

File Ref: DEC 22/24

Planning Section
Áras An Chontae
Charleville Road
Tullamore
Co. Offaly

Date: 30/11/2022

CIARA MORRIS
OAKLEY PARK,
CLAREEN,
BIRR,
CO. OFFALY
R42 VH67

DEVELOPMENT:

DECLARATION UNDER SECTION 5 OF THE PLANNING & DEVELOPMENT ACT, 2000 AS AMENDED IN RELATION TO WHETHER THE CHANGE OF USE FROM COMMERCIAL (PREVIOUSLY PRODUCTION FACILITY FOR A COTTAGE INDUSTRY) TO RESIDENTIAL IS OR IS NOT DEVELOPMENT AND IS OR IS NOT EXEMPTED DEVELOPMENT

LOCATION:

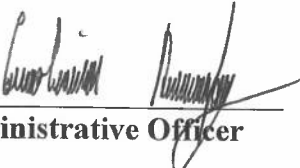
KILMAINE, CLAREEN, BIRR, CO. OFFALY, R42
YX57

Dear Sir/Madam,

In considering this application, it has been found necessary to request further information.

This further information request is set out on the attached form and is essential for a full and proper evaluation of the application.

Yours faithfully,



Administrative Officer

File Reference: DEC 22/24

Application for Declaration under Section 5 of the Planning and Development Acts, 2000 as amended in relation to whether the change of use from commercial (previously production facility for a cottage industry) to residential is or is not development and is or is not exempted development at Kilmaine, Clareen, Birr, Co. Offaly, R42 YX57 - Ciara Morris

Further Information

1. S.I. No. 75/2022 - Planning and Development Act (Exempted Development) Regulations 2022, amended Article 10 of the Planning and Development Regulations 2001 (as amended), to provide an exemption for the change of use, and any related works, of certain vacant commercial premises to residential without the need to obtain planning permission. In order to avail of the exemptions being provided for, the structure, or part of the structure, which is the subject of the change of use must have been vacant for at least 2 years immediately prior to the commencement of the relevant works, with such works being required to be completed by 31 December 2025.

Having regard to this requirement, the Applicant is required to:

- (a) Clarify whether the existing structure at the subject site is currently being used as a production facility.
- (b) If the use of a production facility has ceased, the Applicant shall provide (i) the date of cessation and (ii) provide sufficient evidence that the building has remained vacant since this date.
