



West Cork Distillers,
c/o McCutcheon Halley,
Planning Consultants,
6, Joyce House,
Barrack Square,
Ballincollig,
Co. Cork.

2nd November, 2023.

Our Ref: D/39/23.

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 on 6th October, 2023 on behalf of West Cork Distillers, the Planning Authority declares that the installation of hammer mill at West Cork Distillers, Marsh Road, Skibbereen, Co. Cork *is development and is exempted development* on the grounds that:


- (a) The installation of a hammer mill constitutes “works” that comes within the meaning of “development” as set out in Section 3(1) of the Planning and Development Act, 2000 as amended,
- (b) the works fall within a class of exempted development under Article 6, namely Class 21 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
and
- (c) the works do not come within the scope of restrictions on exemption under Article 9 of the Planning and Development Regulations 2001 or Section 4(4) of the Planning and Development Act, 2000, 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. WCP12146, in respect of €80.00, is issued herewith.

Yours faithfully,



PÍO TREACY
ADMINISTRATIVE OFFICER

Ref D/39/23

Exempted Development under Section 5 of the Planning and Development Act 2000

Re: Request for Declaration under Section 5 of the Planning and Development Act 2000, as amended, in regard to the installation of hammer mill at West Cork Distillers, Marsh Road, Skibbereen, Co. Cork

Site Location and Description

The site is located within an established industrial estate at Marsh Road, Skibbereen on the northern outskirts of Skibbereen town. The site accommodates West Cork Distillers production, processing, bottling buildings, bonded warehouses and storage buildings and distillery centre. The site includes open storage areas and 6no. permitted tank farms as well as additional tanks which do not have the benefit of planning permission and for which the developer claims exemption – currently being determined by An Bord Pleanala (D/18/21).

The developer has given notice that an application for an IPPC Licence has been made to the EPA. The site is a lower tier Seveso site.

An industrial park adjoins the site to the north and Cork County Council's Fire Station and recycling centre are situated to the immediate south. The Ilen River adjoins the eastern site boundary and residential development is located to the west and north-west.

Proposal

The applicant seeks a Declaration of Exemption under Section 5 of the Planning and Development Act 2000, as amended, on the question of:

"Whether the installation of a 'hammer mill' within a dedicated building envelope at West Cork Distillers in Skibbereen, is or is not, development and is, or is not, exempted development under Class 21, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended)."

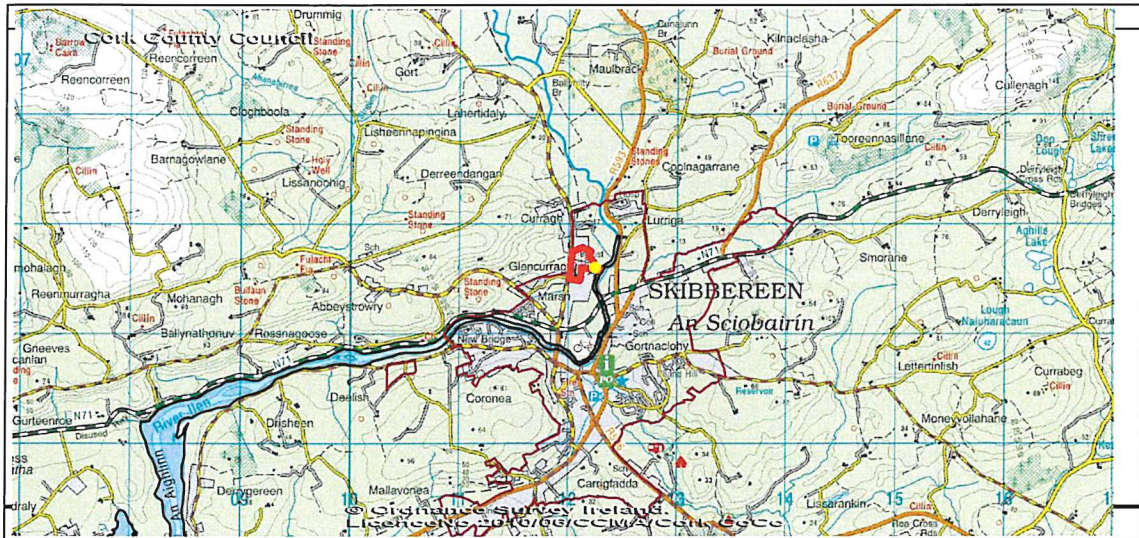
Policy Context

In terms of planning designations, the subject site lies within the development boundary of Skibbereen town as designated in the Cork County Development Plan (CCDP) 2022. According to this Plan, the site is part of a larger area of lands specifically zoned as "Existing Mixed/General Business/Industrial Uses" development.

The site is located within the indicative Screening Zone for Roaringwater Bay and Islands (Site Code 002171) as mapped on the Planning Enquiry System. The potential for significant impacts on the SAC can be ruled out on the basis of the nature of the proposed development.

The site is also situated within Flood Zones A & B, as illustrated in the Cork County Development Plan 2022 Zoning Map for Skibbereen. However, it is noted that the proposed development is 'less vulnerable' to the impact of flooding in accordance with the guidance given in the 'The Planning System and Flood Risk Management Guidelines for Planning

Authorities'. Furthermore, flood protection to a 200 year return period standard will be provided to the site by the River Ilen (Skibbereen) Drainage Scheme/Flood Defence Scheme.



Site outlined in red

Planning History

23/431 – This is a current application for retention of change of use of existing bonded warehouse to a plant and machinery building from that granted under 17/365, retention of increase in height of building and changes to fenestration of plant and machinery building and retention of as constructed electrical switch room and associated site works at the subject site. A detailed request for Further Information issued on 25/09/2023.

20/585 – Permission sought to increase the height of the roof and fenestration changes to part of the Distillery Building to accommodate equipment along with all associated site works granted under 19/779. The application was deemed to be withdrawn when the 3rd CFI request was not responded to within the statutory period.

19/779 – Permission granted for the retention of the following as built structures:

1. Tank Farm No. 3 and associated concrete bund with an area of 627m².
2. Tank Farm No. 4 and associated concrete bund with an area of 67m².
3. Tank Farm No. 5 and associated concrete bund with an area of 557m².
4. Tank Farm No. 6 with an area of 117m².
5. **Retention of Building Extension with a floor area of 126sqm (this is the building which houses the hammer mill),**
6. Discouraging Building with a floor area of 565.1m² in-lieu of a Discouraging Building with a floor area of 430m² that was granted under Planning Application Ref. 17/00365,
7. Grain Intake Building with a floor area of 72m² in-lieu of a Grain Intake Building with a floor area of 42m² that was granted under Planning Application Ref. 17/00365,
8. Grain Outtake Building with a floor area of 22m²,

9. Fenestration changes to Distillery / Visitors Centre from that granted under Planning Application Ref. 17/00365.

Permission granted for the following:

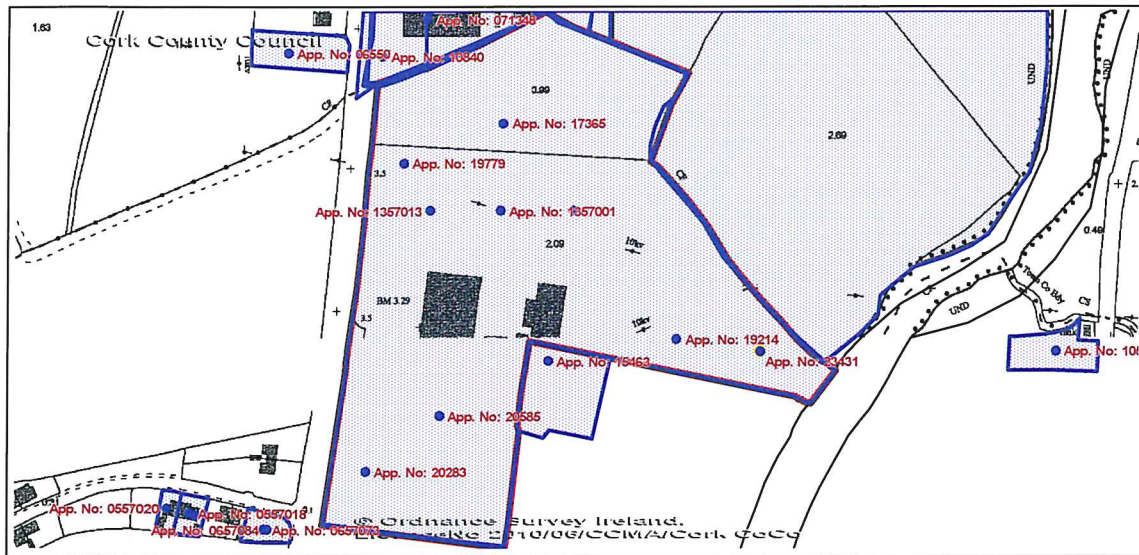
- Discouraging / Dry Goods / Ingredients Building with a floor area of 396m²
- Extension to Existing West Cork Distillers Ltd. Bottling / Administration Building with a floor area of 555m²,
- Bonded Warehouse No. 6 with a floor area of 1980m²,
- Revisions to Distillery / Visitors Centre to include minor alterations to ground floor layout and construction of part first floor area of 209m² and fenestration changes to elevations along with all associated site works.

17/365 – Permission granted for retention of the following as built structures: (i) detached bonded warehouse no. 1 with a floor area of 278m², (ii) spirit tank farm and associated concrete bund, (iii) tank farm no. 2 and associated concrete bund/yard slab, (iv) 2.4m high security fencing along part of the eastern side of the site and Permission for the following: (a) 4 no. detached bonded warehouse buildings with a floor area of 999m² each, (b) detached discouraging building with a floor area of 430m², (c) detached distillery/visitors centre building with a floor area of 1,350m² (1,270m² at ground floor level and 80m² at first floor level), (d) detached grain intake building with a floor area of 42m², (e) construction of 2 no. additional entrances off the Marsh Road with security gates and fencing, (f) erection of new 2.4m high security fencing to the northern boundary, remaining eastern boundary, part of the car park boundary and from the new south western entrance to existing Fastnet Industrial estate building, (g) installation of grain silos with silo heights varying from 6m to 10m, (h) new car parking, (i) demolition of existing glass lined storage tank, along with all associated site works.

13/57013 – Permission granted to Eoghan O'Callaghan on 03/09/13 to erect road and site security fencing at the company premises on the subject site.

91/18 - No record available.

See attached sheet with summary of relevant cases and extract from register map(s).



Enforcement History

The most relevant enforcement history is as follows:

SKB20058: Alleged non-compliance with Condition No 26 of Planning Permission Reg. Ref. No. 17/365. A warning letter issued on 18/08/2020. On foot of this issue the developer indicates that the hammer mill was moved into the current building in order to reduce noise levels and this relocated plant/equipment is now the subject of the current application for S.5 Declaration – D/39/23.

SKB20066: Alleged erection of 5no. unauthorised steel towers. A warning letter issued on 07/09/2020. When access to the site was gained it was discovered that there are a further 15no. unauthorised horizontal tanks and a farm of vertical tanks which do not have permission. A Declaration of Exemption has been submitted under S.5 – D/2/21.

SKB20093: Alleged unauthorised storage of 9 no. trailers , 9 no tanks , 4 no containers and 14 no tank supports. A Warning Letter issued on 07/12/2020.

Relevant Statutory Provisions

The most relevant statutory provisions are as follows:

Planning and Development Act 2000

Section 2(1) of the Planning and Development Act, 2000 provides that:

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

“structure” is defined to mean any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined.

Section 3(1) of the Planning and Development Act, 2000 provides that: “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(1) of the Planning and Development Act 2000 sets out what shall be exempted developments for the purposes of the Act. Section 4(2) makes provision for ministerial regulations to set out further exemptions. The 2001 Planning Regulations, as amended, derive from this section and designate further works as being exempted development for the purposes of the Act.

Section 4(4) states that notwithstanding paragraphs (a), (l), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Planning and Development Regulations 2001 (as amended)

Part 2, Article 5(1) Interpretation for this part:

“industrial building” means a structure (not being a shop, or a structure in or adjacent to and belonging to a quarry or mine) used for the carrying on of any industrial process.

“industrial process” means any process which is carried on in the course of trade or business, other than agriculture, and which is –

- (a) for or incidental to the making of any article or part of an article, or
- (b) for or incidental to the altering, repairing, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article, including the getting, dressing or treatment of minerals,

and for the purposes of this paragraph “article” includes-

- (i) a vehicle, aircraft, ship or vessel or
- (ii) a sound recording, film, broadcast, cable programme, publication and computer program or other original database;

“industrial undertaker” means a person by whom an industrial process is carried on and “industrial undertaking” shall be construed accordingly.

Part 2, Article 5(2) states that:

“In Schedule 2, unless the context otherwise requires, any reference to the height of a structure, plant or machinery, shall be construed as a reference to its height when measured from ground level, and for that purpose “ground level” means the level of the

ground where it is situated or is to be situated is not uniform, the level of the lowest part of the ground adjacent to it.”

Article 6(1)

Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempt development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1. Of particular relevance to the current application under S.5 is **Class 21** – see below.

Article 9(1)

Development to which article 6 relates shall not be exempted development for the purposes of the Act —

- (a) if the carrying out of such development would -
 - (i) Contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,
 - (ii) of the Planning and Development Regulations, 2001 (S.I. No. 600 of 2001) makes provisions for the removal of the above exemptions in particular circumstances.

Class 21 of Part 1 of Schedule 2

Description of Development

Conditions & Limitations

(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—

(i) the provision, rearrangement, replacement or maintenance of private ways or private railways, sidings or conveyors,

(ii) the provision, rearrangement, replacement or maintenance of sewers, mains, pipes, cables or other apparatus,

1. Any such development shall not materially alter the external appearance of the premises of the undertaking.

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.

(iii) the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery.

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 carried on in the building.

Internal Reports

None

External Reports

None

Assessment

Details of Proposal

A Declaration of Exemption is sought for **installation of a hammer mill** within the envelope of an existing permitted building. It is submitted that West Cork Distillers moved the hammer mill from elsewhere on the site into a building which was originally constructed without permission as an extension to the RO building and subsequently granted retention under 19/779. The equipment/plant was moved as it had been identified as a source of noise in the Noise Monitoring Report carried out by Malone O'Regan Environmental on behalf of West Cork Distillers.

The applicant acknowledges that the works in question fall within the definition of development set down in Section 3(1) of the Planning and Development Act, 2000 and therefore the question to be determined is whether the works are or are not exempted development under the legislation. I concur that the works comprise development.

The applicant is requesting a Declaration under Section 5(2) confirming that the **installation** of the hammer mill within a dedicated building envelope is exempt under Class 21(a)(iii) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, as it comprises "the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery" and which is an essential part of the industrial process which takes place on site,

Is or is not Exempted Development

The applicant asserts that the development is exempted development under Class 21(a)(iii) of Part 1 of Schedule 2 of the Regulations i.e.:

(iii) the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery,

and that the development meets the conditions and limitations set down in column 2 of Part 1 of Schedule 2 of the Regulations i.e.:

1. Any such development shall not materially alter the external appearance of the premises of the undertaking.
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.

On the basis of the information submitted it is reasonable to accept that the installation of the hammer mill within an existing permitted building comprises the installation of plant and machinery by an industrial undertaker for a purpose relating to the industrial process carried out on the land. The said hammer mill is encased within a building and does not materially alter the external appearance of the premises and does not exceed 15m. The development, therefore, falls within the exemption offered by Class 21 and is within the conditions and limitations attached and unless de-exempted for other reasons would be exempted development under Class 21.

Restrictions on Exempted Development

Article 9(1) stipulates that:

Development to which Article 6 relates shall not be exempted development for the purposes of the Act in certain circumstances. Having reviewed the various restrictions set down in Article 9 I am satisfied that none of the restrictions apply in this instance.

Environmental Impact Assessment and Appropriate Assessment

Section 4 (4) states that notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

In relation to Environmental Impact Assessment, the development serves an industrial process which is sub-threshold, being below the level of 100,000 tonnes per annum, at which EIA is a mandatory requirement.

In my opinion, it is unlikely that the proposed development would be likely to give rise to significant effects on the environment and the enclosing and relocation of the hammer mill will reduce potential impacts arising from noise generation.

Having regard to the nature and scale of the proposed development, and to the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment and

appropriate assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Recommendation

In considering this referral, the Planning Authority had regard particularly to –

(a) sections 2(1), 3(1), 4(1) and 4(4) of the Planning and Development Act, 2000, as amended,

(b) articles 5, 6(1), 9(1) and of the Planning and Development Regulations, 2001, as amended,

(c) Class 21 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and

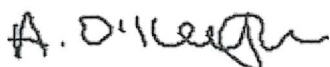
(d) the planning history of the site,

I recommend that the **installation of a ‘hammer mill’** is development and is exempted development on the grounds that:

(a) the installation of a hammer mill constitutes “works” that comes within the meaning of “development” as set out in Section 3(1) of the Planning and Development Act, 2000, as amended,

(b) the works fall within a class of exempted development under Article 6, namely Class 21 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended and,

(c) the works do not come within the scope of restrictions on exemption under Article 9 of the Planning and Development Regulations 2001 or Section 4(4) of the Planning and Development Act 2000, as amended.



Annie O'Keeffe
01/11/2023



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:**

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
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FOR OFFICE USE ONLY

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

REG. No. _____
PLANNING (WEST) DEPT

06 OCT 2023

CORK COUNTY COUNCIL
NORTON HOUSE, KERRYBERLEN, CO. CORK

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)

West Cork Distillers Limited

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

West Cork Distillers Limited,
Fastnet Industrial Estate,
Marsh Road,
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

Whether the installtion of a 'Hammer Mill' within a dedicated building envelope at West Cork Distillers in Skibbereen, is or is

not, development and is, or is not, exempted development.

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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):	126 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 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 N/A	Proposed use N/A
(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): SKB20058

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 checked="" 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)	 (pp. West Cork Distillers Limited)
Date	06-Oct-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

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NORTON HOUSE, SKIBBEREEN, Co. CORK

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	 (pp. West Cork Distillers Limited)
Date	06-Oct-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.


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	06-Oct-2023

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