



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Registered Post**

**Rena Niland, Brothers of Charity  
C/o Ian Sheehy  
Bansha  
Askeaton  
Co. Limerick**

**16th February 2024**

**Section 5 referral Reference R24-5 – Rena Niland, Brothers of Charity**

Is the removal of the window at the front of the house and change to an emergency escape door development and if so is it exempted development?

A Chara,

I refer to your application received on 20th 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: 83173

Reference Number: R24-5

Date Referral Received: 20th January 2024

Name of Applicant: Rena Niland, Brothers of Charity

Location of works in question: 3 Bishop's Court, Ennis, Co. Clare

**Section 5 referral Reference R24-5 – Rena Niland, Brothers of Charity**

Is the removal of the window at the front of the house and change to an emergency escape door 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) The works as indicated in submitted documents received by the Planning Authority on 20<sup>th</sup> January 2024.

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

- (a) The removal of the window at the front of the house and change to an emergency escape door at 3 Bishops Court, Ennis, 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 proposed development consisting of *the* change of ground floor window on the front elevation of the dwelling at No. 3 Bishops Court, Ennis, Co. Clare is considered to affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures and is not exempted development having regard to 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 Kieran O'Donnell, Administrative Officer, 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, Kieran O'Donnell, Administrative Officer, hereby declare that the removal of the window at the front of the house and change to an emergency escape door at 3 Bishop's Court, Ennis, Co. Clare is **considered development** which is **not exempted development**.

Signed:

  
KIERAN O'DONNELL  
ADMINISTRATIVE OFFICER 

Date:

16th February 2024



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

Reference No.: R24-5



**Section 5 referral Reference R24-5**

**Is the removal of the window at the front of the house and change to an emergency escape door development and if so is it exempted development?**

**AND WHEREAS, Rena Niland, Brothers of Charity** 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) The works as indicated in submitted documents received by the Planning Authority on 20<sup>th</sup> January 2024.

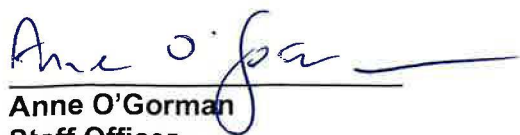
**And whereas Clare County Council has concluded:**

- (a) The of the window at the front of the house and change to an emergency escape door at 3 Bishops Court, Ennis, 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 proposed development consisting of *the* change of ground floor window on the front elevation of the dwelling at No. 3 Bishops Court, Ennis, Co. Clare is considered to affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures and is not exempted development having regard to 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 removal of the window at the front of the house and change to an emergency escape door at 3 Bishop’s Court, Ennis, Co. Clare **constitutes development** which is **not exempted development** as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.



A handwritten signature in blue ink, appearing to read 'Anne O'Gorman', with a horizontal line drawn underneath it.

Anne O'Gorman  
Staff Officer  
Planning Department  
Economic Development Directorate

16th February 2024

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

<b>FILE REF:</b>	R24 5
<b>APPLICANT(S):</b>	Rena Niland of Brothers of Charity, Gort Road Ind. Estate, Ennis
<b>REFERENCE:</b>	Whether the removal of the window at the front of the house and change to an emergency escape door at 3 Bishops Court, Ennis, Co. Clare development / not development and if so is it exempted / not exempted development?
<b>LOCATION:</b>	3 Bishops Court, Ennis, Co. Clare
<b>DUE DATE:</b>	Thursday, 15 February 2024

**Site Location**

The subject site is located within the Bishop's Court residential development and is located on L-4592. The existing structure is a two storey, detached, residential dwellinghouse which currently owned and occupied by service users of the Brothers of Charity.

**Recent Planning History**

None.

**Background to Referral**

This Referral under Section 5(3)(a) of the Planning and Development Act 2000 (as amended) has been made by Rena Niland for and on behalf of the Brothers of Charity (applicant). The applicant's legal interest in the site is stated as owner / occupier of the property.

The applicant is seeking a Section 5 Declaration in relation to the following:

***Whether the removal of the window at the front of the house and change to an emergency escape door at 3 Bishops Court, Ennis, Co. Clare development / not development and if so is it exempted / 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.*

#### *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

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 a window to a door on the front façade of an existing dwellinghouse.**

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,*

*(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.*

*(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

### Particulars of the Development

The application makes reference to the subject structure being a community dwelling that is used by persons with disabilities. An escape suitable for evacuation of a bed is required from the ground floor bedroom and therefore it is proposed to change the existing window at the front of the property to an emergency escape exit. Drawings of the subject structure with the existing front façade and the proposed front façade have been received and the proposal has been noted.

## Planning Exemption Assessment

### Planning and Development Act 2000 (as amended) Section 4

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;

**Having regard to the nature of the proposed work, it is considered that the removal of a front facing window and replacing it with double doors would materially affect the exterior of the dwelling and would render it inconsistent with the character of the structure / neighbouring structures within the long established residential area.**

- 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)*.

### 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 same does 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. **This is 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. **This is 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 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." **This is not applicable.**

(viii)

consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use. **This is not applicable.**

(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 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**

The following question has been referred to the Planning Authority:

***Whether the removal of the window at the front of the house and change to an emergency escape door at 3 Bishops Court, Ennis, Co. Clare development / not development and if so is it exempted / 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) The works as indicated in submitted documents received by the Planning Authority on 20<sup>th</sup> January 2024.

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

- (a) the of the window at the front of the house and change to an emergency escape door at 3 Bishops Court, Ennis, 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 proposed development consisting of the change of ground floor window on the front elevation of the dwelling at No. 3 Bishops Court, Ennis, Co.Clare is considered to affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures and is not exempted development having regard to Section 4(1)(h) of the Planning and Development Act 2000, as amended.

**NOW THEREFORE**, Clare County Council (Planning Authority), hereby decides that the removal of the window at the front of the house and change to an emergency escape door at 3 Bishops Court, Ennis, Co. Clare is development and is not exempted development.



Royston Kerin



Garreth Ruane

**Assistant Planner**

**Date:** 06/02/2024

**Senior Executive Planner**

**Date:**









COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Rena Niland, Brothers of Charity  
C/o Ian Sheehy  
Bansha  
Askeaton  
Co. Limerick**

**22/01/2024**

**Section 5 referral Reference R24-5 – Rena Niland, Brothers of Charity**

Is the removal of the window at the front of the house and change to an emergency escape door development and if so is it exempted development?

A Chara,

I refer to your application received on 20th 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



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

22/01/2024 10:41:33

Receipt No. L1CASH/0/359586

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

RENA NILAND,  
BROTHERS OF CHARITY,  
C/O IAN SHEEHY  
BANSHA, ASKEATON,  
CO. LIMERICK  
R24-5

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 - Noelette Barry  
From : MAIN CASH OFFICE LODGEMENT AF  
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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)



R24-5

**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>Rene Muland          Brothers of Charity          Gort Rd Industrial          Estate, Ennis          V95RH57</p>
(b) Telephone No.:	
(c) Email Address:	
(d) Agent's Name and address:	<p>Ian Sheehy          Bansha, Askeaton, Co. Limerick</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 removal of the window at the front of house and change to an emergency escape door 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 property is a community dwelling that is used by persons with disabilities. An escape suitable for evacuation of a bed is required from the ground floor bedroom. It is proposed to change the existing window at the front of the property to an emergency escape exit


(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)*

24D012 & 24D013 - Elevations and Plans

OSI Site Location Map

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	3 Bishops Court Ennis 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):	Owner  
(d) If the person in (c) above is not the owner and/or occupier, state the name and address of the owner of the property in question:  <i>Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.</i>	   
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	YES
(f) Are you aware of any enforcement proceedings connected to this site? <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:	25/02/2024

SIGNED: 

DATE: 19.1.24

### **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

Site Boundary in Red.



## 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.

OUTPUT SCALE: 1:1,000



CENTRE  
COORDINATES:  
ITM 533483,678094

PUBLISHED:  
17/01/2024

MAP SERIES:  
1:1,000  
1:2,500  
1:1,000  
1:1,000

ORDER NO.:  
50377848\_1

MAP SHEETS:  
4264-23  
4264-C  
4322-02  
4322-03

## 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'

[www.tailte.ie](http://www.tailte.ie)

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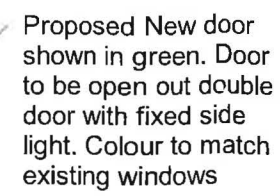
The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

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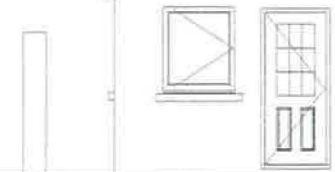




1 : 100



1 : 100



1 : 100



1 : 100

TITLE	Elevations 3 Bishops Court Ennis Co. Clare	CLIENT: Brothers of Charity Services Clare
DRAWING NUMBER	24D013	DRAWN BY: IAN SHEEHY MCIQB BSc. BSurv: DATE: 18/01/2024

TECHNICAL SOLUTIONS	
PLANNING, SURVEYING, DESIGN, SUPERVISION & CERTIFICATION	
Ian Sheehy BSc. Building Surveying, MCIOB Registered Building Surevyor Chartered Construction Manager	
CLAREVUE, BALLYKEEFE, DOORADOYLE, CO. LIMERICK	iansheehy99@gmail.com  0879202500

No.	Description	Date

REV		
Scale (@ A3)	1 : 100	
Project number	Project Number	

