



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**Registered Post**

**John Hickey  
C/o Mark Ward  
Ruane  
Creagh  
Ballinasloe  
Co. Galway**

**26th August 2024**

**Section 5 referral Reference R24-54 – John Hickey**

Is the construction of the sheep shed and seepage tanks at Derryfadda, Clonlara development and if so is it exempted development?

A Chara,

I refer to your application received on 5th July 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

  
**Colette Coakley  
Assistant Staff Officer  
Planning Department  
Economic Development Directorate**

**An Roinn Pleanála  
An Stiúirthóireacht Forbairt Gheilleagrach**  
Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

**Planning Department  
Economic Development Directorate**  
Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



**CLARE COUNTY COUNCIL**

**SECTION 5 OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED**

**DECLARATION ON DEVELOPMENT AND/OR EXEMPTED DEVELOPMENT**

Chief Executive's Order No: 84086  
Reference Number: R24-54  
Date Referral Received: 5th July 2024  
Date Further Information Received: 8th August 2024  
Name of Applicant: John Hickey  
Location of works in question: Derryfadda, Clonlara, Co. Clare

**Section 5 referral Reference R24-54 – John Hickey**

Is the construction of the sheep shed and seepage tanks at Derryfadda, Clonlara 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, and 3 of the Planning and Development Act 2000, as amended,
- (b) Class 6, Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (d) The details and drawing as indicated in submitted documents from the referrer.

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

- (a) The development consisting of a sheep shed and seepage tank constitutes “works” and “development” which come within the scope of sections 2 and 3 of the Planning and Development Act 2000, as amended.
- (b) The said development, a sheep shed and seepage tank, is considered not to be exempted development having regard to Article 9 and Class 6 of Schedule 2, Part 3 of the Planning and Development Regulations 2001, as amended, because the seepage tank is inadequately sized to serve the estimated number of livestock (40 ewes) to be housed. The proposed seepage tank is 6.3 cubic metres whereas a tank of 7.9 cubic metres is required.

**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 construction of a sheep shed and associated seepage tank at Derryfadda, Clonlara, Co. Clare is considered development which is not exempted development.

Signed:

  
\_\_\_\_\_  
GARETH RUANE  
SENIOR EXECUTIVE PLANNER

Date: 26th August 2024

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

Reference No.: R24-54



Comhairle Contae an Chláir  
Clare County Council

**Section 5 referral Reference R24-54**

**Is the construction of the sheep shed and seepage tanks at Derryfadda, Clonlara development and if so is it exempted development?**

**AND WHEREAS, John Hickey** 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, and 3 of the Planning and Development Act 2000, as amended,
- (b) Class 6, Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (d) The details and drawing as indicated in submitted documents from the referrer.

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

- (a) The development consisting of a sheep shed and seepage tank constitutes “works” and “development” which come within the scope of sections 2 and 3 of the Planning and Development Act 2000, as amended.
- (b) The said development, a sheep shed and seepage tank, is considered not to be exempted development having regard to Article 9 and Class 6 of Schedule 2, Part 3 of the Planning and Development Regulations 2001, as amended, because the seepage tank is inadequately sized to serve the estimated number of livestock (40 ewes) to be housed. The proposed seepage tank is 6.3 cubic metres whereas a tank of 7.9 cubic metres is required.

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

The proposed development consisting of the construction of a sheep shed and associated seepage tank at Derryfadda, Clonlara, Co. Clare **constitutes development** which is **not exempted development** as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.

  
\_\_\_\_\_  
**Colette Coakley**  
**Assistant Staff Officer**  
**Planning Department**  
**Economic Development Directorate**

**26th August 2024**

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

**FILE REF:** R24/ 54 John Hickey

**APPLICANT(S):**

**REFERENCE:** Whether the construction of a sheep shed and seepage tank at Derryfadda Clonlara Co. Clare is or is not development and is or is not exempted development.

**LOCATION:** Derryfadda Clonlara Co. Clare

**DUE DATE:** 28/ 08/24

Further information was requested as follows 31<sup>st</sup> July 24.

1. Please be advised that generally under the Planning and Development Regulations (as amended) Schedule 2, part 3, Class 6 works consisting of the provision of a roofed structure for the housing of sheep, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage are considered to be exempted development provided that effluent storage facilities adequate to serve the structure having regard to its size, use and location are constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and have regard to the need to avoid water pollution.

The effluent storage facilities comprising a seepage tank of 6.3 cubic metres. However it is not clear that the volume of the tank is adequate to serve the proposed development. Please arrange to submit a table showing the number and type of livestock to be housed, the estimated volume of effluent arising and the proposed period of housing (i.e. no. of weeks).

2. Please arrange to submit a landholding map with the area suitable for landspreading hatched or shaded to enable the Planning Authority to carry out Appropriate Assessment Screening (Habitat Directive) of the proposed development.

3. The Planning Authority notes that the site layout plan received indicates a proposed hard core road to the sheep shed. This road appears to overlap with the proposed splayed entrance serving the proposed dwelling of p24/60078, which is currently on appeal to An Bord Pleanála. It is also noted that the access to the machinery shed proposed under 24/60276 appears to branch off the access serving the dwelling. The Planning Authority notes that this Section 5 query does not include reference to the construction of this hardcore farm road and falls outside the scope of the query. Please comment on the foregoing and clarify your intentions with regard to all three developments.

## **Summary of Applicant's Response**

1. The applicant has 30 ewes and intends increasing this to 40 mid season lambing ewes within the next 12 months. The applicant has no facility on place for lambing of the flock. The shed will be used for a period of time up to lambing until the ewes are lambed. Then depending on weather conditions the lambs and new born will be turned out to grass. The ewes will not be housed for more than 4 weeks. The straw bedding will be allowed to build up. The majority of soiled water will be absorbed by the straw bedding. The tank will capture any seepage that is not absorbed by the straw bedding. The shed and the tank comply with Dept of Agriculture specification and the proposed storage volume of 6.3 cubic metres is sufficient to the proposed sheep shed floor area.

2. The lands available for spreading are marked on the aerial photo of the holding and a land holding map outlined in blue is also submitted. Spreading will take place after silage is cut.

3. The site layout plan submitted indicate a proposed hard core road from the existing and only farm entrance within the applicant's folio to the proposed sheep shed. There are no other farm buildings on the folio currently so the shed is essential for wintering the existing livestock.

The existing farm entrance is the only entrance to the bulk of the farm positioned in the southern end of the folio on his private road serving the majority of the lands to the north.

The excavated material from the land drain were levelled immediately alongside the drain thus enhancing the semi hardcore road condition from the existing farm entrance to the proposed shed location. The road will require a minimum binding of crushed stone so that it is passable in all seasons .

This farm road has a minor overlap to the proposed but not yet approved splayed entrance serving the proposed dwelling of p24/ 60078 and the machinery shed 24/ 60276. The applicant acknowledged that until the permission is granted to create the new entrance associated with these applications his only option to access the land is from the existing field gate entrance shown on the site plan.

In the event that an additional entrance is granted as part of p24/ 60078 this creates an additional more northerly entrance within the applicant's folio that is primarily intend for residential access with a spur for the machinery shed. The minor overlap in that eventuality will not impact the road to the proposed sheep shed in any way and is not a reason to impede current agricultural activity.

## **Environment Section Report 13<sup>th</sup> August 24 ( emailed 15<sup>th</sup> August)**

In summary this report advises that based upon the information provided, it has been demonstrated that the total storage capacity of the proposed new tank shall provide adequate

slurry and soiled water storage in accordance with the provisions of the European Union (Good Agricultural Practice For Protection Of Waters) Regulations 2022 as amended for the current stocking density of 30 ewes (5.8m<sup>3</sup>) **however this proposal does not provide sufficient capacity for a proposed herd expansion of 40 ewes (7.9m<sup>3</sup>) .**

The applicant has demonstrated that the land-spreading of slurry shall be conducted over a sufficient area owned by the applicant to ensure that nitrogen application shall be below the limit of 170kg/ha/year.

See full report on file.

### **Assessment**

*Class 6 'Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage' is subject to the following limitations :*

- 1. No such structure shall be used for any purpose other than the purpose of agriculture. This is the case.**
- 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate. The gross floor space of the proposed structure is to be 196sq.m. The proposal therefore does not exceed any aggregate floor area threshold (200 sq.m) for units required for housing of livestock. In this regard it is noted that 24/ 60276 is for a store for agricultural equipment and as such not considered to fall within the same category as class 6.**
- 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. The effluent storage facilities comprising a seepage tank of 6.3 cubic metres. However the Environment Section Report 13/08/24 advises that a tank of 7.9 cubic metres would be required for 40 ewes which is the number of livestock the applicant now intends to house. Therefore the effluent stage facility is not of adequate size to serve the structure.**

4. *No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. The structure and effluent seepage tank area approximately 795m distance from the public road.*
5. *No such structure within 100 metres of any public road shall exceed 8 metres in height. The structure is 6.34m in height and as such complies with this height limitation.*
6. *No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. The structure complies with this requirement as the nearest neighbouring dwelling is 132m distance to the north. It is noted that the applicant's application for their own dwelling, granted by CCC has been appealed to ABP.24/ 60078. There is no restriction on the proximity of the applicant own dwelling to the structure.*
7. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. External finishes are shown as complying with minimum specification for Agricultural Buildings ( S101 and s123). There is cladded sheeting on the roof and mass concrete walls.*

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:

- (i) *contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act*

**There are no previous planning permissions on site but there are other planning applications relating to the holding 24/ 60276, 23/ 60470 and 24/ 60078.**

- (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,*

**No alterations to the existing access arrangements are proposed and that access is from a private laneway.**

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

**N/A.**

*(iii) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*

**N/A.**

- (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.*

**N/A**

- (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,*

**N/A This is not applicable in this instance.**

- (vi) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,*

**N/A This is not applicable in this instance.**

- (vii)*
- a. consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,*

**N/A This is not applicable in this instance.**

- b. *comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,*

**A land holding map showing the area suitable for spreading has been submitted which was referred to the Environment Section. The Environment Sections report 13/08/24 advises that the area available for spreading is of a sufficient area to ensure that nitrogen application shall be below the limit of 170 kg/ ha/ per year and on this basis it can be concluded that the landspread area is sufficient in extent and is a sufficient distance from European sites to conclude that the development can be screened out. See revised screening report attached.**

- c. *consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."*

**This is not applicable in this instance as the subject site is not located in a NHA or p NHA.**

- (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 in this instance.**

- (ix) *consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,*

**This is not applicable in this instance.**

- (x) *consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,*

**This is not applicable in this instance.**

(xi) *obstruct any public right of way,*

**This is not applicable in this instance.**

(xii) *further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.*

**This is not applicable in this instance.**

### **Conclusion**

Having regard to the above it is considered the proposed development **is not exempted development** because it does not comply with the provisions Planning and Development Regulations 2001 (as amended) Schedule 2, Part 3, Class 6 limitation no.3 where by works consisting of the provision of a roofed structure for the housing of, sheep, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage shall be considered exempted development provided effluent storage facilities adequate to serve the structure having regard to its size, use and location are provided. In this instance the effluent seepage tank proposed ( 6.3 cubic metres) is of inadequate size to serve the proposed development which requires a seepage tank of 7.9 cubic metres.

The scope of the Section 5 query relates solely to the construction of the sheep shed and seepage tank and does not include any query relating to a farm road.

### **Recommendation**

**The following questions have been referred to the Planning Authority:**

Whether the construction of a sheep shed and seepage tank is or is not development and is or is not exempted development.

**The Planning Authority in considering this referral had regard to:**

- (a) Sections 2, and 3 of the Planning and Development Act 2000, as amended,
- (b) Class 6, Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended

(d) The details and drawing as indicated in submitted documents from the referrer.

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

- (a) the development consisting of a sheep shed and seepage tank constitutes "works" and "development" which come within the scope of sections 2 and 3 of the Planning and Development Act 2000, as amended.
- (b) The said development, a sheep shed and seepage tank, is considered not to be exempted development having regard to <sup>Article 9 and</sup> Class 6 of Schedule 2, Part 3 of the Planning and Development Regulations 2001, ~~and Article 9~~, as amended, because the seepage tank is inadequately sized to serve the estimated number of livestock (40 ewes) to be housed. The proposed seepage tank is 6.3 cubic metres whereas as a tank of 7.9 cubic metres is required.

**Now therefore Clare County Council (Planning Authority), hereby decides that construction of a sheep shed and associated seepage tank is development and is not exempted development.**

Ellen Carey

**Ellen Carey  
Executive Planner**

Date: 15/08/24.

Gareth Ruane

**Gareth Ruane  
Senior Executive Planner**

Date: 26/08/24.

REVISED Appropriate Assessment & Determination on foot of receipt of f.i.

<b>STEP 1. Description of the project/proposal and local site characteristics:</b>	
(a) File Reference No:	Section 5 R24/ 54
(b) Brief description of the project or plan:	Sheep shed and seepage tanks
(c) Brief description of site characteristics:	Field in agricultural use
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

<b>STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.</b>				
European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Special Protection Areas: River Shannon and River Fergus Estuaries SPA 004077	Cormorant (Phalacrocorax carbo) [A017] Whooper Swan (Cygnus cygnus) [A038] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048]	5.31 km	None	No

Wigeon (*Anas penelope*) [A050]

Teal (*Anas crecca*) [A052]

Pintail (*Anas acuta*) [A054]

Shoveler (*Anas clypeata*) [A056]

Scaup (*Aythya marila*) [A062]

Ringed Plover  
(*Charadrius hiaticula*) [A137]

Golden Plover  
(*Pluvialis apricaria*) [A140]

Grey Plover  
(*Pluvialis squatarola*) [A141]

Lapwing (*Vanellus vanellus*) [A142]

Knot (*Calidris canutus*) [A143]

Dunlin (*Calidris alpina*) [A149]

Black-tailed Godwit  
(*Limosa limosa*) [A156]

Bar-tailed Godwit  
(*Limosa lapponica*) [A157]

Curlew (*Numenius arquata*) [A160]

Redshank (*Tringa totanus*) [A162]

	<p><b>Greenshank (Tringa nebularia) [A164]</b></p> <p><b>Black-headed Gull (Chroicocephalus ridibundus) [A179]</b></p> <p><b>Wetland and Waterbirds [A999]</b></p>			
<p><b>Lower River Shannon SAC 02165</b></p>	<p><b>Sandbanks which are slightly covered by sea water all the time [1110]</b></p> <p><b>Estuaries [1130]</b></p> <p><b>Mudflats and sandflats not covered by seawater at low tide [1140]</b></p> <p><b>Coastal lagoons [1150]</b></p> <p><b>Large shallow inlets and bays [1160]</b></p> <p><b>Reefs [1170]</b></p> <p><b>Perennial vegetation of stony banks [1220]</b></p> <p><b>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</b></p>	<p><b>1.64km</b></p>	<p><b>None</b></p>	<p><b>Yes</b></p>

Salicornia and  
other annuals  
colonising  
mud and sand  
[1310]

Atlantic salt  
meadows  
(Gluco-  
Puccinellietalia  
maritimae)  
[1330]

Mediterranean  
salt meadows  
(Juncetalia  
maritimi)  
[1410]

Water courses  
of plain to  
montane  
levels with the  
Ranunculion  
fluitantis and  
Callitricho-  
Batrachion  
vegetation  
[3260]

Molinia  
meadows on  
calcareous,  
peaty or  
clayey-silt-  
laden soils  
(Molinion  
caeruleae)  
[6410]

Alluvial forests  
with *Alnus*  
*glutinosa* and  
*Fraxinus*  
*excelsior*  
(Alno-Padion,  
Alnion

**incanae,  
Salicion albae)  
[91E0]**

**Margaritifera  
margaritifera  
(Freshwater  
Pearl Mussel)  
[1029]**

**Petromyzon  
marinus (Sea  
Lamprey)  
[1095]**

**Lampetra  
planeri (Brook  
Lamprey)  
[1096]**

**Lampetra  
fluviatilis  
(River  
Lamprey)  
[1099]**

**Salmo salar  
(Salmon)  
[1106]**

**Tursiops  
truncatus  
(Common  
Bottlenose  
Dolphin)  
[1349]**

**Lutra lutra  
(Otter) [1355]**

- <sup>1</sup> Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.
- <sup>2</sup> If the site or part thereof is within the European site or adjacent to the European site, state here.

<b>STEP 3. Assessment of Likely Significant Effects</b>	
<b>(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:</b>	
<b>Impacts:</b>	<b>Possible Significance of Impacts: (duration/magnitude etc.)</b>
Construction phase e.g. <ul style="list-style-type: none"> <li>● Vegetation clearance</li> <li>● Demolition</li> <li>● Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>● Dust, noise, vibration</li> <li>● Lighting disturbance</li> <li>● Impact on groundwater/dewatering</li> <li>● Storage of excavated/construction materials</li> <li>● Access to site</li> <li>● Pests</li> </ul>	none
Operational phase e.g. <ul style="list-style-type: none"> <li>● Direct emission to air and water</li> <li>● Surface water runoff containing contaminant or sediment</li> <li>● Lighting disturbance</li> <li>● Noise/vibration</li> <li>● Changes to water/groundwater due to drainage or abstraction</li> <li>● Presence of people, vehicles and activities</li> <li>● Physical presence of structures (e.g. collision risks)</li> <li>● Potential for accidents or incidents</li> </ul>	Spreading of effluent

In-combination/Other

none

**(b) Describe any likely changes to the European site:**

Examples of the type of changes to give consideration to include:

- Reduction or fragmentation of habitat area
- Disturbance to QI species
- Habitat or species fragmentation
- Reduction or fragmentation in species density
- Changes in key indicators of conservation status value (water or air quality etc.)
- Changes to areas of sensitivity or threats to QI
- Interference with the key relationships that define the structure or ecological function of the site

- Changes in key indicators of conservation status value (water or air quality etc.)

**(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?**

Yes  No

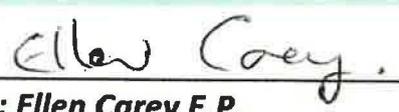
**Step 4. Screening Determination Statement**

**The assessment of significance of effects:**

Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

The proposed development comprises a sheep shed and associated seepage shortage tank of 6.3 cubic metre volume. The proposed development is approx. 1.6km distance from the Lower River Shannon SAC. The land holding map of spread lands has been submitted which demonstrates that there is no hydrological pathway linking the subject to the SAC.

**Conclusion:** The proposed development is not likely to have significant effects on European site(s) in view of its conservation objectives

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European site.	<input checked="" type="checkbox"/>	<b>The proposal can be screened out: Appropriate assessment not required.</b>
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) <b>Significant effects</b> are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	 <b>Name: Ellen Carey E.P.</b>	
	15/08/24	
<b>Signature and Date of the Decision Maker:</b>		

## Environment Report

**Planning Application:** R24/54

**Development Address:** , Co. Clare

**Development Description:** The construction of a sheep shed and seepage tanks at Derryfadda, Clonlara.

**Report by:** Noreen Shannon, A/Assistant Scientist, Physical Development Directorate (Environment).

**Date:** 13/08/2024

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### Background.

Under the provisions of the Water Framework Directive (WFD) & River Basin Management Plans all waters must achieve at least good status by 2027. Where good or high status exists already it must be protected and maintained.

Clare County Council is required to ensure that appropriate actions are taken to ensure that the status of poor water bodies is restored to good water status and where high and good status exists that this is protected. Any development proposed must be addressed to adhere to and support the above stated objectives. The statutory implementation of the River Basin Management Plans is provided for by (inter alia) the Environmental Objectives (Surface Water) Regulations 2009 as amended and the Groundwater Regulations 2010 as amended.

This planning application is also assessed in terms of ensuring adherence with provisions of the Good Agricultural Practice Regulations 2022 as amended, the purpose of which gives effect to supporting the Nitrate's Action Programme in Ireland for the protection of waters against pollution caused by agricultural sources.

### Comments/Observations.

Townland:	Derryfadda, Clonlara, Co. Clare
Catchment:	Blackwater (Clare)020, Shannon lower 060
<sup>1</sup> Water Quality:	Moderate water quality status. Agriculture is not considered a significant pressure in the catchment. WFD waterbody at risk of not achieving WFD objectives.
Water Body:	<ul style="list-style-type: none"><li>• Within an area for action - Blackwater in the WFD cycle 3.</li><li>• Targeted agricultural measures, Navy and red flag -point source and phosphate/sediment losses.</li></ul>
Groundwater Response:	Moderate Vulnerability Lm - locally important aquifer

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<sup>1</sup> Based on the biological monitoring Q system, developed by EPA. Data used is the most available, sourced either in-house or from the EPA.

Based upon the information provided, it has been demonstrated that the total storage capacity of the proposed new tank shall provide adequate slurry and soiled water storage in accordance with the provisions of the European Union (Good Agricultural Practice For Protection Of Waters) Regulations 2022 as amended for the current stocking density of 30 ewes (5.8m<sup>3</sup>) **however this proposal does not provide sufficient capacity for a proposed herd expansion of 40 ewes (7.9m<sup>3</sup>)** .

The applicant has demonstrated that the land-spreading of slurry shall be conducted over a sufficient area owned by the applicant to ensure that nitrogen application shall be below the limit of 170kg/ha/year.

#### **Recommendations:**

In the event that the Planning Authority determine it appropriate to grant permission for the proposed development, it is recommended that the following be included as conditions in the interest of environmental legislative compliance and environmental protection:

- The development shall be constructed in accordance with Department of Agriculture, Food and the Marine specifications.
- The development shall be operated in such a manner that no pollution of any waters, including groundwater, shall take place.
- All farm effluents and farmyard manures associated with the development shall be collected, managed and disposed of in compliance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022 as amended.
- Clean surface water and rainwater run-off from roofs from the site shall only be directed to appropriate soak-aways, but shall not be allowed to flow onto any roadway or into soiled water /slurry/effluent storage areas. The clean water soak-away shall not be located in close proximity of a well or located such that it impacts the water quality of a well or anyother water body.
- Organic fertiliser (slurry, farmyard manure, etc.) shall only be spread on suitable lands in accordance with the details submitted as part of the planning application.
- Organic fertiliser shall only be spread in accordance with the specified setbacks from water courses and drinking water abstraction points as specified under Regulation 17 of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022 as amended.
- In accordance with Regulation 18(2) of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022 as amended, organic and chemical fertilisers or soiled water shall not be applied to land in any of the following circumstances—
  - a) the land is waterlogged;
  - b) the land is flooded or likely to flood;
  - c) the land is snow covered or frozen;
  - d) heavy rain is forecast within 48 hours, or
  - e) the ground slopes steeply and there is a risk of water pollution having regard to factors such as surface runoff pathways, the presence of land drains, the absence of hedgerows to mitigate surface flow, soil conditions and ground cover.

- **Any increase in stock numbers above the current numbers that are submitted in the application, shall be restricted to an appropriate number in order to comply with Regulation 20 of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022 as amended.**

Noreen Shannon.

Ruane,  
Creagh,  
Ballinasloe,  
Co. Galway

07/08/2024

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



**Re Section 5 reference R24-54 John Hickey**

I refer to your letter requesting further information in relation to the proposed sheep shed and seepage tank at Derryfadda, Clonlara, Co. Clare

Please note the following:

1. The proposed sheep shed is for animal husbandry reasons only. Currently the applicant has 30 ewes and plans to increase this flock to 40 mid-season lambing ewes within the next 12 months. Currently the applicant does not have any facilities in place for the lambing of his flock. This shed will be used for the housing of the applicants' ewes for a period of time leading up to lambing until the ewes are lambed. Then depending on weather conditions, the ewes and new born lambs will then be turned out to grass. It is expected that the ewes will not be housed for any more than a four-week period.

During the housing of the ewes, they will be bedded on a straw bed that will be replenished as necessary to keep the lying area of the sheep clean and dry. This bedding will be allowed to build up under the sheep during the housed period. As a result of this, the majority of the soiled water produced by the livestock will be absorbed by the straw bedding. The proposed seepage tank is planned to capture any seepage that would not be absorbed by the straw bedding. Please note that the proposed shed and associated seepage tank comply with department of Agriculture specification for the construction of animal housing S123 and the proposed storage 6.3m<sup>3</sup> is sufficient to the proposed sheep shed floor area.

A. Proposed number of livestock to be housed 40 mid season lambing ewes
B. Housing period 4 week maximum housing period
C. Storage capacity required (Please see attached page from the current Nitrates regulations) 0.03m <sup>3</sup> /week
40 ewes X 4 weeks X 0.03m <sup>3</sup> /week = 4.8m <sup>3</sup>

2. Please find enclosed map showing the lands available for the application of the farmyard manure produced by the proposed sheep shed and seepage tank. Please note that any farm wastes will be spread on lands shortly after the cutting of the applicants Silage. This is to ensure that the nutrients available in the farm waste are used to replenish the nutrients lost with the cutting of the silage
3. Please note that the site layout submitted indicates a proposed hard-core road from the existing & only farm entrance within the applicants folio to the proposed sheep shed. Again there are no other farm buildings on the folio currently so the requested shed is crucial for wintering the existing livestock & support of ongoing farm enterprise.

It is to be noted that this existing farm entrance is the only entrance to the bulk of the applicants farm positioned in the south end of the folio on his private road serving the majority of the lands to the north.

The applicant has cleaned the existing land drains on the farm as part of routine farm maintenance. The excavated materials from these land drains were levelled immediately alongside that drain as is standard practice, thus enhancing the semi hardcore road condition from the existing farm entrance to the proposed sheep shed location. In order to make the road clean, safe & more trafficable in all seasons, it will require a minimum blinding of crushed stone.

Yes, this farm road does have a minor overlap to the proposed but not yet approved splayed entrance serving the proposed dwelling of P24/60078 and machinery shed 24/60276.

However, until the applicant is granted the required permission to create a new entrance associated with these applications, he accepts that his only current option to serve the farm holding is the one in current daily use from the existing field gate entrance as shown on the site plan. If in the event that an additional entrance is granted as part of planning no P24/60078, this creates an additional more northerly entrance within the applicants folio that is primarily intended for residential purposes with a spur for the machine shed minimizing agricultural land usage. The minor overlap in that eventuality will not impact the road to the proposed sheep shed in any way & is not a reason to impede current agricultural activity.

Regards

Mark Ward

## SCHEDULE 2

## Article 8

CRITERIA AS TO STORAGE CAPACITY AND NUTRIENT  
MANAGEMENT

Table 1 Slurry storage capacity required for sows and pigs

Unit type	m <sup>3</sup> /week <sup>1</sup>				
	2.0:1	2.5:1	3.0:1	3.5:1	4.0:1
Water:meal ratio changing for finishers only					
Breeding unit (per sow place)	-	-	-	-	0.174
Integrated unit (per sow place)	0.312	0.355	0.398	0.441	0.483
Finishing unit (per pig)	0.024	0.031	0.039	0.046	0.053

<sup>1</sup>An additional 200mm freeboard must be provided in all covered tanks and 300mm freeboard in all uncovered tanks. Allowance must also be made for net rainfall during the specified storage period for uncovered tanks.

Table 2 Slurry storage capacity required for cattle, sheep and poultry

Livestock type	m <sup>3</sup> /week <sup>1</sup>
Dairy cow	0.33
Suckler cow	0.29
Cattle > 2 years	0.26
Cattle (18-24 months old)	0.26
Cattle (12-18 months old)	0.15
Cattle (6-12 months old)	0.15
Cattle (0-6 months old)	0.08
Lowland ewe	0.03
Mountain ewe	0.02
Lamb-finishing	0.01
Poultry — layers per 1000 birds (30% DM)	0.81

<sup>1</sup>An additional 200mm freeboard must be provided in all covered tanks and 300mm freeboard in all uncovered tanks. Allowance must also be made for net rainfall during the specified storage period for uncovered tanks.

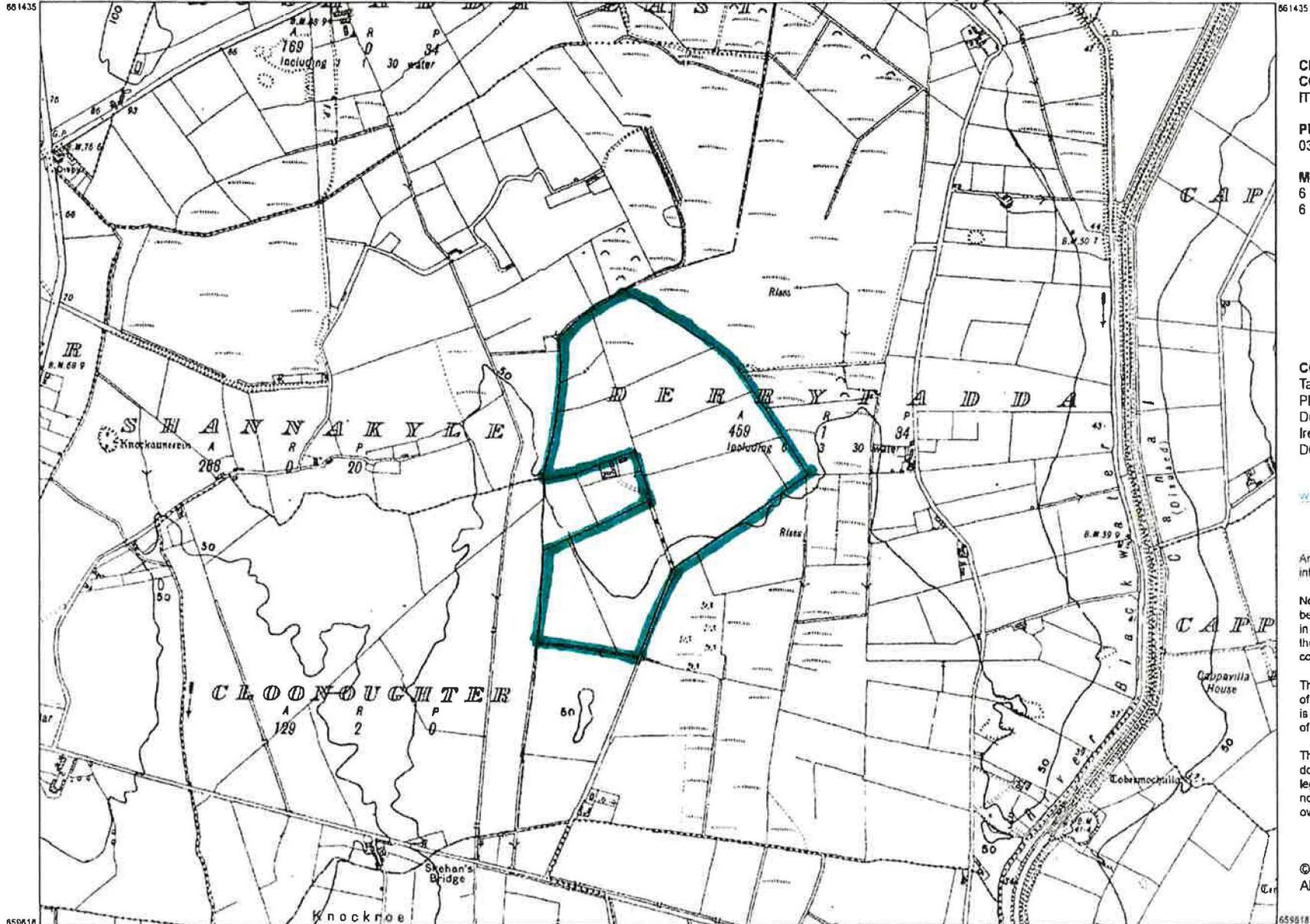
# Site Location Map

Owned Land  
outlined 21.21 hectares

Folio No CE8388



Tailte Éireann



**CENTRE COORDINATES:**  
ITM 560604.660527

**PUBLISHED:** 03/07/2024  
**ORDER NO.:** 50408066\_1

**MAP SERIES:** 6 Inch Raster  
**MAP SHEETS:** CE063+063A LK005

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

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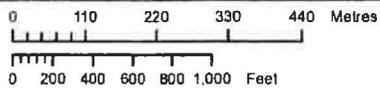
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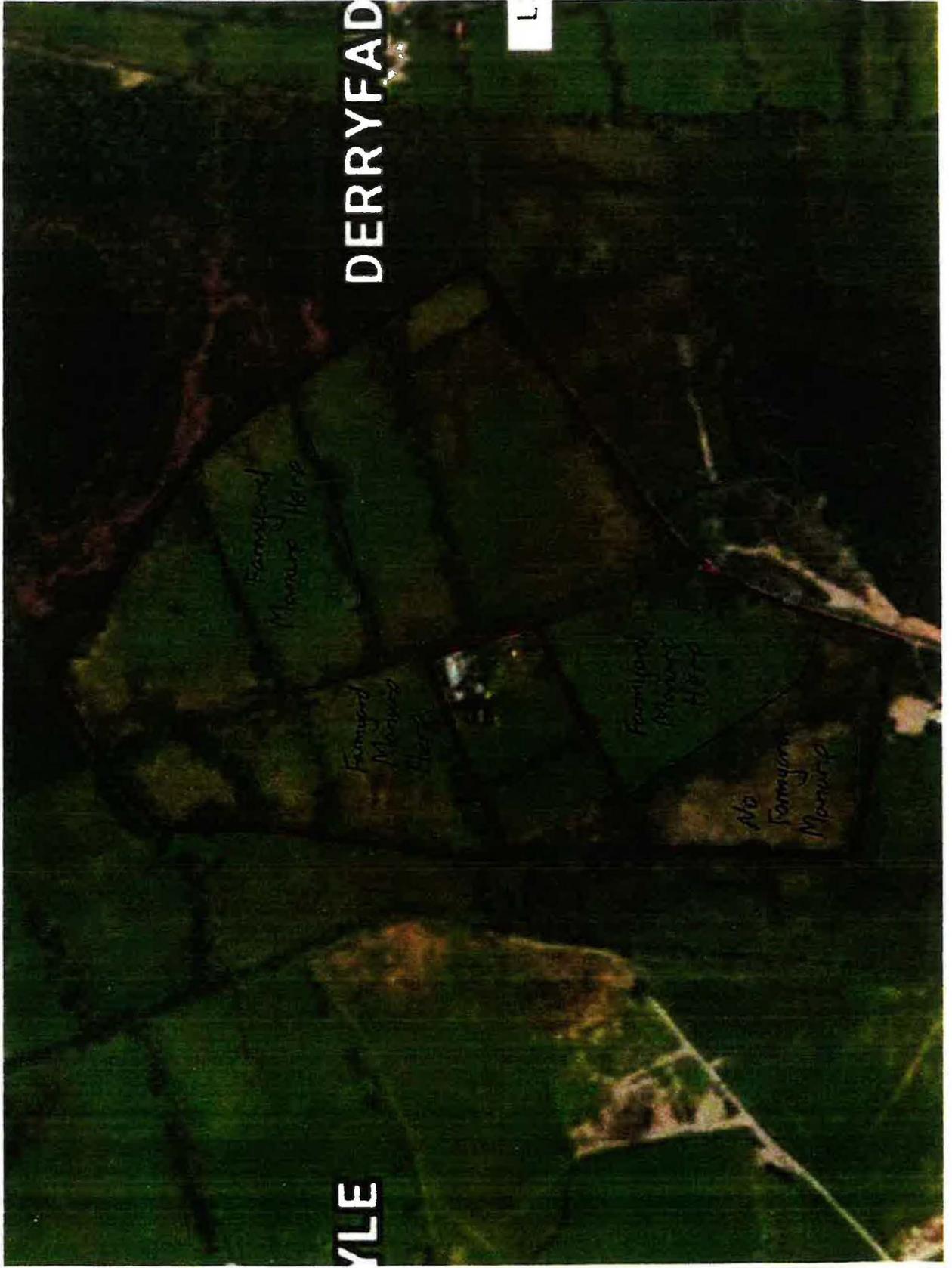
OUTPUT SCALE: 1:10,560

**CAPTURE RESOLUTION:**  
The map objects are only accurate to the 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'



Satellite map of 21.21 hectares of land owned by Applicant





COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

John Hickey  
C/o Mark Ward  
Ruane  
Creagh  
Ballinasloe  
Co. Galway



31/07/2024

**Section 5 referral Reference R24-54 – John Hickey**

Is the construction of the sheep shed and seepage tanks at Derryfadda, Clonlara development and if so is it exempted development?

A Chara,

I refer to your application received on 5th July 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:

Having regard to the details as submitted with this Section 5 Referral application, the following further information is required to allow for a full assessment of this referral:

1. Please be advised that generally under the Planning and Development Regulations (as amended) Schedule 2, part 3, Class 6 works consisting of the provision of a roofed structure for the housing of sheep, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage are considered to be exempted development provided that effluent storage facilities adequate to serve the structure having regard to its size, use and location are constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and have regard to the need to avoid water pollution.

The effluent storage facilities comprising a seepage tank of 6.3 cubic metres. However it is not clear that the volume of the tank is adequate to serve the proposed development. Please arrange to submit a table showing the number and type of livestock to be housed, the estimated volume of effluent arising and the proposed period of housing (i.e. no. of weeks).

2. Please arrange to submit a landholding map with the area suitable for land spreading hatched or shaded to enable the Planning Authority to carry out Appropriate Assessment Screening (Habitat Directive) of the proposed development.

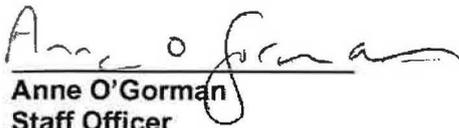
An Roinn Pleanála  
An Stiúrthóireacht Forbairt Gheilleagrach  
Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

Planning Department  
Economic Development Directorate  
Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



3. The Planning Authority notes that the site layout plan received indicates a proposed hard core road to the sheep shed. This road appears to overlap with the proposed splayed entrance serving the proposed dwelling of p24/60078, which is currently on appeal to An Bord Pleanála. It is also noted that the access to the machinery shed proposed under 24/60276 appears to branch off the access serving the dwelling. The Planning Authority notes that this Section 5 query does not include reference to the construction of this hardcore farm road and falls outside the scope of the query. Please comment on the foregoing and clarify your intentions with regard to all three developments.

Mise, le meas



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



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

**John Hickey**  
**C/o Mark Ward**  
**Ruane**  
**Creagh**  
**Ballinasloe**  
**Co. Galway**

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**An Roinn Pleanála**  
**An Stiúirthóireacht Forbairt Gheilleagrach**

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

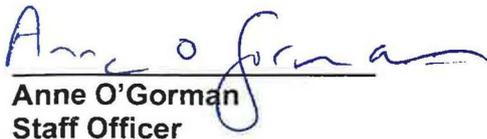
**Planning Department**  
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Mise, le meas

A handwritten signature in blue ink, appearing to read 'Anne O'Gorman', written over a horizontal line.

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

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

**FILE REF:** R24/ 54 John Hickey

**APPLICANT(S):**

**REFERENCE:** Whether the construction of a sheep shed and seepage tank at Derryfadda Clonlara Co. Clare is or is not development and is or is not exempted development.

**LOCATION:** Derryfadda Clonlara Co. Clare

**DUE DATE:** 01/ 08/24

**Site Description.**

The subject site is located approximately 795m north of the public road L3062 at Derryfadda in a rural area to the east of Parteen and is accessed via a narrow cul de sac road that ends to the north of this site.

**Planning History on site**

None

**Planning history adjacent to the subject site**

23/ 60470 John Hickey Application for permission for the construction of a detached two storey dwelling, detached domestic garage/store, new entrance, onsite wastewater treatment system, bored well, together with all associated ancillary and incidental site works at Derryfadda Clonlara. WITHDRAWN

24/60078 John Hickey. Application for permission for the construction of a detached two storey dwelling, new entrance, onsite wastewater treatment system, bored well, together with all associated ancillary and incidental site works at Derryfadda, Appealed 06/06/24. No decision to date.

24/ 60276 John Hickey. Application for permission for construction of detached agricultural equipment storage building, together with all associated ancillary and incidental works at Derryfadda. Due 04/08/ 24.

**Planning History Nearby**

To the west- 11-196 John Hickey

Permission was sought to demolish existing substandard derelict cottages, construct a new dwelling house, install a new waste water treatment plant with soil polishing filter and all associated site works. Permission was refused for the following reason;

1. The site is located in close proximity to the indicative line for the Northern Relief Road as identified in The South Clare Local Area Plan 2009-2015. The proposed development would therefore be premature pending the determination by the Planning Authority and Roads Authority of the road layout for the area.

To the south- 20-777 Permission was sought to construct a farm access road and all associated site works. Permission was granted subject to conditions. This is a farm access road that runs inside the road side boundary of the public road.

#### **Details submitted with the application**

- Site location map 1:2500.
- Site layout 1: 500
- Floor plans, sections, elevations and cross sections of the proposed slatted shed scale 1: 100 .Dimensions of the slatted shed: overall height is 5.8m to ridge, and 4 m to eaves, total length 14.0 m, width 14.0 m. Floor area 196. sq.m.
- There are no dwellings within 100 sqm. Nearest dwelling is 132 sq.m.
- There are no other class 6 buildings within 100 sq.m.
- Distance from the public road L 3062- 795m .
- Distance from the applicant's dwelling- not currently on site or nearby. See planning history above 23/60.
- Distance from the nearest neighbouring dwelling ( to the west ) is 132 m.

#### **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*.

'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.*

' Development ' are defined in Section 3 of the *Planning and Development Act 2000*, as amended as follows:

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.

#### 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.

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

##### *Part 3 Exempted Development Rural- Article 6*

##### **Class 6**

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

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

- 1. No such structure shall be used for any purpose other than the purpose of agriculture.*
- 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.*
- 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution*
- 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.*
- 5. No such structure within 100 metres of any public road shall exceed 8 metres in height.*
- 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for*

*public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*

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

Under Article 9 (1) of the same Regulations, *development to which Article 6 relates shall not be exempted development for the purposes of the Act:*

*(a) if the carrying out of such development would –*

*(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act*

*(ii) consist of or compromise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,*

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

*(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*

*(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,*

*(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,*

*(vii) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.*

*(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,*

*(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section*

*14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,*

*(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,*

*(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."*

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

*(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,*

*(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,*

*(xi) obstruct any public right of way,*

*(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.*

## Assessment

### Basis of Referral

The applicant is seeking a Section 5 Declaration as to whether the construction of a slatted unit is development and is or is not exempted development.

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

### Class 6

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

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

*The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate. The gross floor space of the proposed structure is to be 196sq.m. The proposal therefore does not exceed any aggregate floor area threshold ( 300 sq.m) for units required for housing of livestock. In this regard it is noted that 24/ 60276 is for a store for agricultural equipment and as such not considered to fall within the same category as class 6.*

2. *Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. The effluent storage facilities comprising a seepage tank of 6.3 cubic metres. However it is not clear that the volume of the tank is adequate because the number of livestock to be housed is not stated and the proposed period of housing ( ie no . of weeks) is not stated.*
3. *No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. The structure and effluent seepage tank area approximately 795m distance from the public road.*
4. *No such structure within 100 metres of any public road shall exceed 8 metres in height. The structure is 6.34m in height and as such complies with this height limitation.*
5. *No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. The structure complies with this requirement as the nearest neighbouring dwelling is 132m distance to the north. It is noted that the applicant's application for their own dwelling, granted by CCC has been appealed to ABP.24/ 60078. There is no restriction on the proximity of the applicant own dwelling to the structure.*
6. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. External finishes are shown as complying with minimum specification for Agricultural Buildings ( S101 and s123). There is cladded sheeting on the roof and mass concrete walls.*

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:

- (i) *contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act*

**There are no previous planning permissions on site.**

- (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,*

**No alterations to the existing access arrangements are proposed and that access is from a private laneway.**

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

**N/A.**

*(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*

**N/A.**

- (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.*

**N/A**

- (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,*

**N/A This is not applicable in this instance.**

- (vi) *consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,*

**N/A This is not applicable in this instance.**

- (vii)
- a. *consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,*

**N/A This is not applicable in this instance.**

- b. *comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,*

**No land holding map of spread lands have been submitted so it is not possible to see the extent of area available for spreading and to conclude that the development can be screened out. See screening report attached.**

- c. *consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."*

**This is not applicable in this instance as the subject site is not located in a NHA or p NHA.**

- (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 in this instance.**

- (ix) *consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,*

**This is not applicable in this instance.**

- (x) *consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,*

**This is not applicable in this instance.**

- (xi) *obstruct any public right of way,*

**This is not applicable in this instance.**

- (xii) *further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.*

**This is not applicable in this instance.**

### **Conclusion**

Having regard to the above it is considered that further information is required in respect of land holding maps of spread lands to enable the planning Authority to carry out screening.

<b>Recommendation</b>
-----------------------

**I recommend requesting additional information as follows:**

1. Please be advised that generally under the Planning and Development Regulations (as amended) Schedule 2, part 3, Class 6 works consisting of the provision of a roofed structure for the housing of sheep, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage are considered to be exempted development provided that effluent storage facilities adequate to serve the structure having regard to its size, use and location are constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and have regard to the need to avoid water pollution.

The effluent storage facilities comprising a seepage tank of 6.3 cubic metres. However it is not clear that the volume of the tank is adequate to serve the proposed development. Please arrange to submit a table showing the number and type of livestock to be housed, the estimated volume of effluent arising and the proposed period of housing (i.e. no. of weeks).

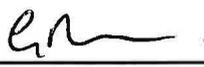
2. Please arrange to submit a landholding map with the area suitable for landspreading hatched or shaded to enable the Planning Authority to carry out Appropriate Assessment Screening (Habitat Directive) of the proposed development.

3. The Planning Authority notes that the site layout plan received indicates a proposed hard core road to the sheep shed. This road appears to overlap with the proposed splayed entrance serving the proposed dwelling of p24/60078, which is currently on appeal to An Bord Pleanála. It is also noted that the access to the machinery shed proposed under 24/60276 appears to branch off the access serving the dwelling. The Planning Authority notes that this Section 5 query does not include reference to the construction of this hardcore farm road and falls outside the scope of the query. Please comment on the foregoing and clarify your intentions with regard to all three developments.



**Ellen Carey**  
**Executive Planner**

Date: 31st July 2014.



**Gareth Ruane**  
**Senior Executive Planner**

Date: 31/07/14.

### Appropriate Assessment & Determination

<b>STEP 1. Description of the project/proposal and local site characteristics:</b>	
<b>(a) File Reference No:</b>	Section 5 R24/ 54
<b>(b) Brief description of the project or plan:</b>	Sheep shed and seepage tanks
<b>(c) Brief description of site characteristics:</b>	Field in agricultural use
<b>(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	None
<b>(e) Response to consultation:</b>	None

<b>STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.</b>				
European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N

<b>Special Protection Areas: River Shannon and River Fergus Estuaries SPA 004077</b>	<b>Cormorant (Phalacrocorax carbo) [A017]</b>	<b>5.31 km</b>	<b>None</b>	<b>No</b>
	<b>Whooper Swan (Cygnus cygnus) [A038]</b>			
	<b>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</b>			
	<b>Shelduck (Tadorna tadorna) [A048]</b>			
	<b>Wigeon (Anas penelope) [A050]</b>			
	<b>Teal (Anas crecca) [A052]</b>			
	<b>Pintail (Anas acuta) [A054]</b>			
	<b>Shoveler (Anas clypeata) [A056]</b>			
	<b>Scaup (Aythya marila) [A062]</b>			
	<b>Ringed Plover (Charadrius hiaticula) [A137]</b>			
	<b>Golden Plover (Pluvialis apricaria) [A140]</b>			
	<b>Grey Plover (Pluvialis squatarola) [A141]</b>			
	<b>Lapwing (Vanellus vanellus) [A142]</b>			
	<b>Knot (Calidris canutus) [A143]</b>			
<b>Dunlin (Calidris alpina) [A149]</b>				

	<p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Greenshank (<i>Tringa nebularia</i>) [A164]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Wetland and Waterbirds [A999]</p>			
<p>Lower River Shannon SAC 02165</p>	<p>Sandbanks which are slightly covered by sea water all the time [1110]</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p>	<p>1.64km</p>	<p>None</p>	<p>Yes</p>

Large shallow  
inlets and bays  
[1160]

Reefs [1170]

Perennial  
vegetation of  
stony banks  
[1220]

Vegetated sea  
cliffs of the  
Atlantic and  
Baltic coasts  
[1230]

Salicornia and  
other annuals  
colonising  
mud and sand  
[1310]

Atlantic salt  
meadows  
(*Glauco-  
Puccinellietalia  
maritimae*)  
[1330]

Mediterranean  
salt meadows  
(*Juncetalia  
maritimi*)  
[1410]

Water courses  
of plain to  
montane  
levels with the  
*Ranunculon  
fluitantis* and  
*Callitricho-  
Batrachion*  
vegetation  
[3260]

**Molinia  
meadows on  
calcareous,  
peaty or  
clayey-silt-  
laden soils  
(Molinion  
caeruleae)  
[6410]**

**Alluvial forests  
with *Alnus  
glutinosa* and  
*Fraxinus  
excelsior*  
(Alno-Padion,  
Alnion  
incanae,  
Salicion albae)  
[91E0]**

***Margaritifera  
margaritifera*  
(Freshwater  
Pearl Mussel)  
[1029]**

***Petromyzon  
marinus* (Sea  
Lamprey)  
[1095]**

***Lampetra  
planeri* (Brook  
Lamprey)  
[1096]**

***Lampetra  
fluviatilis*  
(River  
Lamprey)  
[1099]**

***Salmo salar*  
(Salmon)  
[1106]**

	<p>Tursiops truncatus (Common Bottlenose Dolphin) [1349]</p> <p>Lutra lutra (Otter) [1355]</p>			

- <sup>1</sup> Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.
- <sup>2</sup> If the site or part thereof is within the European site or adjacent to the European site, state here.

STEP 3. Assessment of Likely Significant Effects	
<b>(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:</b>	
Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> <li>● Vegetation clearance</li> <li>● Demolition</li> <li>● Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>● Dust, noise, vibration</li> <li>● Lighting disturbance</li> <li>● Impact on groundwater/dewatering</li> <li>● Storage of excavated/construction materials</li> </ul>	<p>none</p>

<ul style="list-style-type: none"> <li>• Access to site</li> <li>• Pests</li> </ul>	
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	Spreading of effluent
In-combination/Other	none

<b>(b) Describe any likely changes to the European site:</b>	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	<ul style="list-style-type: none"> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> </ul>

(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes  No

#### Step 4. Screening Determination Statement

##### The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

The proposed development comprises a sheep shed and associated seepage shortage tank of 6.3 cubic metre volume. The proposed development is approx. 1.6km distance from the Lower River Shannon SAC. No land holding map of spread lands has been submitted so it is not possible to conclude that there is no hydrological pathway linking the subject to the SAC. Further information will be requested.

**Conclusion: Further information will be requested**

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European site.	<input type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European site.	<input checked="" type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) <b>Significant effects</b> are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS

Refuse planning permission

Signature and Date of  
Recommending Officer:

31/07/24

Ellen Carey.  
**Name: Ellen Carey E.P.**

Signature and Date of the  
Decision Maker:



COMHAIRLE | CLARE  
CONTAE AN CHLÁIR | COUNTY COUNCIL

John Hickey  
C/o Mark Ward  
Ruane  
Creagh  
Ballinasloe  
Co. Galway

08/07/2024

**Section 5 referral Reference R24-54 – John Hickey**

Is the construction of the sheep shed and seepage tanks at Derryfadda, Clonlara development and if so is it exempted development?

A Chara,

I refer to your application received on 5th July 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 Stiúirthóireacht Forbairt Gheilleagrach**

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

**Planning Department**  
**Economic Development Directorate**

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2

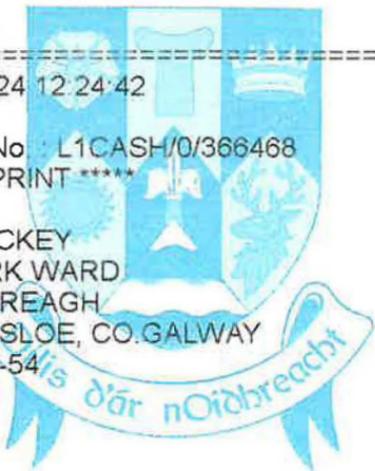


AN CHLÁIR  
Clare County Council  
Aras Contae an Chlair  
New Road  
Ennis  
Co Clare

05/07/2024 12:24:42

Receipt No : L1CASH/0/366468  
\*\*\*\*\* REPRINT \*\*\*\*\*

JOHN HICKEY  
C/O MARK WARD  
RUAN, CREAGH  
BALLINASLOE, CO. GALWAY  
REF R24-54



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

Total : 80.00 EUR

Tendered :  
CHEQUES 80.00

Change : 0.00

Issued By : L1Cash - Geraldine Melican  
From : MAIN CASH OFFICE LODGEMENT AF  
Vat reg No. 0033043E

P07

**CLARE COUNTY COUNCIL  
COMHAIRLE CONTAE AN CHLÁIR**

Planning Department,  
Economic Development Directorate,  
Clare County Council,  
New Road, Ennis,  
Co. Clare.  
V95DXP2

Telephone No. (065) 6821616  
Fax No. (065) 6892071  
Email: [planoff@clarecoco.ie](mailto:planoff@clarecoco.ie)  
Website: [www.clarecoco.ie](http://www.clarecoco.ie)



R24-54

**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*

<b>1. CORRESPONDENCE DETAILS.</b>	
(a) Name and Address of person seeking the declaration	<p>John Hickey</p> <hr/> <p>Rose cottage</p> <hr/> <p>Derrysodda, Clonlara, Co. Clare</p> <hr/>
(b) Telephone No.:	<p>.....</p>
(c) Email Address:	<p>.....</p>
(d) Agent's Name and address:	<p>Mark Ward</p> <hr/> <p>Ruone,</p> <hr/> <p>Creagh,</p> <hr/> <p>Ballinasloe,</p> <hr/> <p>Co. Galway</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 construction of the Sheep shed and Seepage tank at Derryfadda, Clonlara 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.

3 Bay double Sheep shed 196 m<sup>2</sup> and soiled water seepage tank. Please note that there are no dwelling houses within 100m of the proposed Sheep shed and Seepage tank.

There are no other Class 6 (Animal housing) buildings within 100 metres of the proposed sheep shed and Seepage Tank.

Currently the applicant does not have any available facilities to house his sheep at lambing time and therefore the proposed shed is necessary as soon as possible.

(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)*

Full Set of Drawings, Section, Elevations + Floor Plan  
 Site Plan

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:	<u>Derryfadda, Clonlara, Co. Clare</u> _____ _____ _____
(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?	<u>No</u> _____ _____ _____
(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	<u>Owner</u> _____ _____
(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>	<u>N/A</u> _____ _____ _____
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	<u>Yes - Owner is applicant.</u>
(f) Are you aware of any enforcement proceedings connected to this site? <i>If so please supply details:</i>	<u>No</u>
(g) Were there previous planning application/s on this site? <i>If so please supply details:</i>	<u>No</u>
(h) Date on which 'works' in question were completed/are likely to take place:	<u>Within the next 6 months</u>

SIGNED: 

DATE: 2-7-2024

**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 Chláir,  
 New Road,  
 Ennis,  
 Co. Clare  
 V95DXP2

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

**FOR OFFICE USE ONLY**

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

To whom it may concern,

Please send any correspondence relating to this application to Agent:

Mark Ward, Ruano, Creagh, Ballinacorney, Co. Galway

# Planning Pack Map

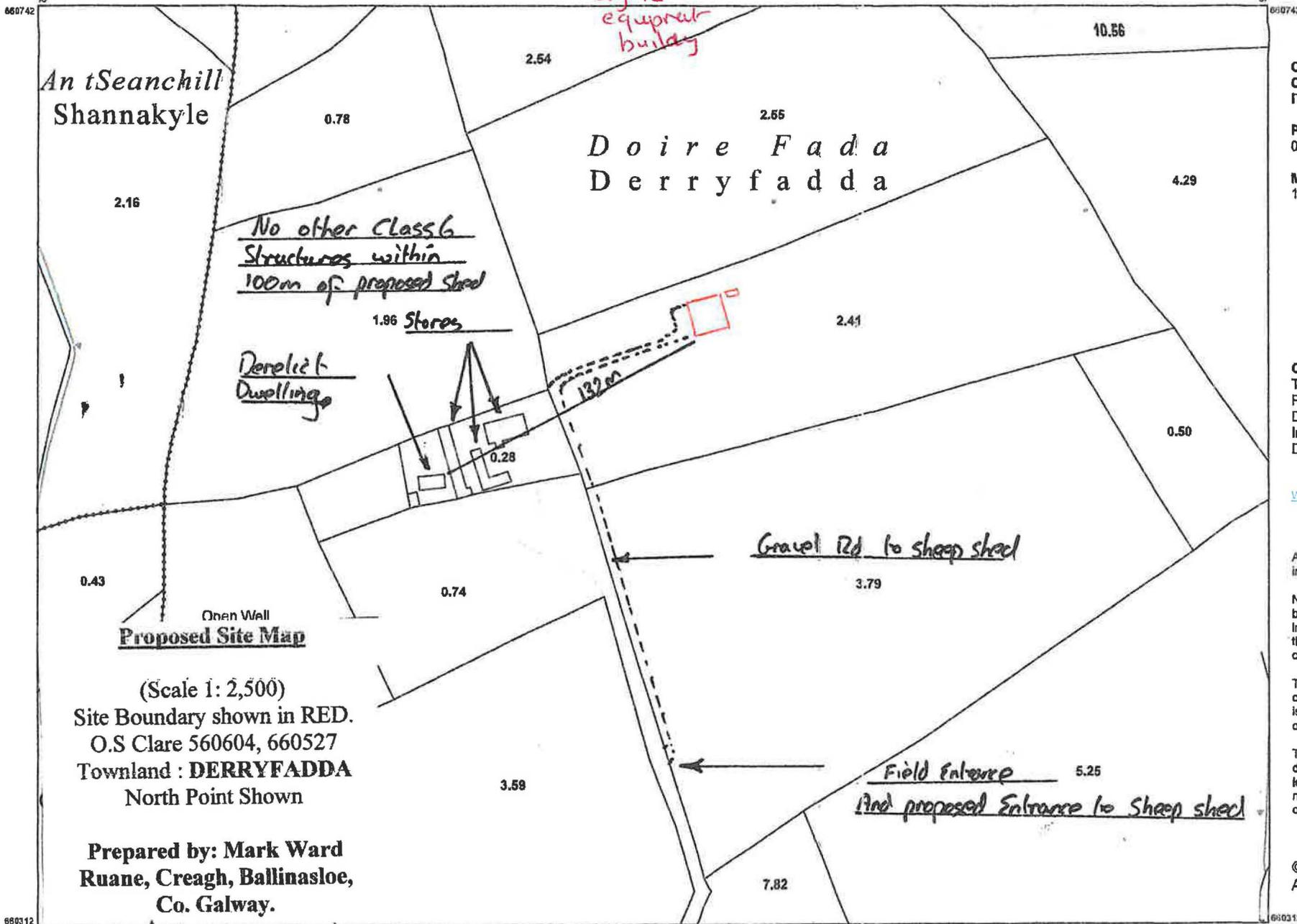


Tailte Éireann

24/60276  
Jagrie  
equipment  
building

23/60470

24/60078



**CENTRE COORDINATES:**  
ITM 560604,660527

**PUBLISHED:** 03/07/2024  
**ORDER NO.:** 50408066\_1

**MAP SERIES:** 1:2,500  
**MAP SHEETS:** 4623-C

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

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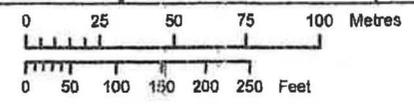
The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

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

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(Scale 1: 2,500)  
Site Boundary shown in RED.  
O.S. Clare 560604, 660527  
Townland : DERRYFADDA  
North Point Shown

Prepared by: Mark Ward  
Ruane, Creagh, Ballinasloe,  
Co. Galway.



OUTPUT SCALE: 1:2,500

**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'

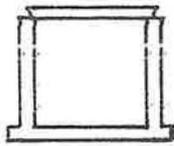


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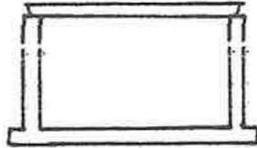
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7951m

121.30



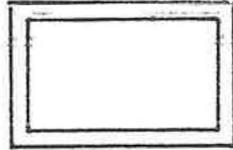
**Section**



**Section**



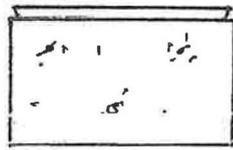
**Front & Rear Elevations**



**Floor Plan**



*North*



**Left & Right Elevations**

### **PROPOSED SEEPAGE TANK**

Dimension of seepage tank  $3 \times 1.4 \times 1.5 =$   
cubic volume  $6.3 \text{ m}^3$

23/60470 -

**Farmer/Client:**

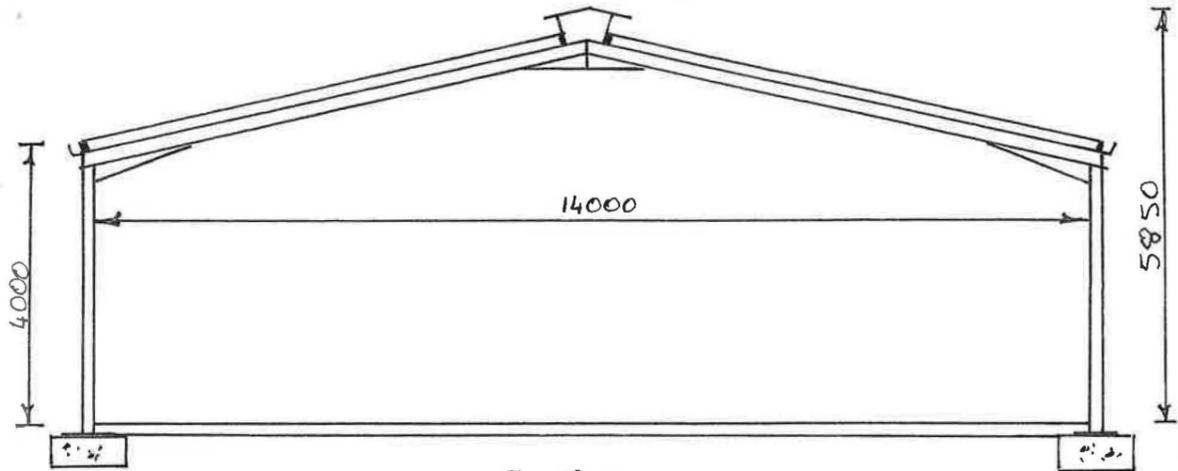
**John Hickey  
Rosecottage,  
Derryfadda,  
Clonlara,  
Co. Clare**

**Date 02/07/24**

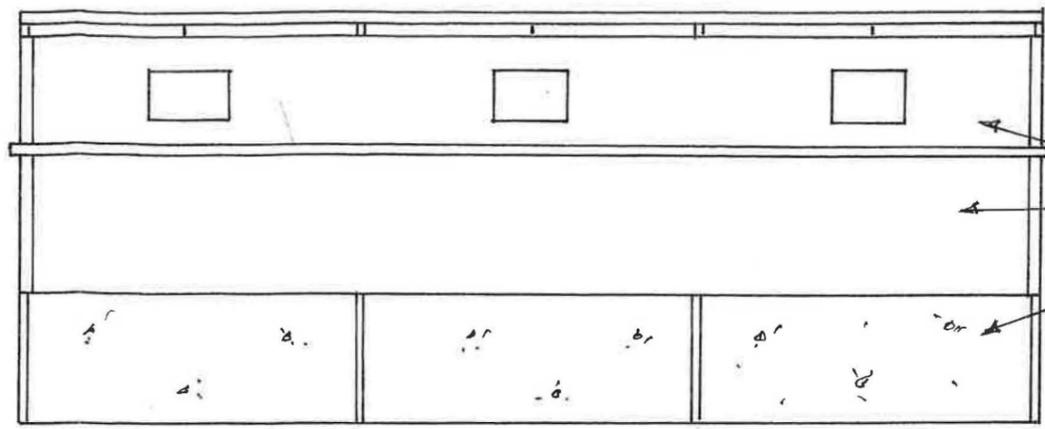
**Scale 1:100**

**Drawn By:**

**Mark Ward,  
Ruane Creagh, Ballinastoe  
Co. Galway**

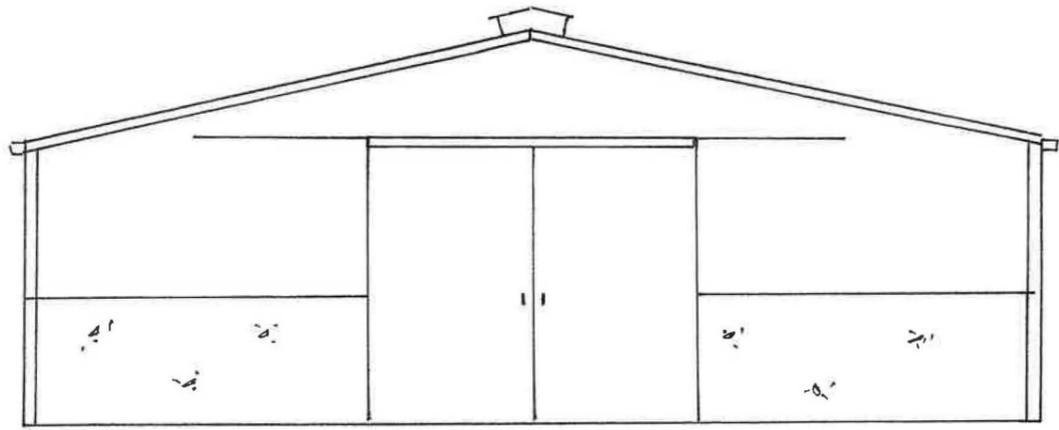


**Section**



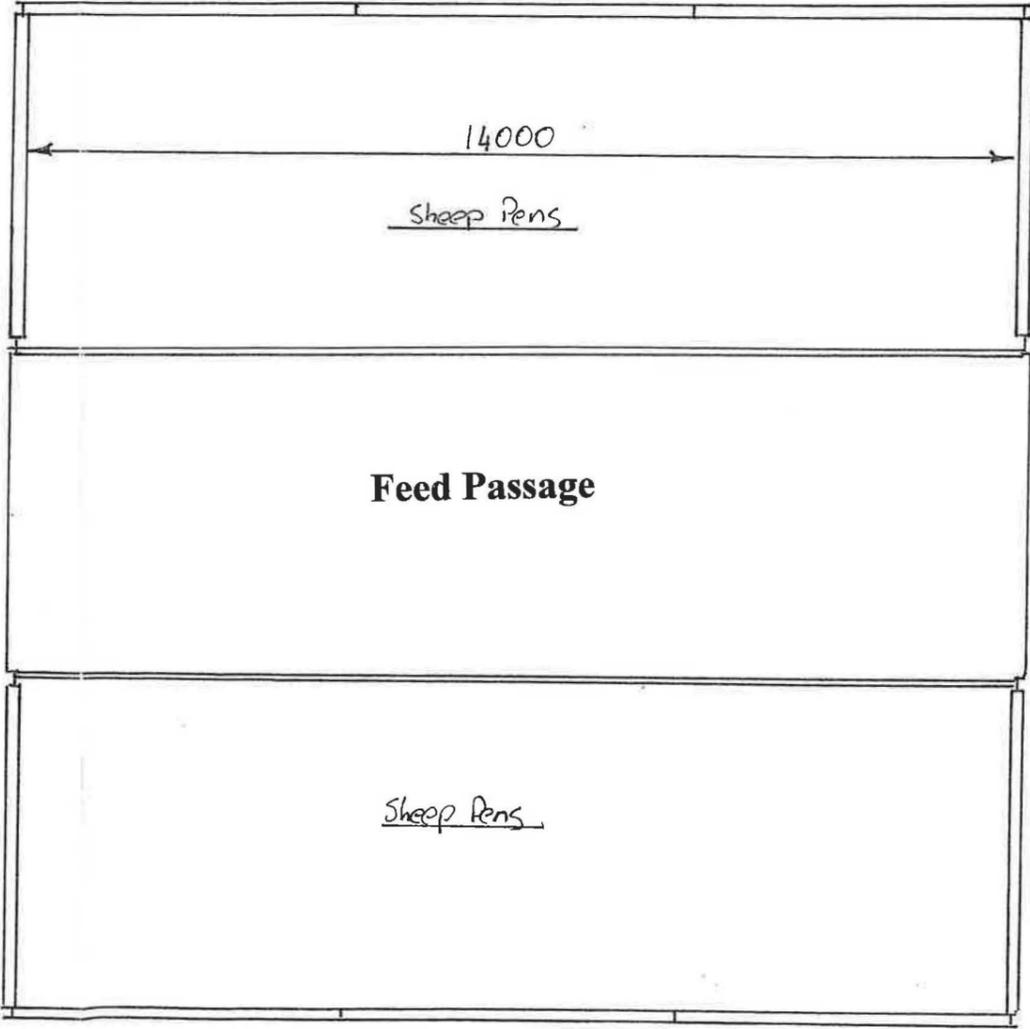
Cladded Sheeting  
 Vented Cladded sheeting  
 Mass Concrete Wall

**Left + Right Elevation**



**Front + Rear Elevation**

**Proposed building to be constructed in accordance with current Department of Agriculture S101 & S123 farm building specifications for Animal housing**



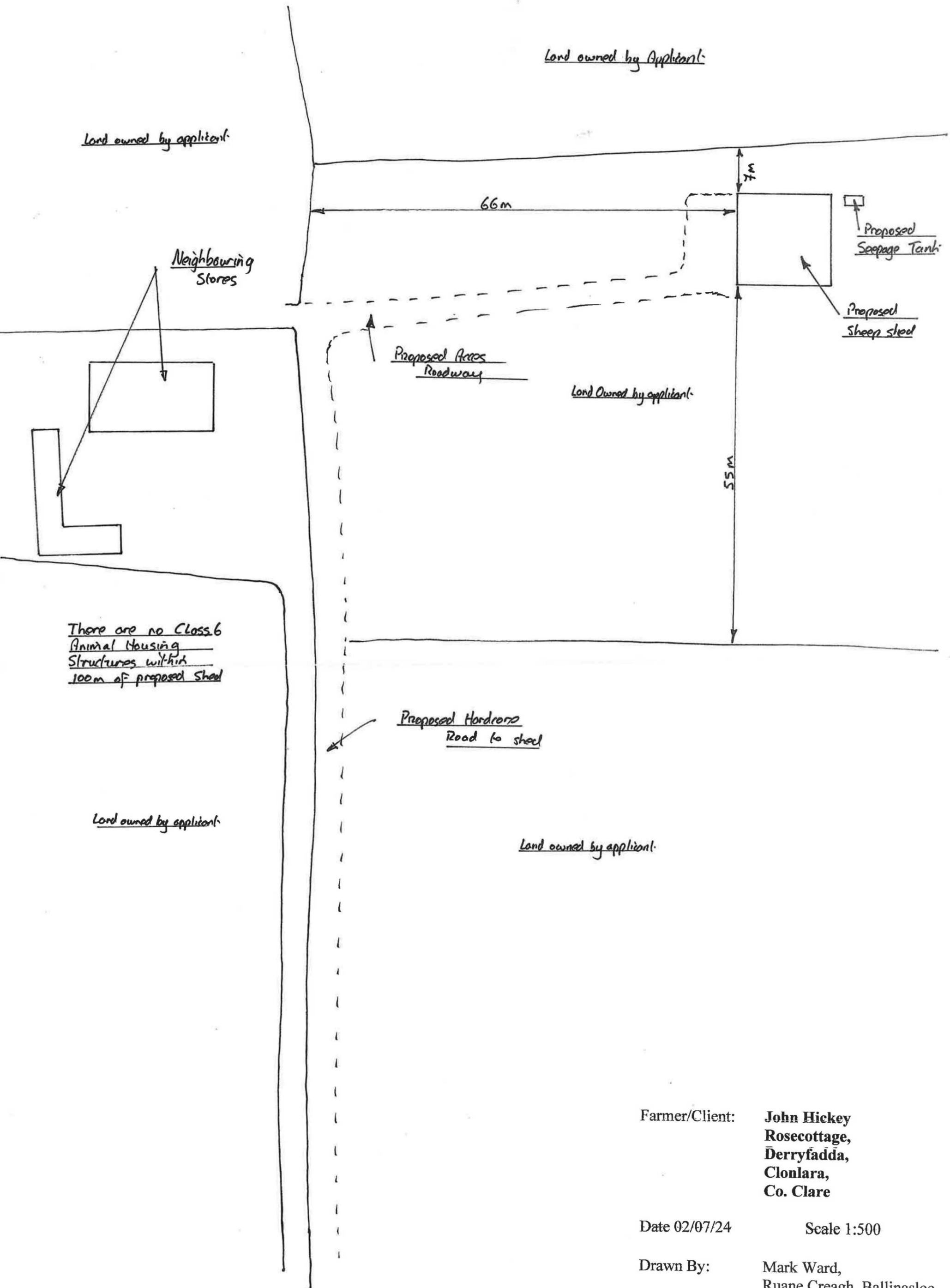
**Floor Plan**

**PROPOSED SHEEP SHED**

Farmer/Client: **John Hickey**  
**Rosecottage,**  
**Derryfadda,**  
**Clonlara,**  
**Co. Clare**

Date 02/07/24      Scale 1:100

Drawn By: **Mark Ward,**  
**Ruane Creagh, Ballinasloe**  
**Co. Galway**



Land owned by Applicant:

Land owned by applicant:

Neighbouring Stores

66m

7m

Proposed Seepage Tank

Proposed Sheep shed

Proposed Area Roadway

Land Owned by applicant:

55m

There are no Class 6 Animal Housing Structures within 100m of proposed shed

Proposed Hordrons Road to shed

Land owned by applicant:

Land owned by applicant:

Farmer/Client: **John Hickey**  
**Rosecottage,**  
**Derryfadda,**  
**Clonlara,**  
**Co. Clare**

Date 02/07/24

Scale 1:500

Drawn By:

Mark Ward,  
 Ruane Creagh, Ballinasloe  
 Co. Galway