



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Registered Post**

**Simone Corridan Stack**  
**53 Merval Drive**  
**Clareview**  
**Limerick**  
**V94 KVV8**

**12th March 2024**

**Section 5 referral Reference R24-4 – Simone Corridan Stack**

Is the conversion of half the existing garage attached to the property into a bathroom, utility and dog room development and if so, is it exempted development?

A Chara,

I refer to your application received on 19th January 2024 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

The Planning Authority has considered the matter and I attach herewith the Council's findings in this matter.

Where a declaration is issued by the Planning Authority, any person issued with a declaration, may on payment to an Bord Pleanála of the required fee, refer a declaration for review by An Bord Pleanála within 4 weeks of the date of the issuing of the declaration. Details on making such appeal are available on the Board's website at [www.pleanala.ie](http://www.pleanala.ie)

Mise, le meas

**Anne O'Gorman**  
**Staff Officer**  
**Planning Department**  
**Economic Development Directorate**

**An Roinn Pleanála**  
**An 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



**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:

83268

Reference Number:

R24-4

Date Referral Received:

19th January 2024

Further Information Requested:

14th February 2024

Further Information Received:

26th February 2024

Name of Applicant:

Simone Corridan Stack

Location of works in question:

Roo East, Ardnacrusha, Co. Clare

**Section 5 referral Reference R24-4 – Simone Corridan Stack**

Is the conversion of half the existing garage attached to the property into a bathroom, utility and dog room 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) The works as indicated in submitted documents received from the referrer on 22/12/23 and on 26/02/24.
- (c) The forms of exempted development as set out in Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended)
- (d) Article 9 'Restrictions on Exempted Development' of the Planning and Development Regulations 2001 (as amended).

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

- (a) The stated works at Roo East, Ardnacrusha, County Clare, V94EWW4 **are development and are exempted development** in accordance with Schedule 2, Part 1, Class 1 of the Planning Regulations 2001 (as amended) and Section 4(1) (h) of the Planning and Development Act 2000 (as amended).

**ORDER:** Whereas by Chief Executive's Order No. HR 152 dated 9<sup>th</sup> April 2021, Pat Dowling, Chief Executive for Clare County Council, did, pursuant to the powers conferred on him by Section 154 of the Local Government Act 2001, delegate to Gareth Ruane, Senior Executive Planner, the powers, functions and duties as set out herein,

**NOW THEREFORE** pursuant to the delegation of the said powers, functions and duties and under Section 5(2)(a) of the Planning & Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the referral described above, I, Gareth Ruane, Senior Executive Planner, hereby declare that the following works including; the conversion of half of the existing garage that is attached to the dwelling into a bathroom, utility room and dog room; the Changing of the back door on the rear elevation of the garage to a composite door; the construction of one new window on the southern wall of the existing garage structure (to serve dogs room) and the construction of one new window onto the western wall of the existing garage structure at Roo East, Ardnacrusha, Co. Clare is **considered development** which is **exempted development**.

Signed:

  
GARETH RUANE  
SENIOR EXECUTIVE PLANNER 

Date:

12th March 2024



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

**Reference No.: R24-4**



**Section 5 referral Reference R24-4**

**Is the conversion of half the existing garage attached to the property into a bathroom, utility and dog room development and if so, is it exempted development?**

**AND WHEREAS, Simone Corridan Stack** 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) The works as indicated in submitted documents received from the referrer on 22/12/23 and on 26/02/24.
- (c) The forms of exempted development as set out in Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended)
- (d) Article 9 'Restrictions on Exempted Development' of the Planning and Development Regulations 2001 (as amended).

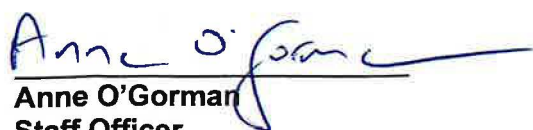
**And whereas Clare County Council has concluded:**

- (a) The stated works at Roo East, Ardnacrusha, County Clare, V94EWW4 **are development and are exempted development** in accordance with Schedule 2, Part 1, Class 1 of the Planning Regulations 2001 (as amended) and Section 4(1) (h) of the Planning and Development Act 2000 (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 following works including; the conversion of half of the existing garage that is attached to the dwelling into a bathroom, utility room and dog room; the changing of the back door on the rear elevation of the garage to a composite door; the construction of one new window on the southern wall of the existing garage structure (to serve dogs room) and the construction of one new window onto the western wall of the existing garage structure at Roo East, Ardnacrusha, Co. Clare constitutes development which is exempted development as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.



A handwritten signature in blue ink, reading "Anne O'Gorman", with a long horizontal flourish extending to the right.

**Anne O'Gorman**  
**Staff Officer**  
**Planning Department**  
**Economic Development Directorate**

**12th March 2024**

CLARE COUNTY COUNCIL  
SECTION 5 DECLARATION OF EXEMPTION APPLICATION  
PLANNERS REPORT- Report No. 2

FILE REF:	R24-4
APPLICANT(S):	Simone Corridan Stack
REFERENCE:	R24-4
LOCATION:	Roo East Ardnacrusha Co. Clare
DUE DATE:	14 <sup>th</sup> March 2024

**Further Information ( FI ) :**

Further Information was sought from the referrer in relation to this Section V Ref R24-4 on 14<sup>th</sup> February 2024. The Referrer responded to this on 26<sup>th</sup> February 2024. The following are the points of FI as were sought from the Referrer and the responses to the points of FI.

- (1) The proposed alterations as stated on the application form for this application are unclear and this matter requires clarification.*

*The proposed layout plan for the dwelling is also unclear as it shows other proposed alterations to the house, which are not included within the details based on which a declaration is sought, and it is unclear if these other alterations are to be considered.*

*Please submit a clear statement as to the exact works for which a Section 5 Declaration is sought.*

**Applicants Response;**

In response to point 1, the Referrer states that:

- It is intended to make internal changes to the subject house.
- This Section V relates to changes to the existing garage only.
- It is proposed to block off an existing window on the existing garage and install a new door here.
- It is proposed to construct a new window on the end wall of the existing garage to provide for a bathroom window.

**(2) Please submit elevation drawings, at an appropriate scale, of the elevations of the parts of the dwelling onto which the stated works are to be carried out, with the proposed alterations shown.**

*This detail is necessary to consider the proposed alterations in terms of the sizes of proposed new windows etc. Please note that the elevation drawings which will show the proposed alterations to the dwelling (which form the question asked in this Section 5 Referral) must match up with the text of the statement as to the exact works for which a Section 5 Declaration is sought. This is necessary for clarity.*

### **Applicants Response;**

The referrer has submitted elevation drawings of the subject dwelling and attached garage and the proposed alterations to the garage are shown on the elevation drawings submitted and show the proposed provision of a new door on the rear wall of the garage ( to replace the existing door) The provision of a new window ( 900mm X 1000mm) on the rear wall of the garage, the blocking up of an existing window on the side wall of the garage and the construction of a new door on the side wall of the garage.

### **Assessment**

The details as submitted in response to the request for further information are considered acceptable and are considered in conjunction with the details originally submitted with this Section V Referral to provide a full description of the works to which this Section V referral relates.

As per my original report on this Referral, it was stated that the applicant is seeking a Section 5 Declaration to determine if the following constitute works are if so, are these works exempted development or not.

- The conversion of half of the existing garage that is attached to the dwelling into a bathroom, utility room and dog room.
- Change the back door on the rear elevation of the garage to a composite door
- Construct one new window on the southern wall of the existing garage structure ( to serve dogs room)
- Construct one new window onto the western wall of the existing garage structure
- Elevation drawings of the proposed alterations have been submitted.

The Referrer has now submitted clear written details as to the nature of the proposed works and the elevation drawings as submitted clearly show the proposed works.



### **Planning Exemption Assessment:**

#### **(1) Change of use of the garage to use as part of the house**

Schedule 2, Part 1 Exempted Development- General of the Planning Regulations provides for the following class of exempted development;

##### **CLASS 1**

*The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the **conversion for use as part of the house of any garage**, store, shed or other similar structure attached to the rear or to the side of the house.*

I have read the conditions and limitations as apply to this class of exempted development and I am satisfied that none apply. Having regard to the nature of the use proposed for the attached garage, being uses associated with the existing dwelling, I am satisfied that the exempted development as provided for under Class 1 of Schedule 2 Part 1 Exempted Development General of the Planning Regulations 2001 ( as amended) applies in this case.

#### **(2) Addition of a number of windows and doors**

The following alterations to existing garage as is attached to the side of the house are proposed, as per the further information received on 26<sup>th</sup> February 2024;

- It is proposed to block off an existing window on the existing garage and install a new door here.
- It is proposed to construct a new window on the end wall of the existing garage to provide for a bathroom window.

Elevation drawings of the alterations that Section V Referral relates to have been submitted. Having regard to the nature and location of the proposed works, the proposed works to the dwelling are considered in terms of compatibility with Section 4(1) ( h) of the Planning and Development Act, which provides for the following exempted development;

*h) development consisting of the carrying out of works for the maintenance, improvement, or other alteration of any structure, being works which affect only the interior of the structure **or which do not materially affect the external appearance of the structure to render the appearance inconsistent with the character of the structure or of neighbouring structures.***

Having regard to the description of the works as proposed and to the elevation drawings as submitted and to my own inspection of the site, I am satisfied that the stated works to the dwelling are in accordance with and can be considered to be exempted development with Section 4(1) ( h) of the Planning and Development Act.

### **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 (for both the dwelling extension and the garage):

- (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act. **Not applicable.**
- (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.**
- (iii) endanger public safety by reason of traffic hazard or obstruction of road users. **Not applicable.**
  - (iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes, or aircraft, **Not applicable.**
- (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. **It is considered that the proposed works will not interfere with the character of the landscape or views in the area.**
- (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.**
- (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.**
- (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 license granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended. **Not applicable.**
  - 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. **This is not applicable.**

- 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. **These are not applicable.**
- (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorized structure or a structure the use of which is an unauthorized use. **This is not applicable.**
- (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.**
- (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.**
- (xi) obstruct any public right of way. **This is not applicable.**
- (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.**

#### **Environmental Impact Assessment**

In assessing this application I have had regard to the provisions of EU Directive 2014/52/EU (which amends EU Directive 2011/92/EU), and which has been transposed into Irish legislation by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (SI No. 296 of 2018). The subject development does not fall within the mandatory requirements for EIA as set out in Schedule 7 of the Planning and Development Regulations 2001, as amended. I therefore consider that the proposal constitutes a sub-threshold development and note the requirements of Article 103 (1)(a) and (b) of the Planning and Development Regulations 2001, as amended. As such having regard to the nature and scale of the proposed development and the nature of the receiving environment I consider that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

#### **Appropriate Assessment**

Having regard to the small scale and domestic nature of the proposed development, the location of the development on an established developed site and the absence of a pathway to the European site, it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.



### **Recommendation**

#### **The following question has been referred to the Planning Authority:**

Whether the following constitute works are if so, are these works exempted development or not.

- The conversion of half of the existing garage that is attached to the dwelling into a bathroom, utility room and dog room.
- The Changing of the back door on the rear elevation of the garage to a composite door
- The construction of one new window on the southern wall of the existing garage structure ( to serve dogs room)
- The construction of one new window onto the western wall of the existing garage structure.

#### **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) The works as indicated in submitted documents received from the referrer on 22/12/23 and on 26/02/24.
- (c) The forms of exempted development as set out in Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended)
- (d) ~~Part~~ 9 'Restrictions on Exempted Development' of the Planning and Development ~~Act~~ Regulations 2001 (as amended).

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

The stated works at Roo East Ardnacrusha, County Clare, V94EWW4, **are development and are exempted development** in accordance with Schedule 2, Part 1, Class 1 of the Planning Regulations 2001 ( as amended) and Section 4(1) ( h) of the Planning and Development Act 2000 ( as amended).

A m c cathy 12-03-24  
Annemarie Hennelly  
Executive Planner  
Date: 12-03-24

GR  
Garreth Ruane  
~~A~~ Senior Executive Planner  
Date: 12/03/24.

## Brian Fahy

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**From:** simone C <simonestack>  
**Sent:** Monday 26 February 2024 10:38  
**To:** Brian Fahy  
**Subject:** Section 5  
**Attachments:** The Archways Elevations.pdf



Hi Brian,

I hope you are keeping well and had a nice weekend.

Further to your letter please see my responses below:

(1) We wish to make internal changes to the house. The section 5 refers to the existing Garage being converted only.

Existing Garage Info:

- 1 Back Door
- 2 Windows (one at the front of garage & 1 at the back of the garage)

Proposed Garage Conversion Info:

- Keep the existing back door (put in a composite door instead as current door is very old)
- Block up one of the existing windows located towards the back of the garage & make this a new composite door off the dog room
- Put a new window on the end wall of the garage for the bathroom window

(2) Please see elevation attached

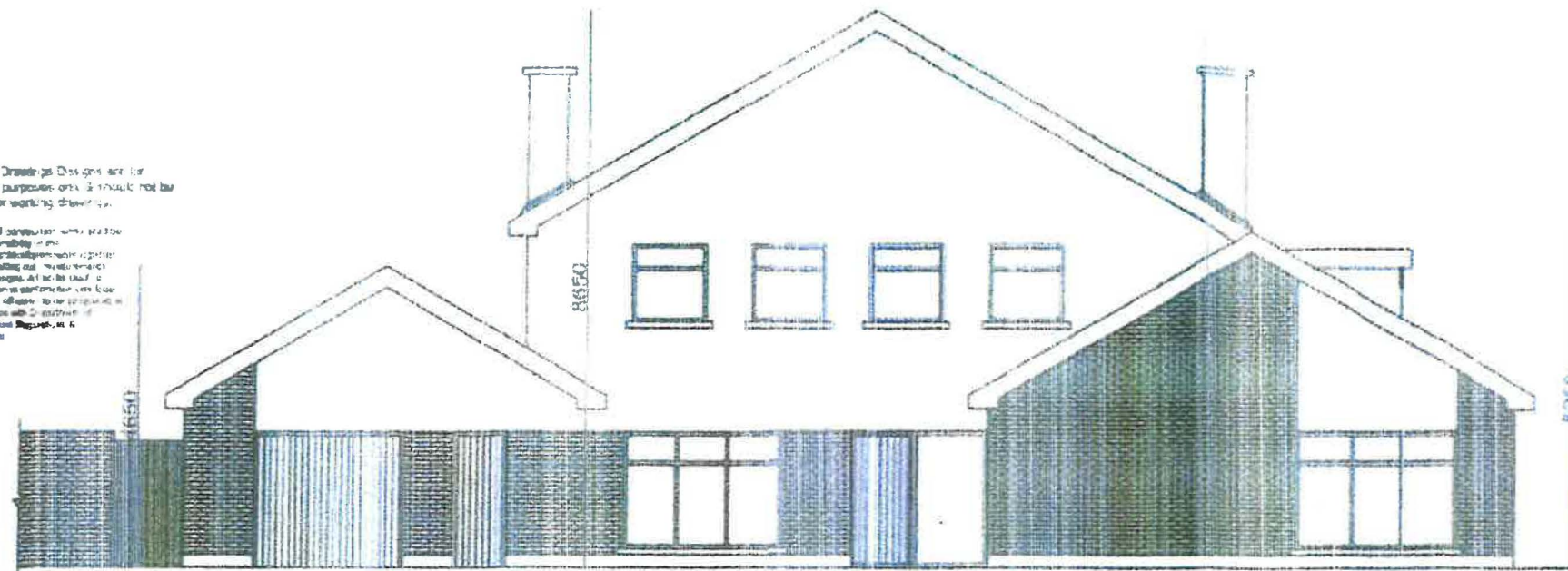
Thanks so much,

Simone

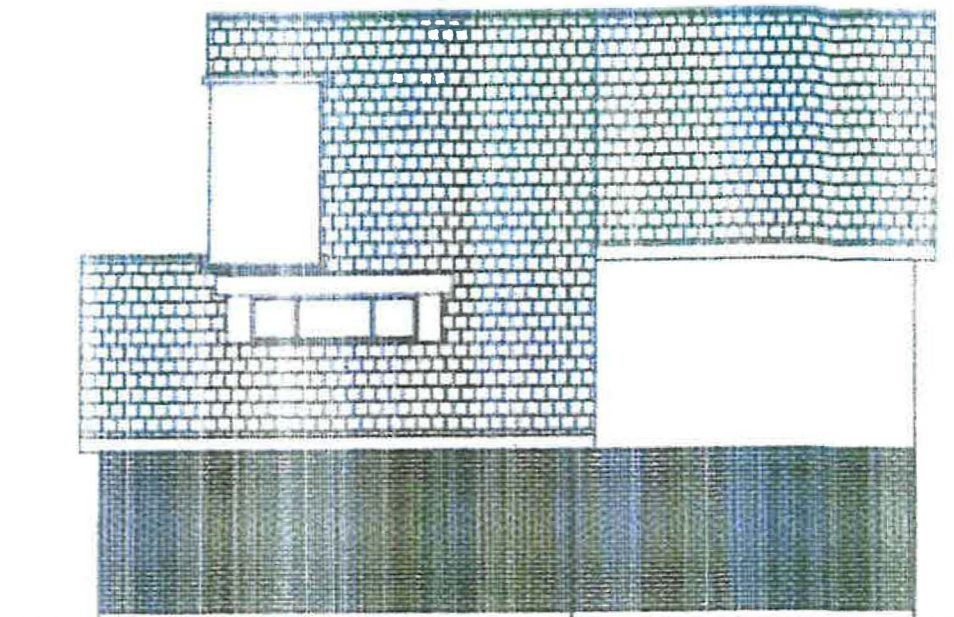


These Drawings/Designs are for design purposes only. It should not be used for working drawings.

10/22/2024 All computer work is the responsibility of the designer/developer who is responsible for all building and construction details. All work shall be undertaken in accordance with the local authority's rules and regulations and shall be in accordance with the Building Regulations, N.I. 6, 2000.



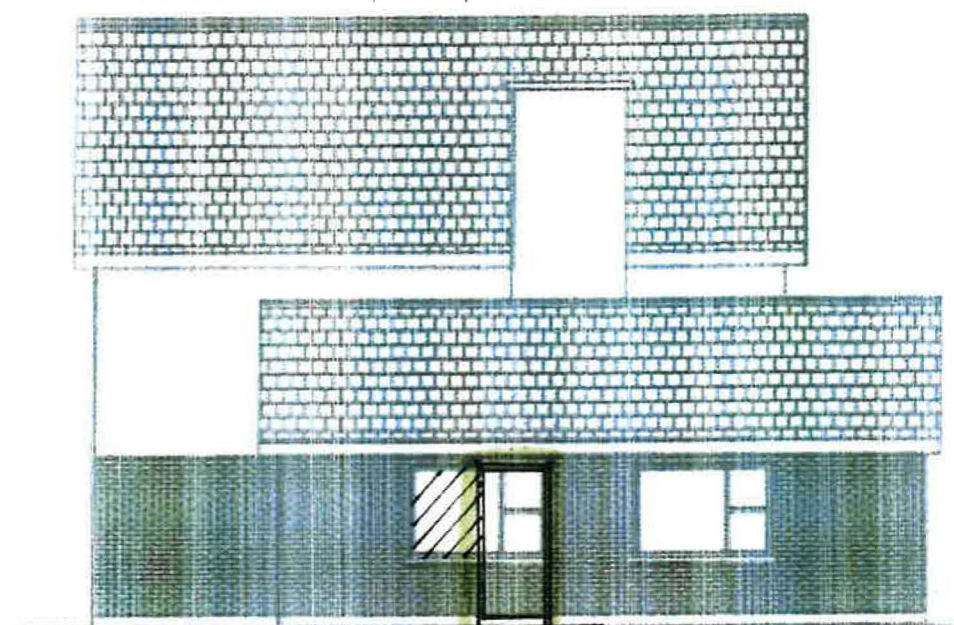
Front Elevation (East) 1:100



Front Elevation (North) 1:100



Rear Elevation (West) 1:100



Side Elevation (South) 1:100

↑  
RAISE DOOR HEAD  
& THRESHOLD LEVEL  
FIT NEW 840 x 2100 DOOR

↑  
ADJUST EXISTING WINDOW  
OPE. FIT NEW 900 x 2100 DOOR







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**14th February 2024**

**Section 5 referral Reference R24-4 – Simone Corridan Stack**

Is the conversion of half the existing garage attached to the property into a bathroom, utility and dog room development and if so is it exempted development?

A Chara,

I refer to your application received on 19th January 2024 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) The proposed alterations as stated on the application form for this application are unclear and this matter requires clarification.

The proposed layout plan for the dwelling is also unclear as it shows other proposed alterations to the house, which are not included within the details based on which a declaration is sought, and it is unclear if these other alterations are to be considered.

Please submit a clear statement as to the exact works for which a Section 5 Declaration is sought.

- (2) Please submit elevation drawings, at an appropriate scale, of the elevations of the parts of the dwelling onto which the stated works are to be carried out, with the proposed alterations shown.

This detail is necessary to consider the proposed alterations in terms of the sizes of proposed new windows etc. Please note that the elevation drawings which will show the proposed alterations to the dwelling (which form the question asked in this Section 5 Referral) must match up with the text of the statement as to the exact works for which a Section 5 Declaration is sought. This is necessary for clarity.

**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



Please submit your response to the above points to allow for further consideration of this Section 5 Declaration Request. You are invited to contact the Planner dealing with this Section V Referral (Annemarie McCarthy) on 065 6846307 should you wish to discuss this.

Mise, le meas

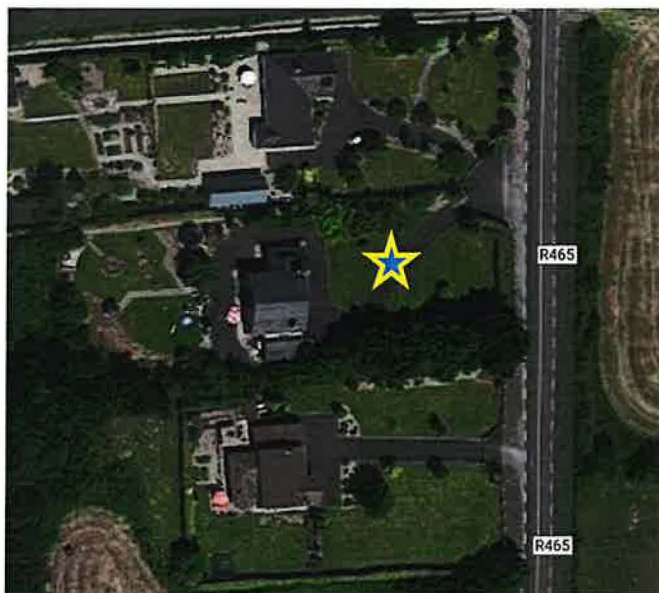
  
**Anne O'Gorman**  
**Staff Officer**  
**Planning Department**  
**Economic Development Directorate**

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

<b>FILE REF:</b>	R24-4
<b>APPLICANT(S):</b>	Simone Corridan Stack
<b>REFERENCE:</b>	R24-4
<b>LOCATION:</b>	Roo East Ardnacrusha Co. Clare
<b>DUE DATE:</b>	14 <sup>th</sup> February 2024

**Site Location**

The subject property is in a rural area to the north of Ardnacrusha and is accessed via the R465 Regional Road. There is an existing storey and a half style dwelling on this site and there are dwelling houses either side of this dwelling, to the north ( single storey) and to the south ( two storey). There is hedging along the front boundary of the property and along the side boundaries. There is partially a fence and partially a wall and hedging along the southern boundary of this site, where an attached garage is located and where the stated works are proposed to be conducted.



**Figure 1;** Aerial View of Site and house





**Figure 2;** Front View of House



**Figure 3:** Boundary with adjacent property to the south.





**Figure 4 and 5; Elevation walls of subject garage.**

### **Recent Planning History**

Current planning application:

**23-60583**

Michael McInerney

Permission is sought to retain changes to original house submitted for grant of permission under P8/18299 and planning permission to raise the front boundary wall and entrance to 2m, with finish match existing wall finish, and associated site development works at Roo East Ardnacrusha. A decision on this application is due on or before 24-02-24.

### **Background to Referral**

This Referral under Section 5(3)(a) of the Planning and Development Act 2000 (as amended) has been made by Simone Corridan Stack. The applicant's is the prospective purchaser of this property.

The applicant is seeking a Section 5 Declaration to determine if the following constitute works are if so, are these works exempted development or not.

The following alterations to the house are proposed ( as per the application form submitted)

- The conversion of half of the existing garage that is attached to the dwelling into a bathroom, utility room and dog room.
- Change the back door on the rear elevation of the garage to a composite door
- Construct one new window on the southern wall of the existing garage structure ( to serve dogs room)
- Construct one new window onto the western wall of the existing garage structure

The floor plans as submitted show other works at ground floor level of the dwelling, on the rear elevation- which are the proposed provision of new patio doors from dining room to garden , remove existing patio doors from living area, build up section of wall and provide new window all on the western/ rear elevation at ground floor level.

It is unclear if these works are meant to be included in this Section 5 Referral assessment.

On balance, it is considered appropriate that only works as specifically stated by the Referrer be considered/ assessed in terms of potential to be exempted development.

### **Statutory Provisions**

#### **- Planning and Development Act, 2000 (as amended)**

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.*

Having regard to the nature of the proposed alterations to the house, this is ‘Development’ and to be ‘Works’ as defined by the Planning and Development Act 2000 (as amended).

Regard has also been had to Section 4 of the Planning and Development Act 2000 (as amended) which provides as follows in terms of Exempted Development:

#### ***Exempted Development***

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

*(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

5. - (7) A planning authority, before making a declaration under this section, shall consider the record forwarded to it in accordance with subsection (6)(c).

### **Planning & Development Regulations, 2001, as amended**

Schedule 2, Part 1, Exempted Development- General of the Planning Regulations provides for the following class of exempted development;

*Development within the curtilage of a house*

#### **CLASS 1**

*The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the **conversion for use as part of the house of any garage**, store, shed or other similar structure attached to the rear or to the side of the house.*

### **Conditions and limitations**

1. (a) *Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.*

(b) *Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.*

(c) *Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

2. (a) *Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.*

(b) *Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.*

(c) *Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.*

3. *Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.*

4. (a) *Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.*

(b) *Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.*



*(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.*

*5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

*6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.*

*(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.*

*(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.*

*7. The roof of any extension shall not be used as a balcony or roof garden.*

It is considered that the proposal to use part of the attached garage for uses as part of the house, falls within the above class of exempted development and it is noted that none of the conditions or limitations to this class of exempted development apply in this case.

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. No such classes refer specifically to the installation / change of size of a window or the provision of a door onto a dwelling.

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) 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.*

- (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.*
- (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.*
- (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.*
  - 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.*
  - 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."*
- (viii) *consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an un-authorised 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

### Particulars of the works proposed.

The applicant is seeking a Section 5 Declaration in relation to the following to determine if the following constitute works are if so, are these works exempted development or not. The following alterations to the house are proposed ( as stated on the application form submitted):

The following alterations to the house are proposed ( as per the application form submitted)

- The conversion of half of the existing garage that is attached to the dwelling into a bathroom, utility room and dog room.
- Change the back door on the rear elevation of the garage to a composite door
- Construct one new window on the southern wall of the existing garage structure ( to serve dogs room)
- Construct one new window onto the western wall of the existing garage structure

### Planning Exemption Assessment:

#### **(1) Change of use of the garage to use as part of the house**

Schedule 2, Part 1m Exempted Development- General of the Planning Regulations provides for the following class of exempted development;

*Development within the curtilage of a house*

#### **CLASS 1**

*The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the **conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.***

I have read the conditions and limitations as apply to this class of exempted development and I am satisfied that none apply. Having regard to the nature of the use proposed for the attached garage, being uses associated with the existing dwelling, I am satisfied that the exempted development as provided for under Class 1 of Schedule 2 Part 1 Exempted Development General of the Planning Regulations ( as amended) applies in this case.

## **(2) Addition of a number of windows and doors**

It is stated on the application form for this Section V Referral application that a declaration is required as to whether works comprising of

The following alterations to the house are proposed ( as per the application form submitted)

- The conversion of half of the existing garage that is attached to the dwelling into a bathroom, utility room and dog room.
- Change the back door on the rear elevation of the garage to a composite door
- Construct one new window on the southern wall of the existing garage structure ( to serve dogs room)
- Construct one new window onto the western wall of the existing garage structure

Elevation drawings of the alterations that this Section V Referral relates to have not been submitted and hence it is not proposed to make a full assessment of the impact of the proposed works. The proposed works to the dwelling are being considered in terms of compatibility with Section 4(1) ( h) of the Planning and Development Act, which provides for the following exempted development;

*h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure **or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.***

As elevation drawings of the proposed works have not been submitted, it is not possible to make a full assessment as to whether or not the proposed works can fall within the class of exempted development as set out in Class 4(1) (h).

Overall, the details as submitted are unclear both in terms the question that is being asked of the Planning Authority ( the exact alterations to be considered) and in terms of the nature of the alterations (there are no elevations submitted).

To provide for further assessment of this Referral, it is necessary that Further Information be sought from the applicant as to the exact works to which this referral relates and seeking elevation drawings of the relevant elevations.

### **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 (for both the dwelling extension and the garage):

- (xiii) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act. **Not applicable.**
- (xiv) 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.**
- (xv) endanger public safety by reason of traffic hazard or obstruction of road users. **Not applicable.**
  - (iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft, **Not applicable.**
- (xvi) 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. **It is considered that same does not interfere with the character of the landscape or views in the area.**
- (xvii) 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.**
- (xviii) 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.**
- (xix)
  - 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.**
  - 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. **This is not applicable.**

- 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. **These are not applicable.**

- (xx) 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.**
- (xxi) 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.**
- (xxii) 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.**
- (xxiii) obstruct any public right of way. **This is not applicable.**
- (xxiv) 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.**

#### **Environmental Impact Assessment**

In assessing this application I have had regard to the provisions of EU Directive 2014/52/EU (which amends EU Directive 2011/92/EU), and which has been transposed into Irish legislation by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (SI No. 296 of 2018). The subject development does not fall within the mandatory requirements for EIA as set out in Schedule 7 of the Planning and Development Regulations 2001, as amended. I therefore consider that the proposal constitutes a sub-threshold development and note the requirements of Article 103 (1)(a) and (b) of the Planning and Development Regulations 2001, as amended. As such having regard to the nature and scale of the proposed development and the nature of the receiving environment I consider that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

#### **Appropriate Assessment**

Having regard to the small scale and domestic nature of the proposed development, the location of the development in an urban area, and the consequent absence of a pathway to the European site, it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.



### **Recommendation**

I recommend that **Further Information** be sought from the Referrer as follows;

Having regard to your request for a Declaration on Development and Exempted Development under Section 5 of the Planning and Development Act 2000 ( as amended) the details as submitted are not sufficiently clear on which to make a determination.

The following further information is required to allow for further consideration of this referral:

- (1) The proposed alterations as stated on the application form for this application are unclear and this matter requires clarification.

The proposed layout plan for the dwelling is also unclear as it shows other proposed alterations to the house, which are not included within the details based on which a declaration is sought, and it is unclear if these other alterations are to be considered.

Please submit a clear statement as to the exact works for which a Section 5 Declaration is sought.

- (2) Please submit elevation drawings, at an appropriate scale, of the elevations of the parts of the dwelling onto which the stated works are to be carried out, with the proposed alterations shown.

This detail is necessary to consider the proposed alterations in terms of the sizes of proposed new windows etc. Please note that the elevation drawings which will show the proposed alterations to the dwelling ( which form the question asked in this Section 5 Referral) must match up with the text of the statement as to the exact works for which a Section 5 Declaration is sought. This is necessary for clarity.

Please submit your response to the above points to allow for further consideration of this Section 5 Declaration Request. You are invited to contact the Planner dealing with this Section V Referral ( Annemarie McCarthy) at 065 6846307 should you wish to discuss this.

 12-02-24  
Annemarie McCarthy  
Executive Planner  
Date: 12-02-24

  
Garreth Ruane  
Senior Executive Planner  
Date: 16/02/24



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Simone Corridan Stack**  
53 Merval Drive  
Clareview  
Limerick  
V94 KVV8

**22/01/2024**

**Section 5 referral Reference R24-4 – Simone Corridan Stack**

Is the conversion of half the existing garage attached to the property into a bathroom, utility and dog room development and if so is it exempted development?

A Chara,

I refer to your application received on 19th January 2024 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

Please note that the Planning Authority is considering the matter and a reply will issue to you in due course.

Mise, le meas

**Brian Fahy**  
Planning Department  
Economic Development Directorate

**An Roinn Pleanála**  
**An 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



# COMHAIRLE

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

## CONTAE

19/01/2024 13:56:47

## AN CHLAIR

Receipt No. : L1CASH/0/359550

\*\*\*\*\* REPRINT \*\*\*\*\*

Simone Corridan Stack  
53 Merval Drive, Clareview,  
Limerick V94 KWV8  
REF. R24-4



SECTION 5 REFERENCES

80.00

GOODS 80.00

VAT Exempt/Non-vatable

Total :

80.00 EUR

Tendered :

CREDIT CARDS

80.00

Change :

0.00

Issued By : L1CASH - Colm Murphy

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



R24-4



Comhairle Contae an Chláir  
Clare County Council

**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	<p>Simone Corridan Stack</p> <p>53 Merval Drive, Clareview, Limerick</p> <p><b>Eircode:</b> V94 K VW8</p>
(b) Telephone No.:	
(c) Email Address:	
(d) Agent's Name and address:	<p>N/A</p> <p><b>EIRCODE:</b></p>



## 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 conversion of half the existing garage attached to the property exempt?**

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

We are sale agreed on a house in Ardnacrusha since July 2023. The process was moving at a very slow rate and eventually we were advised in November that there was an issue with planning. We asked daily for retention to be submitted but the vendor's engineer was too busy so it was only submitted December 22nd.

Because of this we have had two buyers for our house pull out and we must start the whole process again.

The retention application number is 2360583

Property owner: Mr Michael McInerney

Engineer: Ivan Shaw

So, this property has never been lived in so we are applying for the Vacant homes grant.

I cannot apply for the grant while living in the house, so I need to hopefully get this planning issue sorted soon and then apply for the grant. We just are caught for time because we expect to have to move in March. I have been advised I need to apply for this grant before the end of the month at the latest.

There is an existing garage attached to the house.

We hope to convert half the back of the garage into a Bathroom, utility, and dog room.

Currently there are two windows and a back door. One window which is closer to the garage door we will not be touching.

The changes we wish to make are:

1. Change the back door to a new composite door ✓
2. Move one window to the opposite wall in the bathroom ✓
3. Break down wall for new composite door in dog room ✓

Please see existing and proposed plans enclosed. On the proposed plan the architect has down for a boiler house. This is no longer needed as we are now getting an outdoor boiler (at the time the plans were being drawn up we were not aware you could get an outdoor boiler) and also on the plans there is a window in the dog's room which we are now changing to a door.

Also enclosed are the folio and maps which I got from land registry.



(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)*

**Yes, enclosed is all documents**

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

(a) Postal Address of the Property/Site/Building for which the declaration sought:	Archways, Rooeast, Ardnacrusha, Co. Clare  V94 EWW4
(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):	Prospective Purchaser
(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>	Mr. Michael McInerney, Archways Roo East Ardnacrusha Co. Clare V94 EWW4
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	No We are only submitting this to see can we go ahead with the vacant homes grant application
(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>	Yes, there is currently a retention planning application as the house was build different to original plans. Retention Application No: <b>2360583</b> .
(h) Date on which 'works' in question were completed/are likely to take place:	Hopefully May 2024

SIGNED: Simone Corridan - Stack

DATE: 19/01/2024

### **GUIDANCE NOTES**

*This following are non-statutory advice notes prepared by Clare County Council for the purpose of advising people what information is required for a decision to be made under Section 5 by the Planning Authority*

- (i) The request for a declaration under Section 5 must be accompanied by 2 copies of site location map based on the Ordnance Survey map for the area of a scale not less than 1:1000 in urban areas and 1:2500 in rural areas and should clearly identify the site in question.
- (ii) The request for a declaration under Section 5 must be accompanied by the required fee of €80.00.
- (iii) If submitting any additional plans/reports etc. as part of the request for a declaration, please submit 2 copies.
- (iv) The request for a declaration should be sent to the following address:

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

- (v) Notwithstanding the completion of the above form, the Planning Authority may require the submission of further information with regard to the request in order to enable the Authority to issue a declaration on the question.
- (vi) The Planning Authority may also request other persons to submit information on the question which has arisen and on which the declaration is sought

### **FOR OFFICE USE ONLY**

Date Received:	.....	Fee Paid:	.....
Date Acknowledged:	.....	Reference No.:	.....
Date Declaration made:	.....	CEO No.:	.....
Decision:.....			



# Planning Pack Map



Tailte  
Éireann

**CENTRE  
COORDINATES:**  
ITM 559197,663692

**PUBLISHED:** 20/12/2023  
**ORDER NO.:** 50374691\_1

**MAP SERIES:** 1:2,500  
**MAP SHEETS:** 4563-D

**COMPILED AND PUBLISHED BY:**  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

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This topographic map  
does not show  
legal property boundaries,  
nor does it show  
ownership of physical features.

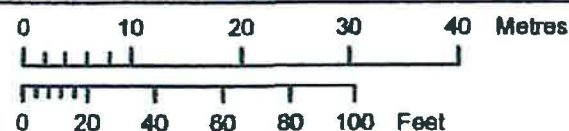
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Ruaigh Thiar  
Roo West

Ruaigh Thoir  
Roo East

Michael McInerney - Archways, Roo East, Ardnacrusha, Co. Clare, V94 EWV4  
Site Edged Red.



OUTPUT SCALE: 1:1,000

**CAPTURE RESOLUTION:**  
The map objects are only accurate to the  
resolution at which they were captured.  
Output scale is not indicative of data capture scale.  
Further information is available at:  
[www.tailte.ie](http://www.tailte.ie); search 'Capture Resolution'

**LEGEND:**  
To view the legend visit  
[www.tailte.ie](http://www.tailte.ie) and search for  
'Large Scale Legend'





GENERAL NOTES:

A. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL DRAWINGS THE SPECIFICATION AND ALL RELEVANT STANDARD DETAIL DRAWINGS.

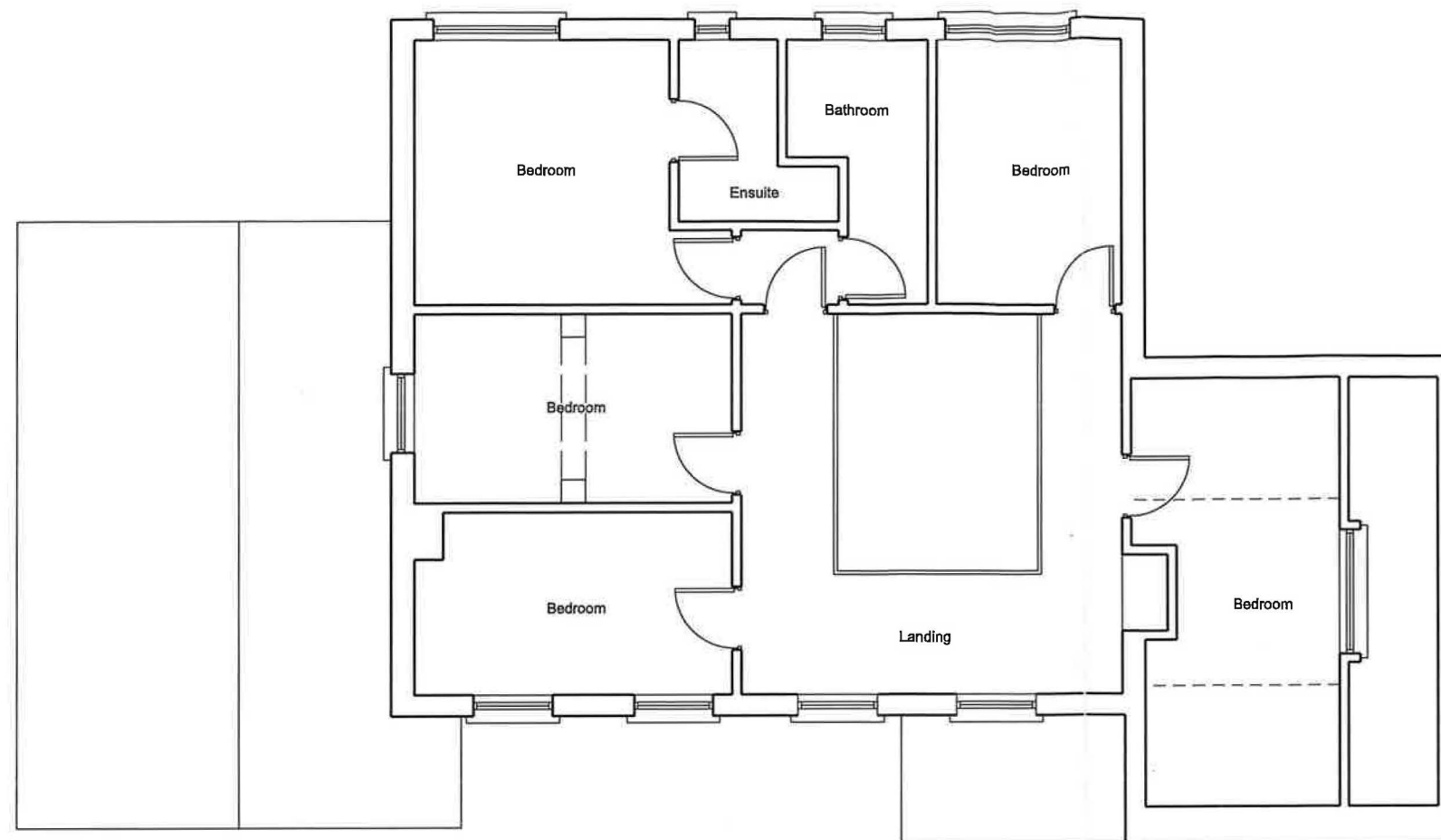
B. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT CIVIL, STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS TOGETHER WITH THE SPECIFICATIONS / SCHEDULES.

C. ALL DIMENSIONS IN MILLIMETRES. DO NOT SCALE FROM THIS DRAWING. USE FIGURE DIMENSIONS ONLY.

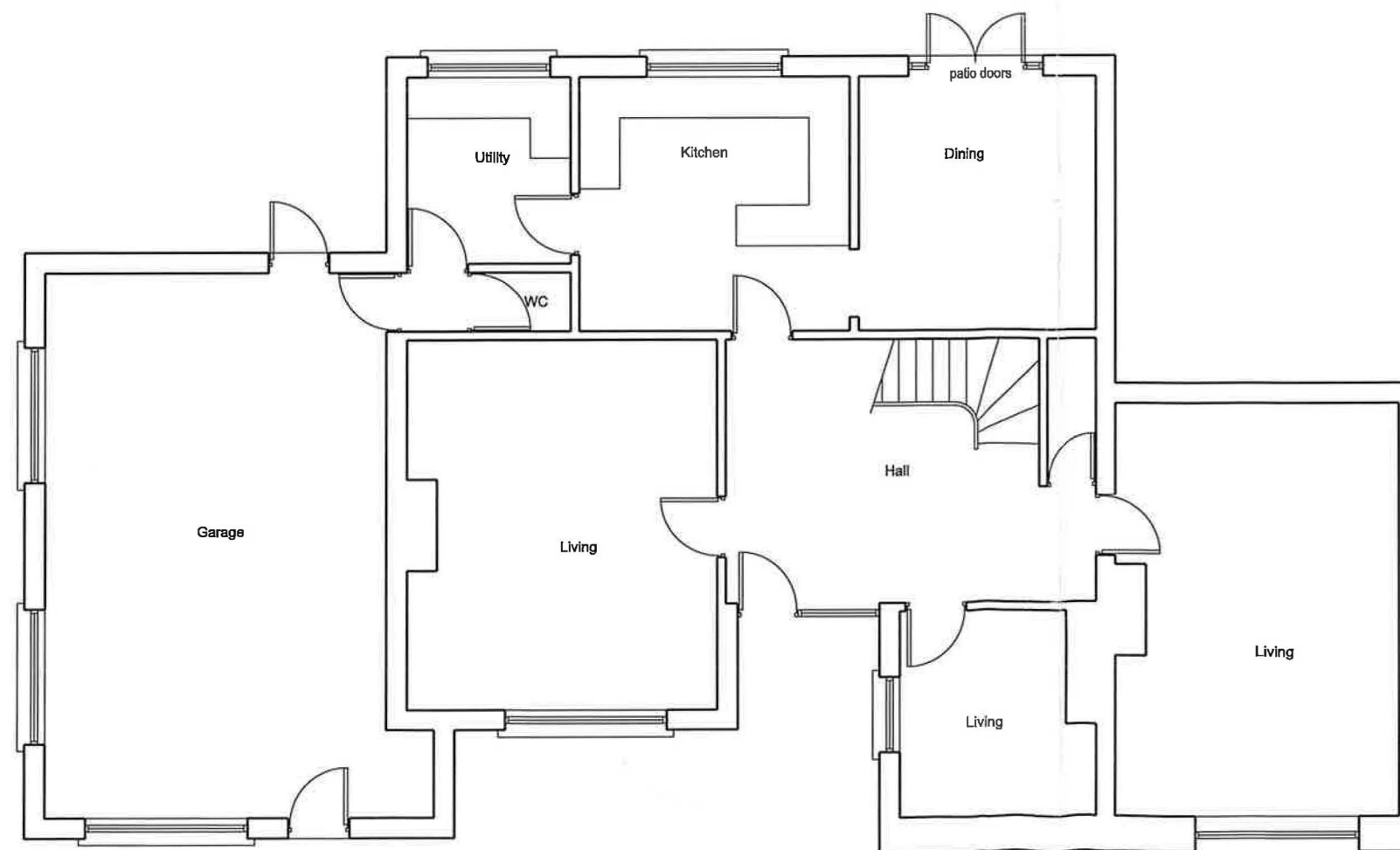
D. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE SETTING OUT COMMENCING WORK OR PRODUCING ANY SHOP DRAWINGS.

E. THE DEVELOPMENT IS TO BE CONSTRUCTED IN COMPLIANCE WITH CURRENT BUILDING REGULATIONS.

F. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR STORED IN ANY RETRIEVAL SYSTEM OF ANY NATURE WITHOUT THE WRITTEN PERMISSION AS COPYRIGHT HOLDER EXCEPT AS AGREED FOR USE ON THE PROJECT FOR WHICH THE DOCUMENT WAS ORIGINALLY ISSUED.



FIRST FLOOR PLAN




GROUND FLOOR PLAN

NOEL KERLEY ARCHITECTS

6 THE CRESCENT, LIMERICK

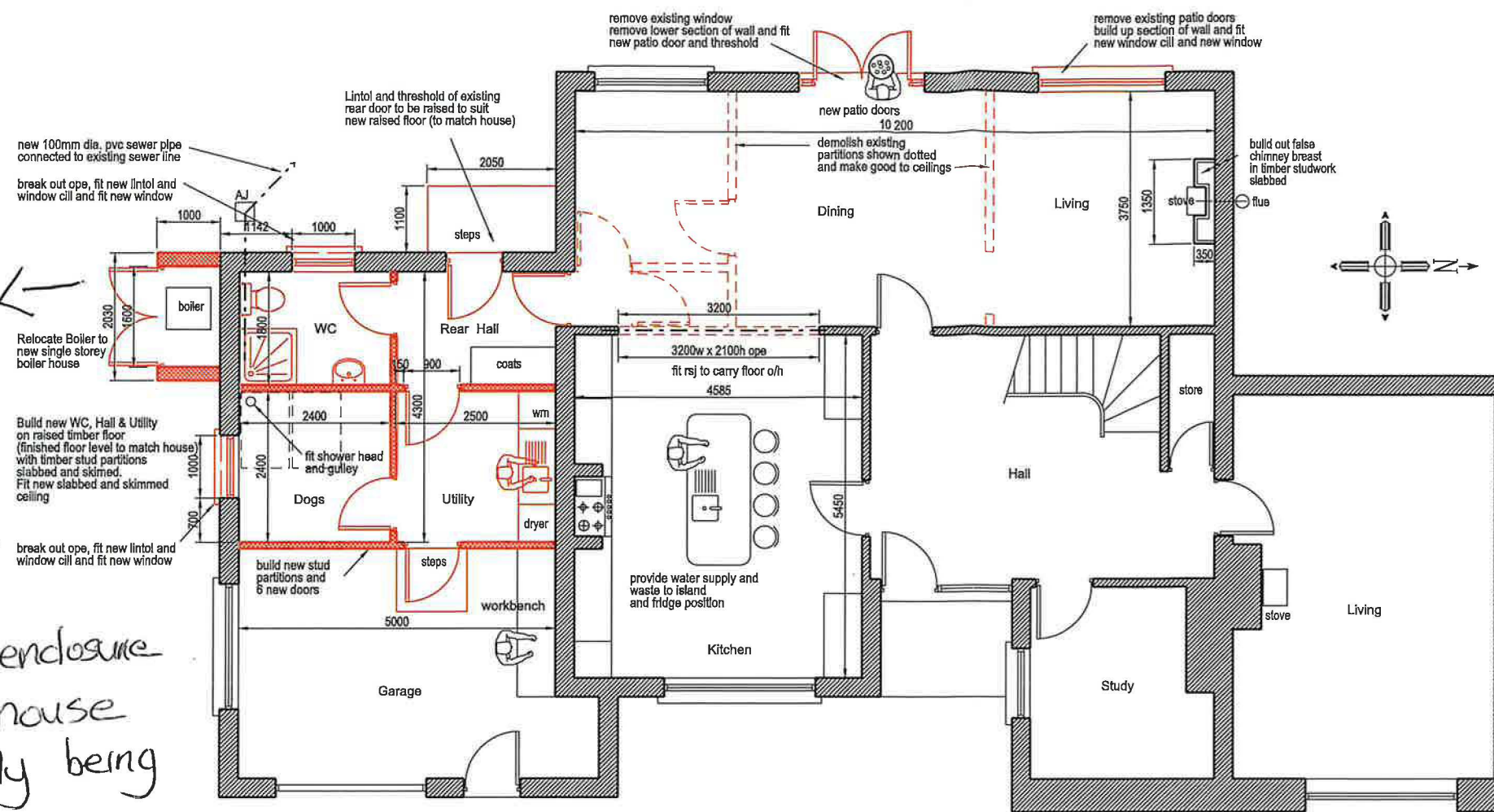
Tel : +353 (0) 61 214601

e-mail : noel@nka.ie



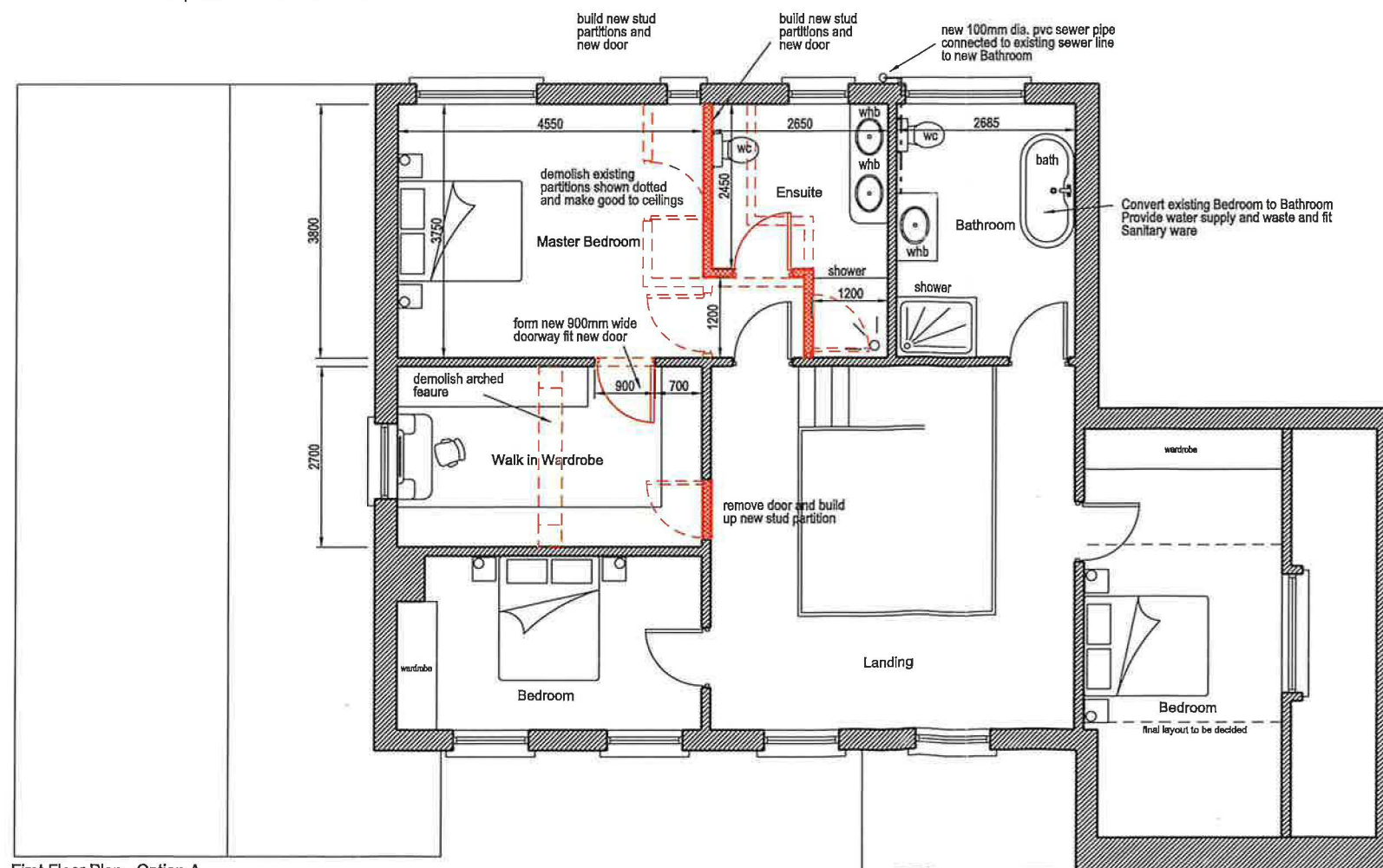
CLIENT:	<b>Simone Corridan-Stack, David McCarthy</b>	Date :	18.09.2023
PROJECT:	<b>Extension and alterations to dwelling Roo East Ardnacrusha, Co. Clare</b>	Scale :	1:100
		Drawn :	NK
		Stage :	Survey
		Title:	Existing Floor Plans
			22 10 516/01

- A. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL DRAWINGS THE SPECIFICATION AND ALL RELEVANT STANDARD DETAIL DRAWINGS.
- B. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT CIVIL, STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS TOGETHER WITH THE SPECIFICATIONS AND SCHEDULES.
- C. ALL DIMENSIONS IN MILLIMETRES. DO NOT SCALE FROM THIS DRAWING. USE FIGURE DIMENSIONS ONLY.
- D. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE SETTING OUT COMMENCING WORK OR PRODUCING ANY SHOP DRAWINGS.
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### Proposed Ground Floor Plan

Boiler is being  
re-positioned  
to outside  
the Garage.  
It's an  
external boiler  
that does not  
require any enclosure  
so... boiler house  
it not actually being  
built.



First Floor Plan - Option A

NOEL KERLEY ARCHITECTS

6 THE CRESCENT, LIMERICK

Tel : +353 (0) 61 214601

e-mail : noel@nka.ie

CLIENT: **Simone Corridan-Stack, David McCarthy**

PROJECT:

### Extension and alterations to dwelling Roo East Ardnacrusha, Co. Clare

Data:	04.10.2023
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Scale : 1:100

Drawn :	NK
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Stage :	Design
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Title: Alteration to Floor Plans

Drawing No: 23 10 516/02

T Rev:



# Site Location Map



**Tailte  
Éireann**

**CENTRE  
COORDINATES:**  
ITM 559197,663692

**PUBLISHED:** 20/12/2023  
**ORDER NO.:** 50374691\_1

**MAP SERIES:** 6 Inch Raster  
**MAP SHEETS:** CE053

**COMPILED AND PUBLISHED BY:**  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

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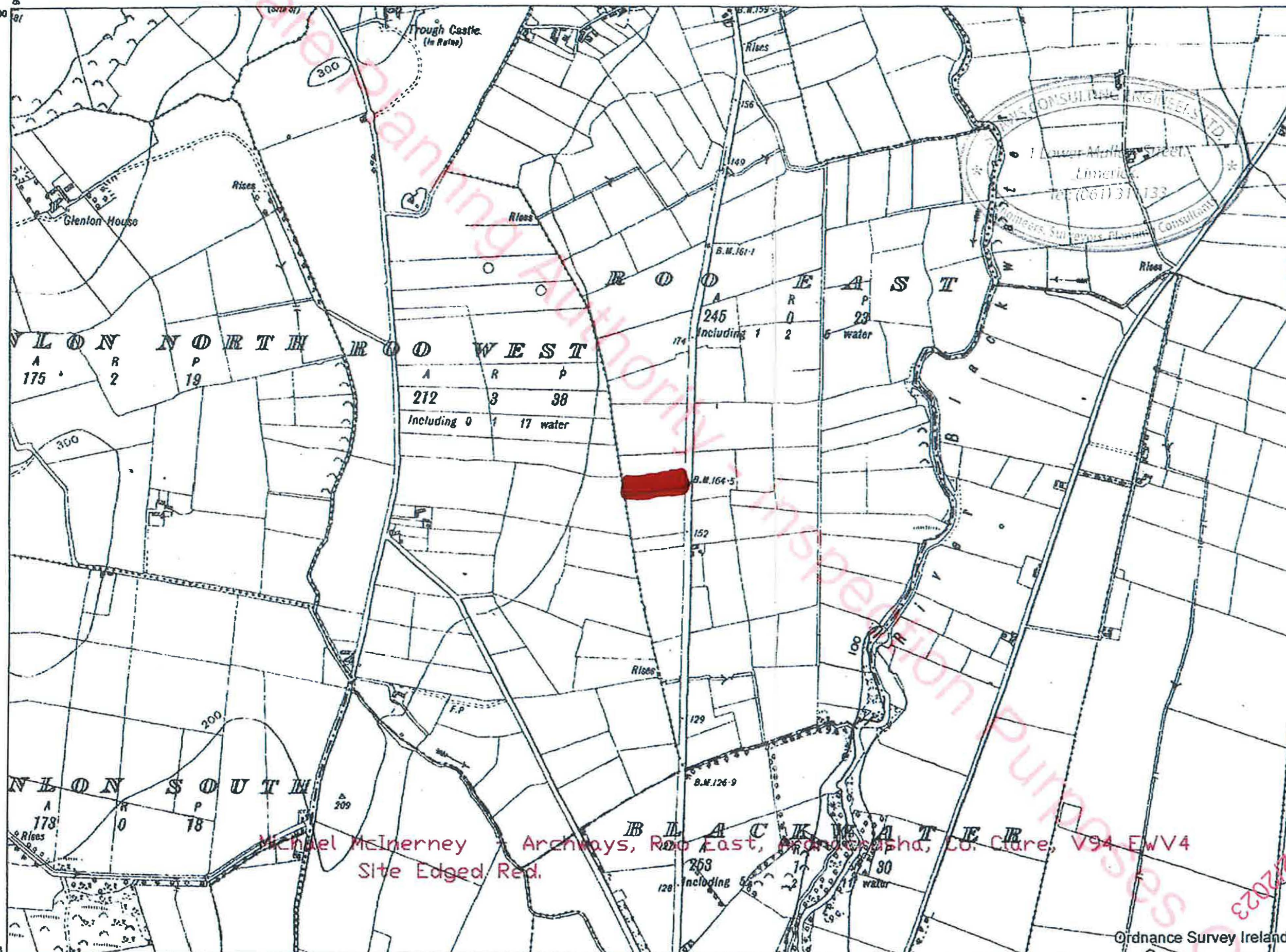
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OUTPUT SCALE: 1:10,560

**CAPTURE RESOLUTION:**  
The map objects are only accurate to the  
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Output scale is not indicative of data capture scale.  
Further information is available at:  
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**LEGEND:**  
To view the legend visit  
[www.tailte.ie](http://www.tailte.ie) and search for  
'Large Scale Legend'



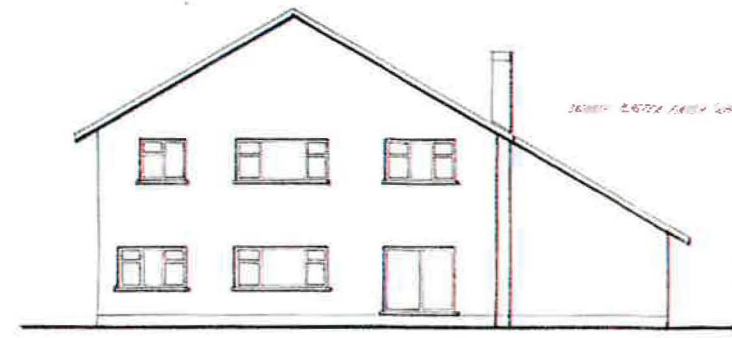
0 110 220 330 440 Metres  
0 200 400 600 800 1,000 Feet



RECEIVED: 22/1/2023  
 28 JAN 1982  
 PLANNING SECTION



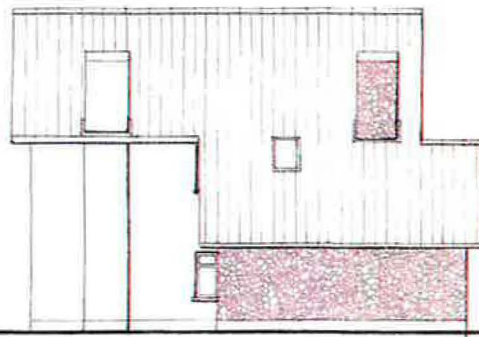
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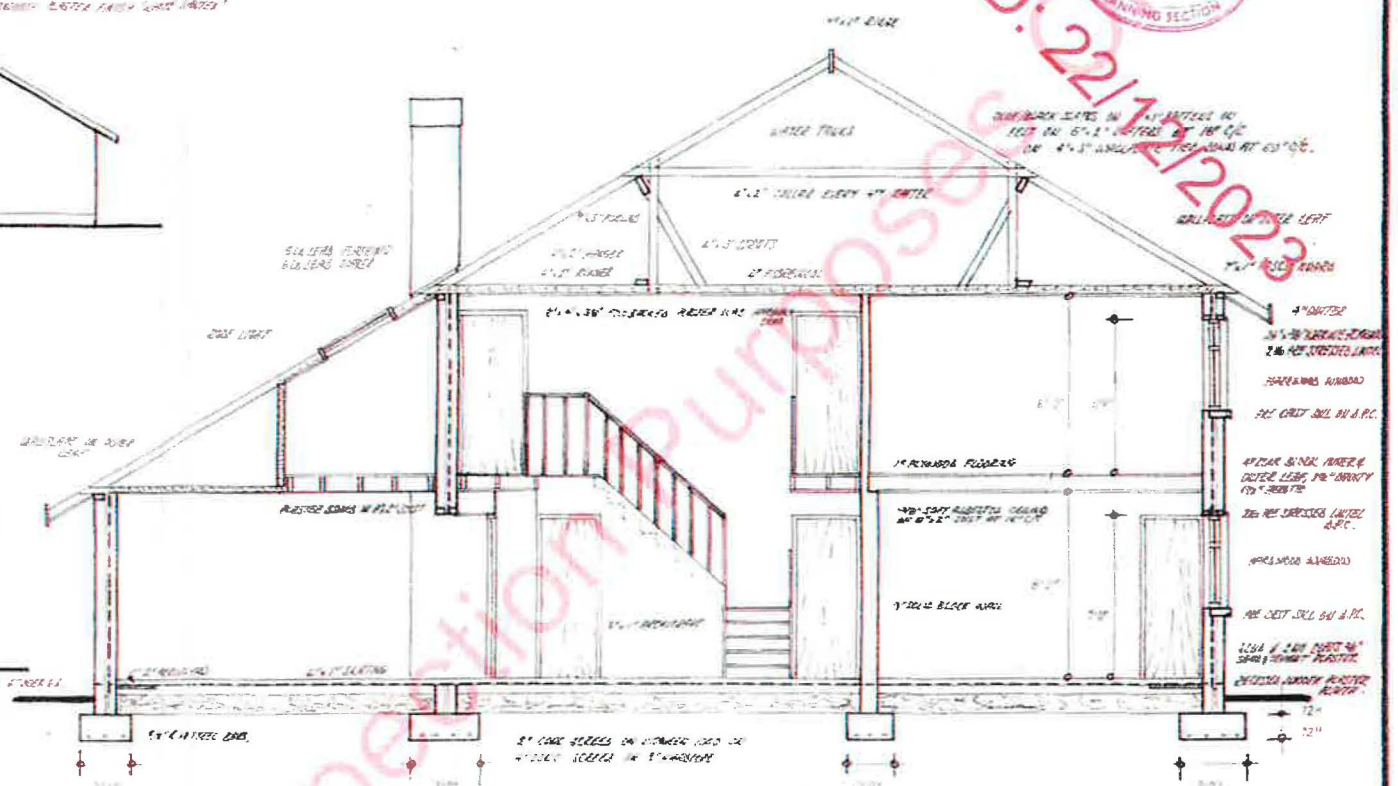
WEST ELEVATION



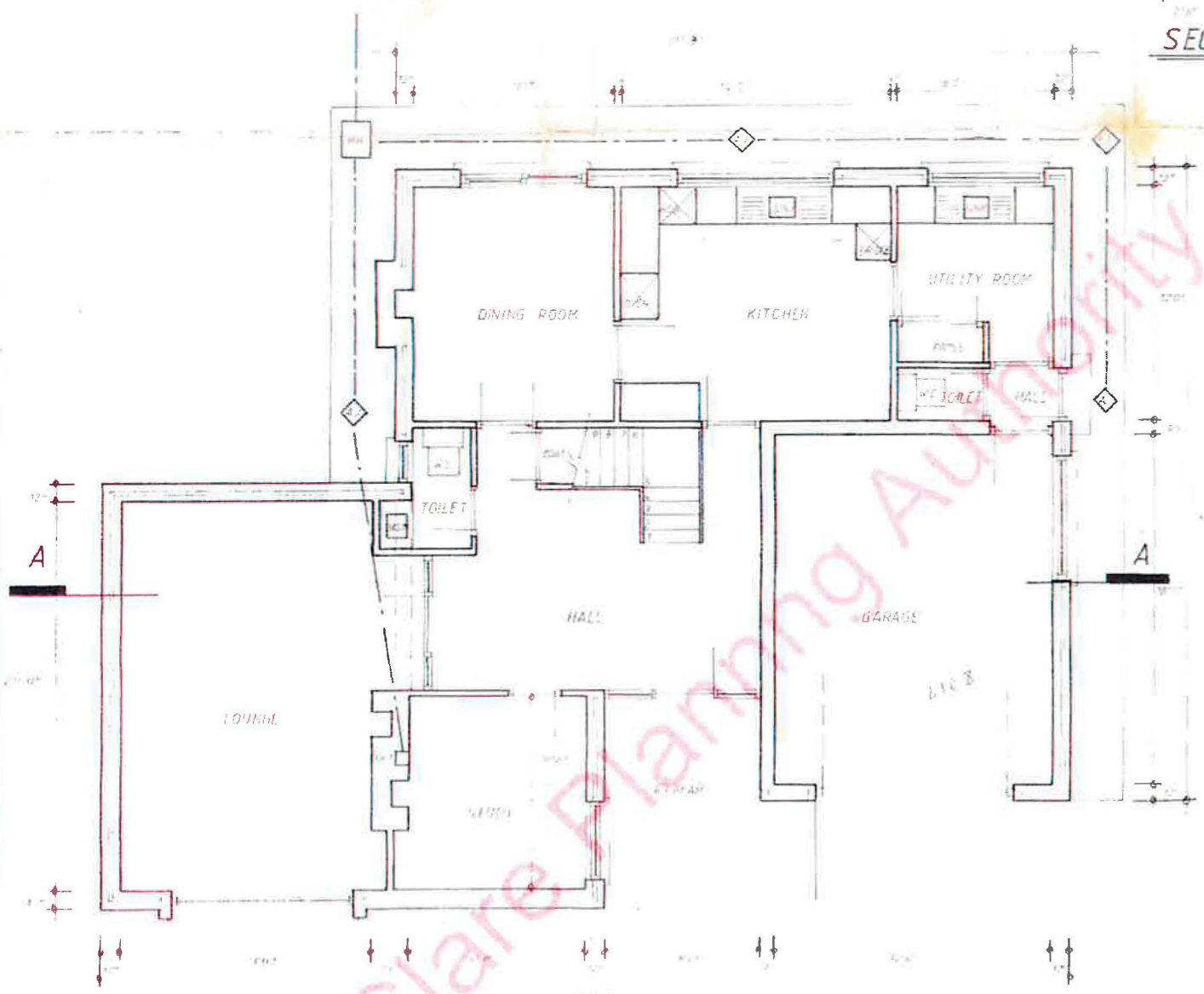
EAST ELEVATION



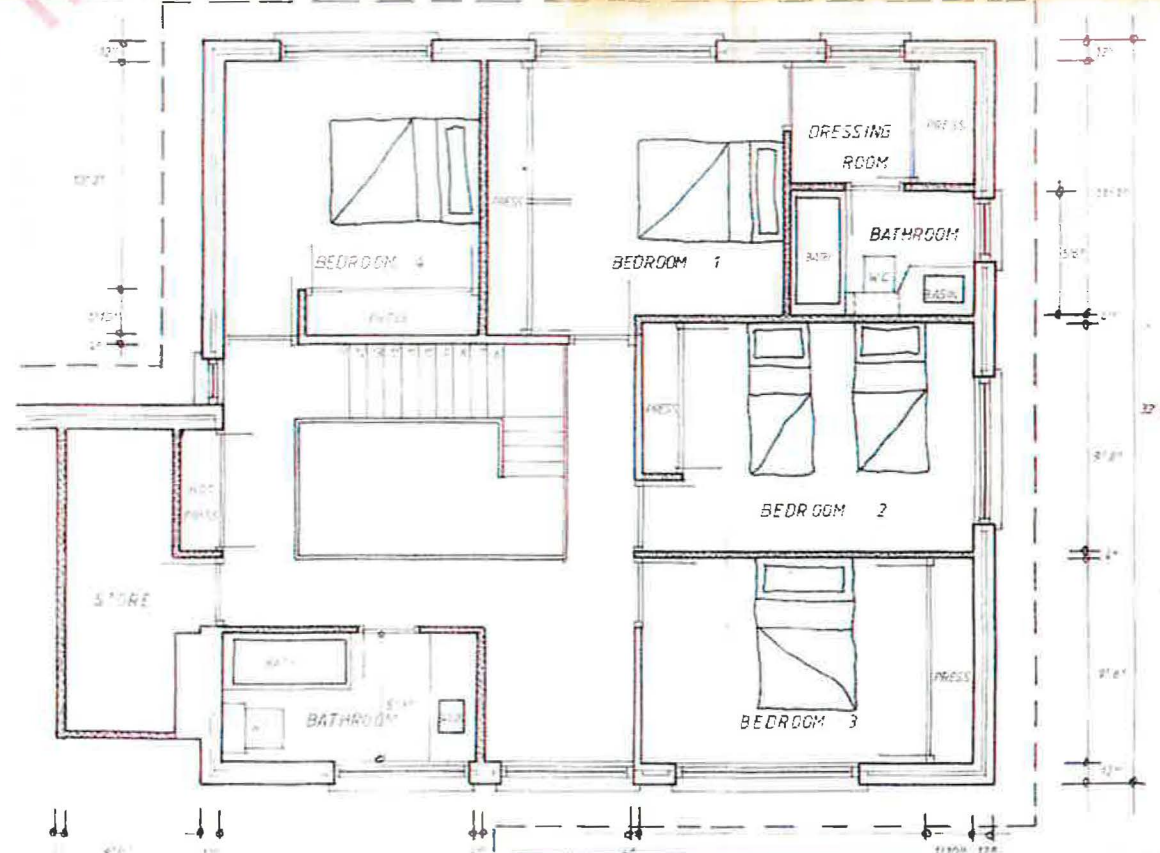
SOUTH ELEVATION



SECTION A-A



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Job	Proposed Residence for McI. Mc Inerney at Roo East, Ardnacrusha, Co. Clare.		
DRWG	PLAN	ELEVATION	AND SECTION
SCALE	4 FT TO 1 INCH AND 8 FT TO 1 INCH		



Shaws Consulting Engineers Ltd.  
1 Lower Mallow Street,  
Limerick. Tel 061-311133

Client: Michael McInerney  
C/o Shaws Consulting  
Engineers Ltd., 1 Lower  
Mallow Street, Limerick.

Scale: 1:500  
Date: 22/12/2023  
Drawn: Ivan Shaw B.E.

This Particular Form, used for changes to proposed  
plans submitted for grant of Planning Permission, is to be  
used for the purpose of recording the changes and  
is not to be used for any other purpose.  
Floor Area: Sq M

DEVELOPMENTS IN BLUE  
SITE EDGED RED



These Drawings/Designs are for  
design purposes only & should not be  
used for working drawings.

Floor Levels Match Existing

These Drawings/Designs are for  
design purposes only & should not be  
used for working drawings.

NOTE: All construction works shall be  
the responsibility of the  
contractor/developer/owner together  
with all setting out, measurements,  
levels, designs. All works shall be  
undertaken in confirmation with local  
authority. All works to be completed in  
compliance with Department of  
Environment Regulations &  
Guidelines

Road

Site Notice

39850

X 10.00

9050

F.F.L. 18.30

2850

S.7

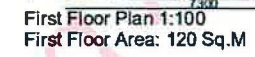
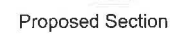
66950

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Clare Planning Authority - Information Only



**NOTE:** All construction work shall be the responsibility of the contractor/developer working together with all set up and measurements. Items, design, all work shall be undertaken in conformance with local authority. All work to be completed in accordance with Department of Environment Regulations & Guidelines.







David Mc Carthy

Print 5 photos for grant application

1 message

simone C <  
To: David Mc Carthy >

Tue, Jan 16, 2024 at 3:06 PM









