

## **Section III**

# **Schedule of de-exempted Development in the Draft Tara Skryne Landscape Conservation Area**

### 3.0 Schedule of de-exempted development

This section set outs the categories of development which will no longer constitute exempted development (whether under Planning and Development Act, 2000, s. 4 or the Planning and Development Regulations, 2001, S.I. 600 of 2001) within the Tara Skryne Landscape Conservation Area (Draft) i.e. planning permission will now be required.

#### De-exempted development within the Tara Skryne Landscape Conservation Area (Draft)

	<b>Column 1 Description of Development</b>	<b>Column 2 Conditions and Limitations</b>
<i>Development for industrial purposes</i>	<p>CLASS 21</p> <p>(a) Development of the following descriptions, carried out by an industrial undertaker on land occupied and used by such undertaker for the carrying on, and for the purposes of, any industrial process, or on land used as a dock, harbour or quay for the purposes of any industrial undertaking—</p> <p>(i) the provision, rearrangement, replacement or maintenance of private ways or private railways, sidings or conveyors,</p> <p>(ii) the provision, rearrangement, replacement or maintenance of sewers, mains, pipes, cables or other apparatus,</p> <p>(iii) the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery.</p> <p>(b) Any works for the provision within the curtilage of an industrial building of a hard surface to be used for the purposes of or in connection with the industrial process</p>	<p>1. Any such development shall not materially alter the external appearance of the premises of the undertaking.</p> <p>2. The height of any plant or machinery, or any structure in the nature of plant or machinery, shall not exceed 15 metres above ground level or the height of the plant, machinery or structure replaced, whichever is the greater</p>

	carried on in the building.	
<i>Development by statutory undertakers</i>	<p>CLASS 28</p> <p>The carrying out by any electricity undertaking of development for the purposes of the undertaking consisting of the construction or erection of an overhead transmission line not more than 40 metres from a position in respect of which permission for such line was granted and which otherwise complies with such permission, but not a line in respect of which a condition attached to the relevant permission imposed a contrary requirement.</p>	

	<p>CLASS 31</p> <p>The carrying out by a statutory undertaker authorised to provide a telecommunications service of development consisting of the provision of—</p> <p>(b)overhead telecommunications,</p> <p>(c)telephone kiosks or other telephone facilities in a public place not being on, over or along a public road</p> <p>(d)equipment for transmitting or</p>	<p>1. Poles carrying overhead lines shall not exceed 10 metres in height.</p> <p>2. Poles carrying other equipment shall not exceed 10 metres in height and 0.6 metres in diameter measured at the widest point, where “other equipment” means one transmitting or receiving dish (the diameter of which shall not exceed 0.3 metres), or one panel antenna (the dimensions of which shall not exceed 0.5 metres in length x 0.3 metres in width x 0.2 metres in depth) used for the provision of a specific telecommunications service and the provision of which would otherwise require an additional pole route carrying overhead wires.</p> <p>3. Where a pole or poles carry radio transmitting or receiving apparatus, the field strength of the non-ionising radiation emissions from that installation shall not exceed the limits specified by the Director of Telecommunications Regulation.</p> <p>No such kiosk or facility shall be situated within 10 metres of the curtilage of any house, save with the consent in writing of the owner or occupier thereof</p> <p>1. No such equipment shall</p>
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	<p>receiving signals from satellites in space,</p> <p>(e) permanent telecommunications exchange and radio station containers,</p> <p>(f) cabinets forming part of a telecommunications system</p> <p>(g) transportable radio installation,</p>	<p>exceed 10 metres in height</p> <p>2. The diameter of any antenna shall not exceed 2 metres.</p> <p>3. No such equipment shall be situated within 10 metres of the curtilage of any house save with the consent in writing of the owner or occupier thereof, or within 10 metres of the window of a workroom of any other structure.</p> <p>1. The equipment housed in the container shall be used exclusively for the purposes of concentrating and re-routing calls and the container shall not have attached to it or within it, whether visible or not, any antennae for the direct transmission or reception of mobile telephony or other telecommunications signals in such a way that the container would act as an antennae support structure.</p> <p>2. No such container shall exceed 10 metres in length, 3 metres in width or 3 metres in height.</p> <p>3. No such container shall be situated within 10 metres of the curtilage of a house save with the consent in writing of the owner or occupier thereof, or within 10 metres of the window of a workroom of any other structure.</p> <p>4. The field strength of the non-ionising radiation emissions from the radio station container shall not exceed the limits specified by the Director of Telecommunications Regulation</p> <p>The volume above the ground-level of any such cabinet shall not</p>
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	<p>(h) the attachment of additional antennae to an existing antenna support structure</p>	<p>exceed 2 cubic metres measured externally</p> <p>1. The height of the structure for such an installation shall not exceed 15 metres in height and 2 metres in width at its widest point.</p> <p>2. The installation may only be used—</p> <p>(a) to provide anticipated additional coverage at a sporting, social or other event, provided that the structure is not in place for more than 2 weeks before the event or for a period exceeding 8 weeks which shall include assembly and dismantling,</p> <p>(b) for demonstration or simulation purposes, whether to demonstrate the visual effects of such structure in a particular location or to measure the output, and such structure shall be in place for a period of not more than 12 weeks, or</p> <p>(c) as a temporary replacement for a structure, which has been accidentally or otherwise incapacitated, and such structure shall be in place for a period of not more than 12 weeks.</p> <p>3. The planning authority in whose functional area the installation is placed shall be notified by the statutory undertaker in writing of the provision and purpose of such installation before it is made operational.</p> <p>1. The total number of such antennae shall not exceed 12, of which not more than 8 shall be dish type (whether shielded or</p>
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		<p>point communication.</p> <p>2. The additional antennae shall not exceed the number provided for in the existing design capacity of the support structure.</p> <p>3. No new member shall be added to the structure save by way of brackets or other fixing systems used for the attachment of the additional antennae.</p> <p>4. The maximum diameter of any added antenna shall not exceed the width of the support structure at the point at which the additional antenna is attached.</p> <p>5. The planning authority in whose functional area the support structure exists shall be notified by the statutory undertaker in writing of the attachment of any such additional antennae at least 4 weeks before the antenna or antennae are attached.</p> <p>6. The attachment of such antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Director of Telecommunications Regulation</p> <p>1. The replaced structure shall be removed no later than 4 weeks following its decommissioning.</p> <p>2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the</p>
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	<p>(k) antennae attached to the following existing structures-</p> <ul style="list-style-type: none"> <li>(i) public or commercial buildings (other than education facilities, childcare facilities or hospitals) by way of attachment to roofs, facades, chimneys, chimney pots or vent pipes;</li> <li>(ii) telegraph poles, lamp posts, flag poles, CCTV poles;</li> <li>(iii) electricity pylons.</li> </ul>	<p>replaced structure (measured from the base).</p> <p>3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.</p> <p>(b)(i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.</p> <p>(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.</p> <p>(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.</p> <p>4.(a) Subject to sub-paragraph (b), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.</p> <p>(b) An additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 shall be of the dish type (whether shielded or not).</p> <p>5. (a) The dimensions of any additional antenna for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.</p> <p>(b) In any other case, the dimensions of any antenna provided shall not exceed:</p> <ul style="list-style-type: none"> <li>(i) in the case of any panel type antenna, 1.5 metres in length x 0.4 metres in width</li> </ul>
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		<p>× 0.15 metres in depth,</p> <p>(ii) in the case of any co-linear type antenna, 5 metres in length × 0.1 metres in diameter, and</p> <p>(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter.</p> <p>6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Director of Telecommunications Regulation.</p> <p>1. The antenna shall be attached directly to the structure (other than a structure with a flat roof) and not by way of a supporting fixture.</p> <p>2. In the case of a structure with a flat roof, a supporting fixture may be used provided that-</p> <p>(a) the fixture does not exceed the height of any existing parapet or railing on the roof by more than 2 metres, and</p> <p>(b) access to the roof is not available to any person other than a person authorised by the statutory undertaker.</p> <p>3. Where an antenna is attached to the façade of a building or the exterior of a chimney or vent, the colour of the antenna shall match and blend with the colour of such façade, chimney or vent pipe.</p> <p>4. Where the antenna is hidden inside a chimney pot the existing chimney pot may be replaced by a chimney pot in a suitable material which shall be the same</p>
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		<p>colour, size and shape as the replaced pot, and the antenna shall not protrude beyond the top of the chimney pot.</p> <p>5. The planning authority in whose functional area the structure on which the antennae will be attached is situated shall be notified by the statutory undertaker in writing of the proposed location of any such structure at least 4 weeks before such attachment.</p> <p>6. The field strength of any such antenna shall not result in the field strength of the non-ionising radiation emission from the radio installations on the site exceeding the limits specified by the Director of Telecommunications Regulation</p>
	<p><b>CLASS 36</b></p> <p>(a) Development consisting of the carrying out by or on behalf of a State authority or other public body, on land used by the authority or body as a public park, of works incidental to that use, including the provision, construction or erection of any structure in connection with or for the purposes of the enjoyment of the park or which is required in connection with or for the purposes of the management or operation of the park.</p> <p>(b) Development consisting of the carrying out by or on behalf of a State authority or other public body on a nature reserve established in accordance with <a href="#">section 15 of the Wildlife Act, 1976</a> , as amended by sections 26 and 27 of the <a href="#">Wildlife (Amendment) Act, 2000</a> , of works (including the provision, construction or erection of structures) in connection with or for the purposes of the</p>	<p>1. The floor area of any building constructed or erected shall not exceed 40 square metres.</p> <p>2. The height of any building or other structure constructed or erected shall not exceed 10 metres.</p> <p>3. Any car park provided or constructed shall incorporate parking space for not more than 40 cars.</p>

	<p>enjoyment of the reserve or which are required in connection with the management or operation of the reserve.</p>	
<p><i>Miscellaneous</i></p>	<p>CLASS 42</p> <p>Development consisting of the use of land as a bring facility.</p>	<ol style="list-style-type: none"> <li>1. No more than 5 receptacles shall be provided.</li> <li>2. The capacity of each receptacle shall not exceed 4.5 cubic metres.</li> <li>3. No such receptacle shall be situated on a public road.</li> <li>4. No such receptacle shall be situated within 50 metres of any house, save with the consent in writing of the owner or occupier thereof.</li> </ol>
	<p>CLASS 55</p> <p>The erection on or within the curtilage of a business premises, of a dish type antenna used for the receiving and transmitting of signals from satellites.</p>	<ol style="list-style-type: none"> <li>1. Not more than one such antenna shall be erected on or within the curtilage of a business premises.</li> <li>2. The diameter of any such antenna shall not exceed 2 metres.</li> <li>3. No such antenna shall be erected on, or forward of, the front wall of the business premises.</li> <li>4. No such antenna shall be erected on the front roof slope of the business premises or higher than the highest part of the roof of the business premises</li> </ol>
<p><i>Rural Agricultural Structures</i></p>	<p>CLASS 6</p> <p>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</p>	<ol style="list-style-type: none"> <li>1. No such structure shall be used for any purpose other than the purpose of agriculture.</li> <li>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.</li> <li>3. Effluent storage facilities adequate to serve the structure having regard to its size, use and</li> </ol>

		<p>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.</p> <p>4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.</p> <p>5. No such structure within 100 metres of any public road shall exceed 8 metres in height.</p> <p>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.</p> <p>7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</p>
	<p><b>CLASS 7</b></p> <p>Works consisting of the provision of a roofed structure for the housing of pigs, mink or poultry, having a gross floor space not exceeding 75 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.</p>	<p>1. No such structure shall be used for any purpose other than the purpose of agriculture.</p> <p>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 100 square metres gross floor space in aggregate.</p> <p>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</p>

		<p>Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.</p> <p>4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.</p> <p>5. No such structure within 100 metres of any public road shall exceed 8 metres in height.</p> <p>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.</p> <p>7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</p> <p>8. Boundary fencing on any mink holding must be escape-proof for mink.</p>
	<p><b>CLASS 8</b></p> <p>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.</p>	<p>1. No such structure shall be used for any purpose other than the purpose of agriculture.</p> <p>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.</p> <p>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</p>

		<p>Development and the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.</p> <p>4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.</p> <p>5. No such structure within 100 metres of any public road shall exceed 8 metres in height.</p> <p>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.</p> <p>7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</p>
	<p><b>CLASS 9</b></p> <p>Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.</p>	<p>1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.</p> <p>2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.</p> <p>3. No such structure shall be situated within 10 metres of any public road.</p> <p>4. No such structure within 100</p>

		<p>metres of any public road shall exceed 8 metres in height.</p> <p>5. No such structure shall be situated 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.</p> <p>6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</p>
	<p><b>CLASS 10</b></p> <p>The erection of an unroofed fenced area for the exercising or training of horses or ponies, together with a drainage bed or soft surface material to provide an all-weather surface.</p>	<p>1. No such structure shall be used for any purpose other than the exercising or training of horses or ponies.</p> <p>2. No such area shall be used for the staging of public events.</p> <p>3. No such structure shall be situated within 10 metres of any public road, and no entrance to such area shall be directly off any public road.</p> <p>4. The height of any such structure shall not exceed 2 metres.</p>
<i>Land Reclamation</i>	<p>Development consisting of the carrying out, on land which is used only for the purpose of agriculture or forestry, of any of the following works—</p> <p>(b) land reclamation,</p> <p>(c) the removal of fences,</p> <p>(e) the improvement of hill grazing, or</p>	
<i>Intensive agriculture</i>	<p><b>Class 14</b></p> <p>The use of uncultivated land or semi-natural areas for intensive</p>	<p>The area involved shall be less than 100 hectares.</p>

	agricultural purposes	
<i>Afforestation</i>	CLASS 15 Initial afforestation.	
	CLASS 16 Replacement of broadleaf high forest by conifer species.	The area involved shall be less than 10 hectares