proposed development consisting of the construction of a hay shed at School Lane, Mountshannon, Co. Clare **constitutes development** which is **not exempted development** as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.



Anne O'Gorman

Staff Officer

Planning, Placemaking & Economic Development

20th October 2025

CLARE COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION
PLANNERS REPORT

FILE REF:	R25-85
APPLICANT(S):	Declan Keena
REFERENCE:	Whether the construction of a hay shed is or is not development and is or is not exempted development.
LOCATION:	School Lane, Mountshannon, Co. Clare
DUE DATE:	07/11/2025

Site Location

The proposal site is located in a rural area adjoining Mountshannon village. The site is accessed via a poorly-surfaced private lane which serves one dwelling house and adjoining agricultural lands.

The proposed development location is an agricultural field. The development location is level. Lands to the south slope uphill. St. Caimin's Church is located c. 95m to the north.

Previous Planning History

P06-2261 – Paddy Burke granted permission for 58no. dwelling houses ancillary site works and connection to public services.

Background to Referral

This Referral under Section 5(1) of the Planning and Development Act 2000 (as amended) has been made by Declan Keena. He states that she is the owner of the site.

The applicant is seeking a Section 5 Declaration as to whether the construction a hay shed at School Lane, Mountshannon, Co. Clare is or is not development and is or is not exempted development.

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.

The applicant has stated that the shed will be used to store hay, silage and farm machinery including tractor, topper, transport box, mower, plough and front loader bucket.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 9

Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.

- 1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.*
- 2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.*
- 3. No such structure shall be situated within 10 metres of any public road.*
- 4. No such structure within 100 metres of any public road shall exceed 8 metres in height.*
- 5. No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*
- 6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

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 construction of a hay shed at School Lane, Mountshannon, Co Clare is or is not development and is or is not exempted development.

Particulars of Proposal

The particulars of the proposal and site are set out below:

- Height 6.5m
- Proposed Floor Area $3.5\text{m} \times 12\text{m} = 42\text{m}^2$
- Distance from public road Greater than 10 metres
- Distance from dwellings Less than 100m (approx. 65m to nearest 3rd party dwelling)

The referral relates to an agricultural shed which, as stated in the referral documents, will be used to store hay, silage and agriculture equipment.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 9

Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.

A hay shed is proposed and the gross floor area is 42m^2 . The stipulated floor area is not exceeded in this instance.

1. *No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.*

The applicant has stated that the shed will be used for the storage of agricultural feed and machinery. The use as proposed is compliant with this condition of Class 9.

2. *The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.*

There are no existing buildings on the site.

3. *No such structure shall be situated within 10 metres of any public road.*

The proposed structure is in excess of 10 metres from the public road. It is noted that the shed is located close to the access laneway. However, the lane is not a public road.

4. *No such structure within 100 metres of any public road shall exceed 8 metres in height.*

The height threshold is not exceeded.

5. *No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*

The proposed shed will be located c.65m from a residential property which is in third party ownership. The shed location is also less than 100m from St. Caimin's Church. The proposal does not comply with this limitation of the exemption.

6. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

The submitted details indicate that the shed will be a mix of block walls and corrugated sheeting.

Having regard to the foregoing, the proposal does not comply with Limitation 5 of Schedule 2, Part 3, Class 9 of the Planning and Development Regulations.

Article 9(1)(c) 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*

The proposed development does not contravene any conditions associated with a previous grant of permission.

(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,*

Not applicable to the current proposal.

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

The proposed development will not create a traffic hazard in the area.

- (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.*

The proposed development site is not visible from the lake, and only glimpses of the site are visible from the R352 which is a Scenic Route. The proposal will not interfere with the character of the local landscape.

- (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,*

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,*

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,*

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, the nature of the intended use, and the absence of connectivity to European sites, no Appropriate Assessment issues arise and I do not consider that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site.

Appropriate assessment is not therefore required.

- 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."*

This is not applicable in this instance.

- (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,*

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.

Recommendation

The following questions have been referred to the Planning Authority:

Whether the construction a hay shed at School Lane, Mountshannon, Co. Clare is or is not development and is or is not exempted development.

The Planning Authority in considering this referral had regard to:

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;
- (d) The works as indicated in submitted documents from the referrer.

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

- (a) the development of a hay shed School Lane, Mountshannon, Co. Clare 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 a hay shed at School Lane, Mountshannon, Co. Clare is not exempted development having regard to Limitation 5 of the exemption provided for in Schedule 2, Part 3, Class 9 of the of the Planning and Development Regulations, 2001 (as amended). The proposed shed will be situated within 100m of a house in third party ownership, and within 100m of a church.

Now therefore Clare County Council (Planning Authority), hereby decides that the construction of a hay shed at School Lane, Mountshannon, Co Clare is development and is not exempted development.



Executive Planner

Date: 20/10/2025



Senior Executive Planner

Date: 20/10/25

R25-85

View towards the rear
of St. Caimin's Church.



Development location





COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Declan Keena
6 School Lane
Mountshannon
Co. Clare
V94 A36E

13/10/2025

Section 5 referral Reference R25-85 – Declan Keena

Is the construction of a hay shed at School Lane, Mountshannon, Co. Clare development and if so, is it exempted development?

A Chara,

I refer to your application received on 13th October 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
Planning, Placemaking & Economic Development

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
Aras Contae an Chlair
New Road
Ennis
Co Clare

COMHAIRLE

13/10/2025 10:51:46

CONTAE

Receipt No. : L1CASH/0/385537
***** REPRINT *****

AN CHLÁIR

DECLAN KEENA
6 SCHOOL LANE
MOUNTSHANNON
CO. CLARE

R25/85



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

Total : 80.00 EUR

Tendered :
CHEQUES 80.00

Change : 0.00

COMHAIRLE

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

CONTAE

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



R25-85

**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

DECLAN KEENA
6 School Lane
Mountshannon
Co. Clare
V94 A36E

(b) Telephone No.:

(c) Email Address:

(d) Agent's Name and address:

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?

Do I need planning permission to construct a hay shed at folio

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

Hay Shed:

Dimensions — Width 3.5 meters

Length 12 meters. Height 6.5 meters.
 • with a concrete floor, block walls (rendered) to a height of 1.8 meters. Corrugated roof & sides.

Purpose of shed: Storage of hay & silage, storage of farm machinery — tractor, tillage, transport box, mower, plough, front loader bucket.

If I need planning permission, how do I apply for it?

- (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)

Attached — map of folio showing location of proposed shed

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	Folio _____ School Lane, Mountbatten, S. Chere
(b) Do the works in question affect a Protected Structure or are within the curtilage of a Protected Structure? If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 (as amended) been requested or issued for the property by the Planning Authority?	No
(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	Owner
(d) If the person in (c) above is not the owner and/or occupier, state the name and address of the owner of the property in question: <i>Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.</i>	
(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? If so please supply details:	No
(g) Were there previous planning application/s on this site? If so please supply details:	Previous owner had planning permission for housing
(h) Date on which 'works' in question were completed/are likely to take place:	2020 - early

SIGNED:



DATE:

9/10/2025

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

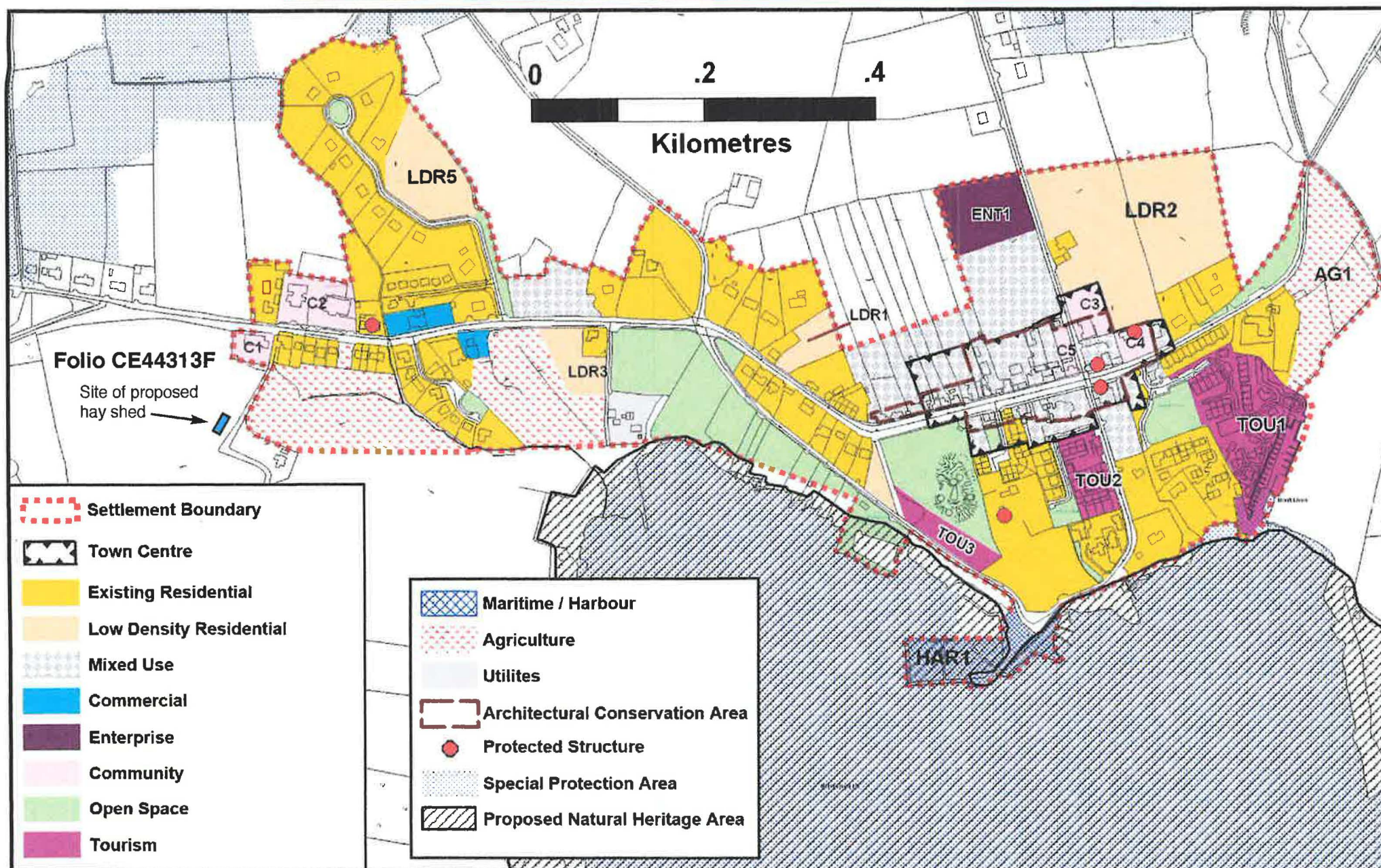
- (i) The request for a declaration under Section 5 must be accompanied by 2 copies of site location map based on the Ordnance Survey map for the area of a scale not less than 1:1000 in urban areas and 1:2500 in rural areas and should clearly identify the site in question.
- (ii) The request for a declaration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



Clare County Council:
Clare County Development Plan 2017–2023

Copyright Of Ordnance Survey Ireland. All Rights Reserved.
Licence Number: 2015/18/CCMA/Clare County Council

Title:
Mountshannon Settlement Plan

Drawn By:
Padraig McManus

Checked By:
Helen Quinn

Scale:
Refer to Scalebar

Date:
January 2017

