



Comhairle Contae Chill Mhantáin
Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowco.ie
Suíomh / Website: www.wicklow.ie

Malread Phelan

 June 2023

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX24/2023

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,


ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT.

*Tá an doiciméad seo ar fáil i bhformáidí eile ar iarratas.
This document is available in alternative formats on request.*

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Forbairt Pleanála agus Comhshaol.
All correspondence should be addressed to the Director of Services, Planning Development & Environment.





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Wicklow County Council

Forbairt Pleanála agus Comhshaol
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Suíomh / Website: www.wicklow.ie

Applicant: Mairead Phelan

Location:

CHIEF EXECUTIVE ORDER NO. CE/PDE/1132/2023

A question has arisen as to whether "construction of cattle handling facilities and cattle holding pen to rear of farm buildings" at Liscolman, Tullow, Co. Wicklow" is or is not exempted development.

Having regard to:

- a) The details submitted on 25/04/2023 and 27/06/2023;
- b) Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- c) Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- d) Schedule 2, Pt.3 Class 8 of the Planning and Development Regulations 2001 (as amended).

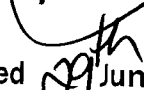
Main Reasons with respect to Section 5 Declaration:

- The proposal is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The proposal would come within the description and limitations as set out under Schedule 2, Part 3, Class 8, of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.

The Planning Authority considers that "construction of cattle handling facilities and cattle holding pen to rear of farm buildings" at Liscolman, Tullow, Co. Wicklow is development and is exempted development.

Signed: 

ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Dated  27th June 2023



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PDE/1132/2023

Reference Number: EX 24/2023

Name of Applicant: Mairead Phelan

Nature of Application: Section 5 Referral as to whether "construction of cattle handling facilities and cattle holding pen to rear of farm buildings" is or is not exempted development

Location of Subject Site: Liscolman, Tullow, Co. Wicklow

Report from Billy Slater, GP & ~~Suzanne White~~, SEP *Edel Bormylen* 2

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "construction of cattle handling facilities and cattle holding pen to rear of farm buildings" at Liscolman, Tullow, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- i. The details submitted on 25/04/2023 and 27/06/2023;
- ii. Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- iv. Schedule 2, Pt.3 Class 8 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The proposal is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The proposal would come within the description and limitations as set out under Schedule 2, Part 3, Class 8, of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.

Recommendation

The Planning Authority considers that "construction of cattle handling facilities and cattle holding pen to rear of farm buildings" at Liscolman, Tullow, Co. Wicklow is development and is exempted development as recommended in the planning report.

Signed

Mairead Phelan SP

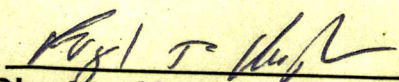
Dated *20th* day of June 2023

ORDER:

I HEREBY APPROVE that a declaration to issue stating:

That "construction of cattle handling facilities and cattle holding pen to rear of farm buildings" at Liscolman, Tullow, Co. Wicklow" is development and is exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed:



A/ Director of Services
Planning Development & Environment

Dated *30th* day of June 2023

DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT
ACT 2000 AS AMENDED



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

To: Fergal Keogh S.E / Suzanne White S.E.P. / Edel Bermingham S.E.P.
From: Billy Slater G.P.
Type: Section 5 Application
REF: EX 24/2023
Applicant: Mairead Phelan
Address: Liscolman, Tullow, Co. Wicklow
Date of FI received: 27/06/2023
Decision Due Date: 17/07/2023
Exemption Query: Construction of cattle handling facilities and cattle holding pen to rear of farm buildings.

This Query has been subject to a further information request. This report should be read in conjunction with the previous planning reports.

Assessment :

The issued further information sought clarification with regard to the following.

1. In order to fully assess the section 5 query, you are requested to submit further details of the proposed cattle handling facilities and holding pen inclusive of;

- *Elevations of the proposed structure,*
- *The proposed materials / finishes,*
- *Details of effluent storage facilities to serve the structure having regard to its size, in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government .*

In this regard, a response has been received by the PA on the 27/06/2023 in which the following is stated:

The structure will be approximately 1.8m height. The material/finish will be mass concrete and metal rails (photographic references provided). Lastly, it is stated that there is an underground slurry tank adjacent to the proposed holding pen which will be used (photographs provided).

Considering the information provided, an assessment under the associated conditions and limitations of Schedule 2, Pt.3 Class 8 of the Planning and Development Regulations 2001 (as amended) shall again be carried out.

Used for the purpose of agriculture.	Yes
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.	Yes - Under 300sqm (no other such structures on site)
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	Yes - underground slurry tank adjacent to the proposed holding pen.

requirements and shall have regard to the need to avoid water pollution	
Structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.	Yes – over 10 meters from public road
No such structure within 100 metres of any public road shall exceed 8 metres in height.	Yes – structure over 100m from road.
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.	Yes – over 100m from such structures excluding associated farmhouse.
No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.	Yes – pen shall be finished with concrete and metal rails

The proposed works to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such works would contravene with the limitations as set out per **Article 9 (1)**

Conclusion:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether or not the proposal for the '*Construction of cattle handling facilities and cattle holding pen to rear of farm buildings, at Liscolman, Tullow, Co. Wicklow*' is or is not exempted development,

The Planning Authority considers that:

The proposal of the '*Construction of cattle handling facilities and cattle holding pen to rear of farm buildings, at Liscolman, Tullow, Co. Wicklow*' is development and is exempt development.

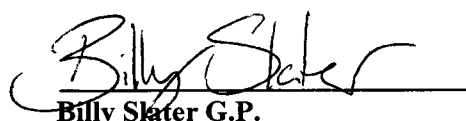
Main Considerations with respect to Section 5 Declaration:

- The details submitted on 25/04/2023 and 27/06/2023;
- Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- Schedule 2, Pt.3 Class 8 of the Planning and Development Regulations 2001 (as amended).

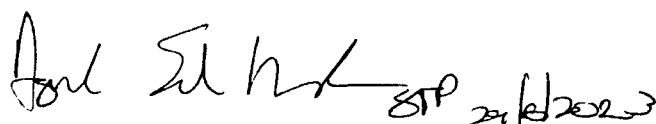
Main Reasons with respect to Section 5 Declaration:

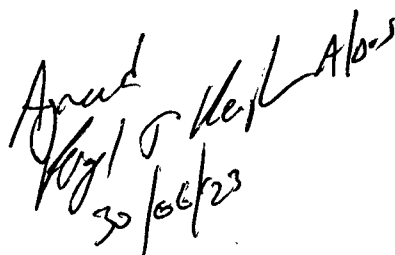
- The proposal is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The proposal would come within the description and limitations as set out under Schedule 2, Part 3, Class 8, of the Planning and Development Regulations 2001 (as amended) and is therefore ~~exempted~~ development.

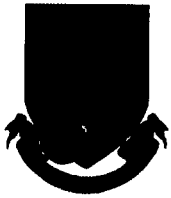
excluded


Billy Slater G.P.

29/06/2023


John E. H. K. G.P. 29/6/2023


Anand
30/6/23



Comhairle Contae Chill Mhantáin
Wicklow County Council

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Planning Development and Environment

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MEMORANDUM

WICKLOW COUNTY COUNCIL


TO: Billy Slater
Graduate Planner

FROM: Nicola Fleming
Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 24/2023

I enclose herewith for your attention application for Section 5 Declaration received 25th April 2023 along with Further Information received on 27/06/23.

The due date on this declaration is the 17th July 2023.



Staff Officer
Planning Development & Environment



Nicola Fleming

From: Hendricken, Liam
Sent: Tuesday 27 June 2023 16:10
To: Nicola Fleming
Subject: FW: FW: application for exemption EX 24/2023
Attachments: ag3.JPG; ag2.JPG; ag1.JPG; Ag.JPG

Nicola,

In response to your correspondence of 12/05/2023 the following details were requested:

Elevations: The structure will be approximately 1.8 Metres high

Materials: The materials/finish will be Mass Concrete and Metal Rails similar to Picture 1 which was built locally recently;

Effluent storage: there is an underground slurry tank (Picture 2) adjacent to the proposed holding pen and this will be used.

The area in question is behind a cattle shed and adjoining the boundary hedge.

If you have any further queries, please do not hesitate to contact me.

Regards,

Liam

Liam Hendricken



Ionad Irish Life, Sráid na Mainistreach Íocht, Baile Átha Cliath 1 D01 E9X0
Irish Life Centre, Abbey Street Lower, Dublin 1 D01 E9X0

M 087-1499248 T 01-8171171
Website: www.tailte.ie

Please consider the environment before printing.

From: Liam Hendricken
Sent: Tuesday 27 June 2023 15:54
To: Hendricken, Liam
Subject: Fwd: FW: application for exemption

----- Forwarded message -----

From: Nicola Fleming <NFleming@wicklowcoco.ie>
Date: Mon 24 Apr 2023, 11:20
Subject: RE: FW: application for exemption
To: Liam Hendricken

Thanks Liam

From: Liam Hendricken [mailto:
Sent: Monday 24 April 2023 11:19
To: Nicola Fleming; Ice
Subject: Re: FW: application for exemption

Nicola,

Received your voice mail.

I will be submitting map by post today.

Liam

On Tue 18 Apr 2023, 12:14 Nicola Fleming, <NFleming@wicklowcoco.ie> wrote:

I wish to refer to my email of 14/04/23 outlined below.

From: Nicola Fleming
Sent: Friday 14 April 2023 15:34
To
Subject: application for exemption

I refer to your application for exemption under Section 5 for Mairead Phelan. Can you please forward a site location map. Also please call our customer care team on 0404-20100 and arrange payment of €80 fee.

Regards,

Nicola Fleming

Staff Officer

Planning Department

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph☎: +353 (0404) 20148 | ✉: nfleming@wicklowcoco.ie

Website: <http://www.wicklow.ie>

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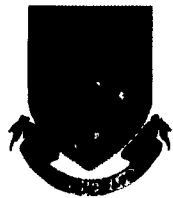
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Comhairle Contae Chill Mhantáin Wicklow County Council

**Forbairt Pleanála agus Comhshaol
Planning Development and Environment**

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12/05/23

Mairead Phelan

RE: EX 24/2023

**The erection of cattle handling facilities and cattle holding pen to the rear of
farm buildings at Liscolman, Tullow, Co. Carlow**

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 14th March 2023.

In order to fully assess the section 5 query, you are requested to submit further details of the proposed cattle handling facilities and holding pen inclusive of;

- Elevations of the proposed structure,
- The proposed materials / finishes,
- Details of effluent storage facilities to serve the structure having regard to its size, in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government.

Mise, le meas

**NICOLA FLEMING
STAFF OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT**



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

To: Fergal Keogh S.E / Suzanne White S.E.P. / Edel Bermingham S.E.P.
From: Billy Slater G.P.
Type: Section 5 Application
REF: EX 24/2023
Applicant: Mairead Phelan
Date of Application: 25/04/2023
Decision Due Date: 22/05/2023
Address: Liscolman, Tullow, Co. Wicklow
Exemption Query: Construction of cattle handling facilities and cattle holding pen to rear of farm buildings.

Application Site: The application site is an established agricultural complex with an adjacent two storey dwelling located in a level 10 rural area.

Aerial Image



Relevant Planning History:

Ref 99/602
Applicant Mairead Phelan
Development 2 storey dwelling house & septic tank.
Decision Grant

Question:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether the;

- *Construction of cattle handling facilities and cattle holding pen to rear of farm buildings, at Liscolman, Tullow, Co. Wicklow.*

is or is not development and is or is not exempted development.

Legislative Context
Planning and Development Act 2000 (as amended)

Section 2(1) of the Act states the following in respect of the following:

“structure” means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

(a) where the context so admits, includes the land on, in or under which the structure is situate, and

“works” includes Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...”

Section 3(1) of the Act states the following in respect of ‘development’:

“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.”

Section 4 sets out the types of works that while considered ‘development’, can be considered ‘exempted development’ for the purposes of the Act.

Section 4 (1) (a)

“development consisting of the use of any land for the purpose of agriculture and development consisting of the use for that purpose of any building occupied together with land so used;”

Section 4(2) makes provision for ministerial regulations to set out further exemptions. The 2001 Planning Regulations as amended derive from this section and designate further works as being exempted development for the purposes of the act.

Planning and Development Regulations 2001(as amended)

Article 6 (1):

Subject to Article 9, development of a class specified in column 1 of Part 1 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 1 opposite the mention of that class in the said column 1.

Article 9 (1):

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 Act or be inconsistent with any use specified in a permission under the Act,*
- (ii) *consist of or comprise 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,*
And so on.

Schedule 2, Part 3 outlines classes of exempt development in the rural area as well as associated conditions and limitations. The following are of relevance.

Schedule 2, Part 3 Class 8

Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.

Associated conditions and limitations include:

- 1. No such structure shall be used for any purpose other than the purpose of agriculture.*
- 2. The gross floor space of such structures 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 the 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.*

Details submitted in support of the application

Proposed handling
facilities / pen GFA c.200sqm

Existing roofed structure
(Slatted and straw bed shed) GFA c.347.8sqm

No details provided regarding elevations, materials, effluent storage, etc.

Assessment

The first assessment must be whether or not the proposal outlined above constitutes development within the remit of Section 3 of the Planning and Development Act 2001. In this regard, Section 3 of the Planning and Development Act provides that:

“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.

It should be noted that Section 2 of the Act defines works as:

“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.

I am satisfied that the proposal would involve works to the existing structure and therefore the proposal does constitute development.

The second stage of the assessment is to determine whether or not the proposed works would be exempted development under the Planning and Development Act 2000 (as amended) or it's associated Regulations. Schedule 2, Pt.3 Class 8 of the Planning and Development Regulations 2001 (as amended) states that the following constitutes exempted development:

Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.

The proposed works are 200sqm in size and therefore are considered to fall under Schedule 2, Part 3 Class 8. The following checklist will determine if the development complies with associated conditions and limitations.

Used for the purpose of agriculture.	Yes
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.	Yes - Under 300sqm (no other such structures on site)
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	Unknown
Structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.	Yes – over 10 meters from public road
No such structure within 100 metres of any public road shall exceed 8 metres in height.	Yes – structure over 100m from road.
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.	Yes – over 100m from such structures excluding associated farmhouse.
No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.	Unknown

The proposed works to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such works would contravene with the limitations as set out per **Article 9 (1)**

Conclusion:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether or not the proposal for the '*Construction of cattle handling facilities and cattle holding pen to rear of farm buildings, at Liscolman, Tullow, Co. Wicklow*' is or is not exempted development,

The Planning Authority considers that:

The proposal of the '*Construction of a 37.1sqm single storey extension to the rear of an existing dwelling, at Main Street, Blessington, Co. Wicklow W91 A317*' is development and that Further Information is required to determine if the development is exempt development.

Recommendation:

FURTHER INFORMATION

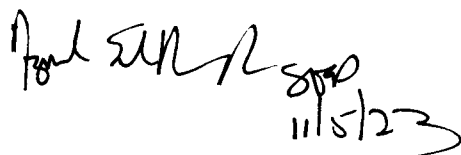
1. In order to fully assess the section 5 query, you are requested to submit further details of the proposed cattle handling facilities and holding pen inclusive of;

- Elevations of the proposed structure,
- The proposed materials / finishes,
- Details of effluent storage facilities to serve the structure having regard to its size, in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government.



Billy Slater G.P.

11/05/2023



MEMORANDUM

WICKLOW COUNTY COUNCIL


TO: Billy Slater
Graduate Planner

FROM: Nicola Fleming
Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 124/2023

I enclose herewith for your attention application for Section 5 Declaration received 25th April 2023

The due date on this declaration is the 22nd May 2023.



Staff Officer
Planning Development & Environment



Comhairle Contae Chill Mhantáin Wicklow County Council

**Forbairt Pleanála agus Comhshaol
Planning Development and Environment**

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26th April 2023

Mairead Phelan

**RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 24/2023
The erection of cattle handling facilities and cattle holding pen to the rear of farm buildings at Liscolman, Tullow, Co. Carlow**

A Chara

I wish to acknowledge receipt on 25th April 2023 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 22nd May 2023.

Mise, le meas

**NICOLA FLEMING
STAFF OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT**

/a Fleming

From: Nicola Fleming
Sent: Friday 14 April 2023 15:31
To:
Subject: application for exemption

I refer to your application for exemption under Section 5 for Mairead Phelan. Can you please forward a site location map. Also please call our customer care team on 0404-20100 and arrange payment of €80 fee.

Regards,

Nicola Fleming

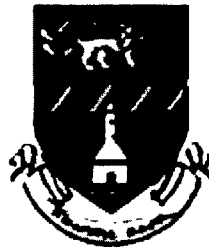
Staff Officer

Planning Department

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph☎: +353 (0404) 20148 | ✉: nfleming@wicklowcoco.ie

Website: <http://www.wicklow.ie>



Planning Division

Wicklow County Council,

County Buildings,

Wicklow,

Co. Wicklow.

13/04/2023

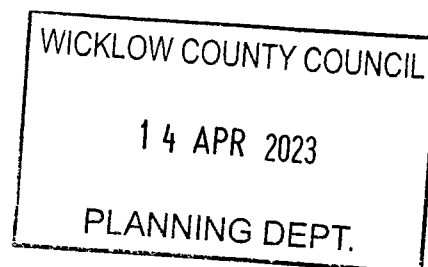
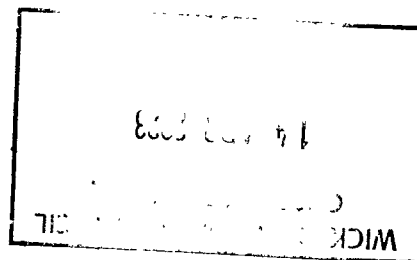
Dear Madam/Sir,

Please ring Liam for payment of Charge for application.

Sincerely,



Liam Hendricken



Wicklow County Council
County Buildings
Wicklow
0404-20100

24/04/2023 12 09 20

Receipt No L1/0/312137
***** REPRINT *****

MAIREAD PHELAN
LISCOLMAN
TULLOW
CO CARLOW
R93W862

EXEMPTION CERTIFICATES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	

Total	80 00 EUR
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Tendered	
Credit Card	80 00
AS POSTAL ADDRESS	

Change	0 00
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Date Received _____

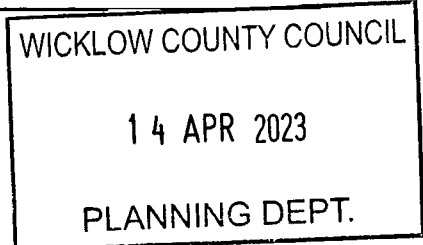
Fee Received _____

**APPLICATION FORM FOR A
DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING &
DEVELOPMENT ACTS 2000 (AS AMENDED) AS TO WHAT IS OR IS NOT
DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT**

1. Applicant Details

- (a) Name of applicant: Mairead Phelan
Address of applicant: Liscolman, Tullow, Co. Carlow (Wicklow)
R93 w862

Note Phone number and email to be filled in on separate page.



2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) LIAM HENDRICKEN

Address of Agent: A/A.

Note Phone number and email to be filled in on separate page.

3. Declaration Details

- i. Location of Development subject of Declaration: Liscolman, Tullow, Co. Carlow

- ii. Are you the owner and/or occupier of these lands at the location under i. above?
YES.
- iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier _____

- iv. Section 5 of the Planning and Development Act provides that: If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration: The erection of cattle handling facilities and cattle holding pen to the rear of farm buildings.

Additional details may be submitted by way of separate submission.
- v. Indication of the Sections of the Planning and Development Act or Planning Regulations you consider relevant to the Declaration: Section 4. (1) (a)

Additional details may be submitted by way of separate submission.
- vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure)? NO

vii. List of Plans, Drawings submitted with this Declaration Application

Farmyard sketch/plan

viii. Fee of € 80 Attached? YES

Signed: _____ Dated : _____

Additional Notes :

As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below :

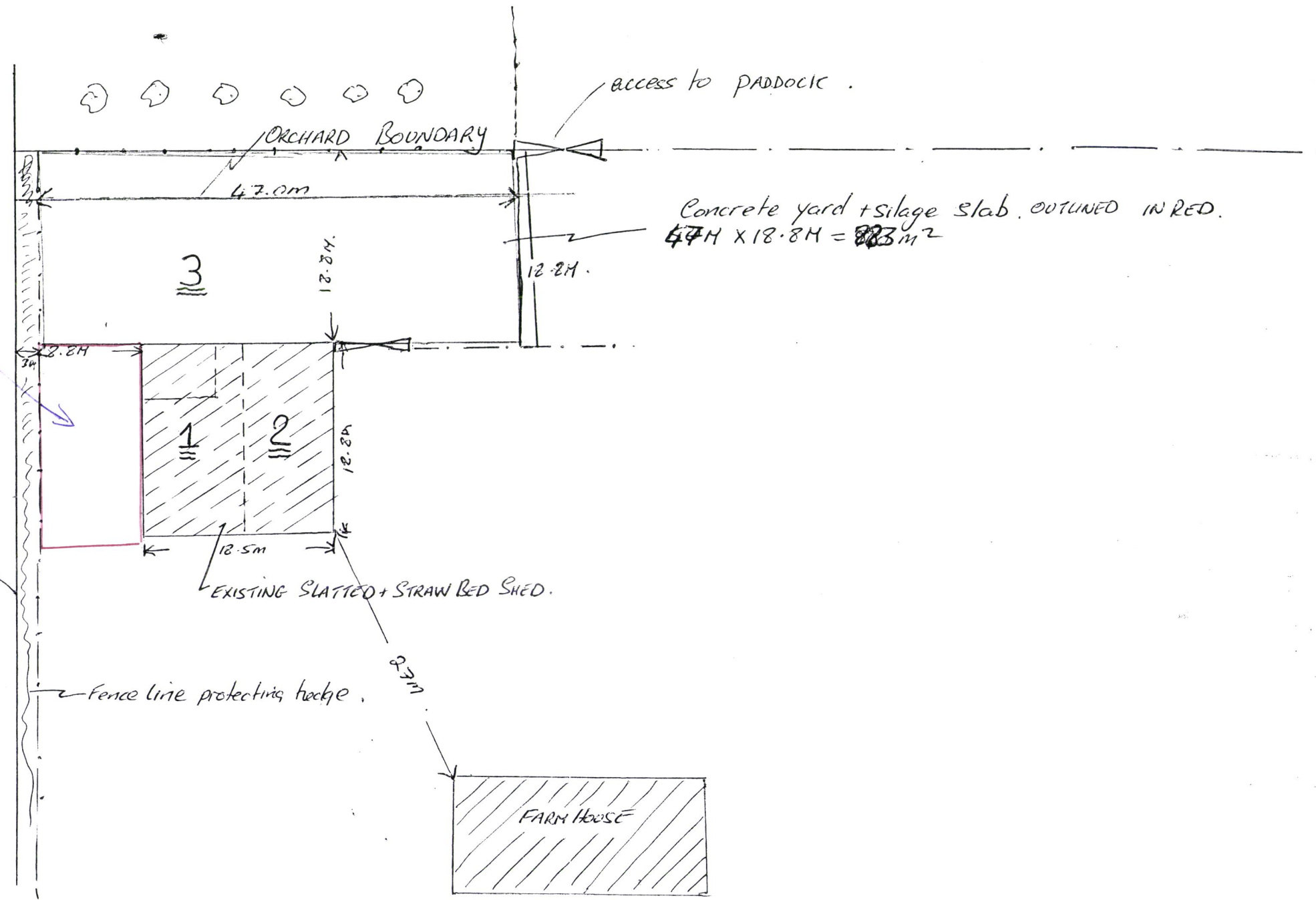
A. Extension to dwelling - Class 1 Part 1 of Schedule 2

- Site Location Map
- Floor area of structure in question - whether proposed or existing.
- Floor area of all relevant structures e.g. previous extensions.
- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of Agriculture, Fisheries and Food.

PROPOSED
 CATTLE HANDLING FACILITY
 20.00M X 10.00M.
 Cattle Boundary Ditch



John Byrne S.A. 8. 2

FARMYARD LAYOUT @
LISCOLMAN
FOR MAIREAD PHELAN
PROPOSED Concrete yard OUTLINED RED
SCALE 1:500.

Surveyed 1838-1839
Revised 1906-1908
Levelled

Record PLACE Map



692979
676467

ITM CENTRE PT. COORDS.

691226,675168

DESCRIPTION

MAP SHEETS

6 inch
WW037 CW009



Authorised
Internet Map

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Scale:- 1:10,560
Scála:- 1:10,560

0 100 200 400 600 800 1,000 Metres
0 350 700 1,400 2,100 2,800 3,500 Feet

Plot Ref. No. 19684798_1
Plot Date 17-MAY-2015