

Dirk & Jane Pesch,
C/O Jane O'Flynn Pesch,
Fairview,
Knocknagore,
Crosshaven,
Co. Cork

8th November, 2024

REF: D/269/24
LOCATION: Fairview, Knocknagore, Crosshaven, Co. Cork

**RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000 - 2010.**

Dear Sir/Madam,

On the basis of the information submitted by you on 14th October, 2024 the Planning Authority, having considered whether a ground floor extension (shower room) to rear of existing utility room and detached single storey garage to rear of existing dwelling at **Fairview, Knocknagore, Crosshaven, Co. Cork** is or is not development or is or is not exempted development, has declared that it is **not 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)
- Article 9(1) of the Planning and Development Regulations 2001-2024, (as amended)
- Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2024 (as amended)
- The details submitted to the Planning Authority on the 14th October, 2024

And Whereas the Planning Authority hereby decides that

- (a) The height of the rear wall of the shower room extension exceeds the height of the rear wall of the house (the rear wall of this section of the house being that of the rear wall of the utility room projection) and so therefore that the subject extension does not meet condition/limitation 4 of Class 1, Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024 as amended,
- (b) The shower room extension is not in conformity with previous permissions Ref. No. 13/5172 and Ref. No. 07/10189 where Condition 1 of both permissions requires the development to be carried out in accordance with the permitted plans and particulars of same and as such constitutes development which under Article 9(1)(a)(i) of the Planning and Development

Regulations 2001-2024 as amended, shall not be exempted development (if the carrying out of such development would contravene a condition attached to a permission under the Act),

- (c) The subject garage is not in conformity with previous permissions Ref. No. 13/5172 and Ref. No. 07/10189 where Condition 1 of both permissions requires the development to be carried out in accordance with the permitted plans and particulars of same and as such constitutes development which, under Article 9(1)(a)(i) of the Planning and Development Regulations 2001-2024 as amended, shall not be exempted development if the carrying out of such development would contravene a condition attached to a permission under the Act,
- (d) The demolition of original structures to the rear of the house (and where subject garage is located) represent development which was not exempted development (as per Class 50, Part, 1 Schedule 2 of Planning and Development Regulations 2001-2024 as amended) and which was not in compliance or conformity with the permitted plans and particulars of Ref. No. 13/5172 (as the entirety of the permitted development was not constructed). The demolition of the original structures to the rear therefore represents unauthorised development and the subject garage is considered to consist of the alteration of an unauthorised structure (whereby the definition of structure includes land) and as such constitutes development which under article 9(1)(a)(viii) shall not be exempted development where it consists of or comprises the extension, alteration, repair or renewals of an unauthorised structure or a structure the use of which is an unauthorised use,
- (e) The installation of the wastewater treatment system represents development which is not in compliance or conformity with the permitted plans and particulars of Ref. No. 07/10189 (as the entirety of the permitted development was not constructed) and therefore represents unauthorised development, and noting that article 9(1)(a)(viii) states that development shall not be exempted development where it consists of or comprises the extension, alteration, repair or renewals of an unauthorised structure or a structure the use of which is an unauthorised use (and noting the definition of structure includes land). The subject development of a shower room extension and garage on lands where unauthorised development has occurred triggers article 9(1)(a)(viii) being development which alters and unauthorised structure,

The Planning Authority therefore determines that the ground floor extension (shower room) to rear of existing utility room and detached single storey garage to rear of existing dwelling, at Fairview, Knocknagore, Crosshaven, Co. Cork is development and is **not exempted development.**

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,



**PIO TREACY,
ADMINISTRATIVE OFFICER,
PLANNING DEPARTMENT.**

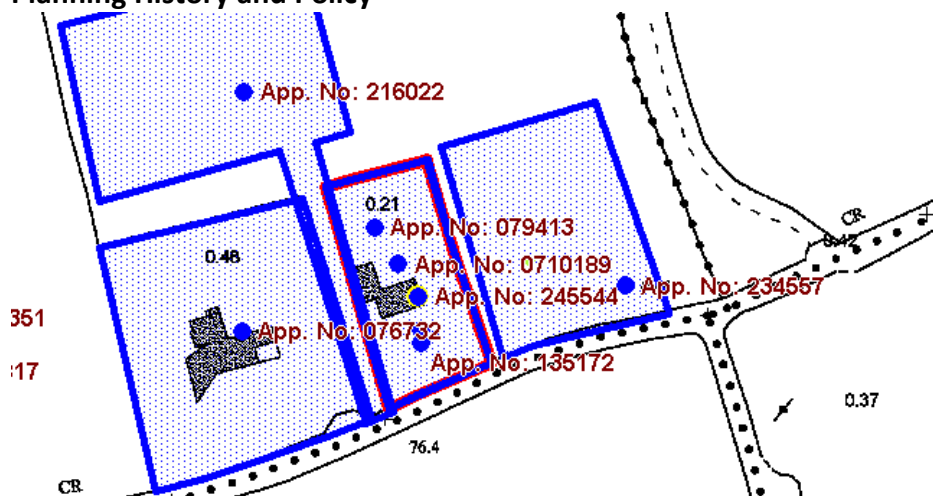
In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at <https://www.corkcoco.ie/privacy-statement-cork-county-council>

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

1.0 Introduction

1.1 Jane O Flynn has submitted a Section 5 declaration asking whether a ground floor extension (shower room) to rear of existing utility room and detached single storey garage to rear of existing dwelling, at Fairview, Knocknagore, Crosshaven, Co. Cork is or is not development and is or is not exempted development?

2.0 Planning History and Policy



Planning Ref. Ref. 24/5544: Retention permission sought for: 1) Glazed porch extension to existing dwelling house. 2) Alterations to front elevation treatment of existing dwelling house; namely change of an opening from window to door. 3) Widening of existing road entrance consisting of new recessed pillars and gates and new boundary wall. Further information has been requested on 09/10/2024.

Planning Reg. Ref. 13/5172: Permission granted to Dirk and Jane Pesch for demolition of existing single storey extension and double garages and in their place the construction of a new single storey extension comprising of a granny flat and a single garage to the side and rear of the existing two-storey dwelling house as well as alterations to the roof of the existing porch and installation of solar panels on the roof of the existing dwelling and the widening of existing vehicular entrance.

Planning Reg. Ref. 07/10189: Permission granted to Dirk and Jane Pesch for demolition of double garages and construction of extensions to dwellinghouse to include granny flat, solar panels, construction of entrance and installation of waste water treatment unit.

The site is located in a 'Rural Area Under Strong Urban Influence' as identified in the Cork County Development Plan 2022-2028.

The site is located in a designated High Value Landscape and is visible from the Scenic Route S59.

3.0 Relevant Legislation

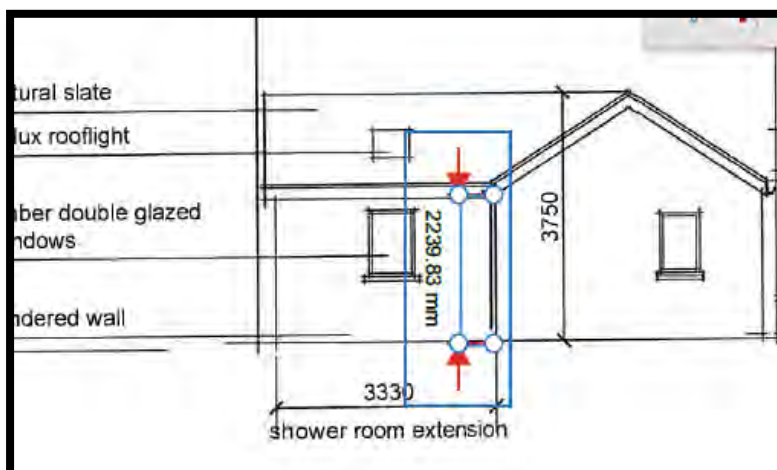
- 3.1 According to Section 2(1) of the Planning and Development Act 2000 (as amended), the definition of “Works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.
- 3.2 According to Section 3(1) of the Planning and Development Act 2000 (as 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 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.”*
- 3.4 Class 1 and Class 3 of Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024 as amended are particularly relevant.

4.0 Assessment

- 4.1 The application form outlines that the total area of the subject extension would be 5.3 sqm and the area of the detached garage would be 19.6 sqm. The subject extension is located on the western gable of the existing two storey dwelling but to the rear of an existing projection on the same gable. The subject garage is located approximately 3.8m from the rear building line of the dwelling.
- 4.2 It is noted that the owners have an active planning application reg. no. 24/5544 for retention of the glazed porch on the front elevation, alterations to the front and widening of the entrance. A request for further information was made on 09/10/2024. This section 5 is being sought to clarify some items raised in the request for further information.
- 4.3 Class 1 allows for the extension of a house to the rear provided a number of conditions/limitations are met.

CLASS 1
The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

- 4.4 Condition/limitation 1 outlines that where the house has not been extended previously the floor area of any such extension shall not exceed 40 sqm. Also, where the house is terraced the floor area of any extension above ground level shall not exceed 12 sqm. This is a detached dwelling. The drawings have outlined the footprint of the original 1870s house in yellow and includes the utility room projection on the western gable. Therefore, it does not appear to have been extended prior to the construction of the subject shower room extension. The total floor area of the proposed extension is 5.3 sqm (as shown on drawings). I note that planning application 24/5544 seeks the retention of a porch measuring 5.2sqm. However, both areas combined still fall under the 40 sqm limit. Therefore, I am satisfied it meets the requirements of condition/limitation 1.
- 4.5 Condition/limitation 2 refers to a dwelling which has been previously extended so this is not relevant. Condition/limitation 3 requires that any above ground level extension shall be a distance of not less than 2m from any party boundary. The subject extension is single storey and not above ground level so this is not relevant.
- 4.6 Condition/limitation 4 outlines 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 rear wall of the house is taken as the rear wall of the utility room projection. Had this utility room not been present, then the shower room extension would be located on the side gable of the house and would not meet the requirements of Class 1. However, because the subject shower room extension is to the rear of part of the original house (i.e. the utility room projection) then I consider that I can accept this as the 'rear' of the house. However, this part of the house is single storey and the height of its rear wall is approximately 2.2m/2.3m. The height of the rear wall of the extension ranges from 2.2m to 3.7m. Therefore, as the height of the walls of the extension exceeds the height of the rear wall of the house, the subject extension does not meet this condition/limitation. I refer to a similar case which was referred to An Bord Pleanála (04.RL.3587) where the height of a single storey extension exceeded the height of the rear wall of the house that being the gabled single storey family area projection (not the wall of the two storey element). See image below showing height of rear wall of rear wall of utility room projection.



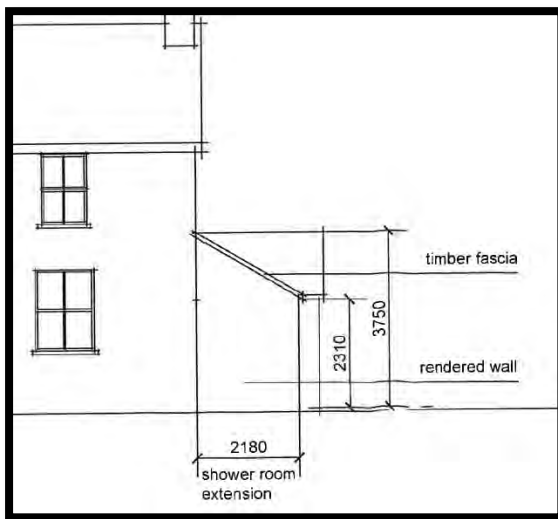
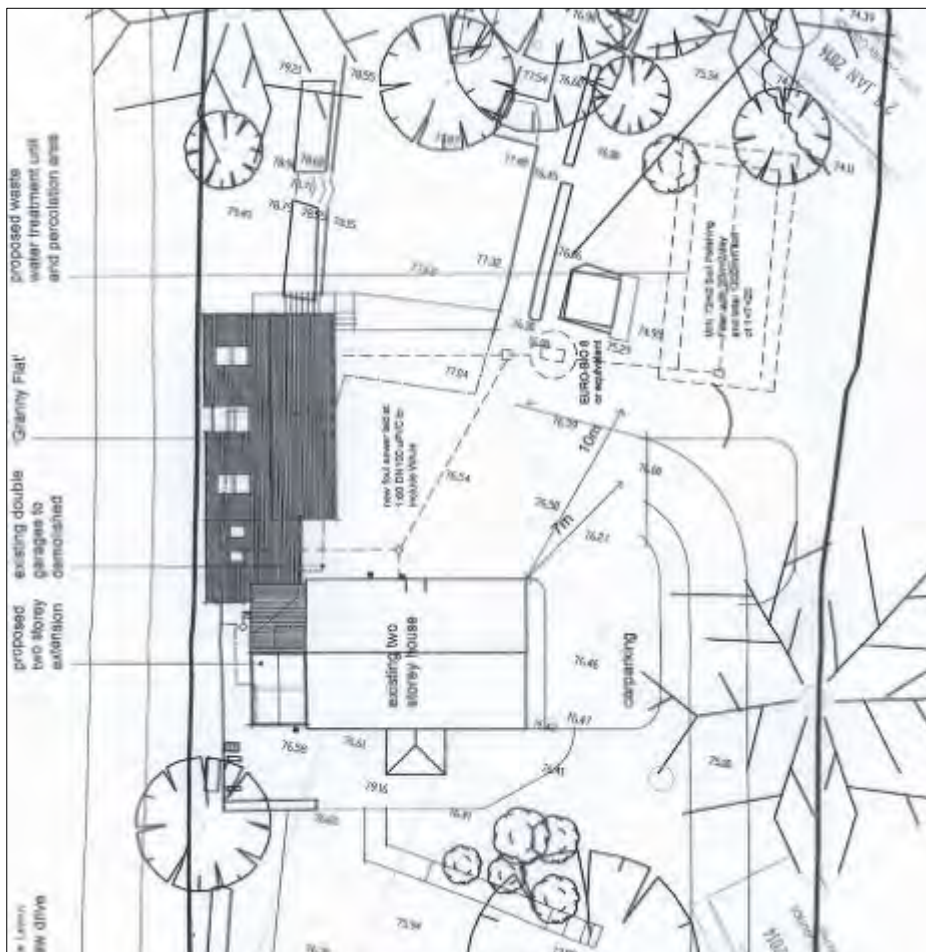


Image showing height of rear wall of shower room extension exceeds 2.3m

- 4.7 The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling. The highest part of the subject shower room extension does not exceed the highest part of the existing utility room extension.
- 4.8 Condition/limitation 5 outlines that the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres. There is more than 25 sqm of private amenity space remaining to the rear.
- 4.9 Condition/limitation 6 states that any window proposed at ground level in any proposed extension shall not be less than 1m from the boundary it faces. Also, any window proposed above ground level shall not be less than 11m from the boundary it faces. This is a single storey extension and the windows on the west and north elevations are more than 1m from the boundaries they face.
- 4.10 Condition/limitation 7 outlines that the roof of any extension shall not be used as a balcony or roof garden. The floor plans submitted do not propose a balcony/roof garden and also it is a pitched roof.
- 4.11 Article 9 (1) (a) of the Planning and Development Regulations 2001-2024 as amended outlines that development to which article 6 relates shall not be exempted development for the purposes of the Act, if the carrying out of such development would meet with one of the categories (i) through (xii).
- 4.12 Article 9 (1)(a)(i) notes that development shall not be exempted development for the purposes of the Act if the carrying out of such development (i) would contravene a condition attached to a permission under the Act or be inconsistent with any use

specified in a permission under the Act. Article 9(1)(a)(viii) would consist of or comprise the extension alterations, repair or renewal or an unauthorised structure or a structure the use of which is an unauthorised use. There is a question here as to whether the subject extension contravenes conditions of 07/10189 and 13/5172 in that it does not conform with permitted layout plans and whether it could constitute alteration of an unauthorised structure?

- 4.13 According to the site layout plan submitted with the Section 5, the wastewater treatment system was installed as per 07/10189. However, it appears that the other development granted as part of that permission was not undertaken e.g. demolition of garages and construction of extensions (along the west of the house). The applicant perhaps cherry picked that element of the permission. It would appear from aerial photographs that the structures to the western side of the house were demolished some time between 2014 and 2017. This may have been on foot of the permission under 13/5172. However, again, although the structures were demolished, the extensions as per plans and particulars were not constructed. It is possible the subject shower room extension was constructed at that point but again this would not have been in conformity with the permitted plans and particulars of 13/5172.



Permitted Layout 13/5172

- 4.14 Under Class 50, of Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024 as amended, the demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch can be undertaken. Therefore, the extensions/structures to the side could have been demolished if in connection with a Class 1 extension (exempted) or a permitted extension. The applicants did not construct their permitted extension and as outlined above and the extension constructed does not meet with all of the conditions/limitations of Class 1 so therefore, the extension is not exempted development. I therefore consider that the demolition of the structures represented unauthorised development and contravenes condition 1 of 13/5172 (development should be carried out in accordance with plans and particulars lodged with the Planning Authority on 20/06/13 and as amended on 28/01/14, save where amended by the terms and conditions herein).
- 4.15 One could provide an alternative argument to say that neither permission 07/10189 or 13/5172 were implemented and that the upgrading of the treatment system, the demolition of existing sheds/structures along the west and the construction of the shower room extension were undertaken as development in their own right (independent of the permissions) by the applicant under the belief they were exempted development. However, in this scenario, the upgrading of the wwts represents development (which is not exempted development), the demolition of the structures may have been exempt if an extension compliant with Class 1 was constructed (but it wasn't) and the shower room as assessed is not meeting the Class 1 limitations and conditions. Therefore, all three represent development which is not exempted development. In respect to the current assessment, the shower room extension is therefore constructed in an area where unauthorised demolition took place and where the entire house is potentially served by an unauthorised wwts. I note the definition of structure which means *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 where the context so admits includes the land on, in or under which the structure is situate*.
- 4.16 Whether considering the scenario outlined in section 4.13 and 4.14 or the scenario outlined in section 4.15, I consider that both result in a conclusion that the shower room extension triggers article 9 (1)(a)(i) and/or article 9(1)(a)(viii) and as such the subject shower room extension is not exempt on that basis.
- 4.17 In relation to the garage, I note that Class 3, of Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024 as amended is relevant. Class 3 is as follows:

CLASS 3

The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure.

- 4.18 This exempted development class is subject to 6 conditions/limitations. The garage is not forward of the front building line. The area of the garage in conjunction with any other structures within the curtilage should not exceed 25 sqm. The area of the garage is 19.6 sqm. There is a glasshouse within the curtilage which I believe measures 4.95 sqm (2.3m x 2.15m). This is a cumulative total of 24.5 sqm. The private open space remaining exceeds 25 sqm. The garage is not to the side of the house but in any case, its roof covering does match that of the house. The height of the garage is 3.8m and so less than the 4m limit. The structure is not used for human habitation or keeping of animals. The garage structure has met all of the 6 conditions/limitations of Class 3.
- 4.19 Article 9 (1)(a) of the Planning and Development Regulations 2001-2024 as amended outlines that development to which article 6 relates shall not be exempted development for the purposes of the Act, if the carrying out of such development would meet with one of the categories (i) through (xii). Similar to the issues raised regarding the shower room extension, I have concerns that the garage has been constructed in a position where extensions were previously permitted under 13/5172 and 07/10189 and therefore that the development of the garage contravenes conditions of permissions (and so therefore triggers article 9(1)(a)(i)). Arguably, the land where unauthorised demolition has occurred also constitutes an un-authorised structure and triggers article 9(1)(a)(viii) as the garage is located on lands where unauthorised demolition has occurred.

Appropriate Assessment

- 4.20 The subject site is within the screening zone of the Cork Harbour Special Protection Area (SPA) and the Great Island Channel (SAC) and having regard to the scale of the proposed development, its siting relative to the SPA and SAC, coupled with the lack of a hydrological connection between the site and the SPA and SAC, 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 a ground floor extension (shower room) to rear of existing utility room and detached single storey garage to rear of existing dwelling, at Fairview, Knocknagore, Crosshaven, 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 2001-2024 as amended,
- (c) Article 9, (1) of the Planning and Development Regulations 2001-2024 as amended,

And whereas the Planning Authority has concluded that:

- (a) The height of the rear wall of the shower room extension exceeds the height of the rear wall of the house (the rear wall of this section of the house being that of the rear wall of the utility room projection) and so therefore that the subject extension does not meet condition/limitation 4 of Class 1, Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024 as amended,
- (b) The shower room extension is not in conformity with previous permissions ref. no. 13/5172 and ref. no. 07/10189 where condition 1 of both permissions requires the development to be carried out in accordance with the permitted plans and particulars of same and as such constitutes development which under Article 9(1)(a)(i) of the Planning and Development Regulations 2001-2024 as amended, shall not be exempted development (if the carrying out of such development would contravene a condition attached to a permission under the Act),
- (c) The subject garage is not in conformity with previous permissions ref. no. 13/5172 and ref. no. 07/10189 where condition 1 of both permissions requires the development to be carried out in accordance with the permitted plans and particulars of same and as such constitutes development which, under Article 9(1)(a)(i) of the Planning and Development Regulations 2001-2024 as amended, shall not be exempted development if the carrying out of such development would contravene a condition attached to a permission under the Act,
- (d) The demolition of original structures to the rear of the house (and where subject garage is located) represent development which was not exempted development (as per Class 50, Part, 1 Schedule 2 of Planning and Development Regulations 2001-2024 as amended) and which was not in compliance or conformity with the permitted plans and particulars of ref. no. 13/5172 (as the entirety of the permitted development was not constructed). The demolition of the original structures to the rear therefore represents unauthorised development and the subject garage is considered to consist of the alteration of an unauthorised structure (whereby the definition of structure includes land) and as such constitutes development which under article 9(1)(a)(viii) shall not be exempted development where it consists of or comprises the extension, alteration, repair or renewals of an unauthorised structure or a structure the use of which is an unauthorised use,
- (e) The installation of the wastewater treatment system represents development which is not in compliance or conformity with the permitted plans and particulars of ref. no. 07/10189 (as the entirety of the permitted development was not constructed) and therefore represents unauthorised development, and noting that article 9(1)(a)(viii) states that development shall not be exempted development where it consists of or comprises the extension, alteration, repair or renewals of an unauthorised structure or a structure the use of which is an unauthorised use (and noting the definition of structure includes land). The subject development of a shower room extension and garage on lands where unauthorised development has occurred triggers article 9(1)(a)(viii) being development which alters and unauthorised structure,

The Planning Authority concludes that a ground floor extension (shower room) to rear of existing utility room and detached single storey garage to rear of existing dwelling, at Fairview, Knocknagore, Crosshaven, Co. Cork is development and is not exempted development.

A handwritten signature in black ink, appearing to read "Susan Hurley". The signature is written in a cursive style with a long, sweeping underline.

Susan Hurley
Executive Planner
06/11/2024

Jane O'Flynn
B.Arch. M.Sc.

Fairview
Fennell's Bay
Crosshaven
Co. Cork
tel. / fax. 021 4832635
mob. 087 6259136

The Planning Department
Cork County Council
County Hall
Carrigrohane Road
Cork

7th October 2024

Re: Shower room and garage at Fairview, Knocknagore, Crosshaven, Co. Cork

Dear Sir / Madam,

I write to make application for declaration for exempted development for the above.

I enclose herewith the following in support of the application.

1. Four copies of completed application form
2. One copy of contact details
3. Four copies of
 - record place map scale 1 : 10560
 - rural place map scale 1 : 2500
 - drawing no. 006 / PL / 411 site layout plan scale 1 : 500
 - drawing no. 006 / PL / 412 house floor plans scale 1 : 100
 - drawing no. 006 / PL / 413 house elevations scale 1 : 100
 - drawing no. 006 / PL / 414 garage plan and elevations scale 1 : 100
4. Four copies of single use copyright licence CYSL50412489 from Tailte Eireann

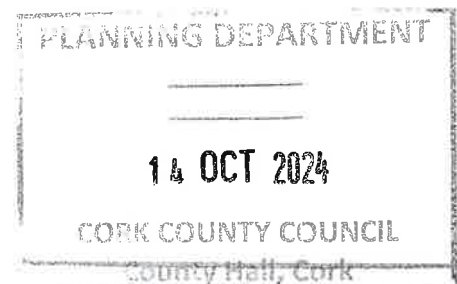
Please note planning fee of €80 will be paid in cash at County Hall on date of submission.

I trust that the enclosed information is sufficient for you to process this application and I look forward to your decision in this matter in due course.

Yours faithfully,



Jane O'Flynn Pesch, B.Arch. M.Sc.





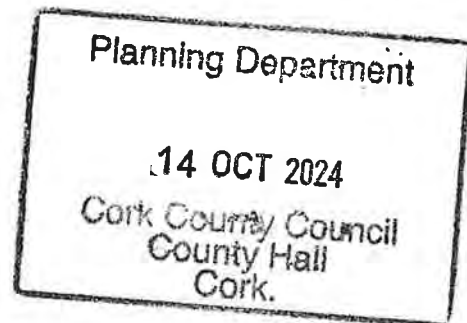
CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION

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 type="checkbox"/> |
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FOR OFFICE USE ONLY

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| Receipt No. | PLG0046358 |
| Cash/Cheque/ Credit Card | CASH |
| Date | 14/10/24 |
| Declaration Ref. No. | D/269/24 |

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.

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): | 5.2 sq.m. shower room and 19.6 sq.m. detached garage | |
| (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 checked="" type="checkbox"/> No <input type="checkbox"/> | If yes, please provide floor areas (m ²) and previous planning reference(s) where applicable: Porch (5.2 sq.m.) part of planning application 24-5544 |
| (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 | <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>Planning Department</p> <p>14 OCT 2024</p> <p>Cork County Council County Hall Cork.</p> </div> |
| (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): | | |

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 checked="" 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

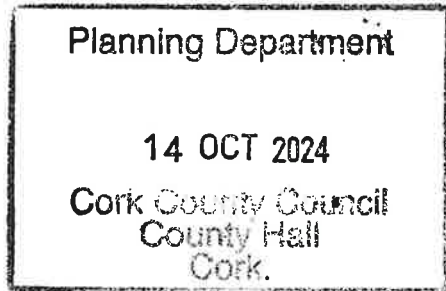
| | |
|-------------------------------|--|
| Signed (By Applicant Only) |  |
| Date | 10.10.2024 |

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 | 10.10.2024 |

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 | 10.10.24 |

Planning Department

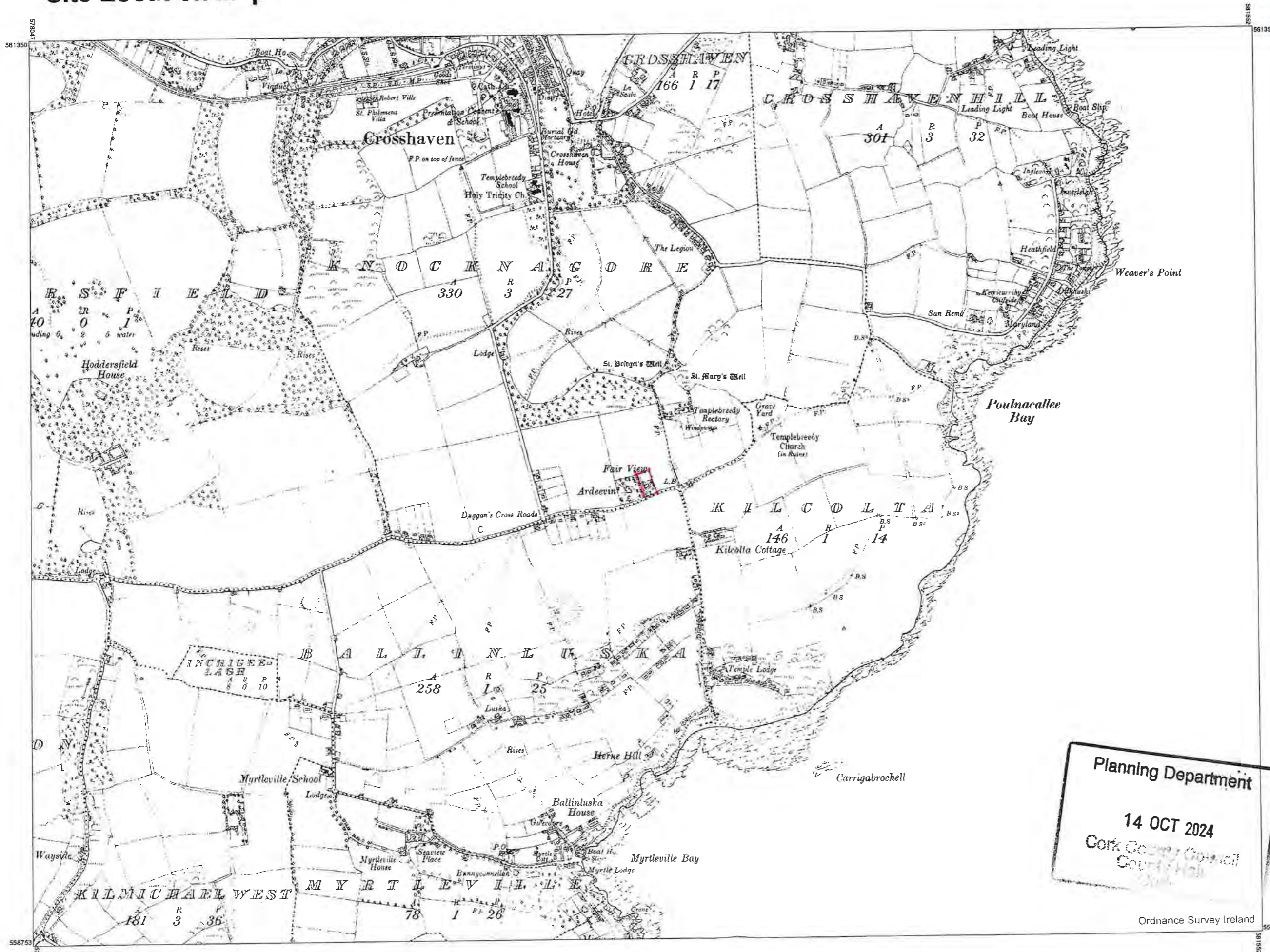
14 OCT 2024

Cork County Council
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Site Location Map



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CENTRE COORDINATES:
ITM 579800,560052

PUBLISHED:
23/07/2024

ORDER NO.:
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MAP SERIES:
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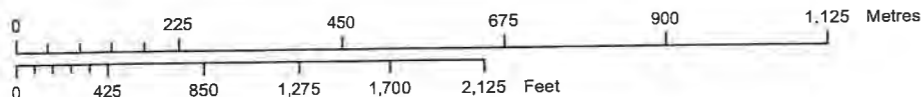
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14 OCT 2024
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Planning Pack Map



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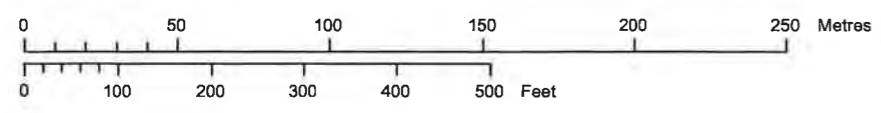
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JANE O FLYNN JANE O FLYNN

I,
I, Cork, 0000
Ireland
T: 0876259136

To Whom It May Concern:

JANE O FLYNN JANE O FLYNN

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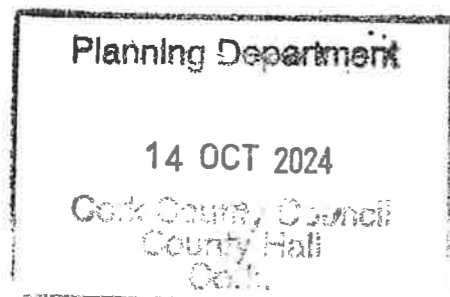
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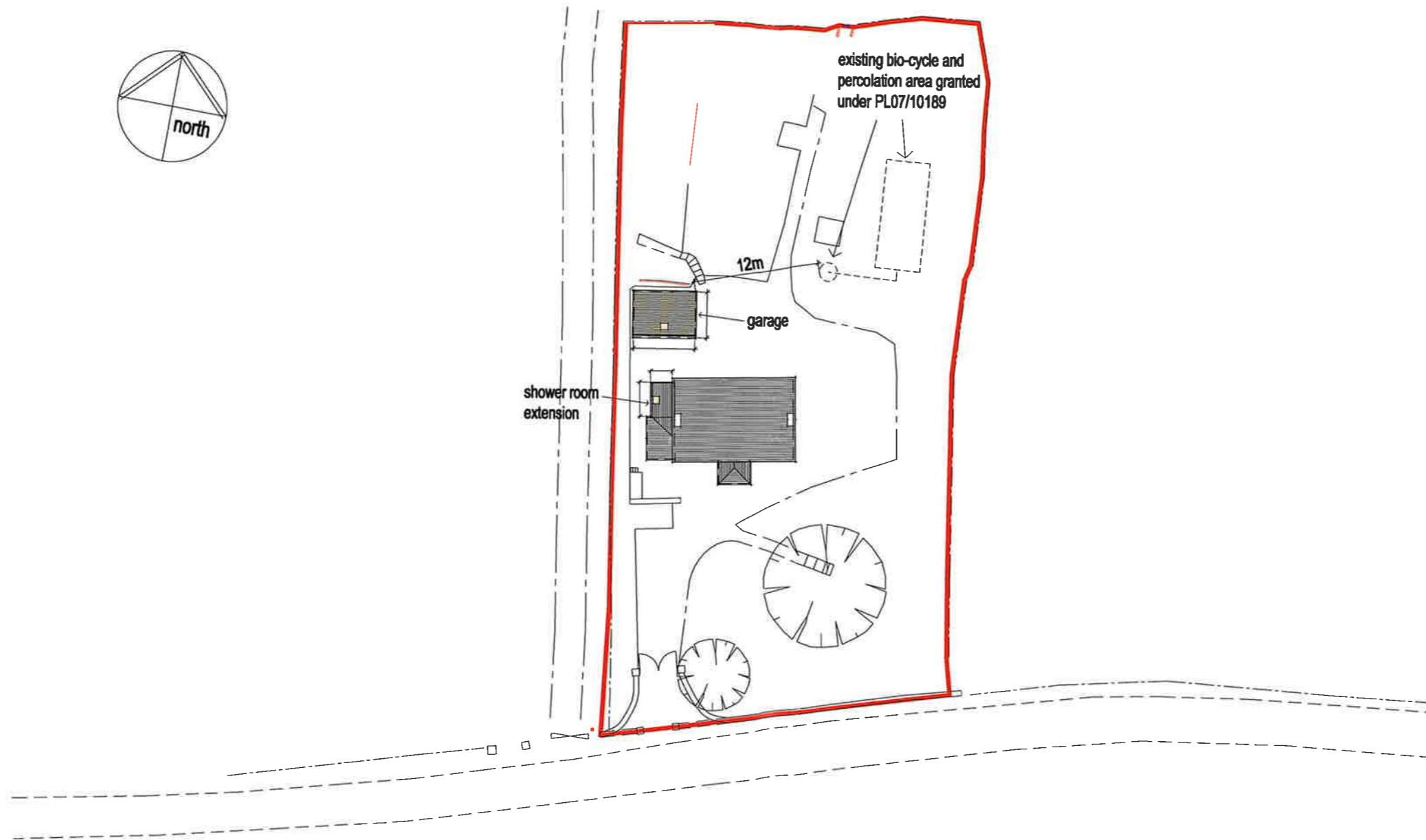
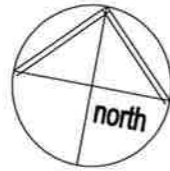
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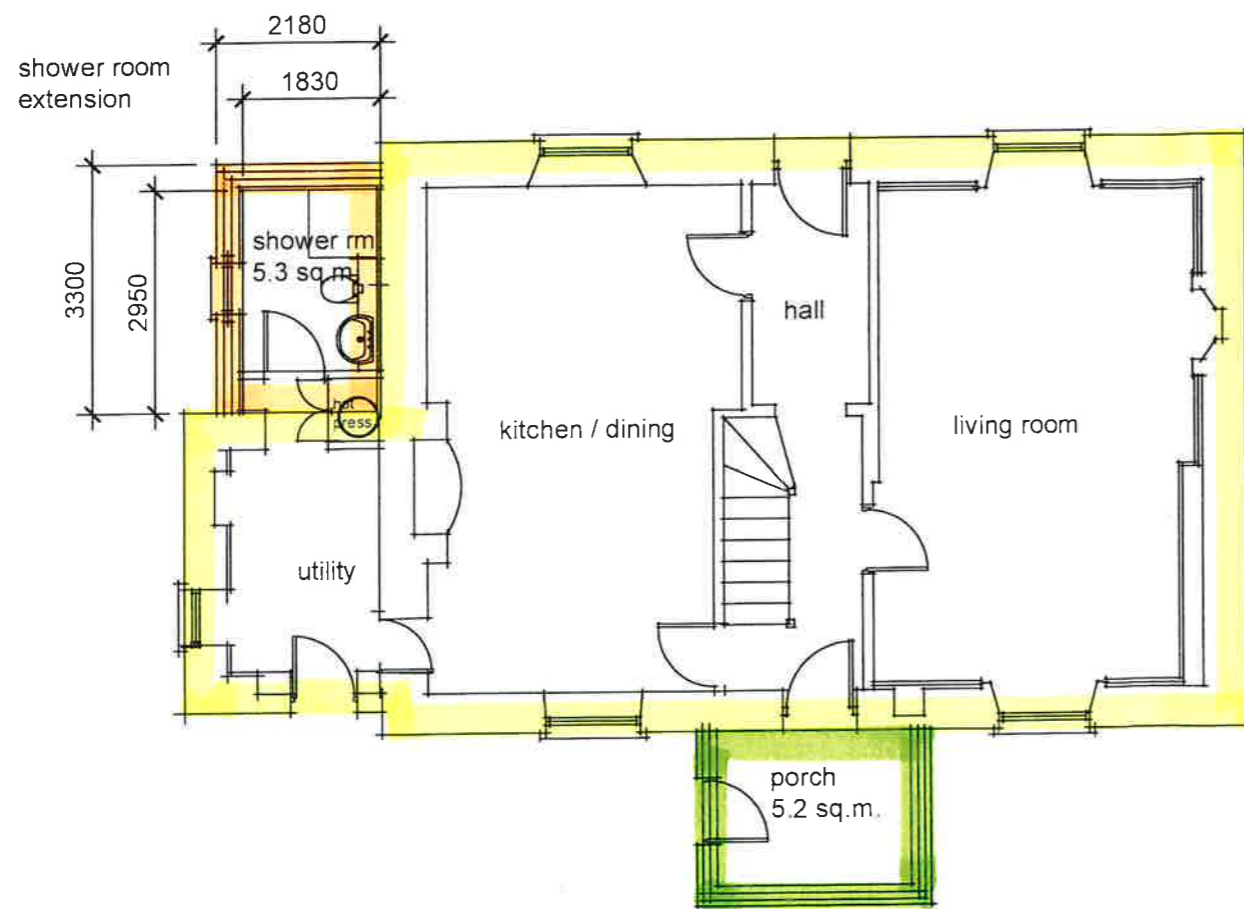
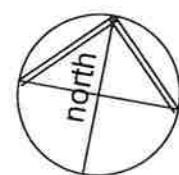
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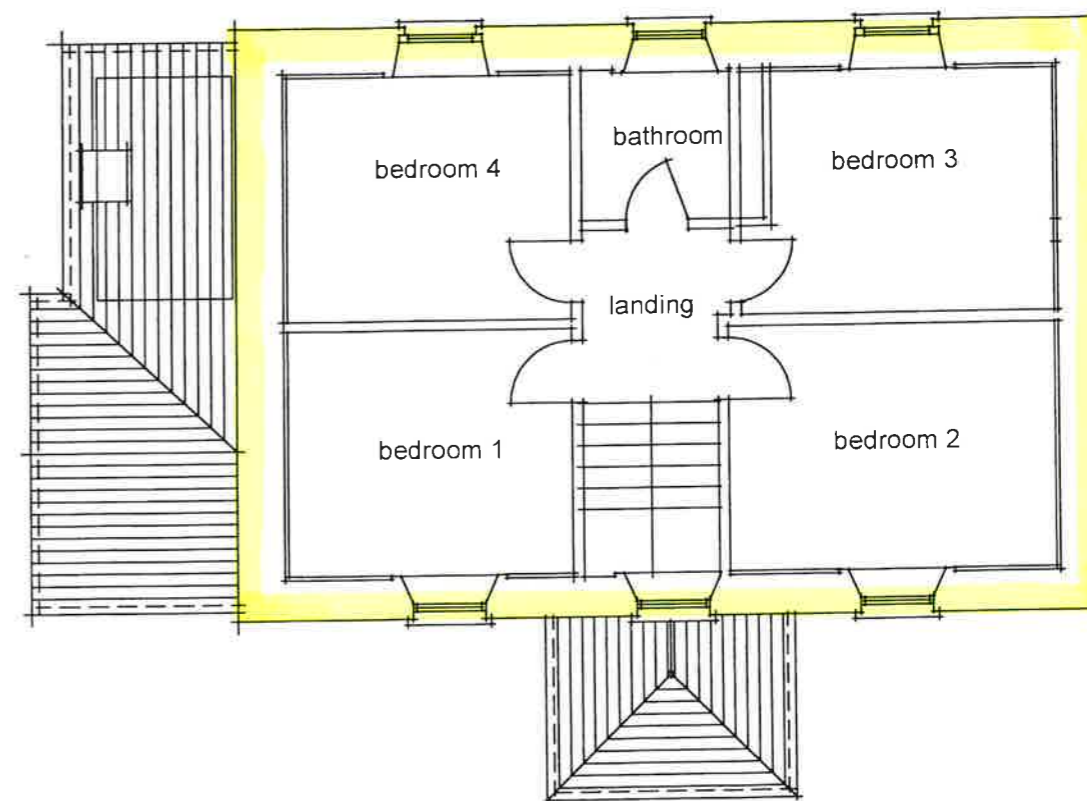


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14 OCT 2024
Cork County Council
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Ground Floor Plan



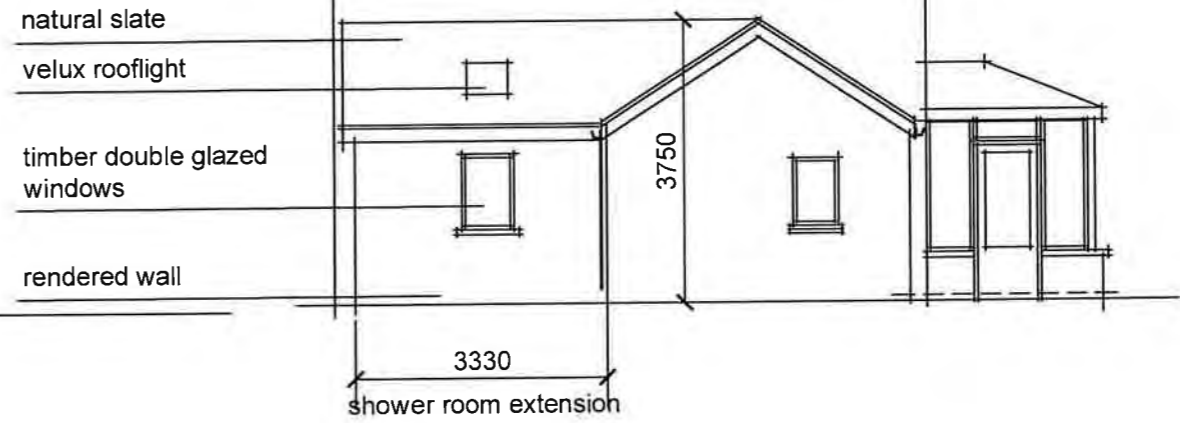
First Floor Plan

[part of application for
 exempted development
 — original 1870 house
 [part of planning
 application for retention
 24/05544

Planning Department
 14 OCT 2024
 Cork County Council
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South Elevation

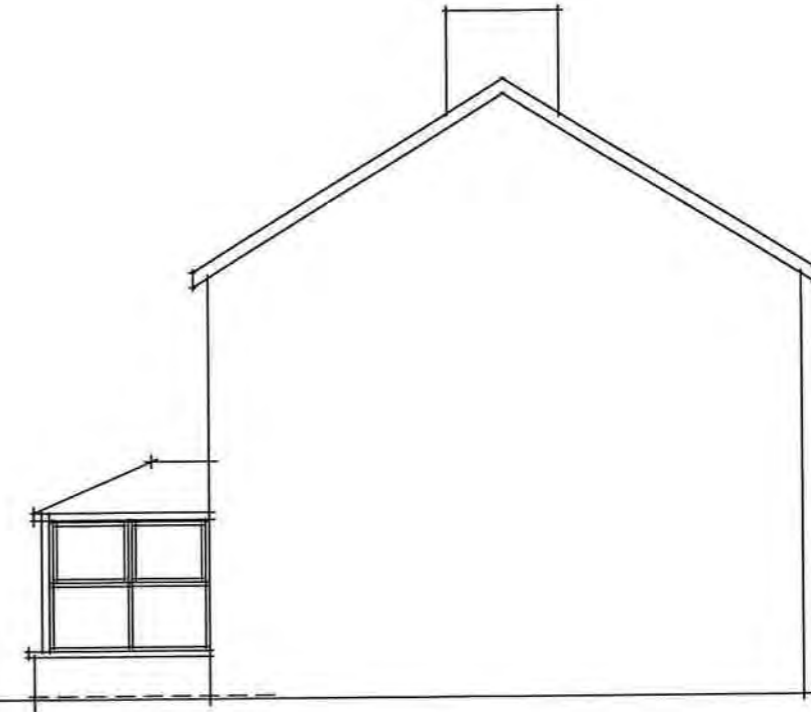
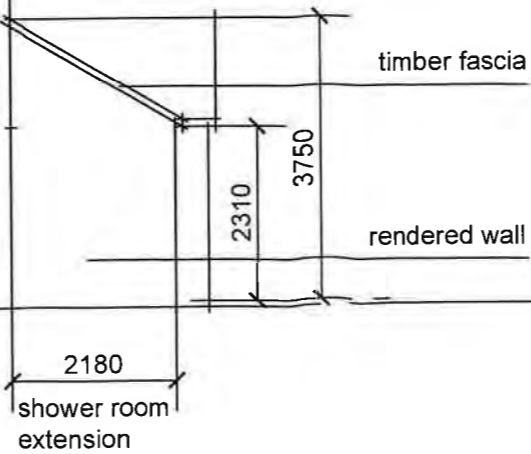


West Elevation

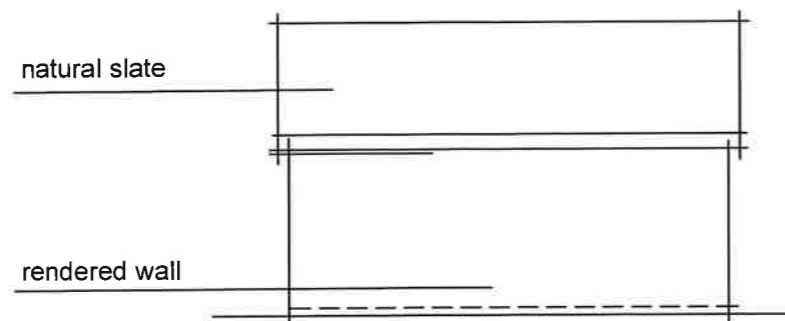
natural slate
 velux rooflight
 timber double glazed windows
 rendered wall



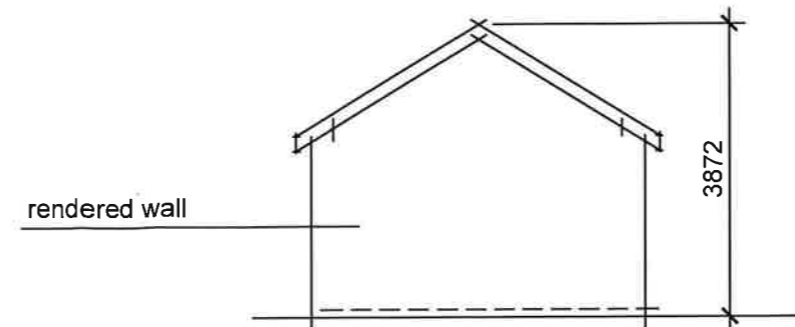
North Elevation



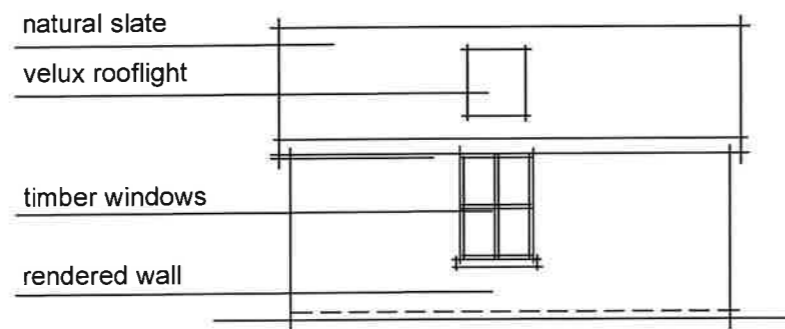
East Elevation



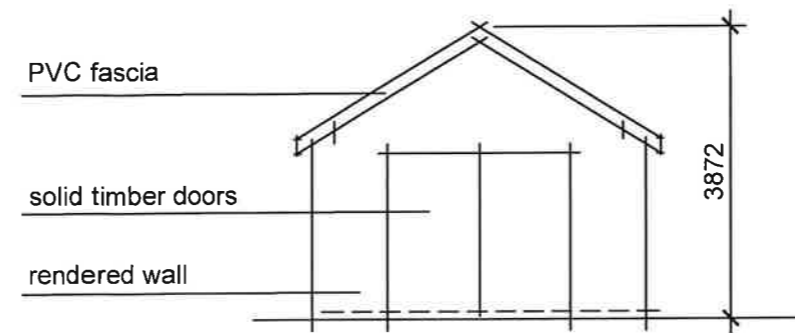
North Elevation



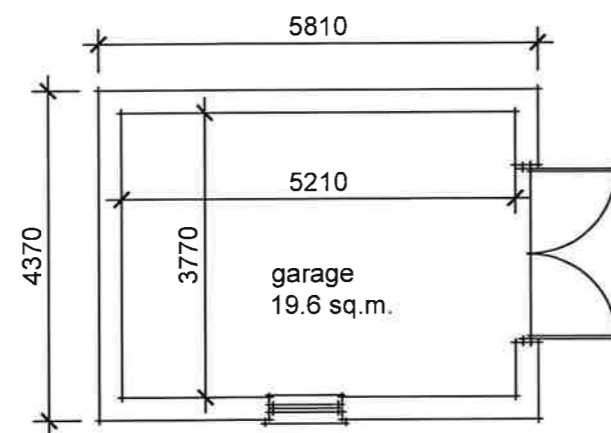
West Elevation



South Elevation



East Elevation



Floor Plan

