



**MAYO.IE**

# MAYO COUNTY COUNCIL

Aras an Chontae, The Mall, Castlebar, Co Mayo

## NOTIFICATION OF INTENTION TO AVAIL OF ARTICLE 10(6)(a) EXEMPTION

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### CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL

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#### Applicant Details

Name of applicant(s)

Address

Telephone Details:

E-mail Address:

#### Details of Proposal

Location of Structure

Eircode allocated to the structure

Use of Structure prior to vacancy

Date Structure became vacant

Period of time Structure has been vacant

Proposed date of commencement of works<sup>1</sup>

<sup>1</sup>A minimum of 2 week's notice is required to be furnished to the Planning Authority prior to commencement of works

#### The following documentation must accompany this Notification Form

- A copy of a Site Location Map of sufficient size and detail to identify the structure to which the notification relates.
- The structure location should be outlined in RED on the appropriate location map.

## Details of Proposed Change of Use

Details <sup>2</sup>	Size of Unit (m <sup>2</sup> )	No. of bedrooms	Storage Area (m <sup>2</sup> )	Natural Light <sup>3</sup>
Unit No. 1				
Unit No. 2				
Unit No. 3				
Unit No. 4				
Unit No. 5				
Unit No. 6				
Unit No. 7				
Unit No. 8				
Unit No. 9 <sup>4</sup>				

- <sup>2</sup> Floor areas must comply with current Design Standards for New Apartments
- <sup>3</sup> Natural Light must serve each living room / bedroom (does not include kitchen of floor area of less than 6.5 square metres)
- <sup>4</sup> Provision of 9 units is the maximum allowable under Article 10(6)(a)

## Declaration

I/We confirm the following to be true in the provision of this Notification to the Planning Authority :

Qualifying Details	Please tick / initial
The structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018 (8 <sup>th</sup> Feb. 2018)	
The structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3, 6 or 12 (See Schedule 2 Part 4 of the Planning & Development Regulations 2000, as amended).	
The structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development	

<b>Conditions and Limitations</b>		<b>Please tick/initial</b>
(i)	The development is commenced and completed during the relevant period (8 <sup>th</sup> Feb. 2018 and 31 <sup>st</sup> Dec. 2025)	
(ii)	Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall - (i) primarily affect the interior of the structure,  (ii) retain 50 per cent or more of the existing external fabric of the building, and  (iii) not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.	
(iii)	Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighboring structures	
(iv)	No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned	
(v)	No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure	
(vi)	Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" issued under section 28 of the Act or any subsequent updated or replacement guidelines	
(vii)	Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting	
(viii)	No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure	

(ix)	No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission	
(x)	No development shall relate to any structure in any of the following areas: (i) an area to which a special amenity area order relates; (ii) an area of special planning control; (iii) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply	
(xi)	No development shall relate to matters in respect of which any of the restrictions set out in sub-paragraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply	
(xii)	No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it	

I hereby certify that the information given in this form is correct:

**Signature of Applicant(s):** \_\_\_\_\_

Date: \_\_\_\_\_

**DIRECTIONS FOR COMPLETING THIS FORM**

Before sending in this notification Form please ensure:

- The form has been fully completed.
- The accompanying documentation specified on Page 2 (top) is also attached.

The completed form should be sent to the Planning Department via regular mail or email :

**BY POST to**  
 Planning Section,  
 Mayo Co. Council,  
 Aras an Chontae,  
 Castlebar,  
 Co. Mayo. F23 WF90

**BY EMAIL to**  
 planning@mayococo.ie