

Comhairle Contae Chorcaí Cork County Council

Rannóg Pleanála, Teach Norton,
Bóthar Chorcaí, An Sciobairín,
Co. Chorcaí P81 AT28.
Fón: (028) 40340 ● Faics (028) 21660
Suíomh Greasáin: www.corkcoco.ie
Planning Section, Norton House,
Cork Road, Skibbereen,
Co. Cork P81 AT28.
Tel: (028) 40340 ● Fax: (028) 21660
Web: www.corkcoco.ie



Vincent O'Mahony
Associates,
10, Market Street,
Skibbereen,
Co. Cork.

4th June, 2024.

Our Ref: D/11/24.

RE/ **Declaration request on exempted development under Section 5
of the Planning & Development Act, 2000 (as amended).**

Dear Sir,

On the basis of the information and plans submitted on 15th April, 2024 and further information submitted on 16th May, 2024 on behalf of John McCarthy, the Planning Authority declares that the construction of sheep shed at Gortshanecrone, Skibbereen, Co. Cork is development and is **exempted development** under Class 6 of Part 3 of Schedule 2 of the Planning & Development Regulations, 2001 (as amended).

Please note that any material departure from the proposals as submitted may remove the development from the Exempted category and require the submission of an application for Permission under the Act.

This exemption does NOT itself empower a person to carry out a development unless that person is legally entitled to do so.

Receipt No. WCP12593, in respect of €80.00, is issued herewith.

Yours faithfully,


KEVIN O'REGAN.
SENIOR EXECUTIVE OFFICER.

Anne Lordan

From: Ronnie Barry
Sent: Friday 31 May 2024 14:32
To: Anne Lordan
Subject: FW: D/11/24 - Gortshanechrone, Skibbereen
Attachments: D.11.24 FI response from Vincent OMahony.pdf; D-11-24 Sheep Shed at Gortshanechrone Skibbereen -Planner's Report in Response to Further Information.docx

Anne,

I note the contents of the report of the Area Planner, prepared in response to the further information submitted regarding D/11/24.

I concur with the conclusion that the construction of a sheep shed comes within the scope of Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) and that the said works do not come within the scope of the restriction on that exemption set out at article 9 (1)(a) of the Planning and Development Regulations, 2001 (as amended).

Accordingly, the subject matter of the Section 5 is considered to constitute development and is exempted development.

Regards,

Ronnie.

Ronnie Barry | Pleanálaí Feidhmiúcháin Sinsearach | **Pleanáil agus Forbairt**

Comhairle Contae Chorcaí | Teach Norton | Bóthar Chorcaí | An Sciobairín | Co.Chorcaí P81 AT28, Éire
T+353 (0)28-40340 | ronnie.barry@corkcoco.ie | www.corkcoco.ie

Tairseach na gcustaiméirí: www.yourcouncil.ie

Ronnie Barry | Senior Executive Planner | **Planning and Development**

Cork County Council | Norton House | Cork Road | Skibbereen | Co.Cork P81 AT28, Ireland
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Customer Portal: www.yourcouncil.ie

From: Olivia Field <Olivia.Field@CorkCoCo.ie>

Sent: Friday, May 31, 2024 12:51 PM

To: Ronnie Barry <Ronnie.Barry@CorkCoCo.ie>; Anne Lordan <Anne.Lordan@CorkCoCo.ie>

Subject: FW: D/11/24 - Gortshanechrone, Skibbereen

Hi Ronnie,

Please find attached my F.I. Report for this Section 5.

Decision due on Wednesday 5th June 2024.

Regards,

Olivia

Planner's Report in response to Further Information Request

Declaration on Exempted Development Under Section 5 of the Planning & Development Act 2000 as amended for an existing Agricultural building used to house sheep and animal food storage at Gortshanecrone, Skibbereen.

Application Ref. No. D/11/24

Further Information Received on: 16/05/2024

Decision Due date: 05/06/2024

Applicant: John McCarthy

This application was deferred on the 13/05/2024 for the following further information be submitted:

- Submit a copy of the family's entire landholding including the lands at Lough Hyne to ensure that there are sufficient lands available for the intended use of the shed and the number of sheep being housed there.

The applicant responded to the RFI request on the 16/05/2024.

Two landholding maps have been submitted showing 52 acres of family land located at Lough Hyne, Skibbereen and 8 acres of land rented/within their ownership at Gortshanecrone, where the Sheep shed has been constructed.

Having regard to the further information received on the 13/05/2023, the Planning Authority is satisfied that there is sufficient family land available in the vicinity (more than 52 acres) for the small herd of sheep to graze on.

It is considered that the agricultural building constructed at Gortshanecrone, Skibbereen satisfies the 7 no. limitations under Schedule 2, Class 6, (Agricultural Structures), of the Planning and Development Regulations 2001, as amended.

Recommendation

The agricultural building constructed to house sheep and animal food storage at Gortshanecrone, Skibbereen constitutes exempt development under Class 6 (Agricultural Structures), Schedule 2 of the Planning and Development Regulations 2001 as amended.

Olivia Field

.....
Olivia Field
Assistant Planner
31/05/2024

Planner's Section 5 Report

Declaration on Exempted Development Under Section 5 of the Planning & Development Act 2000 as amended for an existing Agricultural building used to house sheep and animal food storage at Gortshanecrone, Skibbereen.

Application Ref. No. D/11/24

Received on: 15/04/2024

Decision Due date: 12/05/2024

Applicant: John McCarthy

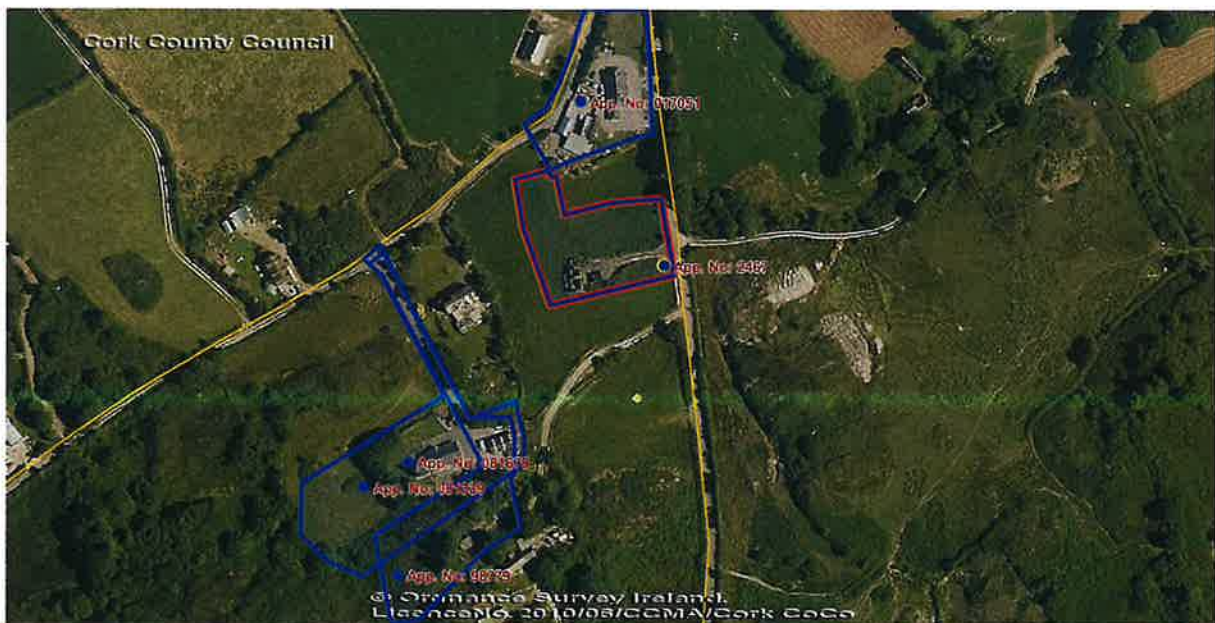
Development Description

The subject site is located in the Green Belt (GB 1-1) of Skibbereen to the south west of the town. The recently erected agricultural building lies within the curtilage of a ruinous dwellinghouse which a shared access onto the public road.

The subject site is relatively flat and level with the public road.

The structure is currently being used to house ewes and their lambs. A small section of the building is being used to store animal feed.

Site Location Maps



Subject site outlined in red.

Site Inspection Photographs taken on the 02/04/2024



View of the front elevation of the existing farm building on site.



Internal view of the farm building on site.

Relevant Zonings

The site lies outside the scenic landscape area.

There are no Recorded Monuments on or adjoining this site.

The site is not shown to be prone to flooding.

This application does not require a mandatory EIAR.

The application site is located within a Screening Zone of the Roaringwater Bay and Islands SAC and the Sheeps Head to Toe Head SPA.

Assessment

The applicant is seeking a Declaration of Exemption for a recently erected agricultural building which is currently being used to house sheep and animal feed. The dimensions of the proposed building are 6.5 m x 13.9 m x 4.1 metres high. The building has a stated gross floor area of 85 sqm. The building has metal cladded external walls coloured navy.

Under Schedule 2, Class 6, (Agricultural Structures), of the Planning and Development Regulations 2001 as amended, any roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits not exceeding 200 sqm in size, is considered to be exempt, if it satisfies the following 7 no. limitations:

Agricultural Structures

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),

- 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**

<p>and any ancillary provision for effluent storage.</p>	<p>complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.</p> <ol style="list-style-type: none"> 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.
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Restrictions on Exempt Development

As no scenic amenity controls apply to this area this proposal is not considered to be de-exempt under Article 9 of the Planning and Development Regulations 2001 as amended.

Recommendation

Based on the information submitted and to the buildings observed on the landholding at the time of the site inspection, it appears that the applicant operates a small scale sheep farm from this location.

The aggregate gross floor area of the existing farm complex combined with the new farm building will be less than 300 sqm.

The farm building is located within 100 metres of 2 no. private dwellings. The applicant has submitted letters from the owners of these properties confirming that they have no objection to the proposed sheep shed.

No landholding map has been submitted.

At the time of the site visit, I met the landowner who indicated that he owns additional lands near Lough Hyne.

The Planning Authority needs to be satisfied that there is sufficient land available for the intended use of the building and the increased number of sheep stock.

It is recommended that this application should be Deferred for a copy of the applicant's and/or family's entire landholding to be submitted including the lands at Lough Hyne to ensure that there are sufficient lands available for the intended use of the shed and the number of sheep being housed there.

Olivia Field

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Olivia Field
Assistant Planner
10/05/2024

Vincent O'Mahony Associates
10 Market St,
Skibbereen,
Co. Cork
Ireland

Ph. 353 28 21552
Mob 086 8589108
vincent@vom.ie
www.vom.ie

REG. No. D/11/24
PLANNING (WEST) DEPT

15 APR 2024

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

Planning Officer,
The Planning Dept.
Norton House,
Skibbereen,
Co. Cork.

12 April 2024

Applicant; John McCarthy
For; Sheep Shed & Straw/ Feed Store,
At; Gortshanecrone, Skibbereen, Co. Cork

APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION

A Chara,

We are seeking Section 5 Declaration of Exemption for sheep shed and straw / feed stuff store on behalf of John McCarthy. Total floor area of shed is 85 sq. m and is partitioned off internally 2/3 rds sheep house and 1/3 for storage of associated straw and feed stuffs.

Existing structures on farm include;

1. Sheep shed subject matter of this application. - 85 sq. m.
2. Existing sheep house – 48 sq. m.
3. Existing cattle house 50 sq. m.
4. Concrete base – 35 sq. m.
5. Store- 30 sq. m.

There are no other structures within 100 m of site.

To facilitate your consideration of our application we enclose;

1. 4 copies of application form.
2. 1 copy of contact details.
3. 4 copies of 6" OSI map.
4. 4 Copies of 25" OSI Map.
5. 4 Copies of Site Layout Plan 1/500.
6. 4 Copies of plans and pictures of Sheep House 1/100.
7. Letter from Gerard Hickey neighbour to north of site confirming that he has no objection to the sheep shed.
8. Letter from Valeriy Bykovskyy neighbour to south west confirming that he has no objection to the sheep shed.

We confirm that there are no other dwellings within 100 m of the subject building.

Yours faithfully,



Vincent O'Mahony Associates Ltd.

CRO#598231



CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION

APPLICANT CHECKLIST

(Please tick ✓)

- 4 No. Copies of Application Form:**
- 1 No. Copy of Contact Details:**
- 4 No. Copies 6" O.S. Maps:**
- 4 No. Copies 25" O.S. Maps:**
- 4 No. Copies of Site Layout Plan:**
- 4 No. Copies Scaled Drawings of Development:**
- €80 Application Fee:**



FOR OFFICE USE ONLY

Receipt No.	
Cash/Cheque/ Credit Card	
Date	
Declaration Ref. No.	

DATE STAMP HERE

You should make sure that you are satisfied that any information/documentation that you submit is appropriate to be viewed by the public. Please do not submit any information that you do not want 3rd parties to view.

In the case of a Declaration of Exemption for Land Reclamation, the following additional information is required:

- A copy of the details submitted to the Council's Environment Department (Inniscarra) for a Waste Licence Permit
- Correspondence from Teagasc (detailing how the land reclamation would benefit the land in question for agricultural purposes)
- Details of existing and proposed levels
- Details of fill material and duration of fill.

DATA PROTECTION

The planning process is an open and public one. In that context, all applications for Declarations of Exemption are made available for public inspection.

Personal information collected by Cork County Council is done so in order for us to process your application for a Section 5 Declaration of Exemption. Legally we can process this information as it is necessary for us to comply with our statutory/legal obligations. The protection of our personal data is a key priority for the Council and your data will be processed in line with our Privacy policy which is available at <http://www.corkcoco.ie/Privacy-Policy> or hardcopy from our offices at County Hall, Carrigrohane Road, Cork, Ireland. Should you have any questions about our privacy policy or the information we hold about you, please contact us by email to dpo@corkcoco.ie or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.

1. NAME OF APPLICANT: (ADDRESS TO BE SUPPLIED AT QUESTION A – CONTACT DETAILS)

John McCarthy

2. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION OF EXEMPTION IS SOUGHT:

Gortshanecrone, Skibbereen, Co. Cork

3. QUESTION/DECLARATION DETAILS:

Please state the specific question for which a Declaration of Exemption is sought

Note: Only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption

Sheep Shed & Straw / Feed Store



4. APPLICATION DETAILS:

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square metres (m²)

(a) Floor area of existing/proposed structure(s):	85 sq m
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 st October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide floor areas (m ²) and previous planning reference(s) where applicable:
(c) If a change of use of land and/or building(s) is proposed, please state the following: Existing/previous use	Proposed use
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, please state relevant reference number(s): SKB22074

REG No. _____
 PLANNING (WEST) DEPARTMENT
 15 APR 2024
 DUBLIN COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, CO. DUBLIN

5. LEGAL INTEREST OF APPLICANT IN THE LAND/STRUCTURE:

Please tick appropriate box to show applicant's legal interest in the land or structure:	A. Owner <input checked="" type="checkbox"/> B. Other <input type="checkbox"/>
Where legal interest is "Other", please state your interest in the land/structure:	
If you are not the legal owner, please state the name of the owner/s (address to be supplied at Question C in Contact Details):	

6. PROTECTED STRUCTURE DETAILS / ARCHITECTURAL CONSERVATION AREA:

Is this a Protected Structure/Proposed Protected Structure or within the curtilage of a Protected Structure: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority: Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please state relevant reference No. _____
Is this site located within an Architectural Conservation Area (ACA), as designated in the County Development Plan? Yes <input type="checkbox"/> No <input type="checkbox"/>

7. APPROPRIATE ASSESSMENT:

Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes No

8. DATA PROTECTION DECLARATION:

In order for the Planning Authority to process the personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <http://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

Processing of your Declaration of Exemption application by the Planning Authority

I give permission for my personal information to be processed for the purpose stated above

Signed (By Applicant Only)	
Date	

GDPR Special Categories of data / Sensitive Personal data - Explicit Consent

Where Special Categories of personal data / sensitive personal data are provided as part of / in support of a declaration application, **explicit consent** to the processing of the special categories of data must be given by the person to whom the data refers, namely the Data Subject.

Special Categories of data / Sensitive Personal data include:

- Race
- Ethnic origin
- Political opinions
- Religion
- Philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Health data
- Concerning a natural person's sex life
- Sexual orientation



In order for the Planning Authority to process the sensitive personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <https://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

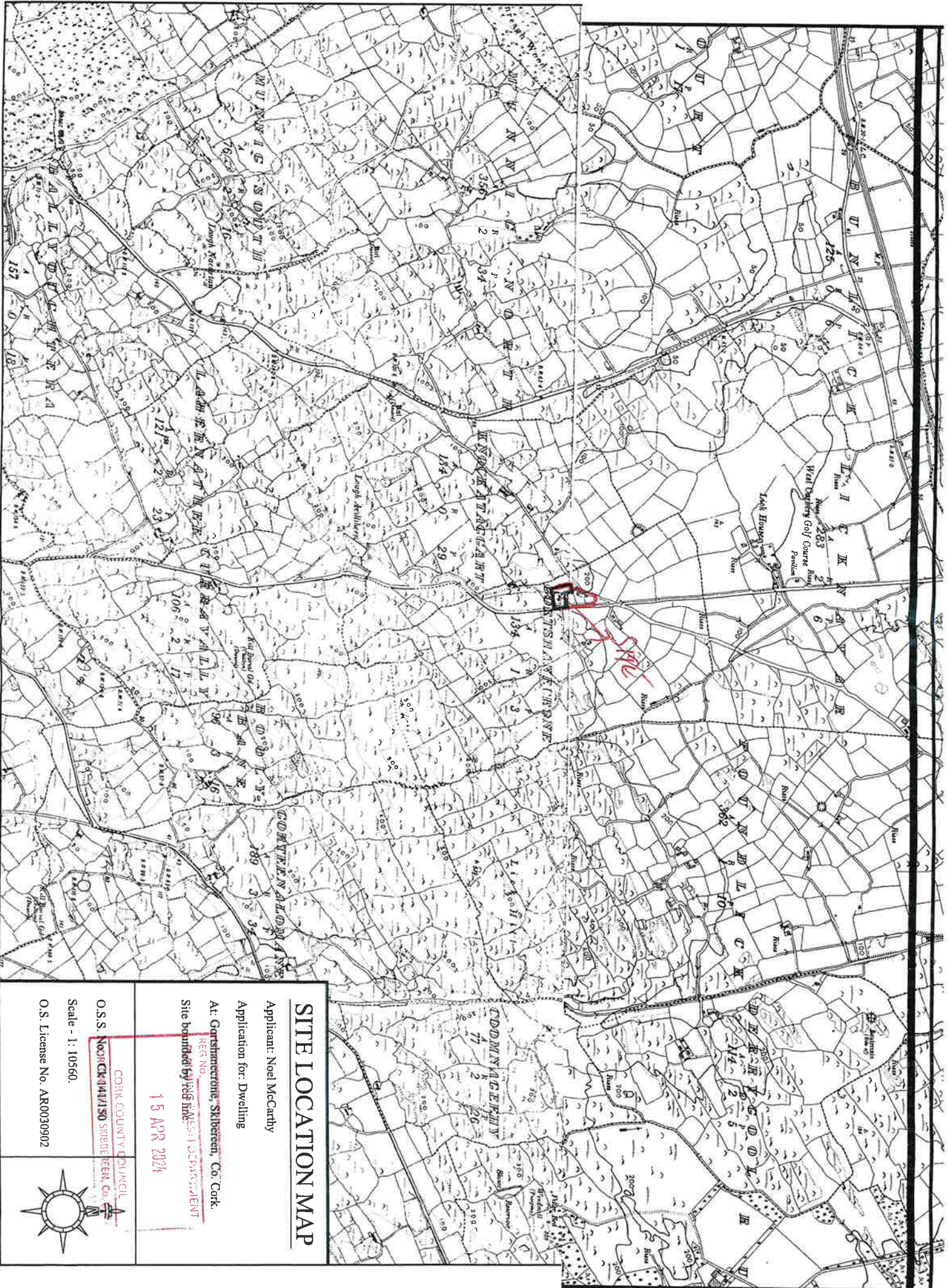
Sensitive personal data being submitted in support of Declaration of Exemption Application

I give permission for my sensitive personal data submitted to the Planning Authority to be processed for the purpose stated above.

Signed	<i>John Anthony</i>
Date	<i>11th April 2024</i>

You have the right to withdraw your consent by contacting the Planning Department, Ground Floor, County Hall, Carrigrohane Road, Cork. Tel: (021) 4276891 Email: planninginfo@corkcoco.ie or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: westcorkplanninginfo@corkcoco.ie However if consent to the use of personal data is withdrawn during the declaration of exemption decision-making process this information cannot be considered as part of the decision making process. Once a decision has been made, an applicant is not entitled to withdraw consent, as the right of erasure does not apply to a situation where processing is required for compliance with a legal obligation or for the performance of a task carried out in the public interest.

Please note that all information / supporting documentation submitted will be available publicly to view at the Planning Authority offices.



SITE LOCATION MAP

Applicant: Noel McCarthy

Application for: Dwelling

At: **Gorshanecrone, Skibreen, Co. Cork.**

REG NO. **158** (S.3) DEPARTMENT

15 APR 2024

CORK COUNTY COUNCIL

O.S.S. NO. **CR/14/150** SKIBREEN, Co. Cork.

Scale - 1: 10560.

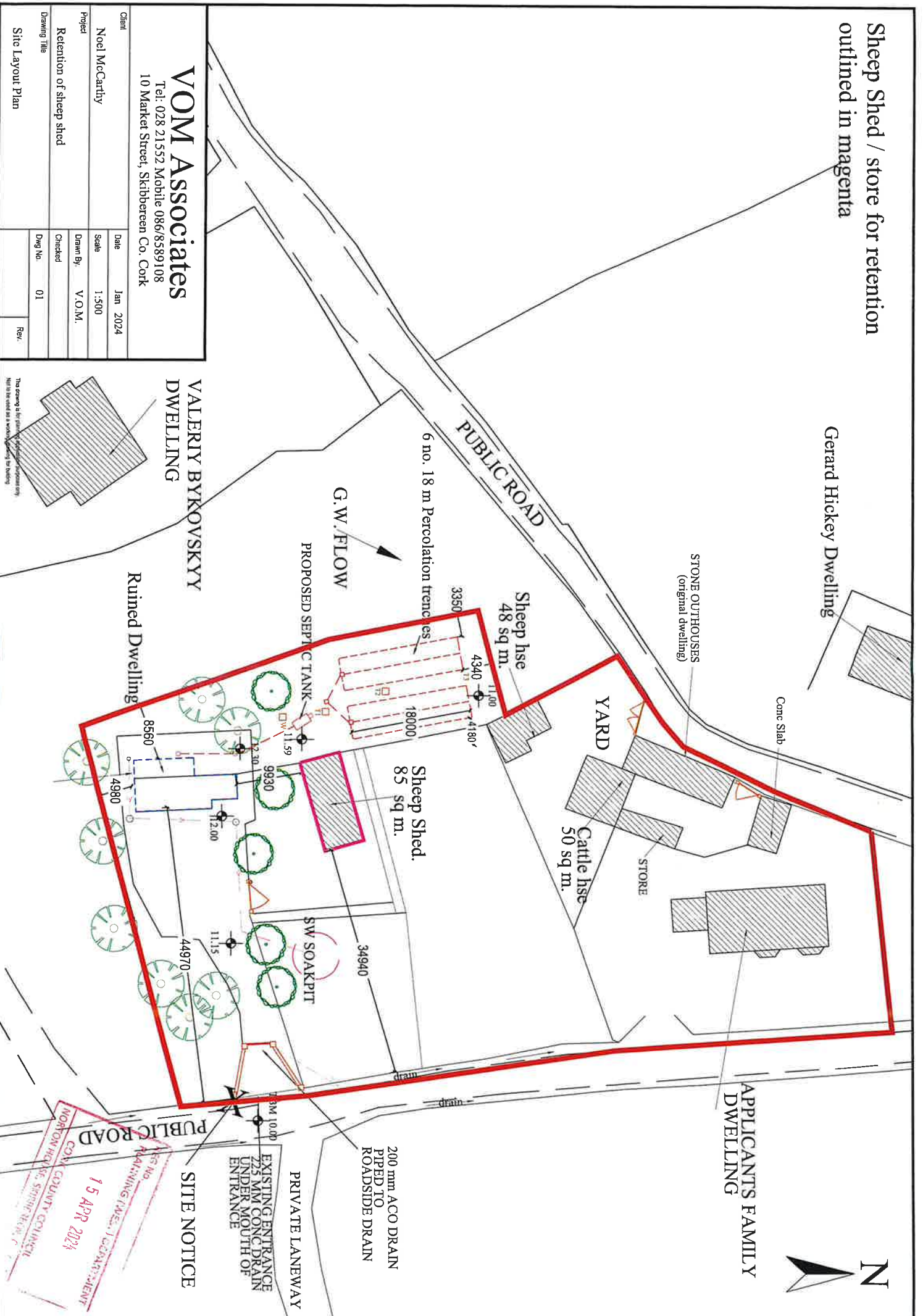
O.S. License No. AR0030902



Sheep Shed / store for retention outlined in magenta

Gerard Hickey Dwelling

APPLICANT'S FAMILY DWELLING



VOM Associates	
Tel: 028 21552 Mobile 086/8589108	
10 Market Street, Skibbereen Co. Cork	
Client	Noel McCarty
Date	Jan 2024
Scale	1:500
Project	Retention of sheep shed
Drawn By	V.O.M.
Checked	
Dwg No	01
Rev	

VALERIY BYKOVSKYY DWELLING
Ruined Dwelling

This drawing is for guidance only and does not constitute a contract. It is the responsibility of the client to ensure that all necessary permissions are obtained before construction begins.

SITE NOTICE

REG No. 15 APR 2024

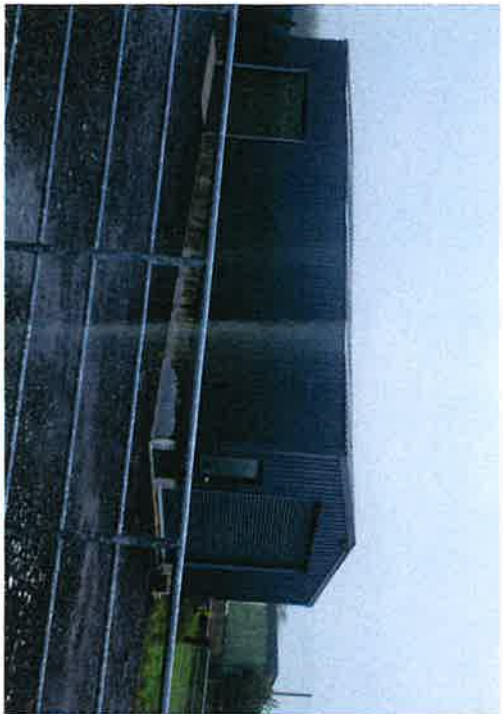
PLANNING (E.C.) DEPARTMENT

COR. COUNTY COUNCIL

MONTON HICKEY, SKIBBEREEN, CO. CORK



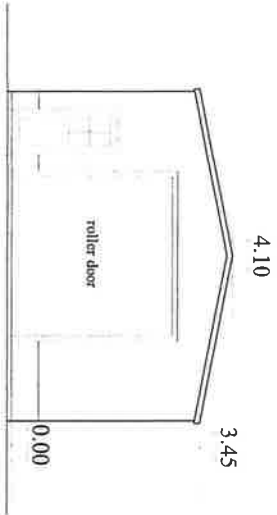
Interior picture



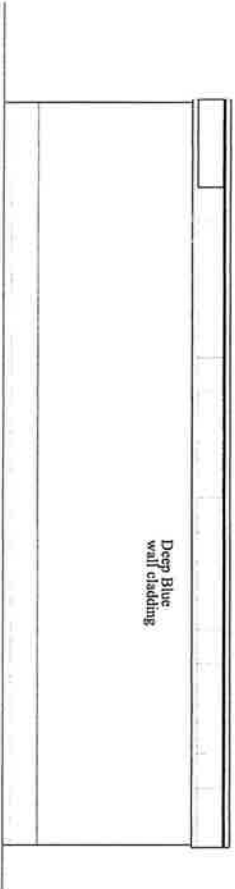
Exterior picture



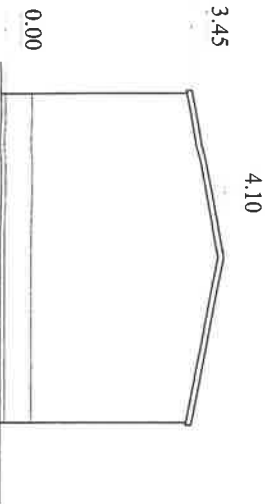
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



FLOOR PLAN
floor area incl walls 85 sq m

REG NO. 15 APR 2024
PLANNING DEPARTMENT

VOM Associates
Tel: 028 21552 Mobile 086/8589108
10 Market Street, Skibbereen Co. Cork

Client	Mike McCarthy	Date	April 2024
Project	Exemption for sheep shed	Scale	1:100
Drawn By	VOM	Checked	MMOZ
Drawing Title	Plan, Elevations & Section	Dwg No.	Rev.