



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Registered Post

Diarmaid Murphy
C/o Niall Geoghegan
Ballybeg
Ennis
Co. Clare

2nd December 2025

Section 5 referral Reference R25-94 – Diarmaid Murphy

Is the construction of a slatted unit at Garruragh, Tulla, Co. Clare development and if so, is it exempted development?

A Chara,

I refer to your application received on 13th November 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 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



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

Reference No.: R25-94



Comhairle Contae an Chláir
Clare County Council

Section 5 referral Reference R25-94

Is the construction of a slatted unit at Garruragh, Tulla, Co. Clare development and if so, is it exempted development?

AND WHEREAS, Diarmaid Murphy 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 –

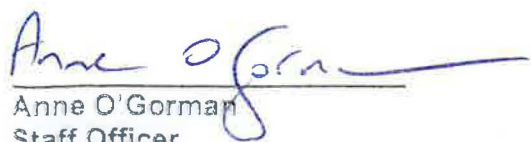
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended;
- (d) The works as indicated in submitted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

And whereas Clare County Council has concluded:

- (a) The development of a slatted shed at Garruragh, Tulla, 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 slatted shed at Garruragh, Tulla, Co. Clare is not exempted development having regard to Article 9(1)(a)(iii) of the Planning and Development Regulations, 2001 (as amended). The proposed shed will be accessed via an unauthorised entrance on the R352, in an area where the 80mk/hr speed limit applies and sightlines to the east are limited. The proposed development would endanger public safety by reason of a traffic hazard.

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 slatted shed at Garruragh, Tulla, 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

2nd December 2025

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: 86765A

Reference Number: R25-94

Date Referral Received: 13th November 2025

Name of Applicant: Diarmaid Murphy

Location of works in question: Garruragh, Tulla, Co. Clare

Section 5 referral Reference R25-94 – Diarmaid Murphy

Is the construction of a slatted unit at Garruragh, Tulla, 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 6 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 slatted shed at Garruragh, Tulla, 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 slatted shed at Garruragh, Tulla, Co. Clare is not exempted development having regard to Article 9(1)(a)(iii) of the Planning and Development Regulations, 2001 (as amended). The proposed shed will be accessed via an unauthorised entrance on the R352, in an area where the 80mk/hr speed limit applies and sightlines to the east are limited. The proposed development would endanger public safety by reason of a traffic hazard.

ORDER: Whereas by Chief Executive's Order No. HR 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 slatted shed at Garruragh, Tulla, Co. Clare is considered development which is not exempted development.

Signed:



GARRETH RUANE
SENIOR EXECUTIVE PLANNER 

Date:

2nd December 2025

CLARE COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION
PLANNERS REPORT

FILE REF: R25-94
APPLICANT(S): Diarmuid Murphy
REFERENCE: Whether the construction of a slatted shed is or is not development and is or is not exempted development.
LOCATION: Garruragh, Tulla, Co. Clare
DUE DATE: 10/12/2025

Site Location

The proposal site is located in a rural area 2km east of Tulla. The site is located to the south of the R352. The proposed shed location is c.300m from the regional road and is accessed via a private farm road. The development location is not visible from the public road. There is no existing yard on the site. The shed location is surrounded by agricultural land.

Previous Planning History

No previous planning applications on the proposal site.

Background to Referral

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

The applicant is seeking a Section 5 Declaration as to whether the construction a slatted shed at Garruragh, Tulla, 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 house 10 cows and calves and 10 young weanlings for the winter period.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 6

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

- 1. No such structure shall be used for any purpose other than the purpose of agriculture.*
- 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.*
- 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution*
- 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.*
- 5. No such structure within 100 metres of any public road shall exceed 8 metres in height.*
- 6. No such structure shall be situated, and no effluent from such structure shall be stored, 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.*
- 7. 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 slatted shed at Garruragh, Tulla, 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 | 6.3m |
| • Proposed Floor Area | 174m ² |
| • Distance from public road | Greater than 10 metres |
| • Distance from dwellings | Greater than 100m |

Having regard to Section 2(1) of the Planning and Development Act 2001 (as amended), I consider that the proposed development, come within the scope of "works" and hence constitutes development in accordance with Section 3(1) of the Planning and Development Act 2001 (as amended).

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 6

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

The proposed shed will fall under Class 6 – roofed structure for housing animals. The floor area will be less than 200m².

1. *No such structure shall be used for any purpose other than the purpose of agriculture.*

The use proposed is agricultural.

2. *The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.*

There are no existing structures either on the site or within 100m of same.

3. *Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.*

Underground storage tanks proposed.

4. *No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.*

The proposed development is in excess of 10 metres from the public road.

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

This height threshold is not exceeded in this instance. The proposed shed shall be 6.3m in height and greater than 100m from the public road.

6. *No such structure shall be situated, and no effluent from such structure shall be stored, 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.*

There are no dwelling houses in close proximity to the proposal site

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

No unpainted sheet metal proposed as part of the development.

Article 9(1)(a) 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 proposal site is accessed directly from the R352, which is designated as a Strategic Regional Road in the County Development Plan. Having inspected the site, I note that the entrance to the subject lands has recently been relocated, with a new splayed entrance created further west than the original entrance gate to the field. Planning permission was not sought for the development of the new entrance.

The entrance is located in an area where there is no hard shoulder and the 80km/hr speed limit applies. Sightlines to the east are severely impeded. Exiting the site in a vehicle was noted to be difficult and dangerous at the time of the site inspection. Any development which would intensify the use of this unauthorised entrance would constitute a traffic hazard.

It is also noted that surface water from the farm access road flows directly onto the regional road, ponding at the road edge, exacerbating the traffic hazard issues at this location.

The proposed development would endanger public safety by reason of traffic hazard. The proposal is not exempt development.

- (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 public road. 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 or proximity 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,*

The proposal does comprise the extension, alteration, repair or renewal of an unauthorised structure, but I note the concerns raised in the relation to the unauthorised entrance to the site outlined above.

- (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 slatted shed at Garruragh, Tulla, 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 6 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 slatted shed at Garruragh, Tulla, 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 slatted shed at Garruragh, Tulla, Co. Clare is not exempted development having regard to Article 9(1)(a)(iii) the of the Planning and Development Regulations, 2001 (as amended). The proposed shed will be accessed via an unauthorised entrance on the R352, in an area where the 80mk/hr speed limit applies and sightlines to the east are limited. The proposed development would endanger public safety by reason of a traffic hazard.

Now therefore Clare County Council (Planning Authority), hereby decides that the construction of a slatted shed at Garruragh, Tulla, Co Clare is development and is not exempted development.



Executive Planner

Date: 01/12/2025



Senior Executive Planner

Date: 01/12/25

R25-94

Entrance from regional road.



proposed shed location



Sightlines at entrance







COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Diarmaid Murphy
C/o Niall Geoghegan
Ballybeg
Ennis
Co. Clare

17/11/2025

Section 5 referral Reference R25-94 – Diarmaid Murphy

Is the construction of a slatted unit at Garruragh, Tulla, Co. Clare development and if so, is it exempted development?

A Chara,

I refer to your application received on 13th November 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
Clerical 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



CONTAE AN CHLÁIR



Clare County Council
Aras Contae an Chláir
New Road
Ennis
Co Clare

13/11/2025 15:07:50

Receipt No. : L1CASH/0/386933

***** REPRINT *****

DIARMUID MURPHY
C/O NIAL GEORGHEGAN
BALLYBEG
ENNIS,
CO. CLARE

COMHAIRLE CONTAE AN CHLÁIR

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 - Geraldine Melican
From : MAIN CASH OFFICE LODGEMENT AF
Vat reg No.0033043E

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
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Website: www.clarecoco.ie



R25-94

**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	Diarmaid Murphy Knockdrumleague, Tulla, Co.Clare
(b) Telephone No.:	
(c) Email Address:	None
(d) Agent's Name and address:	Niall Geoghegan Ballybeg Ennis Co. Clare

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 construction of a slatted unit Garruragh, Tulla, Co. Clare.

development and if so is it exempted development ?

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

The applicant is looking to build a small slatted unit, the slatted unit proposed

is less than 200 sq. meters, it is more that 100 meters away from any other cattle housing

There is no farm sheds within 100 meters of the proposed structure. (no cattle sheds on farm)

The applicant will be housing 10 cows + calves and 10 young weanlons for the winter period. Please see attached land maps showing 5.6 hectares.

- (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)

(1) Drawings of slatted unit (scale 1:100/1:200) (2) Site layout 1:500

(3) Site Map 1:2500 (4) land map 1:10560 (5) Letter from Teagasc consultant

stating the need for slatted unit

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	Garruragh, Tulla, Co Clare.
(b) Do the works in question affect a Protected Structure or are within the curtilage of a Protected Structure? If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 (as amended) been requested or issued for the property by the Planning Authority?	No
(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	The applicant is the landowner
(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>	The applicant is the landowner
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	The applicant is the landowner
(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:	May 2026

SIGNED: Neil Goff (AGENT)DATE: 13/11/2025

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:.....			

To whom it may concern,

Diarmuid Murphy of Knock Drumleague, Tulla Co. Clare and also farming lands in Garruragh, Tulla, Co. Clare is a client known to me.

He is in need of a slatted shed to improve on animal welfare, biosecurity, nutrient storage and animal handling within the farm.

Kind regards,



Michael Dillon

Planning Pack Map

Diarmaid Murphy New Proposed slatted unit in Red



Tailte
Éireann

**CENTRE
COORDINATES:**
ITM 551124,679777

PUBLISHED: 01/11/2025
ORDER NO.: 50499732_1

MAP SERIES: 1:5,000
MAP SHEETS: 4268

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Ireland.
D08F6E4

www.tailte.ie

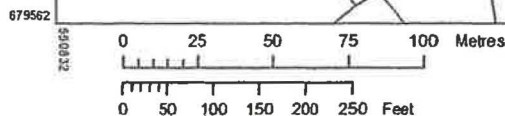
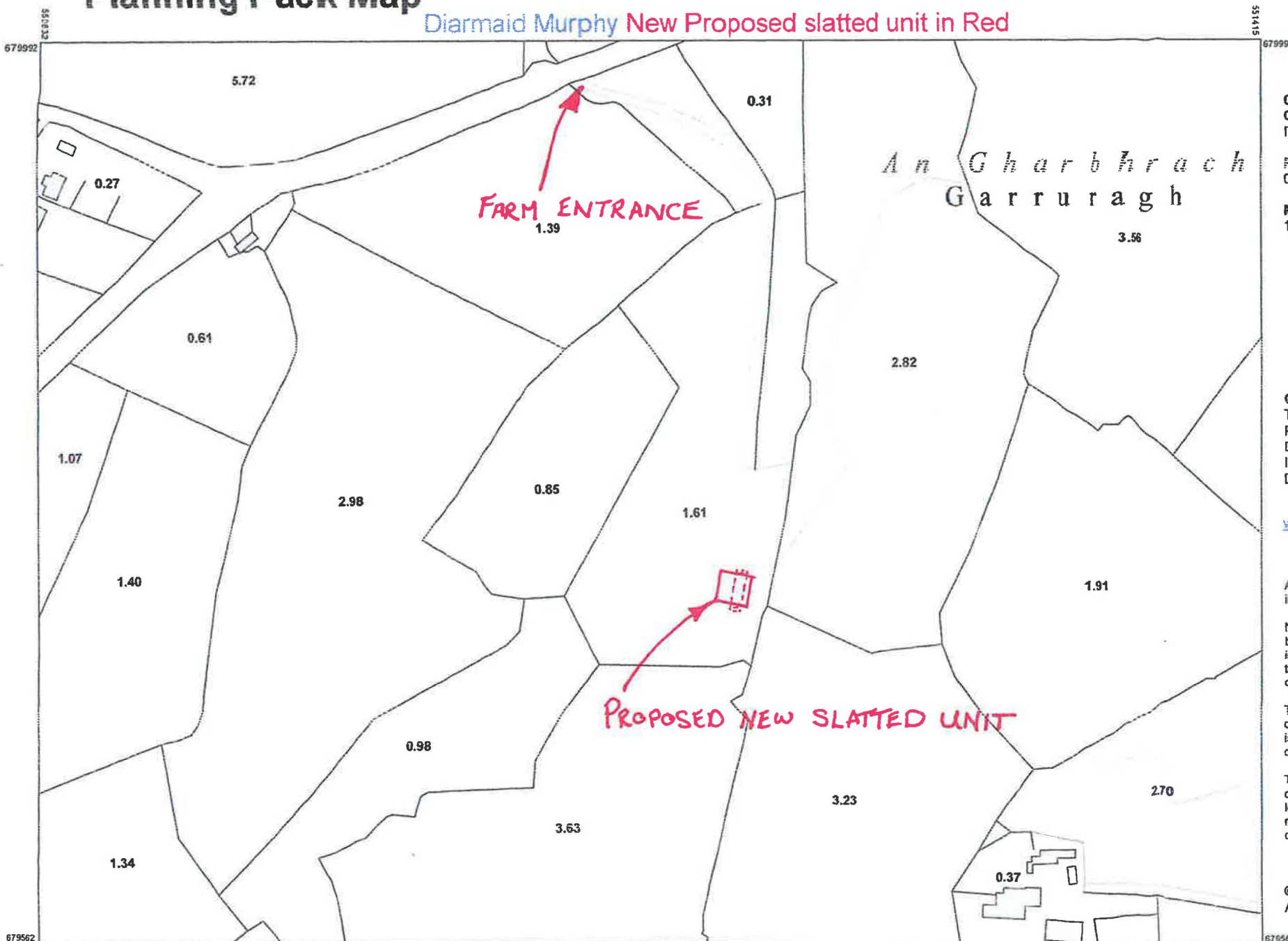
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LEGEND:
To view the legend visit
www.tailte.ie and search for
'Large Scale Legend'



Site Location Map

Diarmaid Murphy Slatted unit in Red Landholding in Blue Sreadlands in Green



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 551124.679777

PUBLISHED: 01/11/2025
ORDER NO.: 50499732_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: CE035

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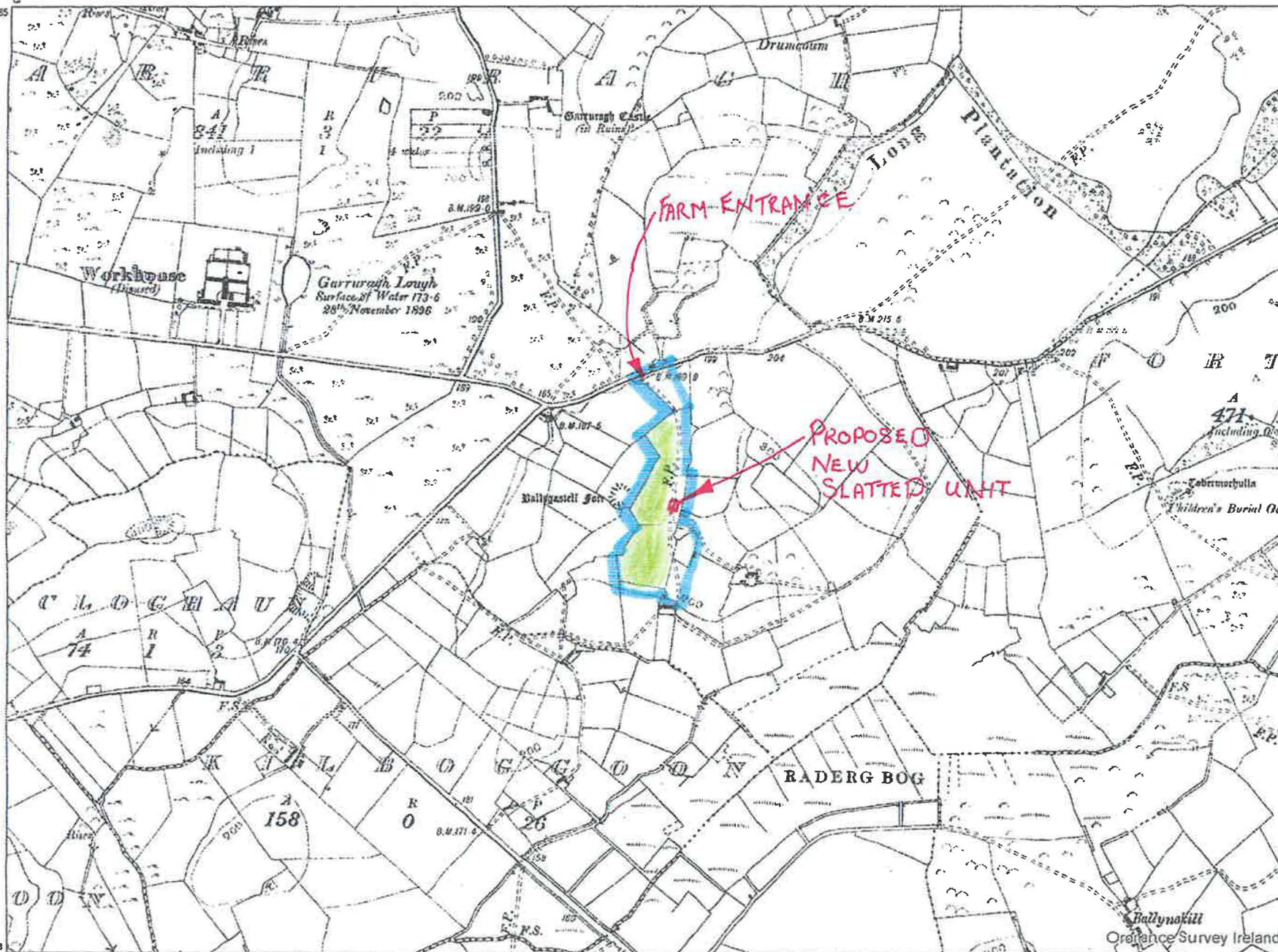
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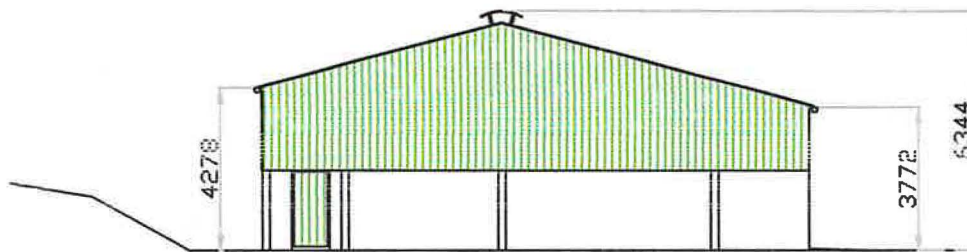


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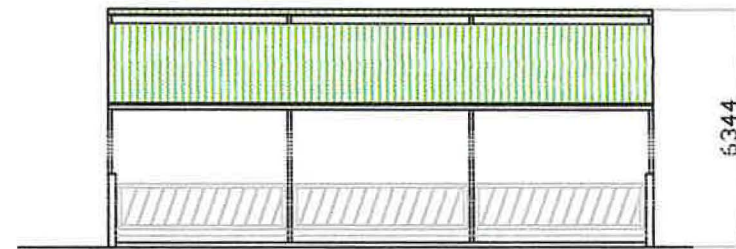
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Further information is available at:
www.tailte.ie; search 'Capture Resolution'

LEGEND:
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www.tailte.ie and search for
'Large Scale Legend'

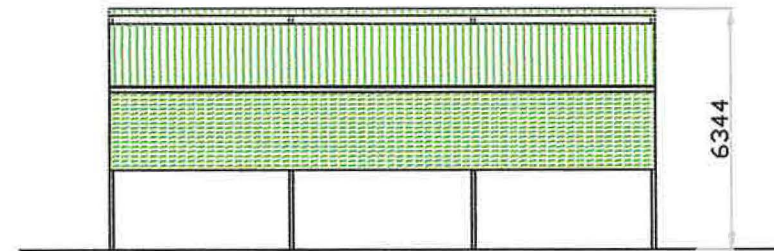




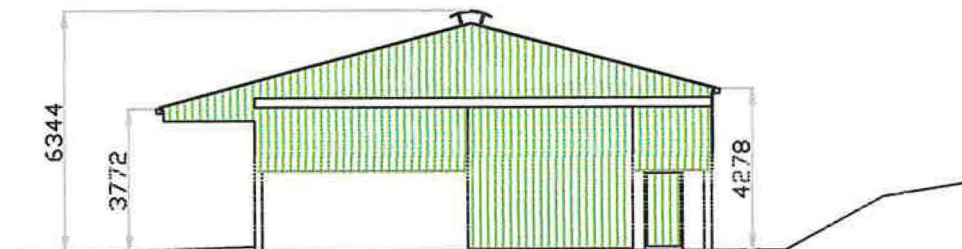
SOUTHERN ELEVATION



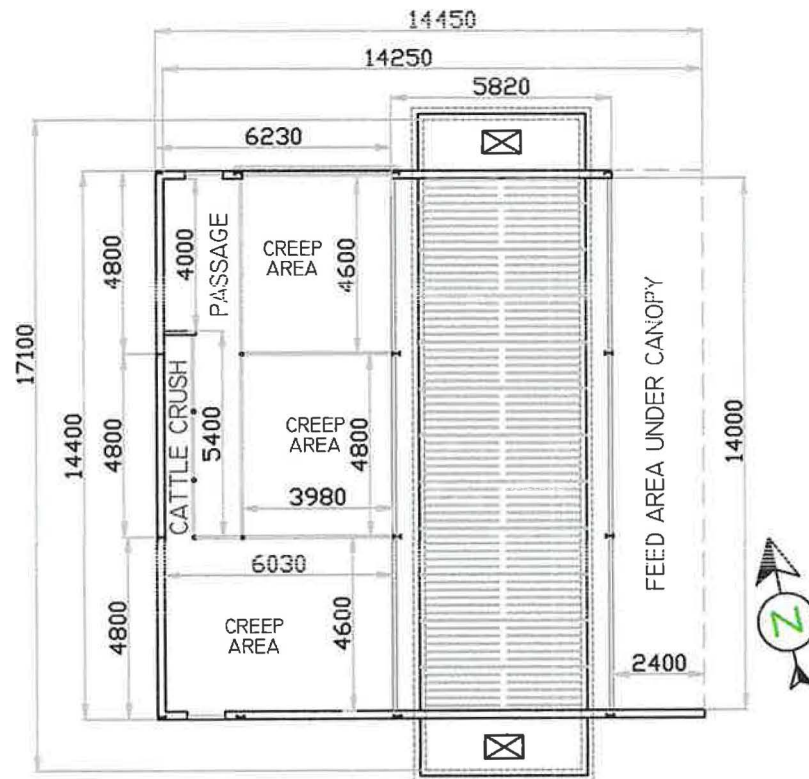
EASTERN ELEVATION



WESTERN ELEVATION



NORTHERN ELEVATION



PLAN

DIARMAID MURPHY

PROPOSED NEW CONSTRUCTION
OF A SLATTED UNIT
& ASSOCIATED SITE WORKS.

AT GARRURAGH,
TULLA, Co. CLARE.

SCALE: 1 : 200
DATE: OCT 2025

ALL DIMENSIONS IN MILLIMETERS
UNLESS OTHERWISE STATED

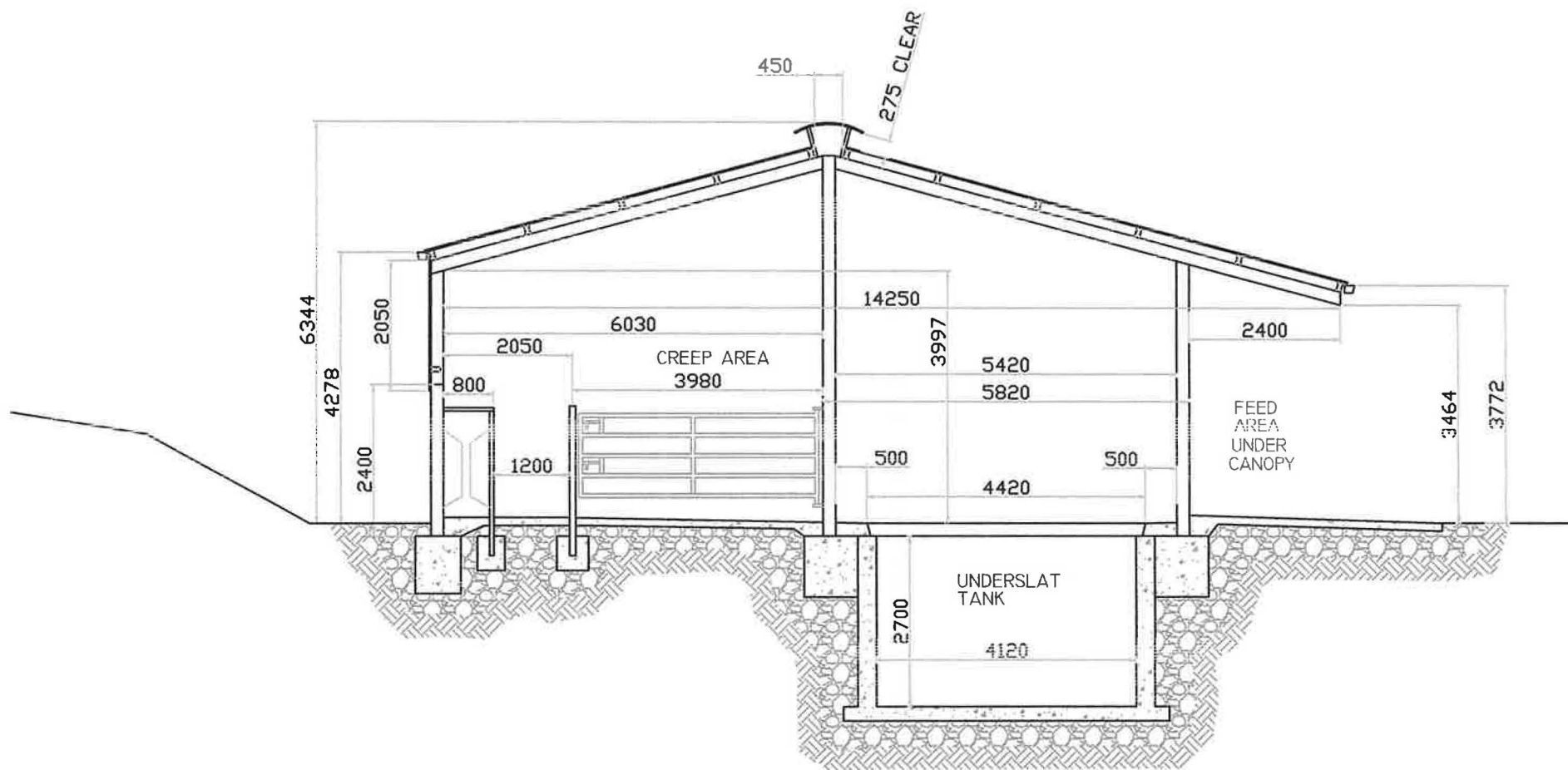
DRG'S PREP. BY : NIAL GEORGEHAN
ADDRESS: BALLYBEG, ENNIS.
MOBILE : 087 2061697

"TEGRAL AGRIBUILD 2000" STEEL CLADDING OR
FIBRE-CEMENT CLADDING ON 150MM x 75MM TREATED TIMBER
PURLINES WITH D. P. C. STRIP
COVERING ON DIPPED STEEL STANCHIONS TO COMPLY
WITH DEPT OF AGRICULTURE SPECIFICATION S.123, S.101 & 102

TO CONSIST OF EITHER 225MM CONC BLOCK WALL CONSTRUCTION
PLASTERED BOTH INTERNALLY & EXTERNALLY OR OF 225MM
SHUTTERED SOLID CONC WALL WITH 28 DAY CRUSHING
STRENGTH OF 37 N/MM² TO COMPLY WITH DEPT OF AGRICULTURE
S.101, S.102 & S.123

125MM CONC SLAB WITH 28 DAY CRUSHING STRENGTH OF 37 N/MM²
ON 50MM SAND/DUST BLINDING ON 150MM HARDCORE.
TO COMPLY WITH DEPT OF AGRICULTURE S.101, S.123

FOUNDATIONS TO DEPARTMENT SPEC. S.101 & S.123
TO ENGINEERS DETAIL.



PROPOSED NEW CONSTRUCTION
OF A SLATTED UNIT
& ASSOCIATED SITE WORKS.

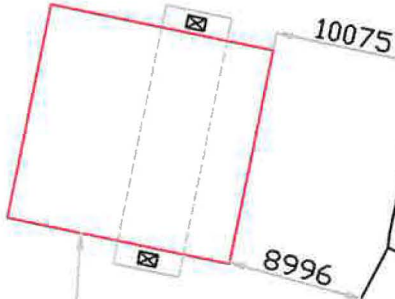
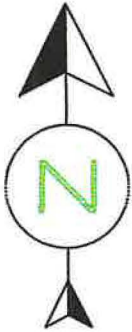
SCALE: 1 : 100
DATE: OCT 2025

DRG'S PREP. BY : NIALL GEOGHEGAN
ADDRESS: BALLYBEG, ENNIS.
MOBILE : 087 2061697

MAP REFERENCE
4268
ITM COORDINATES
551124,679777

FARM BUILDING SCHEDULE:

- 1 = NEW PROPOSED SLATTED UNIT 14.0x14.25 = AREA 199.5 SQ. METERS
2 = UNDERSLAT TANK FOR (No.1) 17.1x4.12x2.7 = VOLUME 190.22 CUBIC METERS



DIARMAID MURPHY

PROPOSED NEW CONSTRUCTION
OF A SLATTED UNIT
& ASSOCIATED SITE WORKS.

AT GARRURAGH,
TULLA, Co. CLARE.

SCALE: 1 : 500
DATE: OCT 2025

ALL DIMENSIONS IN MILLIMETERS
UNLESS OTHERWISE STATED

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MOBILE : 087 2061697