Comhairle Contae Chorcaí Cork County Council

Pleanáil agus Forbairt, Halla an Chontae, Bóthar Charraig Ruacháin, Corcaigh T12 R2NC. Fón: (021) 4276891 R-phost: planninginfo@corkcoco.ie Suíomh Gréasáin: www.corkcoco.ie Planning & Development, County Hall, Carrigrohane Road, Cork T12 R2NC. Tel (021) 4276891 Email: planninginfo@corkcoco.ie Web: www.corkcoco.ie



Cork Education and Training Board C/O Sarah O'Brien, KOBW Architects, 2 Empress Place, Summer Hill, Cork. T23 KH68

24th May, 2024.

REF.: LOCATION: D/225/24 Gaelscoil Charraig Uí Leighin, Carrigaline Education Campus, Ardnacloghy, Carrigaline, Co. Cork.

RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE PLANNING & DEVELOPMENT ACT 2000

Dear Sir/Madam

On the basis of the information and plans submitted by you on the 29th April, 2024 the Planning Authority having considered the question whether the proposed installation of rain and wind screens to the entrance doors of Gaelscoil Charraig Uí Leighin at **Carrigaline Education Campus**, **Ardnacloghy, Carrigaline, Co. Cork** is or is not development or is or is not exempted development has declared that it is exempted development.

Reason for Decision

The Planning Authority in considering this referral had particular regard to:

- Sections 2, 3, 4 and 5 of the Planning and Development Act 2000 as amended
- Part 1, Schedule 2 of the Planning and Development Regulations 2001 2023 as amended

And Whereas, the Planning Authority has concluded that

- a) The works proposed represent development
- **b)** The proposed development meets the requirements of section 4(1)(h) of the Planning and Development Act 2000 as amended,

The Planning Authority therefore determines that

The Planning Authority concludes that the installation of wind and rain screens to the entrance doors of Gaelscoil Uí Leighin, at Carrigaline Education Campus, Ardnacloghy, Carrigaline, Co. Cork is development and is **exempted development**.





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

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.

Yours faithfully,

KEVIN O'REGAN SENIOR EXECUTIVE OFFICER PLANNING DEPARTMENT.

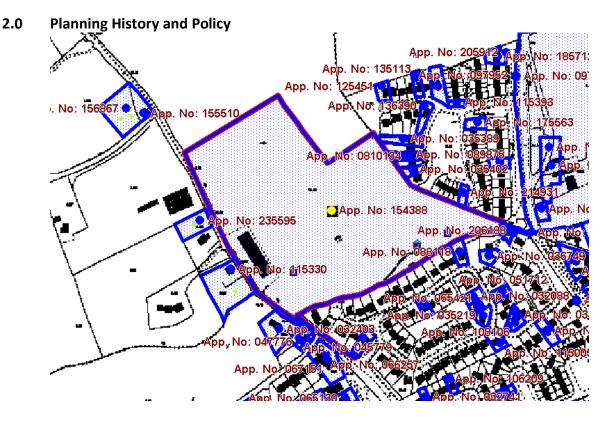
In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at https://www.corkcoco.ie/privacy-statement-cork-county-council

D/225/24

Declaration on Exempted Development Under Section 5 of the Planning and Development Act 2000 as amended.

1.0 Introduction

- 1.1 KOBW Architects has submitted a Section 5 declaration asking whether the installation of wind and rain screens to the entrance doors of Gaelscoil Uí Leighin, at Carrigaline Education Campus, Ardnacloghy, Carrigaline, Co. Cork is or is not development and is or is not exempted development?
- 1.2 The cover letter states they do not materially alter the character of the building due to their small scale and transparent glazed material with lightweight metal framing.



15/4388

Cork Education and Training Board were granted planning permission for construction of 3 no. new schools on site for education campus. The development comprises: (i) two-storey split-level gaelcholáiste for 500 pupils, including learning, administration and ancillary spaces, a physical education hall and outdoor ball courts; (ii) a 24-classroom two-storey split-level school to accommodate the existing Gaelscoil from Waterpark, including learning, administration and ancillary spaces, a general purpose hall and outdoor ball courts; (iii) a new single storey school for the existing Sonas special junior primary school from the Cork Road, including learning, administration and ancillary spaces, a general purpose hall and outdoor ball court and play areas; 2 no. new site entrances, car parking and set-down spaces,

associated site development works, including culverting the Southern boundary ditch, landscaping, signage and fencing. Permission for Retention of demolition of former agricultural building.

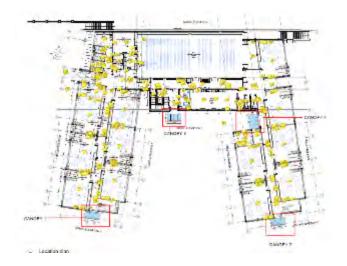
2.1 The site is zoned 'Community' in the Cork County Development Plan 2022-2028. It has a specific objective of 'CL-C-01' which is for 'educational campus to include two primary schools and one post primary school and associated ancillary use.

3.0 Relevant Legislation

- 3.1 According to Section 2(1) of the Planning and Development Act 2000 (as amended), the definition of "Works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.
- 3.2 According to Section 3(1)(a) of the Planning and Development Act 2000 (as amended), "Development" means, save where the context otherwise requires, the carrying out of works on, in or under land or the making of any material change in the use of any structures or other land.
- 3.3 The definition of structure in the Act is "any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined and (a) where the context so admits, includes the land on, in or under which the structure is situate."
- 3.4 Section 4(1)(h) of the Act is "development consisting of the carrying out of works for the maintenance, improvement, or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures."
- 3.5 Article 9 (1) (a) of the Planning and Development Regulations 2001-2023 is relevant.

4.0 Assessment

4.1 The details submitted with the application call these 'wind and rain screens to the entrance doors'. The drawings call these structures canopies. I would have thought the most accurate description would be 'porch'. In any case, the drawings call these 'canopies' so I will use that terminology in the interests of clarity. The drawings outline that the proposed canopies would measure 4 x 8 sqm which equals 32 sqm. There are four canopy type structures proposed as follows:



- 4.2 There are two different types of structure proposed (canopy 1-3 and canopy 4). The former measures 2 x 4m and the latter measures 2.5m x 4m. The height of the canopy ranges from 2.4m to 3.026m. The of the glazing has not been specified only to say it will be transparent (Perspex, plastic?) and the frame will consist of a lightweight metal.
- 4.3 I am satisfied having regard to the definition of structure, works and development, that these canopy structures do constitute development. The next question is whether the development could constitute exempted development?
- 4.4. The governing permission under 15/4388 (Pl.04.246387) has some relevant conditions (1 and 9) as follows:
 - 1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 1st day of February, 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

9. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no additional development shall take place above roof parapet level of the proposed school buildings, including any solar panels, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area, and to permit the planning authority to assess any such development through the statutory planning process.

- 4.5 I note that condition 1 requires the school to developed according to drawings submitted on 01/02/2016 except as may be required to comply with conditions. Condition 9 restricts development above roof parapet level. The proposed canopy structures are under roof parapet level.
- 4.6 There is an exemption for porches attached to houses under Class, Part 1, Schedule 2 of the Planning and Development Regulations 2001-2023 as amended. This is for houses only, not other buildings. There is no exemption for porch type structures attached to schools.
- 4.7 Therefore, I consider that the only exemption available is through section 4(1)(h) of the Planning and Development Act 2000 as amended.
- 4.8 Section 4(1)(h) of the Act is "development consisting of the carrying out of works for the maintenance, improvement, or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures."
- 4.9 The proposed structures are located externally. Section 4(1)(h) does allow for works which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.
- 4.10 This school is located in a campus with two other schools. The school itself contains large areas of glazing with both vertical and horizontal emphasis. I am satisfied that the proposed canopy structures are of a scale and size and material which would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring schools. I therefore consider that it could be considered exempted development having regard to section 4(1)(h) of the Planning and Development Act 2000 as amended.

Appropriate Assessment

4.11 The subject site is within the screening zone of the Cork Harbour Special Protection Area (SPA) and having regard to the scale of the proposed development, its siting relative to the SPA, coupled with the lack of a hydrological connection between the site and the SPA, it is considered that the subject matters of this application would not be likely to give rise to significant impacts on the Natura 2000 site.

Recommendation

Whereas a question has arisen as to whether the installation of wind and rain screens to the entrance doors of Gaelscoil Uí Leighin, at Carrigaline Education Campus, Ardnacloghy, Carrigaline, Co. Cork is or is not development and is or is not exempted development,

And whereas the Planning Authority has had regard to:

- (a) Sections 2,3,4 and 5 of the Planning and Development Act 2000 as amended,
- (b) Part 1, Schedule 2 of the Planning and Development Regulations 2001-2023 as amended,

And whereas the Planning Authority has concluded that:

- (a) The works proposed represent development,
- (b) The proposed development meets the requirements of section 4(1)(h) of the Planning and Development Act 2000 as amended,

The Planning Authority concludes that the installation of wind and rain screens to the entrance doors of Gaelscoil Uí Leighin, at Carrigaline Education Campus, Ardnacloghy, Carrigaline, Co. Cork is development and is exempted development.

Susan A

Susan Hurley Executive Planner 20/05/2024

KELLY BARRY O'BRIEN WHELAN

KOBW ARCHITECTS

26 th April 2024	(Dur Ref: 2428/ 3.1/21
Cork County Council, Planning Department,	Planning Department	
Floor two, County Hall, Carrigrohane Road, Cork, T12 R2NC.	29 APR 2024 Cork County Council County Hall Cork.	

Section 5 Declaration of Exemption Application for Wind Shelters to the Gaelscoil at Carrigaline Education Campus, Ardnacloghy, Carrigaline.

Dear Sir/ Madam,

٧

On behalf of our clients, Cork Education and Training Board, we enclose a Section 5 Application for Declaration of Exempted Development with the following documents:

- 4 no. Copies of Application Form
- 1 no. Copy of Contact Details
- 4 No Copies 6" O.S. Maps PL-01 Record Place Map
- 4 No Copies 25" O.S. Maps PL-02 Rural Place Map
- 4 No Copies of Site Layout Plan PL-03 Overall Site Layout Plan
- 4 No Copies Scaled Drawings of Development:
 - EX-01 Existing Elevations
 - PL-04 Layout Plan and Details
 - PL-05 Proposed Elevations

As per discussion with your office, please contact our administration team for payment of the \in 80 application fee on the following:

(021) 4502319 or arch@kobw.ie

We trust that the application addresses all relevant issues and look forward to your decision in due course. Please address all correspondence to this office.

Yours faithfully,

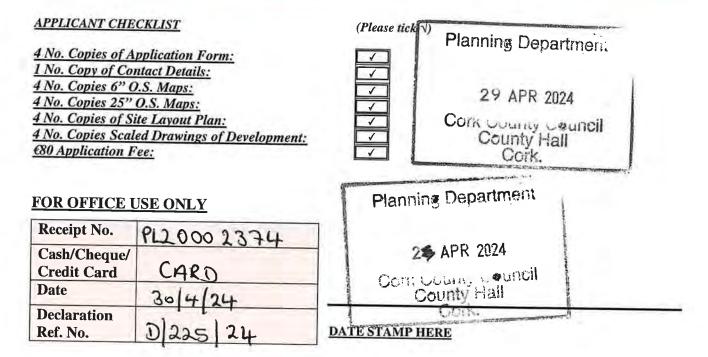
1.

Sarah Kelly, B. Arch (UCD), FRIAI, RIBA. KOBW Architects

Cc. Cork ETB.



<u>CORK COUNTY COUNCIL APPLICATION</u> FOR SECTION 5 DECLARATION OF EXEMPTION



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

<u>http://www.corkcoco.ie/Privacy-Policy</u> 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 <u>dpo@corkcoco.ie</u> 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)

Cork Education and Training Board

4

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

Gaelscoil Charraig Uí Leighin, Carrigaline Education Campus, Ardnacloghy, Carrigaline, 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

naterially alter the character of the building	e entrance doors of Gaelscoil Charraig UI Leighin exempted development, because they , due to their small scale and transparent glazed material with lightweight metal framing.
	(Area and
	Planning Department
	Department
	29 APR 2024
	29 APR 2024 Cork County Council County Hall Cork
	County Hall
	GUIE.

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 (m^2)

(a) Floor area of existing/proposed structure(s):	Existing 3,873.6sqm; Proposed: 4 x 8sqm= 32sqm
 (b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1st October, 1964 (including those for which planning permission has been obtained): 	Yes No No 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 No No IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII

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

Diagona tight agreement of the state of the state				
Please tick appropriate box to show applicant's	A. Owner		B. Other	
legal interest in the land or structure:				
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		1	PI-	
Question C in Contact Details):		/	anning	Department
		1	0.	Partman
. PROTECTED STRUCTURE DETAILS /	ARCHITECTI	IDAT CON	SEDVATI	IN ADEA
		AL COL	NOLZYAII	JN AKEA:
Is this a Protected Structure/Proposed Protected S	tructure or within	n the curtile	indiaf a Drata	2001
Structure: Yes No		ii uje curina	ige of a Prote	crea 4
	V	6	Gut	S#anch !
If you have a Dealersti 1 C vi 57 Cut			~	
If yes, has a Declaration under Section 57 of the I	lanning & Devel	lopment Ac	t 2000 been 1	requested
or issued for the property by the Planning Author	ity: Yes		Io I	A . IL . TRONG & SCALL
If yes, please state relevant reference No				
Is this site located within an Architectural Conser	vation Area (AC)	A) as desig	nated in the	County
Development Plan? Yes	No No	- , us desig	mateu ill tile v	

7. **APPROPRIATE ASSESSMENT:**

Would the proposed development require an app	propriate assessment becaus	se it would h	be likely to
have a significant effect on the integrity of a Eur	opean site (SAC, SPA etc)?	Yes	No 🚺
	2		

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 <u>http://www.corkcoco.ie/privacy-statement-cork-county-council</u> 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)	Mayelle Nº Challant
Date	1/3/24.

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 <u>https://www.corkcoco.ie/privacy-statement-cork-county-council</u> 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	Mayella NT Ch	nelast
Date	1/3/26	

You have the right to withdraw your consent by contacting the Planning Department, Ground Floor, County Hall, Carrigrohane Road, Cork. Tel: (021) 4276891 Email: <u>planninginfo@corkcoco.ie</u> or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: <u>westcorkplanninginfo@corkcoco.ie</u> 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.

Planning Department

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

• The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.

Road, Skibbereen, Co. Cork, P81 AT28.

- 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.

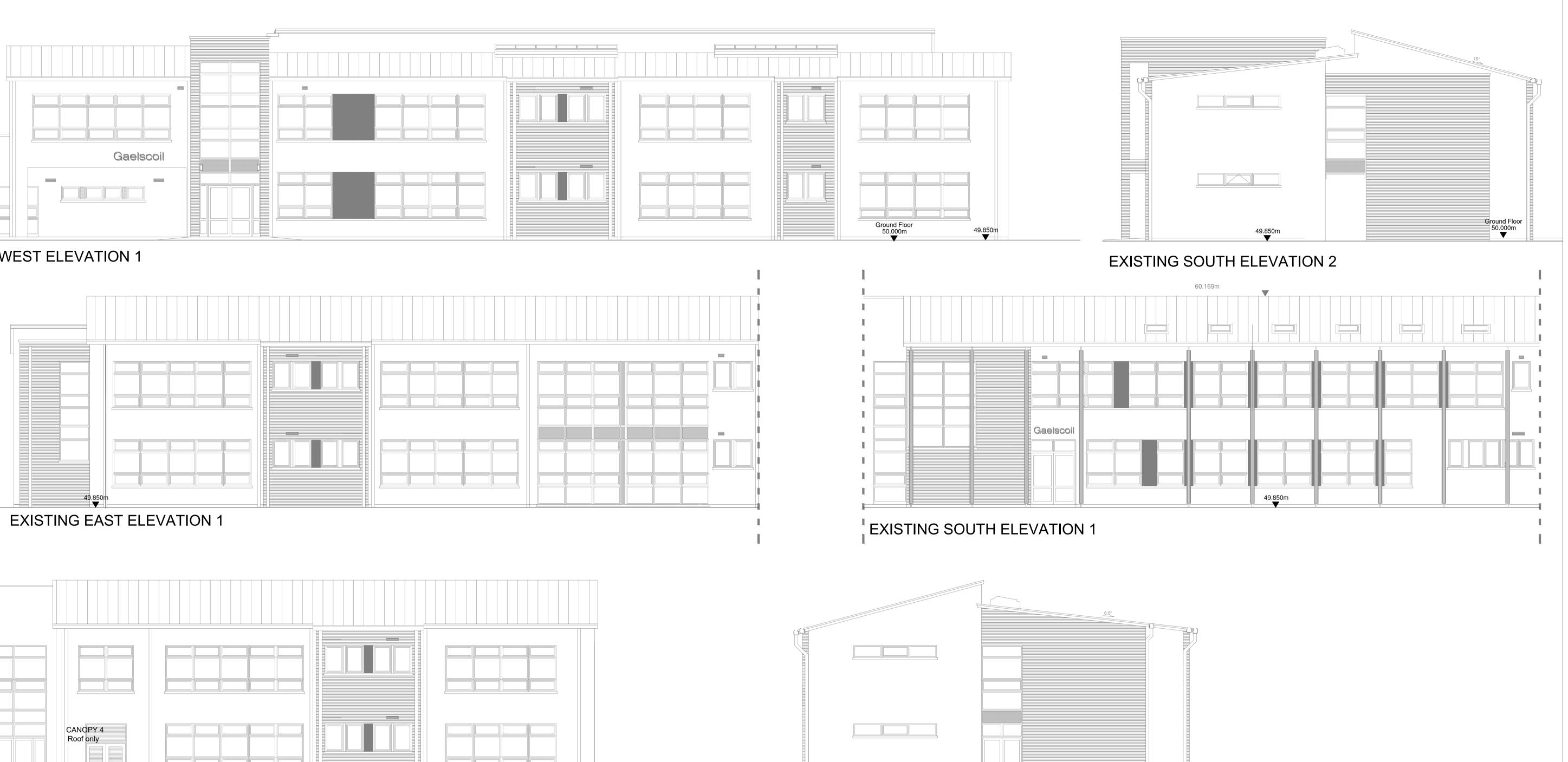
The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be 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 <u>Planning and Development Acts 2000</u>, <u>as amended</u> and the Regulations made thereunder:

Signed (Applicant or Agent as appropriate)	Ser 1. ung
Date	24-Арг-2024

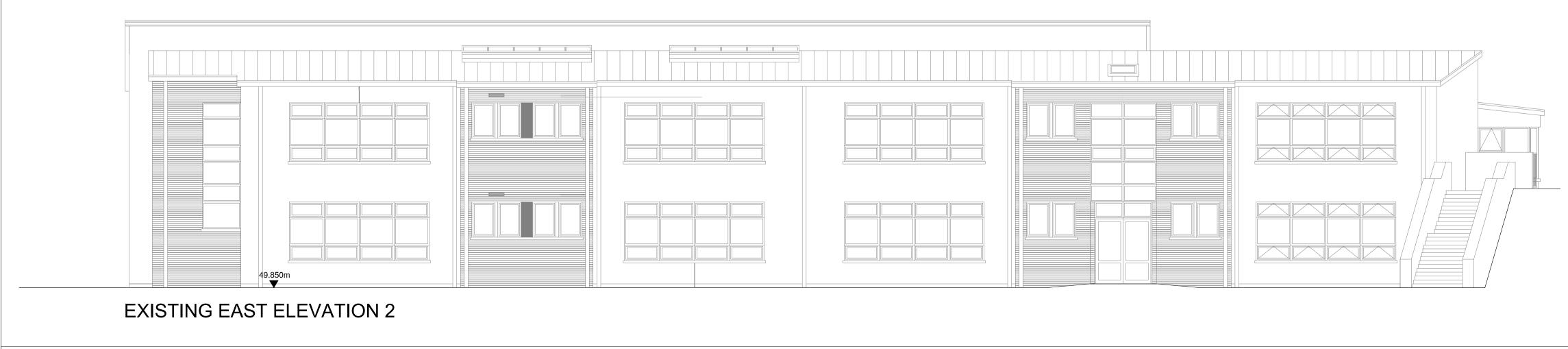








EXISTING WEST ELEVATION 2



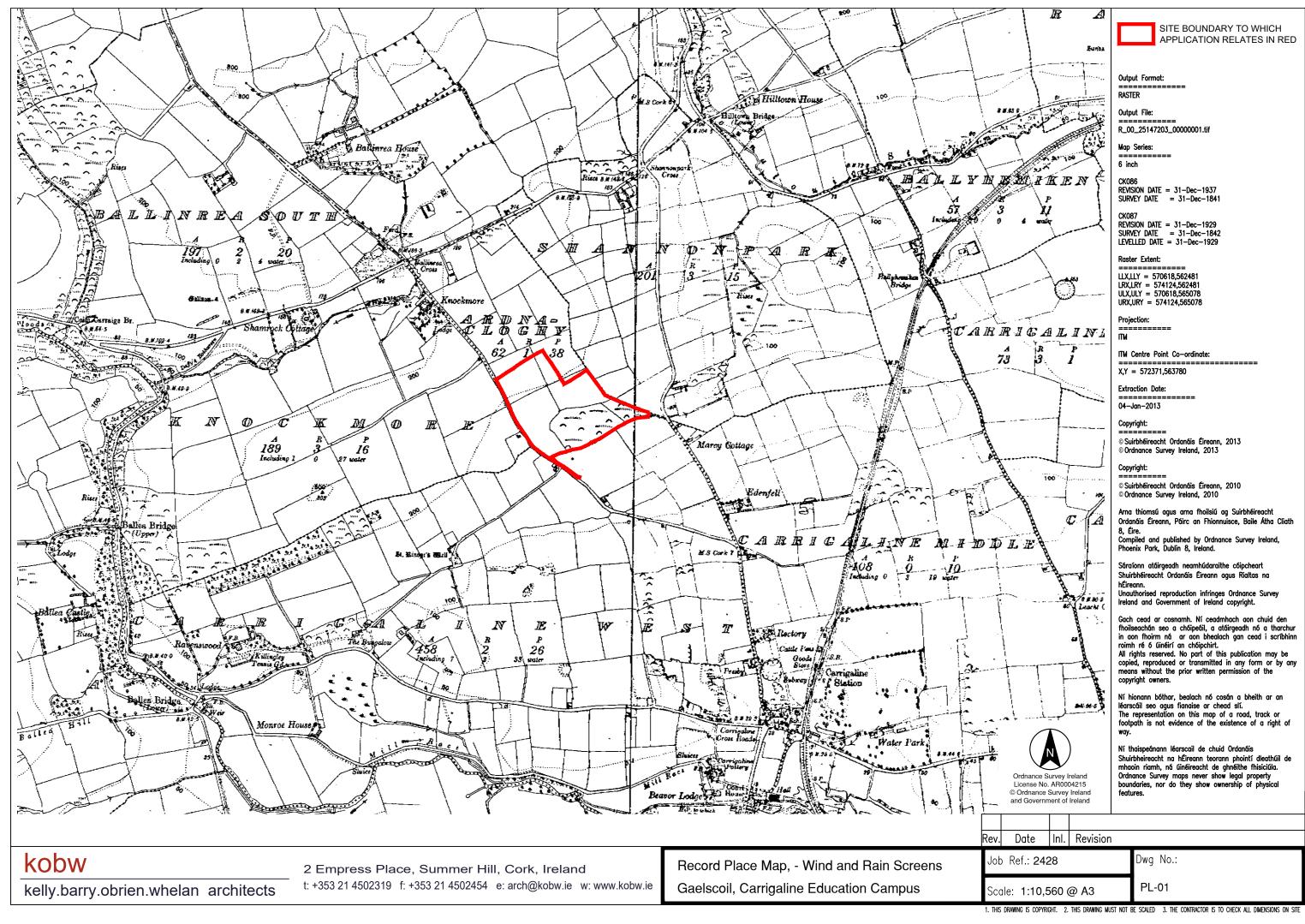
Ground Floor 50.000m ▼



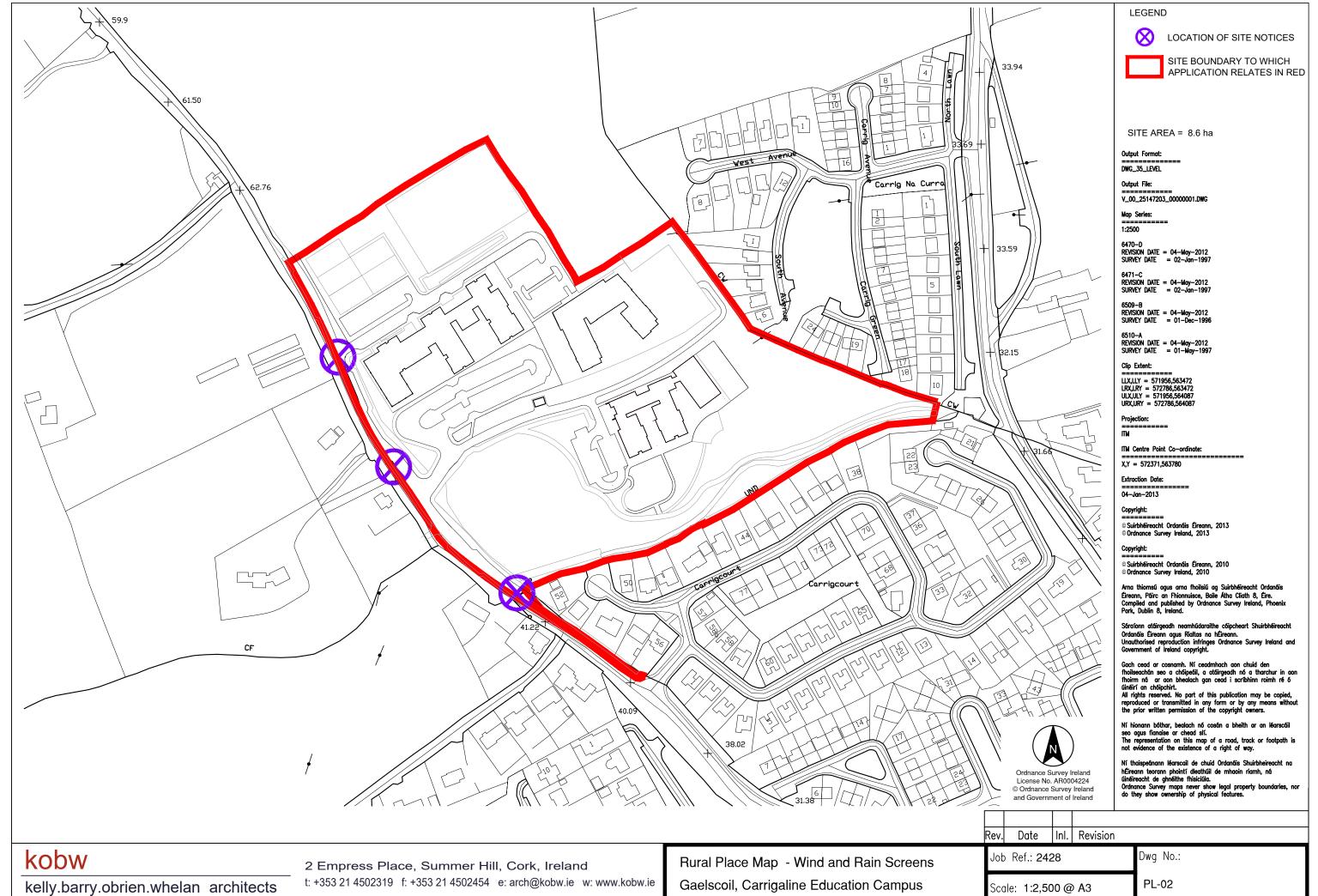
49.850m

4. N.B. TRADE NAMES AND PRODUCT REFERENCES ARE INCLUDED PURELY TO DEFINE THE AESTHETIC AND TECHNICAL PERFORMANCE CRITERIA. IN PROPOSING AN EQUIVALENT PRODUCT/MATERIAL/SYSTEM THE CONTRACTOR WILL NEED TO PROVIDE EVIDENCE OF COMPLIANCE WITH PERFORMANCE CRITERIA AND SUPPLY ALL NECESSARY DESIGN WARRANTIES AND ANCILLARY CERTIFICATION REQUIRED BY THE ASSIGNED CERTIFIER TO COMPLY WITH THE BUILDING CONTROL (AMENDMENT) REGULATIONS.

Rev		Date	Inl	Revision		
DRA				Tevision		
V	VII	ND AI	١D	RAIN SCREENS	i	
E	ΞX	ISTIN	GE	LEVATIONS		
	Зa	elscoi		arrigaline Educat v, Carrigaline Co.		•
ł	(ob	W			
k	e	lly.b	arr	y.obrien.whe	elan	architects
2	E	mnress		ے اردو, Summer Hill, Co	ork T2	3 KH68 Ireland
				f: +353 21 4502454 e: a	,	,
JOB F	REF.: 24	28		ю.: Z-01		DATE: 22.04.2024
DRN.		СНКД.	ISSUE		SHEET:	SCALE:
PF	1	CG		PLANNING	A1	1:100

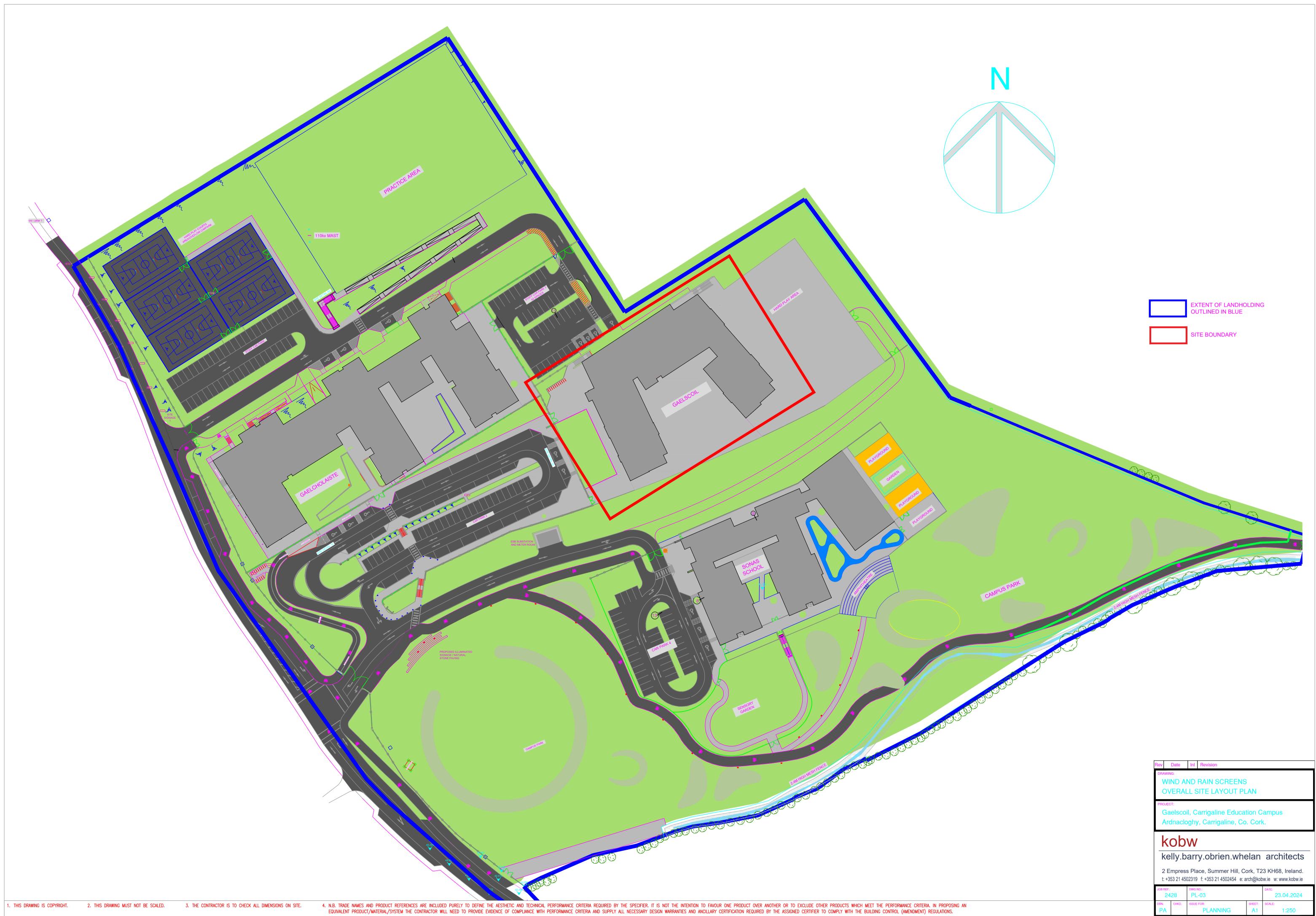


NG IS COPYRIGHT.	2	THIS DRAWING MUST	NOT	DE CONTED	7	THE CONTRACTOR	2	TΛ		ш	DIMENCIONC	011	CITE
MING IS CUPTRIGHT.	۷.	THIS DRAWING MUST	NUI	DE SUALED	J.	THE CONTRACTOR	(12	10	UTEUN A	LL.	DIMENSIONS	UN	SILE

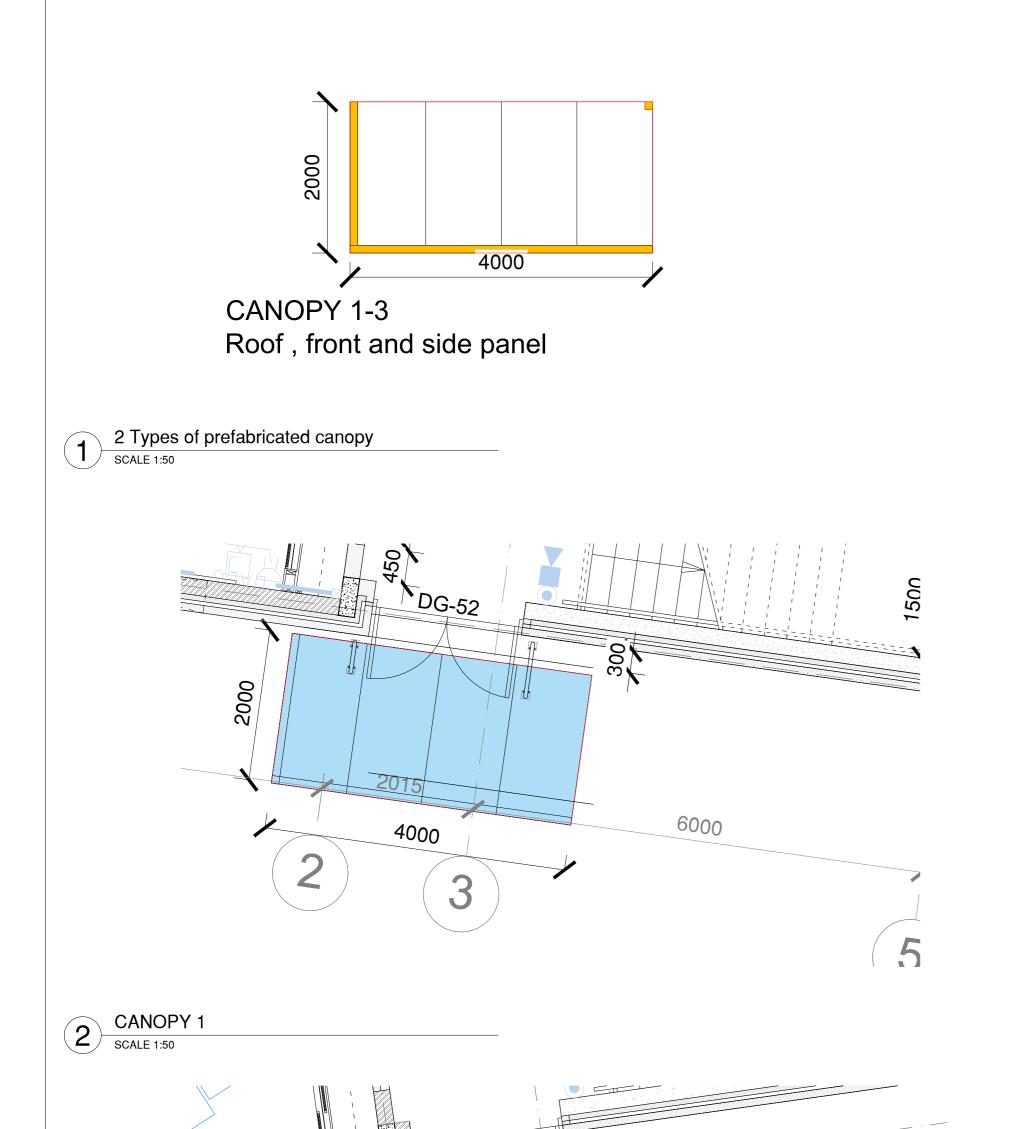


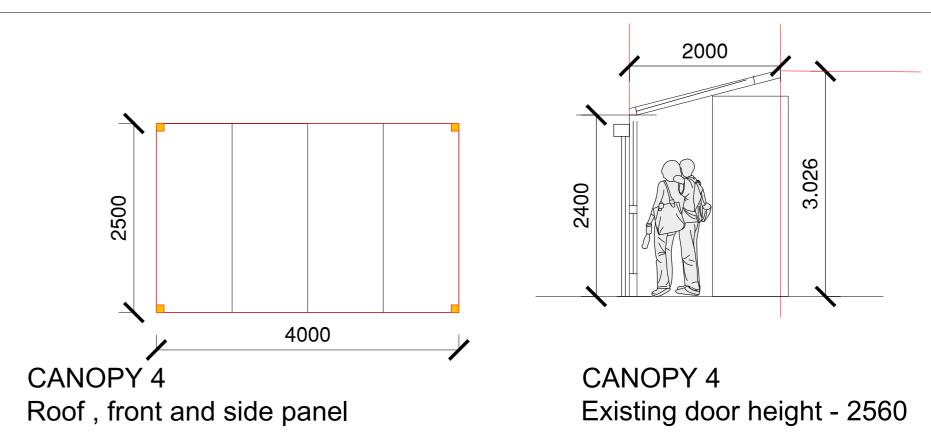
Ref.: 2428

1. THIS DRAWING IS COPYRIGHT. 2. THIS DRAWING MUST NOT BE SCALED 3. THE CONTRACTOR IS TO CHECK ALL DIMENSIONS ON SITE



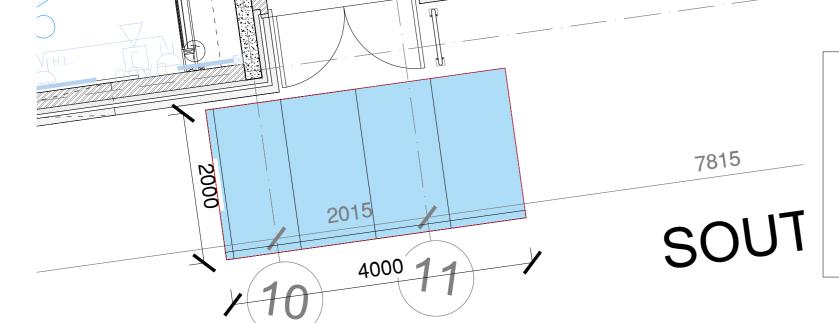
KF-10_A1_LANDSCAPE SHEET REV3





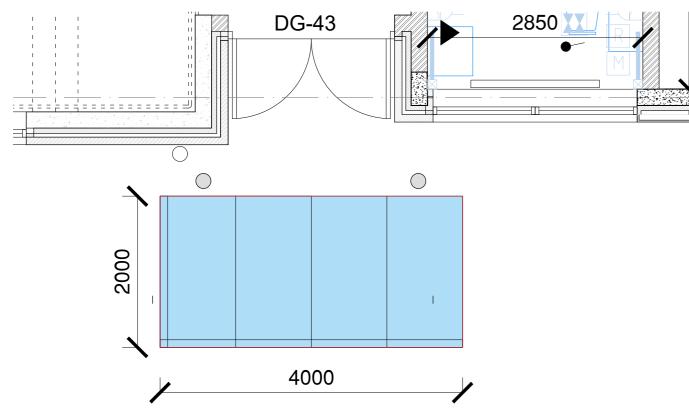


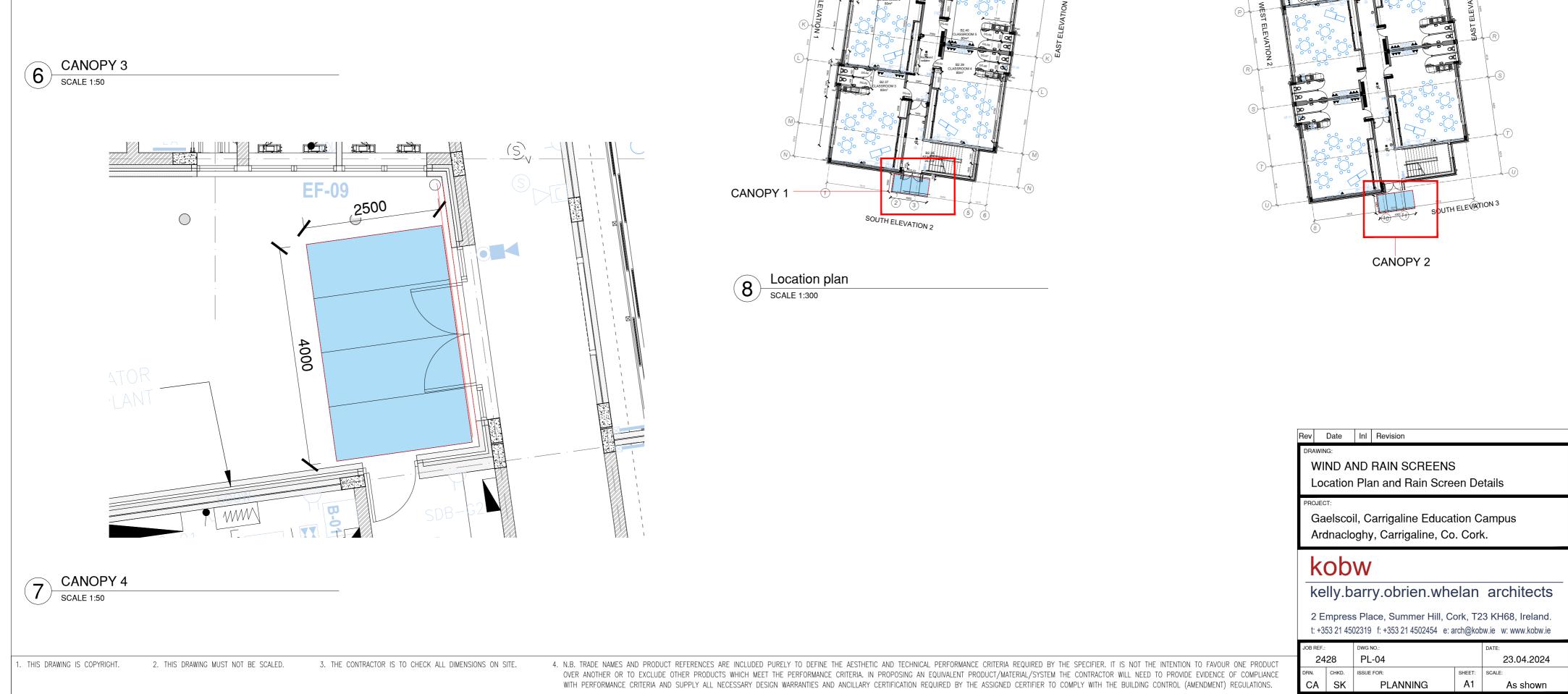


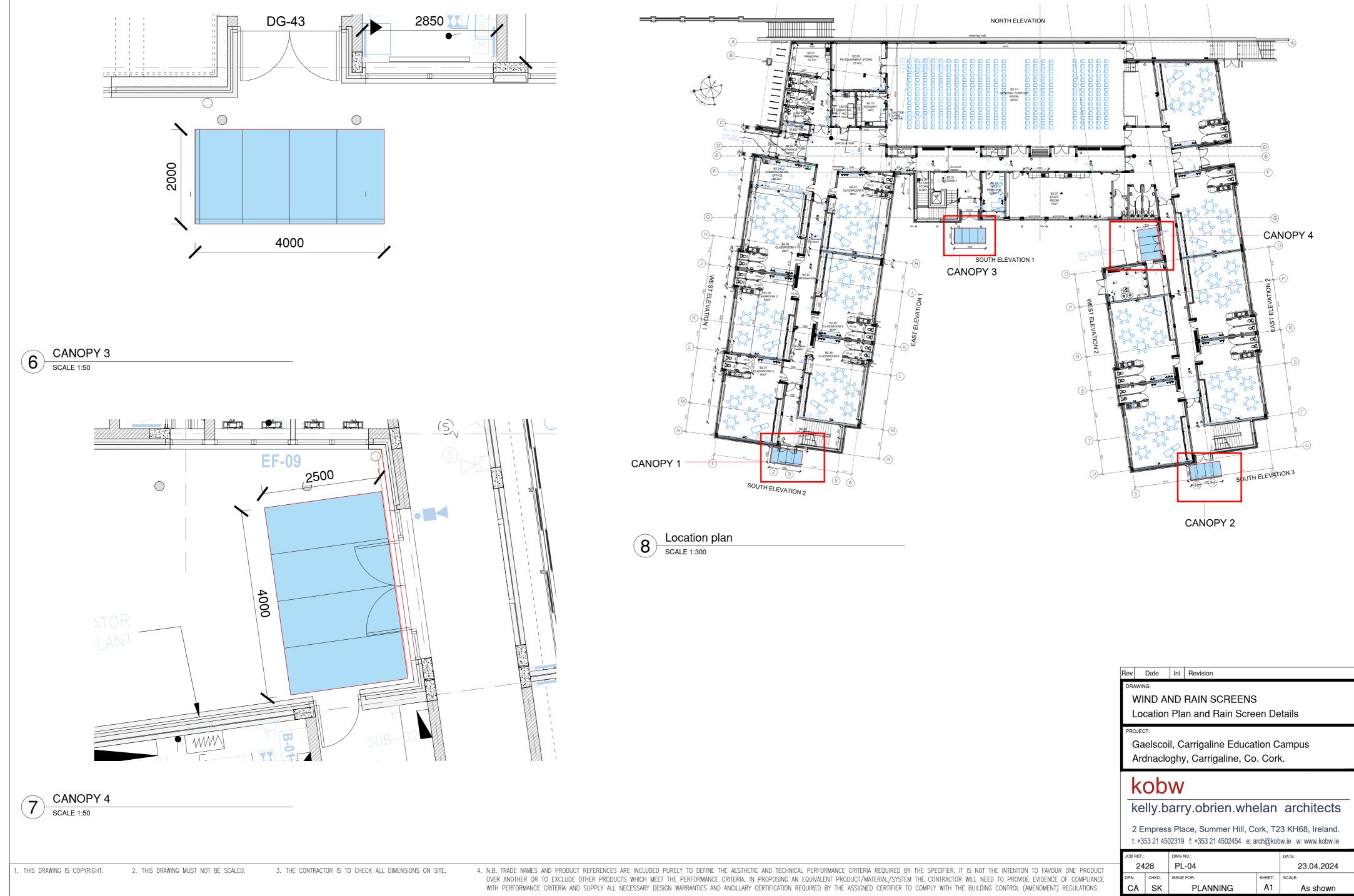


New canopies -Slab / drainage gutter / by main contractor to recieve independant prefabricated canopy system . Canopy to have roof and front and or side walls . Canopy forms wind and rain screen to exit doors.

CANOPY 2 4 CANOPY SCALE 1:50







KF-11_A1_PORTRAIT SHEET RE



Rev	Date	Inl	Revision		
	ND A		RAIN SCREEN	5	
	elsco	,	arrigaline Educa , Carrigaline, C		,
		'griy	, oangaino, o		-)
	ob		-		-,
ke 2 E	ob IIy.b	W arr	Y.obrien.wh ace, Summer Hill, C	elan Cork, T2	architects 23 KH68, Ireland.
ke 2 E t: +3	OD IIy.b mpress 53 21 450	W arr s Pla	Ty.obrien.wh ace, Summer Hill, C f: +353 21 4502454 e:	elan Cork, T2	architects 23 KH68, Ireland. bw.ie w: www.kobw.ie
ke 2 E t: +3 JOB REF.	OD IIy.b mpress 53 21 450	W arr s Pla D2319	Ty.obrien.wh ace, Summer Hill, C f: +353 21 4502454 e:	elan Cork, T2	architects 23 KH68, Ireland.