

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 Greasaín: www.corkcoco.ie
Planning Section, Norton House,
Cork Road, Skibbereen,
Co. Cork P81 AT28.
Tel: (028) 40340 • Fax: (028) 21660
Web: www.corkcoco.ie



Alison Heather,
c/o DMCA Consultants,
Vickers,
New Street, Bantry,
Co. Cork.

06th October, 2023.

Our Ref: D/34/23.

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

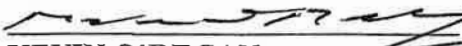
Dear Sir,

On the basis of the information and plans submitted by you on 15th September, 2023, on behalf of your client Alison Heather, the Planning Authority declares the proposed single storey extension development at Kilcatherine, Eyeries, Beara, Co. Cork is development and is *not exempted development*, as it would fail to meet all the conditions and limitations set out in Article 6, Schedule 2, Part 1, Class 1, most particularly 4 a) of Class 1 of the Planning and development Regulations 2001-2023 given that the rear wall of the extension being 8.30 metres in length does not contain a rear gable (north west elevation) and the wall of the proposed extension at 2.80 metres is higher than the rear wall (2.520 metres) of the existing dwellinghouse (north west elevation).

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Receipt No. WCP12121, in respect of €80.00, is issued herewith.

Yours faithfully,


KEVIN O'REGAN.
SENIOR EXECUTIVE OFFICER.



**TO: Anne Lordan
Planning Department
Ref D/34/23**

**Planning and Development Regulations 2001- 2023
Exempted Development under Schedule 2 Part 1 Class 1**

Rear extension at Kilcatherine Eyeries for Alison Heather

Site

The site comprises of a very modest pink plastered dwelling with hipped roof and two chimneys along the ridge that lies in a highly elevated coastal position at Kilcatherine with spectacular coastal views and within the High Value Landscape. At the rear is a stone outbuilding (sated to be farm building) currently being renovated. There is a pedestrian gate close to the dwelling from the L-89272-0 road. The felling of cypresses trees since March 2010 (see image in appendix) has transmogrified beyond recognition to the actual setting of this modest dwelling in the landscape.

There is a scattering of other dwellings on this elevated scenic hillside, see enclosed photographs in appendix.

Site History

None.

Close by to the south east around 60 metres away stands a one and a half storey dormer dwellinghouse permitted in 2009 (Ref 09/683) this dwellinghouse being positioned on the opposite side of the L-89272-0 road.

Details of the development.

The subject Section 5 application submitted by Alison Heather was received on the 15th September 2023 and the site was recently visited on the 2nd October 2023.

It is proposed to erect a rear extension single storey rear extension on to this very traditional modest single storey dwellinghouse with an existing floor area of 64.10 square metres. The stated plans indicates this extension would have a floor area of 39.84 square metres to provide a bedroom, bathroom and utility with a height of the pitched roof of 4.996 which is below the height of the existing single dwelling (5.6754 metres). The extension would be constructed of metal clad sheeting, the colour not stated.

The question has been raised whether the rear extension and the “*development*” constitute “*exempt development*.”

ASSESSMENT

This Section 5 “*exempt development*” application should be considered against Class 1 of Schedule 2, Part 1 and Article 6 of the Planning and Development Regulations 2001- 2023. In

addition, it should be set against Article 9 (1) (a) of the Planning and Development Regulations 2001- 2023.

In terms of the proposed rear extension Class 1 and the attached seven conditions which must be complied with, it is confirmed that the height of the proposed extension is acceptable being 0.67 metre less than the existing ridge. It is observed the stated floor area on the plans is **39.84 square metres** exactly. It is possible to erect an extension up to a maximum of 40 square metres however this must always take into account whether or not the dwellinghouse has been previously extended since October 1964 and in this regard there is some uncertainty. At the rear is a flat roof projection circa 2.0 metres x 2.0 metres (see photograph 4) and it is unclear whether this was part of the original house, but it reads as a possible extension and no details are indicated on the submitted plans of this rear projection. However for the reasons set out below this matter has not been pursued and maybe somewhat academic since the proposed development does **not** accord with Condition 4a of Class 1 which states as follows:

4. (a) *Where the rear wall of the house does not include a gable, the height of the walls of any such extension **shall not exceed the height of the rear wall of the house.***

In this case the proposed extension has two gables but these are **at the side** not the rear being north east elevation and south west elevation. At the rear in the north west elevation this is a single straight wall 8.30 metres in length that would contain a door and double window. The height of this rear wall is 2.800 metres which is 0.28 higher than the rear wall of the existing dwelling at 2.520 metres. Given that Condition 4 a) of Class 1 is **not** met the proposed “*development*” on this basis alone cannot constitute “*exempt development*.”

❖ **Article 9 of Planning and Development Regulations 2001- 2023**

Article 9 can “*de- exempt*” the development by reference to a number of criteria including road safety, landscape value, archaeological, ecological interest etc. In this case the following issues that of (iii) road safety (vi) landscape and (vii) archaeology (vii) ecological interest and European Site (viiB) are commented upon below.

In terms of (iii) road safety there is a side pedestrian gate but no vehicular access has been indicated on plans and it not apparent on the site thus a formal access may reasonably be required to this property. Traffic movements are however decidedly light on these minor roads. The L-89272-0 road is less than 4.0 metres in width and it could be possible for a formal access to be formed without it necessarily endangering road safety having regard to Article 9 1(a) ii) and iii). A copy of this application (D/34/23) and this report has been forwarded to the Area Engineer for information.

In terms of archaeology there is no suggestion of any impact. The nearest archaeological artifacts are located around 175-195 metres to the north being two Standing Stone (CO-101-003) CO-101-004) but both are not readily apparent from the subject site. A copy of this application (D/34/23) and this report has been forwarded to the County Archaeologist for information.

Although the site lies within a High Value Landscape and the dwellinghouse stands around 260 metres to the west of a Scenic Route it is not possible to suggest but there is any adverse impact to the character or prospects obtained, although the design of the proposed extension could be improved upon . The “*development*” is **not** “*de-exempted*” on the grounds of (vi) or given the

longstanding curtilage of the dwellinghouse on ecological grounds the European Site (viiB) as the site is at least 720 metres to the east of Kenmare River SAC (Site Code 002158)

Conclusion

Given that Condition 4 a) of Class 1 is **not** met on that basis alone and irrespective of any possible previous extension at the rear, the proposed “*development*” cannot constitute “*exempt development*.”

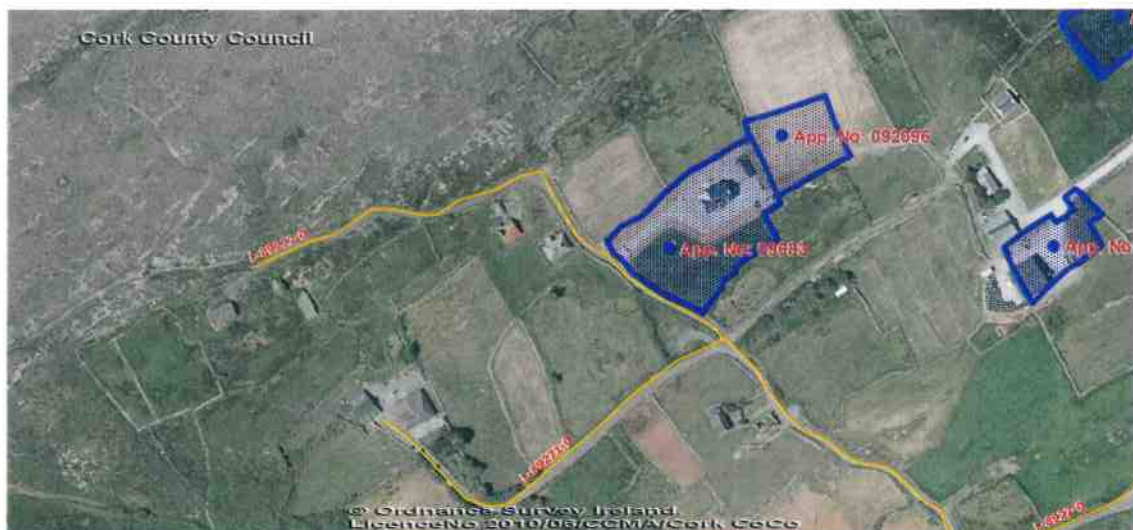
Recommendation

The proposed development as detailed in the plans received on the 15th September 2023 does **NOT** constitute “*exempt development*” having regard to Article 6, Schedule 2, Part 1 and Condition 4 a) of Class 1 of the Planning and Development Regulations 2001- 2023 given that the rear wall of the extension being 8.30 metres in length does not contain a rear gable (north west elevation) and the wall of the proposed extension at 2.80 metres is higher than the rear wall (2.520 metres) of the existing dwellinghouse (north west elevation).



P. O'Sullivan:
Executive Planner
4th October 2023

c.c Aidan Prendergast, Area Engineer
c.c. Annette Quinn, Archaeologist







March 2010



DECLARATION ON EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE
PLANNING AND DEVELOPMENT ACTS, 2000 – 2010

REF. NO.

D/34/23

TO: Phillip O’Sullivan

FROM: Anne Lordan

CHECKLIST

Date Application Received	15/09/2023
Fee Paid	WCP

Date email sent to Senior Executive Planner	19/09/2023
Referrals (to Heritage Officer) if applicable	-
Target Date for Report by Area Planner	09/10/2023
Target Date for Report by Senior Executive Planner/Senior Planner	10/10/2023
Target Date for Complete sign-off	11/10/2023
Decision Date (within 28 days)	12/10/2023



DMCA Consultants

Engineers • Surveyors • Planning Consultants

Our ref: 33227-6576

Your ref:

Planning Department
Cork County Council
Norton House
Skibbereen
Co. Cork

15/09/2023

**RE: Proposed extension to house at Kilcatherine, Eyeries, Beara, Co. Cork for
Alison Heather
Section 5 Declaration of Exemption Application**

Dear Sir/Madam

We hereby enclose Section 5 Declaration Application for the above proposed development.

We also enclose cheque for the sum of €80.00 being the application fee.

We hope the enclosed is in order and we await hearing.

Yours faithfully,

Gavin McCarthy
gavin.mccarthy@dmca.ie

REG. No. D/34/23
PLANNING (WEST) DEPT

15 SEP 2023

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

DMCA Consultants Ltd.
Vickerys, New Street, Bantry, Co. Cork
P75 RW71

Tel: 027 50469
email: info@dmca.ie

Registered in Ireland no: 534533
Registered office: Vickerys, New Street, Bantry, Co. Cork
Directors: G. McCarthy, L. McCarthy, A. McCarthy



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:

REG. No. _____
PLANNING (WEST) DEPT

15 SEP 2023

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

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)

Alison Heather

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

Kilcatherine, Eyeries, Beara, 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

Is the proposed extension to the rear of the house as indicated on the attached drawings considered exempted development. The floor area of the proposed extension is 38.94 sq.m

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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):	64.1(existing) + 39.84 (extension)
(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 checked="" 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 type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):

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):		

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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:

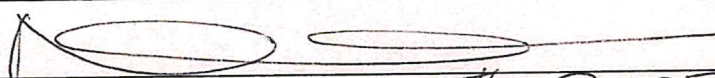
Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes No

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	AUGUST 13 th 2023

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	
Date	AUGUST 13 th 2023

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.

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CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, CO. CORK


ADVISORY NOTES:

The application must be accompanied by the required fee of €80
 The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.
 Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.
 The application should be sent to the following address:
 The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and on which the Declaration of Exemption is sought.
- Any person issued with a Declaration of Exemption may on payment to An Bord Pleanála refer a Declaration of Exemption for review by the Board within 4 weeks of the date of the issuing of the Declaration of Exemption decision.
- In the event that no Declaration of Exemption is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a Declaration of Exemption was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations, 2001, as amended.

9. I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:

Signed (Applicant or Agent as appropriate)	
Date	14/9/23

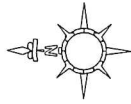
REG. No. _____
 PLANNING (WEST) DEPT
 15 SEP 2023
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, CO. CORK

Notes:

1. All dimensions shown are in meters unless otherwise stated.
2. Figured dimensions to be used in preference to scaled dimensions. All dimensions to be checked on site.
3. All dimensions to be taken in conjunction with all other relevant drawings and specifications.
4. Any discrepancies found on drawings to be reported immediately to DMCA Consultants.

ITM CO-ORDINATES
462586, 553640
MAP NO
CK101

LEGEND
— Site boundary



Rev	Date	By	CHK	Note
P01	18/08/23	KK	DMC	Exemption cert application
D01	24/07/23	KK	DMC	Draft 1



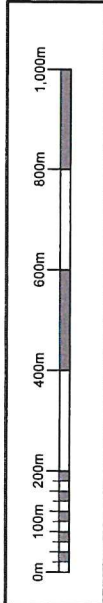
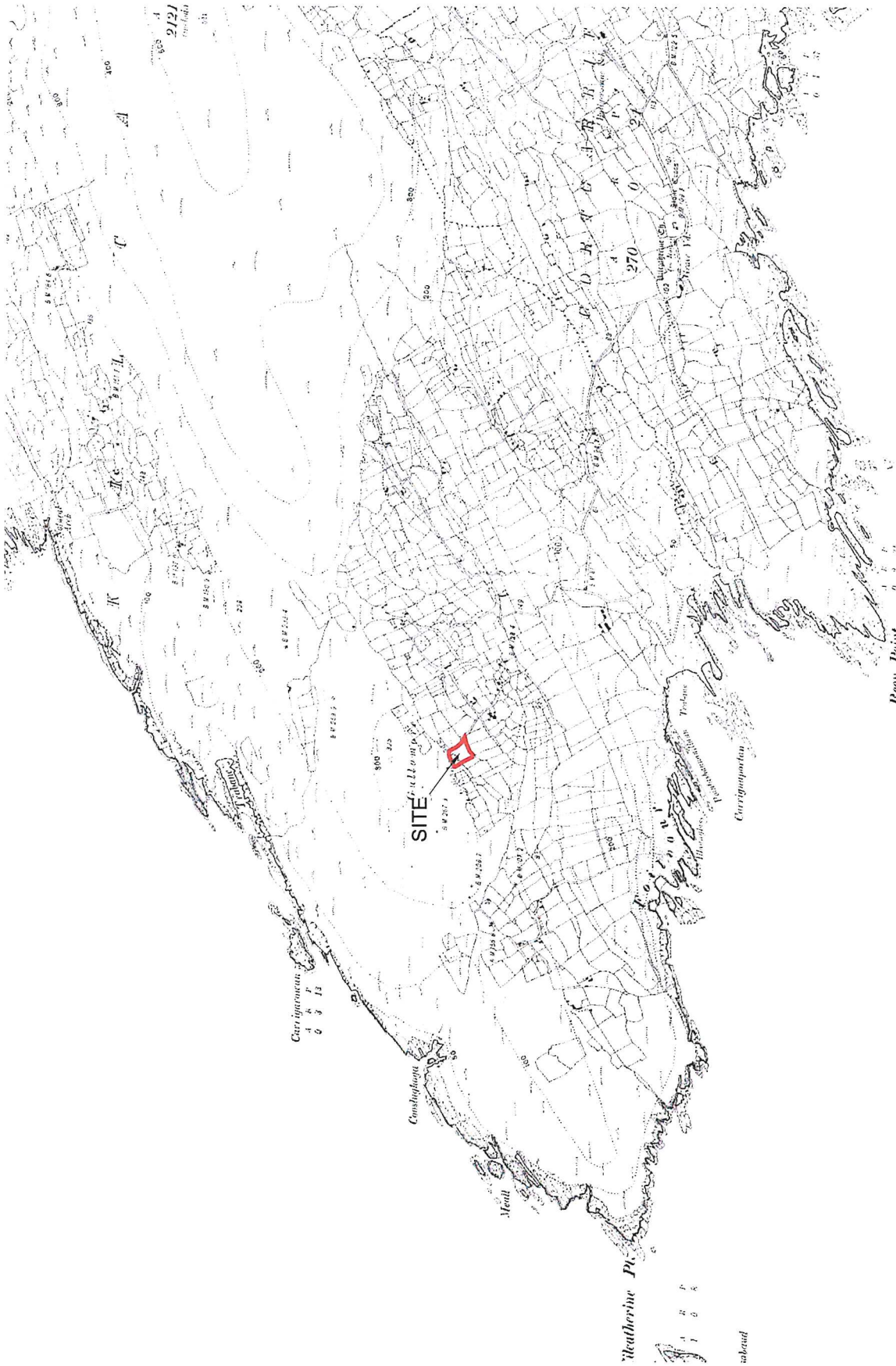
Marino Street, Bally, Co. Cork
Tel: 027 50469 Fax: 027 51036
e-mail: info@dmca.ie

Client: Alison Heather

Project: ~~11/21/23~~ Proposed works to existing dwelling at Killeatherine, Eyecies, Beata, Co. Cork

Site Location Map 1
1:10,560
© OS, HOUSE, SURVEYING CO. CORP

Drawn:	KK	Project No:	33327
Checked:	DMC	Drawing No:	006
Scale:	1:10,560 (A3)	Rev:	P01
Date:	24/07/2023		



B A L L Y C R O V A N A H

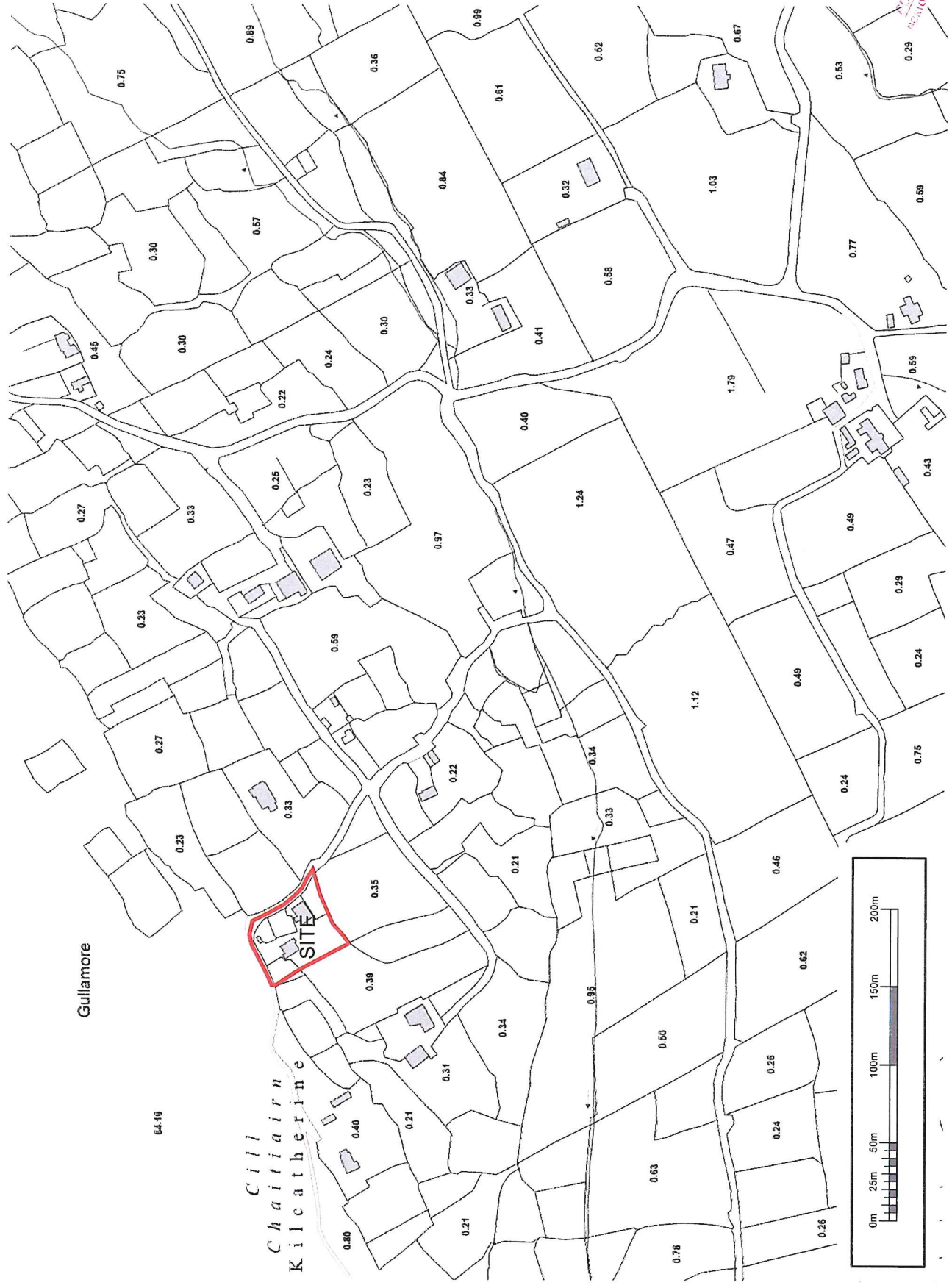
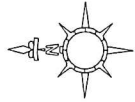
Ordnance Survey Ireland

Notes:

1. All dimensions shown are in meters, unless otherwise stated.
2. Figured dimensions to be used in preference to scaled dimensions. All dimensions to be checked on site.
3. All dimensions to be checked in conjunction with all other relevant drawings and specifications.
4. Any discrepancies found on drawings to be reported immediately to DMCA Consultants.

ITM CO-ORDINATES
462594 553540
MAP NO
6885

LEGEND
— Site boundary



Rev	Date	By	CHK	Note
P01	08/08/22	KK	DMC	Exemption cert application
D01	24/07/22	KK	DMC	Draft 1

DMCA
DMCA CONSULTANTS
• ENGINEERS • SURVEYORS • PLANNING CONSULTANTS •
Marino Street, Ballyry, Co. Cork
tel: 027 50469 Fax: 027 51036
e-mail: info@dmca.ie

Client:	Alison Heather
Project No:	33227
Checked:	DMC
Scale:	1:2,500(43)
Date:	24/07/2023
Rev:	P01

Proposed works to existing dwelling at Kilcatherine, Eyeries, 13 Sparran, Co. Cork
Site Location Map 2
1:2,500
KILCATHERINE, CO. CORK
MCCORMACK & CO. ARCHITECTS

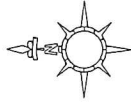
Notes:

- All dimensions shown are in meters unless otherwise stated.
- Approved drawings must be read in conjunction with all other relevant drawings and specifications.
- This drawing to be read in conjunction with all other relevant drawings and specifications.
- Any change on drawings to be reported immediately to DMCA Consultants.

DM CO-ORDINATES
462598, 553840
Site area: 0.23 hectares

LEGEND
Proposed extension

LEGEND
Site boundary

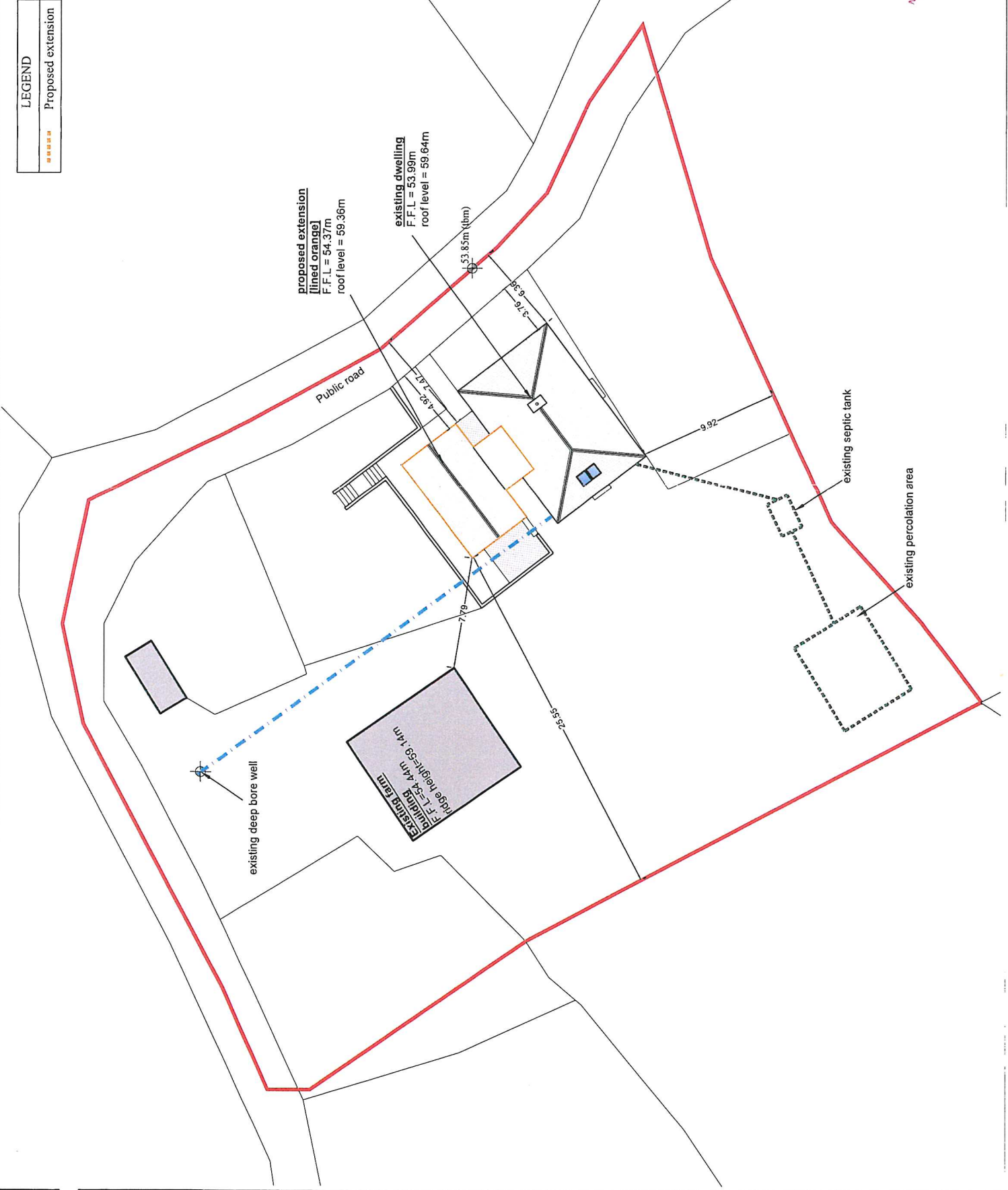


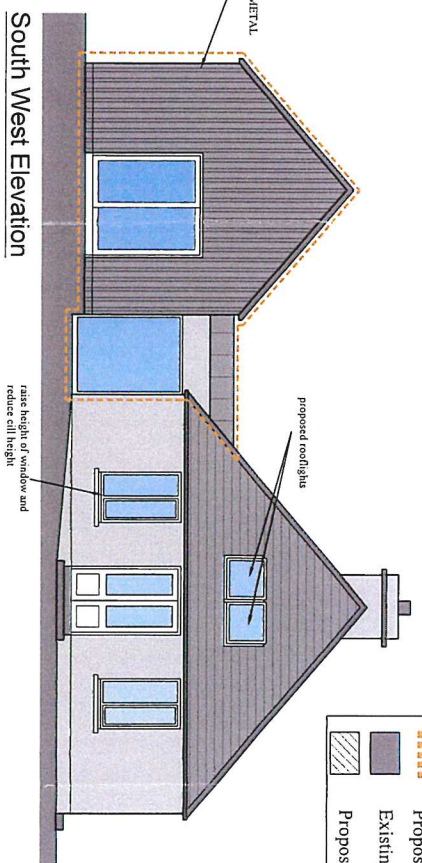
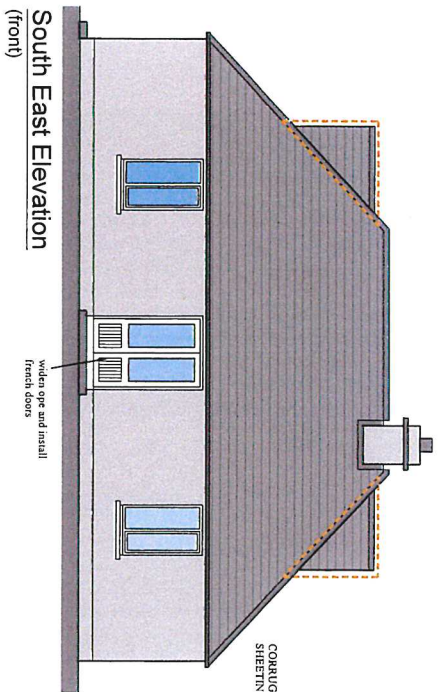
Rev	Date	By	Chk	Note
P01	04/03/23	KK	DMC	Exemption cert application
D01	24/07/23	KK	DMC	Draw 1

DMCA CONSULTANTS
 ENGINEERS • SURVEYORS • PLANNING CONSULTANTS
 Marino Street, Bannry, Co. Cork
 Tel: 027 50469 Fax: 027 51036
 e-mail: info@dmca.ie

Client: Alison Heather	
Project: Proposed works to PLANNING existing dwelling at Kicatherine, Eyeries, Beara, Co. Cork	
Title: 13 SEP proposed Site Layout	
Drawn: KK	Project No: 23227
Checked: DMC	Drawing No: 004
Scale: 1:250(A3)	Date: 24/07/2023
Rev:	P01

CORK COUNTY COUNCIL
 NORTH HOUSE, SAUNDERS
 13 SEP proposed Site Layout





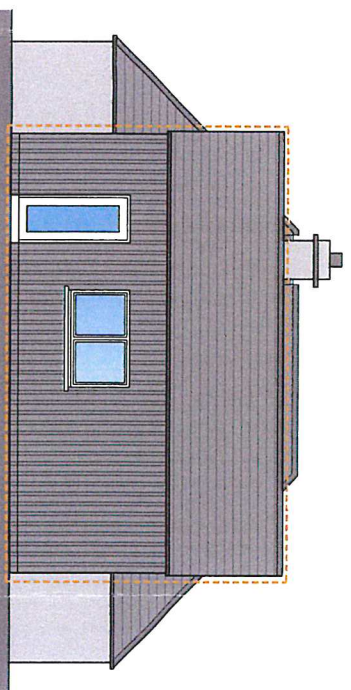
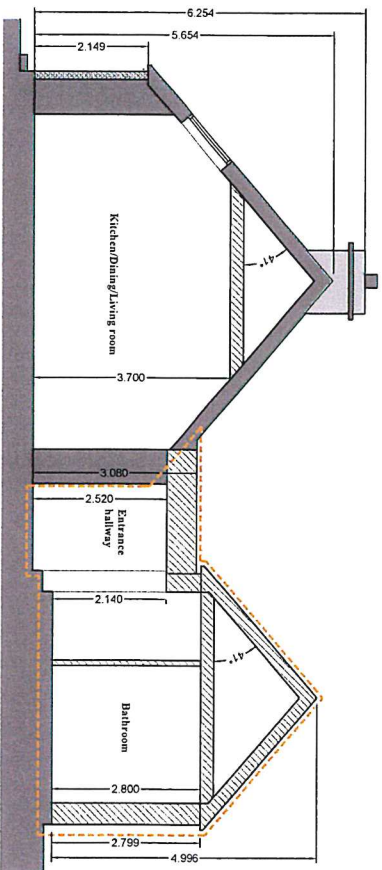
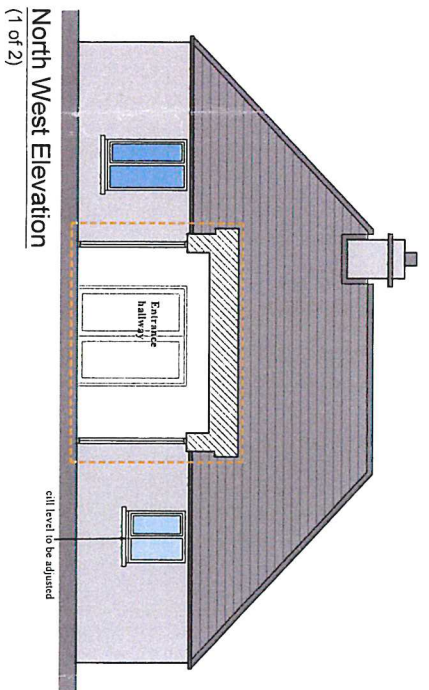
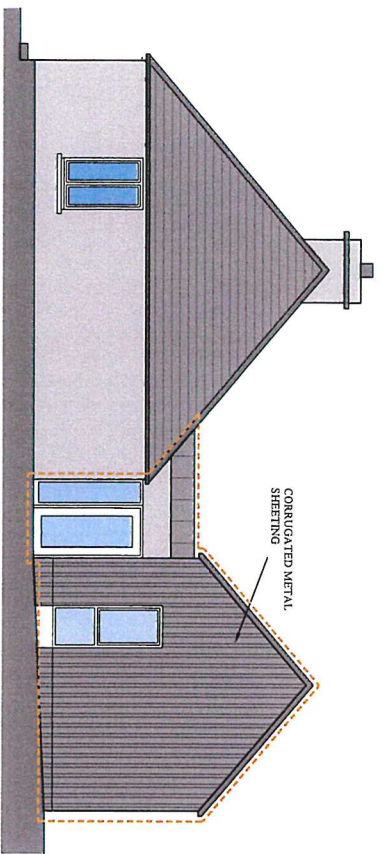
LEGEND

	Proposed extension
	Existing structure
	Proposed structure

- Notes:**
- All dimensions shown are in millimetres unless otherwise stated.
 - Figured dimensions to be used in preference to scaled dimensions. All dimensions to be checked on site.
 - Proposed structure to be constructed in accordance with all relevant drawings and specifications.
 - Any discrepancies found on drawings to be reported immediately to DMCA Consultants.



Example of corrugated metal sheeting to be used on extension



Proj: 1000020	KK: DMK Extension and application
Doc: 1400720	KK: DMK Draw 1
Rev: Date	By: Cmk Note

DMCA CONSULTANTS
 • ENGINEERS • SURVEYORS • PLANNING CONSULTANTS
 Marino Street, Ballypore, Co. Cork
 Tel: 027 50469 Fax: 027 51036
 e-mail: info@dmca.ie

Client: **No. Alison Heather**
PLANNING (WEST) DEPT

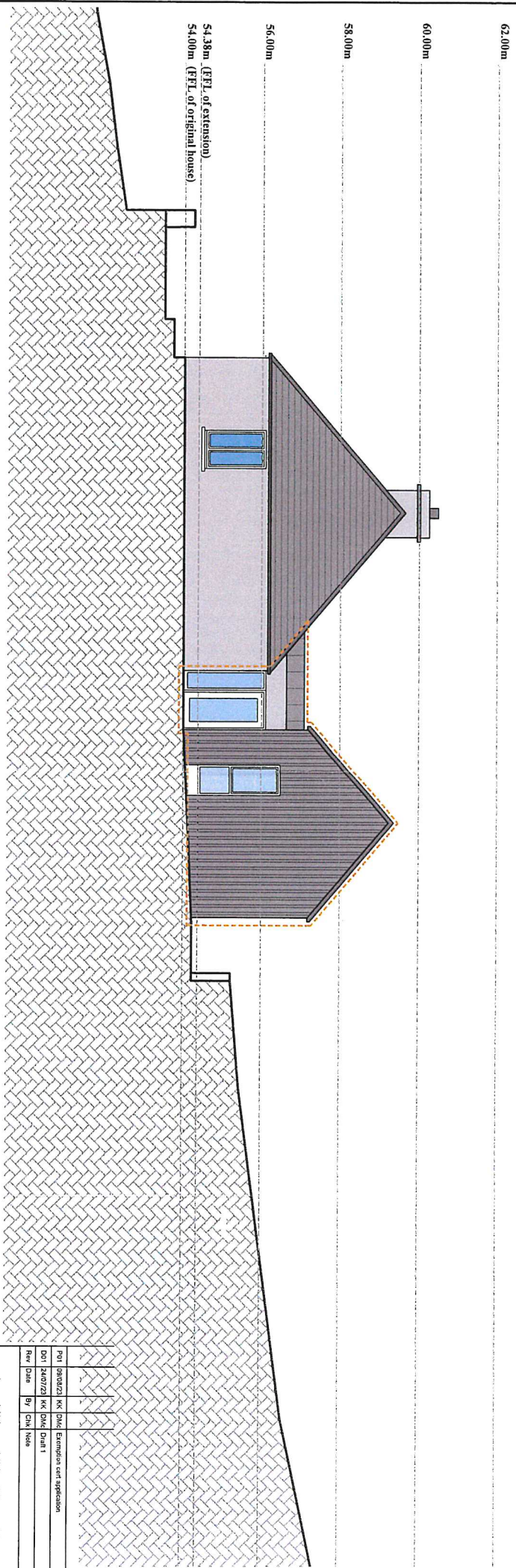
Project: **15** Proposed works to existing dwelling at Kilscaherrie, Everes, Carrigrohane, Co. Cork

Title: **Proposed Elevations & Sections A-A**

Drawn: KK	Project No: 3227
Checked: DMK	Drawing No: 003
Scale: 1:100(A3)	Rev: P01
Date: 24/07/2023	

LEGEND
 Proposed extension

- Notes:**
- All dimensions shown are to centres unless otherwise stated.
 - Figured dimensions to the level of ground level are indicated.
 - This drawing to be read in conjunction with all other relevant drawings.
 - Any discrepancies found on drawings to be reported immediately to DMCA Consultants.



Rev	Date	By	CHK	Note
001	24/07/23	JK	DMC	Extension work specification
002	24/07/23	JK	DMC	Draw 1

DMCA

DMCA CONSULTANTS

• Engineers • Surveyors • Planning Consultants •

Mairno Street, Bantry, Co. Cork
Tel: 027 50469 Fax: 027 51046
e-mail: info@dmca.ie

REG. No. 1110
Client: **Alison Heather**
Planning (West) Dept

Project: **3 SEP** Proposed works to existing dwelling
CORK COUNTY at Kicatherine, Eyeries, Bealla, Co. Cork
NORTON HOUSE, SIBBERDEN, Co. CORK

Drawn:	JK	Project No.:	3327
Checked:	DMC	Drawing No.:	002
Scale:	1:100(A3)	Rev.:	PO1
Date:	24/07/2023		

Proposed
Site Section



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:

REG. No. _____
PLANNING (WEST) DEPT

15 SEP 2023

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

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)

Alison Heather

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

Kilcatherine, Eyeries, Beara, 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

Is the proposed extension to the rear of the house as indicated on the attached drawings considered exempted development. The floor area of the proposed extension is 38.94 sq.m

REG. No. _____
PLANNING (WEST) DEPT
19 SEP 2022
CORK COUNTY COUNCIL
NORTH HOUSE, SKIBBEREEN, Co. CORK

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):	64.1(existing) + 39.84 (extension)
(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 checked="" 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 type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):

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):		

REG. No. _____
 PLANNING (WEST) DEPT
 15 SEP 2023
 CORK COUNTY COUNCIL
 NORTON HOUSE, MILLBEREE, CORK

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:

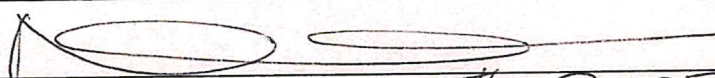
Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes No

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	AUGUST 13 th 2023

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	
Date	AUGUST 13 th 2023

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.

REG. No. 15 SEP 2023
 PLANNING (WEST) DEPT
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, CO. CORK

ADVISORY NOTES:

The application must be accompanied by the required fee of €80

The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.

Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.


The application should be sent to the following address:

The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and on which the Declaration of Exemption is sought.
- Any person issued with a Declaration of Exemption may on payment to An Bord Pleanála refer a Declaration of Exemption for review by the Board within 4 weeks of the date of the issuing of the Declaration of Exemption decision.
- In the event that no Declaration of Exemption is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a Declaration of Exemption was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations, 2001, as amended.

9. **I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:**

Signed (Applicant or Agent as appropriate)	
Date	14/9/23

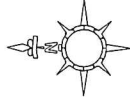
REG. No. _____
PLANNING (WEST) DEPT
15 SEP 2023
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, CO. CORK

Notes:

1. All dimensions shown are in meters unless otherwise stated.
2. Figured dimensions to be used in preference to scaled dimensions. All dimensions to be checked on site.
3. All dimensions to be checked on site and compared with drawings and specifications.
4. Any discrepancies found on drawings to be reported immediately to DMCA Consultants.

ITM CO-ORDINATES
462586.53360
MAP NO
CK101

LEGEND
— Site boundary



P01 19/08/22 KK DMCA Exemption cert application
D01 24/07/23 KK DMCA Draft 1

Rev	Date	By	Chk	Note



Client:

Alison Heather

Project:

Proposed works to
existing dwelling
at Kicatherine, Eyeries,
Beauregard, Co. Cork

Site Location Map 1

Ordnance Survey Ireland

Drawn: KK

Checked: DMCA

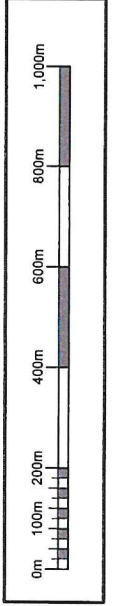
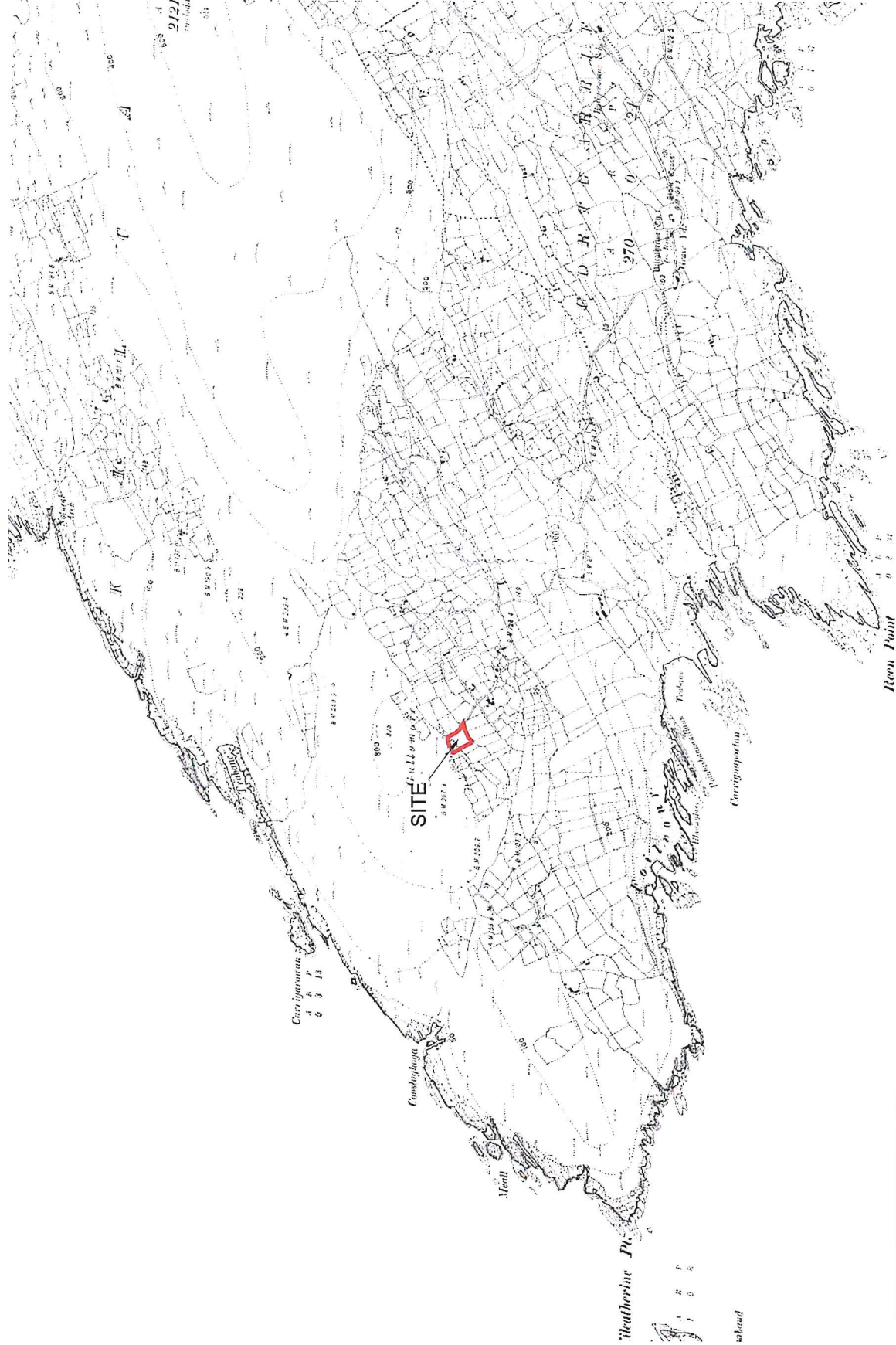
Scale: 1:10,560 (A3)

Date: 24/07/2023

Project No: 33327

Drawing No: 006

Rev: P01



B A L L Y C R O V A N N E II

CYAL50245099

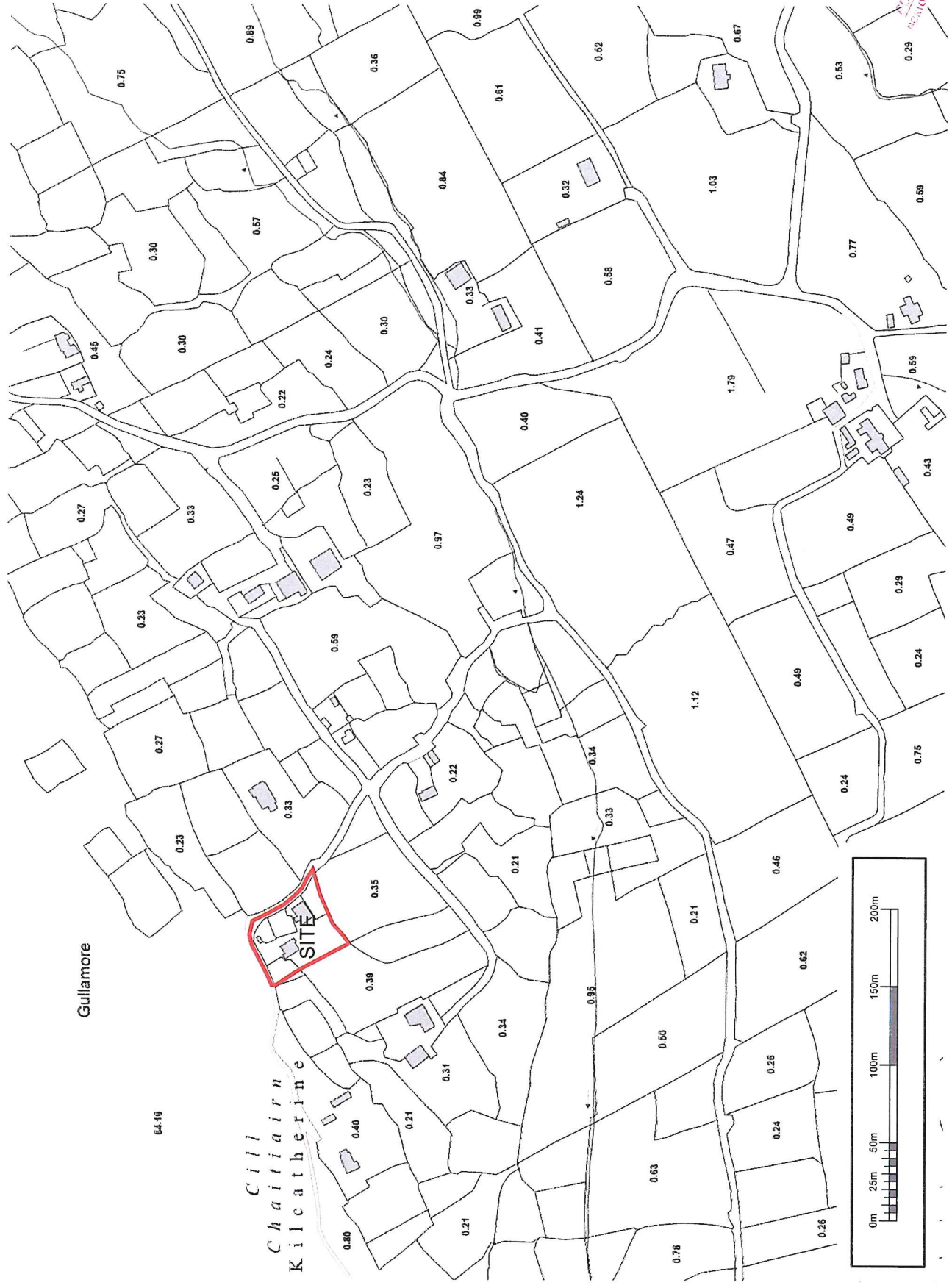
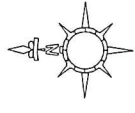
© Ordnance Survey Ireland/Government of Ireland.

Notes:

1. All dimensions shown are in meters, unless otherwise stated.
2. Figured dimensions to be used in preference to scaled dimensions. All dimensions to be checked on site.
3. All dimensions to be checked in conjunction with all other relevant drawings and specifications.
4. Any discrepancies found on drawings to be reported immediately to DMCA Consultants.

ITM CO-ORDINATES
462594 553540
MAP NO
6885

LEGEND
— Site boundary



Rev	Date	By	CHK	Note
P01	08/08/22	KK	DMC	Exemption cert application
D01	24/07/22	KK	DMC	Draft 1



Manna Street, Bannry, Co. Cork
tel: 027 50469 Fax: 027 51036
e-mail: info@dmca.ie

Client:	Alison Heather
Project No:	33227
Checked:	DMC
Scale:	1:2,500(43)
Date:	24/07/2023
Rev:	P01

Proposed works to existing dwelling at Kilcatherine, Eyeries, 13 Sparr, Co. Cork
Site Location Map 2
1:2,500
KILCATHERINE, CO. CORK
MCCORMACK & CO. ARCHITECTS

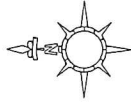
Notes:

- All dimensions shown are in meters unless otherwise stated.
- Approved drawings must be read in conjunction with all other relevant drawings and specifications.
- This drawing to be read in conjunction with all other relevant drawings and specifications.
- Any change on drawings to be reported immediately to DMCA Consultants.

IMC CO-ORDINATES
462598, 553840
Site area: 0.23 hectares

LEGEND
Proposed extension

LEGEND
Site boundary

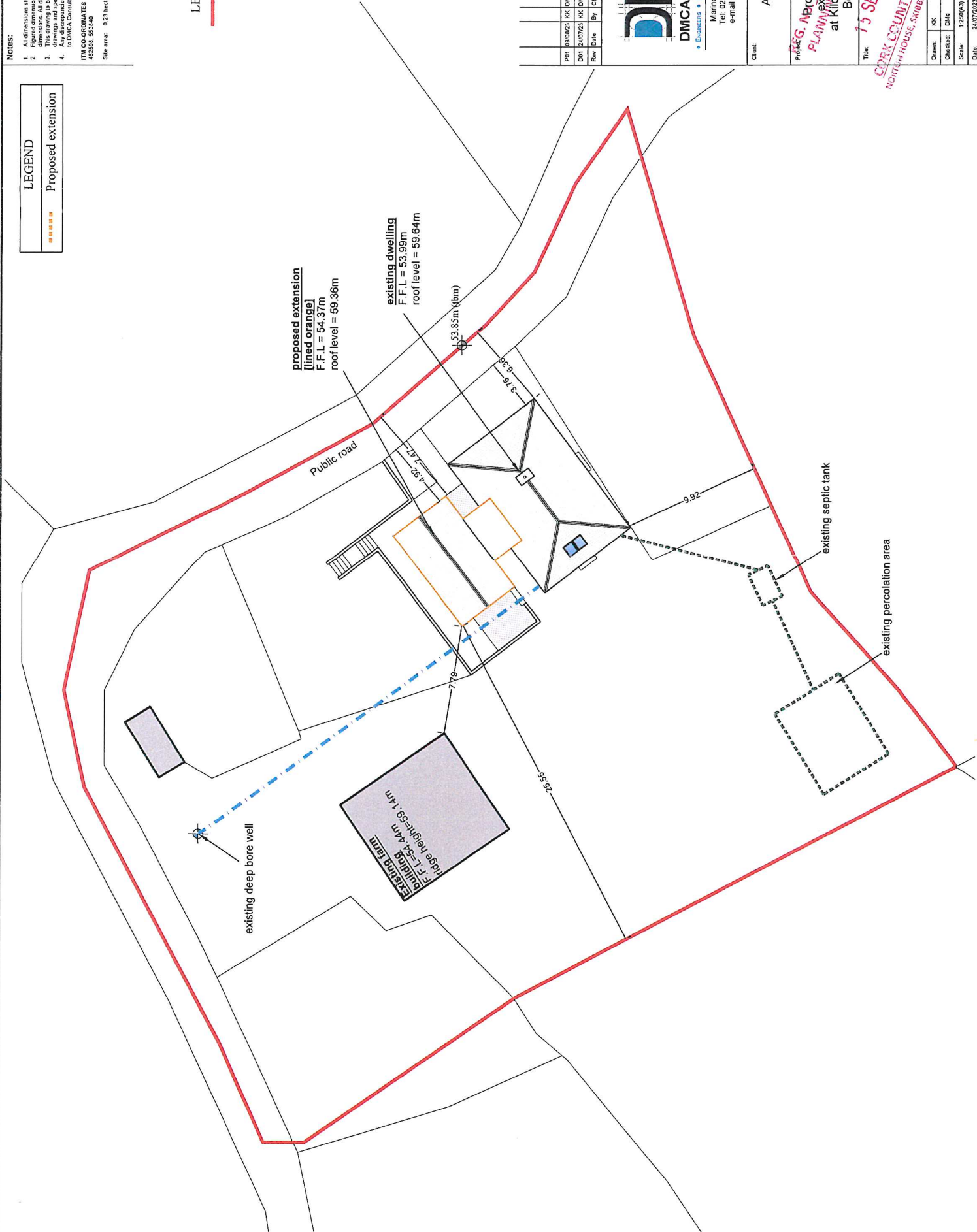


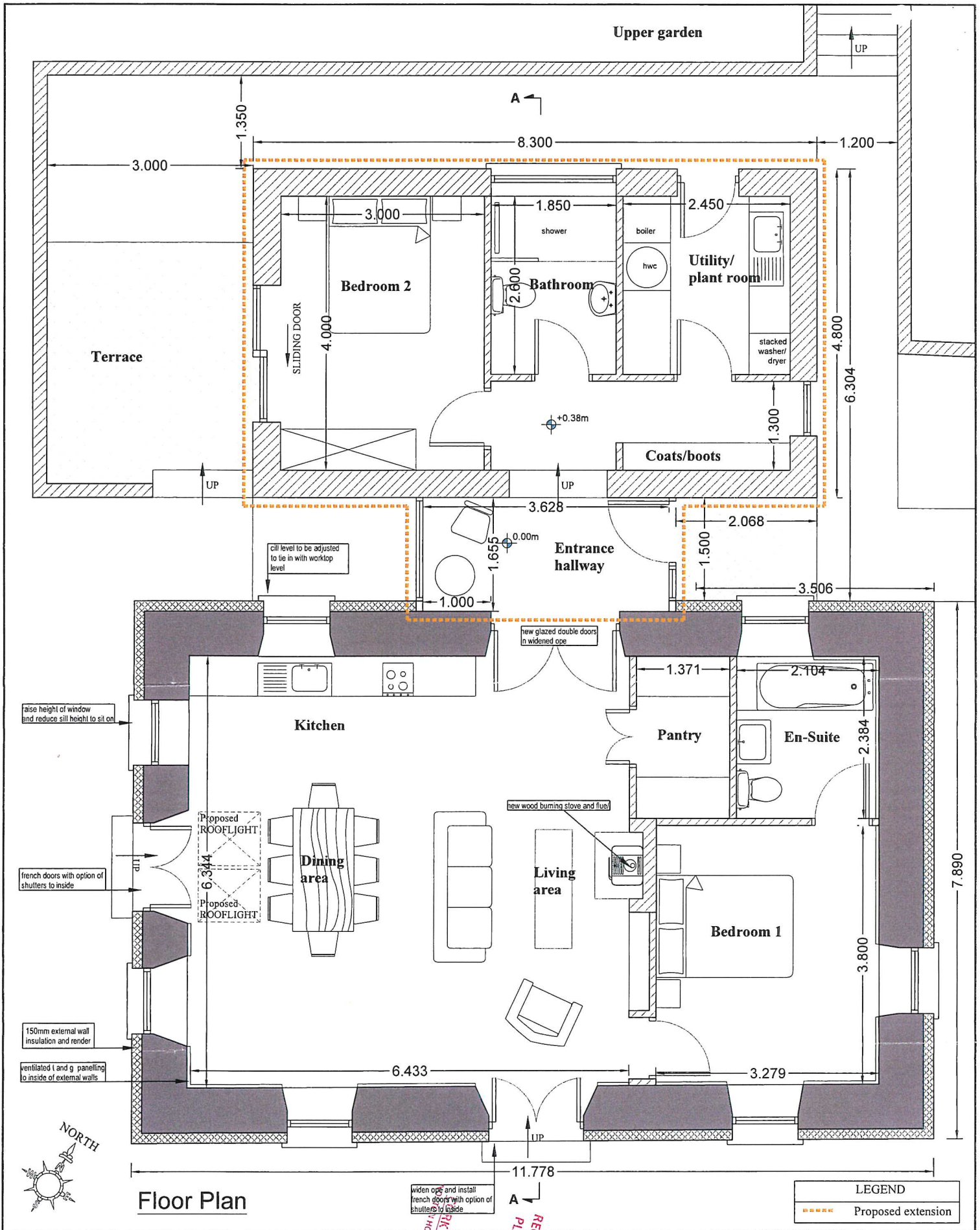
Rev	Date	By	Chk	Note
P01	04/03/23	KK	DMC	Exemption cert application
D01	24/07/23	KK	DMC	Draw 1

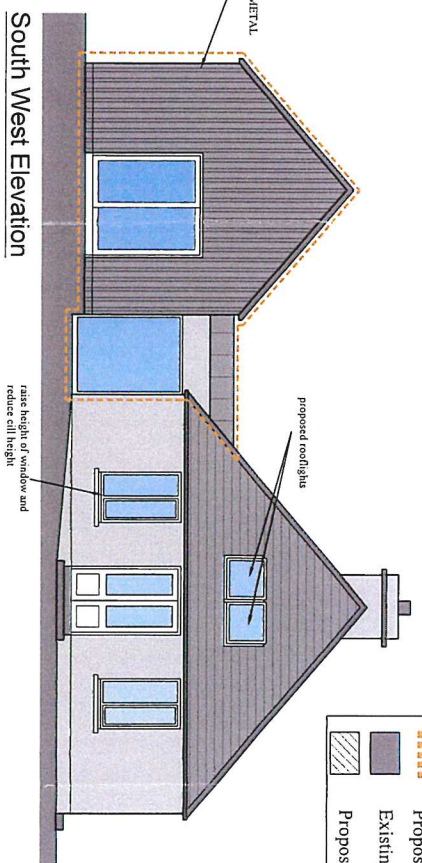
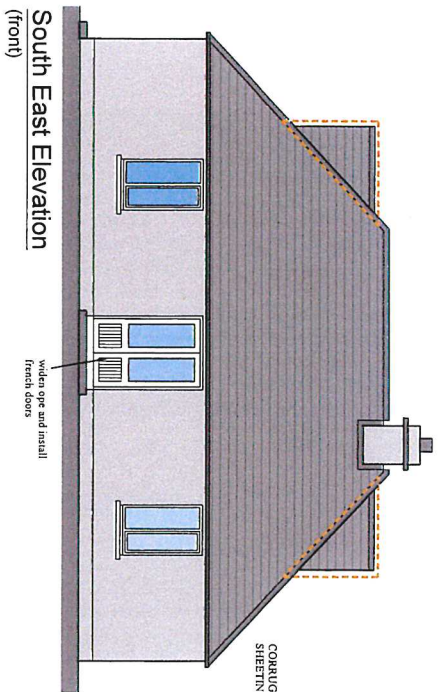
DMCA
DMCA CONSULTANTS
• ENGINEERS • SURVEYORS • PLANNING CONSULTANTS •
Marino Street, Bannry, Co. Cork
Tel: 027 50469 Fax: 027 51036
e-mail: info@dmca.ie

Client: Alison Heather	
Project: Proposed works to PLANNING existing dwelling at Kicatherine, Eyeries, Beara, Co. Cork	
Title: 13 SEP proposed Site Layout	
Drawn: KK	Project No: 23227
Checked: DMC	Drawing No: 004
Scale: 1:250(A3)	Date: 24/07/2023
Rev:	P01

13 SEP proposed
CORK COUNTY COUNCIL
NORTH HOUSE, SAUNDERS







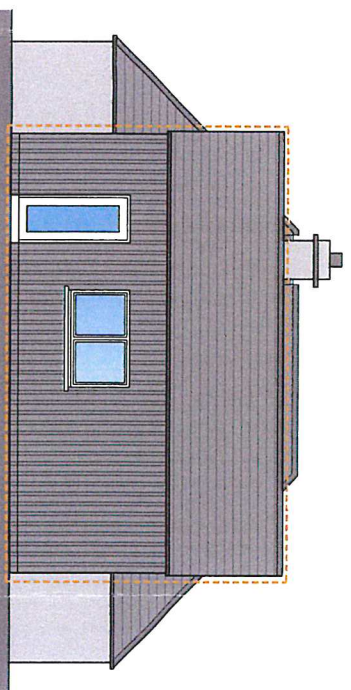
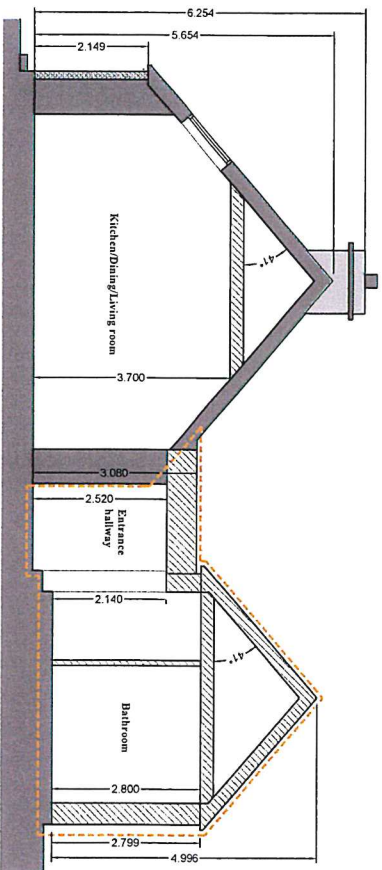
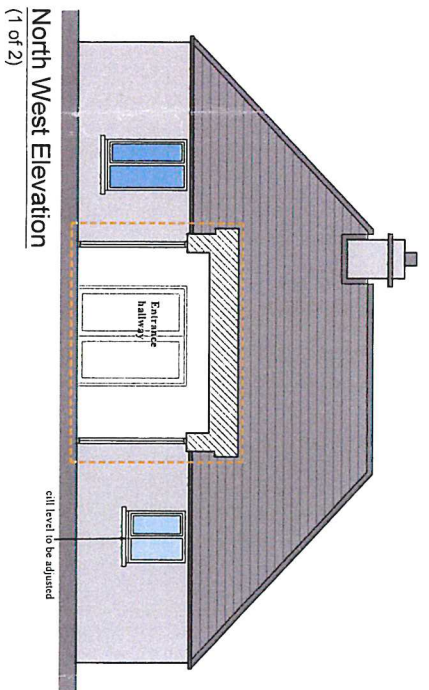
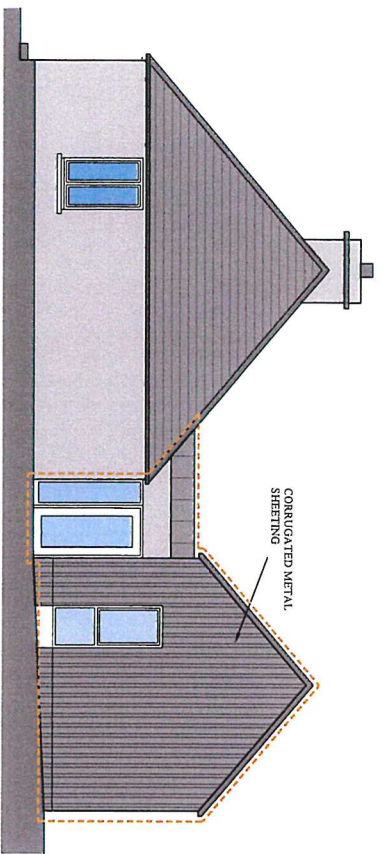
LEGEND

	Proposed extension
	Existing structure
	Proposed structure

- Notes:**
- All dimensions shown are in millimetres unless otherwise stated.
 - Figured dimensions to be used in preference to scaled dimensions. All dimensions to be checked on site.
 - Proposed structure to be constructed in accordance with all relevant drawings and specifications.
 - Any discrepancies found on drawings to be reported immediately to DMCA Consultants.



Example of corrugated metal sheeting to be used on extension



Proj: 1000020	KK: DMK Extension and application
Doc: 1400720	KK: DMK Draw 1
Rev: Date	By: CKH Name

DMCA CONSULTANTS
 • ENGINEERS • SURVEYORS • PLANNING CONSULTANTS
 Marino Street, Ballyp. Co. Cork
 Tel: 027 50469 Fax: 027 51096
 e-mail: info@dmca.ie

Client: **No. Alison Heather**
PLANNING (WEST) DEPT

Project: **15** Proposed works to existing dwelling at Kilscaherlie, Everes, Carrigrohane, Stonehouse, Co. Cork

Title: **Proposed Elevations & Sections A-A**

Drawn: KK	Project No: 3227
Checked: DMK	Drawing No: 003
Scale: 1:100(A3)	Rev: P01
Date: 24/07/2023	

LEGEND
 Proposed extension

- Notes:**
1. All dimensions shown are to centres unless otherwise stated.
 2. Figure dimensions to the level of the finished ground level.
 3. This drawing to be read in conjunction with all other relevant drawings.
 4. Any discrepancies found on drawings to be reported immediately to DMCA Consultants.



Rev	Date	By	CHK	Note
001	24/07/2023	JK	DMK	Extension work specification
002	24/07/23	JK	DMK	Draft 1

DMCA

DMCA CONSULTANTS

• Engineers • Surveyors • Planning Consultants •
 Marino Street, Ballyc, Co. Cork
 Tel: 027 50469 Fax: 027 51046
 e-mail: info@dmca.ie

REG. No. 1110
Client: **Alison Heather**
PLANNING (WEST) DEPT

Project: **3 SEP** Proposed works to existing dwelling
CORK COUNTY at Kicatherine, Eyeries, Beale, Co. Cork
 NORTON HOUSE, SIBBERDEN, Co. CORK

Drawn:	JK	Project No.:	3327
Checked:	DMK	Drawing No.:	002
Scale:	1:100(A3)	Rev.:	PO1
Date:	24/07/2023		

Proposed Site Section